

City of Chula Vista

Meeting Minutes - Final

Tuesday, May 9, 2017

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 5:05 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Deputy Mayor McCann, Councilmember Padilla and Mayor Casillas Salas

Excused: Councilmember Diaz

Also Present: Deputy City Manager Bacon, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor McCann led the Pledge of Allegiance

SPECIAL ORDERS OF THE DAY

- A. [17-0151](#) PRESENTATION OF A PROCLAMATION TO CHIEF OF POLICE ROXANA KENNEDY PROCLAIMING MONDAY, MAY 15, 2017 AS NATIONAL PEACE OFFICERS MEMORIAL DAY IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Padilla presented it to Police Chief Kennedy.

- B. [17-0172](#) PRESENTATION OF A PROCLAMATION TO CITY CLERK DONNA NORRIS PROCLAIMING THE WEEK OF MAY 7 THROUGH MAY 13, 2017 AS MUNICIPAL CLERKS WEEK IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to City Clerk Norris and City Clerk department staff.

- C. [17-0191](#) RECOGNITION OF DANIELA COPENHAVER, OWNER OF DANIELA'S KITCHEN IN CHULA VISTA FOR HER ACHIEVEMENT AS RUNNER UP IN THE FOOD NETWORK'S SPRING BAKING CHAMPIONSHIP

Mayor Casillas Salas recognized Ms. Copenhaver, owner of Daniela's kitchen, and Deputy Mayor McCann presented her with a medal in honor of her achievements.

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- D. [17-0184](#) PRESENTATION OF A PROCLAMATION TO COMMISSION ON AGING CHAIR JEANNINE NASH, NORMAN PARK SENIOR CENTER CLUB PRESIDENT SHIRLEY DORSCHER AND RECREATION SUPERVISOR SANDY CHAVEZ PROCLAIMING MAY 2017 AS OLDER AMERICANS MONTH IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Ms. Nash, Ms. Dorscher, and Recreation Supervisor Chavez.

- E. [17-0185](#) PRESENTATION OF A PROCLAMATION TO CITY OF CHULA VISTA AQUATIC SUPERVISOR III KARINA CRAIG AND FIRE CAPTAIN MIKE FILSON PROCLAIMING MAY 2017 AS DROWNING PREVENTION MONTH IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Deputy Mayor McCann presented it to Aquatic Supervisor Craig and Fire Captain Filson.

CONSENT CALENDAR (Items 1 - 6)

Mayor Casillas Salas stated Item 6 was removed from the consent calendar at the request of staff.

1. [17-0164](#) APPROVAL OF MINUTES of April 11 and 25, 2017.
Recommended Action: Council approve the minutes.
2. [17-0182](#) WRITTEN COMMUNICATIONS

Memorandum from Deputy Mayor McCann requesting an excused absence from the April 27, 2017 City Council Workshop.
Recommended Action: Council excuse the absence.
3. [17-0174](#) ORDINANCE NO. 3400 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 (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.
4. [17-0129](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING MARCH 31, 2017

B. RESOLUTION NO. 2017-069 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2016/17 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)
Recommended Action: Council accept the report and adopt the resolution.

5. [17-0138](#) A. ORDINANCE OF THE CITY OF CHULA VISTA REPEALING ORDINANCE NO. 2533, RELATING TO THE ESTABLISHMENT OF THE TELEGRAPH CANYON SEWER BASIN DEVELOPMENT IMPACT FEE (FIRST READING)

B. RESOLUTION NO. 2017-070 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 16 (DEVELOPMENT & IN-LIEU FEES) OF THE MASTER FEE SCHEDULE TO REMOVE THE TELEGRAPH CANYON SEWER BASIN DEVELOPMENT IMPACT FEE

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

Item 6 was removed from the consent calendar.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember Padilla, seconded by Deputy Mayor McCann, 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, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

6. [17-0188](#) RESOLUTION NO. 2017-071 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SPENDING AUTHORIZATIONS FOR "PARKWAY AQUATIC CENTER POOL IMPROVEMENTS PROJECT" WITH MISSION POOLS OF ESCONDIDO INC. UP TO \$595,000 AND "PARKWAY COMMUNITY CENTER IMPROVEMENTS PROJECT" WITH MARK W. FOGLE UP TO \$375,000; AND MAKING AMENDMENTS TO THE FISCAL YEAR 2016/17 MEASURE P SALES TAX FUND THEREFOR (4/5 VOTE REQUIRED)

Public Works Director Hopkins and Finance Director Bilby presented information about the item.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, that Resolution No. 2017-071 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

Sandy Sato, Chula Vista resident, spoke in support of Emerson Street being converted to a one-way street and of additional funds being allocated to the Police Department.

Stan O'Hoppe, Chula Vista resident, requested information regarding funding to support Memorial Park. Mayor Casillas Salas referred the item to staff.

PUBLIC HEARINGS

7. [17-0098](#) CONSIDERATION OF AMENDING CHAPTER 18 (MOBILEHOMES) OF THE CITY'S MASTER FEE SCHEDULE

RESOLUTION NO. 2017-072 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 18 (MOBILEHOMES) OF THE CITY'S MASTER FEE SCHEDULE, SETTING THE ADMINISTRATIVE FEE FOR RENT CONTROL SERVICES AT \$25 FOR FISCAL YEAR 2017-18

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.

Senior Project Coordinator Kurz gave a presentation on the item.

Mayor Casillas Salas opened the public hearing.

Steven Pavka, Chula Vista resident, spoke in opposition to staff's recommendation.

