



## **REGULAR MEETING MINUTES OF THE CITY COUNCIL**

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

**Present:**

**Mayor Sotelo-Solis**  
**Vice-Mayor Bush** (*arrived at 7:03 p.m.*)  
**Councilmember Rodriguez**  
**Councilmember Morrison**  
**Councilmember Rios**

**Others Present:**

**Brad Raulston, City Manager**  
**Barry Schultz, Interim City Attorney**  
**Frank Parra, Assistant City Manager**  
**Luz Molina, City Clerk**  
**Mitch Beauchamp, City Treasurer**

**Shelley Chapel, Deputy City Clerk** (*via Zoom*)  
**Carlos Aguirre, Director of Housing**  
**Molly Brennan, Administrative Services Director**  
**Pedro Garcia, Economic Development Manager**  
**Ben Martinez, Neighborhood Services Manager**  
**Sergio Mora, Fire Chief**  
**Angelita Palma, Housing Programs Manager**  
**Joyce Ryan, Library & Community Services Director**  
**Jose Tellez, Chief of Police**  
**Armando Vergara, Director of Community Development**  
**Roberto Yano, Director of Public Works and City Engineering**

1. **CALL TO ORDER**

A Regular Meeting of the City Council of the City of National City was called to order at 6:02 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: Sotelo-Solis, Bush (7:03 p.m. arrival), Morrison, Rios, Rodriguez

Elected Officials: Beauchamp, Molina

Administrative Officials present: Raulston, Parra, Schultz, Chapel (via Zoom), Aguirre, Brennan, Garcia, Martinez, Mora, Palma, Ryan, Tellez, Vergara, Yano

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

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 three (3) minutes per comment and introduced City Clerk Molina.

In-person comment:

Dukie Valderamma  
Larry Emerson  
Ted Godshalk

Comments received via Zoom:

Peggy Walker  
Terri-Ann Skelly

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

5.1 Introduction of New City Employees

City Manager Brad Raulston introduced new City employees.

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

Mayor Sotelo-Solis reported that SANDAG December meetings were cancelled.

Unified Port of San Diego Commissioner Sandy Naranjo reported on the approval of the Environmental Impact Report and Balance Plan.

**7. CONSENT CALENDAR**

ACTION: Motion by Councilmember Rios, seconded by Councilmember Rodriguez to approve the Consent Calendar Items 7.1 through 7.15.

**Moved by Rios**

**Seconded by Rodriguez**

**Motion carried by unanimous vote by members present, Vice-Mayor Bush absent.**

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

**Motion carried by unanimous vote**

7.2 Approve the Local Appointments List – Maddy Act Requirement

Approval of the Local Appointments List for 2023 and Authorize the City Clerk to post the list at City Hall.

**Motion carried by unanimous vote**

7.3 2023 Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant

Adopted Resolution No. 2022-187

Adopt the Resolution entitled, “Resolution of the City Council of the City of National City, California, Authorizing the Acceptance of the 2023 Office of Traffic Safety Selective Traffic Enforcement Program Grant and Authorizing the City Manager to Execute the Grant Agreement.”

**Motion carried by unanimous vote**

7.4 Development Impact Fees Annual Report Fiscal Year 2021-22

Accept and file the report.

**Motion carried by unanimous vote**

7.5 Redevelopment Obligations Payment Schedule for Fiscal Year 2023-24 (ROPS 23-24) and associated administrative budget (SUCCESSOR AGENCY)

Resolution No. 2022 – 113

Adopt the Resolution approving ROPS 23-24 and the associated administrative

budget and authorizing them to be submitted to the Countywide Redevelopment Successor Agency Oversight Board.

**Motion carried by unanimous vote**

- 7.6 SANDAG Smart Growth Incentive Program Grant Application for Planning Cycle 5 Funding

Adopted Resolution No. 2022-188

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, ratifying the submission of an application to San Diego Association of Governments (SANDAG) and ratifying an agreement with SANDAG and establishing fund appropriations and a corresponding revenue budget for the Smart Growth Incentive Program (SGIP) funds in the amount of \$294,477 for work performed on the Focused General Plan Update general tasks, Community engagement, Land Use Element, Mobility Element, Housing Element, Safety Element, PEIR, Climate Action Plan Update, and Spanish translation services."

