

City of Chula Vista

Meeting Minutes - Draft

Tuesday, September 15, 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 at this meeting were considered in the order presented.

CALL TO ORDER

A regular meeting of the City Council was called to order at 5:01 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 Diaz led the Pledge of Allegiance. Mayor Casillas Salas called for a moment of silence to honor the firefighters and the families experiencing loss due to the recent fires in California.

SPECIAL ORDERS OF THE DAY

- A. [20-0369](#) PRESENTATION BY SAN DIEGO COUNTY REGISTRAR OF VOTERS MICHAEL VU REGARDING "VOTE SAFER SAN DIEGO" AND THE NOVEMBER 2020 ELECTION

Mr. Vu, representing the Registrar of Voters, gave a presentation on the item.

- B. [20-0375](#) SPECIAL RECOGNITION OF DIANE TRAILER AND LOMA VERDE ELEMENTARY SCHOOL FOR RECEIVING THE 2020 CHULA VISTA ELEMENTARY SCHOOL DISTRICT "WELLNESS CHAMPION AWARD" IN THE CITY OF CHULA VISTA

Sr. Project Coordinator Kurz gave a presentation on the item to acknowledge the Wellness Champions.

-
- C. [20-0378](#) PROCLAMATION PROCLAIMING SEPTEMBER 12 THROUGH SEPTEMBER 20, 2020 AS WELCOMING WEEK IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and presented it to Communications Director Steinberger.

Margaret Baker, representing South Bay People Power, submitted comments in support of the item.

CONSENT CALENDAR (Items 1 - 7)

1. [20-0395](#) APPROVAL OF MINUTES of January 28 and 30, 2020.
Recommended Action: Council approve the minutes.
2. [20-0336](#) RESOLUTION NO. 2020-206 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2020/21 GENERAL FUND OPERATING BUDGET BY APPROPRIATING \$7,500 TO THE ANIMAL CARE FACILITY BUDGET FOR UNANTICIPATED GRANTS (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the resolution.
3. [20-0345](#) RESOLUTION NO. 2020-207 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE PURCHASE OF FIVE AUTO EXTRICATION TOOLS, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the resolution.
4. [20-0366](#) RESOLUTION NO. 2020-208 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 FUNDS THEREFOR (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the resolution.
5. [20-0374](#) RESOLUTION NO. 2020-209 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDED A CONTRACT FOR SERVICES TO ESCRIBE SOFTWARE LTD., FOR CITY COUNCIL, BOARDS, COMMISSIONS, SUBCOMMITTEES, AND COMMITTEE AGENDA AND MEETING AUTOMATION MANAGEMENT; AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the resolution.

6. [20-0368](#) A. RESOLUTION NO. 2020-210 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING EMERGENCY CONTRACT CHANGE ORDERS WITH SANCON TECHNOLOGIES, INC. FOR THE CMP REHABILITATION INSIDE THE RIGHT-OF-WAY PROJECT (CIP NOs. DRN0205/DRN0212); AND TRANSFERRING \$1,450,000 IN TRANSNET APPROPRIATIONS FROM STM0402, MAJOR PAVEMENT REHABILITATION TO DRN0205 (4/5 VOTE REQUIRED)
- B. RESOLUTION NO. 2020-211 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$85,000 FROM THE AVAILABLE BALANCE OF THE SEWER FACILITIES REPLACEMENT FUND TO SWR0282 (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolutions.

7. [20-0348](#) A. RESOLUTION 2020-212 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE OPTION TO EXTEND AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND PROJECT PROFESSIONALS CORPORATION FOR ON-CALL CIP CONSTRUCTION MANAGEMENT CONSULTING SERVICES
- B. RESOLUTION 2020-213 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE OPTION TO EXTEND AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND KLIENFELDER CONSTRUCTION SERVICES INC. FOR ON-CALL CIP CONSTRUCTION MANAGEMENT CONSULTING SERVICES

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor 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 - Diaz, Galvez, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS**8. [20-0379](#) PUBLIC COMMENTS RECEIVED for September 15, 2020**

Tess Reed, Chula Vista resident, submitted comments regarding concerns with road construction around Broadway & 3rd and Naples & Palomar.

Grace Sardina, submitted comments regarding Christopher Columbus statues.

A petition was received concerning issues surrounding a short-term vacation rental located at 603 Melrose Ave.

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

-Al Olvera

-Suzanne Olvera

ACTION ITEMS**9. [20-0327](#) LIVING WITH WILDLIFE - A PRESENTATION ON HANDLING WILDLIFE CONFLICTS**

The following individuals gave a presentation on the item:

-Animal Care Facility Director Mills

-Animal Control Officer Supervisor Valles

-Lauren DuBois and Carly Padilla, representing Project Wildlife

-Kent Smirl and Rebecca Barboza, representing California Fish & Wildlife

Council discussion ensued.

Animal Care Facility Director Mills responded to questions of the Council.

The following members of the public submitted written comments with concerns regarding handling wildlife:

-Madeline Bernstein

-Patricia McPherson

-Joanne Fischer

-Sarah Berger

-Carmen Alvarez

-Rebecca Dmytryk

-Lisa Levinson

-Vernon Berger

-Patty Prescott

-Member from Project Coyote

10. [20-0338](#) RESOLUTION NO. 2020-214 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECOND AMENDED AND RESTATED REVENUE SHARING AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT (CHULA VISTA BAYFRONT RESORT HOTEL AND CONVENTION CENTER AND RELATED PUBLIC INFRASTRUCTURE)

Development Services Director Allen gave a presentation on the item.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, to adopt Resolution No. 2020-214, 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

11. [20-0353](#) RESOLUTION NO. 2020-215 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE ISSUANCE OF BONDS TO REFUND CERTAIN PENSION OBLIGATIONS OF THE CITY, APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT AND PURCHASE CONTRACT, AUTHORIZING JUDICIAL VALIDATION PROCEEDINGS RELATING TO THE ISSUANCE OF SUCH BONDS AND APPROVING ADDITIONAL ACTIONS RELATED THERETO

Finance Director Bilby gave a presentation on the item and responded to questions of the Council. Legal counsel Stiffel Nicolaus and Stradling, Yocca, Carlson, & Rauth were available for questions.

