



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, June 11, 2024, 5:00 p.m.
Location: Council Chambers, 276 Fourth Avenue, Chula Vista, CA

REGULAR CITY COUNCIL AND SPECIAL HOUSING AUTHORITY MEETING

Notice is hereby given that the Mayor has called and will convene a special meeting of the Housing Authority meeting jointly with the City Council at the time and location stated on this agenda

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

****Item 8.1 will be heard at a time certain of 6:00 p.m.****

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 Americans with 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 the Mayor or a City Councilmember removes the item from the consent calendar. Items removed from the consent calendar are heard as action items.

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 of a Proclamation to Coach Chris Kryjewski and Certificates of Congratulations to the Castle Park High Lacrosse Girls Team in Honor of Qualifying for the CIF Championships
 - 4.2 Presentation of a Proclamation to the Alzheimer's Association Proclaiming June as Alzheimer's and Brain Awareness Month in the City of Chula Vista

5. CONSENT CALENDAR (Items 5.1 through 5.12)

Consent calendar items are considered together and acted upon by one motion. There is no separate discussion of these items unless the Mayor or a City Councilmember removes the item from the consent calendar. Items removed from the consent calendar will be heard as action items.

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: May 14, 21 and 28, 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 Community Facilities District: Declare Intention to Form Community Facilities District No. 2024-1 (Citrus Bay)

Report Number: 24-0124

Location: 565 Broadway, Southeast corner of "H" Street and 5th Avenue, immediately adjacent to the Chula Vista Center mall (former Sears site)

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: A) Approving the proposed boundaries of proposed Community Facilities District No. 2024-1 (Citrus Bay) ("CFD No. 2024-1"), declaring the intention of the City Council to authorize the formation of the proposed CFD No. 2024-1, levy a special tax, and set a time and place for the public hearing; and B) Declaring the necessity to incur bonded indebtedness.

5.4 MOU Amendment: Approve a Fifth Amendment to the National Pollutant Discharge Elimination System San Diego Regional Stormwater Copermittees Memorandum of Understanding (MOU)
Report Number: 24-0158

Location: No specific geographic location

Department: Engineering

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 Fifth Amendment to the National Pollutant Discharge Elimination System San Diego Regional Stormwater Copermittees Memorandum of Understanding.

5.5 Active Transportation Program: Authorize the Submittal of Cycle 7 Grant Applications for The F St Promenade Phase 2 and The Anita St and Industrial Blvd Bicycle and Pedestrian Improvements; and State the City’s Assurance to Complete the Projects
Report Number: 24-0132

Location: F Street between Broadway and Fourth Avenue; Anita Street between Frontage Road and Industrial Boulevard; Industrial Boulevard between Ada Street and Main Street

Department: Engineering

G.C. § 84308: No

Environmental Notice: The activity qualifies for an Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures), Section 15304 (Minor Alterations to Land), Section 15183 (Projects Consistent with a Community Plan or Zoning), and Section 15061(b)(3).

RECOMMENDED ACTION:

Adopt a resolution authorizing the submittal of two applications for the Active Transportation Program Cycle 7 grants for the F Street Promenade – Phase 2 and the Anita Street and Industrial Boulevard Bicycle and Pedestrian Improvements, stating the City’s commitment to complete these projects and enhance the local transportation infrastructure.

5.6 Road Maintenance: Adopt a List of Projects for Fiscal Year 2024/25 Funded by Senate Bill 1, the Road Repair and Accountability Act of 2017

Report Number: 24-0092

Location: Citywide

Department: Engineering

G.C. § 84308: No

Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 Class 1 (Existing Facilities), Section 15302 Class 2 (Replacement or Reconstruction), and Section 15061(b)(3).

