



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

September 7, 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 6:02 p.m. by Mayor Sotelo-Solis.

ROLL CALL

Deputy City Clerk Chapel called the roll.

Councilmembers present: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell Jr., Chapel, Gilman, Williams, Denham, Meteau, Aguirre, Olson, Yano, Parra, Barrera, Valdez, Ryan, Brennan, Martinez, Vergara, and Tellez.

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Morrison led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Sotelo-Solis summarized the process for acceptance of live public comment allowing three (3) minutes per comment and introduced City Clerk Molina.

Five (5) spoken comments were registered and spoken into the record: Becky Rapp, Barbara Gordon, Kelly McCormick, Judi Strang, and Tyler James.

One (1) written comment was received and read into the record: Ted Godshalk.

PROCLAMATIONS AND CERTIFICATES

Mayor Sotelo-Solis announced the meeting would be adjourned in memory of Virginia Sanchez, National City community member, and Ed Rosales, Housing Assistant with the City of National City's Section 8 Housing Program. Dr. Mark Sanchez was introduced to share thoughts on his mother, Virginia Sanchez.

1. National City Celebrates San Diego Gives Day.

Mayor Sotelo-Solis presented the proclamation to Adrianna O'Donnell, representative of San Ysidro Health, and Ali Colbran, representative of Feeding San Diego.

Public Comment: None

Received and filed.

AWARDS AND RECOGNITIONS – No agenda items.

PRESENTATIONS

2. Capital Improvement Program (CIP) Update.

Mayor Sotelo-Solis introduced Director of Public Works Yano who provided a PowerPoint presentation titled "CIP Update". Mr. Yano introduced the current contractors who work with the City: Byron Wade with Project Professionals Corporation, Matt Capuzzi with Chen Ryan Associates Inc., JT Barr with Schmidt Design Group, and Jim Neri with Neri Landscape Architecture.

Public Comment: None

Received and filed.

INTERVIEWS / APPOINTMENTS

3. Appointment of the City of National City District Sales Tax "Proposition D" Independent Review Committee.

Mayor Sotelo-Solis introduced Director of Administrative Services Brennan who provided the report.

Consensus of Councilmembers to appoint Dr. Sherry Ryan, Director & Professor, San Diego State University School of Public Affairs; Ray Major, Chief Economist, San Diego Association of Governments (SANDAG); and Meya Alomar, Revenue Manager, City of Chula Vista.

Public Comment: None.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to appoint the recommended candidates.

Motion carried by unanimous vote.

4. Project Labor Standards and Policies – Ad Hoc Committee Appointment.

Mayor Sotelo-Solis introduced the item and explained the reason it has returned for clarification on her appointment of herself along with Councilmember Rios.

Public Comment: None.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to appoint Mayor Sotelo-Solis and Councilmember Rios to the Ad Hoc Committee.

Ayes: Bush, Rios, Sotelo-Solis

Nays: Morrison, Rodriguez

Motion carried by 3 to 2 votes.

REGIONAL BOARDS AND COMMITTEE REPORTS

Port Commissioner Naranjo reported on the business and operations of the San Diego Unified Board of Port Commissioners. One public meeting was held to allow for discussion on commercial cannabis sales and consumption. One public meeting was held as a stimulus workshop for input on the allocation of Federal ARPA funds.

Councilmember Bush reported on the South County Economic Development meeting that presented on the National City unemployment rate at 7.6%, regional housing prices, and funding for the balanced plan.

Councilmember Rios reported on the Sweetwater Authority's new programs including payment relief for rate payers, and the quality of water. She also announced the opening for a new General Manager at Sweetwater Authority.

Councilmember Morrison had nothing to report.

Vice-Mayor Rodriguez had nothing to report.

Mayor Sotelo-Solis reported on the San Diego Metropolitan Transit System and the new Coaster services. She also reported on the inaugural Live Well program and the recognition for National City.

CONSENT CALENDER

Items 7, 8, 10, 11, and 21 were pulled for discussion.

Public Comment: None.

ACTION: Motion by Councilmember Rios, seconded by Councilmember Bush, to approve the Consent Calendar Items 5 through 25, pulling items 7, 8, 10, 11 and 21 for public comment and City Council discussion.

Motion carried by unanimous vote.

5. 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.

6. Approval of Meeting Minutes: City Council and Community Development Commission - Housing Authority: Virtual Regular Meetings: June 15, 2021, August 3, 2021, and August 17, 2021. City Council Virtual Special Closed Session Meeting June 15, 2021, Virtual Social Equity Workshop June 15, 2021, Virtual Special Closed Session Meetings July 13, August 3, and August 17, 2021, and Successor Agency Virtual Special Meeting August 3, 2021.
7. *Pulled for discussion.*
8. *Pulled for discussion.*
9. Adopted Resolution 2021-116. Resolution of the City Council of the City of National City approving an Affordable Housing Density Bonus Agreement with Highland Pacifica, LLC, for the development of 16 units located at 2428 Highland Avenue and restricting the rent and occupancy of two (2) units to very low-income households in exchange for a density bonus pursuant to California Government Code Sections 65915 - 65918.
10. *Pulled for discussion.*
11. *Pulled for discussion.*
12. Adopted Resolution 2021-119. Resolution of the City Council of the City of National City: 1) authorizing the Mayor to execute a three-year Agreement with Neri Landscape Architecture for a not-to-exceed amount of \$2,000,000 to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, landscape architecture (including urban planning and design); and 2) authorizing the City Manager to execute any project-specific supplemental agreements, as may be required for grant funded projects.
13. Adopted Resolution 2021-120. Resolution of the City Council of the City of National City: 1) authorizing the Mayor to execute a three-year Agreement with Schmidt Design Group, Inc. for a not-to-exceed amount of \$2,000,000 to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, landscape architecture (including urban planning and design); and 2) authorizing the City Manager to execute any project-specific supplemental agreements, as may be required for grant funded projects.
14. Adopted Resolution 2021-121. Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Project Professionals Corporation, increasing the not-to-exceed amount by \$1,000,000 for a total Agreement amount of \$3,000,000, to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, project management; engineering; construction management, inspections and certified payroll; plan reviews; constructability reviews; community outreach and communications.
15. Adopted Resolution 2021-122. Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with Chen Ryan Associates, Inc., increasing the not-to-exceed amount by \$1,000,000 for a total Agreement amount of \$3,000,000, to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, project management; civil engineering; traffic engineering; transportation planning; plan reviews; constructability

reviews; long-range planning; grants management; community outreach and communications.

16. Adopted Resolution 2021-123. Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement with National City Electric, increasing the not-to-exceed amount by \$40,000, for a total Agreement amount of \$100,000 and delegating the City Manager authority to approve any future extensions of this Agreement, due to the demand and continuous need for assistance with specialized electrical maintenance services.
17. Adopted Resolution 2021-124. Resolution of the City Council of the City of National City: 1) awarding a contract to SWCS, Inc. in the not-to-exceed amount of \$230,704.00 for the Camacho Recreation Center HVAC Replacement Project, CIP No. 20-07; 2) authorizing a 15% contingency in the amount of \$34,605.60 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.
18. Adopted Resolution 2021-125. Resolution of the City Council of the City of National City: 1) awarding a contract to National Electric Works, Inc. in the not-to-exceed amount of \$344,163.00 for the Civic Center Basement Power Upgrade Project, CIP No. 20-03; 2) authorizing a 15% contingency in the amount of \$51,624.45 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.
19. Adopted Resolution 2021-126. Resolution of the City Council of the City of National City: 1) awarding a contract to Wright Construction Engineering Corp. in the not-to-exceed amount of \$818,733.60 for the Paradise Creek Mitigation Project at Kimball Way, CIP No. 19-35; 2) authorizing a 15% contingency in the amount of \$122,810.04 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.
20. Adopted Resolution 2021-127. Resolution of the City Council of the City of National City: 1) authorizing the Mayor to execute the First Amendment to the Agreement by and between the City of National City and Hinderliter De Llamas & Associates for tax and fee administrative services, extending the Agreement to December 31, 2021, with the option to extend year to year thereafter, and adding compliance services; 2) authorizing a General Fund appropriation of \$67,000 and corresponding revenue budget for the contracted services.
21. *Pulled for discussion.*
22. Adopted Resolution 2021-129. Resolution of the City Council of the City of National City authorizing the installation of 80 feet of “No Parking for vehicles over 6 feet high” signage and 10 feet of red curb “No Parking” on the north side of E. 16th Street, west of “K” Avenue, to improve visibility at the intersection. (TSC No. 2021-15).
23. Adopted Resolution 2021-130. Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of E. 22nd Street and “B” Avenue and the intersection of E. 22nd Street and “C” Avenue in order to improve visibility at the intersection. (TSC No. 2021-16).
24. Ratified Warrant Register #3 for the period of 7/14/21 through 7/20/21 in the amount of \$1,460,028.90.

25. Ratified Warrant Register #4 for the period of 7/21/21 through 7/27/21 in the amount of \$2,246,558.11.

ITEMS PULLED FROM CONSENT CALENDER

7. Adopted Resolution 2021-114. Resolution of the City Council of the City of National city authorizing the Mayor to enter into a Revised/Amended Memorandum of Agreement with the County of San Diego by and through its Health and Human Services Agency (HHS) Mobile Crisis Response Team (MCRT) for broad range of health and social services to community residents including trauma informed behavioral health services.

Councilmembers provided comments.

Public Comment: None.

ACTION: Motion by Councilmember Rios, seconded by Councilmember Morrison, to adopt the resolution.

Motion carried by unanimous vote.

8. Adopted Resolution 2021-115. Resolution of the City Council of the City of National City authorizing the acceptance of annual grant funds & the establishment of an appropriation and corresponding revenue budget for the Regional Realignment Response Group (R3) based upon a Memorandum of Agreement signed by the Chief of Police pursuant to Council Resolution 2020-129 between the National City Police Department, the County of San Diego (San Diego Sheriff's Department and Probation Department) and municipal law enforcement agencies throughout the County for support of R3G Operations in the amount of \$67,000.

Councilmembers provided comments and asked clarifying questions. Responses were provided by Chief Tellez.

Public Comment: None

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

Motion carried by unanimous vote.

10. Adopted Resolution 2021-117. Resolution of the City Council of the City of National City authorizing the establishment of a General Fund appropriation of \$73,802 and use of General Fund balance in FY22 for operation of Las Palmas Pool during FY21.

Councilmembers provided comments and asked clarifying questions. Responses were provided by Diana Thomas, Executive at EXOS.

Public Comment: None

ACTION: Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, to adopt the Resolution.

Motion carried by unanimous vote.

11. Adopted Resolution 2021-118. Resolution of the City Council of the City of National City awarding and authorizing the Mayor to execute agreements for Towing and Impound

Services with the top two-ranked providers: A to Z Enterprises, Inc., DBA Road One Towing and Alexandra Investments, Inc., DBA Angelo's Towing and Recovery with a term of October 1, 2021 - September 30, 2023.

Councilmembers provided comments and asked clarifying questions. Responses were provided by Chief Tellez, Sergeant Ballard, and Captain Hernandez.

Public Comment:

One (1) spoken comment was registered and spoken into the record: Mira Pollante.

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

Ayes: Bush, Morrison, Rios, Sotelo-Solis

Nays: Rodriguez

Motion carried by 4 to 1 vote.

21. Adopted Resolution 2021-128. Resolution of the City Council of the City of National City waiving the formal bid process pursuant to National City Municipal Code Section 2.60.222 regarding open market procedure and authorizing the purchase and build-out of one (1) R 1250 RT-P Motorcycle in an amount not-to-exceed \$34,995.15 from sole source vendor BMW of Escondido.

Councilmember asked clarifying questions. Responses were provided by Chief Tellez.

Public Comment:

One (1) written comment was received and read into the record: Coyote Moon.

ACTION: Motion by Councilmember Morrison, seconded by Vice-Mayor Rodriguez, to adopt the Resolution.

Motion carried by unanimous vote.

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

26. Adopted Resolution No. 2021-131. Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Sections 18.20.020, 18.21.040, 18.21.050, 18.45, and 18.50, and addition of Sections 18.30.380 and 18.30.390 of Title 18 (Zoning) of the National City Municipal Code.

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

Mayor Sotelo-Solis introduced City Manager Raulston who introduced David Welch, Associate Planner, and Martin Reeder, Principal Planner. Mr. Welch provided a PowerPoint presentation titled "Code Amendments of NCMC Sections 18.20.020, 18.21.040, 18.21.050, 18.45, and 18.50, and Addition of Sections 18.30.380 and 18.30.390 Related to Accessory Dwelling Units and Junior Accessory Dwelling Units."

Mayor Sotelo-Solis declared the Public Hearing open at 9:02 p.m.

Public Comment:

One (1) written comment was received and read into the record: Ted Godshalk.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Bush, to close the Public Hearing at 9:04 p.m.

Motion carried by unanimous vote.

ACTION: Motion by Councilmember Morrison, seconded by Mayor Sotelo-Solis, to continue the item to October 5 for first reading allowing staff time to determine what State mandates are.

Ayes: Morrison, Rios, Sotelo-Solis

Nays: Bush, Rodriguez

Motion carried by 3 to 2 vote.

NON CONSENT RESOLUTIONS

27. Adopted Resolution No. 2021-132. Resolution of the City Council of the City of National City ratifying and authorizing the Mayor to execute a one-year agreement between the City of National City and McAlister Institute for Treatment and Education, Incorporated ("McAlister") for the provision of homeless case management and supportive services for an amount not to exceed \$313,532.

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

No report was presented.

Director of Housing Authority Aguirre summarized the Item and introduced Marisa Varond, Executive Director, McAllister. Ms. Varond provided a PowerPoint presentation titled "Healing Lives Through the Miracle of Recovery."

Public Comment: None.

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

Motion passed by unanimous vote.

Mayor Sotelo-Solis recessed at 9:21 p.m. and reconvened the meeting at 9:30 p.m. with all members present.

NEW BUSINESS

28. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the addition of live entertainment and expansion of approved operating hours for alcohol sales at an existing restaurant (Gerry's Grill) located at 3030 Plaza Bonita Road, Suite 2510. (Applicant: Steve Rawlings)

City Clerk Molina read the title of the Notice of Decision into the record.

Mayor Sotelo-Solis introduced Principal Planner Reeder who received comments from the Councilmembers.

Public Comment: None.

ACTION: Motion by Councilmember Morrison, seconded by Vice-Mayor Rodriguez, to file the Notice of Decision.

Motion passed by unanimous vote.

29. Discussion and direction pertaining to amending the National City Municipal Code Title 2 - Administration by adding Chapter 2.02 - City Attorney.

Mayor Sotelo-Solis introduced City Attorney Bell who provided the report.

Public Comment: None.

ACTION: Motion by Councilmember Rios, seconded by Mayor Sotelo-Solis to approve the proposed amendment.

Motion passed by unanimous vote.

B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY

No agenda items.

C. REPORTS

STAFF REPORTS

30. City Manager Report.

City Manager Raulston provided a report on current COVID-19 efforts, and upcoming community events.

MAYOR AND CITY COUNCIL

31. Community Benefit Agreements/Project Labor Standards and Policies.

Mayor Sotelo-Solis introduced Vice-Mayor Rodriguez.

ACTION: Motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, to direct Staff to work with the building trades and return within 60 days with an informational presentation about Project Labor Agreements.

Councilmember Morrison asked the maker of the motion if he would be willing to consider including BIA. The maker of the motion agreed.

Councilmember Bush asked the maker of the motion if he would be willing to amend the motion to include the direction for the ad hoc committee to work with Staff, and the building trades, and report back within 60 days. The maker of the motion agreed.

Councilmember Rios requested clarification from City Attorney about an overlap of direction or scope between the ad hoc committee and the full board.

City Attorney Bell suggested that there be separation of actions between the Vice Mayor's request to agendaize PLAs for discussion by the Council, and the request for Council to give direction to the ad hoc committee.

Mayor Sotelo-Solis made a substitute motion to allow the ad hoc committee to seek information and present an exhaustive list of questions for the building trades to answer, and bring the information back to the Council, and not with a time certain constraint. Substitute motion was seconded by Councilmember Rios.

Ayes: Rios, Sotelo-Solis

Nays: Bush, Morrison, Rodriguez

Motion failed by 3 to 2 vote.

Original motion by Vice-Mayor Rodriguez, seconded by Councilmember Bush, to direct Staff and the ad hoc committee to work with the building trades Council and ask the Council to provide an informational presentation to the full City Council about Project Labor Agreements within sixty (60) days.

Councilmember Rios asked for a friendly amendment to include direction by City Council to the ad hoc committee as to the scope of work and exhaustive list of questions, following the building trades presentation. The maker of the motion did not agree to the friendly amendment.

