

**City of Chula Vista**  
**Regular City Council Meeting**  
**MINUTES**

February 20, 2024, 5:00 p.m.  
Council Chambers, 276 Fourth Avenue, Chula Vista, CA

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

Also Present: City Manager Kachadoorian, Jill Maland representing Lounsbery Ferguson Altona & Peak LLP, Interim Acting City Attorney, Deputy Director of City Clerk Services Turner, Deputy Director of City Clerk Services Malone

*Minutes are prepared and ordered to correspond to the agenda.*

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**1. CALL TO ORDER**

*The meeting was called to order at 5:03 p.m.*

**2. ROLL CALL**

*Deputy Director of City Clerk Services Turner called the roll.*

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

*Led by Deputy Mayor Gonzalez.*

*Mayor McCann spoke regarding the resignation of former Councilmember Cardenas.*

**4. SPECIAL ORDERS OF THE DAY**

**4.1 Oath of Office:**

*Abigail Costello, Sustainability Commission*

*Deputy Director of City Clerk Services Turner administered the oath of office to Commissioner Costello and Councilmember Chavez presented her with a certificate of appointment.*

**4.2 Presentation of a Proclamation to Director of Southwestern College's Fire Academy Lorraine Hutchinson Proclaiming February 20, 2024 as Lorraine Hutchinson Day in the City of Chula Vista**

*Mayor McCann read the proclamation and presented it to Lorraine Hutchinson.*

**5. CONSENT CALENDAR (Items 5.1 through 5.7)**

*Item 5.4 was removed from the consent calendar at the request of Deputy Mayor Gonzalez.*

*John Acosta, Chula Vista resident, spoke regarding Item 5.3.*

**Moved by Mayor McCann**

**Seconded by Councilmember Chavez**

To approve the recommended actions appearing below consent calendar Items 5.1 through 5.3 and 5.5 through 5.7. The headings were read, text waived. The motion was carried by the following vote:

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

**Result, Carried (4 to 0)**

**5.1 Approve Meeting Minutes**

Approval of the minutes dated: February 13, 2024.

**5.2 Waive Reading of Text of Resolutions and Ordinances**

Approval of a motion to read only the title and waive the reading of the text of all resolutions and ordinances at this meeting.

**5.3 Employee Compensation and Positions: Adopt an Ordinance to Update the List of Unclassified City Position Titles**

Adopt an ordinance 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. **(Second Reading and Adoption); (4/5 Vote Required)**

Item 5.3 heading:

ORDINANCE NO. 3564 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 ADDING THE UNCLASSIFIED POSITION TITLES OF ASSISTANT DIRECTOR OF PARKS AND RECREATION, DEPUTY DIRECTOR OF ANIMAL SERVICES AND DEPUTY DIRECTOR OF DEVELOPMENT SERVICES **(SECOND READING AND ADOPTION); (4/5 VOTE REQUIRED)**

**5.5 Agreement: Approve Renegotiated Agreement with Nationwide Retirement Solutions, Inc. for Administration of City's 457(b) Deferred Comp and 401(a) Money Purchase Plans, Delegate Role of Plan Sponsor, and Authorize Establishing an Oversight Committee**

*Robert Johnson submitted written comments.*

Adopt a resolution approving an agreement with Nationwide Retirement Solutions, Inc. to provide administrative services of the City's 457(b) Deferred Compensation Plan and 401(a) Money Purchase Plan; delegating to the Director of Finance/Treasurer the role of Plan Sponsor of 457(b) and 401(a) plans to carry out

the fiduciary responsibilities of the plans; and authorizing the Director of Finance/Treasurer to establish a Deferred Compensation Plan Oversight Committee.

Item 5.5 heading:

RESOLUTION NO. 2024-032 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND NATIONWIDE RETIREMENT SOLUTIONS, INC., APPROVING THE DELEGATION OF PLAN SPONSOR AND ITS DUTIES OF THE 457(B) AND 401(A) PLANS TO THE DIRECTOR OF FINANCE/TREASURER, AND APPROVING THE ESTABLISHMENT OF AN OVERSIGHT COMMITTEE

**5.6 Ratification of Appointment: City Manager's Appointment of the Director of Library Services – Joy Whatley**

*Robert Johnson submitted written comments.*

Adopt a resolution ratifying the City Manager's appointment of Joy Whatley as Director of Library Services.

Item 5.6 heading:

RESOLUTION NO. 2024-033 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING THE CITY MANAGER'S APPOINTMENT OF DIRECTOR OF LIBRARY SERVICES – JOY WHATLEY

**5.7 Agreement Amendment: Approve the Second Amendment to the Consultant Services Agreement with Kleinfelder Construction Services, Inc. to Provide On-Call Capital Improvement Program (CIP) Construction Management Services**

*Robert Johnson submitted written comments.*

Adopt a resolution approving the second amendment to the consultant services agreement with Kleinfelder Construction Services, Inc. for On-Call CIP Construction Management Services to increase the maximum amount to be paid for consultant services.

