

City of Chula Vista
Regular Meeting of the City Council
Meeting Minutes

May 16, 2023, 5:00 p.m.
Council Chambers, 276 Fourth Avenue, Chula Vista, CA

Present: Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, Deputy Mayor Preciado, Mayor McCann

Also Present: City Manager Kachadoorian; Jill Maland representing Lounsbury Ferguson Altona & Peak LLP, Interim Acting City Attorney; Assistant City Clerk Turner; Deputy City Clerk Kansas

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda items may be taken out of order during the meeting. The agenda items were considered in the order presented.

1. CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:14 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

2. ROLL CALL

Assistant City Clerk Turner called the roll.

3. PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Gonzalez led the Pledge of Allegiance.

4. SPECIAL ORDERS OF THE DAY

4.1 Presentation of a Proclamation to Acting Parks Administrator Gilbert Contreras Proclaiming May 20, 2023, as Kids to Parks Day in the City of Chula Vista

Acting Parks Administrator Contreras spoke regarding the item. Mayor McCann read the proclamation and Councilmember Chavez presented it to Acting Parks Administrator Contreras.

4.2 Presentation of a Proclamation Announcing the Opening of Chula Vista Village at Otay and Thanking Funders and Contributors to the City's First Emergency Bridge Shelter

Mayor McCann read the proclamation. He and Councilmember Cardenas presented it to Homeless Services Manager Davis.

Marlon James submitted written communications in support of the item.

Alan C. submitted written communications in opposition to the item.

4.3 Presentation of a Proclamation to The Us for Warriors Foundation and Chula Vista Military and Veterans Proclaiming May 2023 as Military Appreciation Month in the City of Chula Vista

Mayor McCann read the proclamation and Councilmember Cardenas presented it to Tony Stewart, representing the American Legion.

4.4 Presentation of a Proclamation to Building Services Supervisor Mel Garcia and Members of the Custodial Group Proclaiming May 21 through 27, 2023, Public Works Week in the City of Chula Vista

Mayor McCann read the proclamation and Councilmember Gonzalez presented it to Building Services Supervisor Garcia.

5. CONSENT CALENDAR (Items 5.1 through 5.9)

Acting City Attorney Maland announced that the following City Councilmembers would abstain from voting on the items indicated due to potential property-related conflicts of interest: Mayor McCann on Item 5.5C and Deputy Mayor Preciado on Item 5.5D.

Items 5.7 and 5.9 were removed from the Consent Calendar by a member of the public and Deputy Mayor Preciado respectively.

Moved by Deputy Mayor Preciado
Seconded by Councilmember Cardenas

To approve the recommended actions appearing below the consent calendar items. The headings were read, text waived. The motion carried by the following vote:

Items 5.1 through 5.5B and Item 5.8:

Yes (5): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, Deputy Mayor Preciado, and Mayor McCann

Result, Carried (5 to 0)

Item 5.5C:

Yes (4): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, and Deputy Mayor Preciado

Abstain (1): Mayor McCann

Result, Carried (4 to 0)

Item 5.5D:

Yes (4): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, and Mayor McCann

Abstain (1): Deputy Mayor Preciado

Result, Carried (4 to 0)

5.1 Approval of Meeting Minutes

Approve the minutes dated: May 9, 2023

5.2 Waive Reading of Text of Resolutions and Ordinances

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 Request for Excused Absences

Consider requests for excused absences as appropriate. No requests were received for this meeting.

5.4 Agreement: Approve the Second Amended and Restated Agreement Between the City and SCG - Spicer Consulting Group, LLC. for Special Tax Consultant Services

Adopt a resolution approving the second amended and restated agreement between the City and SCG – Spicer Consulting Group, LLC for special tax consultant services to extend the agreement through September 30, 2023 and increase the compensation amount from \$1,000,000 to \$1,037,243.

RESOLUTION NO. 2023-049 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING SECOND AMENDED AND RESTATED CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY AND SCG – SPICER CONSULTING GROUP, LLC.

5.5 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 2023-24, and Set a Public Hearing

Adopt resolutions A) Initiating proceedings for the levy and collection of assessments for Fiscal Year 2023/24 for Open Space Districts 1 through 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33, Eastlake, Town Centre Maintenance District, and Bay Boulevard 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 11, 2023, regarding the Fiscal Year 2023/24 assessments for Open Space Districts 2 through 10, 14, 15, 17, 18, 20 (Zones 1 through 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 11, 2023, regarding the Fiscal Year 2023/24 assessments for Open Space District 1 and Open Space District 20 Zone 7; and D) Approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing for July 11, 2023, regarding the Fiscal Year 2023/24 assessments for Open Space District 11.

A) RESOLUTION NO. 2023-050 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023-24 FOR OPEN SPACE DISTRICTS 1 THROUGH 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33, EASTLAKE, TOWN CENTRE, AND BAY BOULEVARD OF THE CITY OF CHULA VISTA PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

B) RESOLUTION NO. 2023-051 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2023-24 ASSESSMENTS FOR OPEN SPACE DISTRICTS 2 THROUGH 10, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 6, 8, AND 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1, TOWN CENTRE, AND BAY BOULEVARD MAINTENANCE DISTRICT

C) RESOLUTION NO. 2023-052 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2023-24 ASSESSMENTS FOR OPEN SPACE DISTRICT 1 AND OPEN SPACE DISTRICT 20 ZONE 7

D) RESOLUTION NO. 2023-053 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2023-24 ASSESSMENTS FOR OPEN SPACE DISTRICT 11

5.6 Agreement: Approve a Sixth Amendment to the Agreement with the Accounting Firm of Lance Soll and Lunghard, LLP to Provide Audit Services

Adopt a resolution approving an amendment to the agreement between City and the accounting firm Lance Soll and Lunghard, LLP for audit services for Fiscal Year 2022-23.

RESOLUTION NO. 2023-054 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SIXTH AMENDMENT TO THE AGREEMENT WITH THE ACCOUNTING FIRM OF LANCE, SOLL AND LUNGHARD, LLP TO PROVIDE AUDIT SERVICES

5.8 Agreement: Accept Proposals and Award an Agreement with PSC Investigations LLC to Provide Background Investigative Services

Adopt a resolution accepting proposals and awarding an agreement to PSC Investigations LLC to provide background investigative services.

RESOLUTION NO 2023-057 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING PROPOSALS AND AWARDED AN AGREEMENT TO PSC INVESTIGATIONS LLC TO PROVIDE BACKGROUND INVESTIGATIVE SERVICES

ITEMS REMOVED FROM THE CONSENT CALENDAR

5.7 Agreements: Approve a Form of Agreement with Touchstone Golf, LLC for Management of the Chula Vista Golf Course and Authorize the City Manager to Enter into an Agreement with Huntington National Bank for the Lease of 80 Golf Carts

Alan C. submitted written communications and spoke in opposition to staff's recommendation.

Moved by Mayor McCann

Seconded by Councilmember Gonzalez

To adopt Resolution Nos. 2023-055 and 2023-056, headings read, text waived. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, Deputy Mayor Preciado, and Mayor McCann

Result, Carried (5 to 0)

A) RESOLUTION NO 2023-055 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A FORM OF AGREEMENT WITH TOUCHSTONE GOLF, LLC FOR PROFESSIONAL MANAGEMENT SERVICES FOR THE CHULA VISTA GOLF COURSE

B) RESOLUTION NO. 2023-056 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING EXECUTION AND DELIVERY OF A LEASE AGREEMENT AND APPROVING RELATED DOCUMENTS AND ACTIONS

5.9 Contracted Janitorial Services: Approve the First Amendment with Nova Commercial to Increase the Maximum Contract Amount and Add Additional Facilities

Sofia Martinez spoke in opposition to staff's recommendation.

Assistant Public Works Director Aguilar gave a presentation on the item. She and Public Works Director Little responded to questions from the City Council.

City Council discussion ensued.

Moved by Mayor McCann
Seconded by Councilmember Chavez

To adopt Resolution No. 2023-058, with the commitment from staff to return to City Council within six months with a memorandum of any findings related to responsible sub-contracting. The heading was read, text waived. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, Deputy Mayor Preciado, and Mayor McCann

Result, Carried (5 to 0)

RESOLUTION NO. 2023-058 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND NOVA COMMERCIAL FOR JANITORIAL SERVICES FOR MULTIPLE FACILITIES

Mayor McCann recessed the meeting at 6:16 p.m. The City Council reconvened at 6:23 p.m., with all members present.

6. PUBLIC COMMENTS

Brandon Claypool, Chula Vista resident, spoke regarding homelessness and the opening of the bridge shelter.

John Acosta, Chula Vista resident, spoke regarding Councilmembers.

Marianna Saponara, representing Nacion Crusaders, spoke regarding traffic on Nacion Avenue.

Jeff Redendo, Chula Vista resident, spoke regarding the permitting process for residential development.

Raquel Almeda, representing Club Libertad y Ley, spoke regarding an upcoming carnival in Memorial Park.

Christine Brady, Chula Vista resident, spoke in support of Arts and Culture in the City.

Alan C. spoke regarding the bridge shelter and the public commenting process.

7. ACTION ITEMS

7.1 Harborside Park and American Rescue Plan Act (ARPA): Approve an ARPA Spending Plan Amendment to Provide Park Improvements to Reopen Harborside Park

Housing and Homeless Services Director Kurz gave a presentation on the item. She and City Manager Kachadoorian responded to questions from the City Council.

