



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

**November 21, 2023, 6:00 p.m.  
City Council Chamber - 1243 National City Boulevard  
National City, CA**

**Present:** Councilmember Bush  
Councilmember Rodriguez  
Councilmember Yamane  
Vice-Mayor Molina  
Mayor Morrison

**Others Present:** Ben Martinez, Interim City Manager  
Barry Schultz, City Attorney  
Shelley Chapel, City Clerk (*via Zoom*)  
Carlos Aguirre, Acting Deputy City Manager/Housing Authority  
Director  
Molly Brennan, Administrative Services Director  
Danielle Ghio, Principal Librarian  
Brian Hadley, Building Official/Acting Director of Community  
Development  
Tonya Hussain, Executive Secretary  
Stephen Manganiello, Director of Public Works/City Engineer  
Sergio Mora, Fire Chief  
Martin Reeder, Planning Manager  
Jose Tellez, Chief of Police

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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.

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

2. **ROLL CALL**

Councilmembers present: Bush, Rodriguez, Yamane, Molina, Morrison

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

Councilmember Bush led the Pledge of Allegiance.

4. **INVOCATION**

Delivered by Jamie Labrake, Sychuan Band of the Kumeyaay Nation.

*Mayor Morrison left the dais at 6:18 p.m. and returned at 6:19 p.m.*

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.

Six (6) speakers provided in-person comments and three (3) people provided virtual comment.

In-Person Comment:

Jerry Potts  
Truth  
Edward Nieto  
Geoffrey Schrock  
Joan Rincon  
Rob Umana

Virtual Comment:

Judi Strang  
Becky Rapp  
Kelly McCormick

*Councilmember Bush left the dais at 6:35 p.m. and returned at 6:36 p.m.*

6. **PROCLAMATIONS AND RECOGNITION**

6.1 Native American Heritage Month

Mayor Morrison introduced Cody Martinez, Sycuan Band of the Kumeyaay Nation who accepted the proclamation.

In-person comment received from Truth (*heard during Item 7.1*).

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

7.1 Sweetwater Authority - We're Here to Serve

Presented by Sweetwater Authority Director of Finance Rich Stevenson and Director of Engineering and Operations Eric Del Bosque.

In-person comment received from Karen Henry and Truth.

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

Councilmember Rodriguez had nothing to report.

Councilmember Bush had nothing to report.

Councilmember Yamane had nothing to report, but announced continued support of Sweetwater Authority community health and environmental education.

Vice-Mayor Molina reported on SANDAG.

Mayor Morrison had nothing to report.

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

In-person public comment received from Joan Rincon.

9. **CONSENT CALENDAR**

**ACTION:** Motion by Councilmember Yamane, seconded by Councilmember Rodriguez to approve Consent Calendar Items 9.1, 9.2, 9.4, and 9.6 with Item 9.7 pulled from the agenda and Items 9.3 pulled by Councilmember Yamane and 9.5 pulled by Councilmember Rodriguez.

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

In-person comment received from Truth.

**Motion carried by unanimous vote.**

9.2 Approval of City Council Meeting Minutes.

Approve and file.

In-person comment received from Truth.

**Motion carried by unanimous vote.**

*Item pulled for discussion by Councilmember Yamane.*

9.3 Affordable Housing Density Bonus Agreement for 200 E 31st Street

Adopted Resolution No. 2023-161

Adopt the Resolution Entitled "Resolution of the City Council of the City of National City, California, Approving an Affordable Housing Density Bonus Agreement and Related Documents with KD Cove, LLC, a California Limited Liability Company, and Restricting the Rent and Occupancy of Five Units to Very-Low-Income

Households in Exchange for One Incentive Pursuant to California Government Code Sections 65915–65918 for the Development of 92 Housing Units Located at 200 E 31st Street in National City.”

In-person comment received from Truth.

**ACTION:** Motion by Councilmember Yamane, seconded by Mayor Morrison to postpone the item to the City Council meeting of December 5, 2023, and for the applicant to appear.

**Motion carried by unanimous vote.**

*Councilmember Bush left the dais at 7:31 p.m. and returned at 7:36 p.m.*

9.4 Investment Report for the Quarter Ended September 30, 2023.

Accept and File the Investment Report for the Quarter Ended September 30, 2023.

In-person comment received from Truth.

**Motion carried by unanimous vote.**

*Item pulled for discussion by Councilmember Rodriguez.*

9.5 Organized Retail Theft Prevention Grant Program Award of \$935,100 to the City of National City for the Period of October 1, 2023 to June 1, 2027.

Adopted Resolution No. 2023-162

Adopt a Resolution entitled, “Resolution of the City Council of the City of National City, California, 1) Authorizing the Acceptance of Organized Retail Theft Prevention Grant Program Funds in the Amount of \$935,100 from the Board of State and Community Corrections, 2) Authorizing the Establishment of an Appropriation and Corresponding Revenue Budget in the Amount of \$935,100, 3) Waiving the Formal Bid Process Pursuant to National City Municipal Code Section 2.60.220, and 4) Authorizing the City Manager to Enter into an Agreement with Flock Safety to Implement an Automated License Plate Reader Program.”

