

# City of Chula Vista

## Meeting Minutes - Draft

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Tuesday, February 7, 2017

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 5:05 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, Councilmember Padilla and Mayor Casillas Salas

*Also Present: City Manager Halbert, Senior Assistant City Attorney Miesfeld, City Clerk Norris, and Assistant City Clerk Bigelow*

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

*Councilmember Aguilar led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [17-0033](#) OATHS OF OFFICE  
John Bosselman, International Friendship Commission  
Rene Loaiza, Board of Library Trustees  
Norberto Salazar, Housing Advisory Commission

*City Clerk Norris administered the oath of office to Commissioners Bosselman and Loaiza, and Deputy Mayor McCann presented them with certificates of appointment. Mr. Salazar was not present.*

- B. [17-0030](#) UNVEILING OF THE OLYMPIC AND PARALYMPIC TRAINING SITE  
FLAG RECEIVED FROM THE UNITED STATES OLYMPIC  
COMMITTEE

*Item B was not heard.*

- C. [17-0014](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH  
MILESTONE SERVICE ANNIVERSARIES

*Mayor Casillas Salas recognized employees with milestone service anniversaries.*

- D. [17-0017](#) PRESENTATION OF QUARTERLY EMPLOYEE RECOGNITION  
RECIPIENTS

*Human Resources Director Chase recognized recipients of quarterly employee recognition awards.*

#### CONSENT CALENDAR (Items 1 - 9)

*Items 3, 4, 8, and 9 were removed from the Consent Calendar for separate consideration. Mayor Casillas Salas announced that Item 6 would be continued to the meeting of February 21, 2017.*

1. [17-0036](#) APPROVAL OF MINUTES of January 17, and 26, 2017.  
**Recommended Action: Council approve the minutes.**
  
2. [16-0469](#) RESOLUTION NO. 2017-022 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 2 (GENERAL GOVERNMENT FEES) OF THE MASTER FEE SCHEDULE TO ESTABLISH A FEE TO FILE A NOTICE OF INTENT TO CIRCULATE AN INITIATIVE PETITION

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

*Item 3 was removed from the Consent Calendar.*

*Item 4 was removed from the Consent Calendar.*

5. [16-0523](#) A. RESOLUTION NO. 2017-026 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CHULA VISTA 4TH FEST 2017, HARBORFEST 2017, THE 2017 STARLIGHT PARADE AND LAKEFEST 2018 AS CITY-SPONSORED EVENTS FOR FISCAL YEAR 2017/2018

B. RESOLUTION NO. 2017-027 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FILING OF AN APPLICATION FOR A \$40,000 COMMUNITY ENHANCEMENT GRANT FROM THE COUNTY OF SAN DIEGO, APPROVING A RESOLUTION FOR THE GRANT APPLICATION REQUIRED BY THE COUNTY AND, SHOULD THE CITY BE AWARDED GRANT FUNDING, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT AND RELATED DOCUMENTS BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR THE GRANT

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

*Item 6 was removed from the Consent Calendar.*

7. [17-0022](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING DECEMBER 31, 2016
  
- B. RESOLUTION NO. 2017-028 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2016/2017 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

**Recommended Action: Council accept the report and adopt the resolution.**

*Item 8 was removed from the Consent Calendar.*

*Item 9 was removed from the Consent Calendar.*

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

**Yes:** 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

**No:** 0

**Abstain:** 0

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 3. [16-0589](#) RESOLUTION NO. 2017-023 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR A HOUSING-RELATED PARKS (HRP) GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; 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 HRP

*Senior Assistant City Attorney Miesfeld stated minor revisions to the staff report had been provided to the Council and were available for public review.*

*Deputy Mayor McCann abstained from voting on the item due to a potential property-related conflict of interest. He left the dais at 5:16 p.m.*

*The following members of the public spoke in support of funding for a skate park:*

*Jared Rubio, Chula Vista resident*

*Samuel Bermudez, Chula Vista resident*

*Mayor Casillas Salas stated that staff would be conducting a study on prospective skate park locations.*

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Councilmember Diaz, that Resolution No. 2017-023 be adopted, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 1 - McCann

