

City of Chula Vista

Meeting Minutes - Draft

Tuesday, April 7, 2020

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

Pursuant to the Governor of the State of California's Executive Order N-29-20, and in the interest of public health and safety during the COVID-19 pandemic, members of the City Council and staff participated in this meeting via teleconference. Members of the public participated remotely and were not present in Council Chambers. All votes were taken by roll call and public comments were submitted electronically or otherwise in writing.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda items may be taken out of order during the meeting.

The agenda items were considered in the order presented.

CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:00 p.m. via teleconference and in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

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

Excused: Councilmember Padilla

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Bigelow, and Assistant City Clerk Turner

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Mayor Casillas Salas led the Pledge of Allegiance and asked for a moment of silence for those affected by the Coronavirus.

CONSENT CALENDAR (Items 1 - 11)

City Attorney Googins announced Item 2A was withdrawn by staff and Item 8 was continued to a later date. Item 10 was removed from the Consent Calendar at the request of Deputy Mayor Galvez.

1. [20-0128](#) APPROVAL OF MINUTES of October 1, 2019.

Recommended Action: Council approve the minutes.

2. [20-0121](#) A. ITEM A WAS WITHDRAWN FROM CONSIDERATION
- B. ORDINANCE NO. 3484 OF THE CITY OF CHULA VISTA ORDERING THE TEMPORARY CLOSURE OF CERTAIN BUSINESSES AND ACTIVITIES, INCLUDING BARS, OTHER ALCOHOL SERVING ESTABLISHMENTS, AND ON-SITE DINING SERVICES; PROHIBITING CERTAIN PUBLIC OR PRIVATE GATHERINGS OF 50 OR MORE PEOPLE; AND RELATED RESTRICTIONS, ALL AS MORE PARTICULARLY SET FORTH IN THAT CERTAIN MARCH 16, 2020 AMENDED ORDER AND EMERGENCY REGULATIONS OF THE SAN DIEGO COUNTY HEALTH OFFICER (SECOND READING)

Recommended Action: Council adopt ordinance B.

3. [20-0120](#) ORDINANCE NO. 3485 OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE EASTLAKE II PLANNED COMMUNITY DISTRICT REGULATIONS FOR A 9.35-ACRE SITE LOCATED SOUTH OF EASTLAKE DRIVE, IMMEDIATELY WEST OF SR-125 (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

4. [20-0072](#) A. RESOLUTION NO. 2020-068 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN THIS CITY ON MARCH 3, 2020, DECLARING THE RESULTS THEREOF, AND OTHER MATTERS AS ARE PROVIDED BY LAW

B. RESOLUTION NO. 2020-069 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE PURPOSE OF CONDUCTING A RUNOFF ELECTION TO ELECT TWO MEMBERS OF THE CITY COUNCIL, REPRESENTING DISTRICTS 3 AND 4; CONSOLIDATING THE ELECTION WITH THE STATEWIDE ELECTION; AND REQUESTING THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO PERMIT THE REGISTRAR OF VOTERS TO PERFORM CERTAIN SERVICES FOR THE CONDUCT OF THE ELECTION

C. RESOLUTION NO. 2020-070 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 3, 2020

Recommended Action: Council adopt the resolutions.

5. [20-0102](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS OF CHULA VISTA MUNICIPAL CODE CHAPTER 2.51, "DISTRICTING COMMISSION," TO CHANGE THE NAME OF THE COMMISSION TO THE "REDISTRICTING COMMISSION," MODERNIZE LANGUAGE, AND SET THE TARGET ADOPTION DATE OF THE FINAL DISTRICTING PLAN TO IMPLEMENT NEW DISTRICTS IN THE ELECTION YEAR FOLLOWING THE RELEASE OF THE FEDERAL DECENNIAL CENSUS RESULTS (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

6. [20-0075](#) RESOLUTION NO. 2020-071 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING AND SETTING ASIDE CERTAIN PORTIONS OF CITY-OWNED REAL PROPERTY CURRENTLY KNOWN AS 341 ORANGE AVENUE, 389 ORANGE AVENUE, AND 1427 FOURTH AVENUE AS RIGHT-OF-WAY FOR STREET AND PUBLIC UTILITY PURPOSES

Recommended Action: Council adopt the resolution.

