

City of Chula Vista
Regular Meeting of the City Council
Meeting Minutes

September 13, 2022, 5:00 p.m.
Council Chambers, 276 Fourth Avenue, Chula Vista, CA

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

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

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.

1. CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:07 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

Councilmember Galvez led the Pledge of Allegiance and Mayor Casillas Salas called for a moment of silence in honor of Deputy City Attorney Simon Silva.

4. SPECIAL ORDERS OF THE DAY

4.1 Presentation by Claire Lion and Clovis Honore of GRID Alternatives Regarding a Solar Energy Program for Low-Income Residents

Ms. Lion and Mr. Honore, representing GRID Alternatives, gave a presentation on the item.

5. CONSENT CALENDAR (Items 5.1 through 5.5)

Mayor Casillas Salas announced that Item 5.4 was withdrawn at the request of staff.

Moved by Mayor Casillas Salas

Seconded by Councilmember McCann

To approve the recommended actions appearing below consent calendar Items 5.1 through 5.3 and Item 5.5 The headings were read, text waived. The motion carried by the following vote:

Yes (5): Deputy Mayor 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. No requests were received at that meeting.

5.3 Contract Award and Appropriation: Award a Contract for the “Installation of Lead Pedestrian Interval Signal Operations (TRF0418)” Project to Baker Electric & Renewables and Appropriate Funds for that Purpose

Adopt a resolution accepting bids, awarding a contract for the “Installation of Lead Pedestrian Interval Traffic Signal Operations (TRF0418)” project to Baker Electric & Renewables, and appropriating \$200,000 for that purpose. **(4/5 Vote Required)**

Item 5.3 heading:

RESOLUTION NO. 2022-204 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING A CONTRACT FOR THE “INSTALLATION OF LEAD PEDESTRIAN INTERVAL SIGNAL OPERATIONS (TRF0418)” PROJECT TO BAKER ELECTRIC & RENEWABLES; AND APPROPRIATING FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

5.5 Purchase Agreement: Approve Agreement with So Cal Penske Dealer Group for Ford Interceptor Utility Hybrid Vehicles

Adopt a resolution approving an agreement with So Cal Penske Dealer Group to purchase nineteen Ford Interceptor Utility Hybrid vehicles.

Item 5.5 heading:

RESOLUTION NO. 2022-205 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BID AND AWARDING AGREEMENT WITH SO CAL PENSKE DEALER GROUP FOR FORD INTERCEPTOR UTILITY HYBRID VEHICLES

ITEM REMOVED FROM CONSENT CALENDAR

5.4 Deed Restrictions: Approve Deed Restrictions on Park Properties as Required as Conditions of Grant Awards

Item 5.4 was withdrawn by staff and was not heard at that meeting.

6. PUBLIC COMMENTS

Joseph Raso, Chula Vista resident, distributed written communications and spoke regarding a residential landlord tenant ordinance.

Theresa Acerro, Chula Vista resident, submitted written communications regarding Form 700 filings.

Rita McIntyre, Chula Vista resident, spoke regarding homelessness and Harborside Park.

7. PUBLIC HEARINGS

7.1 General Plan Update: Approve Amendments to the Housing Element Update of the General Plan for the 2021-2029 Planning Period

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

Principal Planner Donaghe gave a presentation on the item.

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.

Moved by Councilmember McCann

Seconded by Councilmember Galvez

To adopt Resolution No. 2022-206, heading read, text waived. The motion carried by the following vote:

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

Result, Carried (5 to 0)

RESOLUTION NO. 2022-206 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE HOUSING ELEMENT UPDATE OF THE GENERAL PLAN FOR THE 2021-2029 PLANNING PERIOD

8. ACTION ITEMS

8.1 Affordable Housing Policy: Consider Amendments to the Guidelines to the Balanced Communities Policy to Remove Exemptions and Variances from the Policy

Sr. Planner Hernandez gave a presentation on the item. She and Housing Manager Kurz responded to questions of the Council.

Council discussion ensued.

Roy Mikha spoke in opposition to staff's recommendation.

Robert Johnson submitted written communications in opposition to staff's recommendation.

Moved by Mayor Casillas Salas

Seconded by Deputy Mayor Cardenas

To adopt Resolution No. 2022-207, heading read, text waived. The motion carried by the following vote:

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

Result, Carried (5 to 0)

RESOLUTION NO. 2022-207 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING GUIDELINES TO THE BALANCED COMMUNITIES (INCLUSIONARY HOUSING) POLICY

8.2 Tobacco Sales: Consider Prohibiting Flavored Tobacco Sales within the City of Chula Vista

Sr. Planner Hernandez and Housing Manager Kurz gave a presentation on the item and responded to questions of the Council.

