

City of Chula Vista

Meeting Minutes - Final

Tuesday, October 20, 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 Special Order Item C, which was heard following the Consent Calendar.

CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:04 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

Councilmember Padilla led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [20-0427](#) COVID-19 UPDATE BY CITY OF CHULA VISTA EMERGENCY SERVICES COORDINATOR MARLON KING

Emergency Services Coordinator King gave a presentation on the item.

- B. [20-0393](#) PRESENTATION ON THE HEALTHIEST CITIES & COUNTIES CHALLENGE PROGRAM AWARD TO TAKE ACTION TO CHANGE THE FOOD ACCESS SYSTEM IN CHULA VISTA BY UC SAN DIEGO CENTER FOR COMMUNITY HEALTH AND NORTHGATE GONZALEZ MARKET

Blanca Melendrez, representing UCSD Center for Community Health and Teresa Blanco, representing Northgate Gonzalez Market, gave a presentation on the item.

- C. [20-0429](#) PRESENTATION FROM PORT OF SAN DIEGO CHAIR ANN MOORE ON THE CHULA VISTA BAYFRONT

Port of San Diego Chair Ann Moore gave a presentation on the item.

CONSENT CALENDAR (Items 1 - 12)

1. [20-0438](#) APPROVAL OF MINUTES of February 4, and 18, 2020.
Recommended Action: Council approve the minutes.
2. [20-0408](#) RESOLUTION NO. 2020-233 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY TO PROVIDE ANIMAL SHELTER SERVICES
Recommended Action: Council adopt the resolution.
3. [20-0396](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 2.25.105(D) OF THE CHULA VISTA MUNICIPAL CODE RELATED TO THE PROCESS BY WHICH BOARD OR COMMISSION MEMBERS MAY BE REMOVED FOR CAUSE (FIRST READING)
Recommended Action: Council place the ordinance on first reading.
4. [20-0424](#) RESOLUTION NO. 2020-234 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH SOUTH BAY COMMUNITY SERVICES, ELITE ATHLETE SERVICES, AND LIVING COAST DISCOVERY CENTER, FOR ALLOCATIONS OF STATE CARES ACT CORONAVIRUS RELIEF FUNDS
Recommended Action: Council adopt the resolution.
5. [20-0416](#) RESOLUTION NO. 2020-235 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A DONATION IN THE AMOUNT OF \$11,000 FOR COSTS ASSOCIATED WITH RESTRIPIING A TENNIS COURT FOR PICKLEBALL AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the resolution.

6. [20-0410](#) RESOLUTION NO. 2020-236 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MINI-PITCH PROGRAM GRANT AGREEMENT WITH UNITED STATES SOCCER FEDERATION FOUNDATION, INC.
- Recommended Action: Council adopt the resolution.**
7. [20-0354](#) RESOLUTION NO. 2020-237 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A REIMBURSEMENT GRANT IN THE AMOUNT OF \$180,000, FROM THE RECYCLING PARTNERSHIP TO FUND A BATTERY RECYCLING CAMPAIGN AIMED AT EDUCATING RESIDENTS ON THE PROPER DISPOSAL OF BATTERIES (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the resolution.**
8. [20-0360](#) RESOLUTION NO. 2020-238 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND PROFESSIONAL PIPE SERVICES TO PROVIDE SEWER MANHOLE INSPECTION AND EVALUATION SERVICES
- Recommended Action: Council adopt the resolution.**
9. [20-0225](#) RESOLUTION NO. 2020-239 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO STATE UNIVERSITY RESEARCH FOUNDATION
- Recommended Action: Council adopt the resolution.**
10. [20-0402](#) RESOLUTION NO. 2020-240 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$179,097 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING SAID FUNDS TO THE FEDERAL GRANTS FUND FOR THE STATE HOMELAND SECURITY PROGRAM (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the resolution.**
11. [20-0422](#) RESOLUTION NO. 2020-241 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$459,000 FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY AND APPROPRIATING \$376,400 TO THE POLICE GRANTS SECTION OF THE FEDERAL GRANTS FUND FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the resolution.**

- 12. [20-0430](#) RESOLUTION NO. 2020-242 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED MEASURE A PUBLIC SAFETY EXPENDITURE PLAN TO ADD ONE PUBLIC INFORMATION SPECIALIST AND ONE INFORMATION TECHNOLOGY TECHNICIAN AND AMENDING THE FISCAL YEAR 2020/21 EXPENDITURE BUDGET FOR THE MEASURE A SALES TAX FUND TO FUND SUCH POSITIONS FROM MEASURE A - POLICE DEPARTMENT AVAILABLE FUND BALANCE (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, 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

- 13. [20-0437](#) PUBLIC COMMENTS RECEIVED for October 20, 2020

There were none.

