



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

**December 7, 2021**

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Assembly Bill No. 361, approved by Governor Newsom on September 16, 2021.

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 6:07 p.m. by Mayor Sotelo-Solis.

**ROLL CALL**

Councilmembers present: Bush, Morrison, Rios, Sotelo-Solis (Rodriguez joined the meeting at 8:40 p.m.)

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell Jr., Chapel, Gilman, Torres, Williams, Aguirre, Vergara, Valadez, Reeder, Parra, Tellez, Ryan, Brennan, Yano, and Barrera.

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mayor Sotelo-Solis led the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Sotelo-Solis summarized the process for acceptance of live public comment allowing one (1) minute per comment and introduced City Clerk Molina.

Two (2) spoken comments were registered and heard: James Stiles, and Kelly McCormick.

Thirty-one (31) written comments were received and read: Bradley Bang, Alex Neu, Jo Espirite, Ana Tijerin, David Gallegos, Vanessa Castro, Mikki Vidamo, Lilibeth Angelo, Jeanette Silva, Elyana Delgado, Juanita Castaneda, Macario Avila, Jeffery Shultz, Steve Moss, Maelihini Adamos, Rebeca Reyes, Ray Stryker, Dionisia Trejo, Irma Arias, Isela Cabrales, Beatrice

Gonzalez, Carina Roman, James Slade, Carla Hutchinson, James I. Woods, Michael Anthony Banjom, Michael Banjoman, Sheila Pangco, Ellen Nobles, Aurora S. Cudal, and Carol Kim.

**PROCLAMATIONS AND CERTIFICATES** - No agenda items.

**AWARDS AND RECOGNITIONS** - No agenda items.

**PRESENTATIONS**

1. Microenterprise Home Kitchen Operations (MEHKOs) Implementation.

Mayor Sotelo-Solis introduced Ryan Johnson and Amy Harbert from San Diego County Department of Environmental Health and Quality. Mr. Johnson and Ms. Harbert provided a PowerPoint Presentation and addressed questions from council.

Public Comment: One (1) spoken comment was registered and heard: Karen Melvin.

Received and filed.

2. Juvenile Diversion Program and The Cultural App Presentation.

Mayor Sotelo-Solis introduced Summer Stephan, San Diego County Office of the District Attorney, who gave provided the report.

Public Comment: None

Received and filed.

**INTERVIEWS / APPOINTMENTS**

3. Selection of Vice-Mayor.

Mayor Sotelo-Solis introduced City Clerk Molina who provided the staff report.

Public Comment: None

**ACTION:** Mayor Soltelo-Solis made Motion to Select Councilmember Bush as the Vice-Mayor for 2022. Motion by Councilmember Rios, seconded by Councilmember Morrison, to accept Councilmember Bush as the next Vice-Mayor of National City.

Motion carried by 4-0 vote.

4. Appointments: Appointments to Regional Boards and Committees for Outside Agencies.

Mayor Sotelo-Solis introduced City Clerk Molina who provided the staff report.

Public Comment: None

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to approve the appointment of Councilmember Morrison to alternate for the League of California Cities.

Motion carried by 4-0 vote.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to approve the appointment of Augustin Buela Jr. to the Port of San Diego Public Art Committee – Community Representation.

Motion carried by 4-0 vote.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to approve the appointment of herself as Primary, Councilmember Rios as First Alternate, and Vice-Mayor Bush as Second Alternate to the San Diego Association of Governments (SANDAG) Board.

Motion carried by 4-0 vote.

Mayor Sotelo-Solis requested for Staff to return with an agenda item to update the appointments to the Regional Solid Waste Association.

Mayor Sotelo-Solis requested for Staff to make corrections to Attachment A – Regional Boards and Committees – Outside Agencies: SAN DIEGO COUNTY WATER AUTHORITY (SDCWA) to list Mona Rios as the Primary with term expiration date of March 8, 2026; and to remove the post for Alternate.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to keep the appointments for Bayshore Bikeway Working Group and Shoreline Preservation Working Group as Primary: Vice-Mayor Bush and Alternate: Mayor Sotelo-Solis.

Motion carried by unanimous vote.

Councilmember Morrison requested for Staff to make corrections to Attachment A – Regional Boards and Committees – Outside Agencies: REGIONAL SOLID WASTE ASSOCIATION (RSWA) to list the meeting date as the 1<sup>st</sup> Thursday of each quarter.

5. Appointment to Regional Board: San Diego Community Power (SDCP) Joint Powers Authority (JPA) Board.

Mayor Sotelo-Solis introduced City Clerk Molina who provided the staff report.

Public Comment: None

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to approve the appointment of herself as Primary, and Vice-Mayor Bush as Alternate to the San Diego Community Power (SDCP) Joint Powers Authority (JPA) Board.

Motion carried by 4-0 vote.

6. Appointments: City Boards, Commissions, and Committees - Mayoral Appointments.

Mayor Sotelo-Solis introduced City Clerk Molina who provided the staff report..

Mayor Sotelo-Solis requested to have this item continued to a future meeting.

## **REGIONAL BOARDS AND COMMITTEE REPORTS**

Councilmember Morrison reported on the business of the Regional Solid Waste Association (RSWA).

**CONSENT CALENDER**

Mayor Sotelo-Solis announced that Item 13 is to be continued to the December 9, 2021 Special City Council Meeting.

Public Comment: None

**ACTION:** Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to approve the Consent Calendar Items 7 through 25, excluding Item 13.

Motion carried by 4-0 vote.

7. Motion of the City Council of the City of National City, California 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.
8. Approved Meeting Minutes: CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY: Virtual Regular Meeting: October 19, 2021; SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: Virtual Special Closed Session Meeting: October 19, 2021; and SPECIAL MEETING OF THE AMERICAN RESCUE PLAN ACT (ARPA) WORKSHOP: Virtual Special Closed Session Meeting: October 19, 2021.
9. Adopted Resolution No. 2021-183. Resolution of the City Council of the City of National City declaring findings to continue teleconference meetings to January 6, 2022, as required by AB 361.
10. Adopted Resolution No. 2021-184. Resolution of the City Council of the City of National City, California authorizing the acceptance of Library Services and Technology Act (LSTA) funds from the California State Library in the amount of \$60,000 to cover the costs associated with the Community Connections Grant Project and authorizing the establishment of a Library Grants Fund appropriation of \$60,000 and corresponding revenue budget.
11. Adopted Resolution No. 2021-185. Resolution of the City Council of the City of National City authorizing the City Manager to execute a Consent to Assignment and Assumption of Lease from American Digital Outdoor, L.P., a California limited partnership, to Clear Channel Outdoor, LLC, a Delaware limited liability company, for the digital billboard located on City property along I-5 at the end of the 30th Street cul-de-sac.
12. Adopted Resolution No. 2021-186. Resolution of the City Council of the City of National City approving the Second Amendment to the Agreement with Man K9, Inc.

*Item 13 Continued – Not adopted.*

13. Resolution of the City Council of the City of National City authorizing the City Council to waive the formal bid process pursuant to National City Municipal Code section 2.60.220, subsection C and D, sole source procurement, for the Police Department's purchase of seventy six (76) body worn cameras, cloud-based storage of digital evidence, and internet data management through Evidence.com, including support services and assist with the implementation of auto-tagging through CAD from Axon Enterprise, Inc.; authorize the City to award the purchase; authorize the Mayor to execute a five-year contract in the amount

- of \$514,839.80 with Axon Enterprise, Inc.; and authorizing an increase of \$27,967.69 to fiscal year 2022 General Fund appropriations and use of General Fund unassigned fund balance for said increase. (Police)
14. Adopted Resolution No. 2021-188. Resolution of the City Council of the City of National City waiving the formal bid process pursuant to National City Municipal Code Section 2.60.260 regarding cooperative purchasing and authorizing the City to piggyback onto Sourcewell (formerly “National Joint Powers Alliance”) Contract #091520-DIV with Doosan Industrial Vehicle America Corp. for the purchase and build-out of one (1) Doosan G35S-7 Forklift for the Public Works Streets and Wastewater Division in a not-to-exceed amount of \$44,603.07.
  15. Adopted Resolution No. 2021-189. Resolution of the City Council of the City of National City waiving the formal bid process pursuant to National City Municipal Code Section 2.60.260 regarding cooperative purchasing and authorizing the City to piggyback onto Sourcewell (formerly “National Joint Powers Alliance”) Contract #120716-NAF with National Auto Fleet Group for the purchase and build-out of one (1) 2022 Ford Super Duty F-350 SRW Lariat 4WD Crew Cab Truck and Chassis for the Fire Department in a not-to-exceed amount of \$201,129.30.
  16. Adopted Resolution No. 2021-190. Resolution of the City Council of the City of National City waiving the formal bid process pursuant to Municipal Code section 2.60.260 for the purchase of a Pierce Arrow XT pumper with equipment for the National City Fire Department, and authorizing the City to piggyback on the City of Los Angeles Supply Contract 190000000182 – Amendment 2 Triple Combination Apparatus Fire Truck with South Coast Fire Equipment, Inc., for a not to exceed amount of \$885,829.24 using the Vehicle Replacement Fund.
  17. Adopted Resolution No. 2021-191. Resolution of the City Council of the City of National City: 1) authorizing the filing of a Proposition 68 Per Capita Program application for the El Toyon Park Playground Improvements Project in the amount of \$216,033; 2) authorizing the City Manager or designee to execute the grant agreement if selected for funding; and 3) if selected for funding, approving the establishment of an Engineering Grants Fund Appropriation of \$216,033 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the Per Capita Program for the El Toyon Park Playground Improvements Project.
  18. Adopted Resolution No. 2021-192. Resolution of the City Council of the City of National City authorizing the installation of yield control signs for the northbound and southbound traffic at the intersection of “E” Avenue and E. 20th Street in order to enhance safety at the intersection (TSC No. 2021-21).
  19. Adopted Resolution No. 2021-193. Resolution of the City Council of the City of National City authorizing an increase in the appropriation of American Rescue Plan Act (ARPA) funding to be used for City of National City employee premium pay from \$900,000 to \$1,340,000.
  20. Approved Local Appointments List – Maddy Act Requirement.
  21. Filed Annual Performance Evaluation for the City Attorney.
  22. Filed Investment Report for the quarter ended September 30, 2021.

23. Ratified Warrant Register #16 for the period of 10/15/21 through 10/21/21 in the amount of \$1,466,352.62.
24. Ratified Warrant Register #17 for the period of 10/22/21 through 10/28/21 in the amount of \$507,904.70.
25. Ratified Warrant Register #18 for the period of 10/29/21 through 11/05/21 in the amount of \$2,546,521.45.

*Mayor Sotelo-Solis called for a recess at 7:40 p.m. and reconvened the meeting at 8:00 p.m. with members Bush, Morrison, Rios, and Sotelo-Solis present.*

### **PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

26. Adopted Resolution No. 2021-194. Public Hearing and Adoption of a Resolution of the City Council of the City of National City establishing permit fees for recovery of the cost of the commercial cannabis business regulatory program development and for the cost to review and process applications for cannabis businesses.

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

Mayor Sotelo-Solis introduced City Manager Raulston who introduced Administrative Services Director Brennan, Economic Development Specialist Gamwell, and SCI Consulting Group consultant Kyle Tankard. Ms. Brennan provided the Staff report and a PowerPoint Presentation. Ms. Brennan made note on the record that the printed agenda packet the City Councilmembers had received had an incorrect attachment to the report pages had not been updated. The report posted on the City website for the public was the correct version.

Mayor Sotelo-Solis declared the Public Hearing open at 8:14 p.m.

Public Comment:

Five (5) spoken comments were registered and heard: Judith Strang, Carol Green, Alex Scherer, Peggy Walker, and Becky Rapp.

Three (3) written comments were received and read: Virginia Casey, Kathleen Lippitt, and Robert Valderrama.

**ACTION:** Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to close the Public Hearing at 8:25 p.m.

Motion passed by 4-0 vote.

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

Motion passed by 4-0 vote.

## NON CONSENT RESOLUTIONS

27. Adopted Resolution No. 2021-195. Resolution of the City Council of the City of National City, California, authorizing the City Manager to enter into a new agreement between the City of National City ("City") and ARTS A Reason to Survive ("ARTS") for the maintenance and operation of the Arts Center located at 200 East 12th Street in National City for a 36 month period from January 1, 2022 to December 31, 2024.

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

Mayor Sotelo-Solis introduced Library and Community Services Director Ryan who provided the Staff report. ARTS Executive Director James Halliday provided a PowerPoint Presentation and addressed questions from Council.

Public Comment: None.

**ACTION:** Motion by Councilmember Rios, seconded by Councilmember Bush, to accept the Introduction of the Ordinance.

Motion passed by unanimous vote.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to adopt the Resolution with the amendment to enter a one-year (1) lease with two-year extension between the City of National City ("City") and ARTS A Reason to Survive ("ARTS"), and to have a follow up on the agreement in December 2022.

Ayes: Bush, Morrison, Sotelo-Solis

Nays: Rios

Absent: Rodriguez

Motion passed by 3-1 vote.

28. Adopted Resolution No. 2021-196. Resolution of the City Council of the City of National City, California adopting City Council Policy 805 entitled "Naming of City Assets and Streets."

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

Mayor Sotelo-Solis introduced Assistant City Manager Winney who provided the Staff report and a PowerPoint Presentation.

Public Comment: None.

**ACTION:** Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to adopt the Resolution with the amendment to add to the committee the Chairs of the Board of Library Trustees, and Traffic Safety Committee.

Motion passed by 4-0 vote.

*Councilmember Rodriguez joined the meeting at 8:40 p.m.*

29. Adopted Resolution No. 2021-197. Resolution of the City Council of the City of National City recommending the San Diego County Board of Supervisors "opt-into" the Microenterprise Home Kitchen Operations (MEHKO) Program.

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

Mayor Sotelo-Solis introduced Assistant City Manager Winney who provided the Staff report and a PowerPoint Presentation.

Public Comment:

Two (2) spoken comments were registered and heard: Cynthia Fuller Quinonez, and Claire Groebner.

Three (3) written comments were received and read: Karen Clay, Katia C., and Nora Vargas.

**ACTION:** Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to adopt the Resolution with the option to authorize a temporary pilot program of the San Diego County Board of Supervisors Microenterprise Home Kitchen Operations (MEHKO) Program.

Ayes: Bush, Rios, Rodriguez, Sotelo-Solis

Nays: Morrison

Motion passed by 4-1 vote.

## **NEW BUSINESS**

30. Accepted Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales at a new restaurant (KeBURROS) located at 1539 East Plaza Blvd. (Applicant: Borderless Kitchens) (Case File 2021-16 CUP)

Mayor Sotelo-Solis read the title of the Item into the record and introduced Principal Planner Reeder who provided the Staff report.

Public Comment: None.

**ACTION:** Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to accept the Notice of Decision.

Motion passed by 5-0 vote.

31. Accepted Notice of Decision – Planning Commission approval of a Conditional Use Permit modification for the former South Bay Community Church located at 2400 Euclid Avenue to add a transitional housing facility. (Applicant: San Diego Rescue Mission) (Case File 2021-13 CUP)

Mayor Sotelo-Solis read the title of the Item into the record and introduced Principal Planner Reeder who provided the Staff report.

Vice-Mayor Bush recused himself from the item due to conflict with residence located within 500 feet of the project. Vice-Mayor Bush left the meeting at 9:30 p.m.

Councilmember Morrison disclosed that he had met with the applicant and toured the site

Councilmember Rios disclosed that she had a brief conversation with the applicant and watched the Planning Commission Meeting when item was presented.

Mayor Sotelo-Solis disclosed that she had met with the applicant and toured the site.



Public Comment:

Five (5) spoken comments were registered and heard: Edwin Liku, Donnie Dee, Angelina Reyes, Carla Vanegas, and John Pasha.

Sixteen (16) written comments were received and read: Karen Moyer, Luis Sanchez, Kyler Kennedy, Daniel Schacht, Maria Chavez, Samantha K. Arpallan, Crystal Hernandez, Isabel Mora, Christopher Wigfall, Alan Kennedy, Chona Somera, Greg W. Boeh, Romulo Somera, Rebecca Phelps, Bradley Bang, and Miriam Aguilar Escobar.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Councilmember Rodriguez, to accept the Notice of Decision.

Ayes: Morrison, Rios, Rodriguez, Sotelo-Solis

Absent: Bush

Motion passed by 4-0 vote.

*Vice-Mayor Bush rejoined the meeting at 9:50 p.m.*

**B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY** – No agenda items.

**C. REPORTS**

**STAFF REPORTS**

32. Focused General Plan Update and Affordable Housing Notice of Funding Availability (NOFA).

Director of Housing Aguirre provided the report and a PowerPoint Presentation.

Public Comment: None.

Received and filed report.

33. City Manager Report.

City Manager Raulston provided a brief update.

**MAYOR AND CITY COUNCIL**

34. Community Benefits Ad-Hoc Committee Report to City Council - Project Labor Standards and Policies.

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

Mayor Sotelo-Solis provided the committee report and a PowerPoint Presentation.

Public Comment:

Three (3) spoken comments were registered and heard: Gretchen Newsome, Sean-Keoni Ellis, and Carol Kim.

No written comments were received.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Councilmember Rodriguez, to accept the committee recommendation to direct Staff to enter into negotiations with San Diego & Imperial County Building Trades for a Project Labor Agreement for the City of National City.

Motion passed by unanimous vote.

35. Low Rider Ad-Hoc Committee Report to City Council.

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

Mayor Sotelo-Solis provided the committee report and a PowerPoint Presentation. City Manager Raulston and Police Chief Tellez addressed questions from Council.

Per City Council Policy #104 at 10:36 p.m. a Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to continue the meeting past the 10:30 p.m. in order to complete the items on the agenda.

Motion passed by unanimous vote.

Public Comment:

Two (2) spoken comments were registered and heard: Marisa Rosales, and Aida Castaneda. No written comments were received.

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Rios, to accept the report and to direct Staff to return with a report based on the committee recommendation to suspend the cruising policy during sponsored events and to host a cruising season from April-September 2022, first Friday of every month, from 6-9 p.m., and to revisit this policy in the Winter of 2022.

A friendly amendment by Vice-Mayor Bush was offered to accept a full repeal of the no cruising ordinance. The maker of the motion did not accept the friendly amendment.

A substitute motion was made by Vice-Mayor Bush, seconded by Councilmember Rodriguez, to direct Staff to return with a report based on the committee recommendation to repeal the cruising ordinance and to host a cruising season.

Ayes: Bush, Rodriguez

Nays: Morrison, Rios, Sotelo-Solis

Motion failed by 2-3 vote.

Mayor Sotelo-Solis called for the vote on the original motion.

Motion passed by unanimous vote.

**CLOSED SESSION**

**CLOSED SESSION REPORT**

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

1. PUBLIC EMPLOYEE EMPLOYMENT  
Government Code Section 54957  
Employment Contract: City Manager

City Clerk Molina reported that per Government Code 54953 (c)(3), the City Clerk is required to report out on Executive Agreement decisions made by the City Council. City Council approved a two-year (2) contract extension for the City Manager with a 3-2 vote. This item will be agendized for a future City Council meeting.

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code Section 54956.9(d)(1)  
Name of Case: Madison Blaylock v. City of National City, et al  
37-2021-00024099-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: Mario Toledo Bedolla, et al. v. City of National City  
37-2019-00054733-CU-PO-CTL

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

Closing remarks were provided by member of the Council, City Clerk, and City Treasurer.

**ADJOURNMENT**

Mayor Sotelo-Solis adjourned to the Parking Authority and Successor Agency Special Meetings to follow.

The meeting adjourned at 11:08 p.m.

  
Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of February 1, 2022.

  
Alejandra Sotelo-Solis, Mayor