

City of Chula Vista

Meeting Minutes - Final

Tuesday, March 26, 2019

5:00 PM

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

SPECIAL MEETING OF THE HOUSING AUTHORITY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

CALL TO ORDER

A regular meeting of the City Council and a special meeting of the Housing Authority of the City of Chula Vista were called to order at 5:01 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

Mayor Casillas Salas announced, pursuant to AB 23, that she and each Councilmember would receive \$50 for their attendance at that Housing Authority meeting, which was held simultaneously with the City Council meeting.

ROLL CALL:

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

Also Present: City Manager Halbert, Assistant City Attorney Maland, City Clerk Bigelow, and Deputy City Clerk Turner

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor Padilla led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [19-0115](#) PRESENTATION ANNOUNCING THE CITY OF CHULA VISTA'S PARTICIPATION IN THE NATIONAL MAYOR'S CHALLENGE FOR WATER CONSERVATION

Environmental Sustainability Manager Wisniewski gave a presentation on the item.

- B. [19-0171](#) SPECIAL RECOGNITION OF VARIOUS REBELS SOCCER CLUBS INCLUDING: TWO GIRLS 2001 TEAMS, BOYS 2004 TEAM, BOYS 2005 TEAM, AND BOYS 2006 TEAM AND THEIR COACHES RYAN MARQUEZ, GIO MEDINA, EDDIE FONBON, BRIAN HIATT, AND GABRIEL GAMBOA FOR WINNING NUMEROUS CHAMPIONSHIPS

Mayor Casillas Salas recognized team players and coaches and Councilmembers presented athletes with City of Champions medals.

CONSENT CALENDAR (Items 1 - 12)

Item 6 was removed from the Consent Calendar at the request of staff and Items 9 and 12 were removed by members of the public. Mayor Casillas Salas stated she would be abstaining from Item 4 due to a potential property-related conflict of interest. Assistant City Attorney Maland announced that a revised resolution for Item 7 had been distributed to the Council and the action on the item would be with respect to the revised document.

1. [19-0194](#) APPROVAL OF MINUTES of October 23 and November 13, 2018.

Recommended Action: Council approve the minutes.
2. [18-0518](#) A. RESOLUTION NO. 2019-036 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 14M-2 (EASTERN URBAN CENTER/MILLENIA) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE CERTAIN SERVICES AND SETTING THE PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF THE PROPOSED DISTRICT

B. RESOLUTION NO. 2019-037 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A BOUNDARY MAP SHOWING THE BOUNDARIES OF THE TERRITORY PROPOSED FOR THE INCLUSION IN PROPOSED COMMUNITY FACILITIES DISTRICT NO. 14M-2 (EASTERN URBAN CENTER/MILLENIA)

Recommended Action: Council adopt the resolutions.
3. [19-0026](#) ACCEPTANCE OF THE HOUSING ELEMENT 2018 ANNUAL PROGRESS REPORT & HOUSING SUCCESSOR ANNUAL REPORT FOR FISCAL YEAR 2017/18

Recommended Action: Council/Authority accept the report.
4. [19-0025](#) RESOLUTION NO. 2019-038 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE 2019 ANNUAL REPORT FOR THE DOWNTOWN CHULA VISTA PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT AND DIRECTING STAFF TO CONDUCT A SURVEY OF EXISTING BUSINESSES AND PROPERTY OWNERS

Recommended Action: Council adopt the resolution.
5. [19-0059](#) A. RESOLUTION NO. 2019-039 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT AND APPROVING THE DISPATCH SERVICES AGREEMENT - SAN DIEGO/CHULA VISTA, BETWEEN THE CITY AND THE CITY OF SAN DIEGO

B. RESOLUTION NO. 2019-040 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ATTACHMENT 2: DATA SHARING AGREEMENT, WHICH IS A COMPONENT OF THE DISPATCH SERVICES AGREEMENT - SAN DIEGO/CHULA VISTA, BETWEEN THE CITY AND THE CITIES OF SAN DIEGO, CORONADO, IMPERIAL BEACH, NATIONAL CITY AND POWAY

Item 6 was removed from the consent calendar.

Recommended Action: Council adopt the resolutions.

7. [19-0050](#)

A. RESOLUTION NO. 2019-042 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING A DESIGN-BUILD AGREEMENT FOR THE DESIGN AND PRECONSTRUCTION PHASE (PHASE 1) WITH EC CONSTRUCTORS, INC. FOR THE DESIGN OF FIRE STATIONS 5 AND 9 PROJECT (CIP NO. GGV0230)

B. RESOLUTION NO. 2019-043 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2018/19 CIP PROGRAM BUDGET BY ESTABLISHING A NEW CIP PROJECT, "ORANGE PARK PARKING LOT IMPROVEMENTS (CIP# PRK0335)"; AND TRANSFERRING \$270,000 IN CIP FUND APPROPRIATIONS FROM REC0314 TO PRK0335 (4/5 VOTE REQUIRED)

C. RESOLUTION NO. 2019-044 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2018/19 BUDGET AND APPROPRIATING FUNDS FOR APPROVED LAND ACQUISITION COSTS FOR THE FIRE STATION 9 SITE (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolutions.

8. [19-0066](#)

RESOLUTION NO. 2019-045 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION HABITAT CONSERVATION FUND PROGRAM IN THE AMOUNT OF \$100,000; APPROVING AN AGREEMENT WITH LIVING COAST DISCOVERY CENTER TO PROVIDE A COMMUNITY PROGRAM TO ENCOURAGE URBAN FAMILIES TO HIKE, EXPLORE, AND PROTECT LOCAL HABITATS AND WILDLIFE; AND APPROPRIATING THE FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Item 9 was removed from the consent calendar.

Recommended Action: Council adopt the resolution.

10. [19-0179](#) RESOLUTION NO. 2019-047 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (SIDE LETTER) BETWEEN THE CITY OF CHULA VISTA AND INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 2180 REGARDING SQUADS

Recommended Action: Council adopt the resolution.

11. [19-0176](#) A. RESOLUTION NO. 2019-048 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY LOCAL 2180 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO (IAFF)

B. RESOLUTION NO. 2019-049 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CESSATION OF PAYMENT, ON EMPLOYER SIDE, FOR OPTIONAL BENEFITS BY EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY LOCAL 2180 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AFL-CIO (IAFF) AS A RESULT OF TERMINATION OF EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR SAID EMPLOYEES

Recommended Action: Council adopt the resolutions.

Item 12 was removed from the consent calendar.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, 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:

Items 1 through 3, 5, 7, 8, 10, and 11:

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

No: 0

Abstain: 0

ACTION: Item 4:

Yes: 4 - Diaz, Galvez, McCann and Padilla

No: 0

Abstain: 1 - Casillas Salas

ITEMS REMOVED FROM THE CONSENT CALENDAR

6. [19-0110](#) RESOLUTION NO. 2019-041 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR SERVICES TO WESTERN AUDIO VISUAL FOR THE PURCHASE, INSTALLATION, AND MAINTENANCE OF CITY COUNCIL CHAMBERS ELECTRONIC EQUIPMENT AND DISPLAYS, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Director of Information Technology Services Chew spoke regarding the item.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to adopt Resolution No. 2019-041, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

9. [19-0177](#) RESOLUTION NO. 2019-046 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH HDL COMPANIES TO PROVIDE COMMERCIAL CANNABIS APPLICATION REVIEW SERVICES; WAIVING CITY'S CONSULTANT SELECTION PROCESS IN CONNECTION WITH SAME; APPROPRIATING \$539,500 OUT OF THE GENERAL FUND, NON-DEPARTMENTAL, TO FUND THE AGREEMENT; AND AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE FORMAL CONTRACT WITH HDL COMPANIES ON BEHALF OF THE CITY (4/5 VOTE REQUIRED)

Becky Johnson spoke in opposition to staff's recommendation.