John Acosta, Chula Vista resident, spoke regarding improvements at Harborside Park.

Alan C. spoke on behalf of Brandon Claypool, regarding safety at Harborside Park.

Marianna Saponara, Chula Vista resident, spoke regarding safety and art programs at Harborside Park.

Christine Brady, Chula Vista resident, spoke in support of space for art and fitness at Harborside Park.

CV Resident submitted written communications in support of an MOU/MOA with the school district and County.

Council discussion ensued.

Moved by Councilmember Cardenas
Seconded by Deputy Mayor Preciado

To direct staff to evaluate and provide recommendations to City Council on 1) a joint use agreement with the Chula Vista Elementary School District to provide additional use and oversight of Harborside Park and maintain community access; and 2) options to declare the Harborside Park space surplus land and to require future developments to address community needs, such as including a recreational facility on the site. The motion carried by the following vote:

Yes (4): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, and Deputy Mayor Preciado

No (1): Mayor McCann

Result, Carried (4 to 1)

8. CITY MANAGER'S REPORTS

There were none.

9. MAYOR'S REPORTS

Mayor McCann spoke regarding his attendance at the ribbon cutting for the Chula Vista Village at Otay Bridge Shelter and thanked staff and the community for their efforts.

9.1 Ratification of Appointments to the Following Commissions:

**- Human Relations Commission
Christian Gomez**

**- Citizens' Oversight Committee - Measure A
Jesse Navarro**

Deputy Mayor Preciado offered a substitute motion to appoint Christian Gomez to the Human Relations Commission and to table the appointment of Jesse Navarro to the Measure A Citizens' Oversight Committee.

Mayor McCann announced that the City Council would bifurcate the motion to consider the ratifications separately.

Council discussion ensued.

Moved by Mayor McCann
Seconded by Deputy Mayor Preciado

To ratify the appointment of Christian Gomez to the Human Relations Commission. The motion carried by the following vote:

Yes (5): Councilmember Cardenas, Councilmember Chavez, Councilmember Gonzalez, Deputy Mayor Preciado, and Mayor McCann

Result, Carried (5 to 0)

Moved by Mayor McCann
Seconded by Councilmember Gonzalez

To ratify the appointment of Jesse Navarro to the Measure A Citizens' Oversight Committee. The motion carried by the following vote:

Yes (3): Councilmember Chavez, Councilmember Gonzalez, and Mayor McCann

No (2): Councilmember Cardenas, and Deputy Mayor Preciado

Result, Carried (3 to 2)

City Clerk note regarding the action to appoint Jesse Navarro to the Measure A Citizens' Oversight Committee: Councilmember Chavez stated she would abstain from voting and designated her vote by the use of the amber/abstain electronic voting indicator. Councilmember Chavez did not state a reason for abstaining, therefore, in accordance with Chula Vista Municipal Code Section 2.04.550(A), the vote was recorded as an affirmative vote.

10. COUNCILMEMBERS' COMMENTS

Councilmember Gonzalez thanked Republic Services for a recent tour of the Chula Vista landfill and voiced his support for arts and culture in the City.

Councilmember Chavez spoke regarding the direction of the Economic Development and Binational Affairs ad-hoc committee. She also spoke regarding establishing a long-term vision for the Chula Vista golf course.

Deputy Mayor Preciado spoke regarding his attendance at a tour of Chula Vista parks and the ribbon cutting for the Chula Vista Village at Otay Bridge Shelter. He thanked Mayor McCann and Councilmember Cardenas for their leadership efforts related to the bridge shelter. Deputy Mayor Preciado also spoke in support of scheduling a strategic planning meeting to address tourism.

Councilmember Cardenas spoke regarding her attendance at the ribbon cutting for the Chula Vista Village at Otay Bridge Shelter and thanked staff and the community for their efforts.

11. CITY ATTORNEY'S REPORTS

There were none.

12. CLOSED SESSION

Pursuant to Resolution No. 13706 and Council Policy No. 346-03, Official Minutes and records of action taken during Closed Sessions are maintained by the City Attorney.

Acting City Attorney Maland announced that the City Council would convene in closed session to discuss the items listed below.

Mayor McCann recessed the meeting at 8:10 p.m. The City Council convened in Closed Session at 8:25 p.m., with all members present.

12.1 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Steve Stenberg, Chula Vista resident spoke regarding pay parity for public safety positions.

Alan C. spoke regarding pay parity for public safety positions and the process for closed session items.

The following members of the public submitted written communications regarding pay parity for safety positions:

- *Concerned resident with family*
- *Mary Jo Ornelas*
- *Concerned resident*
- *Yvonne*
- *Concerned employee*
- *Concerned employee*

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

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

Action: No Reportable Action

13. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Minutes prepared by: Tyshar Turner, Assistant City Clerk

Kerry K. Bigelow, MMC, City Clerk

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