

City of Chula Vista

Meeting Minutes - Final

Tuesday, August 2, 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 5:07 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: City Manager Halbert, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Mayor Casillas Salas paid tribute to fallen San Diego Police Officer and Chula Vista resident, Jonathan DeGuzman and led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

A. [16-0380](#) OATHS OF OFFICE

Rennsie Gregorio, Parks and Recreation Commission
Max Zaker, Planning Commission

City Clerk Norris administered the oaths of office to Commissioners Gregorio and Zaker, and Councilmember Bensoussan presented them with certificates of appointment.

B. [16-0336](#) SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL AND THE ECONOMIC DEVELOPMENT DEPARTMENT PROUDLY INTRODUCES BOB KOERBER AND BAE SYSTEMS TO THE CITY OF CHULA VISTA

Economic Development Director Crockett spoke regarding BAE Systems San Diego Ship Repair. Cindy Gompper-Graves, representing the South County Economic Development Council, introduced Bob Koerber, General Manager and Vice President of BAE Systems, who gave a presentation regarding the organization. Mayor Casillas Salas read the proclamation and Deputy Mayor Miesen presented it to Mr. Koerber.

CONSENT CALENDAR (Items 1 - 6)

Councilmember McCann stated he would abstain from voting on Item 3B due to a potential property-related conflict of interest.

1. [16-0361](#) APPROVAL OF MINUTES of July 12, 14, and 19, 2016.

Recommended Action: Council approve the minutes.

2. [16-0363](#) ORDINANCE NO. 3371 OF THE CITY OF CHULA VISTA ADDING CHAPTER 3.33 TO TITLE 3 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH A TEMPORARY ONE-HALF CENT GENERAL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION INCLUDING PROVISIONS FOR CITIZENS' OVERSIGHT AN ACCOUNTABILITY (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the ordinance.

3. [16-0195](#) A. RESOLUTION NO. 2016-151 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2016/2017 WITHIN COMMUNITY FACILITIES DISTRICTS 97-1, 97-2, 97-3, 98-1, 98-2, 98-3, 99-1, 99-2, 2000-1, 2001-1, 2001-2, 07-I, 08-I, 08-M, 09-M, 11-M, 12-I, 12-M, 13-I, 13-M, AND 14-M AND DELEGATING TO THE CITY MANAGER, OR DESIGNEE, THE AUTHORITY TO PREPARE AND SUBMIT A CERTIFIED LIST OF ALL PARCELS SUBJECT TO THE SPECIAL TAX, INCLUDING THE AMOUNT OF THE TAX, TO THE COUNTY AUDITOR

B. RESOLUTION NO. 2016-152 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2016/2017 WITHIN COMMUNITY FACILITIES DISTRICTS 06-I, AND 07-M AND DELEGATING TO THE CITY MANAGER, OR HIS DESIGNEE, THE AUTHORITY TO PREPARE AND SUBMIT A CERTIFIED LIST OF ALL PARCELS SUBJECT TO THE SPECIAL TAX, INCLUDING THE AMOUNT OF THE TAX, TO THE COUNTY AUDITOR

Recommended Action: Council adopt the resolutions.

4. [16-0275](#) A. RESOLUTION NO. 2016-153 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A MAP SHOWING THE BOUNDARIES OF THE TERRITORY PROPOSED TO BE INCLUDED IN COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENNIA) AND THE IMPROVEMENT AREAS THEREIN

B. RESOLUTION NO. 2016-154 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENNIA) AND DESIGNATE TWO IMPROVEMENT AREAS THEREIN TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE THE ACQUISITION OR CONSTRUCTION OF CERTAIN PUBLIC FACILITIES

C. RESOLUTION NO. 2016-155 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE NECESSITY TO INCUR A BONDED INDEBTEDNESS OF COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENNIA) FOR IMPROVEMENT AREA NO. 1 AND IMPROVEMENT AREA NO. 2 THEREIN TO BE SECURED BY SPECIAL TAXES LEVIED WITHIN EACH RESPECTIVE IMPROVEMENT AREA TO PAY FOR THE ACQUISITION OR CONSTRUCTION OF CERTAIN PUBLIC FACILITIES

Recommended Action: Council adopt the resolutions.

5. [16-0324](#) RESOLUTION NO. 2016-156 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TRASH ASSESSMENT BASELINE STUDY AND STRUCTURAL BMP FEASIBILITY REPORT CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND D-MAX ENGINEERING INC. AND AUTHORIZING THE CITY MANAGER TO APPROVE UP TO TWO ONE-YEAR EXTENSIONS TO SAID AGREEMENT

Recommended Action: Council adopt the resolution.

6. [16-0343](#) A. RESOLUTION NO. 2016-157 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$23,000 FROM THE COUNTY OF SAN DIEGO CALIFORNIA IDENTIFICATION PROGRAM, ADDING ONE LATENT PRINT EXAMINER TO THE AUTHORIZED STAFFING OF THE POLICE DEPARTMENT, AND APPROPRIATING SAID FUNDS TO THE FISCAL YEAR 2016/2017 POLICE DEPARTMENT BUDGET (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2016-158 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE TO REFLECT THE CORRECT SALARY FOR SENIOR LATENT PRINT EXAMINER

C. RESOLUTION NO. 2016-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016/2017 COMPENSATION SCHEDULE EFFECTIVE AUGUST 5, 2016, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

Recommended Action: Council adopt the resolutions.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember Bensoussan, 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:

Items 1, 3A, and 4 through 6:

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

No: 0

Abstain: 0

Item 2:

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

No: 1 - McCann

Abstain: 0

Item 3B:

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

No: 0

Abstain: 1 - McCann

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

There were none.

PUBLIC HEARINGS

7. [16-0194](#) CONSIDERATION OF TESTIMONY FOR THE FISCAL YEAR 2016/2017 LEVY OF ASSESSMENTS AND COLLECTION AGAINST THOSE ASSESSMENTS FOR CERTAIN OPEN SPACE AND MAINTENANCE DISTRICTS

A. RESOLUTION NO. 2016-160 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2016/2017 FOR OPEN SPACE DISTRICTS 2 THROUGH 7, 9, 11, 14, 15, 17, 18, 20 (ZONES 1, 2, 4, 5, 6, 8), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONES B, C, AND D), AND BAY BOULEVARD MAINTENANCE DISTRICT

B. RESOLUTION NO. 2016-161 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2016/2017 FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1

C. RESOLUTION NO. 2016-162 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2016/2017 FOR OPEN SPACE DISTRICTS 8 AND 20 (ZONES 3, 7, AND 9)

D. RESOLUTION NO. 2016-163 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2016/2017 FOR OPEN SPACE DISTRICTS 10, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONE E), AND TOWN CENTRE MAINTENANCE DISTRICT

E. RESOLUTION NO. 2016-164 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2016/2017 FOR OPEN SPACE DISTRICT EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONE A)

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.

Deputy Mayor Miesen previously opened the public hearing at the meeting of July 26, 2016.

Mayor Casillas Salas announced the following potential property-related conflicts of interest: Councilmember McCann on Item 7B, Councilmember Aguilar on Item 7C, Mayor Casillas Salas on Item 7D, and Deputy Mayor Miesen on Item 7E.

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

Councilmember McCann left the dais during voting on Item 7B.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Bensoussan, that Resolution No. 2016-161 (Item 7B) be adopted, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 1 - McCann

Councilmember McCann returned to the dais. Councilmember Aguilar left the dais during voting on Item 7C.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Miesen, that Resolution No. 2016-162 (Item 7C) be adopted, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 1 - Aguilar

Councilmember Aguilar returned to the dais. Mayor Casillas Salas left the dais during voting on Item 7D and Deputy Mayor Miesen led the voting on that item.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember Bensoussan, that Resolution 2016-163 (Item 7D) be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 1 - Casillas Salas

Mayor Casillas Salas returned to the dais. Councilmember Miesen left the dais during voting on Item 7E.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember Bensoussan, that Resolution No. 2016-164 (Item 7E) be adopted, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 1 - Miesen

Councilmember Miesen returned to the dais.

ACTION: A motion was made by Deputy Mayor Miesen, seconded by Councilmember Aguilar, that Resolution No. 2016-160 (Item 7A) 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

BOARD AND COMMISSION REPORTS

8. [16-0362](#) CITY COUNCIL CONSIDERATION OF CHARTER CHANGES REGARDING THE CITY ATTORNEY AND LEGISLATIVE COUNSEL RECOMMENDED BY THE CHARTER REVIEW COMMISSION FOR PLACEMENT ON THE NOVEMBER 2016 BALLOT

Carra Rhamy, Chair, Charter Review Commission, spoke in support of the Council considering the Commission's recommendation in time for a measure to be placed on the ballot for the November 2016 election.

At the request of Mayor Casillas Salas, there was consensus of a majority of the Council to continue discussion of the item to a joint workshop of the City Council and the Charter Review Commission at a future date.

Mayor Casillas Salas recessed the meeting at 5:59 p.m. The Council reconvened at 6:30 p.m., with all members present.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

9. [16-0330](#) Consideration of appointment of a voting delegate and alternate for the 2016 League of California Cities Annual Conference, to be held in Long Beach, October 5 through 7.

ACTION: A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, that Deputy Mayor Miesen be appointed as the voting delegate and Councilmember Bensoussan be appointed as the alternate for the 2016 League of California Cities Annual Conference. The motion carried by the following vote:

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

No: 0

Abstain: 0

Mayor Casillas Salas reported on her recent attendance at the Environmental Protection Agency's Local Government Advisory Committee meeting and a recent Eagle Scout Ceremony.

Mayor Casillas Salas spoke regarding her attendance at vigils in honor of fallen San Diego Police Officer and Chula Vista resident Jonathan DeGuzman, and expressed her support and gratitude for members of law enforcement.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Miesen expressed support and appreciation for law enforcement officers. He spoke regarding the upcoming Living Coast Discovery Center fundraiser.

Councilmember McCann thanked members of the Police force and spoke regarding a recent Girl Scouts blue ribbon event at Heritage Park in honor of fallen Police Officer Jonathan DeGuzman.

Councilmember Bensoussan spoke regarding the upcoming HarborFest event.

Councilmember Aguilar expressed gratitude to police officers.

City Attorney Googins announced that the Council would convene in closed session to discuss Item 10 listed below. He stated that Item 11 would not be discussed at that time.

At 6:44 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.

10. [16-0369](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 707 "F" St., Chula Vista, CA 91910

Agency Negotiators: Eric Crockett and Rick Ryals

Negotiating Parties: City of Chula Vista (owner) and Grapevine Development, represented by Miguel Vazquez, and Bridge Investment Group Holdings LLC, represented by Eric Heffner (purchaser)

Under Negotiation: Sales price and terms

ACTION: No reportable action.

11. [16-0388](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Karen R. Escobedo as Trustee of the Irving A. Escobedo and Karen R. Escobedo Family Trust v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-00007825-CU-PO-CTL.

Item 11 was not discussed.

ADJOURNMENT

At 7:20 p.m., Mayor Casillas Salas adjourned the meeting in memory of fallen Police Officer DeGuzman to the Regular City Council Meeting on August 9, 2016, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk