

City of Chula Vista
Regular City Council and Special Housing Authority Meeting
MINUTES

Date: July 16, 2024, 5:00 p.m.
Location: Council Chambers, 276 Fourth Avenue, Chula Vista, CA

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

Excused: Councilmember Morineau

Also Present: Assistant City Manager Allen, Assistant City Attorney McClurg, City Clerk Bigelow, Deputy Director of City Clerk Services Turner

Minutes are prepared and ordered to correspond to the agenda.

1. CALL TO ORDER

The meeting was called to order at 5:00 p.m.

Mayor McCann announced, pursuant to AB 23, that he and all Councilmembers would receive \$50 for their attendance at that Housing Authority meeting, held simultaneously with the City Council meeting.

2. ROLL CALL

City Clerk Bigelow called the roll.

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

Led by Councilmember Chavez.

Mayor McCann addressed the recent attempted assassination of former President Trump and requested a moment of silence to honor the victims.

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

The proclamation was presented.

5. CONSENT CALENDAR (Items 5.1 through 5.15)

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

Mayor McCann announced that the following Councilmembers would abstain from voting on the items indicated due to potential property-related conflicts of interest: Mayor McCann on Item 5.5 B and Deputy Mayor Gonzalez on Item 5.5 C.

Assistant City Attorney McClurg announced that a revised agreement for Item 5.10 had been distributed and that action on the item would be on the revised document.

The following members of the public spoke regarding various topics related to the Consent Calendar:

- *Alan C.*
- *Joseph A, Raso, Chula Vista resident*
- *John Acosta, Chula Vista resident*
- *Sandra Hodge, Chula Vista resident*
- *Sabrina Weddle*
- *Robert*

Moved by Mayor McCann

Seconded by Councilmember Preciado

To approve the recommended actions appearing below consent calendar Items 5.1 through 5.3, 5.5A and 5.6 through 5.15. 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)

Moved by Mayor McCann

Seconded by Councilmember Preciado

To adopt Resolution No. 2024-137 (Item 5.5B), 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)

Moved by Mayor McCann

Seconded by Councilmember Preciado

To adopt Resolution No. 2024-138 (Item 5.5C), the heading was read, text waived. The motion was carried by the following vote:

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

Abstain (1): Deputy Mayor Gonzalez

Result, Carried (3 to 0)

5.1 Approve Meeting Minutes

Approval of the minutes dated: June 25, 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 Consideration of Requests for Excused Absences

Approval of an excused absence request from Councilmember Morineau for the July 16, 2024 City Council meeting.

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

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.

Item 5.5 headings:

A) RESOLUTION NO. 2024-136 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA 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) RESOLUTION NO. 2024-137 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING SPECIAL TAXES TO BE COLLECTED TO PAY THE COSTS 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

C) RESOLUTION NO. 2024-138 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING SPECIAL TAXES TO BE COLLECTED TO PAY THE COSTS 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

Adopt a resolution approving the two-party agreement with Gafcon PM-CM LLC (“Gafcon”) for Prevailing Wage Consulting Services.

Item 5.6 heading:

RESOLUTION NO. 2024-139 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY AND GAFCON PM-CM LLC 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

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)**

Item 5.7 heading:

RESOLUTION NO. 2024-140 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FUNDS FROM THE CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES FOR THE COVERDELL FORENSIC SCIENCE IMPROVEMENT PROGRAM AND AMENDING THE FISCAL YEAR 2024-25 BUDGET TO APPROPRIATE FUNDS THEREFOR **(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

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)**

Item 5.8 heading:

RESOLUTION NO. 2024-141 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FUNDS FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR OPERATION STONEGARDEN, AMENDING THE FISCAL YEAR 2024-25 BUDGET AND APPROPRIATING FUNDS THEREFOR **(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

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)**

Item 5.9 heading:

RESOLUTION NO. 2024-142 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, ACCEPTING GRANT FUNDS, AND APPROPRIATING FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

5.10 Agreement: Approve an Agreement with McAlister Institute for Treatment and Education, Inc. for Opioid Remediation Services

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.

Item 5.10 heading:

RESOLUTION NO. 2024-143 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH MCALISTER INSTITUTE FOR TREATMENT AND EDUCATION, INC. TO PROVIDE OPIOID REMEDIATION SERVICES

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

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)**

Item 5.11 headings:

A) RESOLUTION NO. 2024-144 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CLASSIFICATION PLAN AND COMPENSATION SCHEDULE TO REFLECT THE ADDITION OF POSITION TITLES AND SALARY ADJUSTMENTS FOR CERTAIN CLASSIFICATIONS AND AMENDING THE AUTHORIZED POSITION COUNT IN THE POLICE DEPARTMENT

B) RESOLUTION NO. 2024-145 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2024-25 COMPENSATION SCHEDULE EFFECTIVE JULY 12, 2024, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

C) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO ADD THE UNCLASSIFIED POSITION TITLES OF "FA DEPUTY DIRECTOR 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

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)**

Item 5.12 heading:

RESOLUTION NO. 2024-146 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING SAN DIEGO COMMUNITY POWER MEMBER AGENCY GRANT FUNDS FOR ENERGY AND CLIMATE PROJECTS AND AMENDING THE FISCAL YEAR 2024-25 BUDGET TO APPROPRIATE FUNDS THEREFOR **(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

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)**

Item 5.13 heading:

RESOLUTION NO. 2024-147 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, AWARDING A CONTRACT FOR THE "PAVEMENT MAJOR REHABILITATION FY 2021-22 (STM0408)" PROJECT TO ATP GENERAL ENGINEERING CONTRACTORS, AND APPROPRIATING FUNDS FROM THE AVAILABLE TRANSNET FUND TO CIP STM0408 **(4/5 VOTE REQUIRED)**

5.14 Agreement: Approve an Agreement with Carrier Johnson for a University-Innovation District Initial Phase Feasibility Study

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

Item 5.14 heading:

RESOLUTION NO. 2024-148 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY AND CARRIER JOHNSON TO PROVIDE UNIVERSITY INNOVATION DISTRICT 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

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)**

Item 5.15 heading:

RESOLUTION NO. 2024-149 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA 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 THEREFOR; AND (3) AMENDING THE MEASURE P INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN TO ALLOCATE ADDITIONAL FUNDS IN UNALLOCATED REVENUE **(4/5 VOTE REQUIRED)**

ACTION ITEMS REMOVED FROM CONSENT CALENDAR

5.4 Housing Successor Agency: Appropriation of \$4,550,000 in Low and Moderate Income Housing Asset Funds for Fiscal Year 2024/25

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

- Alan C.
- Robert

Moved by Deputy Mayor Gonzalez

Seconded by Mayor McCann

To adopt Resolution No. 2024-135, 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. 2024-135 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AND NO. 2024-006 OF THE HOUSING AUTHORITY AUTHORIZING THE USE OF FISCAL YEAR 2024-25 SUCCESSOR HOUSING AGENCY FUNDS FOR ADMINISTRATIVE COSTS, THE IMPLEMENTATION OF LANDLORD INCENTIVE AND HOMELESSNESS PREVENTION PROGRAMS, AND THE DEVELOPMENT OF AFFORDABLE HOUSING AND APPROPRIATING FUNDS THEREFORE **(4/5 VOTE REQUIRED)**

6. PUBLIC COMMENTS

Alan C. spoke regarding the ballot measure to continue the half-cent sales tax.

Joseph A. Raso spoke in opposition to the tenant protection ordinance.

The following members of the public spoke regarding various matters.

- *John Acosta, Chula Vista resident*
- *Robert*

Jenne Fredrickson spoke regarding employees working for private companies after retiring.

The following members of the public spoke in support of restoring community access to the arena at Rohr Park.

- *Darrell Jett, Chula Vista resident,*
- *Dennis Avalos*

The following members of the public spoke regarding matters related to homelessness:

- *Sandra Hodge, Chula Vista resident*
- *Sabrina Weddle*

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

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Transportation Engineer Barker gave a presentation on the item.

Mayor McCann opened the public hearing.

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

- *Alan C.*
- *John Acosta, Chula Vista resident*

There being no further members of the public who wished to speak, Mayor McCann closed the public hearing.

City Clerk Bigelow stated that notice of the public hearing had been given in the form and manner as required by law and that no written protests were received.

