

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, October 23, 2018

5:00 PM

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

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### REGULAR MEETING OF THE CITY COUNCIL

#### CALL TO ORDER

*A regular meeting of the City Council of the City of Chula Vista was called to order at 5:10 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

*Councilmember Padilla led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [18-0479](#) PRESENTATION OF A PROCLAMATION COMMENDING CHRISTOPHER L. LAWRENCE AS THE 2018 CHULA VISTA VETERAN OF THE YEAR

*Mayor Casillas Salas announced that Item A would be continued to the meeting of November 13, 2018.*

- B. [18-0475](#) PRESENTATION OF A PROCLAMATION RECOGNIZING BOOCHCRAFT, MCMAHON STEEL AND SOUTHCOAST WELDING & MANUFACTURING AND THEIR CONTRIBUTIONS TO THE LOCAL ECONOMY AND RECOGNIZING OCTOBER 2018 AS MANUFACTURING MONTH IN THE CITY OF CHULA VISTA

*Economic Development Director Crockett spoke in recognition of the manufacturing companies. Mayor Casillas Salas read the proclamation, and Deputy Mayor Diaz and Councilmembers McCann and Aguilar presented them to the manufacturing companies.*

#### CONSENT CALENDAR (Items 1 - 6)

*Mayor Casillas Salas announced that Item 4 would be removed from the consent calendar and continued to the meeting of November 13, 2018.*

1. [18-0476](#) APPROVAL OF MINUTES of May 15, and 22, 2018.

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

2. [18-0495](#) A. ORDINANCE NO. 3442 OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS OF TITLE 19 "PLANNING AND ZONING" OF THE CITY OF CHULA VISTA MUNICIPAL CODE TO ADDRESS COMPLIANCE WITH STATE LAWS GOVERNING SUPPORTIVE RESIDENTIAL USES, AS DEFINED IN CHAPTER 19.04 "DEFINITIONS," AND FOUND IN CHAPTERS 19.14 "ADMINISTRATIVE PROCEDURES - PERMITS - APPLICATIONS - HEARINGS - APPEALS," 19.16 "EXCEPTIONS AND MODIFICATIONS," 19.20 "AGRICULTURAL ZONE," 19.28 "R-3 - APARTMENT RESIDENTIAL ZONE," 19.38 "C-V - VISITOR COMMERCIAL ZONE," 19.40 "C-T - THOROUGHFARE COMMERCIAL ZONE," 19.44 "I-L - LIMITED INDUSTRIAL ZONE," 19.48 "P-C - PLANNED COMMUNITY ZONE," 19.54 "UNCLASSIFIED USES," 19.58 "USES," AND 19.62 "OFF-STREET PARKING AND LOADING" TO DEFINE AND ESTABLISH PROCEDURES TO PERMIT EMERGENCY SHELTERS, SINGLE ROOM OCCUPANCY RESIDENCES, TRANSITIONAL AND SUPPORTIVE HOUSING, QUALIFIED EMPLOYEE HOUSING, AND RESIDENTIAL FACILITIES (SECOND READING AND ADOPTION)

B. ORDINANCE NO. 3443 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 15.20 "HOUSING CODE" TO DEFINE SINGLE ROOM OCCUPANCY RESIDENCES, TO REDEFINE HOTEL/MOTEL, AND TO REQUIRE AN ANNUAL HOUSING PERMIT FOR SINGLE ROOM OCCUPANCY RESIDENCES (SECOND READING AND ADOPTION)

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

3. [18-0404](#) RESOLUTION NO. 2018-214 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE CALRECYCLE RUBBERIZED PAVEMENT GRANT PROGRAM FOR FISCAL YEAR 2018-2019, AUTHORIZING THE DIRECTOR OF ENGINEERING AND CAPITAL PROJECTS OR HIS DESIGNEE TO SECURE GRANT FUNDS AND IMPLEMENT THE APPROVED GRANT PROJECT FOR A PERIOD OF THREE YEARS

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

*Item 4 was removed from the Consent Calendar.*

5. [18-0474](#) RESOLUTION NO. 2018-215 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$18,500 FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE STATE GRANTS FUND (4/5 VOTE REQUIRED)

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

6. [18-0497](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.63 - "MEASURE A" CITIZENS' OVERSIGHT COMMITTEE TO ADD ONE DESIGNATED MEMBER FROM THE CHULA VISTA MIDDLE MANAGEMENT/PROFESSIONAL (MM/PROF) EMPLOYEE GROUP (FIRST READING)

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

### Approval of the Consent Calendar

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, 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

