

City of Chula Vista
Regular City Council Meeting
MINUTES

Date: August 13, 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, 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 5:03 p.m.

2. ROLL CALL

City Clerk Bigelow called the roll.

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

Led by America's Gold Star Families.

4. SPECIAL ORDERS OF THE DAY

4.1 Oaths of Office

*Felix Sablan - Cultural Arts Commission
Eleuterio Buquiran - Sustainability Commission
Morgan Murphy - Health, Wellness, and Aging Commission*

City Clerk Bigelow administered the oaths of office.

4.2 Presentation by Republic Services Regarding the Vehicle Replacement and Electrification Program

Municipal Manager Risa Baron, General Manager Rick Rojas, and Vice President of Municipal Sales Richard Coupland, representing Republic Services gave a presentation on the item.

4.3 Presentation of a Proclamation Proclaiming National Purple Heart Day in the City of Chula Vista

The proclamation was presented.

4.4 Presentation of a Proclamation Commending Isabella Fuentes for Her Accomplishments in Little League Baseball

The proclamation was presented.

5. CONSENT CALENDAR (Items 5.1 through 5.6)

Mayor McCann announced that Item 5.3 would be continued to a future meeting.

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

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

Moved by Mayor McCann

Seconded by Councilmember Preciado

To approve the recommended actions appearing below consent calendar Items 5.1, 5.2 and 5.4 through 5.6. 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: August 6, 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 Agreement: Approve an Agreement with T.Y. Lin International to Provide Construction Management Services Related to the Heritage Bridge Replacement and Main Street Widening Projects

Item was not heard and was continued to a future meeting.

5.4 Investment Report: Quarter Ending June 30, 2024

Receive the investment report for the quarter ending on June 30, 2024.

5.5 Grant Acceptance: Accept Grant Funding Through the USDA Forest Service for the Urban Forest Tree Inventory and Forest Management Plan Project, Approve Subaward Agreement with GreenLatinos, and Amend the Fiscal Year 2024/25 Budget

Adopt a resolution: A) accepting \$500,000 in Inflation Reduction Grant funding through the United States Department of Agriculture, Forest Service Urban & Community Forestry (USDA Forest Service); B) approving a Subaward Agreement with GreenLatinos; (C) designating the City's agent; and D) amending the Fiscal Year 2024/25 budget and appropriating funds therefor. **(4/5 Vote Required)**

ITEM 5.5 HEADING:

RESOLUTION NO. 2024-169 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (A) ACCEPTING GRANT FUNDS THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE URBAN & COMMUNITY FORESTRY (USDA FOREST SERVICE) FOR THE CHULA VISTA URBAN FOREST TREE INVENTORY AND FOREST MANAGEMENT PLAN PROJECT; (B) APPROVING A SUBAWARD AGREEMENT WITH GREENLATINOS, AS A NATIONAL PASS-THROUGH PARTNER FOR THE USDA FOREST SERVICE; (C) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS, THE ASSISTANT DIRECTOR OF PUBLIC WORKS, AND THE OPEN SPACE MANAGER THE POWER TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA ALL NECESSARY GRANT DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS, AGREEMENTS, AND AMENDMENTS TO SECURE THE GRANT FUNDS; AND (D) AMENDING THE FISCAL YEAR 2024-25 BUDGET AND APPROPRIATING FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

5.6 Grant Award and Appropriation: Accept Grant Funds from California for All Animals via UC Davis and Appropriate the Funds

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

Adopt a resolution accepting \$50,700 in grant funds from California for All Animals via UC Davis to provide reclaim fee assistance, pet tags, and collars for every dog, and to increase marketing to raise awareness for City of Chula Vista Animal Services, amending the Fiscal Year 2024/25 budget, and appropriating funds for that purpose. **(4/5 Vote Required)**

ITEM 5.6 HEADING:

RESOLUTION NO. 2024-170 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING GRANT FUNDS FROM CALIFORNIA FOR ALL ANIMALS VIA UC DAVIS, AMENDING THE FISCAL YEAR 2024/25 BUDGET, AND APPROPRIATING FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

6. PUBLIC COMMENTS

Joseph Raso, Chula Vista resident 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*
- *Raul Tellez*
- *Esther Martinez*
- *Jeanie Balderas*

John Acosta, Chula Vista resident, spoke regarding various matters and submitted written comments related to housing and homelessness.

Jenne Fredrickson, Chula Vista resident, spoke regarding matters related to housing and homelessness.

Delia Dominguez-Cervantes, Chula Vista resident, spoke regarding crime in the area of Broadway and G Street.

7. PUBLIC HEARINGS

7.1 Bond Approval: Approve the Issuance of Tax-Exempt Multifamily Housing Revenue Bonds for the Construction of the Citrus Villa Project and Certain Other Matters Relating Thereto

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.

Mayor McCann opened the public hearing.

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

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

Moved by Councilmember Preciado
Seconded by Mayor McCann

To adopt Resolution No. 2024-171, the heading was 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)

ITEM 7.1 HEADING:

RESOLUTION NO. 2024-171 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY EXEMPT FACILITY BONDS FOR A QUALIFIED RESIDENTIAL PROJECT LOCATED AT 178 THIRD AVENUE, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000, FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF THE PROJECT, AND CERTAIN OTHER MATTERS RELATING THERETO

7.2 Bond Approval: Approve the Issuance of Tax-Exempt Multifamily Housing Revenue Bonds for the Renovation of the Seniors on Broadway Project and Certain Other Matters Relating Thereto

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.

Mayor McCann opened the public hearing.

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

Jenne Fredrickson, Chula Vista resident, spoke regarding the relocation process.

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

Moved by Councilmember Preciado
Seconded by Mayor McCann

To adopt Resolution No. 2024-172, heading was 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)

ITEM 7.2 HEADING:

RESOLUTION NO. 2024-172 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PLAN OF FINANCE INCLUDING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$12,000,000 TO FINANCE AND REFINANCE A QUALIFIED RESIDENTIAL RENTAL PROJECT KNOWN AS SENIORS ON BROADWAY, LOCATED AT 845 BROADWAY, FOR THE BENEFIT OF METROPOLITAN AREA ADVISORY COMMITTEE ON ANTI-POVERTY OF SAN DIEGO COUNTY, INC. (MAAC), OR AN AFFILIATED ENTITY, AND CERTAIN OTHER MATTERS RELATING THERETO

The meeting was recessed at 6:37 p.m. and resumed at 6:46 p.m.

8. ACTION ITEMS

8.1 Consider Items Removed From the Consent Calendar, if Any

There were none.

8.2 Municipal Bonds: Hear a Presentation from Stradling Yocca Carlson and Rauth, Bond and Disclosure Counsel, Regarding Federal Securities Law Matters Related to Disclosure Responsibilities

Finance Director Schoen and Lawrence Chan, representing Stradling Yocca Carlson & Rauth, gave a presentation.

8.3 Human Relations Commission: Amend Chula Vista Municipal Code Chapter 2.36 "Human Relations Commission" Related to the Functions, Duties, and Membership of the Commission, Adopt a Council Policy Designating Special Observances, and Appropriate Funds

Special Projects Manager Hernandez and Community Engagement Specialist Mendez gave a presentation.

John Acosta, Chula Vista resident, submitted written comments and spoke in opposition to the item.

Moved by Councilmember Preciado
Seconded by Councilmember Chavez

To adopt Resolution No. 2024-173 and place the ordinance on first reading, 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)

ITEM 8.3 HEADINGS:

A) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.36 RELATED TO THE FUNCTIONS, DUTIES, AND MEMBERSHIP OF THE HUMAN RELATIONS COMMISSION (**FIRST READING**)

B) RESOLUTION NO. 2024-173 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A COUNCIL POLICY ENTITLED: CITY COUNCIL RECOGNITION OF SPECIAL OBSERVANCES (**4/5 VOTE REQUIRED**)

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 Boards and Commissions: Consider Annual Reappointments to City Boards and Commissions

REAPPOINTMENTS TO FIRST TERMS (Initial term less than two years)

- *Robert Colon-Torres (formerly Robert Maisonet), Board of Ethics*
- *Christine Brady, Cultural Arts Commission*
- *Mary Johnson, Health, Wellness, and Aging Commission*
- *Sandra Hodge, Human Relations Commission*
- *Martin Calvo, Parks and Recreation Commission*
- *Guy Chambers, Privacy Protection and Technology Advisory Commission*
- *Hayley Salazar, Sustainability Commission*
- *Jeanine Sharkey, Sustainability Commission*
- *Tanya Williams, Veterans Advisory Commission*

REAPPOINTMENTS TO SECOND TERMS

- *Larry Disharoon, Charter Review Commission*
- *Freda Hernandez-Nader, Health, Wellness, and Aging Commission*
- *Norman Paddock, Housing and Homelessness Advisory Commission*
- *Appaswamy "Vino" Pajanor, Human Relations Commission*

Moved by Mayor McCann

Seconded by Councilmember Preciado

To make the above reappointments. The motion carried by the following vote:

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

Result, Carried (5 to 0)

11.2 Consider Forming a City Council Subcommittee on Outdoor Dining

The following members of the public spoke in support of the item:

- *John Acosta, Chula Vista resident*
- *Todd Voorhees, Chula Vista resident*
- *Kevin Rhodes, Chula Vista resident*
- *Dominic LiMandri*

Timothy Parker, Chula Vista resident, spoke in opposition to the item.

The following members of the public submitted written comments expressing a neutral position on the item:

- *CV Res*
- *Resident*

CV Res submitted written comments in support of the item.

Moved by Mayor McCann

Seconded by Councilmember Preciado

To form of a City Council subcommittee on outdoor dining consisting of Mayor McCann and Councilmember Preciado with the first meeting convening within 30 days and a report to be presented to the City Council within 120 days. 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)

12. COUNCILMEMBERS' REPORTS

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

12.1 Councilmember Preciado

Councilmember Preciado gave an oral report on the item.

John Acosta, Chula Vista resident, submitted written comments and spoke in support of the item.

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

- *Lillie Herbert*
- *Delia Dominguez Cervantes*
- *Martha Souza*

Petrina Branch, Chula Vista resident, spoke in support of the item.

Moved by Councilmember Preciado

Seconded by Councilmember Chavez

To adopt Resolution No. 2024-174, the heading was read, text waived. The motion was carried by the following vote:

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

No (1): Mayor McCann

Result, Carried (4 to 1)

ITEM 12.1 HEADING:

RESOLUTION NO. 2024-174 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING THE CALIFORNIA LEGISLATIVE BLACK CAUCUS'S 2024 REPARATIONS PRIORITY BILL PACKAGE

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 8:38 p.m. The City Council convened in closed session at 8:49 p.m., with all members present.

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

John Acosta, Chula Vista resident, spoke expressing a neutral position on the item.

A) ACLU v. Chula Vista Police Department, San Diego Superior Court Case No. 37-2024-20320-CU-WM-CTL

Action: No Reportable Action

B) CV Amalgamated LLC dba Caligrown v. City of Chula Vista, et al., San Diego Superior Court Case No. 37-2020-00033446-CU-MC-CTL and CV Amalgamated LLC dba Caligrown v. City of Chula Vista, et al., U.S. District Court, Southern District of California Case No. 3:24-cv-01348-RSH-DDL

Action: No Reportable Action

15.2 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency designated representatives: Maria Kachadoorian, Megan McClurg, Courtney Chase, Tanya Tomlinson, and Sarah Schoen

Employee organization: ACE, IAFF, MM/PR, WCE

Action: No Reportable Action

16. ADJOURNMENT

The meeting was adjourned at 9:43 p.m.

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

Kerry K. Bigelow, MMC, City Clerk

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