

City of Chula Vista

Meeting Minutes - Draft

Tuesday, July 14, 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, except for Items 7 & 8, which were heard as Action Items, following Public Comment.

CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:09 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, Councilmember Padilla and Mayor Casillas Salas

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

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor Galvez led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [20-0003](#) PRESENTATION OF THE CLEAN SUSTAINABILITY CHAMPION AWARDS BY THE CHULA VISTA SUSTAINABILITY COMMISSION

Environmental Sustainability Manager Wisniewski gave a presentation on the item.

CONSENT CALENDAR (Items 1 - 10)

Mayor Casillas Salas announced that Items 7 & 8 would be moved to Action Items and Item 9 would be pulled and heard at a future Council meeting.

City Attorney Googins announced the following potential property-related conflicts of interest: Mayor Casillas Salas on Items 7 & 8 and Councilmember McCann on Item 2.

1. [20-0293](#) RESOLUTION NO. 2020-153 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING EMERGENCY ORDER 002-D-2020 (EFFECTIVE JULY 10, 2020) OF THE CHULA VISTA DIRECTOR OF EMERGENCY SERVICES AUTHORIZING CITY BOARD, COMMISSION, AND COMMITTEE MEETINGS TO OCCUR IN SPECIFIED CIRCUMSTANCES, EXPANDING ALLOWED ACTIVITIES AT CITY PARKS AND TRAILS, AND UPDATING FACE COVERING REQUIREMENTS TO CONFORM WITH COUNTY AND STATE STANDARDS

Delia Dominguez Cervantes submitted comments in opposition to staff's recommendation.

Recommended Action: Council adopt the resolution.

2. [20-0290](#) RESOLUTION NO. 2020-154 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING EMERGENCY ORDER 005-2020 ISSUED BY THE CHULA VISTA DIRECTOR OF EMERGENCY SERVICES (EFFECTIVE JULY 1, 2020) AND EXTENDING THE CITY'S EVICTION MORATORIUM ORDINANCE (EMERGENCY ORDINANCE NO. 3489-A) THROUGH JULY 31, 2020

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

- Indigo Machado
- Elizabeth Magana-Espinosa
- Allison Estaris
- Jules De Guzman
- Ken Eby-Gomez
- Jewel Karienen, Chula Vista resident
- Sergio Vergara
- Hayley Aguilar, Chula Vista resident
- Eric Espinosa
- Morgan Clark, Chula Vista resident

Recommended Action: Council adopt the resolution.

3. [20-0269](#) RESOLUTION NO. 2020-155 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA: (1) AUTHORIZING THE ACCEPTANCE OF A \$452,979 HOMELESS EMERGENCY AID PROGRAM GRANT FROM THE REGIONAL TASK FORCE ON THE HOMELESS; (2) APPROVING AGREEMENTS WITH THE REGIONAL TASK FORCE ON THE HOMELESS AND WITH NATIONAL CITY AND THE ALPHA PROJECT TO IMPLEMENT THE CHULA VISTA-NATIONAL CITY REGIONAL HOMELESS PROGRAM; AND (3) APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

4. [20-0206](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 5.39, HOTELS/MOTELS, REGARDING GUEST ROOM INSPECTIONS FOR EQUIPMENT AND AMENITY MINIMUM REQUIREMENTS FOR HOTEL/MOTEL OPERATING PERMITS (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

5. [20-0207](#) RESOLUTION NO. 2020-156 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT WITH ECORP CONSULTING, INC. TO PROVIDE HABITAT MITIGATION MONITORING, REPORTING, AND MAINTENANCE SERVICES FOR THE "WILLOW STREET BRIDGE REPLACEMENT PROJECT - ENVIRONMENTAL MITIGATION COMPLIANCE" (STL0444) PROJECT

Recommended Action: Council adopt the resolution.