4. [18-0436](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF ELECTRIC VEHICLES FROM NATIONAL AUTO FLEET GROUP IN ACCORDANCE WITH SOURCEWELL CONTRACT NUMBER 120716-NAF THROUGH THE CLIMATE MAYORS ELECTRIC VEHICLE PURCHASING PROGRAM IN AN AMOUNT NOT-TO-EXCEED TWO MILLION DOLLARS (\$2,000,000) THROUGH THE TERM OF THE CONTRACT (JANUARY 2021)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF HEAVY-DUTY AND SPECIALIZED VEHICLES FROM NATIONAL AUTO FLEET GROUP IN ACCORDANCE WITH SOURCEWELL CONTRACT NUMBER 081716 -NAF IN AN AMOUNT NOT-TO-EXCEED FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000) THROUGH THE TERM OF THE CONTRACT (NOVEMBER 2020)
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A 2-YEAR LEASE PURCHASE AGREEMENT WITH NATIONAL COOPERATIVE LEASING IN ACCORDANCE WITH SOURCEWELL CONTRACT NUMBER 032615-NCL FOR THE ACQUISITION OF THIRTY-FOUR (34) ELECTRIC VEHICLES AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FINAL PURCHASE AND LEASE AGREEMENT

*Item 4 was continued to the meeting of November 13, 2018.*

## PUBLIC COMMENTS

*JoAnn Fields, representing the Asian Pacific Islander Initiative, spoke regarding Filipino-American History Month and U.S. Census 2020.*

*Damien Johnson, Chula Vista resident, expressed concerns regarding commercial marijuana activities.*

## ACTION ITEMS

7. [18-0269](#) REPORT TO THE CHULA VISTA CITY COUNCIL UPDATING THE CITY OPERATIONS SUSTAINABILITY PLAN IMPLEMENTATION EFFORTS

*Environmental Sustainability Manager Wisniewski, Park Manager Martinez, Environmental Services Manager Medrano, Stormwater Program Manager Soriano, Fleet Manager Knapp, and Senior Civil Engineer Salsman gave a presentation on the item.*

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to accept the report, 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 pilot drone project implemented in the Police Department.*

## MAYOR'S REPORTS

*Mayor Casillas Salas spoke regarding the success of the Beautify Chula Vista event and reported on her attendance at a recent SANDAG public outreach meeting.*

## COUNCILMEMBERS' COMMENTS

*Councilmembers McCann, Padilla and Aguilar spoke regarding the success of the Beautify Chula Vista event.*

*Deputy Mayor Diaz spoke regarding his prison ministry work.*

## COUNCILMEMBER AGUILAR:

8. [18-0498](#) RESOLUTION NO. 2018-216 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA IN SUPPORT OF PREVENTING GUN VIOLENCE

*Councilmember Aguilar presented information on the item. Deputy Mayor Diaz distributed written communications.*

*Council discussion ensued.*

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Councilmember McCann, to adopt Resolution No. 2018-216, as amended to strike the third and fourth recitals and to revise the enactment clause to add reference to supporting County resources and add the County of San Diego as a recipient of a copy of the resolution. The heading was read, text waived. The motion carried by the following vote:

**Yes:** 3 - Aguilar, Diaz and McCann

**No:** 2 - Padilla and Casillas Salas

**Abstain:** 0

## CITY ATTORNEY'S REPORTS

9. [18-0496](#) Report on City options for participation in the defense of SB54, and related state law enactments, in the case of the United States v. the State of California (Case No. 2:18-cv-00490-JAM-KJN), and possible City Council action regarding same.

*City Attorney Googins spoke regarding the item.*

*The following members of the public spoke in support of the Council joining the amicus brief in support of the State of California:*

*-Maggie Baker, and she also submitted written documentation*

*-Kathy Cappos Hardy*

*-Luz Maria Lopez*

*-Nancy Sandweiss*

*-Becky Thimm*

*-Alicia Riley*

*-Patricia Huffman*

*-Pedro Rios, representing American Friends Service Committee*

*-Victor Frankel*

*-Dulce Garcia, representing San Diego Border Dreamers.*

*Cynthia Alvarado submitted a request to speak but was not present when called.*

**ACTION:** A motion was made by Councilmember Padilla, seconded by Councilmember Aguilar, to direct the City Attorney's office to take necessary action for the City to join the primary amicus brief coauthored by O'Melveny & Myers LLP in support of the State's defense in United States v. State of California. The motion carried by the following vote:

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

**No:** 2 - Diaz and McCann

**Abstain:** 0

**CLOSED SESSION**

*City Attorney Googins announced that the Council would convene in closed session to discuss the item listed below.*

*Mayor Casillas Salas recessed the meeting at 7:10 p.m. The Council reconvened in Closed Session at 7:20 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.

10. [18-0491](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Yolanda Sanchez v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2017-35896-CU-PA-CTL

**ACTION:** Reportable action pending finalization of settlement.

**ADJOURNMENT**

*At 7:33 p.m., Mayor Casillas Salas adjourned the meeting to the regular City Council meeting on November 13, 2018, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, MMC, City Clerk