

City of Chula Vista

Meeting Minutes - Draft

Tuesday, September 26, 2017

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 5:04 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

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

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Aguilar led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [17-0391](#) PRESENTATION BY THE CHULA VISTA ANIMAL CARE FACILITY OF THE SOUTH BAY COMMUNITY PET EVENT

Animal Care Facility Administrator Mills presented the item.

- B. [17-0405](#) PRESENTATION OF A PROCLAMATION TO ENVIRONMENTAL SERVICES MANAGER LYNN FRANCE PROCLAIMING OCTOBER 5, 2017 AS ENERGY EFFICIENCY DAY IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Environmental Services Manager France.

- C. [17-0419](#) PRESENTATION BY THE U.S. FISH AND WILDLIFE SERVICE REGARDING ITS ENGINEERING EVALUATION/COST ANALYSIS REPORTS FOR THE CLEAN-UP OF CONTAMINATED AREAS AT THE SAN DIEGO BAY NATIONAL WILDLIFE REFUGE- SWEETWATER MARSH UNIT

Andy Yuen, representing the U.S. Fish and Wildlife Service, gave a presentation on the item.

- D. [17-0426](#) PRESENTATION OF A CERTIFICATE OF RECOGNITION TO MARK CROSHIER FOR HIS ACCOMPLISHMENTS IN OBTAINING GOLD AND SILVER MEDALS DURING THE WORLD POLICE AND FIRE GAMES, AND THE 31ST NATIONAL VETERAN'S GOLDEN AGE GAMES

Councilmember Diaz presented Mark Crosier with a medal and Councilmember Padilla presented him with a certificate of recognition.

CONSENT CALENDAR (Items 1 - 6)

1. [17-0429](#) WRITTEN COMMUNICATION

Letter of resignation from Robert Coleman from the following:

- Sustainability Commission
- Citizens Oversight Committee
(Sustainability Representative)

Recommended Action: Council accept the resignations.

Item 2 was removed from the Consent Calendar.

3. [17-0008](#) RESOLUTION NO. 2017-223 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND AFFORDABLE DRAIN SERVICE, INC. FOR CONSULTANT SERVICES FOR STORM DRAIN COLLECTION SYSTEM CONDITION ASSESSMENT AND EVALUATION

Recommended Action: Council adopt the resolution.

4. [17-0312](#) RESOLUTION NO. 2017-224 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PARK MASTER PLAN FOR THE 1.9-ACRE P-5 PUBLIC NEIGHBORHOOD PARK LOCATED IN MILLENIA, AND APPROVING THE PARK NAME " STRATA PARK"

Recommended Action: Council adopt the resolution.

5. [17-0370](#) RESOLUTION NO. 2017-225 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2016/2017 BUDGET TO ADJUST FOR VARIANCES, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

6. [17-0415](#) RESOLUTION NO. 2017-226 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$530,000 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY AND APPROPRIATING \$396,000 TO THE POLICE GRANT FUND FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (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 Padilla, 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

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 2. [17-0430](#) ORDINANCE NO. 3411 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 9.80 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO SEX OFFENDER RESIDENCY RESTRICTIONS (SECOND READING AND ADOPTION)

Councilmember Aguilar spoke in support of presenting items to appropriate boards and commissions for input.

ACTION: A motion was made by Councilmember Aguilar, seconded by Mayor Casillas Salas, to adopt Ordinance No. 3411, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

PUBLIC COMMENTS

Theresa Acerro, Chula Vista resident, expressed concern regarding illegal marijuana activity and spoke in support of criminal enforcement.

William Richter, Chula Vista resident, spoke in support of a criminal division of the City Attorney's office.

Diana Vera, Chula Vista resident, expressed concern regarding illegal marijuana activity.

Vivian Dunbar, San Ysidro resident, spoke in support of legalizing marijuana dispensaries.

Bianca Jara, Chula Vista resident and Maria Yepis, Chula Vista resident, submitted requests to speak but were not present or declined to speak.

PUBLIC HEARINGS7. [17-0256](#) CONSIDERATION OF APPROVING AN ENERGY SERVICE CONTRACT

RESOLUTION NO. 2017-227 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ENERGY SERVICE CONTRACT WITH JOHNSON CONTROLS, INC.

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.

Finance Director Bilby presented 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 Aguilar, to adopt Resolution No. 2017-227, heading 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 recessed the meeting at 5:55 p.m. The Council reconvened at 6:00 p.m., with all members present.

