

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, November 1, 2016

5:00 PM

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

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### 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 5:03 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, Assistant City Clerk Bigelow, and Deputy City Clerk Kansas*

#### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

*Councilmember Bensoussan led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [16-0462](#) PRESENTATION OF A PROCLAMATION TO SHIRLEY FERRILL, 2016 CHULA VISTA VETERAN OF THE YEAR

*Mayor Casillas Salas read the proclamation and Councilmember McCann presented it to Shirley Ferrill.*

- B. [16-0476](#) PRESENTATION OF QUARTERLY EMPLOYEE RECOGNITION RECIPIENTS

*Human Resources Operations Manager Dempster recognized Jocelyn Francisco, Connie Green, and Joanna Ritchie as quarterly employee recognition recipients.*

#### CONSENT CALENDAR (Items 1 - 12)

*Item 9 was removed from the Consent Calendar for separate consideration by Councilmember Aguilar.*

*City Attorney Googins announced that minor revisions to Items 7 and 9 had been provided to the Council and would be incorporated into the items should they be adopted.*

1. [16-0491](#) APPROVAL OF MINUTES of October 4 and 11, 2016.

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

2. [16-0506](#) WRITTEN COMMUNICATIONS

Letters of resignation from the following:

- A. Gregory Hall, Board of Appeals and Advisors
- B. Stephen Kalaluhi, Board of Library Trustees
- C. Emma Abutin, Commission on Aging
- D. Francine Mague, International Friendship Commission

**Recommended Action: Council accept the resignations.**

3. [16-0458](#) RESOLUTION NO. 2016-210 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR A YOUTH SOCCER AND RECREATION DEVELOPMENT PROGRAM GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OFFICE OF GRANTS AND LOCAL SERVICES; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING, ANY AMENDMENTS THERETO, AND ANY RELATED DOCUMENTS NECESSARY FOR IMPLEMENTATION OF THE GRANT

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

4. [16-0477](#) RESOLUTION NO. 2016-211 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$330,000 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY AND APPROPRIATING \$170,000 TO THE POLICE GRANT FUND FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (4/5 VOTE REQUIRED)

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

5. [16-0492](#) A. RESOLUTION NO. 2016-212 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION OF AN FA (FISCAL AGENT) SENIOR PROGRAM ASSISTANT, AMENDING THE AUTHORIZED STAFFING LEVEL OF THE POLICE GRANT FUND BY ADDING ONE FA DEPUTY DIRECTOR SDLECC, ONE FA ANALYST AND ONE FA SENIOR PROGRAM ASSISTANT, AND ELIMINATING ONE FA PROGRAM ASSISTANT, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD FA SENIOR PROGRAM ASSISTANT (FIRST READING) (4/5 VOTE REQUIRED)

C. RESOLUTION NO. 2016-213 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE NOVEMBER 11, 2016, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

**Recommended Action:** Council adopt the resolutions and place the ordinance on first reading.

6. [16-0493](#) RESOLUTION NO. 2016-214 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT, APPROVING THE CONSOLIDATION OF THE EXISTING AGREEMENTS INTO ONE, NEW FIVE-YEAR AGREEMENT WITH TASER INTERNATIONAL, AND AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE ANY FUTURE ADDITIONAL BODY WORN CAMERAS AND TASER ELECTRONIC CONTROL WEAPONS FROM TASER INTERNATIONAL

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

7. [16-0353](#) RESOLUTION NO. 2016-215 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND MOFFATT AND NICHOL, TO PROVIDE PRELIMINARY ENGINEERING, ENVIRONMENTAL DOCUMENTATION AND FINAL DESIGN FOR THE HERITAGE ROAD BRIDGE REPLACEMENT PROJECT; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

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

8. [16-0375](#) RESOLUTION NO. 2016-216 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE ASSISTANCE TO FIREFIGHTERS GRANT AWARD FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, AUTHORIZING THE FIRE CHIEF OR HIS DESIGNEE TO EXECUTE ALL RELATED DOCUMENTATION AND PROCUREMENT ASSOCIATED WITH THIS GRANT, AMENDING THE FISCAL YEAR 2016/2017 TUT COMMON FUND BUDGET FOR MATCHING FUNDS, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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

*Item 9 was removed from the Consent Calendar.*

- 10. [16-0455](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTERS 2.25, "GENERAL RULES FOR BOARDS AND COMMISSIONS," AND 2.32, "RESOURCE CONSERVATION COMMISSION," CHANGING THE COMMISSION NAME TO THE "SUSTAINABILITY COMMISSION" (FIRST READING)

**Recommended Action:** Council place the ordinance on first reading.

- 11. [16-0498](#) RESOLUTION NO. 2016-217 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CITY'S PARTICIPATION IN SDG&E'S POWER YOUR DRIVE PROGRAM

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

- 12. [16-0514](#) RESOLUTION NO. 2016-218 OF THE CITY COUNCIL OF THE CITY OF CHULA APPROVING A GOLF COURSE FACILITY MANAGEMENT AGREEMENT WITH TOUCHSTONE GOLF FOR THE INTERIM OPERATIONS OF THE CHULA VISTA GOLF COURSE

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

Approval of the Consent Calendar

**ACTION:** A motion was made by Councilmember McCann, seconded by Deputy Mayor Miesen, to approve staff's recommendations on the above Consent Calendar items 1 through 8 and 10 through 12, headings read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 9. [16-0478](#) FISCAL YEAR 2015/2016 ANNUAL FINANCIAL STATUS REPORT

