

City of Chula Vista

Meeting Minutes - Final

Tuesday, September 20, 2016

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 5:05 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Councilmember Bensoussan, Councilmember McCann, Deputy Mayor Miesen and Mayor Casillas Salas

Also Present: Deputy City Manager Kachadoorian, City Attorney Miesfeld, Assistant City Clerk Bigelow, and Deputy City Clerk Kansas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Aguilar led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [16-0448](#) OATHS OF OFFICE
- | | |
|----------------|-------------------------------------|
| Eric Banatao | International Friendship Commission |
| Juan Cervantes | Safety Commission |
| Pat Mallen | Commission on Aging |
| Jose Torres | Veterans Advisory Commission |

Assistant City Clerk Bigelow administered the oaths of office to Commissioners Banatao, Cervantes, and Mallen, and Deputy Mayor Miesen presented them with certificates of appointment. Commissioner Torres was not present.

- B. [16-0432](#) PRESENTATION BY THE CULTURAL ARTS COMMISSION OF THE COMMUNITY MURAL CREATED AT HARBORFEST 2016 FOR INSTALLATION AT CITY HALL

Cultural Arts Manager Tessitore presented the mural created at HarborFest 2016. The artist, Ms. Vasquez, provided information about the piece.

Mayor Casillas Salas presented Councilmember Bensoussan with a champion award for the success of the HarborFest event. Councilmember Bensoussan presented a slideshow of photos of HarborFest 2016.

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- C. [16-0453](#) INTRODUCTION OF CHULA VISTA'S INAUGURAL YOUTH AMBASSADOR TO OUR SISTER CITY, CEBU, PHILIPPINES, LEIRA MAE DIGMA, BY INTERNATIONAL FRIENDSHIP COMMISSION VICE CHAIR FRANCINE MAIGUE AND PRESENTATION OF THEIR ATTENDANCE AT THE FILIPINA LEADERSHIP GLOBAL SUMMIT HELD IN CEBU, PHILIPPINES

Item C was continued to a date uncertain.

CONSENT CALENDAR (Items 1 - 10)

Items 5 and 8 were removed from the Consent Calendar for separate consideration by members of the public. Deputy Mayor Miesen stated he would abstain from participating and voting on Item 4 due to a potential conflict of interest related to a business entity in which he had a financial interest.

1. [16-0446](#) APPROVAL OF MINUTES of August 16, 2016.
Recommended Action: Council approve the minutes.
2. [16-0449](#) ORDINANCE NO. 3374 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD FA PROGRAM ASSISTANT SUPERVISOR (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the ordinance.
3. [16-0450](#) ORDINANCE NO. 3375 OF THE CITY OF CHULA VISTA ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENNIA), AUTHORIZING THE LEVY OF A SPECIAL TAX IN IMPROVEMENT AREA NO. 1 AND IMPROVEMENT AREA NO. 2 OF SUCH COMMUNITY FACILITIES DISTRICT (SECOND READING)
Recommended Action: Council adopt the ordinance.
4. [16-0451](#) ORDINANCE NO. 3376 OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO OTAY RANCH FREEWAY COMMERCIAL SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.

Item 5 was removed from the Consent Calendar.

6. [16-0381](#) RESOLUTION NO. 2016-191 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TWO PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND MOORE IACOFANO AND GOLTSMAN (MIG), INC., FOR DESIGN SERVICES FOR THE F STREET PROMENADE STREETSCAPE MASTER PLAN AND 30% DESIGN DEVELOPMENT CONSTRUCTION DOCUMENTS
Recommended Action: Council adopt the resolution.

- 7. [16-0379](#) RESOLUTION NO. 2016-192 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LETTER OF UNDERSTANDING (INVOLVING UNIFORMS AND REPORTABLE COMPENSATION, AS DEFINED BY CALPERS) WITH SEIU LOCAL 221/CHULA VISTA EMPLOYEES ASSOCIATION, AS REQUIRED BY THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM OFFICE OF AUDIT SERVICES AND CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 571(b) (1) (A) (B)

Recommended Action: Council adopt the resolution.

Item 8 was removed from the Consent Calendar.

- 9. [16-0438](#) 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 and direct the City Clerk and City Attorney to present proposed amendments to the conflict of interest code within 90 days.