In-person comment received from Truth.

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

**Motion carried by unanimous vote.**

9.6 Second Amendments to On-Call Consultant Agreements for City’s Capital Improvement Program (CIP)

Adopted Resolution No. 2023-163

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Authorizing the Mayor to Execute Second Amendments to the Agreements by One Year and Increase the Not-to-Exceed Amounts by \$1,000,000 each for a Total Not-to-Exceed Amount of \$4,000,000 each." With the following On-Call Consultants: A) HDR Engineering, Inc.; B) Kimley-Horn and Associates, Inc.; C) KTU&A; D) NV5, Inc.; and E) WSP USA Inc.."

**Motion carried by unanimous vote.**

*Item pulled from the agenda.*

- 9.7 Temporary Use Permit – Kimball Park Winter Carnival hosted by Paul Maurer Shows at Kimball Park from Thursday, February 29, 2024 through Sunday, March 3, 2024 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. CONTINUED PUBLIC HEARING**

- 10.1 Introduction and First Reading of the Ordinance Establishing Speed Limits Based on Engineering and Traffic Surveys

Mayor Morrison declared the Public Hearing open at 7:53 p.m.

In-person public comment was received from Truth. One (1) written comment was received from Ted Godshalk.

*Councilmember Yamane left the dais at 7:55 p.m. and returned at 7:57 p.m.*

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

Ayes: Bush, Rodriguez, Molina, Morrison

Absent: Yamane

Motion approved by 4-0 vote.

Public Hearing closed at 7:55 p.m.

Recommendation: Introduce the Ordinance by First Reading, entitled, "Ordinance of the City Council of the City of National City, California, Establishing Speed Limits on Various Streets Based on Engineering and Traffic Surveys and Authorizing the Director of Public Works to Post Speed Limit Signs Consistent with the Recommendations of the Engineering and Traffic Surveys."

**ACTION:** Motion by Vice-Mayor Molina, seconded by Councilmember Bush to introduce the Ordinance.

Ayes: Bush, Rodriguez, Molina, Morrison  
Absent: Yamane

Motion approved by 4-0 vote.

## 11. **PUBLIC HEARING**

11.1 Second Reading and Adoption of Ordinances Amending National City Municipal Code Section 10.70 – Police Regulated Business Regulations and 10.79 – Massage Establishments.

Adopted Ordinance 2023-2523 and 2023-2524

Mayor Morrison declared the Public Hearing open at 7:58 p.m.

There was no public comment.

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

Motion carried by unanimous vote.

Recommendation: Second Reading and Adoption of the Ordinances Entitled: “An Ordinance of the City Council of the City of National City, California, Amending Chapter 10.70 Police Regulated Business Regulations of the National City Municipal Code; and

An Ordinance of the City Council of the City of National, California, Amending Chapter 10.79 Massage Establishments Regulations of the National City Municipal Code.”

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

Motion carried by unanimous vote.

## 12. **STAFF REPORTS**

12.1 Presentation on Transitioning from a General Law City to a Charter City

City Clerk Chapel and City Attorney Schultz provided the report.

In-Person Public Comment:

Edward Nieto

Kelsey Genesi

Truth

Joan Rincon

Dukie Valderrama

Virtual Comment:

Ansermio Estrada

Brigette Browning

Recommendation: Provide staff direction by choosing one of the following options:

1. Take No Action and Table the Issue.
2. Direct Staff to take Steps to Prepare the City Council to Draft a City Charter.
3. Direct Staff to Initiate the Process for Soliciting Applications for Appointment to a City Charter Advisory Committee.
4. Direct Staff to take the Necessary Steps to Prepare for the Election of a 15-Member Charter Commission.

*Councilmember Bush left the dais at 8:25 p.m. and returned at 8:25 p.m.*

**ACTION:** Motion by Councilmember Rodriguez to approve Option No. 3 – Direct Staff to Initiate the Process for Soliciting Applications for Appointment to a City Charter Advisory Committee and to explore different options for voting systems including Primary or Rank Choice voting, and to include independent redistricting to be part of the City Charter, and tying Councilmember salaries to regional salaries, seconded by Councilmember Bush.

Friendly amendment by Councilmember Bush to include contracting benefits.

Substitute Motion by Mayor Morrison to approve Option No. 1 – Take No Action and Table the Issue, seconded by Vice-Mayor Molina.

Ayes: Yamane, Molina, Morrison

Nays: Bush, Rodriguez

Motion carried by 3-2 vote.

**13. CITY MANAGER'S REPORT**

No report.

**14. ELECTED OFFICIALS REPORT**

Closing remarks were provided by City Treasurer, and 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 PUBLIC EMPLOYMENT**

Government Code Section 54957.6

Position to be filled: City Manager

**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 to the Regular Meeting of the City Council of the City of National City, Tuesday, December 5, 2023, 6:00 p.m., in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 9:39 p.m.

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Tonya Hussain, Executive Secretary

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

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Ron Morrison, Mayor