**Motion carried by unanimous vote**

- 7.7 Second Amendment to Agreement with National City Electric

Adopted Resolution No. 2022-189

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, authorizing the Mayor to approve a Second Amendment to the Agreement with National City Electric increasing the not to-exceed amount by \$50,000 for a total Agreement amount of \$150,000."

**Motion carried by unanimous vote**

- 7.8 Public Agency Retirement Services (PARS) Agreement

Adopted Resolution No. 2022-190

Approve the Resolution named below authorizing the Mayor to sign the agreement. Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute the Agreement between the City of National City and Phase II Systems d.b.a. Public Agency Retirement Services, for Comprehensive Trust Administration Services.

**Motion carried by unanimous vote**

- 7.9 Adopt a Resolution accepting and approving the recordation of a Deed Restriction with the State of California, for El Toyon Park Improvements.

Adopted Resolution No. 2022-191

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) accepting and approving the recordation of a Deed Restriction with the State of California, by and through the California Department of Parks and Recreation, for El Toyon Park Improvements – Prop 68 – SPP Program; and 2) authorizing the City Manager to execute said Deed Restriction."

**Motion carried by unanimous vote**

- 7.10 Adopt a Resolution accepting and approving the recordation of a Deed Restriction with the State of California, for Kimball Park Playground Improvements.

Adopted Resolution No. 2022-192

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) accepting and approving the recordation of a Deed Restriction with the State of California, by and through the California Department of Parks and Recreation, for Kimball Park Playground Improvements – Prop 68 – Per Capita Program; and 2) authorizing the City Manager to execute said Deed Restriction."

**Motion carried by unanimous vote**

- 7.11 Project close-out and Notice of Completion for the National City Boulevard Bikeway Project, CIP No. 19-18

Adopted Resolution No. 2022-193

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) Accepting the work performed by Eagle Paving, Inc. for the National City Boulevard Bikeway Project, CIP No. 19-18; 2) approving the final contract amount of \$714,242.39; 3) ratifying the release of retention in the amount of \$35,300.17; and 4) ratifying the signing of the Notice of Completion for the project."

**Motion carried by unanimous vote**

- 7.12 Accept Bid Received on November 10, 2022, and Award a Contract to SWCS Inc. for the Police Pistol Range HVAC and Safety Improvements CIP No. 20-05.

Adopted Resolution No. 2022-194

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) rejecting bid received on September 8, 2022 for the Police Pistol Range Safety Improvements; 2) accepting bids received on November 10, 2022; 3) awarding a contract to SWCS Inc. in the not-to-exceed amount of \$624,111 for

the Police Pistol Range HVAC and Safety Improvements CIP No. 20-05; 4) authorizing a 15% contingency in the amount of \$93,617 for any unforeseen changes; and 5) authorizing the Mayor to execute the contract.”

**Motion carried by unanimous vote**

7.13 Investment Report for the quarter ended September 30, 2022.

**Motion carried by unanimous vote**

7.14 Warrant Register #16 for the period of 10/14/22 through 10/20/22 in the amount of \$2,081,927.31

Ratify Warrants Totaling \$2,081,927.31

**Motion carried by unanimous vote**

7.15 Warrant Register #17 for the period of 10/21/22 through 10/27/22 in the amount of \$1,036,673.44

Ratify Warrants Totaling \$1,036,673.44

**Motion carried by unanimous vote**

## **8. 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.

8.1 Public hearing and Adoption of an Ordinance of the City Council of the City of National City, California, amending Title 9 of the National City Municipal Code by adding Chapter 9.64 pertaining to Mobilehome Park Rent Stabilization.

Adopted Ordinance No. 2022 – 2505

Director of Housing Carlos Aguirre presented the item.

Mayor Sotelo-Solis declared the Public Hearing open at 6:29 p.m.

### In-Person Public Comment:

Sylvia Gardner

Marysol

Francisco

### Comment received via Zoom:

Julie Paule

Public Hearing closed at 6:38 p.m.

