



REGULAR MEETING MINUTES OF THE CITY COUNCIL

**September 5, 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
Shelley Chapel, City Clerk (*via Zoom*)
Carlos Aguirre, Acting Deputy City Manager/Housing Authority
Director
Walter Amedee, Management Analyst III
Molly Brennan, Administrative Services Director
Sergio Mora, Fire Chief
Martha Juarez, Assistant Director of Engineering and Public
Works
Tonya Hussain, Executive Secretary
Joyce Ryan, Library & Community Services Director
Jose Tellez, Chief of Police**

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

Administrative Officials present: Martinez, Schultz, Chapel (via Zoom), Aguirre, Amedee, Brennan, Mora, Juarez, Hussain, 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 delivered by Rabbi Laurie Coskey.

5. PUBLIC COMMENT

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

Five (5) speakers provided in-person comments, one (1) written comment was received, and four (4) people provided virtual comment.

In-person Comment:

Vivian Wapnowski
Margaret Godshalk
Geoffrey Schrock
Cheddy Matthews
Edward Nieto

Written comment received, not read into
the record:

Anthony Avalos

Zoom Comment:

Judith Strang
Becky Rapp
Peggy Walker
Barbara Gordon

6. PROCLAMATIONS AND RECOGNITION

6.1 National Preparedness Month Proclamation

Introduced by Fire Chief Mora and presented by Management Analyst III Walter Amedee of the National City Fire Department.

6.2 Introduction of New City Employees

Mayor Morrison introduced staff who introduced the new hires.

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

7.1 Presentation of Board of Library Trustees FY23 Annual Report

Library and Community Services Director Ryan introduced Board of Library Trustees Chair Margaret Godshalk who provided a PowerPoint Presentation.

Receive and file NCPL Board of Library Trustees FY23 Annual Report.

Motion carried by unanimous vote

7.2 Bicycle Master Plan Update Presentation

Item introduced by Assistant Director of Engineering and Public Works Martha Juarez and presented by WSP Traffic Engineer Ryan Whipple.

One Speaker's Slip was received in opposition from Alex Fernandez, who did not speak.

Receive the presentation on the Bicycle Master Plan (BMP) update.

Motion carried by unanimous vote

8. **INTERVIEWS AND APPOINTMENTS**

8.1 Appointments: City Boards, Commissions and Committees – City Council Appointment for Civil Service Commission.

Mayor Morrison introduced City Clerk Chapel who explained the reappointment process. Civil Service Applicant Paul Wapnowski was interviewed by the City Council.

Recommendation: City Council to Conduct Interviews and Appointment.

ACTION: Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to reappoint Paul Wapnowski to the Civil Service Commission for a term ending September 30, 2028.

Motion carried by unanimous vote.

8.2 Appointments: City Boards, Commissions and Committees – Mayoral Appointments for Board of Library Trustees; Park, Recreation & Senior Citizens Advisory Committee; Public Art Committee; and, Traffic Safety Committee.

Mayor Morrison introduced City Clerk Chapel who explained the reappointment process.

Recommendation: Mayoral Appointment with City Councilmembers' Confirmation.

ACTION: Motion by Mayor Morrison, seconded by Councilmember Bush to appoint:

Patricia McGhee to the Board of Library Trustees Alternate Position for a term ending September 30, 2026.

Reappoint Margaret Godshalk to the Board of Library Trustees for a term ending September 30, 2026.

Jissan Ravanilla to the Board of Library Trustees for a term ending September 30, 2024.

Jake Zindulka to the Board of Library Trustees for a term ending September 30, 2024.

Motion carried by unanimous vote.

ACTION: Motion by Mayor Morrison, seconded by Vice-Mayor Molina to reappoint:

Jennelyn de Mesa Luna to the Park, Recreation & Senior Citizens Advisory Committee for a term expiring September 30, 2026.

Joseph Crawford to the Park, Recreation & Senior Citizens Advisory Committee for a term expiring September 30, 2026.

Motion carried by unanimous vote.

ACTION: Motion by Mayor Morrison, seconded by Vice-Mayor Molina to reappoint:

William A. Virchis to the Public Art Committee for a term expiring September 30, 2026.

Motion carried by unanimous vote.

ACTION: Motion by Mayor Morrison, seconded by Councilmember Bush to appoint Rafael Coterio to the Traffic Safety Committee for a term expiring September 30, 2026.

Motion carried by unanimous vote.

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

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

Councilmember Bush announced that MTS would meet on Thursday to discuss Project Labor Agreements.

Councilmember Yamane reported on the San Diego County Water Authority.

Vice-Mayor Molina reported that SANDAG would return from August recess with a meeting to occur on Friday. She thanked those who volunteered to serve on a Board, Commission, or Committee.

Mayor Morrison reported that he attended the Annual California Special District's Association.

Port of San Diego Commissioner Sandy Naranjo provided a report on the National City Balance Plan, her attendance at Pacific Ports Conference, and the upcoming workshop on the Tidelands Activation Program.

10. CONSENT CALENDAR

ACTION: Motion by Councilmember Yamane, seconded by Councilmember Bush to approve Consent Calendar Items 10.1 through 10.4, 10.6, and 10.9 through 10.11 with Items 10.5, 10.7, and 10.8 pulled for public comment or discussion.

Motion carried.

Vice-Mayor Molina recused herself on Item 10.6 due to her residential proximity of 1000 feet to the project site.

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

Motion carried by unanimous vote

- 10.2 Approval of the Third Amendment to the Agreement between the City and Devaney Pate Morris & Cameron LLP for legal services.

Approved Resolution No. 2023-122

Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Approving the Third Amendment to the Agreement Between the City and Devaney Pate Morris & Cameron LLP for Legal Services in the Specialized Area of General Civil Litigation Defense Arising from Government Claims by Increasing the Not-to-Exceed Amount by \$ 50,000 for a New Total Not-to-Exceed Amount of \$ 250,000 Pertaining to Litigation Titled Cummins v. City.

Motion carried by unanimous vote

- 10.3 Agreement with the County of San Diego for use of the San Diego Sheriff's Department's Firearms Range and Training Facility at Miramar.

Approved Resolution No. 2023-123

Adopt the Resolution Entitled "Resolution of the City Council of the City of National City, California, Authorizing the City Manager to Enter into an Agreement with the County of San Diego for the Use of the San Diego Sheriff's Department's Firearms Range and Training Facility at Miramar.

Motion carried by unanimous vote

- 10.4 Approving the Final Parcel Map and Conditionally Approving the Offer of Dedication for the Proposed Emergency Vehicle Access Easement located on the South Side of 3140 E. 2nd Street.

Approved Resolution No. 2023-124

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Approving the Final Parcel Map and Conditionally Approving the Offer of Dedication for the Proposed Emergency Vehicle Access Easement Included Therein for the New Project Located on the South Side of 3140 E. 2nd Street, and Authorizing the Mayor and City Clerk to sign the Map."

Motion carried by unanimous vote

Item Pulled for Discussion by Councilmember Yamane

- 10.5 City Council Meetings Schedule for December 2023 and January 2024

Interim City Manager Ben Martinez reported the item.

Approve by Council Motion to Dispense with the Tuesday, December 19, 2023, and Tuesday, January 2, 2024, Regular Meetings of the City Council; and adjourn the Regular City Council Meeting of Tuesday, December 5, 2023, to the next Regular Meeting to be held on Tuesday, January 16, 2024, at 6:00 p.m.

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

Motion carried by unanimous vote

- 10.6 First Amendment to the Regulatory Agreement with Southern Highlands Apartments L.P. to have Use Restrictions Restated to Allow for Commercial Uses of the Non-Residential Portions of the Property. (Community Development Commission – Housing Authority)

Approved Resolution No. 2023-125

Adopt the Resolution Entitled "Resolution of the Community Development Commission-Housing Authority (CDC-HA) of the City of National City, California,

Authorizing the Executive Director to Execute the First Amendment to the Regulatory Agreement with Southern Highlands Apartments L.P. to Amend Section 5 Allowing for Commercial Uses of the Non-Residential Portions of the Property, Located at 2525 Highland Avenue.”

Motion carried by unanimous vote

Item Pulled for Public Comment

10.7 Police Captain Salary Increase

Approved Resolution No. 2023-126

One In-Person Public comment: Paul Wapnowski

Chief of Police Tellez answered questions posed by the City Council.

Adopt the Resolution of the City of National City, California, Amending the National City Management Salary Schedule for the Position of Police Captain, and Authorizing an Increase of \$40,800 to the General Fund Police Personnel Services Budget Appropriations.

ACTION: Motion by Mayor Morrison, seconded by Vice-Mayor Molina to adopt the resolution.

Motion carried by unanimous vote

10.8 State of California AB178 Grant Awarded to the National City Police Department (NCPD)

Approved Resolution No. 2023-127

Item Pulled for Discussion by Councilmember Yamane

Adopt the Resolution entitled, “Resolution of the City of National City, California, Authorizing the Acceptance of AB178 Grant Funds in the Amount of \$58,272.86 from the Board of State and Community Corrections for the Officer Wellness and Mental Health Grant Program, and Authorizing the Establishment of a Fiscal Year 2024 Appropriation and Corresponding Revenue Budget in the Amount of \$58,272.86.”

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

Motion carried by unanimous vote

10.9 Temporary Use Permit – Pumpkin Station hosted by Pinery Christmas Trees, Inc. at Westfield Plaza Bonita Mall from September 29 thru October 31, 2023 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

10.10 Warrant Register #51 for the period of 6/16/23 through 6/22/23 in the amount of \$675,572.28

Ratify Warrants Totaling \$675,572.28

Motion carried by unanimous vote

10.11 Warrant Register #52 for the period of 6/23/23 through 6/29/23 in the amount of \$ 3,667,271.38

Ratify Warrants Totaling \$ 3,667,271.38

Motion carried by unanimous vote

Mayor Morrison excused the interpreters at 8:10 p.m. as there were no more public speakers pre-registered on Zoom.

11. 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.

11.1 Consideration of Certification of a Mitigated Negative Declaration for the Annexation of Two Properties Located at 3410 Valley Road (Bonita) and Approval of a Tentative Subdivision Map for a 10-Lot Residential Development.

Approved Resolution Nos. 2023-128 and 2023-132

Disclosure of Ex-Parte Contact: Councilmember Bush and Councilmember Yamane disclosed that they met with the applicant. Vice-Mayor Molina disclosed that she had spoken with the applicant over the telephone.

Planning Manager Martin Reeder provided the report and PowerPoint Presentation.

Applicant Lawrence Tucker was present and addressed the Council.

Mayor Morrison declared the Public Hearing open at 8:06 p.m.

In-person public comment:

John Taylor

Harriet Taylor

Roberto Sanchez

John Pavsek

Speaker's Slips were received in opposition from Mary Kay Pavek and Claire Reader, who did not wish to speak.

The applicant Mr. Tucker was given the opportunity to rebuttal and Council asked questions of the applicant.

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

Motion carried by unanimous vote.

Public Hearing closed at 8:47 pm.

Recommendations:

Options

1. Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Annexation of Two Properties Located at 3410 Valley Road (Bonita) and the Tentative Subdivision Map for a 10-Lot Residential Development and Authorizing the Filing of a Notice of Determination"; and Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Approving the Annexation of Two Properties Located at 3410 Valley Road (Bonita) and a Tentative Subdivision Map for a 10-Lot Residential Development"; or
2. Deny 2022-13 S, ANNEX based on findings to be determined by the City Council; or,
3. Continue the item to a later date in order to obtain additional information.

ACTION: Motion by Councilmember Bush, seconded by Councilmember Rodriguez to approve Option 1 and modify conditions to address light pollution, traffic concerns, to include native plants, and remove non-native species within the property line.

Motion carried by unanimous vote.

Mayor Morrison called for a recess at 9:06 p.m. and all members returned at 9:16 p.m. to resume the meeting.

11.2 Certification of the Supplemental Program Environmental Impact Report for the Focused General Plan Update

Vice-Mayor Molina recused on the item due to her residential proximity of 1000 feet to the project site and left the dais and the Council Chamber at 9:16 p.m.

Disclosure of Ex-Parte Contact: Mayor Morrison and Councilmembers Bush, Rodriguez, and Yamane disclosed that they had spoken with the attorney representing the applicant.

Acting Deputy City Manager and Housing Authority Director provided the report and PowerPoint Presentation.

WSP Senior Vice Presidents Tara Lake and Stephanie Whitmore answered questions posed by the City Council.

Mayor Morrison declared the Public Hearing open at 9:19 p.m.

In-Person Public Comment:

Cynthia Morgan-Reed
Charlie Richmond
Ted Godshalk

Zoom Comment:

Kelsey Genesi

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

Motion carried by unanimous vote of those present.

The Public Hearing closed at 9:29 p.m.

Recommendation: Conduct a Public Hearing and Adopt the Resolution Entitled: "Resolution of the City Council of the City of National City, California, Certifying the Final Supplemental Program Environmental Impact Report (SPEIR) with the Selection of the Alternate Project Location Alternative, and Adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for the City of National City Focused General Plan Update."

ACTION: Motion by Councilmember Rodriguez, seconded by Councilmember Bush to keep 19th Street open along with the bike path and support the initial site.

Friendly amendment by Councilmember Bush to include exploration of an inclusionary housing requirement.

Laura Gates, Gates Planning Strategies addressed the City Council.

Substitute Motion by Mayor Morrison, seconded by Councilmember Yamane for the item to return at a future City Council meeting for staff to reconsider the impacts of the closure of 19th Street in context to the CEQA, explore the pros and cons of the alternative site and the original site, highlight the CEQA analysis that's already been completed, the development complexities of each site and the impacts of affordability, and have staff review the bicycle path update, and provide options on an inclusionary ordinance.

Motion carried by unanimous vote of those present.

At 10:31 p.m., Mayor Morrison reminded the City Council of Policy #104 which 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 until 11:15 p.m. to complete the remaining items.

ACTION: Motion by Mayor Morrison, seconded by Councilmember Bush to continue the meeting until 11:15 p.m.

Motion carried unanimously by those present.

Vice-Mayor Molina returned to the dais at 10:33 p.m.

Councilmember Rodriguez left the dais at 10:33 p.m. and returned at 10:35 p.m.

11.3 Focused General Plan Update

Acting Deputy City Manager and Director of the Housing Authority Carlos Aguirre introduced WSP Senior Vice President Tara Lake and Laura Gates, Gates who provided the report and PowerPoint Presentation.

Mayor Morrison declared the Public Hearing open at 10:47 pm.

In-person Public Comment

Cynthia Fuller Quinonez

Ted Godshalk

Speaker's Slips were received from Cynthia Morgan-Reed and Joseph, who did not speak or provide a position on the item.

ACTION: Motion by Mayor Morrison, seconded by Councilmember Yamane to close the public hearing.

Motion carried by unanimous vote.

Public Hearing closed at 10:54 p.m.

Recommendation:

Conduct a Public Hearing and Adopt the Resolutions and Ordinances Entitled:

- 1) "Resolution of the City Council of the City of National City, California, Approving the Focused General Plan Update and its Related Land Use Map Including Minor Text and Map Amendments, and Replacing the 2011 Land Use, Transportation, and Safety Elements, and Climate Action Plan;" and
- 2) "Resolution of the City Council of the City of National City, California, Amending the Downtown Specific Plan;" and

- 3) "An Ordinance of the City of Council of the City of National City, California, Adopting the Westside Specific Plan Amendment and Amending the Zoning Text and Map of the Westside Specific Plan;" and
- 4) "An Ordinance of the City Council of the City of National City, California, Adopting Municipal Code Chapter 18.49 to Provide Objective Design Standards for Housing Development, Adopting Chapter 18.50 to Provide a Floor Area Ratio Bonus Program, Adopting Amendments to Chapters 18.29 (Overlay Zones) to Create a Mixed-Use Overlay Zone to Allow Residential Development on Certain Parcels Zoned CL and CS, and Amending the Municipal Code to Revise Title 18;"and
- 5) "Resolution of the City Council of the City of National City, California, Approving the Update to the Bicycle Master Plan."

ACTION: Motion by Mayor Morrison, seconded by Councilmember Bush for the item to return at a future City Council meeting to include Climate Action Plan goals and options for the inclusion of open space.

Motion carried by unanimous vote.

12. STAFF REPORTS

- 12.1 Verbal Report-Out of Salary and Benefits in the Employment Agreement of the Interim City Manager as Required by the Brown Act

Approved Resolution No. 2023-131

City Attorney Schultz provided the verbal report-out.

Recommendation: Consider Adoption of the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Appointing Benjamin Martinez as Interim City Manager and Authorizing the Mayor to Execute an Employment Agreement between the City of National City and Benjamin Martinez with the Effective Date of August 2, 2023"

ACTION: Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to accept the report read into the record.

Motion carried by unanimous vote.

13. CITY MANAGER'S REPORT

Interim City Manager Ben Martinez reported that a lunch at Fire Station No. 34 would occur to celebrate staff's response to Storm Hillary.

14. ELECTED OFFICIALS REPORT

Closing remarks were provided by the City Council.

15. **CITY ATTORNEY REPORT**

No report.

16. **ADJOURNMENT**


Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, September 19, 2023, 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 11:17 p.m.



Tonya Hussain, Executive Secretary

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



Ron Morrison, Mayor