



**AGENDA OF A SPECIAL MEETING  
NATIONAL CITY CITY COUNCIL  
OF THE CITY OF NATIONAL CITY**

**COUNCIL CHAMBERS  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA**

**MONDAY, JANUARY 30, 2017 – 6:00 PM**

**RON MORRISON**  
*Mayor*

**ALBERT MENDIVIL**  
*Vice Mayor*

**JERRY CANO**  
*Councilmember*

**MONA RIOS**  
*Councilmember*

**ALEJANDRA SOTELO-SOLIS**  
*Councilmember*

*1243 National City Blvd.  
National City, CA 91950-4397  
619-336-4240*

*Meeting agendas and  
minutes available on web*

***WWW.NATIONALCITYCA.GOV***

**ORDER OF BUSINESS:** Public sessions of all Regular Meetings of the City Council begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda.

**REPORTS:** All open session agenda items and reports as well as all documents and writings distributed to the City Council less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the City Council are webcast and archived on the City's website [www.nationalcityca.gov](http://www.nationalcityca.gov).

**PUBLIC COMMENTS:** Prior to the Business portion of the agenda, the City Council will receive public comments regarding any matters within the jurisdiction of the City. Members of the public may also address any item on the agenda at the time the item is considered by the City Council. Persons who wish to address the City Council are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor City Council may limit the length of comments due to the number of persons wishing to speak, or if comments become repetitious or irrelevant.

**WRITTEN AGENDA:** With limited exceptions, the City Council may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

**CONSENT CALENDAR:** Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

*Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.*

*Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.*

**COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.**

**OPEN TO THE PUBLIC**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

**BUSINESS**

1. Resolution of the City Council of the City of National City ratifying the Proclamation of the Existence of a Local Emergency by the Emergency Services Director. (City Attorney)

**ADJOURNMENT**

Adjourned Regular Meeting/Budget Workshop of the City Council/Community Development - Housing Authority of the City of National City - Tuesday - February 7, 2017 – 4:00 p.m. - Council Chambers - National City, California



**NOTICE OF SPECIAL MEETING**

**CITY COUNCIL OF THE CITY OF NATIONAL CITY**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA**

**MONDAY, JANUARY 30, 2017 – 6:00 P.M.**

NOTICE IS HEREBY GIVEN, that the City Council of the City of National City will hold a special meeting on Monday, January 30, 2017, at 6:00 p.m., or as soon thereafter as the matter may be considered, in the Council Chambers at the Civic Center, 1243 National City Boulevard, National City, California, 91950-4397. The business to be transacted at said meeting will be for the City Council to consider the following:

**CITY COUNCIL**

**OPEN SESSION**

**BUSINESS**

1. Resolution of the City Council of the City of National City ratifying the Proclamation of the Existence of a Local Emergency by the Emergency Services Director. (City Attorney)

Dated: January 26, 2017.

  
RON MORRISON, Mayor

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** January 30, 2017

**AGENDA ITEM NO. 1**

**ITEM TITLE:**

Resolution of the City Council of the City of National City ratifying the Proclamation of the Existence of a Local Emergency by the Emergency Services Director. (City Attorney)

**PREPARED BY:** George H. Eiser  
Interim City Attorney

**DEPARTMENT:** City Attorney

**PHONE:** Ext. 4222

**APPROVED BY:** 

**EXPLANATION:**

Please see attached memorandum.

**FINANCIAL STATEMENT:**

**ACCOUNT NO. |**

N/A

**APPROVED:** \_\_\_\_\_ Finance

**APPROVED:** \_\_\_\_\_ MIS

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:

FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt resolution.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Memorandum

Proclamation of the Existence of a Local Emergency by the Director of Emergency Services

Mayor  
Ron Morrison

Council Members  
Jerry Cano  
Alejandra Sotelo-Solis  
Mona Rios  
Albert Mendivil



Interim City Attorney  
George H. Eiser, III

Senior Assistant City Attorney  
Nicole Pedone

Deputy City Attorney  
Roberto M. Contreras

## MEMORANDUM

**TO:** Mayor and City Council

**DATE:** January 25, 2017

**FROM:** Interim City Attorney

**SUBJECT:** Resolution Ratifying of Proclamation of Existence of Local Emergency

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Section 2.48.060 of the Municipal Code authorizes the City Manager, as the Emergency Services Director (the "Director"), to proclaim the existence, or threatened existence, of a local emergency when the City is affected, or likely to be affected, by a "public calamity". The proclamation of a local emergency empowers the Director to make and issue rules and regulations on matters related to the protection of life and property, obtain vital supplies and equipment needed for the protection of life and property, require emergency services of any City officer or employee, requisition necessary personnel or material of any City department or agency, and exercise all other powers conferred by statute. Proclaiming the existence of a local emergency also qualifies the City to recoup personnel costs, equipment costs, and the costs of supplies and materials arising out of those emergency responses from the State.

The recent storms and flooding have resulted in several emergency responses by the Fire Department, constituting a "local emergency". On January 25, 2017, the City Manager acting, as Emergency Services Director, issued a Proclamation of the Existence of a Local Emergency, a copy of which is attached. A request that the City be granted financial assistance pursuant to the California Disaster Assistance Act is included in the Proclamation. Section 2.48.060 of the Municipal Code requires that the Proclamation be ratified by the City Council, or it shall have no further force of effect. The proposed Resolution would ratify the January 25 Proclamation.

  
George H. Eiser, III  
Interim City Attorney

Attachment

**A PROCLAMATION OF THE EXISTENCE OF  
A LOCAL EMERGENCY FOR THE CITY OF NATIONAL CITY  
BY THE DIRECTOR OF EMERGENCY SERVICES**

WHEREAS, Section 2.48.060 of the National City Municipal Code empowers the City Manager, as Director of Emergency Services of the City of National City, to proclaim the existence or threatened existence of a local emergency when the City is affected, or likely to be affected, by a public calamity and the City Council is not in session; and

WHEREAS, the Director of Emergency Services of the City of National City does hereby find:


1. That conditions of extreme peril to the safety of persons and property have arisen within the City of National City, caused by a series of storms and flooding that began on the 20<sup>th</sup> day of January, 2017.
2. That the City of National City has incurred expenses in responding to said conditions of local emergency, including personnel costs, equipment costs, and the costs of supplies and materials.
3. That these emergency conditions are beyond the control of local resources, services, personnel, equipment, and facilities.
4. That the City Council of the City of National City is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Director of Emergency Services for the City of National City that a local emergency now exists throughout said City.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the City of National City shall be those prescribed by state law, and by the ordinances and resolution of the City, and by the City of National City Emergency Operations Plan, as approved by the City Council of the City of National City; and that this Proclamation shall be ratified by the City Council of the City of National City.

IT IS FURTHER ORDERED that the City of National City hereby requests the City be granted financial assistance pursuant to the California Disaster Assistance Act to recover the expenses incurred by the City in responding to the conditions of local emergency, and that a copy of this Proclamation be forwarded to the California Governor's Office of Emergency Services.

Dated: January 25, 2017

By:   
Leslie A. Deese  
Director of Emergency Services

RESOLUTION NO. 2017 – 11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
RATIFYING THE PROCLAMATION OF A LOCAL EMERGENCY  
BY THE EMERGENCY SERVICES DIRECTOR

WHEREAS, Section 2.48.060 of the National City Municipal Code empowers the City Manager, as Emergency Services Director, to proclaim the existence, or threatened existence, of a Local Emergency when said City is affected, or likely to be affected, by a public calamity and the City Council is not in session subject to ratification by the City Council; and

WHEREAS, such Proclamation entitles the Emergency Services Director, and the emergency organization of National City, to all the powers, functions, and duties prescribed by state law, charter, ordinances, and resolutions of the City of National City; and

WHEREAS, conditions of extreme peril to the safety of persons and property did arise within National City caused by storms and flooding commencing on the 20<sup>th</sup> day of January, 2017, at which time the City Council was not in session and could not be called into session; and

WHEREAS, the Emergency Services Director of the City of National City issued a Proclamation of Local Emergency within National City on the 25<sup>th</sup> day of January, 2017; and

WHEREAS, the City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the Proclamation of Local Emergency.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby ratifies and confirms the Proclamation of Local Emergency for the City of National City issued by the Emergency Services Director on the 25<sup>th</sup> day of January, 2017.

PASSED and ADOPTED this 30<sup>th</sup> day of January, 2017.

ATTEST:

\_\_\_\_\_  
Ron Morrison, Mayor

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
George H. Eiser, III  
Interim City Attorney