

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, September 12, 2017

5:00 PM

Council Chambers  
276 4th Avenue, Building A  
Chula Vista, CA 91910  
Teleconferencing location:  
Cambria Pines Lodge Business Center  
2905 Burton Drive, Cambria, CA 93428

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### REGULAR MEETINGS OF THE MUNICIPAL FINANCING AUTHORITY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

#### CALL TO ORDER

*Regular meetings of the City Council and Municipal Financing Authority of the City of Chula Vista were called to order at 5:06 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.*

#### ROLL CALL:

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

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

*Acting City Clerk Bigelow announced that Councilmember Padilla was participating via videoconference from the following location: Cambria Pines Lodge Business Center, 2905 Burton Drive, Cambria, CA 93428; and that all votes would be taken by roll call.*

*Councilmember Padilla stated he complied with all requirements of the Brown Act, including posting the agenda and assuring public accessibility to the location. He stated no members of the public were present at his location.*

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

*Councilmember Diaz led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

A. [17-0372](#) OATHS OF OFFICE

- Anna Cabral, Housing Advisory Commission
- Cory Fish, Civil Service Commission
- Edgar Hopida, Charter Review Commission
- Alexandra Mares, International Friendship Commission
- Tina Matthias, Sustainability Commission
- Christianne Penunuri, Cultural Arts Commission

*Acting City Clerk Bigelow administered the oaths of office to Commissioners Cabral, Fish, Hopida, Mares, Matthias and Penunuri. Deputy Mayor McCann presented them with certificates of appointment.*

- B. [17-0375](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA ELEMENTARY SCHOOL SUPERINTENDENT DR. FRANCISCO ESCOBEDO, ASSISTANT SUPERINTENDENT MATTHEW TESSIER, AND SWEETWATER UNION HIGH SCHOOL DISTRICT SUPERINTENDENT DR. KAREN JANNEY, PROCLAIMING SEPTEMBER 2017 AS CHILDHOOD OBESITY AWARENESS MONTH IN CHULA VISTA AND COMMENDING BOTH DISTRICTS FOR THEIR CONTINUED WORK TO PROMOTE CHILDHOOD WELLNESS

*Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Dr. Escobedo, Mr. Tessier, Dr. Janney, and the members of the Health Advisory forum.*

- C. [17-0289](#) PRESENTATION BY ANTHONY KLEPPE, REGION 9 LAND PORT OF ENTRY PROGRAM MANAGER, ON THE CLOSURE OF SOUTHBOUND INTERSTATE 5 FROM SR-905 TO THE U.S./MEXICO BORDER FOR THE I-5 REALIGNMENT PROJECT AT THE SAN YSIDRO PORT OF ENTRY ON SEPTEMBER 23 - THROUGH SEPTEMBER 25, 2017

*Anthony Kleppe gave a presentation on the item.*

- D. [17-0343](#) PRESENTATION BY SDG&E OF THE POWER YOUR DRIVE ELECTRIC VEHICLE (EV) CHARGER PROGRAM IMPLEMENTATION AT THREE MUNICIPAL LOCATIONS IN THE CITY OF CHULA VISTA

*Sr. Conservation Specialist Coleen Wisniewski and SDG&E representative Lianna Rios gave a presentation on the item.*

## CONSENT CALENDAR (Items 1 - 7)

*Item 2 was removed from the Consent Calendar at the request of a member of the public.*

1. [17-0369](#) APPROVAL OF MINUTES of June 28, and July 11, 2017.

**Recommended Action: Council approve the minutes.**

*Item 2 was removed from the Consent Calendar.*

3. [17-0308](#) RESOLUTION NO. 2017-160 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING COUNCIL POLICY 104-01, "ORDER OF BUSINESS AT CITY COUNCIL MEETINGS," TO ADD CITY ATTORNEY'S REPORTS PRIOR TO CLOSED SESSION

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

4. [17-0388](#) INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2017

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

5. [17-0334](#) A. RESOLUTION NO. 2017-161 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF)

B. RESOLUTION NO. 2017-002 OF THE BOARD OF DIRECTORS OF THE CHULA VISTA MUNICIPAL FINANCING AUTHORITY AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF)

**Recommended Action: Council adopt resolution A and Authority adopt resolution B.**

6. [17-0361](#)

A. RESOLUTION NO. 2017-162 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING CITY-OWNED LAND AS NOT NEEDED FOR CURRENT OR FUTURE USES; ACCEPTING AN OFFER TO PURCHASE THE CITY-OWNED LAND BY CALTRANS FOR THE CONSTRUCTION OF THE I-805 EXPRESS LANES; AUTHORIZING THE CITY ATTORNEY TO MAKE SUCH MODIFICATIONS TO THE RIGHT OF WAY CONTRACT AND GRANT DEED FOR THE CITY-OWNED LAND AS DEEMED NECESSARY FOR THE BENEFIT OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SALE OF THE CITY-OWNED LAND

B. RESOLUTION NO. 2017-163 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING AS SURPLUS LAND A CITY-OWNED PARCEL OF REAL PROPERTY LOCATED SOUTH OF AND ADJACENT TO 150 BONITA ROAD; ACCEPTING AN OFFER TO PURCHASE THE CITY-OWNED PARCEL FROM SILVERGATE DEVELOPMENT, LLC; AUTHORIZING THE CITY ATTORNEY TO MAKE SUCH MODIFICATIONS TO THE PURCHASE AGREEMENT FOR THE CITY-OWNED PARCEL AS DEEMED NECESSARY FOR THE BENEFIT OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SALE OF THE CITY-OWNED PARCEL

C. RESOLUTION NO. 2017-164 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING AS SURPLUS LAND A CITY-OWNED PARCEL OF REAL PROPERTY LOCATED NORTH OF EASTLAKE PARKWAY AND WEST OF STATE ROUTE 125; ACCEPTING AN OFFER TO PURCHASE THE CITY-OWNED PARCEL FROM GARDENLIFE-SALVA, LLC; AUTHORIZING THE CITY ATTORNEY TO MAKE SUCH MODIFICATIONS TO THE PURCHASE AGREEMENT FOR THE CITY-OWNED PARCEL AS DEEMED NECESSARY FOR THE BENEFIT OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SALE OF THE CITY-OWNED PARCEL

D. RESOLUTION NO. 2017-165 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PURCHASE OPTION AGREEMENT TO SELL CITY-OWNED LAND LOCATED NORTH OF E STREET AND WEST OF I-5 TO LAND DEVELOPERS & ASSOCIATES FOR USE IN THE DEVELOPMENT OF ADJACENT LAND

E. RESOLUTION NO. 2017-166 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CAPITAL IMPROVEMENT BUDGET FOR FISCAL YEAR 2017/2018 AND APPROPRIATING \$500,000 FROM THE SALE OF EXCESS PROPERTIES FOR THE DEMOLITION OF CITY-OWNED PROPERTY LOCATED AT 707 F STREET (4/5 VOTE REQUIRED)

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

7. [17-0380](#) RESOLUTION NO. 2017-167 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$480,000 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE RADIO DISPATCH CONSOLE EQUIPMENT FROM MOTOROLA SOLUTIONS, INC. BASED ON THE COUNTY OF SAN DIEGO'S CONTRACT NUMBER 553982 PRICING AND TERMS, AND APPROPRIATING SAID FUNDS TO 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 Deputy Mayor McCann, seconded by Mayor Casillas Salas, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The vote was taken by roll call and 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

2. [17-0374](#) ORDINANCE NO. 3410 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 3.45 OF THE CHULA VISTA MUNICIPAL CODE (MASTER FEE SCHEDULE) (SECOND READING AND ADOPTION)

*Steven Pavka, Chula Vista resident, spoke in opposition to staff's recommendation.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Diaz, to adopt Ordinance No. 3410, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**PUBLIC COMMENTS**

*Ginger Sacco, Chula Vista resident, representing Citizens Against Sewage, expressed concern regarding sewage spills in Imperial Beach and urged the City to join Imperial Beach in a lawsuit related to the matter.*

*Gabrielle Torres, San Diego resident, representing Surfrider Foundation, expressed concern regarding the sewage spills.*

*At the request of Mayor Casillas Salas, there was a consensus of a majority of the Council to make a referral to the City Attorney to provide additional information to the Council regarding the sewage spill matter.*

*Mark Gregory, Chula Vista resident, spoke in support of repairs being made at Norman Park Senior Center.*

*Sandy Soto, Chula Vista resident, expressed concern regarding excessive speeding and traffic on Emerson Street.*

*Raquel Cortez and Rosa Lopez, Chula Vista residents, spoke regarding the return of activities on Third Avenue.*

**PUBLIC HEARINGS**

8. [17-0378](#) CONSIDERATION OF THE DECISION OF THE CHIEF OF POLICE AND FINDING REGARDING AN ALCOHOLIC BEVERAGE LICENSE AT 7-ELEVEN LOCATED ON BONITA ROAD

A. RESOLUTION NO. 2017-168 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING THE DECISION OF THE CHIEF OF POLICE AND FINDING THAT AN ALCOHOLIC BEVERAGE LICENSE AT 4232 AND 4230 A & B BONITA ROAD (7-ELEVEN INC.) DOES NOT SERVE PUBLIC CONVENIENCE OR NECESSITY

- OR -

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REVERSING THE DECISION OF THE CHIEF OF POLICE AND FINDING THAT AN ALCOHOLIC BEVERAGE LICENSE AT 4232 AND 4230 A & B BONITA ROAD (7-ELEVEN INC.) SERVES PUBLIC CONVENIENCE OR NECESSITY

*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.*

*Captain Salle and Officer Vicente gave a presentation on the item and answered questions of the Council.*

*Mayor Casillas Salas opened the public hearing.*

*Mayor Casillas Salas requested the Council report any ex parte communications.*

*Mayor Casillas Salas stated that she met with Mr. and Mrs. Fuentes, who were in opposition of the project; she received a phone call from Mike Green, who was in support of the project; and she received emails and a copy of a community petition.*

*Deputy Mayor McCann stated he had received 55 signatures in support of the project and 12 emails in opposition to the project.*

*Councilmember Aguilar stated she had received approximately 20 emails, almost all of which were in opposition to the project.*

*Councilmember Diaz stated he had received 10 emails in opposition to the project and one in support of the project.*

*City Attorney Googins stated that Councilmember Padilla had reported to him that he had not engaged in any ex parte communications.*

*The following members of the public spoke in support of Resolution B, finding that an alcoholic beverage license at 4232 and 4230 A & B Bonita Rd. (7-Eleven Inc.) served public convenience or necessity:*

- James Davis, San Diego resident, real estate manager for 7-Eleven*
- Greg Spounias, Bonita resident*
- Mike MacFarland, applicant, and he also gave presentation on the item*
- Sherrie Olson, representing 7-Eleven, and she also provided information and answered questions regarding the project*

*The following members of the public spoke in support of Resolution A, affirming the decision of the Chief of Police and finding that an alcoholic beverage license at 4232 and 4230 A & B Bonita Road (7-Eleven Inc.) did not serve public convenience or necessity:*

- Kathie Dobberteen, Bonita resident*
- Gail Von Sydow, Bonita resident*
- Nancy Cornell, Bonita resident*
- Tom Money, Bonita resident*
- Manolo Guillen, Chula Vista resident*
- Duchi Galvez, Chula Vista resident*

*Anwer Rafael, Bonita resident, submitted written documentation in support of Resolution A and declined to speak.*

*Mayor Casillas Salas closed the public hearing.*

*Councilmember Aguilar stated that she lived within the census track but outside the 500' parameter of the project. She also stated that she was a member of the neighborhood watch group that existed in the project area and she knew some of the individuals who spoke regarding the item. She stated she could act independently and impartially on the issue.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Padilla, to adopt Resolution 8A, No. 2017-168, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

**Yes:** 4 - Aguilar, McCann, Padilla and Casillas Salas

**No:** 1 - Diaz

**Abstain:** 0

*Mayor Casillas Salas recessed the meeting at 7:37 p.m. The Council reconvened at 7:47 p.m., with all members present.*

9. [17-0351](#) CONSIDERATION OF ACCEPTANCE OF THE 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS

RESOLUTION NO. 2017-169 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$48,868 FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

