

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, July 10, 2018

5:00 PM

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

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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 5:06 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

*Councilmember Padilla left at 6:50 p.m.*

*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

*Deputy Mayor Diaz led the Pledge of Allegiance.*

*Mayor Casillas Salas announced that Items 8 and 11 would be taken out of order and heard prior to Special Orders.*

#### PUBLIC HEARINGS (Part 1 of 2)

8. [18-0202](#)
  - A. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE EASTERN URBAN CENTER PLANNED COMMUNITY DISTRICT REGULATIONS AND DESIGN PLAN (FORM BASED CODE) FOR 207 ACRES OF LAND IN THE EASTERN URBAN CENTER PORTION OF THE OTAY RANCH RELATING TO MODIFICATIONS IN THE OVERALL BUILDOUT INTENSITY, BUILDING HEIGHTS AND DISTRICT 6 REGULATIONS (FIRST READING)
  - B. RESOLUTION NO. 2018-135 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING THE MODIFICATIONS TO THE SUPPLEMENTAL PUBLIC FACILITIES FINANCE PLAN (PFFP) AND FISCAL IMPACT ANALYSIS (FIA) AND APPROVING AMENDMENTS TO THE EASTERN URBAN CENTER SECTIONAL PLANNING AREA (SPA) PLAN AND ASSOCIATED REGULATORY DOCUMENTS RELATING TO MODIFICATIONS IN THE OVERALL BUILDOUT INTENSITY, BUILDING HEIGHTS AND DISTRICT 6 REGULATIONS

C. RESOLUTION NO. 2018-136 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING THE ADDENDUM TO EIR 07-01 AND APPROVING AMENDMENTS TO THE EASTERN URBAN CENTER SECTIONAL PLANNING AREA (SPA) PLAN AND ASSOCIATED REGULATORY DOCUMENTS RELATING TO MODIFICATIONS IN THE OVERALL BUILDOUT INTENSITY, BUILDING HEIGHTS AND DISTRICT 6 REGULATIONS

D. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND SLF IV - MILLENIA, LLC (FIRST READING)

*Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.*

*Senior Project Coordinator Kurz, Assistant Director of Development Services Allen, and Economic Development Director Crockett gave the presentation. Senior Project Coordinator Kurz announced that a revised attachment had been distributed to the Council.*

*City Attorney Googins announced that a revised version of Resolution B had been distributed to the Council.*

*Staff answered questions from Council.*

*Mayor Casillas Salas opened the public hearing.*

*The following members of the public spoke in support of staff's recommendation:*

- Todd Galarneau, representing Meridian Development*
- Lee Chestnut, representing Chestnut Properties*
- David Waters, San Diego resident*
- Jessica Duncan, representing Trammell Crow Residential*
- Alex Llerenas, representing New Way Landscape & Tree Services*
- David Boggs, representing New Way Landscape & Tree Services*
- Lisa Cohen, representing the Chula Vista Chamber of Commerce*

*The following members of the public spoke in opposition to staff's recommendation:*

- Kenn Colclasure, Chula Vista resident*
- Theresa Acerro, Chula Vista resident, and she spoke on behalf of Joanna Ward.*
- Bill Schlegger, Chula Vista resident*
- Steven Pavka, Chula Vista resident*

*-Randy Epstein, representing Crossroads, submitted a request to speak but declined to do so when called.*

*-Ray Volle, Chula Vista resident, requested to donate his time to Randy Epstein.*

*-Gregor Connors, Encinitas resident, submitted a request to speak but declined to do so when called.*

*-David Quezade, representing New Way Landscape & Tree Services, submitted a request to speak but declined to do so when called.*

*Mayor Casillas Salas announced that written communications from JoAnn Springer in opposition to staff's recommendation had been received.*

*There being no further members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.*

*Council discussion ensued.*

**ACTION:** A motion was made by Councilmember Padilla, seconded by Mayor Casillas Salas, to adopt Resolution Nos. 2018-135 and 2018-136, and place the above ordinance on first reading, headings read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

## **COUNCILMEMBERS' COMMENTS (Part 1 of 2)**

11. [18-0305](#) RESOLUTION NO. 2018-146 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA OPPOSING POLICIES WHICH SEPARATE, AND SUPPORTING NON-CRIMINAL PROCESSING OF, IMMIGRANT FAMILIES; AND CALLING ON THE U.S. GOVERNMENT TO IMMEDIATELY REUNITE FAMILIES SEPARATED AT THE BORDER

*Councilmember Aguilar presented the item.*

*At the request of Councilmember Padilla, there was consensus of the Council to hear the testimony of members of the public present and to continue the discussion and action on the item to the meeting of July 17, 2018.*

*The following members of the public spoke in opposition to families being separated:*

- Paola Martinez-Montes, representing the Chula Vista Human Relations Commission*
- Jacob Babauta, Bonita resident*
- Margaret Baker, representing South Bay People Power*
- Patty Hoffman, representing South Bay People Power*
- Luz Maria Lopez, representing South Bay People Power*
- Matthew Arnold, representing South Bay People Power*
- Vince Snodgrass, Chula Vista resident*
- Jim Scofield, Chula Vista resident*
- Caroline Scofield, Chula Vista resident*
- David Larom, Chula Vista resident*
- Connie Mack, representing South Bay People Power*
- Rick Bramhall, representing the American Civil Liberties Union*
- Lisa Cox, representing the American Civil Liberties Union*
- Steven Pavka, Chula Vista resident*
- Gloria Valdovinos, representing the American Civil Liberties Union People Power*
- Dulce Garcia, representing San Diego Border Dreamers*
- Ali Torabi, representing San Diego Border Dreamers*
- Nick Paul, Chula Vista resident, and also spoke in favor of ending contracts that allow US Marshalls to use city facilities to house individuals on immigration hold.*
- Rudy Ramirez, Chula Vista resident, and urged adoption of the resolution with the strongest language.*
- Milad Torabi, representing San Diego Border Dreamers*

*Kathy Cappos Hardy, Chula Vista resident, submitted written communications, spoke in support of the resolution and provided suggested modifications.*

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*The following members of the public did not wish to speak, but submitted written documentation in support of the proposed resolution:*

*-Matthew Keenan, Chula Vista resident*

*-Louise Williamson, representing South County Teachers United Social Justice Corps*

*-Dawn Dershem, Chula Vista resident*

*-Jose Lopez, representing the Association of Chamber of Commerce Executives and Espacio Migrante*

*-Carlos Hernandez*

*Brenda Arnold, representing South Bay People Power, submitted a request to speak but did not appear when her name was called.*

*There was a consensus of the Council to continue Item 11 to the meeting of July 17, 2018.*

## **SPECIAL ORDERS OF THE DAY**

- A. [18-0172](#) PRESENTATION BY LAURIE BROEDLING ON TREE SAN DIEGO'S EFFORTS IN THE CITY OF CHULA VISTA

*Laurie Broedling, representing Tree San Diego, gave the presentation.*

- B. [18-0296](#) PRESENTATION BY SWEETWATER AUTHORITY GENERAL MANAGER TISH BERGE ON SECURING OUR WATER FUTURE

*Mayor Casillas Salas announced that this item would be continued.*

## **CONSENT CALENDAR (Items 1 - 6)**

*Item 6 was removed from the Consent Calendar by Deputy Mayor Diaz.*

1. [18-0284](#) APPROVAL OF MINUTES of April 24, 2018, 2:00 p.m. and 5:00 p.m.

**Recommended Action: Council approve the minutes.**

2. [18-0204](#) A. RESOLUTION NO. 2018-127 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN THIS CITY ON JUNE 5, 2018, DECLARING THE RESULTS THEREOF, AND OTHER MATTERS AS ARE PROVIDED BY LAW

B. RESOLUTION NO. 2018-128 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, FOR THE PURPOSE OF CONDUCTING A RUN-OFF ELECTION TO ELECT A MAYOR, TWO MEMBERS OF THE CITY COUNCIL, REPRESENTING DISTRICTS 1 AND 2, AND A CITY ATTORNEY; 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. 2018-129 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 6, 2018

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

3. [18-0264](#)

A. RESOLUTION NO. 2018-130 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND COLE & ASSOCIATES, INC. FOR THE PREPARATION OF A PEDESTRIAN CONNECTIVITY AND INFRASTRUCTURE IMPROVEMENT PLAN AND APPROPRIATING \$27,800 FROM THE AVAILABLE BALANCE OF THE TRANSNET FUND TO CIP GGV0222 (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2018-131 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$40,000 FROM THE AVAILABLE BALANCE OF THE SEWER FACILITY REPLACEMENT FUND TO CIP SWR0278 (4/5 VOTE REQUIRED)

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

4. [18-0268](#)

RESOLUTION NO. 2018-132 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSENTING TO THE RELINQUISHMENT OF THE PROPERTY SEGMENTS INCLUDING ROADWAY IMPROVEMENTS AS DESCRIBED ON RELINQUISHMENT MAP R34590 BY ACTION OF THE CALIFORNIA TRANSPORTATION COMMISSION

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

5. [18-0282](#)

RESOLUTION NO. 2018-133 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT IN THE POLICE DEPARTMENT WITH NO NET INCREASE IN AUTHORIZED STAFFING AND APPROPRIATING \$43,505 IN PERSONNEL AND REVENUES IN THE FY19 POLICE GRANTS SECTION OF THE FEDERAL GRANTS FUND

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

*Item 6 was removed from the Consent Calendar.*

## 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 vote:**

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

- 6. [18-0299](#) RESOLUTION NO. 2018-134 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING THE CITY OF CHULA VISTA'S APPLICATION FOR THE AMERICAN CITIES CLIMATE CHALLENGE GRANT

*Staff answered questions from the Council.*

**ACTION:** A motion was made by Deputy Mayor Diaz, seconded by Mayor Casillas Salas, to adopt Resolution No. 2018-134, heading read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

**PUBLIC COMMENTS**

*Lynnette Tessitore, representing the Chula Vista Mid-Managers/Professional Association, spoke positively about Chula Vista employees and looking forward to starting labor negotiations.*

*The following individuals spoke in opposition to commercial cannabis activity:*

*-Holly Reidy, Chula Vista resident*

*-David Reidy, Chula Vista resident*

*-Kelly McCormick*

*The following individuals submitted a request to speak, but were not present when called:*

*-Theresa Acerro, Chula Vista resident*

*-Steven Pavka, Chula Vista resident*

**PUBLIC HEARINGS (Part 2 of 2)**

- 7. [18-0175](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHAPTER 19.100 TO THE MUNICIPAL CODE TO ADOPT AND ESTABLISH AN URBAN AGRICULTURE INCENTIVE ZONE (FIRST READING)

*Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.*

*Mayor Casillas Salas opened the public hearing.*

*Kim Heinle, representing the Urban Agriculture Working Group, spoke in support of staff's recommendation.*

*There being no further members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.*

*Staff answered questions from Council.*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to place the ordinance on first reading, heading read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

*Item 8 was taken out of order and discussed prior to Special Orders.*

## **ACTION ITEMS**

9. [18-0152](#) RESOLUTION NO. 2018-137 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE AGE-FRIENDLY CHULA VISTA ACTION PLAN

*Senior Project Coordinator Kurz gave the presentation.*

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Mayor Casillas Salas, to adopt Resolution No. 2018-137, heading read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

## **CITY MANAGER'S REPORTS**

*City Manager Halbert recognized Senior Project Coordinator Kurz.*

## **MAYOR'S REPORTS**

10. [18-0243](#) Consideration of appointment of a voting delegate and alternates for the 2018 League of California Cities Annual Conference, to be held in Long Beach, September 12 through 14.

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to appoint Councilmember McCann as the 2018 League of California Cities Annual Conference delegate and Deputy Mayor Diaz as the alternate. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Diaz, McCann and Casillas Salas

**No:** 0

**Abstain:** 0

## **COUNCILMEMBERS' COMMENTS (Part 2 of 2)**

*Item 11 was taken out of order and discussed prior to Special Orders.*

*Councilmember McCann reported on his attendance at the employee BBQ, the Chula Vista Elite Athlete Training Center housing ribbon cutting, the Chula Vista Evening with Heroes, and a Rohr Park irrigation improvement event. He wished everyone a Happy Fourth of July and thanked the firefighters for holding a fundraiser for the Covarrubias Family.*

*Deputy Mayor Diaz announced an upcoming District 4 community forum.*

*Councilmember Aguilar stated she attended the Chula Vista Police Foundation Evening with Heroes event.*

### **CITY ATTORNEY'S REPORTS**

*City Attorney Googins announced Items 12 and 13 would be continued to the meeting of July 17, 2018.*

### **CLOSED SESSION**

12. [18-0286](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Glen Googins, Kelley Bacon, David Bilby, Courtney Chase, Ed Prendell and Simon Silva.

Employee organization(s): Mid-Managers/Professional Association/Service Employees International Union, Local 221 (MM/PROF/SEIU)

*Item 12 was not discussed and was continued to the meeting of July 17, 2018.*

13. [18-0301](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 318 4th Ave, Chula Vista, CA  
Agency Negotiators: Rick Ryals and Eric Crockett  
Negotiating Parties: City of Chula Vista and Heritage Group  
Under Negotiation: Price and Terms for Acquisition

*Item 13 was not discussed and was continued to the meeting of July 17, 2018.*

### **ADJOURNMENT**

*At 8:54 p.m., the meeting was adjourned to the Regular City Council Meeting on July 17, 2018, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, MMC, City Clerk