

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, March 16, 2021

5:00 PM

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

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

*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**

*A regular meeting of the City Council and special meeting of the Housing Authority of the City of Chula Vista were called to order at 5:07 p.m. via teleconference and 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, held simultaneously with the City Council meeting.*

### **ROLL CALL:**

**Present:** Councilmember Cardenas, Councilmember Galvez, Deputy Mayor 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. [21-0058](#) COVID-19 UPDATE BY CITY OF CHULA VISTA EMERGENCY SERVICES COORDINATOR MARLON KING

*Fire Chief Muns introduced new members of the Fire Department and Emergency Services Coordinator King gave a presentation on the item.*

### **CONSENT CALENDAR (Items 1 - 8)**

1. [21-0073](#) APPROVAL OF MINUTES of November 17, December 1, and 3, 2020.

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

2. [21-0057](#) ORDINANCE NO. 3499 OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS OF CHULA VISTA MUNICIPAL CODE CHAPTER 2.52 TO ADJUST THE CAMPAIGN CONTRIBUTION LIMIT FOR ANY ELECTION HELD ON OR AFTER JANUARY 1, 2022 (SECOND READING AND ADOPTION)  
  
**Recommended Action: Council adopt the ordinance.**
3. [20-0569](#) ACCEPTANCE OF THE HOUSING ELEMENT 2020 ANNUAL PROGRESS REPORT & HOUSING SUCCESSOR ANNUAL REPORT FOR FISCAL YEAR 2019-2020  
  
**Recommended Action: Council and Authority, as Successor Housing Agency, accept the report.**
4. [21-0017](#) RESOLUTION NO. 2021-042 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF AN IRREVOCABLE OFFER OF DEDICATION FOR OPEN SPACE AND OTHER PUBLIC PURPOSES OF A PORTION OF LOT "A" PER FINAL MAP NO. 16325, CHULA VISTA TRACT NO. 12-05, OTAY RANCH VILLAGE 2 SOUTH PORTION OF NEIGHBORHOOD R-12B  
  
**Recommended Action: Council adopt the resolution.**
5. [21-0022](#) RESOLUTION 2021-043 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED MEASURE A PUBLIC SAFETY EXPENDITURE PLAN TO ADD ONE OPERATIONS SUPPORT CAPTAIN AND THREE FIREFIGHTER/EMT POSITIONS TO ENGINE 59 TO THE AUTHORIZED STAFFING OF THE FIRE DEPARTMENT IN FISCAL YEAR 2020/2021 AND AMEND THE FISCAL YEAR 2021 EXPENDITURE BUDGET FOR THE MEASURE A SALES TAX FUND TO FUND SUCH POSITIONS OUT OF MEASURE A - FIRE DEPARTMENT AVAILABLE FUND BALANCE (4/5 VOTE REQUIRED)  
  
**Recommended Action: Council adopt the resolution.**
6. [21-0036](#) RESOLUTION NO. 2021-044 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR TURN-KEY HOUSEHOLD HAZARDOUS WASTE AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE MANAGEMENT SERVICES  
  
**Recommended Action: Council adopt the resolution.**
7. [21-0032](#) A. RESOLUTION NO. 2021-045 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN EASEMENT PURCHASE AGREEMENT WITH SDCF HOLDINGS CORPORATION IN THE AMOUNT OF \$1,370

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B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.56 (PURCHASING SYSTEM) TO AUTHORIZE THE PUBLIC WORKS DIRECTOR OR CITY ENGINEER TO ACQUIRE INTERESTS IN REAL PROPERTY IN FURTHERANCE OF CAPITAL IMPROVEMENT PROJECTS (FIRST READING)

**Recommended Action:** Council adopt the resolution and place the ordinance on first reading.

8. [21-0065](#) RESOLUTION NO. 2021-046 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING AMENDED EMERGENCY ORDER 004-2020 (EFFECTIVE MARCH 10, 2021) OF THE CHULA VISTA DIRECTOR OF EMERGENCY SERVICES ALLOWING FURTHER TOLLING AND EXTENSION OF DEADLINES FOR LAND USE AND BUILDING PERMIT-RELATED ACTIONS

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

#### Approval of the Consent Calendar

**ACTION:** A motion was made by Deputy Mayor 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 roll call vote:

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

**No:** 0

**Abstain:** 0

#### ITEMS REMOVED FROM THE CONSENT CALENDAR

*There were none.*

#### PUBLIC COMMENTS

9. [21-0059](#) PUBLIC COMMENTS RECEIVED for March 16, 2021

*There were none.*

#### BOARD AND COMMISSION REPORTS

10. [20-0535](#) CONSIDERATION OF APPROVAL OF CONSULTANT SERVICES AGREEMENTS FOR REDISTRICTING DEMOGRAPHER AND OUTREACH SERVICES  
RESOLUTION NO. 2021-047 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CONSULTANT SERVICES AGREEMENTS FOR REDISTRICTING DEMOGRAPHIC CONSULTANT SERVICES BETWEEN THE CITY AND NATIONAL DEMOGRAPHICS CORPORATION AND FOR REDISTRICTING OUTREACH CONSULTANT SERVICES BETWEEN THE CITY AND SOUTHWEST STRATEGIES, LLC

*Marketing and Communications Manager Steinberger gave a presentation on the item. Redistricting Commissioners Cressler and Moreno spoke regarding the selection of the recommended consultants.*

*Douglas Johnson, representing National Demographics Corporation, spoke regarding the expected timing of the receipt of census data.*

*City Attorney Googins and Assistant City Attorney Maland responded to questions of the Council.*

**ACTION:** A motion was made by Deputy Mayor McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2021-047, heading read, text waived. The motion carried by the following roll call vote:

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

**No:** 0

**Abstain:** 0

## **ACTION ITEMS**

11. [20-0551](#) CONSIDERATION OF THE ISSUANCE OF SPECIAL TAX BONDS AND OTHER RELATED DOCUMENTS FOR COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENNIA) IMPROVEMENT AREA 2

RESOLUTION NO. 2021-048 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING FOR ITSELF AND IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENNIA), AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL TAX BONDS FOR IMPROVEMENT AREA NO. 2 OF SUCH COMMUNITY FACILITIES DISTRICT, APPROVING THE FORM OF BOND INDENTURE, BOND PURCHASE AGREEMENT, PRELIMINARY OFFICIAL STATEMENT AND OTHER DOCUMENTS RELATED THERETO AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

*Facilities Finance Manager Elliott gave a presentation on the item and responded to questions from the Council.*

**ACTION:** A motion was made by Councilmember Galvez, seconded by Councilmember Cardenas, to adopt Resolution No. 2021-048, heading read, text waived. The motion carried by the following roll call vote:

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

**No:** 0

**Abstain:** 0

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12. [21-0579](#) CONSIDERATION OF EXTENDING THE TERM OF ANNEXATION OF PROPERTY IN COMMUNITY FACILITIES DISTRICT NO. 17-1 (WESTERN CHULA VISTA DIF FINANCING PROGRAM)

RESOLUTION NO. 2021-049 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 17-1 (WESTERN CHULA VISTA DIF FINANCING PROGRAM), EXTENDING THE TERM OF ANNEXATION OF PROPERTY INTO SUCH COMMUNITY FACILITIES DISTRICT AND TAKING CERTAIN OTHER ACTIONS RELATING THERETO

*Facilities Finance Manager Elliott gave a presentation on the item and responded to questions of the Council.*

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

- Daniel Johnson, San Diego resident*
- Kevin O'Neill, Chula Vista resident*
- Ranie Hunter, Chula Vista resident*
- Ian Gill, San Diego resident*
- Matt Adams, San Diego resident*
- Tony Pauker, San Diego resident*
- Lisa Cohen, representing the Chula Vista Chamber of Commerce*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Galvez, to adopt Resolution No. 2021-049, heading read, text waived. The motion carried by the following roll call vote:

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

**No:** 0

**Abstain:** 0

13. [21-0055](#) PRESENTATION OF A REPORT AND REQUEST FOR CITY COUNCIL DIRECTION REGARDING SHORT- TERM/VACATION RENTALS

*Councilmember Galvez stated she would abstain from participating in Item 13 due to a potential property-related conflict of interest.*

*Development Services Director Allen gave a presentation on the item and responded to questions of the Council.*

*Mayor Casillas Salas was in support of identifying local contacts who could reach the property within 30 minutes and requested information regarding the capacity to enforce the ordinance. She recommended a workshop for public input on the item, expressed her concern with investors purchasing several properties for profit and expressed support for homeowners having multiple properties as short-term rentals.*

*Councilmember McCann expressed concerns regarding enforcement and requested information regarding the capacity to enforce the ordinance. He recommended a two-day minimum stay and expressed concerns about parking.*

*Deputy City Attorney McClurg responded to questions from the Council regarding enforcement practices.*

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*Councilmember Cardenas expressed concern regarding protecting the City's housing stock and encourage community and stakeholder input. She recommended that staff consider practices in neighboring cities.*

*The following members of the public submitted comments regarding short-term vacation rentals:*

*-Bryan Soto, Chula Vista resident  
-Aaron Davitian, Chula Vista resident  
-John Choi, representing AirBnB  
-Kenny Olson, Chula Vista resident  
-Larry West, Chula Vista resident*

*The following members of the public submitted comments in support of short-term vacation rentals:*

*-Nancy Cavanah, Chula Vista resident  
Jose V, Chula Vista resident  
Guillermo Gonzalez, Chula Vista resident  
Daniel Renk, Chula Vista resident  
Rafael Morales, Chula Vista resident  
Robert Morales, Chula Vista resident  
Gail Cavanah, Chula Vista resident  
Suzanne Olvera  
Laurie Murphy, Chula Vista resident  
Karen Delsol, Chula Vista resident*

*The following members of the public submitted comments in opposition to short-term vacation rentals:*

*-Vincent Martinez, Chula Vista resident  
-Lorenzo Lopez, Spring Valley resident  
-Alexander Vargas, Chula Vista resident  
-Gerre JechGalvin, Chula Vista resident  
-Nicole Rodriguez, Chula Vista resident  
-Peter Watry, Chula Vista resident  
-Zkandia Beltran, Chula Vista resident  
-Ramona Tofan, Chula Vista resident  
-Frank Walker, Chula Vista resident  
-Edwina Curtis, Chula Vista resident  
-Hilda Padilla, Chula Vista resident  
-Henri Farhi, Chula Vista resident  
-Sandi Iniguez  
-Jeremiah Hasvold, Chula Vista resident  
-Rohan Dharmasena, Chula Vista resident*

## **CITY MANAGER'S REPORTS**

*City Manager Kachadoorian provided updates on the rental assistance program and a new site in the City for monoclonal antibody treatment for COVID-19.*

## **MAYOR'S REPORTS**

*Mayor Casillas Salas spoke regarding the County moving into red tier and encouraged caution in St. Patrick's Day celebrations. She spoke regarding the following events: A tarp giveaway event as a reminder to cover debris in vehicles heading to the landfill, Meals On Wheels delivery, visit to Ann Storm in honor of her 109th birthday.*

*Mayor Casillas Salas paid tribute to Silvia Perez and stated the meeting would be adjourned in her honor.*

**COUNCILMEMBERS' COMMENTS**

*Councilmember Cardenas wished Mayor happy birthday and encouraged the community to continue checking for COVID-19 vaccines. She thanked City employees for the service provided during the pandemic.*

*Councilmember McCann thanked employees for the service provided during the pandemic, fire fighters for providing vaccinations to the community and Sharp Health care for the vaccination station. Councilmember McCann spoke on a recent shooting in Sunset Park and announced an upcoming virtual public safety meeting in response to the shooting.*

*Councilmember Galvez spoke regarding the following recent events: The Rock Church blessing, the Police Department promotional ceremony, a virtual US International Boundary & Water Commission (IBWC) citizens forum, and a virtual Chamber of Commerce mixer. She thanked Engineering staff for their work on the Bikes on Broadway project and wished Mayor a happy birthday.*

*Councilmember Padilla thanked employees for the service provided during the pandemic and reflected on the anniversary of his hospitalization due to COVID-19. He encouraged the community to continue following the necessary protocols to stay safe.*

**CITY ATTORNEY'S REPORTS**

*There were none.*

**CLOSED SESSION**

*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 7:19 p.m. The Council reconvened in Closed Session at 7:55 p.m., with all members present.*

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.

14. [21-0053](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case:

A) Kimone Nunis, as Successor-in-Interest to Decedent Oral Nunis, et al. v. City of Chula Vista, San Diego Superior Court, Case No. 37-2020-00045571-CU-WM-CTL; and

B) Estate of Oral W. Nunis, Sr., et al. v. City of Chula Vista, San Diego Superior Court, Case. No. 37-2020-00043271-CU-CR-CTL

**ACTION: No reportable action.**

15. [21-0054](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9d)(2) [or](3): One [1 ] Case. Claim presented 07/17/20.

**ACTION:** No reportable action.

## ADJOURNMENT

*The meeting was adjourned at 11:55 p.m. in memory of Silvia Perez.*

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

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Kerry K. Bigelow, MMC, City Clerk