

City of Chula Vista

Meeting Minutes - Final

Tuesday, May 10, 2016

5:00 PM

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

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, Councilmember Bensoussan, Deputy Mayor Miesen and Mayor Casillas Salas

Excused: Councilmember McCann

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor Miesen led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [16-0202](#) PRESENTATION OF A PROCLAMATION TO RESERVE SERGEANT BURDELLA THOMAS ON 31 YEARS OF SERVICE TO THE CITY OF CHULA VISTA

Mayor Casillas Salas read congratulatory letters to Sergeant Thomas from City of Virginia Beach and the City of Cambridge. Mayor Casillas Salas read the proclamation and Deputy Mayor Miesen presented it to Sergeant Thomas.

- B. [16-0241](#) PRESENTATION OF A PROCLAMATION TO POLICE AGENT SARAH SHARPE PROCLAIMING SUNDAY, MAY 15, 2016 AS NATIONAL PEACE OFFICERS MEMORIAL DAY IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Agent Sharpe and members of the Police Department.

- C. [16-0244](#) PRESENTATION OF A PROCLAMATION TO FIRE CAPTAIN MIKE FILSON, AND AQUATIC SUPERVISORS ERIC BONNEY, ARIELL FOLKS, AND KARINA CRAIG PROCLAIMING MAY 2016 AS DROWNING PREVENTION MONTH IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Deputy Mayor Miesen presented it to Captain Filson, and Aquatic Supervisors Bonney, Folks, and Craig.

- D. [16-0161](#) PRESENTATION OF A PROCLAMATION TO ERIKA SAARI FROM iCOMMUTE AND PRINCIPAL CIVIL ENGINEER FRANK RIVERA PROCLAIMING MAY 2016 AS NATIONAL BIKE MONTH IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Bensoussan presented it to Ms. Saari and Principal Civil Engineer Rivera.

- E. [16-0246](#) PRESENTATION OF A PROCLAMATION TO COMMISSION ON AGING CHAIR JEANNINE NASH, NORMAN PARK SENIOR CENTER CLUB PRESIDENT JANE GERBER AND SENIOR RECREATION MANAGER WENDI GARRISON PROCLAIMING TUESDAY, MAY 10, 2016 AS OLDER AMERICANS MONTH IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Deputy Mayor Miesen presented it to Ms. Nash, Ms. Gerber, and Senior Recreation Manager Garrison.

- F. [16-0242](#) PRESENTATION OF A PROCLAMATION TO MARINE GROUP BOAT WORKS PRESIDENT TODD ROBERTS PROCLAIMING TUESDAY, MAY 10, 2016 AS MARINE GROUP BOAT WORKS DAY IN CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Mr. Roberts and Ms. Yam.

- G. [16-0154](#) PRESENTATION BY MARKETING AND COMMUNICATIONS MANAGER, ANNE STEINBERGER OF THE 2016 SAN DIEGO COUNTY FAIR STREETLIGHT BANNER PROGRAM WITHIN THE CITY OF CHULA VISTA

Marketing and Communications Manager Steinberger presented information on the item.

CONSENT CALENDAR (Items 1 - 11)

Mayor Casillas Salas stated that the following members of the public submitted written documentation in support of Item 5 and declined to speak: Joe Garbanzos, Alejandra Sotelo-Solis, and Dr. Emily Young.

Item 9 was removed from the Consent Calendar for separate consideration by a member of the public.

Deputy Mayor Miesen stated he would abstain from voting on Item 10 due to a potential conflict of interest related to a business entity in which he had a financial interest.

1. [16-0249](#) APPROVAL OF MINUTES of April 12 and 26, and May 3, 2016.

Recommended Action: Council approve the minutes.

2. [16-0230](#) WRITTEN COMMUNICATIONS

Letter of resignation from Sonja Garrett, International Friendship Commission

Recommended Action: Council accept the resignation.

