



MEETING OF THE CITY COUNCIL

Agenda

Date: Tuesday, February 13, 2024, 5:00 p.m.
Location: Council Chambers, 276 Fourth Avenue, Chula Vista, CA

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 CITY COUNCIL MEETING
REVISED 2/9/2024

Watch live in English and Spanish: chulavistaca.gov/councilmeetings or Cox Ch. 24 (English only).
Free Spanish interpretation is available on-site.

In-Person Public Comments: Submit a request to speak to City Clerk staff before the close of the public comment period on an item or before the close of the general Public Comment period for non-agenda items.

Electronic Public Comments: At chulavistaca.gov/councilmeetings, locate the meeting and click the comment bubble icon. Select the item and click "Leave Comment." You may also email cityclerk@chulavistaca.gov. eComments, emails, and other written comments must be received by noon for a regular City Council meeting.

Watch Live or Recorded (English and Spanish): Visit chulavistaca.gov/councilmeetings. Click "ES" at the bottom to switch to Spanish. Closed captioning is available in both languages.

Accessibility: In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at cityclerk@chulavistaca.gov or (619) 691-5041. Providing at least 48 hours' notice will help ensure that reasonable arrangements can be made.

Gov. Code § 84308: Parties to any proceeding involving a license, permit, or other entitlement for use pending before the City Council must disclose any campaign contribution over \$250 (aggregated) within the preceding 12 months made by the party, their agent, and those required to be aggregated with their contributions under Gov. Code § 82015.5. The disclosure must include the amount contributed and the name(s) of the contributor(s). "G.C. § 84308: Yes" on this agenda indicates that the item is subject to these regulations.

PUBLIC PARTICIPATION

Complete Agenda Packet: The complete agenda packet, including staff reports, draft resolutions and ordinances, and other backup materials, is available at chulavistaca.gov/councilmeetings or the City Clerk's Office.

Time Allotted for Speaking (*subject to change by the presiding officer*)

- Consent Calendar (any or all items): 3 minutes
- Agenda Items (not on Consent): 3 minutes
- General Public Comment (not on agenda): 3 minutes

Individuals who use a translator will be allotted twice the time.

General Public Comments: Twenty-one (21) minutes are scheduled near the beginning of the meeting. The first seven (7) speakers will be heard during the first Public Comment period. If there are additional speakers registered, they will be heard during the continued Public Comment period. If all registered speakers present at the time address the City Council during the first Public Comment period, there will be no continued Public Comment period.

Submitting Request to Speak: A request to speak must be submitted to the City Clerk before the close of the public comment period on an item or before the close of the general Public Comment period for non-agenda items.

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. Before the vote, there is no separate discussion of these items unless a member of the City Council or staff removes the item from the Consent Calendar.

Public Comment provides an opportunity to address the City Council on any matter not listed on the agenda that is within the jurisdiction of the City Council. Under the Brown Act, the City Council cannot take action on matters not listed on the agenda.

Public Hearings are held on matters specifically required by law.

Action Items are items expected to cause discussion and/or action by the City Council but do not legally require a public hearing.

Closed Session may only be attended by members of the City Council, support staff, legal counsel, and others as specified on the agenda. Closed session may be held only in very limited circumstances as authorized by law.

CITY COUNCIL ACTIONS:

Resolutions are formal expressions of opinion or intention of the City Council and are usually effective immediately.

Ordinances are laws adopted by the City Council. Ordinances usually amend, repeal, or supplement the Municipal Code; provide zoning specifications; or appropriate money for specific purposes. Most ordinances require two hearings and 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.

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 Presentation by Environmental Services Manager Manuel Medrano on the ProduceGood Program for Chula Vista Residents
 - 4.2 Recognition of Chula Vista Elementary School District's Leonardo da Vinci Health Sciences Charter School for being named Alliance for a Healthier Generation's 2023 List of America's Healthiest Schools
 - 4.3 Presentation by the AARP Network of Age-Friendly States and Communities of a Recognition Plaque to the City of Chula Vista for Completing the Communities Cycle of Improvement
 - *4.4 Presentation of a Proclamation to Valerie Magana and Colette Putnam for their Heroism on January 22, 2024, During the Flooding that occurred in the City of Chula Vista
5. CONSENT CALENDAR (Items 5.1 through 5.8)

Consent calendar items are considered together and acted upon by one motion. There is no separate discussion of these items unless a member of the City Council or staff removes the item from the Consent Calendar.

RECOMMENDED ACTION:

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

5.1 Approve Meeting Minutes

RECOMMENDED ACTION:

Approve the minutes dated: January 22 and January 23, 2024

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 Policy, General Plan, and Chula Vista Municipal Code Updates: Adopt an Ordinance Updating the Municipal Code Relating to the Appeal Process and Approving Changes to the Public Facilities Financing Plans

Report Number: 24-0019

Location: Citywide

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The 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:

Adopt an Ordinance amending the following: Chula Vista Public Facilities Financing Plan Guidelines; Chula Vista Municipal Code: Title 1 (General Provisions), Title 9 (Public Peace, Morals, and Welfare), Title 10 (Vehicles and Traffic), Title 12 (Streets and Sidewalks), Title 15 (Buildings and Construction), Title 17 (Environmental Quality), Title 18 (Subdivisions), Title 19 (Planning and Zoning), Title 21 (Historic Preservation). **(Second Reading and Adoption)**

- 5.4 **Agreement: Approve the First Amendment to the Two-Party Agreement with KTUA for Design, Pre-Construction, and Construction Administration for Eucalyptus Park Renovations**
Report Number: 24-0043

Location: 436 C Street

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The 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:

Adopt a resolution approving the First Amendment to the Two-Party Agreement with KTUA for design, pre-construction, and construction administration services for Eucalyptus Park renovations.

- 5.5 **American Rescue Plan Act: Waive Competitive Bidding Requirements, Authorize the Purchase, Installation, and Maintenance of Fencing on the East Side of Industrial Boulevard in the Harborside/Palomar Area, and Appropriate Funds for That Purpose**
Report Number: 24-0046

Location: Industrial Boulevard, 91911

Department: Housing and Homeless Services & Public Works

G.C. § 84308: Yes

Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15303(e) Class 3 (New Construction or Conversion of Small Structures).

RECOMMENDED ACTION:

Adopt a resolution: 1) Waiving the competitive bidding requirements pursuant to Chula Vista Municipal Code Section 2.56.070(B)(3); and 2) Authorizing and appropriating interest earned on American Rescue Plan Act funds up to \$275,000 for the purchase, installation, and maintenance of fencing on Industrial Boulevard and authorizing the City Manager or designee to determine needed phasing for installation and execute all necessary documents. **(4/5 Vote Required)**

5.6 Measure A Expenditure Plan and Appropriation: Amend the Measure A Public Safety Expenditure Plan to Fund Drone Program Costs and a Recruiting Campaign for the Police Department and Appropriate Funds for That Purpose
Report Number: 24-0038

Location: No specific geographic location

Department: Police

G.C. § 84308: No

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 the amended Measure A Public Safety Expenditure Plan to fund drone program costs and a recruiting campaign for the Police Department and amending the Fiscal Year 2023/24 expenditure budget for the Measure A Sales Tax Fund to appropriate funds for that purpose. **(4/5 Vote Required)**

5.7 Policy and Investment Report: Amend City Council Policy No. 220-01, Delegate Investment Activity Authority to the Director of Finance/Treasurer, and Accept the Investment Report for Quarter Ending December 31, 2023
Report Number: 24-0051

Location: No specific geographic location

Department: Finance

G.C. § 84308: No

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 acknowledging receipt of City Council Policy No. 220-01 Investment Policy and Guidelines, amending the existing policy, delegating investment activity authority to the Director of Finance/Treasurer, and accepting the investment report for the quarter ending on December 31, 2023.

