

City of Chula Vista

Meeting Minutes - Draft

Tuesday, December 8, 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 5:06 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Deputy Mayor Bensoussan, Councilmember McCann and Councilmember Miesen

Absent: Councilmember Aguilar 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. [15-0633](#) OATHS OF OFFICE

Board of Ethics:

- Fernando Kish
- Todd Voorhees

Parks & Recreation Commission:

- Hector Fernandez
- G. Michael German
- Emmanuel Soto

City Clerk Norris administered the Oaths of Office to Commissioners Kish, Voorhees, Fernandez, German, and Soto, and Councilmember Miesen presented them with certificates of appointment.

B. [15-0618](#) PRESENTATION OF COMPUTER DONATIONS TO SOUTH BAY COMMUNITY SERVICES YOUTH IN TRANSITION PROGRAM BY RECYCLING SPECIALIST MANUEL MEDRANO AND CHERI PIERRE, REPRESENTING COMPUTERS 2 SD KIDS

Recycling Specialist Medrano and Ms. Pierre presented information on the Computers 2 SD Kids program. Computer recipients Patsy Akens, Glenn Racine, Nancy Galvan, and Jaquel Pitts expressed appreciation for the computer they received through the program.

- C. [15-0639](#) PRESENTATION BY DR. EMERALD RANDOLPH OF THE 2015 CHRISTMAS IN OCTOBER PROGRAM IN THE CITY OF CHULA VISTA

Dr. Randolph presented information and a video on the 2015 Christmas in October program, and she thanked the program's supporters and sponsors.

- D. [15-0641](#) PRESENTATION OF A PROCLAMATION TO EASTON ARCHERY CENTER OF EXCELLENCE DIRECTOR KEATON CHIA, COMMENDING THE EASTON FOUNDATIONS ON THE OPENING OF THE EASTON ARCHERY CENTER OF EXCELLENCE AND ADVANCEMENT OF THE SPORT OF ARCHERY IN CHULA VISTA AND THROUGHOUT THE UNITED STATES

Deputy City Manager Bacon, Mr. Chia, and Mr. Kale presented information and a video on the Easton Archery Center of Excellence. Deputy Mayor Bensoussan read the proclamation and Councilmember Miesen presented it to Mr. Chia and Mr. Kale.

CONSENT CALENDAR (Items 1 - 4)

1. [15-0632](#) APPROVAL OF MINUTES of October 30, November 3, November 10, November 17, 2015.

Recommended Action: Council approve the minutes.

2. [15-0630](#) WRITTEN COMMUNICATIONS

Letter of resignation from Veronica Gerace, International Friendship Commission

Recommended Action: Council accept the resignation.

3. [15-0586](#) RESOLUTION NO. 2015-272 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2016

Recommended Action: Council adopt the resolution.

4. [15-0625](#) RESOLUTION NO. 2015-273 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2013-2014 COMPENSATION SCHEDULES EFFECTIVE AUGUST 9, 2013, AND NOVEMBER 29, 2013, AS RECOMMENDED BY THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM OFFICE OF AUDIT SERVICES AND AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

Recommended Action: Council 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: 3 - Bensoussan, McCann and Miesen

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

David Leaf, Chula Vista resident, representing D. Leaf Sales, Inc. expressed concern regarding motor homes parking on streets. Deputy Mayor Bensoussan stated the issue would be discussed under Item 5.

Mark Twohey, representing the Youth Sports Council, expressed concern regarding updates to recreation fees and spoke in support of the item being discussed at a meeting at which the public could participate in the dialogue.

Bill Williams, Chula Vista resident, requested that an area be designated to allow homeless individuals to live in tents, and that restrooms and bathing facilities be provided.

PUBLIC HEARINGS

- 5. [15-0631](#) CONSIDERATION OF AMENDING TITLE 10, VEHICLES AND TRAFFIC, BY ADDING CHAPTER 10.52.495, PARKING OF RECREATIONAL VEHICLES PROHIBITED ON CITY STREETS EXCEPT BY PERMIT, TO THE CHULA VISTA MUNICIPAL CODE

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 10, VEHICLES AND TRAFFIC, BY ADDING CHAPTER 10.52.495, PARKING OF RECREATIONAL VEHICLES PROHIBITED ON CITY STREETS EXCEPT BY PERMIT, TO THE CHULA VISTA MUNICIPAL CODE (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.

City Engineer Vallee and Senior Civil Engineer Cuthbert gave a presentation on the item.

Deputy Mayor Bensoussan opened the public hearing.

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

- Dean Spooner, Chula Vista resident
- Virginia Jensen, Coronado resident, representing Terry Enterprises LLC

There being no other members of the public who wished to speak, Deputy Mayor Bensoussan closed the public hearing.

City Attorney Googins suggested the Council consider an amendment to subsection D to add the word "minimum," so that it would read "A violation of any provision of this Section is an infraction and punishable with a court citation and a minimum \$100 fine, pursuant to Section 1.20.010.B of the Chula Vista Municipal Code."

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Miesen, that the above ordinance be placed on first reading with an amendment to subsection D to add the word "minimum," so that it would read "A violation of any provision of this Section is an infraction and punishable with a court citation and a minimum \$100 fine, pursuant to Section 1.20.010.B of the Chula Vista Municipal Code." The heading was read, text waived. The motion carried by the following vote:

Yes: 3 - Bensoussan, McCann and Miesen

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

6. [15-0649](#) SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF APPLICANTS FOR THE CIVIL SERVICE COMMISSION WHO RECEIVED TWO OR MORE NOMINATIONS AT THE MEETING OF NOVEMBER 10, 2015

There was consensus of the Council to reschedule the Growth Management Oversight Commission interviews that had been scheduled for December 15, 2015 at 4:00 p.m., and to hold the regular Council meeting of December 15, 2015 at 5:00 p.m.

At the request of Deputy Mayor Bensoussan, there was consensus of the Council to direct the City Clerk to poll the Council regarding dates of availability to hold Growth Management Oversight Commission and Civil Service Commission interviews.

City Attorney Googins stated that an item would be added to the agenda of December 15, 2015 for the Council to discuss and set the date for the Civil Service Commission and Growth Management Oversight Commission interviews.

At the request of Deputy Mayor Bensoussan, there was consensus of the Council to add an item to the agenda of January 12, 2016, to discuss the process of filling the remaining vacancy on the Parks and Recreation Commission.

COUNCILMEMBERS' COMMENTS

Councilmember Miesen thanked Councilmembers Aguilar and McCann for their work on the Starlight Parade. He spoke regarding the Movember men's cancer awareness event.

Councilmember McCann spoke regarding the recent Starlight Parade.

Deputy Mayor Bensoussan paid tribute to City employee, Mary Ladiana.

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

At 6:50 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.

- 7. [15-0654](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: A) Chris Shilling, et al. v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2015-00006097-CU-MC-CTL

Name of case: B) Dan Villamin v. City of Chula Vista, et al., United States District Court, Case No. 15-CV-02214-BAS-RBB

ACTION: No reportable action.

ADJOURNMENT

At 7:20 p.m., Deputy Mayor Bensoussan adjourned the meeting to the Regular City Council Meeting on December 15, 2015, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk