

City of Chula Vista

Meeting Minutes - Final

Tuesday, July 17, 2018

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 5:03 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

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Bigelow, and Deputy City Clerk Kansas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor Diaz led the Pledge of Allegiance.

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.

SPECIAL ORDERS OF THE DAY

- A. [18-0293](#) 20TH ANNIVERSARY CELEBRATION OF CHULA VISTA'S OUTDOOR AMPHITHEATRE (NOW CALLED MATTRESS FIRM) AND PRESENTATION OF ORIGINAL MODEL OF AMPHITHEATRE DESIGN FROM DEVELOPER CHRIS BITTERLIN

Mayor Casillas Salas read the proclamation and Councilmember Padilla presented it to Developer Chris Bitterlin. Former Councilmember John Moot spoke regarding the item.

CONSENT CALENDAR (Items 1 - 8)

1. [18-0322](#) WRITTEN COMMUNICATIONS

Letter from Councilmember Aguilar requesting an excused absence from the June 19, 2018 council meeting.

Recommended Action: Council excuse the absence.

2. [18-0320](#) ORDINANCE NO. 3429 OF THE CITY OF CHULA VISTA ADDING CHAPTER 19.100 TO THE MUNICIPAL CODE TO ADOPT AND ESTABLISH AN URBAN AGRICULTURE INCENTIVE ZONE (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

3. [18-0321](#) A. ORDINANCE NO. 3430 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 (SECOND READING AND ADOPTION)

B. ORDINANCE NO. 3431 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 (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinances.

4. [18-0270](#) RESOLUTION NO. 2018-138 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING AN AMENDMENT TO THE OTAY VALLEY REGIONAL PARK CONCEPT PLAN

Recommended Action: Council adopt the resolution.

5. [18-0137](#) RESOLUTION NO. 2018-139 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE "CMP REHABILITATION OUTSIDE RIGHT-OF-WAY FY2017/2018 - MEASURE P (DRN0211)" PROJECT TO SPINIELLO COMPANIES IN THE AMOUNT OF \$4,169,940

Recommended Action: Council adopt the resolution.

6. [18-0198](#) RESOLUTION NO. 2018-140 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE SUBMITTAL OF THE ACTIVE TRANSPORTATION PROGRAM - CYCLE 4 GRANT APPLICATIONS AND STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECTS

Recommended Action: Council adopt the resolution.

7. [18-0163](#) RESOLUTION NO. 2018-141 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO COUNCIL POLICY 102-02 FLAGS, BANNERS - IN PUBLIC RIGHT-OF-WAY, AUTHORIZING A PERMIT PROCESS FOR THE TEMPORARY PLACEMENT OF BANNERS ON CITY-OWNED STREETLIGHT STANDARDS, FENCES OR OTHER CITY-OWNED PROPERTY

Recommended Action: Council adopt the resolution.

8. [18-0267](#) RESOLUTION NO. 2018-142 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO ADD THE POSITIONS OF CITY ATTORNEY INVESTIGATOR, CITY LIBRARIAN, CONSTITUENT SERVICES REPRESENTATIVE, DIRECTOR OF COMMUNITY SERVICES, PRINCIPAL TRAFFIC ENGINEER, PARKS AND RECREATION ADMINISTRATOR, PUBLIC WORKS SUPERINTENDENT, REVENUE MANAGER, AND STORMWATER PROGRAM MANAGER TO THE LIST OF OFFICIALS WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS AND DESIGNATING THOSE FILERS AS "LOCAL AGENCY OFFICIALS" FOR PURPOSES OF AB 1234, THEREBY REQUIRING THEM TO PARTICIPATE IN MANDATED ETHICS TRAINING

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 vote:

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

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

Terry Lewis, Chula Vista resident, spoke in opposition to legalizing commercial marijuana activities.

Kelly McCormick, Chula Vista resident, spoke in opposition to legalizing commercial marijuana activities.

PUBLIC HEARINGS

9. [18-0221](#) A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 19.58 (USES) TO ADD SECTION 19.58.440 (MOBILE FOOD FACILITIES), AMENDING CHAPTER 8.20 (FOOD VENDORS), AMENDING CHAPTER 5.62 (VENDING VEHICLES), AMENDING CHAPTER 10.52 (STOPPING, STANDING, AND PARKING), AND AMENDING CHAPTER 5.07 (MASTER TAX SCHEDULE) (FIRST READING)

B. RESOLUTION NO. 2018-143 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 14 (PLANNING FEES) OF THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH MOBILE FOOD FACILITY PERMIT FEES

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.

Sr. Planner Walker gave a presentation on the item.

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 Aguilar, to place the ordinance on first reading and adopt Resolution No. 2018-143, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

10. [18-0244](#) A. RESOLUTION NO. 2018-144 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ISSUANCE, SALE AND DELIVERY OF MULTI-FAMILY HOUSING REVENUE BONDS OF THE CHULA VISTA HOUSING AUTHORITY FOR ST. REGIS APARTMENTS

B. RESOLUTION NO. 2018-006 OF THE CHULA VISTA HOUSING AUTHORITY REGARDING ITS INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR A PROPOSED ACQUISITION AND REHABILITATION OF EXISTING AFFORDABLE UNITS AT ST. REGIS APARTMENTS

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.

Sr. Management Analyst Dorado gave a presentation on the item.

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 Padilla, to adopt City Council Resolution No. 2018-144 and Housing Authority Resolution No. 2018-006, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

11. [18-0245](#) A. RESOLUTION NO. 2018-145 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ISSUANCE, SALE AND DELIVERY OF MULTI-FAMILY HOUSING REVENUE BONDS OF THE CHULA VISTA HOUSING AUTHORITY FOR VILLA SERENA AFFORDABLE APARTMENTS
- B. RESOLUTION NO. 2018-007 OF THE CHULA VISTA HOUSING AUTHORITY REGARDING ITS INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR A PROPOSED ACQUISITION AND REHABILITATION OF EXISTING AFFORDABLE UNITS AT VILLA SERENA SENIOR APARTMENTS

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.

Sr. Management Analyst Dorado gave a presentation on the item.

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 Padilla, to adopt City Council Resolution No. 2018-145 and Housing Authority Resolution No. 2018-007, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

12. [18-0274](#) ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND NORTH C.V. WATERFRONT L.P. FOR THE DEVELOPMENT OF APPROXIMATELY 33 ACRES OF LAND LOCATED IN THE HARBOR DISTRICT OF THE CHULA VISTA BAYFRONT MASTER PLAN AREA (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.

Assistant Director of Development Services Allen spoke regarding the item.

Mayor Casillas Salas opened the public hearing.

Allison Rolfe, representing Pacifica, gave a presentation on the item.

Developer Ash Israni spoke regarding the item, gave a presentation, and answered questions of the Council. Project Manager Sergio Sandoval was available for questions.

Cindy Gompper Graves, representing South County Economic Development Committee, spoke in support of the item.

Jeff Phair, Chula Vista resident, spoke in support of the item.

Ray Voller, Chula Vista resident, expressed concern regarding impacts the project would have on nearby residences.

Mayor Casillas Salas closed the public hearing.

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember McCann, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

City Manager Halbert spoke regarding a delay in sewer billings.

MAYOR'S REPORTS

Mayor Casillas Salas spoke of her attendance at the following events: Law Enforcement Officer of the Year award ceremony at the Scottish Rite Center, boards and commissions recognition event, San Diego PRIDE Parade, reception for new SDSU President Adela de la Torre. Mayor Casillas Salas stated nominations were open for the Ribbons & Shovels awards program for best in architectural landscape and historical preservation.

COUNCILMEMBERS' COMMENTS

Councilmember McCann spoke regarding board and commission vacancies, and reported on his attendance at the Scottish Rite Center for the Law Enforcement Officer of the Year award ceremony.

Deputy Mayor Diaz spoke regarding the Christmas in October program.

Councilmember Padilla spoke regarding an upcoming meeting with the UCSD Chancellor.

COUNCILMEMBER AGUILAR:

13. [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 stated a revised resolution proposed by South Bay People Power had been distributed to the Council.

Councilmember McCann announced he would abstain on the item due to a potential conflict of interest related to his service in the Navy Reserve Force. He left the dais at 6:24 p.m.

The following members of the public spoke in support of the proposed resolution and offered recommended revisions:

- Pedro Rios, Chula Vista resident*
- Jake Babuta, Bonita resident*
- Francisco Peralta Vargas, Chula Vista, resident*
- Marilu Casillas, Chula Vista resident*
- Steven Pavka, Chula Vista resident*
- Nancy Sandweiss, Bonita resident*
- Margaret Baker- supports resolution revised by South Bay Power People*
- Nancy Hazolton, San Diego resident*
- Susan Rosenthal, Chula Vista resident*
- Vivian Dunbar, Chula Vista resident*
- Dolce Garcia, Chula Vista resident*
- Irving Hernandez, San Diego resident*
- Jesus Mendez Carbajal, representing Alliance San Diego*

Council discussion ensued.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember Padilla, to adopt Resolution No. 2018-146, as revised and submitted by South Bay People Power, with the following additional revisions:

- 1) Strike the proposed third recital, which began, "Whereas, more than 2,000 minors...";
- 2) Revise the fourth recital to read: "WHEREAS, we acknowledge our country's regretful history concerning matters of immigration and immigrants, which has included, in part: the forced relocations of Native American Peoples; "Mexican Repatriation"; the rejection of Jewish refugees who were refused entry to the U.S. during WWII and later killed in Nazi Concentration Camps; and the establishment of Japanese internment camps during WWII; and"

The heading was read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Padilla and Casillas Salas

No: 1 - Diaz

Abstain: 1 - McCann

CITY ATTORNEY'S REPORTS

City Attorney announced Items 14 and 15 would be continued to July 24, 2018.

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.

- 14. [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 14 was not discussed and was continued to July 24, 2018.

- 15. [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 15 was not discussed and was continued to July 24, 2018.

ADJOURNMENT

At 7:53 p.m., the meeting was adjourned to the Regular City Council Meeting on July 24, 2018, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk