



REGULAR MEETING OF THE CITY COUNCIL

Meeting Minutes

September 28, 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, Simon Silva

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 except for Item 8.2, which was heard after Item 4.6, and Item 5.7 which was heard after Public Comment.

1. CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:02 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

Deputy Mayor McCann led the Pledge of Allegiance.

4. SPECIAL ORDERS OF THE DAY

4.1 Oath of Office - James Clark, International Friendship Commission

City Clerk Bigelow administered the oath of office to Commissioner Clark and Councilmember Cardenas presented him with a certificate of appointment

4.2 COVID-19 Update by the City of Chula Vista Emergency Services Manager Marlon King

Emergency Services Manager King gave a presentation on the item and responded to questions of the Council.

4.3 Presentation by the Marine Corps League in Recognition of the Chula Vista Fire Department and Chula Vista Veteran, Roger Cazares, for Years of Assistance on the Toys for Tots Campaign

A representative from the Marine Corps League spoke regarding the Toys for Tots Campaign and recognized the Fire Department and Mr. Cazares for their assistance with the program.

4.4 Recognition of the 2021 International Mixed Martial Arts Federation's Youth Mixed Martial Arts Champions from Chula Vista's One Legacy Training Center: Abigail Alvarez, David Daniels, Gavin Mitchell, Elijah Nehme, and Omar Rodriguez

Mayor Casillas Salas recognized the mixed martial arts champions; Councilmember Cardenas, Councilmember Galvez, and Deputy Mayor McCann presented them with City of Champions medals.

4.5 Presentation of a Proclamation proclaiming Wednesday, October 6, 2021 as Clean Air Day in the City of Chula Vista

Mayor Casillas Salas read the proclamation and virtually presented it to Environmental Sustainability Manager Wisniewski.

4.6 Presentation by County of San Diego Staff Regarding Potential Board of Supervisor Action to Authorize Microenterprise Home Kitchen Operations (MEHKOs) in San Diego County

Heather Buonomo and Brian Johnson, representing the County of San Diego, gave a presentation on the item and responded to questions of the Council.

Mayor Casillas Salas recessed the meeting at 6:31 p.m. The Council reconvened at 6:37 p.m., with all members present.

5. CONSENT CALENDAR (Items 5.1 through 5.7)

Mayor Casillas Salas stated she would abstain from voting on Item 5.6 due to a potential property-related conflict of interest; Item 5.7 was removed from the Consent Calendar at the request of members of the public.

Moved by Councilmember Galvez
Seconded by Mayor Casillas Salas

To approve the recommended action appearing below Consent Calendar Items 5.1 through 5.4. 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)

Moved by Councilmember Galvez
Seconded by Mayor Casillas Salas

To approve the recommended action appearing below Consent Calendar Item 5.5. 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)

Moved by Councilmember Galvez
Seconded by Mayor Casillas Salas

To approve the recommended action appearing below Consent Calendar Item 5.6. The heading below was read, text waived. The motion carried by the following vote:

Yes (4): Councilmember Cardenas, Councilmember Galvez, Councilmember McCann, and Councilmember Padilla

Abstain (1): Mayor Casillas Salas

Result, Carried (4 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 Animal Regulations: Amending Title 6 of the Chula Vista Municipal Code to Allow the Keeping of One Miniature Pig Per Dwelling Unit

Adopt an ordinance 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.

ORDINANCE NO. 3512 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 (**SECOND READING AND ADOPTION**)

5.4 Acquisition/Financing Agreement: Consider Adoption of Agreement Relating to California Municipal Finance Authority Community Facilities District No. 2021-11 (Otay Ranch Village 8 West)

Nicole Remiker submitted written communication in support of the item.

Adopt a resolution approving an Acquisition/Financing Agreement relating to California Municipal Finance Authority Community Facilities District No. 2021-11 (Otay Ranch Village 8 West) and authorize related actions.

RESOLUTION NO. 2021-183 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ACQUISITION/FINANCING AGREEMENT RELATING TO CALIFORNIA MUNICIPAL FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2021-11 (CITY OF CHULA VISTA – OTAY RANCH VILLAGE 8 WEST) AND AUTHORIZING RELATED ACTIONS

5.5 Consideration of Appointment of Members to the Christopher Columbus Statue Task Force

Adopt a resolution approving the appointment of members Brianna Conser, Angela Elliot, John Elliot, Nicole Enriquez, Roberto Hernandez, Lee Kohse, Paola Martinez-Montes, Lorise Maynard, Ricardo Medina, Erica Pinto, Grace Sardina, and Bea Zamora to the Columbus Statue Task Force.