3. [16-0234](#) ORDINANCE NO. 3366 OF THE CITY OF CHULA VISTA ADDING SECTION 2.25.055 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO THE REAPPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS (SECOND READING AND ADOPTION)
- Recommended Action: Council adopt the ordinance.**
4. [16-0098](#) RESOLUTION NO. 2016-067 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECOND AMENDMENT TO THE AGREEMENT REGARDING CONSTRUCTION OF PARKS IN MILLENIA
- Recommended Action: Council adopt the resolution.**
5. [16-0103](#) RESOLUTION NO. 2016-068 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF COMMITMENT AND DIRECTING STAFF TO COMPLETE ALL DOCUMENTS NECESSARY TO ENTER THE AARP NETWORK OF AGE-FRIENDLY COMMUNITIES, APPROVING AN AWARD AGREEMENT WITH THE SAN DIEGO FOUNDATION FOR THE AGE-FRIENDLY COMMUNITIES PROJECT OF \$50,000 FOR FISCAL YEAR 2016/2017, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO IMPLEMENT THE AGREEMENT, AND APPROVING \$50,000 TO THE HEALTHY COMMUNITIES FISCAL YEAR 2016/2017 BUDGET AS MATCHING FUNDS
- Recommended Action: Council adopt the resolution.**
6. [16-0135](#) RESOLUTION NO. 2016-069 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO COUNCIL POLICY NUMBER 400-02 ON PUBLIC PARTICIPATION
- Recommended Action: Council adopt the resolution.**
7. [16-0180](#) RESOLUTION NO. 2016-070 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE 2016/2017 ANNUAL ACTION PLAN FOR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME), AND THE EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AGREEMENTS FOR THE MANAGEMENT AND IMPLEMENTATION OF ELIGIBLE PROJECTS WITH EACH SUBRECIPIENT/CONTRACTOR/DEVELOPER IDENTIFIED IN THE ACTION PLAN; 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 FOUR CDBG-FUNDED PROJECTS; AND AUTHORIZING THE

CITY MANAGER TO EXECUTE ANY AND ALL RELATED DOCUMENTS NECESSARY FOR THE HUD GRANTS

Recommended Action: Council adopt the resolution.

8. [16-0166](#) RESOLUTION NO. 2016-071 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY OF CHULA VISTA AND BLUE SKIES LANDSCAPE MAINTENANCE, INC. FOR LANDSCAPE MAINTENANCE SERVICES IN COMMUNITY FACILITIES DISTRICTS (CFD) 12-MA (VILLAGE 7 MCMILLIN AREA), 12-MB (VILLAGE 7 OTAY RANCH AREA), 14-M (EUC/MILLENIA), 09-M (VILLAGE 11 PHASES 1 & 2), AND 97-1A (OTAY RANCH AM) IN THE AMOUNT OF \$729,203 AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACT

Recommended Action: Council adopt the resolution.

Item 9 was removed from the Consent Calendar.

10. [16-0224](#) RESOLUTION NO. 2016-075 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LOT LINE ADJUSTMENT AND LAND EXCHANGE BETWEEN THE CITY OF CHULA VISTA AND OTAY LANDFILL, INC. TO ACCOMMODATE THE LOCATION OF A LANDFILL MONITORING WELL

Recommended Action: Council adopt the resolution.

11. [16-0204](#) RESOLUTION NO. 2016-076 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND MCFARLANE PROMOTIONS IN THE AMOUNT OF \$15,000 TO COORDINATE THE 2016 CHULA VISTA STARLIGHT PARADE, AND APPROVING UP TO FIVE ONE-YEAR EXTENSIONS

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

Items 1 through 8, and 11:

Yes: 4 - Aguilar, Bensoussan, Miesen and Casillas Salas

No: 0

Abstain: 0

ACTION: Item 10:**Yes:** 3 - Aguilar, Bensoussan and Casillas Salas**No:** 0**Abstain:** 1 - Miesen**ITEMS REMOVED FROM THE CONSENT CALENDAR****9. [16-0183](#)**

A. RESOLUTION NO. 2016-072 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING: AN AMENDMENT TO A CONTRACT WITH YGRENE ENERGY FUND CALIFORNIA, LLC ("YGRENE") REGARDING THE ADMINISTRATION OF THE CITY'S CLEAN ENERGY CHULA VISTA PROPERTY-ASSESSED CLEAN ENERGY FINANCING PROGRAM; AND AN INDEMNIFICATION AND INSURANCE AGREEMENT WITH YGRENE

B. RESOLUTION NO. 2016-073 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

C. RESOLUTION NO. 2016-074 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

Joshua Brock, representing the HERO PACE Program, spoke regarding consumer protection standards related to PACE programs.

Crystal Crawford, representing Ygrene Energy Fund California, spoke in support of staff's recommendation and provided information regarding the consumer protection standards in place.

ACTION: A motion was made by Councilmember Bensoussan, seconded by Deputy Mayor Miesen, that Resolution Nos. 2016-072, 2016-073, and 2016-074 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Miesen and Casillas Salas**No:** 0**Abstain:** 0

PUBLIC COMMENTS

There were none.

PUBLIC HEARINGS

12. [16-0104](#) CONSIDERATION OF AMENDING CHAPTER 18 OF THE CITY'S MASTER FEE SCHEDULE

RESOLUTION NO. 2016-077 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 18 (MOBILEHOMES) OF THE CITY'S MASTER FEE SCHEDULE, INCLUDING SETTING THE ADMINISTRATIVE FEE FOR RENT CONTROL SERVICES AT \$30 FOR FISCAL YEAR 2016/2017

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.

Senior Project Coordinator Kurz gave a presentation on the item.

Mayor Casillas Salas opened the public hearing.

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

ACTION: A motion was made by Councilmember Aguilar, seconded by Deputy Mayor Miesen, that Resolution No. 2016-077 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Miesen and Casillas Salas

No: 0

Abstain: 0

13. [16-0184](#) CONSIDERATION OF CHULA VISTA'S PORTION OF THE 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

RESOLUTION NO. 2016-078 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, REDUCING THE STL389 (\$50,000), TF392 (\$88,000) AND STM385 (\$70,000) CIP BUDGETS IN TRANSNET FUNDS AND APPROPRIATING THE EQUIVALENT AMOUNTS TO TF345 (\$50,000), TF327 (\$75,000), TF321 (\$13,000) AND GG222 (\$70,000), AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS (4/5 VOTE REQUIRED)

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.

Director of Public Works Hopkins provided information on the item.

Mayor Casillas Salas opened the public hearing.

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

ACTION: A motion was made by Councilmember Aguilar, seconded by Mayor Casillas Salas, that Resolution No. 2016-078 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Miesen and Casillas Salas

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

City Manager Halbert spoke regarding recent meetings with the Asset Management Program Advisory Committee (AMPAC) regarding a potential ballot measure to provide funding for infrastructure needs, as well as public outreach meetings regarding the City's budget.

MAYOR'S REPORTS

Mayor Casillas Salas reported on a recent trip she took to Sacramento with the League of California Cities to lobby on behalf of the City for transportation bills that would support the City's infrastructure needs. She also spoke with legislators regarding the City's plans for a university.

Mayor Casillas Salas spoke regarding the following recent events: A Night to Remember prom, Police Department Teen Academy graduation, Police Department Awards and Recognition ceremony, Veteran's Home annual Golf Classic, Port Tenant's dinner, and Chula Vista Community Learning Center's University Commitment ceremony.

COUNCILMEMBERS' COMMENTS

Councilmember Bensoussan spoke regarding the City's first craft beer festival, Amps and Ales.

Councilmember Aguilar spoke regarding recent Arbor Day events.

Mayor Casillas Salas paid tribute to Martha Jean "Terry" Stanczak and stated the meeting would be adjourned in her memory.

City Attorney Googins announced that the Council would convene in closed session to discuss the items listed below. At 6:19 p.m., the Council convened in Closed Session, with Councilmembers Aguilar, Bensoussan, Miesen, and Mayor Casillas Salas present.

CLOSED SESSION

Pursuant to Resolution No. 13706 and Council Policy No. 346-03, Official Minutes and records of action taken during Closed Sessions are maintained by the City Attorney.

14. [16-0232](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING
LITIGATION PURSUANT TO GOVERNMENT CODE SECTION
54956.9 (d)(1)

Name of case:

Katherine Wenrich v. City of Chula Vista, et al., San Diego Superior
Court, Case No. 37-2014-00037007-CU-PA-CTL

ACTION: No reportable action.

ADJOURNMENT

At 6:30 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on May 17, 2016, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk