

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, May 12, 2015

5:00 PM

Council Chambers  
276 4th Avenue, Building A  
Chula Vista, CA 91910

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### REGULAR MEETING OF THE CITY COUNCIL

#### CALL TO ORDER

*A Regular Meeting of the City Council of the City of Chula Vista was called to order at 5:04 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.*

#### ROLL CALL:

**Present:** Councilmember Aguilar, Deputy Mayor Bensoussan, Councilmember McCann and Mayor Salas

**Excused:** Councilmember Miesen

#### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

*Councilmember McCann led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [15-0156](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DEPARTMENT AGENT MATT SHERARD PROCLAIMING MAY 15, 2015 AS PEACE OFFICERS MEMORIAL DAY IN THE CITY OF CHULA VISTA

*Mayor Salas read the proclamation and Councilmember Aguilar presented it to Agent Sherard.*

- B. [15-0182](#) PRESENTATION BY DEVELOPMENT SERVICES DEPARTMENT HOUSING MANAGER LEILANI HINES AND PROJECT COORDINATOR JOSE DORADO OF A RUBY AWARD FROM THE SAN DIEGO HOUSING FEDERATION TO THE CHULA VISTA CITY COUNCIL

*Mayor Salas read the proclamation and Deputy Mayor Bensoussan presented it to Housing Manager Hines and Project Coordinator Dorado. Housing Manager Hines presented information on the Chula Vista Housing Initiative and presented the Ruby Award from the San Diego Housing Federation.*

- C. [15-0190](#) PRESENTATION OF A PROCLAMATION TO PUBLIC WORKS ASSISTANT DIRECTOR OF ENGINEERING BILL VALLE PROCLAIMING THE WEEK OF MAY 17 THROUGH MAY 23, 2015 AS NATIONAL PUBLIC WORKS WEEK IN THE CITY OF CHULA VISTA

*Mayor Salas read the proclamation and Deputy Mayor Bensoussan presented it to Assistant Director of Engineering Valle. Mayor Salas also commended Principal Civil Engineer Rivera on receiving the Outstanding Service Public Agency award from the American Public Works Association.*

- D. [15-0195](#) PRESENTATION OF A PROCLAMATION TO BAYVIEW BEHAVIORAL HEALTH CAMPUS CLUBHOUSE MEMBER DAPHNE GALANG, MHA, DECLARING MAY 2015 AS MENTAL HEALTH MONTH IN THE CITY OF CHULA VISTA

*Mayor Salas read the proclamation and Councilmember Aguilar presented it to Ms. Galang.*

## **CONSENT CALENDAR (Items 1 - 7)**

1. [15-0200](#) APPROVAL OF MINUTES of April 14, 2015.
- Recommended Action: Council approve the minutes.**
2. [15-0118](#) RESOLUTION NO. 2015-100 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A THREE-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA, DELORENZO INTERNATIONAL, AND BALDWIN AND SONS FOR PARK DESIGN SERVICES FOR OTAY RANCH VILLAGE 2, PARK P-3 (MONTECITO PARK)

**Recommended Action: Council adopt the resolution.**

3. [15-0166](#) RESOLUTION NO. 2015-101 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) APPROVING THE 2015-2019 CONSOLIDATED PLAN AND 2015-2016 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME), AND THE EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS; (2) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AGREEMENTS FOR THE MANAGEMENT AND IMPLEMENTATION OF ELIGIBLE PROJECTS WITH EACH SUB-RECIPIENT/ CONTRACTOR/DEVELOPER IDENTIFIED IN THE ACTION PLAN; (3) AUTHORIZING THE CITY OF CHULA VISTA DEVELOPMENT SERVICES DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE RECREATION AND PUBLIC WORKS DEPARTMENTS FOR THE IMPLEMENTATION OF THREE CDBG-FUNDED PROJECTS; AND (4) AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL RELATED DOCUMENTS NECESSARY TO OBTAIN THE HOUSING AND URBAN DEVELOPMENT GRANTS

**Recommended Action: Council adopt the resolution.**

4. [15-0180](#) RESOLUTION NO. 2015-102 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI) AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO CERTIFY AND SUBMIT THE AI TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Recommended Action: Council adopt the resolution.**

5. [15-0173](#) RESOLUTION NO. 2015-103 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING DONATIONS AND GRANT FUNDS IN THE AMOUNT OF \$21,223.67 FROM MULTIPLE DONORS AND GRANTORS FOR COSTS ASSOCIATED WITH THE COMMUNITY FUN RUN, CITYWIDE AQUATIC AND RECREATION PROGRAMS AND FACILITIES, AND AMENDING THE FISCAL YEAR 2014/2015 RECREATION BUDGET TO REFLECT THE APPROPRIATION OF THESE DONATED, SPONSORSHIP AND GRANT FUNDS (4/5 VOTE REQUIRED)

**Recommended Action: Council adopt the resolution.**

6. [15-0177](#) QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDED MARCH 31, 2015

**Recommended Action: Council accept the report.**

7. [15-0179](#) INVESTMENT REPORT FOR THE QUARTER ENDED MARCH 31, 2015

**Recommended Action: Council accept the report.**

#### Approval of the Consent Calendar

**ACTION:** A motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Bensoussan, McCann and Salas

**No:** 0

**Abstain:** 0

#### ITEMS REMOVED FROM THE CONSENT CALENDAR

*There were none.*

#### PUBLIC COMMENTS

*Eric Barry, Chula Vista resident, expressed concern regarding recent occurrences of automobile collisions with buildings in the Bon Vivant condominium complex on Sonora Drive near Brandywine Avenue, and spoke in support of a protective barrier or guard being installed.*