7. [20-0095](#) A. RESOLUTION NO. 2020-072 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING REQUEST FOR QUALIFICATIONS (RFQ#34-18/19) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO PRE-APPROVE THREE AUDIO-VISUAL COMPANIES TO PERFORM AUDIO-VISUAL SERVICES FOR THE CITY OF CHULA VISTA AND WAIVING THE COMPETITIVE BID PROCESS FOR CERTAIN AUDIO-VISUAL PROJECTS IF CITY STAFF IS UTILIZING THE PRE-APPROVED VENDOR LIST (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2020-073 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR SERVICE TO WESTERN AUDIO VISUAL, INC FOR AUDIO-VISUAL UPGRADES FOR THE CHULA VISTA ELITE ATHLETE CENTER AND APPROPRIATING \$332,974 FROM THE AVAILABLE BALANCE OF THE PUBLIC, EDUCATION AND GOVERNMENT FUND (4/5 VOTE REQUIRED)

C. RESOLUTION NO. 2020-074 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR SERVICE TO PROTELESIS FOR AUDIO-VISUAL UPGRADES FOR THE CITY OF CHULA VISTA EMERGENCY OPERATIONS CENTER AND TWO CONFERENCE ROOMS AND APPROPRIATING \$33,582 FROM THE AVAILABLE BALANCE OF THE PUBLIC, EDUCATION AND GOVERNMENT FUND (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolutions.

Item 8 was removed from the Consent Calendar.

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9. [20-0104](#) RESOLUTION NO. 2020-075 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING THE DESIGN AND PRECONSTRUCTION PHASE (PHASE 1) AGREEMENT FOR THE LOMA VERDE RECREATION CENTER SEGMENT 1 PROJECT (CIP NO. GGV0247) TO EC CONSTRUCTORS, INC. IN AN AMOUNT OF \$1,028,413

Recommended Action: Council adopt the resolution.

Item 10 was removed from the Consent Calendar.

11. [20-0127](#) RESOLUTION NO. 2020-077 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING AUTHORIZED AGENTS TO ACT ON BEHALF OF THE CITY FOR PURPOSES OF OBTAINING STATE OR FEDERAL ASSISTANCE

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

Yes: 4 - Diaz, Galvez, McCann and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

8. [20-0100](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SOLE SOURCE PURCHASE AGREEMENT WITH SOUTH COAST FIRE EQUIPMENT FOR THE ACQUISITION OF ONE PIERCE AERIAL LADDER TRUCK AND ONE PIERCE ARROW XT TRIPLE COMBINATION PUMPER/FIRE ENGINE ("FIRE SERVICE EQUIPMENT") AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE FINAL PURCHASE AND LEASE AGREEMENTS AND ANY INCIDENTAL NECESSARY DOCUMENTS IN FINAL FORMS APPROVED BY THE CITY ATTORNEY

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT AND EQUIPMENT SCHEDULE NO. 01 THERETO WITH BANC OF AMERICA PUBLIC CAPITAL CORP. FOR THE ACQUISITION, FINANCING AND LEASING OF CERTAIN FIRE SERVICE EQUIPMENT FOR THE PUBLIC BENEFIT WITHIN THE TERMS HEREIN PROVIDED; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE

TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION ALL IN FINAL FORMS APPROVED BY THE CITY ATTORNEY

This item was continued by staff for consideration at a later date.

10. [20-0111](#) RESOLUTION NO. 2020-076 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNTS IN THE CITY ATTORNEY'S OFFICE AND POLICE DEPARTMENT WITH A NET INCREASE IN AUTHORIZED STAFFING

City Attorney Googins answered questions of Deputy Mayor Galvez.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to adopt Resolution No. 2020-076, heading read, text waived. The motion carried by the following roll call vote:

Yes: 3 - Diaz, McCann and Casillas Salas

No: 1 - Galvez

Abstain: 0

PUBLIC COMMENTS

Elana Taylor submitted comments expressing concern for low-income seniors on mandatory stay-at-home orders and the need for food and supplies to be delivered.

