

City of Chula Vista

Meeting Minutes - Draft

Tuesday, February 13, 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 Padilla and Mayor Casillas Salas

Absent: Councilmember McCann

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

Deputy Mayor Diaz led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [18-0020](#) EMPLOYEE SERVICE YEAR RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES

City Manager Halbert recognized employees with milestone service anniversaries.

- B. [18-0049](#) RECOGNITION OF RANCHO DEL REY MIDDLE SCHOOL CHEERLEADING TEAM FOR PLACING 3RD AT THE JAMZ REGIONAL COMPETITION AND QUALIFYING FOR THE NATIONAL COMPETITION IN LAS VEGAS

Mayor Casillas Salas read the names of the cheerleaders and Councilmember Padilla presented them with Chula Vista City of Champion medals.

CONSENT CALENDAR (Items 1 - 3)

Item 2 was removed from the Consent Calendar at the request of Councilmember Aguilar.

1. [18-0057](#) APPROVAL OF MINUTES of October 26, and November 2 and 7, 2017.

Recommended Action: Council approve the minutes.

Item 2 was removed from the Consent Calendar.

- 3. [18-0056](#) RESOLUTION NO. 2018-022 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING THE DEVELOPMENT OF A PARTNERSHIP AGREEMENT WITH SOUTHWESTERN COMMUNITY COLLEGE THAT WILL ENABLE THE DEVELOPMENT OF A BACCALAUREATE PROGRAM UTILIZING THE UNIVERSITY CENTER CONCEPT ON THE UNIVERSITY AND INNOVATION DISTRICT PROPERTY

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Deputy Mayor Diaz, seconded by Councilmember Padilla, 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, Diaz, Padilla and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 2. [18-0035](#) RESOLUTION NO. 2018-021 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE 2018 ANNUAL REPORT FOR THE DOWNTOWN CHULA VISTA PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT

Mayor Casillas Salas stated she would abstain from voting on the item due to a potential property-related conflict of interest. She left the dais and Deputy Mayor Diaz led the discussion.

Councilmember Aguilar gave a presentation on the item.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember Padilla, to adopt Resolution No. 2018-021, heading read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Diaz and Padilla

No: 0

Abstain: 1 - Casillas Salas

Mayor Casillas Salas returned to the dais.

PUBLIC COMMENTS

Hei-ock Kim, Executive Director, Kim Center, spoke regarding workplace gender equality.

The following members of the public spoke in opposition to legalizing commercial marijuana activities:

- Kelly McCormick
- Peggy Walker
- Barbara Gordon
- Carol Green, Chula Vista resident

ACTION ITEMS

4. [18-0009](#)
- A. ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHAPTER 3.34 TO TITLE 3 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH A ONE-HALF CENT GENERAL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION INCLUDING PROVISIONS FOR CITIZENS' OVERSIGHT AND ACCOUNTABILITY (FIRST READING) (4/5 VOTE REQUIRED)
- B. 1. RESOLUTION NO. 2018-023 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA: (A) AMENDING RESOLUTION NO.2018-004 CALLING A GENERAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2018; (B) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE RELATING TO THE ESTABLISHMENT OF A ONE-HALF CENT GENERAL TRANSACTIONS AND USE TAX; (C) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE; AND (D) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE (4/5 VOTE REQUIRED)
- OR
2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (A) CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE RELATING TO THE ESTABLISHMENT OF A ONE-HALF CENT TRANSACTIONS AND USE TAX; (B) CONSOLIDATING THE ELECTION WITH THE STATEWIDE GENERAL ELECTION; (C) REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PERMIT THE REGISTRAR OF VOTERS TO CONDUCT SUCH ELECTION; (D) AUTHORIZING THE CITY CLERK TO CARRY OUT THE NECESSARY PROCEDURES OF SUCH ELECTION; (E) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE; AND (F) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE (4/5 VOTE REQUIRED)
- C. RESOLUTION NO. 2018-024 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING ITS INTENDED PUBLIC SAFETY EXPENDITURE PLAN

Assistant City Manager Kachadoorian and Marketing and Communications Manager Steinberger gave a presentation on the item. Deputy Fire Chief Muns, Fire Chief Geering, and Police Chief Kennedy spoke regarding the item.

Staff answered questions of the Council.

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

- Mark Bartlett, Chula Vista resident*
- Jill Galvez, Chula Vista resident*
- Darrell Roberts, representing the Chula Vista Fire Fighters*
- David Oyos, representing Chula Vista Police Officers Association*
- Robert Godinez, Chula Vista resident*
- Patrick MacFarland, Chula Vista resident*
- Claudia Zaker, Chula Vista resident*
- Max Zaker, Chula Vista resident*
- Steve Castaneda, Chula Vista resident*
- Jesse Navarro, Chula Vista resident*

Damon French, Chula Vista resident, spoke in opposition to staff's recommendation and provided written communications.

Gabriel Gutierrez, Chula Vista resident, submitted a request to speak but was not present when called.

Council discussion ensued.

City Attorney Googins stated Council had been provided with a revised ordinance and revised resolutions, and that Council's action on the item would be with respect to the revised versions.

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember Aguilar, to place the above ordinance (Item 4A) on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Diaz, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION: A motion was made by Deputy Mayor Diaz, seconded by Mayor Casillas Salas, to adopt Resolution No. 2018-023 (Item 4 B.1), heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Diaz, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember Padilla, to adopt Resolution No. 2018-024 (Item 4 C), heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Diaz, Padilla and Casillas Salas

No: 0

Abstain: 0

- 5. [18-0060](#) A. RESOLUTION NO. 2018-025 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) RATIFYING THE PREVIOUSLY EXECUTED CITY MANAGER EMPLOYMENT AGREEMENT FOR THE PERIOD OF 2014 TO 2018 AND (2) APPROVING A SUCCESSOR CITY MANAGER EMPLOYMENT AGREEMENT FOR THE PERIOD OF 2018 TO 2021

B. RESOLUTION NO. 2018-026 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2017-2018 COMPENSATION SCHEDULE EFFECTIVE FEBRUARY 16, 2018, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, TO REFLECT: SALARY ADJUSTMENT FOR THE CITY MANAGER CLASSIFICATION

City Manager Halbert left the dais during discussion and voting on the item.

City Attorney Googins presented information on the item, including information on the terms and salary in the proposed employment agreement.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Diaz, to adopt Resolution Nos. 2018-025 and 2018-026, headings read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Diaz, Padilla and Casillas Salas

No: 0

Abstain: 0

City Manager Halbert returned to the dais.

CITY MANAGER'S REPORTS

City Manager Halbert expressed gratitude to the Mayor and Council and stated that he was looking forward to the next three years.

MAYOR'S REPORTS

- 6. [18-0059](#) CONSIDERATION OF CITY ENDORSEMENT OF "THE BIG 24-HOUR GIVEBACK" EVENT, WHICH WILL TAKE PLACE OVER A 24-HOUR PERIOD BETWEEN FEBRUARY 28 - MARCH 1, 2018

The Big 24-Hour Giveback is a fundraising event hosted by Seven Mile Casino and benefitting South Bay Community Services.

Mayor Casillas Salas presented information on the item.

Patty Chavez, Chula Vista resident, representing South Bay Community Services, spoke in support of City endorsement of the event.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Aguilar, to endorse the Big 24-Hour Giveback event. The motion carried by the following vote:

Yes: 4 - Aguilar, Diaz, Padilla and Casillas Salas

No: 0

Abstain: 0

Mayor Casillas Salas reported on her attendance at a UnidosUS event, at which the MAAC organization received a Nonprofit of the Year award. She also attended a 70th anniversary celebration for the Saint Charles School.

COUNCILMEMBERS' COMMENTS

At the request of Councilmember Aguilar there was consensus of the Council to add an item to the next agenda considering City endorsement of the 2018 "Village Summer Nights" series of events planned for the Third Avenue Village in Chula Vista.

CITY ATTORNEY'S REPORTS

City Attorney Googins announced that the Council would convene in closed session to discuss Item 8 listed below, and that Item 7 would be continued to the meeting of February 20, 2018.

Mayor Casillas Salas paid tribute to Dr. Larry Wergeland, Jr. and stated the meeting would be adjourned in his honor.

Mayor Casillas Salas recessed the meeting at 7:33 p.m. The Council reconvened in Closed Session at 7:42 p.m., with Councilmembers Aguilar, Diaz, and Padilla, 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.

- 7. [18-0054](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Juan Abenojar and Salome Rincon v. City of Chula Vista, San Diego Superior Court, Case No. 37-2016-00024897-CU-PO-CTL

Item 7 was not discussed.

8. [18-0063](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8

Property: Assessors Parcel Number (APN) 643-06-57-00

Agency Negotiators: Gary Halbert and Eric Crockett

Negotiating Parties: City of Chula Vista and Chesnut Properties

Under Negotiation: Price and Terms of Payment for Acquisition and Leaseback

ACTION: No reportable action.

ADJOURNMENT

At 8:45 p.m., Mayor Casillas Salas adjourned the meeting in memory of Dr. Larry Wergeland Jr. to the Regular City Council Meeting on February 20, 2018, at 5:00 p.m., in the Council Chambers.

Sheree Kansas, Deputy City Clerk