

City of Chula Vista

Meeting Minutes - Draft

Thursday, December 3, 2020

5:00 PM

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

ADJOURNED 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 at this meeting were considered in the order presented.

CALL TO ORDER

An adjourned regular meeting of the City Council of the City of Chula Vista was called to order at 5:02 p.m. 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

Councilmember Padilla led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A.** [20-0484](#) COVID-19 UPDATE BY CITY OF CHULA VISTA EMERGENCY SERVICES COORDINATOR MARLON KING

Emergency Services Coordinator King gave a presentation on the item and responded to questions of the Council.

- B.** [20-0478](#) COVID-19 UPDATE BY MARKETING AND COMMUNICATIONS MANAGER ANNE STEINBERGER ON COMMUNITY SUPPORT EFFORTS

Marketing and Communications Manager Steinberger and Senior Economic Development Specialist Pointer gave a presentation on the item.

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- C. [20-0492](#) PRESENTATION OF A PROCLAMATION COMMENDING FIRE DEPARTMENT DEPUTY CHIEF JEFF PETER, RECOGNIZING 30 YEARS OF DEDICATED SERVICE

Mayor Casillas Salas read the proclamation and Fire Chief Geering and staff accepted it on behalf of Deputy Fire Chief Peter, who was available virtually. Fire Chief Geering commended Deputy Fire Chief Peter.

CONSENT CALENDAR (Items 1 - 12)

Items 7 and 8 were removed from the Consent Calendar at the request of Deputy Mayor Galvez and Councilmember Padilla, respectively.

Housing Manager Hines responded to questions of the Council regarding Item 5.

1. [20-0500](#) APPROVAL OF MINUTES of March 17, April 7 and 21, and May 5, 2020.
Recommended Action: Council approve the minutes.
2. [20-0482](#) ORDINANCE NO. 3495 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH ENERGY UPGRADE REQUIREMENTS FOR ADDITIONS AND REMODELS TO SINGLE FAMILY HOMES AND CONDOS (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.
3. [20-0483](#) ORDINANCE NO. 3496 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 ADDING THE UNCLASSIFIED POSITION TITLE OF HUMAN RESOURCES MANAGER AND DELETING THE HUMAN RESOURCES OPERATIONS MANAGER AND PERFORMANCE AND ORGANIZATIONAL DEVELOPMENT MANAGER POSITION TITLES (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the ordinance.
4. [20-0496](#) RESOLUTION NO. 2020-262 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ALTERNATIVE DISPUTE RESOLUTION AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA POLICE OFFICER'S ASSOCIATION
Recommended Action: Council adopt the resolution.
5. [20-0453](#) RESOLUTION NO. 2020-263 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ISSUANCE, SALE AND DELIVERY OF MULTIFAMILY HOUSING REVENUE NOTES OF THE CHULA VISTA HOUSING AUTHORITY FOR OTAY RANCH APARTMENTS
Recommended Action: Council adopt the resolution.

6. [20-0451](#) RESOLUTION NO. 2020-264 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2020/21 CIP PROGRAM BUDGET BY APPROPRIATING \$50,000 FROM THE AVAILABLE BALANCE OF THE TRANSPORTATION DEVELOPMENT IMPACT FEE FUND TO TRF0389, "TRAFFIC SIGNAL IMPROVEMENTS ALONG EAST H STREET, OTAY LAKES ROAD AND TELEGRAPH CANYON ROAD"; APPROPRIATING \$120,000 FROM THE AVAILABLE BALANCE OF THE TRAFFIC SIGNAL FUND TO TRF0402, "TRAFFIC SIGNAL MODIFICATIONS AT BROADWAY & F STREET AND BROADWAY & G STREET"; AND TRANSFERRING \$115,000 IN TRANSNET APPROPRIATIONS FROM STM0369, "BIKEWAY FACILITIES GAP PROJECT", TO STM0384, "BIKE LANE IMPROVEMENTS ON BROADWAY - PHASE I" (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Items 7 and 8 were removed from the consent calendar.

9. [20-0479](#) RESOLUTION NO. 2020-267 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND ACCEPTING A PROPOSAL FROM MOTOROLA SOLUTIONS FOR COMMANDCENTRAL AWARE AND AERIAL SUITE SOFTWARE SOLUTION

Recommended Action: Council adopt the resolution.

10. [20-0488](#) RESOLUTION NO. 2020-268 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, ACCEPTING \$19,500 IN GRANT FUNDS AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE STATE GRANTS FUND (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

11. [20-0481](#) A. RESOLUTION NO. 2020-269 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW LICENSE FEE

B. RESOLUTION NO. 2020-270 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.

- 12. [20-0497](#) RESOLUTION NO. 2020-271 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, LEVYING THE SPECIAL TAX THEREIN FOR FISCAL YEAR 2020-2021

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

Items 1, 3 through 6, and 9 through 12:

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

No: 0

Abstain: 0

ACTION: Item 2:

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

No: 1 - Diaz

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 7. [20-0417](#) RESOLUTION NO. 2020-265 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2020/21 CIP PROGRAM BUDGET BY ESTABLISHING A NEW CIP PROJECT, DRN0217 "CORRUGATED METAL PIPE REPAIR IN THE RIGHT OF WAY FY2020/21"; AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

At the request of Councilmember Galvez, there was consensus of the Council to direct staff to provide a thorough presentation on the status of the City's corrugated metal pipe program, evaluations, corrections made to date, and what staff anticipates in the future.

Engineering and Capital Projects Director Valle displayed the project map and responded to questions of the Council.

ACTION: A motion was made by Deputy Mayor Galvez, seconded by Mayor Casillas Salas, to adopt Resolution No. 2020-265, 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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8. [20-0498](#) RESOLUTION NO. 2020-266 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING EMERGENCY ORDER 002-2020 (AMENDED NOVEMBER 19, 2020), PROVIDING THAT A RESPONSIBLE PARTY SHALL BE ALLOWED A MINIMUM OF 24 HOURS TO CORRECT VIOLATION OF A PUBLIC HEALTH ORDER, AND EMERGENCY ORDER 006-2020 (AMENDED NOVEMBER 23, 2020), EXPANDING PROVISIONS AND REGULATIONS RELATED TO OUTDOOR BUSINESS OPERATIONS

City Attorney Googins responded to questions of the Council.

ACTION: A motion was made by Councilmember Padilla, seconded by Mayor Casillas Salas, to adopt Resolution No. 2020-266, with revisions to Section 4 to allow a minimum of 24 hours, but no more than 72 hours, to correct the violation, absent extenuating circumstances, as determined in the discretion of the Director of Emergency Services, notwithstanding any Chula Vista Municipal Code provision to the contrary. The heading was 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

PUBLIC COMMENTS

13. [20-0485](#) PUBLIC COMMENTS RECEIVED for December 1 and 3, 2020

Alex McDaniel submitted comments in support of reinstating the rent moratorium until January 30, 2021.

Bob Strahl submitted comments regarding the fee structure for residents and non-residents at the Chula Vista Municipal Golf Course.

Henry Martinez, Chula Vista resident, submitted comments in support of a fair contract for the Chula Vista firefighters.

BOARD AND COMMISSION REPORTS

14. [20-0458](#) PRESENTATION BY MEASURE P CITIZENS' OVERSIGHT COMMITTEE CHAIR DAVID GARCIAS ON THE MEASURE P COC ANNUAL REPORT COVERING THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019 AND AN UPDATE ON MEASURE P PROJECTS

Measure P Citizens' Oversight Committee Chair Garcias gave a presentation on the item.

ACTION ITEMS

15. [20-0471](#) CONSIDERATION OF ADOPTING THE CAFETERIA BENEFITS PLAN FOR 2021 AND APPROVING THE AMENDED COMPENSATION SUMMARY FOR ALL UNREPRESENTED EMPLOYEES AND ELECTED OFFICIALS

A. RESOLUTION NO. 2020-272 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2021

B. RESOLUTION NO. 2020-273 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR ALL UNREPRESENTED EMPLOYEES AND ELECTED OFFICIALS, INCLUDING AUTHORIZATION FOR THE MAYOR TO EXECUTE ANY NECESSARY CONTRACT AMENDMENTS TO IMPLEMENT SAID AMENDED COMPENSATION SUMMARY

Human Resources Director Chase announced that approval of the item would affect executive compensation.

ACTION: A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, to adopt Resolution Nos. 2020-272 and 2020-273, headings 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. [20-0487](#) CONSIDERATION OF RECEIPT OF THE QUARTERLY FINANCIAL REPORT, MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2020/21 BUDGET AND APPROPRIATING FUNDS

A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2020

B. RESOLUTION NO. 2020-274 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2020/21 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Budget and Analysis Manager Prendell gave a presentation on the item.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to accept the report and adopt Resolution No. 2020-274, 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

Engineering and Capital Projects Director Valle gave a presentation regarding trenching issues, in response to a previous Council referral.

MAYOR'S REPORTS

17. [20-0489](#) RATIFICATION OF APPOINTMENT OF MARIO SALZMANN TO THE BOARD OF ETHICS

ACTION: A motion was made by Councilmember Diaz, seconded by Councilmember Padilla, to ratify the above appointment. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

Mayor Casillas Salas spoke regarding the COVID-19 pandemic. She encouraged the community to wear masks and to support local businesses.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Galvez encouraged the community to support local businesses.

Councilmember McCann recognized Councilmember Diaz.

Councilmember Padilla stated he echoed Councilmember McCann's statements regarding Councilmember Diaz and that he would reserve his farewell comments for the next Council meeting. He spoke regarding the COVID-19 pandemic and encouraged the community members to take care of each other.

CITY ATTORNEY'S REPORTS

City Attorney Googins announced that Item 18 would not be heard at that time and would be continued to a future date.

Mayor Casillas Salas recognized Information and Technology Services Director Chew for his work to keep everyone connected.

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.

18. [20-0441](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9d)(2) [or](3): One [1] Case. City of Chula Vista Claim No. CV20153.

Item 18 was not discussed and was continued to a future date.

ADJOURNMENT

The meeting was adjourned at 7:22 p.m.

Kerry K. Bigelow, MMC, City Clerk