



**REGULAR MEETING MINUTES OF THE CITY COUNCIL**

**August 15, 2023, 6:00 p.m.  
City Council Chamber - 1243 National City Boulevard  
National City, CA**

**Present:**

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

**Others Present:**

**Ben Martinez, Interim City Manager  
Barry Schultz, City Attorney  
Tonya Hussain, Executive Secretary  
Carlos Aguirre, Acting Deputy City Manager/Housing Authority  
Director  
Molly Brennan, Administrative Services Director  
Elyana Delgado, Recreation Supervisor  
Robert Hernandez, Battalion Chief/Fire Marshal/Fire Investigator  
Martha Juarez, Assistant Director of Engineering and Public  
Works  
Angelita Palma, Housing Programs Manager  
Scott Robinson, Fire Captain  
Joyce Ryan, Library & Community Services Director  
Jose Tellez, Chief of Police**

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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 6:09 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: Martinez, Schultz, Hussain, Aguirre, Brennan, Delgado, Hernandez, Juarez, Palma, Robinson, Ryan, Tellez

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

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

Councilmember Rodriguez led the Pledge of Allegiance.

**4. INVOCATION**

Invocation was delivered by Joe Mendoza, Emmanuel Church of National City.

**5. PUBLIC COMMENT**

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

Six (6) speakers provided in-person comments, one (1) written comment was received, and three (3) people provided virtual comment.

Comments received via Zoom:

Barbara Gordon

Becky Rapp

Peggy Walker

Written comment received, not read into the record:

Nathan Maycott

In-person comments:

R M Beauchamp

Geoffrey Schrock

Claire Groebner

Edward Nieto

Abe Mowl

Ted Godshalk

**6. PRESENTATION (Limited to Five (5) Minutes each)**

6.1 Presentation of Miss National City and Court

Item introduced by Library & Community Services Director Ryan and presented by Recreation Supervisor Elyana Delgado.

6.2 Investment Update

Introduced by Administrative Services Director Brennan and PowerPoint Presentation given by Chandler Asset Management Senior Portfolio Strategist Alayne Sampson.

**7. REGIONAL BOARDS AND COMMITTEE REPORTS (Limited to Five (5) Minutes each)**

Port of San Diego Commissioner Sandy Naranjo provided a report via Zoom.

Councilmembers Bush, Rodriguez, and Yamane had nothing to report.

Vice-Mayor Molina invited the community to the South County Regional Plan Community Workshop on August 29<sup>th</sup> at 5:00 p.m. at New Directions in Chula Vista.

Mayor Morrison reported on the business of the Port of San Diego and the improvements to Pepper Park.

**8. CONSENT CALENDAR**

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to approve Consent Calendar Items 8.1, 8.3, 8.4 and 8.6 through 8.15 with Items 8.2, 8.5 and 8.11 pulled for public comment or discussion.

**Motion carried by unanimous vote**

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

**Motion carried by unanimous vote**

*Item Pulled for Discussion by Councilmember Rodriguez*

8.2 American Medical Response (AMR) contract extension

Approved Resolution No. 2023-108

Item introduced by Battalion Chief Hernandez and presented by Fire Captain Scott Robinson.

Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Approving and Authorizing the Mayor to Execute the Seventh Amendment to the Agreement by and between the City of National City and American Medical Response Ambulance Service, Inc. to Continue to Provide Basic

and Advanced Life Support Ambulance Transportation Services Effective July 1, 2023 through June 30, 2024”

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

**Motion carried by unanimous vote**

- 8.3 Authorize the purchase of a Street Sweeper for Public Works Streets and Wastewater Division

Approved Resolution No. 2023-109

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, authorizing 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 Contract # 093021-ELG with Haaker Equipment Company for the purchase of one (1) Elgin Broom Bear Street Sweeper in a not-to-exceed amount of \$425,000 for the Public Works Streets and Wastewater Division and authorizing the City Manager to approve adjustments of up to \$42,500 to the not-to-exceed amount for the purchase as a 10% contingency for unforeseen fluctuations in pricing and appropriation adjustments of up to \$17,500 above the original amount of \$450,000 budgeted for this item."

**Motion carried by unanimous vote**

- 8.4 FY22 UASI Grant Subaward Amendment

Approved Resolution No. 2023-110

Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute the City of San Diego Office of Emergency Services Grant Subaward Amendment for an Additional Appropriation of \$16,758 for a new total of \$46,831 to the Reimbursable Grant Citywide Account for the FY22 Urban Area Security Initiative (UASI) Grant for the Reimbursable Grant Purchase of Equipment for the Police Department"

**Motion carried by unanimous vote**

*Item Pulled for Discussion by Councilmember Rodriguez*

- 8.5 Ratifying the SANDAG HAP 2.0 grant application and accepting the terms of the grant agreement to fund "Own National City."

Approved Resolution No. 2023-111

Adopt the Resolution entitled "Resolution of the City Council of the City of National City, California, ratifying the grant application and accepting the terms of the grant

agreement with the San Diego Association of Governments (SANDAG) for the Housing Acceleration Program (HAP) Cycle 2 Call for Projects to fund "Own National City," a plan to study innovative homeownership models on City-owned property zoned for residential use"

One (1) Written Public Comment: Ted Godshalk

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

**Motion carried by unanimous vote**

- 8.6 Acceptance of the 2020 Justice Assistance Grant (JAG) and Appropriation of Funds to Purchase Portable Radios for the Radio Communication System.

Approved Resolution No. 2023-112

Adopt a Resolution entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Acceptance of the National City Police Department's Grant award in the Amount of \$18,650.00 from the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program to Purchase Portable Radios for the Radio Communication System, and Authorizing the Establishment of an Appropriation and Corresponding Revenue Budget."

**Motion carried by unanimous vote**

- 8.7 Three new MEA classifications, one revised classification, proposed salary schedules, and budget appropriations to fund stated salaries.

Approved Resolution No. 2023-113

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Creating three (3) new job classifications, revising one existing job classification, amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and authorizing budget appropriations to fund stated salaries."

**Motion carried by unanimous vote**

- 8.8 Civil Service Rule II, Section 206A Amendment – Career Advancement

Approved Resolution No. 2023-114

Adopt the resolution entitled "Resolution of the City Council of the City of National City, California, amending the addendum to Rule II, Section 206A of the Civil Service Rules to allow for a career advanceable progression from Fire Inspector I to Fire Inspector II and Part-Time Call Taker to Part-Time Police Dispatcher."

**Motion carried by unanimous vote**

- 8.9 Amending City Council Policy Nos. 101, 102, 103, 106, 113, 114, 116, 118, 119, and 120, with Minor Clean-Up.

Approved Resolution No. 2023-115

One (1) Written Public Comment: Ted Godshalk

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Amending City Council Policy Nos. 101, 102, 103, 106, 113, 114, 116, 118, 119, and 120.

**Motion carried by unanimous vote**

- 8.10 Annual Update of Investment Policy, City Council Policy #203

Approved Resolution No. 2023-116

Adopt a Resolution entitled, "Resolution of the City Council of the City of National City, California, Adopting City Council Policy #203, "Investments," as amended.

**Motion carried by unanimous vote**

*Item Pulled for public comment*

- 8.11 Amendment of City Council Policy Numbers 704 "Limitation on City Approved Special Events within the City" and 802 "City Support for Special Events, Activities, Programs and Services".

Approved Resolution No. 2023-117

Consider adoption of the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Amendment of City Council Policy Numbers 704 "Limitation on City Approved Special Events within the City" and 802 "City Support for Special Events, Activities, Programs and Services".

In-Person Public Comment:

Rita Heuss

Olivia Bayardo

Liliana Armenta

Edward Nieto

Mike Montoya

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to adopt the resolution.

Substitute Motion by Vice-Mayor Molina, seconded by Mayor Morrison for the item to return as a Public Hearing at the City Council meeting of September 19, 2023.

Substitute Motion by Councilmember Rodriguez, seconded by Councilmember Yamane to end the discussion.

Motion failed by 4-1 vote (*super majority needed*).

Ayes: Bush, Yamane, Rodriguez, Molina

Nays: Morrison

Original Substitute Motion

Motion failed by 2-3 vote.

Ayes: Molina, Morrison

Nays: Bush, Yamane, Rodriguez

Original motion to adopt the resolution.

Motion carried by 3-2 vote.

Ayes: Bush, Yamane, Rodriguez

Nays: Molina, Morrison

- 8.12 Temporary Use Permit – Rosarito Beach Motorcycle Run hosted by Coronado Beach Harley Davidson on September 8, 2023 from 8 a.m. to 12 p.m. at 3201 Hoover Avenue 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 and in Accordance with City Council Policy 802.

**Motion carried by unanimous vote**

- 8.13 Semi-Annual Report – Boards, Commissions, and Committee Attendance Report – Includes First and Second Quarter of 2023.

Receive and file.

**Motion carried by unanimous vote**

- 8.14 Warrant Register #49 for the period of 6/2/23 through 6/8/23 in the amount of \$828,042.32

Ratify Warrants Totaling \$828,042.32

**Motion carried by unanimous vote**

- 8.15 Warrant Register #50 for the period of 6/9/23 through 6/15/23 in the amount of \$2,065,505.97

Ratify Warrants Totaling \$2,065,505.97

Motion carried by unanimous vote

9. **PUBLIC HEARING**

Notice of the Public Hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than specified in the notice.

9.1 Public Hearing – Approval of Tentative Subdivision Map of an Existing Parcel into Nine (9) Separate Lots on Property Located at 2121 Grove Street.

Approved Resolution No. 2023-118

*Councilmember Bush recused on the item and left the dais and the Council Chamber at 8:18 p.m.*

Associate Planner David Welch provided the report and PowerPoint Presentation.

Applicant Luis Naranjo addressed the City Council.

Mayor Morrison declared the Public Hearing open at 8:37 p.m.

In-Person Public Comment:

Brent Rustad

James Lannek

Abe Munoz

*Councilmember Rodriguez left the dais at 8:45 p.m. and returned at 8:47 p.m.*

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to close the public hearing.

Motion carried by unanimous vote of those present.

Public Hearing closed at 8:55 p.m.

Recommendation: Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Determining that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) Under Class 32 of the CEQA Guidelines Section 15332 (In-Fill Development Projects) and Approving the Tentative Subdivision Map for the Division of One (1) Lot into Nine (9) on Property Located at 2121 Grove Street (APN: 561-380-24)"

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to adopt the resolution.

Motion carried by unanimous vote of those present.

*Mayor Morrison called for a recess at 9:20 p.m. and all members returned at 9:27 p.m. to resume the meeting, including Councilmember Bush.*

10. **STAFF REPORTS**



10.1 Amendment to City Council Policy No. 104: Rules of Procedure and Order for City Council Meetings – Proclamations

Approved Resolution No. 2023-119

Interim City Manager Ben Martinez introduced the item.

In-Person Public Comment:

Edward Nieto

Mike Montoya

Recommendation:

**Options:**

**#1** Leave policy as is; or

**#2** Modify as presented in the 105 request by Councilmember Rodriguez, Exhibit B (Redline) to read:

*(a) Requests for proclamations can be made by any Council Members' Office*

*(b) The Mayor and Councilmember filing the request will determine the language used in the proclamation, the Mayor will then direct his or her staff member to prepare the proclamation and the proclamation will be issued with all of the Council Member signatures.*

*(c) Upon receipt of the draft proclamation language, the Mayor and Councilmember filing the request will direct the City Manager to place the item on a meeting agenda depending on the nature and time-sensitive nature of the request; or*

**#3** Accept changes to policy in Exhibit C (Redline) to add line Item d to current policy:

*(d) Mayor and City Councilmembers will sign all Proclamations. The Mayor's Office will have an electronic signature file of each Councilmember on record to be used in the event that a City Councilmember is unable or unavailable to sign the Proclamation*

If options 2 or 3 are chosen, adopt the resolution that reflects changes (Exhibit D) or (Exhibit E) Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Approving an Amendment to City Council Policy Manual Policy 104: Rules of Procedure and Order for City Council Meetings – XIV Procedural Matters, E(2). (Proclamations)"

**ACTION:** Motion by Councilmember Bush, seconded by Councilmember Rodriguez to approve Option No. 2.

Substitute Motion by Mayor Morrison, seconded by Vice-Mayor Molina to approve that Councilmember signatures would be included only on proclamations that are

included on the City Council agenda and that a stamped or electronic signature would be kept on file for each Councilmember.

Motion carried by 3-2 vote.

Ayes: Bush, Molina, Morrison

Nays: Rodriguez, Yamane

- 10.2 Amendment to City Council Policy No. 901, to Require that the City Conduct a Feasibility Analysis for Homeownership on City-Owned Property Zoned for Residential Use.

Approved Resolution No. 2023-120

Item was presented by Acting Housing Director Angelita Palma.

In-Person Public Comment:

Barbara Avalos

Randi Castle

Jose Ceroa

George Ching

Oscar Campos

Written Public Comment:

Cynthia Suero-Gabler

Miriam Escobar

Ted Godshalk

Recommendation: Adopt the Resolution Entitled "Resolution of the City Council of the City of National City, California, Amending City Council Policy No. 901, Entitled 'Management of Real Property', to Require that the City Conduct a Feasibility Analysis to Evaluate Building Residential Units for Homeownership, Identify Supportable Land Values, Determine the Need for Gap Financing, and Assess the Use of Various Development Models, Such as Community Land Trusts, to Create Sustainable and Affordable Homeownership on Any City-Owned Property Zoned for Residential Use."

**ACTION:** Motion by Councilmember Rodriguez, seconded by Councilmember Bush for the item to return at a future City Council meeting and include language for building homeownership through community land trust, deed restrictions, limited equity cooperatives, condominium or rent-to-own models, and that it would be owner-occupied, and that 75% of the owners would be National City residents.

Friendly amendment by Councilmember Bush, seconded by Councilmember Rodriguez to approve the staff recommendation with amended language to include that home ownership is required on City-owned parcels, that the feasibility study explores all options to prioritize home ownership to include the first-time buyer program, pre-paid mortgage insurance program, community land trust,

consideration of the construction defect insurance, and to update the purpose of the policy.

Motion carried by unanimous vote.

*At 10:31 p.m., Mayor Morrison reminded the City Council of Policy #104 that requires the City Council Meeting to be adjourned no later than 10:30 p.m. unless extended by Council vote. Mayor Morrison asked the City Council to consider extending the meeting for 30 minutes to complete the remaining items.*

**ACTION:** Motion by Mayor Morrison, seconded by Councilmember Rodriguez to end the meeting by 11:00 p.m.

Motion carried by unanimous vote.

***Councilmember Bush requested to reconsider the vote on Item 10.1***

**ACTION:** Motion by Mayor Morrison, seconded by Councilmember Bush to reconsider the vote.

Motion carried by unanimous vote.

**ACTION:** Motion by Mayor Morrison, seconded by Councilmember Bush to approve Option No. 2 with amended language on section (b) to read, "The Mayor and Councilmember filing the request will **confer on** the language used in the proclamation." section (c) to remove the word 'Councilmember', and section (d) to include that a stamped or electronic signature would be kept on file for each Councilmember.

Motion carried by unanimous vote.

10.3 Property Tax Rate for Library General Obligation Bond Property Tax Rate 2024

Approved Resolution No. 2023-121

Recommendation: Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, setting the Property Tax Rate for the Library General Obligation Bond for Fiscal Year 2024 at .518 cent per \$100 of assessed valuation."

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

Motion carried by unanimous vote.

- 10.4 Responses from the City of National City to the findings and recommendations of a 2022/2023 County of San Diego Grand Jury Report filed on June 7, 2023 and titled "Governance of San Diego Bay and Its Tidal Lands and Regions."

Recommendation: Review and approve the proposed responses to the County Grand Jury Report and authorize the Mayor to transmit the responses to the Grand Jury via the Superior Court Presiding Judge.

**ACTION:** Motion by Vice-Mayor Molina, seconded by Mayor Morrison to approve the staff recommendation.

Friendly amendment by Vice-Mayor Molina, accepted by Mayor Morrison to continue the item to a Special Meeting the week of August 21st, date to be determined.

Motion carried by unanimous vote.

11. **CITY MANAGER'S REPORT**

Nothing to report.

12. **ELECTED OFFICIALS REPORT**

Closing remarks were provided by the City Council.

13. **CITY ATTORNEY REPORT**

CLOSED SESSION

4.1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Government Code Section 54956.9(d)(1)

Name of Case: Jeffrey Meeks v. City of National City

WCAB

Case No: ADJ12677504

4.2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Government Code Section 54956.9 (d) (1)

Name of Case: Cummins v City of National City. et al.

San Diego County Superior Court

Case No: 37-2022-00004671-CU-OE-CTL

4.3. **PUBLIC EMPLOYMENT**

Government Code Section 54957.6


Position to be filled: Interim City Manager

City Attorney Schultz reported that three (3) items were discussed in the Closed Session and that there was no reportable action on all three.

14. ADJOURNMENT

Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, September 5, 2023, 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.


The meeting adjourned at 11:10 p.m.



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Tonya Hussain, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of September 19, 2023.



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Ron Morrison, Mayor