

City of Chula Vista

Meeting Minutes - Final

Tuesday, July 14, 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 5:04 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

Deputy Mayor Bensoussan led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

A. [15-0334](#) OATHS OF OFFICE

Mario Orso, Historic Preservation Commission
Ana Ruth Robles, Housing Advisory Commission

City Clerk Norris administered the oath of office to Commissioners Orso and Robles, and Deputy Mayor Bensoussan presented them with certificates of appointment.

B. [15-0375](#) INTRODUCTION BY LIBRARY DIRECTOR BETTY WAZNIS OF THE EMPLOYEES OF THE MONTH, THE KINDERGARTEN BOOT CAMP TEAM: CHRISTY BYSTRAK, DIANA YSLA, BOBBE BURCH, ESTHER RODRIGUEZ-PARRA, AND JACKIE MACIAS

Library Director Waznis introduced the employees of the month, the Kindergarten Boot Camp team: Christy Bystrak, Diana Ysla, Bobbe Burch, Ester Rodriguez-Parra, and Jackie Macias. Mayor Salas read the proclamation and Deputy Mayor Bensoussan presented it to them.

C. [15-0393](#) SPECIAL RECOGNITION OF FOURTH OF JULY BLOCK PARTY ORGANIZERS AND PARTICIPANTS

Mayor Salas recognized the organizers and participants of the Fourth of July Block Party.

- D. [15-0351](#) PRESENTATION OF A PROCLAMATION TO RECREATION DIRECTOR KRISTI MCCLURE HUCKABY AND PUBLIC WORKS DIRECTOR RICHARD HOPKINS PROCLAIMING JULY 2015 AS PARKS AND RECREATION MONTH IN CHULA VISTA

Mayor Salas read the proclamation and Councilmember Miesen presented it to Recreation Director McClure Huckaby and Public Works Director Hopkins.

- E. [15-0356](#) PRESENTATION BY SPECIAL OLYMPICS SAN DIEGO COUNTY REGIONAL DIRECTOR KAREN TERRA REGARDING SPECIAL OLYMPICS WORLD GAMES SOUTH COUNTY HOST TOWN PARTICIPATION

Special Events Coordinator Berdial and Karen Terra, representing the Special Olympics for the San Diego County region, spoke regarding the upcoming Special Olympics World Games and the City's participation as a host town.

- F. [15-0382](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DEPARTMENT SERGEANT CARLOS VALDIVIA ON 27 YEARS OF SERVICE TO THE CITY OF CHULA VISTA

Mayor Salas read the proclamation and Councilmember McCann presented it to Sergeant Valdivia.

CONSENT CALENDAR (Items 1 - 15)

Item 14 was removed from the Consent Calendar at the request of Councilmember Aguilar. Councilmember McCann stated he would abstain from voting on Item 8B due to a potential property-related conflict of interest.

1. [15-0290](#) APPROVAL OF MINUTES of May 26, June 2, and June 4, 2015.
Recommended Action: Council approve the minutes.

2. [15-0358](#) WRITTEN COMMUNICATIONS

Letter of resignation from London Meservy, Board of Appeals and Advisors.
Recommended Action: Council accept the resignation.

3. [15-0337](#) ORDINANCE NO. 3346 OF THE CITY OF CHULA VISTA AMENDING SECTION 10.08.110 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO THE DEFINITION OF HOLIDAYS FOR PARKING METERS AND ZONES (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.

4. [15-0339](#) ORDINANCE NO. 3347 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD ADMINISTRATIVE SECRETARY (MAYOR, AT WILL), FA INTELLIGENCE ANALYST, FA SENIOR INTELLIGENCE ANALYST, AND FA SUPERVISORY INTELLIGENCE ANALYST AND TO ELIMINATE THE POSITION TITLES OF CHIEF SERVICE OFFICER, FA PUBLIC SAFETY ANALYST, FA SENIOR PUBLIC SAFETY ANALYST, TRANSIT COORDINATOR, AND TRANSIT MANAGER (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the ordinance.**
5. [15-0338](#) ORDINANCE NO. 3348 OF THE CITY OF CHULA VISTA AMENDING SECTION 14.20 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO "STORM WATER MANAGEMENT AND DISCHARGE CONTROL" (SECOND READING AND ADOPTION)
- Recommended Action: Council adopt the ordinance.**
6. [15-0234](#) RESOLUTION NO. 2015-157 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENTS TO PROVIDE ON-CALL SUBSURFACE UTILITY ENGINEERING (POTHOLING) SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS BETWEEN THE CITY AND AIRX UTILITY SURVEYORS, INC., AND BETWEEN THE CITY AND CARDNO, INC.
- Recommended Action: Council adopt the resolution.**
7. [15-0335](#) RESOLUTION NO. 2015-158 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING SUBMITTAL OF FEDERAL FISCAL YEAR 2015-16 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 7 GRANT APPLICATIONS AND COMMITTING MATCHING FUNDS THEREFOR
- Recommended Action: Council adopt the resolution.**
8. [15-0342](#) A. RESOLUTION NO. 2015-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2015/2016 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 AND 13-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. 2015-160 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2015/2016 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.

9. [15-0345](#) RESOLUTION NO. 2015-161 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE "OTAY RANCH VILLAGE 1 AD 97-2 MAINTENANCE (STL387)" PROJECT TO CAROLINO AND SON ENGINEERING CORPORATION IN THE AMOUNT OF \$211,097.10; WAIVING CITY COUNCIL POLICY 574-01 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$31,664.56

Recommended Action: Council adopt the resolution.

10. [15-0347](#) RESOLUTION NO. 2015-162 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING THE CONTRACT FOR THE "NAPLES STREET SIDEWALK INSTALLATION AND PALOMAR STREET SIDEWALK IMPROVEMENTS, ALONG NORTHSIDE FROM ORANGE AVENUE TO THIRD AVENUE (CIP# STL367 & STL369)" PROJECTS TO PORTILLO CONCRETE, INC. IN THE AMOUNT OF \$391,618; WAIVING CITY COUNCIL POLICY 574-01; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$58,742

Recommended Action: Council adopt the resolution.

11. [15-0258](#) RESOLUTION NO. 2015-163 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A GRANT OF \$20,000 FROM THE CHULA VISTA CHARITABLE FOUNDATION TO FUND THE "PARKING LOT TO PARKLET" PROJECT AT THE CIVIC CENTER BRANCH OF THE CHULA VISTA PUBLIC LIBRARY AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

12. [15-0344](#) RESOLUTION NO. 2015-164 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) WAIVING THE COMPETITIVE BID REQUIREMENTS; (2) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SOUTH BAY COMMUNITY SERVICES AND THE CITY OF CHULA VISTA FOR THE MANAGEMENT AND IMPLEMENTATION OF A HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) TENANT-BASED RENTAL ASSISTANCE PROGRAM; AND (3) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE INITIAL AGREEMENT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THREE ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT BASED ON AVAILABILITY OF HOME ENTITLEMENT FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommended Action: Council adopt the resolution.

13. [15-0341](#) RESOLUTION NO. 2015-165 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$21,599 FROM U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Item 14 was removed from the Consent Calendar.

15. [15-0388](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 19.02 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING SECTION 19.02.060 RELATED TO INDEMNITY PROVISIONS FOR CITY ISSUED PERMITS (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, to approve staff's recommendations on the 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

Item 8B:

Yes: 4 - Aguilar, Bensoussan, Miesen and Salas

No: 0

Abstain: 1 - McCann

ITEMS REMOVED FROM THE CONSENT CALENDAR

14. [15-0354](#) A. RESOLUTION NO. 2015-166 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN ICMA RETIREMENT CORPORATION AND THE CITY OF CHULA VISTA

B. RESOLUTION NO. 2015-167 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECOND AMENDMENT TO THE DEFERRED COMPENSATION PLAN ADMINISTRATION AGREEMENT BETWEEN NATIONWIDE RETIREMENT SOLUTIONS, INC. AND THE CITY OF CHULA VISTA

Mayor Salas and Councilmember Aguilar commended staff for the anticipated savings as a result of the renegotiated agreements.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember McCann, that Resolution Nos. 2015-166 and 2015-167 be adopted, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

PUBLIC COMMENTS

Ken Thiltgen, Chula Vista employee, spoke in opposition to a reduction in benefits for employees and in support of increases in wages.