Council discussion ensued.

ACTION: A motion was made by Councilmember Padilla, seconded by Deputy Mayor Galvez, to adopt Resolution No. 2020-215, 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

CITY MANAGER'S REPORTS

City Manager Kachadoorian announced the City had received several awards from the American Public Works San Diego Chapter.

Emergency Services Coordinator King provided an update on COVID-19.

12. [20-0382](#) RATIFICATION OF APPOINTMENTS TO THE FOLLOWING BOARDS & COMMISSIONS:

-Angelica Sepulveda, Civil Service Commission

-Ashleigh Padilla, Parks and Recreation Commission

Councilmember Padilla announced that he did not participate in the process or interview of Ms. Padilla and that, although he did not have a legal conflict on the item, he would abstain from voting to avoid the appearance of a conflict.

City Attorney Googins announced that there was no legal prohibition on a councilmember's relative serving on the Parks and Recreation or Civil Service Commission, and that, in the interest of avoiding the appearance of a conflict, the members related to the applicants proposed for appointment under Items 12 and 13 chose to abstain from voting on the items.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Galvez, to ratify the appointment of Angelica Sepulveda to the Civil Service Commission. The motion carried by the following roll call vote:

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

No: 0

Abstain: 0

Councilmember Padilla left the meeting during voting on the Parks and Recreation Commission appointment.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Galvez, to ratify the appointment of Ashleigh Padilla to the Parks and Recreation Commission. The motion carried by the following roll call vote:

Yes: 4 - Diaz, Galvez, McCann and Casillas Salas

No: 0

Abstain: 1 - Padilla

Councilmember Padilla returned to the meeting.

13. [20-0383](#) DEPUTY MAYOR GALVEZ: RATIFICATION OF APPOINTMENT OF SARA SALAS TO THE CIVIL SERVICE COMMISSION

Mayor Casillas Salas left the dais during voting on Item 13.

ACTION: A motion was made by Deputy Mayor Galvez, seconded by Councilmember Padilla, to ratify the appointment of Sara Salas to the Civil Service Commission. The motion carried by the following roll call vote:

Yes: 4 - Diaz, Galvez, McCann and Padilla

No: 0

Abstain: 1 - Casillas Salas

MAYOR'S REPORTS

Mayor Casillas Salas spoke regarding the following recent events: El Grito de Dolores, Mexican Independence Day, Hispanic Heritage Month, a lunch hosted by Seven Mile Casino for first responders, and a press conference regarding the closing of illegal cannabis businesses. Mayor Casillas Salas expressed gratitude and recognized the City's firefighters battling the multiple fires within the state:

Dolan Fire Near Los Padres National Park

- Ken Stovall
- Matt Minehan
- Phoenix Humes
- Austin Thorsnes

Butte/Tehama/Glenn Lightning Complex Fire

- Rich Eagan

Valley Fire near Lyons Valley

- Brendan Barahura

El Dorado Fire near Yucaipa

- Erik Nelson

Creek Fire near Mammoth Lakes

- Charles Kuniyoshi
- Kurt Baca
- Javier Araiza
- Dan Tarin
- Fernando Bayardi

Castle Fire near Sequoia National Forest

- Rich Brocchini

Sonoma Lake/Napa Unit Lightning Fire near Santa Rosa

- David Acosta

W-5 Cold Springs Fire near Susanville

- Francisco "Rick" Soto
- Ricardo Fuentes
- Jeremy Czapinski

Santa Clara Unit Lightning Complex Fire near Contra Costa

- Ray Smith
- Jed Burt
- Rob Guarcello
- Jacques Beauchaine

COUNCILMEMBERS' COMMENTS

Councilmembers expressed gratitude to the City's first responders.

Deputy Mayor Galvez spoke regarding two luncheons in tribute to 9/11. She congratulated Councilmember Diaz on the successful closure of illegal cannabis businesses in his district and thanked the library for distributing masks. Deputy Mayor Galvez announced she had hired an intern, Jared Blackwell, for her district.

Councilmember Padilla spoke regarding an ambush of two Los Angeles County Deputy Sheriff's, and stated that his thoughts and prayers were with the families. He stated that Mayor Casillas Salas was recognized at the Equality California Golden State Gala with the Ally Leadership Award.

Councilmember McCann thanked Councilmember Padilla for his words regarding the Los Angeles County Deputy Sheriff's ambush. He stated he was grateful for the 9/11 ceremonies and he thanked Councilmember Diaz for his leadership in closing the illegal cannabis businesses.

Councilmember Diaz reflected on 9/11. He acknowledged all involved in the closing of illegal cannabis businesses.

CITY ATTORNEY'S REPORTS

14. [20-0387](#) ANNOUNCEMENT OF UPCOMING TRAINING ON THURSDAY, OCTOBER 1, 2020, AT 5:00 P.M. ON THE TOPIC OF CALIFORNIA'S OPEN MEETING LAWS AND ETHICS REQUIREMENTS (AB1234): TRAINING AND DISCUSSIONS ON TRANSPARENCY AND GOOD CONDUCT FOR PUBLIC OFFICIALS

City Attorney Googins announced the upcoming training and stated that it would be virtual.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Minutes prepared by: Sheree Kansas, Deputy City Clerk

Kerry K. Bigelow, MMC, City Clerk