

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, January 27, 2015

4:00 PM

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

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### SPECIAL MEETING OF THE CITY COUNCIL

#### CALL TO ORDER

*A Special Meeting of the City Council of the City of Chula Vista was called to order at 4:08 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.*

#### ROLL CALL:

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

**Excused:** Councilmember Aguilar

*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

*Councilmember McCann led the Pledge of Allegiance.*

*Mayor Salas stated that Item 8 would be continued to a date uncertain.*

#### CONSENT CALENDAR (Items 1 - 6)

1. [15-0011](#) APPROVAL OF MINUTES of January 8, 2015.  
**Recommended Action: Council approve the minutes.**
2. [15-0005](#) WRITTEN COMMUNICATIONS  
Letter of resignation from Patricia Chavez, Districting Commission  
**Recommended Action: Council accept the resignation.**
3. [14-0725](#) RESOLUTION NO. 2015-011 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FIRE CHIEF OR HIS DESIGNEE TO SUBMIT A GRANT APPLICATION ON BEHALF OF THE CITY OF CHULA VISTA TO THE CALIFORNIA OFFICE OF TRAFFIC SAFETY AND EXECUTE ALL RELATED DOCUMENTATION ASSOCIATED WITH THIS GRANT APPLICATION  
**Recommended Action: Council adopt the resolution.**

4. [14-0732](#) RESOLUTION NO. 2015-012 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT IN THE FIRE DEPARTMENT TO REFLECT THE ADDITION OF 2.0 FIREFIGHTER/PARAMEDIC POSITIONS AND THE ELIMINATION OF 2.0 FIREFIGHTER POSITIONS
- Recommended Action: Council adopt the resolution.**
5. [14-0740](#) RESOLUTION NO. 2015-013 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDED A PURCHASE ORDER TO SAN DIEGO POLICE EQUIPMENT COMPANY IN THE AMOUNT OF \$90,180 FOR PARACLETE BALLISTIC HELMETS IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY OF CHULA VISTA BID B01-14/15
- Recommended Action: Council adopt the resolution.**
6. [14-0680](#) RESOLUTION NO. 2015-014 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PARK MASTER PLAN FOR THE 7.55-ACRE P-3 PUBLIC NEIGHBORHOOD PARK, LOCATED IN OTAY RANCH VILLAGE 2, AND THE NAME, "MONTECITO PARK"
- Recommended Action: Council adopt the resolution.**

#### 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 - Bensoussan, McCann, Miesen and Salas

**No:** 0

**Abstain:** 0

#### PUBLIC COMMENTS (Part 1 of 2)

*Ed Kravitz, Imperial Beach resident, representing San Diego & Midwestern Railway Partners LLC, spoke regarding the Coronado Beltline and rapid transit in the South San Diego Bay area.*

*Closed Session Items 11 and 12 were taken out of order and heard after Public Comments.*

*City Attorney Googins stated that, regarding Item 12, only one case, related to a letter dated January 21, 2015 from Coast Law Group LLP and Briggs Law Corporation RE: Notice of Intent to File Law Suit and Demand for Cure Public Records Act and Brown Act Violations, would be discussed at that time.*

*Erik Judson, representing JMI Sports, spoke regarding Item 11 and the Chula Vista Olympic Training Center.*

*Mayor Salas announced that the Council would convene in closed session to discuss the items listed below.*

*At 4:23 p.m., the Council convened in Closed Session.*

**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.

- 11. [15-0007](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 2800 Olympic Parkway, Chula Vista, CA 91915  
[Chula Vista Olympic Training Center property]

Agency Negotiators: Gary Halbert, Kelley Bacon, Glen Googins

Negotiating Parties: City of Chula Vista and the United States Olympic Committee (USOC)

Under Negotiation: Price and Terms

**ACTION:** No reportable action.

- 12. [15-0010](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9 (b)

Two Cases.

[One case to be discussed involves a letter dated January 21, 2015 from Coast Law Group LLP and Briggs Law Corporation RE: Notice of Intent to File Law Suit and Demand for Cure Public Records Act and Brown Act Violations]

**ACTION:** No reportable action.

*The Council reconvened in open session at 6:03 p.m., with Councilmembers Bensoussan, McCann, Miesen, and Mayor Salas present.*

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

*There were none.*

**PUBLIC COMMENTS (Part 2 of 2)**

*There were no other public comments.*

**PUBLIC HEARINGS**

- 7. [14-0625](#) CONSIDERATION OF AMENDMENTS TO CHULA VISTA MUNICIPAL CODE CHAPTER 19.09 (GROWTH MANAGEMENT), AND APPROVAL OF THE GROWTH MANAGEMENT PROGRAM IMPLEMENTATION MANUAL AND THE GROWTH MANAGEMENT PROGRAM DOCUMENT (Continued from January 27, 2015)

A. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO CHULA VISTA MUNICIPAL CODE CHAPTER 19.09 (GROWTH MANAGEMENT) (FIRST READING)

B. RESOLUTION NO. 2015-037 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE GROWTH MANAGEMENT PROGRAM IMPLEMENTATION MANUAL TO REPLACE THE THRESHOLD STANDARDS AND GROWTH MANAGEMENT OVERSIGHT COMMITTEE POLICY, AND THE GROWTH MANAGEMENT PROGRAM DOCUMENT

*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. The public hearing was previously opened at the City Council meeting of November 18, 2014.*

*Mayor Salas stated the item would be continued to the meeting of February 17, 2015.*

8. [15-0009](#) CONSIDERATION OF APPROVING AMENDMENTS TO THE CHULA VISTA GAMING PLAN  
(Includes public hearing for Item A and related Items B and C)

