

City of Chula Vista

Meeting Minutes - Final

Tuesday, August 8, 2017

5:00 PM

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

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

CALL TO ORDER

A regular meeting of the City Council and special meetings of the Successor Agency to the Redevelopment Agency and the Housing Authority of the City of Chula Vista were called to order at 5:04 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, Councilmember Padilla and Mayor Casillas Salas

Councilmember Padilla arrived at 5:10 p.m.

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

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. [17-0271](#) SPECIAL RECOGNITION OF THE SAN DIEGO SECTION DIVISION IV BASEBALL CHAMPIONS FROM CHULA VISTA HIGH SCHOOL

Mayor Casillas Salas recognized the players and Deputy Mayor McCann, Councilmember Aguilar, and Councilmember Diaz presented them with City of Champions medals.

CONSENT CALENDAR (Items 1 - 8)

1. [17-0323](#) APPROVAL OF MINUTES of June 20 and 22, 2017.

Recommended Action: Council approve the minutes.

2. [17-0341](#) WRITTEN COMMUNICATION

Memorandum from Councilmember Aguilar requesting an excused absence from the July 11, 2017 council meeting.

Recommended Action: Council excuse the absence.

3. [17-0345](#) ORDINANCE NO. 3408 OF THE CITY OF CHULA VISTA ESTABLISHING A 50 MPH SPEED LIMIT AT OTAY LAKES ROAD BETWEEN ALLEN SCHOOL LANE AND BONITA VIEW TERRACE APARTMENTS (1600 FEET NORTH OF CANYON DRIVE), AND AMENDING SCHEDULE X OF THE REGISTER MAINTAINED IN THE OFFICE OF THE CITY ENGINEER TO REFLECT THE ESTABLISHED SPEED LIMIT (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.
4. [17-0310](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 8.22.030 TO CLARIFY THAT SMOKING IS PROHIBITED IN ALL CITY PARKS (FIRST READING)

Recommended Action: Council place the ordinance on first reading.
5. [17-0032](#) RESOLUTION NO. 2017-150 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY (CMFA) PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM; APPROVING THE CMFA JOINT EXERCISE OF POWERS AGREEMENT AND THE CITY'S MEMBERSHIP IN THE CMFA; AND APPROVING PARTICIPATION AGREEMENTS WITH CMFA AND ITS ADMINISTRATORS: ENERGY EFFICIENT EQUITY, INC., BLUEFLAME PACE SERVICES, LLC., AND ONPACE ENERGY SOLUTIONS, LLC.

Recommended Action: Council adopt the resolution.
6. [17-0230](#) RESOLUTION NO. 2017-151 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR TURN-KEY HOUSEHOLD HAZARDOUS WASTE AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE MANAGEMENT SERVICES

Recommended Action: Council adopt the resolution.
7. [17-0315](#) RESOLUTION NO. 2017-152 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE PERFORMING AND VISUAL ARTS GRANT APPLICATION REVIEW PANEL'S FISCAL YEAR 2018 GRANT AWARD RECOMMENDATIONS WITH MONETARY GRANT AWARDS TOTALING \$87,101

Recommended Action: Council adopt the resolution.

- 8. [17-0344](#) RESOLUTION NO. 2017-153 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2016 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT AWARD FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO HIRE 12 FIREFIGHTERS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL RELATED DOCUMENTATION, HIRING AND PROCUREMENT ASSOCIATED WITH THIS GRANT

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

No: 0

Abstain: 0

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

Steve Pavka, Chula Vista resident, expressed concern regarding city fees.

The following members of the public spoke in support of affordable housing:

- John Moore, Chula Vista resident, representing ACCE

- Anthony Ortiz, representing ACCE

Sandy Sato, Chula Vista resident, expressed concern regarding traffic and a marijuana dispensary in the area of Emerson Street.

PUBLIC HEARINGS

- 9. [17-0326](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS

RESOLUTION NO. 2017-154 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

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 City Manager Kachadoorian introduced 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.

ACTION: A motion was made by Councilmember Diaz, seconded by Councilmember Aguilar, that Resolution No. 2017-154 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

10. [17-0327](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS

RESOLUTION NO. 2017-155 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE OWNER-OCCUPIED PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

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 City Manager Kachadoorian introduced 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.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Padilla, that Resolution No. 2017-155 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION ITEMS

11. [17-0313](#) CONSIDERATION OF NOMINATIONS OF APPLICANTS TO BE INTERVIEWED AND SELECTION OF A DATE AND TIME OF A MEETING TO CONDUCT INTERVIEWS TO FILL A VACANCY ON THE CULTURAL ARTS COMMISSION

A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED FOR ONE VACANCY ON THE CULTURAL ARTS COMMISSION (ARTS PROFESSIONAL SEAT)

APPLICANTS: Rosie Duran, Omar Firestone, Abel Herrera, Matthew A. Lowery, Rachel Morineau, Christianne Penunuri, Michael Tactay, and Beatrice Zamora

B. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF APPLICANTS RECEIVING TWO OR MORE NOMINATIONS FOR THE VACANCY ON THE CULTURAL ARTS COMMISSION

Acting City Clerk Bigelow provided information on the Cultural Arts Commission vacancy and stated that there were no members of the public who requested to speak regarding the item.

