



REGULAR MEETING MINUTES OF THE CITY COUNCIL

**August 16, 2022, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA**

Present: Mayor Sotelo-Solis
Vice-Mayor Bush
Councilmember Rodriguez
Councilmember Morrison
Councilmember Rios

Others Present: Luz Molina, City Clerk
Shelley Chapel, Deputy City Clerk
Ron Williams, IT Manager
Mitchell Beauchamp, City Treasurer
Brad Raulston, City Manager
Molly Brennan, Director of Administrative Services
Joyce Ryan, Library & Community Services Director
Armando Vergara, Director of Community Development
Martin Reeder, Principal Planner
Carlos Aguirre, Director of Housing
Roberto Yano, Director of Public Works and City
Engineering
Jose Tellez, Chief of Police
Frank Parra, Interim Assistant City Manager, Director of
Emergency Services
Sergio Mora, Interim Fire Chief

Guests: Barry Schultz, Interim City Attorney

1. **CALL TO ORDER**

The meeting was called to order at 6:03 by Mayor Sotelo-Solis.

Councilmember Rios left the meeting at 6:04 pm.

2. **ROLL CALL**

Councilmembers present: Sotelo-Solis, Bush, Morrison, Rios, Rodriguez

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Parra, Schultz, Chapel, Brennan, Yano, Vergara, Aguirre, Ryan, Tellez, Mora, and Hussain

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

Councilmember Rios joined the meeting at 6:05 pm.

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**

Mayor Sotelo-Solis led the Pledge of Allegiance.

4. **PUBLIC COMMENT**

Mayor Sotelo-Solis summarized the process for acceptance of live public comment allowing two (2) minutes per comment and introduced City Clerk Molina.

In-person public comment:

Mayra Hernandez
Al Alvarado
Brian Clapper
Margarita Garcia
Jose Raya
Mike Jamula

Comment via Zoom:

Becky Rapp
Judi Strang
Kelly McCormick

Written Public Comment received and read into the record by City Clerk Molina:

Liz Calabrese
Jen Hu
Hannah Lieck
Sandra Reus
David Tran

5. PROCLAMATIONS AND RECOGNITION

- 5.1 AMR Clinical Educator Ennis Jackson to recognize Bystander and NCFD for cardiac arrest efforts.

Interim Fire Chief Mora introduced AMR Clinical Educator Ennis Jackson who presented the awards to the recipients.

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

- 6.1 Presentation of Board of Library Trustees Annual Report, 2022-16

Director of Library and Community Services Joyce Ryan introduced Board of Library Trustees Chair Margaret Godshalk who presented the Annual Report.

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

Vice Mayor Bush provided an update on the Air Pollution Control District meeting.

Councilmember Rios provided a report on the Sweetwater Authority.

8. CONSENT CALENDAR

ACTION: Motion by Councilmember Rodriguez, seconded by Councilmember Rios to approve the Consent Calendar Items 8.1 through 8.5, 8.7; and 8.10 through 8.15 with Item 8.6 pulled for discussion by Vice-Mayor Bush and Items 8.8 and 8.9 pulled by Councilmember Morrison.

Moved by Rodriguez

Seconded by Rios

Motion carried by unanimous vote

- 8.1 Approved of Reading by Title Only and Waiver of Reading in Full of Ordinance on this Agenda

- 8.2 Approved of City Council Meeting Minutes.

- 8.3 Declaring Findings to Continue to Teleconference Meetings to September 15, 2022, as Required by AB 361.

Adopted Resolution No. 2022-130.

- 8.4 League of California Cities Annual Conference – Designation of Voting Alternate

Adopted Resolution No. 2022-131.

- 8.5 City Council Meetings Schedule for December 2022 and January 2023, 2022-06 (City Clerk's Office)

The City Council adopt a motion dispensing with the Tuesday, December 20, 2022, and Tuesday, January 3, 2023, Regular Meetings of the City Council; and adjourn the Regular Meeting of Tuesday, December 6, 2022 to the next Regular Meeting to be held on Tuesday, January 17, 2023. A Special Meeting will be called for Tuesday, December 13 at 6:00 p.m.

- 8.7 Execute Program Supplement Agreement (PSA) No. A062 with the State of California Department of Transportation (Caltrans) - Highland Ave. Inter-City Connection Project to allow for reimbursement of up to \$58,000 in Active Transportation Program Grant Fund.

