

AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF
THE CITY OF NATIONAL CITY



COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
TUESDAY, SEPTEMBER 4, 2018 – 6:00 PM

RON MORRISON
Mayor

ALBERT MENDIVIL
Vice Mayor

JERRY CANO
Councilmember

MONA RIOS
Councilmember

ALEJANDRA SOTELO-SOLIS
Councilmember

*1243 National City Blvd.
National City, CA 91950
619-336-4240*

*Meeting agendas and
minutes available on web*

WWW.NATIONALCITYCA.GOV

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Meetings begin in Open Session at 5:00 p.m. or such other time as noted, and after announcing closed session items, convenes into a Closed Meeting. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website **www.nationalcityca.gov**.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

CONSENT CALENDAR: Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are

adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.

Spanish to English interpretation services are available to members of the public who wish to speak to the City Council during the meeting. "Request to Speak" forms requesting interpretation must be filed within the first two hours of the meeting.

Español a los servicios de interpretación Inglés de audio está disponibles para los miembros del público que desean hablar con el Ayuntamiento durante del Consejo Municipal. "Solicitud para hablar de" formas solicitud de interpretación deben ser presentadas dentro de las dos primeras horas del Consejo Municipal.

COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.

OPEN TO THE PUBLIC

A. CITY COUNCIL

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS

1. [Workplace Gender Equity Day](#)

AWARDS AND RECOGNITIONS

2. [Introduction of New Employee - Ray Stryker, Housing Specialist. \(Housing & Economic Development\)](#)

PRESENTATIONS

INTERVIEWS / APPOINTMENTS

CONSENT CALENDAR

3. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)
4. [Resolution of the City Council of the City of National City accepting funds in the amount of \\$2,500 from SDG&E's 2018 SAFE San Diego Initiative 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. \(Fire\)](#)
5. [Resolution of the City Council of the City of National City approving and authorizing the City Manager to execute the Ratification of and First Amendment to a Real Property Purchase and Sale Agreement and Joint Escrow Instructions pertaining to the sale of the property located at 130 East 8th Street in National City to Protea National City, LLC, adding Exhibit "B-1" and extending the close of escrow for 6 months, expiring](#)

- March 1, 2019; and authorizing the City Manager to approve and execute up to two additional amendments, each extending the term of the Agreement by 90-days. (Housing & Economic Development)
6. Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the Agreement between the City of National City and Claims Management Associates, Inc. (CMA), to increase the hourly billing rate from \$90 per hour to \$100 per hour to provide liability risk management, claims adjusting and investigative services, which increases the Agreement by \$10,000, resulting in a total not to exceed Agreement amount increase from \$150,000 to \$160,000. (City Attorney)
 7. Resolution of the City Council of the City of National City: 1) accepting the work performed by Palm Engineering Construction Company, Inc. for the Westside Mobility Improvements Project, CIP No. 17-04; 2) approving the final contract amount of \$2,096,000.70; 3) ratifying the release of retention in the amount of \$104,800.03; and 4) authorizing the Mayor to sign the Notice of Completion for the project. (Engineering/Public Works)
 8. Resolution of the City Council of the City of National City: 1) awarding a contract to Bert W. Salas, Inc. in the not-to-exceed amount of \$334,056 for the Las Palmas Storm Drain Repair Project, CIP No. 17-16; 2) authorizing a 15% contingency in the amount up to \$50,108.40 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. (Engineering/Public Works)
 9. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement with Harris & Associates, Inc. to provide construction support services, including, but not limited to, preparation of record drawings, for the Paradise Creek Biofiltration Project for a not-to-exceed amount of \$100,000. (Engineering/Public Works)
 10. Resolution of the City Council of the City of National City authorizing the Mayor to execute a First Amendment to the two-year Agreement with Michael Baker International, Inc., to extend the term of the Agreement by one year, expiring June 30, 2019, to provide on-call project support services for National City's Capital Improvement Program (CIP), including, but not limited to, civil engineering, construction management and inspection services. (Engineering/Public Works)
 11. Resolution of the City Council of the City of National City: (1) waiving the formal bid process pursuant to National City Municipal Code Section 2.60.260 regarding cooperative purchasing and authorizing the City (Buyer) to piggyback onto U.S. General Services Administration (GSA) Contract #GS-30F-0003T to award the purchase of one CMT-100 Mixing Trailer to Cart-Away Concrete in an amount not to exceed \$24,390.48,

- and (2) appropriate \$9,390.48 in the Equipment Replacement Reserve from the Sewer Service Fund fund balance to apply toward the purchase. (Engineering/Public Works)
12. Resolution of the City Council of the City of National City authorizing the Mayor to execute Program Supplement Agreement (PSA) No. N010 Rev. 1 with the State of California Department of Transportation (CALTRANS) for the Citywide Safe Routes to School (SRTS) Pedestrian Enhancements Project to allow for reimbursement of up to \$350,000 in eligible project expenditures through the Federal Active Transportation Program (ATP). (Engineering/Public Works)
 13. Resolution of the City Council of the City of National City authorizing the installation of time-restricted “No Parking Street Sweeping” signs “Tuesday, 9:00 AM to 10:00 AM,” with the exception of City holidays on 2400-2500 block of “I” Avenue (TSC 2018-17). (Engineering/Public Works)
 14. Temporary Use Permit – St. Mary’s Annual Fall Festival hosted by St. Mary’s Catholic Church on Sunday, October 7, 2018 at the parish grounds located between E. 8th Street and “E” Avenue from 7 a.m. to 7 p.m. with no waiver of fees. (Neighborhood Services)
 15. Warrant Register #51 for the period of 06/13/18 through 06/19/18 in the amount of \$2,572,034.65. (Finance)
 16. Warrant Register #52 for the period of 06/20/18 through 06/26/18 in the amount of \$420,448.36. (Finance)
 17. Warrant Register #1 for the period of 06/27/18 through 07/03/18 in the amount of \$3,650,138.97. (Finance)
 18. Warrant Register #2 for the period of 07/04/18 through 07/10/18 in the amount of \$625,110.48. (Finance)
 19. Warrant Register #3 for the period of 07/11/18 through 07/17/18 in the amount of \$2,624,474.40. (Finance)
 20. Warrant Register #4 for the period of 07/18/18 through 07/24/18 in the amount of \$703,621.25. (Finance)
 21. Warrant Register #5 for the period of 07/25/18 through 07/31/18 in the amount of \$1,644,095.21. (Finance)
 22. Warrant Register #6 for the period of 08/01/18 through 08/07/18 in the amount of \$6,959,766.26. (Finance)

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

NON CONSENT RESOLUTIONS

23. [Resolution of the City Council of the City of National City approving, and authorizing the Mayor to execute, the Amended and Restated Regional Wastewater Disposal Agreement, and authorizing the City Manager to execute a modified Agreement should the City Attorney determine that the anticipated requests for modifications are non-substantive and do not adversely affect the City of National City. \(Engineering/Public Works\)](#)
24. [Resolution of the City Council of the City of National City adopting City Council Policy #119 - Code of Ethics and Conduct for Elected Officials, Council Appointed Officials and Members of City Boards, Commissions and Committees. \(City Manager\)](#)

NEW BUSINESS

25. [Notice of Decision – Planning Commission approval of a Conditional Use Permit for the off-site sale of beer and wine at a new retail store \(My Goody's\) located at 2424 Hoover Ave. Suite 'E' \(Applicant: Rane Boulton\) \(Case File 2018-12 CUP\) \(Planning\)](#)
26. [City Council review and direction on League of California Cities 2018 Annual Conference Resolutions: \(1\) "A Resolution of the League of California Cities Calling upon the League to respond to the increasing vulnerabilities to Local Municipal Authority, Control and Revenue and explore the preparation of a Ballot Measure and/or Constitutional Amendment that would further strengthen local democracy and authority"; \(2\) "A Resolution of the League of California Cities declaring its commitment to support the repeal of preemption in California Food and Agriculture Code 11501.1 that prevents local governments from regulating pesticides." \(City Manager\)](#)
27. [City Council discussion and direction of possible future actions based on the findings of the investigation into the allegations against Councilmember Cano and the allegation against Councilmember Rios. \(City Attorney\)](#)
28. [City Council discussion and direction on City Council Policy #104 - Conduct of City Council Meetings. \(City Manager\)](#)

B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

NEW BUSINESS - HOUSING AUTHORITY

C. REPORTS

STAFF REPORTS

MAYOR AND CITY COUNCIL

29. [City Council discussion and direction on a Resolution in Support of Working People \(Janus v. AFSCME Council 31\). \(Councilmember Rios\)](#)

CLOSED SESSION REPORT

30. [Closed Session - Conference with Legal Counsel - Potential Litigation Pursuant to Government Code Section 54956.9\(e\)\(1\) One Potential Case](#)

ADJOURNMENT

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - September 18, 2018 - 6:00 p.m. - Council Chambers - National City, California.

**AGENDA OF A REGULAR MEETING - SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY
REDEVELOPMENT AGENCY**



**COUNCIL CHAMBERS
CIVIC CENTER
1243 National City Blvd.
National City, California**

TUESDAY, SEPTEMBER 4, 2018 – 6:00 PM

RON MORRISON
Chairman

JERRY CANO
Boardmember

ALBERT MENDIVIL
Boardmember

MONA RIOS
Boardmember

ALEJANDRA SOTELO-SOLIS
Boardmember

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ORDER OF BUSINESS: Public sessions of all Regular Meetings of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency begin at 6:00 p.m. on the first and third Tuesday of each month. Public hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted on the agenda. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda.

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PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Board will receive public comments regarding any matters within the jurisdiction of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency. Members of the public may also address any item on the agenda at the time the item is considered by the Board. Persons who wish to address the Board are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

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OPEN TO THE PUBLIC
SUCCESSOR AGENCY AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

CONSENT CALENDAR

1. [Approval of the Minutes of the Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency of July 17, 2018. \(City Clerk\)](#)
2. [Successor Agency Warrant Register #51 for the period of 06/13/18 through 06/19/18 in the amount of \\$0.00. \(Finance\)](#)
3. [Successor Agency Warrant Register #52 for the period of 06/20/18 through 06/26/18 in the amount of \\$0.00. \(Finance\)](#)
4. [Successor Agency Warrant Register #1 for the period of 06/27/18 through 07/03/18 in the amount of \\$0.00. \(Finance\)](#)
5. [Successor Agency Warrant Register #2 for the period of 07/04/18 through 07/10/18 in the amount of \\$0.00. \(Finance\)](#)
6. [Successor Agency Warrant Register #3 for the period of 07/11/18 through 07/17/18 in the amount of \\$0.00. \(Finance\)](#)
7. [Successor Agency Warrant Register #4 for the period of 07/18/18 through 07/24/18 in the amount of \\$259,676.25. \(Finance\)](#)
8. [Successor Agency Warrant Register #5 for the period of 07/25/18 through 07/31/18 in the amount of \\$4,086,425.86. \(Finance\)](#)
9. [Successor Agency Warrant Register #6 for the period of 08/01/18 through 08/07/18 in the amount of \\$0.00. \(Finance\)](#)

PUBLIC HEARINGS

NON CONSENT RESOLUTIONS

NEW BUSINESS

STAFF REPORTS

MEMBER REPORTS

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency - Tuesday - September 18, 2018 - 6:00 p.m. - Council Chambers - National City, California.