The nomination forms for the Cultural Arts Commission vacancy were distributed to the Council.

Councilmembers completed their nomination forms and submitted them to Acting City Clerk Bigelow. Acting City Clerk Bigelow announced that the nomination forms were available for public review and retained on file in the City Clerk's office.

Acting City Clerk Bigelow announced that the following individuals had received two or more nominations for the Cultural Arts Commission seat and would be invited to interview: Omar Firestone, Abel Herrera, Rachel Morineau, Christianne Penunuri, Michael Tactay, and Beatrice Zamora.

Acting City Clerk Bigelow announced the Civil Service Commissioners had nominated three individuals for the Council's consideration to fill a vacancy, and that the interviews for the Civil Service Commission applicants could be scheduled at that time.

There was consensus of the Council to set the date for the Cultural Arts Commission and Civil Service Commission interviews for August 22, 2017, at 4:00 p.m.

CITY MANAGER'S REPORTS

12. [17-0346](#) CONSIDERATION OF LIFTING THE HIRING MORATORIUM IMPOSED ON JUNE 20, 2017, PURSUANT TO CITY COUNCIL RESOLUTION NO. 2017-090/ SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY RESOLUTION NO. 2017-001/ HOUSING AUTHORITY RESOLUTION NO. 2017-001

On June 20, 2017, the City Council/ Successor Agency to the Redevelopment Agency/ Housing Authority placed a hiring moratorium pending the notification of the awarding of the Staffing for Adequate Fire and Emergency Response (SAFER) grant from the Department of Homeland Security. On July 28, 2017, the City received notification that it was awarded the SAFER grant. It is therefore requested that the hiring moratorium be lifted to allow the City Manager to move forward with the hiring of vacant positions as deemed necessary.

Lynnette Tessitore, representing the Chula Vista Mid-Managers/Professional Association, spoke in support of the item.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor McCann, that the hiring moratorium imposed on June 20, 2017 be lifted (Council Minutes Resolution No. 2017-156/ Successor Agency Minutes Resolution No. 2017-003/ Housing Authority Minutes Resolution No. 2017-003). The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

Marketing and Communications Manager Steinberger presented a new contact card for city services that had been printed.

MAYOR'S REPORTS

13. [17-0258](#) RESOLUTION NO. 2017-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE 2017/2018 LEGISLATIVE PROGRAM (This item was continued from August 8, 2017.)

Recommended Action: Council adopt the resolution.

ACTION: A motion was made by Councilmember Padilla, seconded by Deputy Mayor McCann, to continue Item 13 to the meeting of August 15, 2017. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

At the request of Mayor Casillas Salas, there was consensus of the Council to direct the City Attorney to provide a recommendation regarding a request that the City join a lawsuit regarding toxic materials that were polluting the Tijuana River Valley and beaches in Imperial Beach.

Mayor Casillas Salas reported on her attendance at the following recent events: Chula Vista Police Department's National Night Out, Living Coast Discovery Center Farm to Bay fundraiser, Lemon Festival, and the grand opening of 3 Punk Ale Brewery. She also announced the upcoming U.S. Women's Amateur Golf National Championship at the Chula Vista Municipal Golf Course.

COUNCILMEMBERS' COMMENTS

Deputy Mayor McCann spoke regarding the Scottish Rite Law Enforcement Award ceremony and stated he also attended the following events: the grand opening of Academy Mortgage, South County Relay for Life, National Night Out, and the Lemon Festival.

Councilmember Padilla spoke regarding National Night Out and announced the upcoming community dialogue regarding the community's vision for a University.

At the request of Councilmember Aguilar, there was consensus of the Council to add an item to the next City Council agenda for consideration of the formation of an ad hoc subcommittee for the 2017 Starlight Parade comprised of herself and Councilmember Padilla.

- 14. [17-0348](#) Councilmember Aguilar: Ratification of appointment of Theresa Acerro to the Mobilehome Rent Review Commission.

ACTION: A motion was made by Councilmember Aguilar, seconded by Mayor Casillas Salas, to ratify the appointment of Theresa Acerro to the Mobilehome Rent Review Commission. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

CLOSED SESSION

- 15. [17-0337](#) A. CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY: CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Names of cases:

- 1) San Diego County Office of Education, et. al., v. San Diego County, et. al., San Diego Superior Court, Case No 37-2017-00019775-CU-WM-CTL;
- 2) The Affordable Housing Coalition of San Diego County v. Tracy Sandoval, et. al., Sacramento Superior Court, Case No. 34-2012-80001158- CU-WM-GDS;
- 3) City of Chula Vista, et.al. v. Tracy Sandoval, et. al., Sacramento Superior Court, Case No. 34-2014- 80001723-CU-WM-GDS

B. CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY: CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION -- Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

Case(s): One (1)

City Attorney Googins announced that Item 15 would be continued to the meeting of August 15, 2017.

ADJOURNMENT

At 5:52 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on August 15, 2017, at 5:00 p.m., in the Council Chambers.

Sheree Kansas, Deputy City Clerk