RESOLUTION NO. 2021-184 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPOINTMENT OF MEMBERS TO THE COLUMBUS STATUE TASK FORCE

5.6 Reimbursement Grant Program: Authorize the City's Payment of Sewer Capacity Fees on Behalf of Businesses that have Received Approval for Reimbursement under the City's Sidewalk Café Grant Program

Adopt a resolution authorizing the City's payment of sewer capacity fees on behalf of businesses that have received approval under the City's reimbursement grant program for the reimbursement of design, permitting, and construction costs for sidewalk cafés.

RESOLUTION NO. 2021-185 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING CITY'S PAYMENT OF SEWER CAPACITY FEES ON BEHALF OF BUSINESSES THAT HAVE RECEIVED APPROVAL UNDER THE CITY'S REIMBURSEMENT GRANT PROGRAM FOR SIDEWALK CAFÉS

ITEM REMOVED FROM CONSENT CALENDAR

5.7 Master Fee Schedule Amendment: Amending Chapter 4, General Business Fees, of the City's Master Fee Schedule to Modify Cannabis-Related Fees

The following members of the public spoke in support of staff's recommendation on the item:

- Carol Green, Chula Vista resident
- Becky Rapp

Moved by Mayor Casillas Salas

Seconded by Councilmember Cardenas

To adopt Resolution No. 2021-186. 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. 2021-186 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 4 (GENERAL BUSINESS FEES) OF THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH CANNABIS-RELATED FEE

6. PUBLIC COMMENTS

6.1 Public Comments Received for 9/28/2021

Howard Freelove spoke in opposition to mask and COVID vaccine mandates.

Angelica Orozco expressed concern regarding the COVID vaccine.

John Serrano, Chula Vista resident, expressed concern regarding the condition of his street.

Christina Resendez, Chula Vista resident, expressed concern regarding vehicle safety in the area of Quintard Street.

Luis Castro, Chula Vista resident, expressed concern regarding the end of the eviction moratorium.

Cesar H, Chula Vista resident, expressed concern regarding pedestrian safety in the area of City Hall.

Dale Mandible, Chula Vista resident, expressed concern regarding pedestrian safety in the area of City Hall.

Millicent Scott, Chula Vista resident, expressed concern regarding sewage odors and in support of a bus stop in her neighborhood.

Theresa Acerro, Chula Vista resident, submitted written documentation regarding ambulance transport in the City.

7. PUBLIC HEARINGS

7.1 Year-End Accomplishments Report: Federal Housing and Urban Development Block Grant Programs

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the specified in the notice.

Senior Management Analyst Davis gave a presentation on the item and responded to questions of the Council.

Mayor Casillas Salas opened the public hearing. There being no members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.

Council discussion ensued.

8. ACTION ITEMS

8.1 Middle-Income Housing Programs: Report and Discussion of Middle-Income Housing Programs Proposed by the California Statewide Communities Development Authority and the California Municipal Finance Authority

Acting Housing Manager Kurz and Senior Management Analyst Dorado gave a presentation on the item.

Mayor Casillas Salas spoke regarding staff developing a policy that protected the City.

Deputy Mayor McCann spoke in support of pursuing a JPA and directed staff to consider the associated fees and to seek a qualified partner.

Councilmember Padilla spoke regarding the importance of developing standards and thresholds and encouraged staff to continue their due diligence in developing the framework.

Councilmember Cardenas spoke regarding adding tenant protections to the policy and suggested handling it on a case-by-case basis.

Councilmember Galvez suggested developing a framework that would allow residents the opportunity to purchase the property at the 15-year mark for the original valuation.

Development Services Director Allen confirmed with the Council that the policy should include how windfall dollars would be spent and related restrictions.

The following members of the public spoke in support of middle-income housing programs:

- *John Penkower*
- *Lauren Seaver*
- *John Stoeker*

8.2 Microenterprise Home Kitchen Operations: Consider Opposing County of San Diego Authorization of Microenterprise Home Kitchen Operations within San Diego County

Heather Buonomo and Brian Johnson, representing the County of San Diego, gave a presentation on the item under Item 4.6 and responded to questions of the Council.

Council discussion ensued.

Moved by Councilmember Galvez

Seconded by Councilmember McCann

To table the item for future discussion not later than the end of October.

