



REGULAR MEETING MINUTES OF THE CITY COUNCIL

**January 16, 2024, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA**

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

Others Present:
Benjamin A. Martinez, City Manager
Barry J. Schultz, City Attorney
Shelley Chapel, City Clerk (via Zoom)
**Carlos Aguirre, Acting Deputy City Manager/Housing Authority
Director**
Molly Brennan, Administrative Services Director
Danielle Ghio, Acting City Librarian
**Brian Hadley, Building Official/Acting Director of Community
Development**
Alex Hernandez, Interim Chief of Police
Tonya Hussain, Executive Secretary
Martha Juarez, Asst. Director of Engineering/Public Works
Sergio Mora, Fire Chief
Richard Romero, Assistant City Attorney
David Welch, Associate Planner

1. CALL TO ORDER

A Regular Meeting of the City Council of the City of National City was called to order at 6:15 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, Molina, Rodriguez, Yamane, Morrison

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

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Bush led the Pledge of Allegiance.

4. INVOCATION

Delivered by Pastor Carolyn Nichols, Southport Christian Center.

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.

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

Virtual Comment:

Kelly McCormick

Peggy Walker

Becky Rapp

Barbara Gordon

Written Comment:

Greg Seward

Coalition for Fair Employment in Construction

In-Person Comment:

Ted Godshalk

Geoffrey Schrock

Ed Nieto

6. PROCLAMATIONS AND RECOGNITION

6.1 Employee of the Quarter - Matthew Lucas

Fire Chief Sergio Mora introduced the Employee of the Quarter, Fire Captain Matthew Lucas.

6.2 Introduction of New City Employees

Interim Chief of Police Alex Hernandez introduced Police Dispatcher Jesus Rodriguez and acknowledged Police Recruits Karl Tadle and Marc Vargas who were not present and currently attending the Police Academy.

Equipment Maintenance Supervisor Ruben Huerta introduced Equipment Mechanic Erik Fonseca.

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

7.1 Presentation - Earthquake Brace & Bolt – Registration Open Period

Fire Chief Mora introduced Management Analyst III Walter Amedee who presented the PowerPoint presentation.

Added agenda item.

Proclamation Recognizing January as National Human Trafficking Prevention Month

Mayor Morrison introduced Bilateral Safety Corridor Coalition Executive Director and Founder Marisa Ugarte who accepted the proclamation.

7.2 Homeless Outreach Mobile Engagement (HOME) Team Update

Presentation provided by Neighborhood Services Manager Ronny Soriano and Homelessness Services Coordinator Qiana Williamson.

One (1) public comment was received from Joan Rincon. Two (2) written comments were received from Ted Godshalk and Alan Curry.

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

Councilmember Rodriguez commented on an upcoming joint meeting of the Transportation Working Group Committee.

Councilmember Bush provided an update on the San Diego County Air Pollution Control Board.

Councilmember Molina provided an update on the SANDAG Board of Directors Meeting.

Vice-Mayor Yamane informed the Council of communication sent to the City Manager for dissemination to the community.

Mayor Morrison provided an update on the Sweetwater Authority meeting, the water rate discussion, and the Regional Solid Waste Association meeting.

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

9. CONSENT CALENDAR

ACTION: Motion by Councilmember Molina, seconded by Councilmember Rodriguez to approve all Consent Calendar Items with the exception of Item 9.4 pulled by Mayor Morrison and Item 9.12 pulled for Public Comment. Councilmember Bush voted No on Items 9.6 and 9.7.

Councilmember Bush left the dais at 7:36 p.m. and returned at 7:41 p.m.

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 Approval of City Council Meeting Minutes.

Written comment received from Ted Godshalk.

Approve and file.

Motion carried by unanimous vote.

9.3 Packard Foundation Funded Stay and Play Grant Acceptance

Adopted Resolution No. 2024-01.

Adopt the Resolution Entitled "Resolution of the City Council of the City of National City, California, Authorizing the City Manager or his Designee to Accept the Packard Foundation Funded Stay and Play Grant in the Amount of \$4,500 for FY 2024 and Authorizing the Establishment of a Library Grants Fund Appropriation of \$4,500 and Corresponding Revenue Budget."

Motion carried by unanimous vote.

Item pulled by Mayor Morrison.

9.4 2024 Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant Number PT24128 in the Amount of \$142,000.

Adopted Resolution No. 2024-02.

Councilmember Bush left the dais at 7:44 p.m. and returned at 7:46 p.m.

Interim Police Chief Alex Hernandez addressed comments made by Mayor Morrison.

Written comment received from Ted Godshalk.

Adopt the Resolution entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Acceptance of the 2024 Office of Traffic Safety Selective Traffic Enforcement Program Grant in the Amount of \$142,000, and Authorizing the Establishment of an Appropriation and Corresponding Revenue Budget in the Amount of \$142,000."

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

Motion carried by unanimous vote.

9.5 Approval of Amendment 12 to Agreement with San Diego County for Nutrition Services.

Adopted Resolution No. 2024-03.

Adopt the Resolution Entitled "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute Amendment 12 to County Contract 561763 Increasing the Senior Nutrition County Contract by an Amount of

\$81,462, Resulting in a New Maximum Agreement Amount of \$2,021,068.27, and Extending the Contract to February 29, 2024, and Authorizing an Increase of \$81,462 in Appropriations with a Corresponding Revenue Budget.”

Motion carried by unanimous vote.

9.6 Tenth Amendment to an Option to Purchase Agreement with CarMax. (Parking Authority)

Adopted Parking Authority Resolution No. 2024-01.

Written comment received from Ted Godshalk.

Adopt the Resolution Entitled “Resolution of the Parking Authority of the City of National City, California, Authorizing and Ratifying the Tenth Amendment to the Option to Purchase Agreement between the Parking Authority and CarMax Auto Superstores California, LLC, a Virginia Limited Liability Company, Extending the Option Period for 30 days from December 31, 2023, Requiring the Deposit of the Full Purchase Price of \$2.1 Million within 90 days after Exercising the Option to Purchase, and Extending the Permitting Period Six Months from the Deposit of the Purchase Price into Escrow.”

Ayes: Molina, Rodriguez, Yamane, Morrison

Nays: Bush

Motion carried by 4-1 vote.

9.7 Seventeenth Amendment to an Option to Purchase Agreement with the County of San Diego for the Purchase of Open Space Easement (Parking Authority)

Adopted Parking Authority Resolution No. 2024-02.

Recommendation: Adopt the Resolution Entitled “Resolution of the Parking Authority of the City of National City, California, Authorizing and Ratifying the Seventeenth Amendment to the Option to Purchase Agreement with the County of San Diego for the Purchase of an Open-space Easement on a 15.08 acre Parcel of Land at the Southwest Corner of Sweetwater Road and Bonita Center Road that Extends the Term of said Option to Purchase Agreement for 30 Days, Extends the Escrow for Six Months after the Opening of Escrow, and Authorizes Payment in the Amount of \$1.00 to the County of San Diego as Consideration for Seventeenth Amendment.”

Ayes: Molina, Rodriguez, Yamane, Morrison

Nays: Bush

Motion carried by 4-1 vote.

- 9.8 Award a Contract to Dick Miller, Inc. for the Eastside I-805 Community Greenbelt Project, CIP No. 22-09.

Adopted Resolution No. 2024-04.

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) Awarding a Contract to Dick Miller, Inc. in the Not-to-Exceed Amount of \$3,155,990.50 for the Eastside I-805 Community Greenbelt Project, CIP No. 22-09; 2) Authorizing a 15% Contingency in the Amount of \$473,398.58 for any Unforeseen Changes; and 3) Authorizing the Mayor to Execute the Contract."

Motion carried by unanimous vote.

- 9.9 Investment transactions for the month ended October 31, 2023.

Accept and file the Investment Transaction Ledger for the month ended October 31, 2023.

