



REGULAR MEETING MINUTES OF THE CITY COUNCIL

**March 19, 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
Carlos Aguirre, Director of Community Development
Walter Amedee, Management Analyst III
Danielle Ghio, Acting City Librarian
Brian Hadley, Deputy City Manager
Alex Hernandez, Chief of Police
Tonya Hussain, Deputy City Clerk
Stephen Manganiello, Director of Engineering/Public Works
Sergio Mora, Fire Chief
Martin Reeder, Assistant Director of Community Development**

1. CALL TO ORDER

A Regular Meeting of the City Council of the City of National City was called to order at 6:16 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 Molina led the Pledge of Allegiance.

4. INVOCATION

Delivered by First Family Community Church Pastor Ezekiel Rodriguez.

5. PUBLIC COMMENT

Mayor Morrison summarized the process for acceptance of live public comment allowing two (2) minutes per comment and introduced City Clerk Chapel.

13 speakers provided in-person comment and four (4) people provided virtual comment. There were five (5) written comments.

In-person Comment:

Juan Antonio Vasquez
Consuelo
Don Maurer
Maria Rodriguez
Daniel Perez
Eriq Vargas
Angelica
Zayetzy Carrillo
Geoffrey Schrock
Priscilla Mumpower
Edward Nieto
Ted Godshalk
Jose Lopez

Virtual Comment:

Becky Rapp
Peggy Walker
Shaina Llerena
Barbara Gordon

Written comment:

Alan Curry
Constant Lee Sandvich
Laura Douglas
Lety & Victor
Sandra Hodge

6. PROCLAMATIONS AND RECOGNITION

6.1 Employee of the Quarter - First Quarter 2024

Deputy City Manager Brian Hadley introduced and presented Executive Secretary Sarah Esendencia, Employee of the Quarter. Sarah Esendencia accepted the recognition and addressed the City Council.

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

7.1 FEMA Recovery Assistance

Councilmember Bush left the dais at 7:02 p.m. and returned at 7:10 p.m.

Management Analyst III Walter Amedee introduced the item. Cal OES State Coordinating Officer Sherri Sarro and FEMA Federal Coordinating Officer Allison Pfaendler presented the item via Zoom.

Councilmember Rodriguez left the dais at 7:07 p.m. and returned at 7:08 p.m.

One (1) Verbal public comment was received from Edward Nieto.

7.2 Property Tax Relief for Flood Victims and Deferral of 4/10 Tax Bill

San Diego County Assessor/Recorder/County Clerk Jordan Marks provided a PowerPoint presentation.

7.3 National City Brownfields Technical Assistance Panel Report

San Diego State University Center for Regional Sustainability representatives Jessica Barlow and Dr. Madison Swayne provided a brief introduction. Urban Land Institute Executive Director Chris Clark and Senior Associate Tatiana Perez provided a PowerPoint presentation.

7.4 Annual Report - Community & Police Relations Commission (CPRC)

Community & Police Relations Commission Vice Chair Daniel Orth provided the report via a PowerPoint presentation.

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

Councilmember Rodriguez reported on the business of SANDAG.

Councilmember Bush provided a brief update on the Metropolitan Transit System (MTS) and the San Diego County Air Pollution Control Board meeting.

Councilmember Molina reported on attendance at a SANDAG Retreat.

Vice-Mayor Yamane announced attendance at the CivicWell Policymakers Conference and advised that a report was forthcoming.

Mayor Morrison provided an update on the business of SANDAG.

Port of San Diego Commissioner Sandy Naranjo provided a report on the recent Board Meeting.

One public comment was received from Edward Nieto.

9. INTERVIEWS AND APPOINTMENTS

ITEM HEARD OUT OF ORDER

9.2 Appointments: City Boards, Commissions and Committees – City Council Appointment for the Planning Commission.

City Council to Conduct Interviews and Appoint.

Interviews were conducted for the following Planning Commission applicants:

Aurora Ramirez (*via Zoom*)

Beryl Forman, Blanca

Daniel Perez

Sherry Gogue

Zachary Francisco-Gomez

Applicant Blanca Gallegos was not present to be interviewed.

City Council votes were as follows:

Councilmember Molina – Beryl Forman

Vice-Mayor Yamane – Sherry Gogue

Councilmember Rodriguez – Zachary Francisco-Gomez

Mayor Morrison – Sherry Gogue

Councilmember Bush – Beryl Forman

Applicants Beryl Forman and Sherry Gogue were tied with an equal number of votes.

City Council votes were as follows for the second round of voting:

Councilmember Molina – Beryl Forman

Vice-Mayor Yamane – Sherry Gogue

Councilmember Rodriguez – Beryl Forman

Mayor Morrison – Sherry Gogue

Councilmember Bush – Beryl Forman

Applicant Beryl Forman received the majority of the votes and was appointed to the Planning Commission.

9.1 Appointments: City Boards, Commissions and Committees – Mayoral Appointments for the Community & Police Relations Commission; and the Parks, Recreation & Senior Citizens Advisory Committee.

Recommendation: Mayoral Appointment with City Councilmembers' Confirmation.

ACTION: Motion by Councilmember Molina, seconded by Councilmember Bush to appoint Kimberly Cumming-Serrano, Rosemary Vazquez, and Marisa Rosales to the Community & Police Relations Commission for terms ending March 31, 2027.

Motion carried by unanimous vote.

ACTION: Motion by Mayor Morrison, seconded by Vice-Mayor Yamane to appoint Daniel Perez to the Parks, Recreation & Senior Citizens Advisory Committee for a term ending September 30, 2024.

Motion carried by unanimous vote.

Mayor Morrison called for a recess at 8:33 p.m.

Meeting reconvened at 8:44 p.m. with Vice-Mayor Yamane absent.

Vice-Mayor Yamane returned to the dais at 8:46 p.m.

10. CONSENT CALENDAR

Motion by Councilmember Bush, seconded by Councilmember Molina to approve Consent Calendar Items 10.1 through 10.12.

Ayes: Bush, Molina, Rodriguez, Morrison

Nays: None.

Absent: Yamane

Motion carried by unanimous vote of those present.

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 City Council Meeting Minutes

Approve and file.

Motion carried by unanimous vote.

10.3 24th Street Transit Center Connections, CIP 23-13, project overview and grant appropriation for Project Approval and Environmental Documents (PA&ED) phase.

Adopted Resolution No. 2024-15

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) authorizing the Mayor to execute Program Supplement Agreement (PSA) No. A336 (PSA 1) and PSA No. A410 (PSA 2) with the State of California Department of Transportation (Caltrans) for the 24th Street Transit Center Connections project, CIP 23-13; 2) authorizing the establishment of

Engineering Grants Fund appropriations of \$148,000 for PSA 1 and \$148,000 for PSA 2 and corresponding revenue budgets; and 3) committing to providing a local match of \$2,000 for PSA 1 and \$2,000 for PSA 2.”

Motion carried by unanimous vote.

- 10.4 Approval of a Railroad Right-of-Way License Agreement and Right of Entry Permit with San Diego Metropolitan Transit System to allow National City to use a portion of the 8th Street Transit Center parking lot for the FRANC shuttle operation.

Adopted Resolution No. 2024-16

Adopt a Resolution Entitled, “Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute a Railroad Right-of-Way License Agreement and Authorizing the City Manager to Execute the Right of Entry Permit with San Diego Metropolitan Transit System for the Purpose of Using a Portion of the 8th Street Transit Center Parking Lot for the Construction and Use of a Solar Powered Storage Area for the Free Ride Around National City Shuttle Operation.”

Motion carried by unanimous vote.

- 10.5 Awarding a Contract to A Good Sign & Graphics Co. for the Bicycle Wayfinding Project, CIP No. 19-25.

Adopted Resolution No. 2024-17

One (1) written comment was received from Ted Godshalk.

Adopt a Resolution Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) Awarding a Contract to A Good Sign & Graphics Co. in the Not-To-Exceed Amount of \$336,990 for the Bicycle Wayfinding Project, CIP No. 19-25; 2) Authorizing a 15% Contingency in the Amount of \$50,548.50 for Any Unforeseen Changes; and 3) Authorizing the Mayor to Execute the Contract.”

Motion carried by unanimous vote.

- 10.6 Housing Element 2023 Annual Progress Report.

Accept and File the Housing Element 2023 Annual Progress Report Pursuant to California Code Section 65400 to the California Department of Housing and Community Development (HCD) and Office of Planning and Research (OPR)

Motion carried by unanimous vote.

10.7 Reaffirmation of the Proclamation of Local Emergency

Adopted Resolution No. 2024-18

One (1) written comment was received from Ted Godshalk.

Adopt a Resolution of the City of National City, California, Reaffirming the Proclamation of the Existence of a Local Emergency.

Motion carried by unanimous vote.

10.8 Temporary Use Permit – The 15th Annual San Diego Granfondo Bike Ride Sponsored by Life Sports Foundation on April 21, 2024, from 7:30 a.m. to 5:00 p.m. 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 No. 802.

Motion carried by unanimous vote.

10.9 Investment Report for the Quarter Ended December 31, 2023.

Accept and File the Investment Report for the Quarter Ended December 31, 2023.

Motion carried by unanimous vote.

10.10 Warrant Register #30 for the period of 1/19/24 through 1/25/24 in the amount of \$2,230,548.80.

Ratify Warrants Totaling \$2,230,548.80.

Motion carried by unanimous vote.

10.11 Warrant Register #31 for the period of 1/26/24 through 2/01/24 in the amount of \$2,162,778.66.

Ratify Warrants Totaling \$2,162,778.66.

Motion carried by unanimous vote.

10.12 Warrant Register #32 for the period of 2/02/24 through 2/08/24 in the amount of \$5,204,851.48

Ratify Warrants Totaling \$5,204,851.48

Motion carried by unanimous vote.

11. PUBLIC HEARING

11.1 Public Hearing No. 1 of 2 for the 2024-2025 Annual Action Plan and Allocation of HUD Entitlement Grant Funds to CDBG and HOME Activities.

Community Development Director Carlos Aguirre introduced the item.

Mayor Morrison declared the Public Hearing open at 8:47 p.m.

There were no public comments.

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

Motion carried by unanimous vote.

The Public Hearing closed at 8:48 p.m.

Recommendation: Conduct the Public Hearing and Approve Recommendations for the CDBG and HOME Funding Allocations from the Sources Identified in the Financial Statement.

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

Motion carried by unanimous vote.

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

Adopted Resolution Nos. 2024-19, 2024-20, 2024-21, 2024-22.

Community Development Director Carlos Aguirre introduced the item. PowerPoint presented by WSP Senior Vice President Tara Lake and WSP Senior Vice President Stephanie Whitmore. Laura Gates with Gates Planning Strategies was present for questions.

Councilmember Molina recused from the Final Supplemental Program Environmental Impact Report discussion due to the location of her residence and left the dais at 9:27 p.m.

Mayor Morrison declared the Public Hearing open at 9:53 p.m.

One (1) verbal public comment was received from Dr. Jay Marquand.

One written comment was received from Ted Godshalk.

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

Ayes: Bush, Rodriguez, Yamane, Morrison

Nays: None.

Recused: Vice-Mayor Molina Motion

Motion carried by unanimous vote of those present.

Public Hearing closed at 9:58 p.m.

Recommendation: Conduct a Public Hearing and Adopt the Resolution Entitled:

1) "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 Bush, seconded by Councilmember Rodriguez to adopt the resolution Certifying the Final Supplemental Program Environmental Impact Report (SPEIR) with the Selection of the 24th Street project location 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.

Substitute Motion by Mayor Morrison to approve the recommendation with the alternative project location environmentally superior alternative. Motion died due to lack of a second.

Original motion.

Ayes: Bush, Rodriguez, Yamane

Nays: Morrison

Recused: Molina

Motion carried by 3-1 vote.

Councilmember Molina returned to the dais at 10:15 p.m.

Mayor Morrison declared the Public Hearing open at 10:18 p.m.

There was no public comment.

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

Motion carried by unanimous vote.

Public Hearing closed at 10:18 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, Adopting 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."

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

Motion carried by unanimous vote.

2) "Resolution of the City Council of the City of National City, California, Amending the Downtown Specific Plan."

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

Motion carried by unanimous vote.

3) "An Ordinance of the City 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."

ACTION: Motion by Councilmember Molina, seconded by Councilmember Rodriguez to introduce the ordinance.

Motion carried by unanimous vote.

4) "An Ordinance of the City Council of the City of National City, California, Adopting Municipal Code Chapter 18.49 Objective Design Standards for Housing Development, Adopting Chapter 18.50 to Provide a Floor Area Ratio Bonus Program, Adopting Amendments to Chapter 18.29 (Overlay Zones) to Create a Mixed-Use Overlay Zone to Allow Residential Development on Certain Parcels Zone CL and CS, and Amending Chapter 18.10 (Understanding the Land Use Code), Chapter 18.12 (Permits and Applications), Chapter 18.22 (Commercial Zones), Chapter 18.24 (Mixed-Use Corridor and District Zones), Chapter 18.30 (Specific Use Regulations), Chapter 18.48 (Residential Density Bonus and Affordable Housing Incentives), and Chapter 18.60 (Glossary) as well as other Amendments to Revise Title 18."

ACTION: Motion by Vice-Mayor Yamane, seconded by Councilmember Rodriguez to introduce the ordinance.

Motion carried by unanimous vote.

5) "Resolution of the City Council of the City of National City, California, Approving the Update to the Bicycle Master Plan."

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

Motion carried by unanimous vote.

At 10:30 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 to complete the remaining items.

ACTION: Motion by Councilmember Molina, seconded by Vice-Mayor Yamane to extend the meeting until all items were heard.

Motion carried by unanimous vote.

11.3 Ordinance for Adoption – Prevailing Wage Requirement for Traffic Control Workers

Adopted Ordinance No. 2024-2527

Mayor Morrison declared the Public Hearing open at 10:35 p.m.

There was no public comment.

Councilmember Bush left the dais at 10:35 p.m. and returned at 10:36 p.m.

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

Ayes: Molina, Rodriguez, Yamane, Morrison

Nays: None.

Absent: Bush

Motion carried by unanimous vote of those present.

The public hearing closed at 10:36 p.m.

Recommendation: Adopt Ordinance entitled, "Ordinance of the City Council of the City of National City, California, Adding Chapter 2.78 – Traffic Control Worker Prevailing Wage to Title 2 of the National City Municipal Code to Establish a Traffic Control Worker Prevailing Wage."

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

Motion carried by unanimous vote.

12. STAFF REPORTS

12.1 County Contract for Nutrition Services Amendment 13

Adopted Resolution No. 2024-23.

Recommendation: Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Ratifying Amendment 13 to County Contract 561763, Increasing the Senior Nutrition Grant by an Amount of \$40,731, Resulting

in a New Maximum Agreement Amount of \$2,061,800, and Extending the Contract to March 31, 2024.”

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

Motion carried by unanimous vote.

12.2 Approval of County Contract for Nutrition Services

Adopted Resolution No. 2024-24

Recommendation: Adopt the Resolution Entitled: “Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute County Contract Number 570896, an Agreement with the City for the Older Californians Nutrition Program.”

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

Motion carried by unanimous vote.

12.3 Status of Storm Repairs on Rental Units Impacted by Flooding in National City

Community Development Director Carlos Aguirre provided a PowerPoint presentation.

One (1) written comment was received from Ted Godshalk.

Recommendation: Accept and file the report.

13. **CITY MANAGER’S REPORT**

City Manager Ben Martinez thanked staff for their work and introduced Community Services Manager Joanne McGhee who announced an upcoming event.

14. **ELECTED OFFICIALS REPORT**

Closing remarks were provided by members of the City Council.

15. **CITY ATTORNEY REPORT**

CLOSED SESSION

Mayor Morrison introduced City Attorney Schultz who announced that there was no reportable action on both Closed Session items.

5.1 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** Government Code § 54956.9(d) Name of Case: Ashley Cummins vs. The City of National City: The National City Police Department: and Does 1-50 San Diego Superior Court – Central Division Case No.: 37-2022-00004671-CU-OE-CTL

5.2 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation Government Code Section 54956.9(d)(2) Number of Potential Cases: 1

16. ADJOURNMENT

Mayor Morrison adjourned the meeting in memory of former Councilmember Rosalie Zarate to the Regular Meeting of the City Council of the City of National City, Tuesday, April 2, 2024, 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 11:09 p.m.



Tonya Hussain, Deputy City Clerk

The foregoing minutes were approved at the Regular Meeting of April 16, 2024.



Ron Morrison, Mayor