*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 Mayor Casillas Salas, seconded by Deputy Mayor McCann, to adopt Resolution No. 2017-169, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

10. [17-0357](#) CONSIDERATION OF DELISTING THE HERMAN HOTEL CARRIAGE HOUSE SITE FROM THE REGISTER OF HISTORICAL RESOURCES

RESOLUTION NO. 2017-170 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CERTIFICATE OF APPROPRIATENESS (COA) PERMIT COA16-0007 REQUESTING TO DELIST THE HERMAN HOTEL CARRIAGE HOUSE SITE #17 HISTORICAL RESOURCE FROM THE CHULA VISTA REGISTER OF HISTORICAL RESOURCES

*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.*

*Sr. Planner Walker presented 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, to adopt Resolution No. 2017-170, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**ACTION ITEMS**

11. [17-0154](#) CONSIDERATION OF SUPPORTING SENATE BILL 54, THE CALIFORNIA VALUES ACT

RESOLUTION NO. 2017-171 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING SENATE BILL 54, THE CALIFORNIA VALUES ACT

*The following members of the public spoke in support of the item:*

- Steven Pavka, Chula Vista resident
- Kathy Cappos Hardy, Chula Vista resident and representing South Bay People Power
- Patricia Huffman, Chula Vista resident and representing South Bay People Power
- Margaret Baker, Chula Vista resident and representing South Bay People Power

*Lileana Robles, Chula Vista resident and representing ACCE, submitted written documentation in support of the item but was not present when called to speak.*

*Bertha Gutierrez, Chula Vista resident and representing South Bay People Power, submitted a request to speak but was not present when called.*

**ACTION:** A motion was made by Councilmember Padilla, seconded by Mayor Casillas Salas, to adopt Resolution No. 2017-171 and to direct staff to send a copy of the resolution to the Governor. The heading was read and text waived. The vote was taken by roll call and the motion carried by the following vote:

**Yes:** 3 - Aguilar, Padilla and Casillas Salas

**No:** 2 - Diaz and McCann

**Abstain:** 0

12. [17-0360](#) CONSIDERATION OF ADOPTING THE CHULA VISTA SMART CITY STRATEGIC ACTION PLAN

RESOLUTION NO. 2017-172 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CHULA VISTA SMART CITY STRATEGIC ACTION PLAN

*Economic Development Director Crockett, Chief Sustainability Officer Gakunga, and Jim Madaffer and Jeremy Ogul, representing Madaffer Enterprises gave a presentation on the item.*



**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2017-172, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

*Mayor Casillas Salas recessed the meeting at 8:51 p.m. The Council reconvened at 8:57 p.m., with all members present.*

**13. [17-0338](#) CONSIDERATION OF ADOPTING THE TRAFFIC SIGNAL COMMUNICATIONS MASTER PLAN**

RESOLUTION NO. 2017-173 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY'S TRAFFIC SIGNAL COMMUNICATIONS MASTER PLAN

*Director of Engineering Valle and Traffic Engineer Flores gave a presentation on the item.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Padilla, to adopt Resolution No. 2017-173, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**14. [17-0319](#) CONSIDERATION OF ADOPTING THE 2017 CLIMATE ACTION PLAN**

RESOLUTION NO. 2017-228 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE 2017 CLIMATE ACTION PLAN

*Economic Development Director Crockett and Conservation Specialist Downs gave a presentation on the item.*

*Sustainability Commissioner Kappes provided information from the Climate Change Working Group*

*The following members of the public spoke in opposition to staff's recommendation:*

- Patrick MacFarland, Chula Vista resident
- Carolina Rodriguez-Adjunta, representing Climate Action Campaign
- Ron Guitard, Chula Vista resident

*The following members of the public submitted written documentation in opposition to staff's recommendation and declined to speak:*

- Katelin Murray
- Jose Mendoza, Chula Vista resident
- Gretchen Newsum, San Diego resident
- Armando Ibarra, Chula Vista resident

*Vanessa Garcia, Chula Vista resident, representing SDG&E, spoke in support of the item*

*Michael Simonsen, Chula Vista resident, submitted a request to speak but was not present when his name was called.*

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*At the request of Mayor Casillas Salas, there was consensus of the Council to continue Item 14 to the Council meeting of September 26, 2017, to allow additional public input.*

