

City of Chula Vista

Meeting Minutes - Final

Tuesday, January 8, 2019

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 5:03 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Diaz, Councilmember Galvez, Councilmember McCann, Deputy Mayor Padilla and Mayor Casillas Salas

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Bigelow, and Deputy City Clerk Kansas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Diaz led the Pledge of Allegiance.

CONSENT CALENDAR (Items 1 - 6)

Mayor Casillas Salas announced that Item 4 would be continued to a future date. Items 5 and 6 were removed from the Consent Calendar by Councilmember Diaz and a member of the public, respectively.

1. [18-0590](#) APPROVAL OF MINUTES of June 26, July 10, and July 17, 2018.
Recommended Action: Council approve the minutes.
2. [18-0595](#) ORDINANCE NO. 3449 OF THE CITY OF CHULA VISTA AMENDING VARIOUS CHAPTERS OF TITLE 2 OF THE CHULA VISTA MUNICIPAL CODE, RELATED TO THE BOARD OF ETHICS APPOINTMENT PROCESS AND THE FUNCTIONS AND DUTIES OF THE BOARD OF ETHICS AND CHARTER REVIEW COMMISSION (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.
3. [18-0486](#) RESOLUTION NO. 2019-001 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE CITY OF CHULA VISTA CONSULTANT SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES TO PROVIDE HORIZONTAL DIRECTIONAL DRILLING CONSULTING SERVICES
Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. [18-0503](#)
 - A. RESOLUTION NO. 2019-007 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT USE AND MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA, THE METROPOLITAN TRANSIT SYSTEM, AND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ASSIGNING RESPONSIBILITY FOR THE MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE
 - B. RESOLUTION NO. 2019-008 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO ASSOCIATION OF GOVERNMENTS, THE CITY OF CHULA VISTA, AND THE METROPOLITAN TRANSIT SYSTEM REGARDING RAPID TRAFFIC SYSTEMS OPERATIONS AND MAINTENANCE ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE
 - C. RESOLUTION NO. 2019-009 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE METROPOLITAN TRANSIT SYSTEM FOR THE MAINTENANCE OF THE EAST PALOMAR STREET TRANSIT STATION STREET IMPROVEMENTS
 - D. RESOLUTION NO. 2019-010 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2018/2019 OPERATING BUDGET FOR THE DEPARTMENT OF ENGINEERING AND CAPITAL PROJECTS' SUPPLIES AND SERVICES (\$163,000) AND UTILITIES (\$17,000) EXPENSE CATEGORIES BASED ON UNANTICIPATED REVENUE (\$180,000) ASSOCIATED WITH THE JOINT USE AND MAINTENANCE AGREEMENT AND RAPID TRAFFIC SYSTEMS MEMORANDUM OF UNDERSTANDING (4/5 VOTE REQUIRED)

Item 4 was continued to a future meeting.

- 5. [18-0512](#) RESOLUTION NO. 2019-002 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT FOR DEFERRAL OF DEVELOPMENT IMPACT FEES BETWEEN THE CITY AND AYRES-MILLENIA, LP FOR \$903,555 IN FEES IN CONNECTION WITH A 135-ROOM HOTEL PROJECT AT 1710 MILLENIA AVENUE

Councilmember Diaz and City Manager Halbert made reference to a correction to the anticipated TOT tax revenue.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to adopt Resolution No. 2019-002, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Diaz, Galvez, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

- 6. [18-0598](#) RESOLUTION NO. 2019-003 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING DESIGN STANDARDS FOR SMALL WIRELESS FACILITIES WITHIN THE CITY'S RIGHT-OF-WAY

Sal Espinoza, Chula Vista resident, expressed concern regarding tower aesthetics and potential health effects.

Jesse Arawa, Chula Vista resident, spoke in opposition to staff's recommendation.

Shahriar Afshar and Mike Farraher, representing Verizon Wireless, expressed a commitment to work with the City and residents, and responded to questions of the Council.

Councilmember Diaz stated his willingness to work with staff and the public on the issue.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to adopt Resolution No. 2019-003, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Diaz, Galvez, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

William Best, Chula Vista resident, spoke regarding the status of a settlement regarding a property on Alpine Avenue.

Becky Brundage expressed concern regarding commercial marijuana use and locations of facilities in the City, and provided suggestions on regulations.

CITY MANAGER'S REPORTS

City Manager Halbert announced upcoming workshops on Bayfront park designs.

MAYOR'S REPORTS

Mayor Casillas Salas extended New Year's greetings to the community. She announced the following recent events: a visit to Chula Vista Learning Community Charter High School and student tour of City Hall, an environmental fair at Chula Vista Elementary School, and a bi-national meeting with Senator Jaime Bonilla Valdez regarding the administration of the new Mexican president.

COUNCILMEMBERS' COMMENTS

Councilmember McCann and Deputy Mayor Padilla extended New Year's greetings to the community.

Councilmember Diaz spoke regarding an upcoming disc golf tournament fundraiser.

Councilmember Galvez thanked citizens who supplied donations for the victims of the Paradise fires.

At the request of Councilmember Galvez, there was consensus of the Council to make a referral to staff to analyze the viability of creating leash-free zones in one or more City parks.

CITY ATTORNEY'S REPORTS

There were none.

CLOSED SESSION

City Attorney Googins announced that the Council would convene in closed session to discuss Item 7 below.

Mayor Casillas Salas recessed the meeting at 5:41 p.m. The Council reconvened in Closed Session at 5:43 p.m., with all members present.

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.

7. [18-0588](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
One [1] Case. Consideration of settlement of marijuana enforcement
action against 3149 Main St., Chula Vista, California.

ACTION: The settlement agreement was ratified and is available upon request.

ADJOURNMENT

Mayor Casillas Salas paid tribute to Ruth Goldschmidt Sachs and announced the meeting would be adjourned in her memory.

At 5:58 p.m., the meeting was adjourned in memory of Ruth Goldschmidt Sachs to the regular City Council meeting on January 15, 2019, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk