

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

April 3, 2018

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:07 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Administrative Officials present: Dalla, Deese, Denham, Duong, Manganiello, Morris-Jones, Parra, Raulston, Roberts, Rodriguez, Vergara, Williams, Yano, Ybarra.

Others present: City Treasurer Mitch Beauchamp and Student Representative Erika Gastelum.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC COMMENTS

Brian Clapper, National City, extended an invitation to a fund raising spaghetti dinner for the Maytime Band Review Committee.

Coyote Moon, National City, reviewed the code enforcement issues she experienced on her property and called for an investigation of Council Member Cano.

Andrew McKercher, National City, supports an investigation of Council Member Cano and his code violation history.

Gloria Jean Nieto, National City, said Council Member Cano should resign because of his code violation history and called for an investigation.

Elizabeth Lopez, National City, recounted what happened to her family as a result of code violations and said that they are still homeless.

PRESENTATIONS

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018
(102-10-13)**

1. Introduction of New Employee Roberto Yano, Deputy City Engineer. (Engineering/Public Works)
2. NewSchool of Architecture's Vision for National City's Downtown Specific Plan. (Daniela Deutsch, Professor)

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 3 (NCCMC), Item No. 4 (Minutes), Item Nos. 5 through 7 (Resolution Nos. 2018-45 through 2018-47), Item No. 8 (Temporary Use Permit), Item Nos. 9 and 10 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, to approve the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2018 (506-2-33)

3. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (CITY CLERK)

ACTION: Approved. See above.

APPROVAL OF MINUTES (103-2-1)

4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF NOVEMBER 7, 2017 AND SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF MARCH 20, 2018. (City Clerk)

ACTION: Approved. See above.

EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)

5. Resolution No. 2018-45. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE FORMAL BID PROCESS CONSISTENT WITH NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY (BUYER) TO 1) PIGGYBACK ON THE NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT #081716-NAF TO AWARD THE PURCHASE OF ONE 2018 INTERNATIONAL 4300 SBA 4X2 (MA025) 33,000 GVWR TRUCK WITH 5-7 YARD DUMP BODY TO NATIONAL AUTO FLEET GROUP IN AN AMOUNT NOT TO EXCEED \$111,166.43, AND (2) APPROPRIATING AN ADDITIONAL \$5,173.13 TO THE EQUIPMENT REPLACEMENT RESERVE - STREETS FUND. (Engineering/Public Works)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2017-49)

6. Resolution No. 2018-46. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT WITH AIR QUALITY COMPLIANCE SOLUTIONS, INC., DBA; RELY ENVIRONMENTAL, FOR ON-CALL ENVIRONMENTAL COMPLIANCE MANAGEMENT SERVICES, INCREASING THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT BY \$50,000, FOR A TOTAL AGREEMENT AMOUNT OF \$200,000, FOR A TERM OF TWO YEARS, WITH THE OPTION TO EXTEND FOR AN ADDITIONAL PERIOD OF UP TO ONE YEAR. (Engineering/Public Works)
ACTION: Approved. See above.

GRANT / COMMUNITY SERVICES (206-4-26)

7. Resolution No. 2018-47. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RETROACTIVELY APPROVING THE FILING OF AN APPLICATION FOR THE COUNTY OF SAN DIEGO'S COMMUNITY ENHANCEMENT PROGRAM GRANT FOR FISCAL YEAR 2019 IN THE AMOUNT OF \$10,000 FOR THE CITY'S ANNUAL EVENT, "A KIMBALL HOLIDAY AND TREE LIGHTING CEREMONY". (Community Services)
ACTION: Approved. See above.

TEMPORARY USE PERMITS 2018 (203-1-34)

8. Temporary Use Permit – The 10th Annual GranFondo San Diego Fun Bike Ride sponsored by GranFondo Cycling Tours on April 8, 2018 from 7:15 a.m. to 5 p.m. with no waiver of fees. (Neighborhood Services)
ACTION: Approved. See above.

WARRANT REGISTER JULY 2017 - JUNE 2018 (202-1-32)

9. Warrant Register #34 for the period of 02/14/18 through 02/20/18 in the amount of \$1,622,899.17. (Finance)
ACTION: Ratified. See above.

WARRANT REGISTER JULY 2017 - JUNE 2018 (202-1-32)

10. Warrant Register #35 for the period of 02/21/18 through 02/27/18 in the amount of \$1,749,883.71. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)

11. Resolution No. 2018-48. PUBLIC HEARING ON THE ADOPTION OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE PREVIOUSLY ADOPTED TRANSPORTATION DEVELOPMENT IMPACT FEE (TDIF) SCHEDULE AND ANNUAL ADJUSTMENT TO THE TDIF, PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 4.52.100 AND CONSISTENT WITH GOVERNMENT CODE SECTION 66017, APPROVING AN ADJUSTMENT TO THE TDIF OF 3.3 PERCENT, AS REQUIRED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) FOR RECEIPT OF TRANSNET LOCAL STREET IMPROVEMENT REVENUES, RESULTING IN THE TDIF INCREASING FROM \$2,405 PER NEW RESIDENTIAL DWELLING UNIT TO \$2,484 PER UNIT BEGINNING JULY 1, 2018. (Engineering/Public Works)

RECOMMENDATION: Hold Public Hearing on the adoption of a Resolution increasing the TDIF from \$2,405 per new residential dwelling unit to \$2,484 per unit beginning July 1, 2018.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Mendivil, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

12. Resolution No. 2018-49. PUBLIC HEARING ON THE ADOPTION OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) APPROVING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR NATIONAL CITY FOR FISCAL YEARS 2019 THROUGH 2023 CONSISTING OF THE FOLLOWING PROJECTS FOR INCLUSION IN THE 2018 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP): PLAZA BLVD WIDENING (NC01), STREET RESURFACING (NC03), TRAFFIC SIGNAL INSTALL/UPGRADES (NC04) AND CITYWIDE SAFE ROUTES TO SCHOOL (NC15); AND 2) AUTHORIZING THE ESTABLISHMENT OF A TRANSNET PROPOSITION A FUND APPROPRIATION OF \$1,066,000 FOR FY 2019 AND CORRESPONDING REVENUE BUDGET. (Engineering/Public Works)

RECOMMENDATION: Hold Public Hearing on the adoption of a Resolution approving the TransNet Local Street Improvement Program of Projects for National City for Fiscal Years 2019 through 2023 for inclusion in the RTIP.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Mendivil, to adopt the Resolution. Carried by unanimous vote.

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS (cont.)

HOUSING AUTHORITY 2018 (404-1-7)

13. Resolution No. 2018-50. PUBLIC HEARING ON THE ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS WITH NO FISCAL IMPACT TO THE CITY AND NOT TO EXCEED \$80,000,000 IN OUTSTANDING AGGREGATE PRINCIPAL TO FINANCE THE ACQUISITION AND REHABILITATION OF AN EXISTING 372-UNIT MULTIFAMILY RENTAL HOUSING PROJECT KNOWN AS SUMMERCREST APARTMENTS LOCATED AT 2601-2717 PLAZA BOULEVARD IN NATIONAL CITY. (Housing & Economic Development)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

NON CONSENT RESOLUTIONS

NEW BUSINESS

CONDITIONAL USE PERMITS 2018 (403-32-2)

14. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the on-site sale of beer and wine at an existing seafood restaurant (The Ace Crab) located at 3403 East Plaza Boulevard Suite E. (Applicant: Ty Van Vo) (Case File 2018-03 CUP) (Planning)

RECOMMENDATION: File the Notice of Decision.

TESTIMONY: None.

ACTION: Motion by Morrison, seconded by Mendivil, to approve the CUP and file the Notice of Decision. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: Sotelo-Solis. Absent: None. Abstain: None.

CONDITIONAL USE PERMITS 2018 (403-32-2)

15. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the substitution of nonconforming use at an existing building located at 1845 East 12th Street. (Applicant: Iona Sharf) (Case File 2018-05 CUP) (Planning)

RECOMMENDATION: Approve the Conditional Use Permit.

CONDITIONAL USE PERMITS 2018 (403-32-2)

15. Notice of Decision (continued)

TESTIMONY: The following individuals voiced their opposition to the Conditional Use Permit: Marco Gomez, National City, Robert, Stacy and Tamarie Tigh, National City, Laura and Rosalie Zarate, National City.

Michael Sharf answered questions from the Council on behalf of Applicant Iona Sharf.

ACTION: Motion by Sotelo-Solis, seconded by Mendivil, to set for a Public Hearing on May 1st. Carried by unanimous vote.

B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY

HOUSING AUTHORITY 2018 (404-1-7)

16. Resolution No. 2018-62. PUBLIC HEARING ON THE ADOPTION OF A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY (HACNC), STREAMLINED ANNUAL PLAN FOR PUBLIC HOUSING AGENCY (PHA) FOR FISCAL YEAR 2018 - 2019 AUTHORIZING THE SUBMITTAL OF THE PHA PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Housing & Economic Development)

RECOMMENDATION: Conduct the Public Hearing and adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to close Public Hearing. Carried by unanimous vote.

Motion by Mendivil, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

HOUSING AUTHORITY 2018 (404-1-7)

17. Resolution No. 2018-63. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY (HACNC), APPROVING THE REVISIONS TO THE HOUSING CHOICE VOUCHER PROGRAM'S ADMINISTRATIVE PLAN, AND AUTHORIZING SUBMITTAL OF THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Housing & Economic Development)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Mendivil, to adopt the Resolution. Carried by unanimous vote.

C. REPORTS

STAFF REPORTS

Emergency Services Director Frank Parra reported on the Youth Wellness Program, Firefighter Friends in Training (FFIT), being undertaken by the National City Fire Department to increase interaction with youth and promote healthy habits and exercise.

Finance Director Mark Roberts clarified the FY 2019 Budget Adoption Date will be at the Regular Meeting of June 19th rather than on June 12th as previously planned.

MAYOR AND CITY COUNCIL

Member Mendivil highlighted the weekend carnival event at Cornerstone Church and the 'Love thy Neighborhood' group visit to the Senior Living facility at 2525 Highland Avenue.

Member Sotelo-Solis commended the public for their attendance and participation at the meeting; encouraged people to be careful on the road now that school is back in session and praised the recent Special Meeting on Housing.

Member Rios expressed her disappointment in Member Cano for not setting a good example for the community by not complying with permitting processes and addressing the numerous code violations at his residence.

Member Rios suggested that Mr. Cano not participate in the following votes due to a conflict of interest which derives from personal benefit while he is in official capacity.

Motion by Rios, seconded by Sotelo-Solis, to place on the April 17th agenda, a discussion on giving direction to the City Attorney to hire an outside third party to investigate Mr. Cano, according to the Government Code Article 87100 which states that 'no public official at any level of state or local government shall make or participate in making or in any way attempt to use his official position to influence a government or staff decision in which he knows, or has reason to know, that he has a financial interest. Carried by the following vote, to-wit: Ayes: Mendivil, Morrison, Rios, Sotelo-Solis. Nays: None. Absent: None. Abstain: Cano.

Member Mendivil quoted scripture on "casting the first stone" and "you will reap what you sow". He wondered about the motive and what Member Rios wants to know that she doesn't already know. He asked for clarification from the City Attorney if an outside third-party is needed to learn what we want to learn.

City Attorney Morris-Jones responded that it depends on whether or not there was a misuse of power and that there should be an outside party investigating the matter.

MAYOR AND CITY COUNCIL (cont.)

A second motion was made by Rios, to bring back for a discussion to bring a resolution at the April 17th meeting to censure Mr. Cano for bringing discredit upon the City by his conduct. The fourteen (14) violations with Building Codes, and failing to make the corrections in a timely fashion, and also to direct the Chief Building Official to fine Mr. Cano \$100 per violation, per day, as is consistent with past practices. Motion died for lack of a second.

A request was made by Member Sotelo-Solis for the maker of the motion to separate the motion into two. The maker agreed.

Motion by Rios, seconded by Sotelo-Solis, to place on the April 17th agenda, a discussion to bring a resolution directing the Chief Building Official to fine Mr. Cano \$100 per violation per day as is consistent with past practices. Motion failed by the following vote, to-wit: Ayes: Rios, Sotelo-Solis. Nays: Mendivil, Morrison. Absent: None. Abstain: Cano.

Member Rios made the following statement, "For those of you who were here earlier today and the Housing folks came up to have a photo, there was a staff person who asked us to move together. I moved toward Mr. Cano. He has expressed to the City Attorney that I touched him inappropriately. I am saying this out loud, not because again that this is pleasant for me because I don't want him to take that and to make it an issue; and so now it is out there publically".

Member Cano responded "Yes, unfortunately, I will address that with you and the City Attorney behind closed doors, um, because your touching was very inappropriate; this is not the first or the second time you've done it and it needs to stop. You have something about jumping on every picture and everybody needs their space and if you see a picture you're going to see that Mendivil gives Ms. Solis her space, Ms. Solis gave the Mayor space, and I gave the Mayor his space. For one reason or another, what you did, it was inappropriate, very inappropriate".

Mayor Morrison praised several family-oriented events that occurred over the past weekend that shows what our city can be when it wants to be.

Member Sotelo-Solis stated that she felt very uncomfortable with accusations flying and to know that one or both of her colleagues feel that there was inappropriateness. She suggested to the Chair to help by bringing ways to facilitate how to take group pictures comfortably.

Mayor Morrison responded that everyone is an adult and he Chairs but does not babysit.

CLOSED SESSION REPORT

There was no Closed Session Report.

ADJOURNMENT

Motion by Mendivil, seconded by Rios, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – April 17, 2018 - 6:00 p.m. - Council Chambers - National City, California. Carried by unanimous vote.

Regular Meeting of the City Council and Community Development Commission
Housing Authority of the City of National City - Tuesday - April 17, 2018 - 6:00 p.m.
- Council Chambers - National City, California.

The meeting closed at 8:03 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of November 20, 2018.



Mayor

UPCOMING SPECIAL MEETING:

Tuesday, April 17, 4:00 p.m. – Homeless Outreach Workshop

BUDGET SCHEDULE - FY 2019:

Tuesday, May 8, 2018, 5:00 p.m. - Budget Workshop / Preliminary Budget Presentation

Tuesday, May 29, 2018, 5:00 p.m. - Budget Workshop

Tuesday, June 12, 2018, 6:00 p.m. - Budget Hearing / Adoption
