



REGULAR MEETING MINUTES OF THE CITY COUNCIL

June 18, 2024, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA

Present: Councilmember Rodriguez
Mayor Morrison
Vice-Mayor Yamane

Absent: Councilmember Bush
Councilmember Molina

Others Present: Benjamin A. Martinez, City Manager
Barry J. Schultz, City Attorney
Shelley Chapel, City Clerk (*via Zoom*)
Mitch Beauchamp, City Treasurer
Brian Hadley, Deputy City Manager
Alex Hernandez, Chief of Police
Carlos Aguirre, Director of Community Development
Stephen Manganiello, Director of Engineering/Public Works
Lydia Hernandez, Human Resources Director
Phil Davis, Acting Director of Administrative Services
Danielle Ghio, Acting City Librarian
Martin Reeder, Assistant Director of Community Development
Brian Krepps, Fire Captain
Tonya Hussain, Deputy City Clerk
Luca Zappiello, Assistant Civil Engineer

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: Rodriguez, Yamane, Morrison

Councilmembers absent: Bush, Molina

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**

Mayor Morrison excused both Councilmembers Bush and Molina.

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.

Two (2) speakers provided virtual comments and six (6) people provided in-person comments:

Virtual Comment:

Becky Rapp (*via Zoom*)

Barbara Gordon (*via Zoom*)

In-Person Comment:

Floyd Jones

Alfredo Andalon (*Spanish Translation*)

Geoffrey Shrock

Edward Nieto

Sharmane Estolano

Joseph L. Crawford

6. **PROCLAMATIONS AND RECOGNITION**

6.1 Proclamation - Alzheimer's and Brain Awareness Month – Not presented in the Chamber and will be mailed to the recipient.

6.2 Employee of the Quarter - Officer Sabrina Barajas

Police Chief Hernandez introduced Sergeant John Dougherty who presented Officer Sabrina Barajas with the award.

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

7.1 EDCO Presentation

Mayor Morrison introduced Steve South, President and CEO of EDCO who presented a PowerPoint Presentation.

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

Councilmember Rodriguez reported on the business of SANDAG

Vice-Mayor Yamane reported attending a Sweetwater Authority meeting.

Mayor Morrison reported on the Sweetwater Authority meeting, and Port Commission Meeting.

9. CONSENT CALENDAR

Motion by Vice-Mayor Yamane, seconded by Councilmember Rodriguez to approve Consent Calendar Items except Items 9.3 (*pulled by public*), 9.5, 9.7, and 9.12 pulled by Councilmember Rodriguez.

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

Motion carried by unanimous vote.

9.2 Agreement with Keyser Marston Associates, Inc. for As-Needed Housing Consulting Services.

Adopted Resolution No. 2024-93

Recommendation: Adopt the Resolution Entitled "Resolution of the Board of the Community Development Commission-Housing Authority of the City of National City, California, Authorizing an Agreement with Keyser Marston Associates, Inc. to Provide On-Call Consulting Services Related to Affordable and Market-Rate Housing Developments, Transaction Structuring, Financing Sources, and Policy Development and Evaluation in a Not-to-Exceed Amount of \$100,000."

Motion carried by unanimous vote.

Item pulled for discussion.

9.3 Agreement with West Coast Arborists, Inc. for Specialized Urban Forestry Maintenance Services

Adopted Resolution No. 2024-62

Recommendation: Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Waiving the Formal Bid Process Pursuant to National City Municipal Code Section 2.60.260 Regarding Cooperative Purchasing and Authorizing the Mayor to Execute an Agreement with West Coast Arborists, Inc., to Provide Specialized Urban Forestry Maintenance Services for a Not-to-Exceed Amount of \$270,000 by Piggybacking onto the City of Norco's Agreement."

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

Motion carried by unanimous vote.

- 9.4 Approval of an Agreement with Claims Management Associates, Inc. for Risk Management Liability Consulting for a not-to-exceed amount of \$160,000.

Adopted Resolution No. 2024-63

Recommendation: Adopt a Resolution Entitled "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute an Agreement Between the City of National City and Claims Management Associates, Inc., for Risk Management Services for an Initial Term of July 1, 2024 through June 30, 2025, for the Not-to-Exceed Amount of \$160,000 and Authorizing the City Manager to Extend the Contract for Three Additional One-Year Terms."

Motion carried by unanimous vote.

Item pulled for discussion.

- 9.5 Exclusive Negotiating Agreement Amendment No. 4 with Tower 999, LLC for the Disposition of City-Owned Real Property located at 921, 925, and 929 National City Boulevard.

Adopted Resolution No. 2024-64

Recommendation: Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the City Manager to Execute a Fourth Amendment to the Exclusive Negotiating Agreement By and Between the City of National City and Tower 999, LLC, a Nevada Limited Liability Company, for the Disposition of City-Owned Real Property Located at 921, 925, and 929 National City Boulevard and Development of a Seven-Story, Mixed-Use Building with Approximately 9,294 Square Feet of Retail/Commercial Space and 127 Rental Dwelling Units."

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

Motion carried by unanimous vote.

- 9.6 Notice of Decision – Planning Commission approval of a Conditional Use Permit (CUP) for alcohol sales at Grocery Outlet located at 3446 Highland Avenue.

Recommendation: Approval of the Sale of Beer, Wine, and Distilled Spirits for Off-Site Consumption, Subject to the Recommended Conditions in the Attached Resolution and a Determination that the Project is Exempt from CEQA. The Sale of Beer, Wine, and Distilled Spirits is a Conditionally-Allowed Use in the Major Mixed-Use District Zone and would be Accessory to the Sale of Grocery Items at the Store.

Motion carried by unanimous vote.

Item pulled for discussion.

- 9.7 Ratification of a Memorandum of Agreement (MOA) with the County of San Diego for Housing Assistance Funding related to the January 22, 2024 flood.

Adopted CDC Resolution No. 2024-92

Recommendation: Adopt the Resolution Entitled "Resolution of the Board of the Community Development Commission-Housing Authority of the City of National City ("CDC-HA"), California, Authorizing 1) the Ratification of the Housing Assistance Funding Memorandum of Agreement (MOA) with the County of San Diego Office of Emergency Services to Assist Households in the Emergency Temporary Lodging (ETL) Program; 2) the Acceptance of Grant Funds Up To \$362,727; 3) a Match of Resources Equal To the Amount of Funds Received; and 4) the Establishment of the ETL Housing Assistance Fund Appropriation of \$362,727 and Corresponding Revenue Budget."

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

Motion carried by unanimous vote.

- 9.8 Ratification of an Addendum to a Service Agreement with Data Ticket, Inc.

Adopted Resolution No. 2024-65

Recommendation: Adopt the Resolution Entitled "Resolution of the City Council of the City of National City, California, 1) Ratifying an Addendum to a Service Agreement By and Between the City of National City and Data Ticket, Inc., for Electronic Permit Parking System Services in the Not-to-Exceed Amount of \$25,000 Per Year from Fiscal Year 2025 through Fiscal Year 2028, and 2) Authorizing an Expenditure of up to \$70,000 Per Year for the Base Service Agreement with Data Ticket, Inc., for Parking Citation Services."

Motion carried by unanimous vote.

- 9.9 Second Amendment with San Diego Mechanical & Energy, Inc. for Facilities Maintenance Services

Adopted Resolution No. 2024-66

Recommendation: Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute a Second Amendment to the Agreement with San Diego Mechanical & Energy, Inc., Extending the Agreement by One-Year to June 30, 2025."

Motion carried by unanimous vote.

- 9.10 Second Amendment to the agreement with San Diego Metropolitan Transit System (MTS) to provide for-hire vehicle regulation services in National City to extend for an additional 5 years.

Adopted Resolution No. 2024-67

Recommendation: Adopt a Resolution entitled, "Resolution of the City Council of the City of National City, California, Authorizing the City Manager to Execute a Second Amendment to the Agreement with San Diego Metropolitan Transit System to License and Regulate For-Hire Vehicles Operating in the City of National City at No Cost to the City."

Motion carried by unanimous vote.

- 9.11 Second Amendment to the Agreement with Southwest Traffic Signal Service, Inc. for Traffic Signal and Streetlight Maintenance Services

Adopted Resolution No. 2024-68

Recommendation: Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, authorizing the Mayor to execute a Second Amendment to the Agreement with Southwest Traffic Signal Service, Inc., extending the Agreement by one year to June 30, 2025.

Motion carried by unanimous vote.

Item pulled for discussion.

- 9.12 Side Letter Agreement between the City of National City and the National City Municipal Employees' Association exclusively represented by SEIU.

Lydia Hernandez, Human Resources Director provided response to Councilmembers questions.

Adopted Resolution No. 2024-69

Recommendation: Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the City Manager to Execute a Side Letter Agreement between the City of National City and the National City Municipal Employees' Association, Represented by Service Employees' International Union (SEIU) Local 221, Concerning Representation of Certain Part-time/Temporary Employees."

Two (2) Public Comment: Angelica; and Ruben Villa (Spanish Translation)

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

Motion carried by unanimous vote.

- 9.13 Successor Agency Proposed Budget for Fiscal Year 2024-25

Adopted Successor Agency Resolution No. 2024-116

Recommendation: Adopt the Resolution Entitled: "Resolution of the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency, California, Adopting a Budget of \$4,250,528 for Fiscal Year 2024-25."

Motion carried by unanimous vote.

- 9.14 Temporary appointment of Phillip A. Davis, a CalPERS Retiree, Pursuant to Government Code Sections 7522.56 and 21221(h)

Adopted Resolution No. 2024-70

Recommendation: Adopt the Resolution Entitled: "Resolution of the City Council of the City of National City, California, Appointing Phillip A. Davis as Interim Finance Director per Government Code Sections 7522.56 and 21221(h)."

Motion carried by unanimous vote.

- 9.15 Annual Appropriations Limit for Fiscal Year 2025

Adopted Resolution No. 2024-71

Recommendation: Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Approving and Adopting the Annual Appropriations Limit of \$83,188,455 for Fiscal Year 2025"

Motion carried by unanimous vote.

- 9.16 Warrant Register #44 for the Period of 4/26/24 through 5/02/24 in the Amount of \$1,957,721.46

Ratify Warrants Totaling \$1,957,721.46

Motion carried by unanimous vote.

- 9.17 Warrant Register #45 for the period of 5/03/24 through 5/09/24 in the amount of \$2,263,952.50

Ratify Warrants Totaling \$2,263,952.50

Motion carried by unanimous vote.

- 9.18 Warrant Register #46 for the period of 5/10/24 through 5/16/24 in the amount of \$3,531,838.37

Ratify Warrants Totaling \$3,531,838.37

Motion carried by unanimous vote.

10. 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.

10.1 Public Hearing and adoption of a Resolution accepting the National City Fiscal Year 2024-2025 Tax Roll Sewer Services Fees Report.

Adopted Resolution No. 2024-72

Assistant Civil Engineer, Luca Zappiello introduced Ardurra Southwest Operations Director Carmen Kasner who provided the PowerPoint presentation.

Mayor Morrison declared the Public Hearing open at 7:27 p.m.

There were no public comments.

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

Motion carried by unanimous vote.

The Public Hearing closed at 7:27 p.m.

Recommendation: Hold a Public Hearing and Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Accepting the National City 2024/2025 Tax Roll Sewer Service Fees Report, which Identifies by Parcel Number Each Parcel of Real Property Receiving Sewer Services and the Amount of Sewer Charges for Each Parcel for FY 2024/25 as Required by the California Health and Safety Code Section 5473, *et seq.*, Pertaining to Collection of Sewer Charges on the Tax Roll; Directing the City Clerk to File the Report with the County of San Diego Auditor and Controller; and Directing the City Engineer to Submit a Certification of the Sewer Service Charges to the County of San Diego Auditor and Controller."

ACTION: Motion by Councilmember Rodriguez, seconded by Vice-Mayor Yamane to approve the recommendations.

Motion carried by unanimous vote.

10.2 Public Hearing and Adoption of an Ordinance Repealing and Replacing Chapter 15.10 of the National City Municipal Code, and Adopting the International Property Maintenance Code by Reference.

Adopted Ordinance No. 2024-2532

No staff report provided.

Mayor Morrison declared the Public Hearing open at 7:32 p.m.

There were no public comments.

ACTION: Motion by Vice-Mayor Yamane, seconded by Councilmember Rodriguez to approve the recommendations.

Motion carried by unanimous vote.

The Public Hearing closed at 7:32 p.m.

Recommendation: Conduct the Public Hearing and Adopt the Ordinance entitled: "An Ordinance of the City Council of the City of National City, California, Adopting the International Property Maintenance Code and Amending Chapter 15.10 of the National City Municipal Code."

ACTION: Motion by Councilmember Rodriguez, seconded by Vice-Mayor Yamane to approve the recommendations.

Motion carried by unanimous vote.

10.3 Zoning Map Amendment to Implement the Focused General Plan Update.

Adopted Ordinance No. 2024-2533

No staff report provided.

Mayor Morrison declared the Public Hearing open at 7:33 p.m.

There were no public comments.

ACTION: Motion by Vice-Mayor Yamane, seconded by Councilmember Rodriguez to approve the recommendations.

Motion carried by unanimous vote.

The Public Hearing closed at 7:33 p.m.

Recommendation: Hold the Public Hearing and Adopt the Ordinance by Second Reading, Entitled, "An Ordinance of the City Council of the City of National City, California, Adopting an Amendment to the City of National City Zoning Map to Implement the Focused General Plan Update."

ACTION: Motion by Vice-Mayor Yamane, seconded by Councilmember Rodriguez to approve the recommendations.

Motion carried by unanimous vote.

11. **CITY MANAGER'S REPORT**

No report.

12. **ELECTED OFFICIALS REPORT**

Closing remarks were provided by members of the City Council.

13. **CITY ATTORNEY REPORT**

Mayor Morrison introduced City Attorney Schultz who announced that there was nothing to report on both Closed Session items 5.1 and 5.2.

CLOSED SESSION

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

Government Code Section: 54956.9(d)

Name of Case: Bhandari v City of National City

Case No. 3:21-CV-01652-GPC-DEB

5.2 **LIABILITY CLAIM**

Government Code Section: 54954.5

WORKERS COMPENSATION CLAIM NO. 20-150018

ADJ 13836567

Claimant: Michael Shanahan v. City of National City


14. **ADJOURNMENT**

Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, August 6, 2024, 5:00 in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 7:52 p.m.


Shelley Chapel, MMC, City Clerk

The foregoing minutes were approved at the Regular Meeting of August 6, 2024.


Ron Morrison, Mayor