Item 5.7 heading:

RESOLUTION NO. 2024-034 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND KLEINFELDER CONSTRUCTION SERVICES, INC. TO PROVIDE ON-CALL CAPITAL IMPROVEMENT PROGRAM (CIP) CONSTRUCTION MANAGEMENT SERVICES

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**5.4 Affordable Housing: Authorize Joint Application to and Participation in the Homekey Program with Wakeland Housing and Development Corporation for Rehabilitation and Conversion of the Palomar Motel into Permanent Supportive Housing**

*Director of Housing and Homelessness Kurz and Rebecca Louie, representing Wakeland Housing responded to questions from the City Council.*

*The following members of the public spoke in opposition to the item:*

- *Alan C.*
- *John Acosta*

*Robert Johnson submitted written comments.*

*The meeting was recessed at 6:36 p.m. and resumed at 6:51 p.m.*

**Moved by** Mayor McCann  
**Seconded by** Councilmember Preciado

To adopt Resolution No. 2024-031, the heading was read, text waived. The motion was carried by the following vote:

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

**Result, Carried (4 to 0)**

Item 5.4 heading:

RESOLUTION NO. 2024-031 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING JOINT APPLICATION TO AND PARTICIPATION IN THE HOMEKEY PROGRAM FOR REHABILITATION AND CONVERSION OF THE PALOMAR MOTEL INTO PERMANENT SUPPORTIVE HOUSING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO DEVELOPMENT AGREEMENT(S) WITH WAKELAND HOUSING AND DEVELOPMENT CORPORATION

**6. PUBLIC COMMENTS**

*Alan C. spoke in opposition to mail-in ballots and announced an upcoming car show.*

*John Acosta, Chula Vista resident, spoke regarding candidates running for office and the appointment process.*

*The following members of the public, representing the South Bay Little League Challenger division, spoke regarding field maintenance at City parks:*

- *Juan Vargus*
- *Felipe Martinez*
- *Jose Torres, and he spoke on behalf of Joseph Lewis*
- *David Walter*
- *Cesar Fernandez*

*At the request of Mayor McCann there was a consensus of the City Council to refer the matter related to South Bay Little League Challenger division to the City Manager for assistance.*

*Robert Johnson submitted written comments.*

## 7. ACTION ITEMS

### 7.1 **Bond Issuance: Board of Directors of the Chula Vista Municipal Financing Authority Approve the Issuance of Refunding Revenue Bonds and the Legislative Body of CFD Nos. 06-I, 07-I, 08-I, and 2001-2 and Approve the Issuance of Special Tax Refunding Bonds**

*Director of Finance Schoen, Fiscal Debt Management Analyst Macias, and Suzanne Harrell, representing Harrell & Company Advisors, gave a presentation on the item and responded to questions from the City Council.*

*Alan C. spoke in opposition to the item.*

*Robert Johnson submitted written comments.*

*Mayor McCann stated that he would abstain from voting on Items 7.1 A & B due to a potential property-related conflict of interest; he left the dais during voting.*

**Moved by** Councilmember Preciado

**Seconded by** Councilmember Chavez

To adopt Resolution Nos. 2024-035 and 2024-036, the headings were read, text waived. The motion was carried by the following vote:

Yes (3): Councilmember Chavez, Deputy Mayor Gonzalez, and Councilmember Preciado

Abstain (1): Mayor McCann

**Result, Carried (3 to 0)**

Item 7.1 headings:

A) RESOLUTION NO. 2024-035 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF CITY OF CHULA VISTA COMMUNITY FACILITIES DISTRICT NO. 06-I (EASTLAKE - WOODS, VISTAS AND LAND SWAP), AUTHORIZING THE ISSUANCE OF ITS IMPROVEMENT AREA A 2024 SPECIAL TAX REFUNDING BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED TWELVE MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$12,425,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

B) RESOLUTION NO. 2024-036 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF CITY OF CHULA VISTA COMMUNITY FACILITIES DISTRICT NO. 06-I (EASTLAKE - WOODS, VISTAS AND LAND SWAP), AUTHORIZING THE ISSUANCE OF ITS IMPROVEMENT AREA B 2024 SPECIAL TAX REFUNDING BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION ONE HUNDRED FORTY THOUSAND

DOLLARS (\$3,140,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

**Moved by** Mayor McCann  
**Seconded by** Councilmember Preciado

To adopt Resolution Nos. 2024-037 through 2024-039, the headings were read, text waived. The motion was carried by the following vote:

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

**Result, Carried (4 to 0)**

C) RESOLUTION NO. 2024-037 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF CITY OF CHULA VISTA COMMUNITY FACILITIES DISTRICT NO. 07-1 (OTAY RANCH VILLAGE ELEVEN), AUTHORIZING THE ISSUANCE OF ITS 2024 SPECIAL TAX REFUNDING BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED ELEVEN MILLION NINE HUNDRED EIGHTY THOUSAND DOLLARS (\$11,980,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

