

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

May 17, 2022, 5:00 p.m.
Council Chambers, 276 Fourth Avenue, Chula Vista, CA

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

Excused: Deputy Mayor Cardenas

Also Present: City Manager Kachadoorian, Deputy City Attorney Silva, 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 5:11 p.m. 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 Padilla led the Pledge of Allegiance.

4. SPECIAL ORDERS OF THE DAY

4.1 Presentation of the Annual Sustainability Champion Awards by Environmental Sustainability Manager Coleen Wisniewski and Environmental Services Manager Manuel Medrano

Environmental Sustainability Manager Wisniewski and Environmental Services Manager Manuel Medrano presented the awards.

4.2 Presentation by Environmental Sustainability Manager Coleen Wisniewski on the City Achieving Certification in the Blue City Network

Environmental Sustainability Manager Wisniewski gave a presentation on the item.

4.3 Presentation by Commissioner Nimpa Akana from the International Friendship Commission Regarding Sister City Cebu Donation

International Friendship Commissioner Akana gave a presentation on the item.

4.4 Presentation of a Proclamation to Parks & Recreation Administrator Tim Farmer, Proclaiming May 21, 2022 as Kids to Parks Day in the City of Chula Vista

Mayor Casillas Salas read the proclamation, and Councilmember McCann presented it to Parks & Recreation Administrator Farmer.

4.5 Announcement of the Voter Education Workshop on May 19, 2022, in Council Chambers

City Clerk Bigelow gave a presentation announcing the Voter Education Workshop facilitated by the County of San Diego Registrar of Voters.

5. CONSENT CALENDAR (Items 5.1 through 5.6)

Deputy City Attorney Silva announced that the following Councilmembers would abstain from voting on the items indicated due to potential property-related conflicts of interest: Mayor Casillas Salas on Items 5.3C and 5.3F, Councilmember McCann on Items 5.3D and 5.3F, and Councilmember Padilla on Item 5.3E

City Clerk Bigelow announced that Item 5.3F would be continued to the following meeting due to conflicts resulting in the lack of a quorum to vote on the item.

ACTION: **Moved by** Councilmember McCann
 Seconded by Councilmember Padilla

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

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

Result, Carried (4 to 0)

ACTION: **Moved by** Councilmember McCann
 Seconded by Councilmember Padilla

To approve the recommended actions appearing below consent calendar Items 5.3C. The heading was read, text waived. The motion carried by the following vote:

Yes (3): Councilmember Galvez, Councilmember McCann, and Councilmember Padilla

Abstain (1): Mayor Casillas Salas

Result, Carried (3 to 0)

ACTION: **Moved by** Councilmember McCann
 Seconded by Councilmember Padilla

To approve the recommended action appearing below consent calendar Item 5.3D. The heading was read, text waived. The motion carried by the following vote:

Yes (3): Councilmember Galvez, Councilmember Padilla, and Mayor Casillas Salas

Abstain (1): Councilmember McCann

Result, Carried (3 to 0)

Moved by Councilmember McCann
Seconded by Councilmember Padilla

To approve the recommended action appearing below consent calendar Items 5.3E. The heading was read, text waived. The motion carried by the following vote:

Yes (3): Councilmember Galvez, Councilmember McCann, and Mayor Casillas Salas

Abstain (1): Councilmember Padilla

Result, Carried (3 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

Approval of an excused absence request from Councilmember Padilla for the October 26, 2021 City Council meeting and Councilmember Cardenas for the May 17, 2022.

5.3 Open Space Maintenance Districts: Initiating Proceedings, Approving the Engineer's Report, Declaring the Intention to Levy Assessments for Fiscal Year 2022/23

Adopt the following resolutions and set a public hearing for June 21, 2022:

A) Initiating Proceedings for the levy and collection of Assessments for Fiscal Year 2022/23 for Open Space Districts 1 thru 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33, Eastlake, Town Center and Bay Boulevard of the City of Chula Vista pursuant to the Landscaping and Lighting Act of 1972

B) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a Public Hearing regarding the Fiscal Year 2022/23 assessments for Open Space districts 2 through 8, 11, 14, 15, 17, 18, 20 (Zones 1 through 6, 8 and 9), 23, 24, 26, 31, 33, Eastlake Maintenance District No. 1 (Zones A, B, and D), and Bay Boulevard Maintenance District

C) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding the Fiscal Year 2022/23

assessments for Open Space District 9, Open Space District 10, Eastlake Maintenance District No. 1 (Zone E), and Town Center Maintenance District

D) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding the Fiscal Year 2022/23 assessments for Open Space District 1

E) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding Fiscal Year 2022/23 assessments for Open Space District Eastlake Maintenance District No. 1 (Zone C)

A) RESOLUTION NO. 2022-111 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2022/23 FOR OPEN SPACE DISTRICTS 1 THRU 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33 EASTLAKE, TOWN CENTER AND BAY BOULEVARD OF THE CITY OF CHULA VISTA PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

B) RESOLUTION NO. 2022-112 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022/23 ASSESSMENTS FOR OPEN SPACE DISTRICTS 2 THROUGH 8, 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 6, 8 AND 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONES A, B, AND D), AND BAY BOULEVARD MAINTENANCE DISTRICT

C) RESOLUTION NO. 2022-113 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022/23 ASSESSMENTS FOR OPEN SPACE DISTRICT 9, OPEN SPACE DISTRICT 10, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONE E) AND TOWN CENTRE MAINTENANCE DISTRICT

D) RESOLUTION NO. 2022-114 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022/23 ASSESSMENTS FOR OPEN SPACE DISTRICT 1

E) RESOLUTION NO. 2022-115 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022/23 ASSESSMENTS FOR OPEN SPACE DISTRICT EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONE C)

5.5 Annual Audit Report: Accept the Single Audit Report for the Fiscal Year that Ended June 30, 2021

Receive and file the Single Audit Report for Fiscal Year Ended June 30, 2021.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5.4 Electric Vehicle Charging Infrastructure: Approve Second Amendment to License Agreement to Implement Upgrades to Electric Vehicle Infrastructure at Five City Parking Lots

Alan C spoke in opposition to the item.

ACTION: **Moved by** Councilmember McCann
 Seconded by Councilmember Padilla

To adopt a Resolution No. 2022-117, heading read, text waived. The motion carried by the following vote:

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

Result, Carried (4 to 0)

RESOLUTION NO. 2022-117 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECOND AMENDMENT TO A LICENSE AGREEMENT WITH BLINK NETWORK, LLC TO IMPLEMENT UPGRADES OF EXISTING ELECTRIC VEHICLE INFRASTRUCTURE AT FIVE CITY PARKING LOTS

5.6 Loma Verde Recreation Center: Grant an Easement to San Diego Gas and Electric to Provide Utility Services to the Loma Verde Recreation Center

Alan C spoke in opposition to the item.

ACTION: **Moved by** Councilmember McCann
 Seconded by Councilmember Padilla

To adopt Resolution No. 2022-118, heading read, text waived. The motion carried by the following vote:

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

Result, Carried (4 to 0)

RESOLUTION NO. 2022-118 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING AN EASEMENT TO SAN DIEGO GAS AND ELECTRIC TO PROVIDE UTILITY SERVICES TO THE NEW LOMA VERDE RECREATION CENTER

6. PUBLIC COMMENTS

Alan C spoke regarding the mask mandate being optional.

7. ACTION ITEMS

7.1 Contract Amendment: Approve an Amendment to the Contract with the Board of Administration and CalPERS for Local Safety Police Officer's Association Classic Members to Make an Additional Contribution Pursuant to Government Code Section §20516

Alan C. spoke in opposition to the item.

ACTION: **Moved by** Mayor Casillas Salas
 Seconded by Councilmember McCann

To adopt Ordinance No. 3521 heading read, text waived. The motion was carried by the following vote:

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

Result, Carried (4 to 0)

ORDINANCE NO. 3521 OF THE CITY OF CHULA VISTA AUTHORIZING THE AMENDMENT TO THE CONTRACT BETWEEN THE CITY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE A MANDATORY EMPLOYEE CONTRIBUTION FOR ALL CLASSIC LOCAL SAFETY MEMBERS OF THE CHULA VISTA POLICE OFFICERS' ASSOCIATION OF ONE PERCENT OF SALARY EFFECTIVE JULY 1, 2022 **(SECOND READING AND ADOPTION)**

7.2 Tenant Protections: Consideration of Ordinances Regarding Local Tenant Protections to Address No-Fault Just Cause Terminations of Tenancy

Deputy City Attorney Silva stated that Councilmember McCann would abstain from voting on Item 7.2 due to a potential financial conflict of interest and pursuant to FPPC Advice letter A22-017. Councilmember McCann left the dais during the discussion and voting on the item.

Deputy City Manager Allen announced that Item 7.2B, the ordinance to enact a moratorium on no-fault evictions, would not be acted upon at that meeting due to lack of quorum. She stated that a revised ordinance for Item 7.2A had been distributed to the Council, and that action on the item would be with respect to the revised document.

Deputy City Manager Allen gave a presentation on the item. She, Deputy City Attorney Silva, and Deputy City Attorney McClurg responded to questions of the Council.

Mayor Casillas Salas recessed the meeting at 6:50 p.m. The Council reconvened at 7:15 p.m., with all members present, except Deputy Mayor Cardenas and Councilmember McCann.

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

- *Pat Russiano, Bonita resident*
- *Michael Campbell*
- *Mark Scott*
- *Richard D'Ascoli, representing Pacific Southwest Association of Realtors (Robert Milles, Janet Milles, Jason Lopez, Wayne Roseweir and Max Zaker)*
- *Nikki Coppa, Chula Vista resident*
- *Alan C.*
- *Sharon Robinson*
- *Yvonne Cromer, Chula Vista resident*

- *Robert Cromer, Chula Vista resident*
- *Molly Kirkland, representing Southern California Rental Housing Association and on behalf of Lorena Winter and Gabriela Manriquez*
- *David Winter*
- *Peter Codallos, Chula Vista resident*
- *Mitch Thompson, Chula Vista resident*
- *Melanie Woods, representing California Apartment Association and on behalf of Kari Thomas*
- *Frank Powell on behalf of Ryan Maxson*
- *George Ching*
- *Virginia Jenson*
- *Julie Paulie*
- *Brian Smith*
- *Eric Sutton*
- *Peter Carlseen*
- *Carol Crossman*
- *Aurora*
- *Dean Knuth*
- *Lupe Soto, Chula Vista resident*
- *Don Eklun*
- *Earl Jentz, Chula Vista resident and on behalf of David and Karen Jentz*
- *Joseph Raso*
- *Myssie McCann*
- *Terry Lawson*
- *Josh Morales*
- *Robert*
- *Amy Epsten*

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

- *Aurora*
- *Engaged Citizen*
- *Concerned CV resident*
- *Resident*
- *Tom S.*
- *Patience*
- *Armand Olvera*
- *Susan Beradi*
- *Robert and Joanne Snaith*
- *Michael Campbell*
- *Camille & Tony Bruno*
- *Amy Epsten*
- *Ronald Trotter*
- *Jason Lopez*
- *John Malone*
- *Eric Sutton*
- *Carlos*

- *Mark Schiffman*
- *John Modlin*
- *Liane Wassinger*
- *Alyssa Davies*
- *Charles Knoepfli*
- *Cheryl Raya*
- *Alta Gray*
- *Sean Bascom*
- *Karen Hernandez*
- *Anadarinka*
- *Todd H.*
- *Heather King*
- *Celina Tominna*
- *Julio Molina*
- *Catharina Herrera*
- *Kristen Guzmán*
- *Richard D'Ascoli*
- *Amy Rincon*
- *Michele*
- *James Pellicane*
- *Robert Wiedman*
- *Floyd I Willis*
- *Joanne Fischer*
- *Brian Collins*
- *Gerry A Ranglas*
- *Luke Wasyliv*
- *Cindi M. Silady*
- *Tina Morton*
- *Laila Coucouroux*
- *Pamela Robinson*
- *Kevin Dougherty*
- *Martine A. Hillier*
- *Sean Hillier*
- *David Clutts*
- *Kurt Strauss, Esq.*
- *Jan Farley*
- *Frauke Kuo*
- *Adriana Erni*
- *Denise Gleavey*
- *Don Eklund*
- *Jesse Manuel*
- *Carla S.*
- *Irma M.*
- *Sam S.*
- *Karen Washam*
- *Jeff Hans*
- *Gerry Miranda*
- *Bernadette*

- *Edmond Vigneau*
- *Pat Russiano*
- *Stephanie Gatschet*
- *Melanie Woods*
- *Robert Vallera*
- *Mary Myers*
- *Veronica Vasquez*
- *Stephen L Gilles*
- *Tracy Morgan Hollingworth*
- *Melo-de Savage*
- *Alma Porras*
- *Berta Calderon*
- *Theresa Acerro*
- *Mel McBroome*
- *Cory Shepard*
- *Cindi M Silady*
- *Bridget Potterton*
- *Ashley Anderson*
- *Tyler*
- *Mike Smith*
- *Candace Holcombe*

Mayor Casillas Salas recessed the meeting at 8:57 p.m. The Council reconvened at 9:12 p.m., with all members present, except Deputy Mayor Cardenas and Councilmember McCann

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

- *Angel Menenes*
- *Jose Lopez, representing ACCE*
- *Larry Oldham, representing ACCE*
- *Patricia Duran*
- *Dora Parra*
- *Elizabeth Vizcarra*
- *Maria Luisa Abarca*
- *Cesar Rodriguez*
- *Miriam Goff*
- *Luis Guerrero*
- *Max Afifi, Chula Vista resident and on behalf of Nancy Smith*
- *Gabriel Guzman, Chula Vista resident*
- *Margaret Baker, Chula Vista resident*
- *Eduardo Saldizar, representing ACCE*
- *Connie Mack*
- *Theresa Goodman*
- *Luis Castro*
- *Sylvia Saldivar*
- *Romualdo Villafan*
- *Cristina Owens*

- Cesar Rodriguez
- Rafael Bautista also spoke on behalf of Sandra Galindo
- Johnny Chavez

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

- Tammy Alvarado
- Emily D Tran
- Daniel S.
- Margaret Baker
- Adolfo Carabajal
- Emely Nieto
- Kathy Hardy
- Cesar M.

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

- Sam Calvamo
- Gilberto Vera

Gilberto Vera submitted written communication expressing a neutral position on staff's recommendation.

The following members of the public submitted written communications on the item, but were not present to speak:

- John Acosta, Chula Vista resident
- Cesar Rodriguez
- Gloria Canizales

Nicolas Paul submitted written communications in support of the item but did not wish to speak.

Council discussion ensued.

At the request of Councilmember Galvez, there was a consensus of the Council to submit a referral to the District Attorney to investigate illegal behaviors by complex owners.

Councilmember Padilla spoke in support of the Council taking action on the matter as authorized and allowed and giving adequate consideration to an ordinance to ensure quality regulations. He spoke regarding validating tenancies, standards for assistance, clearly stating the right of first refusal would be a tenant-driven obligation, clarifying enforcement regulations, and considering the budget for outreach and assistance services. He also spoke regarding increased housing costs and housing affordability issues.

City Manager Kachadoorian spoke regarding the timeline for bringing the ordinance back, stating that staff would need additional time to conduct community outreach.

ACTION: **Moved by** Mayor Casillas Salas
 Seconded by Councilmember Padilla

To continue the item to allow for staff to incorporate Council feedback into the ordinance and to make a referral to the District Attorney's office to investigate illegal behaviors of apartment complex owners. The motion carried by the following vote:

Yes (3): Councilmember Galvez, Councilmember Padilla, and Mayor Casillas Salas

Abstain (1): Councilmember McCann

Result, Carried (3 to 0)

8. CITY MANAGER'S REPORTS

City Manager Kachadoorian gave an update on the Bayfront project.

9. MAYOR'S REPORTS

Mayor Casillas Salas announced the Fourth Fest Fourth of July event and the Downtown Chula Vista Block Party

10. COUNCILMEMBERS' COMMENTS

Councilmember McCann announced the upcoming kids scavenger hunt in City parks.

11. CITY ATTORNEY'S REPORTS

There were none.

12. ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

Minutes prepared by: Tyshar Turner, Assistant City Clerk

Kerry K. Bigelow, MMC, City Clerk