

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

Date: September 17, 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.*

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**1. CALL TO ORDER**

*The meeting was called to order at 5:01 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 Chavez.*

**4. SPECIAL ORDERS OF THE DAY**

**4.1 Oaths of Office**

*Board of Appeals and Advisors*

- *Frank Metayer*

*Measure P Citizen's Oversight Committee*

- *Sassan Rahimzdeh*
- *David Clark*

*Parks and Recreation Commission*

- *Jessica Fawver*
- *Michelle Rodriguez*

*Sustainability Commission*

- *David Wu*

*Traffic Safety Commission*

- *Jorge Marroquin*

*Veterans Advisory Commission*

- *Elmer Jimenez*
- *Ricardo Nava*

*City Clerk Bigelow administered the oath of office and Councilmember Morineau presented the certificates of appointment.*

**4.2 Presentation of a Proclamation Proclaiming Tuesday, September 17, 2024, as Hispanic Veterans' Recognition Day in the City of Chula Vista**

*The proclamation was presented.*

**4.3 Presentation of a Proclamation Honoring Christian "CJ" Lannon as an Outstanding Member of the City of Chula Vista**

*The proclamation was presented.*

**5. CONSENT CALENDAR (Items 5.1 through 5.4)**

*The following members of the public spoke regarding various topics related to the consent calendar:*

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

**Moved by** Councilmember Preciado

**Seconded by** Deputy Mayor Gonzalez

To approve the recommended actions appearing below consent calendar Items 5.1 through 5.4. 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: September 10, 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 Improvement District Annual Report: Approve the 2024 Annual Report for the Downtown Chula Vista Property-Based Improvement District**

Adopt a resolution approving the 2024 Annual Report for the Downtown Chula Vista Property-Based Improvement District.

ITEM 5.3 HEADING:

RESOLUTION NO. 2024-181 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE 2024 ANNUAL REPORT FOR THE DOWNTOWN CHULA VISTA PROPERTY-BASED IMPROVEMENT DISTRICT

**5.4 Agreement: Award Progressive Design-Build Agreement with Erickson Hall Construction Company for the Temporary Fire Station 12 Project (CIP No. GGV0275), Amend the Fiscal Year 2024-25 CIP, Establish a New CIP Project, and Appropriate Funds**

Adopt a resolution A) awarding a Progressive Design-Build Construction Agreement between the City and Erickson-Hall Construction Company for design and construction of Temporary Fire Station 12; B) amending the fiscal year 2024-25 Capital Improvement Program (CIP) budget by establishing a new CIP Project, GGV0275 "Temporary Fire Station 12"; and C) appropriating funds for that purpose. **(4/5 Vote Required)**

ITEM 5.4 HEADING:

RESOLUTION NO. 2024-182 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDED A PROGRESSIVE DESIGN-BUILD AGREEMENT BETWEEN THE CITY AND ERICKSON-HALL CONSTRUCTION CO. FOR THE DESIGN AND CONSTRUCTION OF TEMPORARY FIRE STATION 12 (CIP NO. GGV0275), AMENDING THE FISCAL YEAR 2024-25 CIP PROGRAM BUDGET BY ESTABLISHING A NEW CIP PROJECT, GGV0275 "TEMPORARY FIRE STATION 12", AND APPROPRIATING FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

**6. PUBLIC COMMENTS**

*John Acosta, Chula Vista resident, spoke regarding the oath of office and contacting members of the City Council.*

*Alan C. spoke regarding matters related to homelessness.*

*Jessica Van Arsdale spoke regarding legal proceedings related to Urban Timber.*

*Alan Ridley, Chula Vista resident, spoke regarding traffic safety and noise concerns.*

*Alya Marron submitted written comments requesting additional patrol and improved lighting in the area of Christmas Circle.*

**7. PUBLIC HEARINGS**

**7.1 Accessory Dwelling Unit Regulations: Report on Planning Commission's Recommendation of a Proposed Code Amendment**

*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.*

*Senior Planner Mallec gave a presentation on the item.*

*Mayor McCann opened the public hearing.*

*Michael DeLaRosa, representing the Planning Commission, spoke regarding the item.*

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

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

*John Smith submitted written comments 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.*

**Moved by** Councilmember Preciado

**Seconded by** Mayor McCann

To adopt Resolution No. 2024-183, the text was waived. The motion was carried by the following vote:

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

No (1): Deputy Mayor Gonzalez

**Result, Carried (4 to 1)**

RESOLUTION NO. 2024-183 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DENYING AN AMENDMENT TO CHULA VISTA MUNICIPAL CODE SECTION 19.58.022(C)(2)(c), PERTAINING TO THE ALLOWABLE NUMBER OF DETACHED ACCESSORY DWELLING UNITS FOR SINGLE-FAMILY DWELLINGS

**Moved by** Councilmember Preciado

**Seconded by** Councilmember Chavez

To make a referral to staff to evaluate and potentially pursue a future amendment to CVMC Section 19.58.022 so that it may create the opportunity to have two detached ADUs but in such a manner that does not allow the property owner to extend beyond four units on any single-family parcel. 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)**

*The meeting was recessed at 7:14 p.m. and resumed at 7:34 p.m.*

## **8. ACTION ITEMS**

### **8.1 Consider Items Removed From the Consent Calendar, if Any**

*There were none.*

**8.2 Housing Production: Report on Available Tools for Homeowners to Build Accessory Dwelling Units and Amendment to the Master Fee Schedule to Establish Fees for Permitting ADUs**

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

- Alan C.
- John Acosta

**Moved by** Councilmember Preciado

**Seconded by** Councilmember Chavez

To adopt Resolution No. 2024-184, 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 8.2 HEADING:

RESOLUTION NO. 2024-184 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 10-400 OF THE CHULA VISTA MASTER FEE SCHEDULE CREATING A SECTION RELATING TO ACCESSORY DWELLING UNITS AND ESTABLISHING A FEE FOR CITY STANDARD PLAN REVIEW

**8.3 Employee Compensation and Budget: Approve the Revised Compensation Schedule that Reflects Elected Officials' Salaries Pursuant to the City Charter and Budget Amendment**

*Human Resources Director Tomlinson announced that approval of the item would affect executive compensation.*

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

- Alan C.
- Jenne Fredrickson

**Moved by** Councilmember Preciado

**Seconded by** Councilmember Morineau

To adopt Resolution Nos. 2024-185 and 2024-186, 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) RESOLUTION NO. 2024-185 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2024-25 COMPENSATION SCHEDULE EFFECTIVE SEPTEMBER 20, 2024, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

B) RESOLUTION NO. 2024-186 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2024-25 BUDGET AND APPROPRIATING FUNDS THEREFOR **(4/5 VOTE REQUIRED)**

**8.4 Unsheltered Policy: Consider an Ordinance to Restrict Campsites and Sitting, Lying, Sleeping, or Storage on Specified Public Property**

*Director of Housing and Homeless Services Kurz, Homeless Services Manager Davis and Lieutenant Pinedo gave a presentation on the item.*

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

- *Alan C.*
- *Sandra Hodge, Chula Vista resident*
- *John Fischer*
- *Salvador Vivero*
- *Roberto Ramirez, Chula Vista resident*
- *Carolina Ramirez, Chula Vista resident*

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

- *John Acosta, Chula Vista resident*
- *Jenne Fredrickson, Chula Vista resident*
- *Silvia Irigoyen Adame, Chula Vista resident*
- *Sebastian Martinez*
- *Katie Leon, Chula Vista resident*
- *Christine Brady, Chula Vista resident*

*Tony Saldana spoke regarding receiving assistance.*

*Sebastian Martinez submitted written comments in opposition to the item.*

**Moved by** Mayor McCann

**Seconded by** Councilmember Morineau

To place the ordinance on first reading, as amended to increase references to buffers from 500 feet to 1,000 feet surrounding public and private schools, City parks, emergency/transitional housing facilities, and major transit stops. 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 8.4 HEADING:

ORDINANCE OF THE CITY OF CHULA VISTA ADDING DIVISION XII, PRESERVATION OF PUBLIC PROPERTY, AND CHAPTER 9.90, CAMPSITES AND OTHER OBSTRUCTIONS ON PUBLIC PROPERTY, TO THE CHULA VISTA MUNICIPAL CODE

**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.*

**12. COUNCILMEMBERS' REPORTS**

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

*At the request of Deputy Mayor Gonzalez, there was a consensus of the City Council to add an item to the September 24, 2024 agenda to consider establishing a City Council subcommittee on economic development.*

*At the request of Councilmember Chavez, there was a consensus of the City Council to direct staff to assess how City residents are affected by pollutants related to the Tijuana River Sewage Crisis and explore funding resources for air filters.*

*At the request of Mayor McCann, there was a consensus of the City Council to add an item to the September 24, 2024 agenda to consider taking a position on Initiative Measure G, "Fund San Diego County Transportation, Infrastructure, and Safety Projects through a half-cent sales tax."*

**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.*

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

*Alan C. spoke regarding Closed Session Item 15.1 regarding Chula Vista Cannabis.*

*Mayor McCann recessed the meeting at 10:05 p.m. The City Council convened in closed session at 10:11 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) Eric Crockett v City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2024-00012828-CU-OE-CTL; and

**Action:** No Reportable Action

B) City of Chula Vista v Slade Fischer, et al., San Diego Superior Court, Case No. 24CU006375C

**Action:** No Reportable Action

C) Chula Vista Cannabis Village, Inc. v. City of Chula Vista, San Diego Superior Court Case No. 37-2020-00041802-CU-MC-CTL

**Action:** No Reportable Action

**16. ADJOURNMENT**

*The meeting was adjourned at 10:21 p.m.*

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

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Kerry K. Bigelow, MMC, City Clerk