RECOMMENDED ACTION:

Adopt a resolution adopting a list of projects for Fiscal Year 2024/25 funded by the Road Maintenance and Rehabilitation Account created by Senate Bill 1: The Road Repair and Accountability Act of 2017. **(4/5 Vote Required)**

5.7 Housing Funding: Approve up to \$4 Million for a Permanent Supportive Housing Development to be Located at 610 Paseo Del Rey

Report Number: 24-0189

Location: 610 Paseo Del Rey

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 (CEQA) 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.

Under National Environmental Policy Act, Federal funds constitute a portion of the proposed loan for construction of the affordable housing project. A final reservation of federal funds shall occur only upon satisfactory completion of the environmental review and receipt by the City of Chula Vista and a release of funds from the United States Department of Housing and Urban Development ("HUD") under 24 CFR Part 58 of the National Environmental Policy Act ("NEPA").

RECOMMENDED ACTION:

Adopt resolutions approving loans totaling \$4,000,000 to Wakeland Housing and Development Corporation, or an affiliated entity, to assist in the construction of a 96-unit affordable housing development to be located at 610 Paseo Del Rey, and authorizing the City Manager or her designee to negotiate and execute all documents related to the loans in a form approved by the City Attorney's office, as follows:

Resolutions:

A) City Council approving a loan of up to \$631,189.55 in HOME Investment Partnerships Program ("HOME") funds and \$2,668,810.45 in HOME Investment Partnerships American Rescue Plan Program ("HOME-ARP") funds.

B) Chula Vista Housing Authority ("Housing Authority") acting as the Housing Successor Agency approving a loan of up to \$700,000 from the Housing Asset Fund and appropriating funds for that purpose. **(4/5 Vote Required)**

5.8 Gann Limit: Establish Appropriation Limits for Fiscal Year 2024/25

Report Number: 24-0131

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 establishing the appropriations limit (Gann Limit) for the City of Chula Vista for Fiscal Year 2024/25.

5.9 Open Space Districts: Initiate Proceedings, Approve the Engineer's Report, Declare the Intention to Levy and Collect Assessments for the Open Space Districts for Fiscal Year 2024/25, and Set a Public Hearing

Report Number: 24-0084

Location: The Open Space Districts are located throughout the City, for specific District locations please see attachment 3

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 the following resolutions:

A) Initiating proceedings for the levy and collection of assessments for Fiscal Year 2024-25 for Open Space Districts 1 through 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33, Eastlake Maintenance District No 1, Town Centre Maintenance District, and Bay Boulevard Maintenance District 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 for July 16, 2024, regarding the Fiscal Year 2024-25 assessments for Open Space Districts 3 through 11, 14, 15, 17, 18, 20 (Zones 1 through 4, 6, 8, and 9), 23, 24, 26, 31, 33, Eastlake Maintenance District No 1, Town Centre Maintenance District, and Bay Boulevard Maintenance District;

C) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing for July 16, 2024, regarding the Fiscal Year 2024-25 assessments for Open Space District 1;

D) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing for July 16, 2024, regarding the Fiscal Year 2024-25 assessments for Open Space District 2;

E) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing for July 16, 2024, regarding the Fiscal Year 2024-25 assessments for Open Space District 20 Zone 5;

F) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing for July 16, 2024, regarding the Fiscal Year 2024-25 assessments for Open Space District 20 Zone 7.

5.10 Agreement Amendment: Amend the EMS Billing and Collections Agreement with Wittman Enterprises, LLC to Increase the Annual and Overall Not-to-Exceed Amounts
Report Number: 24-0147

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 First Amendment to the EMS Billing and Collections Agreement with Wittman Enterprises, LLC, increasing the annual not-to-exceed amount to \$1,000,000 and the overall not-to-exceed amount to \$3,250,000.

- 5.11 **Agreement Amendments: Approve a First Amendment to the Agreement with Circuit Transit Inc. and a First Amendment to the Agreement with CALSTART, Inc. for the Chula Vista Community Shuttle Pilot Program**
Report Number: 24-0069

Location: No specific geographic location

Department: Economic Development

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 authorizing the City Manager to execute the necessary agreement amendments to enhance the Chula Vista Community Shuttle Pilot program.

- 5.12 **Agreement: Approve an Amendment to the Agreement with the County of San Diego for the City’s Continued Participation in the California Identification System Remote Access Network**
Report Number: 24-0184

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 an agreement amendment with the County of San Diego for the Police Department’s participation in the California Identification System Remote Access Network.

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 Measure P Citizens' Oversight Committee Presentation: Annual Report Covering Reporting Period for Fiscal Year 2021/22 and 2022/23, and an Update of Measure P Projects**
Report Number: 24-0187

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:

Hear the Measure P Citizens' Oversight Commission Annual Report presentation by Chair David Garcias.

8. PUBLIC HEARINGS

****ITEM 8.1 WILL BE HEARD AT A TIME CERTAIN OF 6:00 P.M.****

- 8.1 Comprehensive Code Update – Amendments to the Chula Vista Municipal Code**
Report Number: 24-0178

Location: No specific geographic location

Department: Development Services

G.C. § 84308: No

Environmental Notice: The Project qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

RECOMMENDED ACTION:

Conduct the public hearing and place an ordinance on first reading amending Chula Vista Municipal Code Title 8 (Health and Sanitation), Title 12 (Streets and Sidewalks), Title 13 (Sewers), Title 15 (Buildings and Construction), Title 18 (Subdivisions), and Title 19 (Planning and Zoning). **(First Reading)**

- 8.2 **Vacation of Public Access Easement: Approve a Summary Vacation of a Portion of a Public Access Easement for Park Use and Other Public Purposes**
Report Number: 24-0085

Location: Northeast intersection of Santa Carolina Road and Santa Victoria Road

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The Project is adequately covered in the previously certified Final Supplemental Environmental Impact Report ("FSEIR") for the Otay Ranch Village Two Comprehensive SPA Plan Amendment (FSEIR 12-01; SCH #2003091012; adopted by City Council Resolution No. 2014-207 on November 4, 2014).

RECOMMENDED ACTION:

Conduct the public hearing and adopt a resolution Summarily Vacating of a portion of the Public Access Easement for Park Use and other public purposes over Lot 15 Per Map No. 15350, Chula Vista Tract No. 06-05, Otay Ranch Village 2 and Portions of Village 4 "A" Map.

- 8.3 **Regional Transportation Improvement Program: Adopt the TransNet Local Street Improvement Program of Projects for Fiscal Years 2024/25 through 2028/29**
Report Number: 24-0093

Location: No specific geographic location

Department: Engineering

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:

Conduct the public hearing and adopt a resolution approving the proposed TransNet Local Street Improvement Program of Projects for Fiscal Years 2024/25 through 2028/29.

9. **ACTION ITEMS**

- 9.1 **Consider Items Removed From the Consent Calendar, If Any**
Consider items removed from the consent calendar by the Mayor or a City Councilmember, if any. If no items were removed from the consent calendar, this item will be withdrawn.

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

11.1 Consider Reinstating the June 25, 2024 Regular City Council Meeting

RECOMMENDED ACTION:

Reinstitute the Tuesday, June 25, 2024 regular City Council meeting at 5:00 p.m., as provided in Chula Vista Municipal Code section 2.04.020.

11.2 Infrastructure Update: Hear Presentation on Projected Facilities, Infrastructure, and Equipment Needs

RECOMMENDED ACTION:

Hear the presentation on projected facilities, infrastructure, and equipment needs and provide feedback as appropriate.

12. MAYOR'S REPORTS

13. COUNCILMEMBERS' REPORTS

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 (Gov. Code § 54956.9(d)(4))

Initiation of litigation: one case

17. ADJOURNMENT

to the Mayor's State of the City Address on June 18, 2024, at 6:30 p.m. at the Elite Athlete Training Center located at 2800 Olympic Parkway.

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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