

# City of Chula Vista

## Meeting Minutes - Final

---

Tuesday, November 10, 2015

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 5:00 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.*

#### ROLL CALL:

**Present:** Councilmember Aguilar, Deputy Mayor Bensoussan, Councilmember McCann, Councilmember Miesen and Mayor 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

*Councilmember McCann led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [15-0610](#) OATHS OF OFFICE
- Leticia Cazares, Cultural Arts Commission
  - Christopher Ramirez, Veterans Advisory Commission
  - Griselda Delgado, Cultural Arts Commission
  - Leslie Smith, Board of Appeals and Advisors
  - Brandon Machuca, Youth Action Council

*City Clerk Norris administered the oath of office to Commissioners Cazares, Delgado, Machuca, Ramirez, and Smith, and Deputy Mayor Bensoussan presented them with certificates of appointment.*

- B. [15-0613](#) RECOGNITION OF 14-YEAR-OLD CHULA VISTA RESIDENT, LIDIA F. VASQUEZ, FOR RECEIVING THE PEOPLE'S CHOICE AWARD IN THE LITTLE ITALY FESTA GESSO ITALIANO CHALK ART COMPETITION ON OCTOBER 11, 2015

*Mayor Salas recognized Lidia Vasquez and Deputy Mayor Bensoussan presented her with a certificate of recognition.*

#### CONSENT CALENDAR (Items 1 - 4)

1. [15-0616](#) APPROVAL OF MINUTES of October 13, 2015.

**Recommended Action: Council approve the minutes.**

2. [15-0615](#) ORDINANCE NO. 3356 OF THE CITY OF CHULA VISTA AMENDING TITLE 10, VEHICLES AND TRAFFIC, BY ADDING CHAPTER 10.87, RESIDENTIAL PERMIT PARKING DISTRICTS, TO THE CHULA VISTA MUNICIPAL CODE (SECOND READING AND ADOPTION)

**Recommended Action: Council adopt the ordinance.**

3. [15-0577](#) A. RESOLUTION NO. 2015-259 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING ("MOU") BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA EMPLOYEES ASSOCIATION/SEIU LOCAL 221, RELATED TO COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AFOREMENTIONED MOU AND ANY ADDITIONAL DOCUMENTS WHICH MAY BE NECESSARY OR REQUIRED TO IMPLEMENT SAID MOU

B. RESOLUTION NO. 2015-260 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY CHULA VISTA EMPLOYEES ASSOCIATION/SEIU LOCAL 221

C. RESOLUTION NO. 2015-261 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CESSATION OF PAYMENT, ON EMPLOYER SIDE, FOR OPTIONAL BENEFITS BY EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY CHULA VISTA EMPLOYEES ASSOCIATION/SEIU LOCAL 221 AS A RESULT OF TERMINATION OF EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR SAID EMPLOYEES

D. RESOLUTION NO. 2015-262 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR UNREPRESENTED EMPLOYEES INCLUDING AUTHORIZATION FOR THE MAYOR TO EXECUTE ANY NECESSARY CONTRACT AMENDMENTS TO IMPLEMENT SAID AMENDED COMPENSATION SUMMARY

E. RESOLUTION NO. 2015-263 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR UNREPRESENTED CONFIDENTIAL EMPLOYEES WITH A REPRESENTED COUNTERPART

F. RESOLUTION NO. 2015-264 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CESSATION OF PAYMENT, ON EMPLOYER SIDE, FOR OPTIONAL BENEFITS BY UNREPRESENTED CONFIDENTIAL EMPLOYEES WITH A REPRESENTED

---

COUNTERPART AS A RESULT OF TERMINATION OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR SAID EMPLOYEES

G. RESOLUTION NO. 2015-265 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2015-2016 BUDGET TO ACCOUNT FOR THE PROPOSED SALARY INCREASE FOR THE CHULA VISTA EMPLOYEES ASSOCIATION/SEIU LOCAL 221, AND UNREPRESENTED CONFIDENTIAL EMPLOYEES WITH A REPRESENTED COUNTERPART (4/5 VOTE REQUIRED)

H. RESOLUTION NO. 2015-266 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2015-2016 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

**Recommended Action: Council adopt the resolutions.**

4. [15-0607](#)

A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2015

B. RESOLUTION NO. 2015-267 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2015/16 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

**Recommended Action: Council accept the report and adopt the resolution.**

Approval of the Consent Calendar

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Miesen, 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, Bensoussan, McCann, Miesen and Salas

**No:** 0

**Abstain:** 0

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

*There were none.*

**PUBLIC COMMENTS (Part 1 of 2)**

*John Devin, Chula Vista resident, declined to speak but submitted written documentation in support of adding an item to a future agenda regarding abatement of transient commercial truck parking. Mayor Salas referred the issue to City Manager Halbert.*

*Vanessa Mapula Garcia, representing SDG&E, introduced herself as the Public Affairs Manager and provided an update on SDG&E's renewable energy goals.*

*Part 2 of Public Comments was heard during Item 6.*

**PUBLIC HEARINGS**

5. [15-0407](#) CONSIDERATION OF AMENDING CHAPTER 20.12 OF THE CHULA VISTA MUNICIPAL CODE, LANDSCAPE WATER CONSERVATION ORDINANCE

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING THE LANDSCAPE WATER CONSERVATION ORDINANCE, CHAPTER 20.12 OF THE MUNICIPAL CODE, TO COMPLY WITH STATE REQUIREMENTS TO INCREASE WATER EFFICIENCY FOR NEW AND RETROFITTED LANDSCAPES (FIRST READING)

*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.*

*Landscape Architect Radley presented information on the item.*

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

**ACTION:** A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember Miesen, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**ACTION ITEMS (Part 1 of 2)**

