



MEETING OF THE CITY COUNCIL

Agenda

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

Maria V. Kachadoorian, City Manager
Marco A. Verdugo, City Attorney
Kerry K. Bigelow, City Clerk

Date: Tuesday, April 23, 2024, 5:00 p.m.
Location: Council Chambers, 276 Fourth Avenue, Chula Vista, CA

REGULAR CITY COUNCIL MEETING

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 Chula Vista Bayfront Update by San Diego Port Commissioner Ann Moore
 - 4.2 Presentation of a Proclamation to San Diego County Fair Executive Team Proclaiming June 12, 2024, San Diego County Fair Day in the City of Chula Vista
 - 4.3 Presentation by Fire Department Deputy Chief Chris Manroe and Emergency Manager Marlon King Regarding the 2024 San Diego County Multi-Agency Wildland Preparation Exercise To Be Held in Chula Vista
 - 4.4 Presentation of a Proclamation to Tamar Caspi Proclaiming April 29, 2024, End of Jew Hatred Day in the City of Chula Vista
5. **CONSENT CALENDAR (Items 5.1 through 5.10)**

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: March 19 and 26 and special meetings April 4 and 9, 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 Otay Ranch Freeway Commercial Sectional Planning Area: Amend the Plan's Planned Community District Regulations to Streamline Modifications to Approved Permits and Allow Medical Offices within the Commercial Mixed-Use Zone

Report Number: 24-0088

Location: Generally, north of Birch Road, east of State Route 125 ("SR-125"), south of Olympic Parkway, and west of Eastlake Parkway

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The Project is adequately covered in the previously adopted Final Environmental Impact Report for the Otay Ranch Freeway Commercial Sectional Planning Area ("SPA") Plan (FEIR 02-04; SCH #1989010154; certified by City Council Resolution No. 2003-131 on April 1, 2003).

RECOMMENDED ACTION:

Adopt an ordinance approving amendments to the Planned Community District Regulations contained within the Otay Ranch Freeway Commercial SPA Plan. **(Second Reading and Adoption)**

- 5.4 **Agreement: Approve a First Amendment to the Acquisition/Financing Agreement Relating to California Municipal Finance Authority's Community Facilities District No. 2021-11 (Otay Ranch Village 8 West) and Authorize Related Actions**

Report Number: 24-0032

Location: Otay Ranch Village 8 West

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 Acquisition/Financing Agreement for California Municipal Financing Authority ("CMFA") Community Facilities District 2021-11 (City of Chula Vista - Otay Ranch Village 8 West) and related actions.

- 5.5 **Agreements: Approve Agreements With Best, Best & Krieger for Legal Services and Bond and Disclosure Counsel Services for Two New Community Facilities Districts**

Report Number: 24-0077

Locations: 565 Broadway (prior Sears property at Chula Vista Center) and 676 Moss 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 resolutions approving legal services agreements for legal services, bond, and disclosure counsel services between the City and Best, Best & Krieger ("BB&K") for two separate Community Facilities Districts: A) BB&K Agreement CFD 2024-1 (Citrus Bay) and, B) BB&K Agreement CFD 2024-2 (676 Moss Street).

5.6 Equipment Lease Agreement and Appropriation: Approve an Equipment Lease Agreement with Lenovo Financial Services to Purchase Mobile Data Computers for the Police Department and Appropriate Funds for That Purpose

Report Number: 24-0058

Location: No specific geographic location

Department: Police

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.

RECOMMENDED ACTION:

Adopt a resolution approving an equipment lease agreement with Lenovo Financial Services to fund the purchase of Mobile Data Computers from CDW+G LLC for the Police Department and appropriating funds for that purpose. **(4/5 Vote Required)**

5.7 Contract: Award a Citywide Pest Control Service Contract to Corky’s Pest Control, Inc.

Report Number: 24-0065

Location: City Facilities, City Maintained Parks, and Right-of-Way/Open Space areas

Department: Public Works

G.C. § 84308: Yes

Environmental Notice: The activity qualifies for Exemption pursuant to California Environmental Quality Act (CEQA) State Guidelines Section 15251(i) (List of Certified Programs). Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

RECOMMENDED ACTION:

Adopt a resolution awarding a contract for Citywide pest control services to Corky’s Pest Control, Inc. in an amount not to exceed \$950,000 for up to five years.

5.8 Apparatus/Vehicle Purchase and Appropriation: Waive the Competitive Bidding Requirements, Approve the Purchase of One BME Type 6 Squad Apparatus from South Coast Fire Equipment, and Appropriate Funds for That Purpose

Report Number: 24-0123

Location: No specific geographic location

Department: Fire

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.

RECOMMENDED ACTION:

Adopt a resolution approving the purchase of one BME Type 6 Squad apparatus from South Coast Fire Equipment and appropriating funds for that purpose. **(4/5 Vote Required)**

5.9 Agreement: Approve an Agreement with Rogers, Anderson, Malody & Scott LLP to Provide Financial Audit Services

Report Number: 24-0122

Location: No specific geographic location

Department: Finance

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.

RECOMMENDED ACTION:

Adopt a resolution approving an agreement with Rogers, Anderson, Malody & Scott LLP to provide financial audit services.

5.10 Agreement: Award a Progressive Design-Build Agreement with Erickson Hall Construction Company, Amend the Fiscal Year 2023/24 Capital Improvement Program Budget, Establish a New CIP Project and Appropriate Funds for That Purpose

Report Number: 23-0260

Location: La Media Rd. and Santa Luna St.

Department: City Manager

G.C. § 84308: Yes

Environmental Notice: The Project was adequately covered in a previously-certified Final Environmental Impact Report (FEIR 10-03; SCH No. 2010062093) for Otay Ranch Village 8 West Sectional Planning Area (SPA) and Tentative Map.

RECOMMENDED ACTION:

Adopt a resolution A) Awarding a Progressive Design-Build Construction Agreement between the City and Erickson-Hall Construction Company for design and construction of Temporary Fire Station 11; B) Amending the Fiscal Year 2023/24 Capital Improvement Program (CIP) budget by establishing a new CIP Project, GGV0273 “Temporary Fire Station 11”; and C) appropriating funds for that purpose. **(4/5 Vote Required)**

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. BOARD AND COMMISSION REPORTS

7.1 Charter Review Commission Report Regarding Councilmember Suspension Charter Provision

Location: No specific geographic location

Department: City Attorney

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:

Hear the report and provide feedback to the Commission.

8. PUBLIC HEARINGS

8.1 General Plan Amendment: Amend the Chula Vista General Plan to Establish a Safety Element by Consolidating and Updating Safety Goals and Policies in Compliance with State Law

Report Number: 24-0130

Location: No specific geographic location

Department: Development Services

G.C. § 84308: No

Environmental Notice: Pursuant to State of California Environmental Quality Act (“CEQA”) Guideline Section 15162, a subsequent Environmental Impact Report (“EIR”) or a Negative Declaration is not required for the update to the City’s Safety Element in that substantial changes are not proposed, the circumstances to which the General Plan was adopted have not changed, and no new information of substantial importance has arisen since the prior environmental documents have been certified. Furthermore, it has been determined that the proposed consolidation of safety goals and policies is exempt from the CEQA Guidelines pursuant to Sections 15060(c)(2) and 15061(b)(3) in that the proposed amendments are primarily limited to policy modifications and updates in compliance with Government Code Section 65302(g)1 through 9 and are not anticipated to result in a direct or reasonably foreseeable indirect physical change in the environment, nor will the proposed changes have the potential for causing a significant effect on the environment.

RECOMMENDED ACTION:

Conduct the public hearing and adopt a resolution amending the Chula Vista General Plan to establish a Safety Element by consolidating and updating Safety goals and policies in compliance with state law.

9. ACTION ITEMS

- 9.1 **Mobilehome Space Rent Review: Reduce the Administrative Fee for Mobilehome Rent Control Services to \$5 for Fiscal Year 2024/25 and Amend Chula Vista Municipal Code Chapter 9.50 “Mobilehome Space Rent Review” to Streamline Administration**
Report Number: 24-0134

Location: No specific geographic location

Department: Housing and Homeless Services

G.C. § 84308: No

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:

Place ordinance A) on first reading amending Chapter 9.50 of the Chula Vista Municipal Code “Mobilehome Park Space Rent Review” to add section 9.50.025 “Mobilehome Rent Review Hearing Officer – Creation of Position – Authority”, amend section 9.050.030 “Administrative fee” to update reporting requirements, amend section 9.50.070 “Initiation of space rent review” to update procedures, and update references accordingly (**First Reading**); ordinance B) on first reading repealing section 2.31 of the Chula Vista Municipal Code “Mobilehome Rent Review Commission” (**First Reading**); and adopt a resolution amending Chapter 18 of the City’s Master Fee Schedule and reducing the administrative fee from \$10 to \$5 for Fiscal Year 2024/25.

- 9.2 **Unsheltered Policy: Add Chapter 5.14 “Service Providers” to the Chula Vista Municipal Code to Establish a Permitting Process for Service Providers, and Amend Chapter 4 of the City’s Master Fee Schedule to Add Service Providers Fees**
Report Number: 24-0121

Location: No specific geographic location

Department: Housing and Homeless Services

G.C. § 84308: No

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:

Place an ordinance on first reading adding Chapter 5.14 “Service Providers” to the Chula Vista Municipal Code requiring an operational permit for service providers conducting outreach and/or placing unsheltered person(s) in Chula Vista (**First Reading**); and adopt a resolution amending Chapter 4 of the City’s Master Fee Schedule to adopt fees related to the Service Provider permit.

9.3 State Legislation: Report on Senate Bill 1208 “Waste Discharge Permits: Landfills” and Adopt a Resolution Expressing Support of Senate Bill 1208
Report Number: 24-0109

Location: Unincorporated area of south San Diego County, approximately two miles east of the Siempre Viva Road exit from Interstate 905, one-quarter mile from Loop Road/Paseo De La Fuente and east of State Route 11

Department: City Manager

G.C. § 84308: No

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:

Hear the report and adopt a resolution in support of Senate Bill 1208: Waste Discharge Permits: Landfills.

10. PUBLIC COMMENTS (CONTINUED)

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

11. CITY MANAGER’S REPORTS

12. MAYOR’S REPORTS

12.1 Appointment to the Human Relations Commission
- Tiffany Hecklinski

13. COUNCILMEMBERS’ COMMENTS

14. CITY CLERK’S REPORTS

15. CITY ATTORNEY’S REPORTS

16. 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)

16.1 Conference with Legal Counsel-Anticipated Litigation (Paragraph (4) of subdivision (d) of Gov. Code § 54956.9) Initiation of Litigation:
One (1) case

16.2 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government code Section 54956.9(1)

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

B) Name of case: Estate of Bradley Munroe, et al. v. City of Chula Vista, et al., United States District Court, Case No. 23cv2253RBM-SBC

16.3 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency designated representatives: Maria Kachadoorian, Marco Verdugo, Courtney Chase, Tanya Tomlinson, and Sarah Schoen

Employee organization: ACE and POA

17. ADJOURNMENT

in memory of Assistant Chief of Police Phillip Collum, March 20, 1970 - April 12, 2024.

to the regular City Council and Successor Agency to the Redevelopment Agency and special Housing Authority meeting on May 7, 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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