

City of Chula Vista

Meeting Minutes - Final

Tuesday, August 12, 2014

2:00 PM

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

SPECIAL MEETINGS OF THE HOUSING AUTHORITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

CALL TO ORDER

Special meetings of the Housing Authority and the Successor Agency to the Redevelopment Agency meeting jointly with the City Council of the City of Chula Vista were called to order at 2:06 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Deputy Mayor Aguilar, Councilmember Bensoussan, Councilmember Ramirez, Councilmember Salas and Mayor Cox

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

International Friendship Commission Chair Hector Vanegas led the Pledge of Allegiance.

Mayor Cox announced, pursuant to AB 23, that she and each Councilmember would receive \$50 for their attendance at this Housing Authority meeting, being held simultaneously with the City Council meeting.

SPECIAL ORDERS OF THE DAY

- A. [14-0478](#) OATH OF OFFICE
Nimpa Akana, International Friendship Commission

City Clerk Norris administered the oath of office to Commissioner Akana and Deputy Mayor Aguilar presented her with a certificate of appointment.

- B. [14-0477](#) PRESENTATION BY CITY ATTORNEY GLEN GOOGINS, OF
EMPLOYEE OF THE MONTH CHERYL PONDS, LEGAL ASSISTANT

City Attorney Googins introduced employee of the month, Cheryl Ponds-Poole. Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Ms. Ponds-Poole.

- C. [14-0464](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH
MILESTONE SERVICE ANNIVERSARIES

City Manager Halbert introduced the employees being recognized for their milestone service anniversaries.

- D. [14-0465](#) INTRODUCTION OF ODAWARA, JAPAN YOUTH AMBASSADORS YUNA TANAKA, SHIMON YOKOYAMA, CHIKA YAMANAKA AND EMIRI SUZUKI, PARTICIPANTS IN THE ANNUAL INTERNATIONAL FRIENDSHIP COMMISSION'S EXCHANGE PROGRAM WITH CHULA VISTA; AND A PRESENTATION BY THE CHULA VISTA YOUTH AMBASSADORS ALEXANDRA HERNANDEZ, JOSH MACARANAS, TIFFANY PASCUA AND MELISSA SERRATO REGARDING THEIR EXPERIENCE IN ODAWARA

International Friendship Commission Chair Vanegas introduced the Chula Vista - Odawara 2014 Youth Exchange Program. Program participants from Odawara, Japan, Yuna Tanaka, Shimon Yokoyama, Chika Yamanaka, and Emiri Suzuki, and Youth Ambassadors from Chula Vista, Alexandra Hernandez, Josh Macaranas, Tiffany Pascua, and Melissa Serrato introduced themselves and thanked the Council for the opportunity to participate in the program.

- E. [14-0463](#) PRESENTATION BY THE CULTURAL ARTS COMMISSION OF THE 2014 GAYLE MCCANDLISS ARTS AWARD WINNERS OF THE RISING STAR AWARD TO BONITA VISTA HIGH SCHOOL STUDENT BENJAMIN BRANNEN AND HILLTOP HIGH SCHOOL STUDENT DULCE RUIZ

Cultural Arts Commissioners Moore, Gore, and Alonso provided information about the Gayle McCandliss Arts Award and introduced Rising Star Award winners Dulce Ruiz and Benjamin Brannen.

- F. [14-0457](#) UPDATE ON CITY NOW, THE CITY OF CHULA VISTA'S CONTINUOUS IMPROVEMENT PROGRAM: LEAN AND CLEAN CUSTODIAL SERVICES

Management Analyst Block, Treasury Manager Allen, Director of Recreation McClure, and Construction & Repair Manager Roberts gave a presentation on a recent custodial services process improvement program.

CONSENT CALENDAR (Items 1 - 4)

City Attorney Googins stated that a revised Exhibit B to Item 2 had been distributed to the Council.

1. [14-0482](#) ORDINANCE NO. 3318 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 3.44 OF THE CHULA VISTA MUNICIPAL CODE TO FORMALIZE A RATE REDUCTION IN THE CITY'S TELEPHONE USERS TAX ("TUT") FROM 5% TO 4.75%, TO CLARIFY THAT THE TUT APPLIES TO WIRELESS TELEPHONE USAGE, AND TO ADD STATE LAW VALIDATION PROVISIONS (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

2. [14-0453](#) A. ORDINANCE NO. 3319 OF THE CITY OF CHULA VISTA GRANTING A WASTE MANAGEMENT FRANCHISE RENEWAL TO ALLIED WASTE SYSTEMS, INC. (DBA REPUBLIC SERVICES OF CHULA VISTA) ON THE TERMS PRESENTED UNTIL JUNE 30, 2024 WITH TWO OPTIONS TO EXTEND UNTIL JUNE 30, 2031 AND JUNE 30, 2039, RESPECTIVELY, SUBJECT TO THE CITY'S DETERMINATION OF SATISFACTORY PERFORMANCE AND AUTHORIZING THE MAYOR TO EXECUTE SAME (SECOND READING AND ADOPTION) (This ordinance was introduced July 22, 2014)

B. RESOLUTION NO. 2014-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED OTAY LANDFILL EXPANSION AGREEMENT BETWEEN THE CITY AND OTAY LANDFILL, INC., AND AFFILIATES THEREOF AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Recommended Action: Council adopt the ordinance and resolution.

3. [14-0470](#) A. RESOLUTION NO. 2014-160 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SETTING THE ANNUAL SALARY FOR THE ELECTED CITY ATTORNEY EFFECTIVE ON JUNE 27, 2014 AT \$214,244 AND EFFECTIVE DECEMBER 2, 2014 AT \$184,610

B. RESOLUTION NO. 2014-161 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY COUNCIL DEPARTMENT BUDGET TO APPROPRIATE \$6,034 FOR SALARY INCREASES TO BE OFFSET BY UNANTICIPATED REVENUES (4/5 VOTE REQUIRED)

C. RESOLUTION NO. 2014-162 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2014-2015 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

D. RESOLUTION NO. 2014-163 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ELIMINATION OF 1.0 DIRECTOR OF FINANCE FROM THE FINANCE DEPARTMENT, THE ADDITION OF 1.0 DEPUTY CITY MANAGER TO THE ADMINISTRATION DEPARTMENT, SETTING THE DEPUTY CITY MANAGER ANNUAL SALARY AT \$202,980, AND AMENDING THE BUDGET ACCORDINGLY (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolutions.

4. [14-0480](#)

A. RESOLUTION NO. 2014-164 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AGREEMENTS BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA EMPLOYEES ASSOCIATION SEIU-LOCAL 221 (CVEA/ SEIU), MID-MANAGERS/ PROFESSIONAL/ SEIU LOCAL 221 (MM/ PROF/ SEIU), AND WESTERN COUNCIL OF ENGINEERS (WCE) BARGAINING UNITS RELATED TO SALARY ADJUSTMENTS (PROVIDED IN ACCORDANCE WITH MOU SALARY ADJUSTMENT REOPENERS); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS AND/OR MOU REVISIONS AS MAY BE REQUIRED TO IMPLEMENT THE ABOVE SALARY ADJUSTMENTS

B. RESOLUTION NO. 2014-165 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR ALL UNREPRESENTED EMPLOYEES TO REFLECT A 2% SALARY INCREASE

C. RESOLUTION NO. 2014-166 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2014/15 BUDGET TO ACCOUNT FOR THE PROPOSED SALARY INCREASES FOR CVEA/SEIU, MM/PROF/SEIU, WCE, AND UNREPRESENTED EMPLOYEES (EXECUTIVES, SENIOR MANAGERS, MID MANAGERS, PROFESSIONALS, CONFIDENTIAL, AND UNCLASSIFIED HOURLY CLASSIFICATIONS) (4/5 VOTE REQUIRED)

D. RESOLUTION NO. 2014-005 OF THE CHULA VISTA HOUSING AUTHORITY AMENDING THE FISCAL YEAR 2014/15 PERSONNEL SERVICES BUDGET OF THE CV HOUSING AUTHORITY FUND TO ACCOUNT FOR SALARY INCREASES (4/5 VOTE REQUIRED)

Recommended Action: Council adopt resolutions A, B, and C, Authority adopt resolution D.

Approval of the Consent Calendar

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Salas, 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, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

There were none.

BOARD AND COMMISSION REPORTS

5. [14-0450](#) RESOLUTION NO. 2014-167 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPOINTMENT OF THREE DISTRICTING COMMISSION MEMBERS, PURSUANT TO CHARTER SECTION 300.5.D.

Assistant City Attorney Maland presented information on the item. She and City Attorney Googins answered Council questions regarding the selection of Districting Commission members.