- 10. [16-0440](#) RESOLUTION NO. 2016-194 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$81,378 FROM THE COUNTY OF SAN DIEGO AND APPROPRIATING SAID FUNDS TO THE POLICE GRANT FUND FOR REALIGNMENT RESPONSE EFFORTS (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 Councilmember Bensoussan, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The motion carried by the following vote:

Items 1 through 3, 6, 7, 9, and 10:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

Item 4:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 1 - Miesen

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 5. [16-0452](#) ORDINANCE NO. 3377 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 1.41.110 TO REMOVE THE EXISTING CIVIL PENALTIES CAP AND DELETING CHULA VISTA MUNICIPAL CODE SECTION 5.66.030 TO PERMIT CRIMINAL ENFORCEMENT FOR VIOLATION OF CHAPTER 5.66 (SECOND READING AND ADOPTION)

Rudy Ramirez, Chula Vista resident, spoke regarding illegal marijuana dispensaries and spoke in support of staff's recommendation on the item. He provided written communications to the City Clerk.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Bensoussan, that Ordinance No. 3377 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

- 8. [16-0416](#) RESOLUTION NO. 2016-193 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA COMMITTING TO PROVIDING MATCHING FUNDS IN THE AMOUNT OF \$220,000 FROM THE BIKE LANES ON BROADWAY FEASIBILITY STUDY PROJECT (STM384) TO THE ATP GRANT "CLASS 2 BIKE LANES ON BROADWAY PROJECT NO. 11-CHULA VISTA-1"; ACCEPTING THE TERMS OF THE GRANT AGREEMENT IF AWARDED; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE TO ACCEPT THE ATP CYCLE 3 GRANT FUNDING AND EXECUTE ALL GRANT DOCUMENTS AND REQUESTS FOR PAYMENTS NECESSARY TO SECURE GRANT FUNDS

The following members of the public spoke in support of staff's recommendation and requested the project be implemented sooner than recommended by staff:

- Randy Van Vleck, Chula Vista resident, representing Bike Walk Chula Vista
- Armando Ibarra, Chula Vista resident, representing Bike Walk Chula Vista

Assistant Director of Engineering Valle provided information on the funding for the project.

ACTION: A motion was made by Deputy Mayor Miesen, seconded by Councilmember Bensoussan, that Resolution No. 2016-193 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

Lee Lambert, San Marcos resident, requested the Council take a formal opposition position on Proposition 64, related to legalization of marijuana.

Jennifer Bustamante, Chula Vista resident, spoke regarding the HarborFest event and commended Councilmember Bensoussan and the Council for their support of the event.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

Mayor Casillas Salas announced the following recent events: the groundbreaking of the Stonecreek Casitas apartment complex, Fiestas del Grito, a First Responders lunch at the American Legion, and the Opera on Track performance at the E Street trolley station.

Mayor Casillas Salas paid tribute to Vonnie L. McMillin and stated the meeting would be adjourned in her honor.

COUNCILMEMBERS' COMMENTS

Councilmember Aguilar spoke regarding the upcoming Starlight Parade.

Councilmember Bensoussan recognized Mayor Casillas Salas for hosting the recent Fiestas del Grito event in honor of Consul General Marcela Celorio.

Deputy Mayor Miesen also spoke regarding the recent Fiestas del Grito event.

Councilmember McCann reported that Congresswoman Susan Davis announced that the Eastlake post office would be named in honor of fallen officer JD DeGuzman. He thanked Max and Leslie Branscomb for their efforts on Bonitafest and invited the public to attend an upcoming melodrama event at the Sweetwater Church.

Deputy City Manager Kachadoorian announced that the Chula Vista Police Department would be hosting a community forum on police video/technology, homeless outreach, and medical marijuana dispensaries.

Senior Assistant City Attorney Miesfeld announced that the City Attorney's office would be presenting a workshop on the topic of AB1234 Conflict of Interest and Ethics training.

City Attorney Miesfeld announced that the Council would convene in closed session to discuss the item listed below.

At 6:03 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. [16-0445](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Katherine Wenrich v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2014-37007-CU-PA-CTL.

ACTION: No reportable action.

ADJOURNMENT

At 7:04 p.m., Mayor Casillas Salas adjourned the meeting in memory of Vonnie L. McMillin to the Regular City Council Meeting on October 4, 2016, at 5:00 p.m.

Sheree Kansas, Deputy City Clerk