



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

**May 18, 2021**

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. The Agenda Items were considered in the order presented.

**A. CITY COUNCIL**

**CALL TO ORDER**

The meeting was called to order at 6:06 p.m. by Mayor Sotelo-Solis.

**ROLL CALL**

Councilmembers present: Bush, Morrison, Rios (via telephone), Rodriguez, Sotelo-Solis  
Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell, Chapel, Gilman, Williams, Davis, Meteau, Denham, Duong, Vergara, Aguirre, Yano, Parra, Barrera, Valdez, and Tellez.

Interpretation in Spanish provided by Carlos Diaz and Luisa Diaz de Leon.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

City Manager Raulston led the Pledge of Allegiance.

**PUBLIC COMMENTS**

Two (2) written comments were received and read into the record: Joan Rincon (budget), and Sonya Harris (COVID-19 rental relief payments).

Five (5) spoken public comments were heard: Nicanora Montenegro (Filipino Community Group), Mark Wilcox (for-profit cannabis industry), Terri-Ann Skelly (smoke-free multi-units marijuana second-hand smoke and smoke-free multi-unit housing), and Peggy Walker (marijuana ordinance), and Shirley Ferrill (Memorial Day Event hosted by the Veteran's & Military Advisory Committee).

## **PROCLAMATIONS AND CERTIFICATES**

1. National City Recognizes National Public Works Week.

Mayor Sotelo-Solis presented the Proclamation to Director of Public Works Yano, Don Jasmund, and the Public Works staff. Director Yano provided a PowerPoint presentation of the work accomplished by the Public Works team around the City.

2. National City Recognizes the Retirement of Jose Soltero after 43 years of service with EDCO.

Mayor Sotelo-Solis presented the proclamation to Mr. Soltero. Carl Scherbaum, Division Manager at EDCO offered remarks in honor of Mr. Soltero's 43 years of service.

## **AWARDS AND RECOGNITIONS**

3. COVID-19 Health Heroes.

Mayor Sotelo-Solis presented the proclamation to Fire Chief Parra, Fire Captain Robinson and Mrs. Robinson for their weekly work at the COVID-19 vaccination stations.

4. Recognition of Filipino Community Group.

Mayor Sotelo-Solis presented the proclamation to members of the Filipino Community Group Representatives present: Lani Batista Cabanilla, Marianne Delatorre, Phillip Esteban, Nicanora Montenegro and Ben Macapugay.

Additionally, Mayor Sotelo-Solis recognized City Clerk Molina for her Inclusive Excellence Award received from UCSD.

## **PRESENTATIONS**

5. Community Service Month Recap. (Community Services)

Mayor Sotelo-Solis introduced, Acting Director of Community Services Audrey Denham who gave the report and a PowerPoint Presentation of the clean-up events

## **INTERVIEWS / APPOINTMENTS – No agenda items.**

## **REGIONAL BOARDS AND COMMITTEE REPORTS**

Councilmember Bush reported on Air Pollution Control District audit report and fees for cost recovery.

Councilmember Rios reported on: Governor Newsom's announcement to dedicate funds for water bill debt relief; the region's emergency drought status; and opposition to CA State Assembly Bill 1434 which would disproportionately impact lower income households.

Councilmember Morrison had nothing to report.

Vice-Mayor Rodriguez reported on the Point Loma wastewater treatment plant and the threat posed by erosion.

Mayor Sotelo-Solis reported on relief funds made available by Governor Newsom, SANDAG's Bike Anywhere Week and the Five Big Moves transportation plan.

## **CONSENT CALENDER**

Vice-Mayor Rodriguez pulled Item 10 for discussion.

Public Comments: None

**ACTION:** Motion by Vice-Mayor Rodriguez, seconded by Councilmember Morrison, to approve the Consent Calendar Items 6 through 9.

Motion carried by unanimous vote.

6. Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.
7. Adopted Resolution 2021-49. Resolution of the City Council of the City of National City ratifying the approval of a facility use agreement with Sweetwater Union High School District for the administration of COVID-19 vaccinations via Mobile Service Units.
8. Temporary Use Permit – Halloween retail tent store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 27, 2021 thru November 4, 2021 with no waiver of fees.
9. Ratified Warrant Register #40 for the period of 3/31/21 through 4/06/21 in the amount of \$2,537,590.23.
10. Pulled for discussion.

## **ITEMS PULLED FROM CONSENT CALENDER**

10. Ratified Warrant Register #41 for the period of 4/07/21 through 4/13/21 in the amount of \$881,992.97.

Council asked clarifying questions. Chief of Police Tellez provided responses.

Public Comment: None.

**ACTION:** Motion by Vice-Mayor Rodriguez, seconded by Councilmember Morrison, to approve Item 10.

Motion carried by unanimous vote.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

11. Adopted Resolution No. 2021-50. A Public Hearing pursuant to Proposition 218 to consider a rate adjustment for refuse services including recycling and yard waste disposal provided to National City residences and businesses by EDCO Disposal Corporation and amending the agreement between the City and EDCO Disposal Corporation to increase the monthly rates for refuse collection services.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Director of Public Works Yano, Assistant Civil Engineer, Carla Hutchinson, and EDCO representative Carl Scherbaum, who provided the report and PowerPoint Presentation titled “Rate Adjustment Overview, Amendments to Municipal Code Section 9.52, Organics Update.”

Mayor Sotelo-Solis opened the Public Hearing at 7:38 p.m.

Public Comment: No verbal or written comments were submitted. Five (5) letter of protest were received.

*City Clerk Molina directed Deputy City Clerk Chapel to read the requirements for qualification of letters of protest. City Clerk Molina opened, qualified, counted, and accepted the five (5) letters of protest received.*

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Morrison, to close the Public Hearing at 7:45 p.m.

Motion passed by unanimous vote.

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Bush, to adopt the Resolution.

Motion passed by unanimous vote.

12. Public Hearing and the Introduction of an Ordinance of the City Council of the City of National City amending National City Chapter 9.52 of the National City Municipal Code regarding the Mandatory Commercial and Residential Recycling Program according to SB 1383.

City Clerk Molina read the title of the Ordinance into the record.

Mayor Sotelo-Solis introduced Director of Public Works Yano provided the report.

Mayor Sotelo-Solis opened the Public Hearing at 7:48 p.m.

Public Comment: None.

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Morrison, to close the Public Hearing at 7:49 p.m.

Motion passed by unanimous vote.

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Bush, to introduce the Ordinance.

Motion passed by unanimous vote.

### **NON CONSENT RESOLUTIONS**

13. Adopted Resolution No. 2021-51. Resolution of the City Council of the City of National City authorizing the Mayor to execute a Mills Act Historic Preservation Contract for 538 “C” Avenue. (Applicants: Christopher and Tang Warnke) (Case File 2021-04 M).

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced City Planner Reeder who provided the report.

Public Comments: None.

ACTION: Motion by Councilmember Bush, seconded by Councilmember Morrison, to adopt the Resolution.

Motion passed by unanimous vote.

**NEW BUSINESS** – No agenda items.

### **B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY**

No agenda items.

### **C. REPORTS**

#### **STAFF REPORTS**

14. City Manager Report

Fire Chief Parra reported on a gas line leak event that occurred today, including a 300-ft perimeter evacuation of the area in coordination with police, the school district, and SDGE emergency crew. City Manager Raulston commented on the availability of COVID-19 vaccines for the community.

#### **MAYOR AND CITY COUNCIL**

City Treasurer Beauchamp commented positively on the unanimous decision on the budget and approved of the City Manager’s efforts for cutting expenses, maintaining reserves, and augmentation of City clean-ups.

City Clerk Molina had no comment.

Councilmember Morrison had no comment.

Councilmember Bush had no comment.

Councilmember Rios had no comment.

Vice-Mayor Rodriguez highlighted Nurses Week and thanked nurses for their extraordinary efforts in the last year during COVID. He also mentioned the Tiny Homes Consortium he attended and proposed to Staff to prepare this topic for discussion at a future meeting.

**ACTION:** Motion by Vice-Mayor Rodriguez, seconded by Councilmember Morrison, to direct Staff to return to Council with information regarding “tiny homes.”

Ayes: Bush, Morrison, Rodriguez, Sotelo-Solis

Nayes: Rios

Motion passed by 4 to 1 vote.

Mayor Sotelo-Solis thanked Staff and colleagues for moving forward with good policy and dialogue. She announced the vaccine events coordinated with San Ysidro Health Center among others. She asked colleagues to bring forth a discussion of the City’s flag raising policy.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Councilmember Bush, to discuss the City’s flag raising policy at the next City Council meeting.

Ayes: Bush, Rios, Rodriguez, Sotelo-Solis

Nayes: Morrison

Motion passed by 4 to 1 vote.

## **CLOSED SESSION**

### **CLOSED SESSION REPORT**

City Attorney Bell stated his report from the Closed Session.

1. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Employee Organizations:

Municipal Employees’ Association (SEIU, Local 221),

National City Firefighters Association (Local 2744),

Unrepresented Groups: Executive, Confidential, and Management.

Agency Designated Representatives: Eddie Kreisberg (Labor Negotiator), Brad Raulston (City Manager), Tony Winney (Assistant City Manager), Paul Valdez (Budget Manager - Finance), and Lilia Munoz (Human Resources Manager – HR)

No report.

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation under Government Code Section 54956.9(d)(1)

Name of Case: Tammy Davis v. City of National City, et al

Case No. 19-CV-534-BEN-BGS

Item 2: Pursuant to California Government Code Section 54957.1, by unanimous vote, the direction was given by the City Council in the legal action title Tammy Davis, et al. v. City of National City, et al. The case involves a Section 1983 Civil Rights Act claim arising from an in-custody death.

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing Litigation under Government Code Section 54956.9(d)(1)

Cecilia Portillo v. City of National City

United States District Court – Southern District of CA

Case No. 20 CV 02429-W-MDD

Item 3: Pursuant to California Government Code Section 54957.1, no reportable action was taken in closed session regarding the legal action title Cecilia Portillo v. City of National City. The case involves a Section 1983 Civil Rights Act claim arising from allegations of sexual assault by a former City employee.

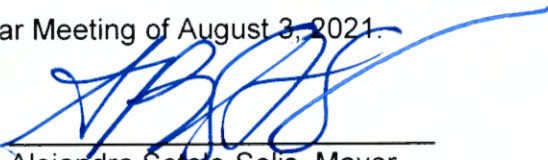
**ADJOURNMENT**

Mayor Sotelo-Solis adjourned the meeting to the next Virtual Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City, California to be held Tuesday, June 1, 2021, at 6:00 p.m. via teleconference.

The meeting adjourned at 8:19 p.m.

  
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Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of August 3, 2021.

  
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Alejandra Sotelo-Solis, Mayor