

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, November 7, 2017

5:00 PM

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

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### 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 5:06 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 and Mayor Casillas Salas

**Excused:** Councilmember Padilla

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

*City Clerk Bigelow announced Councilmember Padilla would not be teleconferencing due to technical difficulties and would be absent.*

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

*Deputy Mayor McCann led the Pledge of Allegiance. Mayor Casillas Salas called for a moment of silence for the victims of the Texas Baptist Church shooting.*

#### SPECIAL ORDERS OF THE DAY

- A. [17-0483](#) PRESENTATION OF A PROCLAMATION TO SWEETWATER UNION HIGH SCHOOL DISTRICT'S VISUAL AND PERFORMING ARTS DIRECTOR JEFF KOVER IN RECOGNITION OF ITS 50TH ANNUAL BAND PAGEANT

*Mayor Casillas Salas read the proclamation and Deputy Mayor McCann presented it to Mr. Kover.*

- B. [17-0441](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES

*City Manager Halbert recognized recipients of quarterly employee awards.*

- C. [17-0479](#) PRESENTATION OF A PROCLAMATION HONORING KAREN ROQUE, OWNER OF EL PRIMERO HOTEL, FOR THE SUMMER SERIES "JAZZ ON THIRD"

*Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Ms. Roque and Ms. Vasquez, who spoke regarding the Jazz on Third event.*

- D. [17-0480](#) PRESENTATION OF A PROCLAMATION PROCLAIMING TUESDAY, NOVEMBER 7, 2017 AS LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY

*Mayor Casillas Salas read the proclamation and Councilmember Diaz presented it to Chief Kennedy and Police Support Services Manager Honore who expressed gratitude for their team.*

### CONSENT CALENDAR (Items 1 - 9)

*City Attorney Googins announced that a revised policy for Item 6 had been distributed to the Council and that action on the item would be with respect to the revised document.*

1. [17-0488](#) WRITTEN COMMUNICATION  
  
Memorandum from Councilmember Padilla requesting an excused absence from the October 12, 2017 council workshop.  
  
**Recommended Action: Council excuse the absence.**
2. [17-0435](#) RESOLUTION NO. 2017-195 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA STATE PARKS OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT PROGRAM FOR A KUMEYAAY VILLAGE REPLICIA PROJECT IN THE OTAY VALLEY REGIONAL PARK, ACCEPTING THE TERMS OF THE GRANT CONTRACT AND AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO EXECUTE SAID AGREEMENT FOR THE CITY OF CHULA VISTA  
  
**Recommended Action: Council adopt the resolution.**
3. [17-0431](#) RESOLUTION NO. 2017-196 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING YEAR FOUR OF A SUB-AWARD AGREEMENT WITH COMMUNITY HEALTH IMPROVEMENT PARTNERS FOR THE RACIAL AND ETHNIC APPROACHES TO COMMUNITY HEALTH PROJECT, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY MANAGER TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO IMPLEMENT THE AGREEMENT, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)  
  
**Recommended Action: Council adopt the resolution.**
4. [16-0340](#) RESOLUTION NO. 2017-197 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUMMARILY VACATING THE EMERGENCY ACCESS EASEMENT OVER PARCEL 2 OF PARCEL MAP NO. 17802 (SEAWORLD AQUATICA)  
  
**Recommended Action: Council adopt the resolution.**

5. [17-0453](#) RESOLUTION NO. 2017-198 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING STAFF TO SUBMIT REQUIRED DOCUMENTATION TO THE COUNTY OF SAN DIEGO TO INITIATE THE ADOPTION PROCESS OF AN URBAN AGRICULTURE INCENTIVE ZONE
- Recommended Action: Council adopt the resolution.**
6. [17-0178](#) RESOLUTION NO. 2017-199 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING COUNCIL POLICY NO. 585-02: UTILITY TRENCH MORATORIUM POLICY AND ADOPTING CHULA VISTA CONSTRUCTION STANDARD CVCS 3A: MORATORIUM ROADWAY TRENCH RESURFACING
- Recommended Action: Council adopt the resolution.**
7. [17-0409](#) A. RESOLUTION NO. 2017-200 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND KLEINFELDER CONSTRUCTION SERVICES, INC. TO PROVIDE ON-CALL CIP CONSTRUCTION MANAGEMENT CONSULTING SERVICES
- B. RESOLUTION NO. 2017-201 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND DHS CONSULTING, INC. TO PROVIDE ON-CALL CIP CONSTRUCTION MANAGEMENT CONSULTING SERVICES
- C. RESOLUTION NO. 2017-202 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND PROJECT PROFESSIONALS CORPORATION TO PROVIDE ON-CALL CIP CONSTRUCTION MANAGEMENT CONSULTING SERVICES
- Recommended Action: Council adopt the resolutions.**
8. [17-0439](#) FISCAL YEAR 2016/2017 ANNUAL FINANCIAL STATUS REPORT
- Recommended Action: Council accept the report.**
9. [17-0458](#) RESOLUTION NO. 2017-203 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADDING TWELVE FIREFIGHTERS TO THE AUTHORIZED STAFFING OF THE FIRE DEPARTMENT (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 Councilmember Aguilar, 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, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

