

City of Chula Vista

Meeting Minutes - Final

Tuesday, January 28, 2020

5:00 PM

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

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 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 5:04 p.m. in the Council Chambers, located in City Hall, 276 4th Avenue, Chula Vista, CA.

ROLL CALL:

Present: Councilmember Diaz, Deputy Mayor Galvez, Councilmember McCann, Councilmember 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 McCann led the Pledge of Allegiance and Mayor Casillas Salas called for a moment of silence in honor of the victims of the Holocaust.

SPECIAL ORDERS OF THE DAY

A. [20-0029](#) OATHS OF OFFICE

Joycelyn Persichilli, Commission on Aging
Bernardo Andrade, International Friendship Commission

City Clerk Bigelow administered the oaths of office to Commissioners Persichilli and Andrade. Deputy Mayor Galvez and Councilmember Padilla presented them with the certificates of appointment.

CONSENT CALENDAR (Items 1 - 7)

Items 5 and 6 were removed from the Consent Calendar by the City Manager and Deputy Mayor Galvez, respectively.

1. [20-0040](#) APPROVAL OF MINUTES of July 23 and August 1, 2019.

Recommended Action: Council approve the minutes.

- 2. [20-0037](#) ORDINANCE NO. 3479 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 5.19.050.D TO ELIMINATE ONE-YEAR WAITING PERIOD APPLICABLE TO CERTAIN NEW CANNABIS BUSINESS LICENSE APPLICANTS (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

- 3. [19-0561](#) RESOLUTION NO. 2020-008 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF THE 5.5-FOOT-WIDE EASEMENT FOR TREE PLANTING AND MAINTENANCE PURPOSES ALONG SHOWROOM PLACE

Recommended Action: Council adopt the resolution.

- 4. [20-0006](#) RESOLUTION NO. 2020-009 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT APPLICATION WITH CHELSEA INVESTMENT CORPORATION FOR FUNDING FROM THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM TO FUND AN AFFORDABLE HOUSING PROJECT AND INFRASTRUCTURE IMPROVEMENTS WITHIN AND AROUND MILLENIA

Recommended Action: Council adopt the resolution.

Items 5 and 6 were removed from the Consent Calendar.

- 7. [20-0033](#) RESOLUTION NO. 2020-013 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE AGREEMENT WITH HDL COMPANIES FOR SERVICES RELATED TO CANNABIS BUSINESS APPLICATIONS AND APPROPRIATING \$100,000, FROM THE GENERAL FUND, TO BE OFFSET BY APPLICATION FEES (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 Councilmember Padilla, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The motion carried by the following vote:

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

No: 0

Recused: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 5. [20-0017](#) RESOLUTION NO. 2020-010 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING CERTAIN AUTHORIZED REPRESENTATIVES TO VOTE IN THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT SPECIAL MAIL BALLOT ELECTION

City Manager Halbert and Development Services Assistant Director Allen spoke regarding the item.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Galvez, to adopt Resolution No. 2020-010, heading read, text waived. The motion carried by the following vote:

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

No: 0

Recused: 0

Abstain: 0

- 6. [20-0008](#) A. RESOLUTION NO. 2020-011 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MASTER LICENSE AGREEMENT WITH VERIZON WIRELESS (VAW) LLC FOR SMALL WIRELESS FACILITIES WITHIN THE CITY’S RIGHT-OF-WAY

B. RESOLUTION NO. 2020-012 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MASTER LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS RCS, LLC (AT&T) FOR SMALL WIRELESS FACILITIES WITHIN THE CITY’S RIGHT-OF-WAY

Christine Moore, Kevin McGee, and Cory Autry, representing AT&T, spoke in support of the item, submitted written communications, and answered questions of the Council.

Mike Farraher, representing Verizon, spoke in support of the item and answered questions of the Council.

ACTION: A motion was made by Deputy Mayor Galvez, seconded by Councilmember McCann, to adopt Resolution Nos. 2020-011 and 2020-012, headings read, text waived. The motion carried by the following vote:

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

No: 0

Recused: 0

Abstain: 0

PUBLIC COMMENTS

The following members of the public spoke in opposition to the Drag Queen Story Time Program:

- Lillie Herbert, Chula Vista resident
- Miranda Escoto, Chula Vista resident
- Eli Komai, San Diego resident
- Andres Wong, Chula Vista resident
- John Moore, San Diego resident

The following members of the public submitted written documentation in opposition to the Drag Queen Story Time Program and did not wish to speak:

- Lois Morera, Chula Vista resident
- Martha Doiron
- Carmen Guzman, Chula Vista resident
- William Steffy, Chula Vista resident
- Art Hodges, Chula Vista resident
- Tim Geyer, Chula Vista resident

The following members of the public spoke in support to the Drag Queen Story Time Program:

- Sara Kent, Chula Vista resident
- Ryan Trabuco, San Diego resident
- David Myers, La Mesa resident
- Tom Lemmon, San Diego resident
- Carol Kim, San Diego resident
- Will Rodriguez-Kennedy, San Diego resident
- Marc Marconi, Chula Vista resident

Michael Hefner, Chula Vista resident, spoke regarding homelessness.

Bobby Angel, National City resident, expressed concerns regarding health and sanitation and a lack of public restrooms.

Harold Demoss, Chula Vista resident, expressed concerns regarding health care and spoke in opposition to the Drag Queen Story Time Program.

ACTION ITEMS

8. [19-0475](#) RESOLUTION NO. 2020-014 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DIRECTING THE CITY MANAGER TO ENGAGE IN ALL NECESSARY ADMINISTRATIVE ACTIONS TO IMPLEMENT FIRE DEPARTMENT-BASED EMERGENCY MEDICAL TRANSPORT SERVICES, TO BEGIN NEGOTIATIONS FOR CONTRACTUAL SERVICES WITH THE CITY OF IMPERIAL BEACH AND THE BONITA SUNNYSIDE FIRE PROTECTION DISTRICT, AND TO BRING BACK FOR CITY COUNCIL CONSIDERATION AND APPROVAL ANY REQUIRED COUNCIL LEVEL IMPLEMENTING ACTIONS

Fire Chief Geering and command staff gave a presentation on the item and answered questions of the Council.

Scott Clough, representing AP Triton, gave a presentation on the item and answered questions of the Council.

City Manager Halbert answered questions of the Council.

Maddie Bowdoin and Marcia Neal, representing American Medical Response, spoke in opposition to staff's recommendation and requested Council postpone taking action.

Councilmember Diaz expressed concern regarding turnover in the Emergency Medical Services field and the benefits of the City having its own Emergency Medical Services staff.

Councilmember Padilla stated the importance of diligence and engaging with American Medical Response if the City were to enter into a transition phase.

Councilmember McCann expressed concern regarding the pension impact on the City budget and asked for confirmation for the record that the Emergency Medical Services employees would not be public safety employees.

City Manager Halbert explained the pension impact and Fire Chief Geering confirmed that the Emergency Medical Services employees would not be public safety employees.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Padilla, to adopt Resolution No. 2020-014, heading read, text waived. The motion carried by the following vote:

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

No: 0

Recused: 0

Abstain: 0

9. [19-0506](#) A. RESOLUTION NO. 2020-015 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE PROJECT REPORT FOR THE PALOMAR STREET RAIL-GRADE SEPARATION CIP STM0361 PROJECT, AND TRANSFERRING \$100,000 IN TRANSNET APPROPRIATIONS FROM CIP TRF0397 TO CIP STM0361 (4/5 VOTE REQUIRED)
- B. RESOLUTION NO. 2020-016 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING WITH SANDAG FOR THE DESIGN PHASE OF THE PALOMAR STREET RAIL-GRADE SEPARATION PROJECT
- C. RESOLUTION NO. 2020-017 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REIMBURSEMENT AGREEMENT WITH BODEGA LATINA CORPORATION, DOING BUSINESS AS EL SUPER, FOR PUBLIC SEWER INFRASTRUCTURE THROUGH THE PALOMAR GATEWAY SHOPPING CENTER

Principal Civil Engineer Rivera gave a presentation on the item.

Mayor Casillas Salas congratulated and thanked staff and SANDAG for their support.

ACTION: A motion was made by Councilmember Diaz, seconded by Deputy Mayor Galvez, to adopt Resolution Nos. 2020-015 through 2020-017, headings read, text waived. The motion carried by the following vote:

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

No: 0

Recused: 0

Abstain: 0

CITY MANAGER'S REPORTS

City Manager Halbert thanked the Council for its support on the previous items on the agenda.

MAYOR'S REPORTS

Mayor Casillas Salas congratulated Kids on the Go and reported on the following recent events: the International Friendship Commission Fundraiser at Nova Brazil and the United States Conference of Mayors in Washington D.C.. She invited the public to join the Digital Equity and Inclusion Plan Workshop at the Civic Center Library and gave a reminder regarding the City of Champions nominations.

COUNCILMEMBERS' COMMENTS

Councilmember McCann thanked Mayor Casillas Salas for recognizing the 75th Anniversary of the Liberation of Auschwitz and shared the history of the newly named USS Doris Miller.

At the request of Councilmember McCann, there was consensus of the Council to direct staff to add an item to a future agenda in support of SB723, related to gun ownership.

Deputy Mayor Galvez spoke regarding the following upcoming events: the Digital Equity and Inclusion Plan Workshop, the Best of South County Awards, and the Taste of Eastlake.

Councilmember Padilla acknowledged the evolution in culture in regard to the history behind the USS Doris Miller and spoke on the labor dispute between Teamsters Local 542 and Republic Services.

Councilmember Diaz spoke on Teamsters Local 542 and Republic Services.

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 8:07 p.m.

The Council reconvened in Closed Session at 8:11 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. [20-0028](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Kelley Bacon, Courtney Chase, Ed Prendell, Glen Googins, and Simon Silva

Employee organizations: IAFF, POA, WCE, ACE, and MM/PR

ACTION: No reportable action.

11. [20-0035](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Francis Aguinaga v. City of Chula Vista,
San Diego Superior Court,
Case No. 37-2018-00048906-Cu-PO-CTL.

ACTION: Reportable action pending finalization of settlement.

ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

Minutes prepared by: Leah Larrarte, Deputy City Clerk

Kerry K. Bigelow, MMC, City Clerk