



REGULAR MEETING MINUTES OF THE CITY COUNCIL

May 2, 2023, 6:00 p.m.

City Council Chamber - 1243 National City Boulevard

National City, CA

(Councilmember Yamane)

Hyatt Regency Sacramento

1209 "L" Street Sacramento CA 95814

(Per Government Code 54953)

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

Others Present: Armando Vergara, Acting City Manager
Barry J. Schultz, City Attorney
Tonya Hussain, Executive Secretary
Carlos Aguirre, Housing Authority Director
Molly Brennan, Administrative Services Director
Ben Martinez, Acting Community Development Director
Sergio Mora, Fire Battalion Chief
Joyce Ryan, Library & Community Services Director
Jose Tellez, Chief of Police
Paul Valadez, Budget Manager
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 6:06 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

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

AB 2449 Request:

Mayor Morrison requested to attend the meeting virtually due to “just cause. “

Vice-Mayor Molina explained the protocol for AB 2449 Teleconference Attendance of a City Councilmember.

Vice-Mayor Molina confirmed that at least a quorum of the legislative body was 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 was the first virtual City Council Meeting Mayor Morrison attended in Calendar Year 2023 under the AB 2449 provision. Mayor Morrison confirmed there was no other individual over the age of 18 present at the remote location with him. Attending a RSWA Waste Expo for a government agency and government function.

ACTION: The remote participation of Mayor Morrison due to “Just Cause” was approved unanimously.

Roll Call Vote to allow Mayor Morrison to attend virtually via AB 2449.

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

Vice-Mayor Molina announced that City Councilmember Yamane would be attending remotely as noticed on the agenda from a location in Sacramento. Due to the requirements of the AB2449, this virtual attendance does not qualify, but since the notification and location were provided prior to the distribution and posting of the meeting agenda she is able to attend if she meets the requirements. Vice-Mayor Molina confirmed that Councilmember Yamane had posted the agenda and provided access to the meeting at her location as required by the Brown Act and Government Code Section 54953. Councilmember Yamane confirmed and was allowed to continue virtually. This action does not require a vote of the City Council.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Rodriguez led the Pledge of Allegiance.

4. INVOCATION

Invocation was delivered by Reverend Edmundo Zarate-Suarez.

5. PUBLIC COMMENT

Vice-Mayor Molina summarized the process for acceptance of live public comment allowing three (3) minutes per comment and introduced Executive Secretary Tonya Hussain.

One person provided an in-person comment, one (1) written comment, and seven (7) people provided virtual comment.

Comments received via Zoom:

Barbara Gordon
Laura Wilkinson Sinton
Peggy Walker
Terri-Ann Skelly
Judith Strang
Kelly McCormick
Becky Rapp

Written comment received, not read into the record:

Ted Godshalk

In-person comment:

Edward Nieto

6. PROCLAMATIONS AND RECOGNITION

6.1 Reverend Edmundo Zarate-Suarez Day

Vice-Mayor Molina presented the proclamation to Reverend Edmundo Zarate-Suarez.

Public comment was received from Maria Hernandez and Almida Robles.

6.2 Asian Pacific American Heritage Month

Vice-Mayor Molina presented the proclamation to Honorary Consul for the Philippines for San Diego County Audie J. Castro.

6.3 54th Annual Professional Municipal Clerks Week

Vice-Mayor Molina presented the proclamation to Executive Secretary Hussain on behalf of City Clerk Shelley Chapel.

6.4 Retiree Service Recognition - Jeffrey W. Rouston

Vice-Mayor Molina presented the proclamation to Jeffrey W. Rouston.

6.5 Introduction of New City Employees

Assistant Police Chief Alex Hernandez and Fire Battalion Chief Mora introduced the new employees.

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

Councilmember Rodriguez had nothing to report.

Councilmember Bush spoke to his attendance at the American Public Transit Association Conference

Councilmember Rodriguez left the dais at 7:16 p.m. and returned at 7:19 p.m.

Vice-Mayor Molina provided an update on the SANDAG Board of Directors Meeting and announced SANDAG's Bike Anywhere Day to occur on May 18th, 6:00 – 9:00 a.m.

Councilmember Yamane provided an update on the Sweetwater Authority, the San Diego County Water Authority, and the Finance Committee Meeting for Metropolitan Wastewater. Announced the celebration of Asian Pacific American Heritage Month for the month of May.

Mayor Morrison provided an update on the Sweetwater Authority and announced his attendance at WasteExpo.

Port of San Diego Commissioner Sandy Naranjo provided an update.

8. **CONSENT CALENDAR**

ACTION: Motion by Mayor Morrison, seconded by Councilmember Rodriguez to approve Consent Calendar Items 8.1 through 8.8.

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 Notice of Decision – Planning Commission approval - Conditional Use Permit for beer and wine sales (ABC Type-41) and live entertainment at a new coffee shop (Public Square Coffee House) located at 127 E. 8th Street.

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed (Case File No. 2023-01 CUP) (Community Development – Planning).

Motion carried by unanimous vote

- 8.4 Notice of Decision – Planning Commission approval - Conditional Use Permit for a drive-through lane within a proposed commercial development to be located at 2305 Sweetwater Road.

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed (Case File No. 2022-12 CUP) (Community Development – Planning).

Motion carried by unanimous vote

- 8.5 Approval of Agreement with the Solana Center for Environmental Innovation for Senate Bill (SB) 1383 compliance support services.

Adopted Resolution No. 2023-46

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to execute an agreement between the City of National City and the Solana Center for Environmental Innovation, a California non-profit corporation, for SB 1383 compliance support services."

Motion carried by unanimous vote

- 8.6 Encroachment Permit and Agreement for 129 National City Boulevard

Adopted Resolution No. 2023-47

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, authorizing the Mayor to sign an Encroachment Permit and Agreement for the Temporary Installation of a Scaffolding within the City Reserved Right of Way at 129 National City Boulevard."

Motion carried by unanimous vote

- 8.7 Warrant Register #37 for the period of 3/10/23 through 3/16/23 in the amount of \$565,066.05.

Ratify Warrants Totaling \$565,066.05

Motion carried by unanimous vote

- 8.8 Warrant Register #38 for the period of 3/17/23 through 3/23/23 in the amount of \$1,945,646.70

Ratify Warrants Totaling \$1,945,646.70

Motion carried by unanimous vote

Councilmember Bush left the dais at 7:28 p.m. and returned at 7:31 p.m.

9. PUBLIC HEARING

- 9.1 Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee (TDIF) schedule and annual adjustment to the TDIF.

Adopted Resolution No. 2023-48

Director of Public Works and City Engineering Roberto Yano was present for questions.

Vice-Mayor Molina declared the Public Hearing open at 7:29 p.m.

There was no public comment.

ACTION: Motion by Councilmember Rodriguez, seconded by Mayor Morrison to close the Public Hearing.

Ayes: Rodriguez, Yamane, Molina, Morrison

Absent: Bush

Motion carried by 4-1 vote.

Public Hearing closed at 7:30 p.m.

Recommendation: Public Hearing and Adoption of a Resolution Entitled, "Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee (TDIF) schedule and annual adjustment to the TDIF, pursuant to National City Municipal Code Section 4.52.100 and consistent with Government Code Section 66017, approving an adjustment to the TDIF of 2 percent, as required by the San Diego Association of Governments (SANDAG) for receipt of *TransNet* local street improvement revenues, resulting in the TDIF increasing from \$2,688.21 per new residential dwelling unit to \$2,741.97 per unit beginning July 1, 2023.

ACTION: Motion by Mayor Morrison, seconded by Councilmember Rodriguez to adopt the Resolution.

Ayes: Rodriguez, Yamane, Molina, Morrison

Absent: Bush

Motion carried by 4-1 vote.

- 9.2 Public Hearing No. 2 and adoption of HUD 2023-2024 Action Plan and allocation of funds to CDBG and HOME activities.

Adopted Resolution No. 2023-49

Housing Authority Director Carlos Aguirre was present for questions.

Vice-Mayor Molina declared the Public Hearing open at 7:31 p.m.

There was no public comment.

ACTION: Motion by Councilmember Rodriguez, seconded by Councilmember Yamane to close the Public Hearing.

Motion carried by unanimous vote.

Public Hearing closed at 7:32 p.m.

Recommendation: Adopt the Resolution entitled, “Public Hearing No. 2 of 2 and adoption of a Resolution of the City Council of the City of National City, California adopting the U.S. Department of Housing and Urban Development (HUD) 2023-2024 Annual Action Plan and the allocation of 2023-2024 HUD entitlement grant funds and program income to Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program activities proposed for 2023-2024 Annual Action Plan.”

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

Motion carried by unanimous vote.

10. **STAFF REPORTS**

10.1 Appropriation of funds for the National City Targeted Local Coastal Program Amendment to update General Plan and Zoning Code references.

Adopted Resolution No. 2023-50

Director of Public Works and City Engineering Roberto Yano was present for questions.

Recommendation: Adopt a Resolution Entitled, “Resolution of the City Council of the City of National City, California, authorizing establishing an appropriation and corresponding revenue budget in the amount of \$100,000 for the National City Targeted Local Coastal Program Amendment, reimbursable through the Local Coastal Program Local Assistance Grant Program approved by the California Coastal Commission.”

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

Motion carried by unanimous vote.

11. **CITY MANAGER’S REPORT**

There was no report.

12. ELECTED OFFICIALS REPORT

Closing remarks were provided by members of the City Council.

13. CITY ATTORNEY REPORT

CLOSED SESSION

Vice-Mayor Molina introduced City Attorney Schultz who announced that there was no reportable action from the earlier Closed Session item.

5.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 549569(d)(1)
Case: Greg Seward v. City of National City
Case Number: ADJ12916357

14. ADJOURNMENT

Vice-Mayor Molina adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, May 16, 2023, 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 7:40 p.m.

LaTonya Hussain, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of June 6, 2023.

Ron Morrison, Mayor