



Third Avenue Village Association - Civil Sidewalks Committee Meeting

Tuesday, May 31, 2022 at 8:30 am

Zoom Virtual Meeting:

<https://us06web.zoom.us/j/85094150048?pwd=VWR4aElKY3RaRUc5c0hZY0VRSkRjUT09>

or call 1-669-900-6833 / Meeting ID: 850 9415 0048 / Passcode: 828350

- 1) Introductions and Zoom Etiquette / Dr. Gonzalo Quintero, Chair
All participants will be put on mute during the topic presentation and then the moderator will unmute the microphones to take comments/feedback. Please keep comments directed to the topic being discussed.
- 2) Continuing Virtual Meetings Pursuant to AB 361 *Action Item*
Find and determine that a state of emergency remains in effect at the state level, and that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- 3) Public Comment (3-Minute Max Per Person)
- 4) TAVA In-house Maintenance Operations:
 - a. Status of TAVA Maintenance Operations
 - b. Q2 Pressure Washing of District Sidewalks Scheduled
 - c. District Median & Sidewalk Bulb-out Landscaping Transition
- 5) Committee Updates:
 - a. First Third Avenue Public Safety Task Force Meeting Recap
 - b. Sidewalk/Curb Café Permitting Program & Compliance
 - c. Development of a Third Avenue Local Sidewalk Vending Ordinance *Action Item*
- 6) Old Business – Add or Remove Items
 - a. MOU for Placement of Items in the Public Right of Way
- 7) Next Meeting: _____
- 8) Adjournment

BROWN ACT. Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72-hours prior to a regular meeting. The Corporation posts all Board and Committee agendas at 353 Third Avenue, Chula Vista, CA 91910 and on the TAVA website. Action may not be taken on items not identified as such and posted on the agenda. Meeting facilities may be accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify Michelle T de Mercado at 619-422-1982 or via email at info@thirdavenuevillage.com at least 48-hours prior to the meeting. VIRTUAL MEETING / COVID-19. Due to precautions associated with COVID-19 and following current state law (AB 361) regarding the Brown Act, all TAVA Board and committee meetings, until further notice, will be held by teleconference only. Members of the public can listen and participate in meetings over the phone and through the internet.

THIRD AVENUE VILLAGE ASSOCIATION

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AB 361 Overview

9/30/2021

On September 16, 2021, AB 361 was adopted on an urgency basis (AB 361, section 9) meaning it has immediate effect. Shortly thereafter, Governor Newsome issued an executive order delaying implementation until October 1. After October 1 and through January 1, 2024 (when the bill sunsets), bodies subject to the Brown Act can continue to meet electronically (without the need to allow the public to participate from a physical location) after making specific findings and subject to added requirements.

Findings

A body subject to the Brown Act may continue to meet virtually when:

- 1) **it is meeting during a proclaimed state of emergency AND**
- 2) **either: state or local officials have imposed or recommended measures to promote social distancing OR the body is meeting to determine or has determined by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.**

Thereafter, at least every 30 days the body must make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing

Additional Requirements

In addition to requirements established under the Governor's Executive Orders, public entities that continue to meet virtually must also:

- Allow real-time public comment; may not require public comments to be submitted in advance.
- Allow people to register (get in line) to give public comment during the entire public comment period for a given item.
- Suspend any action in the event of a service interruption. If there is a disruption (within the agency's control) that prevents broadcast of the meeting or prevents the public from providing comments, the body may not take actions until service is restored or those actions may be challenged.



Third Avenue Village Association - Civil Sidewalks Committee Meeting
Monday, March 28, 2022, at 10:00 am

Zoom Virtual Meeting: <https://us06web.zoom.us/j/81754069223> or call 1-669-900-68
Meeting ID: 817 5406 9223 / Passcode: 1982

PRESENT: Dr. Quintero, Mariana Cardenas, Kevin Lewis, Kendell Manion, Timothy Parker, Tony Raso, Kevin Rhodes

STAFF: Dominic Li Mandri, Marco Li Mandri, Monica Montes, Dianne Serna De Leon, Michelle Thomas de Mercado

MINUTES:

| <i>Item</i> | <i>Discussion</i> | <i>Action Taken?</i> |
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| 1. Roll Call & Zoom Etiquette / Dr. Gonzalo Quintero, Chair | 1. The meeting was called to order at 10:02 am by District Manager, Dominic Li Mandri. Dominic started the meeting with introductions with all those present. | 1. No action taken |
| 2. Continuing Virtual Meetings Pursuant to AB 361 | 2. The committee needed to ratify a vote during each meeting that states that we will continue to meet via Zoom for public agencies to hold virtual meetings during a proclaimed state of emergency and remain in compliance with the Brown Act (Gov. Code §§ 54950 et seq.) | 2. Dr. Quintero moved to accept. Tim Parker seconded. Unanimously approved. |
| 3. Public Comment (3 Minutes Max Per Person) | 3. Nothing to report. | 3. No action taken |

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| <p>4. TAVA In-house Maintenance Operations:</p> <p>a. New Route System Implemented</p> <p>b. Q1 Pressure Washing of Sidewalks Administered</p> <p>c. Transition to In-House for Landscaping Operations</p> <p>5. Committee Updates:</p> <p>a. Phase 3 Hardscape Improvement Meeting with the City</p> <p>b. Anticipated Placement of New Amenities in the PROW on</p> | <p>4.a. Dominic shared with the committee the illustrated route system that has been implemented with the TAVA maintenance staff.</p> <p>4.b. Dominic shared with the committee that CAM completed their scheduled 1st quarter district power washing.</p> <p>Dominic shared the Site Audit Report from CAM illustrating photos of areas that were addressed on Third Avenue during this power washing (pages 5-7).</p> <p>Dominic presented a second Site Audit Report from CAM, illustrating performed median landscaping (pages 8-10).</p> <p>4.c. Dominic shared that he would continue his transition to cancel CAM and transfer the landscaping duties in house. This would remove overhead costs.</p> <p>5.a. Dominic reported to the committee that he is to meet with Patricia Ferman, the Principal Landscape Architect for the City of Chula Vista.</p> <p>Patricia will coach TAVA staff on how to use the irrigation system in the phase III areas of E through F Street.</p> <p>5.b. Dominic presented the February 1, 2022, letter of request for support for the Third Avenue Village Association to the committee, received by Supervisor Nora Vargas. This \$ 115,700 grant will</p> | <p>4.a. No action taken</p> <p>4.b. No action taken</p> <p>4.c. Dr. Quintero moved to accept staff's recommendation to bring on personnel. Tim Parker seconded. Unanimously approved.</p> <p>5.a. No action taken</p> <p>5.b No action taken</p> |
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| <p>Third Ave.</p> <p>c. MOU for Placement of Items in the Public Right of Way</p> | <p>provide ROW Amenities to the district.</p> <p>5.c. Dominic shared with members the placement of ROW amenities throughout Third Avenue from the grant funds received for the district.</p> <p>Tony Raso shared his concern of having branded tables and chairs placed in front of his business, Bar Sin Nombre.</p> <p>Dominic assured Tony Raso that he would provide only the requested trash can replacement in the bulb out area in front of his establishment.</p> <p>Tim Parker shared his concern regarding the unhoused citizens and loitering on the furniture.</p> <p>Marco shared Tim’s concern and assured the committee that staff will monitor any undesired activity. Marco added the furniture is “an attraction” for people needing a place to sit.</p> | <p>5.c. Dr. Quintero moved to authorize staff to work on the MOU permitting process. Kevin Lewis seconded the motion. Unanimously approved.</p> |
| <p>d. Maintenance Concerns from Outside Vendors Operating on Third Ave</p> | <p>5.d. Dominic shared photos of his assessment of Third Avenue after his concern of rouge food vendors and food trucks setting up late at night. Dominic added that currently, the City of Chula Vista does not practice code enforcement on Third Avenue late into the evening, and is expecting TAVA to engage them if there are items in need of addressing. Tony Raso expressed concern as permitted eating establishments are not open when the area bars are. The food trucks do offer a place for patrons to eat late night. Mariana Cardenas added that The Balboa South kitchen will operate until 11pm.</p> <p>Marco suggested the potential partnership between a business and a food truck. This partnership will manage other food trucks coming into the district.</p> | <p>5.d. No action taken</p> |
| <p>e. Creation of Local Sidewalk Vending Ordinance</p> | <p>5.e. Dominic suggested to the committee to authorize staff to go to city council to create rules and draw up a negotiated plan for sidewalk vendors.</p> | <p>5.e. Dr. Quintero requested to table this item and to form an ad hoc committee.</p> |
| <p>f. Third Avenue</p> | <p>5.f. Dominic shared that this meeting will be held in</p> | <p>5.f. No action taken</p> |

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| Public Safety Task Force First Meeting | the coming weeks and is meant to address many of the safety concerns TAVA has fielded in the last few months. Dominic expressed that all members are invited to attend this meeting. | |
| 6. Old Business – | | |
| a. IPS Forum | <p>6.a. Dominic shared that he would update the committee after attending the next IPS meeting.</p> <p>On a separate note, Marco shared that staff are considering an internal policy on how to approach new ABC license applicants moving into the district. In other districts NCA manages, we typically institute a policy of supporting existing license holders being open until 1 AM at the latest, and with newer operators coming to Third, 12 Midnight. This is in an attempt to moderate the impacts of nightlife/bars on the nearby single-family residences while also not curtailing economic incentive to significantly. Staff will monitor the effectiveness of this policy as new operators and licenses are considered on Third Avenue.</p> | 6.a. No action taken |
| 7. Next Meeting | No future meeting date set. | 7. No action taken |
| 8. Adjournment | Meeting adjourned at 10:59 am. | 8. Motion to adjourn the meeting unanimously approved. |

Minutes taken by: Michelle T. de Mercado, Staff.