



REGULAR MEETING MINUTES OF THE CITY COUNCIL

**January 17, 2023, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA**

Present:
Mayor Morrison
Vice-Mayor Molina
Councilmember Bush (via Zoom)
Councilmember Rodriguez
Councilmember Yamane

Others Present:
Brad Raulston, City Manager
Barry Schultz, City Attorney
Frank Parra, Assistant City Manager
Shelley Chapel, Interim City Clerk (via Zoom)
Tonya Hussain, Executive Secretary
Carlos Aguirre, Director of Housing
Molly Brennan, Administrative Services Director
Tonya Hussain, Executive Secretary
Joanne McGee, Community Services Manager
Sergio Mora, Fire Battalion Chief
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 6:04 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

AB 2449 Request:

City Councilmember Bush requested to attend the meeting virtually due to “emergency circumstances.”

Mayor Morrison explained the protocol for AB 2449 Teleconference Attendance of a City Councilmember.

Mayor Morrison confirmed that at least a quorum of the legislative body is present at the location of the meeting in City Council Chamber as identified on the agenda.

Mayor Morrison confirmed a two-way visual and telephonic service and a live webcasting of the meeting to allow the public to hear, and observe the meeting was available, and the opportunity for public to attend via call-in option, Zoom, and in-person location of the meeting.

This will be the first virtual City Council Meeting Councilmember Bush has attended in 2023 under the AB 2449 provision due to “Emergency Circumstances.”

Councilmember Bush confirmed there was no other individual over the age of 18 present at the remote location with him.

ACTION: Motion by Councilmember Rodriguez, seconded by Councilmember Yamane to approve the remote participation of Councilmember Bush due to “Emergency Circumstance.”

Motion approved unanimously.

2. **ROLL CALL**

Councilmembers present: Morrison, Molina, Bush (*via Zoom*), Rodriguez, Yamane

Other elected officials: Treasurer Mitch Beauchamp

Administrative Officials present: Raulston, Parra, Schultz, Chapel (*via Zoom*), Aguirre, Brennan, Hussain, McGee, Mora, Ryan, Tellez, Vergara, Yano

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

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

Councilmember Yamane led the Pledge of Allegiance. Invocation was delivered.

4. PUBLIC COMMENT

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

Comment received via Zoom:

Terri-Ann Skelly
Judith Strang
Barbara Gordon
Peggy Walker
Becky Rapp
Jacqueline Reynoso

In-person comment:

Stephanie Delgado
Rosaura Delgado
Sherry Gogue
Laura Wilkinson Sinton
Ted Godshalk
Geoffrey Schrock
Jeremy Day
Dukie Valderrama
Karla Apalategui
Adrian Rodriguez, SEIU
Morgan White, SEIU

5. PROCLAMATIONS AND RECOGNITION

5.1 Employee of the Quarter - Kevin Hamel, Fire Engineer

Fire Chief Mora presented the item and recognized Fire Engineer Kevin Hamel.

5.2 Retiree Service Recognition - Steve Shephard, Police Sergeant

Mayor Morrison announced that this item would be heard at the February 7, 2023 City Council meeting.

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

6.1 Presentation of 2023 Storm Water Calendar Winners

Presented by Engineering and Public Works Department, Management Analyst Tirza Gonzales, who introduced the youth calendar winners. Ms. Gonzales introduced National School District Superintendent Leighangela Brady who addressed the City Council.

7. REGIONAL BOARDS AND COMMITTEE REPORTS

Port of San Diego Commissioner Sandy Naranjo provided an update on the National City Balanced Plan and Pepper Park.

Vice-Mayor Molina provided an update on the San Diego Association of Governments Board.

Mayor Morrison reported that the Sweetwater Authority meeting was cancelled.

Councilmember Bush provided an update on the business of the Air Pollution Control District.

8. CONSENT CALENDAR

ACTION: Motion by Councilmember Bush, seconded by Councilmember Rodriguez to approve the Consent Calendar Items 8.1 through 8.11.

Motion carried by unanimous vote.

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

Motion carried by unanimous vote

- 8.2 Approval of City Council Meeting Minutes.

Approve and file.

Motion carried by unanimous vote

- 8.3 Affordable Housing Density Bonus Agreement for 1628 Orange Street

Adopted Resolution No. 2023-1

Approve the Resolution Entitled, "Resolution of the City Council of the City of National City, California (1) approving an Affordable Housing Density Bonus Agreement with Orange St. Partners, LLC, a California limited partnership, restricting the rent and occupancy of one (1) unit to a very low income household in exchange for two concessions pursuant to California Government Code Sections 65915 – 65918 for the development of 8 housing units located at 1628 Orange Street in National City."

Motion carried by unanimous vote

- 8.4 Awarding a Contract to E&H General Contracting Inc. for the MLK Community Center – Kitchen Upgrades and New Flooring CIP No. 22-06

Adopted Resolution No. 2023-2.

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) awarding a contract to E&H General Contracting Inc.

in the not-to-exceed amount of \$599,810 for the MLK Community Center – Kitchen Upgrades and New Flooring Project CIP No. 22-06 2) authorizing a 15% contingency in the amount of \$89,972 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.”

Motion carried by unanimous vote

- 8.5 Notice of Decision – Planning Commission approval - Conditional Use Permit for on-sale beer, wine, and distilled spirits (Type 47) at a proposed restaurant (Texas Roadhouse) to be located at 1908 Sweetwater Rd.

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed (Case File No. 2022-33 CUP) (Community Development – Planning).

Motion carried by unanimous vote

- 8.6 Investment transactions for the month ended October 31, 2022.

Accept and file the Investment Transaction Ledger for the month ended October 31, 2022.

Motion carried by unanimous vote

- 8.7 Warrant Register #18 for the period of 10/28/22 through 11/03/22 in the amount of \$3,085,499.65

Ratify Warrants Totaling \$3,085,499.65

Motion carried by unanimous vote

- 8.8 Warrant Register #19 for the period of 11/04/22 through 11/10/22 in the amount of \$518,728.25

Ratify Warrants Totaling \$518,728.25

Motion carried by unanimous vote

- 8.9 Warrant Register #20 for the period of 11/11/22 through 11/17/22 in the amount of \$5,702,924.29

Ratify Warrants Totaling \$5,702,924.29

Motion carried by unanimous vote

8.10 Warrant Register #21 for the period of 11/18/22 through 11/24/22 in the amount of \$1,571,871.71

Ratify Warrants Totaling \$1,571,871.71

Motion carried by unanimous vote

8.11 Warrant Register #22 for the period of 11/25/22 through 12/01/22 in the amount of \$3,493,881.88

Ratify Warrants Totaling \$3,493,881.88

Motion carried by unanimous vote

9. STAFF REPORTS

9.1 Resolution of the City of National City, California authorizing the Police Lateral Officer Bonus Program from January 2023 through December 2024

Presented by Administrative Services Director Molly Brennan. Police Chief Tellez answered questions posed by the City Council.

Adopted Resolution No. 2023-3.

ACTION: Approved the Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Police Officer Lateral Bonus Program from January 2023 through December 2024."

Motion carried by unanimous vote

9.2 Exclusive Negotiating Agreement between the City of National City and Tower 999, LLC for the disposition of City-owned real property located at 921, 925, and 929 National City Boulevard, National City and development of a mixed-use housing project.

Councilmember Yamane recused on the item and disclosed that she had received a campaign contribution within the last 12 months from the applicant. Councilmember Yamane exited Council Chamber.

Housing Director Carlos Aguirre introduced Kosmont Companies Senior Vice President Wil Soholt who presented the item utilizing a PowerPoint Presentation.

In-Person Public Comment:

Mark Marquez
Robert Moreno

Adopted Resolution No. 2023-4.

Approve a Resolution Entitled, "Resolution of the City Council of the City of National City, California authorizing the City Manager to execute an Exclusive Negotiating Agreement by and between the City of National City and Tower 999, LLC, a Nevada limited liability company for the disposition of City-owned real property located at 921, 925, and 929 National City Boulevard and development of a seven-story, mixed use building with approximately 9,294 square feet of retail/commercial space and 127 rental dwelling units."

ACTION: Motion by Councilmember Bush, seconded by Councilmember Rodriguez to approve the staff recommendation with an amendment that the terms include a Project Labor Agreement, free transit passes provided by the developer, and a homeownership component.

Friendly amendment by Councilmember Rodriguez that the terms include a student housing component.

Original motion:

Ayes: Morrison, Bush, Molina, Rodriguez

Nays: None.

Recused: Yamane

Motion carried by 4-0 vote.

Councilmember Yamane returned to the dais at 8:09 p.m.

9.3 Compensation of Mayor and City Council.

City Attorney Barry Schultz introduced the item.

Recommendation: Discuss and provide direction to staff.

ACTION: Motion by Councilmember Bush, seconded by Councilmember Rodriguez to increase the salary of the Mayor and City Council by 30%.

Substitute Motion by Vice-Mayor Molina to increase the salary by 15%. Motion died for lack of a second.

Original motion:

Ayes: Molina, Bush, Rodriguez, Yamane

Nays: Morrison

Motion carried by 4-1 vote.

10. CITY MANAGER'S REPORT

City Manager Brad Raulston thanked staff for their hard work and provided information regarding San Diego Community Power.

11. ELECTED OFFICIALS REPORT

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

12. CITY ATTORNEY REPORT

CLOSED SESSION

Mayor Morrison introduced City Attorney Schultz who announced that on December 6, 2022 the City Council unanimously approved a settlement related to a sewage spill.

City Attorney Schultz reported that discussions related to the Public Employee Performance Evaluation would be continued to a Closed Session meeting on February 7, 2023.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957.6

Position to be Reviewed: City Manager

13. ADJOURNMENT

Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, February 7, 2023, 6:00 in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 8:59 p.m.

LaTonya Hussain, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of February 7, 2023.

Ron Morrison, Mayor