ACTION: A motion was made by Councilmember Ramirez, seconded by Councilmember Salas, that Resolution No. 2014-167 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

6. [14-0487](#) A. RATIFICATION OF APPOINTMENT OF THE FOLLOWING STUDENTS TO THE YOUTH ACTION COUNCIL:

Kyle McLellan, Bonita High School - 10th grade
Karen Quezada, High Tech High Chula Vista - 12th grade
Eric Rodriguez, Mater Dei High School - 11th grade
Carlos Soto, Chula Vista High School - 12th grade
Elena Hoffman, High Tech High Point Loma - 11th grade

B. RATIFICATION OF APPOINTMENT OF SALLY BOUCREE TO THE INTERNATIONAL FRIENDSHIP COMMISSION

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, to ratify the appointments of the above students to the Youth Action Council. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, to ratify the appointment of Sally Boucree to the International Friendship Commission. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

7. [14-0489](#) Consideration of authorizing the Mayor to work with staff to write and submit to the City Clerk direct arguments in favor of, and rebuttal arguments to any arguments against, the measures placed on the November 4, 2014 ballot by the City Council 1) Amending Chula Vista Charter Sections 1009 (Regarding Public Works Contracting), and 1010 and 1011 (Regarding City Contracting Generally); and 2) Amending Chula Vista Charter Section 303 Related to Filling Council Vacancies. (Placed on the agenda by the City Attorney and City Clerk)

In response to a question from Councilmember Salas, City Attorney Googins stated that there would not be a legal conflict if multiple members of the Council participated in writing the arguments related to the ballot measures.

ACTION: A motion was made by Councilmember Bensoussan, seconded by Councilmember Salas, to authorize the Mayor to work with staff to write and submit to the City Clerk direct arguments in favor of, and rebuttal arguments to any arguments against, the measures placed on the November 4, 2014 ballot by the City Council 1) Amending Chula Vista Charter Sections 1009 (Regarding Public Works Contracting), and 1010 and 1011 (Regarding City Contracting Generally); and 2) Amending Chula Vista Charter Section 303 Related to Filling Council Vacancies. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

COUNCILMEMBERS' COMMENTS

Deputy Mayor Aguilar provided an update on her work with Councilmember Ramirez on reinstating the annual Starlight holiday parade.

Councilmember Bensoussan announced the HarborFest event on August 16, 2014 and stated there would be meetings for volunteers on August 14 and 15, 2014.

Councilmember Ramirez thanked City Manager Halbert for his support of large community events, such as the Starlight parade. He also requested City Manager Halbert consider a future Council workshop on issues related to homelessness in the City.

Councilmember Ramirez provided an update on the efforts of the Yes We Can community group to address alcohol-related issues at the Sleeptrain Amphitheater and suggested a taskforce comprised of staff from the Police Department be assigned to work with the group. He also spoke in support of public outreach and education on the City's social host ordinance.

Councilmember Ramirez also provided a report on his August public office hours on the topic of the future of the Olympic Training Center operations.

Mayor Cox provided an update of the taskforce, comprised of herself and Deputy Mayor Aguilar, which had worked with the Yes We Can community group to address concerns regarding alcohol-related issues.

City Attorney Googins spoke regarding the Districting Commission members.

Councilmember Salas acknowledged the work of Councilmember Bensoussan on HarborFest and her support of local theater groups. She also announced the upcoming Train Fest on August 30, 2014. Councilmember Salas also provided an update on the work of the water taskforce.

Mayor Cox paid tribute to Dorothy "Dottie" Helm.

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

Mayor Cox recessed the meeting at 3:35 p.m. The Council reconvened in Closed Session at 3:40 p.m., with all members 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.

8. [14-0483](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: In the matter of Ruth Marie West, San Diego Superior Court, Case No. 37-2012-151012-PR-PW-CTL

ACTION: No reportable action.

- 9. [14-0484](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c):

One Case

ACTION: Reportable action pending.

- 10. [14-0486](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING
LITIGATION PURSUANT TO GOVERNMENT CODE SECTION
54956.9 (a)

Name of case: Successor Agency for the Redevelopment Agency of the City of Chula Vista v. Rohr, Inc., et al., San Diego Superior Court, Case No. 37-2013-00077440-CU-TT-CTL.

ACTION: The City Council voted 5-0 to approve an interim settlement agreement for reimbursement of successor agency costs. A copy of the agreement is available upon request.

ADJOURNMENT

At 4:25 p.m., Mayor Cox adjourned the meeting.

Kerry K. Bigelow, Assistant City Clerk