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

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Padilla, that Resolution No. 2017-072 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

BOARD AND COMMISSION REPORTS

8. [17-0134](#) PRESENTATION BY THE HEALTHY CHULA VISTA ADVISORY COMMISSION OF ITS FIRST-YEAR ACCOMPLISHMENTS, HEALTH ISSUES FACING CHULA VISTA RESIDENTS, AND GOALS FOR NEXT YEAR

Healthy Chula Vista Advisory Commission Chair Melgoza and Commissioner Milburn gave a presentation on the commission's first-year accomplishments and future goals.

ACTION ITEMS

9. [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 (This item was continued from 4/25/2017.)

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, 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

Assistant City Clerk Bigelow provided information on the item.

There were no members of the public who requested to speak on the item.

The nomination form for the Cultural Arts Commission was distributed to the Council. Councilmembers completed their nomination forms and submitted them to City Clerk Norris. The nomination forms were available for public review and retained on file in the City Clerk's office.

City Clerk Norris announced that the following individuals had received two or more nominations and would be invited to interview: Rosie Duran, Omar Firestone, Lorise Maynard, Lisa Moctezuma, and Rosalba Ponce.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Aguilar, that the nomination of the following individuals to be interviewed for the Cultural Arts Commission vacancy be confirmed: Rosie Duran, Omar Firestone, Lorise Maynard, Lisa Moctezuma, and Rosalba Ponce. The motion carried by the following vote:

Yes: 4 - Aguilar, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

There was consensus of the Council to conduct the interviews at an open meeting on May 22, 2017, at 5:00 p.m., in the Executive Conference Room.

10. [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 CHULA VISTA MUNICIPAL CODE CHAPTER 9.14 TO ADD MARIJUANA AND OTHER CONTROLLED SUBSTANCES TO THE EXISTING SOCIAL HOST REGULATIONS (FIRST READING)

Deputy City Attorney McClurg presented information on the item.

Mayor Casillas Salas stated that a revised ordinance had been presented to the Council for its consideration.

Irene Matthews, Chula Vista resident, spoke in opposition to staff's recommendation.

Sandy Sato, Chula Vista resident, spoke in support of staff's recommendation.

Mayor Casillas Salas stated Joe Eberstein submitted written documentation in support of staff's recommendation.

The following members of the public spoke in support of enforcing illegal marijuana activities and suggested the Council consider adopting regulations to allow a limited number of businesses to sell marijuana:

- Theresa Acerro, Chula Vista resident*
- Daniel Green, Chula Vista resident*

The following members of the public submitted written documentation in support of staff's recommendation but were not present to speak at the time their names were called:

- Magdalena Liederman, San Diego resident*
- Elizabeth Liederman, San Diego resident, representing South Bay Youth 4 Change*
- Manuel Liederman, San Diego resident, representing South Bay Youth 4 Change*

Randy Epstein, Chula Vista resident, submitted a request to speak but was not present at the time his name was called.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

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11. [17-0180](#) CONSIDERATION OF AMENDING MUNICIPAL CODE CHAPTER 2.36, HUMAN RELATIONS COMMISSION (This item was continued from 5/9/2017.)

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.36, "HUMAN RELATIONS COMMISSION" (FIRST READING)

Mayor Casillas Salas stated she and Councilmember Aguilar worked together

At the request of Mayor Casillas Salas, there was consensus of the Council to continue to operate as a subcommittee to continue to work on this and work to revise the ordinance -- to return on May 16th with revised ordinance.

City Clerk Norris stated that written communication had been received from Carolyn Schofield regarding the item.

CITY MANAGER'S REPORTS

Deputy City Manager Bacon announced upcoming community meetings on the topic of the following year's budget. She announced that the City would be hiring seasonal recreation employees. Deputy City Manager Bacon reported on work that would be performed on Willow Street Bridge.

MAYOR'S REPORTS

Mayor Casillas Salas paid tribute to George E. Milke and stated the meeting would be adjourned in his memory.

COUNCILMEMBERS' COMMENTS

Councilmember Aguilar paid tribute to Chula Vista resident Susan Luzzaro.

Deputy Mayor McCann recognized those in the nursing profession in honor of National Nurses Week. He reported on his attendance at the memorial wall ceremony for fallen police officer J. D. De Guzman. Deputy Mayor McCann spoke regarding the recent LakeFest event.

Councilmember Padilla extended his condolences to the Milke and Luzzaro families. He congratulated Councilmember McCann on the inaugural LakeFest event and Mayor Casillas Salas on the State of the City. He spoke regarding the recent Law Enforcement Memorial and Cicla Vista events.

City Attorney Googins spoke regarding his attendance at the recent LakeFest and Community Fun Run.

There was consensus of the Council to continue the item regarding SB54 to a date to be decided to allow time for further development of the bill.

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

Deputy City Manager Bacon spoke regarding the Community Fun Run.

Mayor Casillas Salas spoke regarding the recent Fun Run, Neighbor Day, and LakeFest.

Mayor Casillas Salas recessed the meeting at 7:37 p.m. The Council reconvened in Closed Session at 7:43 p.m., with Councilmembers Aguilar, McCann and Padilla, and Mayor Casillas Salas present.

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.

12. [17-0167](#) PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)

Title: City Clerk

ACTION: No reportable action.

ADJOURNMENT

At 7:57 p.m., Mayor Casillas Salas adjourned the meeting in memory of Mr. George E. Milke, May 14, 1927 - April 18, 2017, to the Regular City Council Meeting on May 16, 2017, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk