

# City of Chula Vista

## Meeting Minutes - Final

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Tuesday, August 25, 2020

5:00 PM

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

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### 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 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 5:05 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

*Deputy Mayor Galvez led the Pledge of Allegiance.*

*Mayor Casillas Salas announced that Item 13 would be continued to a future Council date.*

### SPECIAL ORDERS OF THE DAY

- A. 20-0358 PRESENTATION ON THE 2020 FIRE SEASON BY FIRE CHIEF JIM GEERING

*Fire Chief Geering, Emergency Services Coordinator King, and Deputy Fire Chief Muns gave a presentation on the item. Council discussion ensued.*

### CONSENT CALENDAR (Items 1 - 11)

1. 20-0362 APPROVAL OF MINUTES of January 7 and 14, 2020.

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

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2. 20-0180 RESOLUTION NO. 2020-190 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE SUBMITTAL OF TWO ACTIVE TRANSPORTATION PROGRAM - CYCLE 5 GRANT APPLICATIONS FOR F STREET PROMENADE PHASE I FROM BAY BLVD TO BROADWAY AND BAYSHORE BIKEWAY FROM E STREET TO LAGOON DRIVE AND STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECTS

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

3. 20-0329 A. RESOLUTION NO. 2020-191 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE SEWER SERVICE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR OTAY LAKES COUNTY PARK

B. RESOLUTION NO. 2020-192 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE ISSUANCE OF AN ENCROACHMENT PERMIT TO THE COUNTY OF SAN DIEGO FOR THE OTAY LAKES COUNTY PARK PROJECT

C. RESOLUTION NO. 2020-193 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LICENSE AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR THE OTAY LAKES COUNTY PARK PROJECT

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

4. 20-0363 RESOLUTION O. 2020-194 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 4 (GENERAL BUSINESS FEES) OF THE CITY'S MASTER FEE SCHEDULE TO ADD CANNABIS-RELATED FEE

*The following members of the public submitted comments in support of staff's recommendation:*

- Peggy Walker
- Barbara Gordon
- Terri-Ann Skelly

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

5. 20-0283 A. RESOLUTION NO. 2020-195 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$750,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR THE COPS HIRING GRANT PROGRAM, AND ADDING SIX PEACE OFFICERS TO THE AUTHORIZED STAFFING LEVEL OF THE POLICE DEPARTMENT (4/5 VOTE REQUIRED)

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B. RESOLUTION NO. 2020-196 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED MEASURE A PUBLIC SAFETY EXPENDITURE PLAN TO MOVE UP THE HIRING OF SIX PEACE OFFICERS TO FISCAL YEAR 2021 AND AMENDING THE FISCAL YEAR 2021 REVENUE AND EXPENDITURE BUDGET OF THE MEASURE A SALES TAX FUND TO FUND SUCH POSITIONS FROM COPS HIRING GRANT PROGRAM AND MEASURE A - POLICE DEPARTMENT AVAILABLE FUND BALANCE (4/5 VOTE REQUIRED)

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

6. 20-0284 A. RESOLUTION NO. 2020-197 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TWO-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND RECON ENVIRONMENTAL, INC TO SERVE AS A PRESERVE STEWARD/BIOLOGIST, AUTHORIZING UP TO TWO 1- YEAR EXTENSIONS TO THE AGREEMENT AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2020-198 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TWO-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND ENVIRONMENTAL SCIENCE ASSOCIATES TO SERVE AS A PRESERVE STEWARD/BIOLOGIST, AUTHORIZING UP TO TWO 1- YEAR EXTENSIONS TO THE AGREEMENT AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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

7. 20-0335 RESOLUTION NO. 2020-199 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA TOLLING THE DEVELOPMENT IMPACT, IN-LIEU, AND CAPACITY FEE AUTOMATIC ANNUAL INFLATIONARY ADJUSTMENTS FOR 2020

*Lisa Cohen submitted comments in support of staff's recommendation.*

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

8. 20-0286 RESOLUTION NO. 2020-200 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A COOPERATIVE PURCHASING AGREEMENT WITH SC COMMERCIAL, LLC (DBA THE SOCO GROUP) AUTHORIZING THE PURCHASE OF MOTOR VEHICLE FUEL, ON AN AS-NEEDED BASIS, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF REQUEST FOR PROPOSAL NUMBER 10089315-18-K AND THE COOPERATIVE AGREEMENT WITH THE CITY OF SAN DIEGO, IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$4,000,000 THROUGH APRIL 30, 2024

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

9. 20-0347 RESOLUTION NO. 2020-201 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A QUITCLAIM DEED CONVEYING CITY'S INTEREST, IF ANY, IN VACANT LAND TO THE OWNER OF THE ADJACENT PARCEL LOCATED AT 3925 MAIN STREET

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

10. 20-0346 INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2020

**Recommended Action: Council receive the report.**

11. 20-0355 RESOLUTION NO. 2020-202 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING BOND AND DISCLOSURE COUNSEL AND JUDICIAL VALIDATION SERVICES IN CONNECTION WITH THE ISSUANCE OF PENSION OBLIGATION BONDS UNDER LEGAL SERVICES AGREEMENT NO. LSA 102214 BETWEEN THE CITY AND STRADLING YOCCA CARLSON & RAUTH

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

*Approval of the Consent Calendar*

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

**Abstain:** 0

## ITEMS REMOVED FROM THE CONSENT CALENDAR

## PUBLIC COMMENTS

12. 20-0359 PUBLIC COMMENTS RECEIVED for August 25, 2020

*Grace Sardina, representing Order Sons and Daughters of Italy in America, submitted comments regarding the Christopher Columbus statue.*

*The following members of the public submitted comments in support of an ordinance related to short-term vacation rentals:*

- Dyan Kirschenman*
- Suzanne Olvera*
- Kurt Kirschenman*

## PUBLIC HEARINGS

13. 20-0352 CONSIDERATION OF A RECOMMENDATION FROM THE PLANNING COMMISSION TO APPROVE A 141-UNIT CONDOMINIUM PROJECT OFF MOSS STREET, BETWEEN INDUSTRIAL BOULEVARD AND BROADWAY

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION, MONITORING AND REPORTING PROGRAM IS18-0004 AND APPROVING AN AMENDMENT TO THE CHULA VISTA GENERAL PLAN INCLUDING ASSOCIATED TEXT, MAPS AND TABLES TO REFLECT A LAND USE CHANGE FROM LIMITED INDUSTRIAL TO RESIDENTIAL HIGH FOR APPROXIMATELY 6.9 ACRES AT 676 MOSS STREET

B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A REZONE FOR A 6.94-ACRE SITE LOCATED AT 676 MOSS STREET (FIRST READING)

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE SUBDIVISION MAP PCS18-0006 TO CONSOLIDATE A 7.29-ACRE SITE FROM THREE (3) PARCELS INTO ONE 6.94-ACRE SITE FOR (141) MULTIFAMILY RESIDENTIAL UNITS, FOR INDIVIDUAL OWNERSHIP AT 676 MOSS STREET

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING DESIGN REVIEW PERMIT DR18-0028 TO CONSTRUCT 18 THREE-STORY BUILDINGS TOTALING 104,416 SQUARE FEET, CONSISTING OF 141 TOWNHOMES ON A 6.94 ACRE SITE LOCATED AT 676 MOSS STREET, WEST OF BROADWAY AND EAST OF INDUSTRIAL BOULEVARD

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A VARIANCE, ZAV18-0001 TO DEVIATE THE FRONT SETBACK FROM 15 TO 10 FEET TO ALLOW AN EXISTING DOUBLE-BARRELED CULVERT TO REMAIN IN ITS CURRENT LOCATION ON A 6.94-ACRE SITE LOCATED AT 676 MOSS STREET

*Mayor Casillas Salas announced that Item 13 would be withdrawn and rescheduled for a future date.*

## **ACTION ITEMS**

14. 20-0364 RESOLUTION NO. 2020-203 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA EXTENDING THE CITY'S EVICTION MORATORIUM ORDINANCE (EMERGENCY ORDINANCE NO. 3489-A) UNTIL SEPTEMBER 30, 2020 AND CONSIDERATION OF POSSIBLE MODIFICATIONS TO CITY'S EVICTION MORATORIUM RULES BASED UPON RECOMMENDATIONS FROM THE CITY'S AD HOC SUBCOMMITTEE OR STAFF

*Councilmember McCann stated he would abstain from voting on Item 14 due to a potential property-related conflict of interest. He left the meeting during discussion and voting on the item.*

*Housing Manager Hines gave a presentation on the item. City Attorney Googins spoke regarding the item*

and responded to questions of the Council.

Deputy Mayor Galvez and Councilmember Padilla provided an update from the eviction moratorium ad hoc subcommittee.

At the request of Deputy Mayor Galvez and Councilmember Padilla, there was consensus of the Council to direct staff analyze issues related to payment of deferred rent.

Council discussion ensued.

**ACTION:** A motion was made by Deputy Mayor Galvez, seconded by Councilmember Padilla, to adopt Resolution No. 2020-203, heading read, text waived. The motion carried by the following roll call vote:

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

**No:** 0

**Abstain:** 1 - McCann

15. 20-0356 A. RESOLUTION NO. 2020-204 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE ACCEPTANCE OF A CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT CORONAVIRUS RELIEF FUND (CRF) ALLOCATION OF \$3,360,914 FROM THE STATE OF CALIFORNIA AND APPROPRIATING FUNDS IN THE GENERAL FUND IN FISCAL YEAR 2020/21 (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2020-205 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTOR/SERVICE PROVIDER SERVICES AGREEMENTS WITH SOUTH BAY COMMUNITY SERVICES, COMMUNITY THROUGH HOPE, AND THE LIVING COAST DISCOVERY CENTER, FUNDED BY STATE AND COUNTY CARES ACT FUND ALLOCATIONS

Mayor Casillas Salas stated Councilmember McCann would abstain from voting on Item 15B due to a potential property-related conflict of interest.

City Manager Kachadoorian spoke regarding the item and responded to questions of the Council.

**ACTION:** A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, to adopt Resolution No. 2020-204, 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

**ACTION:** A motion was made by Deputy Mayor Galvez, seconded by Councilmember Padilla, to adopt Resolution No. 2020-205, heading read, text waived. The motion carried by the following roll call vote:

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

**No:** 0

**Abstain:** 1 - McCann

16. 20-0361 PRESENTATION BY HARVARD FELLOW, IRENE LIU, ON CHULA VISTA INCLUSIVE ECONOMIC DEVELOPMENT

*Mayor Casillas Salas spoke regarding the Harvard Bloomberg partnership with the City.*

*Economic Development Specialist Evans gave an overview of the item and introduced Harvard Fellow Irene Liu, who gave a presentation on the City's Inclusive Economic Development survey. She and Deputy City Manager Crockett responded to questions of the Council.*

*Council discussion ensued.*

### CITY MANAGER'S REPORTS

*Emergency Services Coordinator King gave a COVID-19 update and responded to questions of the Council.*

### MAYOR'S REPORTS

*Mayor Casillas Salas read an email commending the Chula Vista Police Department. She spoke regarding Third Avenue businesses, the 2020 Census, and her attendance at the Crime Stoppers press conference that was held in honor of Devin Griffiths.*

*Marketing and Communications Manager Steinberg gave a presentation in honor of Women's Suffrage month.*

### COUNCILMEMBERS' COMMENTS

*Deputy Mayor Galvez spoke regarding Third Avenue street closures and Women's Suffrage Month, and thanked City employees for their response to the COVID-19 pandemic.*

*Councilmember Diaz reminded the community to complete the 2020 Census.*

*At the request of Councilmember Diaz, there was consensus of the Council to make a referral to staff to return with an overview on short-term vacation rentals when staff workloads decrease.*

*At the request of Councilmembers Diaz and Padilla, there was consensus of the Council to 1) request staff provide the Council with a preliminary report within 30 days regarding the MTS project, including information about the prior process that was conducted at the staff level in both agencies, a general overview about the submittals that were received, updated information regarding the process going forward, and an update on AB1486 and SB7; and 2) to direct the City Manager in the interim to work with MTS to request that submitters update their submittals, including their financial and project information.*

*Councilmembers expressed gratitude to the 22 firefighters deployed to assist with the recent California fires.*

17. 20-0367 COUNCILMEMBER Mc CANN:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, OPPOSING CALIFORNIA PROPOSITION 15, ENTITLED, "TAX ON COMMERCIAL AND INDUSTRIAL PROPERTIES FOR EDUCATION AND LOCAL GOVERNMENT FUNDING INITIATIVE (2020)"

*Councilmember McCann presented the item.*

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*Council discussion ensued.*

*The following members of the public submitted comments in support of the resolution:*

*- Myssie McCann*

*The following members of the public submitted comments in opposition to the resolution:*

*- Vanessa Cecena*

*- Rita Clement, Chula Vista resident*

*- Nancy Nguyen*

*- Milton Ratner*

*- James Scofield, Chula Vista resident*

*- Andrea Cardenas, Chula Vista resident*

*- Czeska Cabuhat, San Diego resident*

*- Gretchen Newsom, representing IBEW 569*

*- Neatriz Garcia, representing JOB*

*- Kate Bishop, Chula Vista resident*

*- Allison Estaris*

*- Christopher Wilson, representing Alliance San Diego*

*- Omair Khan*

*- Andrew Amorao, Chula Vista resident*

*- Norma Cazares, Chula Vista resident*

*- Ilhan Omar*

*- Diana Go*

*- Brigitte Browning, Chula Vista resident*

*- Lynn DeHahn*

*- Carolyn Scofield, Chula Vista resident*

*- Allie Kiekhofer*

*- Khue Tran*

*- Claire Pratt*

*- Francis Riley*

*- Leslie De La Torre, Chula Vista resident*

*- Patricia Huffman, Chula Vista resident*

*- Madison Beck*

*- Brenda Aguire*

*- Shay Miller*

*- Tino Martinez*

*- Stacey Uy*

*- Margaret Baker*

*- Jewell Karinen*

*- Rosa Grant, Chula Vista resident*

*- Monica Santos, Chula Vista resident*

*- M. Ramirez*

*- Kathy Cappos Hardy, Chula Vista resident*

*- Lisandra de Gomez*

*- Ruby Baker*

*- Aleena Jun Nawabi, representing CAIR SD*

*- Melissa Walter*

*- James Scofield, Chula Vista resident*

*- Nicole Oga*

*- Robin Tan, Chula Vista resident*

*- Kandi Custodio-Tan, Chula Vista resident*

*- Lisa Cohen, representing Chula Vista Chamber of Commerce*

*- David Trujillo, representing ACLU CA*



- Belen Hernandez Garcia, representing Mid-City CAN
- Kyra Green, representing Center on Policy Initiatives'
- Jewell Karinen, Chula Vista resident
- Trevor Malone, San Diego resident
- Amy Hoang
- Susan Tran
- Tom Lemmon, representing San Diego County's Building Trade Unions
- Jennifer James, San Diego resident
- Daniel Osuna
- Jerilyn Brown
- Denise C. Garder, Chula Vista resident
- Avia Ramm, Chula Vista resident
- Fernando Velazquez
- Meredith McNeill, San Diego resident
- Franco Garcia, representing Environmental Health Coalition
- Erin Tsurumoto Grassi, representing Alliance San Diego
- Peggy Ratner
- Richard Ratner

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Diaz, to adopt the above resolution, heading read, text waived. The motion failed by the following roll call vote:

**Yes:** 2 - Diaz and McCann

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

**Abstain:** 1 - Galvez

### CITY ATTORNEY'S REPORTS

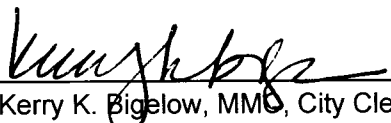
*There were none.*

### ADJOURNMENT

*Mayor Casillas Salas paid tribute to Kevin Powell.*

*At 8:08 p.m. Mayor Mary Salas adjourned the meeting in memory of Kevin Powell.*

*Minutes prepared by: Tyshar L. Turner, Assistant City Clerk*

  
Kerry K. Bigelow, MMC, City Clerk