



REGULAR MEETING OF THE CITY COUNCIL

Meeting Minutes

September 14, 2021, 5:00 p.m.
Council Chambers, 276 Fourth Avenue, Chula Vista, CA

Present: Councilmember Cardenas, Councilmember Galvez, Deputy Mayor McCann, Councilmember Padilla, Mayor Casillas Salas

Also Present: City Manager Kachadoorian, City Attorney Googins, City Clerk Bigelow, Assistant City Clerk Turner

Councilmember Padilla participated in this meeting via teleconference. All votes were taken by roll call.

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.

1. CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:06 p.m. via teleconference and in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

2. ROLL CALL

City Clerk Bigelow called the roll.

3. PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

A video tribute honoring 9/11 victims and first responders was played.

Mayor Casillas Salas led the Pledge of Allegiance and called for a moment of silence in remembrance of the victims of 9/11.

Police Chief Kennedy spoke regarding the video tribute created by the Chula Vista Police Foundation.

4. SPECIAL ORDERS OF THE DAY

4.1 Presentation of a Proclamation to Interim President Ricardo Campos Proclaiming Sunday, September 19, 2021 as San Diego Loyal Day in the City of Chula Vista

Mayor Casillas Salas read the proclamation and Councilmember Cardenas presented it to Mr. Campos.

4.2 Presentation of a Proclamation to Lorena Montes Proclaiming September 2021 as Ovarian Cancer Awareness Month.

Mayor Casillas Salas read the proclamation and Councilmember Galvez presented it to Lorena Montes.

5. CONSENT CALENDAR (Items 5.1 through 5.6)

Mayor Casillas Salas announced that Item 5.5 would be removed from the Consent Calendar at the request of Councilmember Galvez.

Moved by Mayor Casillas Salas

Seconded by Councilmember Galvez

To approve the recommended action appearing below consent calendar Items 5.1 through 5.4 and 5.6. The headings below were read, text waived. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Galvez, Councilmember McCann, Councilmember Padilla, and Mayor Casillas Salas

Result, Carried (5 to 0)

5.1 Waive Reading of Text of Resolutions and Ordinances

Approve a motion to read only the title and waive the reading of the text of all resolutions and ordinances at this meeting.

5.2 Consideration of Requests for Excused Absences

Consider requests for excused absences as appropriate.

5.3 Agreement Award: Approve Agreement to Provide a Compost Program and Educational Services

Adopt a resolution approving an agreement with the Living Coast Discovery Center to provide compost program site maintenance and educational services.

RESOLUTION NO. 2021-174 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BID REQUIREMENT; APPROVING THE AGREEMENT WITH THE LIVING COAST DISCOVERY CENTER TO PROVIDE COMPOST PROGRAM SITE MAINTENANCE AND COMPOST PROGRAM EDUCATIONAL SERVICES FOR THE CITY OF CHULA VISTA

5.4 Grant Agreement and Appropriation: Approve Agreement with Urban Corps of San Diego County for Grants and appropriate \$111,480 for Brush Clearance in the City’s Wildland-Urban Interface

Adopt a resolution approving an agreement with Urban Corps of San Diego County for grants obtained by the Urban Corps from the California Fire Safe Council for \$83,055 and from the California State Coastal Conservancy for \$315,809 for brush clearance in the City’s wildland-urban interface, and appropriating funds for that purpose

RESOLUTION NO. 2021-175 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH THE URBAN CORPS OF SAN DIEGO COUNTY FOR FIRE PROTECTION SERVICES TO BE FUNDED IN PART WITH AN \$83,055 CALIFORNIA FIRE SAFE COUNCIL BRUSH MANAGEMENT GRANT AND A \$315,809 CALIFORNIA STATE COASTAL CONSERVANCY FIRE REDUCTION TO HABITABLE STRUCTURES GRANT; AND APPROPRIATING FUNDS FOR CITY’S CONTRIBUTION THEREFOR **(4/5 VOTE REQUIRED)**

5.6 Ratification of Appointment: City Manager’s Appointment of the Director of Finance – Sarah Schoen

Adopt a resolution ratifying the City Manager’s appointment of Sarah Schoen as the Director of Finance.