Laura Wilkerson submitted comments expressing gratitude for Councilmember Padilla's recovery and asked that the City provide resources for people without jobs and affected businesses.

ACTION ITEMS

12. [20-0129](#) EMERGENCY ORDINANCE NO. 3486A AMENDING EMERGENCY ORDINANCE 3483A OF THE CITY OF CHULA VISTA (1) ENACTING A TEMPORARY MORATORIUM ON EVICTIONS DUE TO A NONPAYMENT OF RENT FOR RESIDENTIAL AND COMMERCIAL TENANTS WHERE THE FAILURE TO PAY RENT RESULTS FROM INCOME LOSS RESULTING FROM THE NOVEL CORONAVIRUS (COVID-19); (2) TRIGGERING THE SUSPENSION OF FORECLOSURE REMEDIES THAT COULD LEAD TO EVICTION UNDER SIMILAR CIRCUMSTANCES PURSUANT TO EXECUTIVE ORDER N-28-20; AND (3) ENSURING CONSISTENCY WITH GOVERNOR NEWSOM'S EXECUTIVE ORDER N-37-20 9 (FIRST READING AND ADOPTION) (4/5 VOTE REQUIRED)

City Attorney Googins announced a potential property-related conflict of interest for Councilmember McCann. He stated that his participation was permitted under FPPC regulations due to his participation being necessary for the required four-fifths vote.

The following members of the public submitted comments in opposition to staff's recommendation:

-Aurora Murillo, Chula Vista resident

-Craig Benedetto, representing BOMA, NAIOP, and BIA San Diego

The following members of the public submitted comments with recommendations to address the impacts of COVID-19:

-Jordan Mills

-Willow Lark
-Jose Cortes
-Zachary Farber
-Juliana Gabriel

Mitch Thompson submitted comments and expressed a neutral position on staff's recommendation.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Galvez, to adopt Emergency Ordinance No. 3486A and place the ordinance on first reading, heading read, text waived. The motion carried by the following roll call vote:

Yes: 4 - Diaz, Galvez, McCann and Casillas Salas

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

City Manager Halbert expressed gratitude to the citizens for continuing to abide by social distancing.

MAYOR'S REPORTS

Mayor Casillas Salas expressed gratitude to City staff for providing essential services to the community and thanked the community for social distancing. She stated the Governor's stay at home order was indefinite and that libraries, senior centers, parks, and recreation facilities were to remain closed, and to check the city's website for department information and daily COVID updates. Mayor Casillas Salas made reference to the temporary moratorium on evictions item that was adopted, and expressed gratitude to Councilmembers for keeping their districts informed. She gave an update on Councilmember Padilla's condition.

COUNCILMEMBERS' COMMENTS

Councilmember Galvez spoke regarding COVID-19 and expressed gratitude for first responders and essential workers.

Councilmember Diaz expressed gratitude to City workers for their efforts in protecting the City and encouraged abiding by state, federal, county, and local guidelines.

Councilmember McCann expressed gratitude to City staff and essential workers. He sympathized with all effected by the pandemic.

CITY ATTORNEY'S REPORTS

City Attorney Googins expressed gratitude to the first responders and health care workers, and to the community for following the rules.

City Attorney Googins announced that Items 13 and 14 would be continued to the Council meeting of April 21, 2020.

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.

13. [20-0115](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: City of Imperial Beach, et al. (including the City of Chula Vista) v. The International Boundary & Water Commission - United States Section, et al., United States District Court, Case No. 18cv457-JM-LL

Item 13 was not heard and was continued to the meeting of April 21, 2020.

14. [20-0116](#) PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)
Title: City Manager

Item 14 was not heard and was continued to the meeting of April 21, 2020.

ADJOURNMENT

The meeting was adjourned at 6:10 p.m.

Minutes prepared by: Sheree Kansas, Deputy City Clerk

Kerry K. Bigelow, MMC, City Clerk