

City of Chula Vista

Meeting Minutes - Final

Tuesday, September 25, 2018

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 5:03 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Deputy Mayor Diaz, Councilmember McCann, Councilmember Padilla and Mayor Casillas Salas

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Bigelow, and Deputy City Clerk Kansas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Padilla led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [18-0367](#) PRESENTATION BY METROPOLITAN TRANSIT SYSTEM (MTS) DIRECTOR OF MARKETING AND COMMUNICATIONS ROB SCHUPP REGARDING SYSTEM UPDATES AND DECLARING OCTOBER 2, 2018 RIDE FREE DAY ON MTS TRANSIT SYSTEM

MTS Director of Marketing and Communications Rob Schupp gave a presentation on the item. Mayor Casillas Salas read the proclamation and Deputy Mayor Diaz presented it Mr. Schupp.

CONSENT CALENDAR (Items 1 - 11)

Items 3, 5, and 8 were removed from the Consent Calendar at the request of a member of the public, Councilmember McCann and Councilmember Aguilar, respectively.

City Attorney Googins announced minor revisions to Items 2 and 4 had been distributed to the Council and that action on these items would be with respect to the revised documents. He also stated that Item 7 required 4/5 vote of the Council.

1. [18-0440](#) WRITTEN COMMUNICATIONS
- A. Letter of resignation from Mark Valen, Wildlife Advisory Group
- B. Memo from Councilmember Padilla requesting an excused absence from the September 11, 2018 council meeting.

Recommended Action: Council accept the resignation and excuse the absence.

2. [18-0283](#)
- A. RESOLUTION NO. 2018-194 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 1, OPEN SPACE DISTRICT 20, ZONES 4, 5, AND 6 IN THE AMOUNT OF \$433,882, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)
- B. RESOLUTION NO. 2018-195 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 2 OPEN SPACE DISTRICTS 14, 15, AND 24 IN THE AMOUNT OF \$132,571
- C. RESOLUTION NO. 2018-196 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 3 OPEN SPACE FOR COMMUNITY FACILITIES DISTRICT 13-M OTAY RANCH VILLAGE 2 (NEW DEVELOPMENT) IN THE AMOUNT OF \$120,671, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)
- D. RESOLUTION NO. 2018-197 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 4 COMMUNITY FACILITIES DISTRICT 8M OTAY RANCH VILLAGE 6 MCMILLIN (VILLAGE 6 MC) AND COMMUNITY FACILITIES DISTRICT 8M OTAY RANCH VILLAGE 6 OTAY RANCH (VILLAGE 6 OR) IN THE AMOUNT OF \$418,975, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolutions.

Item 3 was removed from the Consent Calendar.

4. [18-0409](#) RESOLUTION NO. 2018-199 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING A SHELTER CRISIS, WITHIN THE MEANING OF GOVERNMENT CODE SECTION 8698, ET SEQ; AUTHORIZING THE CITY MANAGER TO SEEK HOMELESS EMERGENCY AID PROGRAM (HEAP) FUNDS TO ADDRESS SAID SHELTER CRISIS AS PROVIDED FOR IN SB 850 AND THE 2018-19 BUDGET ACT; AND RELATED ACTIONS

Recommended Action: Council adopt the resolution.

Item 5 was removed from the Consent Calendar.

6. [18-0387](#) REPORT GIVING NOTICE OF INTENT TO AMEND THE CONFLICT OF INTEREST CODE OF THE CITY OF CHULA VISTA AND DIRECTING THE CITY CLERK AND CITY ATTORNEY TO RETURN TO COUNCIL TO PRESENT THE PROPOSED AMENDMENTS WITHIN 90 DAYS

Recommended Action: Council accept the report.

7. [18-0395](#) RESOLUTION NO. 2018-201 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FY 2019 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ESTABLISHING NEW CIP PROJECTS: "ROHR PARK RESTROOMS (MEASURE P)," "FIRE STATION 2 FUELING TANK REPLACEMENT (MEASURE P)," "MAX FIELD/LOMA VERDE ACCESSIBILITY STUDY (MEASURE P)," AND "FIRE STATIONS REPAIR/REPLACEMENT PH II (MEASURE P);" AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN TO INCLUDE SAID PROJECTS; AND AMENDING THE FY 2019 OPERATING AND CIP PROGRAM BUDGETS TO APPROPRIATE FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Item 8 was removed from the Consent Calendar.

9. [18-0432](#) RESOLUTION NO. 2018-203 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE BIDDING REQUIREMENT AND APPROVING THE SECOND AMENDMENT TO THE MEDICAL DIRECTOR AGREEMENT BETWEEN THE REGENTS OF THE UNIVERSITY OF CALIFORNIA AND THE CITY OF CHULA VISTA FOR MEDICAL DIRECTOR SERVICES SUPPORTING THE FIRE DEPARTMENT'S ADVANCE LIFE SUPPORT PROGRAM

Recommended Action: Council adopt the resolution.

- 10. [18-0419](#) RESOLUTION NO. 2018-204 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING COMPETITIVE BIDDING AND APPROVING AN AGREEMENT WITH SOUTH COAST MEDICAL CLINIC TO PROVIDE MEDICAL SERVICES TO THE CITY JAIL

Recommended Action: Council adopt the resolution.

- 11. [18-0420](#) RESOLUTION NO. 2018-205 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$62,815 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE FEDERAL GRANTS FUND FOR THE URBAN AREA SECURITY INITIATIVE (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

- Yes:** 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas
- No:** 0
- Abstain:** 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 3. [18-0443](#) RESOLUTION NO. 2018-198 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING CITY COUNCIL POLICY 570-02 AND APPROVING A SEWER SERVICE AGREEMENT BETWEEN CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR OTAY LAKES COUNTY PARK

The following members of the public spoke in support of staff's recommendation:

- San Diego County Supervisor Greg Cox
- John Mendez, representing Boy Scouts of America, and he gave a presentation on the item

City Attorney Googins announced a revised resolution, staff report, and agreement had been distributed to Council and that action on the item would be with respect to the revised documents.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to adopt Resolution No. 2018-198, heading read, text waived. The motion carried by the following vote:

- Yes:** 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas
- No:** 0
- Abstain:** 0

5. [18-0350](#) RESOLUTION NO. 2018-200 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT CREATING THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY; APPOINTING THE MAYOR TO THE GOVERNING BOARD OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY; AND APPOINTING COUNCILMEMBER AGUILAR TO THE GOVERNING BOARD OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY

Staff responded to questions of the Council and Council discussion ensued.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, to adopt Resolution No. 2018-200, as amended, to appoint Councilmember Aguilar for the remainder of her term to the Governing Board of the Chula Vista Bayfront Facilities Financing Authority, and to remove reference to the seat being filled by the Councilmember representing City Council District 2. The heading was read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

8. [18-0442](#) RESOLUTION NO. 2018-202 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING HOUSEHOLD-RELATED PARKS (HRP) GRANT FUNDS FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AMENDING THE FY 2019 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGETS IN THE AMOUNT OF \$629,450; ESTABLISHING A NEW CIP PROJECT, "CIVIC CENTER LIBRARY OUTDOOR DECK ADDITION" (GGV0244); AND APPROPRIATING THE HRP GRANT AWARD (4/5 VOTE REQUIRED)

Director of Community Services Lamb responded to questions of Councilmember Aguilar regarding the item.

ACTION: A motion was made by Councilmember Aguilar, seconded by Mayor Casillas Salas, to adopt Resolution No. 2018-202, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

Steven Pavka, Chula Vista resident, spoke regarding gun control.

PUBLIC HEARINGS

- 12. [18-0376](#) ORDINANCE OF THE CITY OF CHULA VISTA CONSOLIDATING THE EASTERN TRANSPORTATION DEVELOPMENT IMPACT FEE, WESTERN TRANSPORTATION DEVELOPMENT IMPACT FEE, AND BAYFRONT DEVELOPMENT IMPACT FEE CHAPTERS OF THE CHULA VISTA MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTER 3.54 (TRANSPORTATION DEVELOPMENT IMPACT FEE) AND REPEALING CHAPTER 3.55 (WESTERN AND BAYFRONT TRANSPORTATION DEVELOPMENT IMPACT FEES) (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.

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 McCann, seconded by Councilmember Padilla, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION ITEMS

- 13. [18-0260](#) RESOLUTION NO. 2018-206 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2014 COMMUNITY AND MUNICIPAL GREENHOUSE GAS EMISSIONS INVENTORY REPORTS

Conservation Specialist Downs gave a presentation on the item.

ACTION: A motion was made by Councilmember Padilla, seconded by Deputy Mayor Diaz, to adopt Resolution No. 2018-206, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

- 14. [18-0325](#) PRESENTATION OF FISCAL YEAR 2020 - 2029 GENERAL FUND LONG-TERM FINANCIAL PLAN

Director of Finance Bilby and Budget and Analysis Manager Prendell gave a presentation on the item.

At the request of Mayor Casillas Salas, there was consensus of Council to accept the report.

CITY MANAGER'S REPORTS

15. [18-0423](#) REPORT REGARDING STATUS OF EXCLUSIVE NEGOTIATING AGREEMENT (ENA) WITH THE UNIVERSITY OF SAINT KATHERINE AND REQUEST FOR INPUT FROM CITY COUNCIL ON CITY MANAGER'S PENDING NINETY (90) DAY EXTENSION OF THE ENA

City Manager Halbert and Director of Economic Development Crockett provided information and answered questions of the Council regarding the item.

Alan Hermiz, Chula Vista resident, spoke in support of the City pursuing California state institutions.

Deuel Woodward, Chula Vista resident, asked questions and spoke regarding University of Saint Katherine's religious affiliation.

Dr. Frank Papatheofanis, President of University of Saint Katherine, responded to questions from Councilmember Aguilar regarding students' eligibility for Cal Grants.

MAYOR'S REPORTS

Mayor Casillas Salas announced that the Chula Vista Police Department had received \$5.9 million due to assistance provided to the FBI in an investigation of Rabobank.

16. [18-0448](#) RATIFICATION OF APPOINTMENT OF ANTHONY SCLAFANI, BOARD OF APPEALS AND ADVISORS

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, that the above appointment be ratified. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

Mayor Casillas Salas spoke regarding the Measure A Citizens' Oversight Committee interviews and appointments, and expressed gratitude for the collaboration of Council. She announced that the City had been named the 3rd best place for immigrants to live and thrive by the New American Economy Research Fund.

COUNCILMEMBERS' COMMENTS

Councilmember McCann spoke regarding Bonitafest.

Councilmember Padilla expressed gratitude to Mayor Casillas Salas for her leadership.

At the request of Councilmember Aguilar, there was consensus of Council to make a referral to staff to provide the Council with options to fund necessary Police Department overtime for City events.

Mayor Casillas Salas announced Voter Registration Day.

CITY ATTORNEY'S REPORTS

There were none.

City Attorney Googins announced that Item 17 would be continued to a future date.

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.

17. [18-0394](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
[1] Case

Item 17 was not discussed and was continued to a future date.

ADJOURNMENT

At 7:18 p.m., the meeting was adjourned to the Regular City Council Meeting on October 2, 2018, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk