

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, August 15, 2017

5:00 PM

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

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### SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

#### CALL TO ORDER

*A regular meeting of the City Council and a special meeting of the Successor Agency to the Redevelopment Agency of the City of Chula Vista were 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 Diaz, Deputy Mayor McCann and Mayor Casillas Salas

**Absent:** Councilmember Padilla

*Also Present: City Manager Halbert, City Attorney Googins, Acting City Clerk Bigelow, and Records Manager Turner*

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

*Deputy Mayor McCann led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

**A. [17-0356](#) OATH OF OFFICE**

Theresa Acerro, Mobilehome Rent Review Commission

*Acting City Clerk Bigelow administered the Oath of Office to Commissioner Acerro, and Councilmember Aguilar presented her with the certificate of appointment.*

**B. [17-0282](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES**

*City Manager Halbert recognized employees with milestone service anniversaries.*

**C. [17-0328](#) PRESENTATION BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING AWARD FOR FISCAL YEAR ENDING JUNE 30, 2016 TO FINANCE DIRECTOR DAVID BILBY**

*Director of Finance Bilby accepted the award on behalf of the Finance Department.*

- D. [17-0350](#) INTRODUCTION OF CHULA VISTA'S SISTER CITY, ODAWARA, JAPAN'S AMBASSADORS: CHISATO TAKAHASHI, MINA HANAWA, NOZOMI SETO AND MAKI ANZAI, PARTICIPANTS IN THE ANNUAL INTERNATIONAL FRIENDSHIP COMMISSION'S EXCHANGE PROGRAM; AND A PRESENTATION BY THE CHULA VISTA AMBASSADORS: RAYMOND LEOPOLD RODRIGUEZ, ALEC IVAN CONTRERAS, NEKAYLA DE JESUS TORRALBA AND MATHEW NOEL FERNANDEZ REGARDING THEIR EXPERIENCE IN ODAWARA

*Chula Vista and Odawara ambassadors gave a presentation on their experience in the exchange program.*

### CONSENT CALENDAR (Items 1 - 4)

*Item 4 was removed from the Consent Calendar at the request of Councilmember Diaz.*

1. [17-0364](#) APPROVAL OF MINUTES of June 27, 2017.  
**Recommended Action: Council approve the minutes.**
2. [17-0355](#) ORDINANCE NO. 3409 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 8.22.030 TO CLARIFY THAT SMOKING IS PROHIBITED IN ALL CITY PARKS (SECOND READING AND ADOPTION)  
**Recommended Action: Council adopt the ordinance.**
3. [17-0333](#) A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 3.45 OF THE CHULA VISTA MUNICIPAL CODE (MASTER FEE SCHEDULE) (FIRST READING)  
  
B. RESOLUTION NO. 2017-157 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 1 (GENERAL) OF THE CITY'S MASTER FEE SCHEDULE AND REPEALING CITY COUNCIL POLICIES 200-01 (SPECIFIC CATEGORIES OF DEVELOPMENT PROJECT ASSISTANCE OR FEE SUBSIDIES), 267-05 (WAIVER OF FEES FOR COMMUNITY SERVICE ORGANIZATIONS), AND 861-04 (GREEN FEES AT CHULA VISTA MUNICIPAL GOLF COURSE)  
  
**Recommended Action: Council place the ordinance on first reading and adopt the resolution.**

*Item 4 was removed from the Consent Calendar.*

## Approval of the Consent Calendar

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

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

## ITEMS REMOVED FROM THE CONSENT CALENDAR

4. [17-0338](#) CONSIDERATION OF ADOPTING THE TRAFFIC SIGNAL COMMUNICATIONS MASTER PLAN

RESOLUTION NO. 2017-173 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY'S TRAFFIC SIGNAL COMMUNICATIONS MASTER PLAN

*At the request of Councilmember Diaz, there was consensus of the Council to continue Item 4 to the meeting of September 12, 2017.*

## PUBLIC COMMENTS

*Theresa Acerro, Chula Vista resident, spoke in support of criminal enforcement of illegal marijuana dispensaries and expressed concern regarding the content of the initiatives submitted to the City Clerk.*

*Councilmember Aguilar requested staff provide a memo on the proposed measures that had been submitted.*

*Sandy Sato, Chula Vista resident, spoke in support of addressing illegal marijuana activities.*

*City Attorney Googins provided information how illegal marijuana operations were being addressed.*

*Ginger Saco, Chula Vista resident, requested the City join Imperial Beach in a lawsuit over sewage spills in Tijuana that have affected water and air quality in the South Bay.*

## ACTION ITEMS

5. [17-0339](#) CONSIDERATION OF SELECTING A COMPLIANCE TRACK (1 OR 2) FOR THE NEW TRASH AMENDMENT ORDER ISSUED BY THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD AND NOTIFYING THEM OF THE SELECTION

RESOLUTION NO. 2017-158 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NOTIFY THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD OF THE TRACK SELECTED TO COMPLY WITH TRASH AMENDMENT INVESTIGATIVE ORDER NO. R9-2017-0077

*Director of Engineering Valle and Principal Civil Engineer Salem gave a presentation on the item.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Diaz, to select Track 2 and to adopt Resolution No. 2017-158, heading read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

6. [17-0154](#) CONSIDERATION OF SUPPORTING SENATE BILL 54, THE CALIFORNIA VALUES ACT

RESOLUTION NO. 2017-171 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING SENATE BILL 54, THE CALIFORNIA VALUES ACT

*Mayor Casillas Salas announced that Item 6 would be continued to the meeting of September 12, 2017.*

### CITY MANAGER'S REPORTS

*City Manager Halbert reported on upcoming agenda items and announced that Enterprise IoT Insights had named Chula Vista one of the three top smart cities in North America.*

### MAYOR'S REPORTS

7. [17-0258](#) RESOLUTION NO. 2017-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE 2017/2018 LEGISLATIVE PROGRAM

Recommended Action: Council adopt the resolution.

*Councilmember Diaz expressed concern regarding the item titled "Maintain the employee's 'burden of proof' related to all presumptive illnesses," under the Public Employer/Employee Relations section.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2017-159, as amended to strike the item under the Public Employer/Employee Relations section titled "Maintain the employee's 'burden of proof' related to all presumptive illnesses." The heading was read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

8. [17-0363](#) Ratification of appointment of the following:

Anna Cabral, Housing Advisory Commission  
Edgar Hopida, Charter Review Commission  
Alexandra Mares, International Friendship Commission  
Tina Matthias, Sustainability Commission

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Councilmember Aguilar, that the above appointments be ratified. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

*Mayor Casillas Salas announced the following recent events: Chula Vista Challenge Triathlon and the closure of the U.S. Women's amateur championship golf tournament. She congratulated Chula Vista Police Captain Alexis Lopez for receiving the Al Edgar award, Sergeant Jason Wilder for receiving the Phase 2 (Intermediate) Honor Graduate and Physical Training Award, and Officer Pricilla Graton for receiving the Olivia Castellanos Spirit Award. Mayor Casillas Salas announced the upcoming HarborFest at Bayside Park.*

## COUNCILMEMBERS' COMMENTS

*Councilmember Diaz spoke regarding a recent fire incident.*

*Deputy Mayor McCann thanked the International Friendship Commission for its work with the City's sister city and its ambassadors.*

9. [17-0362](#) COUNCILMEMBER AGUILAR: CONSIDERATION OF THE FORMATION OF AN AD-HOC SUBCOMMITTEE WITH COUNCILMEMBERS AGUILAR AND PADILLA FOR THE 2017 STARLIGHT PARADE

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Deputy Mayor McCann, to form an ad-hoc subcommittee with Councilmembers Aguilar and Padilla for the 2017 Starlight Parade. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

*Mayor Casillas Salas recessed the meeting at 6:33 p.m. The Council reconvened in Closed Session at 6:41 p.m., with all members present except Councilmember Padilla.*

## 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. [17-0353](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives:

Glen Googins, Maria Kachadoorian, Kelley Bacon, Simon Silva, Gary Halbert, Courtney Chase, David Bilby

Employee organization:

Association of Chula Vista Employees (ACE)

**ACTION:** No reportable action.

- 11. [17-0278](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

Case(s): One (1)

**ACTION:** No reportable action.

- 12. [17-0337](#) A. CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY: CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Names of cases:

- 1) San Diego County Office of Education, et. al., v. San Diego County, et. al., San Diego Superior Court, Case No 37-2017-00019775-CU-WM-CTL;
- 2) The Affordable Housing Coalition of San Diego County v. Tracy Sandoval, et. al., Sacramento Superior Court, Case No. 34-2012-80001158- CU-WM-GDS;
- 3) City of Chula Vista, et.al. v. Tracy Sandoval, et. al., Sacramento Superior Court, Case No. 34-2014- 80001723-CU-WM-GDS

B. CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY: CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION -- Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

Case(s): One (1)

**ACTION:** Items 12A, 1 through 3: No reportable action.

**Item 12B: Reportable action pending attempts to resolve the dispute.**

- 13. [17-0292](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of cases:

- A. Rudolph Diaz v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2014-00016795-CU-OE-CTL;
- B. John Hess v. Dave Hanneman, et al., United States District Court, Case No. 14-cv-02271-CAB-JMA;

C. City of Chula Vista v. Lexington Insurance Co., United States District Court, Case No. 16-cv-01105-BTM-BGS

D. Douglas Kalbaugh v. City of Chula Vista, Worker's Compensation Appeals Board, Case No.s ADJ10459548, ADJ10573765, ADJ10573882 and ADJ10573858

**ACTION: Item 13A: No reportable action.**

**Item 13B: Reportable action pending finalization of terms.**

**Item 13C: No reportable action.**

**Item 13D: Reportable action pending finalization of terms.**

## **ADJOURNMENT**

*At 8:18 p.m., Mayor Casillas Salas adjourned the meeting to the Special City Council Meeting on August 22, 2017, at 4:00 p.m. in the Executive Conference Room; and thence to the Regular City Council Workshop on September 7, 2017, at 6:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, MMC, Acting City Clerk