15. [17-0347](#) CONSIDERATION OF AMENDING THE CAPITAL IMPROVEMENT PROGRAM BUDGET; AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN; AND MAKING VARIOUS AMENDMENTS TO THE OPERATING AND CIP PROGRAM BUDGETS

RESOLUTION NO. 2017-174 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FY 2017-18 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ESTABLISHING NEW CIP PROJECTS, "CITYWIDE NETWORK REPLACEMENT (MEASURE P)" (GG236) AND "CITYWIDE TELECOMMUNICATIONS (MEASURE P)" (GG237); AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN TO INCLUDE SAID PROJECTS; AND MAKING VARIOUS AMENDMENTS TO THE FY 2017-18 OPERATING AND CIP PROGRAM BUDGETS TO APPROPRIATE FUNDS FOR ELIGIBLE MEASURE P SALES TAX EXPENSES (4/5 VOTE REQUIRED)

*Administrative Services Manager Beamon gave a presentation on the item.*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, to adopt Resolution No. 2017-174, heading read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

16. [17-0379](#) A. RESOLUTION NO. 2017-175 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION OF VARIOUS POSITION TITLES AND AMENDING THE AUTHORIZED POSITION COUNT IN VARIOUS DEPARTMENTS WITH A NET DECREASE IN AUTHORIZED STAFFING
- B. RESOLUTION NO. 2017-176 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR UNREPRESENTED EMPLOYEES
- C. RESOLUTION NO. 2017-177 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2017-2018 COMPENSATION SCHEDULE EFFECTIVE SEPTEMBER 15, 2017, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5 TO REFLECT ADDITION OF BUILDING SERVICES SUPERVISOR AND PRINCIPAL TRAFFIC ENGINEER POSITION TITLES

*Human Resources Director Chase presented information on the item.*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor McCann, to adopt Resolution Nos. 2017-175, 2017-176 and 2017-177, headings read, text waived. The vote was taken by roll call and the motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

17. [17-0393](#) CONSIDERATION OF A REQUEST BY THE CORKY MCMILLIN COMPANIES THAT THE CITY COUNCIL FORM A REIMBURSEMENT DISTRICT FOR THE CONSTRUCTION OF TOWN CENTER DRIVE (This item was continued from 7/25/17.)

*City Manager Halbert announced that the Corky McMillin Companies had withdrawn its request.*

## CITY MANAGER'S REPORTS

*There were none.*

## MAYOR'S REPORTS

18. [17-0392](#) RATIFICATION OF APPOINTMENT OF THE FOLLOWING:

David Wynne, Veterans Advisory Commission  
Judy Gallardo, International Friendship Commission  
Timothy McMillin, Sustainability Commission

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Aguilar, to ratify the above appointments. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

*Mayor Casillas Salas recognized Senior Gardener Peter Morales and stated she had received a call from a member of the public who commended him for helping her in a time of need.*

## COUNCILMEMBERS' COMMENTS

*Councilmember Diaz and Deputy Mayor McCann spoke in recognition of September 11.*

*City Attorney Googins provided information regarding the status of the lawsuit initiated by Imperial Beach related to sewage flow.*

*Mayor Casillas Salas recessed the meeting at 10:47 p.m. The Council reconvened in closed session at 10:54 p.m., with Councilmembers Aguilar, Diaz, Deputy Mayor McCann and Mayor Casillas Salas present and Councilmember Padilla present via teleconference.*

**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.

19. [17-0371](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

Two (2) Cases.  
(This item was continued from 9/12/2017.)

*Item 19 was not discussed.*

20. [17-0395](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

One (1) Case.

*Item 20 was not discussed.*

21. [17-0399](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING  
LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9  
(d)(1)

Name of case: City of Chula Vista v. Chula Vista Wellness, et al., San Diego Superior Court Case No. 37-2016- 00014684-CU-MC-CTL

**ACTION:** The Council authorized settlement. A copy of the agreement is available upon request.

**ADJOURNMENT**

*At 11:08 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on October 10, 2017, at 5:00 p.m., in the Council Chambers.*

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Sheree Kansas, Deputy City Clerk