- 5.8 **Agreement: Approve a Park Agreement for the Construction of a 0.5 Acre Public Park Associated with the Chula Vista Center Residential Project, also Known as the Citrus Bay Project, Located at the Former Sears Site at Chula Vista Center**
Report Number: 24-0052

Location: Southeast Corner of H Street and 5th Avenue

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The 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. Alternatively, if the subject park agreement is considered a Project under CEQA, then the agreement was adequately covered and addressed under CEQA in the approved January 2023 Addendum to the previously adopted Final Environmental Impact Report for the Urban Core Specific Plan (FEIR06-01; SCH#2005081121; and certified by Resolution No. 2007-097 on April 26, 2007).

RECOMMENDED ACTION:

Adopt a resolution approving the Park Agreement for the construction of a public park associated with the Citrus Bay Project located at the former Sears site at Chula Vista Center.

6. PUBLIC COMMENTS

Twenty-one minutes are scheduled for the public to address the City Council for three minutes each on any matter within the jurisdiction of the City Council that is not on the agenda. The remaining speakers, if any, will be heard during the continued Public Comment period.

7. ACTION ITEMS

- 7.1 **Annual Report: Accept the Audited Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ended June 30, 2023 and Update on General Fund Reserve Funds**
Report Number: 24-0045

Location: No specific geographical location

Department: Finance

G.C. § 84308: No

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 accepting the audited Annual Comprehensive Financial Report for Fiscal Year Ended June 30, 2023, and hear the update on City reserve funds.

- 7.2 **Agreement: Approve an Agreement for the Continuation and Expansion of the Work for Hope Program with McAlister Institute for Treatment and Education, Inc.**
Report Number: 23-0325

Location: No specific geographic location

Department: Housing and Homeless Services

G.C. § 84308: Yes

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 waiving the competitive bidding requirements pursuant to Chula Vista Municipal Code Section 2.56.070(B)(4) and approving an agreement with McAlister Institute for the continuation and expansion of the Work for Hope program.

- 7.3 **Employee Compensation and Positions: Approve Amended Classification Plan and Compensation Schedule; Position Counts; Revised Compensation Schedule; and Updated Conflict of Interest Code**
Report Number: 24-0010

Location: No specific geographic location

Department: Human Resources

G.C. § 84308: No

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: A) Amending the Classification Plan and Compensation Schedule to reflect (1) the addition and deletion of position titles and (2) salary adjustments for certain positions and amending the authorized position count in departments; B) Approving the revised Fiscal Year 2023-2024 Compensation Schedule effective February 9, 2024, as required by the California Code of Regulations, Title 2, Section 570.5; C) Amending the fiscal year 2023-24 budget; and D) Modifying the appendix to the local Conflict of Interest Code to revise the list of designated employees who are required to file Statements of Economic Interest (Form 700); and place an ordinance on first reading amending Chula Vista Municipal Code Section 2.05.010 adding the unclassified position titles of Deputy Director of Animal Services and Deputy Director of Development Services. **(First Reading); (4/5 Vote Required)**

**7.4 Legislative Platform: Approve an Amendment to the 2023-2024 Legislative Platform
Report Number: 24-0050**

Location: No specific geographic location

Department: City Manager

G.C. § 84308: No

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 an amendment to the 2023-2024 Legislative Platform.

8. PUBLIC COMMENTS (CONTINUED)

There will be no continued Public Comment period if all speakers present at the first Public Comment period are heard.

9. CITY MANAGER'S REPORTS

9.1 Council Referral: Response on SR 125 Toll Road Briefing Request

10. MAYOR'S REPORTS

**10.1 Appointment to the Sustainability Commission
- Abigail Costello**

11. COUNCILMEMBERS' COMMENTS

12. CITY CLERK'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. CLOSED SESSION

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

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

Name of case: City of Chula Vista v. Amerisourcebergen Drug Corporation, et al., Northern District Court of Ohio, Case No. 19-op-45750-DAP.

15. **ADJOURNMENT**

to the regular City Council meeting on February 20, 2024 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 or (619) 691-5041.

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