Adopted Resolution No. 2022-133, entitled, "Resolution of the City Council of the City of National City, California, 1) Authorizing the Mayor to execute Program Supplement Agreement (PSA) No. A062 with the State of California Department of Transportation (Caltrans) for the Highland Avenue Inter-City Bike Connection Project to allow for reimbursement of up to \$58,000 in eligible project expenditures through the State Active Transportation Program (ATP); 2) authorizing the establishment of an Engineering Grant Funds appropriation of \$58,000 and corresponding revenue budget; and 3) committing to providing a local match of \$2,000. (Eng/PW)

- 8.10 Notice of Decision – Planning Commission approval - Conditional Use Permit off-sale beer & wine (Type 20) existing retail store (99 Cents Only) located at 1320 Highland Ave. adding condition to keep product locked up while not on the sales floor.

- 8.11 Accept SDG&E's 2022 SAFE San Diego Grant Program Award of \$2,500 for the City's CERT Program.

Accept funds in the amount of \$2,500 from the San Diego Gas & Electric (SDG&E) 2022 SAFE San Diego Grant Program through the Burn Institute, a 501(c)(3) non-profit organization, for the National City Community Emergency Response Team (CERT) to recruit, administer, and promote CERT training in National City, and authorizing the establishment of a

Reimbursable Grants City-Wide Fund appropriation and corresponding revenue budget.” (Fire)

- 8.12 Request to Initiate a Local Coastal Plan (LCP) Amendment for the update of the City’s LCP Land Use Plan and Implementation documents for consistency with Title 18 (Zoning) of the National City Municipal Code.
- 8.13 Warrant Register #1 for the period of 7/1/22 through 7/7/22 in the amount of \$1,595,251.79.
- 8.14 Warrant Register #2 for the period of 7/8/22 through 7/14/22 in the amount of \$2,111,769.78.
- 8.15 Temporary Use Permit – Spirit Halloween retail tent store hosted by Spirit Halloween at Westfield Plaza Bonita Mall from September 4, 2022 through November 15, 2022 with no waiver of fees.

Mayor Sotelo-Solis spoke to the revised attachment that was made available to the public.

ITEM HEARD OUT OF ORDER

- 8.6 New Job Classifications, amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and the Management Salary Schedule. (Human Resources)

Adopt Resolution No. 2022-132.

Moved by Bush

Seconded by Rios

Adopted Resolution No. 2022-132 Creating two (2) new job classifications and amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and the Management Salary Schedule.”

Motion carried by unanimous vote

ITEM HEARD OUT OF ORDER

- 8.8 Reject all Bids Received May 12, 2022, Accept Bids Received July 20, 2022, Authorize Appropriation, and Award Contract to California Commercial Pool, Inc. - Las Palmas Swimming Pool Renovation Project, CIP No. 22-01.

Adopted Resolution No. 2022-134.

Moved by Morrison
Seconded by Rios

Motion carried by unanimous vote

ITEM HEARD OUT OF ORDER

- 8.9 Notice of Decision – Planning Commission approval of a Conditional Use Permit for on-site distilled spirits sales and live entertainment located at 2325 Highland Ave. (Case File No.: 2022-08 CUP)

Planning Manager Martin Reeder provided the report.

Councilmember Rios disclosed that she viewed the Planning Commission Meeting when the item was heard. Vice-Mayor Bush disclosed that he spoke to the applicant regarding the hours of operation.

ACTION: Motion by Councilmember Morrison, seconded by Councilmember Rios to continue the items to a public hearing of the City Council at the next Regular Meeting on September 6, 2022.

Substitute Motion by Councilmember Rodriguez, seconded by Vice-Mayor Bush to file the Notice of Decision.

Ayes: Bush, Rodriguez

Nays: Morrison, Rios, Sotelo-Solis

Motion failed by 2-3 vote.

Vote on original motion.

Moved by Morrison
Seconded by Rios

Motion carried by unanimous vote

9. PUBLIC HEARING

- 9.1 Public Hearing – Conditional Use Permit Modification for the addition of live entertainment and modified operating hours at an existing public market (Market on 8th) located at 41 East 8th Street.

Planning Manager Martin Reeder provided the report and PowerPoint Presentation.

Councilmember Rios disclosed that she viewed the Planning Commission Meeting when the item was heard.

Councilmember Morrison disclosed that he spoke with the applicant regarding his business plan. Vice-Mayor Bush disclosed that he spoke with the applicant regarding the proposed modification to the Conditional Use Permit. Councilmember Rodriguez disclosed that he had spoken to the applicant and would be holding an event at the location but that there was no financial interest.

Applicant and owner Joel Tubao addressed the Council.

Mayor Sotelo-Solis left the dais at 7:33 p.m. and returned at 7:36 p.m.

Public hearing opened at 7:39 p.m.

In-person public comment:

David Ramos

Jose Rivas

Alexander Danilowicz

Morise Gusman

Written Public Comment received and read into the record by City Clerk Molina:

Anne-Marie Tubao

Khris Astudillo

Barbara Coats

Ellen Belara

Kathy Breedlove

Rommel Diaz

Jerry Coats

Andrew Malick

Marco Marroquin

Barbara Mellor

Kwa Nguyen

Teddy Ni

Cheryl Olivar

Michael Osborn

Lina Pearlman

Lee Razalan, Jr.

David Ruffin

Luzviminda San Juan

Written Comment received; not read into the record.

Madeleine Seelert

Robert Smiley

Fro Sng
Team Serbesa
Isabel Tubao
Viana Pham
Benny Adler
David Ramos
Lucifer Malas
Lucy San Juan
L. Francia
Eric Manuel

Councilmember Rodriguez left the dais at 8:02 p.m. and returned at 8:05 p.m.

Mayor Sotelo-Solis called for a recess at 8:13 p.m. and reconvened the meeting at 8:25 p.m. with all members present, except Vice-Mayor Bush who returned at 8:27 p.m.

Public hearing closed at 9:00 p.m.

ACTION: Motion to close the public hearing.

Moved by Rodriguez

Seconded by Morrison

Motion carried by unanimous vote

ACTION: Motion to file the Notice of Decision.

Moved by Rodriguez

Seconded by Bush

Ayes: Bush, Rodriguez

Nays: Sotelo-Solis, Morrison, Rios

Motion failed.

Substitute Motion:

ACTION: Motion to file the Notice of Decision and 1) Condition No. 9 with amended hours for alcohol sales from 6:00 a.m. to 12:00 a.m., 2) amend Condition No. 11 to include the sale of four packs and growlers, 3) amend Condition No. 12 no selling of wine, and 4) add a condition that dancing is prohibited.

Moved by Morrison
Seconded by Sotelo-Solis

Motion carried by unanimous vote

10. STAFF REPORTS

10.1 Adopt the Resolution, setting Property Tax Rate for Library General Obligation Bond Property Tax Rate 2023 at .572 cent.

Director of Administrative Services Molly Brennan gave the report.

Adopted Resolution No. 2022-135.

Moved by Morrison
Seconded by Bush

Motion carried by unanimous vote

10.2 Citywide Recruitment and Retention Update

Director of Administrative Services Molly Brennan and City Manager Raulston gave the report. Department Directors also aided in the presentation.

Mayor Sotelo-Solis left the dais at 9:19 p.m. and returned at 9:21 p.m.

Councilmember Morrison left the dais at 9:21 p.m. and returned at 9:33 p.m.

ACTION: Motion to accept and file.

Moved by Morrison
Seconded by Rios

Motion carried by unanimous vote

At 9:52 p.m. Mayor Sotelo-Solis made a motion as required by City Council Policy #104 Section III (L) to extend the meeting after 10:30 p.m. to finish the City's business.

Moved by Rios
Seconded by Sotelo-Solis

Ayes: Sotelo-Solis, Bush, Rios, Rodriguez
Nays: Morrison
Motion approved by 4-1 vote.

10.3 Public Meeting Protocols – In-Person and Teleconference Meetings

City Manager Raulston gave the report and provided a PowerPoint Presentation.

ACTION: Motion that hybrid virtual or in-person participation be permitted for Councilmembers and members of Boards, Commissions, and Committees. In-person or virtual public comment permitted with the elimination of written public comments read into the record.

Moved by Bush
Seconded by Rios

Original Motion with Friendly Amendment that Boards, Commission, and Committee meetings remain virtual only.

Moved by Bush
Seconded by Rios

Substitute Motion that City Council and Boards, Commissions, and Committees participation occur solely in person.

Virtual and in-person public comment permitted with the elimination of reading written public comments into the record.

Moved by Sotelo-Solis

Motion dies for the lack of a second.

Original Motion

Moved by Bush
Seconded by Rios

Ayes: Bush, Rios, Morrison, Rodriguez
Nays: Sotelo-Solis
Motion passed by 4-1 vote.

11. CITY MANAGER’S REPORT

City Manager Brad Raulston reported that Director of Administrative Services Molly Brennan would be out on maternity leave until the end of the year. Noted that a Special City Council meeting would occur on August 30, 2022 at 4:00 p.m.

12. ELECTED OFFICIALS REPORT

Closing remarks were provided by the Mayor and City Council.

13. CITY ATTORNEY REPORT

CLOSED SESSION

Mayor Sotelo-Solis introduced Interim City Attorney Barry Schultz who announced that there was no reportable action.

1. PUBLIC EMPLOYEE DISCIPLINE

Government Code Section 54957

14. ADJOURNMENT

The meeting adjourned at 10:35 p.m.

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of September 20, 2022.

Alejandra Sotelo-Solis, Mayor