**ACTION:** Motion by Councilmember Morrison, seconded by Councilmember Rios to close the public hearing.

Motion approved unanimously.

Recommendation:

Conduct the public hearing and consider the ordinance for adoption.

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison to approve staff's recommendation.

Motion approved unanimously by members present, Vice-Mayor Bush absent.

## 9. **STAFF REPORTS**

### 9.1 Permanent Local Housing Allocation (PLHA) Year Two Funding

Adopted Resolution No. 2022-195

Housing Programs Manager Angelita Palma and Neighborhood Services and Manager Ben Martinez presented the report and provided a PowerPoint Presentation.

In-Person Public Comment:

Joan Rincon

*Vice-Mayor Bush arrived on the dais at 7:03 p.m.*

Recommendation:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, for Permanent Local Housing Allocation (PLHA) Year Two funding to (1) establish Year Two PLHA budget appropriations and the corresponding revenue budget in the amount of \$400,000.06; (2) reallocate \$115,989.84 of unused funds from Year One PLHA funding; (3) approve a Spending Plan for said PLHA funding in Fiscal Year 2023; and (4) authorize the City Manager to execute agreements with the Alpha Project for a not-to-exceed amount of \$60,000 and the McAlister Institute for a not-to-exceed amount of \$440,710.90 for homeless outreach, case management, emergency housing, and other housing services for people experiencing homelessness and those at-risk of becoming homeless."

**ACTION:**

Motion by Councilmember Rios, seconded by Councilmember Rodriguez

Motion approved unanimously by members present, Vice-Mayor Bush absent.

### 9.2 Appropriation of Funds in the amount of \$999,996 for the Clean Mobility Options (CMO) Voucher Program for the Free Ride Around National City (FRANC).

Adopted Resolution No. 2022-196

Director of Public Works and City Engineer Roberto Yano presented the item.

In-Person Public Comment:

Joan Rincon  
Larry Emerson

Recommendation:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, authorizing the Appropriation of Funds in the amount of \$999,996 for the Clean Mobility Options (CMO) Voucher Programs for the Free Ride around National City (FRANC)."

**ACTION:**

Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios.

Motion approved unanimously.

*Mayor Sotelo-Solis called for a recess at 7:33 p.m. and reconvened the meeting at 7:46 p.m. with members Sotelo-Solis, Bush (returned at 7:48 p.m.), Morrison, Rios, and Rodriguez present.*

- 9.3 Amendment of City Council Policy No. 802, "City Support for Special Events, Activities, Programs and Services," modifying events to the Sponsored and Co-Sponsored List.

Adopted Resolution No. 2022-197

Community Development Director Armando Vergara presented the item.

In-Person Public Comment:

Jovita Ariano  
Marissa Rosales

Comment received via Zoom:

Aida Casteneda

Written comment:

Marisa Rosales  
Victor Castro

Recommendation:

Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Amendment of City Council Policy No. 802, "City Support for Special Events, Activities, Programs and Services."

**ACTION:**

Motion by Vice-Mayor Bush, seconded by Mayor Sotelo-Solis to approve the staff recommendation.

Motion approved unanimously.



9.4 Approval of Three (3) Cannabis Business Development Agreements

Economic Development Manager Pedro Garcia presented the item.

Mayor Sotelo-Solis allowed two minutes each for public comment.

In-Person Public Comment:

Laura Wilkinson Sinton  
Joan Rincon  
Janice Reynoso  
Anthony Avalos  
Jaqueline Reynoso  
Rosy Vasquez  
Pattie Harris  
Brian Clapper  
Moya Gaines-Ramos  
Rosanna Rodriguez  
Pearl Ayon  
Alex Ayon  
Quintin Shamman  
Taksato

Comment received via Zoom:

Becky Rapp  
Barbara Gordon  
Kelly McCormick

Written Comments:

Ted Godshalk  
Tony Young  
Tania Arauz  
Ceasar Fregoso

Vice-Mayor Bush disclosed that he had conversations with applicants; Sessions by the Bay, Cali Mota, Stiizy National City, and Dukie Valderrama.