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE CHULA VISTA GAMING PLAN TO INCREASE THE MAXIMUM NUMBER OF GAMING TABLES FROM 18 TO 20

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 5.20.160 (MAXIMUM NUMBER OF CARD ROOM TABLES) TO INCREASE THE NUMBER OF CARD ROOM TABLES TO 20

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING CHIEF DAVID BEJARANO'S APPROVAL OF NEW OWNERS POSSESSING FINANCIAL INTEREST IN THE GAMING OPERATIONS AND CARDROOM LICENSE OF THE VILLAGE CLUB CARD ROOM

*Mayor Salas stated the item had been pulled by staff and would be continued to a date uncertain.*

## **BOARD AND COMMISSION REPORTS**

9. [14-0747](#) REPORT FROM THE DISTRICTING COMMISSION

A. RESOLUTION NO. 2015-015 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPOINTMENT OF A NEW COMMISSIONER TO FILL A VACANCY ON THE DISTRICTING COMMISSION

B. RESOLUTION NO. 2015-016 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PROPOSED DISTRICTING COMMISSION BUDGET, AND APPROPRIATING FUNDS, ACCORDINGLY (4/5 VOTE REQUIRED)

*Assistant City Attorney Maland presented information on the item.*

*Districting Commission Chair Torres spoke regarding Item 9B and read a letter from the Districting Commission.*

**ACTION:** A motion was made by Deputy Mayor Bensoussan, seconded by Mayor Salas, that Resolution No. 2015-015 be adopted, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**ACTION:** A motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, that Resolution No. 2015-016 be adopted, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

## CITY MANAGER'S REPORTS

*City Manager Halbert reported on the status of the project to rebuild the power substation on the bayfront and the undergrounding of high-power lines.*

## MAYOR'S REPORTS

10. [14-0746](#) APPOINTMENT OF CITY COUNCILMEMBERS TO OUTSIDE AGENCIES: (Continued from December 16, 2014)

- Chula Vista Veterans Home Support Foundation - Member (Mayor Salas was appointed 12/16/14)
- Chula Vista Veterans Home Support Foundation - Alternate
- International Council for Local Environmental Initiatives (ICLEI) - Environmental Lead
- International Council for Local Environmental Initiatives (ICLEI) - Alternate
- League of California Cities, San Diego Division - Member (Mayor Salas was appointed 12/16/14)
- League of California Cities, San Diego Division - Alternate
- Metropolitan Transit System Board of Directors (MTS) - Member
- Metropolitan Transit System Board of Directors (MTS) - Alternate
- Metropolitan Wastewater Commission (Metro) - Member

(Mayor Salas was appointed 12/16/14)

- Metropolitan Wastewater Commission (Metro) - Alternate
- Otay Valley Regional Park (OVRP) Policy Committee and Preserve Owner Manager (POM) - Member
- Otay Valley Regional Park (OVRP) Policy Committee and Preserve Owner Manager (POM) - Alternate
- San Diego Association of Governments (SANDAG) Board of Directors - Member (Mayor Salas was appointed 12/16/14)
- San Diego Association of Governments (SANDAG) Board of Directors - Alternates (2)
- San Diego Association of Governments (SANDAG) Bayshore Bikeway Committee
- South County Economic Development Council (EDC) - Member
- South County Economic Development Council (EDC) - Alternate

*Mayor Salas distributed proposed regional board appointments to the Council. Discussion ensued on the appointments.*

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Miesen, to approve the following appointments to outside agencies:

**Councilmember Aguilar:** San Diego Association of Governments (SANDAG) Bayshore Bikeway Committee, and Otay Valley Regional Park Policy Committee and Preserve Owner Manager (Alternate).

**Deputy Mayor Bensoussan:** International Council for Local Environmental Initiatives (Member), San Diego Association of Governments (SANDAG) Board of Directors (1st Alternate), SANDAG Borders Committee (pending SANDAG approval), SANDAG Regional Planning Committee (pending SANDAG approval), SANDAG Executive Committee (pending SANDAG approval), and South County Economic Development Council (Member).

**Councilmember McCann:** Chula Vista Veterans Home Support Foundation (Member), San Diego Association of Governments (SANDAG) Board of Directors (2nd Alternate), SANDAG Public Safety Committee (pending SANDAG approval), League of California Cities (Alternate), and South County Economic Development Council (Alternate).

**Councilmember Miesen:** Metro Wastewater Commission (Member), International Council for Local Environmental Initiatives (Alternate), Otay Valley Regional Park Policy Committee and Preserve Owner Manager (Member), and Metropolitan Transit System Board of Directors (Alternate).

**Mayor Salas:** Metropolitan Transit System Board of Directors (Member), San Diego Association of Governments (SANDAG) Board of Directors (Member - Appointed 12/16/14), SANDAG Transportation Committee (pending SANDAG approval), League of California Cities (Member - Appointed 12/16/14), and Metropolitan Wastewater Commission (Alternate).

**The motion carried by the following vote:****Yes:** 4 - Bensoussan, McCann, Miesen and Salas**No:** 0**Abstain:** 0

*Mayor Salas announced the receipt of a certification of appreciation from Marine Corps League for the Toys for Tots program. She also reported on a recent meeting with the Mayor of Tijuana on the relationship between Tijuana and Chula Vista.*

*Mayor Salas paid tribute to Martin Luther King, Jr.*

**COUNCILMEMBERS' COMMENTS**

*Councilmember McCann spoke regarding the relationship between Chula Vista and Tijuana.*

**CLOSED SESSION**

*Items 11 and 12 were taken out of order following Public Comments.*

**ADJOURNMENT**

*At 6:34 p.m., Mayor Salas adjourned the meeting to the City Council Meeting on February 3, 2015, at 4:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, Assistant City Clerk