



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Mike Diaz, Councilmember
John McCann, Councilmember
Stephen C. Padilla, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, April 25, 2017

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Diaz, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 17-0072 PRESENTATION BY BEN VALLEJOS, EXECUTIVE DIRECTOR OF THE LIVING COAST DISCOVERY CENTER (LCDC), REGARDING AN UPDATE ON THE LCDC AND ITS 30TH ANNIVERSARY
B. 17-0097 PRESENTATION OF A PROCLAMATION TO THE PROMISE NEIGHBORHOOD'S RESIDENT LEADERSHIP ACADEMY PROCLAIMING SATURDAY, MAY 6, 2017 AS NEIGHBOR DAY IN THE CITY OF CHULA VISTA
C. 17-0145 PRESENTATION OF QUARTERLY EMPLOYEE RECOGNITION RECIPIENTS
D. 17-0146 PRESENTATION OF THE CLEAN CHAMPION AWARDS BY THE CHULA VISTA SUSTAINABILITY COMMISSION

- E. [17-0147](#) PRESENTATION OF A PROCLAMATION TO RUTH GOLDSCHMIEDOVA SAX IN RECOGNITION OF APRIL 23-24, 2017 AS DAYS OF REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST IN THE CITY OF CHULA VISTA
- F. [17-0149](#) PRESENTATION BY LUANNE HULSIZER, EXECUTIVE DIRECTOR OF THIRD AVENUE VILLAGE ASSOCIATION (TAVA), REGARDING THE SUCCESS OF PARTNERSHIPS AND COLLABORATIONS WITH THE CITY OF CHULA VISTA AND THE COMMUNITY, AND AN OVERVIEW OF TAVA'S PAST-YEAR ACTIVITIES AND EVENTS
- G. [17-0159](#) RECOGNITION OF CHRISTINE MOORE FOR HER SERVICE TO THE CITY OF CHULA VISTA
- H. [17-0165](#) PRESENTATION OF A PROCLAMATION TO CITY ATTORNEY GLEN GOOGINS PROCLAIMING MONDAY, MAY 1, 2017 AS LAW DAY IN THE CITY OF CHULA VISTA

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

*The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.*

1. [17-0164](#) APPROVAL OF MINUTES of April 11, 2017.  
*Staff Recommendation:* Council approve the minutes.
2. [17-0148](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REAUTHORIZING CHULA VISTA MUNICIPAL CODE CHAPTER 5.53, "STATE VIDEO FRANCHISES"  
*Department:* City Attorney & Finance  
*Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.  
*Staff Recommendation:* Council adopt the resolution.

3. [17-0142](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDS TO THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY THROUGH URBAN CORPS OF SAN DIEGO COUNTY FOR THE URBAN GREENING PROGRAM GRANT FUNDED BY CALIFORNIA CLIMATE INVESTMENTS

*Department:* Public Works & Development Services Departments

*Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. In addition, notwithstanding the foregoing, the "Project" also qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

*Staff Recommendation:* Council adopt the resolution.

4. [17-0160](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT (LETTER OF UNDERSTANDING) TO THE 2014-2017 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND LOCAL 2180 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO (IAFF)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING EMPLOYER PAID MEMBER CONTRIBUTIONS FOR TIER 1 EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY LOCAL 2180 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO (IAFF) EFFECTIVE MARCH 15, 2019

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CESSATION OF PAYMENT, ON EMPLOYER SIDE, FOR OPTIONAL BENEFITS BY TIER 1 EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY LOCAL 2180 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO (IAFF) AS A RESULT OF TERMINATION OF EMPLOYER PAID MEMBER CONTRIBUTIONS FOR SAID EMPLOYEES EFFECTIVE MARCH 15, 2019

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE APRIL 28, 2017 AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

*Department:* Human Resources Department

*Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

*Staff Recommendation:* Council adopt the resolutions.

## ITEMS REMOVED FROM THE CONSENT CALENDAR

## PUBLIC COMMENTS

*Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.*

## BOARD AND COMMISSION REPORTS

5. [17-0127](#) REPORT BY CHARTER REVIEW COMMISSION ON THE COMMISSION'S PROPOSED WORK PLAN FOR THE UPCOMING YEAR

*Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

*Staff Recommendation:* Council hear the Charter Review Commission's report and provide input and direction as it deems appropriate.

## ACTION ITEMS

*The Item(s) listed in this section of the agenda will be considered individually by the Council and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

6. [17-0054](#) CONSIDERATION OF AMENDING CHAPTER 2.56 OF THE CHULA VISTA MUNICIPAL CODE - "PURCHASING SYSTEM" - REGARDING CONTRACT LIMITS AND AUTHORITIES ASSOCIATED WITH CITY PROCUREMENT PRACTICES

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHAPTER 2.56 OF THE CHULA VISTA MUNICIPAL CODE  
- "PURCHASING SYSTEM" - REGARDING CONTRACT  
LIMITS AND AUTHORITIES ASSOCIATED WITH CITY  
PROCUREMENT PRACTICES (FIRST READING)

*Department:* Public Works Department

*Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. In addition, notwithstanding the foregoing, the "Project" also qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

*Staff Recommendation:* Council place the ordinance on first reading.