Motion carried by unanimous vote.

- 9.10 Investment transactions for the month ended November 30, 2023.

Accept and file the Investment Transaction Ledger for the month ended November 30, 2023.

Motion carried by unanimous vote.

- 9.11 Warrant Register #17 for the period of 10/20/23 through 10/26/23 in the amount of \$1,251,183.30.

Ratify Warrants Totaling \$1,251,183.30

Motion carried by unanimous vote.

Item pulled for public comment.

- 9.12 Warrant Register #18 for the period of 10/27/23 through 11/2/23 in the amount of \$4,005,143.44.

A Speaker's Slip and written comment were received from Ted Godshalk, who was not present. His written comment was read into the record by Councilmember Molina.

City Attorney Schultz responded to the public comment and advised that he would research and report back on the details of the payment made to Devaney Pate Morris & Cameron.

Recommendation: Ratify Warrants Totaling \$4,005,143.44

ACTION: Motion by Mayor Morrison, seconded by Councilmember Bush to ratify Warrant Register #18.

Motion carried by unanimous vote.

9.13 Warrant Register #19 for the period of 11/03/23 through 11/09/23 in the amount of \$889,703.01.

Ratify Warrants Totaling \$889,703.01

Motion carried by unanimous vote.

9.14 Warrant Register #20 for the period of 11/10/23 through 11/16/23 in the amount of \$2,374,931.72.

Ratify Warrants Totaling \$2,374,931.72

Motion carried by unanimous vote.

10. PUBLIC HEARING

10.1 Introduction and First Reading of an Ordinance Amending Section 18.060.10 of Title 18 (Zoning) of the National City Municipal Code Related to the Measurement of Height for New Structures.

Associate Planner David Welch provided a PowerPoint presentation.

Mayor Morrison declared the Public Hearing open at 7:54 p.m.

There was no public comment.

Recommendation: Introduce the Ordinance by First Reading, entitled, "Ordinance of the City Council of the City of National City, California, Amending Section 18.10.060 of Title 18 (Zoning) of the National City Municipal Code Related to the Measurement of Height for New Structures."

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

Amended motion by Mayor Morrison, seconded by Councilmember Molina to continue the Public Hearing to the next City Council meeting.

Motion carried by unanimous vote.

Mayor Morrison released the translator at 8:00 p.m.

11. STAFF REPORTS

11.1 National City and Naval Base San Diego Resiliency Study

Assistant Director of Engineering/Public Works Martha Juarez introduced the item. KTUA Senior Active Transportation Engineer Tom Bertulis provided a PowerPoint presentation.

Councilmember Rodriguez left the dais at 8:01 p.m. and returned at 8:03 p.m.

Written comment received from Ted Godshalk.

Recommendation: Accept and file the study.

11.2 Chief of Police Employment Agreement

Adopted Resolution No. 2024-05.

City Manager Ben Martinez introduced Director of Administrative Services Molly Brennan who presented the item.

Two public comments were received from Greg Seward and Ed Nieto.

Recommendation: Adopt a Resolution entitled, "Resolution of the City Council of the City of National City, California, Authorizing a three-year Employment Agreement between the City of National City and Alejandro Hernandez for the position of Chief of Police with an Annual Base Salary of \$246,868.23 Effective January 16, 2024."

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

Motion carried by unanimous vote.

12. CITY MANAGER'S REPORT

City Manager Ben Martinez informed the City Council that he would contact them individually to discuss a reorganization plan.

13. ELECTED OFFICIALS REPORT

Closing remarks were provided by members of the City Council.

14. CITY ATTORNEY REPORT

CLOSED SESSION

City Attorney Schultz reported on one Closed Session item and reported that there was no reportable action.

5.1 Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation

Government Code Section 54956.9 (d)(2)

Number of Potential Cases: 1

15. **ADJOURNMENT**


Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, February 6, 2024, 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.



Tonya Hussain, Executive Secretary

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



Ron Morrison, Mayor