ACTION ITEMS8. [17-0319](#) CONSIDERATION OF ADOPTING THE 2017 CLIMATE ACTION PLAN

RESOLUTION NO. 2017-228 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE 2017 CLIMATE ACTION PLAN

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

- John Knox, Chula Vista resident, and he made recommendations regarding the draft plan*
- Carolyn Scofield, Chula Vista resident, and she made recommendations regarding the draft plan*
- Patrick Mac Farland, Chula Vista resident, and he made recommendations regarding the draft plan*
- Matt Adams, San Diego resident*
- Lisa Cohen, Chula Vista resident, representing the Chula Vista Chamber of Commerce*
- Lynda Gilgun, Chula Vista resident, and she made recommendations regarding the draft plan*
- Gigi Garcia, San Diego resident, representing Sullivan Solar Power*
- Laurel Heller, San Diego resident, representing Sun Walk Solar, and she made recommendations regarding the draft plan*
- Randy Van Vleck, Chula Vista resident, representing Bike Walk Chula Vista, and he made recommendations regarding the draft plan*
- Ellen Kappes, Chula Vista resident*

The following members of the public made recommendations for changes to the draft climate action plan:

- Sophie Wolfram, San Diego resident*
- Nelly Canedo, Chula Vista resident*

- Max Zaker, Chula Vista resident
- Michael Gilgun, Chula Vista resident

Mayor Casillas Salas stated the Council had received a letter signed by some of the speakers, detailing their recommendations.

Sue Mosburg, Lakeside resident, representing Sweetwater Authority, thanked the Council for the City's collaboration with Sweetwater Authority.

Director of Economic Development Crockett and Conservation Specialist Downs provided additional information and responded to questions from the Council.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Padilla, to adopt Resolution No. 2017-228, and to amend the Climate Action Plan as follows:

- To include a clean energy target of 100% by 2035;
- To work to identify funding, including possible grant funding, in the fiscal year 18/19 budget to fund a technical feasibility study of Community Choice Aggregation as a way to reach 100% clean energy;
- To begin public outreach efforts and gather public feedback about Community Choice Aggregation;
- To strive for Chula Vista to meet the gold-level standard for active transportation and mode share as a "bike-friendly community" by the standards of the American League of Cyclists; and
- To fully update the Climate Action Plan, in conjunction with stakeholder groups, beginning in 2018 and to be completed by 2020.

The heading was read and text waived. The motion carried by the following vote:

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

No: 1 - Diaz

Abstain: 0

9. [17-0432](#) CONSIDERATION OF APPOINTING THE CITY CLERK AND APPROVING THE CITY CLERK EMPLOYMENT AGREEMENT

RESOLUTION NO. 2017-229 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPOINTING KERRY BIGELOW AS CITY CLERK EFFECTIVE SEPTEMBER 29, 2017 AND APPROVING THE CITY CLERK EMPLOYMENT AGREEMENT

Human Resources Manager Chase provided information on the item.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2017-229, 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. [17-0403](#) PRESENTATION OF THE CITY OF CHULA VISTA PUBLIC SAFETY STAFFING REPORT

Staff gave a presentation on the item.

Frank Rivera, representing the Chula Vista Mid-Manager/Professional Association, expressed a desire to work with City staff and the Public Safety Advisory Committee.

Patrick MacFarland, Chula Vista resident, spoke regarding funding for public safety.

James Horst, Chula Vista resident, representing the Chula Vista Police Officer's Association, provided information regarding police operations.

David Oyos, representing the Chula Vista Police Officer's Association, spoke in support of resources to address Police Department needs.

Manolo Guillen, Chula Vista resident, spoke in support of addressing the needs of the Police and Fire Departments and in implementing a criminal prosecution unit in the City Attorney's office.

Max Zaker, Chula Vista resident, spoke in support of addressing the Police and Fire Departments' needs and in identifying additional revenue.

Tina Jones, Chula Vista resident, spoke in support of addressing the Police Department's needs.

Millie Osuna, Chula Vista resident, spoke in support of addressing the Police Department's needs.

Steve Castaneda, Chula Vista resident, spoke in support of addressing public safety needs.

The following members of the public submitted requests to speak but were not present when called:

- Tony Bourne*
- Carla Even*

City Attorney Googins stated he planned on presenting the Council with a proposal on a potential criminal prosecution unit.

On a motion by Councilmember Diaz, seconded by Councilmember Padilla, there was unanimous consensus of the Council to make a referral to staff to perform a survey to determine residents' perceptions of the City's public safety efforts and to identify residents' wants and needs; to use the report to provide the Council with potential options to address the needs, including options if a revenue source did not develop; and to perform outreach to communicate on the topic with the community.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

There were none.

COUNCILMEMBERS' COMMENTS

There were none.

CITY ATTORNEY'S REPORTS

City Attorney Googins announced that the Council would convene in closed session to discuss Item 12 listed below. He stated that Items 11 and 13 would be continued to the meeting of October 10, 2017.

Mayor Casillas Salas recessed the meeting at 11:04 p.m. The Council reconvened in Closed Session at 11:16 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.

- 11. [17-0395](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

One (1) Case.

Item 11 was not discussed and was continued to the meeting of October 10, 2017.

- 12. [17-0433](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 1095 Alpine Avenue, Chula Vista, CA 91911
APN 619-100-23

Agency
Negotiator: Rick Ryals

Negotiating
Parties: Rick Ryals, City of Chula Vista and
William Best, owner

Under
Negotiation: Acquisition of Real Property Price and terms

ACTION: No reportable action.

- 13. [17-0434](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One (1) Case.
(This item was continued from 9/26/2017.)

Item 13 was not discussed and was continued to the meeting of October 10, 2017.

ADJOURNMENT

At 11:24 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on October 10, 2017, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk