

City of Chula Vista
Regular City Council Meeting
MINUTES

Date: August 6, 2024, 5:00 p.m.
Location: Council Chambers, 276 Fourth Avenue, Chula Vista, CA

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

Also Present: City Manager Kachadoorian, City Attorney Verdugo, 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.

2. ROLL CALL

City Clerk Bigelow called the roll.

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

Led by Councilmember Morineau.

4. SPECIAL ORDERS OF THE DAY

4.1 Oaths of Office

This item was not considered.

5. CONSENT CALENDAR (Items 5.1 through 5.10)

John Acosta, Chula Vista resident, spoke regarding various topics related to the Consent Calendar.

Moved by Mayor McCann

Seconded by Deputy Mayor Gonzalez

To approve the recommended actions appearing below consent calendar Items 5.1 through 5.10. The headings were read, text waived. The motion was carried by the following vote:

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

Result, Carried (5 to 0)

5.1 Approve Meeting Minutes

Approval of the minutes dated: July 16, 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 Municipal Code Amendment: Adopt an Ordinance Amending the Municipal Code Section on Unclassified Positions

John Acosta, Chula Vista resident, submitted written comments regarding the item.

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

ITEM 5.3 HEADING:

ORDINANCE NO. 3576 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" **(SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)**

5.4 Community Facilities District Formation: Adopt an Ordinance Relating to the Levy of a Special Tax within Community Facilities District 2024-1 (Citrus Bay)

John Acosta, Chula Vista resident, submitted written comments regarding the item.

Adopt an ordinance relating to the levy of a special tax within Community Facilities District No. 2024-1 (Citrus Bay) **(Second Reading and Adoption)**

ITEM 5.4 HEADING:

ORDINANCE NO. 3577 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 **(SECOND READING AND ADOPTION)**

5.5 Grant Application: Authorize Submittal of a State of California Permanent Local Housing Allocation (PLHA) Grant Application

Adopt a resolution authorizing the 2023 annual application for funds of the Permanent Local Housing Allocation (PLHA) grant from the State of California Department of Housing and Community Development (HCD) and authorizing the City Manager or designee to execute all related documents for such.

ITEM 5.5 HEADING:

RESOLUTION NO. 2024-162 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM

5.6 Grant Application: Authorize Submittal to the California Department of Housing and Community Development Local Housing Trust Fund Matching Grant Program

Adopt a resolution authorizing the application to the Local Housing Trust Fund Program and authorizing the City Manager, or designee, to execute all documents for such.

ITEM 5.6 HEADING:

RESOLUTION NO. 2024-163 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY TO APPLY FOR, RECEIVE, ACT AS TRUSTEE FOR, AND CONTRIBUTE A LOCAL MATCH TO LOCAL HOUSING TRUST FUND FUNDS AWARDED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

5.7 Mutual Aid Reimbursement: Update the Approval of Terms and Conditions for Fire Department Response Away From Their Official Duty Station and Assigned to an Emergency Incident

Adopt a resolution updating and approving the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident.

ITEM 5.7 HEADING:

RESOLUTION NO. 2024-164 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT

5.8 Grant Acceptance and Appropriation: Accept a Grant from the California Highway Patrol for a Cannabis Tax Fund Grant Program and Appropriate Funds

Adopt a resolution accepting \$261,013 in grant funds from the California Highway Patrol and appropriating the funds to the Police Grants Section of the State Grants Fund for the Cannabis Tax Fund Grant Program. **(4/5 Vote Required)**

ITEM 5.8 HEADING:

RESOLUTION NO. 2024-165 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FUNDS FROM THE CALIFORNIA HIGHWAY PATROL FOR THE CANNABIS TAX FUND GRANT PROGRAM AND AMENDING THE FISCAL YEAR 2024-25 BUDGET TO APPROPRIATE FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

5.9 Grand Jury Report: Response to the 2023/2024 Grand Jury Report on Retired Senior Volunteer Patrol Programs (RSVP) at San Diego Law Enforcement Agencies

Adopt a resolution accepting the 2023/2024 Grand Jury Report on Retired Senior Volunteer Patrol Programs (RSVP) at San Diego Law Enforcement Agencies and authorizing the Chief of Police to respond on behalf of the City.

ITEM 5.9 HEADING:

RESOLUTION NO. 2024-166 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2023/2024 GRAND JURY REPORT ON RETIRED SENIOR VOLUNTEER PATROL PROGRAMS AT SAN DIEGO LAW ENFORCEMENT AGENCIES AND AUTHORIZING THE CHIEF OF POLICE TO SUBMIT THE RESPONSE ON BEHALF OF THE CITY

5.10 Bargaining Agreement: Approve an Amendment to the Memorandum of Understanding with Local 2180, International Association of Fire Fighters Related to 24-Hour SQUAD Staffing

Adopt a resolution approving a Third Amendment to the Memorandum of Understanding (“MOU”) between the City of Chula Vista and Local 2180, International Association of Fire Fighters (“Local 2180”) Covering the Period of July 1, 2022, to December 31, 2024.

ITEM 5.10 HEADING:

RESOLUTION NO. 20244-167 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND LOCAL 2180, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS COVERING THE PERIOD OF JULY 1, 2022, TO DECEMBER 31, 2024

6. PUBLIC COMMENTS

Joseph Raso, Chula Vista resident, submitted written comments and spoke in opposition to the tenant protection ordinance.

The following members of the public spoke in support of increased wages for ACE employees:

- *Nicole Hobson, representing ACE*
- *Mayra Estrada*
- *Marisol Aguilera*
- *Tana Romano*
- *Carolyn Lechner*

John Acosta, Chula Vista resident, submitted written comments and spoke regarding various matters.

Alan C. submitted written comments regarding the public comment process.

7. PUBLIC HEARINGS

7.1 Open Space Maintenance Districts: Approve Levying the Assessments and Collectibles for Fiscal Year 2024/25 for Open Space District 1

Mayor McCann and Councilmember Chavez stated they would abstain from voting on Item 7.1 due to a potential property-related conflict of interest, and they left the dais during the discussion and voting on the item.

City Attorney Verdugo spoke regarding the proceedings.

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.

The public hearing was opened on July 16, 2024, and was continued to this meeting.

John Acosta, Chula Vista resident, spoke in support of the item.

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

Moved by Councilmember Preciado
Seconded by Councilmember Morineau

To adopt Resolution No. 2024-168, the heading was read, text waived. The motion was carried by the following vote:

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

Abstain (2): Councilmember Chavez, and Mayor McCann

Result, Carried (3 to 0)

ITEM 7.1 HEADING:

RESOLUTION NO. 2024-168 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR FISCAL YEAR 2024-25 FOR OPEN SPACE DISTRICT 1

8. ACTION ITEMS

8.1 Consider Items Removed From the Consent Calendar, if Any

There were none.

9. PUBLIC COMMENTS (CONTINUED)

Marianna Saponara, Chula Vista resident, spoke regarding traffic concerns in the area of Nacion Avenue.

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

- *Brandon Claypool, Chula Vista resident*
- *Harold De Moss*

Jenne Fredrickson, Chula Vista resident, spoke regarding cannabis taxes.

Jessica Van Arsdale, representing San Diego Urban Timber, spoke regarding the company.

The following members of the public spoke in support of free access to Rohr Park horse arena:

- *Darrell Jett*
- *Dennis Avalos*

Tony Young spoke regarding San Diego Workforce Partnership and the services it provides.

At the request of Councilmember Preciado there was a consensus of the City Council to hold a joint City Council discussion with the San Diego Workforce Partnership.

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 Consideration of Appointment of a Voting Delegate and Alternates for the 2024 League of California Cities Annual Conference to be Held in Long Beach, October 16 - 18

John Acosta, Chula Vista resident, spoke in opposition to the item.

Moved by Mayor McCann

Seconded by Councilmember Chavez

To appoint Mayor McCann as the voting delegate and Councilmember Chavez as the alternate for the 2024 League of California Cities Annual Conference. The motion was carried by the following vote:

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

Result, Carried (5 to 0)

At the request of Mayor McCann there was a consensus of the City Council to add an item to the August 13, 2024, agenda to consider the formation of a City Council subcommittee on outdoor dining consisting of Mayor McCann and Councilmember Preciado.

12. COUNCILMEMBERS' REPORTS

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

At the request of Councilmember Chavez, there was a consensus of the City Council to add an item to a future agenda to consider adopting a resolution in support of a transit pass for seniors, with the drafting of the resolution referred to the City Attorney.

At the request of Councilmember Preciado, there was a consensus of a majority of the City Council to add an item to the August 13, 2024, agenda to consider adopting a resolution expressing the City's support of the California Legislative Black Caucus 2024 Reparations Priority Bill Package.

13. CITY CLERK'S REPORTS

13.1 Boards and Commissions: Hear a Presentation on the Existing Board and Commission Appointment Processes

City Clerk Bigelow gave a presentation.

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.

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

Mayor McCann recessed the meeting at 6:48 p.m. The City Council convened in closed session at 7:05 p.m., with all members present.

15.1 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

CV resident submitted written comments expressing a neutral position on the item.

Agency designated representatives: Maria Kachadoorian, Marco Verdugo, Courtney Chase, Tanya Tomlinson, and Sarah Schoen

Employee organization: ACE

Action: No Reportable Action

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

Name of case: Gerald Lewis v City of Chula Vista, San Diego Superior Court, Case No. 37-2023-00006770-CU-PO-CTL

Action: No Reportable Action

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

Initiation of litigation: one case

Action: Item was not heard.

16. ADJOURNMENT

The meeting was adjourned at 8:34 p.m.

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

Kerry K. Bigelow, MMC, City Clerk