6. [15-0340](#) A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED FOR VACANCIES ON THE GROWTH MANAGEMENT OVERSIGHT COMMISSION (ONE SEAT), PARKS AND RECREATION COMMISSION (FOUR SEATS), AND CIVIL SERVICE COMMISSION (ONE SEAT)

B. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF APPLICANTS RECEIVING TWO OR MORE NOMINATIONS AND ALL APPLICANTS FOR THE GROWTH MANAGEMENT OVERSIGHT COMMISSION'S SOUTHEAST AND SOUTHWEST TERRITORY REPRESENTATIVE SEATS (Continued from November 3, 2015)

*There were no requests from the public to speak on the item.*

*City Clerk Norris distributed nomination forms for the Growth Management Oversight Commission. She stated the forms were available for public review and would be retained on file in the Office of the City Clerk.*

*Mayor Salas announced that a late request to speak under Public Comments was received. Item 6 was continued to after Part 2 of Public Comments.*

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

*Bill Williams, Chula Vista resident, expressed concern regarding citations he had received and submitted written documentation.*

*Item 6 was continued following Part 2 of Public Comments.*

**ACTION ITEMS (Part 2 of 2)**

6. [15-0340](#) A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED FOR VACANCIES ON THE GROWTH MANAGEMENT OVERSIGHT COMMISSION (ONE SEAT), PARKS AND RECREATION COMMISSION (FOUR SEATS), AND CIVIL SERVICE COMMISSION (ONE SEAT)

B. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF APPLICANTS RECEIVING TWO OR MORE NOMINATIONS AND ALL APPLICANTS FOR THE GROWTH MANAGEMENT OVERSIGHT COMMISSION'S SOUTHEAST AND SOUTHWEST TERRITORY REPRESENTATIVE SEATS (Continued from November 3, 2015)

*City Clerk Norris distributed the nomination forms for the Growth Management Oversight Commission. Councilmembers completed their nomination forms and submitted them to City Clerk Norris.*

*City Clerk Norris tallied the nominations and announced that the following individuals had received two or more nominations and would be invited to interview for the Growth Management Oversight Commission Local Education Representative vacancy: Rodney Caudillo, Hector Fernandez, Gregory Hall, Willie Harris, Duaine Hooker, Leslie Pham, and Roderick Reinhart.*

*City Attorney Googins stated that the nomination forms were public record and were immediately available to the public.*

*City Clerk Norris distributed the nomination forms for the Civil Service Commission vacancy. Councilmembers completed their nomination forms and submitted them to City Clerk Norris.*

*City Clerk Norris tallied the nominations and announced that the following individuals had received two or more nominations and would be invited to interview for the Civil Service Commission: Jennifer Carbuccia, Thomas Doyle, Melissa Garchie, Michael D. Jackson, Linda Navarro, Amy Reeve, Roderick Reinhart, Jose Serrato, and Leslie Smith.*

*City Clerk Norris distributed the nomination forms for the Parks and Recreation Commission vacancies. Councilmembers completed their nomination forms and submitted them to City Clerk Norris.*

*City Clerk Norris tallied the nominations and announced that the following individuals had received two or more nominations and would be invited to interview for the Parks & Recreation Commission: Leticia Cazares, Alice Chaisongkram, Eric Chaisongkram, Thomas Doyle, Hector Fernandez, G. Michael German, Linda Navarro, Tom Nehring, David Olivera, Leslie Pham, Emmanuel Soto, and John Zarem.*

*The Council discussed dates for open meetings to conduct interviews.*

---

*A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember McCann, to hold the Parks & Recreation Commission interviews at 4:00 p.m. on November 17, 2015. A vote was not taken on the motion.*

**ACTION:** A substitute motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, that the Parks and Recreation Commission interviews be held on November 17, 2015 at 5:30 p.m., or at the conclusion of the Regular City Council Meeting, whichever is later. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**ACTION:** A motion was made by Deputy Mayor Bensoussan, seconded by Mayor Salas, that additional interviews for either the Growth Management Oversight Commission or the Civil Service Commission be held on December 15, 2015, beginning at 4:00 p.m., and that the Council would continue discussion of the scheduling of open meetings for the purpose of holding interviews at the meeting of November 17, 2015. The motion carried by the following vote:

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

**No:** 1 - Aguilar

**Abstain:** 0

## CITY MANAGER'S REPORTS

*City Manager Halbert provided an update on the Olympic Training Center.*

## MAYOR'S REPORTS

*Mayor Salas announced the following recent events: Salt Creek Elementary School Fall Festival, Veteran's Elementary School Veteran's Day parade, National League of Cities' Compact of Mayors meeting, and the First Friday Breakfast on the topic of the City's environmental sustainability efforts. She announced that AT&T had awarded grants to programs in the Sweetwater Union High School District through its DonorChoose.Org program. Mayor Salas recognized veterans and spoke regarding the upcoming Veteran's Day holiday.*

## COUNCILMEMBERS' COMMENTS

*Deputy Mayor Bensoussan and Councilmember Miesen spoke regarding the upcoming Chula Vista Bayfront Band Review Parade.*

*Councilmember McCann recognized veterans and military families, and spoke regarding the Veteran's Day holiday.*

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

*Mayor Salas recessed the meeting at 6:53 p.m. The Council reconvened in Closed Session at 7:00 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.

7. [15-0609](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: City of Chula Vista v. Bay & E, Inc., et al., San Diego Superior Court, Case No. 37-2013-00055103-CU-MC-CTL

**ACTION:** No reportable action.

## ADJOURNMENT

*At 7:32 p.m., Mayor Salas adjourned the meeting to the Regular City Council Meeting on November 17, 2015, at 5:00 p.m., in the Council Chambers.*

---

Kerry K. Bigelow, Assistant City Clerk