Mayor Casillas Salas recessed the meeting at 6:22 p.m. The Council reconvened at 6:32 p.m., with all members present except Councilmember Padilla who rejoined the meeting at 6:37 p.m.

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

- *Adrian Kwiatkowski, representing San Diego vs. Big Tobacco*
- *Jim Crittenden, representing San Diego County Office of Education*
- *Debbie Kelly*
- *John Noriega who also spoke on behalf of Yuagheipsy R. Lopez*
- *Lila Careaga, Sweetwater High School student and student board representative*
- *Jennifer Carbuccia, representing Sweetwater Union High School District; she also paid tribute to Deputy City Attorney Simon Silva*
- *Leo Hso, representing Sweetwater High School District*
- *Laisha Felix, representing San Diego Pediatricians for Clean Air & Academy of Pediatrics*
- *Dani Fincher, Bonita Vista High School student*
- *Daniela Radash Kevich*
- *Sebastian Rodriguez*
- *Eiffel Sunga*
- *Liz Murphy*
- *Lynda Barbour, representing American Cancer Society/Cancer Action Network*
- *Jim Bartell*
- *Chelsea Vircks, representing American Heart Association*
- *Aida Castaneda, representing San Diego vs. Big Tobacco*
- *Becky Rapp*

2022/09/13 City Council Regular Meeting Minutes

- *Jessica Newmyer, representing the American Heart Association*
- *Lindsey Freitas, representing Campaign for Tobacco Free Kids*
- *Riley Steinley*
- *Dr. Sara Valladolid*

The following members of the public submitted a request to speak in support of staff's recommendation but were not present when called:

- *Salvador Garcia*
- *Manuel Andrade*

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

- *Blanca Roldan*
- *Manuel Andrade, representing Social Advocates for Youth*
- *Salvador Garcia*
- *Dr. Phillip Gardner, representing African American Tobacco Control Leadership Council*

The following members of the public submitted written communications in support of staff's recommendation, but did not wish to speak:

- *Cynthia Knapp, representing SAY San Diego*
- *Josephine Knapp*
- *Wayne Rusin*
- *Raul Tellez*

The following members of the public spoke in opposition to staff's recommendation:

- *Roy Mikha*
- *Hayley Hodges, National Association of Tobacco Outlets*
- *Randy Sadiq*
- *Ramon Mansour also spoke on behalf of Sam Hanna*
- *Tiana Estrada*
- *Amar Nadem*
- *Louis Giovanni*
- *Arkan Somo, representing Neighborhood Market Association, who also spoke on behalf of Miranda Diego representing the 420 Smoke Shop*
- *Gisel Brambila*
- *Joseph Saad*

Christopher Hudgins, representing National Hookah Community Association, submitted written communications expressing a neutral position on staff's recommendation.

Mayor Casillas Salas announced that she had received a text in opposition to staff's recommendation.

Mayor Casillas Salas recessed the meeting at 7:45 p.m. The Council reconvened at 7:55 p.m., with all members present

Council discussion ensued.

Moved by Mayor Casillas Salas
Seconded by Councilmember Padilla

To place the below ordinance on first reading, heading read, text waived. The motion was carried by the following vote:

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

Result, Carried (5 to 0)

Item 8.2 heading:

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING MUNICIPAL CODE CHAPTER 5.56 (TOBACCO RETAILER) TO PROHIBIT THE SALE OF FLAVORED TOBACCO PRODUCTS **(FIRST READING)**

Councilmember Galvez moved to add a proposal that Chula Vista limit sales of vaping products to a maximum of 2% nicotine. The motion failed for lack of a second.

9. CITY MANAGER'S REPORTS

City Manager Kachadoorian gave an update on Harborside Park and thanked staff for their efforts in cleaning the park.

10. MAYOR'S REPORTS

Mayor Casillas Salas spoke about her attendance at a meeting regarding the SDSU Cinematic Arts Center coming to the City.

Mayor Casillas Salas paid tribute to Deputy City Attorney Simon Silva.

11. COUNCILMEMBERS' COMMENTS

Councilmembers Galvez, Cardenas, Padilla and McCann paid tribute to Deputy City Attorney Simon Silva.

12. CITY ATTORNEY'S REPORTS

City Attorney Googins paid tribute to Deputy City Attorney Simon Silva.

13. CLOSED SESSION

13.1 Conference with Legal Counsel Regarding Initiation of Litigation Pursuant to Government Code Section 54956.9(c):

One Case

Item 13.1 was not discussed.

14. ADJOURNMENT

Mayor Casillas Salas adjourned the meeting in memory of Deputy City Attorney Simon Silva.

The meeting was adjourned at 9:15 p.m.

Minutes prepared by: Tyshar Turner, Assistant City Clerk

Kerry K. Bigelow, MMC, City Clerk

DRAFT