

City of Chula Vista

Meeting Minutes - Final

Tuesday, July 28, 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 5:07 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

Mayor Salas announced the Chula Vista Art Guild's 70th Anniversary and stated an exhibit was installed in the City Hall lobby.

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember McCann led the Pledge of Allegiance.

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

SPECIAL ORDERS OF THE DAY

- A. [15-0436](#) OATH OF OFFICE
Vlady Dmytrenko, Mobilehome Rent Review Commission

City Clerk Norris administered the oath of office to Commissioner Dmytrenko, and Councilmember Miesen presented her with a certificate of appointment.

- B. [15-0433](#) PRESENTATION OF A PROCLAMATION TO AEROSTRUCTURES
AFTERMARKET SERVICES' VICE PRESIDENT PAUL SNYDER
PROCLAIMING AUGUST 3 - 7, 2015 AS ROHR WEEK IN
RECOGNITION OF THE 75TH ANNIVERSARY OF ROHR AIRCRAFT
COMPANY

Deputy Mayor Bensoussan read the proclamation and Mayor Salas presented it to Aerostructures Aftermarket Services' Vice President, Paul Snyder.

Jennifer Luther, Mr. Rohr's granddaughter, spoke regarding Mr. Rohr on behalf of the Rohr family and displayed photographs of Rohr operations.

Mayor Salas spoke regarding her mother and other family members who worked at Rohr, as well as the history of Rohr in Chula Vista.

Councilmember McCann recognized former Rohr employees.

Deputy Mayor Bensoussan spoke regarding Mr. Rohr's involvement in the Chula Vista community.

Georjean Jensen submitted a speaker slip but declined to speak.

The following members of the public and former Rohr employees paid tribute to Mr. Rohr and Rohr Aircraft Company:

- Mary Kay Rosinski, El Cajon resident*
- Roger Hyde*
- Francis (Mac) McPhillips*
- AY Casillas*

CONSENT CALENDAR (Items 1 - 7)

1. [15-0432](#) APPROVAL OF MINUTES of July 14, 2015

Recommended Action: Council approve the minutes.
2. [15-0434](#) ORDINANCE NO. 3351 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD FA IVDC-LECC EXECUTIVE DIRECTOR, FA FINANCIAL MANAGER AND FA SENIOR FINANCIAL ANALYST AND DELETE CBAG IV-LECC DIRECTOR (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the ordinance.
3. [15-0151](#) RESOLUTION NO. 2015-182 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT

Recommended Action: Council adopt the resolution.
4. [15-0242](#) RESOLUTION NO. 2015-183 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REDUCING THE STL369 CIP BUDGET BY \$290,113 IN TRANSNET AND APPROPRIATING THE EQUIVALENT AMOUNT TO STM381; APPROPRIATING \$43,180 FROM THE AVAILABLE BALANCE OF THE TRAFFIC SIGNAL FUND TO CIP STM381; AND APPROPRIATING \$318,103 FROM THE AVAILABLE BALANCE OF THE GAS TAX FUND TO CIP DR196 (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.
5. [15-0380](#) A. RESOLUTION NO. 2015-184 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT, APPROVING A CONTRACT BETWEEN THE CITY OF CHULA VISTA AND DR. VANESSA FLORES, VMD FOR RELIEF VETERINARY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND UP TO TWO ONE-YEAR EXTENSIONS

B. RESOLUTION NO. 2015-185 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT, APPROVING A CONTRACT BETWEEN THE CITY OF CHULA VISTA AND DR. DOROTHY DAVIDSON-YORK, DVM FOR RELIEF VETERINARY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY AND SPAY/NEUTER SURGERY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY AND THE CHULA VISTA ANIMAL CARE FACILITY "SPAY SHUTTLE AND ADOPTION MODULE" BUS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND UP TO THREE ONE-YEAR EXTENSIONS

C. RESOLUTION NO. 2015-186 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT, APPROVING A CONTRACT BETWEEN THE CITY OF CHULA VISTA AND DR. TERRY K. PAIK, DVM FOR SPAY/NEUTER SURGERY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY AND THE CHULA VISTA ANIMAL CARE FACILITY "SPAY SHUTTLE AND ADOPTION MODULE" BUS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND UP TO THREE ONE-YEAR EXTENSIONS

D. RESOLUTION NO. 2015-187 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT, APPROVING A CONTRACT BETWEEN THE CITY OF CHULA VISTA AND DR. LANCE GIBSON, DVM FOR RELIEF VETERINARY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND UP TO THREE ONE-YEAR EXTENSIONS

Recommended Action: Council adopt the resolutions.

6. [15-0381](#)

RESOLUTION NO. 2015-188 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADDING ONE FISCAL AGENT SUPERVISING INTELLIGENCE ANALYST TO THE AUTHORIZED STAFFING LEVEL OF THE POLICE GRANT FUND AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

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7. [15-0411](#) RESOLUTION NO. 2015-189 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 DISTRICT 14-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

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember McCann, 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, Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

Jerry Thomas, Chula Vista resident, spoke in support of installing a regulation soccer field, dog park, and safe playground at Orange Park, and submitted written documentation.

Jon Froomin, City of Coronado Chief of Police, recognized the City of Chula Vista and its employees whom provided support for the Special Olympics World Games host town events.

CITY MANAGER'S REPORTS

City Manager Halbert provided an update on the status of an agreement between the City and the United States Olympic Committee regarding the operation of the Olympic Training Center.

MAYOR'S REPORTS

8. [15-0439](#) RATIFICATION OF APPOINTMENTS TO THE FOLLOWING BOARDS & COMMISSIONS:
- Michael D. Jackson, Safety Commission
 - Francine Mague, International Friendship Commission
 - Manuel Delgado, Mobilehome Rent Review Commission

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

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

No: 0

Abstain: 0

Mayor Salas spoke regarding the City's Ribbons & Shovels Awards (formerly the Beautification Awards). She recognized City employees and other supporters of the Special Olympics World Games host city activities and spoke regarding the recent South Park Walkabout event. She provided information on a recent meeting with local water agencies and stated the Interagency Water Task Force would be reinstituted. Mayor Salas announced the upcoming Lemon Fest event on August 2, 2015.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Bensoussan spoke regarding the following recent and upcoming events: Lemon Festival on August 2, 2015, Farm to Bay fundraiser at the Living Coast Discovery Center on August 8, 2015, the recent Seven Mile Casino opening, an art installation on the Bayfront, and the upcoming Harborfest event on August 22, 2015.

Councilmember Aguilar spoke regarding a recent tour of the cross-border express terminal, which would include a pedestrian bridge from the border to the Tijuana airport, as well as other travel amenities.

Councilmember McCann thanked the volunteers and participants of the recent Relay for Life and reported on the event. He also spoke regarding the upcoming Lemon Festival.

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

Mayor Salas recessed the meeting at 6:42 p.m. The Council reconvened in Closed Session at 6:47 p.m.

Councilmember Miesen abstained from participating on Item 9A. He left the room during discussion on the item.

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.

9. [15-0387](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)
Names of cases:
A. Chris Shilling, et al. v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-00006097-CU-MC-CTL;
B. Donald Sipple, et al. v. City of Alameda, et al., Los Angeles Superior Court, Case No. BC4622709;
C. Chula Vista Citizens for Jobs and Fair Competition, et al. v. Donna Norris, et al., United States District Court, Case No. 09-cv-0897-BEN-JMA; and
D. James Garcia v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-16408-CU-OE-CTL

ACTION: No reportable action

ADJOURNMENT

At 7:28 p.m., Mayor Salas adjourned the meeting to the Regular City Council Meeting on August 11, 2015, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk