



## **REGULAR MEETING MINUTES OF THE CITY COUNCIL**

**March 21, 2023, 6:00 p.m.**

**City Council Chamber - 1243 National City Boulevard  
National City, CA**

**Present:**  
Mayor Morrison  
Vice-Mayor Molina  
Councilmember Bush  
Councilmember Rodriguez  
Councilmember Yamane

**Others Present:**  
Brad Raulston, City Manager  
Barry Schultz, City Attorney  
Shelley Chapel, City Clerk  
Carlos Aguirre, Housing Authority Director  
Molly Brennan, Administrative Services Director  
Tonya Hussain, Executive Secretary  
David McEachern, Housing Programs Specialist II  
Sergio Mora, Fire Battalion Chief  
Angelita Palma, Housing Authority Programs Manager  
Martin Reeder, Planning Manager  
Joyce Ryan, Library & Community Services Director  
Jose Tellez, Chief of Police  
Armando Vergara, Director of Community Development  
Roberto Yano, Director of Public Works and City Engineering

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### **1. CALL TO ORDER**

A Regular Meeting of the City Council of the City of National City was called to order at 6:08 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

**2. ROLL CALL**

Councilmembers present: Bush, Rodriguez, Yamane, Molina, Morrison

Other elected officials: Treasurer Mitch Beauchamp

Administrative Officials present: Raulston, Schultz, Chapel, Aguirre, Brennan, Hussain, McEachern, Mora, Palma, Reeder, Ryan, Tellez, Vergara, Yano

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

**3. PLEDGE OF ALLEGIANCE TO THE FLAG**

Vice-Mayor Molina led the Pledge of Allegiance. Sweetwater High School Football Team Chaplin Bobby Dominguez delivered invocation.

***AGENDA ITEMS 8.3, 8.4, AND 8.5 PULLED FOR CONTINUATION TO A FUTURE MEETING:***

**ACTION:** Motion by Vice-Mayor Molina, seconded by Councilmember Yamane to continue Agenda Item nos. 8.3, 8.4, and 8.5 to the Regular City Council Meeting of April 4, 2023.

**Motion carried by unanimous vote.**

**4. PUBLIC COMMENT**

Mayor Morrison summarized the process for acceptance of live public comment allowing three (3) minutes per comment and introduced City Clerk Chapel.

Two (2) speakers provided in-person comments, one (1) written comment, and four (4) people provided virtual comment.

Comment received via Zoom:

Peggy Walker  
Kelly McCormick  
Judith Strang  
Becky Rapp

In-person comment:

Geoffrey Schrock  
Ted Godshalk

**5. PROCLAMATIONS AND RECOGNITION**

5.1 Women's History Month

Mayor Morrison presented the proclamations to representatives from KSDY Channel 50, Mana de North County San Diego, My Point Credit Union, Gente Bonita Magazine, National Latina Business Women Association San Diego Institute, Latina Con Poder Magazine, Women in Young Black N Business, and Olongapo City Bayanihan Club.

5.2 Employee of the Quarter – Maria Wright, Nutrition Services Supervisor

Director of Library & Community Services Joyce Ryan introduced the Employee of the Quarter.

**6. REGIONAL BOARDS AND COMMITTEE REPORTS**

Councilmember Rodriguez reported on the business of the SANDAG Transportation Committee and the Mobility Working Group.

Councilmember Bush provided an update on the Air Pollution Control District and the Metropolitan Transit System.

Councilmember Yamane reported on the Sweetwater Authority.

Vice-Mayor Molina provided an update on SANDAG.

Mayor Morrison provided an update on the Sweetwater Authority.

Port of San Diego Commissioner Sandy Naranjo provided an update on the National City's portion of public tidelands.

**7. CONSENT CALENDAR**

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Rodriguez to approve Consent Calendar Items 7.1, 7.4 through 7.6, 7.8 through 7.12, and Item 7.14 with Items 7.2, 7.3, 7.7 and 7.13 pulled for public comment or discussion.

**Motion carried by unanimous vote**

7.1 Approval of Reading by Title Only and Waiver of Reading in Full of Ordinance on this Agenda

**Motion carried by unanimous vote**

7.2 Approval of City Council Meeting Minutes.

Public comment received from Ted Godshalk.

Approve and file.

**ACTION:** Motion by Vice-Mayor Molina, seconded by Councilmember Rodriguez to approve the meeting minutes.

**Motion carried by unanimous vote**

7.3 Approval of Agreement with Professional Search Group, LLC for Temporary Personnel Services.

Administrative Services Director Molly Brennan provided a report.

Adopt the Resolution of the City Council of the City of National City, California authorizing the Mayor to execute a Professional Service Agreement between the City of National City and Professional Search Group, LLC to provide Temporary Staffing Services.

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Yamane to continue the item.

**Motion carried by unanimous vote.**

7.4 Accept the FY22 State Homeland Security Grant Program funds to purchase equipment for the Police and Fire Departments.

Adopted Resolution No. 2023-23

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, approving and authorizing 1) the Mayor to execute the Standard Assurances for the FY22 State Homeland Security Grant Program; and 2) the establishment of Reimbursable Grants City-Wide Fund appropriations and corresponding revenue budgets each in amounts totaling \$47,578 for FY22 State Homeland Security Grant Program for the purchase of equipment for the Police and Fire Departments."

**Motion carried by unanimous vote**

7.5 Sole source purchase of Zoll Monitors/Defibrillators for the Fire Department.

Adopted Resolution No. 2023-24

Adopt the Resolution of the City Council of the City of National City, California, 1) Waiving the Formal Bid Process Pursuant to National City Municipal Code Section 2.60.220(B) Regarding Sole Source Purchasing of Five X Series Advanced Monitor/Defibrillators from Zoll Medical Corporation

for the National City Fire Department; and 2) Approving the Establishment of Appropriations and a Corresponding Revenue Budget in the Amount of \$198,028 Based on Funding Received From the Lower Sweetwater Fire Protection District's Equipment Replacement Fund.

**Motion carried by unanimous vote**

- 7.6 Accept and Adopt the 2022 Multi-Jurisdictional Hazard Mitigation Plan – National City Annex

Adopted Resolution No. 2023-25

Adopt the Resolution entitled, "Resolution of the City Council of the City of National City, California, Approving and Adopting the 2022 San Diego County Multi-Jurisdictional Hazard Mitigation Plan – City of National City Annex."

**Motion carried by unanimous vote**

- 7.7 Accept and file the Housing Element 2022 Annual Progress Report.

Housing Authority Director Carlos Aguirre and Housing Programs Specialist II David McEachern provided a report.

Accept and file the Housing Element 2022 Annual Progress Report pursuant to California Code Section 65400 to the California Department of Housing and Community Development (HCD) and Office of Planning and Research (OPR).

**ACTION:** Motion by Councilmember Rodriguez, seconded by Councilmember Yamane to accept and file the report.

**Motion carried by unanimous vote**

- 7.8 Amending the Agreement between the City of National City and Devaney Pate Morris & Cameron LLP for legal services.

Adopted Resolution No. 2023-26

Adopt the Resolution entitled, "Resolution of the City Council of the City of National City, California, Amending the Agreement between the City of National City and Devaney Pate Morris & Cameron LLP for legal services in the specialized area of General Civil Litigation Defense arising from Government Claims by 1.) Increasing the not-to-exceed amount by \$125,000 for a new total not-to-exceed amount of \$200,000 pertaining to litigation titled Bhandari v. City; and 2.) Increasing the not-to-exceed amount by \$75,000 for a new total not-to-exceed amount of \$150,000 pertaining to litigation titled Cummins v. City.

**Motion carried by unanimous vote**

- 7.9 Notice of Decision – Planning Commission approval - Conditional Use Permit for the Operation of a Service Station at an Existing Gasoline Station located at 2401 East Division Street.

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed (Case File No. 2022-34 CUP) (Community Development – Planning).

**Motion carried by unanimous vote**

- 7.10 Notice of Decision – Planning Commission approval of a Conditional Use Permit (CUP) for a new Wireless Communications Facility to be located at 901 Euclid Avenue.

Receive and File.

**Motion carried by unanimous vote**

- 7.11 Temporary Use Permit - Community Easter Egg Festival sponsored by Jesus Church San Diego at Kimball Park on April 1, 2023, from 11 a.m. to 3 p.m. with no waiver of fees

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.

**Motion carried by unanimous vote**

- 7.12 Temporary Use Permit – The 14th Annual San Diego Granfondo Bike Ride sponsored by Life Sports Foundation on April 23, 2023 from 7:30 a.m. to 5 p.m. with no waiver of fees.

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.

**Motion carried by unanimous vote**

- 7.13 Warrant Register #31 for the period of 1/27/23 through 2/02/23 in the amount of \$2,267,218.53

Public comment received from Ted Godshalk.

**ACTION:** Motion by Councilmember Rodriguez, seconded by Councilmember Bush to approve the item.

Ratify Warrants Totaling \$2,267,218.53

**Motion carried by unanimous vote**

7.14 Warrant Register #32 for the period of 2/03/23 through 2/09/23 in the amount of \$2,310,853.39

Ratify Warrants Totaling \$2,310,853.39

**Motion carried by unanimous vote**

## **8. PUBLIC HEARING**

8.1 Public Hearing No. 1 of 2 HUD 2023-2024 Annual Action Plan and the allocation of HUD Entitlement Grant Funds to the CDBG and HOME Program activities.

Director of the Housing Authority Carlos Aguirre introduced Housing Authority Programs Manager Angelita Palma who presented the item utilizing a PowerPoint presentation.

Mayor Morrison declared the Public Hearing open at 7:39 p.m.

There was no public comment.

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to close the Public Hearing.

Motion carried by unanimous vote.

Public Hearing closed at 7:43 p.m.

*Councilmember Bush left the dais at 7:40 p.m. and returned at 7:43 p.m.*

Recommendation: Conduct the Public Hearing and approve recommendations for the CDBG and HOME funding allocations from the sources identified in the Financial Statement.

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Yamane to approve the staff recommendation.

Motion carried by unanimous vote.

8.2 Public Hearing and Resolution of the Substantial Amendment to the 2021-2022 Annual Action Plan for the HUD Draft HOME-ARP Allocation Plan.

Adopted Resolution No. 2023-27

Housing Authority Programs Manager Angelita Palma and MDG HOME Program Consultant Clint Whited presented the item utilizing a PowerPoint presentation.

Mayor Morrison declared the Public Hearing open at 7:44 p.m.

There was no public comment.

**ACTION:** Motion by Councilmember Rodriguez, seconded by Councilmember Yamane to close the Public Hearing.

Motion carried by unanimous vote.

Public Hearing closed at 7:48 p.m.

Recommendation: Approve the Resolution titled, "Resolution of the City Council of The City of National City, California, Adopting the U.S. Department of Housing and Urban Development (HUD) Substantial Amendment to the 2021-2022 Annual Action Plan for the Draft HOME Investment Partnerships Program-American Rescue Plan (HOME-ARP) Allocation Plan and the allocation of \$1,188,787 in grant funds proposed for affordable rental housing and planning and administration."

**ACTION:** Motion by Vice-Mayor Molina, seconded by Councilmember Rodriguez to adopt the resolution.

Motion carried by unanimous vote.

*Item Pulled from Agenda – Continued to a Future Meeting*

- 8.3 Consideration of the findings of the Balanced Plan Environmental Impact Report and Mitigation Monitoring and Reporting Program (MMRP).

Recommendation: Adopt the Resolution of the City Council of the City of National City, California, Accepting the Findings of the Balanced Plan Environmental Impact Report and Adopting by Reference the Mitigation Monitoring and Reporting Program.

*Item Pulled from Agenda – Continued to a Future Meeting*



- 8.4 Approval of Amendment to City's Local Coastal Program reflecting jurisdictional boundary changes affected by the Port of SD - National City Balanced Plan and expansion of the Bayshore Bikeway

Recommendation: Adopt the Resolution entitled, "Resolution of the City Council of the City of National City, California, Approving a Local Coastal Program (LCP) Amendment to Reflect Jurisdictional Boundary Changes Affected by the Port of San Diego's National City Balanced Plan and Expansion of the Bayshore Bikeway.

*Item Pulled from Agenda – Continued to a Future Meeting*

- 8.5 Ratifying the Sale of Real Property known as APN: 559-118-02 and Declaring that the property is no longer needed for City purposes and that such properties are exempt under the Surplus Land Act.

Recommendation: Adopt the Resolution of the City Council of the City of National City, California, Ratifying the Sale of Real Property known as APN: 559-118-02 and declaring that the property is no longer needed for City purposes and that such properties are exempt under the Surplus Land Act.

*Councilmember Rodriguez left the dais at 7:47 p.m. and returned at 7:51 p.m.*

- 8.6 Amendment to Title 18 (Zoning) of the National City Municipal Code to create an Interim Use Ordinance related to the use of nonconforming buildings within the City.

Planning Manager Martin Reeder presented the item and PowerPoint presentation.

Mayor Morrison declared the Public Hearing open at 8:07 p.m.

There was no public comment.

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Bush to close the Public Hearing.

Motion carried by unanimous vote.

Public Hearing closed at 8:11 p.m.

Recommendation: Introduce the Ordinance.

**ACTION:** Motion by Vice-Mayor Molina, seconded by Councilmember Yamane to introduce the Ordinance.

Motion carried by unanimous vote.

8.7 Second Reading and Adoption of Ordinance Amending National City Municipal Code Chapter 2.75 adjusting campaign contribution limits as required every odd-numbered year to reflect changes in the Consumer Price Index

Adopted Ordinance No. 2023-2518

City Clerk Shelley Chapel provided the report and a statement: Following the Introduction of the Ordinance it was recognized that the math on the report was correct as far as calculation of the percentage the contribution limit would change which is 13.3%. However, in the report the amounts five3 of \$1,065, Individual contribution and \$2,130 for Political Action Committees (PACs) were for a one-year calculation and the requirement is two-year or the 13.3%. The accurate totals will be \$1,135 per Individual and \$2,265 per PAC and independent committees to candidates in controlled committees. At the discretion of the City Council to consider and additional second reading and adoption of the Ordinance or considering the percentage was accurate, it was a clerical error in the two year math. The City Council determined it was a clerical error and continued with the second reading and adoption of the Ordinance noting that correction noted in the minutes and changed in the Ordinance prior to codification into the National City Municipal Code.

Mayor Morrison declared the Public Hearing open at 8:14 p.m.

There was no public comment.

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Rodriguez to close the Public Hearing.

Motion carried by unanimous vote.

Public Hearing closed at 8:18 p.m.

Recommendation: Adopt Ordinance entitled, "Ordinance of the City Council of the City of National City, California, Amending Various Sections of the National City Municipal Code Chapter 2.75 to adjust the Campaign Contribution Limit for any Election Held on or after January 1, 2024."

**ACTION:** Motion by Councilmember Bush, seconded by Vice-Mayor Molina to adopt the Ordinance with clerical errors corrected by staff.

Motion carried by unanimous vote.

9. **CITY MANAGER'S REPORT**

City Manager Brad Raulston introduced staff who provided various updates.

10. **ELECTED OFFICIALS REPORT**

Closing remarks were provided by members of the City Council.

11. **CITY ATTORNEY REPORT**

CLOSED SESSION

Mayor Morrison introduced City Attorney Schultz who reported that by unanimous vote the City Council provided direction to legal counsel to defend the matter for Closed Session Item 5.1.

5.1 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Government Code Section 54956.9(d)(1)

Name of Case: Cali Mota, LLC v City of National City. et. al.

Superior Court of California, County of San Diego

Case No. 37-2023-00007308-CU-WM-CTL

12. **ADJOURNMENT**

Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, April 4, 2023, 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 8:40 p.m.

  
LaTonya Hussain, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of April 18, 2023

  
Ron Morrison, Mayor