D) RESOLUTION NO. 2024-038 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF CITY OF CHULA VISTA COMMUNITY FACILITIES DISTRICT NO. 08-1 (OTAY RANCH VILLAGE SIX), AUTHORIZING THE ISSUANCE OF ITS 2024 SPECIAL TAX REFUNDING BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED EIGHT MILLION ONE HUNDRED NINETY THOUSAND DOLLARS (\$8,190,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

E) RESOLUTION NO. 2024-039 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF CITY OF CHULA VISTA COMMUNITY FACILITIES DISTRICT NO. 2001-2 (MCMILLIN – OTAY RANCH – VILLAGE SIX), AUTHORIZING THE ISSUANCE OF ITS 2024 SPECIAL TAX REFUNDING BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED FOUR MILLION TWO HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$4,265,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

**Moved by** Mayor McCann  
**Seconded by** Councilmember Preciado

To adopt Municipal Financing Authority Resolution No. 2024-001, the heading was read, text waived. The motion was carried by the following vote:

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

**Result, Carried (4 to 0)**

F) MFA RESOLUTION NO. 2024-001 OF THE BOARD OF DIRECTORS OF THE CHULA VISTA MUNICIPAL FINANCING AUTHORITY, AUTHORIZING THE ISSUANCE OF ITS LOCAL AGENCY REVENUE REFUNDING BONDS IN AN

AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY MILLION DOLLARS (\$40,000,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

**7.2 Tenant Protection Ordinance: Updates to the Chula Vista Residential Tenant Protection Ordinance, CVMC Chapter 9.65, to Remain Consistent with Recently Adopted California Senate Bill 567**

*Mayor McCann stated that he would abstain from voting on the item due to a potential property-related conflict of interest; he left the dais during discussion and voting.*

*Director of Housing and Homeless Services Kurz, Assistant City Attorney McClurg, and Management Analyst Rodriguez gave a presentation and responded to questions from the City Council.*

*The following members of the public spoke in opposition to the item:*

- *Alan C.*
- *Joseph Raso, Chula Vista resident*
- *Robert Johnson*

*Robert Johnson submitted written comments.*

**Moved by** Deputy Mayor Gonzalez

**Seconded by** Councilmember Chavez

To place the ordinance on second reading and to return to City Council within 6 months to discuss additional enhancements, to include the adjustment of the 60-day minimum vacancy to 30 days, the heading was read, text waived. The motion was carried by the following vote:

Yes (3): Councilmember Chavez, Deputy Mayor Gonzalez, and Councilmember Preciado

Abstain (1): Mayor McCann

**Result, Carried (3 to 0)**

Item 7.2 heading:

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 9.65 OF THE CHULA VISTA MUNICIPAL CODE TO ADD RESIDENTIAL TENANT PROTECTION PROVISIONS. **(FIRST READING)**

**8. PUBLIC COMMENTS (CONTINUED)**

*Joseph Raso, Chula Vista resident, spoke in opposition to the tenant protection ordinance.*

*Robert Johnson spoke regarding various topics.*

*Christine Brady, Chula Vista resident, spoke regarding civil discourse and the Ralph Brown Act.*

**9. CITY MANAGER'S REPORTS**

*City Manager Kachadoorian gave an update regarding field maintenance of City Parks.*

**10. MAYOR'S REPORTS**

*Mayor McCann reported on attendance at recent events and made community announcements.*

**10.1 Consideration of City Sponsorship of \$7,500 for the Day of the Child Event Hosted by the Chula Vista Community Collaborative to be Held on April 20, 2024, at Memorial Park in Chula Vista**

*Robert Johnson submitted written comments.*

**Moved by** Deputy Mayor Gonzalez  
**Seconded by** Mayor McCann

To authorize City sponsorship of \$7500 for the Day of the Child event. The motion was carried by the following vote:

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

**Result, Carried (4 to 0)**

**11. COUNCILMEMBERS' COMMENTS**

*Councilmembers reported on attendance at recent events and made community announcements.*

**11.1 Councilmember Preciado:**

**Discussion Regarding Potential Updates to the Human Relations Commission's Role, Duties, and Procedures.**

*At the request of Councilmember Preciado, there was a consensus of the City Council to request a formal report from the Human Relations Commission within 60 days for further examination and consideration of potential modifications to the commission.*

*Robert Johnson submitted written comments.*

**12. CITY CLERK'S REPORTS**

*There were none.*

**13. CITY ATTORNEY'S REPORTS**

*Acting City Attorney Maland spoke regarding Board and Commission member training.*

**14. CLOSED SESSION**

*Pursuant to Resolution No. 13706 and City Council Policy No. 346-03, the City Attorney maintains official minutes and records of action taken during closed session.*

*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 8:06 p.m. The City Council convened in closed session at 8:15 p.m., with all members present.*

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

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

**Action:** No Reportable Action

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.

**Action:** No Reportable Action

**15. ADJOURNMENT**

*The meeting was adjourned at 8:45 p.m.*

*Minutes prepared by: Tyshar Turner, Deputy Director, City Clerk Services*

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Kerry K. Bigelow, MMC, City Clerk