

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, February 6, 2018

5:00 PM

Council Chambers  
276 4th Avenue, Building A  
Chula Vista, CA 91910  
Teleconferencing Location:  
Cambria Pines Lodge  
2905 Burton Drive  
Rm.# Available at Front Desk  
Cambria, CA 93428

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

#### ROLL CALL:

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

*City Clerk Bigelow announced that Councilmember Padilla was participating via teleconference and videoconference from the following location: Cambria Pines Lodge, 2905 Burton Drive, Cambria, CA 93428. All votes were taken by roll call.*

*Councilmember Padilla stated he complied with all requirements of the Brown Act, including posting the agenda and assuring public accessibility to the location.*

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

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

*Councilmember McCann led the Pledge of Allegiance.*

*Mayor Salas requested a moment of silence in honor of Aura Mancilla and Patricia Garcia.*

#### SPECIAL ORDERS OF THE DAY

- A. [17-0557](#) PRESENTATION OF A PROCLAMATION TO THE CHULA VISTA ANIMAL CARE FACILITY PROCLAIMING FEBRUARY 2018 AS SPAY/NEUTER AWARENESS MONTH IN THE CITY OF CHULA VISTA

*Mayor Casillas Salas read the proclamation and Deputy Mayor Diaz presented it to Animal Care Facility Administrator Mills, who also spoke regarding the item.*

- B. [18-0034](#) RECOGNITION OF THE CHULA VISTA FIRE DEPARTMENT FOR ITS MUTUAL AID EFFORTS IN THE STATE OF CALIFORNIA IN 2017

*Fire Chief Geering and Battalion Chief Peters gave a presentation on the item.*

**CONSENT CALENDAR (Items 1 - 3)**

1. [18-0033](#) WRITTEN COMMUNICATION  
  
Memorandum from Councilmember Diaz requesting an excused absence from the January 16, 2018 council meeting.  
  
**Recommended Action: Council excuse the absence.**
  
2. [18-0055](#) APPROVAL OF MINUTES of October 17, 2017.  
  
**Recommended Action: Council approve the minutes.**
  
3. [17-0559](#) A. RESOLUTION NO. 2018-019 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING LAKEFEST 2018, CHULA VISTA 4TH FEST 2018, HARBORFEST 2018, AND THE 2018 STARLIGHT PARADE AS CITY-SPONSORED EVENTS FOR FISCAL YEAR 2018-19  
  
B. RESOLUTION NO. 2018-020 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CITY'S FILING OF AN APPLICATION FOR A \$20,000 COMMUNITY ENHANCEMENT GRANT FROM THE COUNTY OF SAN DIEGO; APPROVING A RESOLUTION FOR THE GRANT APPLICATION REQUIRED BY THE COUNTY; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO AND RELATED DOCUMENTS FOR THE GRANT, SHOULD THE CITY BE AWARDED GRANT FUNDING; AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)  
  
**Recommended Action: Council adopt the resolutions.**

**Approval of the Consent Calendar**

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, 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**

*There were none.*

**PUBLIC COMMENTS**

*Steven Pavka, Chula Vista resident, expressed concern regarding issues related to homelessness.*

**ACTION ITEMS**

4. [17-0502](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHULA VISTA MUNICIPAL CODE SECTION 5.19 TO PERMIT, LICENSE, AND FULLY REGULATE COMMERCIAL CANNABIS ACTIVITY WITHIN THE CITY OF CHULA VISTA (FIRST READING)

*Deputy City Manager Bacon, Deputy City Attorney McClurg, and Development Services Director Broughton gave a presentation on the item.*

*Staff responded to questions of the Council.*

*The following members of the public spoke in support of the proposed ordinance and offered suggested modifications:*

- Joe Casey, San Diego resident*
- Jessica McElfresh, Solana Beach resident, representing McElfresh Law, Inc.*
- Sapphire Blackwood, representing the Association of Cannabis Professionals*
- Michelle Luna Reynoso, representing Coast Drive Management*
- Ken Sobel, Chula Vista resident*
- Jacqueline Marquez, South Bay resident*
- Daniel Green, Chula Vista resident*
- Sean McDermott*
- Cynara Velazquez, San Diego resident, representing Citizens for Public Safety*
- Jeff Taylor*
- Gina Austin, San Diego resident*
- Dallin Young, San Diego resident, representing the Association of Cannabis Professionals*

*Manny Biezuwski, San Diego resident, representing Coast Drive Management, submitted written documentation in support of the proposed ordinance with amendments and declined to speak.*

*Pattie Harris, San Diego resident, spoke in support of the proposed ordinance.*

*The following members of the public spoke in opposition to the proposed ordinance and offered suggested modifications:*

- Theresa Acerro, Chula Vista resident*
- Judi Strang, Chula Vista resident*

*The following members of the public spoke in opposition to the proposed ordinance:*

- Carol Green, Chula Vista resident*
- Kathy Lippitt, Poway resident*
- Steven Pavka, Chula Vista resident*

*Janice Draper, Chula Vista resident, representing My Antidote Co., submitted a request to speak but was not present when her name was called.*

*Council discussion ensued.*

*Mayor Casillas Salas spoke in support of the following:*

- Considering relaxing the professional experience requirements of applicants*
- Not requiring applicants to be in control of a property but at least be in negotiations in Phase 1 of the application process*

*Councilmember Aguilar spoke in support of Mayor Casillas Salas's recommendations.*

*Councilmember Padilla spoke in support of the following:*

- Disqualifying applicants based on past convictions, regardless of the length of time that had passed*
- Staff providing additional options for consideration regarding identifying a location in Phase 1 of the application process*
- Requiring strict experience standards*
- Clarifying the ordinance regarding greenhouse operations to indicate they were equivalent to indoor cultivation*
- Not initially allowing medical cannabis sales and potentially consider amending the ordinance in the future*

*Deputy Mayor Diaz spoke in support of the following:*

- Not requiring the identification of a location in Phase 1 of the application process*
- Maintaining the proposed definition of youth-oriented businesses*
- Staff considering relaxing the professional experience requirements of applicants*
- Funding a criminal prosecution unit in the City Attorney Office using cannabis tax proceeds*
- Maintaining the requirement that applicants have \$300,000 in liquid assets*
- Not allowing medical cannabis sales*
- Establishing a limit on cultivation manufacturing*

*Councilmember Aguilar supported considering applicants with convictions after a specified length of time had passed.*

*Councilmember McCann expressed concern regarding the total number of licenses and spoke in support of considering reducing the number of allowed storefronts.*

*Mayor Casillas Salas spoke in support of allowing an additional storefront on Third Avenue.*

*There was a consensus of the Council to refer the item to staff to bring a revised ordinance for first reading at the meeting of February 20, 2018.*

## **CITY MANAGER'S REPORTS**

*There were none.*

## **MAYOR'S REPORTS**

*At the request of Mayor Casillas Salas, there was consensus of the Council to add an item to the agenda of February 13, 2018 to consider City endorsement of the Big 24-Hour Give Back fundraising event.*

*Mayor Casillas Salas thanked American Medical Response for sponsoring a flu prevention event at the Norman Park Center. She spoke regarding the opening of the Southwestern College Wellness and Aquatic Complex.*

## **COUNCILMEMBERS' COMMENTS**

*Councilmember Aguilar spoke regarding the opening of the Southwestern College Wellness and Aquatic Complex.*

*Councilmember McCann spoke regarding the Southwestern College Wellness and Aquatic Complex, the installation of cost-efficient irrigation at Discovery Park, and the Taste of Eastlake event.*

**CITY ATTORNEY'S REPORTS**

*There were none.*

*City Attorney Googins announced that Item 5 would be continued to the meeting of February 13, 2018.*

**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.

- 5. [18-0054](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Juan Abenojar and Salome Rincon v. City of Chula Vista, San Diego Superior Court, Case No. 37-2016-00024897-CU-PO-CTL

*Item 5 was not discussed and was continued to the meeting of February 13, 2018.*

**ADJOURNMENT**

*At 8:39 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on February 13, 2018, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, MMC, City Clerk