

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, September 24, 2019

5:00 PM

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

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### REGULAR MEETING OF THE CITY COUNCIL

*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 of the City of Chula Vista was called to order at 5:01 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.*

### ROLL CALL:

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

*Also Present: City Manager Halbert, City Attorney Googins, City Clerk Bigelow, and Assistant City Clerk Turner*

### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

*Councilmember Galvez led the Pledge of Allegiance.*

### SPECIAL ORDERS OF THE DAY

A. [19-0454](#) OATHS OF OFFICE

Jennifer Bustamante, Housing Advisory Commission  
Jay Francisco, Safety Commission  
Steven Goldkrantz, Historic Preservation Commission  
Curtis Moore, International Friendship Commission  
Shawan Owusu, Housing Advisory Commission  
Peggy Ratner, Human Relations Commission  
Jeff Redondo, Cultural Arts Commission  
Tanya Rodriguez, Cultural Arts Commission  
Jasmine Rubel, Board of Library Trustees  
Emily Tran, Commission on Aging

*City Clerk Bigelow administered the oath of office to Commissioners Francisco, Goldkrantz, Moore, Owusu, Ratner, Redondo, Rodriguez, Rubel and Tran, and Councilmembers presented them with certificates of appointment. Commissioner Bustamante was not present.*

- B. [19-0428](#) PRESENTATION OF A PROCLAMATION COMMENDING POLICE AGENT ELLIOTT SHAFFER UPON 20 YEARS OF DEDICATED SERVICE

*Mayor Casillas Salas read the proclamation and Deputy Mayor Padilla presented it to Police Agent Shaffer. Police Chief Kennedy expressed her appreciation for Police Agent Shaffer's service.*

- C. [19-0424](#) PRESENTATION OF THE SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL REGIONAL LEADERSHIP AWARD TO DEPUTY CITY MANAGER KELLEY BACON BY SOUTH COUNTY EDC PRESIDENT AND CHIEF EXECUTIVE OFFICER CINDY GOMPPER-GRAVES

*Item C was continued to a future date.*

- D. [19-0447](#) PRESENTATION AND UPDATE ON SCHEMATIC DESIGN FOR HARBOR PARK AND SWEETWATER PARK AT THE CHULA VISTA BAYFRONT

*Ann Moore, representing the Board of Port Commissioners, introduced the item. Mark McIntire, Port Project Manager, Jacob Petersen, representing Petersen Studio Landscape Architecture, and Mike Singleton, representing KTUA, gave presentations on the item.*

*Cynthia Brown, Chula Vista resident, expressed concern regarding potential traffic and homelessness impacts due to the Chula Vista Bayfront Project.*

## CONSENT CALENDAR (Items 1 - 11)

*Item 8 was removed from the Consent Calendar at the request of staff and was continued to a future date.*

1. [19-0459](#) APPROVAL OF MINUTES of April 16, 2019.
- Recommended Action: Council approve the minutes.**
2. [19-0431](#) REMOVAL OF THE FOLLOWING MEMBERS, PURSUANT TO CHARTER SECTION 602 AND MUNICIPAL CODE SECTION 2.25.105(D):

-Measure P Citizens' Oversight Committee Member Lileana Robles  
-Housing Advisory Commissioner Ana Ruth Robles

**Recommended Action: Council remove the members.**

3. [19-0450](#) ORDINANCE NO. 3462 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO ADD THE UNCLASSIFIED POSITIONS OF FA CYBER SECURITY PROGRAM MANAGER, FA NETWORK ADMINISTRATOR III, AND FACILITIES FINANCING MANAGER AND TO DELETE THE FA INFORMATION SECURITY PROGRAM MANAGER POSITION (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

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

4. [19-0451](#) ORDINANCE NO. 3463 OF THE CITY OF CHULA VISTA ESTABLISHING COMMUNITY CHOICE AGGREGATION IN THE CITY OF CHULA VISTA (SECOND READING AND ADOPTION)

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

5. [19-0442](#) RESOLUTION NO. 2019-180 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2019/20 GENERAL FUND OPERATING BUDGET BY APPROPRIATING \$44,100 TO THE ANIMAL CARE FACILITY BUDGET FOR UNANTICIPATED GRANTS (4/5 VOTE REQUIRED)

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

6. [19-0412](#) RESOLUTION NO. 2019-181 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 CLERK ANALYST, FACILITIES FINANCING MANAGER, AND PARK RANGER PROGRAM MANAGER, AND REMOVE THE POSITION OF PARKS OPERATIONS MANAGER FROM THE LIST OF DESIGNATED EMPLOYEES WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS

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

7. [19-0433](#) RESOLUTION NO. 2019-182 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS BY AND BETWEEN THE CITY OF CHULA VISTA AND VILLAGE OF ESCAYA APARTMENTS, LLC, AND VILLAGE OF ESCAYA MIXED USE, LLC, TO PROVIDE 30 RESIDENTIAL UNITS IN OTAY RANCH VILLAGE 3 TO BE OPERATED AS AFFORDABLE RENTAL HOUSING FOR MODERATE INCOME HOUSEHOLDS IN SATISFACTION OF THE CITY'S BALANCED COMMUNITIES POLICY