Moved by Councilmember Preciado

Seconded by Mayor McCann

To adopt Resolution No. 2024-150 (7.1A), 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 7.1A heading:

A) RESOLUTION NO. 2024-150 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY

FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), MAKING CERTAIN DETERMINATIONS AND AUTHORIZING SUBMITTAL OF LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF CERTAIN TERRITORY PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT) AND IMPROVEMENT AREA "C" THERETO

City Clerk Bigelow agreed to hold the special election, canvassed the ballots, and announced that the proposition passed unanimously.

Moved by Mayor McCann

Seconded by Deputy Mayor Gonzalez

To adopt Resolution No. 2024-151(7.1B), 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 7.1B heading:

B) RESOLUTION NO. 2024-151 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), DECLARING THE RESULTS OF A SPECIAL ELECTION IN THAT TERRITORY DESIGNATED AS COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), IMPROVEMENT AREA "C," ANNEXATION NO. 13 AND ADDING SUCH TERRITORY TO SUCH IMPROVEMENT AREA

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

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Facilities Finance Manager Elliott gave a presentation on the item.

City Clerk Bigelow announced that the notice was mailed to the property owner on July 1, 2024, and published in the newspaper at least seven days prior to the date of the public hearing in accordance with the Mello-Roos Act.

Mayor McCann opened the public hearing.

City Clerk Bigelow stated that no written protests were received.

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

- *Alan C.*
- *Robert*

City Clerk Bigelow announced that the report regarding the public facilities to be provided for and within the Community Facilities District (CFD) had been received and that it had been included in the record of the public hearing, that there were no

registered voters within the territory proposed to be annexed within the CFD, and that all owners had consented to hold the special election immediately following the public hearing.

There being no further members of the public who wished to speak, Mayor McCann closed the public hearing.

City Clerk Bigelow announced that a notice was published in the newspaper of general circulation in accordance with applicable law and that at the conclusion of the public hearing, no protests were filed by landowners within the territory included in the CFD; as such, no majority protest existed.

Moved by Councilmember Preciado

Seconded by Councilmember Chavez

To adopt Resolution Nos. 2024-152 through 2024-154 (Items 7.2 A through C), 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)

Item 7.2 A-C headings:

A) RESOLUTION NO. 2024-152 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CITRUS BAY) OF THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND THE BOUNDARIES THEREOF

B) RESOLUTION NO. 2024-153 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, DETERMINING THE NECESSITY TO INCUR A BONDED INDEBTEDNESS OF COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CITRUS BAY) TO BE SECURED BY SPECIAL TAXES LEVIED THEREIN TO PAY FOR THE ACQUISITION OR CONSTRUCTION OF CERTAIN PUBLIC FACILITIES

C) RESOLUTION NO. 2024-154 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CITRUS BAY), THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, A PROPOSITION REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR

City Clerk Bigelow stated that she agreed to holding the special election, canvassed the ballots returned, and announced that the proposition passed unanimously.

Moved by Mayor McCann

Seconded by Councilmember Preciado

To adopt Resolution No. 2024-155 (Item 7.2D), 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 7.2 D heading:

D) RESOLUTION NO. 2024-155 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE RESULTS OF THE CONSOLIDATED SPECIAL ELECTIONS WITHIN COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CITRUS BAY) OF THE CITY OF CHULA VISTA

Moved by Mayor McCann
Seconded by Councilmember Preciado

To place the ordinance (Item 7.2E) on first reading, 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 7.2 E heading:

E) ORDINANCE OF THE CITY OF CHULA VISTA ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CITRUS BAY) OF THE CITY OF CHULA VISTA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN SUCH COMMUNITY FACILITIES DISTRICT (**FIRST READING**)

Moved by Mayor McCann
Seconded by Councilmember Preciado

To adopt Resolution No. 2024-156 (Item 7.2F), 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 7.2 F heading:

F) RESOLUTION NO. 2024-156 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ACQUISITION/FINANCING AGREEMENT RELATING TO COMMUNITY FACILITIES DISTRICT NO. 2024-1 (CITRUS BAY) AND AUTHORIZING RELATED ACTIONS

The meeting was recessed at 6:50 PM and resumed at 7:05 PM.

- 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**

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Housing Manager Warwick gave a presentation on the item.

The following members of the public spoke regarding the item:

- *Alan C.*
- *Robert*

Mayor McCann opened the public hearing.

There being no further members of the public who wished to speak, Mayor McCann closed the public hearing.

Brad Neal, Bond Counsel, representing Stradling, Yocca, Carlson & Rauth, responded to questions from the City Council.

Moved by Mayor McCann

Seconded by Deputy Mayor Gonzalez

To adopt Resolution No. 2024-157, the heading was read, text waived. The motion was carried by the following vote:

Item 7.3 heading:

RESOLUTION NO. 2024-157 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CONVERSION TO THE PERMANENT PHASE OF FINANCING OF THE MULTIFAMILY HOUSING REVENUE NOTES OF THE HOUSING AUTHORITY OF THE CITY OF CHULA VISTA FOR OTAY RANCH APARTMENTS, LOCATED AT 1910 ENCELIA CIRCLE

7.4 Open Space Maintenance Districts: Approve Levying the Assessments and Collectibles for Fiscal Year 2024/25

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Assistant City Attorney McClurg recommended the public hearing for Item 7.4 B be opened and continued to a future meeting due to lack of quorum.

Mayor McCann opened the public hearing.

Moved by Mayor McCann

Seconded by Deputy Mayor Gonzalez

To continue the public hearing for Item 7.4 B to the City Council meeting of August 6, 2024 at 5:00 p.m. in Council Chambers. 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)

Alan C. spoke expressing a neutral position on the item.

There being no further members of the public who wished to speak, Mayor McCann closed the public hearing for Items 7.4 A, C, D and E.

Moved by Councilmember Chavez

Seconded by Deputy Mayor Gonzalez

To adopt Resolution No. 2024-158 (Item 7.4A), 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 7.4 A heading:

RESOLUTION NO. 2024-158 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA 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

Moved by Mayor McCann

Seconded by Councilmember Chavez

To adopt Resolution No. 2024-159 (Item 7.4C), 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 7.4 C heading:

RESOLUTION NO. 2024-159 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR FISCAL YEAR 2024-25 FOR OPEN SPACE DISTRICT 2.

Councilmember Chavez stated she would abstain from voting on Item 7.4 C due to a potential property-related conflict of interest, and she left the dais during the discussion and voting on the item.

Moved by Mayor McCann

Seconded by Deputy Mayor Gonzalez

To adopt Resolution No. 2024-160 (Item 7.4D), the heading was read, text waived.
The motion was carried by the following vote:

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

Abstain (1): Councilmember Chavez

Result, Carried (3 to 0)

Item 7.4 D heading:

RESOLUTION NO. 2024-160 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR FISCAL YEAR 2024-25 FOR OPEN SPACE DISTRICT 20 ZONE 5

Mayor McCann stated he would abstain from voting on Item 7.4 E due to a potential property-related conflict of interest, and he left the dais during the discussion and voting on the item.

Moved by Deputy Mayor Gonzalez
Seconded by Councilmember Preciado

To adopt Resolution No. 2024-161 (Item 7.4E), 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 7.4 E heading:

RESOLUTION NO. 2024-161 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA 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

For action on this item, refer to the section Action Items Removed from the Consent Calendar, above.

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

Mayor McCann announced that the item was pulled and would be heard at a future City Council meeting.

9. PUBLIC COMMENTS (CONTINUED)

There were none.

10. CITY MANAGER'S REPORTS

There were none.

11. MAYOR'S REPORTS

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

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

Moved by Mayor McCann
Seconded by Councilmember Chavez

To ratify the above appointments of Felix Sablan to the Cultural Arts Commission, Eleuterio Buquiran to the Sustainability Commission, and Morgan Murphy to the Health, Wellness, and Aging Commission. 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)

12. COUNCILMEMBERS' REPORTS

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

Deputy Mayor Gonzalez provided an update on the budget process for the Metropolitan Transit System Board.

Councilmember Chavez provided an update on various matters related to SANDAG.

13. CITY CLERK'S REPORTS

There were none.

14. CITY ATTORNEY'S REPORTS

There were none.

15. 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.

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

Mayor McCann recessed the meeting at 8:01 p.m. The City Council convened in closed session at 8:13 p.m., with all members present.

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

Action: No Reportable Action

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

Action: No Reportable Action

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

Initiation of litigation: one (1) case

Action: No Reportable Action

16. ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

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

Kerry K. Bigelow, MMC, City Clerk