

City of Chula Vista
Special City Council Meeting
MINUTES

February 26, 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.

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 Councilmember Chavez.

4. CONSENT CALENDAR (Items 4.1 through 4.4)

Mayor McCann stated he would abstain from voting on Item 4.2 due to a potential property-related conflict of interest.

Delia Dominguez Cervantes spoke regarding vote center sites.

Moved by Councilmember Preciado

Seconded by Deputy Mayor Gonzalez

To approve the recommended actions appearing below consent calendar Items 4.1, 4.3, and 4.4. 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

Carried (4 to 0)

4.1 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.

4.2 Tenant Protection Ordinance: Adopt an Ordinance to Update the Chula Vista Residential Tenant Protection Ordinance, CVMC Chapter 9.65, to Remain Consistent with Recently Adopted California Senate Bill 567

Robert Johnson submitted written comments.

Moved by Councilmember Preciado
Seconded by Deputy Mayor Gonzalez

To adopt Ordinance No. 3565, 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

Carried (3 to 0)

Item 4.2 heading:

ORDINANCE NO. 3565 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 9.65 OF THE CHULA VISTA MUNICIPAL CODE TO ADD RESIDENTIAL TENANT PROTECTION PROVISIONS **(SECOND READING AND ADOPTION)**

4.3 Reimbursement Agreement: Approve the First Amendment to the Reimbursement Agreement with RIDA Chula Vista, LLC to Recognize Approved Change Orders, Add Construction of the G Street Sewer Pump Station Overflow Tank, and Appropriate Funds Accordingly

Adopt a resolution approving the First Amendment to Reimbursement Agreement with RIDA Chula Vista, LLC to Construct Specified Bayfront Sewer Improvements to recognize various administratively approved change orders, add construction of the G Street Sewer Pump Station Overflow Tank, and amending the fiscal year 2023-24 Capital Improvement Projects program budget (SWR0321). **(4/5 Vote Required)**

Item 4.3 heading:

RESOLUTION NO. 2024-040 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDMENT TO REIMBURSEMENT AGREEMENT WITH RIDA CHULA VISTA, LLC TO INCLUDE THE G STREET SEWER PUMP STATION OVERFLOW TANK AND H STREET SEWER IMPROVEMENTS AND APPROPRIATE FUNDS TO CIP PROJECT, SWR0321 "RIDA BAYFRONT SEWER IMPROVEMENTS" THERFOR **(4/5 VOTE REQUIRED)**

4.4 Lease Agreement: Approve a Lease Agreement with GGP-Otay Ranch, L.P. for Tenant Space at Otay Ranch Town Center for the Otay Ranch Branch Library

Adopt a resolution approving a lease agreement with GGP-Otay Ranch, L.P. for the Otay Ranch Branch Library.

Item 4.4 heading:

RESOLUTION NO. 2024-041 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE LEASE OF ONE TENANT SPACE WITH GGP-OTAY RANCH, L.P. AT THE OTAY RANCH TOWN CENTER FOR THE OTAY RANCH BRANCH LIBRARY

5. ACTION ITEMS

5.1 City Council Vacancy: Declaring a Vacancy for the District 4 City Councilmember Seat, Declaring an Intention to Use Good Faith, Best Efforts to Appoint a Person to Fill the Seat, and Providing Direction to Staff on the Appointment Process

Deputy Director of City Clerk Services Turner gave a presentation; she and Assistant City Attorney McClurg responded to questions from the City Council.

The following members of the public spoke regarding the item:

- Dale Stevenson
- Cheryl
- Delfina Gonzalez
- Robert Johnson
- Jose Sarmiento

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

- Delia Dominguez Cervantes
- John Acosta
- Anna

Moved by Mayor McCann

Seconded by Councilmember Preciado

To adopt Resolution No.2024-042, and to include an education verification component to the application process, 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

Carried (4 to 0)

Item 5.1 heading:

RESOLUTION NO. 2024-042 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE VACANCY OF THE OFFICE OF DISTRICT 4 CITY COUNCILMEMBER AND DECLARING AN INTENTION TO USE GOOD FAITH, BEST EFFORTS TO APPOINT A PERSON TO FILL THE VACANT SEAT

6. CITY MANAGER'S REPORTS

City Manager Kachadoorian congratulated Director of Engineering Valle on his retirement.

7. MAYOR'S REPORTS

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

8. COUNCILMEMBERS' COMMENTS

Councilmember Chavez provided a SANDAG board meeting update.

Councilmember Preciado reported on attendance at recent events and made community announcements.

9. CITY CLERK'S REPORTS

There were none.

10. CITY ATTORNEY'S REPORTS

There were none.

11. ADJOURNMENT

The meeting was adjourned at 5:50 p.m.

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

Kerry K. Bigelow, MMC, City Clerk