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

*Item 8 was removed from the Consent Calendar.*

9. [19-0409](#) RESOLUTION NO. 2019-183 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT AND APPROVING AN AGREEMENT WITH AP TRITON CONSULTING, LLC TO ANALYZE VALUATION AND OPTIMIZATION OF THE FIRE DEPARTMENT'S EMERGENCY MEDICAL SERVICES SYSTEM CONCERNING AMBULANCE TRANSPORTATION IN THE CHULA VISTA EXCLUSIVE OPERATING AREA, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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

- 10. [19-0449](#) RESOLUTION NO. 2019-184 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE ASSISTANCE TO FIREFIGHTERS GRANT AWARD FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING \$16,360 IN THE FEDERAL GRANT FUND (4/5 VOTE REQUIRED)

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

- 11. [19-0438](#) RESOLUTION NO. 2019-185 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE JAIL ENTERPRISE FUND BUDGET AND ADDING ONE DETENTION FACILITY MANAGER AND TWO POLICE SERVICES OFFICERS TO THE AUTHORIZED STAFFING LEVEL OF THE JAIL ENTERPRISE FUND (4/5 VOTE REQUIRED)

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

### 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:

**Items 1 through 3, 5 through 7, and 9 through 11:**

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

**No:** 0

**Abstain:** 0

**ACTION:** Item 4:

**Yes:** 3 - McCann, Padilla and Casillas Salas

**No:** 2 - Diaz and Galvez

**Abstain:** 0

### ITEMS REMOVED FROM THE CONSENT CALENDAR

- 8. [19-0436](#) RESOLUTION NO. 2019-189 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 4 (GENERAL BUSINESS FEES) OF THE CITY'S MASTER FEE SCHEDULE RELATING TO COMMERCIAL CANNABIS LICENSE FEES

*Item 8 was removed from the Consent Calendar and continued to a future date.*

**ACTION:** Council adopt the resolution.

### PUBLIC COMMENTS

*Ray Voller, Chula Vista resident, also speaking on behalf of Randy Epstein, Chula Vista resident, expressed concern regarding tree maintenance.*

*Mark Brosteto expressed concern with response times to incidents in the City and spoke in support of more police officers.*

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*Rodolfo Rodriguez, Chula Vista resident, expressed concern regarding graffiti and requested information on electric vehicle charging. City Manager Halbert referred him to staff.*

*Becky Rapp, expressed support for increased marijuana business fees, to allocate additional funds to marijuana use prevention and counteractive marijuana advertising, and she expressed concern regarding vaping.*

*Kathleen Lippitt, Poway resident, expressed support for increased marijuana business fees.*

*Cynthia Brown, Chula Vista resident, expressed concern regarding the Police Department's process of handling incidents and responses.*

## **PUBLIC HEARINGS**

12. [19-0371](#) CONSIDERATION OF PROPOSED INCREASES IN GENERAL SERVICE RATES, AND ANNUAL INFLATIONARY INCREASES FOR SMALL QUANTITY AND LARGE QUANTITY GENERATORS, FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES BY THE CITY'S FRANCHISED PROVIDER, REPUBLIC SERVICES, AND OF WRITTEN PROTESTS AGAINST THE PROPOSED INCREASES

RESOLUTION NO. 2019-186 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE RESULTS OF THE PUBLIC PROTEST PROCESS REGARDING PROPOSED INCREASES IN GENERAL SERVICE RATES, AND ANNUAL INFLATIONARY RATE INCREASES FOR SMALL QUANTITY AND LARGE QUANTITY GENERATORS, FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES BY THE CITY'S FRANCHISED PROVIDER, REPUBLIC SERVICES; AND APPROVING THE PROPOSED RATE INCREASES IF THERE IS NOT A MAJORITY PROTEST (4/5 VOTE REQUIRED)

*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.*

*Environmental Services Manager Medrano gave a presentation on the item.*

*Deputy City Attorney Silva provided information on the proceedings.*

*Mayor Casillas Salas opened the public hearing.*

*John Richeson, Chula Vista resident and member of the Sustainability Commission, spoke in support of the increased rates being reflected as surcharges on bills and he provided suggestions on recycling education.*

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

*City Clerk Bigelow reported that 49 protests had been received, which did not constitute a majority protest.*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, to adopt Resolution No. 2019-186, heading read, and text waived. The motion was carried by the following vote:

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

**No:** 0

**Abstain:** 0

## ACTION ITEMS

13. [19-0197](#) RESOLUTION NO. 2019-187 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. FOR THE NATIONAL LEAGUE OF CITIES SERVICE LINE WARRANTY PROGRAM

*Assistant Director of Public Works Aguilar introduced Bill Coffey, representing the National League of Cities Service Line Warranty Program, who gave a presentation on the item and answered questions of the Council.*

*Council discussion ensued.*

**ACTION:** A motion was made by Councilmember Galvez, seconded by Councilmember McCann, to adopt Resolution No. 2019-187, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

14. [19-0422](#) RESOLUTION NO. 2019-188 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA: (1) AUTHORIZING THE ACCEPTANCE OF A \$452,979 HOMELESS EMERGENCY AID PROGRAM (HEAP) GRANT FROM THE REGIONAL TASK FORCE ON THE HOMELESS; (2) APPROVING AGREEMENTS WITH THE REGIONAL TASK FORCE ON THE HOMELESS AND WITH NATIONAL CITY AND THE ALPHA PROJECT TO IMPLEMENT THE CHULA VISTA-NATIONAL CITY REGIONAL HOMELESS PROGRAM; AND (3) APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

*Housing Manager Hines gave a presentation on the item and responded to questions of the Council.*

*The following members of the public spoke in opposition to the organizations selected for the partnership and spoke in support of funding oversight:*

*-Rosy Vasquez, Chula Vista resident, representing Community Through Hope*

*-Cindy Gliebe, Chula Vista resident, representing Community Through Hope*

*-Carmen Richardson, Chula Vista resident*

*-Delfina Gonzalez, Chula Vista resident*

*-Patricia Flowers, Chula Vista resident*

*James Scofield submitted written documentation in support of Community Through Hope, but was not present to speak when called.*

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*The following members of the public submitted written documentation in support of Community Through Hope and did not wish to speak:*

- Joey Miller, San Diego resident*
- Rich Walker, Chula Vista resident*
- Mark Rice, Chula Vista resident*

*Council discussion ensued.*

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, to adopt Resolution No. 2019-188, heading read, text waived. The motion was carried by the following vote:

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

**No:** 0

**Abstain:** 0

## CITY MANAGER'S REPORTS

*There were none.*

## MAYOR'S REPORTS

15. [19-0452](#) APPOINTMENT OF A BOARD MEMBER AND AN ALTERNATE TO THE SAN DIEGO REGIONAL COMMUNITY CHOICE ENERGY AUTHORITY THROUGH DECEMBER 31, 2020

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, to appoint Deputy Mayor Padilla as member and Councilmember McCann alternate to the San Diego Regional Community Choice Energy Authority through December 31, 2020. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

16. [19-0457](#) CONSIDERATION OF A REFERRAL TO THE CHARTER REVIEW COMMISSION TO ANALYZE AND DRAFT FOR CITY COUNCIL CONSIDERATION A CHARTER AMENDMENT THAT WOULD ALLOW CHULA VISTA "RESIDENTS" NOT JUST "QUALIFIED ELECTORS" TO SERVE ON CITY BOARDS AND COMMISSIONS

*Mayor Casillas Salas spoke regarding the item.*

**ACTION:** A motion was made by Councilmember Galvez, seconded by Deputy Mayor Padilla, to make the referral to the Charter Review Commission to analyze and draft for City Council consideration a charter amendment that would allow Chula Vista "residents," not just "qualified electors," to serve on City boards and commissions. The motion carried by the following vote:

**Yes:** 4 - Galvez, McCann, Padilla and Casillas Salas

**No:** 1 - Diaz

**Abstain:** 0

17. [19-0455](#) CONSIDERATION OF CITY ENDORSEMENT AND SPONSORSHIP OF THE 7TH ANNUAL INTERNATIONAL MARIACHI FESTIVAL AT BAYSIDE PARK IN CHULA VISTA

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to endorse and sponsor the 7th Annual International Mariachi Festival at Bayside Park in Chula Vista. 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 events: the 18th anniversary of 9/11, the second Interfaith Forum on Homelessness, a tour of the Sharp Medical Center, a ribbon cutting ceremony for the San Ysidro Health Gender Affirming Medicine and Sexual Health Clinic, South County Economic Development Council's 30th Economic Summit, the South Bay Pride Festival, a City Hall tour by students from Mueller Elementary school, the Diplomacy Begins Here Summit, the grand re-opening of the Rancho Del Rey playground, and the grand opening of the Tavern at the Vogue.*

### COUNCILMEMBERS' COMMENTS

*Councilmember McCann reported on his attendance at the following recent events: Pints for Paws event, ribbon-cutting ceremony at the Ayers Hotel, and Bonitafest. He encouraged attendance at the Bonitafest Melodrama.*

*Deputy Mayor Padilla reported on his attendance at the student Walkout for Climate Change event at Bonita Vista High School.*

*Councilmember Galvez recognized Assistant Director of Public Works Aguilar for her work in the absence of the Director Quilantan. She reported on the recent abating of graffiti in west Chula Vista, weed abatement efforts, Otay River bottom clean-up, and work on speed cushions near Hilltop High. She announced that she and Councilmember Diaz were planning the Starlight Parade and encouraged donations and attendance at the event.*

### CITY ATTORNEY'S REPORTS

*There were none.*

### ADJOURNMENT

*The meeting was adjourned at 7:41 p.m.*

*Minutes prepared by: Cristina Hernandez, City Clerk Analyst*

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Kerry K. Bigelow, MMC, City Clerk