

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, December 3, 2019

5:00 PM

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

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### REGULAR MEETING OF THE CITY COUNCIL

*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 Item 6, which was heard under Action Items.*

### 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.*

### 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 Assistant City Clerk Turner*

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

*Councilmember Diaz led the Pledge of Allegiance.*

### SPECIAL ORDERS OF THE DAY

- A. [19-0534](#) PRESENTATION BY DR. EMERALD RANDOLPH REGARDING THE 2019 CHRISTMAS IN OCTOBER PROGRAM

*Dr. Emerald Randolph and program recipient Ms. Loins gave a presentation on the item.*

- B. [19-0562](#) PRESENTATION OF A PROCLAMATION COMMENDING KATELYNN STEGALL FOR HER OUTSTANDING JOURNALISM CAREER AT SOUTHWESTERN COLLEGE

*Mayor Casillas Salas read the proclamation and Deputy Mayor Padilla presented it to Ms. Stegall.*

### CONSENT CALENDAR (Items 1 - 6)

*Mayor Casillas Salas announced that Item 6 was intended to be heard under action items, and that a minor typographical revision to Item 2 had been provided to the Council and would be incorporated into the item should it be adopted.*

1. [19-0546](#) WRITTEN COMMUNICATIONS  
Memorandum from Deputy Mayor Padilla requesting an excused absence from the November 5, 2019 City Council meeting.

**Recommended Action: Council excuse the absence.**

- 2. [19-0550](#) ORDINANCE NO. 3477 OF THE CITY OF CHULA VISTA AMENDING MUNICIPAL CODE CHAPTER 14.18, FLOODPLAIN REGULATIONS, TO INCORPORATE VARIOUS ADMINISTRATIVE REVISIONS NECESSARY FOR THE CITY TO REMAIN IN COMPLIANCE WITH THE CODE OF FEDERAL REGULATIONS AND REMAIN IN THE NATIONAL FLOOD INSURANCE PROGRAM (SECOND READING AND ADOPTION)

**Recommended Action: Council adopt the ordinance.**

- 3. [19-0528](#) INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2019

**Recommended Action: Council receive the report.**

- 4. [19-0527](#) A. RESOLUTION NO. 2019-225 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; WAIVING COMPETITIVE BIDDING REQUIREMENTS; AND AWARDED A CONTRACTOR SERVICES AGREEMENT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. TO PROVIDE ON CALL OPEN SPACE LANDSCAPING SERVICES

B. RESOLUTION NO. 2019-226 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; WAIVING COMPETITIVE BIDDING REQUIREMENTS; AND AWARDED A CONTRACTOR SERVICES AGREEMENT BETWEEN THE CITY AND GEOCAL ENVIRONMENTAL MANAGEMENT & LANDSCAPING TO PROVIDE ON CALL OPEN SPACE LANDSCAPING SERVICES

C. RESOLUTION NO. 2019-227 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; WAIVING COMPETITIVE BIDDING REQUIREMENTS; AND AWARDED A CONTRACTOR SERVICES AGREEMENT BETWEEN THE CITY AND HELIX ENVIRONMENTAL CONSTRUCTION GROUP, INC. TO PROVIDE ON CALL OPEN SPACE LANDSCAPING SERVICES

D. RESOLUTION NO. 2019-228 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; WAIVING COMPETITIVE BIDDING REQUIREMENTS; AND AWARDED A CONTRACTOR SERVICES AGREEMENT BETWEEN THE CITY AND URBAN CORPS OF SAN DIEGO COUNTY TO PROVIDE ON CALL OPEN SPACE LANDSCAPING SERVICES

**Recommended Action: Council adopt the resolutions.**

- 5. [19-0549](#) A. RESOLUTION NO. 2019-229 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW LICENSE FEE
  
- B. RESOLUTION NO. 2019-230 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW AND STORAGE RATE SCHEDULE

**Recommended Action: Council adopt the resolutions.**

*Item 6 was moved to Action Items.*

### Approval of the Consent Calendar

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

*There were none.*

### PUBLIC COMMENTS

*Adam Sparks, Chula Vista resident, expressed concern regarding health & welfare related to sidewalk vending.*

*Salvador R. Abrica, representing Teamsters Local Union No. 542, spoke regarding an on-going labor dispute with Republic Services.*

*Damon French, Chula Vista resident, expressed concern regarding city employee compensation.*

*The following individuals spoke in opposition to the Drag Queen Story Time Program:*

- Alexandra Motz, Chula Vista resident*
- Lorena Ambriz, representing San Diego Mass Resistance, and she spoke on behalf of Tony Villafranca*
- Miranda Escoto, Chula Vista resident*
- Chauncey Killens, Hemet resident*
- John Moore, San Diego resident*

*The following individuals submitted written documentation in opposition to the Drag Queen Story Time Program, and did not wish to speak:*