RESOLUTION NO. 2021-176 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING THE CITY MANAGER’S APPOINTMENT OF THE DIRECTOR OF FINANCE – SARAH SCHOEN

ITEM REMOVED FROM CONSENT CALENDAR

5.5 Animal Regulations: Amending Title 6 of the Chula Vista Municipal Code to Allow the Keeping of One Miniature Pig Per Dwelling Unit

Councilmember Galvez spoke regarding the item.

Stacey Myers submitted written communication in support of staff's recommendation but did not wish to speak.

Moved by Councilmember Galvez

Seconded by Councilmember Cardenas

Place an ordinance on first reading amending Title 6, Animals, of the Chula Vista Municipal Code to restore subsection 6.04.060.C, allowing the keeping of one miniature pig per dwelling unit.

Yes (5): Councilmember Cardenas, Councilmember Galvez, Councilmember McCann, Councilmember Padilla, and Mayor Casillas Salas

Result, Carried (5 to 0)

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 6 OF THE CHULA VISTA MUNICIPAL CODE TO ALLOW THE KEEPING OF ONE MINIATURE PIG PER DWELLING UNIT (FIRST READING)

6. PUBLIC COMMENTS

6.1 Public Comments Received for 9/14/2021

John Moore, City of San Diego resident, spoke regarding COVID-19 vaccine.

Justin Akers, Chula Vista resident, submitted written communications in support of adding speed bumps to G street.

7. ACTION ITEMS

7.1 Waste Collection Rate Adjustment: Approving a Rate Adjustment for Waste Collection in Order to Cover the Costs of Compliance with Organic Waste Reduction Regulations (SB 1383)

Environmental Services Manager Medrano and Matt Kross representing Republic Services, gave presentations on the item and responded to questions of the Council.

The following members of the public submitted written documentation in support of staff's recommendation:

- *James O'Callaghan, representing the South County Economic Development Council*
- *Margaret Leonard, Chula Vista resident*

John Richeson submitted comments in opposition to staff's recommendation.

The following members of the public submitted written communication expressing a neutral position on staff's recommendation:

- *Christine Antoine*
- *Edward Legaspi*

Moved by Mayor Casillas Salas

Seconded by Councilmember McCann

To adopt Resolution No. 2021-177. The heading below was read, text waived. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Galvez, Councilmember McCann, Councilmember Padilla, and Mayor Casillas Salas

Result, Carried (5 to 0)

RESOLUTION NO. 2021-177 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN INCREASE IN MAXIMUM WASTE COLLECTION RATES IN ORDER TO COVER THE COSTS OF COMPLIANCE WITH STATE REGULATION SB1383

7.2 Employee Compensation and Bargaining Agreement: Approve a Memorandum of Understanding with Association of Chula Vista Employees (“ACE”); an Amended Compensation Summary for Unrepresented Employees; and a Revised Compensation Schedule for Certain Groups

Human Resources Director Chase spoke regarding the item.

Moved by Mayor Casillas Salas

Seconded by Councilmember Galvez

To adopt Resolution Nos. 2021-178 through 2021-180. The headings below were read, text waived. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Galvez, Councilmember McCann, Councilmember Padilla, and Mayor Casillas Salas

Result, Carried (5 to 0)

RESOLUTION NO. 2021-178 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF CHULA VISTA AND THE ASSOCIATION OF CHULA VISTA EMPLOYEES (“ACE”) RELATED TO COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; AND AUTHORIZING THE CITY MANAGER, AS SET FORTH HEREIN, TO EXECUTE THE AFOREMENTIONED MOU AND ANY ADDITIONAL DOCUMENTS WHICH MAY BE NECESSARY OR REQUIRED TO IMPLEMENT SAID MOU

RESOLUTION NO. 2021-179 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR UNREPRESENTED EMPLOYEES INCLUDING AUTHORIZATION FOR THE MAYOR TO EXECUTE ANY NECESSARY CONTRACT AMENDMENTS TO IMPLEMENT SAID AMENDED COMPENSATION SUMMARY

RESOLUTION NO. 2021-180 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2021-2022 COMPENSATION SCHEDULE EFFECTIVE SEPTEMBER 10, 2021, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

8. CITY MANAGER’S REPORTS

There were none.

