



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, July 16, 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.

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 Lisa Rudloff Proclaiming July 2024 as Parks and Recreation Month in the City of Chula Vista**
5. **CONSENT CALENDAR (Items 5.1 through 5.15)**

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.

 - 5.1 **Approve Meeting Minutes**

RECOMMENDED ACTION:
Approve the minutes dated: June 25, 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 **Consideration of Requests for Excused Absences**

Councilmember Morineau from the July 16, 2024 City Council meeting.

RECOMMENDED ACTION:
Consider requests for excused absences as appropriate.
 - 5.4 **Housing Successor Agency: Appropriation of \$4,550,000 in Low and Moderate Income Housing Asset Funds for Fiscal Year 2024/25**

Report Number: 24-0194

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 State Guidelines. Therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

RECOMMENDED ACTION:

City Council and Housing Authority adopt a resolution: 1) authorizing the use of Housing Successor Agency Low and Moderate Income Housing Asset Funds for Fiscal Year 2024/25, in the amounts of \$300,000 for administration, \$200,000 for the Homelessness Prevention Program, \$50,000 for the Landlord Incentive Program, and \$4,000,000 in "excess surplus" funds for the development of affordable housing; 2) authorizing the City Manager/Housing Authority Director or designee to execute documents consistent with the proposed activities; and 3) appropriating funds therefore. **(4/5 Vote Required)**

5.5 Community Facilities Districts: Approve the Levy of Special Taxes and Collectibles for Fiscal Year 2024/25

Report Number: 24-0119

Location: The Community Facilities Districts are located throughout the City, for specific District locations please see Attachment 1.

Department: Finance

G.C. § 84308: No

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 resolutions A) levying special taxes to be collected to pay the costs of facilities and services for Community Facilities Districts 97-1, 97-3, 98-1, 98-2, 98-3, 99-1, 99-2, 2000-1, 2001-1, 2001-2, 07-I, 08-I, 08-M, 09-M, 11-M, 12-I, 12-M, 13-I, 14-M, 14-M2, 16-I, 17-I, 18-M and 19-M within the City of Chula Vista and designating the Director of Finance to file a list of taxes to be levied on each parcel with the County auditor each year; B) levying special taxes to be collected to pay the cost of facilities and services for Community Facilities Districts 06-I and 07-M within the City of Chula Vista and designating the Director of Finance to file a list of taxes to be levied on each parcel with the County auditor each year; and C) levying special taxes to be collected to pay the cost of facilities and services for Community Facilities Districts 97-2 and 13-M within the City of Chula Vista and designating the Director of Finance to file a list of taxes to be levied on each parcel with the County auditor each year.

5.6 Agreement: Approve a Prevailing Wage Consulting Services Agreement with Gafcon PM-CM LLC

Report Number: 24-0197

Location: No specific geographic location

Department: Public Works

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 two-party agreement with Gafcon PM-CM LLC ("Gafcon") for Prevailing Wage Consulting Services.

5.7 Grant Acceptance and Appropriation: Accept a Grant from California Governor's Office of Emergency Services for Paul Coverdell Forensic Science Improvement Program and Appropriate Funds

Report Number: 24-0199

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 accepting \$56,552 in grant funds from the California Governor's Office of Emergency Services and appropriating the funds to the Police Grants Section of the Federal Grants Fund for the Paul Coverdell Forensic Science Improvement Program.

(4/5 Vote Required)

5.8 Grant Acceptance and Appropriation: Accept Funding from U.S. Department of Homeland Security for Operation Stonegarden and Appropriate Funds

Report Number: 24-0205

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 accepting \$180,000 from the U.S. Department of Homeland Security and appropriating funds to the Police Grants Section of the Federal Grants Fund for Operation Stonegarden. **(4/5 Vote Required)**

5.9 Grant Acceptance and Appropriation: Approve an Agreement and Accept a Grant from the Department of Alcoholic Beverage Control and Appropriate Funds
Report Number: 24-0200

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 with the Department of Alcoholic Beverage Control, accepting \$75,000 in grant funds and appropriating the funds to the Police Grants Section of the State Grants Fund for the Alcohol Policing Partnership Program.

(4/5 Vote Required)

5.10 Agreement: Approve an Agreement with McAlister Institute for Treatment and Education, Inc. for Opioid Remediation Services
Report Number: 24-0185

Location: No specific geographic location

Department: Housing and Homeless Services & 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 agreement with McAlister Institute for Treatment and Education, Inc. for the opioid remediation services through continuation of the Work for Hope Program.

5.11 Employee Compensation and Positions: Approve Amended Compensation Plan and Compensation Schedule; Position Counts in Police Department; and Amended Municipal Code Section on Unclassified Positions
Report Number: 24-0198

Location: No specific geographic location

Department: Human Resources & 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 resolution A) amending the Compensation Schedule and Classification Plan to reflect the addition of position titles and salary adjustments for certain positions and amending the authorized position count in Police Department; B) approving the revised Fiscal Year 2024/25 Compensation Schedule effective July 12, 2024, as required by the California Code of Regulations, Title 2, Section 570.5; and C) place an ordinance on first reading amending Chula Vista Municipal Code Section 2.05.010 to add the unclassified position titles of FA Deputy Director of IV-LECC and FA Administrative Program Manager. **(First Reading) (4/5 Vote Required)**

5.12 Grant Award: Accept San Diego Community Power Member Agency Grant Funds for Energy and Climate Projects and Amend the Fiscal Year 2024/25 Budget to Appropriate Funds For Energy and Climate Projects
Report Number: 24-0037

Location: No specific geographic location

Department: Economic Development

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 \$50,000 in grant funds from San Diego Community Power to be used for energy and climate projects and appropriate funds for that purpose.
(4/5 Vote Required)

- 5.13 CIP Contract and Appropriation: Accept Bids and Award a Contract to ATP General Engineering Contractors for the Pavement Major Rehabilitation FY 2021-22 Project and Appropriate Funds for the Project**
Report Number: 24-0181

Location: No specific geographic location

Department: Engineering and Capital Projects

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).

RECOMMENDED ACTION:

Adopt a resolution awarding a public works contract to ATP General Engineering Contractors for the “Pavement Major Rehabilitation FY 2021-22 (STM0408)” project in the amount of \$2,950,987.90 and appropriating funds from the available balance of the TransNet fund to cover the projected costs of the construction phase of the project. **(4/5 Vote Required)**

- 5.14 Agreement: Approve an Agreement with Carrier Johnson for a University-Innovation District Initial Phase Feasibility Study**
Report Number: 24-0190

Location: University-Innovation District

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.

RECOMMENDED ACTION:

Adopt a resolution and enter into a two-party agreement with Carrier Johnson to provide a University-Innovation District Initial Phase Feasibility Study.

- 5.15 **Harborside Park: Approve a Mini-Pitch Program Grant Agreement with the United States Soccer Foundation, Inc., Amend Associated CIP and Appropriate Funds, and Amend the Measure P Infrastructure, Facilities, and Equipment Expenditure Plan**
Report Number: 24-0146

Location: Harborside Park – 670 Oxford St.

Department: Parks and Recreation

G.C. § 84308: Yes

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 15303 class 3 (New Construction or Conversion of Small Structures), and Section 15304 Class 4 (Minor Alterations to Land).

RECOMMENDED ACTION:

Adopt a resolution 1) approving a Mini-Pitch Program Grant Agreement with the United States Soccer Foundation, Inc. 2) amending the Fiscal Year 2024/25 capital improvement program budget by amending CIP Project, PRK0344 “Harborside Park Renovations” and appropriating funds; and (3) amending the Measure P Infrastructure, Facilities, and Equipment Expenditure Plan to allocate an additional \$160,000 in unallocated revenue. **(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. PUBLIC HEARINGS

- 7.1 **Community Facilities District Annexation: Election Regarding Annexation of Otay Ranch Village Eight East into Community Facilities District No. 97-2**
Report Number: 24-0169

Location: Located generally adjacent to State Route 125, south of Main Street, and north of the Otay River, as shown more particularly on the annexation map

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:

Conduct the public hearing and adopt resolutions A) making certain determinations and authorizing submittal of levy of special taxes to the qualified electors within proposed Annexation No. 13 to Community Facilities District No. 97-2 (“CFD No. 97-2”), Improvement Area “C”; and B) declaring the results of the special election relating to the levy of special taxes within Annexation No. 13 to CFD No. 97-2, Improvement Area “C.”

7.2 Community Facilities District Formation: Legal Proceedings to Form Community Facilities District 2024-1 (Citrus Bay)
Report Number: 24-0172

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:

Conduct the public hearing, adopt resolution A) establishing Community Facilities District 2024-1 (Citrus Bay); B) determining necessity to incur bonded indebtedness; C) calling an election relating to the levy of a special tax, and then conduct an election; D) declaring the results of said election; and E) place an ordinance on first reading relating to the levy of a special tax within Community Facilities District No. 2024-1 (Citrus Bay) **(First Reading)**; and F) adopt a resolution approving acquisition-financing agreement.

7.3 TEFRA Hearing: Approve the Conversion of the Multifamily Housing Revenue Notes of the Chula Vista Housing Authority to the Permanent Phase of Financing for the Otay Ranch Apartments, Marketed as Encelia at Cota Vera
Report Number: 24-0192

Location: 1910 Encelia Circle

Department: Housing and Homeless Services

G.C. § 84308: No

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

RECOMMENDED ACTION:

Conduct the public hearing and adopt the resolution approving the conversion of the Notes to the permanent phase of financing.

7.4 Open Space Maintenance Districts: Approve Levying the Assessments and Collectibles for Fiscal Year 2024/25
Report Number: 24-0118

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:

Conduct the public hearing and adopt resolutions A) levying the Assessments and Collectibles for Fiscal Year 2024/25 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, and Bay Boulevard Maintenance District; B) levying the Assessments and Collectibles for Fiscal Year 2024/25 for Open Space District 1; C) levying the Assessments and Collectibles for Fiscal Year 2024/25 for Open Space District 2; D) levying the Assessments and Collectibles for Fiscal Year 2024/25 for Open Space District 20 Zone 5; and E) levying the Assessments and Collectibles for Fiscal Year 2024/25 for Open Space District 20 Zone 7.

8. ACTION ITEMS

8.1 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.

8.2 Improvement District Annual Report: Approve the 2024 Annual Report for the Downtown Chula Vista Property-Based Improvement District

Report Number: 24-0054

Location: An approximately sixteen-block area along Third Avenue commercial corridor, bounded by E Street to the north, Church Avenue to the east, Landis Avenue to the west, and I Street to the south. The property-based business improvement district also includes one block on F Street where the City of Chula Vista central library and police station are located.

Department: Economic Development

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 2024 Annual Report for the Downtown Chula Vista Property-Based Improvement District.

9. PUBLIC COMMENTS (CONTINUED)

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

10. CITY MANAGER'S REPORTS

11. MAYOR'S REPORTS

11.1 Ratification of Appointments to the following Commissions:

Cultural Arts Commission

- Felix Sablan

Sustainability Commission

- Eleuterio Buquiran

Health, Wellness, and Aging Commission

-Morgan Murphy, Youth Advisory seat

12. COUNCILMEMBERS' REPORTS

13. CITY CLERK'S REPORTS

14. CITY ATTORNEY'S REPORTS

15. 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)

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

Name of case:

A) City of Chula Vista v. Amerisourcebergen Drug Corporation, et al., Northern District Court of Ohio, Case No. 19-op-45750-DAP; and

B) Affordable Housing Coalition of San Diego County v. Tracy Drager, et al., Sacramento Superior Court, Case No. 34-2012-80001158-CU-WM-GDS

15.2 Conference with Legal Counsel - Anticipated Litigation (Gov. Code § 54956.9 (d)(4))

Initiation of litigation: one (1) case

16. ADJOURNMENT

to the regular City Council meeting on August 6, 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.

Sign up at www.chulavistaca.gov to receive email notifications when City Council agendas are published online.