6. [20-0267](#) RESOLUTION NO. 2020-157 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE MEASURE P INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN AND TRANSFERRING \$500,000 IN MEASURE P APPROPRIATIONS FROM STL0430 TO DRN0211, STORM DRAIN (CMP) REHABILITATION OUTSIDE THE RIGHT OF WAY (PHASE II) PROJECT FOR EMERGENCY CONTRACT CHANGE ORDERS WITH SPINIELLO COMPANIES (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Items 7 and 8 were moved to Action Items.

Item 9 was removed from the Consent Calendar.

10. [20-0279](#) RESOLUTION NO. 2020-160 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE 2018-2020 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA MID-MANAGERS/PROFESSIONAL ASSOCIATION TO EXTEND THE TERM OF THE MOU TO JULY 31, 2020

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

Items 1, 3 through 6 and 10.

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

No: 0

Abstain: 0

ACTION: Item 2:

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

No: 0

Abstain: 1 - McCann

ITEMS REMOVED FROM THE CONSENT CALENDAR

Items 7 and 8 were heard under Action Items.

9. [20-0278](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE 2017-2020 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND THE WESTERN COUNCIL OF ENGINEERS TO EXTEND THE TERM OF THE MOU TO DECEMBER 31, 2020

Item 9 was not discussed and was continued to a future meeting.

PUBLIC COMMENTS

11. [20-0287](#) PUBLIC COMMENTS RECEIVED for July 14, 2020

Grace Sardina, submitted comments regarding the Christopher Columbus statue.

ACTION ITEMS

7. [20-0276](#) RESOLUTION NO. 2020-158 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MINISTERIAL PERMIT PROCESS TO ALLOW BUSINESSES ALONG THIRD AVENUE BETWEEN E AND G STREETS TO EXPAND THEIR OPERATIONS INTO THE PUBLIC RIGHT-OF-WAY WITH: 1) SOCIAL DISTANCING AND QUEUING AREAS; 2) SIDEWALK CAFÉS; AND/OR, 3) CURB CAFÉS

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 during discussion and voting on the item.

Deputy City Manager Crockett gave a presentation on the item and responded to questions of the Council.

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

- Stuart Robinson, Chula Vista resident

- Ronald Trotter, Chula Vista resident

- Katia Callahan, Chula Vista resident

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, to adopt Resolution No. 2020-158, heading read, text waived. The motion carried by the following roll call vote:

Yes: 4 - Diaz, Galvez, McCann and Padilla

No: 0

Abstain: 1 - Casillas Salas

8. [20-0280](#) RESOLUTION NO. 2020-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE WEEKLY WEEKEND CLOSURE OF THIRD AVENUE FROM E STREET TO CENTER STREET FOR THE PERIOD OF JULY 15, 2020 - JANUARY 15, 2021

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 during discussion and voting on the item.

Deputy City Manager Crockett spoke regarding the item and responded to questions of the Council.

Council discussion ensued.

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

- Katia Callahan, Chula Vista resident

- Patricia Pollack, Chula Vista resident

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to adopt Resolution No. 2020-159, as amended to revise the street closure time on Saturday from 2:00 p.m. to 4:00 p.m., heading read, text waived. The motion carried by the following roll call vote:

Yes: 3 - Diaz, Galvez and McCann

No: 1 - Padilla

Abstain: 1 - Casillas Salas

12. [20-0189](#) RESOLUTION NO. 2020-161 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING APPLICATION FOR, AND RECEIPT OF, PERMANENT LOCAL HOUSING ALLOCATION GRANT FUNDS

Management Analyst Gonzalez gave a presentation on the item. She and Housing Manager Hines responded to questions of the Council.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, to adopt Resolution No. 2020-161, heading read, text waived. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

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13. [20-0248](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING ORDINANCE NO. 3375 AND AUTHORIZING THE LEVY OF A SPECIAL TAX IN IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENIA) PURSUANT TO AN AMENDED RATE AND METHOD OF APPORTIONMENT THEREOF (FIRST READING)

ACTION: A motion was made by Councilmember Diaz, seconded by Councilmember Padilla, to place the above ordinance on first reading, heading read, text waived. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

14. [20-0257](#) CONSIDERATION OF POTENTIAL CHARTER AMENDMENTS FOR POSSIBLE PLACEMENT ON THE NOVEMBER 2020 BALLOT, RELATED TO BOARD AND COMMISSION MEMBERSHIP QUALIFICATIONS, RESIDENCY REQUIREMENTS FOR THE ELECTED CITY ATTORNEY, VOTE-BY-MAIL ELECTION PROVISIONS, ELECTED OFFICIAL SUSPENSION REGULATIONS, AND OTHER VARIOUS REVISIONS

Assistant City Attorney Maland gave a presentation on the item.

City Council discussion ensued.

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

- Margaret Baker, Chula Vista resident

- Carolyn Scofield, Chula Vista resident

Theresa Acerro spoke regarding consideration of a Civilian Police Review Board with subpoena powers.

ACTION: Mayor Casillas Salas, moved to table the discussion of potential Charter amendments until the next consolidated election cycle. Councilmember Padilla seconded the motion. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

15. [20-0268](#) RESOLUTION NO. 2020-162 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A \$1.5 MILLION SMALL BUSINESS GRANT PROGRAM (CHULA VISTA CARES) TO REIMBURSE THE COSTS OF BUSINESS INTERRUPTION CAUSED BY REQUIRED CLOSURES DUE TO THE COVID-19 PANDEMIC

Senior Economic Development Specialist Pointer gave a presentation on the item. He and Deputy City Manager Crockett responded to questions of the Council.

Council discussion ensued.

ACTION: A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2020-163, heading read, text waived. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

16. [20-0277](#) RESOLUTION NO. 2020-164 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CERTIFYING THE NECESSITY OF APPOINTING A CALPERS RETIREE WITHIN 180-DAYS OF RETIREMENT, PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224

Human Resources Director Chase spoke regarding the item.

Council discussion ensued.

Carol Hayes submitted comments in support of staff's recommendation.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, to adopt Resolution No. 2020-164, heading read, text waived. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

Police Chief Kennedy gave a presentation on Police Department operations.

City Manager Kachadoorian gave a presentation regarding the City's response to the COVID-19 pandemic.

MAYOR'S REPORTS

At the request of Mayor Casillas Salas, there was consensus of the Council to add an item to the next agenda to consider appointing a delegate and an alternate to represent the City at the League of California Cities annual conference.

Mayor Casillas Salas paid tribute to former Mayor Frank Scott.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Galvez recognized the City's first responders.

At the request of Deputy Mayor Galvez, there was consensus of the Council to consider allocating funds for the purchase and distribution of masks for the community in potential future rounds of pandemic funding.

Councilmember Diaz spoke regarding resources for residents affected by the COVID-19 pandemic.

Councilmember Padilla paid tribute to Mayor Frank Scott. He announced an upcoming Coastal Commission meeting to discuss the decommissioning of the San Onofre Nuclear Power Plant. He also spoke regarding his participation in a vehicle caravan in celebration of Pride month.

Councilmember McCann recognized the victims and families of those on the USS Bonhomme Richard during a recent fire.

CITY ATTORNEY'S REPORTS

There were none.

CLOSED SESSION

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

Mayor Casillas Salas recessed the meeting at 9:02 p.m. The Council reconvened in Closed Session at 9:10 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.

17. [20-0265](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9d)(2) [or](3): One [1] Case.

ACTION: No reportable action.

18. [20-0266](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Courtney Chase, Kevin Powell, Kelley Bacon, David Bilby, Maria Kachadoorian, Glen Googins

Employee organizations: POA, and SEIU

ACTION: No reportable action.

ADJOURNMENT

The meeting was adjourned at 10:32 p.m.

Minutes prepared by: Tyshar L. Turner, Assistant City Clerk

Kerry K. Bigelow, MMC, City Clerk