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

Result, Carried (5 to 0)

8.3 Interim Urgency Ordinance: Prohibition of Uses in Conflict with Land Use Amendment and Rezoning Initiation IR19-0026

Kyle Strong, representing Collins Aerospace, gave a presentation on the item and stated that Collins Aerospace was prepared to work with the City on a mutually agreeable specific plan that includes a variety of uses.

Council discussion ensued

Mayor Casillas Salas recessed the meeting at 8:43 p.m. The meeting reconvened at 8:53 p.m. with all members present.

Emil Wohl, representing Wohl Property Group, spoke regarding collaboratively working with the City to determine appropriate uses for the property.

Council discussion ensued

City Attorney Googins spoke regarding the nature of the proposed urgency ordinance.

Richard Schulman, attorney to the applicant, provided a response to City Attorney Googins.

Moved by Councilmember Padilla
Seconded by Mayor Casillas Salas

To adopt Urgency Ordinance No. 3513, heading 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)

ORDINANCE NO. 3513 OF THE CITY OF CHULA VISTA ESTABLISHING AN INTERIM URGENCY ORDINANCE PROHIBITING USES IN CONFLICT WITH LAND USE AMENDMENT AND REZONING INITIATION IR19-0026 ON THE COLLINS AEROSPACE/UNITED TECHNOLOGY COMPANY CAMPUS THEREBY ENACTING A MORATORIUM NECESSARY TO PROTECT THE PUBLIC SAFETY, HEALTH AND WELFARE **(4/5 VOTE REQUIRED)**

9. CITY MANAGER’S REPORTS

There were none.

10. MAYOR’S REPORTS

Mayor Casillas Salas announced that the Fire Department offers free vaccinations every Thursday at City Hall. She also announced National Voter's Day and encouraged the community to register to vote. Mayor Casillas Salas spoke regarding the following recent events: the Loma Verde Recreation Center demolition; meeting with Allen School 3rd graders; El Grito; Latino Leaders Luncheon; San Diego Loyals Soccer Game; the League of California Cities conference; and the Camp Bashor grand opening. She congratulated Jose Barajas on the soft opening of Mmm... Cakes.

Mayor Casillas Salas announced that due to the pandemic the City would not host the Starlight Parade and that she and Councilmember Galvez would work with TAVA on other holiday festivities.

11. COUNCILMEMBERS’ COMMENTS

Councilmember Galvez spoke regarding the following recent events: Swear-in ceremony for USIBWC Commissioner Maria-Elena Giner; Sesame Place tour ;

Loma Verde Recreation Center demolition; El Grito; Chula Vista Women's Club Annual Bunco fundraiser; Eastlake Rotary Club's Night in Sevilla fundraiser; Fleet Reserve's annual barbecue; Bill of Right's Talk Like a Pirate Day; Goodwill Annual Recognition Luncheon; meeting with the Kiwanis; Centennial 21-01 Fire Academy graduation; Bingo at Club Amistad; Hilltop and Bonita Vista High Schools' Climate Strike from Friendship Park to City Hall; Camp Bashor grand opening and San Diego Regional Policy & Innovation Center forum.

At the request of Councilmember Galvez there was consensus of the Council to use the City's logo for Junior Achievement of San Diego and Chula Vista Elementary school district's "My City" program.

Councilmember McCann spoke regarding the following recent events: Loma Verde Recreation Center demolition; Sesame Place tour; Elks Club Chili Cook-Off; Camp Bashor grand opening; and SANDAG meeting. He thanked Kevin Mc Peak, pastor of Eastlake Church, for delivering the speech at the Centennial 21-01 Fire Academy graduation. Councilmember McCann requested data on Bike Safety from the City Manager.

Councilmember Cardenas spoke regarding the following recent events: Loma Verde Recreation Center demolition; El Grito, and the SANDAG meeting.

Councilmember Padilla spoke regarding the following recent events: League of California Cities Conference and a meeting with Lieutenant Governor Kounalakis.

12. CITY ATTORNEY'S REPORTS

There were none.

13. 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.

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 9:27 p.m. The Council convened in closed session at 9:45 p.m., with all members present.

13.1 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency designated representatives: Maria Kachadoorian, Glen Googins, Courtney Chase, Kelley Bacon, Simon Silva, Sarah Schoen, and Tanya Tomlinson

Employee organizations: ACE, IAFF, MM/PR, NS-IAFF, POA, WCE and unrepresented employees

ACTION: No Reportable Action

14. ADJOURNMENT

The meeting was adjourned at 10:55 p.m.

Minutes prepared by: Tyshar Turner, Assistant City Clerk

Kerry K. Bigelow, MMC, City Clerk