PUBLIC HEARINGS

- 14. [20-0419](#) RESOLUTION NO. 2020-243 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$50,199 FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

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. At the conclusion of the public commenting period, Mayor Casillas Salas closed the public hearing.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to approve Resolution No. 2020-243, 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

15. [20-0391](#) CONSIDERATION OF THE DECISION OF THE CHIEF OF POLICE AND FINDING REGARDING AN ALCOHOLIC BEVERAGE LICENSE AT H STREET MARKET LOCATED AT 645 H STREET

RESOLUTION NO. 2020-244 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING THE DECISION OF THE CHIEF OF POLICE AND FINDING THAT AN ALCOHOLIC BEVERAGE LICENSE AT 645 H STREET SUITE B (H STREET MARKET, INC.) DOES NOT SERVE PUBLIC CONVENIENCE OR NECESSITY

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.

Police Capitan Thunberg gave a presentation on the item. He and Police Support Services Aide Van Houten responded to questions of the Council.

Mayor Casillas Salas asked the Council to report ex parte communications. There were none reported.

Steve Mattia, representing the appellant, gave a presentation and responded to questions of the Council.

The following members of the public submitted comments in opposition to an alcoholic beverage license being approved:

- Susy Jones, Chula Vista resident*
- Sam Aziez, Chula Vista resident*
- David Vazquez*
- Francisco Leyva*
- Melanie Cruz, Chula Vista resident*
- Jorge Cruz, Chula Vista resident*
- N. Steve, Chula Vista resident*
- C Porter, Chula Vista resident*
- Ana Cruz, Chula Vista resident*
- Emilie Stone, Chula Vista resident*
- Hazim Gorges, Chula Vista resident*

Mr. Mattia offered a rebuttal.

At the conclusion of the public commenting period, Mayor Casillas Salas closed the public hearing.

Council discussion ensued.

ACTION: A motion was made by Deputy Mayor Galvez, seconded by Mayor Casillas Salas, to adopt Resolution No. 2020-244, affirming the decision of the Chief of Police and finding that an alcoholic beverage license at 645 H Street Suite B did not serve the public convenience or necessity. 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

CITY MANAGER’S REPORTS

There were none.

- 16. [20-0423](#) REPORT ON THE JOINT REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSALS SOLICITATION FOR THE CITY-OWNED 707 F STREET AND SAN DIEGO METROPOLITAN TRANSIT SYSTEM-OWNED 750 E STREET

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

Council discussion ensued.

The following members of the public submitted comments in support of the project:

- Manny Olivares, Chula Vista resident
- Mike LaBruno, San Diego resident
- Christopher Allen, San Diego resident
- Oscar Gomez, San Diego resident
- Tommy Askins, El Cajon resident
- Murtaza Baxmusa, representing San Diego Building trades Family Housing Corporation
- Tom Lemmon, representing San Diego County Building and Construction Trades Council
- Steve Bruce, San Diego resident
- Gerardo Levario, Chula Vista resident
- Ricardo Sanchez
- Daniel Pelisek, San Diego resident
- Filiberto Gonzalez
- Howard Blackson, San Diego resident
- William Hauck, Chula Vista resident
- Eduardo Valerio, Chula Vista resident
- Bridget Browning, Chula Vista resident
- Peter Ritchey, Chula Vista resident
- Laurel Brodzinsky, representing the Office of Assemblywoman Lorena Gonzalez

MAYOR’S REPORTS

- 17. [20-0436](#) RATIFICATION OF APPOINTMENTS TO THE FOLLOWING BOARDS & COMMISSIONS:

- Michael Inzunza, Charter Review Commission
- Elizabeth Moyer, Veterans Advisory Commission
- Andrew Strong, Measure A Citizens' Oversight Committee (Growth Management Oversight Commission Rep.)

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember McCann, to ratify the above appointments. 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 reported on her attendance at the memorial service for Police Agent Cunningham along with Councilmember Diaz. She also attended the soft opening of El Cruce at 241 Third Avenue. Mayor Casillas Salas shared a family photo of four generations voting and reminded the community to vote.

COUNCILMEMBERS' COMMENTS

Councilmember McCann reminded the community to get a flu shot and to vote. He thanked Finance Director Bilby for the pension obligation bond overview and wished everyone a safe and happy Halloween.

Councilmember Padilla wished everyone a safe Halloween.

Deputy Mayor Galvez reported on her attendance at the following events: El Cruce restaurant opening, candidate forum for Districts 3 and 4 that was sponsored by the Chamber of Commerce, and virtual lunch presentation by the County Bar Association. She acknowledged Park and Recreation Administrator Farmer and Chief Sustainability Officer Gakunga for their work on grant applications, and she wished everyone a safe Halloween.

Councilmember Diaz reminded the community to vote and of the free COVID-19 testing sites. He encouraged the community to visit the City's new fire station.

CITY ATTORNEY'S REPORTS

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 8:07 p.m. The Council reconvened in Closed Session at 8:10 p.m., with all members present.

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. [20-0432](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1)

Case Name: Jeffrey Smith v. City of Chula Vista, Worker's Compensation Appeals Board, Case No. ADJ 11551149

ACTION: Pending finalization of settlement.

ADJOURNMENT

The meeting was adjourned at 8.15 p.m.

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

Kerry K. Bigelow, MMC, City Clerk