*Councilmember Rodriguez left the dais at 8:50 p.m. and returned at 8:53 p.m.*

Recommendation:

Adopt a Resolution entitled, "Resolution of the City Council of the City of National City, California, Approving the Cannabis Business Development Agreements with Shryne Group, Off the Charts, and Sessions by the Bay."

**ACTION:** Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios to approve the staff recommendation.

Friendly amendment to approve staff recommendation with the following amendments:

- Community Benefit Fund of 1% net profit after the first year with a minimum of \$50,000 per license;
- At least 30% local hire and 20% previously incarcerated individuals;
- Staff to provide the list of owners and emailed to the City Council;
- The addition of 501c3 charitable organizations, 501c4 social welfare organizations, 501c6 business leagues; and,
- Clean-up of each of the four districts, in rotation

Substitute Motion by Vice-Mayor Bush, seconded by Councilmember Rodriguez to revise the local hire component to 50% local hire and 50% previously incarcerated individuals.

Ayes: Bush, Rodriguez, Rios

Nays: Sotelo-Solis, Morrison

Motion failed by 3-2 vote.

Original motion:

Motion approved unanimously.

*Mayor Sotelo-Solis called for a recess at 9:52 p.m. and reconvened the meeting at 9:56 p.m. with members Sotelo-Solis, Bush, Morrison, Rios, and Rodriguez present.*

#### 9.5 Protocols for Public Meetings for Civil Service Commission

Deputy City Clerk Chapel presented the item.

Adopted Resolution No. 2022-199

Recommendation: Discuss and Direct Staff on Protocol to Use for Future Meetings.

**ACTION:**

Motion by Councilmember Rios, seconded by Councilmember Rodriguez to support staff's recommendation.

Motion approved unanimously.

#### 9.6 Verbal Report-Out of Salary and Benefits in the Employment Agreement of the City Attorney as required by the Brown Act.

City Clerk Molina read the report out loud in compliance with Government Code Section 54953(c)(3).

Recommendation:  
Receive and file.

**ACTION:**

Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush

Motion approved unanimously.

**10. CITY MANAGER'S REPORT**

City Manager spoke to the upcoming holiday events.

**11. ELECTED OFFICIALS REPORT**

Closing remarks were provided by City Clerk, and members of the City Council.

11.1 Discussion on Policy 105 Request - Councilmember Rios "Formation of Environmental Health and Justice Advisory Committee"

Councilmember Rios provided the merit of her request to appoint three residents and two organizations; Environmental Health Coalition and Olivewood Gardens; to the Environmental Health and Justice Advisory Committee.

In-Person Public Comment:

Kelsey Genesi

Comment received via Zoom:

Claire Groebner

Written Comments:

Rosamaria Barrientos

Consuelo Martinez

Margaret Godshalk

Angela Gastelum

**ACTION:**

*Per City Council Policy #104 at 10:15 p.m. a Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush to continue the meeting past 10:30 p.m. in order to complete the items on the agenda.*

*Motion approved unanimously.*

Recommendation:

Discussion on the merits of the item and staff direction.

**ACTION:**

Motion by Councilmember Rios, seconded by Vice-Mayor Bush for the formation

of a seven (7) member Environmental Health and Justice Advisory Committee consisting of three (3) residents and two (2) organizations; Environmental Health Coalition and Olivewood Gardens, and two (2) business members. Committee would be overseen by a City employee.

Friendly amendment that the Scope of Work for the Committee include the implementation of the Climate Action Plan and the Health and Justice Element and that the City Manager explore best practices of other cities.

Ayes: Sotelo-Solis, Bush, Rios, Rodriguez

Nays: Morrison

Motion approved by 4-1 vote.

**12. CITY ATTORNEY REPORT**

CLOSED SESSION

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

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Government Code Section 54956.9(d)

Number of potential cases: 5

**13. ADJOURNMENT**

Mayor Sotelo-Solis adjourned to the Special Meeting of the City Council of the City of National City, Tuesday, December 13, 2022, 6:00 in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 10:40 p.m.

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LaTonya Hussain, Executive Secretary

The foregoing minutes were approved at the Special Meeting of December 13, 2022.

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Alejandra Sotelo-Solis, Mayor