- Shella Lujan, Chula Vista resident*
- Trevor D. Averett*
- Rhonda Newland, Chula Vista resident*
- Cecilia T. Pena, Chula Vista resident*
- Noelle Tuning*
- Thomas Tuning*

**ACTION ITEMS**

6. [19-0554](#) RESOLUTION NO. 2019-231 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA: (A) AMENDING RESOLUTION NO. 2019-196 CALLING A GENERAL ELECTION TO BE HELD ON MARCH 3, 2020; (B) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE TO REPEAL AND REPLACE CHULA VISTA MUNICIPAL CODE CHAPTER 2.59; (C) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE; AND (D) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AND (E) APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

*City Attorney Googins stated that a revised resolution had been distributed to the Council, and that action on the item would be with respect to the revised document.. He gave a presentation and answered questions of the Council.*

*Council discussion ensued.*

*Brad Barnum, San Diego resident spoke in opposition to staff's recommendation.*

**ACTION: A motion was made by Deputy Mayor Padilla, seconded by Mayor Casillas Salas, to adopt Resolution No. 2019-231, as revised, heading read, text waived. The motion carried by the following vote:**

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

**No:** 1 - McCann

**Abstain:** 0

7. [19-0542](#) CONSIDERATION OF AMENDING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FUNDED BY THE MEASURE P SALES TAX; AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN; AND MAKING VARIOUS AMENDMENTS TO THE CIP PROGRAM BUDGETS

RESOLUTION NO. 2019-232 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2019/20 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ESTABLISHING NEW CIP PROJECT: "FIRE STATION DOOR REPLACEMENT-CITYWIDE (MEASURE P);" AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN TO INCLUDE SAID PROJECT; AND AMENDING THE FISCAL YEAR 2019/20 CIP PROGRAM BUDGETS TO APPROPRIATE FUNDS THEREFOR (4/5 VOTE REQUIRED)

*Director of Finance Bilby answered questions of the Council.*

**ACTION:** A motion was made by Councilmember Diaz, seconded by Councilmember McCann, to adopt Resolution No. 2019-232, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

8. [19-0543](#) A. RESOLUTION NO. 2019-233 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED MEASURE A PUBLIC SAFETY EXPENDITURE PLAN; AMENDING THE FISCAL YEAR 2019/20 OPERATING BUDGET FOR THE MEASURE A SALES TAX FUND FOR MEASURE A SALES TAX REVENUES AND EXPENSES; AND AMENDING THE FISCAL YEAR 2019/20 GENERAL FUND OPERATING BUDGET FOR SAFER GRANT REIMBURSEMENTS AND FIRE ACADEMY EXPENSES (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2019-234 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT FOR THE POLICE AND FIRE DEPARTMENTS WITH A NET INCREASE IN AUTHORIZED STAFFING (4/5 VOTE REQUIRED)

*Police Captain Sallee and Fire Chief Geering gave a presentation on the item.*

*Darrell Roberts, representing Chula Vista firefighters, spoke in support of staff's recommendation.*

**ACTION:** A motion was made by Councilmember Diaz, seconded by Deputy Mayor Padilla, to adopt Resolution Nos. 2019-233 and 2019-234, headings read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

## CITY MANAGER'S REPORTS

*City Manager Halbert thanked Fire Chief Geering, Police Chief Kennedy, Human Resources Director Chase, and Finance Director Bilby for their hard work and creativity on the Measure A item referenced above.*

## MAYOR'S REPORTS

9. [19-0034](#) APPOINTMENT OF CITY COUNCILMEMBERS TO OUTSIDE AGENCIES:
- Chula Vista Veterans Home Support Foundation - Member
  - Chula Vista Veterans Home Support Foundation - Alternate
  - Interagency Water Task Force - Two (2) Members
  - International Council for Local Environmental Initiatives (ICLEI) - Environmental Lead

- International Council for Local Environmental Initiatives (ICLEI) - Alternate
- League of California Cities, San Diego Division - Member
- League of California Cities, San Diego Division - Alternate
- Metropolitan Transit System Board of Directors (MTS) - 1st Member (Mayor)
- Metropolitan Transit System Board of Directors (MTS) - 2nd Member (City Councilmember)
- Metropolitan Transit System Board of Directors (MTS) - Alternate
- Metropolitan Transit System Board of Directors (MTS) - South Bay MTS Executive Committee Representative
- Metropolitan Wastewater Commission (Metro) - Member
- Metropolitan Wastewater Commission (Metro) - Alternate
- Otay Valley Regional Park (OVRP) Policy Committee- Member
- Otay Valley Regional Park (OVRP) Policy Committee- Alternate
- Otay Ranch Preserve Owner Manager (POM) Policy Committee - Member
- Otay Ranch Preserve Owner Manager (POM) Policy Committee - Alternate
- San Diego Association of Governments (SANDAG) Board of Directors - Member
- San Diego Association of Governments (SANDAG) Board of Directors - 1st Alternate
- San Diego Association of Governments (SANDAG) Board of Directors - 2nd Alternate
- San Diego Association of Governments (SANDAG) Bayshore Bikeway Committee
- San Diego Association of Governments (SANDAG) Shoreline Preservation Working Group - Member
- South County Economic Development Council (EDC)- Member
- South County Economic Development Council (EDC)- Alternate
- University Project Task Force with Southwestern College - Two (2) Members
- Chula Vista Bayfront Facilities Financing Authority Board of Directors - Two (2) Members

*Mayor Casillas Salas distributed a document with proposed appointments to outside agencies.*

**ACTION: A motion was made by Councilmember Galvez, seconded by Councilmember McCann, that the following appointments to outside agencies be made:**

**Councilmember McCann:** Chula Vista Veterans Home Support Foundation - Member; League of California Cities (LCC), San Diego Division - Member; San Diego Association of Governments (SANDAG) Board of Directors - 2nd Alternate; South County Economic Development Council (EDC) - Member; and San Diego Community Power Authority - Alternate

**Councilmember Galvez:** International Council for Local Environmental Initiatives (ICLEI) - Alternate; Metropolitan Transit System Board of Directors (MTS) - 2nd Member (Councilmember); Metropolitan Wastewater Commission (Metro) - Member; and San Diego Association of Governments (SANDAG) Bayshore Bikeway Committee

**Deputy Mayor Padilla:** Metropolitan Wastewater Commission (Metro) - Alternate; Otay Ranch Preserve Owner Manager (POM) Policy Committee - Alternate; Otay Valley Regional Park (OVRP) Policy Committee - Alternate; San Diego Association of Governments (SANDAG) Board of Directors - 1st Alternate; SANDAG Shoreline Preservation Working Group - Member; University Project Task Force with Southwestern College - Member; Chula Vista Bayfront Facilities Financing Authority Board of Directors - Member; San Diego Community Power Authority - Member; and University Subcommittee - Member (internal subcommittee of the Council)

**Councilmember Diaz:** Chula Vista Veterans Home Support Foundation - Alternate; Interagency Water Task Force - Member; Metropolitan Transit System Board of Directors (MTS) - Alternate; Otay Ranch Preserve Owner Manager (POM) Policy Committee - Member; Otay Valley Regional Park (OVRP) Policy Committee - Member; and South County Economic Development Council (EDC) - Alternate

**Mayor Casillas Salas:** International Council for Local Environmental Initiatives (ICLEI) - Member; Interagency Water Task Force - Member; League of California Cities (LCC) San Diego Division - Alternate; Metropolitan Transit System (MTS) - South Bay MTS Executive Committee Representative; Metropolitan Transit System Board of Directors (MTS) - Member (Mayor); San Diego Association of Governments (SANDAG) Board of Directors - Member; University Project Task Force with Southwestern College - Member; Chula Vista Bayfront Facilities Financing Authority Board of Directors - Member; and University Subcommittee - Member (internal subcommittee of the Council)

**The motion carried by the following vote:**

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

**No:** 0

**Abstain:** 0

#### 10. [19-0540](#) APPOINTMENT OF DEPUTY MAYOR

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Padilla, that Councilmember Galvez be appointed Deputy Mayor beginning in 2020. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

Mayor Casillas Salas expressed appreciation to the dedicated Chula Vista Public Works employees that worked the Thanksgiving holiday assisting with flood restoration. She expressed gratitude to Hensel Phelps for their turkey give-a-way, and stated she had attended the Mama's Kitchen tree lighting ceremony. Mayor Casillas Salas announced the City of Chula Vista was designated the first city designated by the Welcoming Cities organization, and was named by New American Economy as the second-best place for immigrants to live.

## COUNCILMEMBERS' COMMENTS

Councilmember McCann stated he had attended the South County Economic Development Council's 30th anniversary celebration at Aquatica and highlighted the upcoming opening of Sesame Street themes at the park.

Councilmember Diaz spoke in response to the comments that were made under Public Comment regarding public safety salaries.

Councilmember Galvez spoke regarding the Starlight Parade and the San Diego Food Bank food pantry.

## CITY ATTORNEY'S REPORTS

There were none.

City Attorney Googins announced that item 11 was being withdrawn and would not be discussed.

## 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.

11. [19-0552](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9d)(2) [or](3):

One [1 ] Case; William Knight, City of Chula Vista Claim Number CV20006

Item 11 was not discussed.

## ADJOURNMENT

The meeting was adjourned at 7:05 p.m.

Minutes prepared by: Sheree Kansas, Deputy City Clerk

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Kerry K. Bigelow, MMC, City Clerk