9. MAYOR’S REPORTS

9.1 Ratification of Appointment of James Clark to the International Friendship Commission

Moved by Councilmember Cardenas

Seconded by Councilmember McCann

To ratify the appointment of James Clark to the International Friendship Commission. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Galvez, Councilmember McCann, Councilmember Padilla, and Mayor Casillas Salas

Result, Carried (5 to 0)

Mayor Casillas Salas spoke regarding the following events: San Diego County Hispanic Chamber of Commerce mixer at Las Tres Catrinas; La Raza Lawyers Association judicial reception; Chicano Federation and San Diego Loyal Soccer Camp, Summer on Third Avenue event, Pints for Paws fundraiser for the Animal Care Facility, opening of a little free library in Lauderbach Park sponsored by Supervisor Nora Vargas, and a preview of the trolley's mid-coast extension. She congratulated Marisa Bejarano on becoming a Superior Court judge and Saint Rose on its 100-year anniversary.

At the request of Mayor Casillas Salas, there was consensus of a majority of the Council to make a referral to staff to present a draft ordinance for Council consideration regarding the impacts of the expiration of AB832 and the Ellis Act, related to evictions. Councilmember McCann stated he would abstain from registering a position on the consensus due to a potential property-related conflict of interest.

Mayor Casillas Salas spoke regarding outgoing Policy Aide Albert Velasquez.

10. COUNCILMEMBERS' COMMENTS

Councilmember Padilla stated that his office would issue a statement regarding the science behind vaccinations and spoke of the importance of the public hearing accurate information regarding public health. He encouraged those with questions to visit the Food and Drug Administration website.

Councilmember Galvez echoed Councilmember Padilla's comments regarding the importance of accurate public health information and stated additional information was available on the Center for Disease Control website. She spoke regarding her attendance at the following recent events: Short-term vacation rental outreach event: Chicano Federation and San Diego Loyal Soccer camp; free library ribbon-cutting event at Lauderbach Park; visit to Brain Balance, an innovative achievement center; Chula Vista Police Department Evening with Heroes event; demolition of the Loma Verde recreation center; and the International Park(ing) Day event on Third Avenue. She encouraged people to vote in the September 14 election.

Deputy Mayor McCann spoke regarding September 11 and about the following recent events: revival of the Eastlake Farmer's Market; Kiwanis Bowl; and the September 11 Chula Vista Police Department Foundation dinner.

Councilmember Cardenas spoke regarding Suicide Awareness Day. She thanked Work for Hope for its work at Los Ninos park and congratulated Supervisor Nora Vargas on being the first Latina to chair a Board of Supervisors meeting and her declaration of San Diego County's reproductive freedom. She spoke regarding the opening of the free little library at Lauderbach Park and the upcoming Loyal soccer game.

10.1 Councilmember Padilla: Consideration of a Resolution in Support of House of Representatives Bill 842, the Protecting the Right to Organize Act of 2021

Councilmember Padilla spoke regarding the item.

Moved by Councilmember Padilla
Seconded by Mayor Casillas Salas

To adopt Resolution No. 2021-181. The heading below was read, text waived. The motion carried by the following vote:

Yes (4): Councilmember Cardenas, Councilmember Galvez,
Councilmember Padilla, and Mayor Casillas Salas

No (1): Councilmember McCann

Result, Carried (4 to 1)

RESOLUTION NO. 2021-181 OF THE COUNCIL OF THE CITY OF CHULA VISTA IN SUPPORT OF HOUSE BILL 842, THE PROTECTING THE RIGHT TO ORGANIZE ACT OF 2021

11. CITY ATTORNEY'S REPORTS

There were none.

12. CLOSED SESSION

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.

Deputy City Attorney Silva announced that the Council would convene in closed session to discuss the items listed below.

Mayor Casillas Salas recessed the meeting at 7:07 p.m. The Council convened in Closed Session at 7:15 p.m., with all members present.

12.1 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)

A) Name of case: Arturo Castanares v. City of Chula Vista, San Diego Superior Court, Case No. 37-2021-00017713-CU-MC-CTL.

Action: No Reportable Action

B) Name of Case: In Re National Prescription Opiate Litigation; United States District Court, Southern District of Ohio; Case No. 17-md-2804

Action: No reportable action

13. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Minutes prepared by: Tyshar Turner, Assistant City Clerk

Kerry K. Bigelow, MMC, City Clerk