Deputy City Manager Bacon spoke regarding the item.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, to adopt Resolution No. 2019-046, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

12. [19-0113](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS OF THE CHULA VISTA MUNICIPAL CODE (CVMC) TO CLARIFY PROVISIONS REGARDING ILLEGAL COMMERCIAL CANNABIS CONDUCT AND PENALTIES, INCLUDING CVMC SECTIONS 1.04.010, DEFINITION OF RESPONSIBLE PARTY, 1.41.110, CIVIL PENALTIES, 5.19.020, DEFINITIONS, AND 5.19.280, ENFORCEMENT AND PENALTIES (FIRST READING)

Theresa Acerro, Chula Vista resident, spoke in support of staff's recommendation.

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

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

No: 0

Abstain: 0

PUBLIC COMMENTS

Nagar Mircoli, Chula Vista resident, expressed concern regarding parking in the area of the proposed Bonita Glen project and spoke in support of broader notifications for projects.

PUBLIC HEARINGS

13. [19-0052](#) A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.06 OF THE CHULA VISTA MUNICIPAL CODE (ADMINISTRATIVE PROVISIONS FOR THE TECHNICAL BUILDING CODES) TO COMPLY WITH STATE LAW (FIRST READING)

B. RESOLUTION NO. 2019-050 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 10 (BUILDING FEES) OF THE CITY'S MASTER FEE SCHEDULE RELATING TO PLAN CHECK AND PERMIT EXTENSIONS

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

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to place the above ordinance on first reading and adopt Resolution No. 2019-050, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

ACTION ITEMS

14. [19-0060](#) A. RESOLUTION NO. 2019-001 OF THE CHULA VISTA HOUSING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF TAX-EXEMPT MULTI-FAMILY HOUSING REVENUE NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$21,400,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION AND REHABILITATION OF THE ST. REGIS PARK APARTMENTS MULTI-FAMILY RENTAL HOUSING PROJECT; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL DOCUMENTS NECESSARY TO EXECUTE AND DELIVER THE NOTES, COMPLETE THE TRANSACTION AND IMPLEMENT THIS RESOLUTION; AND RATIFYING AND APPROVING ANY ACTION HERETOFORE TAKEN IN CONNECTION WITH THE NOTES
- B. RESOLUTION NO. 2019-002 OF THE CHULA VISTA HOUSING AUTHORITY, IN ITS CAPACITY AS THE SUCCESSOR HOUSING ENTITY WITHIN THE MEANING OF HEALTH AND SAFETY CODE SECTION 34176; APPROVING THE ASSUMPTION OF EXISTING HOUSING AUTHORITY LOAN TOTALING APPROXIMATELY \$1,275,778 IN ACCRUED INTEREST WITH AMENDED LOAN TERMS, AND AUTHORIZING THE DIRECTOR TO EXECUTE ALL RELATED LOAN DOCUMENTS BY AND BETWEEN THE CHULA VISTA HOUSING AUTHORITY AND ST. REGIS PARK CIC, LP FOR ST. REGIS PARK MULTI-FAMILY AFFORDABLE RENTAL APARTMENTS

Housing Manager Hines gave a presentation on the item.

ACTION: A motion was made by Councilmember Diaz, seconded by Councilmember McCann, to adopt Housing Authority Resolution Nos. HA 2019-001 and HA 2019-002, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

15. [19-0117](#) PRESENTATION AND DISCUSSION OF THE CITY'S FISCAL YEAR 2020 BASELINE BUDGET

Finance Director Bilby and Budget and Analysis Manager Prendell gave a presentation on the item and answered questions of the Council.

16. [19-0166](#) A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED TO FILL THE CURRENT VACANCY ON THE PLANNING COMMISSION

APPLICANTS: Angelica Carillo, Rodney Caudillo, Heather Diaz-Tran, Alonso Gonzalez, Delfina Gonzalez, Victor Ibarra, Patrick Macfarland, David Potter, Robert Quinlivan, Jerome Torres, Jim Trotter, Monika Tuncbilek, Isabel Tutiven Ubilla, and Alex Welling

B. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS AS MAY BE NECESSARY TO CONDUCT INTERVIEWS OF APPLICANTS RECEIVING TWO OR MORE NOMINATIONS FOR THE VACANCY ON THE PLANNING COMMISSION

City Clerk Bigelow provided information on the Planning Commission vacancy and stated the nomination forms were available for public review and retained in the City Clerk's Office.

There were no members of the public who requested to speak regarding the item.

The nomination forms for the Planning Commission vacancy were distributed to Council.

Councilmembers completed their nomination forms and submitted them to City Clerk Bigelow. City Clerk Bigelow announced that the following individuals had received two or more nominations for the Planning Commission seat and would be invited to interview: Rodney Caudillo, Heather Diaz-Tran, Victor Ibarra, Patrick MacFarland, Jerome Torres and Isabel Tutiven Ubilla.

There was a consensus of the Council to set the date for the Planning Commission interviews for April 9, 2019 from 3:00 to 5:00 p.m.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

17. [19-0183](#) RATIFICATION OF APPOINTMENT OF ADRIANA GUEVARA GLUYAS TO THE SUSTAINABILITY COMMISSION

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Padilla, to ratify the above appointment. The motion carried by the following vote:

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

No: 0

Abstain: 0

18. [19-0178](#) CONSIDERATION OF CITY ENDORSEMENT OF THE SOUTH BAY LATIN MUSIC FESTIVAL AT BAYSIDE PARK IN CHULA VISTA

ACTION: A motion was made by Councilmember Galvez, seconded by Councilmember McCann, to endorse the South Bay Latin Music Festival. The motion carried by the following vote:

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

No: 0

Abstain: 0

Mayor Casillas Salas reported on her attendance at the following recent events: Smart Cities Podcast, Youth Climate Strike, Latino Film Festival, Living Coast Discovery Center Sea a Change exhibit, ribbon cutting for Speed Circuit Family Fun Center and Pints for Paws fundraiser to benefit the Animal Care Facility. She announced the upcoming First Friday breakfast on the topic of homelessness.

COUNCILMEMBERS' COMMENTS

Councilmember Galvez thanked Chula Vista firefighters for their rapid response to recent fire incidents. She also announced the American Red Cross Sound the Alarm Program, Pints for Paws fundraiser and the First Friday Breakfast.

At the request of Councilmember Galvez there was consensus of the Council to add the following items to upcoming Council agendas:

-Proclamation of the week of April 22-28, 2019 as Maritime Week in the City of Chula Vista; and

-Consideration of declaring the "Bill of Rights" the official tall ship of Chula Vista and authorizing it to fly the City's flag.

Deputy Mayor Padilla recognized Chula Vista firefighters for their response to recent fire incidents.

At the request of Deputy Mayor Padilla, there was consensus of the Council to make referral to staff to evaluate potential options to address pedestrian safety concerns at the intersection of Olympic Parkway and Eastlake Parkway, and the entrance driveway on the north side of Otay Ranch Town Center, including considering a pedestrian bridge.

Councilmember McCann thanked the Chula Vista firefighters for their response to recent fire incidents. He spoke about his involvement with the Veteran's Home Foundation and congratulated them for moving from a 2-star facility to a 5-star facility. Councilmember McCann reported on his attendance at the following recent events: National Vietnam Veterans Day, the Taste of Third Avenue, Chula Vista Boomers and Seniors Expo, and the ribbon cutting for the Speed Circuit Family Fun Center.

CITY ATTORNEY'S REPORTS

There were none.

CLOSED SESSION

Assistant City Attorney Jill Maland announced that Item 19 would not be discussed at that time.

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.

19. [19-0184](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Leilani Kaloha v. City of Chula Vista, San Diego Superior Court, Case No. 37-2018-00004635-CU-PO-CTL.

Item 19 was not discussed.

ADJOURNMENT

The meeting was adjourned at 6:55 p.m.

Prepared By: Tyshar L. Turner, Deputy City Clerk

Kerry K. Bigelow, MMC, City Clerk