Ayes: Morrison, Rodriguez

Nays: Bush, Rios, Sotelo-Solis

Motion failed by 3 to 2 vote.

Motion by Councilmember Bush, seconded by Councilmember Rios, to direct Staff to work with ad hoc committee, with building trades, on the new benefits agreement on the PLA, both included including but not limited to policies for local hire, apprenticeship, CIP projects, and the Building Trades, Ad Hoc Committee and City Staff return to City Council recommendation on within 90 days on framework of a policy

Ayes: Bush, Rios, Rodriguez, Sotelo-Solis

Nays: Morrison

Motion passed by 4 to 1 vote.

CLOSED SESSION

CLOSED SESSION REPORT

Mayor Sotelo-Solis introduced City Attorney Bell who provided the report.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of Case: *Mario Toledo Bedolla, et al. v. City of National City*

San Diego Superior Court – Central Division Case No. 37-2019-00054733-CU-PO-CTL

City Attorney Bell reported that there was direction given by City Council by unanimous vote.

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of Case: *Eugene R. Hawkinson v. City of National City, et al.*

San Diego Superior Court – Case No. 37-2020-00018398-CU-PA-CTL

City Attorney Bell reported that there was direction given by City Council by unanimous vote.

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

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

United States District Court, Southern District of California – Case No. 19-CV-534-BEN-BGS

City Attorney Bell reported that there was no action or direction provided by City Council.

4. PUBLIC EMPLOYEE EMPLOYMENT

Government Code Section 54957

Performance Evaluation: City Attorney

City Attorney Bell reported that there was no action or direction provided by City Council.

5. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Employee Organizations: Municipal Employees' Association (SEIU, Local 221), National City Firefighters Association (Local 2744), Police Officers Association (POA)

Unrepresented Groups: Executive, Confidential, and Management

Agency Designated Representatives: Eddie Kreisberg (Labor Negotiator), Brad Raulston (City Manager), Tony Winney (Assistant City Manager), Molly Brennan (Administrative Services Director), Jose Tellez (Chief of Police), Paul Valadez (Budget Manager - Finance), Lilia Munoz (Human Resources Manager)

City Attorney Bell reported that there was no action or direction provided by City Council.

MAYOR AND CITY COUNCIL

City Clerk Molina gave recognition to the 20th anniversary of the September 11 attacks, and reminded citizens to vote in the CA gubernatorial recall election that is ongoing through September 14, 2021.

City Treasurer Beauchamp spoke favorably for the Mobile Crisis Response Team (MCRT) and the agreement with McAlister. He also gave mention to the Acapulco earthquake that occurred today.

At 10:47 p.m., Motion by Vice-Mayor Rodriguez, seconded by Councilmember Morrison, to continue the Council meeting for 10 minutes to complete the remaining items on the agenda. Mayor Sotelo-Solis asked for a friendly amendment to continue with no time limit. Friendly amendment was not accepted.

Substitute motion by Councilmember Rios, seconded by Mayor Sotelo-Solis, to continue the Council meeting to complete the remaining items on the agenda with no time limit.

Ayes: Bush, Rios, Sotelo-Solis

Nays: Morrison, Rodriguez

Motion failed by 3 to 2 vote.

Councilmember Morrison reminded community members of the upcoming annual Automobile Heritage Festival & Car Show, and movie night event. He also disputed the facts regarding formation of ad hoc committees.

Councilmember Rios provided clarification regarding ad hoc committees as well as the intent of the discussion today concerning the building trades.

Councilmember Bush had no comments.

Vice-Mayor Rodriguez spoke about the commemoration of Labor Day.

Mayor Sotelo-Solis invited members of the public to this week's Lowrider Ad Hoc Committee forum and the September 11th Remembrance Ceremony. She thanked her colleagues for the discussions today.

ADJOURNMENT

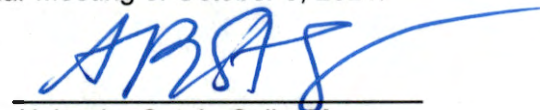
The meeting adjourned in memory of adjourned in memory of Virginia Sanchez and Ed Rosales.

Mayor Sotelo-Solis adjourned to the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City to be held Tuesday, September 21, 2021 at 6:00 p.m. via teleconference.

The meeting adjourned at 10:56 p.m.


Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of October 5, 2021.


Alejandra Sotelo-Solis, Mayor