The following members of the public expressed concern regarding restrictions on window displays for commercial properties and requested a waiver or exemption:

- Ed Stone, Escondido resident, representing Boot World
- Stacey Hudson, representing Sunbelt Investment Holdings, Inc.

Chuck Schrader, Chula Vista resident, spoke in support of soliciting KNSD San Diego to relocate to Chula Vista.

The following members of the public, representing SEIU 221 and the Chula Vista Employees Association (CVEA), spoke in support of fair wages for City employees.

- Michaela Milican
- David Garcias

Item 16 was taken out of order and discussed following Item 20.

20. [15-0378](#) REPORT BY DISTRICTING COMMISSION ON RECOMMENDED DISTRICTING PLAN

RESOLUTION NO. 2015-177 OF THE CITY COUNCIL APPROVING THE DISTRICTING COMMISSION'S RECOMMENDED DISTRICTING PLAN AS THE CITY'S FINAL DISTRICTING PLAN

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.

Item 20 was noticed as time certain for 6:00 p.m. Discussion on the item began at 6:13 p.m.

Assistant City Attorney Maland and Jerome Torres, Chair, representing the Chula Vista Districting Commission, presented information on the item.

In response to a question from Councilmember Aguilar, Commissioner Torres provided information on the method used to assign numbers to the proposed districts.

Mayor Salas opened the public hearing.

The following members of the public spoke in support of the proposed districting plan:

- Edward Aparis, Chula Vista resident, representing CEPA Net, and he also distributed written communications*
- Dr. Aurora Cudal, Chula Vista resident, representing NaFFAA Region X, and she also distributed written communications*
- Carmelita Vinson, Chula Vista resident*
- Merly Ferrer, Chula Vista resident, representing the Philippine Nurses Association of San Diego, and she also distributed written communications*
- Juanito Amor, Oceanside resident, representing the Philippine American Youth Organization, and he also distributed written communications*
- Dr. Evangeline Meneses, representing the Council of Philippine American Organizations of San Diego County, and she also distributed written communications*
- Rommel Alberto, representing Audie de Castro, Honorary Philippine Consulate General of San Diego, and he also distributed written communications*
- Tom Hom, Chula Vista resident*
- Michael Wong, Chula Vista resident, representing the Asian Pacific American Coalition, and he also distributed written communications*
- Tino Martinez, Chula Vista resident, representing the Southwest Civic Association*
- JoAnn Fields, Chula Vista resident*

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

Mayor Salas recognized the work completed by the Districting Commission and encouraged continued civic engagement by residents.

Councilmember Aguilar spoke in support of the item and expressed gratitude to the Districting Commission and residents who participated in the districting process.

In response to a question from Deputy Mayor Bensoussan, City Attorney Googins spoke regarding the Council's options to adopt or reject the proposed plan.

Councilmember Miesen spoke in support of the proposed plan and recognized the work of the Districting Commission.

Councilmember McCann thanked the Districting Commission, staff, and members of the public who participated in the districting process.

Councilmember Aguilar spoke regarding the historic nature of the transition of elections from at-large to by district.

City Attorney Googins commended staff, the Districting Commissioners, the public, and other interested parties for their involvement in the districting process.

ACTION: A motion was made by Mayor Salas, seconded by Councilmember Aguilar, that Resolution No. 2015-177 be adopted, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

PUBLIC HEARINGS

16. [15-0273](#) CONSIDERATION OF ACCEPTING THE 2015 SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE STUDY AND AMENDING THE ORDINANCE FOR THE SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE

A. RESOLUTION NO. 2015-168 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015 SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE STUDY

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING THE SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE (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.

Councilmember McCann stated he would abstain from voting on the item due to a potential property-related conflict of interest. He left the dais at 7:13 p.m.

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 Aguilar, that Resolution No. 2015-168 be adopted and the above ordinance be placed on first reading, headings read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Miesen and Salas

No: 0

Abstain: 1 - McCann

Councilmember McCann returned to the dais at 7:15 p.m.

17. [15-0343](#) CONSIDERATION OF TESTIMONY FOR THE FISCAL YEAR 2015/2016 LEVY OF ASSESSMENTS AND COLLECTION AGAINST THOSE ASSESSMENTS FOR CERTAIN OPEN SPACE AND MAINTENANCE DISTRICTS

A. RESOLUTION NO. 2015-169 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE DISTRICTS 2 THROUGH 7, 11, 14, 15, 17, 18, 23, 24, 26, 31 AND 33, AND BAY BOULEVARD MAINTENANCE DISTRICT

B. RESOLUTION NO. 2015-170 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE MAINTENANCE DISTRICT NO. 1

C. RESOLUTION NO. 2015-171 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE MAINTENANCE DISTRICT NO. 8

D. RESOLUTION NO. 2015-172 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE DISTRICTS 9, 10, AND THE TOWN CENTRE MAINTENANCE DISTRICT

E. RESOLUTION NO. 2015-173 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE MAINTENANCE DISTRICT NO. 20

F. RESOLUTION NO. 2015-174 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR EASTLAKE MAINTENANCE DISTRICT NO. 1 (ELMD #1)

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 Attorney Googins stated that the following Councilmembers had the following potential property-related conflicts of interest on portions of the item and would abstain from voting on those portions: Councilmember McCann on Item 17B and 17E; Councilmember Aguilar on Item 17C and 17E; Mayor Salas on Item 17D; and Councilmember Miesen on Item 17F.

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 McCann, that Resolution No. 2015-169 (Item 17A) be adopted, heading read, text waived. 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 Mayor Salas, seconded by Councilmember Aguilar, that Resolution No 2015-170 (Item 17B) be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Miesen and Salas

No: 0

Abstain: 1 - McCann

ACTION: A motion was made by Councilmember Miesen, seconded by Councilmember McCann, that Resolution No. 2015-171 (Item 17C) be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 1 - Aguilar

Deputy Mayor Bensoussan led the voting on Item 17D.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Miesen, that Resolution 2015-172 (Item 17D) be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 1 - Salas

ACTION: A motion was made by Councilmember Miesen, seconded by Deputy Mayor Bensoussan, that Resolution No. 2015-173 (Item 17E) be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 3 - Bensoussan, Miesen and Salas

No: 0

Abstain: 2 - Aguilar and McCann

ACTION: A motion was made by Mayor Salas, seconded by Councilmember McCann, that Resolution No. 2015-174 (Item 17F) be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Salas

No: 0

Abstain: 1 - Miesen

18. [15-0076](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS (Continued from April 14, 2015)

RESOLUTION NO. 2015-175 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE OWNER-OCCUPIED PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

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.

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 McCann, that Resolution No. 2015-175 be adopted, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

19. [15-0077](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS (Continued from April 14, 2015)

RESOLUTION NO. 2015-176 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

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.

Councilmember Miesen stated he would abstain from voting on the item due to a potential financial-related conflict of interest.

Mayor Salas opened the public hearing.

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

Councilmember McCann was not present to vote on the item.

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember Aguilar, that Resolution No. 2015-176 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and Salas

No: 0

Abstain: 1 - Miesen

Item 20 was taken out of order and discussed following Item 14.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

At the request of Mayor Salas, there was consensus of the Council to add an item to the next agenda to consider a referral to the Charter Review Commission regarding modifying term limit requirements.

At the request of Mayor Salas, there was consensus of the Council to make a referral to staff to provide a report on the City's alarm ordinance and information on the third-party fine collection.

Mayor Salas spoke regarding her attendance at the recent St. Paul's 2015 LUV Gala and her recent trip to meet with the Mayor of Rosarito.

21. [15-0306](#) Consideration of appointment of a voting delegate and alternate for the 2015 Annual League of California Cities Conference, to be held in San Jose September 30 - October 2.

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember Miesen, that Mayor Salas be appointed as the voting delegate for the 2015 Annual League of California Cities Conference. 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 Mayor Salas, seconded by Deputy Mayor Bensoussan, that Councilmember Miesen be appointed as the alternate voting delegate for the 2015 Annual League of California Cities Conference. The motion carried by the following vote:

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

No: 0

Abstain: 0

22. [15-0307](#) Consideration of ratification of reappointments to the following boards and commissions:

REAPPOINTMENTS TO FIRST TERM (initial term less than 2 years)

Melissa Baldwin	Cultural Arts Commission
Yoana Bandala	International Friendship Commission
Rochelle Carroll	Commission on Aging
Mary Johnson	Commission on Aging
Stephen Kalauhi	Board of Library Trustees
Brent Livingston	Board of Ethics
Rosa Robles	Board of Ethics
Mark Valen	Resource Conservation Commission

REAPPOINTMENTS TO SECOND TERM

Pedro Anaya Planning Commission
Yolanda Calvo Planning Commission
Julie Danielson Historic Preservation Commission
Eric Fotiadi Historic Preservation Commission
Eric Mosolgo Growth Mgmt Oversight Commission
Jeannine Nash Commission on Aging
Felicia Starr Civil Service Commission

REAPPOINTMENTS TO YOUTH ACTION COUNCIL

Isabella De Murguia
Elena Hoffman
Najib Kero
Matthew Modelo
Eric Rodriguez

There was consensus of the Council to consider the reappointments to the Board of Ethics, Civil Service Commission, Growth Management Oversight Commission, and Planning Commission at a later date.

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, that the following reappointments be ratified:

- Melissa Baldwin, Cultural Arts Commission (first term)
- Yoana Bandala, International Friendship Commission (first term)
- Rochelle Carroll, Commission on Aging (first term)
- Mary Johnson, Commission on Aging (first term)
- Stephen Kalauhi, Board of Library Trustees (first term)
- Mark Valen, Resource Conservation Commission (first term)
- Julie Danielson, Historic Preservation Commission (second term)
- Eric Fotiadi, Historic Preservation Commission (second term)
- Jeannine Nash, Commission on Aging (second term)

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 Councilmember McCann, seconded by Councilmember Aguilar, that the above reappointments to the Youth Action Council be ratified.

The motion carried by the following vote:

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

No: 0

Abstain: 0

COUNCILMEMBERS' COMMENTS

Councilmember McCann thanked the participants of the recent Relay for Life.

Mayor Salas announced that the Council would convene in closed session to discuss the items listed below.

At 7:39 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.

- 23. [15-0370](#)** CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

A. Name of case: City of Chula Vista, et. al, v. Tracy Sandoval, as San Diego County Auditor-Controller, et. al. in Sacramento Superior Court Case No. 34-2014-80001723- CU-WM-GDS;

B. 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;

C. Name of case: United States of America et al. v. J-M Manufacturing Company, Inc., et al., United States District Court, Case No. ED CV-06-00055-GW;

D. Name of case: In the Matter of Ruth Marie West, San Diego Superior Court, Case No. 37-2012-151012-PR-PW-CTL;

E. Name of case: In the Matter of Ruth Marie West, San Diego Superior Court, Case No. 37-2012-150952-PR-PW-CTL; and,

F. Name of case: John Hess v. Dave Hanneman, et al., United States District Court, Case No. 14cv2271CAB JMA

ACTION: Items 23A, 23B, and 23D through 23F: No reportable action

Item 23C: Action will be reported with the finalization of the settlement agreement.

ADJOURNMENT

At 8:37 p.m., Mayor Salas adjourned the meeting to the Regular City Council Meeting on July 21, 2015, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk