



MEETING OF THE CITY COUNCIL

*Agenda*

John McCann, Mayor  
Carolina Chavez, Councilmember – District 1  
Jose Preciado, Councilmember – District 2  
Alonso Gonzalez, Councilmember – District 3  
Andrea Cardenas, Councilmember – District 4

Maria V. Kachadoorian, City Manager  
Kerry K. Bigelow, City Clerk

REGULAR MEETING OF THE CITY COUNCIL

**\*\*REVISED - 9/15/2023\*\***

**Date:** Tuesday, September 19, 2023, 5:00 p.m.  
**Location:** Council Chambers, 276 Fourth Avenue, Chula Vista, CA

**View the Meeting Live in English & Spanish:** [chulavistaca.gov/councilmeetings](http://chulavistaca.gov/councilmeetings)  
Cox channel 24 in English only

**Welcome to your City Council Meeting**

**PUBLIC COMMENTS:** Public comments may be submitted to the City Council in the following ways:

- **In-Person.** The community is welcome to make public comments at this City Council meeting.
- **Submit an eComment:** Visit [www.chulavistaca.gov/councilmeetings](http://www.chulavistaca.gov/councilmeetings), locate the meeting and click the comment bubble icon. Select the item and click "Leave Comment." eComments can be submitted until the conclusion of public comments for the item and are viewable online upon submittal. If you have difficulty submitting eComments, email comments to: [cityclerk@chulavistaca.gov](mailto:cityclerk@chulavistaca.gov).

**HOW TO WATCH:** Live stream is available at [www.chulavistaca.gov/councilmeetings](http://www.chulavistaca.gov/councilmeetings). To switch the video to Spanish, please click on "ES" in the bottom right hand corner. Meetings are available anytime on the City's website (English and Spanish).

**ACCESSIBILITY:** Individuals with disabilities or special needs are invited to request modifications or accommodations to access and/or participate in a City meeting by contacting the City Clerk's Office at [cityclerk@chulavistaca.gov](mailto:cityclerk@chulavistaca.gov) or (619) 691-5041 (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the meeting.

**SPEAKER TIME LIMITS:** The time allotted for speakers may be adjusted by the Mayor.

- Five minutes\* for specific items listed on the agenda
- Three minutes\* for items NOT on the agenda (called to speak during Public Comments)
- A group of individuals may select a spokesperson to speak on their behalf on an agenda item, waiving their option to speak individually on the same item. Generally, five minutes are allotted per person, up to a limit of 30 minutes, although the limits may be adjusted. Members of the group must be present.

*\*Individuals who use a translator will be allotted twice the amount of time.*

## GETTING TO KNOW YOUR AGENDA

### Agenda Sections:

**CONSENT CALENDAR** items are routine items that are not expected to prompt discussion. All items are considered for approval at the same time with one vote. Councilmembers and staff may request items be removed and members of the public may submit a speaker slip if they wish to comment on an item. Items removed from the Consent Calendar are discussed after the vote on the remaining Consent Calendar items.

**PUBLIC COMMENT** provides the public with an opportunity to address the Council on any matter not listed on the agenda that is within the jurisdiction of the Council. In compliance with the Brown Act, the Council cannot take action on matters not listed on the agenda.

**PUBLIC HEARINGS** are held on matters specifically required by law. The Mayor asks for presentations from staff and from the proponent or applicant involved (if applicable) in the matter under discussion. Following questions from the Councilmembers, the Mayor opens the public hearing and asks for public comments. The hearing is closed, and the City Council may discuss and take action.

**ACTION ITEMS** are items that are expected to cause discussion and/or action by the Council but do not legally require a Public Hearing. Staff may make a presentation and Councilmembers may ask questions of staff and the involved parties before the Mayor invites the public to provide input.

**CLOSED SESSION** may only be attended by members of the Council, support staff, and/or legal counsel. The most common purpose of a Closed Session is to avoid revealing confidential information that may prejudice the legal or negotiating position of the City or compromise the privacy interests of employees. Closed sessions may be held only as specifically authorized by law.

### Council Actions:

**RESOLUTIONS** are formal expressions of opinion or intention of the Council and are usually effective immediately.

**ORDINANCES** are laws adopted by the Council. Ordinances usually amend, repeal or supplement the Municipal Code; provide zoning specifications; or appropriate money for specific purposes. Most ordinances require two hearings: an introductory hearing, generally followed by a second hearing at the next regular meeting. Most ordinances go into effect 30 days after the final approval.

**PROCLAMATIONS** are issued by the City to honor significant achievements by community members, highlight an event, promote awareness of community issues, and recognize City employees.

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1. **CALL TO ORDER**
  2. **ROLL CALL**
  3. **PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE**
  4. **SPECIAL ORDERS OF THE DAY**
    - 4.1 **Oaths of Office:**
      - Health, Wellness, and Aging Commission**
      - Joyce Persichilli
      - Human Relations Commission**
      - Jeff Redondo
    - \*4.2 **Presentation by Port Commissioner Ann Moore on the Port of San Diego's Public Workshops for Community Input on Upcoming Expanded Access Events**
    - 4.3 **Presentation of a Proclamation to Lorena Gurule-Montes and Hillary Theakston Proclaiming September 2023 Ovarian Cancer Awareness Month in the City of Chula Vista**
    - 4.4 **Presentation of a Proclamation to Wayne Nelson Proclaiming September 22, 2023 as California Native American Day in the City of Chula Vista**
  5. **CONSENT CALENDAR (Items 5.1 through 5.12)**  
*All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.*

**RECOMMENDED ACTION:**

Council approve the recommended action on the below consent calendar items.

- 5.1 **Approval of Meeting Minutes**  
**RECOMMENDED ACTION:**  
 Approve the minutes dated: September 12, 2023
- 5.2 **Waive Reading of Text of Resolutions and Ordinances**  
**RECOMMENDED ACTION:**  
 Approve a motion to read only the title and waive the reading of the text of all resolutions and ordinances at this meeting.
- 5.3 **Consideration of Requests for Excused Absences**  
**RECOMMENDED ACTION:**  
 Consider requests for excused absences as appropriate.

**5.4 Labor Relations: Adopt Ordinances Relating to Project Labor Agreements and Contractor Transparency (Second Reading and Adoption)**

**Location:** No specific geographic location

**Department:** City Manager

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Adopt ordinances A) Amending Chapter 2.59 and adding Chapter 2.71 “Project Labor Agreements” of Title 2 of the Chula Vista Municipal Code **(Second Reading and Adoption)**, and B) Adding Chapter 2.72 “Construction Contractor and Subcontractor Reporting” to Title 2 of the Chula Vista Municipal Code. **(Second Reading and Adoption)**

**5.5 Employee Positions: Adopt an Ordinance Adding and Deleting Unclassified Position Titles (Second Reading and Adoption)**

**Location:** No specific geographic location

**Department:** Human Resources

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Adopt an ordinance amending Chula Vista Municipal Code Section 2.05.010 to add the unclassified position title of Deputy Director of Community Services and delete the unclassified position titles of City Librarian and Parks and Recreation Administrator. **(Second Reading and Adoption) (4/5 Vote Required)**

**5.6 Agreements: Approve Agreements Between the City and Harrell & Company Advisors, LLC for Financial Advisory Services; Stradling Yocca Carlson & Rauth for Bond and Disclosure Counsel; and Spicer Consulting Group, LLC for Special Tax Consultant Services**

**Report Number:** 23-0215

**Location:** Community Facilities Districts 06-I IA A, 06-I IA B, 07-I, 08-I, and 2001-2 in Eastern Chula Vista.

**Department:** Finance

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Adopt resolutions approving agreements between the City and: A) Harrell & Company Advisors, LLC for Financial Advisory Services, B) Stradling Yocca Carlson & Rauth for Bond and Disclosure Counsel, and C) Spicer Consulting Group, LLC for Special Tax Consultant Services, all in connection with the Bond Refinancing of the Chula Vista Municipal Financing Authority Special Tax Revenue Refunding Bonds, Series 2013.

**5.7 Agreements: Approve an Agreement with Hinderliter de Llamas (“HdL”) to Provide Sales and Use Tax Auditing Services**  
**Report Number: 23-0259**

**Location:** No specific geographic location

**Department:** Finance

**Environmental Notice:** The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Adopt resolution approving sales and use tax audit services between the City of Chula Vista and HdL for fiscal years 2023-24 and one option to extend through fiscal year 2024-25.

**5.8 Board, Commission, and Committee Terms: Accept the Local Appointments List of Terms Expiring in 2024**  
**Report Number: 23-0209**

**Location:** No specific geographic location

**Department:** City Clerk

**Environmental Notice:** This activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines. Therefore, pursuant to State Guidelines Section 15060(c)(3), no environmental review is required.

**RECOMMENDED ACTION:**

Adopt a resolution accepting the 2024 Local Appointments List for board, commission, and committee terms expiring in calendar year 2024.

**5.9 Agreement: Approve Memoranda of Understanding with Sweetwater Union High School District and Chula Vista Elementary School District for the School Resource Officer Program**  
**Report Number: 2023-0232**

**Location:** No specific geographic location

**Department:** Police

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Adopt a resolution approving Memoranda of Understanding with Sweetwater Union High School District and Chula Vista Elementary School District for the School Resource Officer Program.

- 5.10 Agreement: Approve agreement with ThirdWave Corporation for the Development of an Information Technology Master Plan for the City of Chula Vista**  
**Report Number: 23-0210**

**Location:** No specific geographic location

**Department:** Information Technology Services

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Adopt a resolution waiving the City’s formal competitive bid requirement and authorizing the City Manager to enter into an agreement with ThirdWave Corporation to establish technical and professional services in support of plan development for the City.

- 5.11 Contract Award and Appropriation: Award a Public Works Contract to Sancon Technologies, Inc. for the “Sewer Manhole Rehabilitation – FY2019-20 & Sewer Manhole Rehabilitation – FY2020-21 (SWR0314 & SWR0320)” Project and Appropriate Funds for that Purpose**  
**Report Number: 23-0246**

**Location:** Citywide

**Department:** Engineering

**Environmental Notice:** The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 Class 1 (Existing Facilities), and Section 15302 Class 2 (Replacement or Reconstruction).

**RECOMMENDED ACTION:**

Adopt a resolution 1) awarding a public works contract to Sancon Technologies, Inc. for the “Sewer Manhole Rehabilitation – FY2019-20 & Sewer Manhole Rehabilitation – FY2020-21 (SWR0314 & SWR0320)” project in the amount of \$298,045, and 2) appropriating Sewer Facility Replacement funds to cover the projected costs of the construction phase of the project. **(4/5 Vote Required)**

- 5.12 Agreements: Approve Agreements with Arcadis a California Partnership, HNTB Corporation, Iteris, Inc., and STC Traffic, Inc., to Provide On-Call Traffic Engineering & Intelligent Transportation Systems Consulting Services**  
**Report Number: 23-0225**

**Location:** No specific geographic location

**Department:** Engineering & Capital Projects

**Environmental Notice:** The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

**RECOMMENDED ACTION:**

Adopt a resolution approving On-Call Traffic Engineering & Intelligent Transportation Systems Consulting Services agreements with Arcadis a California Partnership, HNTB Corporation, Iteris, Inc., and STC Traffic Inc. for various capital improvement projects and other city projects.

**6. PUBLIC COMMENTS**

*The public may address the Council on any matter within the jurisdiction of the Council but not on the agenda.*

**7. ACTION ITEMS**

*The following item(s) will be considered individually and are expected to elicit discussion and deliberation.*

- 7.1 City Attorney Special Election: Report by the City Clerk Regarding the Potential Need for a Special Runoff Election and Options for the Date and Format of the Election, and Possible Direction from the City Council**  
**Report Number: 23-0237**

**Location:** No specific geographic location

**Department:** City Clerk

**Environmental Notice:** The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(C)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Hear the report and provide direction regarding the format and date for a special runoff election for the City Attorney, if a runoff is required following the November 2023 special election certification.

- 7.2 Labor Relations: Consideration of Establishing a Healthcare Worker Minimum Wage**  
**Report Number: 23-0265**

**Location:** No specific geographic location

**Department:** City Manager

**Environmental Notice:** This activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act ("CEQA") State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Place an ordinance on first reading adding Chapter 2.74 "Healthcare Worker Minimum Wage" to Title 2 of the Chula Vista Municipal Code. **(First Reading)**

**7.3 Labor Relations: Consideration of Establishing Traffic Control Worker Minimum Wage  
Report Number: 23-0264**

**Location:** No specific geographic location

**Department:** City Manager

**Environmental Notice:** This activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act (“CEQA”) State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

**RECOMMENDED ACTION:**

Place an ordinance on first reading adding Chapter 2.73 “Traffic Control Worker Minimum Wage” to Title 2 of the Chula Vista Municipal Code. **(First Reading)**

**8. CITY MANAGER’S REPORTS**

**9. MAYOR’S REPORTS**

**10. COUNCILMEMBERS’ COMMENTS**

**11. CITY ATTORNEY’S REPORTS**

**12. CLOSED SESSION**

*Announcements of actions taken in Closed Sessions shall be made available by noon on the next business day following the Council meeting at the City Attorney’s office in accordance with the Ralph M. Brown Act (Government Code 54957.7)*

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

A) Name of case: American Medical Response West v. CA Dept of Healthcare Services, Sacramento Superior Court, Case No. 34-2021-80003757-CU-WM-GDS.

B) Name of case: Hanna Wells v City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2023-00036274-CU-CR-CTL.

C) Name of case: Estate of Oral W. Nunis, Sr., by and through Roxie Nunis, et al. v. City of Chula Vista, et al., United States District Court, Case No. 21-cv-1627-AJB-DEB.

**12.2 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6**

Agency designated representatives: Maria Kachadoorian, Tiffany Allen, Courtney Chase, Tanya Tomlinson, Sarah Schoen, and Edward Prendell

Employee organization: ACE, IAFF, NIAF, MM/PR, POA, WCE, and unrepresented employees.



**13. ADJOURNMENT**

*to the Mayor's State of the City Address on September 26, 2023, at 6:00 p.m. at the Elite Athlete Training Center located at 2800 Olympic Parkway, and then to the regular City Council meeting on October 3, 2023, at 5:00 p.m. in the Council Chambers.*

*Materials provided to the City Council related to an open session item on this agenda are available for public review, please contact the Office of the City Clerk at [cityclerk@chulavistaca.gov](mailto:cityclerk@chulavistaca.gov) or (619) 691-5041.*

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