*Deputy Mayor McCann returned to the dais at 5:19 p.m.*

- 4. [17-0025](#)
  - A. RESOLUTION NO. 2017-024 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PUBLIC BENEFIT AGREEMENT BETWEEN THE CITY OF CHULA VISTA, FLAT ROCK LAND COMPANY, LLC, AND OTAY LAND COMPANY, LLC
  - B. RESOLUTION NO. 2017-025 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PUBLIC BENEFIT AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND HOMEFED VILLAGE III MASTER, LLC

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*In response to questions from Councilmember Padilla, City Manager Halbert provided information regarding the process for completing the project.*

**ACTION:** A motion was made by Councilmember Padilla, seconded by Deputy Mayor McCann, that Resolution Nos. 2017-024 and 2017-025 be adopted, headings read, text waived. The motion carried by the following vote:

**Yes:** 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

**No:** 0

**Abstain:** 0

6. [17-0031](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT CHANGES IN THE COMPENSATION FOR THE FA EXECUTIVE DIRECTOR, FA DEPUTY EXECUTIVE DIRECTOR AND FA DIRECTOR OF SD LECC EFFECTIVE JANUARY 1, 2017

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016/2017 COMPENSATION SCHEDULE EFFECTIVE FEBRUARY 17, 2017, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5 TO REFLECT SALARY INCREASES FOR FA EXECUTIVE DIRECTOR, FA DEPUTY EXECUTIVE DIRECTOR, AND FA DIRECTOR OF SD LECC

*Item 6 was not discussed and was continued to the February 21, 2017 meeting of the City Council.*

8. [17-0034](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND ACE PARKING FOR PARKING MANAGEMENT AND ENFORCEMENT SERVICES AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

*Mayor Casillas Salas stated she would abstain from voting on the item due to a potential property-related conflict of interest. She left the dais at 5:33 p.m.*

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

*In response to questions from Councilmember Aguilar, Assistant Director of Finance Aguilar and City Manager Halbert provided additional information regarding metered parking.*

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Councilmember Diaz, that the item be continued to a future date to be determined by the City Manager. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Padilla

**No:** 0

**Abstain:** 1 - Casillas Salas

*Mayor Casillas Salas returned to the dais at 5:43 p.m.*

9. [17-0035](#) RESOLUTION NO. 2017-029 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE EXISTING CITY DEBT POLICY

*Councilmember Padilla requested that his office be provided with the text amendments showing the changes to the City Debt Policy.*

**ACTION: A motion was made by Councilmember Padilla, seconded by Deputy Mayor McCann, that Resolution No. 2017-029 be adopted, heading read, text waived. The motion carried by the following vote:**

**Yes:** 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

**No:** 0

**Abstain:** 0

**PUBLIC COMMENTS**

*There were none.*

**ACTION ITEMS**

10. [17-0041](#) PRESENTATION REGARDING EMERGENCY ORGANIZATION RESPONSE TO WINTER STORMS JANUARY 2017

*Fire Chief Geering, Emergency Services Coordinator King, Public Works Director Hopkins, Deputy Chief Muns, Police Captain Sallee, Recreation Director McClure Huckaby, and Marketing & Communications Manager Steinberger gave a presentation on the item.*

*Danny Zaragoza, representing SDG&E, spoke regarding SDG&E's response to the storms.*

*Steven Pavka, Chula Vista resident, thanked staff for its response to the emergency.*

*Mayor Casillas Salas read a proclamation commending Vulcan Materials Company for its donation of supplies to assist citizens during the storms. Councilmember Padilla presented the proclamation to Emergency Services Coordinator King, who accepted it on behalf of Vulcan Materials Company.*

*Mayor Casillas Salas read a proclamation commending the Citizens Emergency Response Team (CERT) for its volunteer service to assist residents during the emergency. Deputy Mayor McCann presented the proclamation to Hugo Bermudez and Bob Mains.*

11. [16-0574](#) CONSIDERATION OF APPROVING CONTRACTS FOR CITY-INITIATED TOW AND IMPOUND SERVICES, AND AMENDMENTS TO THE TOW AND STORAGE RATE SCHEDULE AND LICENSE FEE

A. RESOLUTION NO. 2017-030 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND AMERICAN TOWING & AUTO DISMANTLING, INC., DOING BUSINESS AS AMERICAN TOWING, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

B. RESOLUTION NO. 2017-031 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND ALEXANDRA INVESTMENTS, INC., DOING BUSINESS AS ANGELO'S TOWING & RECOVERY, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

C. RESOLUTION NO. 2017-032 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND AMBER LYNN, INC., DOING BUSINESS AS ASAP TOWING, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

D. RESOLUTION NO. 2017-033 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND CORTES TOWING ENTERPRISES, INC., DOING BUSINESS AS CORTES TOWING, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

E. RESOLUTION NO. 2017-034 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND A TO Z ENTERPRISES, INC., DOING BUSINESS AS ROAD ONE, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

F. RESOLUTION NO. 2017-035 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND TONY'S AUTO CENTER, INC., DOING BUSINESS AS TONY'S AUTO CENTER, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

G. RESOLUTION NO. 2017-036 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW AND STORAGE RATE SCHEDULE AND THE TOW LICENSE FEE

*Police Chief Kennedy, Administrative Services Administrator Alegre, and Deputy City Attorney Trujillo gave a presentation on the item.*

*Brad Ramsey, representing RoadOne, spoke in opposition to staff's recommendation and he expressed concern regarding some of the contract terms.*

*Rodney Solenberger, representing American Towing, spoke in support of staff's recommendation and in support of selecting fewer companies to provide towing services.*

*Steven Pavka, Chula Vista resident, spoke in opposition to staff's recommendation and expressed concern regarding the impact of towing fees on citizens.*

*Staff responded to Council questions regarding the item.*

*There was consensus of the Council to direct staff to conduct an annual review of the towing providers.*

*Councilmember Aguilar announced that the Council had received an email from Jessica Hayes, affiliated with RoadOne, regarding the item. Deputy City Attorney Trujillo provided information regarding the issues raised by Ms. Hayes.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, that Resolution Nos. 2017-030, 2017-031, 2017-032, 2017-033, 2017-034, 2017-035, and 2017-036 be adopted, headings read, text waived, and that a referral be made to staff to conduct annual reviews of the towing providers. The motion carried by the following vote:

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

**No:** 1 - Diaz

**Abstain:** 0

## CITY MANAGER'S REPORTS

*City Manager Halbert provided information regarding brush management, in response to concerns expressed by Dick Wold at the meeting of January 17, 2017.*

## MAYOR'S REPORTS

Mayor Casillas Salas reported on her attendance at the following recent events: Smart Border Coalition meeting, Chula Vista Kiwanis meeting, Best of the South County event, MABPA meeting, dedication of two new fire engines, reopening of the Chula Vista Elite Athlete Training Center, Meals on Wheels volunteer appreciation lunch, opening of the Rohr Museum exhibit, and the Third Avenue Village Association annual meeting. She congratulated Promise Neighborhoods Resident Leadership Academy graduates and Eagle Scout Michael Lopez Junior. Mayor Casillas Salas stated she spoke at a recent meeting of the Greater San Diego Association of Realtors.

## COUNCILMEMBERS' COMMENTS

At the request of Councilmember Diaz, there was consensus of the Council to make a referral to staff to work with interested parties regarding mountain bike riding trail and track opportunities in the City.

Councilmember Diaz expressed concern regarding marijuana dispensaries in the City. Assistant City Attorney Miesfeld responded to Councilmember Diaz's concerns and provided information on the City's response.

Mayor Casillas Salas stated that Deputy Mayor McCann would be working with organizers of Fleet Week to plan activities for Chula Vista.

Deputy Mayor McCann spoke regarding events he recently attended. He announced the upcoming Coffee with a Cop community event.

Councilmember Aguilar spoke regarding events she recently attended. She provided additional information on the opening of the Rohr Museum exhibit.

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

At 7:56 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.

12. [17-0045](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: A) John Kilpatrick v. City of Chula Vista, Office of Administrative Hearings (OAH), Case No. 2016040774; and

B) John Hess v. Dave Hanneman, et al., United States District Court, Case No. 14cv2271-CAB-JMA

**ACTION:** There was no reportable action.

13. [17-0046](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Bart C. Miesfeld, Kelley Bacon, Courtney Chase, Maria Kachadoorian, Simon Silva, and David Bilby

Employee organizations:

- International Association of Firefighters (IAFF)
- Police Officers Association (POA)
- Chula Vista Employee Association/Service Employees International Union Local 221 (CVEA/SEIU)
- Western Council of Engineers (WCE)

**ACTION:** There was no reportable action.

**ADJOURNMENT**

*At 10:45 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on February 21, 2017, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, Assistant City Clerk