### ITEMS REMOVED FROM THE CONSENT CALENDAR

*There were none.*

### PUBLIC COMMENTS

*Steve Lewis, Chula Vista resident and President of the Chula Vista Live Steamers, expressed concern regarding redevelopment of the Chula Vista Golf Course and Rohr Park.*

*The following members of the public spoke in opposition to the South Bay Bus Rapid Transit plan:*

- Judy Gallardo, Chula Vista resident*
- Larry Williams, Chula Vista resident*
- Melanie Jimenez, Chula Vista resident*
- Zilema Maldonado, Chula Vista resident*
- Ida Spector, Chula Vista resident*
- Carlo Tarentino, Chula Vista resident*
- Emery Gutierrez, Chula Vista resident*
- Eli Gutierrez, Chula Vista resident*

*Steven Pavka, Chula Vista resident, spoke regarding the Council's response to public speakers.*

### PUBLIC HEARINGS

10. [17-0427](#) RESOLUTION NO. 2017-204 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT FOR DEFERRAL OF DEVELOPMENT IMPACT FEES BETWEEN THE CITY AND SETHI MANAGEMENT, INC. FOR APPROXIMATELY \$1.3 MILLION IN FEES IN CONNECTION WITH A 204-ROOM HOTEL PROJECT AT 2424 FENTON STREET

*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.*

*Assistant Director of Development Services Allen spoke regarding 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.*

*City Attorney Googins announced that a revised resolution had been distributed to the Council and that action on the item would be with respect to the revised document.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Diaz, to adopt Resolution No. 2017-204, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

11. [17-0408](#) RESOLUTION NO. 2017-205 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LAND USE AMENDMENT INITIATION REQUEST (IR 17-0018) AND DIRECTING STAFF TO PROCEED WITH THE PROCESSING OF A GENERAL PLAN AMENDMENT ONCE FORMALLY SUBMITTED BY THE APPLICANT FOR A 9.6-ACRE PARCEL LOCATED SOUTHWEST OF THE INTERSECTION OF EASTLAKE DRIVE AND SR-125

*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.*

*Director of Development Services Broughton and Associate Planner Steichen gave a presentation on the item.*

*Mayor Casillas Salas opened the public hearing.*

*Jose Martinez, Chula Vista resident, spoke in opposition to staff's recommendation.*

*Daniel Rehm, representing Hunsaker & Associates, stated he was available for questions.*

*There being no further members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.*

**ACTION:** A motion was made by Councilmember Diaz, seconded by Deputy Mayor McCann, to adopt Resolution No. 2017-205, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

12. [17-0466](#) RESOLUTION NO. 2017-206 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LAND USE AMENDMENT INITIATION REQUEST (IR17-0021) AND DIRECTING STAFF TO PROCEED WITH THE PROCESSING OF A GENERAL DEVELOPMENT PLAN AMENDMENT, SECTIONAL PLANNING AREA AMENDMENT, TENTATIVE SUBDIVISION MAP, AND REZONING ON A PORTION OF THE PROPERTY FROM COMMUNITY PURPOSE FACILITY TO SINGLE FAMILY RESIDENTIAL, RETENTION OF EXISTING CHURCH USE, AND PROPOSING ADDITIONAL COMMUNITY PURPOSE USES ONCE FORMALLY SUBMITTED BY THE APPLICANT FOR A 12.2-ACRE SITE LOCATED AT 1227 EASTLAKE PARKWAY

*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.*

*Associate Planner Young gave a presentation on the item.*

*Mayor Casillas Salas opened the public hearing.*

*Mayor Casillas Salas stated the following members of the public submitted written documentation in support of staff's recommendation and did not wish to speak:*

- George Fermanian, San Diego resident*
- Pablo Rios, Chula Vista resident*
- Louie Duarte, Chula Vista resident*
- Shannon Stevens, Chula Vista resident*
- Tom Kelly, Chula Vista resident*
- April Kelly, Chula Vista resident*
- Roy Jennings, Chula Vista resident*
- Alicia*
- Louis Estrada*
- Bonnie Toland, San Diego resident*
- Stephen Kelly*
- Brenda Spencer, Imperial Beach resident*
- Elizabeth Williams, Chula Vista resident*
- Kaliegh Murphy, Chula Vista resident*
- Olga Cienega*
- William Spencer*
- Shiela DeVore*
- Sandra Johnson, Chula Vista resident*
- David Ceven, Chula Vista resident*
- Grady Cabling, Chula Vista resident*
- David Hernandez, Chula Vista resident*
- Allison Fillmore, Chula Vista resident*
- Ralph Ronco, Chula Vista resident*
- Carmen Ronco, Chula Vista resident*
- Arline Gray, Chula Vista resident*
- Elvis Rawlins, Chula Vista resident*
- Iris Lucerro, Chula Vista resident*
- Martha Doiron, Chula Vista resident*
- Tim Fermanian, San Diego resident*

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

- Tim Fillmore, Chula Vista resident*
- Jennifer Estrada, Chula Vista resident*
- John DeVore, Chula Vista resident*
- Kristen Loupassakis*
- Chris Fermanian, San Diego resident*

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

- Jorge Marroquin, Chula Vista resident*
- Ernesto Sautos, Chula Vista resident*
- Brian Kelley, Chula Vista resident*
- Gabriela Padilla Kelley, Chula Vista resident*

*DeAnn Hallor Jerman, Chula Vista resident, submitted written documentation in opposition to staff's recommendation and declined to speak.*

**ACTION:** A motion was made by Councilmember Diaz, seconded by Mayor Casillas Salas, to adopt Resolution No. 2017-206, heading read, text waived. The motion carried by the following vote:

**Yes:** 3 - Diaz, McCann and Casillas Salas

**No:** 1 - Aguilar

**Abstain:** 0

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

*Kathleen Lippitt, Poway resident representing San Diegans for Safe Neighborhoods, expressed concern regarding legalization of marijuana.*

## **ACTION ITEMS**

13. [15-0572](#) PRESENTATION OF THE FINAL REPORT ON THE COST RECOVERY, RESOURCE ALLOCATION AND REVENUE ENHANCEMENT STUDY

RESOLUTION NO. 2017-207 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 7 (RECREATION) OF THE CITY'S MASTER FEE SCHEDULE

*Deputy City Manager Bacon and Principal Recreation Manager Farmer gave a presentation on the item.*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Aguilar, to adopt Resolution No. 2017-207, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

14. [17-0477](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2017

B. RESOLUTION NO. 2017-208 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2017/18 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

*Director of Finance Bilby gave a presentation on the item and announced that a revised resolution had been presented to the Council, and was available to the public.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2017-208, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**CITY MANAGER’S REPORTS**

*City Manager Halbert provided information regarding future uses for the Chula Vista Golf Course.*

**MAYOR’S REPORTS**

15. [17-0482](#) RATIFICATION OF APPOINTMENTS OF THE FOLLOWING INDIVIDUALS TO THE HUMAN RELATIONS COMMISSION:

- Audrey Bordeaux
- Petrina Branch
- Jeremy Culuko
- William Felix
- Robert Godinez
- Bernard Gonzales
- Dalia Gonzalez
- Paola Martinez-Montes
- Ricardo Medina
- Ahmad Zadah
- Susan Lake

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, that the above appointments be ratified. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

*Mary Casillas Salas thanked the sponsors of the Beautify Chula Vista event, and she reported on her attendance at Castle Park High School's Grandparents Raising Grandchildren event and a women's event at C3 Church in Eastlake.*

**COUNCILMEMBERS’ COMMENTS**

*Deputy Mayor McCann spoke regarding the Chula Vista Golf Course and Rohr Park.*

*Councilmember Aguilar spoke regarding the upcoming Starlight Parade and Children's Faire.*

**CITY ATTORNEY'S REPORTS**

*City Attorney Googins reported on the recent open government and ethics training his office provided.*

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

*Mayor Casillas Salas stated the meeting would be adjourned in memory of Lorraine Johnson.*

*Mayor Casillas Salas recessed the meeting at 8:16 p.m. The Council reconvened in Closed Session at 8:23 p.m., with Councilmembers Aguilar, Diaz, and McCann, 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.

16. [17-0470](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives:

Glen Googins, Maria Kachadoorian, Kelley Bacon, Simon Silva, Gary Halbert, Courtney Chase, David Bilby

Employee organization:

Association of Chula Vista Employees (ACE)

**ADJOURNMENT**

*At 8:47 p.m., Mayor Casillas Salas adjourned the meeting in memory of Lorraine Johnson to the Regular City Council Meeting on November 21, 2017 at 5:00 p.m., in the Council Chambers.*

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Sheree Kansas, Deputy City Clerk