*City Manager Halbert provided information on the budget adjustments presented in the report.*

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Councilmember McCann, to accept the report, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

**PUBLIC COMMENTS**

*Ricardo Beas, Chula Vista resident, spoke regarding the traffic situation on I-805 in the Palomar area.*

*Rudy Ramirez, Chula Vista resident, expressed concern regarding illegal marijuana dispensaries.*

*The following members of the public introduced the Friends of Norman Park Senior Center and spoke regarding the organization's purpose:*

- *Dr. B, Chula Vista resident*
- *Vince Snodgrass, Chula Vista resident*
- *Kay Bodge, National City resident*

**ACTION ITEMS**

**13. [16-0306](#) CONSIDERATION OF ADOPTING THE KIDS CHOICE CHULA VISTA PROGRAM**

RESOLUTION NO. 2016-219 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING "KIDS CHOICE CHULA VISTA", A VOLUNTARY, INCENTIVE-BASED PROGRAM TO PROVIDE CHILDREN WITH HEALTHY BEVERAGE CHOICES AT CHULA VISTA RESTAURANTS

*Senior Project Coordinator Kurz gave a presentation on the item.*

*The following members of the public spoke in support of the item:*

- *Dr. Sharon Kirby, San Diego resident*
- *Dr. Usha Rao*

*Mayor Casillas Salas recommended changing the proposed program flyer to deemphasize the fruit juice option.*

**ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution No. 2016-219 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

**CITY MANAGER'S REPORTS**

*Marketing and Communications Manager Steinberger presented information on the We Are Chula Vista photo contest. Councilmember Bensoussan spoke regarding the judging panel and the future exhibit space in the City Hall lobby.*

*City Manager Halbert provided an update on the grading for Heritage Road and stated the road would open mid-year in 2017. He also stated that contracts for the Willow Creek Bridge construction were scheduled to begin mid-year in 2017 and to be completed in December 2017.*

**MAYOR'S REPORTS**

14. [16-0520](#) CONSIDERATION OF COUNCIL DIRECTION TO STAFF TO INCLUDE ADDITIONAL FUNDS IN THE PROPOSED 2017/2018 BUDGET FOR THE SISTER CITY PROGRAM

*Mayor Casillas Salas stated she would withdraw her request for consideration of the item. She stated she raised sufficient money to provide for the Odawara sister city delegation to visit.*

*Mayor Casillas Salas reported regarding the following recent events: Chamber of Commerce mixer, Beautify Chula Vista event, Chula Vista Art Guild reception at the South Chula Vista Library, planning meeting for the USGA Women's amateur championship at the San Diego Country Club in Chula Vista, Cub and Girl Scout tours of City Hall, and a presentation to the League of Women Voters at the Norman Park Senior Center.*

**COUNCILMEMBERS' COMMENTS**

*Councilmember Aguilar spoke regarding the upcoming Veteran's Day holiday and related events: Veteran's Elementary School parade, a 6K walk benefitting the Veteran's home, Southwestern College Veteran's Day commemoration at the student amphitheater, and the annual veteran's ceremony at the Chula Vista Memorial Bowl.*

*Councilmember Bensoussan spoke regarding the Ribbons and Shovels award ceremony.*

*Deputy Mayor Miesen spoke regarding the Ribbons and Shovels program, the grand opening of the Sleep Number Bed store on Otay Lakes Road, and the revitalization of the shopping center on 4th Avenue and C Street.*

*Councilmember Bensoussan reminded everyone to vote in the upcoming election.*

*Mayor Casillas Salas announced the upcoming First Friday Breakfast would be on the topic of the Think a Bit lab at the Civic Center Library.*

*Councilmember McCann thanked the volunteers at the Beautify Chula Vista event. He spoke regarding the Ribbons and Shovels event and the annual Kiwanis Bowl, a football game between Hilltop and Chula Vista High schools.*

*City Attorney Googins announced the upcoming AB1234 open government and ethics training presented by his office.*

*City Attorney Googins announced that the Council would convene in closed session to discuss Items 15, 16B and 16C, listed below. He stated Item 16A would be trailed to a future meeting.*

*At 6:29 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.

- 15. [16-0500](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives:  
 Gary Halbert, Glen Gogins, Kelley Bacon, Courtney Chase, Maria Kachadoorian, Simon Silva, Harry Muns and David Bilby

Employee organization:  
 International Association of Firefighters (IAFF)

**ACTION: No reportable action.**

- 16. [16-0507](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

A. Name of case: Earl Jentz et al. v. City of Chula Vista, San Diego Superior Court,  
 Case No. 37-2016-00032228-CU-TT-CTL

B. Name of case: Darrell Roberts, et al. v. City of Chula Vista, United States District Court,  
 Case No. 16cv1955 MMA DHB

C. Name of case: James Garcia v. City of Chula Vista, San Diego Superior Court,  
 Case No. 37-2015-00016408-CU-OE-CTL

*Item 16A was not discussed and was continued to a future meeting.*

**ACTION: Items 16B and 16C: No reportable action.**

**ADJOURNMENT**

*At 8:07 p.m., Mayor Salas adjourned the meeting to the Special City Council Workshop on November 3, 2016, at 5:00 p.m., and thence to the Regular City Council Meeting on November 8, 2016, at 5:00 p.m., in the Council Chambers.*

Kerry K. Bigelow, Assistant City Clerk