7. [17-0136](#) CONSIDERATION OF NOMINATIONS OF APPLICANTS TO BE INTERVIEWED AND SELECTION OF A DATE AND TIME OF A MEETING TO CONDUCT INTERVIEWS TO FILL A VACANCY ON THE CULTURAL ARTS COMMISSION

A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED FOR ONE VACANCY ON THE CULTURAL ARTS COMMISSION (ARTS PROFESSIONAL SEAT)

APPLICANTS: Rosie Duran, Omar Firestone, Abel Herrera, Gloria Juarez, Matthew A. Lowery, Lorise Maynard, John Milburn, Lisa Moctezuma, Rachel Morineau, Anwar Nash, Mireya Olais, Rosalba Ponce, and Michael Tactay

B. DISCUSSION OF INTERVIEW PROCESS AND SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF APPLICANTS RECEIVING TWO OR MORE NOMINATIONS FOR THE VACANCY ON THE CULTURAL ARTS COMMISSION

**Department:** City Clerk

**Environmental Notice:** The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**Staff Recommendation:** Council nominate applicants to be interviewed for the current vacancy, discuss and provide staff with direction regarding the interview process, and select a date and time for an open meeting or meetings to conduct interviews of applicants receiving two or more nominations.

8. [17-0139](#) CONSIDERATION OF AMENDING THE CHULA VISTA MUNICIPAL CODE TO INCREASE THE MAXIMUM DAILY CIVIL PENALTY AMOUNT TO \$2,500; TO SPECIFY THAT ALL COMMERCIAL MARIJUANA ACTIVITY, BOTH RECREATIONAL AND MEDICAL, IS PROHIBITED UNDER CHAPTER 5.66; AND TO ADD MARIJUANA AND OTHER CONTROLLED SUBSTANCES TO THE EXISTING SOCIAL HOST REGULATIONS

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 1.41.110 TO INCREASE THE MAXIMUM DAILY CIVIL PENALTY AMOUNT; AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 5.66 TO SPECIFY THAT ALL COMMERCIAL MARIJUANA ACTIVITY IN THE CITY OF CHULA VISTA IS PROHIBITED; AND AMENDING CHAPTER 9.14 TO ADD MARIJUANA AND OTHER CONTROLLED SUBSTANCES TO THE EXISTING SOCIAL HOST REGULATIONS (FIRST READING)

**Department:** City Attorney

**Environmental Notice:** This activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**Staff Recommendation:** Council place the ordinance on first reading.

9. [17-0153](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING CITY POLICIES REGARDING IMMIGRATION ENFORCEMENT, APPROVING A PROGRAM FOR BETTER COMMUNICATION OF CITY POLICIES AND SERVICES TO THE CITY'S IMMIGRANT COMMUNITY, JOINING THE "WELCOMING AMERICA" NETWORK, AND DIRECTING STAFF TO TRACK AND PROVIDE THE CITY COUNCIL WITH OPPORTUNITIES TO ACTIVELY SUPPORT OR OPPOSE LAWS TO ADVANCE CITY INTERESTS AND POLICIES ON IMMIGRATION ENFORCEMENT

*Department:* City Attorney & City Manager

*Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

*Staff Recommendation:* Council adopt the resolution.

#### **CITY MANAGER'S REPORTS**

10. [17-0161](#) STATUS OF AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND OTAY WATER DISTRICT

#### **MAYOR'S REPORTS**

11. [17-0152](#) A. DISCUSSION AND POSSIBLE ACTION REGARDING HECTOR GASTELUM, INCLUDING CONSIDERATION OF POTENTIALLY CALLING FOR HIS RESIGNATION FROM THE OTAY WATER DISTRICT BOARD AND FORMALLY REQUESTING THE OTAY WATER DISTRICT BOARD REMOVE HIM AS ITS REPRESENTATIVE ON THE CITY'S SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OVERSIGHT BOARD
- B. DISCUSSION AND POSSIBLE ACTION REGARDING THE REORGANIZATION OF THE CITY'S HUMAN RELATIONS COMMISSION OR THE CREATION OF A SIMILAR COMMISSION

#### **COUNCILMEMBERS' COMMENTS**

**CLOSED SESSION**

*Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).*

**12. [17-0089](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)**

(1) City of Chula Vista v. Lexington Insurance Co.

A) United States District Court,  
Case No. 16cv1105-BTM-BGS; and

B) San Diego Superior Court,  
Case No. 37-2016-45312-CU-BC-CTL

(2) John Hess v. Dave Hanneman, United States District Court, Case No. 14cv2271CAB(JMA)

(3) James Garcia v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-00016408-CU-OE-CTL

**ADJOURNMENT**

*to the City Council/ Planning Commission/ Growth Management Oversight Commission Workshop on April 27, 2017, at 6:00 p.m., in the Council Chambers; and thence to the Mayor's State of the City Address on May 2, 2017, at 6:00 p.m., in the Council Chambers.*

*Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building A, during normal business hours.*

*In compliance with the  
AMERICANS WITH DISABILITIES ACT*

*The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (619) 691-5041 (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the meeting.*

*Most Chula Vista City Council meetings, including public comments, are video recorded and aired live on AT&T U-verse channel 99 (throughout the County), on Cox Cable channel 24 (only in Chula Vista), and online at [www.chulavistaca.gov](http://www.chulavistaca.gov). Recorded meetings are also aired on Wednesdays at 7 p.m. (both channels) and are archived on the City's website.*