#### PUBLIC HEARINGS

8. [15-0150](#) CONSIDERATION OF AMENDMENTS TO THE CITY'S GENERAL PLAN AND THE OTAY RANCH GENERAL DEVELOPMENT PLAN, INCLUDING A NEW DEVELOPMENT AGREEMENT INVOLVING PORTIONS OF THE OTAY RANCH FREEWAY COMMERCIAL PLANNING AREA 12

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING THE ADDENDUM (IS-12-03) TO FEIR 02-04; APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN AND THE OTAY RANCH GENERAL DEVELOPMENT PLAN TO REFLECT LAND USE AND POLICY CHANGES FOR APPROXIMATELY 35 ACRES WITHIN THE OTAY RANCH PLANNED COMMUNITY, INCLUDING ASSOCIATED TEXT, MAPS, AND TABLES

B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHULA VISTA, VILLAGE II TOWN CENTER, LLC, AND SUNRANCH CAPITAL PARTNERS, LLC, FOR THE FREEWAY COMMERCIAL NORTH PORTION OF OTAY RANCH PLANNING AREA 12 (FIRST READING)

*Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.*

*Development Services Director Broughton stated staff recommended continuing the item to the meeting of May 26, 2015. Senior Planner Donn, Planning Manager Batchelder, and Principal Planner Power gave a presentation on the item.*

*Stephen Hasse, representing Baldwin & Sons; Al Baldwin, owner, representing Baldwin & Sons; Nick Lee, representing Baldwin & Sons; and Paul Marra, representing Keyser Marston spoke regarding the proposed project.*

*Councilmember Aguilar spoke in support of amending Section 5.1.2 of the proposed agreement, related to the approval of a use other than a hotel site, to require the City Council approve a change in use instead of the Director of Development Services.*

*Deputy Mayor Bensoussan stated she met with the applicants to review the plans.*

*Mayor Salas opened the public hearing.*

*Mark Liuag, Chula Vista resident, submitted written documentation and spoke in opposition to the proposed project.*

*Colton Sudberry, San Diego resident, spoke in support of the approval of the project and provided additional information related to the proposed project.*

*Patricia Chavez, representing South Bay Community Services, spoke regarding Baldwin & Son's support of community organizations.*

*Lisa Cohen, representing the Chula Vista Chamber of Commerce, spoke in support of the proposed project.*

*John Mantey, Chula Vista resident, spoke in opposition to the proposed project.*

*There was consensus of the Council to continue the public hearing to the next meeting of the City Council. Mayor Salas stated the public hearing would remain open and be continued to May 26, 2015.*

9. [15-0178](#) CONSIDERATION OF WAIVING IRREGULARITIES IN THE BID RECEIVED FOR THE "PAVEMENT MINOR REHABILITATION FY14/15 (SLURRY SEAL) (STL401)" PROJECT PER CITY CHARTER SECTION 1009

RESOLUTION NO. 2015-104 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE "PAVEMENT MINOR REHABILITATION FY14/15 (SLURRY SEAL) (STL401)" PROJECT TO PAVEMENT COATINGS CO. IN THE AMOUNT OF \$1,532,589.00; WAIVING IRREGULARITIES IN THE LOW BID RECEIVED; WAIVING CITY COUNCIL POLICY NO. 574-01; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$114,944

*Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.*

*Mayor Salas opened the public hearing.*

*There being no members of the public who wished to speak, Mayor Salas closed the public hearing.*

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution No. 2015-104 be adopted, heading read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Bensoussan, McCann and Salas

**No:** 0

**Abstain:** 0

## CITY MANAGER'S REPORTS

*There were none.*

## MAYOR'S REPORTS

10. [15-0196](#) DISCUSSION AND POSSIBLE ACTION REGARDING THE LAWN SPACE IN FRONT OF CITY HALL, KNOWN AS PLAZA DE NACION (CITY HALL URBAN PARK)

*Mayor Salas suggested that the lawn space in front of City Hall, Plaza de Nacion, be repurposed as a xeriscape landscaping demonstration garden.*

*Deputy Mayor Bensoussan spoke in support of Mayor Salas' suggestion and also recommended local organizations, such as Southwestern College and local businesses, be contacted for possible participation in or sponsorship of the project.*

*Councilmember McCann suggested converting the area into a mix of turf and a xeriscape demonstration garden.*

*Councilmember Aguilar spoke in support of better promoting the originally intended use of the area and retain the land as park space.*

*At the request of Mayor Salas, there was consensus of the Council to request staff provide options within 90 days for Council consideration to repurpose the area.*

*Deputy Mayor Bensoussan suggested considering installing drip irrigation for lemon trees and other historically relevant plants.*

*City Attorney Googins stated that Closed Session Item 11 would be continued to the meeting of May 26, 2015.*

## **COUNCILMEMBERS' COMMENTS**

*Deputy Mayor Bensoussan announced the upcoming Harborfest event on August 22, 2015. She also spoke regarding efforts to raise money for deferred maintenance needs at the Norman Park Senior Center.*

*Councilmember McCann reported on his recent attendance at an international Mother's Day event, the Chula Vista Police Department awards ceremony. He also reported on the recent Veterans Home Foundation charity event. He recognized new businesses that opened in Chula Vista.*

*City Attorney Googins announced the upcoming Council workshop on the topic of Open Meeting and Ethics on May 14, 2015.*

## **CLOSED SESSION**

11. [15-0193](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: Samuel Escalante, et al. v. City of Chula Vista, WCAB,  
Case Number ADJ9571086

*Item 11 was continued to the meeting of May 26, 2015.*

## **ADJOURNMENT**

*At 8:01 p.m., Mayor Salas adjourned the meeting to the Special City Council Workshop on May 14, 2015, at 5:00 p.m., in the Council Chambers; and thence to the Regular City Council Meeting on May 26, 2015, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, Assistant City Clerk