



AGENDA

Consolidated Regular Meeting

City Council Chamber - 1243 National City
Boulevard, National City, CA

Alejandra Sotelo-Solis, Mayor
Marcus Bush, Vice-Mayor
Jose Rodriguez, Councilmember
Ron Morrison, Councilmember
Mona Rios, Councilmember

Brad Raulston, City Manager
Barry J. Schultz, Interim City Attorney
Luz Molina, City Clerk
R. Mitchel Beauchamp, City Treasurer

The City Council also sits as the City of National City Community Development Commission, Housing Authority, Joint Powers Financing Authority, and Successor Agency to the Community Development Commission as the National City Redevelopment Agency

Thank you for participating in local government and the City of National City Council Meetings.

Meetings: Regular City Council Meetings are held on the first and third Tuesday of the month at 6:00 p.m. Special Closed Session Meeting and Workshops may be same day, the start time is based on needs. Check Special Agendas for times.

Location: Regular City Council Meetings are held in the Council Chamber located at City Hall, 1243 National City Boulevard, National City, CA 91950, the meetings are open to the public.

Agendas and Material: [Agendas and Agenda Packet](#) for items listed are available on the City website, and distributed to the City Council no less than 72 hours prior to the City Council Meeting. Sign up for [E-Notifications](#) to receive alerts when items are posted.

Public Participation: Encouraged in a number of ways as described below. Members of the public may attend the City Council Meeting in person, watch the City Council Meeting via [live](#) web stream, or participate remotely via Zoom. [Recording of Meetings](#) are archived and available for viewing on the City's website.

Public Comment: Persons wishing to address the City Council on matters not on the agenda may do so under Public Comments. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the City Clerk prior to the meeting or immediately following the announcement of the item. All comments will be limited up to three (3) minutes. The Presiding Officer shall have the authority to reduce the time allotted to accommodate for a large number of speakers. *(City Council Policy 104)*

If you wish to submit written comment [email](#) to the City Clerk's Office at least 2 hours prior to the City Council Meeting to allow time for distribution to the City Council.

Spanish Interpretation Services: Spanish Interpretation Services are available, please contact the City Clerk prior to the start of the meeting for assistance.

American Disabilities Act Title II: In compliance with the American Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Title II. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office (619) 336-4228 at least 24 hours in advance of the meeting.



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Gracias por participar en las reuniones del gobierno local y del Consejo de la Ciudad de National City.

Reuniones: Las reuniones regulares del Consejo Municipal se llevan a cabo el primer y tercer martes del mes a las 6:00 p.m. La reunión especial de sesión privada y los talleres pueden ser el mismo día, la hora de inicio se basa en las necesidades. Consulte las agendas especiales para conocer los horarios.

Ubicación: Las reuniones regulares del Concejo Municipal se llevan a cabo en la Cámara del Consejo ubicada en el Ayuntamiento, 1243 National City Boulevard, National City, CA 91950, las reuniones están abiertas al público.

Agendas y Material: Las Agendas y el Paquete de Agenda para los temas enumerados están disponibles en el sitio web de la Ciudad y se distribuyen al Concejo Municipal no menos de 72 horas antes de la Reunión del Concejo Municipal. Regístrese para recibir notificaciones electrónicas cuando se publiquen artículos.

Participación pública: Se fomenta de varias maneras como se describe a continuación. Los miembros del público pueden asistir a la Reunión del Concejo Municipal en persona, ver la Reunión del Concejo Municipal a través de la transmisión web en vivo o participar de forma remota a través de Zoom. Las grabaciones de las reuniones están archivadas y disponibles para su visualización en el sitio web de la Ciudad.

Comentario Público: Las personas que deseen dirigirse al Concejo Municipal sobre asuntos que no están en la agenda pueden hacerlo bajo Comentarios públicos. Quienes deseen hacer uso de la palabra sobre los temas del programa podrán hacerlo cuando se esté examinando el tema. Por favor, envíe una solicitud del orador al Secretario de la Ciudad antes de la reunión o inmediatamente después del anuncio del artículo. Todos los comentarios estarán limitados a tres (3) minutos. El Presidente tendrá la autoridad para reducir el tiempo asignado para dar cabida a un gran número de oradores. (Política del Concejo Municipal 104)

Si desea enviar comentarios por escrito, envíe un correo electrónico a la Oficina del Secretario de la Ciudad al menos 2 horas antes de la Reunión del Concejo Municipal para dar tiempo a la distribución al Consejo Municipal.

Servicios de interpretación en español: Los servicios de interpretación en español están disponibles, comuníquese con el Secretario de la Ciudad antes del inicio de la reunión para obtener ayuda.

Título II de la Ley de Discapacidades Americanas: En cumplimiento con la Ley de Discapacidades Americanas de 1990, las personas con discapacidad pueden solicitar una agenda en formatos alternativos apropiados según lo requerido por el Título II. Cualquier persona con una discapacidad que requiera un modificación o adaptación para participar en una reunión debe dirigir dicha solicitud a la Oficina del Secretario de la Ciudad (619) 336-4228 al menos 24 horas antes de la reunión.



AGENDA

Consolidated Regular Meeting

Tuesday, August 16, 2022, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA

Pages

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. PUBLIC COMMENT

In accordance with State law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the City Council will not be able to discuss or take action on any issue not included on the agenda. Speakers will have up to three (3) minutes.

5. PROCLAMATIONS AND RECOGNITION

- 5.1. AMR Clinical Educator Ennis Jackson to recognize Bystander and NCFD for cardiac arrest efforts.

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

- 6.1. Presentation of Board of Library Trustees Annual Report, 2022-16

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

8. CONSENT CALENDAR

The Consent Calendar may be enacted in one motion by the City Council with a Roll Call Vote without discussion unless a Councilmember, a member of the Public, or the City Manager request an item be removed for discussion. Items removed from the Consent Calendar will be considered immediately following the adoption of the Calendar.

8.1.	Approval of Reading by Title Only and Waiver of Reading in Full of Ordinance on this Agenda	
8.2.	Approval of City Council Meeting Minutes.	26
8.3.	Declaring Findings to Continue to Teleconference Meetings to September 15, 2022, as Required by AB 361.	54
	Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Making the Findings Required by AB 361 to Continue Teleconference Meetings of the City Council and the City Boards, Commissions, and Committees to September 15, 2022." (City Clerk's Office)	
8.4.	League of California Cities Annual Conference – Designation of Voting Alternate	57
	Adopt a Resolution entitled, Resolution of the City Council of the City of National City, California, Designate City Manager Raulston as the Voting Alternate to Represent the City of National City at the 2022 League of California Cities Annual Conference and Business Meeting.	
8.5.	City Council Meetings Schedule for December 2022 and January 2023, 2022-06 (City Clerk's Office)	60
	Recommendation: The City Council adopt a motion dispensing with the Tuesday, December 20, 2022, and Tuesday, January 3, 2023, Regular Meetings of the City Council; and adjourn the Regular Meeting of Tuesday, December 6, 2022 to the next Regular Meeting to be held on Tuesday, January 17, 2023. A Special Meeting will be called for Tuesday, December 13 at 6:00 p.m. (City Clerk's Office)	
8.6.	New Job Classifications, amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and the Management Salary Schedule. (Human Resources)	61
	Recommendation: Creating two (2) new job classifications and amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and the Management Salary Schedule."	
8.7.	Execute Program Supplement Agreement (PSA) No. A062 with the State of California Department of Transportation (Caltrans) - Highland Ave. Inter-City Connection Project to allow for reimbursement of up to \$58,000 in Active Transportation Program Grant Fund	76

8.8.	Reject all Bids Received May 12, 2022, Accept Bids Received July 20, 2022, Authorize Appropriation, and Award Contract to California Commercial Pool, Inc. - Las Palmas Swimming Pool Renovation Project, CIP No. 22-01.	87
	Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) rejecting all bids received on May 12, 2022, for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01; 2) accepting the bids received on July 20, 2022; 3) authorizing the appropriation of additional funds in amount of \$660,907 from the remaining balance of American Rescue Plan Act (ARPA) fund; 4) awarding a contract to California Commercial Pool, Inc., in the not-to-exceed amount of \$3,206,850 for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01; 5) authorizing a 10% contingency in the amount of \$320,685 for any unforeseen changes; and 6) authorizing the Mayor to execute the contract. (Eng-Civil)	
8.9.	Notice of Decision – Planning Commission approval of a Conditional Use Permit for on-site distilled spirits sales and live entertainment located at 2325 Highland Ave. (Case File No.: 2022-08 CUP)	118
	Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. (Community Development - Planning)	
8.10.	Notice of Decision – Planning Commission approval - Conditional Use Permit off-sale beer & wine (Type 20) existing retail store (99 Cents Only) located at 1320 Highland Ave. adding condition to keep product locked up while not on the sales floor.	166
	Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. (Case File No.: 2022-16 CUP) (Community Development – Planning)	
8.11.	Accept SDG&E's 2022 SAFE San Diego Grant Program Award of \$2,500 for the City's CERT Program.	205
8.12.	Request to Initiate a Local Coastal Plan (LCP) Amendment for the update of the City's LCP Land Use Plan and Implementation documents for consistency with Title 18 (Zoning) of the National City Municipal Code.	209
	Approval of the request. (Community Development)	
8.13.	Warrant Register #1 for the period of 7/1/22 through 7/7/22 in the amount of \$1,595,251.79.	213
8.14.	Warrant Register #2 for the period of 7/8/22 through 7/14/22 in the amount of \$2,111,769.78.	218

- 8.15. Temporary Use Permit – Spirit Halloween retail tent store hosted by Spirit Halloween at Westfield Plaza Bonita Mall from September 4, 2022 through November 15, 2022 with no waiver of fees. 221

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802. (Community Development)

9. PUBLIC HEARING

- 9.1. Public Hearing – Conditional Use Permit Modification for the addition of live entertainment and modified operating hours at an existing public market (Market on 8th) located at 41 East 8th Street. 250

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. (Community Development)

10. STAFF REPORTS

- 10.1. Adopt the Resolution, setting Property Tax Rate for Library General Obligation Bond Property Tax Rate 2023 at .572 cent. 342

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, setting Property Tax Rate for Library General Obligation Bond Property Tax Rate 2023 at .572 cent." (Finance)

- 10.2. Citywide Recruitment and Retention Update 346

- 10.3. Public Meeting Protocols – In-Person and Teleconference Meetings 347

Discuss and provide staff recommendation.

11. CITY MANAGER'S REPORT

12. ELECTED OFFICIALS REPORT

13. CITY ATTORNEY REPORT

14. ADJOURNMENT

Regular Meeting of the City Council of the City of National City - Tuesday, September 6, 2022 - 6:00 p.m. - Council Chambers - National City, California.



AGENDA REPORT

Department: Library and Community Services
Prepared by: Joyce Ryan, Library & Community Services Director
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Presentation of Board of Library Trustees Annual Report

RECOMMENDATION:

Receive and file NCPL Board of Library Trustees Annual Report FY 21-22

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Board of Library Trustees approved at regular meeting of August 3, 2022.

EXPLANATION:

National City Public Library's Board of Library Trustees is required to provide an annual report to the City Council in the month of August. Chair Margaret Godshalk will present highlights from this year's annual report.

The past year has brought significant changes to the Library. Fine free borrowing has been implemented through Circulation, laptops and hotspots are available for checkout to patrons, and a new mobile app has given patrons a more convenient way to access library materials. Although our circulation statistics and library visits are lower than they were pre-pandemic, they are improving and we hope to see more of our patrons come back to the library in the coming year.

FINANCIAL STATEMENT:

N/A

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Parks, Recreation and Library

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

1. Presentation – BOLT Annual Report FY22
2. NCPL Board of Library Trustees Annual Report FY 21-22



City of National City

NATIONAL CITY PUBLIC LIBRARY

BOARD OF LIBRARY TRUSTEES ANNUAL REPORT

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Library Statistics

- 18,019 Active Library Borrowers
- 37,038 Checkouts
- 50,385 Library Visits
- 3,067 Program Participants
- Collection Size: 215,000 volumes



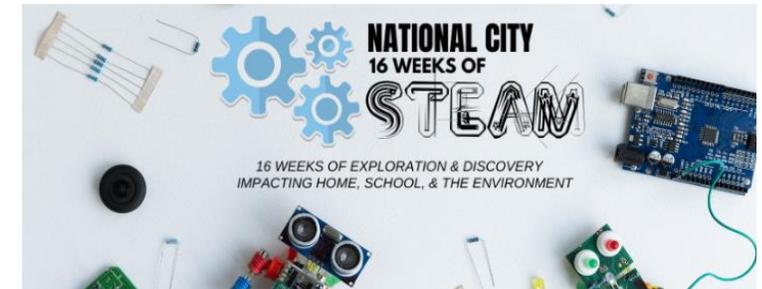
Operational Highlights

- Fine-Free Borrowing
- Library Mobile App
- Tech To Go Laptop and Hotspot Loan Program
- State-funded ESL Program
- “Now & Then” NSD Exhibit



Program Highlights

- Halloween Booktacular
- Holly Jolly Bookfest
- Dia de los Ninos
- STEAM Programs for Youth
- Summer Reading Program



Questions?





NATIONAL CITY PUBLIC LIBRARY

Library Board of Trustees
ANNUAL REPORT 2021-2022
National City Public Library

August 2022

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LETTER FROM THE DIRECTOR

Dear Library Supporters –

This has been a year of significant changes to the National City Public Library. From leadership changes to Fine Free Borrowing, Library staff and patrons have welcomed growth and expansion during the year.

In July 2021, I was selected to serve as Library & Community Services Director for the City of National City. I bring over 20 years of library experience to the position and I value the level of service and dedication that our staff members have towards our patrons. The staff and I are committed to making the National City Public Library the very best it can be for our residents.

Starting in June 2021, the Library opened its doors again following its closure due to COVID-19. The Library opened for 31 hours per week and attendance was initially minimal. However, month by month, more patrons began returning to the Library to access materials, computers, and assistance. Last year, we saw over 50,000 patron visits to the Library, and we anticipate an even greater number this coming fiscal year. Although circulation figures are far below what they have been in prior years, our statistics show that we had almost double the number of checkouts this year compared to last year.



To welcome our patrons back to the Library, the Board of Library Trustees approved a staff recommendation for a Fine Free Borrowing policy. The City Council subsequently approved the new policy on May 3, 2022. With this policy, the Library no longer charges late fines for overdue materials, putting our library in line with the vast majority of other libraries in the County.

Community outreach is an important component of the Library's mission. This past year, we have worked to create connections with community groups and organizations, allowing us to extend the reach of traditional services and promote the library to the greater public. A Community Connections grant awarded by the California State Library enabled Adult Reference staff to create a comprehensive outreach program to learn and connect our patrons with needed local social services. In addition, the Library participated for the first time in "A Kimball Holiday" celebration – bringing even more visibility to the Library and creating connections with community members outside of our walls.

Another significant outreach effort was seen in the art exhibition "Now & Then," which featured art and videos created by students in the National School District celebrating its 150th anniversary. The Library staff was excited about the opportunities to connect with the District and anticipate additional collaboration in the coming fiscal year.

Our Literacy Program offers a unique setting for adults to achieve their literacy goals and lifelong learning efforts. This year, the California State Library re-opened its funding applications for English as a Second Language (ESL) programs, and staff quickly applied for the funding. As a result, the State Library awarded our Literacy program over \$9,000 to teach ESL to adults. This is in addition to our generous grant award for Adult Literacy.

ADMINISTRATION

The National City Public Library Administration Team directs the library's operations. These operations include maintaining a balanced budget, managing and developing staff, resource management, performing outreach, liaising with community organizations, and enhancing library services. In addition, this team collaborates with our Board of Library Trustees to set policy and guide the Library in its mission.

The Administration Team also collaborates with other departments within the City and fosters partnerships with organizations such as the Friends of the Library. The Friends of the Library has continued to provide financial support for library programs and cultural events to serve the diverse needs of this community.

Library Mission

Recognizing our community's cultural, linguistic, and economic diversity, the National City Public Library serves all the community residents' informational, educational, social, and recreational needs. We support lifelong learning, personal enrichment, and empowerment by providing access to a variety of materials and current technology, a team of courteous and knowledgeable staff, and a welcoming environment that contributes to the quality of life in National City.

Staffing

City Librarian Minh Duong retired after almost 15 years of service with the City of National City, first as Principal Librarian and then City Librarian. Her last official day was July 1, 2021. With her retirement, the City combined the Library and a separate department, Community Services, into one department – the Library & Community Services Department.

The new Library & Community Services Director, Joyce Ryan, was hired and began working for the City of National City on July 19, 2021, after an extensive interview process. The three interviews included panels featuring a Library Board member, a Public Art Committee member, and subject matter experts. The new department is responsible for all library operations, management, and oversight of Recreation, Senior Services, Cultural Assets, and the Public Art Program. In addition, the expanded department allows for more opportunities for collaboration and community connections.

Recruitments were opened for two vacant positions on the Library staff: Administrative Secretary and Senior Library Technician for Technical Services. After application review and interviews, Sarah Ruiz was appointed to the Administrative Secretary position. A National City resident, she is a 19-year veteran of the State Department consulate in Tijuana. In addition, after application review and interviews, Tiffany Roberts was chosen for the position of Senior Library Technician. She brings a wealth of cataloging knowledge to her position and has experience with cataloging historical objects, in addition to typical library materials.

Senior Library Technician for Circulation, Maria Marmolejo, celebrated 35 years of service at the Library – 4 years of part-time and 31 years of full-time service. In addition, Children's Services Part-Time Library Technician Edgardo Santos marked ten years of working for the Library.

Year in Review Operating Highlights – Data Snapshot

Data Snapshot			
	FY 2019-2020* 07/2019 – 06/2020 12-Month Data - Actual	FY 2020-2021* 07/2020 – 06/2021 12-Month Data - Actual	FY 2021 -2022 07/2021 – 06/2022 12-Month Data - Actual
Hours Open	1,638	1782 (curbside) 1512 (Computer Center) 891 (Literacy ESL classes) 54 (fully open)	1,550
Visitors to the Library	107,228	18,624	50,385
Website Visits	80,109	51,340	30,179
Collection Size (Print)	204,284	229,380	214,289
Collection Size (Electronic)	543,618**	1,087,409**	136,654
Active Library Cards	27,484	22,710	18,019
eCards	238	5,911	6,082
Print Check Out	68,061	10,379	37,038
Digital (eBook) Check Out	5,792	6,307	4,164
Reference Questions (includes LHR and Tech)	48,609	10,744	8,406
Computer Sessions	32,611	4,398	9,332
Wi-Fi Sessions	13,028	6,246	8,198
All Programs	1,280	238	3,067
Program Attendance (in person)	12,765	9	590
Online Program Attendance (Includes virtual, remote, and drive-thru programs)	0	10,217	2,477
Computer Classes / ESL/ Tutoring Attendance	150 classes / 496 attendees	360 classes /613 attendees	22 classes/ 120 attendees (108 online)
Volunteer Hours	4,660	226	766.5
* Library Closure in effect March 14, 2020, due to COVID			
** Some Electronic collections are part of the library consortium's collection			

Library Highlights and Partnerships

Fine Free Borrowing

On May 3, 2022, the City Council approved the Board of Library Trustees' recommendation for the Fine Free Policy at the National City Public Library. The policy went into effect immediately, and patrons were excited about the change. This Fine Free Policy allows the Library to align with other local libraries that have stopped charging late fines for overdue library materials.



Library Mobile App

In May 2022, the National City Public Library launched its own mobile app. The mobile app works in tandem with our electronic catalog, and patrons can experience the convenience of utilizing the mobile app for searching the library catalog or finding e-materials and checking them out on the spot!



National School District – “Now & Then” Exhibit

The Library partnered with the National School District to feature an art exhibit in the Library created by students celebrating the 150th anniversary of the school district. Staff created a launch for the exhibit with District staff to welcome our students and parents. Two separate exhibits were showcased in the Library through the end of June 2022. The art was then stored in the Local History Storage for cataloging and preservation.



STEAM Programs

Our STEAM programs are still going strong, thanks to partnerships with local school districts, FLEET Science Center, Stephen Birch Aquarium, and many other co-partners of the National City STEAM Collaborative to create and provide the National City 16 Weeks of STEAM programming. In addition, NCPL collaborates on offering fun STEAM activities for our local children and their families through this project.



Library Programs

Halloween Booktacular Event: Cars lined up in the parking lot for the Halloween Booktacular event in October. With the help of the Council on Literacy and the Molina Foundation, Library staff distributed books to our community's children during Halloween. A total of 600 book bags were distributed to families at our drive-thru event!



Holly Jolly Book Fest: This popular drive-through event featured Santa Claus waving to each passing car. Over 700 book bags were given to local children for the holiday season thanks to our partnership with the Council on Literacy.



Little Free Libraries

The National City Public Library received a generous donation of two Little Free Libraries from San Diego County. Library staff partnered with A Reason to Survive (ARTS) to install art on these new small libraries. Artists Omar Quintero and Rob Tobin created unique art pieces to enjoy. The Little Free Libraries have been installed at Sweetwater Heights Park and Las Palmas Park and are stewarded by the Library and Friends of the National City Library.



PUBLIC SERVICES

The Children's Room is staffed with professionals trained in children's services. The Library makes children's services a priority to instill a habit of lifelong learning. Studies show that establishing an early and strong reading foundation provides many advantages to children throughout their lifetime. Children's services include storytimes, reader's advisory, crafts, and other programs that support literacy and encourage the love of reading. The trained staff offers guidance to parents so that parents can assist their children in selecting reading materials to develop their reading habits. In addition, children's staff model reading to children through storytimes so that parents can observe and learn how to foster the love of reading at home.

Reference provides information to its patrons by finding information, assisting in using the library, fielding requests for information, conducting literature searches, and maintaining and updating the catalog.

A wide range of services are available at the National City Public Library in-person and online. Patrons can apply for a library card, check out and return library materials, pick up materials they have reserved, or put them on hold. In addition, a library card gives patrons access to library computers, databases, eBooks, eMaterials, audiobooks, DVDs, and Blu-Rays.

Children's Services

Annual Statistics			
957	Booktacular Participants	732	Holly Jolly Participants
112	Dia De Los Niños Participants	94	Summer Reading Program Participants
2,197	Children's Craft Participants	250	Outreach Participants

Programming and Services

Children's Services worked hard this past year to create exciting programs for our youngest patrons. Although we started the year with drive-through events, we ended with exciting on-the-ground programs for our community's families.

Cars lined up in the parking lot for the Halloween Booktacular event in October. With the help of the Council on Literacy and the Molina Foundation, Library staff distributed books to our community's children during Halloween. A total of 600 book bags were distributed to families at our drive-thru event. The Holly Jolly Book Fest was a popular drive-through event that featured Santa Claus waving to each passing car. Over 700 book bags were given to local children for the holiday season thanks to our partnership with the Council on Literacy.

With funding from our generous Friends of the National City Library, the Library staff held a Dia de Los Niños event featuring Federico Guerrero's Folklorico dance troupe, a piñata craft, and a free book for each child in attendance. The Friends also funded our Summer Reading performers and supplies, ensuring a popular and exciting Summer Reading experience.

Adult and Young Adult Services

Annual Statistics			
213	Monthly Teen Crafts Participants	36	Teen Leadership Program Participants
61	Summer Reading Program Participants	27	NC Connects Participants

Programming and Services

Our Reference Librarians have provided needed services to our community members all year. This past year, they completed work on a grant-funded project, Community Connections “NC Connects,” which allowed them to explore local social services that could be shared with patrons requiring those services. In addition, they have provided in-depth reference assistance to community members, assisting them in finding the local organizations that can provide needed help. From food pantries and community closets to diaper distributions and senior services, our reference librarians have been able to make an impact on our patrons’ daily lives.

In addition, our reference team also provides craft supplies to keep hands busy and entertained. Every month, crafts are available for teen and adult participants to enjoy. Approximately 400 crafters took advantage of this service this past year.

Our Reference Librarians are also in charge of collection development and have worked diligently to order 15,000 new titles to our shelves this past year. Staff is working towards adding items to all of our genres, refreshing the collection throughout the Library.

Circulation

Annual Statistics			
37,038	Circulation of Physical Items	18,019	Active Library Cards

Programming and Services

The Board of Library Trustees approved the Library’s Fine Free Borrowing Policy on May 3, 2022. The City Council subsequently approved the policy at their meeting on May 3, 2022. This Fine Free Policy allows the Library to align with other local libraries that have stopped charging late fines for overdue library materials. The new policy allows for up to three automatic renewals, depending on the type of library material. In addition, patrons are given thirty days after the item has been marked as overdue before being charged for item replacement.

Prior to the Fine Free policy approval, patrons were charged \$.25 - \$3.00 per day per item in late fines. As a result, patrons have noted to staff that they are less anxious when checking out library materials and are checking out additional items. In addition, staff has noted that they have minimized the number of complaints and challenging interactions with patrons and can focus on providing more positive customer service.

The following special items have been made available for checkout this past year:

- The **Tech to Go** laptop and hotspot loan program has enabled many patrons to check out and enjoy the use of a laptop, hotspot, or both. The Library currently has 44 Chromebooks (25 with built-in wireless) and 19 hotspots available for patron borrowing.
- **California Parks Pass Program** enables patrons to borrow a pass to any of our California State Parks, enabling our patrons to visit State Parks for free. This program was made possible by a joint initiative of

the California State Library and the California State Parks. The Library currently has five passes available for checkout.

- **Nature Exploration Backpacks** are also available for checkout. These backpacks are made possible through a donation from the San Diego Foundation and Live Well San Diego to help everyone explore the great outdoors!

LITERACY

Our Literacy Program offers a unique setting for adults to achieve their literacy goals, gain technology literacy, learn ESL, earn high school diplomas and career certificates, and develop the workforce readiness skills they need to succeed in the 21st century. Due to COVID-19, this program moved classes and services to a virtual environment.

Within the past few years, Literacy staff developed an ESL component emphasizing conversation and comprehension. This year, the California State Library re-opened its funding applications for ESL programs, and staff quickly applied for the funding. As a result, the State Library awarded our Literacy program over \$9,000 during the year's second half to teach adults ESL. This will be an ongoing program funded by the State Library.

For most of our patrons, digital empowerment is critical to their lifelong learning and continued success. In order to support digital and informational access, getting an education to upskilling and lifelong learning to secure employment, file taxes, and stay in touch with family – digital empowerment is all about keeping people better connected. National City Public Library is proud to serve as a gateway and vital community anchor institution for digital inclusion, digital advancement, and equitable access to information and resources.



Adult Literacy

Annual Statistics						
ESL Basic Class #1	ESL Basic Class #2	ESL Conversation Circle	Online Basic Computer Classes	Excel Classes	PowerPoint Classes	Tech Lending Program
5 classes	1 class	2 classes	8 classes	3 classes	3 classes	148 checkouts and renewal
71 sessions	44 sessions	43 sessions	147 sessions	22 sessions	17 sessions	137 laptop checkouts
27 online learners	5 online learners	16 online learners	26 online learners	6 online learners	6 online learners	129 hotspot checkouts
						60 learners

Programming and Services

All classes and services were held virtually this past year. The regular operation consists of one-on-one tutoring or small group instruction sessions. However, our literacy program takes things a few notches higher by offering a plethora of classes and workshops:

- ❖ **Adult Basic Education (ABE)** – classes are for adults at the elementary level (to grade 8) and focus on basic literacy and computational skills.
- ❖ **Adult Literacy programs** help English-speaking adults improve their reading, writing, and communication proficiency and math skills to reach their potential as workers, parents, community members, and life-long learners.
- ❖ **English as a Second Language (ESL)** – There were four sessions of Basic ESL classes for non-native English-speaking adults who want to improve their writing and writing skills. Each session was two months in length.
- ❖ **Workforce Literacy** – Tutors held virtual programs and services that helped adults find employment, move into a new job, or enter trade-based training programs.
- ❖ **Computer Literacy** – Four 6-week classes were held on the following topics: basic computer skills, Excel basics, Zoom Basics, and PowerPoint basics. 267 learners attended the classes.
- ❖ **Preparation for various tests/exams** such as GED (General Educational Development), HiSet (High School Equivalency Test), ASVAB (Armed Services Vocational Aptitude Battery), and Citizenship Exam.
- ❖ In addition to GED and HiSET test preparation tutoring, **Career Online High School**, an educational service offered by Smart Horizons and endorsed by the California State Library, allows adults lacking a high school diploma to earn an accredited high school diploma and credentialed career certificate at the same time. In partnership with the County of San Diego Library, National City Library offers a \$2,500 scholarship to defray the program costs.

SUPPORT

Automated Services and Technical Services are the underpinnings by which all our technology functions within the Library. These sections are responsible for the continued operation of our electronic catalog, the uploading of full records, and patron access to our digital resources.

The Computer Center is a staffed computer lab where patrons can come in to use the computers, internet, scanners, and printer/copier. In addition, the Computer Center has staff available to assist library patrons with using the technology and answering their questions. The Tech Lab is not currently holding classes but is serving the patrons by printing their 3D files free of charge and guiding users to resources for learning 3D design and printing.

Automated Services

Annual Statistics			
58	3D Prints	5,145	Instruction Questions
30,179	Online Visits	9,332	Computer Sessions
6,082	eCards	4,164	Digital Checkouts

Programming and Services

Automated Services' staff completed a number of important projects this past year. They ordered and prepared all laptops and hotspots for patron use through our Tech To Go program. In addition, they assisted Circulation staff with training on laptop/hotspot troubleshooting and circulation procedure. The State Library and the Federal Communications Commission (FCC) provided funding for the Tech To Go program.

Starting in Spring 2022, staff also worked on the Library Mobile App project. Staff worked with SirsiDynix to develop a mobile app that would tie in with the National City Public Library's electronic catalog. Funded by a grant from the State Library, staff worked to complete the project by June 2022. This project involved developing, troubleshooting, testing, and launching the mobile app. Staff also created a training video and gave presentations on its functionality.

Automated Services' staff are also responsible for running the Computer Lab and ensuring the Library's computers are functional for patrons. Staff also ensure the viability of the Library's electronic resources, databases, e-materials, and media.

Although there is a noticeable decrease in electronic media, this is due to the State Library no longer funding access to certain electronic resources.

Technical Services

Annual Statistics	
14,910	Library Materials Added

Programming and Services

This past year, our Technical Services staff have been working towards enhancing the bibliographic records in our electronic catalog. For example, new collection codes have been created for “New” library materials that allow administrative personnel to better assess the number of titles in that section and track circulation statistics. In addition, new processes in this section have allowed for a more streamlined workflow. Staff is also creating new genre sections for Mystery and Science Fiction, which will be launched in the coming fiscal year.

Staff is also exploring Custom Library Service through Baker & Taylor, our primary library materials vendor, to receive books already cataloged and “shelf-ready.” This would enable staff to focus on other projects in the library and enable patrons to receive titles without waiting for additional cataloging and processing time



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, MMC, Deputy City Clerk
Meeting Date: Tuesday, August 2, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Approval of City Council Meeting Minutes.

RECOMMENDATION:

Approve and File.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Meeting Minutes:

- May 17, 2022 City Council and Housing Authority Regular Meeting
- June 7, 2022 City Council and Housing Authority Regular Meeting
- June 21, 2022 City Council and Housing Authority Regular Meeting
- June 21, 2022 Special Meeting Closed Session
- June 21, 2022 Successor Agency Meeting

FINANCIAL STATEMENT:

None.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378;
PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Minutes



**MINUTES OF THE VIRTUAL REGULAR MEETING
OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION – HOUSING AUTHORITY
OF THE CITY OF NATIONAL CITY**

May 17, 2022

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Assembly Bill No. 361, approved by Governor Newsom on September 16, 2021.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. The Agenda Items were considered in the order presented.

ALL TO ORDER

The meeting was called to order at 6:02 p.m. by Mayor Sotelo-Solis.

ROLL CALL

Councilmembers present: Morrison, Rios, Rodriguez, Bush, Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell Jr., Chapel, Parra, Yano, Vergara, Aguirre, Navarro, Gilman, Tellez, Ryan, Brennan, Valadez, Barrera, Meteau.

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Rodriguez led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Sotelo-Solis summarized the process for acceptance of live public comment allowing three (3) minute per comment and introduced City Clerk Molina.

Three (3) verbal comments were registered and heard: Nonie Moreno, Becky Rapp, David Magana.

Three (3) written comments were received and read: Jaime Contreras, Jose Franco Garcia, Ted Godshalk.

Mayor Sotelo-Solis announced that this meeting will be adjourned in honor of Firefighter Roberto “Bobby” Victor Medina. Family members Ricardo Medina, Ernest Median, and Lilia Medina were present to receive the honor and provide remarks.

PROCLAMATIONS AND CERTIFICATES

1. National City Recognizes National Public Works Week.

Mayor Sotelo-Solis introduced Director of Public Works Yano who provide a PowerPoint presentation to honor the Public Works team.

2. National City Celebrates Asian American and Pacific Islander Heritage Month with recognition of the Philippine Nurses Association of San Diego County, Inc (PNASD).

Mayor Sotelo-Solis introduced PNASD Board Chair Vivian Sanderlin who receive the honor and provide remarks.

AWARDS AND RECOGNITIONS - No agenda items

PRESENTATIONS - No agenda items

INTERVIEWS / APPOINTMENTS

3. Low Rider Ad-Hoc Committee.

Public Comment:

Seven (7) verbal comments were registered and heard: Albert Pulido, Aida Castaneda, Olga Espinoza, Lilianna Landin, Kasinee Quezada, Rene Del Rio, Eddie Blea,

Five (5) written comments were received and read: Marisa Rosales, Jovita Arellano, Henry Joiner, Sherry Yafuso, Donnie Taylor.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush to re-appoint Mayor Sotelo-Solis and Councilmember Rios to the committee.

Motion carried by unanimous vote.

REGIONAL BOARDS AND COMMITTEE REPORTS

Mayor Sotelo-Solis reported on the business of the San Diego Association of Governments (SANDAG).

Councilmember Rios reported on the business of the Sweetwater Authority Board, and the San Diego County Water Authority.

Vice-Mayor Bush reported on the business of the Air Pollution Control District (APCD).

CONSENT CALENDER

Public Comment: No verbal or written comments were received.

ACTION: Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to approve the Consent Calendar Items 4 through 14.

Motion carried by 5-0 vote.

4. Approved Motion of the City Council of the City of National City, California approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.
5. Approved of City Council Meeting Minutes.
6. Adopted Resolution No. 2022-74. Adoption of a Resolution to Require AB361 Findings Regarding Teleconference Meetings.
7. Adopted Resolution No. 2022-75. Resolution of the City Council of the City of National City, California, authorizing the issuance of a Request for Proposals (“RFP”) to assist with restoration, extractions, reconstruction and repairs arising from flooding due to City of National City sewer mains for the City of National City.
8. Adopted Resolution No. 2022-76. Resolution of the City Council of the City of National City, California, approving the establishment of appropriations in the amount of \$18,262.28 from the fund balance of the Vehicle Replacement Fund to cover change orders for the Type VI squad.
9. Adopted Resolution No. 2022-77. 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 Housing Acceleration Grant Program (HAP) funds in the amount of \$205,523 for Focused General Plan Update (FGPU) and a Climate Action Plan (CAP) Update.
10. Adopted Resolution No. 2022-78. Resolution of the City Council of the City of National City, California, 1) approving the following project proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) through the Local Streets and Roads Funding Program as required by Senate Bill 1, the Road Repair and Accountability Act of 2017 – 8th Street and Roosevelt Avenue Active Transportation Corridor and 2023 Pavement Rehabilitation (Locations per the Citywide Pavement Condition Assessment) projects; and 2) authorizing the establishment of a Gas Tax Fund appropriation of \$1,430,342 for Fiscal Year 2023 and corresponding revenue budget for receipt of RMRA funds.
11. Adopted Resolution No. 2022-79. Resolution of the City Council of the City of National City, California, 1) re-allocating \$277,000.00 from CIP No. 19-19 - Roosevelt Avenue Corridor Smart Growth Revitalization Project, to the National City Street Resurfacing Project, CIP No. 22-19; 2) Awarding a contract to Eagle Paving Company Inc., in the not-to-exceed amount of \$2,072,519.00 for the National City Street Resurfacing Project, CIP No. 22-19; 3) authorizing a 15% contingency in the amount of \$310,878 for any unforeseen changes; 4) authorizing the Mayor to execute the contract.
12. Received and Filed. Investment Report for the quarter ended March 31, 2022.

13. Ratified Warrant Register #40 for the period of 4/01/22 through 4/07/22 in the amount of \$3,154,071.87.
14. Ratified Warrant Register #41 for the period of 4/08/22 through 4/14/22 in the amount of \$687,657.95.

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

15. Adopted Resolution No. 2022-80. Public Hearing and Adoption of a Resolution of the City Council of the City of National City, California, repealing and replacing Resolution 2021-165 for the certification of an Environmental Impact Report (EIR) for, and approving, a General Plan Amendment, Zone Change, Code Amendment, and Conditional Use Permit for construction of a CarMax dealership on property located on the north side of Plaza Bonita Road, west of Sweetwater Road, and east of Interstate 805 and authorizing the filing of a Notice of Determination. (Applicant: CarMax) (Case File No. 2016-30 GPA, ZC, A, CUP, IS)

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Planning Manager Reeder who provided the report.

Mayor Sotelo-Solis declared the Public Hearing open at 7:29 p.m.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Councilmember Morrison, seconded by Councilmember Rodriguez, to close the Public Hearing at 7:30 p.m.

Motion passed by 5-0 vote.

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

Motion passed by 5-0 vote.

16. Adopted Resolution No. 2022-81. Public Hearing and Adoption of a Resolution of the City Council of the City of National City, California, 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 \$2,635.50 per new residential dwelling unit to \$2,688.21 per unit beginning July 1, 2022.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Director of Public Works Yano who provided the report and addressed questions from Council.

Mayor Sotelo-Solis declared the Public Hearing open at 7:36 p.m.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Vice-Mayor Bush, seconded by Councilmember Morrison, to close the Public Hearing at 7:37 p.m.

Motion passed by 5-0 vote.

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

Motion passed by 5-0 vote.

17. Adopted Resolution No. 2022-82. Public Hearing and Adoption of a Resolution of the City Council of the City of National City, California, 1) approving the TransNet Local Street Improvement Program of Projects for National City for Fiscal Years 2023 through 2027 consisting of the following projects: Plaza Blvd Widening (NC01), Street Resurfacing (NC03), Traffic Signal Install/Upgrades (NC04) and Citywide Safe Routes to School (NC15); and 2) authorizing the establishment of a TransNet Proposition “A” Fund appropriation of \$1,784,000 for FY 2023 and corresponding revenue budget.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Director of Public Works Yano who provided the report and addressed questions from Council.

Mayor Sotelo-Solis declared the Public Hearing open at 7:44 p.m.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Vice-Mayor Bush, seconded by Councilmember Rios, to close the Public Hearing at 7:44 p.m.

Motion passed by 5-0 vote.

ACTION: Motion by Vice-Mayor Bush, seconded by Councilmember Morrison, to adopt the Resolution.

Motion passed by 5-0 vote.

NON CONSENT RESOLUTIONS

18. Adopted Resolution No. 2022-83. Resolution of the City Council of the City of National City, California, approving the Memorandum of Understanding (MOU) between the City and the National City Police Officers’ Association (NCPOA) and authorizing General Fund fiscal year 2021-2022 appropriations of \$12,000 for benefit increases.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Administrative Services Director Brennan who provided the report and addressed questions from Council.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Councilmember Morrison, seconded by Mayor Sotelo-Solis, to adopt the Resolution.

Motion passed by 5-0 vote.

19. Accepted – Fiscal Year 2022/2023 Preliminary Budget Update.

City Clerk Molina read the title of the Item into the record.

Mayor Sotelo-Solis introduced City Manager Raulston and Administrative Services Director Brennan who provided the report and PowerPoint presentation. City Manager Raulston, Director Brennan, and Finance Manager Valadez addressed questions from Council.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison, to accept Staff's recommendations detailed in the list of Summary of Direction Items, with the addition of \$60,000 to support part-time employee stipends.

Substitute motion by Vice-Mayor Bush, seconded by Councilmember Rodriguez, to accept Staff's recommendations detailed in the list of Summary of Direction Items, with the exception of "Transition Management Intern Program Back to CMO – (\$50,000)", and with the addition of \$60,000 to support part-time employee stipends.

Ayes: Rodriguez, Bush

Nays: Morrison, Rios, Sotelo-Solis

Motion failed by 2-3 vote.

Vote on original motion.

Motion passed by 5-0 vote.

ACTION: Motion by Vice-Mayor Bush, seconded by Councilmember Rodriguez, to budget funds in the amount of \$72,000 to cover the fees for four (4) cruising events for Fiscal Year 2022-2023.

Substitute motion by Mayor Sotelo-Solis to apply City Council Policy 802 that allows up to a maximum of \$500 waiver of fees per day to new events, and to budget funds in the amount of \$2,500 to offset fees for cruising events for Fiscal Year 2022-2023. Substitute motion dies for lack of a second.

Vote on original motion.

Ayes: Rodriguez, Bush

Nays: Morrison, Rios, Sotelo-Solis

Motion failed by 2-3 vote.

20. Adopted Resolution No. 2022-84. Resolution of the City Council of the City of National City, California, authorizing the City Manager to enter into an agreement with the National City Host Lions Club in the not-to-exceed amount of \$7,750.00, to facilitate the Fourth of July Carnival taking place June 30, 2022 to July 4, 2022.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Library and Community Services Director Ryan who provided the report and addressed questions from the City Council.

Public Comment:

One (1) verbal comment was registered and heard: Brian Clapper.

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

Motion passed by 5-0 vote.

NEW BUSINESS

21. Accepted Notice of Decision – Temporary Use Permit – National City Host Lions Club 75th Annual Independence Day Carnival sponsored by the National City Host Lions Club at Kimball Park from June 30, 2022 to July 4, 2022. This is a City co-sponsored event per Council Policy No. 802.

City Clerk Molina read the title of the Item into the record.

Mayor Sotelo-Solis introduced Director of Community Development Vergara who provided the report and addressed questions from Council.

Public Comment:

One (1) verbal comment was registered and heard: Brian Clapper.

ACTION: Motion by Councilmember Morrison, seconded by Vice-Mayor Bush, to accept the Notice of Decision with the amendment to change the hours for July 2, 2022 from 12:00 p.m. to 12:00 a.m., and to change the end time for July 2, 2022 to 12:00 a.m.

Motion passed by 5-0 vote.

B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY – No agenda items

C. REPORTS

STAFF REPORTS

22. City Manager Report.

City Manager Raulston provided the report. Chief of Police Tellez provided comments regarding the cruising event that occurred May 6, 2022.

MAYOR AND CITY COUNCIL

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

CLOSED SESSION

CLOSED SESSION REPORT – No agenda items

ADJOURNMENT

Mayor Sotelo-Solis adjourned the meeting in memory of Firefighter Roberto “Bobby” Victor Medina.

Mayor Sotelo-Solis adjourned to the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City, Tuesday, June 7, 2022, 6:00 p.m. via teleconference.

The meeting adjourned at 9:50 p.m.

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of August 16, 2022.

Alejandra Sotelo-Solis, Mayor

DRAFT



**MINUTES OF THE VIRTUAL REGULAR MEETING
OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION – HOUSING AUTHORITY
OF THE CITY OF NATIONAL CITY**

June 7, 2022

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Assembly Bill No. 361, approved by Governor Newsom on September 16, 2021.

The City Council Minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. The Agenda Items were considered in the order presented.

CALL TO ORDER

The meeting was called to order at 6:02 p.m. by Mayor Sotelo-Solis.

ROLL CALL

Councilmembers present: Morrison, Rios, Rodriguez, Bush, Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell Jr., Chapel, Brennan, Yano, Valadez, Aguirre, Ryan, Barrera, Gilman, Vergara, Parra, Navarro, Tellez, and Reeder.

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Vice-Mayor Bush led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Sotelo-Solis summarized the process for acceptance of live public comment allowing three (3) minute per comment and introduced City Clerk Molina.

Five (5) verbal comments were registered and heard: Peggy Walker, Terri-Ann Skelly, Barbara Gordon, Chad Matkowski, and Becky Rapp.

One (1) written comment was received and read: Eunize Ornelas.

PROCLAMATIONS AND CERTIFICATES

1. National City Celebrates LGBTQ+ Pride Month by recognizing Rainbow Spaces.

Mayor Sotelo-Solis presented the honor to Nadia Kean-Ayub, representative of Rainbow Spaces, who shared appreciation for the support.

AWARDS AND RECOGNITIONS - No agenda items

PRESENTATIONS

2. Introduction of New City Employees.

Mayor Sotelo-Solis introduced Assistant City Manager Winney who provided the report and PowerPoint presentation. Pedro Garcia, Sabino Flores, Raul Camacho, Esteban Rojas, Tiffany Roberts, Lily Barnes, Monique Hawk, and Katrina Phillips were introduced as new city employees.

3. Olivewood Gardens Presentation.

Mayor Sotelo-Solis introduced Library and Community Services Director Ryan who introduced Executive Director Jen Nation with Olivewood Gardens, and provided a PowerPoint presentation.

INTERVIEWS / APPOINTMENTS - No agenda items

REGIONAL BOARDS AND COMMITTEE REPORTS

Councilmember Rios reported on the business of the Metropolitan Water District, and Sweetwater Authority Board.

Mayor Sotelo-Solis reported on the business of San Diego Association of Governments (SANDAG), and provided a PowerPoint presentation on the Lowrider Ad-hoc Committee.

CONSENT CALENDER

Public Comment:

Three (3) written comments were received and read: Ted Godshalk commented on Items 6, 9, and 12.

Director of Public Works Yano provided a promotional video for Item 14.

ACTION: Motion by Vice-Mayor Bush, seconded by Councilmember Rios, to approve the Consent Calendar Items 4 through 20.

Motion carried by 5-0 vote.

4. Approved Motion of the City Council of the City of National City, California approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.

5. Approved of City Council Meeting Minutes.
6. Adopted Resolution No. 2022-85. Adoption of a Resolution Declaring Findings to Continue Teleconference Meetings to July 5, 2022, as required by AB 361.
7. Adopted Resolution No. 2022-86. Adoption of a Resolution of the City Council of the City of National City, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements of Qualifications Submitted to the Voters at an Election to be Held on Tuesday, November 8, 2022.
8. Adopted Resolution No. 2022-87. Adoption of a Resolution of the City Council of the City of National City, California, Providing Notice of and Calling for the Holding of a General Municipal Election, for the Purpose of the Election of Certain Elected Officials, Requesting the San Diego County Board of Supervisors to Consolidate the Municipal Election with the Statewide Gubernatorial Municipal Election on Tuesday, November 8, 2022, as Required by the Provisions of the Laws of the State of California Relating To General Law Cities.
9. Adopted Resolution No. 2022-88. Adoption of a Resolution of the City Council of the City of National City, California, Providing for the Conduct of a Special Runoff Election for Elective Offices in the Event of a Tie Vote at any Municipal Election.
10. Adopted Resolution No. 2022-89. Resolution of the City Council of the City of National City, California, ratifying the submission of the U.S Department of Housing and Urban Development (HUD) 2022-2023 Annual Action Plan and the allocation of 2022-2023 HUD entitlement grant funds and program income to Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program activities proposed for 2022-2023 Annual Action Plan.
11. Adopted Resolution No. 2022-90. Resolution of the City Council of the City of National City, California, authorizing the issuance of a Request for Proposals ("RFP") for an Enterprise Resource Planning (ERP) System and Implementation Services.
12. Adopted Resolution No. 2022-91. Resolution of the City Council of the City of National City, California approving the Engineer's Report for and initiating proceedings of the levy and collection of assessments for Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal Year 2022/23.
13. Adopted Resolution No. 2022-92. Resolution of the City Council of the City of National City, California declaring its intention to conduct a public hearing on June 21, 2022 and to levy and collect assessments for Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal Year 2022/23.
14. Adopted Resolution No. 2022-93. Resolution of the City Council of the City of National City, California 1) ratifying acceptance of funds in the total amount of \$15,819 awarded to the City of National City from the Beverage Container Recycling City/County Payment Program from the California Department of Resources Recycling and Recovery (CalRecycle) for FY22 to implement recycling projects and programs such as beverage recycling containers in city parks, clean-up activities, and educational materials; 2) authorizing the acceptance of the Beverage Container Recycling City/County Payment Program funds for \$15,819 and the establishment of the Trash Rate Stabilization Fund

appropriation of \$15,819 and corresponding revenue budget for the implementation of recycling projects and programs.

15. Adopted Resolution No. 2022-94. Resolution of the City Council of the City of National City, California accepting a Grant Deed from KD Cove, LLC for a Street Dedication for a portion of E. 31st Street between the southerly line of “B” Avenue and “C” Avenue, to be vacated for public use, and authorizing the Mayor to execute the certification thereof evidencing the City’s consent to and acceptance of the Grant Deed.
16. Adopted Resolution No. 2022-95. Resolution of the City Council of the City of National City approving the temporary street closure of Newell Street and 22nd Street scheduled to take place during the period of June 8th, 2022 through July 28th, 2022, for the construction of a neighborhood traffic circle at this intersection.
17. Adopted Resolution No. 2022-96. Resolution of the City Council of the City of National City, California authorizing the acceptance of the California State Library Lunch at the Library Grant in the amount of \$800 to fund library programs and authorizing the establishment of a Library Grants Fund appropriation of \$800 and corresponding revenue budget.
18. Received and Filed. Investment transactions for the month ended April 30, 2022.
19. Ratified Warrant Register #42 for the period of 4/15/22 through 4/21/22 in the amount of \$1,740,797.06.
20. Ratified Warrant Register #43 for the period of 4/22/22 through 4/28/22 in the amount of \$950,740.08.

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS - No agenda items

NON CONSENT RESOLUTIONS

21. Adopted Resolution No. 2022-97. Resolution of the City Council of the City of National City, California adopting a budget for fiscal year 2023.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced City Manager Raulston who acknowledged Administrative Services Director Brennan and Budget Manager Valadez. Director Brennan provided the report.

Public Comment:

Two (2) written comments were received and read: John Borja and Ted Godshalk.

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

Substitute motion by Councilmember Rodriguez, seconded by Vice-Mayor Bush, to adopt the budget for fiscal year 2023, with an amendment to remove the \$250,000 for the yoga lawn and \$250,000 for cultural assets improvements, and substitute those with \$500,000 for small business and non-profit microgrants to be administered through the National City Chamber of Commerce.

Ayes: Rodriguez, Bush
Nays: Morrison, Rios, Sotelo-Solis
Motion failed by 2-3 vote.

Vote on original motion.
Motion passed by 5-0 vote.

22. Adopted Resolution No. 2022-98 and Ordinances Nos. 2022-TBD and 2022-TBD. Adoption of Resolutions Ordering the Submission of a Ballot Measure to the qualified voters of the City of National City at the Statewide Gubernatorial Municipal Election to be held on November 8, 2022, to make the Office of City Clerk Appointive.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Deputy City Clerk Chapel who provided the report and gave a PowerPoint presentation.

Public Comment:
One (1) written comment was received and read: Joan Rincon.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to approve the placement of the measure on the November 8, 2022 ballot, and to create an ad-hoc committee consisting of Mayor Sotelo-Solis and Councilmember Morrison to recommend language for the ballot measure.

Motion passed by 5-0 vote.

ACTION: Motion by Councilmember Rios, seconded by Councilmember Morrison, to approve the Resolution providing Notice of and Calling for the holding of a General Municipal Election and consolidate the Municipal Election with the Statewide Election on Tuesday, November 8, 2022.

Motion passed by 5-0 vote.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to adopt the Ordinance amending various sections of and adding a section to the National City Municipal Code that would take effect only if the voters approve of making the Office of the City Clerk appointive.

Motion passed by 5-0 vote.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to adopt the Ordinance amending Section 2.73 of the National City Municipal Code regarding the positions of City Clerk and City Treasurer to take effect only if the voters at the Municipal Election approve both measures.

Motion passed by 5-0 vote.

23. Adopted Resolution No. 2022-99 and Ordinances Nos. 2022-TBD and 2022-TBD. Adoption of Resolutions Ordering the Submission of a Ballot Measure to the qualified voters of the City of National City at the Statewide Gubernatorial Municipal Election to be held on November 8, 2022, to make the Office of City Treasurer Appointive.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Deputy City Clerk Chapel who provided the report.

Public Comment: None.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Vice-Mayor Bush, to approve the placement of the measure on the November 8, 2022 ballot, and to create an ad-hoc committee consisting of Mayor Sotelo-Solis and Councilmember Morrison to recommend language for the ballot measure.
Motion passed by 5-0 vote.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison, to approve the Resolution providing Notice of and Calling for the holding of a General Municipal Election and consolidate the Municipal Election with the Statewide Election on Tuesday, November 8, 2022.
Motion passed by 5-0 vote.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison, to adopt the Ordinance amending various sections of and adding a section to the National City Municipal Code that would take effect only if the voters approve of making the Office of the City Treasurer appointive.

Ayes: Morrison, Rios, Bush, Sotelo-Solis

Nays: Rodriguez

Motion passed by 4-1 vote.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Morrison, to adopt the Ordinance amending Section 2.73 of the National City Municipal Code regarding the positions of City Clerk and City Treasurer to take effect only if the voters at the Municipal Election approve both measures.

Ayes: Morrison, Rios, Bush, Sotelo-Solis

Nays: Rodriguez

Motion passed by 4-1 vote.

Mayor Sotelo-Solis called for a recess at 8:10 p.m. the meeting resumed at 8:22 p.m. with all members present.

NEW BUSINESS - No agenda items

B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY

24. Adopted Housing Authority Resolution No. 2022-84. Resolution of the Community Development Commission-Housing Authority of the City of National City, California to Amend and Restate the Disposition and Development Agreement (DDA) with San Diego Habitat for Humanity (Habitat) in its entirety the Prior Agreement and further removes San Diego Community Land Trust as a party to this Agreement and terminates its respective obligations under the Prior Agreement by removing the San Diego Land Trust for the development of six affordable homeownership units at 405-419 West 18th Street in National City, and authorizing the Executive Director of the CDC-HA to execute the DDA.

ACTION: Motion by Vice-Chair Bush, seconded by Board Member Rios, to adopt the Resolution.
Motion passed by 5-0 vote.

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY - No agenda items

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

Vice-Chair Bush recused himself from Item 25 at 8:25 p.m. as he is an employee of MAAC. Vice-Chair Bush left the virtual meeting.

25. Adopted Housing Authority Resolution No. 2022-85. Resolution of the Community Development Commission-Housing Authority of the City of National City, California (“Housing Authority”) approving two conditional loan awards for funding requested through the Affordable Housing Notice of Funding Availability (“NOFA”) released on October 14, 2021 of Eight Million Dollars (\$8,000,000) to the Union Tower Affordable Housing Project by Wakeland Housing Development and Housing Corporation and Two Million Dollars (\$2,000,000) to the Azuriik Affordable Housing Project by MAAC National City, LP.

City Clerk Molina read the title of the Resolution into the record.

Carlos Aguirre introduced Project Analyst Precious Nicanor, with Kimley-Horn and Associates, and Senior Vice President Will Soholt with Kosmont Companies. The team provided a PowerPoint presentation.

Public Comment:

Seven (7) verbal comments were registered and heard: Gretchen Newsom, Matthew Leyba-Gonzalez, Arnulfo Manriquez, Carol Kim, Patrick Davidson, Paul Colmenero, Rebecca Louie. Five (5) written comments were received and read: Dave Gauthier, Beau Coleman, Nephi Hancock, Tom Castleman, David Johnson.

ACTION: Motion by Chair Sotelo-Solis, seconded by Board Member Rodriguez, to adopt the Resolution.

Motion passed by 4-0 vote.

Vice-Chair Bush returned to the virtual meeting at 9:10 p.m.

NEW BUSINESS - HOUSING AUTHORITY - No agenda items

C. REPORTS

STAFF REPORTS

26. City Manager Report.

City Manager Raulston acknowledged City Attorney Bell Jr. and his appointment by Governor Newsom to serve as a Judge on the San Diego County Superior Court.

Assistant City Manager Winney provided the Staff report an update to Ad-Hoc Committee regarding the Lowriders and requirement for Temporary Use Permit (TUP).

MAYOR AND CITY COUNCIL

27. City Council Policy #105 request to agendize at a future meeting repealing or amending National City Municipal Code Title 11, Chapter 11.68 – Cruising Ordinance - Councilmember Jose Rodriguez.

Mayor Sotelo-Solis introduced Councilmember Rodriguez who provided the report.

Public Comment:

One (1) verbal comment was registered and heard: Jovita Arellano.

ACTION: Motion by Councilmember Rodriguez, seconded by Vice-Mayor Bush, to return to a meeting in August to discuss the item.

Ayes: Rodriguez, Bush

Nays: Morrison, Rios, Sotelo-Solis

Motion failed by 3-2 vote.

28. City Council Policy #105 request to agendize at a future meeting that the City Manager/Administrative Services Director provide an update on current employee retention and recruitment efforts - Vice Mayor Marcus Bush.

Mayor Sotelo-Solis introduced Councilmember Rodriguez who provided the report.

Public Comment: None.

ACTION: Motion by Vice-Mayor Bush, seconded by Councilmember Morrison, to agendize at a future meeting that the City Manager/Administrative Services Director provide a report and update on current employee retention and recruitment efforts.

Motion passed by 5-0 vote.

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

CLOSED SESSION

CLOSED SESSION REPORT – No agenda items

ADJOURNMENT

Mayor Sotelo-Solis adjourned to the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City, Tuesday, June 21, 2022, 6:00 p.m. via teleconference.

The meeting adjourned at 10:09 p.m.

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of August 16, 2022.

Alejandra Sotelo-Solis, Mayor



**MINUTES OF THE VIRTUAL REGULAR MEETING
OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION – HOUSING AUTHORITY
OF THE CITY OF NATIONAL CITY**

June 21, 2022

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Assembly Bill No. 361, approved by Governor Newsom on September 16, 2021.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. The Agenda Items were considered in the order presented.

CALL TO ORDER

The meeting was called to order at 6:07 p.m. by Mayor Sotelo-Solis.

ROLL CALL

Councilmembers present: Morrison, Rios, Rodriguez, Bush, Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell Jr., Chapel, Reeder, Parra, Yano, Vergara, Aguirre, Tellez, Ryan, Brennan, Valadez, Barrera.

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Morrison led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Sotelo-Solis summarized the process for acceptance of live public comment allowing three (3) minute per comment and introduced City Clerk Molina.

Three (3) verbal comments were registered and heard: Becky Rapp, Judi Strang, and Kelly Hall.

No written comments were received.

PROCLAMATIONS AND CERTIFICATES - No agenda items

AWARDS AND RECOGNITIONS

1. Employee of the Quarter 2022 - Giovanni Corado, Police Officer.

Mayor Sotelo-Solis introduced Chief of Police Tellez who presented the award to Officer Giovanni Corado.

PRESENTATIONS - No agenda items

INTERVIEWS / APPOINTMENTS - No agenda items

REGIONAL BOARDS AND COMMITTEE REPORTS

Councilmember Rios reported on the business of the San Diego County Water Authority and the Sweetwater Authority Board.

Councilmember Morrison reported on his attendance at the National Association of Regional Councils meeting in Columbus, OH.

Vice-Mayor Bush reported on the business Air Pollution Control District (APCD).

Mayor Sotelo-Solis reported on the business of San Diego Community Power and the Metropolitan Transit System (MTS).

Port Commissioner Naranjo provided a report on the Port of San Diego.

CONSENT CALENDER

Public Comment: No verbal or written comments were received.

ACTION: Motion by Councilmember Rios, seconded by Vice-Mayor Bush, to approve the Consent Calendar Items 2 through 21.

Motion carried by 5-0 vote.

2. Approved Motion of the City Council of the City of National City, California approving the waiving of the reading of the text of the Ordinances or Resolutions that are having a Public Hearing considered at this meeting and providing that such Ordinances or Resolutions shall be introduced and/or adopted after a reading of the title only.
3. Adopted Resolution No. 2022-100. Adoption of a Resolution Declaring Findings to Continue Teleconference Meetings to July 19, 2022, as required by AB 361.
4. Adopted Resolution No. 2022-101. Resolution of the City Council of the City of National City, California, authorizing the Mayor to execute an agreement with Liebert Cassidy Whitmore for Employment and Labor Legal Services.
5. Adopted Resolution No. 2022-102. Resolution of the City Council of the City of National City, California, authorizing the Mayor to execute an Agreement with Meyers Nave for Employment and Labor Legal Services.
6. Adopted Resolution No. 2022-103. Resolution of the City Council of the City of National City, California, authorizing the Mayor to execute an Agreement with Burke Williams & Sorensen, LLP for Employment and Labor Legal Services.
7. Adopted Resolution No. 2022-104. Resolution of the City Council of the City of National City, California, authorizing the Mayor to execute an Agreement with Olivarez Madruga Law Organization, LLP for Employment and Labor Legal Services.

8. Adopted Resolution No. 2022-105. Resolution of the City Council of the City of National City, California, authorizing the Mayor to execute the Second Amendment to the Agreement with The Pun Group, LLP for independent auditing services for the fiscal year ending June 30, 2022, extending the agreement to July 17, 2023.
9. Adopted Resolution No. 2022-106. Resolution of the City Council of the City of National City, California, approving an amendment to the salary schedule for the Part-Time and Seasonal employee classifications to increase wages by 3% effective the first full pay period of July 2022, January 2023, and July 2023.
10. Adopted Resolution No. 2022-107. Resolution of the City Council of the City of National City, California adopting City Council Policy #203, "Investments," as amended, for fiscal year 2022.
11. Adopted Resolution No. 2022-108. Resolution of the City Council of the City of National City, California approving and adopting the annual appropriations limit for fiscal year 2023 in the amount of \$76,915,463.
12. Adopted Resolution No. 2022-109. Resolution of the City Council of the City of National City, California, authorizing the transfer of funds from the General Fund Unassigned Fund Balance Reserve to the General Fund's Committed Fund Balance Components named the Economic Contingency Reserve and the Facilities Maintenance Reserve.
13. Adopted Resolution No. 2022-110. Resolution of the City Council of the City of National City, California authorizing the establishment of an appropriation and corresponding revenue budget for \$60,000 for the California Governor's Office of Emergency Services (Cal OES) Grant for the reimbursable grant purchase of a High Frequency Communications System for the Emergency Operations Center (EOC).
14. Adopted Resolution No. 2022-111. Resolution of the City Council of the City of National City, California authorizing the City Manager to execute an agreement between the City of National City and Columbia Telecommunications Corporation (CTC) to provide administrative and fiscal services in conjunction with the California State Library's Broadband Services Project.
15. Adopted Resolution No. 2022-112. 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 EXOS Community Services, LLC, extending the term of the agreement to December 31, 2022 to provide aquatic programs and services at Las Palmas Pool located at 1800 East 22nd Street.
16. Adopted Resolution No. 2022-113. Resolution of the City Council of the City of National City, California authorizing the appropriation of additional fund in amount of \$148,934.25 (Supplement #71) for Phase II – Implementation phase of Paradise Creek Mitigation at Kimball Way project, reimbursable through the Hazard Mitigation Grant Program approved by the Federal Emergency Management Agency (FEMA); 2) establishing corresponding revenue and expenditure accounts; and 3) committing to providing a local match of \$49,644.75 (Supplement #71).
17. Adopted Resolution No. 2022-114. Resolution of the City Council of the City of National City, California, 1) accepting the Clean California Local Grant; 2) authorizing the City

- Manager or designee to execute the grant agreement for the National City Eastside I-805 Community Greenbelt Project in the amount of \$4,998,761; and 3) approving the establishment of an Engineering Grant Funds Appropriation of \$4,998,761 and corresponding revenue budget to allow for reimbursement of eligible project expenditures.
18. Adopted Resolution No. 2022-115. Resolution of the City Council of the City of National City, California, 1) authorizing the filing of a Strategic Growth Council Transformative Climate Communities (TCC) Planning Grant application in the amount of \$300,000; 2) authorizing the City Manager or designee to execute the grant agreement if selected for funding; and 3) if selected for funding, approving the establishment of an Engineering Grants Fund Appropriation of \$300,000 and corresponding revenue budget to allow for reimbursement of eligible project expenditures through the program.
 19. Ratified Warrant Register #44 for the period of 4/29/22 through 5/05/22 in the amount of \$2,565,763.27.
 20. Ratified Warrant Register #45 for the period of 5/06/22 through 5/12/22 in the amount of \$592,708.06.
 21. Ratified Warrant Register #46 for the period of 5/13/22 through 5/19/22 in the amount of \$2,059,050.50.

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

22. Adopted Resolution No. 2022-116. Public Hearing and Adoption of a Resolution of the City Council of the City of National City, California accepting the National City 2022/2023 Tax Roll Sewer Service Fees report, which identifies by parcel number, each parcel of real property receiving sewer services and the amount of sewer charges for each parcel for FY 2022-23 as required by the California Health and Safety Code Section 5473, Et Seq., pertaining to collection of sewer charges on the tax roll, directing the City Clerk to file the report with the San Diego County Auditor, and directing the City Engineer to file a certification of the sewer service charges with the San Diego County Auditor.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Director of Public Works Yano who provided remarks and addressed questions from Council.

Mayor Sotelo-Solis declared the Public Hearing open at 6:55 p.m.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Councilmember Rios, seconded by Councilmember Morrison, to close the Public Hearing at 6:56 p.m.

Motion passed by 5-0 vote.

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

Motion passed by 5-0 vote.

23. Adopted Resolution No. 2022-117. Public Hearing and Adoption of a Resolution of the City Council of the City of National City, California confirming the assessment and ordering the levy for the Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal Year 2022/23.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Planning Manager Reeder who provided remarks.

Mayor Sotelo-Solis declared the Public Hearing open at 6:57 p.m.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Mayor Sotelo-Solis, seconded by Councilmember Rios, to close the Public Hearing at 6:58 p.m.

Motion passed by 5-0 vote.

ACTION: Motion by Councilmember Rios, seconded by Mayor Sotelo-Solis, to adopt the Resolution.

Motion passed by 5-0 vote.

NON CONSENT RESOLUTIONS

24. Adopted Resolution No. 2022-118. Resolution of the City Council of the City of National City authorizing various fiscal year 2022 3rd Quarter budget adjustments.

City Clerk Molina read the title of the Resolution into the record.

Mayor Sotelo-Solis introduced Administrative Services Director Brennan and Budget Manager Valadez who provided a report and PowerPoint presentation, and addressed questions from Councilmembers.

Public Comment: No verbal or written comments were received.

ACTION: Motion by Vice Mayor Bush, seconded by Councilmember Rios, to adopt the Resolution.

Motion passed by 5-0 vote.

NEW BUSINESS – No agenda items

B. COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY – No agenda items

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY – No agenda items

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

25. Adopted Housing Authority Resolution No. 2022-86. Resolution of the Community Development Commission-Housing Authority of the City of National City, California, authorizing the Executive Director to execute a Regulatory Agreement with Southern Highlands Apartments L.P., providing for a restriction of rents at 60% of Area Median

Income for 55 years on a 151-unit rental housing project located at 2525 Highland Avenue in National City (“Project”) and approve a \$10,000 grant to assist in the Project.

City Clerk Molina read the title of the Resolution into the record.

Chair Sotelo-Solis introduced Director of Housing Authority Aguirre who introduced representatives from the Southern Highlands Apartments team: Avinoam Baral, Mark Wiese, Drew Sullivan, and Linnie Gavino. They provided the report and PowerPoint presentation, and addressed questions from Council.

Public Comment: No verbal or written comments were received.

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

Motion passed by 5-0 vote.

NEW BUSINESS - HOUSING AUTHORITY– No agenda items

C. REPORTS

STAFF REPORTS

26. Public Meeting Protocols - Return to In-Person Meetings.

Assistant City Manager Winney provided the report and PowerPoint presentation.

Public Comment: No verbal or written comments were received.

Received and Filed.

27. Update on the disposition of City-owned real property located at 921 and 929 National City Boulevard, National City.

Director of Housing Authority Aguirre provided the report and PowerPoint presentation. He addressed questions from Council.

Public Comment: No verbal or written comments were received.

Received and Filed.

28. City Manager Report.

Assistant City Manager Winney provided the report.

Public Comment: No verbal or written comments were received.

Received and Filed.

MAYOR AND CITY COUNCIL

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

CLOSED SESSION

CLOSED SESSION REPORT

Mayor Sotelo-Solis introduced City Attorney Bell Jr. who provided the report.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of Case: *Raymond Sandoval, et al. v. City of National City*

United States District Court, Southern District of California – Case No. 3:22-cv-00188

CAB BLM

Pursuant to California Government Code 54957.1, by a 4-1 vote (Yes - Morrison, Rios, Bush and Sotelo-Solis)(No – Rodriguez), direction was given by the City Council in the legal action titled Raymond Sandoval, et al v. City of National City. The case involves a Section 1983 Civil Rights Act claim arising from an arrest.

2. Personnel Matter – Government Code Section 54957(b)(1)

Public Employee Position – City Attorney

Pursuant to California Government Code 54957.1, by unanimous vote direction was given by City Council to Staff.

ADJOURNMENT

Mayor Sotelo-Solis adjourned to the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City, Tuesday, August 2, 2022, 6:00 p.m. at Council Chambers, National City, California.

The meeting adjourned at 8:37 p.m.

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of August 16, 2022.

Alejandra Sotelo-Solis, Mayor



MINUTES OF A SPECIAL MEETING NATIONAL CITY COUNCIL

June 21, 2022

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Assembly Bill No. 361, approved by Governor Newsom on September 16, 2021.

OPEN SESSION

CALL TO ORDER

The meeting was called to order at 3:03 p.m. by Mayor Sotelo-Solis.

ROLL CALL

Councilmembers present: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis
Administrative Officials present: Raulston, Winney, Bell Jr., Chapel, Gomez, Tellez
Consultant: Barry Schultz

PUBLIC COMMENT

None

CLOSED SESSION

Members convened into Closed Session at 3:07 p.m. and returned to Open Session at 3:52 p.m. with all members present in attendance: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis, Raulston, Winney, Bell Jr., Gomez, and Tellez.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of Case: *Raymond Sandoval, et al. v. City of National City*

United States District Court, Southern District of California – Case No. 3:22-cv-00188

CAB BLM

Members convened into Closed Session at 3:52 p.m. and returned to Open Session at 4:46 p.m. with all members present in attendance: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis, and Counsel Barry J. Schultz. City Attorney Bell Jr. and staff members Raulston and Winney left the room at 4:00 p.m. Raulston and Winney rejoined the Closed Session room at 4:31 p.m.

2. Personnel Matter – Government Code Section 54957(b)(1)

Public Employee Position – City Attorney

CLOSED SESSION REPORT PROVIDED AT END OF REGULAR MEETING

ADJOURNMENT

Mayor Sotelo-Solis adjourned to the Special Meeting to the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City held Tuesday, August 2, 2022, 6:00 p.m. at Council Chambers, National City, California.

The meeting adjourned at 4:46 p.m.

Shelley Chapel, Deputy City Clerk

The foregoing minutes were approved at the Regular Meeting of August 16, 2022.

Alejandra Sotelo-Solis, Mayor

DRAFT



**MINUTES OF THE VIRTUAL SPECIAL MEETING
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT AGENCY**

June 21, 2022

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting. The Agenda Items were considered in the order presented.

CALL TO ORDER

The meeting was called to order at 8:39 p.m. by Mayor Sotelo-Solis.

ROLL CALL

Commissioners present: Bush, Morrison, Rios, Rodriguez, Sotelo-Solis

Other Elected Officials present: Beauchamp, Molina

Administrative Officials present: Raulston, Winney, Bell, Chapel, Vergara, Aguirre, Parra, Navarro, Barrera, Yano, Brennan

PUBLIC COMMENTS

None

CONSENT CALENDER

Public Comment: None.

ACTION: Motion by Councilmember Rios, seconded by Councilmember Morrison, to approve the Consent Calendar Items 1 and 2.

Motion carried by unanimous vote.

1. Approval of Successor Agency Meeting Minutes.
2. Resolution of the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency Adopting a Budget of \$4,431,809 for Fiscal Year 2022-23.

PUBLIC HEARINGS – No agenda items.

NON-CONSENT RESOLUTIONS – No agenda items.

NEW BUSINESS – No agenda items.

STAFF REPORTS – No agenda items.

MEMBER REPORTS – No agenda items.

CLOSED SESSION REPORT – No agenda items.

ADJOURNMENT

Mayor Sotelo-Solis adjourned the meeting to the next Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency, to be held Tuesday, September 20, 2022, at 6:00 p.m., Council Chambers, National City, California.

The meeting adjourned at 8:41 p.m.

Luz Molina, City Clerk

The foregoing minutes were approved at the Regular Meeting of August 16, 2021.

Alejandra Sotelo-Solis, Mayor



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, Deputy City Clerk
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Declaring Findings to Continue to Teleconference Meetings to September 15, 2022, as Required by AB 361.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Making the Findings Required by AB 361 to Continue Teleconference Meetings of the City Council and the City Boards, Commissions, and Committees to September 15, 2022." (City Clerk's Office)

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Adoption of the resolution would allow the City Council and the City Boards, Commissions, and Committees to continue teleconference meetings via Zoom past the September 15, 2022, expiration date of the Governors Executive Order N-08-21. The State of Emergency continues as the COVID-19 Delta Variant has emerged causing a spike in cases throughout the world. The City complies with the County of San Diego County Health Department and Cal OSHA requirements to ensure the health and safety of its staff and the public.

Adopting this resolution would allow the City Council to reevaluate this declaration of findings every thirty (30) days for ongoing continuation or further action.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Communication and Outreach

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Resolution

RESOLUTION NO. 2022-

RESOLUTION OF CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, MAKING THE FINDINGS REQUIRED BY AB 361 TO CONTINUE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND THE CITY BOARDS, COMMISSIONS, AND COMMITTEES TO SEPTEMBER 15, 2022

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a global pandemic and local and state emergencies have been declared providing reprieve from certain public meeting laws such as the Brown Act; and

WHEREAS, beginning March 2020, California Governor Newsom executed Executive Order N-29-20 including additional updates as the pandemic progressed and extending into 2021. The most recent Executive Order N-08-21, issued June 11, 2021 waived all physical presence requirements under the Ralph M. Brown Act as a means of limiting the spread of COVID-19; and

WHEREAS, Executive Order N-08-21 expired on September 30, 2021. The date was predicted as a time when hopes were that agencies could begin to transition back to public meetings held in full compliance with the Ralph M. Brown Act; and

WHEREAS, on September 16, 2021, California Governor Newsom signed into law Assembly Bill (AB) 361, which extends the authority of public agencies to conduct meetings by teleconference, including video conference, while the state of emergency resulting from the COVID-19 pandemic and accompanying recommendations for social distancing remain in place; and

WHEREAS, on October 5, 2021, City Council adopted Resolution No. 2021-147 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on November 2, 2021, City Council adopted Resolution No. 2021-164 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on December 7, 2021, City Council adopted Resolution No. 2021-183 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on January 4, 2022, City Council adopted Resolution No. 2022-01 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on February 1, 2022, City Council adopted Resolution No. 2022-11 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on March 1, 2022, City Council adopted Resolution No. 2022-31 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on April 5, 2022, City Council adopted Resolution No. 2022-47 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on May 17, 2022, City Council adopted Resolution No. 2022-74 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on June 7, 2022, City Council adopted Resolution No. 2022-85 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on June 21, 2022, City Council adopted Resolution No. 2022-100 declaring findings to continue to teleconference for an additional 30 days; and

WHEREAS, on July 19, 2022, City Council adopted Resolution No. 2022-119 declaring findings to continue to teleconference for an additional 30 days.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: Makes the findings required by AB 361 to continue teleconference meetings of the Legislative Body and its appointed Boards, Commissions, and Committees:

Section 2. Makes the findings that the City of National City meets the requirements to continue holding meetings remotely in order to ensure the health and safety of its staff and the public:

Section 3. That the City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 16th day of August 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: City Clerk's Office
Prepared by: LaTonya Hussain, Office of the City Clerk
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

League of California Cities Annual Conference – Designation of Voting Alternate

RECOMMENDATION:

Adopt a Resolution entitled, Resolution of the City Council of the City of National City, California, Designate City Manager Raulston as the Voting Alternate to Represent the City of National City at the 2022 League of California Cities Annual Conference and Business Meeting.

BOARD/COMMISSION PRIOR ACTION:

None.

EXPLANATION:

The League of California Cities 2022 Annual Conference is scheduled for September 7-9, 2022. An important part of the Annual Conference is the Annual Business Meeting (during the General Assembly) scheduled on Friday, September 9, 2022. At this meeting, the League membership considers and takes action on resolutions that establish Cal-Cities policy.

In order for cities to cast a vote during the Business meeting, each city's respective City Council must designate a voting delegate. In the instance that the selected voting delegate is unable to serve in that capacity, the League of California Cities' Bylaws afford each City the opportunity to appoint up to two alternate voting delegates.

According to the League's Bylaws, the selection of the voting delegate and alternates must be performed through the official action of the City Council. Furthermore, the voting delegate and alternates must be registered to attend the conference. Eligible individuals who may be selected as the City's voting delegate include the Mayor, each City Council member, as well as any other City official selected by the City Council to serve in this capacity.

At this time, staff respectfully requests that the City Council consider appointing City Manager Raulston as the voting delegate alternate to vote on the City's behalf at the Annual Business Meeting of the League of California Cities on September 9, 2022.

FINANCIAL STATEMENT: The travel costs and registration fees associated with this meeting will be charged to the appointed City Council member's training funds included in the FY 2022-2023 adopted budget.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378;
PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with the Brown
Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Resolution

RESOLUTION NO. 2022 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DESIGNATING THE CITY MANAGER AS THE VOTING ALTERNATE FOR THE 2022 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE & EXPO

WHEREAS, the City of National City is a member of good standing of the League of California Cities (“League”); and

WHEREAS, a representative from the City will be attending the 2022 League Annual Conference & Expo September 7-9, 2022; and

WHEREAS, each member City has a right to cast one vote on matters pertaining to League policy at the conference; and

WHEREAS, consistent with the League bylaws, a City’s voting delegate and/or alternate must be designated by City Council action; and the individual(s) are identified in the Voting Delegate Form provided to the League Credential Committee.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes and designates City Manager Raulston as voting alternate to the 2022 League of California Cities Annual Conference.

Section 2: This Resolution shall take effect immediately upon its passage.

Section 3: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

Section 4: That the City Clerk shall forward a certified copy of the signed Resolution to the League of California Cities no later than the September 2, 2022 deadline.

PASSED and ADOPTED this 16th day of August, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, MMC, City Clerk's Office
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

City Council Meetings Schedule for December 2022 and January 2023.

RECOMMENDATION:

The City Council adopt a motion dispensing with the Tuesday, December 20, 2022, and Tuesday, January 3, 2023, Regular Meetings of the City Council; and adjourn the Regular Meeting of Tuesday, December 6, 2022 to the next Regular Meeting to be held on Tuesday, January 17, 2023. A Special Meeting will be called for Tuesday, December 13 at 6:00 p.m.

BOARD/COMMISSION PRIOR ACTION:

None.

EXPLANATION:

The City Council approved work furlough will result in City Hall being closed from Monday, December 19, 2022 until Monday, January 2, 2023. Consequently, the City Council Meeting Schedule for the Meetings of Tuesday, December 20, 2022, and Tuesday, January 3, 2023, will be modified.

Per Municipal Code Section 2.04.010, Regular Meetings of the City Council shall be held on the First and Third Tuesday of each month.

The Third Tuesday of December 2022 falls on the calendar during the scheduled furlough. In order to provide the public with the proper notice, it is recommended that the City Council adopt a motion dispensing with the December 20, 2022, and January 2, 2023, Regular Meetings of the City Council and adjourn the Regular Meeting of Tuesday, December 6, 2022 to the next Regular Meeting to be held on Tuesday, January 17, 2023. A Special Meeting will be called for Tuesday, December 13 at 6:00 p.m.

FINANCIAL STATEMENT:

None.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Molly Brennan, Administrative Services Director
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

New Job Classifications, amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and the Management Salary Schedule. (Human Resources)

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, Creating two (2) new job classifications and amending the National City Municipal Employees Association (NCMEA) Salary Schedule, and the Management Salary Schedule."

BOARD/COMMISSION PRIOR ACTION:

The Civil Service Commission approved the job descriptions for the two (2) new classifications at their meeting on July 13, 2022.

EXPLANATION:

Staff recommends approving the addition of the Nutrition Services Supervisor classification to the National City Municipal Employees Association (NCMEA) Salary Schedule; and adding the Homelessness Service Coordinator classification to the Management Salary Schedule.

These two (2) classifications were created to address their unique duties and responsibilities and to support the workforce sustainability of current and future service delivery in their respective departments. Once a new classification is approved by the Civil Service Commission, City Council is responsible for setting compensation for the classification. The salary range/steps for the new classifications were set to median as benchmarked against similar classifications in nearby public agencies. Each position will receive the 3% COLA in early 2023 and 2024, in line with the rest of the MEA and Management classifications.

The Nutrition Services Supervisor and the Homelessness Service Coordinator positions will be filled through an open recruitment.

FINANCIAL STATEMENT:

The current Fiscal Year 2022/2023 Adopted Budget included appropriations to fund these positions.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, is not subject to environmental review

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

- A. Proposed Job Classifications (Nutrition Services Supervisor and Homelessness Service Coordinator)
- B. Amended National City Municipal Employees Association (NCMEA) Salary Schedule
- C. Amended Management Salary Schedule
- D. Resolution

NUTRITION SERVICES SUPERVISOR (Municipal Employees Association)	CITY OF NATIONAL CITY
CLASS SPECIFICATION	Approved: July 13, 2022

DEFINITION

Under general direction, plan, supervise, organize, coordinate, and review the work of activities relating to the City’s Nutrition and Home Delivered Meals programs; and perform related duties as assigned.

EXAMPLES OF TYPICAL DUTIES

The following duties and responsibilities are representative of those typically performed by positions assigned to this classification. Any single position may not perform all of these duties and/or may perform similar related tasks not listed here.

- Plan, organize, assign, supervise, and review the work of assigned staff responsible for the activities related to the City’s Nutrition and Home Delivered Meals programs, including health and wellness programs.
- Evaluate employee performance, mentor and guide employee development, and effectively recommend initial disciplinary action to division head; assist in selection and promotion.
- Train staff in work and safety procedures and in the operation and use of equipment, implement training procedures and standards.
- Identify opportunities for improving service delivery methods and procedures, participates with management in the development, review and implementation of best practices.
- Collaborates with professional kitchen staff to ensure timely development of nutritionally balanced meal plans.
- Prepares reports and make recommendations to division head.
- Participates in developing divisional budget, monitors the program budgetary expenditures and oversees the procurement of food, supplies and equipment.
- Participates in monitoring and evaluating program performance and ensures activities conform to federal, state, and local laws and regulations with the division head.
- Assist in creating procedures for delivery of services and identify operational problems and suggest appropriate solutions to division head.
- Complies with all reporting and program procedures for city and partner agencies.
- Sets-up, maintains, and monitors records, including timesheets, budget and client participation records,
- Performs other related duties as required or assigned.

MINIMUM QUALIFICATIONS

Training and Experience: Any combination equivalent to training and experience that could likely provide the required knowledge, skills, and abilities will be qualifying. A typical way to obtain the required knowledge, skills, and abilities would be: Two (2) years of increasingly responsible experience in the supervision of nutrition programs in a public agency, social service agency or institutional setting. Bilingual fluency in English and Spanish preferred.

Knowledge and Skills in: Principle of supervision, training, and performance evaluation; principles and practices of food service activities, principals of health, safety and sanitary practices standards and regulations and institutional meal delivery; knowledge of work control and resource allocation; standard office practices and procedures, including the use of standard office equipment, record-keeping, arithmetic, and computer applications related to the work; techniques for effectively dealing with individuals of various ages, various socio-economic and ethnic groups, and effectively representing the City in contacts with the public.

Ability to: Work independently while supervising facility and program participants; understand and apply facility use policies and procedures; provide courteous assistance to facility to patrons; maintain facility and equipment in a clean, safe and secure manner; operate modern office equipment including computer equipment and software programs; maintain accurate logs, records and basic written records of work performed; organize work, set priorities, and meet deadlines; communicate clearly and concisely, orally and in writing; establish, maintain and foster positive and effective working relations and communication with all segments of the community; work with various cultural and ethnic groups in a tactful and effective manner, provide a high level of customer service to public, vendors, contractors and City staff.

License Required: Possession of a valid California Class C Driver's License and a food manager's certificate, which must be maintained throughout employment, is required at time of appointment.

HOMELESSNESS SERVICE COORDINATOR (Unrepresented – Management Group)	CITY OF NATIONAL CITY
CLASS SPECIFICATION	Approved: July 13, 2022

DEFINITION

To plan, direct, coordinate and manage the activities of Homeless Outreach Services within the Neighborhood Services Division under the Community Development Department. Performing a wide variety of specialized, duties in support of the City’s Homeless Outreach Program to address chronic homelessness and focus on providing high intensity case management including individualized and comprehensive support throughout the transition from street to housing; initiate and engage in outreach and advocacy activities in known homeless areas and in response to community requests; collaborate plus coordinate between several homeless service providers to facilitate linkage to an array of services and resources such as: healthcare, education, and disability benefits, mental health services, substance abuse programs, legal services, employment opportunities, and housing referral and placement; and to develop relationships within the community to identify new and existing opportunities to better assist clients during the transition to permanent housing; and performs related work as required. This position operates in support of the City’s Homeless Action Plan; and performs related work as required.

EXAMPLES OF TYPICAL DUTIES

The following duties and responsibilities are representative of those typically performed by positions assigned to this classification. Any single position may not perform all of these duties and/or may perform similar related tasks not listed here.

- Provide administrative support to ensure successful implementation, coordination of participant services, achievement of program performance measures, and evaluation of services provided.
- Perform persistent and frequent outreach throughout the City where those experiencing homelessness reside and congregate, and respond to community requests for street outreach intervention.
- Receive and respond to community calls for service related to homelessness.
- Respond to requests from City departments, merchants, community groups, and citizens to assist individuals found at-risk in places not meant for human habitation.
- Coordinate intake and conduct initial interview, including completion of the Vulnerability Index & Service Prioritization Decision Assistance Tool (VI-SPDAT), for all clients to determine appropriate intervention and supportive services.
- Obtain client’s social and medical history, and integrate with assessment results to either collaborate with clients to develop Individualized Service Plans (ISP) that address barriers to obtaining housing and services, or appropriately facilitate a warm handoff to a primary provider for case management services.
- Provide ongoing case management support to support ISP goals including advocacy assistance with procuring documentation and services such as identification or disability income, and transportation to appointments.
- Provide crisis intervention services for individuals experiencing homelessness in the community.

- Liaise with law enforcement Homeless Outreach Team (HOT) and Psychiatric Emergency Response Team (PERT) clinicians within the city.
- Coordinate responses to encampments within the city and track locations of encampments for outreach activities, deploy resources and track service outcomes.
- Lead efforts to collaborate with Regional Task Force on the Homelessness.
- Maintain expertise of pertinent government and community services and resources to effectively provide information, referrals, linkages, and advocacy that assist clients in obtaining permanent housing.
- Identify appropriate permanent housing options for clients based on their needs, aid with housing location and application, and advocate for clients with prospective landlords.
- Develop relationships within the community, including local businesses, landlords, and other service providers, to identify new and existing opportunities and build relationships to better assist clients in accessing resources, employment services and housing.
- Maintain timely and accurate documentation according to program requirements.
- Prepare, complete, and submit reports, according to program requirements and as needed.
- Attends and participates in professional group meetings; staying abreast of new trends and innovations in the field of Homeless Outreach Services; researches emerging products and enhancements and their applicability to City needs.
- Provides interdepartmental support on projects including capital improvement projects and facility management for new or existing facilities dealing with homeless issues.
- Participates in the development and implementation of goals, objectives, policies, and priorities for the entire department and/or division; recommends and implements resulting policies and procedures. Assists in program and policy formulation and ensures compliance with regulations and policies.
- Conducts and attends staff meetings; leads work teams; selects, supervises, trains, motivates, and evaluates assigned staff and volunteers; provides or coordinates staff training.
- Prepares staff reports and makes presentations to the City Council on various departmental programs related to homeless efforts, events and activities. Serves as staff on a variety of boards, commissions, and committees; prepares and presents staff reports and other necessary correspondence; gathers data and information as necessary.
- Responds to inquiries, complaints, or requests for information and services from various public and private agencies in the resolution of issues regarding homelessness and outreach services and programs; resolves difficult and sensitive issues and assists in determining alternative resolutions.
- Provides highly complex staff assistance to the Director of Community Development; conducts a variety of studies; develops and recommends modifications to programs, policies, and procedures as appropriate.
- Performs other related duties as required or assigned.

MINIMUM QUALIFICATIONS

Training and Experience: Any combination equivalent to training and experience that could likely provide the required knowledge, skills, and abilities will be qualifying. A typical way to obtain the required knowledge, skills, and abilities would be: Bachelor's degree from an accredited college or university in social work, behavioral health, business administration, public administration, criminal justice; or another closely related field; and three (3) years of progressively responsible professional experience in social services and programs, community services and programs, homeless outreach services and programs, and/or related experience, of which must include two (2) years of supervising experience. A Master's Degree in a related field is highly desirable. Bilingual fluency in English and Spanish preferred.

Knowledge and Skills in: The principle and practices of public administration; contract/project management and organization; local government organizational structure, functions and management and evaluation of homeless assistance services and programs; performance based management; methods involved in organizing, conducting and supervising homeless outreach programs and services; knowledgeable in the characteristics involved in research methods and programming services and working with all citizens in the community (diverse population); data tracking and performance measurement needed in programs and services; knowledgeable of pertinent federal, state and local regulatory laws applicable to homelessness and services (safety and health regulations, etc.) and hazard and safety precautions; principle of administration and budgeting; federal and state grant program rules and regulations; grant writing and alternative funding; fiscal procedures; principle of supervision, training, and performance evaluation.

Ability to: Develop and administer homeless programs and services for the needs of the community, understand community needs in a variety of areas, including housing and neighborhood services and reporting by analyzing problems, conducting research and analyzing data, identifying alternative solutions and developing recommendations; correctly interpret and apply general administrative and department policies and procedures; establish and maintain effective working relationships with participants, City employees, community organizations, non-profits, general public, law enforcement, local government agencies, commission members and elected officials; create mutually beneficial partnerships in the community; speak and write in a clear and concise manner; prepare clear and concise records, reports, correspondence and other written materials; maintain a variety of records; exercise professional and sound judgement in problem-solving and evaluation; operate a personal computer, modern office equipment and applicable software programs.

License Required: Possession of a valid California Class C Driver's License, which must be maintained throughout employment, is required at time of appointment.

**CITY OF NATIONAL CITY
NCMEA SALARY SCHEDULE UPDATE**

POSITION STEP HOURLY BIWEEKLY MONTHLY ANNUAL

NUTRITION SERVICES SUPERVISOR

As of 8/16/2022

A	29.35	2,347.94	5,087.20	61,046.35
B	30.82	2,465.33	5,341.56	64,098.67
C	32.36	2,588.60	5,608.63	67,303.60
D	33.98	2,718.03	5,889.07	70,668.78
E	35.67	2,853.93	6,183.51	74,202.12

NUTRITION SERVICES SUPERVISOR

EFFECTIVE JANUARY 2023

A	30.23	2,418.37	5,239.81	62,877.74
B	31.74	2,539.29	5,501.80	66,021.63
C	33.33	2,666.26	5,776.89	69,322.71
D	34.99	2,799.57	6,065.74	72,788.84
E	36.74	2,939.55	6,369.02	76,428.25

NUTRITION SERVICES SUPERVISOR

EFFECTIVE JANUARY 2024

A	31.14	2,490.93	5,397.01	64,764.07
B	32.69	2,615.47	5,666.86	68,002.28
C	34.33	2,746.25	5,950.20	71,402.39
D	36.04	2,883.56	6,247.71	74,972.51
E	37.85	3,027.73	6,560.09	78,721.09

City of National City
Human Resources Department

MANAGEMENT POSITIONS
February 8, 2022

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Asst Director of PW/Engineering	\$ 9,029.30 – \$ 12,634.81	\$ 108,351.58 – \$ 151,617.78
Battalion Chief ²	\$ 8,379.44 – \$ 11,427.18	\$ 100,553.30 – \$ 137,126.15
Budget Manager	\$ 6,084.69 – \$ 10,109.50	\$ 73,016.28 – \$ 121,313.96
Building Official	\$ 7,563.42 – \$ 11,247.35	\$ 90,761.01 – \$ 134,968.19
Community Development Manager	\$ 7,654.06 – \$ 10,553.29	\$ 91,848.74 – \$ 126,639.46
Community Development Specialist III	\$ 6,180.60 – \$ 9,289.76	\$ 74,167.23 – \$ 111,477.18
Community Services Manager	\$ 6,146.24 – \$ 9,535.07	\$ 73,754.87 – \$ 114,420.80
Deputy City Attorney	\$ 7,432.18 – \$ 10,900.54	\$ 89,186.18 – \$ 130,806.43
Deputy City Clerk	\$ 5,825.34 – \$ 8,083.68	\$ 69,904.08 – \$ 97,004.12
Deputy Director of Human Resources	\$ 7,705.07 – \$ 10,623.62	\$ 92,460.89 – \$ 127,483.48
Equipment Maint Supervisor	\$ 5,822.46 – \$ 8,807.62	\$ 69,869.47 – \$ 105,691.47
Facilities Maint Supervisor	\$ 4,495.31 – \$ 7,486.54	\$ 53,943.74 – \$ 89,838.54
Financial Services Officer	\$ 7,868.80 – \$ 10,632.07	\$ 94,425.57 – \$ 127,584.85
Homelessness Service Coordinator	\$ 7,153.47 – \$ 9,743.03	\$ 85,841.60 – \$ 116,916.36
Housing Programs Manager	\$ 7,034.48 – \$ 9,844.24	\$ 84,413.76 – \$ 118,130.93
Human Resources Manager	\$ 7,705.07 – \$ 10,623.62	\$ 92,460.89 – \$ 127,483.48
Information Technology Manager	\$ 8,403.18 – \$ 10,915.79	\$ 100,838.13 – \$ 130,989.45
Management Analyst I	\$ 4,215.43 – \$ 6,414.54	\$ 50,585.11 – \$ 76,974.54
Management Analyst II	\$ 4,791.05 – \$ 7,289.93	\$ 57,492.54 – \$ 87,479.12
Management Analyst III	\$ 5,361.93 – \$ 8,165.30	\$ 64,343.16 – \$ 97,983.58
Neighborhood Council Coordinator	\$ 5,308.33 – \$ 8,083.68	\$ 63,699.98 – \$ 97,004.12
Neighborhood Services Manager	\$ 4,423.40 – \$ 9,008.57	\$ 53,080.80 – \$ 108,102.88
Nutrition Program Manager	\$ 4,856.78 – \$ 8,783.56	\$ 58,281.33 – \$ 105,402.77

City of National City
Human Resources Department

MANAGEMENT POSITIONS
February 8, 2022

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Park Superintendent	\$ 6,275.79 – \$ 8,940.04	\$ 75,309.43 – \$ 107,280.46
PIO/Mgmt Analyst III	\$ 5,477.37 – \$ 8,341.10	\$ 65,728.48 – \$ 100,093.19
Planning Manager	\$ 8,033.16 – \$ 10,554.45	\$ 96,397.92 – \$ 126,653.40
Police Captain ¹	\$ 11,249.69 – \$ 14,510.98	\$ 134,996.29 – \$ 174,131.77
Police Support Services Manager	\$ 7,739.96 – \$ 8,564.77	\$ 92,879.50 – \$ 102,777.28
Principal Civil Engineer	\$ 9,002.21 – \$ 11,206.25	\$ 108,026.47 – \$ 134,474.96
Principal Librarian	\$ 6,938.63 – \$ 8,885.48	\$ 83,263.54 – \$ 106,625.78
Principal Planner	\$ 7,302.87 – \$ 9,594.95	\$ 87,634.45 – \$ 115,139.34
Project Officer	\$ 5,979.68 – \$ 9,164.31	\$ 71,756.15 – \$ 109,971.74
Purchasing Agent	\$ 5,533.05 – \$ 9,620.09	\$ 66,396.56 – \$ 115,441.04
Recreation Superintendent	\$ 6,125.72 – \$ 8,783.56	\$ 73,508.69 – \$ 105,402.77
Risk Manager	\$ 5,700.06 – \$ 10,484.24	\$ 68,400.75 – \$ 125,810.90
Senior Accountant	\$ 6,323.20 – \$ 7,868.80	\$ 75,878.36 – \$ 94,425.57
Special Assistant to the Mayor	\$ 4,560.72 – \$ 7,217.06	\$ 54,728.69 – \$ 86,604.67
Street Maintenance Supervisor	\$ 5,288.66 – \$ 7,486.54	\$ 63,463.90 – \$ 89,838.54
Street & Wastewater Maint Superintendent	\$ 6,184.78 – \$ 9,124.27	\$ 74,217.36 – \$ 109,491.28
Traffic Engineer	\$ 8,530.00 – \$ 11,045.77	\$ 102,359.96 – \$ 132,549.29
Wastewater Supervisor	\$ 5,650.77 – \$ 7,562.86	\$ 67,809.22 – \$ 90,754.37

¹ Police Captain receives a \$750 Uniform Allowance

² Battalion Chief receives a \$650 Uniform Allowance

City of National City
Human Resources Department

MANAGEMENT POSITIONS
February 2023

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Asst Director of PW/Engineering	\$ 9,629.75 – \$ 13,475.03	\$ 115,556.96 – \$ 161,700.36
Battalion Chief ²	\$ 8,909.86 – \$ 12,150.52	\$ 106,918.33 – \$ 145,806.23
Budget Manager	\$ 6,586.07 – \$ 10,942.52	\$ 79,032.82 – \$ 131,310.23
Building Official	\$ 8,071.68 – \$ 12,003.17	\$ 96,860.15 – \$ 144,038.05
Community Development Manager	\$ 8,039.06 – \$ 11,084.12	\$ 96,468.73 – \$ 133,009.43
Community Development Specialist III	\$ 6,453.17 – \$ 9,699.44	\$ 77,438.00 – \$ 116,393.32
Community Services Manager	\$ 6,330.63 – \$ 9,821.12	\$ 75,967.52 – \$ 117,853.42
Deputy City Attorney	\$ 8,074.32 – \$ 11,842.34	\$ 96,891.87 – \$ 142,108.10
Deputy City Clerk	\$ 6,000.10 – \$ 8,326.19	\$ 72,001.20 – \$ 99,914.25
Deputy Director of Human Resources	\$ 8,146.57 – \$ 11,232.36	\$ 97,758.89 – \$ 134,788.29
Equipment Maint Supervisor	\$ 5,997.13 – \$ 9,071.85	\$ 71,965.56 – \$ 108,862.22
Facilities Maint Supervisor	\$ 4,630.17 – \$ 7,711.14	\$ 55,562.05 – \$ 92,533.69
Financial Services Officer	\$ 8,267.75 – \$ 11,321.03	\$ 99,212.94 – \$ 135,852.35
Homelessness Service Coordinator	\$ 7,368.07 – \$ 10,035.32	\$ 88,416.84 – \$ 120,423.84
Housing Programs Manager	\$ 7,414.34 – \$ 10,375.83	\$ 88,972.11 – \$ 124,510.00
Human Resources Manager	\$ 8,146.57 – \$ 11,232.36	\$ 97,758.89 – \$ 134,788.29
Information Technology Manager	\$ 8,961.99 – \$ 11,641.69	\$ 107,543.87 – \$ 139,700.25
Management Analyst I	\$ 4,385.73 – \$ 6,673.69	\$ 52,628.75 – \$ 80,084.31
Management Analyst II	\$ 4,984.60 – \$ 7,584.44	\$ 59,815.24 – \$ 91,013.28
Management Analyst III	\$ 5,578.55 – \$ 8,495.18	\$ 66,942.63 – \$ 101,942.12
Neighborhood Council Coordinator	\$ 5,467.58 – \$ 8,326.19	\$ 65,610.98 – \$ 99,914.25
Neighborhood Services Manager	\$ 4,660.05 – \$ 9,490.53	\$ 55,920.62 – \$ 113,886.38
Nutrition Program Manager	\$ 5,070.96 – \$ 9,170.92	\$ 60,851.53 – \$ 110,051.03

City of National City
Human Resources Department

MANAGEMENT POSITIONS
February 2023

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Park Superintendent	\$ 6,669.28 – \$ 9,500.58	\$ 80,031.33 – \$ 114,006.94
PIO/Mgmt Analyst III	\$ 5,821.35 – \$ 8,864.92	\$ 69,856.23 – \$ 106,379.04
Planning Manager	\$ 8,274.15 – \$ 10,871.08	\$ 99,289.86 – \$ 130,453.00
Police Captain ¹	\$ 11,897.67 – \$ 15,346.81	\$ 142,772.08 – \$ 184,161.76
Police Support Services Manager	\$ 8,446.62 – \$ 9,346.74	\$ 101,359.39 – \$ 112,160.85
Principal Civil Engineer	\$ 9,572.05 – \$ 11,915.60	\$ 114,864.55 – \$ 142,987.22
Principal Librarian	\$ 7,164.83 – \$ 9,175.15	\$ 85,977.93 – \$ 110,101.78
Principal Planner	\$ 7,875.42 – \$ 10,347.19	\$ 94,504.99 – \$ 124,166.27
Project Officer	\$ 6,159.07 – \$ 9,439.24	\$ 73,908.84 – \$ 113,270.89
Purchasing Agent	\$ 5,699.04 – \$ 9,908.69	\$ 68,388.46 – \$ 118,904.27
Recreation Superintendent	\$ 6,395.87 – \$ 9,170.92	\$ 76,750.42 – \$ 110,051.03
Risk Manager	\$ 5,987.35 – \$ 11,012.65	\$ 71,848.15 – \$ 132,151.77
Senior Accountant	\$ 6,643.78 – \$ 8,267.75	\$ 79,725.39 – \$ 99,212.94
Special Assistant to the Mayor	\$ 4,697.55 – \$ 7,433.57	\$ 56,370.55 – \$ 89,202.81
Street Maintenance Supervisor	\$ 5,447.32 – \$ 7,711.14	\$ 65,367.82 – \$ 92,533.69
Street & Wastewater Maint Superintendent	\$ 6,708.01 – \$ 9,896.19	\$ 80,496.14 – \$ 118,754.24
Traffic Engineer	\$ 9,205.57 – \$ 11,920.60	\$ 110,466.87 – \$ 143,047.19
Wastewater Supervisor	\$ 5,879.62 – \$ 7,869.16	\$ 70,555.49 – \$ 94,429.92

¹ Police Captain receives a \$750 Uniform Allowance

² Battalion Chief receives a \$650 Uniform Allowance

City of National City
Human Resources Department

MANAGEMENT POSITIONS
February 2024

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Asst Director of PW/Engineering	\$ 10,270.12 – \$ 14,371.12	\$ 123,241.50 – \$ 172,453.43
Battalion Chief ²	\$ 9,473.85 – \$ 12,919.65	\$ 113,686.26 – \$ 155,035.76
Budget Manager	\$ 7,128.76 – \$ 11,844.18	\$ 85,545.13 – \$ 142,130.20
Building Official	\$ 8,614.10 – \$ 12,809.78	\$ 103,369.15 – \$ 153,717.41
Community Development Manager	\$ 8,443.43 – \$ 11,641.65	\$ 101,321.10 – \$ 139,699.80
Community Development Specialist III	\$ 6,737.75 – \$ 10,127.19	\$ 80,853.02 – \$ 121,526.27
Community Services Manager	\$ 6,520.55 – \$ 10,115.75	\$ 78,246.54 – \$ 121,389.03
Deputy City Attorney	\$ 8,771.94 – \$ 12,865.52	\$ 105,263.33 – \$ 154,386.24
Deputy City Clerk	\$ 6,180.10 – \$ 8,575.97	\$ 74,161.24 – \$ 102,911.67
Deputy Director of Human Resources	\$ 8,613.37 – \$ 11,875.97	\$ 103,360.48 – \$ 142,511.65
Equipment Maint Supervisor	\$ 6,177.04 – \$ 9,344.01	\$ 74,124.52 – \$ 112,128.08
Facilities Maint Supervisor	\$ 4,769.08 – \$ 7,942.48	\$ 57,228.91 – \$ 95,309.70
Financial Services Officer	\$ 8,686.92 – \$ 12,054.63	\$ 104,243.04 – \$ 144,655.58
Homelessness Service Coordinator	\$ 7,589.11 – \$ 10,336.38	\$ 91,069.32 – \$ 124,036.56
Housing Programs Manager	\$ 7,814.72 – \$ 10,936.13	\$ 93,776.60 – \$ 131,233.54
Human Resources Manager	\$ 8,613.37 – \$ 11,875.97	\$ 103,360.48 – \$ 142,511.65
Information Technology Manager	\$ 9,557.96 – \$ 12,415.86	\$ 114,695.53 – \$ 148,990.31
Management Analyst I	\$ 4,562.91 – \$ 6,943.31	\$ 54,754.95 – \$ 83,319.71
Management Analyst II	\$ 5,185.98 – \$ 7,890.85	\$ 62,231.78 – \$ 94,690.21
Management Analyst III	\$ 5,803.93 – \$ 8,838.38	\$ 69,647.11 – \$ 106,060.58
Neighborhood Council Coordinator	\$ 5,631.61 – \$ 8,575.97	\$ 67,579.31 – \$ 102,911.67
Neighborhood Services Manager	\$ 4,909.36 – \$ 9,998.28	\$ 58,912.38 – \$ 119,979.31
Nutrition Program Manager	\$ 5,294.59 – \$ 9,575.36	\$ 63,535.09 – \$ 114,904.28

City of National City
Human Resources Department

MANAGEMENT POSITIONS
February 2024

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Park Superintendent	\$ 7,087.44 – \$ 10,096.26	\$ 85,049.29 – \$ 121,155.18
PIO/Mgmt Analyst III	\$ 6,186.93 – \$ 9,421.64	\$ 74,243.20 – \$ 113,059.64
Planning Manager	\$ 8,522.38 – \$ 11,197.22	\$ 102,268.55 – \$ 134,366.59
Police Captain ¹	\$ 12,582.98 – \$ 16,230.79	\$ 150,995.75 – \$ 194,769.47
Police Support Services Manager	\$ 9,217.79 – \$ 10,200.09	\$ 110,613.51 – \$ 122,401.13
Principal Civil Engineer	\$ 10,177.96 – \$ 12,669.86	\$ 122,135.48 – \$ 152,038.31
Principal Librarian	\$ 7,398.40 – \$ 9,474.26	\$ 88,780.81 – \$ 113,691.10
Principal Planner	\$ 8,492.85 – \$ 11,158.41	\$ 101,914.18 – \$ 133,900.90
Project Officer	\$ 6,343.84 – \$ 9,722.42	\$ 76,126.10 – \$ 116,669.02
Purchasing Agent	\$ 5,870.01 – \$ 10,205.95	\$ 70,440.11 – \$ 122,471.40
Recreation Superintendent	\$ 6,677.93 – \$ 9,575.36	\$ 80,135.12 – \$ 114,904.28
Risk Manager	\$ 6,289.11 – \$ 11,567.69	\$ 75,469.30 – \$ 138,812.22
Senior Accountant	\$ 6,980.62 – \$ 8,686.92	\$ 83,767.47 – \$ 104,243.04
Special Assistant to the Mayor	\$ 4,838.47 – \$ 7,656.57	\$ 58,061.67 – \$ 91,878.89
Street Maintenance Supervisor	\$ 5,610.74 – \$ 7,942.48	\$ 67,328.85 – \$ 95,309.70
Street & Wastewater Maint Superintendent	\$ 7,275.51 – \$ 10,733.40	\$ 87,306.12 – \$ 128,800.85
Traffic Engineer	\$ 9,934.65 – \$ 12,864.71	\$ 119,215.85 – \$ 154,376.53
Wastewater Supervisor	\$ 6,117.75 – \$ 8,187.86	\$ 73,412.99 – \$ 98,254.33

¹ Police Captain receives a \$750 Uniform Allowance

² Battalion Chief receives a \$650 Uniform Allowance

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA CREATING TWO (2) NEW JOB CLASSIFICATIONS AND AMENDING THE NATIONAL CITY MUNICIPAL EMPLOYEES ASSOCIATION (NCMEA) SALARY SCHEDULE AND THE MANAGEMENT SALARY SCHEDULE

WHEREAS, City staff recommends approving the addition of the Nutrition Services Supervisor classification to the National City Municipal Employees Association (NCMEA) Salary Schedule and adding the Homelessness Service Coordinator classification to the Management Salary Schedule; and

WHEREAS, the two (2) classifications were created to address their unique duties and responsibilities and to support the workforce sustainability of current and future service delivery in their respective departments; and

WHEREAS, the Nutrition Services Supervisor and the Homelessness Service Coordinator positions will be filled through an open recruitment; and

WHEREAS, City staff recommends City Council approval in creating two (2) new job classifications and amending the National City Municipal Employees Association (NCMEA) Salary Schedule and the Management Salary Schedule.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: Approves the addition of the Nutrition Services Supervisor classification to the National City Municipal Employees Association (NCMEA) Salary Schedule and adds the Homelessness Service Coordinator classification to the Management Salary Schedule.

Section 2: The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 16th day of August, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Engineering
Prepared by: Luca Zappiello, Assistant Engineer – Civil
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Execute Program Supplement Agreement (PSA) No. A062 with State of California Department of Transportation (Caltrans) - Highland Avenue Inter-City Connection Project allow for reimbursement of up to \$58,000 in Active Transportation Program Grant Fund. (Eng-Civil)

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) Authorizing the Mayor to execute Program Supplement Agreement (PSA) No. A062 with the State of California Department of Transportation (Caltrans) for the Highland Avenue Inter-City Bike Connection Project to allow for reimbursement of up to \$58,000 in eligible project expenditures through the State Active Transportation Program (ATP); 2) authorizing the establishment of an Engineering Grant Funds appropriation of \$58,000 and corresponding revenue budget; and 3) committing to providing a local match of \$2,000.

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

On January 11, 2021, the California Department of Transportation (Caltrans) awarded a \$1,895,000 State Active Transportation Program (ATP) grant for the Highland Avenue Inter-City Bike Connection Project.

The \$1,895,000 award was distributed by Project phases as follows:

- Project Approval and Environmental Documents (PA&ED) - \$58,000
- Plans, Specifications and Estimate (PS&E) – \$260,000
- Construction (CON) - \$1,577,000

On July 20, 2022, Caltrans authorized the City to proceed with the Environmental & Permits phase in the amount of \$58,000 with a local match of \$2,000.

The Highland Avenue Inter-City Bike Connection project will construct nearly 0.4 miles of Class IV and Class II bicycle facilities along Highland Avenue from 30th Street to the southern City limits, per the City's Bicycle Master Plan.

Once the PA&ED phase is complete, staff will return to the City Council for the appropriation of the PS&E and Construction funds.

A City Council resolution authorizing the Mayor to execute Program Supplement Agreement No. A062 to Administering Agency-State Master Agreement No. 11-5066S21 is required to allow for reimbursement of eligible project expenditures through the ATP grant.

FINANCIAL STATEMENT:

ATP Grant - \$58,000

Revenue Account No. 296-06608-3463

Expenditure Account No. 296-409-500-598-6608 (Highland Avenue Inter-City Bike Connection Project)

Required Local Match - \$2,000

Expenditure Account No. 109-409-500-598-6035 - \$2,000

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Transportation Choices and Infrastructure

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Minor Additions to Schools CCR 15314. This project qualifies for a Notice of Exemption. CCR 15374.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

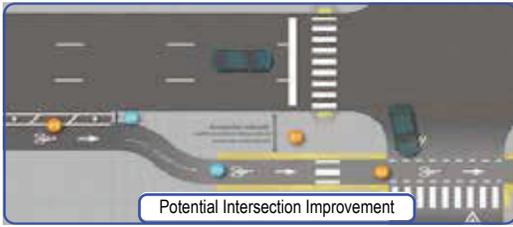
Not Applicable

EXHIBITS:

Exhibit A – Map - Highland

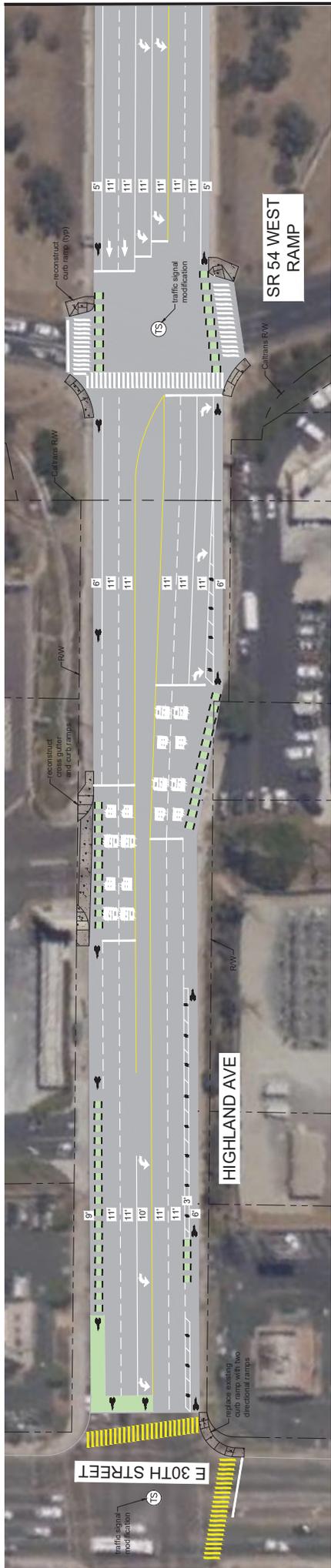
Exhibit B – Agreement – Program Supplement Agreement

Exhibit C - Resolution

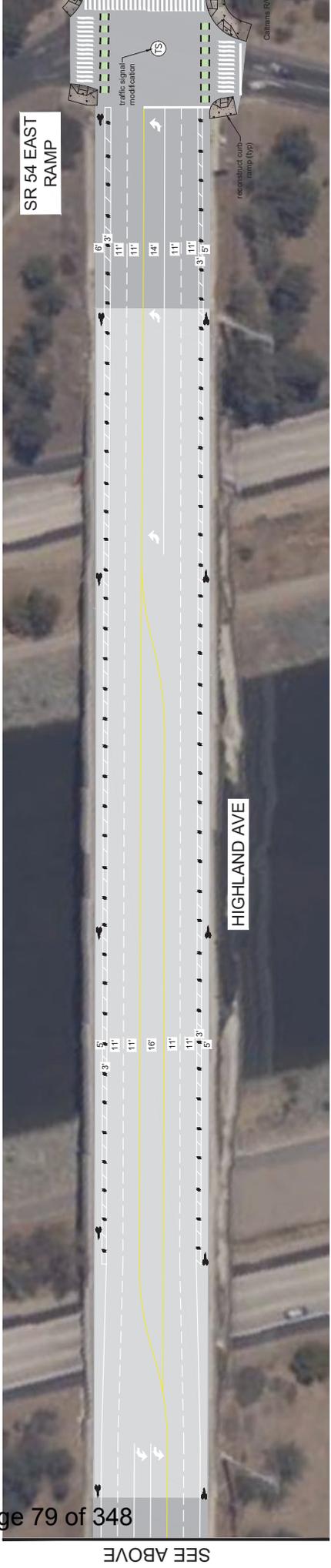


- Proposed Class II/IV - Bike Lanes (Extents of Project)
- Connection to City of Chula Vista
- Bicycle-Friendly Intersection Improvements
- Sweetwater River Bikeway Connection / 30th Street Bicycle Facility Improvements (Fully Funded)
- Sweetwater Road Protected Bikeway Phase 1 (Fully Funded)
- Class I - Regional Bike Path
- Class II - Bike Lane
- Class III - Bike Route
- Planned Class II - Bike Lane
- Planned III - Bike Route
- Planned Pedestrian Paths
- Caltrans Right of Way

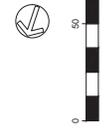




SEE BELOW



SEE ABOVE



PROGRAM SUPPLEMENT NO. 00000A062
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR STATE FUNDED PROJECTS NO 11-5066S21

Adv. Project ID 1122000234
Date: July 20, 2022
Location: 11-SD-0-NATC
Project Number: ATPL-5066(052)
E.A. Number:
Locode: 5066

This Program Supplement, effective 06/30/2022, hereby adopts and incorporates into the Administering Agency-State Agreement No. 11-5066S21 for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of _____ and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the ADMINISTERING AGENCY on _____ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

PROJECT LOCATION: Highland Avenue Inter-City Bike Connection

TYPE OF WORK: Construct Class IV & II bicycle facilities, traffic calming, pavement markings, signing, signal mods **LENGTH:** 0.0(MILES)

Estimated Cost	State Funds		Matching Funds	
			LOCAL	OTHER
\$60,000.00	SB1 funds	\$58,000.00	\$2,000.00	\$0.00

CITY OF NATIONAL CITY

By _____

Title _____

Date _____

Attest _____

STATE OF CALIFORNIA
Department of Transportation

By _____

Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Jennie Yee

Date 07/20/2022

\$58,000.00

SPECIAL COVENANTS OR REMARKS

1. A. This PROJECT will be administered in accordance with the applicable CTC STIP guidelines and the Active Transportation Program guidelines as adopted or amended, the Local Assistance Procedures Manual (LAPM), the Local Assistance Program Guidelines (LAPG), and this PROGRAM SUPPLEMENT.

B. This PROJECT is programmed to receive State funds from the Active Transportation Program (ATP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. Unless otherwise determined, the effective date of the component specific allocation will constitute the start of reimbursable expenditures.

C. STATE and ADMINISTERING AGENCY agree that any additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE-approved Allocation Letter and STATE Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.

D. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. Funds transferred between allocated project components retain their original timely use of funds deadlines, but an approved time extension will revise the timely use of funds criteria for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof.

Documentation will consist of a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

E. This PROJECT is subject to the timely use of funds provisions enacted by the Active Transportation Program guidelines, as adopted or amended, and by approved CTC and State procedures as outlined below.

Funds allocated for the environmental & permits (E&P), plan specifications & estimate (PS&E), and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

SPECIAL COVENANTS OR REMARKS

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and to complete and accept the construction within 36 months of award.

F. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer immediately after project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract. Failure to do so will cause a delay in the State processing of invoices for the construction phase.

G. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits (E&P), plans specifications & estimate (PS&E), and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion or contract acceptance to make the final payment to the contractor prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.

H. ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LAPM and the Active Transportation Program (ATP) Guidelines.

I. ADMINISTERING AGENCY indirect costs, as defined in 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, to be claimed must be allocated in accordance with an Indirect Cost Allocation Plan (ICAP), submitted, reviewed, and approved in accordance with Caltrans Audits and Investigations requirements which may be accessed at: www.dot.ca.gov/hq/audits/.

ADMINISTERING AGENCY agrees to comply with, and require all sub-recipients and project sponsors to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, and all applicable Federal and State laws and regulations.

ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., and all applicable Federal and State laws and regulations, shall be used to determine the allowability of individual PROJECT cost items.

Any Fund expenditures for costs for which ADMINISTERING AGENCY has received

SPECIAL COVENANTS OR REMARKS

payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, or 48 CFR, Chapter 1, Part 3, are subject to repayment by ADMINISTERING AGENCY to STATE. Should ADMINISTERING AGENCY fail to reimburse Funds due STATE within 30 days of demand, or within such other period as may be agreed in writing between the Parties hereto, STATE is authorized to intercept and withhold future payments due ADMINISTERING AGENCY from STATE or any third-party source, including, but not limited to, the State Treasurer, the State Controller, and the California Transportation Commission.

J. By executing this PROGRAM SUPPLEMENT, ADMINISTERING AGENCY agrees to comply with all reporting requirements in accordance with the Active Transportation Program guidelines, as adopted or amended.

K. This PROJECT has received funds from Active Transportation Program (ATP). The ADMINISTERING AGENCY agrees to administer the project in accordance with the CTC Adopted SB1 Accountability and Transparency Guidelines.

2. The ADMINISTERING AGENCY shall construct the PROJECT in accordance with the scope of work presented in the application and approved by the California Transportation Commission. Any changes to the approved PROJECT scope without the prior expressed approval of the California Transportation Commission are ineligible for reimbursement and may result in the entire PROJECT becoming ineligible for reimbursement.

RESOLUTION NO. 2022 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA 1) AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT (PSA) NO. A062 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE HIGHLAND AVENUE INTER-CITY BIKE CONNECTION PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$58,000 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE STATE ACTIVE TRANSPORTATION PROGRAM (ATP); 2) AUTHORIZING THE ESTABLISHMENT OF AN ENGINEERING GRANT FUNDS APPROPRIATION OF \$58,000 AND CORRESPONDING REVENUE BUDGET; AND 3) COMMITTING TO PROVIDING A LOCAL MATCH OF \$2,000

WHEREAS, on January 11, 2021, the California Department of Transportation (Caltrans) awarded a \$1,895,000 State Active Transportation Program (ATP) grant for the Highland Avenue Inter-City Bike Connection Project; and

WHEREAS, the \$1,895,000 award was distributed by Project phases as follows: Project Approval and Environmental Documents (PA&ED) - \$58,000; Plans, Specifications and Estimate (PS&E) – \$260,000; Construction (CON) - \$1,577,000; and

WHEREAS, on July 20, 2022, Caltrans authorized the City to proceed with the Environmental & Permits phase in the amount of \$58,000 with a local match of \$2,000; and

WHEREAS, the Highland Avenue Inter-City Bike Connection project will construct nearly 0.4 miles of Class IV and Class II bicycle facilities along Highland Avenue from 30th Street to the southern City limits, per the City's Bicycle Master Plan; and

WHEREAS, once the PA&ED phase is complete, staff will return to the City Council for the appropriation of the PS&E and Construction funds; and

WHEREAS, City Council Resolution authorizing the Mayor to execute Program Supplement Agreement No. A062 to Administering Agency-State Master Agreement No. 11-5066S21 is required to allow for reimbursement of eligible project expenditures through the ATP grant; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes the Mayor to execute Program Supplement Agreement (PSA) No. A062 with the State of California Department of Transportation (Caltrans) for the Highland Avenue Inter-City Bike Connection Project to allow for reimbursement of up to \$58,000 in eligible project expenditures through the State Active Transportation Program (ATP).

Section 2: That the City Council hereby authorizes the establishment of an Engineering Grant Funds appropriation of \$58,000 and corresponding revenue budget.

Section 3: That the City Council hereby commits to providing a local match of \$2,000.

Section 4: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this ____th day of _____, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Engineering
Prepared by: Luca Zappiello, Assistant Engineer - Civil
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Reject all bids received May 12, 2022, Accept bids received July 20, 2022, authorize appropriation, and award contract to California Commercial Pool, Inc. - Las Palmas Swimming Pool Renovation Project, CIP No. 22-01.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) rejecting all bids received on May 12, 2022, for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01; 2) accepting the bids received on July 20, 2022; 3) authorizing the appropriation of additional funds in amount of \$660,907 from the remaining balance of American Rescue Plan Act (ARPA) fund; 4) awarding a contract to California Commercial Pool, Inc., in the not-to-exceed amount of \$3,206,850 for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01; 5) authorizing a 10% contingency in the amount of \$320,685 for any unforeseen changes; and 6) authorizing the Mayor to execute the contract.

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

The Las Palmas Pool Swimming Pool Renovation will re-plast, re-deck and expand the width of the pool by 10 feet. The expansion of the pool is based on the City Council's desire to increase the pool's capacity for both programming opportunities and swimming time for City residents. As plans and specifications were developed for the Las Palmas Pool Emergency Project, staff and the City's consultant suggested that the expansion of the width of the pool by 10 feet would have positive benefits for the community including:

- Expanded pool size will increase lap and recreational swimming by 100% for both programmed and free swimming
- The pool size would be brought up to the standard for competition at the high school and collegiate level

The significance in adding width creates the ability to construct different configurations for pool usage. Resulting in more flexibility for programmed and free swim options simultaneously, increasing the overall use of the pool.

On April 21, 2022, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On April 28, 2022, and May 2, 2022, the bid solicitation was advertised in local newspapers. On May 12, 2022, four (4) bids were received by the 5:00 p.m. deadline. Upon a review of all documents submitted, staff rejected the first and second apparent lowest bidders as they did not meet the minimum project qualifications necessary to perform the work. Staff also

rejected the third and fourth apparent lowest bidders due to the fact the total cost of construction on bids was higher than the budget allocated by the City for this project.

As a result of this outcome, on June 23, 2022, staff re-advertised the project on PlanetBids with a revised scope of work in order to receive the bids within the budget allocations. On June 28, 2022, and July 5, 2022, the bid solicitation was advertised in local newspapers.

On July 20, 2022, two (2) bids were received by the 2:00 p.m. deadline. California Commercial Pools, Inc., was the apparent lowest bidder with a total bid amount of \$3,206,850. Upon review of all documents submitted, California Commercial Pools, Inc.'s, bid was deemed responsive and the lowest responsible bidder qualified to perform the work as described in the project specifications.

The initial authorized budget allocated by the City Council for the Las Palmas Swimming Pool Renovation project was \$3,250,000 including the pre-construction soft costs, construction, contingency and construction soft costs. However, the lowest bid received was higher than estimated for every bid item. This is due to current national and regional challenges caused by material cost increase, shortage of labor force, fuel price increase and inflation. For this reason, staff is requesting appropriation of additional funds: \$660,907 (\$110,518 - construction expenditures; \$320,685 - contingency; \$229,704 - construction soft costs) for a total cost of \$3,910,907 in order to cover the additional project costs. See table 1 below showing the budget breakdown summary with related expenses.

Tasks	Budget	Expended
Pre-construction soft costs (design - bid documents)	\$153,668	\$153,668
Construction	\$3,206,850	\$0
Contingency	\$320,685	\$0
Construction soft costs (construction management, additional design support)	\$229,704	\$0
Total	\$3,910,907	\$153,668

Table 1 – Project budget breakdown summary

Staff recommends awarding the contract to California Commercial Pools, Inc. in the amount not to exceed \$3,206,850 and authorizing a 10% contingency in the amount of \$320,685 to address any unforeseen conditions that may arise.

Attached are the bid opening summary sheet and a line item summary of the two lowest bidders for reference. Also attached is the Owner-Contractor Agreement.

Construction is estimated to start in September 2022 and completed by early 2023. Updates will be provided on the City's CIP dashboard at:

<https://www.nationalcityca.gov/government/engineering-public-works>.

FINANCIAL STATEMENT:

Contract Award - \$3,206,850

Expenditure Account No. 001-409-500-598-1173 - \$1,000,000 (Las Palmas Pool Widening)

Expenditure Account No. 117-409-500-598-1171 - \$1,250,000 (Las Palmas Pool Deck Rehab)

Expenditure Account No. 117-409-500-598-1170 - \$846,332 (Re-plaster Las Palmas Pool)

Expenditure Account No. 117-409-500-598-XXX - \$110,518 (ARPA)

10% Contingency - \$320,685

Expenditure Account No. 117-409-500-598-XXX - \$320,685 (ARPA)

Expenditure Account No. 117-409-500-598-XXX - \$229,704 (ARPA) (Construction soft costs)

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Parks, Recreation and Library

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – Swimming Pool - Activity Pool Deck Plan

Exhibit B – Rejection of All Bids Letter

Exhibit C – Bid Opening Summary

Exhibit D – Three Lowest Bidders Summary

Exhibit E – Contractor Agreement

Exhibit F - Resolution



June 9, 2022

CIP NO. 22-01

Las Palmas Pool Bidders

To Whom It may Concern

Project: LAS PALMAS SWIMMING POOL RENOVATION PROJECT

Subject: REJECTION OF ALL BIDS

You are hereby notified that the City of National City is rejecting all bids for this project (Section 28 "Rejection of Bids" of the Technical Specifications).

The City will evaluate the project scope and General Conditions and make necessary adjustments in an effort to bring bids within budget allocations.

Thank you for bidding the project and I wish you well in bidding National City projects in the future.

Sincerely,

Roberto Yano

Director Public Works/City Engineer



BID OPENING SUMMARY

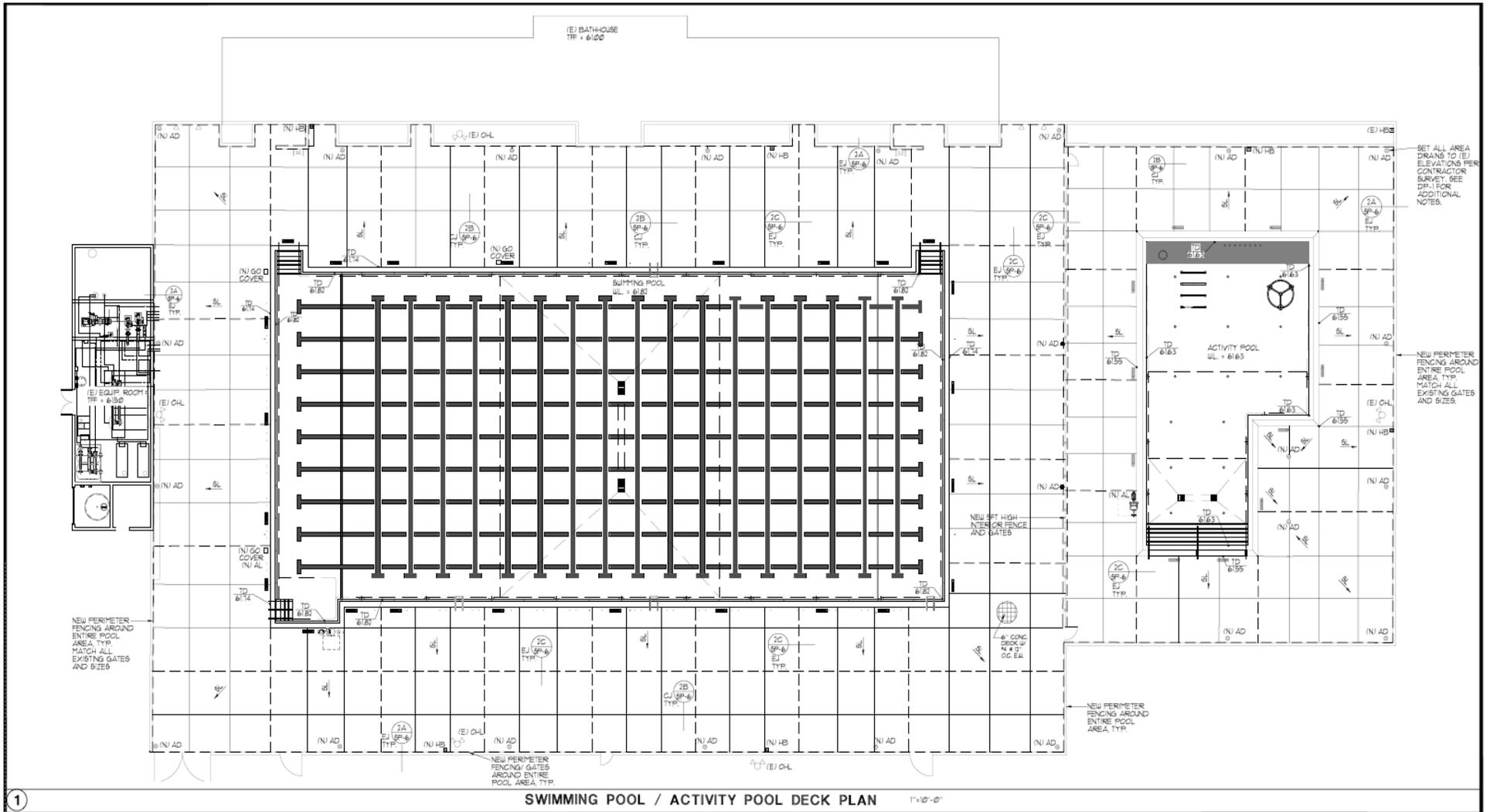
NAME: Las Palmas Swimming Pool Renovation
CIP NO: 22-01
DATE: July 20, 2022
TIME: 2:00 P.M.
ESTIMATE: \$2,480,000
PROJECT ENGINEER: Roberto Yano, P.E.

NO.	BIDDER'S NAME	BID AMOUNT	BID SECURITY - BOND
1	California Commercial Pool, Inc. Glendora, CA 91740	\$3,206,850	Bond
2	Fordyce Construction, Inc. Santee, CA 92071	\$3,539,317	Bond

Bid Results for Las Palmas Swimming Pool Renovation (CIP No. 22-01)

Item No.	Description	Unit	Qty.	California Commercial Pool, Inc.		Fordyce Construction, Inc.	
1	Mobilization	LS	1	40,000	40,000	115,400	115,400
2	Competition Pool Widening	LS	1	420,000	420,000	342,900	342,900
3	Competition Pool Remove and Replace Plaster	SF	10,954	38	420,086	47	509,361
4	Competition Pool Inlet / Fixture Replacement	LS	1	64,000	64,000	179,200	179,200
5	Activity Pool Inlet Replacement	LS	1	7,500	7,500	2,900	2,900
6	Pool Deck Removal	SF	26,992	6	151,155	3	80,976
7	Pool Deck Replacement	SF	24,142	20	482,840	15	362,130
8	Remove Diving Boards	LS	1	20,000	20,000	6,800	6,800
9	New Racing Platform Anchors	EA	16	2,500	40,000	1,186	18,976
10	New Stancion Sockets	EA	30	83	2,500	196	5,880
11	New Anchor Sockets for Grab Rails	EA	12	250	3,000	548	6,576
12	New Disabled Lift Anchors	EA	2	750	1,500	1,096	2,192
13	New Lane Line Anchors	EA	17	1,882	32,000	1,805	30,685
14	VGBA / AB1020 Main Drain Replacement	EA	3	3,333	10,000	10,600	31,800
15	Expansion Joint Sealant Repair	LS	1	5,000	5,000	16,500	16,500
16	New ADA Handrail	EA	1	6,000	6,000	7,270	7,270
17	New Interior 5' Fence and Gates	LF	92	543	50,000	420	38,640
18	Existing Pool Floor Alterations	SF	2,250	11	24,998	130	292,500
19	New Main Drains	EA	3	11,667	35,000	8,037	24,111
20	New Floor Inlet System and Piping Connections	LS	1	184,000	184,000	247,116	247,116
21	New Pool Wall and Gutter	LF	169	2,360	398,840	866	146,354
22	New Pool Tile	SF	1,500	233	349,995	289	433,500
23	New Compliant Perimeter Fencing, Gates, Hardware	LF	600	575	345,000	410	246,000
24	Mechanical Room System Component Replacement	LS	1	33,936	33,936	347,300	347,300
25	Remove Existing Bldg. Side Fence & Reslope Deck	LS	1	75,500	75,500	33,000	33,000
26	Rebar/Gunite Repair	LF	150	27	4,001	75	11,250
				3,206,850		3,539,317	

LAS PALMAS SWIMMING POOL RENOVATION PROJECT – CIP 22-01



OWNER - CONTRACTOR AGREEMENT

LAS PALMAS SWIMMING POOL RENOVATION PROJECT, CIP NO. 22-01

This Owner-Contractor Agreement ("Agreement") is made by and between the City of National City, 1243 National City Boulevard National City, California 91950 and **California Commercial Pool Inc. ("Contractor")**, 2255 E Auto Centre Drive, Glendora, CA 91740 on the **16th day of August, 2022**, for the construction of the above referenced Project.

In consideration of the mutual covenants and agreements set forth herein, the Owner and Contractor have mutually agreed as follows:

1. CONSTRUCTION

The Contractor agrees to do all the work and furnish all the labor, services, materials and equipment necessary to construct and complete the Project in a turn-key manner in accordance with this Agreement and all documents and plans referenced in Exhibit "A", (hereinafter "Contract Documents"), in compliance with all relevant Federal, State of California, County of San Diego and City of National City codes and regulations, and to the satisfaction of the Owner.

2. CONTRACT PRICE

Owner hereby agrees to pay and the Contractor agrees to accept as full compensation for constructing the project in accordance with these Contract Documents in an amount not to exceed the contract price as set forth in Exhibit "B" attached hereto and incorporated herein by reference. Payments to the Contractor shall be made in the manner described in the Special Provisions.

3. TIME FOR PERFORMANCE

Time is of the essence for this Agreement and the Contractor shall construct the project in every detail to a complete and turn-key fashion to the satisfaction of the Owner within the specified duration set forth in the Special Provisions.

4. NON-DISCRIMINATION

In the performance of this Agreement, the Contractor shall not refuse or fail to hire or employ any qualified person, or bar or discharge from employment any person, or discriminate against any person, with respect to such person's compensation, terms, conditions or privileges of employment because of such person's race, religious status, sex or age.

5. AUTHORIZED OWNER REPRESENTATIVES

On behalf of the Owner, the Project Manager designated at the pre-construction meeting shall be the Owner's authorized representative in the interpretation and enforcement of all Work performed in connection with this Agreement.

6. WORKERS' COMPENSATION INSURANCE

a) By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the Work of this Agreement.

b) The Contractor shall require each subcontractor to comply with the requirements of Section 3700 of the Labor Code. Before commencing any Work, the Contractor shall cause each subcontractor to execute the following certification:

"I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the Work of this Agreement."

7. ENTIRE AGREEMENT; CONFLICT

The Contract Documents comprise the entire agreement between the Owner and the Contractor with respect to the Work. In the event of conflict between the terms of this Agreement and the bid of the Contractor, then this Agreement shall control and nothing herein shall be considered as an acceptance of the terms of the bid conflicting herewith.

8. MAINTENANCE OF AGREEMENT DOCUMENTATION

Contractor shall maintain all books, documents, papers, employee time sheets, accounting records and other evidence pertaining to costs incurred and shall make such materials available at its office at all reasonable times during the term of this Agreement and for three (3) years from the date of final payment under this Agreement, for inspection by Owner and copies thereof shall be furnished to Owner if requested.

9. INDEPENDENT CONTRACTOR

At all times during the term of this Agreement, Contractor shall be an independent contractor and shall not be an employee, agent, partner or joint venturer of the Owner. Owner shall have the right to control Contractor insofar as the results of Contractor's

services rendered pursuant to this Agreement; however, Owner shall not have the right to control the means by which Contractor accomplishes such services.

10. LICENSES AND PERMITS

Contractor represents and declares to Owner that it has all licenses, permits, qualifications and approvals of whatever nature which are legally required to practice its profession. Contractor represents and warrants to Owner that Contractor shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any licenses, permits, qualifications or approvals which are legally required for Contractor to practice its profession.

11. GOVERNING LAW, VENUE

This Agreement and the Contract Documents shall be construed under and in accordance with the laws of the State of California, and the appropriate venue for any action or proceeding arising from this Agreement and/or the Contract Documents shall be had in the Superior Court of San Diego, Central Branch.

12. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall for all purposes be deemed to be an original.

13. FALSE CLAIMS

Contractor acknowledges that if a false claim is submitted to the Owner, it may be considered fraud and Contractor may be subject to criminal prosecution. Contractor acknowledges that the False Claims Act, California Government Code sections 12650, et seq., provides for civil penalties where a person knowingly submits a false claim to a public entity. These provisions include within their scope false claims made with deliberate ignorance of the false information or in reckless disregard of the truth or falsity of the information. In the event the Owner seeks to recover penalties pursuant to the False Claims Act, it is entitled to recover its litigation costs, including attorneys' fees. Contractor hereby acknowledges that the filing of a false claim may the Contractor to an administrative debarment proceeding wherein Contractor may be prevented from further bidding on public contracts for a period of up to five (5) years.

I have read and understood all of the provisions of this Section 13, above:


(Initial)


(Initial)



14. AGREEMENT MODIFICATION

This Agreement and the Contract Documents may not be modified orally or in any manner other than by an amendment in writing and signed by the Owner and the Contractor.

IN WITNESS WHEREOF this Agreement is executed as of the date first written above.

Owner:

Contractor:

California Commercial Pool Inc.

Alejandra Sotelo-Solis
Mayor, City of National City



(Owner/Officer signature)

David E. Jackson, Vice President & Secretary

Print name and title

APPROVED AS TO FORM:

(Second officer signature if a corporation)

By: _____
Barry Schultz
Interim City Attorney



Print name and title Ryan Jackson, Vice President

City of National City - 09051536

Contractor's City Business License No.

415172 Class B & C53

State Contractor's License No. and Class

2255 E Auto Centre Drive,

Business street address

Glendora, CA 91740

City, State and Zip Code



EXHIBIT A

CONTRACT DOCUMENTS

Owner/Contractor Agreement

Bid Schedule

Addenda

Plans

Special Provisions (Specifications)

San Diego County Regional Standard Drawings

City of National City Standard Drawings

Standard Specifications for Public Works Construction and Regional Supplements
(Greenbook)

State Standard Specifications

State Standard Plans

California Building, Mechanical, Plumbing and Electrical Codes

Permits issued by jurisdictional regulatory agencies

Electric, gas, and communications companies specifications and standards

Sweetwater Authority specifications and standards

Specifications, standards and requirements of MTS, BNSF, SANDAG, Port of San Diego and
all other agencies that may be adjacent and/or affected by the project.

EXHIBIT B

CONTRACT PRICE

(NOTE - TO BE COMPLETED TO CONFORM WITH BID SCHEDULE ITEMS)

EXHIBIT B

CONTRACT PRICE

Bid Results for Las Palmas Swimming Pool Renovation Project (CIP No. 22-01)					
Item No.	Description	Unit	Qty.	California Commercial Pool Inc.	
1	Mobilization	LS	1	40,000	40,000
2	Competition Pool Widening	LS	1	420,000	420,000
3	Competition Pool Remove and Replace Plaster	SF	10,954	38.35	420,086
4	Competition Pool Inlet / Fixture Replacement	LS	1	64,000	64,000
5	Activity Pool Inlet Replacement	LS	1	7,500	7,500
6	Pool Deck Removal	SF	26,992	5.6	151,155
7	Pool Deck Replacement	SF	24,142	20	482,840
8	Remove Diving Boards	LS	1	20,000	20,000
9	New Racing Platform Anchors	EA	16	2,500	40,000
10	New Stancion Sockets	EA	30	83.33	2,500
11	New Anchor Sockets for Grab Rails	EA	12	250	3,000
12	New Disabled Lift Anchors	EA	2	750	1,500
13	New Lane Line Anchors	EA	17	1,882	32,000
14	VGBA / AB1020 Main Drain Replacement	EA	3	3,333	10,000
15	Expansion Joint Sealant Repair	LS	1	5,000	5,000
16	New ADA Handrail	EA	1	6,000	6,000
17	New Interior 5' Fence and Gates	LF	92	543.48	50,000
18	Existing Pool Floor Alterations	SF	2,250	11.11	24,998
19	New Main Drains	EA	3	11,667	35,000
20	New Floor Inlet System and Piping Connections	LS	1	184,000	184,000
21	New Pool Wall and Gutter	LF	169	2,360	398,840
22	New Pool Tile	SF	1,500	233.33	349,995
23	New Compliant Perimeter Fencing, Gates, Hardware	LF	600	575	345,000
24	Mechanical Room System Component Replacement	LS	1	33,936	33,936
25	Remove Existing Bldg. Side Fence & Reslope Deck	LS	1	75,500	75,500
26	Rebar/Gunite Repair	LF	150	26.67	4,001
Total				\$3,206,850	

CORPORATE CERTIFICATE

I, David E. Jackson certify that I am the Secretary of the Corporation named as Contractor in the foregoing Contract; that Ryan Jackson, who signed said contract on behalf of the Contractor, was then Vice President of said Corporation; that said contract was duly signed for and in behalf of said Corporation by authority of its governing body and is within the scope of its corporate powers.

I, David E. Jackson certify that I am the Secretary of the Corporation named as Contractor in the foregoing Contract; that David E. Jackson, who signed said contract on behalf of the Contractor, was then Vice President of said Corporation; that said contract was duly signed for and in behalf of said Corporation by authority of its governing body and is within the scope of its corporate powers.



Corporate Seal: _____

*N/A

PARTNERSHIP CERTIFICATE

STATE OF _____)
) ss
COUNTY OF _____)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared:

_____ (Notary Seal)

known to me to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

Signature: _____

Name (Type or Print): _____
(Notary Public in and for said County and State)

My Commission expires: _____

ISSUED IN ONE ORIGINAL COUNTERPART

BOND NO. EACX4022841
PREMIUM: \$21,973.00

THIS BOND SHALL TAKE EFFECTIVE AUGUST 16, 2022 UPON APPROVAL TO PROCEED WITH AWARD OF CONSTRUCTION BY THE CITY OF NATIONAL CITY AND AFTER AN AUTHORIZED OFFICIAL SIGNS THE AGREEMENT FORM.

PERFORMANCE BOND

WHEREAS, the City Council of the City of National City, by Resolution No. 2021-_____, on the 16th day of August, 2022, has awarded **California Commercial Pool Inc.**, hereinafter designated as the "Principal", the LAS PALMAS SWIMMING POOL RENOVATION PROJECT, CIP NO. 22-01

WHEREAS, said Principal is required under the terms of said contract to furnish a bond for the faithful performance of said contract.

NOW, THEREFORE, we, the Principal and Endurance Assurance Corporation as surety, are held and firmly bound unto the City of National City, hereinafter called the "City", in the penal sum of **Three Million, Two Hundred Six Thousand, Eight Hundred Fifty (\$3,206,850.00)** dollars lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT if the above bounden Principal, his/her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and agreements in the said contract any alteration thereof made as therein provides, on his or their part, to be kept and performed at the time and in the amount therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of National City, its officers, agents, employees, and volunteers as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and virtue.

And the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to the work to be performed herein or the specifications accompanying the same shall in any wise affect its obligations on this bond, and it does hereby waive notice of any such

change, extension of time, alteration or additions to the terms of the contract or to the work or to the specifications.

In the event suit is brought upon this bond by the City and judgment is recovered, the surety shall pay all costs incurred by the City in such suit, including a reasonable attorney's fee to be fixed by the Court.

IN WITNESS WHEREOF three identical counterparts of this instrument, each of which shall for all purposes be deemed an original thereof, have been duly executed by the

Principal and Surety above named, on the 29th day of July, 2022.

Endurance Assurance Corporation (SEAL)

California Commercial Pools, Inc. (SEAL)

By: [Signature] (SEAL)

By: [Signature] (SEAL)

Kenneth A. Coate, Attorney-In-Fact (SEAL)

David Jackson, Vice (SEAL)

President

Surety

Principal



PERFORMANCE BOND

ATTORNEY-IN-FACT ACKNOWLEDGEMENT OF SURETY

STATE OF _____)
) ss
COUNTY OF _____)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ known to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact of the _____, the corporation named as Surety in said instrument, and acknowledged to me that he subscribed the name of said corporation thereto as Surety, and his own name as attorney-in-fact.

NOTE: Signature of those executing for Surety must be properly acknowledged.	NOTE: The Attorney-in-fact must attach a certified copy of the Power of Attorney.
--	---

Signature: _____

Name (Type or Print): _____

Notary Public in and for said County and State

My Commission expires: _____



POWER OF ATTORNEY

4252

KNOW ALL BY THESE PRESENTS, that Endurance Assurance Corporation, a Delaware corporation, Endurance American Insurance Company, a Delaware corporation, and/or Bond Safeguard Insurance Company, a South Dakota corporation, each, a "Company" and collectively, "Sompo International," do hereby constitute and appoint: Julia B. Bales, Kenneth A. Coate, Renae N. Balderas as true and lawful Attorney(s)-In-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of ONE HUNDRED MILLION Dollars (\$100,000,000.00).

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15th day of June, 2019.

Endurance Assurance Corporation
By: Richard Appel: SVP & Senior Counsel

Endurance American Insurance Company
By: Richard Appel: SVP & Senior Counsel

Bond Safeguard Insurance Company
By: Richard Appel: SVP & Senior Counsel



ACKNOWLEDGEMENT

On this 15th day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: Amy Taylor
Amy Taylor, Notary Public - My Commission Expires 5/9/23



CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

- 1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARRO, MARIANNE L. WILBERT

; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company."

- 3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 15th day of June, 2019

By: Daniel S. Lurie, Secretary

NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. Please read this Notice carefully.

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - https://www.treasury.gov/resource-center/sanctions/SDN-List.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: LexonClaimAdministration@sompo-intl.com

Telephone: 615-553-9500 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside

On JUL 29 2022 before me, Karina J. Cotton, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Kenneth A. Coate
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

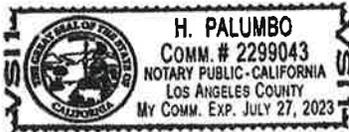
State of California)
County of Los Angeles)

On August 1, 2022 before me, H. Palumbo, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared David E. Jackson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Performance Bond - Las Palmas Document Date: 7/29/22
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: David E. Jackson
 Corporate Officer — Title(s): Vice President
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

ORIGINAL

THE PREMIUM IS PREDICATED ON
THE FINAL CONTRACT PRICE AND
IS SUBJECT TO ADJUSTMENT.

ISSUED IN ONE ORIGINAL COUNTERPART

BOND NO. EACX4022841

PREMIUM: INCLUDED IN THE PREMIUM CHARGED
FOR THE PERFORMANCE BOND

THIS BOND SHALL TAKE EFFECT AUGUST 16, 2022 UPON APPROVAL TO PROCEED WITH AWARD OF CONSTRUCTION BY THE CITY OF NATIONAL CITY AND AFTER AN AUTHORIZED OFFICIAL SIGNS THE AGREEMENT FORM.

PAYMENT BOND

WHEREAS, the City Council of the City of National City, by Resolution No. 2021-_____, on the **16th day of August, 2022** has awarded **California Commercial Pool Inc.**, hereinafter designated as the "Principal", the LAS PALMAS SWIMMING POOL RENOVATION PROJECT, CIP NO. 22-01

WHEREAS, said Principal is required by Chapter 5 (commencing at Section 3225) and Chapter 7 (commencing at Section 3247), Title 15, Part 4, Division 3 of the California Civil Code to furnish a bond in connection with said contract;

NOW, THEREFORE, we, the Principal and Endurance Assurance Corporation as surety, are held and firmly bound unto the City of National City, hereinafter called the "City", in the penal sum of **Three Million, Two Hundred Six Thousand, Eight Hundred Fifty (\$3,206,850.00)** dollars lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that if said Principal, his/her or its subcontractors, heirs, executors, administrators, successors, or assigns, shall fail to pay any of the persons named in Section 3181 of the California Civil Code, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or for any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his subcontractors pursuant to Section 18806 of the Revenue and Taxation Code, with respect to such work and labor the Surety will pay for the same in an amount not exceeding the sum hereinafter specified, and also, in case suit is brought upon this bond, a reasonable attorney's fee, to be fixed by the Court.

This Bond shall inure to the benefit of any of the persons named in Section 3181 of the California Civil Code, so as to give a right of action to such persons or their assigns in any suit brought upon this bond.

It is further stipulated and agreed that the Surety on this bond shall not be exonerated or released from the obligation of this bond by any change, extension of time for performance, addition, alteration or modification in, to, or of any contract, plans, specifications, or agreement pertaining or relating to any scheme or work of improvement hereinabove described or pertaining or relating to the furnishing of labor, materials, or equipment therefore, not by any change or modification of any terms of payment or extension of the time for any payment pertaining or relating to any scheme or work of improvement hereinabove described, nor by any rescission or attempted rescission of the contract, agreement or bond, nor by any conditions precedent or subsequent in the bond attempting to limit the right of recovery of claimants otherwise entitled to recover under any such contract or agreement or under the bond, nor by any fraud practiced by any person other than the claimant seeking to recover on the bond and that this bond be construed most strongly against the Surety and in favor of all persons for whose benefit such bond is given, and under no circumstances shall Surety be released from liability to those for whose benefit such bond has been given, by reason of any breach of contract between the owner of Public Entity and original contractor or on the part of any obliges named in such bond, but the sole conditions of recovery shall be that claimant is a person described in Section 3110 or 3112 of the California Civil Code, and has not been paid the full amount of his claim and that Surety does hereby waive notice of any such change, extension of time, addition, alteration or modification herein mentioned.

IN WITNESS WHEREOF three identical counterparts of this instrument, each of which shall for all purposes be deemed an original thereof, have been duly executed by the Principal and Surety above named, on the 29th day of July, 2022.

Endurance Assurance Corporation(SEAL)

California Commercial Pools, Inc.(SEAL)

By: [Signature] (SEAL)

By: [Signature] (SEAL)

Kenneth A. Coate, Attorney-In-Fact (SEAL)

David E Jackson, Vice President (SEAL)

Surety

Principal



ATTORNEY-IN-FACT ACKNOWLEDGEMENT OF SURETY

STATE OF _____)
) ss
COUNTY OF _____)

On this day _____ of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ known to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact of the _____, the corporation named as Surety in said instrument, and acknowledged to me that he subscribed the name of said corporation thereto as Surety, and his own name as attorney-in-fact.

NOTE: Signature of those executing for Surety must be properly acknowledged.	NOTE: The Attorney-in-fact must attach a certified copy of the Power of Attorney.
--	---

Signature: _____

Name (Type or Print): _____
(Notary Public in and for said County and State)

My Commission expires: _____

ATTACH ALL BONDS



POWER OF ATTORNEY

4252

KNOW ALL BY THESE PRESENTS, that Endurance Assurance Corporation, a Delaware corporation, Endurance American Insurance Company, a Delaware corporation, and/or Bond Safeguard Insurance Company, a South Dakota corporation, each, a "Company" and collectively, "Sompo International," do hereby constitute and appoint: Julia B. Bales, Kenneth A. Coate, Renae N. Balderas as true and lawful Attorney(s)-In-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of ONE HUNDRED MILLION Dollars (\$100,000,000.00).

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15th day of June, 2019.

Endurance Assurance Corporation
By: Richard Appel, SVP & Senior Counsel

Endurance American Insurance Company
By: Richard Appel, SVP & Senior Counsel

Bond Safeguard Insurance Company
By: Richard Appel, SVP & Senior Counsel



ACKNOWLEDGEMENT

On this 15th day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: Amy Taylor, Notary Public - My Commission Expires 5/9/23



CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

- 1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARRO, MARIANNE L. WILBERT

; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company."

- 3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 15th day of JUL 29 2019

By: Daniel S. Lurie, Secretary

NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. Please read this Notice carefully.

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - https://www.treasury.gov/resource-center/sanctions/SDN-List

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: LexonClaimAdministration@sompo-intl.com

Telephone: 615-553-9500 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside

On JUL 29 2022 before me, Karina J. Cotton, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Kenneth A. Coate
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
 Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____
 Partner – Limited General Partner – Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer is Representing: _____ Signer is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

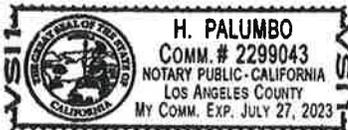
On August 1, 2022 before me, H. Palumbo, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared David E. Jackson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to the within instrument and acknowledged to me that (he/she/they) executed the same in (his/her/their) authorized capacity(ies), and that by (his/her/their) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Payment Bond - Las Palmas Document Date: 7/29/22

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: David E. Jackson

- Corporate Officer — Title(s): Vice President
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

RESOLUTION NO. 2022 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, 1) REJECTING ALL BIDS RECEIVED ON MAY 12, 2022, FOR THE LAS PALMAS SWIMMING POOL RENOVATION PROJECT, CIP NO. 22-01; 2) ACCEPTING THE BIDS RECEIVED ON JULY 20, 2022; 3) AUTHORIZING THE APPROPRIATION OF ADDITIONAL FUNDS IN AMOUNT OF \$660,907 FROM THE REMAINING BALANCE OF AMERICAN RESCUE PLAN ACT (ARPA) FUND; 4) AWARDED A CONTRACT TO CALIFORNIA COMMERCIAL POOL, INC., IN THE NOT-TO-EXCEED AMOUNT OF \$3,206,850 FOR THE LAS PALMAS SWIMMING POOL RENOVATION PROJECT, CIP NO. 22-01; 5) AUTHORIZING A 10% CONTINGENCY IN THE AMOUNT OF \$320,685 FOR ANY UNFORESEEN CHANGES; AND 6) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

WHEREAS, the Las Palmas Pool Swimming Pool Renovation Project will re-plast, re-deck and expand the width of the pool by 10 feet; and

WHEREAS, the expansion of the pool is based on the City Council's desire to increase the pool's capacity for both programming opportunities and swimming time for City residents; and

WHEREAS, as plans and specifications were developed for the Las Palmas Pool Emergency Project, staff and the City's consultant suggested that the expansion of the width of the pool by 10 feet would have positive benefits for the community including 1) expanded pool size will increase lap and recreational swimming by 100% for both programmed and free swimming 2) the pool size would be brought up to the standard for competition at the high school and collegiate level; and

WHEREAS, widening the pool an additional 10 feet along its length will allow for greater flexibility for programming and free swim. As programmed and free swim could then take place at the same time, it would increase pool use significantly; and

WHEREAS, on April 21, 2022, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors; and

WHEREAS, on April 28, 2022 and May 2, 2022, the bid solicitation was advertised in local newspapers; and

WHEREAS, on May 12, 2022, four (4) bids were received by the 5:00 p.m. deadline; and

WHEREAS, upon a review of all documents submitted, staff had to reject the first and second apparent lowest bidders since they did not meet the minimum project qualifications necessary to perform the work; and

WHEREAS, staff also had to reject the third and fourth apparent lowest bidders since the total cost of construction was higher than the budget allocated by the City for this project; and

WHEREAS, as a result of this outcome, on June 23, 2022, staff re-advertised the project on PlanetBids with a revised scope of work in order to receive the bids within the budget allocations; and

WHEREAS, on June 28, 2022 and July 5, 2022, the bid solicitation was advertised in local newspapers; and

WHEREAS, on July 20, 2022, two (2) bids were received by the 2:00 p.m. deadline. California Commercial Pools, Inc., was the apparent lowest bidder with a total bid amount of \$3,206,850; and

WHEREAS, upon a review of all documents submitted, California Commercial Pools, Inc.'s, bid was deemed responsive and the lowest responsible bidder qualified to perform the work as described in the project specifications; and

WHEREAS, the initial budget allocated for the Las Palmas Swimming Pool Renovation project was \$3,250,000 including the construction, contingency and soft costs; and

WHEREAS, however, the lowest bid received was higher than estimated for every bid item; and

WHEREAS, this is due to current national and regional challenges caused by material cost increase, shortage of labor force, fuel price increase and inflation; and

WHEREAS, for this reason, staff is requesting additional \$598,220 for a total cost of \$3,848,220 in order to cover the additional project cost; and

WHEREAS, City staff recommends 1) rejecting all bids received on May 12, 2022, for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01; 2) accepting the bids received on July 20, 2022; 3) awarding a contract to California Commercial Pool, Inc., in the not-to-exceed amount of \$3,206,850 for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01; 4) authorizing a 10% contingency in the amount of \$320,685 for any unforeseen changes; and 5) authorizing the Mayor to execute the contract; and

WHEREAS, City staff also recommends authorizing the appropriation of additional funds in amount of \$660,907 from the remaining balance of American Rescue Plan Act (ARPA) fund to Las Palmas Swimming Pool Renovation Project, CIP No. 22-01.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes the Mayor to execute the contract with California Commercial Pool, Inc. for \$3,206,850 for the Las Palmas Swimming Pool Renovation Project, CIP No. 22-01.

Section 2: Authorizes a 10% contingency in the amount of \$320,685 for any unforeseen changes.

Section 3: Authorizes the appropriation of additional funds in amount of \$660,907 from the remaining balance of American Rescue Plan Act (ARPA) fund.

Section 4: Authorizes rejecting all bids received on May 12, 2022 and accepting the bids received on July 20, 2022.

Section 5: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 16th day of August, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Community Development
Prepared by: David Welch, Associate Planner, Planning Division
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Notice of Decision – Planning Commission approval of a Conditional Use Permit for on-site distilled spirits sales and live entertainment located at 2325 Highland Ave. (Case File No.: 2022-08 CUP)

RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. (Community Development - Planning)

BOARD/COMMISSION PRIOR ACTION:

The Planning Commission recommended approval of the Conditional Use Permit with a unanimous vote of those members present. Commissioner Miller absent.

EXPLANATION:

The applicant is proposing to change from an ABC Type 42 license (on-sale beer and wine public premise) to a ABC Type 48 license (on sale general), in addition to offering live entertainment in the existing 1,400 square-foot bar. Proposed hours of operation are 6:00 a.m. to 2:00 a.m.

The Planning Commission conducted a public hearing on August 1, 2022, and voted unanimously to recommend approval of the request based on the attached findings and recommended Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

Not applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Existing Facilities CCR 15301. This project qualifies for a Notice of Exemption. CCR 15374.

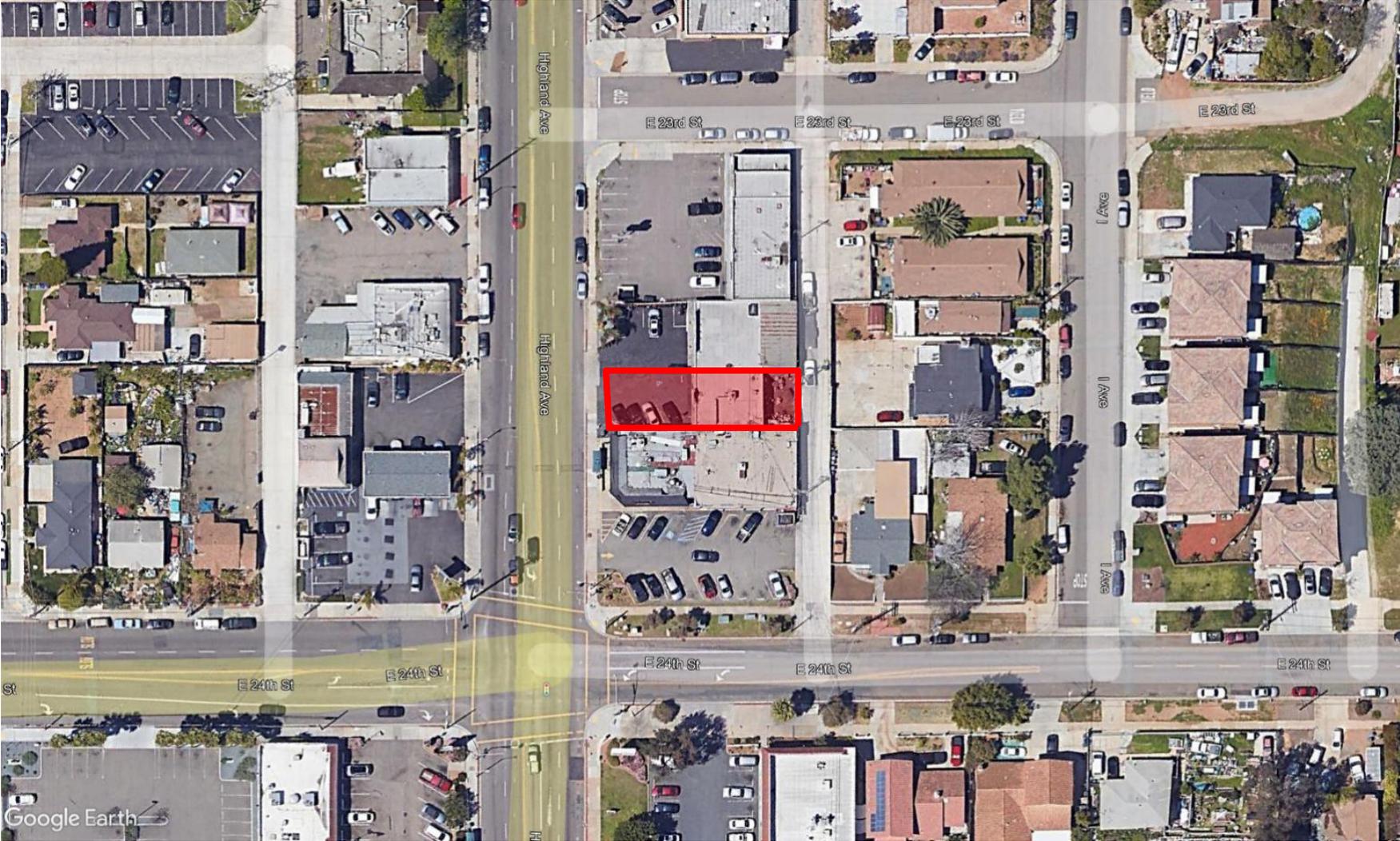
PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

EXHIBITS:

1. Overhead
2. 2022-08 CUP Staff Report
3. PC Resolution 2022-19
4. Exhibit A to PC Report – Site Plan
5. PowerPoint slides from PC meeting

2022-08 CUP – 2325 Highland Ave. – Overhead



ATTACHMENT 1



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR ON-SITE DISTILLED SPIRITS SALES AND LIVE ENTERTAINMENT AT AN EXISTING BEER AND WINE-LICENSED BAR (MACHETE BEER HOUSE) LOCATED AT 2325 HIGHLAND AVENUE.

Case File No.: 2022-08 CUP

Location: East side of Highland Ave between E. 23rd St. and E. 24th St.

Assessor's Parcel Nos.: 561-312-02

Staff report by: David Welch – Associate Planner

Applicant: Eduardo Trejo

Zoning designation: MXC-2 (Major Mixed-Use Corridor)

Adjacent use and zoning:

North: El Cubilete Tires / MXC-2

East: Single-family residences across the alley / RS-3 (Medium-Low Density Residential)

South: Birria Kings Street Tacos and Keg N Bottle / MXC-2

West: ARCO gas station and vacant restaurant across Highland Ave. / MXC-2

Environmental review: The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request for on-site distilled spirits sales and live entertainment, subject to the attached recommended conditions. The sale of distilled spirits and live entertainment are conditionally-allowed uses in the Major Mixed-Use Corridor (MXC-2) zone.

Executive Summary

The property has been a bar serving beer and wine for several years and is requesting to upgrade their current ABC Type 42 license (on-sale beer and wine-public premises) to a Type 48 (on-sale general-public premises). The applicant also proposes to add live entertainment in the form of jazz, mariachi, and DJs. Proposed hours of operation are from 6:00 a.m. to 2:00 a.m. daily. The business operates a walk-up coffee window until 2:00 p.m. every day.

Site Characteristics

The subject property is approximately 0.19 acres in size and is developed with an approximately 2,800 square-foot building. The subject suite is 1,400 square feet in size and occupies approximately half of the building, with the remaining space occupied by El Cubilete Tires. Four parking spaces are available on site.

The area is mostly commercial in nature, with single-family residences located to the east across an alley. The property is in census tract 116.01, which includes the area from East 18th Street north to East 24th Street, and between National City Boulevard and 'L' Avenue. The attached census tract map shows the location of the subject tract (Attachment 6).

Proposed Use

The applicant is proposing to sell distilled spirits in conjunction with existing beer and wine sales in the existing 1,400 square-foot bar (ABC Type 48). The business will continue to operate a coffee window as an accessory use until 2:00 p.m. in the afternoon daily. Hours of operation for the business are currently 6:00 a.m. to 2:00 a.m. daily.

The applicant also proposes to offer live entertainment in the form of jazz, mariachi, and DJs. Live entertainment will only be indoors. The occupancy of the bar is 49 people, which would place a limitation on the number of patrons at all times, including during live performances.

Seating is currently provided on the exterior of the bar to serve patrons of the coffee window. No alcohol sales or consumption are permitted outside. The rear of the property is currently used for screened, outdoor storage.

Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales and live entertainment with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. In addition, City Council Policy 707 regulates alcohol sales in the City.

Mailing

All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 654 occupants and owners.

Community Meeting

Pursuant to Section 18.30.050(C) of the National City Zoning Code, a community meeting was held Saturday, March 5, 2022 at 10:00 a.m. at the subject bar. The meeting advertisement is attached (Attachment 8); there was one attendee.

Distance Requirements

Chapter 18.030.050(D) of the National City Zoning Code requires a 660-foot distance from any public school and a 1,000-foot distance from any other bar or cocktail lounge. The property is both within 660 feet of Olivewood Elementary School and 1,000 feet of Aja Lounge, a lounge with an existing Type 48 license. However, the commercial suite housing Machete Beer House has been in use as a bar prior to the distance requirements in the code and, therefore, is not subject to these requirements unless the use is discontinued.

City Council Policy 707

The Council-adopted policy on alcohol-related businesses provides standard conditions of approval for off-sale, on-sale with purchase of food, and brewery tasting rooms. The two conditions specific to on-sale businesses only require the sale of food to exceed the sale of alcohol and for alcohol to only be available with the purchase of food. The policy does not anticipate a new CUP for a bar or similar alcohol businesses that does serve food even though they are permitted in the Code. Furthermore, Machete Beer House is an existing bar that precedes

the requirements of Policy 707. Staff concludes that this business is not subject to the requirements for the sale of food in conjunction of alcohol.

Hours of Operation

The most recent CUPs for on-site alcohol consumption have had varying hours of operation (see following table). In addition, the Planning Commission recently recommended approval of 2022-18 CUP with hours until 1:00 a.m. daily for on-site consumption, although the City Council has yet to approve the item. This proposal would be the first CUP in National City for a Type 48 license. Machete Beer House currently has alcohol sales until 2:00 a.m. daily under a Type 42 license. Aja Lounge, with a Type 48 license at 2305 Highland Avenue, also operates until 2:00 a.m. without a CUP.

Business	Address	CUP type	End time
Grill House at Big Ben	108 E 8 th St	Beer & Wine	10 p.m.
Denny's	1904 Sweetwater Rd	Beer & Wine	11 p.m.
Royal Mandarin	1132 E Plaza Blvd	Beer & Wine	10 p.m.
Chipotle	404 Mile of Cars Way	Beer	11 p.m.
Hooters (closed)	Westfield Plaza Bonita	Beer/Wine/Spirits	12 a.m.
Yi Sushi	1430 E Plaza Blvd	Beer & Wine	11 p.m.

Conditions of approval for alcohol sales hours reflect what the applicant has requested (6:00 a.m. to 2:00 a.m.). The requested hours would allow the applicant to continue operating under its current hours.

Live entertainment

As mentioned above, the applicant is proposing live entertainment indoors from 6:00 a.m. to 2:00 a.m. daily. There have been three CUPs in recent years that included live entertainment as follows:

Business	Address	Year	Entertainment hours
Tita's II	3421 Plaza Blvd.	2010	5 p.m. to 12 a.m. W-Sa
Big Ben Market	108 East 8 th St.	2015	12 p.m. to 10 p.m. F-Sa
			12 p.m. to 9 p.m. Su
Gerry's Grill	Westfield Plaza Bonita	2021	7:30 p.m. to 10 p.m. Th
			8:30 p.m. to 11:30 p.m. F-Sa

In addition, the Planning Commission recently approved 2022-18 CUP (Market on 8th) with indoor live entertainment from 12:00 p.m. to 10:00 p.m. Sunday through Thursday and 12:00 p.m. to 11:30 p.m. Friday and Saturday. The hours are also modified to begin at 3 p.m. when the adjacent school is in session. That CUP application is still pending a public hearing with City Council.

In the City, the times for live entertainment vary and most often have differing times for weekdays as opposed to weekends. Both Tita's II and Gerry's Grill have live entertainment indoors, which assuages noise issues (Tita's has a condition requiring doors be closed during live entertainment times). The Grill House at Big Ben is, for all intents and purposes, an outside venue (there are clear plastic vinyl barriers along 'A' Avenue); their live entertainment hours end 9:00 p.m. on Sundays, and at 10:00 p.m. on Fridays and Saturdays.

The proposed hours of 6:00 a.m. to 2:00 a.m. daily far exceed all active live entertainment CUPs and pose potential noise issues, particularly as there are residences across the alley to the east of the business. The business currently does not have any indoor patrons until after 2:00 p.m. as only the coffee window operates during these hours. The business is also constrained by the occupancy load of the space, which permits a maximum of 49 people. This number is inclusive of both staff and performers. Due to these limitations, staff is recommending live entertainment only as an incidental use to the primary use, which is a bar, for the purpose of the enjoyment of the patrons.

Staff suggests reducing the proposed hours to be more consistent with the current operation of the business, remove conflict with the operating hours of Olivewood Elementary School, and reduce possible noise concerns during later hours. The afternoon session for the school typically ends at 3:00 p.m. while it is in session. Generally, starting after the coffee window concludes operation as well as reducing the hours later in the evening are suggested, depending on the day. An example could be as follows:

Live entertainment inside:

12:00 p.m. to 10:00 p.m. Sunday

2:00 p.m. to 10:00 p.m. Monday through Thursday*

2:00 p.m. to 11:30 p.m. Friday*

12:00 p.m. to 11:30 p.m. Saturday

*From 4:00 p.m. while Olivewood Elementary is in session

Conditions of approval related to live entertainment reflect what the applicant has requested (6:00 a.m. to 2:00 a.m.), but staff invites discussion on the matter, based on what has previously been approved per the table and discussion above.

Regardless of live entertainment hours, conditions have been included to require compliance with noise limitations contained in Title 12 (Noise) of the Municipal Code. Conditions also include requiring doors and windows to remain closed during live entertainment activities. Conditions are also proposed to ensure that live entertainment remains incidental to the bar including a restriction on advertised events.

Department and Agency Comments

Alcohol Sales Concentration/Location

Per the California Department of Alcoholic Beverage Control (ABC), there are currently three on-sale licenses in census tract 116.01, including Machete Beer House, and a maximum of seven are recommended, meaning that the census tract is not considered by ABC to be over-saturated with regard to on-sale alcohol outlets. For reference, the outlets are:

Name	Address	License Type*	CUP
Machete Beer House	2325 Highland Ave	42	N
Aja Lounge	2305 Highland Ave	48	N
Salud	2333 Highland Ave	41	Y

- * Type 41 - On-Sale Beer and Wine
- Type 42 - On-Sale Beer and Wine – Public Premises
- Type 48 - On-Sale General – Public Premises

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 18 points, which places it in the Medium Risk category. Medium risk is considered 13-18 points. The proposed location has a medium crime rate, an over-concentration of off-sale alcohol businesses, and above average calls for service. PD comments are included as Attachment 7.

Institute for Public Strategies (IPS)

No comments were received from IPS as of the writing of this report, although they usually recommend at least the need for Responsible Beverage Sales and Service (RBSS) training for all staff. This is a standard condition of approval and is included with this report.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

Alcohol sales and live entertainment are allowable within the MXC-2 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales and live entertainment are allowable, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. There is no Specific Plan in the area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The site is occupied by an existing bar serving beer and wine. The addition of distilled spirits and incidental live entertainment would occur within the existing building, which has four off-street parking spaces.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The sale and consumption of distilled spirits is in addition to the existing beer and wine sales for on-site consumption. Alcohol consumption would continue to be monitored by staff of the bar. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available. Furthermore, live entertainment will be limited to appropriate hours and to maximum noise standards to avoid impacts to nearby residential uses.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and use would basically be the same as the current use and is similar to other commercial uses in the area, which are permitted by right in the MXC-2 zone.

The following two findings are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

Distilled spirits, in addition to beer and wine, will contribute to the viability of the bar, an allowed use in the MXC-2 zone, by allowing a greater variety of drink offerings. Live entertainment will also create an enhanced experience for patrons of the establishment. The proposed use is in line with the purpose of the zone, which, among other goals, is to create vibrant places at an urban scale.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

Findings for Denial

Due to there being other on-sale sites in the area, there are also findings for denial as follows:

1. The proposed use is not deemed essential to the public necessity, as there is already one other outlet in the same census tract that serves distilled spirits, there is an over-concentration of off-sale alcohol businesses, and above average calls for service and a medium crime rate, which could increase with the addition of distilled spirit sales.
2. Based on the above finding, public convenience and necessity will not be served by a proposed use of the property for the sale of alcoholic beverages for on-site consumption pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit as well as conditions specific to on-site alcohol sales per Council Policy 707 such as hours of operation and employee training.

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption and live entertainment being conditionally-allowed uses in the MXC-2 zone. The addition of on-site distilled spirits in conjunction with the existing beer and wine sales is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area. The census tract in which the restaurant is located is not considered to be over-concentrated with regard to on-sale alcohol licenses. Options for the Planning Commission are provided below, although the Commission may bifurcate the two requests (distilled spirits and live entertainment) and approve one or the other, as opposed to both as the applicant is requesting.

Options

1. Approve 2022-08 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2022-08 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2022-08 CUP, dated 7/19/2022)
5. Public Hearing Notice (Sent to 654 property owners & occupants)
6. Census Tract & Police Beat Maps
7. PD Risk Assessment
8. Community Meeting Advertisement
9. Resolutions

David Welch

DAVID WELCH
Associate Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2022-08 CUP – Machete Beer House

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales and live entertainment are allowable within the MXC-2 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales and live entertainment are allowable, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. There is no Specific Plan in the area.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the site is occupied by an existing bar serving beer and wine. The addition of distilled spirits and incidental live entertainment would occur within the existing building, which has four off-street parking spaces.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the sale and consumption of distilled spirits is in addition to the existing beer and wine sales for on-site consumption. Alcohol consumption would be continue to be monitored by staff of the bar. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available. Furthermore, live entertainment will be limited to appropriate hours and to maximum noise standards to avoid impacts to nearby residential uses.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of

this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and use would basically be the same as the current use and is similar to other commercial uses in the area, which are permitted by right in the MXC-2 zone.

7. The proposed use is deemed essential and desirable to the public convenience or necessity, because Distilled spirits, in addition to beer and wine, will contribute to the viability of the bar, an allowed use in the MXC-2 zone, by allowing a greater variety of drink offerings. Live entertainment will also create an enhanced experience for patrons of the establishment. The proposed use is in line with the purpose of the zone, which, among other goals, is to create vibrant places at an urban scale.

RECOMMENDED FINDINGS FOR DENIAL

2022-08 CUP – Machete Beer House

1. The proposed use is not deemed essential to the public necessity, as there is already one other outlet in the same census tract that serves distilled spirits, there is an over-concentration of off-sale alcohol businesses, and above average calls for service and a medium crime rate, which could increase with the addition of distilled spirit sales.
2. Based on the above finding, public convenience and necessity will not be served by a proposed use of the property for the sale of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2022-08 CUP – Machete Beer House

General

1. This Conditional Use Permit authorizes the sale of distilled spirits for on-site consumption and live entertainment at an existing beer and wine-licensed bar (Machete Beer House) located at 2325 Highland Avenue. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-08 CUP, dated 7/19/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void at such time as there is no longer a Type 48 California Department of Alcoholic Beverage Control license associated with the property.
4. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
5. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
6. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
7. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.

ATTACHMENT 2

Planning

8. No change in alcohol sales and consumption practices shall be permitted without receiving a Type 48 license from the California Department of Alcoholic Beverage Control (ABC).
9. The sale of alcoholic beverages for on-site consumption shall only be permitted between the hours of 6:00 a.m. and 2:00 a.m. daily.
10. The sale of alcoholic beverages for off-site consumption is not permitted at this location.
11. Permittee shall post signs at all exits and on the front of the building indicating that alcoholic beverages must be consumed inside the bar and may not be taken off-premises.
12. Outdoor tables and seating is permitted for coffee shop patrons in areas that shall not block parking spaces, driveways, and any pathway required by the Americans with Disabilities Act.
13. No public concerts or specific live entertainment events shall be permitted. No advertisement targeted for a specific performer or event may be circulated outside the bar and live entertainment shall be incidental to the bar for the enjoyment of its patrons.
14. The occupancy of the building, inclusive of patrons, staff, and entertainers, shall not exceed the occupancy load determined by the Building Division. The Building Division shall be made aware of any modifications to the floor area of the bar including the addition of permanent staging or seating to determine if the occupancy needs to be updated.
15. Indoor live entertainment shall be permitted between the hours of 6:00 a.m. and 2:00 a.m.
16. All activities shall comply with the limits contained in Table III of Title 12 (Noise) of the National City Municipal Code.
17. All entry and exit doors, including windows, shall remain closed after 9:00 p.m. during inside live entertainment activities.
18. The rear yard of area of the building is permitted to be used for outdoor storage, screened in compliance with the Land Use Code. No outdoor seating shall be permitted in this area. No patrons shall be granted access to this area.

19. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
20. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

21. The permittee shall comply with all applicable laws, including, but not limited to all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING
**CONDITIONAL USE PERMIT FOR ON-SITE DISTILLED SPIRITS SALES
AND LIVE ENTERTAINMENT AT AN EXISTING BEER AND WINE-LICENSED BAR
(MACHETE BEER HOUSE) LOCATED AT 2325 HIGHLAND AVENUE.
CASE FILE NO.: 2022-08 CUP**

The National City Planning Commission will hold a public hearing at their regular online meeting after the hour of 6:00 p.m. **Monday, August 1, 2022**, on the proposed request. The meeting will be LIVE WEBCAST from the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Eduardo Trejo)

Due to the precautions taken to combat the continued spread of coronavirus (COVID-19), City Council Chambers are closed to the public. Anyone interested in this public hearing may observe it on the City's website at <http://nationalcityca.new.swagit.com/views/33>.

The applicant is proposing to change from a Type 42 license (on-sale beer and wine public premise) to an ABC Type 48 license (on sale general) and to offer live entertainment in the existing 1,400 square-foot bar. Proposed hours of operation are 6:00 a.m. to 2:00 a.m.

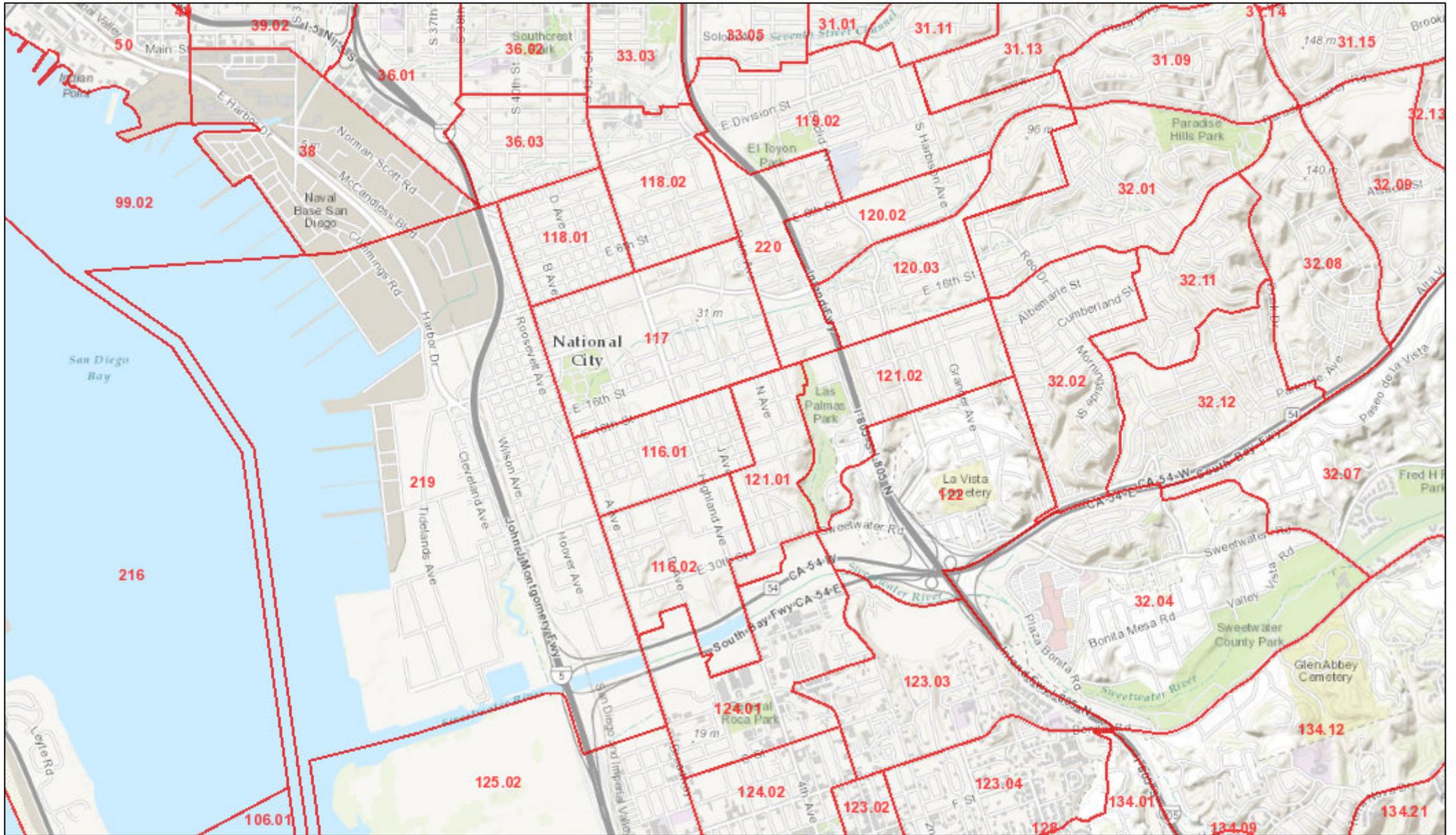
Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **August 1, 2022**, by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

ARMANDO VERGARA
Director of Community Development

ATTACHMENT 5

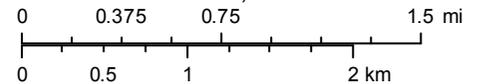


August 25, 2014

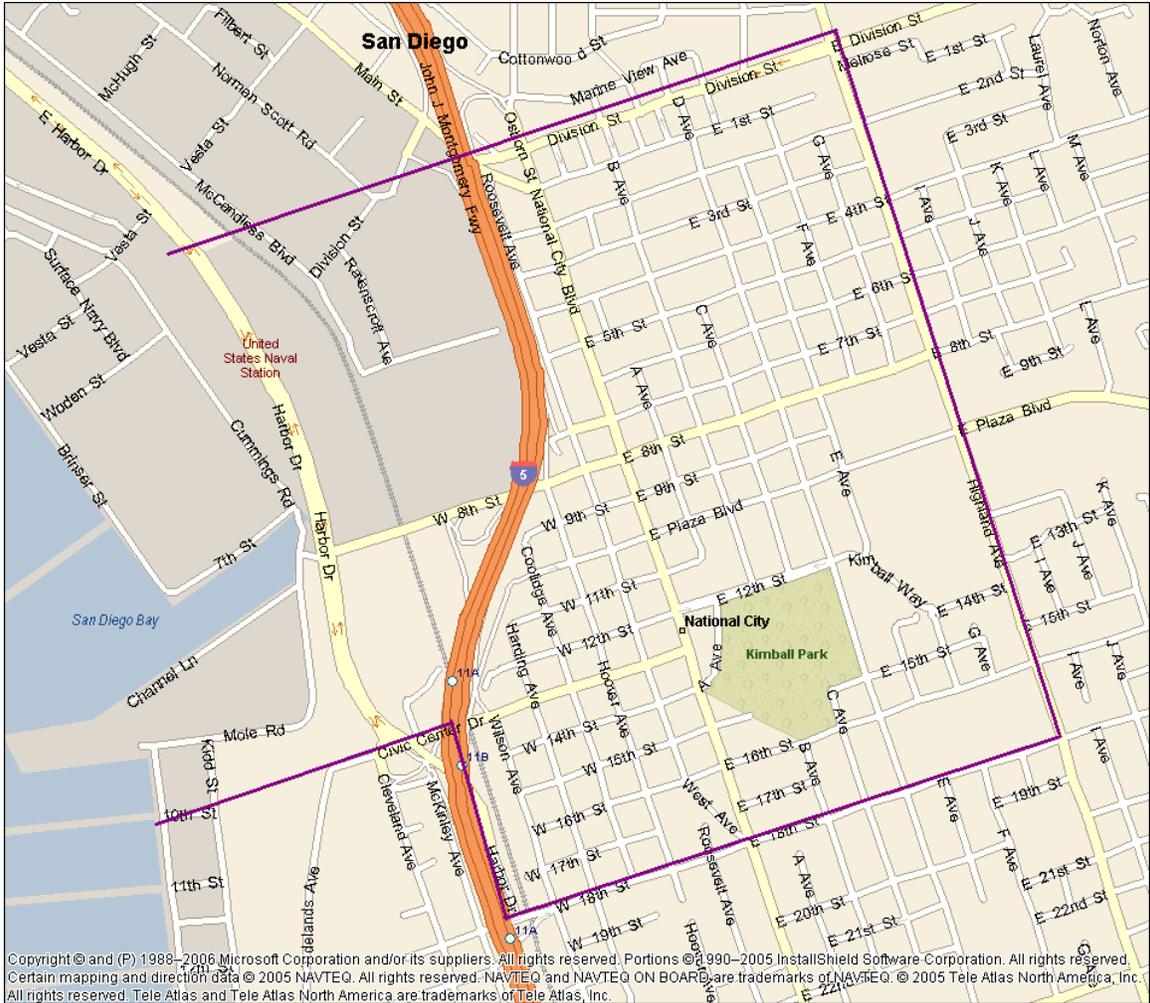
CensusTracts 2010

ATTACHMENT 6

1:45,467



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 20

Source: Microsoft Mappoint
NCPD CAU, 4/18/07

VI. Calls for Service at Location (for previous 6 months)

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts) Total Points _____
--

VIII. Owner(s) records check

- No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

Completed by: _____ Badge ID: _____

Machete Beer House

2325 Highland Ave.
National City, CA 91950

15th February 2022

Dear Resident/Property owner,

We will be holding a community meeting that will address the Conditional Use Permit being applied for with the City of National City.

The Conditional Use Permit is to make an upgrade to the existing premises and alcohol sales license currently at Machete Beer House.

For any questions or concerns, please feel free to attend the meeting.

The meeting will be held at:

Machete Beer House - 2325 Highland Ave, National City

10am Saturday, March 5th, 2022

Sincerely,

Machete Beer House

ATTACHMENT 8

RESOLUTION NO. 2022-19

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT
FOR ON-SITE DISTILLED SPIRITS SALES AND LIVE ENTERTAINMENT
AT AN EXISTING BEER AND WINE-LICENSED BAR (MACHETE BEER HOUSE)
LOCATED AT 2325 HIGHLAND AVENUE.
CASE FILE NO. 2022-08 CUP
APN: 561-312-02

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for on-site distilled spirits sales and live entertainment at an existing beer and wine-licensed bar (Machete Beer House) located at 2325 Highland Avenue at a duly advertised public hearing held on August 1, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-08 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 1, 2022, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales and live entertainment are allowable within the MXC-2 zone pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales and live entertainment are allowable, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. There is no Specific Plan in the area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the site is occupied by an existing bar serving beer and wine. The addition of distilled spirits and incidental live entertainment would occur within the existing building, which has four off-street parking spaces.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the sale and consumption of distilled spirits is in addition to the existing beer and wine sales for on-site consumption. Alcohol consumption would be continue to be monitored by staff of the bar. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available. Furthermore, live entertainment will be limited to appropriate hours and to maximum noise standards to avoid impacts to nearby residential uses.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and use would basically be the same as the current use and is similar to other commercial uses in the area, which are permitted by right in the MXC-2 zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because Distilled spirits, in addition to beer and wine, will contribute to the viability of the bar, an allowed use in the MXC-2 zone, by allowing a greater variety of drink offerings. Live entertainment will also create an enhanced experience for patrons of the establishment. The proposed use is in line will the purpose of the zone, which, among other goals, is to create vibrant places at an urban scale.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of distilled spirits for on-site consumption and live entertainment at an existing beer and wine-licensed bar (Machete Beer House) located at 2325 Highland Avenue. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-08 CUP, dated 7/19/2022.
2. Before this Conditional Use Permit shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void at such time as there is no longer a Type 48 California Department of Alcoholic Beverage Control license associated with the property.
4. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
5. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
6. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.

7. This Conditional Use Permit may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.

Planning

8. No change in alcohol sales and consumption practices shall be permitted without receiving a Type 48 license from the California Department of Alcoholic Beverage Control (ABC).
9. The sale of alcoholic beverages for on-site consumption shall only be permitted between the hours of 6:00 a.m. and 2:00 a.m. daily.
10. The sale of alcoholic beverages for off-site consumption is not permitted at this location.
11. Permittee shall post signs at all exits and on the front of the building indicating that alcoholic beverages must be consumed inside the bar and may not be taken off-premises.
12. Outdoor tables and seating is permitted for coffee shop patrons in areas that shall not block parking spaces, driveways, and any pathway required by the Americans with Disabilities Act.
13. No public concerts or specific live entertainment events shall be permitted. No advertisement targeted for a specific performer or event may be circulated outside the bar and live entertainment shall be incidental to the bar for the enjoyment of its patrons.
14. The occupancy of the building, inclusive of patrons, staff, and entertainers, shall not exceed the occupancy load determined by the Building Division. The Building Division shall be made aware of any modifications to the floor area of the bar including the addition of permanent staging or seating to determine if the occupancy needs to be updated.
15. Indoor live entertainment shall be permitted between the hours of 6:00 a.m. and 2:00 a.m.
16. All activities shall comply with the limits contained in Table III of Title 12 (Noise) of the National City Municipal Code.
17. All entry and exit doors, including windows, shall remain closed after 9:00 p.m. during inside live entertainment activities.
18. The rear yard of area of the building is permitted to be used for outdoor storage, screened in compliance with the Land Use Code. No outdoor seating shall be permitted in this area. No patrons shall be granted access to this area.
19. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be

certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

20. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

21. The permittee shall comply with all applicable laws, including, but not limited to all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 1, 2022, by the following vote:

AYES:

NAYS:

ABSENT: None.

ABSTAIN: None.

CHAIRPERSON



Machete Beer House
SITE PLAN
2325 Highland Ave, National City, CA 91950

PROJECT NO:
22-003

SHEET TITLE

SITE PLAN

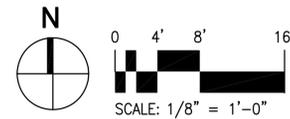
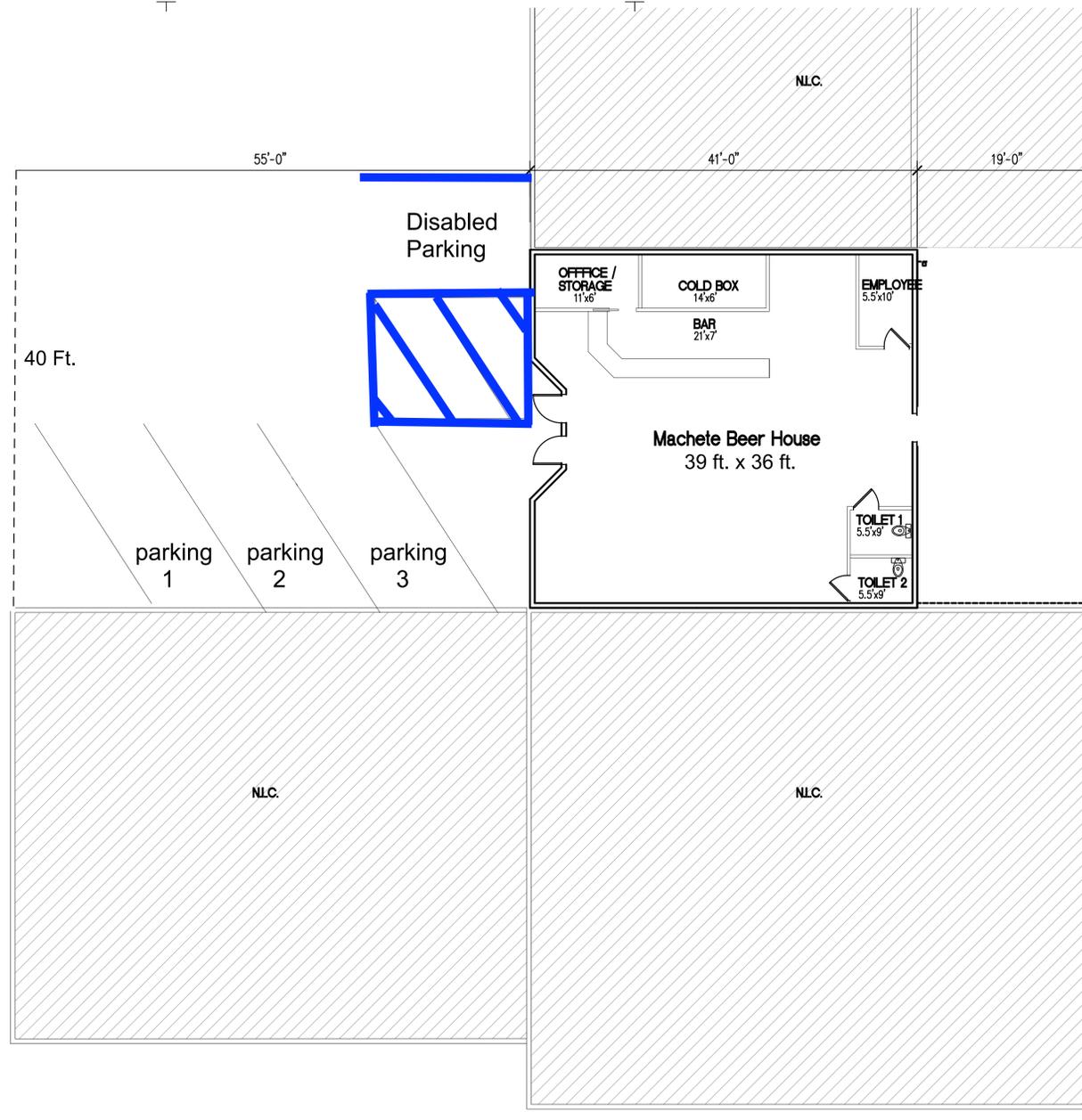
SHEET NO:

A1.0

ALL IDEAS, DESIGNS, PLANS, AND SPECIFICATIONS AND OTHER PROJECT DOCUMENTS, INCLUDING ALL DOCUMENTS ON ELECTRONIC MEDIA ARE THE PROPERTY OF LAHAINA ARCHITECTS AND MAY NOT BE REPRODUCED OR USED WITHOUT THE WRITTEN PERMISSION OF LAHAINA ARCHITECTS.
Jan 11, 2022 - 9:13am Phil
C:\Users\phil\LAHAINA\2022\MFP\Machete National City\17-22 ABC plan.dwg
Layout Name: 24x36

1 SITE PLAN
1/8" = 1'-0"

HIGHLAND AVE



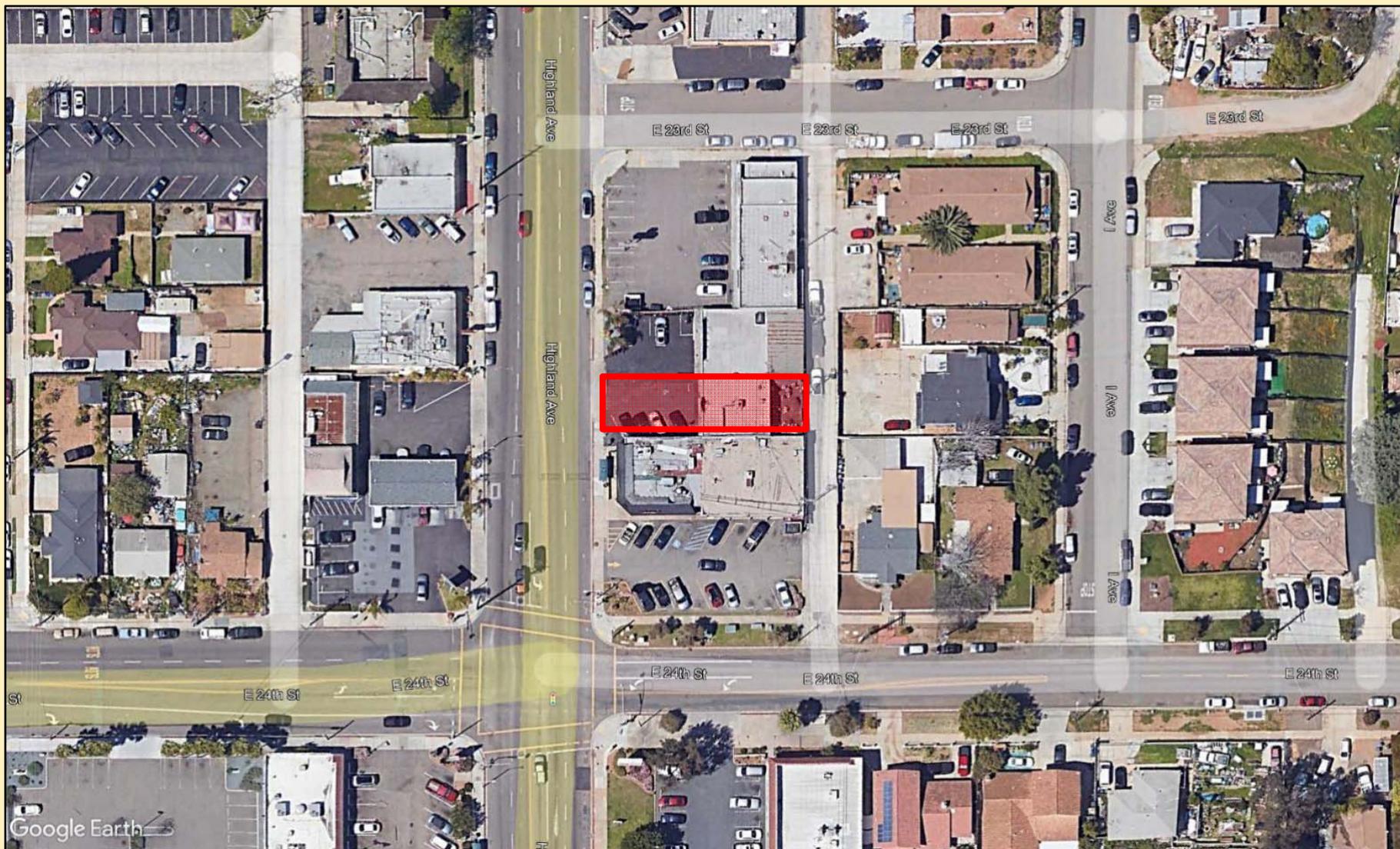
ATTACHMENT 4

Exhibit A, Case File No. 2022-08 CUP, 7/19/2022



Public Hearing
Conditional Use Permit
for on-site distilled spirits and live
entertainment at an existing beer and
wine bar (Machete Beer House)
located at 2325 Highland Ave.
2022-08 CUP

Overhead



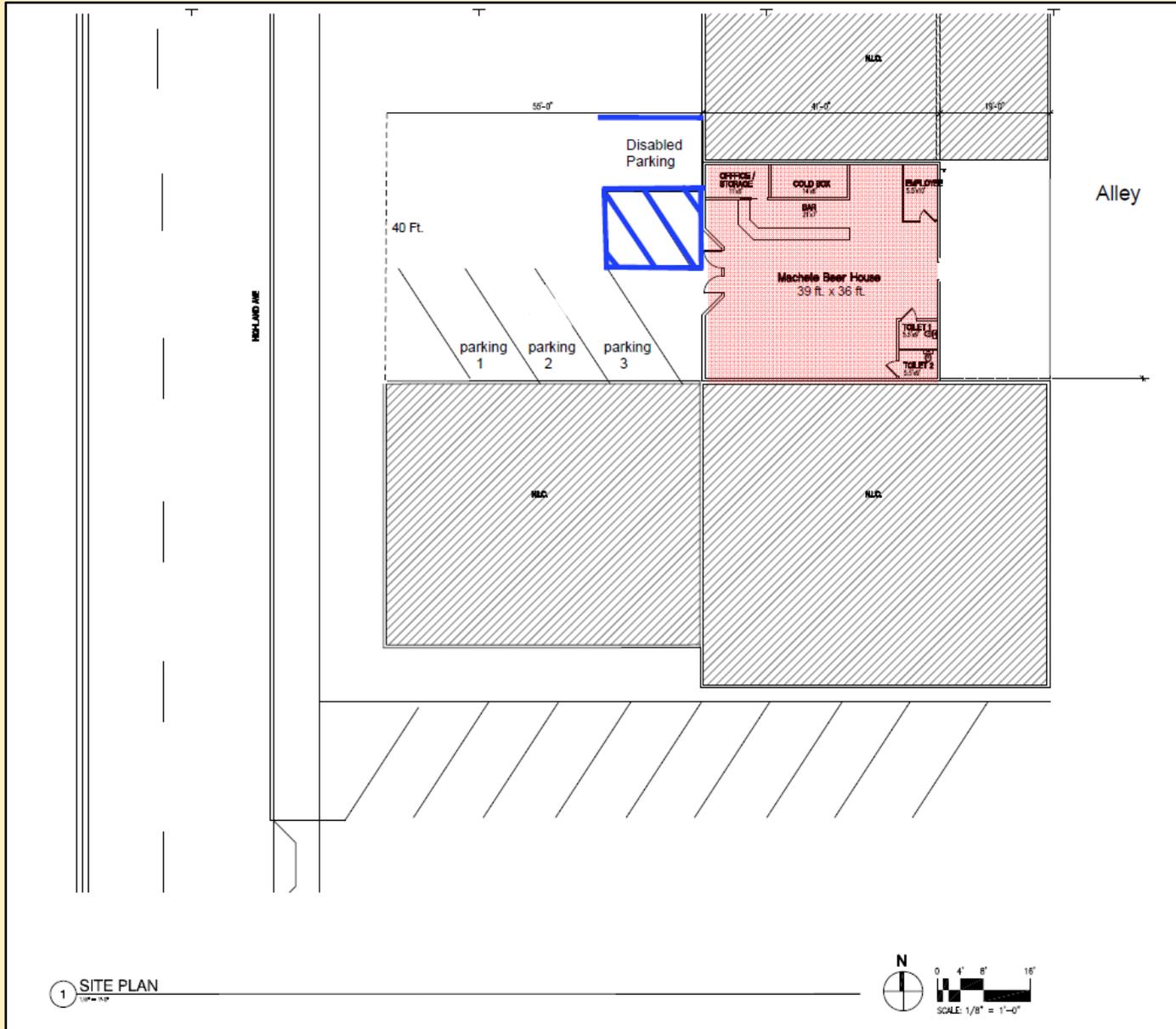
Site Characteristics:

- Subject property is 0.19 acres developed with a 2,800 sq. ft. commercial building
 - Machete Beer House occupies approximately half of the building in a 1,400 sq. ft. suite
 - Bar currently holds ABC Type 42 license
 - El Cubilete Tires occupies other half of building/property
 - Four parking spaces existing for the bar
- Area is mostly commercial in nature with single-family properties to the east across the alley

Proposed Use:

- Type 48 license (On-Sale General – Public Premises) – upgrade from Type 42 to allow distilled spirits
- Current business hours are 6:00 a.m. to 2:00 a.m. daily.
 - Only a coffee window operates until 2:00 p.m.
 - No change requested
- Applicant is also proposing to offer live entertainment in the form of jazz, mariachi, and DJs. All live entertainment will be indoors.
- The bar has an occupancy of 49 persons, inclusive of employees, patrons, and performers.

Site Plan/Floor Plan



Analysis:

- Request consistent with Code requirements (alcohol):
 - Mailing – 660 feet owners/occupants (654)
 - Community Meeting held on March 5, 2022 with one attendee
 - Distance from schools – property has been in use as a bar prior to the requirements of the code
- Council Policy 707
 - Requires condition related to sale of food for on-sale alcohol
 - Policy does not anticipate a CUP for a bar or similar establishment
 - Machete Beer House precedes requirements of Policy 707

Analysis:

- Current hours of operation are proposed to remain:
 - 6:00 am to 2:00 am
 - Proposed for live entertainment as well

- Census tract 116.01
 - 3 on-sale licenses (less than recommended by ABC)
 - No addition of license (existing)

- PD Risk Assessment
 - 18 points (medium risk)
 - Updated attachment in staff report

Analysis (cont.):

➤ Hours of operation (alcohol sales)

Business	Address	CUP type	End time
Grill House at Big Ben	108 E 8 th St	Beer & Wine	10 p.m.
Denny's	1904 Sweetwater Rd	Beer & Wine	11 p.m.
Royal Mandarin	1132 E Plaza Blvd	Beer & Wine	10 p.m.
Chipotle	404 Mile of Cars Way	Beer	11 p.m.
Crab Pub (Hooters)	Westfield Plaza Bonita	Beer/Wine/Spirits	12 a.m.
Koi Sushi (Yi Sushi)	1430 E Plaza Blvd	Beer & Wine	11 p.m.

Analysis (cont.):

- First CUP in National City for a Type 48 license
- Machete Beer House currently sells until 2:00 am
 - Business operates a coffee window until 2:00 pm most days
- Another business, Aja Lounge, also sells until 2:00 am under a Type 48 license without a CUP

Analysis (cont.):

➤ Hours of operation (live entertainment)

Business	Address	Year	Entertainment hours
Tita's II	3421 Plaza Blvd.	2010	5 p.m. to 12 a.m. W-Sa
Big Ben Market	108 East 8 th St.	2015	12 p.m. to 10 p.m. F-Sa 12 p.m. to 9 p.m. Su
Gerry's Grill	Westfield Plaza Bonita	2021	7:30 p.m. to 10 p.m. Th 8:30 p.m. to 11:30 p.m.

- Proposed hours of 6:00 a.m. to 2:00 a.m. daily far exceed recent CUP approvals
- Poses potential noise issues for nearby residential use
- Staff suggests reduced hours, both in duration and days.

Analysis (cont.):

- 2022-18 CUP (pending City Council approval)
- Recommended 1:00 am for alcohol sales
- Recommended live entertainment inside:
 - 12:00 p.m. to 10:00 p.m. Sunday to Thursday
 - 12:00 p.m. to 11:30 p.m. Friday and Saturday
 - Modified hours for adjacent school (outside only)

Analysis (cont.):

- Hours of operation (live entertainment)
- Options: Starting later, reducing evening hours, modifying hours related to nearby school, etc.:
- Live entertainment:
 - 12:00 pm to 10:00 pm Sunday
 - 2:00 pm to 10:00 pm Monday through Thursday*
 - 2:00 p.m. to 11:30 p.m. Friday*
 - 12:00 p.m. to 11:30 p.m. Saturday
 - *From 4:00 pm while Olivewood Elementary is in session
- Generally, after the coffee window concludes operation
- Building occupancy (49)

Comments:

- No comment received from Institute for Public Strategies (IPS)
- Usually recommend Responsible Beverage Sales and Service (RBSS), which is included as a standard condition of approval.

Public Comment:

- No comments provided at the time the staff report was written
- One public comment received in opposition to the addition of live entertainment
 - Concerns over noise and other complaints such as loitering and litter

Conditions:

- Recommended conditions reflect applicant's request
 - Hours of operation for alcohol sales
 - Hours of operation for live entertainment (indoors)
- Standard City Council Policy 707 conditions apply
 - Exceptions for requirements related to the sale of food
- No off-site sales
- Live entertainment incidental to bar use (no advertised events)
- Occupancy

Conditions (cont.):

- Compliance with Title 12 (Noise) of the NCMC
- Windows and doors to remain closed after 9:00 pm
- Only tables for coffee window permitted outdoors (no alcohol consumption)

Summary:

- Proposed use consistent with General Plan
 - Alcohol sales for on-site consumption and live entertainment both conditionally-allowed in the MXC-2 zone
- Addition of live entertainment accessory to the bar
- Inclusion of conditions requiring compliance with noise standards and operating hours intended to alleviate concerns related to area impacts
- Notice of Exemption of CEQA

Options:

- Approve CUP based on attached findings / findings determined by the Commission; or
- Deny CUP based on attached findings / findings determined by the Commission; or
- Continue the item for additional information
- Staff recommending approval with appropriate conditions
- Notice of Decision to City Council



AGENDA REPORT

Department: Community Development
Prepared by: David Welch, Associate Planner
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Notice of Decision – Planning Commission approval - Conditional Use Permit off-sale beer & wine (Type 20) existing retail store (99 Cents Only) located at 1320 Highland Ave. adding condition to keep product locked up while not on the sales floor.

RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. (Case File No.: 2022-16 CUP) (Community Development – Planning)

BOARD/COMMISSION PRIOR ACTION:

The Planning Commission recommended approval of the Conditional Use Permit by majority vote of those present.

Ayes: Castle, Sendt, Valenzuela, Yamane Nays: Natividad, Sanchez Absent: Miller

EXPLANATION:

The applicant is requesting a Conditional Use Permit for off-sale beer and wine sales in the existing 25,238 square-foot grocery and retail store. The applicant proposes a display area of 20 linear feet, which is less than 1% of the total sales area. Proposed operating hours are 7:00 a.m. to 10:00 p.m. on Tuesdays and Thursdays and 8:00 a.m. to 10:00 p.m. all other days of the week.

The Planning Commission conducted a public hearing on August 1, 2022 and voted to recommend approval of the request based on the attached finding and recommended Conditions of Approval. The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

Not applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Existing Facilities CCR 15301. This project qualifies for a Notice of Exemption. CCR 15374.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

EXHIBITS:

1. Overhead
2. 2022-16 CUP Staff Report
3. PC Resolution 2022-17
4. Exhibit A to the PC Report – Site Plan
5. PowerPoint Slides from PC meeting

2022-16 CUP – 1320 Highland Ave. – Overhead



ATTACHMENT 1



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONDITIONAL USE PERMIT FOR OFF-SALE BEER AND WINE (TYPE 20) AT AN EXISTING RETAIL STORE (THE 99 STORE) LOCATED AT 1320 HIGHLAND AVENUE.

Case File No.: 2022-16 CUP

Location: Near northwest corner of East 14th St. and Highland Ave.

Assessor's Parcel Nos.: 560-050-11

Staff report by: David Welch – Associate Planner

Applicant: 99 Cents Only Store #101

Zoning designation: Major Mixed-Use District (MXD-2)

Adjacent use and zoning:

North: Walmart / MXD-2

East: Wireless retail, barber shop, travel agency, nail salon, and Cox retail / MXD-2

South: Apartments and Roberto's Taco Shop / Major Mixed-Use Corridor (MXC-2) and Very High Density Multi-Unit Residential (RM-3)

West: Proposed senior housing and medical clinic in existing parking lot / MXD-2

Environmental review: The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request for the sale of beer and wine, subject to the attached recommended conditions. The sale of alcohol is a conditionally-allowed use in MXD-2 and would contribute to the diversity of commercial offerings in the area.

Executive Summary

The applicant is proposing to sell beer and wine (ABC Type 20) in an existing 25,238 square-foot grocery and retail store. The business (99 Cents Only) proposes a display area of 20 linear feet, which is less than 1% of the total sales area. Proposed operation hours are 7:00 am to 10:00 pm Tuesdays and Thursdays and 8:00 am to 10:00 pm all other days of the week.

Site Characteristics

The project location is an existing commercial building that occupies a portion of a larger shopping center that sits on more than four acres at the northwest corner of Highland Avenue and East 14th Street. The building is 25,238 square-feet in size and faces north towards a parking lot and the adjacent Walmart property. The area is mixed-use with commercial uses on the north, east, and west sides. There are also existing apartment buildings to the south. A portion of the site, currently occupied by parking spaces, is proposed to be developed as affordable senior housing.

There was a previous CUP for off-sale alcohol license for beer, wine, and distilled spirits at this location, which was approved in 1987 for the Lucky grocery store previously at this location. However, both the business and the ABC license have been closed for many years. The ABC license was surrendered and the CUP vacated by the property owner. Therefore, no previous alcohol sales rights exist.

Proposed Use

The applicant proposes to sell beer and wine with an alcohol display area of 20 linear feet. The applicant is not requesting to have cold storage or window advertisements for alcohol with this request. Proposed hours of operation are modified on Tuesdays and Thursdays to allow seniors and at-risk customers a convenient shopping option. Additionally, the applicant does not propose to have single sales of beer nor malt products in containers larger than 25 ounces, nor wine bottles smaller than 750 ml in size. The project description provided by the applicant also includes distilled spirits. However, these products would not be

permitted under a Type 20 license. The existing store employs approximately 43 associates with 10 to 15 working during a typical shift.

Analysis

Section 18.30.050 of the Land Use Code allows for off-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. The same is required for modification of an existing CUP. There are also specific conditions required as part of City Council Policy 707, which regulates alcohol licenses.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 823 occupants and owners.

Community Meeting - Pursuant to Section 18.30.050(C) of the National City Zoning Code, a community meeting was held Wednesday, June 1, 2022 at 5:00 p.m. at the subject property. The meeting advertisement is attached (Attachment 8). Per the applicant, there were no community members in attendance.

Distance Requirements - Chapter 18.030.050(D) requires that businesses that sell alcohol meet certain distance requirements. Grocery stores, convenience stores or other retail establishments involving the sale of alcohol for off-site consumption as an accessory use have no minimum distances. The existing store is primarily a grocery and retail store with more than 75% of sales derived from food and household consumables.

Alcohol Sales Concentration/Location

Per the California Department of Alcoholic Beverage Control (ABC), there are currently 8 off-sale licenses in this census tract (117) where a maximum of four is recommended, meaning that the census tract is considered by ABC to be over-saturated with regard to alcohol sales outlets. A CUP for a Type 21 license was recently approved by the Planning Commission for 802 B Avenue, which has not started operation. For reference, the existing outlets are:

Name	Address	License Type*	CUP
Seafood City	1420 E. Plaza Blvd. Suite C	21	Y
Big Ben Market	108 E. 8 th St.	21	Y

Walmart	1200 Highland Ave.	20	Y
Smart & Final	1220 E. Plaza Blvd. Suite 510	21	Y
CVS Pharmacy	1201 E. Plaza Blvd.	21	Y
7 Eleven	1539 Highland Ave.	20	Y
Wilson's Liquor	916 E. 8 th St.	21	Y
Bottles & More Liquor	1535 E. 18 th St.	21	-

* Type 20 - Off-Sale of Beer and Wine

* Type 21 - Off-Sale of Beer, Wine, and Distilled Spirits

Census tract 117 includes the area between National City Boulevard and "N" Avenue, and between East 8th Street and East 18th Street. The attached census tract map shows the location of the subject tract (Attachment 6).

Many of the issues related to off-sale licenses sales are related to the availability of smaller quantities and cheaper products, most of which are related to businesses not subject to CUPs due to legal nonconforming status. However, businesses with CUPs are limited to the quantity and size of beer bottles (e.g., no sale of single cans or bottles) and the size of wine bottles and their alcoholic content (e.g., containers less than 750 milliliters nor greater than 15% content by volume). Modifications to the limitations on these products may only be approved by City Council.

Police Department (PD)

PD provided a Risk Assessment report, which assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, The 99 Cents Only Store received a score of 15, which would indicate a medium risk. Medium risk is considered 13 to 18 points.

Institute for Public Strategies (IPS)

Comments were received from IPS with the recommendation that staff, management, and the owner be required to attend Responsible Beverage Sales and Service training.

Public Comment

No public comment was received as part of the public hearing notice as of the writing of this staff report.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within MXD-2 pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. No specific plan exists for the area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial building, which was previously analyzed for traffic impacts when the building was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed alcohol sales outlet would be consistent with other commercial businesses in the area accessory to the existing grocery and retail business.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use would be subject to conditions that limit the hours and manner in which alcohol is sold.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and the use would basically be the same as the current use and is similar to other commercial uses in the area, which are permitted by right in the MXD-2 zone.

The following two findings are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

In this case, the sale of beer and wine will contribute to the diversity of local commercial offerings in the area, an allowed use in the MXD-2 zone.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

Findings for Denial

There are three findings for denial as follows:

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, because there are two other Type 20-license outlets within a half-mile of the site:

Outlet Name	Address	ABC license type
Walmart	1200 Highland Ave.	20
7 Eleven	1539 Highland Ave.	20

2. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare,

or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – eight off-sale outlets are permitted where four are recommended by the California Department of Alcoholic Beverage Control – and the area has a high crime rate, which may be exacerbated by the addition more of beer and wine.

3. Based on findings 1 and 2 above, public convenience and necessity will not be served by an additional off-sale beer and wine alcohol license pursuant to law.

Conditions of Approval

Conditions of Approval include those specific to off-site alcohol sales per Council Policy 707 (alcohol container volume, size, and number; RBSS training, hours, accessory sales, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for off-site consumption being a conditionally-allowed use in MXD-2. Beer and wine sales at a grocery and retail store would contribute to the diversity of the commercial offerings on Highland Avenue. However, the area is considered to be a high crime area and there are already two other outlets in close proximity that offer beer and wine. Conditions requiring compliance with City Council Policy 707 are intended to alleviate concerns related to area impacts should the CUP be approved. The decision of the Planning Commission will be relayed to the City Council for filing or potentially another public hearing if necessary.

Options

1. Approve 2022-16 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2022-16 CUP based on the attached findings or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2022-16 CUP, dated 4/26/2022)
5. Public Hearing Notice (Sent to 823 property owners & occupants)
6. Census Tract & Police Beat Maps
7. PD Risk Assessment
8. Community Meeting Advertisement
9. Resolutions

David Welch

DAVID WELCH
Associate Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2022-16 CUP – The 99 Cents Only Store #101

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within MXD-2 pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. No specific plan exists for the area.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial building, which was previously analyzed for traffic impacts when the building was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed alcohol sales outlet would be consistent with other commercial businesses in the area accessory to the existing grocery and retail business.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, the proposed use would be subject to conditions that limit the hours and manner in which alcohol is sold.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and use would basically be the same as the current use and is similar to other commercial uses in the area, which are permitted by right in the MXD-2 zone.

7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the sale of distilled spirits sales will contribute to the diversity of local commercial offerings in the area, an allowed use in the MXD-2 zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL

2022-16 CUP – The 99 Cents Only Store #101

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, because there are two other Type 20-license outlets within a half-mile of the site:

Outlet Name	Address	ABC license type
Walmart	1200 Highland Ave.	20
7 Eleven	1539 Highland Ave.	20

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – eight off-sale outlets are permitted where four are recommended by the California Department of Alcoholic Beverage Control – and the area has a high crime rate, which may be exacerbated by the addition of beer and wine.
2. Based on findings 1 and 2 above, public convenience and necessity will not be served by an additional off-sale beer and wine alcohol license pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2022-16 CUP – The 99 Cents Only Store #101

General

1. This Conditional Use Permit authorizes the sale of beer and wine for off-site consumption at an existing retail store (The 99 Store) located at 1320 Highland Avenue. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-16 CUP, dated 4/26/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.

Planning

6. The sale of alcoholic beverages shall be limited to between the hours of 7:00 am to 10:00 pm Tuesday and Thursday and 8:00 am to 10:00 pm all other days of the week.
7. No display of alcohol within 20 feet of the exit is permitted.
8. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
9. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.

ATTACHMENT 2

10. Wine shall not be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
11. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
12. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the Permittee.
13. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
14. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
15. The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit A, Case File No. 2022-16 CUP, dated 4/26/2022.
16. The Permittee shall post signs in compliance with the requirements and specifications of subsection B of section 10.30.070 on each exterior wall of the licensed premises that faces a vehicle parking lot, to read as follows:

“WARNING

It is unlawful to drink an alcoholic
beverage or to possess an open alcoholic
beverage container in public or in a public parking lot.
NCMC 10.30.050 and 10.30.060.”

17. Containers of alcoholic beverages may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
18. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
19. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.

20. Every employee of the Permittee, including ownership and management, shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to commencing alcohol sales. As part of the RBSS training, the Permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
21. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

22. Permittee shall comply with all applicable law, including, but not limited to all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR OFF-SALE BEER AND WINE (TYPE 20)
AT AN EXISTING RETAIL STORE (THE 99 STORE)
LOCATED AT 1320 HIGHLAND AVENUE.
CASE FILE NO.: 2022-16 CUP

The National City Planning Commission will hold a public hearing at their regular online meeting after the hour of 6:00 p.m. **Monday, August 1, 2022**, on the proposed request. The meeting will be LIVE WEBCAST from the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: 99 Cents Only Store #101)

Due to the precautions taken to combat the continued spread of coronavirus (COVID-19), City Council Chambers are closed to the public. Anyone interested in this public hearing may observe it on the City's website at <http://nationalcityca.new.swagit.com/views/33>.

The applicant is requesting a Conditional Use Permit for off-sale beer and wine sales in the existing 25,238 square-foot grocery and retail store. The applicant proposes a display area of 20 linear feet, which is less than 1% of the total sales area. Proposed operating hours are 7:00 a.m. to 10:00 p.m. on Tuesdays and Thursdays and 8:00 a.m. to 10:00 p.m. all other days of the week.

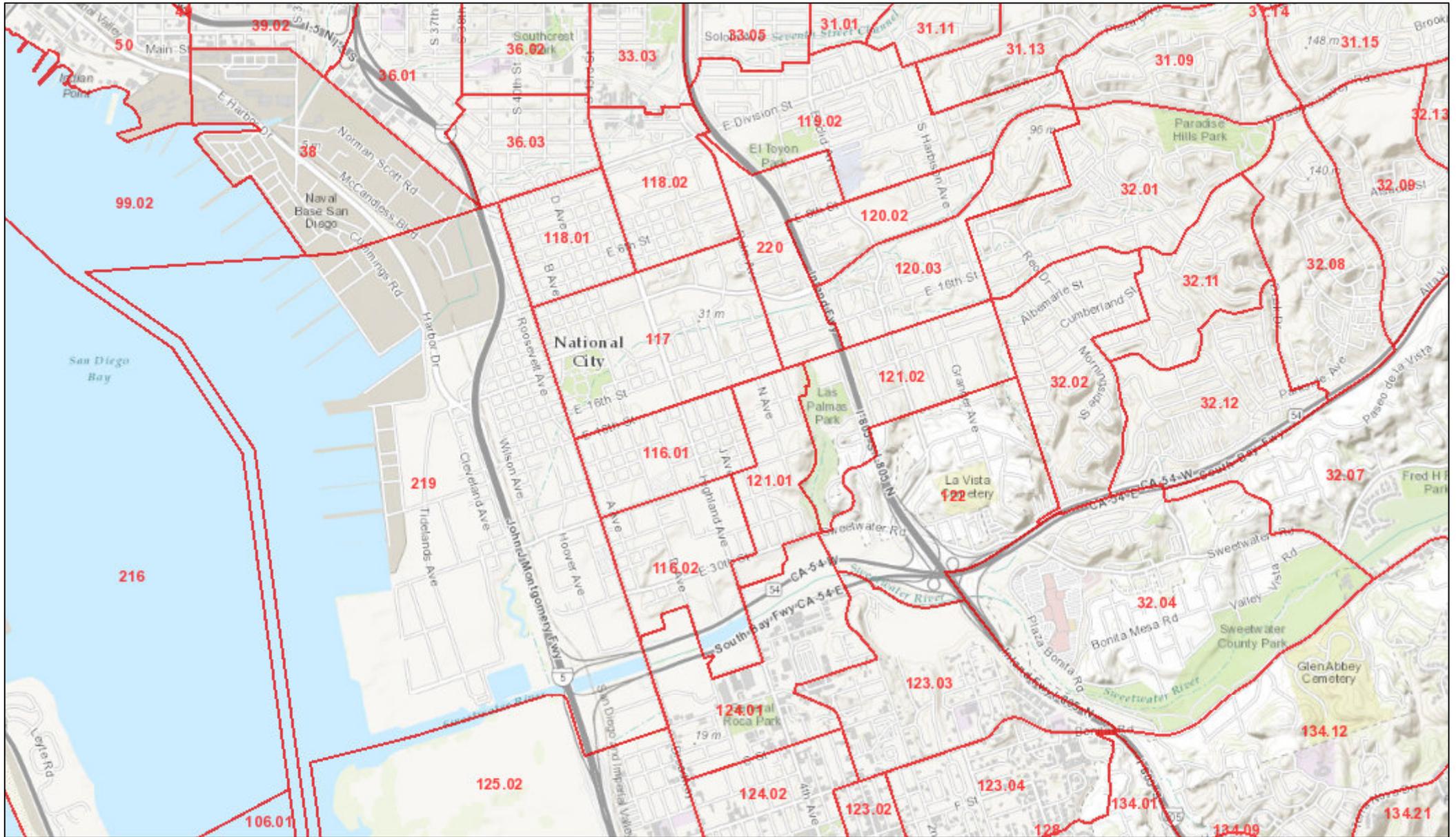
Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **August 1, 2022**, by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

A handwritten signature in blue ink, appearing to read "Armando Vergara".

ARMANDO VERGARA
Director of Community Development

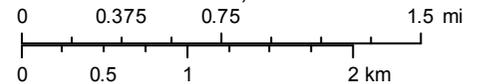


August 25, 2014

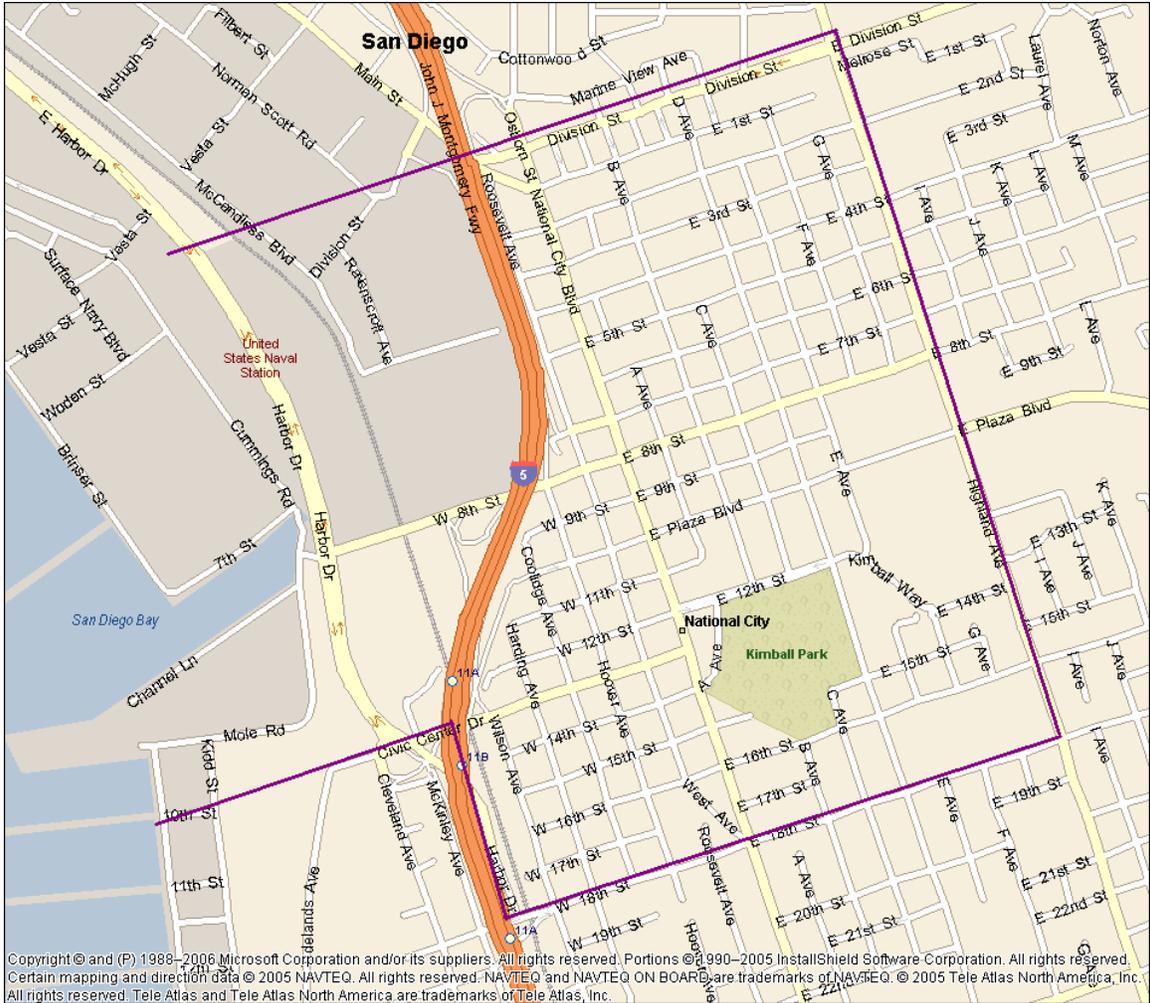
Census Tracts 2010

ATTACHMENT 6

1:45,467



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 20

Source: Microsoft Mappoint
NCPD CAU, 4/18/07

VI. Calls for Service at Location (for previous 6 months)

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts) Total Points _____
--

VIII. Owner(s) records check

- No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

Completed by: _____ Badge ID: _____

You are invited to attend a:
COMMUNITY MEETING

Date: Wednesday, June 1, 2022

Time: 5 PM – 6 PM

Address: The 99 – 1320 Highland Ave, National City, CA

g is to inform citizens of a finding of public convenience or necessity and use permit application to sell beer and wine onsumption (ABC Type 20 License) within an existing 25,238 sq ft grocery and consumer goods store. The proposed aration are 8 am to 10 pm daily.

ng forward to meeting you and discussing any concerns or questions you may have regarding the proposed operations. If you he meeting, or if you have any questions before then, please feel free to contact Steve Rawlings, the Applicant's representative, 5152 or via email at SER@Rawlingspm.com.

being sent to you in fulfillment of the City of National City requirements. This outreach effort to our neighbors is necessary because an development or use has been filed with the City of National City Planning Department.

ATTACHMENT 8

RESOLUTION NO. 2022-17

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR
OFF-SALE BEER AND WINE (TYPE 20)
AT AN EXISTING RETAIL STORE (THE 99 STORE)
TO BE LOCATED AT 1320 HIGHLAND AVENUE.
CASE FILE NO. 2022-16 CUP
APN: 560-050-11

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales (Type 20) at an existing retail store (The 99 Store) located at 1320 Highland Avenue at a duly advertised public hearing held on August 1, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-16 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 1, 2022, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within MXD-2 pursuant to a CUP and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. No specific plan exists for the area.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial building, which was previously analyzed for traffic impacts when the building was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed alcohol sales outlet would be consistent with other commercial businesses in the area accessory to the existing grocery and retail business.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, the proposed use would be subject to conditions that limit the hours and manner in which alcohol is sold.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and use would basically be the same as the current use and is similar to other commercial uses in the area, which are permitted by right in the MXD-2 zone.
7. The proposed use is deemed essential and desirable to the public convenience or necessity, because the sale of distilled spirits sales will contribute to the diversity of local commercial offerings in the area, an allowed use in the MXD-2 zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the on-site sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer and wine for off-site consumption at an existing retail store (The 99 Store) located at 1320 Highland Avenue. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-16 CUP, dated 4/26/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by

the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.

Planning

6. The sale of alcoholic beverages shall be limited to between the hours of 7:00 am to 10:00 pm Tuesday and Thursday and 8:00 am to 10:00 pm all other days of the week.
7. No display of alcohol within 20 feet of the exit is permitted.
8. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
9. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
10. Wine shall not be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
11. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
12. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the Permittee.
13. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.

14. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
15. The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit A, Case File No. 2022-16 CUP, dated 4/26/2022.
16. The Permittee shall post signs in compliance with the requirements and specifications of subsection B of section 10.30.070 on each exterior wall of the licensed premises that faces a vehicle parking lot, to read as follows:

“WARNING

It is unlawful to drink an alcoholic
beverage or to possess an open alcoholic
beverage container in public or in a public parking lot.
NCMC 10.30.050 and 10.30.060.”

17. Containers of alcoholic beverages may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
18. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
19. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
20. Every employee of the Permittee, including ownership and management, shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to commencing alcohol sales. As part of the RBSS training, the Permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
21. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.
22. Alcoholic beverages shall be contained within a locked area, except when displayed on the sales floor.

Police

23. Permittee shall comply with all applicable law, including, but not limited to all regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of alcoholic beverages.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 1, 2022, by the following vote:

AYES: Castle, Natividad, Sanchez, Sendt, Valenzuela, and Yamane

NAYS:

ABSENT: Miller

ABSTAIN:

CHAIRPERSON



Google Earth
Image Landsat / Copernicus

100 ft

No.	REVISIONS	DATE	BY

SCALE	AS SHOWN
DESIGNED BY	
DRAWN BY	
CHECKED BY	

SITE PLAN
1320 Highland Avenue
National City, CA

The 99 Store #101

SHEET NUMBER
1

Address: 1320 Highland Ave.
National City, CA

APN: 560-050-11-00

Zoning District: MX-D2

Land Use: Retail Commercial

Total Site Area: 5.03 acres/205,607 SF

Building Area: 25,238 SF

Applicant:
99 Cents Only Store #101
c/o Rawlings Consulting
Attn: Steve Rawlings
26023 Jefferson Ave., Suite D
Murrieta, CA 92562

Property Owner:
Peterson Family Trust B 7-1-80
c/o San Diego Property Management
Attn: Julie Ambrose
P.O. Box 81007
San Diego, CA 92138

Proposed Use:
Permit to sell beer and wine for off-site consumption (ABC Type 20 License) at an existing grocery store.
NO NEW CONSTRUCTION. ALL IMPROVEMENT EXSTING.

ATTACHMENT 4

Vicinity Map

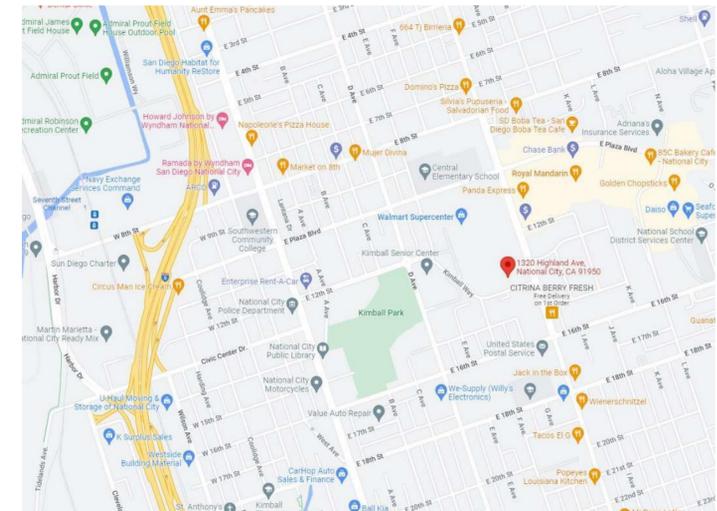
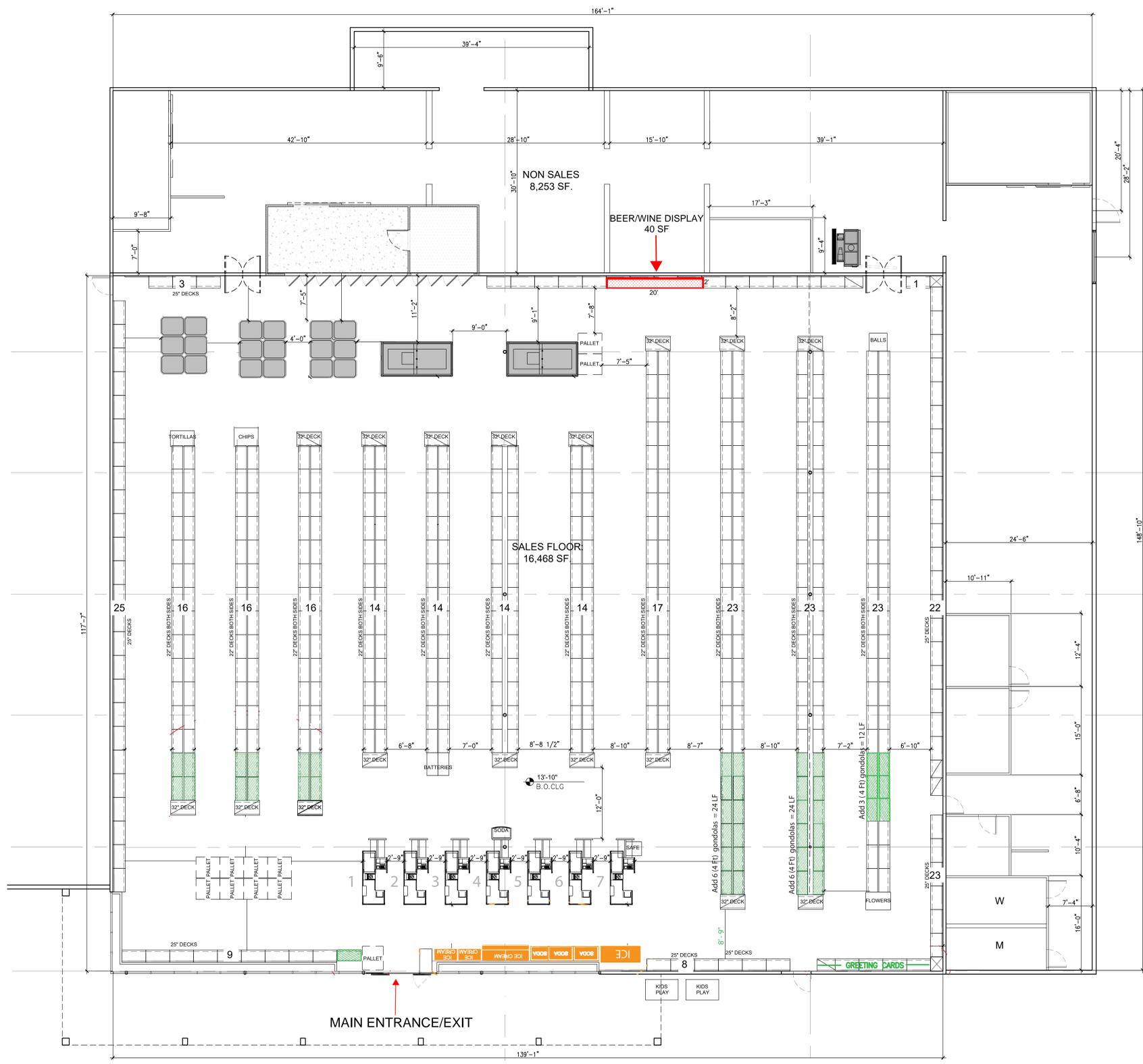


Exhibit A, Case File No. 2022-16 CUP, 4/26/2022



AS-BUILT FIXTURE PLAN
SCALE: 1/8" = 1'-0"



FIXTURE PLAN SUMMARY

Building	ROOM	AREA	%
	Building Area (GROSS)	24,721	100%
	Sales Floor	16,468	67%
	Non-Sales (GROSS)	8,253	33%
TOTAL		24,721	100%

FIXTURE COUNT

Fixtures	TYPE	QUANTITY	L.F.
	Gondolas	564	2,256
	End Caps	26	104
	Wall Units	178	708
	Window Display	16	64
	Dry Goods	16	
TOTAL		800	3,132

REFRIGERATION COUNT

Refrigeration	TYPE	QUANTITY	LF
	Walk-in Cooler	8	
	Walk-in Freezer	4	
	Ice Cream	3	
	Soda	4	
	Ice	1	
	Produce	2	
	TOTAL		

GO TALLER AS OF 04/01/2014

BEER/WINE DISPLAY AREA: 40 SF
 SALES FLOOR AREA: 16,468 SF
 % OF SALES FLOOR AREA: LESS THAN 1%

REVISIONS		
REV	REVISION	DATE

STAMP		

ATC DESIGN GROUP
 ARCHITECTS • ENGINEERS • SURVEYORS
 1282 PACIFIC OAKS PLACE, SUITE C, ESCONDO, CA 92029
 PHONE: (760) 739-8800 FAX: (760) 738-6232

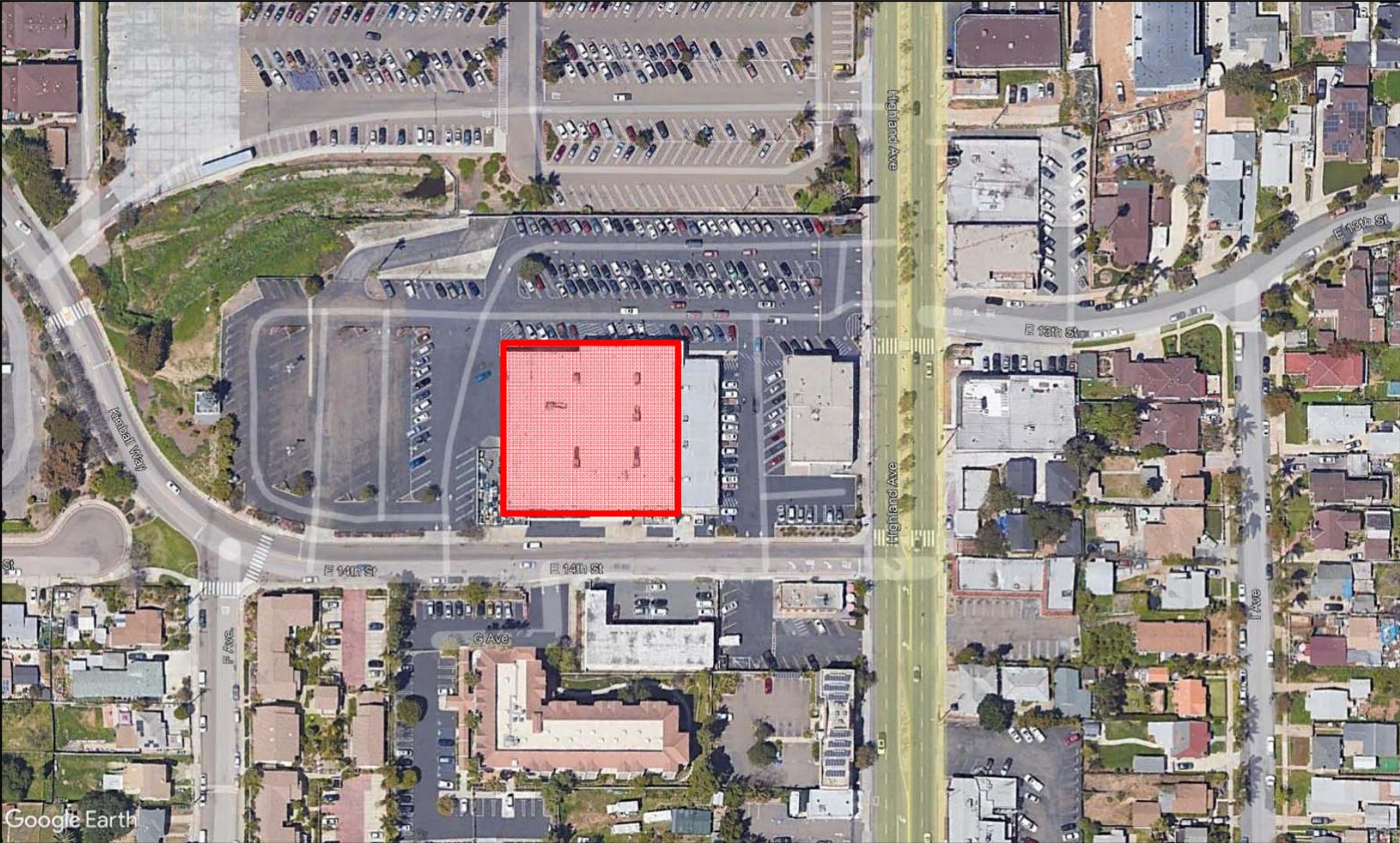


PROJECT NO: 07-2755
 CLIENT: 99c ONLY STORES
 SUBMITTED DATE: XX/XX/XX
 DESCRIPTION OF WORK: GOING TALLER
 PREPARED BY:
 SHEET DESCRIPTION:
 SHEET NUMBER:



Public Hearing
Conditional Use Permit
for off-sale beer and wine
at 99 Cents Only
located at 1320 Highland Ave.
2022-16 CUP

Overhead



Site Characteristics:

- Existing 25,238 sq. ft. commercial building in MXD-2
 - Part of a larger shopping center that occupies more than four acres at the northwest corner of Highland Ave. and E. 14th St.
 - Other businesses include a wireless retail store, barber shop, travel agency, nail salon, and Cox storefront
- Surrounding area is mostly commercial with apartment buildings to the south across E. 14th Street
- Affordable senior housing and a health clinic are proposed for the parking lot to the east
- A previous CUP for off-sale alcohol existed for this location with a previous business (Lucky grocery store). The business and ABC license ceased many years ago, thereby vacating the CUP.

Proposal:

- Applicant proposes to sell beer and wine with an alcohol display area of 20 linear feet
- Type 20 ABC license
- 99 Cents Only store primarily sells grocery items
- Single sales or small wine bottles will not be permitted in conformance with City Council Policy 707
- Approximately 43 employees
- Hours of operation are 7:00 am to 10 pm Tuesdays and Thursdays and 8:00 am to 10:00 pm all other days
 - Allows for convenient shopping for seniors and at-risk customers

Analysis:

- NCMC 18.30.050 allows for off-site alcohol sales with approved CUP
- Additional requirements for alcohol CUPs:
 - Mailing – Owners/occupants within 660 ft. (823)
 - Community Meeting – 6/1/22 at 5:00 p.m. (no attendees)
 - Distance Requirements – > Grocery stores, convenience stores or other retail establishments selling alcohol for off-site consumption as an accessory use have no minimum distances. 75% of sales at 99 Cents Only derives from food and household consumables.
- City Council Policy 707
 - Standard conditions

Analysis (cont.):

- Alcohol Sales Concentration/Location
- Per ABC, there are 8 off-sale licenses in census tract
 - Maximum of four are recommended
 - Census tract is considered to be over-saturated
 - A CUP for a Type 21 license was recently approved (not operating)

Name	Address	License Type*	CUP
Seafood City	1420 E. Plaza Blvd. Suite C	21	Y
Big Ben Market	108 E. 8 th St.	21	Y
Wal Mart	1200 Highland Ave.	20	Y
Smart & Final	1220 E. Plaza Blvd. Suite 510	21	Y
CVS Pharmacy	1201 E. Plaza Blvd.	21	Y
7 Eleven	1539 Highland Ave.	20	Y
Wilson's Liquor	916 E. 8 th St.	21	Y
Bottles & More Liquor	1535 E. 18 th St.	21	-

Analysis (cont.):

- Issues concerning alcohol sales related to smaller quantities / cheaper products
 - Usually contained to non-CUP businesses
- Businesses with CUPs have limitations on size, type
 - No airplane bottles or pints
 - No malt liquor in certain sizes (e.g. 22s, 40s)
 - These products not part of proposed sales inventory

Comments:

Police Department (PD)

- Risk Assessment – 15 points
 - Medium Risk – 13 to 18 points
 - Assigns points based on type of business, license concentration, calls for service, etc.

Institute for Public Strategies (IPS)

- Comments received recommending RBSS training (condition)
- **Public Comment**
 - No public comment received as part noticing

Conditions/Summary:

- Conditions of Approval include those specific to off-site alcohol sales per Council Policy 707 (alcohol container volume, size, and number; RBSS training, hours, accessory sales, etc.).
- Proposed use consistent with General Plan
 - Alcohol sales conditionally-allowed use in MXD-2
 - Would contribute to diversity of commercial offerings on Highland Ave
 - High crime area, two other outlets in close proximity (beer and wine)
- Small display area

Options:

- Approve CUP based on attached findings / findings determined by the Commission; or
- Deny CUP based on attached findings / findings determined by the Commission; or
- Continue the item for additional information
- Staff recommending approval
- Notice of Decision to City Council



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Sergio Mora, Acting Fire Chief
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Accept SDG&E's 2022 SAFE San Diego Grant Program Award of \$2,500 for the City's CERT Program. (Fire)

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, accepting funds in the amount of \$2,500 from the San Diego Gas & Electric (SDG&E) 2022 SAFE San Diego Grant Program 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)

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

Through the 2022 SAFE San Diego Grant Program, SDG&E has awarded funds to National City's Community Emergency Response Team (CERT) whose programs and services support emergency preparedness and safety. The grant from SDG&E to the Burn Institute has made it possible to support local CERT Programs and is part of SDG&E's commitment to make our region safer at home, in the workplace, and in neighborhoods throughout San Diego County. SDG&E has provided a check in the amount of \$2,500 to the Burn Institute, which is a 501(c)(3) non-profit organization, who is serving as National City's CERT fiscal agent to provide the grant funds.

This grant helps National City CERT to recruit new CERT members, administer the CERT program, and promote disaster preparedness training through the National City CERT Program. Staff recommends the establishment of an appropriation and corresponding revenue budget for \$2,500.

FINANCIAL STATEMENT:

Ex. 282-412-912-355-0000 / Rev. 282-12912-3498

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Public Safety

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – Award Letter

Exhibit B – Resolution – 2022 Cert Appropriation



EXECUTIVE DIRECTOR
Susan Day

BOARD OF DIRECTORS

CHAIRMAN OF THE BOARD
Gerald S. Davee, Esq.

PRESIDENT
David Ott

VP CHIEF FINANCIAL OFFICER
Chief Bob Pfohl

VP PROGRAMS
Brennon Hope

VP DEVELOPMENT
Chris Graham

SECRETARY
Dolores Juditz

Jorge Balvaneda
Jeffrey Berend
James Boland
Jesse Conner
Jim Cunningham, Esq.
Nate Fairman
Matt Ficco
Christina Figone
Jeanne Lee, M.D., FACS
Gene Ma, M.D.
Chief Colin Stowell
Chief Mitch Villalpando

July 18, 2022

Congratulations...

On behalf of the Burn Institute and San Diego Gas & Electric (SDG&E), thank you for participating in the **2022 SAFE San Diego** Grant Program that provides grant funding, by invitation, to Community Emergency Response Teams (CERT) in San Diego County whose programs and services support emergency preparedness and safety.

A grant from San Diego Gas & Electric (SDG&E) to the Burn Institute has made it possible to support local CERT Programs and is part of SDG&E's commitment to make our region safer at home, in the workplace and in our neighborhoods.

Since 1972, the Burn Institute has been helping educate and inspire communities across San Diego and Imperial Counties to reduce burn injuries and empower those affected by burn trauma. Among our various programs, we're dedicated to educating elementary school students on fire safety, installing free smoke alarms in the homes of seniors and offering burn survivor support programs for burn survivors of all ages and their families. With your help, we can keep our region safe from fires and burns.

Enclosed is a check to support the CERT program listed in your application. **Please note: the check must be cashed no later than August 31, 2022 or funds are forfeited.**

A follow-up report containing impact and outcomes will be requested of all funded CERT programs in November 2022 so we may highlight completed and in-progress activities as a result of the invested funds.

On behalf of the Burn Institute and SDG&E, thank you for everything you and your CERT Program does to support our community!

Sincerely,

Susan Day
Executive Director

enclosure

RESOLUTION NO. 2022 -

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA
AUTHORIZING THE MAYOR TO ACCEPT FUNDS IN THE AMOUNT OF \$2,500 FROM
THE 2022 SAFE SAN DIEGO GRANT PROGRAM, FOR THE NATIONAL CITY
COMMUNITY EMERGENCY RESPONSE TEAM (CERT) PROGRAM AND AUTHORIZING
THE ESTABLISHMENT OF A REIMBURSABLE GRANTS CITY-WIDE FUND
APPROPRIATION AND CORRESPONDING REVENUE BUDGET**

WHEREAS, the San Diego Gas & Electric (SDG&E) 2022 SAFE San Diego Grant Program provides funding to Community Emergency Response Teams (CERT) in San Diego County whose programs and services support emergency preparedness and safety; and

WHEREAS, the Burn Institute is a 501(c)(3) non-profit established to help educate and inspire communities across San Diego and Imperial Counties to reduce burn injuries and empower those affected by burn trauma; and

WHEREAS, on July 18, 2022, the Burn Institute and SDG&E notified City of National City (City) staff that the City has been awarded a grant of \$2,500 to support the City's CERT program; and

WHEREAS, City staff requests City Council authorize the Mayor to accept funds in the amount of \$2,500 from the SAFE San Diego Grant Program and establish a reimbursable grants city-wide fund appropriation and corresponding revenue budget.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes the Mayor to accept funds in the amount of \$2,500 from the SAFE San Diego Grant Program and establish a reimbursable grants city-wide fund appropriation and corresponding revenue budget.

Section 2: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 16th day of August, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Planning
Prepared by: Martin Reeder, Planning Manager
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Request to Initiate a Local Coastal Plan (LCP) Amendment for the update of the City's LCP Land Use Plan and Implementation documents for consistency with Title 18 (Zoning) of the National City Municipal Code.

RECOMMENDATION:

Approval of the request.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Background

The City adopted its Local Coastal Program (LCP) in 1987 with implementation following in 1990. The Local Coastal Program consists of two documents: Land Use Plan and Implementation. The LCP Land Use Plan contains technical background information, policy recommendations, and a land use plan map. The LCP Implementation document is a compilation and description of the various implementation actions necessary to carry out the policies of the Land Use Plan.

The Coastal Zone is generally described as the area within 300 feet of the mean high tide line, which is everything west of Interstate 5 (I-5), as well as the area south of 30th Street between I-5 in the west to 'B' Avenue in the east. The intent and purpose of the Coastal Zone is to identify and give notice that properties within this zone are affected by the City's Local Coastal Program. The purpose of the Coastal Overlay zone (the designation shown on the City's Zoning Map) is to protect and enhance the quality of public access and coastal resources.

The LCP was last significantly amended in 1996 as part of the General Plan Revision Program conducted at that time and in 1998 with adoption of the Harbor District Specific Area Plan. Although the General Plan and Land Use Code (LUC) were updated in 2011 as part of the City's Land Use Update, the LCP was not amended at that time due to pending changes to the Unified Port of San Diego "Port Master Plan," an effort that is coming to fruition this year. As a result, the Coastal Zone is still administered using the previous (1996) Land Use Code.

Proposal

Due to the conflict between the LCP and the LUC, and the pending completion of the Port Master Plan, it is prudent to amend the LCP Land Use Plan and LCP Implementation documents in order to provide the necessary consistency between the documents. Staff is currently working with consultants on making the necessary changes. That effort will culminate with public hearings at the Planning Commission and City Council and then approval by the California Coastal Commission.

California Environmental Quality Act (CEQA)

At this stage of the application process, the project is considered exempt from CEQA under Class 6, Section 15306 (Information Collection). This class includes (among others) basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information-gathering purposes or as part of a study leading to an action, which a public agency has not yet approved or adopted. If initiated, staff will perform the necessary environmental analysis as part of the full Local Coastal Program amendment.

Summary

The City's LCP Land Use Plan and LCP Implementation documents are inconsistent with the current Land Use Code and need to be amended in order to provide the most up-to-date information to the public. It is, therefore, prudent to initiate proceedings for amendment of the LCP.

FINANCIAL STATEMENT:

FY23 budget appropriations will cover the cost of the consultant through existing on-call contract with CR Associates.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Health, Environment, and Sustainability

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Information Collection CCR 15306. This project qualifies for a Notice of Exemption. CCR 15374.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

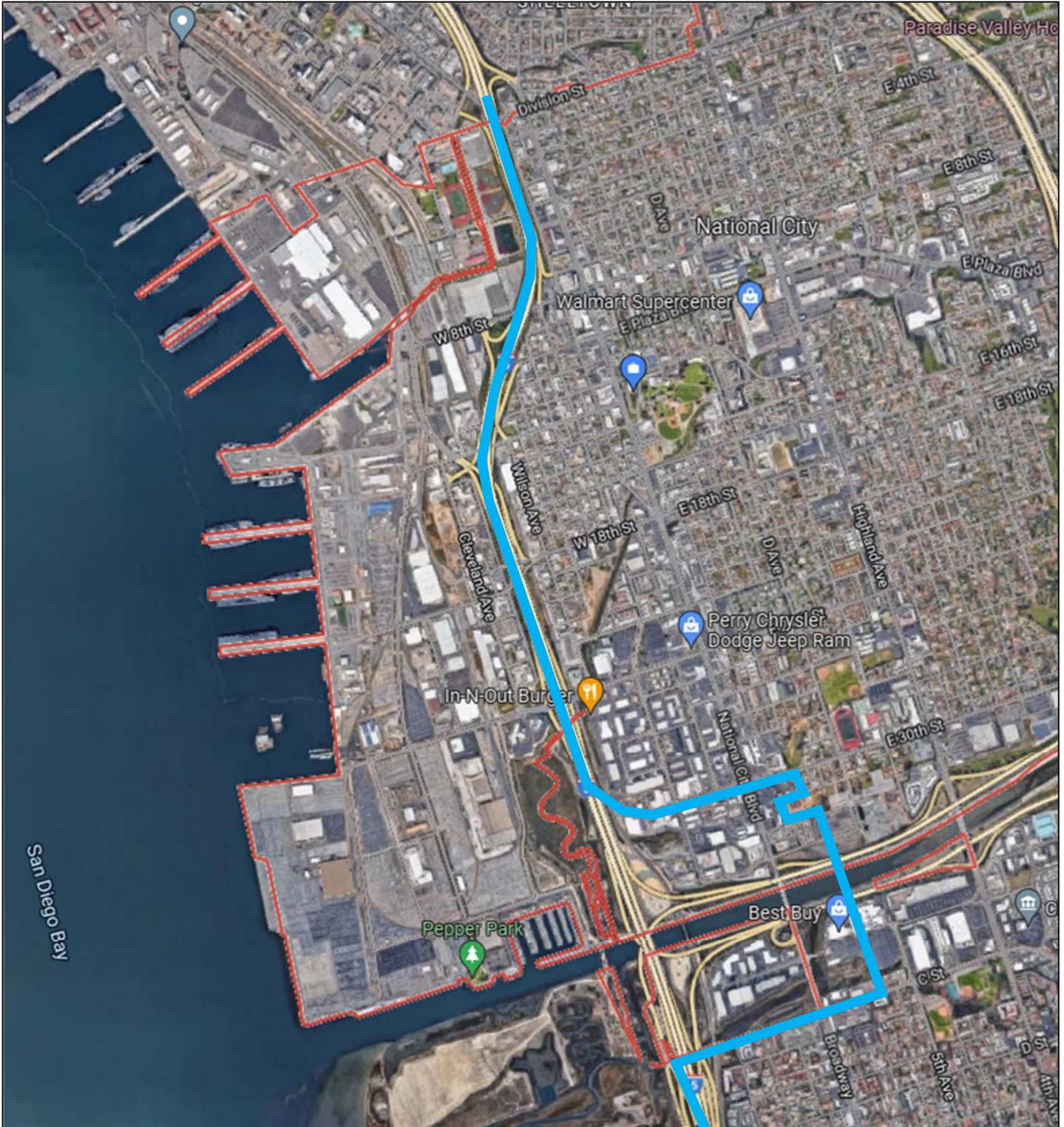
ORDINANCE:

Not Applicable

EXHIBITS:

1. Overhead
2. Notice of Exemption

2022-26 LCPA - Overhead



COASTAL ZONE BOUNDARY



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn.: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Project Title: 2022-26 LCPA

Project Location: Coastal Zone of National City, CA 91950 (Area of the City west of Interstate 5 and south of 30th Street between I-5 and 'B' Avenue).

Lead Agency: City of National City

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Request to initiate an amendment to the National City Local Coastal Program (LCP) in order to amend the LCP Land Use Plan and Implementation documents for consistency with Title 18 (Zoning) of the National City Municipal Code.

Applicant:

City of National City
c/o: Martin Reeder, Planning Mgr.
1243 National City Blvd.
National City, CA 91950

Telephone Number:

(619) 336-4313

Exempt Status:

Categorical Exemption. Class 6, Section 15306 (Information Collection)

Reasons why project is exempt:

It can be seen with certainty that the project will not have a significant effect on the environment, because the initiation application is part of a study leading to a separate future action which will receive appropriate environmental review prior to approval.

Date:

MARTIN REEDER, AICP
PLANNING MANAGER



AGENDA REPORT

Department: Finance
Prepared by: Karla Apalategui, Sr. Accounting Assistant
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Warrant Register #1 for the period of 7/1/22 through 7/7/22 in the amount of \$1,595,251.79.

RECOMMENDATION:

Ratify Warrants Totaling \$1,595,251.79.

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

Per Government Section Code 37208, below are the payments issued for period 7/1/22 - 7/7/22. Consistent with Department of Finance’s practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
SDG&E	358795	\$60,908.64	Gas and Electric for Facilities
Health Net Inc.	358843	\$83,589.74	July 2022 – Grp #R1192A
Arco Business Solutions	193533	\$59,986.58	Fuel for City Fleet FY22

FINANCIAL STATEMENT:

Warrant total \$1,595,251.79.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Warrant Register No. 1



WARRANT REGISTER # 1
7/7/2022

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ANDERSON	RETIREE HEALTH BENEFITS - JUL 2022	358801	7/6/22	110.00
BEARD	RETIREE HEALTH BENEFITS - JUL 2022	358802	7/6/22	70.00
BECK	RETIREE HEALTH BENEFITS - JUL 2022	358803	7/6/22	140.00
BEVERIDGE	RETIREE HEALTH BENEFITS - JUL 2022	358804	7/6/22	640.00
BISHOP	RETIREE HEALTH BENEFITS - JUL 2022	358805	7/6/22	110.00
BOEGLER	RETIREE HEALTH BENEFITS - JUL 2022	358806	7/6/22	260.00
BULL	RETIREE HEALTH BENEFITS - JUL 2022	358807	7/6/22	580.00
CAMEON	RETIREE HEALTH BENEFITS - JUL 2022	358808	7/6/22	400.00
CANEDO	RETIREE HEALTH BENEFITS - JUL 2022	358809	7/6/22	620.00
CARRILLO	RETIREE HEALTH BENEFITS - JUL 2022	358810	7/6/22	290.00
CASTELLANOS	RETIREE HEALTH BENEFITS - JUL 2022	358811	7/6/22	500.00
COLE	RETIREE HEALTH BENEFITS - JUL 2022	358812	7/6/22	165.00
COLLINSON	RETIREE HEALTH BENEFITS - JUL 2022	358813	7/6/22	420.00
CONDON	RETIREE HEALTH BENEFITS - JUL 2022	358814	7/6/22	280.00
CORDERO	RETIREE HEALTH BENEFITS - JUL 2022	358815	7/6/22	520.00
DALLA	RETIREE HEALTH BENEFITS - JUL 2022	358816	7/6/22	900.00
DANESHFAR	RETIREE HEALTH BENEFITS - JUL 2022	358817	7/6/22	250.00
DEESE	RETIREE HEALTH BENEFITS - JUL 2022	358818	7/6/22	660.00
DESROCHERS	RETIREE HEALTH BENEFITS - JUL 2022	358823	7/6/22	110.00
DIAZ	RETIREE HEALTH BENEFITS - JUL 2022	358824	7/6/22	680.00
DILLARD	RETIREE HEALTH BENEFITS - JUL 2022	358825	7/6/22	480.00
DREDGE	RETIREE HEALTH BENEFITS - JUL 2022	358826	7/6/22	250.00
DUONG	RETIREE HEALTH BENEFITS - JUL 2022	358827	7/6/22	280.00
EISER III	RETIREE HEALTH BENEFITS - JUL 2022	358828	7/6/22	250.00
ESPIRITU	RETIREE HEALTH BENEFITS - JUL 2022	358829	7/6/22	620.00
ETZLER	RETIREE HEALTH BENEFITS - JUL 2022	358830	7/6/22	460.00
FABINSKI	RETIREE HEALTH BENEFITS - JUL 2022	358831	7/6/22	220.00
FERNANDEZ	RETIREE HEALTH BENEFITS - JUL 2022	358832	7/6/22	270.00
FIFIELD	RETIREE HEALTH BENEFITS - JUL 2022	358833	7/6/22	540.00
GAUT	RETIREE HEALTH BENEFITS - JUL 2022	358834	7/6/22	700.00
GELSKEY	RETIREE HEALTH BENEFITS - JUL 2022	358835	7/6/22	115.00
GIBBS JR	RETIREE HEALTH BENEFITS - JUL 2022	358836	7/6/22	120.00
GONZALES	RETIREE HEALTH BENEFITS - JUL 2022	358837	7/6/22	480.00
HARLAN	RETIREE HEALTH BENEFITS - JUL 2022	358838	7/6/22	500.00
HERNANDEZ	RETIREE HEALTH BENEFITS - JUL 2022	358847	7/6/22	500.00
HERNANDEZ	RETIREE HEALTH BENEFITS - JUL 2022	358848	7/6/22	600.00
HERNANDEZ	RETIREE HEALTH BENEFITS - JUL 2022	358849	7/6/22	400.00
HODGES	RETIREE HEALTH BENEFITS - JUL 2022	358850	7/6/22	200.00
IBARRA	RETIREE HEALTH BENEFITS - JUL 2022	358851	7/6/22	780.00
JONES	RETIREE HEALTH BENEFITS - JUL 2022	358852	7/6/22	60.00
JONES	RETIREE HEALTH BENEFITS - JUL 2022	358853	7/6/22	480.00
JUNIEL	RETIREE HEALTH BENEFITS - JUL 2022	358854	7/6/22	50.00
KIMBLE	RETIREE HEALTH BENEFITS - JUL 2022	358855	7/6/22	300.00
KLOS	RETIREE HEALTH BENEFITS - JUL 2022	358856	7/6/22	480.00
LAFRENIERE	RETIREE HEALTH BENEFITS - JUL 2022	358857	7/6/22	660.00
LEACH	RETIREE HEALTH BENEFITS - JUL 2022	358858	7/6/22	600.00
LIMFUECO	RETIREE HEALTH BENEFITS - JUL 2022	358859	7/6/22	160.00
MATIENZO	RETIREE HEALTH BENEFITS - JUL 2022	358860	7/6/22	100.00



WARRANT REGISTER # 1
7/7/2022

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MCCABE	RETIREE HEALTH BENEFITS - JUL 2022	358861	7/6/22	280.00
MCDANIEL	RETIREE HEALTH BENEFITS - JUL 2022	358862	7/6/22	290.00
MEEKS	RETIREE HEALTH BENEFITS - JUL 2022	358863	7/6/22	460.00
MENDOZA	RETIREE HEALTH BENEFITS - JUL 2022	358864	7/6/22	290.00
MINER	RETIREE HEALTH BENEFITS - JUL 2022	358865	7/6/22	580.00
MORRISON	RETIREE HEALTH BENEFITS - JUL 2022	358866	7/6/22	520.00
MUNOZ	RETIREE HEALTH BENEFITS - JUL 2022	358867	7/6/22	640.00
NAGLE	RETIREE HEALTH BENEFITS - JUL 2022	358868	7/6/22	460.00
NOTEWARE	RETIREE HEALTH BENEFITS - JUL 2022	358869	7/6/22	120.00
OLIVERIA	RETIREE HEALTH BENEFITS - JUL 2022	358870	7/6/22	360.00
PAUU JR	RETIREE HEALTH BENEFITS - JUL 2022	358871	7/6/22	340.00
PE	RETIREE HEALTH BENEFITS - JUL 2022	358872	7/6/22	300.00
PEASE JR	RETIREE HEALTH BENEFITS - JUL 2022	358873	7/6/22	140.00
POST	RETIREE HEALTH BENEFITS - JUL 2022	358874	7/6/22	280.00
RAY	RETIREE HEALTH BENEFITS - JUL 2022	358875	7/6/22	190.00
ROARK	RETIREE HEALTH BENEFITS - JUL 2022	358876	7/6/22	135.00
RODRIGUEZ	RETIREE HEALTH BENEFITS - JUL 2022	358877	7/6/22	260.00
RUIZ	RETIREE HEALTH BENEFITS - JUL 2022	358878	7/6/22	310.00
SAINZ	RETIREE HEALTH BENEFITS - JUL 2022	358879	7/6/22	300.00
SANCHEZ	RETIREE HEALTH BENEFITS - JUL 2022	358880	7/6/22	330.00
SERVATIUS	RETIREE HEALTH BENEFITS - JUL 2022	358881	7/6/22	340.00
SHOEMAKER	RETIREE HEALTH BENEFITS - JUL 2022	358882	7/6/22	480.00
SILVA	RETIREE HEALTH BENEFITS - JUL 2022	358883	7/6/22	580.00
SMITH	RETIREE HEALTH BENEFITS - JUL 2022	358884	7/6/22	320.00
SMITH	RETIREE HEALTH BENEFITS - JUL 2022	358885	7/6/22	560.00
STEWART	RETIREE HEALTH BENEFITS - JUL 2022	358886	7/6/22	200.00
TIPTON	RETIREE HEALTH BENEFITS - JUL 2022	358887	7/6/22	250.00
UNGAB	RETIREE HEALTH BENEFITS - JUL 2022	358888	7/6/22	600.00
VERRY	RETIREE HEALTH BENEFITS - JUL 2022	358889	7/6/22	280.00
VILLAGOMEZ	RETIREE HEALTH BENEFITS - JUL 2022	358890	7/6/22	480.00
VILLARIASA	RETIREE HEALTH BENEFITS - JUL 2022	358891	7/6/22	480.00
WHITE	RETIREE HEALTH BENEFITS - JUL 2022	358892	7/6/22	230.00
WILKINS	RETIREE HEALTH BENEFITS - JUL 2022	358893	7/6/22	520.00
YBARRA	RETIREE HEALTH BENEFITS - JUL 2022	358894	7/6/22	220.00
	RETIREE HEALTH BENEFITS			30,485.00
AMAZON	NC CONNECTS! GRANT- SUPPLIES/LIBRARY	358788	7/5/22	1,145.23
AMAZON	SUMMER CAMP BEACH DAY BOOGIE BOARDS	358789	7/5/22	1,096.44
BLACK	EDUCATIONAL REIMBURSEMENT	358790	7/5/22	740.00
BRODART CO	LIBRARY DISPLAY MATERIALS	358791	7/5/22	612.67
DEMCO INC	LIBRARY DISPLAY MATERIALS	358792	7/5/22	868.28
NEW READERS PRESS	NEW READERS PRESS/LITERACY SERVICES/LLCS	358793	7/5/22	1,968.16
OFFICE SOLUTIONS BUSINESS	MOP83778/SUPPLIES/LIB	358794	7/5/22	660.23
SDG&E	GAS AND ELECTRIC FOR FACILITIES FOR FY22	358795	7/5/22	60,908.64
SIRSIDYNIX 774271	AUTOMATION SYSTEMS MAINTENANCE SERVICE	358796	7/5/22	25,877.75
STAPLES BUSINESS ADVANTAGE	MOP45704 STAPLES/OFFICE SUPPLIES/LIB	358797	7/5/22	831.95
STAPLES BUSINESS ADVANTAGE	MOP45704/STAPLES/LIBRARY DISPLAY MATERIAL	358798	7/5/22	167.97
SWEETWATER AUTHORITY	WATER BILL FOR FACILITIES FY 2022	358799	7/5/22	4,608.56
USS MIDWAY MUSEUM	SUMMER CAMP FIELD TRIP	358800	7/5/22	265.00



WARRANT REGISTER # 1
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<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
DELTA DENTAL INSURANCE CO	JULY 2022 - GRP #05-7029600000	358819	7/6/22	2,207.63
DELTA DENTAL INSURANCE CO	JULY 2022 - GRP #05-7029600002	358820	7/6/22	102.00
DELTA DENTAL OF CALIFORNIA	JULY 2022 - GRP #05-0908600000	358821	7/6/22	14,708.25
DELTA DENTAL OF CALIFORNIA	JULY 2022 - GRP #05-0908601002	358822	7/6/22	45.22
HEALTH NET	JULY 2022 - GRP #N7176A	358839	7/6/22	1,884.24
HEALTH NET	JULY 2022 - GRP #N7176F	358840	7/6/22	1,646.41
HEALTH NET	JULY 2022 - GRP #N7177A	358841	7/6/22	1,277.44
HEALTH NET	JULY 2022 - GRP #R1192R	358842	7/6/22	857.33
HEALTH NET INC	JULY 2022 - GRP #R1192A	358843	7/6/22	83,589.74
HEALTH NET INC	JULY 2022 - GRP #LB439A	358844	7/6/22	6,804.32
HEALTH NET INC	JULY 2022 - GRP #57135A	358845	7/6/22	2,579.44
HEALTH NET INC	JULY 2022 - GRP #LB439F	358846	7/6/22	735.61
ESGIL LLC	PROFESSIONAL SERVICE/ BUILDING	358895	7/6/22	15,518.16
ACE UNIFORMS & ACCESSORIES INC	SOFTSHELL HONOR GUARD JACKETS	358896	7/7/22	579.68
ADDICTION MEDICINE	DOT EXAMS	358897	7/7/22	159.00
ALDEMCO	FOOD / NUTRITION CENTER	358898	7/7/22	1,353.21
BEHAVIORAL ANALYSIS TRAINING	TUITION - INV REVIEW & INTERROGATION	358899	7/7/22	575.00
BOOT WORLD	MOP 64096 SAFETY WEARING APPAREL - PW	358900	7/7/22	200.00
BURKE WILLIAMS & SORENSEN LLP	PROFESSIONAL SERVICES	358901	7/7/22	4,823.00
CALIFA GROUP	CALIFA BROADBAND FOR FY22	358902	7/7/22	6,099.85
CALIFORNIA ASSOCIATION OF CODE	CACEO MEMBERSHIP / NSD	358903	7/7/22	95.00
COLANTUONO HIGHSMITH	PROFESSIONAL SERVICES	358906	7/7/22	1,803.00
COMMERCIAL AQUATIC SERVICE INC	MUNICIPAL POOL SUPPLIES AND PARTS	358907	7/7/22	644.55
COUNTY OF SAN DIEGO	PARKING CITATION REVENUE - MAY 2022	358908	7/7/22	17,544.50
COUNTY OF SAN DIEGO	REGIONAL COMMUNICATIONS SYSTEM FY22	358909	7/7/22	7,267.50
COURTESY REFRIGERATION INC	FREEZER REPAIR	358910	7/7/22	513.53
DEVANEY PATE MORRIS & CAMERON	LEGAL SERVICES	358912	7/7/22	7,650.00
ESGIL LLC	PROFESSIONAL SERVICES/ BUILDING	358913	7/7/22	11,242.45
EXPERIAN	CREDIT CHECKS	358914	7/7/22	224.58
FEDEX	FEDEX EXPRESS FOR KIMBALL HIGHLAND	358915	7/7/22	159.21
FIRE ETC	1.75"X50" POLY-FLOW 800 ULTRA /FIRE	358916	7/7/22	6,497.81
GALINDO ROJAS	TRAVEL REIMBURSEMENT	358917	7/7/22	29.72
GIL	REIMB: SAL GIL RECORDS REMODEL	358919	7/7/22	31.30
GOVCONNECTION INC	WIRED KEYBOARD	358920	7/7/22	1,014.68
HOME DEPOT CREDIT SERVICES	GENERAL SUPPLIES AS NEEDED FOR BUILDINGS	358922	7/7/22	12,984.96
ICMA MEMBERSHIP RENEWALS	MEMBERSHIP DUES - CM RAULSTON	358923	7/7/22	1,400.00
KIMLEY HORN	EVALUATION OF AFFORDABLE HOUSING	358924	7/7/22	15,357.50
LEFORT'S SMALL ENGINE REPAIR	MOP 80702 AUTO SUPPLIES - PW	358925	7/7/22	104.18
LIEBERT CASSIDY WHITMORE	PERSONNEL MATTER	358926	7/7/22	2,697.50
LOPEZ	REIMBURSEMENT / 2022 TYLER	358927	7/7/22	271.15
MAUREEN KANE & ASSOCIATES, INC	TECHNICAL TRAINING FOR CLERKS SERIES 300	358928	7/7/22	1,500.00
MES CALIFORNIA	202124, HARNESS ATOM RESCUE, MEDIUM	358929	7/7/22	9,747.71
MHZ COMMUNICATIONS ENT	TECH SVCS REPAIRS SIGTRONICS/ FIRE	358930	7/7/22	1,346.59
MOBILE LABORATORY SERVICES	NECROPSY CASE # 2218074	358931	7/7/22	875.00
MOTOROLA SOLUTIONS INC	CHARGER, SINGLE-UNIT, IMPRESS2/ FIRE	358932	7/7/22	276.59
NAPA AUTO PARTS	MOP 45735 GENERAL SUPPLIES- P W	358933	7/7/22	80.45
NATIONAL CITY ELECTRIC	CITYWIDE ON-SITE ELECTRICAL	358934	7/7/22	9,290.00
NATIONAL CITY TROPHY	MOP 01052 PLATE PD	358935	7/7/22	17.24



WARRANT REGISTER # 1
7/7/2022

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
NETFILE, INC.	NETFILE ANNUAL INVOICE FY23	358936	7/7/22	6,300.00
NORTH PARK TROPHY & AWARD, INC	OFFICER MEDALS	358937	7/7/22	6,572.75
OFFICE SOLUTIONS BUSINESS	OFFICE SUPPLIES/ PLANNING	358938	7/7/22	139.37
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES- PW	358939	7/7/22	225.93
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES- PW	358940	7/7/22	654.69
PRO BUILD COMPANY	MOP 45707 PAINT SUPPLIES / NSD	358941	7/7/22	1,498.28
PROFORCE LAW ENFORCEMENT	HOLSTERS / PW	358942	7/7/22	654.46
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES- PW	358943	7/7/22	579.45
REDISTRICTING INSIGHTS, LLC	PROFESSIONAL SERVICES / CAO	358944	7/7/22	12,500.00
SAN DIEGO COUNTY FIRE CHIEFS	HSO ANNUAL MEMBERSHIP FY 21/22 / FIRE	358945	7/7/22	50.00
SAN DIEGO GAS & ELECTRIC	SD GAS & ELECTRIC UTILITIES / NUTRITION	358946	7/7/22	3,535.93
SAN DIEGO MECHANICAL ENERGY	REPAIRS TO HVAC SYSTEMS	358947	7/7/22	576.00
SAN DIEGO PET SUPPLY	MOP 02975 CANINE SUPPLIES PD	358948	7/7/22	143.09
SAN DIEGO POLICE EQUIPMENT	VEST CARRIERS FOR INVESTIGATIONS	358949	7/7/22	4,217.33
SBCS CORPORATION	CARES ACT CDBG-CV AGREEMENT	358950	7/7/22	9,671.00
SCI CONSULTING GROUP	SCI CONSULTING GROUP	358951	7/7/22	47,600.00
SEAPORT MEAT COMPANY	FOOD / NUTRITION CENTER	358952	7/7/22	388.00
SMART & FINAL	INGREDIENTS FOR 6/23/22 MENU (MOLE)	358953	7/7/22	30.25
SPECIAL SERVICES GROUP LLC	COVERT TRACKER	358954	7/7/22	1,845.19
STAPLES BUSINESS ADVANTAGE	STAPLES - MOP OFFICE SUPPLIES/HED	358957	7/7/22	86.97
SYSCO SAN DIEGO INC	FOOD / NUTRITION CENTER	358958	7/7/22	2,561.50
TECHNOLOGY INTEGRATION GROUP	MIS SUPPLIES	358959	7/7/22	258.54
THE COUNSELING TEAM	PEER SUPPORT JUNE 2022	358960	7/7/22	800.00
TINOSA INC	LABOR, PERFORM AIR SAMPLE /FIRE	358961	7/7/22	250.00
TRAFFIC SAFETY STORE.COM	TRAFFIC CONES FOR SKY WATCH	358962	7/7/22	2,064.72
U S BANK	MOP 19657 CC PD MACHADO	358963	7/7/22	3,172.19
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS AND MAINTENANCE	358964	7/7/22	653.51
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 BUILDING SUPPLIES- PW	358965	7/7/22	439.80
VISTA PAINT	MOP 68834 PINT SUPPLIES / NSD	358966	7/7/22	1,779.93
WILLY'S ELECTRONIC SUPPLY	MOP 00351 WIRING PD	358967	7/7/22	116.66

A/P Total 496,490.05

WIRED PAYMENTS

ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET FY 22~	193533	7/7/22	59,986.58
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SECTION 8 HAPS

Start Date	End Date
7/1/2022	7/7/2022

1,038,775.16

GRAND TOTAL

\$ 1,595,251.79



AGENDA REPORT

Department: Finance
Prepared by: Karla Apalategui, Sr. Accounting Assistant
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Warrant Register #2 for the period of 7/8/22 through 7/14/22 in the amount of \$2,111,769.78.

RECOMMENDATION:

Ratify Warrants Totaling \$2,111,769.78.

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

Per Government Section Code 37208, below are the payments issued for period 7/8/22 – 7/14/22. Consistent with Department of Finance’s practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Kaiser Foundation HP	358975	\$210,915.18	August 2022 – Grp #104220
Chen Ryan Associates	358989	\$90,619.45	CIP 19-24 Bayshore Bikeway
County of San Diego RCS	358994	\$147,379.96	Nextgen Shared Backbone Infrastructure
OMNI Pacific	359013	\$70,493.98	Purchase/Install Furniture/NCPD

FINANCIAL STATEMENT:

Warrant total \$2,111,769.78

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Warrant Register No. 2



WARRANT REGISTER # 2
7/14/2022

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
C A P F	JULY 2022 - FIRE LTD	358968	7/11/2022	1,121.00
CALIFORNIA LAW ENFORCEMENT	JULY 2022 - PD LTD	358969	7/11/2022	2,293.00
CRUZ	MISS NATIONAL CITY EDUCATIONAL PAGEANT	358970	7/11/2022	1,518.00
DELGADO	RFW EMPLOYEE REIMBURSEMENT	358971	7/11/2022	2,139.16
EASLEY	MISS NATIONAL CTIY EDUCATIONAL PAGEANT	358972	7/11/2022	1,932.00
GAMWELL	PARADISE CREEK TRAVEL EXPENSE FLIGHT	358973	7/11/2022	204.80
KAISER FOUNDATION HEALTH PLAN	AUGUST 2022 - GRP #104220	358974	7/11/2022	210,915.18
SANDAG	FY 2023 MEMBER AGENCY ASSESSMENT	358975	7/11/2022	25,363.00
ALDEMCO	FOOD / NUTRITION CENTER	358977	7/14/2022	2,325.57
ALL FRESH PRODUCTS	FOOD / NUTRITION CENTER	358978	7/14/2022	222.94
ALLIANT INSURANCE SERVICES INC	RSWA - COMMERCIAL CRIME INS POLICY	358979	7/14/2022	2,605.00
ANSER ADVISORY MANAGEMENT, LLC	CIP 19-18 NATIONAL CITY BVLD BIKEWAY - ENG	358980	7/14/2022	10,653.00
ATLAS TECHNICAL CONSULTANTS,	CIP 19-02 EL TOYON LAS PALMAS BIKE CORRIDOR	358981	7/14/2022	4,724.00
BENSON AUTO DESMANTLING	CITATION REFUNDS - JUNE 2022	358982	7/14/2022	35.00
BMI	MUSIC PERFORMANCE AGREEMENT	358983	7/14/2022	701.10
BMW MOTORCYCLES OF ESCONDIDO	R1250 600 MILE SERVICE	358984	7/14/2022	291.27
BRINK'S INCORPORATED	TRANSPORTATION - BILLING PERIOD 7/1/22	358985	7/14/2022	356.14
CAL PACIFIC TRUCK CENTER, LLC	CORE / PW	358986	7/14/2022	1,279.19
CANON SOLUTIONS AMERICA INC.	CANON EQUIP USAGE SERVICE FOR 6/1/22	358987	7/14/2022	6.48
CHANICE	CITATION REFUNDS - JUNE 2022	358988	7/14/2022	35.00
CHEN RYAN ASSOCIATES INC	CIP 19-24 BAYSHORE BIKEWAY SEGMENT 5- ENG	358989	7/14/2022	90,619.45
CHRISTENSEN & SPATH LLP	CDC-HA SERVICES	358990	7/14/2022	34,876.75
CITY OF SAN DIEGO	MUNICIPAL SEWER TRANSPORTATION- FY22	358991	7/14/2022	1,071.49
CLEMENTE	REIMBURSEMNT FOR DIRECTORS MEETING	358992	7/14/2022	84.08
COUNTY OF SAN DIEGO	RSWA - UNIFIED PROGRAM PERMIT/POWAY 07/3	358993	7/14/2022	2,578.00
COUNTY OF SAN DIEGO RCS	NEXTGEN SHARED BACKBONE INFRASTRUCTURE	358994	7/14/2022	147,379.96
COURTESY REFRIGERATION INC	LABOR FOR FREEZER	358995	7/14/2022	220.00
COX COMMUNICATIONS	COX DATA VIDEO SERVICES FOR FY22	358996	7/14/2022	494.86
CSA SAN DIEGO COUNTY	CDBG AGREEMENT: CSA SAN DIEGO COUNTY	358997	7/14/2022	2,813.92
CUTTERS SOURCE, INC	HONDA GENERATOR / PD	358998	7/14/2022	1,444.06
D-MAX ENGINEERING INC	CIP 21-14 STORM WATER SERVICES - ENG/PW	358999	7/14/2022	10,410.84
FLORES MICLAT	CITATION REFUNDS - JUNE 2022	359000	7/14/2022	35.00
GEOSYNTEC CONSULTANTS INC	CIP 22-08 CNC NOISE ASSESSMENT - ENG/PW	359001	7/14/2022	11,558.40
GRAINGER	MOP 65179 GENERAL SUPPLIES- PW	359002	7/14/2022	1,866.37
INNOVATIVE CONSTRUCTION	CIP 19-45 CIVIC CENTER ADA - ENG/PW	359003	7/14/2022	752.00
KINDER	CITATION REFUNDS - JUNE 2022	359004	7/14/2022	80.00
KTUA	NC TRANSOFRMATIVE GRANT- ENG/PW	359005	7/14/2022	4,400.00
LASER SAVER INC	MOP 45725 LASER SAVER TONER / CSD	359006	7/14/2022	702.94
MASON'S SAW	MOP 45729 MOP 45729 EQUIPMENT SUPPLIES	359007	7/14/2022	627.84
MCALISTER INSTITUTE	HOMELESS CASE MANAGEMENT SERVICES	359008	7/14/2022	14,357.30
MEYERS, NAVE, RIBACK, SILVER	PROFESSIONAL SERVICE	359009	7/14/2022	423.50
MOR FURNITURE FOR LESS	M:HYBRID COOL 10"EK.5 TOP MATTRESS/FIRE	359010	7/14/2022	3,325.43
MUNICIPAL MAINTENANCE EQUIP	SUSPENDED SWIVEL INCLUSIVE SUSPENSION	359011	7/14/2022	1,158.47
OFFICE SOLUTIONS BUSINESS	MOP 83778 OFFICE SUPPLIES/ FINANCE	359012	7/14/2022	28.92
OMNI PACIFIC	PURCHASE/INSTALL FURNITURE -NCPD POLICE	359013	7/14/2022	70,493.98
PACIFIC STATES PETROLEUM INC	HYDRAULIC OIL, ENGINE OIL, AND VEHICLE	359014	7/14/2022	3,642.53
PENSKE FORD	MOP 49078 AUTO SUPPLIES- PW	359015	7/14/2022	42.65
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES- PW	359016	7/14/2022	2,478.03



**WARRANT REGISTER # 2
7/14/2022**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PROFESSIONAL SEARCH GROUP LLC	TEMP SERVICE -WEEK ENDING JUNE 26, 2022	359017	7/14/2022	2,426.00
PROJECT PROFESSIONALS CORP	CIP 22-19 SB1 STREET RESURFACING - ENG/PW	359018	7/14/2022	48,708.92
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	359019	7/14/2022	311.73
QUIAMBAO	CITATION REFUNDS - JUNE 2022	359020	7/14/2022	8.00
RANDALL LAMB ASSOCIATES INC	CIP 22-06 MLK KITCHEN IMPROVEMENTS - ENG	359021	7/14/2022	2,375.00
RANDALL LAMB ASSOCIATES INC	CIP 21-23 CAMACHO REC HVAC - ENG/PW	359022	7/14/2022	275.00
RODRIGUEZ	CITATION REFUNDS - JUNE 2022	359023	7/14/2022	10.00
SALUDARES	REFUND FROM KAILANA CRUMP-SUMMER CAMP	359024	7/14/2022	113.00
SAN DIEGO MECHANICAL ENERGY	REPAIRS TO HVAC SYSTEMS	359025	7/14/2022	1,155.40
SBCS CORPORATION	CARES ACT CDBG-CV AGREEMENT	359026	7/14/2022	7,974.00
SITEONE LANDSCAPE SUPPLY LLC	MOP 692777 LANDSCAPE SUPPLIES- PW	359027	7/14/2022	181.92
SMART & FINAL	MOP 45756 SMART & FINAL CDBG/TEENS SNACK	359028	7/14/2022	826.97
STANICH	REIMBURSEMENT FOR COLLEEN STANICH - ICAC	359029	7/14/2022	490.15
STAPLES BUSINESS ADVANTAGE	MOP 45704 STAPLES CDGB/TEENS GAMING SUPP	359030	7/14/2022	3,237.80
STC TRAFFIC	CIP 22-29 DOWNTOWN NC PARKING OCCUPANCY	359031	7/14/2022	9,009.26
SWAGIT PRODUCTION LLC	SWAGIT WEBCAST FY22	359032	7/14/2022	1,920.83
SWEETWATER AUTHORITY	WATER BILL FOR FACILITIES FY 2022	359033	7/14/2022	45,500.46
TERMINIX INTERNATIONAL	MONTHLY PEST CONTROL SERVICE	359034	7/14/2022	78.00
THE BUMPER GUY INC	PARTS / PW	359035	7/14/2022	1,641.39
THE LINCOLN NATIONAL LIFE INS	GRP #415491 - JULY 2022	359036	7/14/2022	9,456.05
TRANS-LANG	LANGUAGE SERVICES: INTERPRETATION	359037	7/14/2022	505.75
T'S & SIGNS	TEAM ATTIRE	359038	7/14/2022	7,996.67
U S BANK	US BANK CARD PAYMENT FY22	359039	7/14/2022	675.12
VERIZON WIRELESS	VERIZON CELLULAR SERVICES FOR FY22	359040	7/14/2022	10,276.07
WOODRUFF, SPRADLIN & SMART APC	RSWA LEGAL SVCS 1ST QTR 7/01/22-9/30/22	359041	7/14/2022	7,750.00
			A/P Total	839,591.09

PAYROLL				
Pay period	Start Date	End Date	Check Date	
15	6/28/2022	7/11/2022	7/20/2022	1,272,178.69
			GRAND TOTAL	2,111,769.78



AGENDA REPORT

Department: Community Development
Prepared by: Dionisia Trejo, Administrative Secretary
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Temporary Use Permit – Spirit Halloween retail tent store hosted by Spirit Halloween at Westfield Plaza Bonita Mall from September 4, 2022 through November 15, 2022 with no waiver of fees.

RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802.

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

This is a request from Spirit Halloween to open a temporary outdoor Spirit Halloween retail tent store at Plaza Bonita Mall from September 1, 2022 thru November 5, 2022. Daily hours of operations will be from 10 a.m. to 7 p.m.

This 100 x 100 square foot tent will be set-up on the Westside parking lot of the mall adjacent to Ring Road within lot number location known as Lot #1. This outdoor tent will provide the community with a wide product selection of seasonal items such as Halloween costumes, decorations, and accessories.

If approved, this temporary structure may require additional permits and inspections from both the Building and Fire Department prior to opening for business.

FINANCIAL STATEMENT:

City Fee of \$312.00 for processing the TUP through various City Departments, plus \$751.00 for Fire Department and \$282.00 for Building. Total fees: \$1,345.00

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – TUP Spirit Halloween 2022

Exhibit B - Conditions of Approval Spirit Halloween Superstore 2022



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- Fair/Festival Parade/March Walk or Run Concert/Performance
- TUP Sporting Event Other (specify) _____

Event Name & Location

Event Title _____

Event Location (list all sites being requested) _____

Event Times

Set-Up Starts

Date _____ Time _____ Day of Week _____

Event Starts

Date _____ Time _____ Day of Week _____

Event Ends

Date _____ Time _____ Day of Week _____

Breakdown Ends

Date _____ Time _____ Day of Week _____

Applicant Information

Applicant (Your name) _____ Sponsoring Organization _____

Event Coordinator (if different from applicant) _____

Mailing Address _____

Day Phone _____ After Hours Phone _____ Cell _____ Fax _____

Public Information Phone _____ E-mail _____

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: _____ Date _____

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes No

Are admission, entry, vendor or participant fees required? Yes No

If YES, please explain the purpose and provide amount (s):

\$_____Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$_____Estimated Expenses for this event.

\$_____What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

First time event Returning Event include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Estimated Attendance

Anticipated # of Participants: _____ Anticipated # of Spectators: _____

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes No

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

Other (explain) _____

Requesting to post "no parking" notices? Yes No

Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map):

Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: _____

Have you hired Professional Security to handle security arrangements for this event?

Yes No If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission. .

Is this a night event? Yes No If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

First Aid

Depending on the number of participants, your event may require specific First Aid services. First aid station to be staffed by event staff? **Yes** **No** First aid/CPR certified? **Yes** **No**

First aid station to be staffed by professional company. ▶ Company _____

If using the services of a professional medical organization/company and the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the Neighborhood Services Department at the time of submission.

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Elements of your Event

Setting up a stage? **Yes** **No**

Requesting City's PA system

Requesting City Stage; if yes, which size? Dimensions (13x28) Dimensions (20x28)

Applicant providing own stage ▶ _____(Dimensions)

Setting up canopies or tents?

_____ # of canopies size _____

_____ # of tents size _____

No canopies/tents being set up

Setting up tables and chairs?

Furnished by Applicant or Contractor

_____ # of tables No tables being set up

_____ # of chairs No chairs being set up

(For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables No tables being set up

_____ # of chairs No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

Sporting Equipment (explain) _____

Other (explain) _____

Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes No

PA System for announcements CD player or DJ music

Live Music ▶ Small 4-5 piece live band ▶ Large 6+ piece live band

Other (explain) _____

If using live music or a DJ. ▶ Contractor Name _____

▶ _____
Address City/State Phone Number

Using lighting equipment at your event? Yes No

Bringing in own lighting equipment

Using professional lighting company ▶ Company Name _____

Address

City/State

Phone Number

Using electrical power? Yes No

Using Kimball Park Bowl
Lighting (from _____ to _____)

Using on-site electricity

For sound and/or lighting

For food and/or refrigeration

Bringing in generator(s)

For sound and/or lighting

For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes No

Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method:

GAS ELECTRIC CHARCOAL OTHER (Specify): _____

Vendors bringing pre-packaged food ▶ # _____ ▶ Business License # _____

Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

Vendors selling food # _____ ▶ Business License #(s) _____

Vendors selling merchandise # _____ ▶ Business License #(s) _____

Food/beverages to be handled by organization; no outside vendors

Vendors selling services # _____ ▶ Business License #(s) _____

▶ Explain services _____

Vendors passing out information only (no business license needed) # _____

▶ Explain type(s) of information _____

No selling or informational vendors at event

Having children activities? Yes No

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

Inflatable bouncer house # _____ Rock climbing wall Height _____

Inflatable bouncer slide # _____ Arts & crafts (i.e., craft making, face painting, etc.)

Carnival Rides _____ Other _____

Having fireworks or aerial display? Yes No

Vendor name and license # _____

Dimensions _____ Duration _____

Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$545.00

Arranging for media coverage? Yes No

Yes, but media will not require special set-up

Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City’s specifications. Please refer to the City’s Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? **Yes** **No**

Yes, we will post signage # _____ Dimensions _____

Yes, having inflatable signage # _____ ► (complete Inflatable Signage Request form)

Yes, we will have banners # _____

What will signs/banners say? _____

How will signs/banners be anchored or mounted? _____

Location of banners/signage _____

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? **Yes** **No**

If yes, please identify the following:

► Total number of portable toilets: _____

► Total number of ADA accessible portable toilets: _____

Contracting with portable toilet vendor. ► _____

► Load-in Day & Time _____ ► Load-out Day & Time _____
Company Phone

Portable toilets to be serviced. ► Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

Yes, will set up the day before the event. ► # of set-up day(s) _____

No, set-up will occur on the event day

Requesting vehicle access onto the turf?

Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- City to install litter fence
- Applicant to install litter fence
- N/A

Breaking down set-up the day after the event?

- Yes, breakdown will be the day after the event. ▶ # of breakdown day(s) _____
- No, breakdown will occur on the event day.

How are you handling clean-up?

- Using City crews
- Using volunteer clean-up crew during and after event.
- Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: _____	
Event Address: _____	Expected # of Attendees: _____
Event Host/Coordinator: _____	Phone Number: _____

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: _____			
Will enough recycling bins provided for the event? Provide number of recycle bins: _____			
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)			
Do all storm drains have screens to temporarily protect trash and debris from entering?			
Are spill cleanup kits readily available at designated spots?			

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: _____

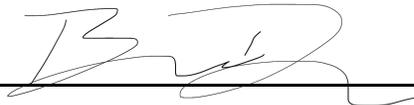
Person in Charge of Activity: _____

Address: _____

Telephone: _____ Date(s) of Use: _____

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorney's fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant:  _____

Official Title: _____ Date: _____

For Office Use Only

Certificate of Insurance Approved _____ Date _____

City of National City BUSINESS TAX CERTIFICATE



2022

**TO BE POSTED IN A CONSPICUOUS PLACE
AND
NOT TRANSFERABLE OR ASSIGNABLE**

"For Services Provided in National City, California Only"

Business Name SPIRIT HALLOWEEN SUPERSTORES, LLC
Business Location 3030 PLAZA BONITA RD 1025
NATIONAL CITY, CA 91950-8010
Business Owner(s) STEVE B (PRES/CEO) SILVERSTEIN
JEFF SCHAFFER (ZONE MANAGER)

Business Type Retail Sales - General
Account Number 09019446
Effective Date January 01, 2022
Expiration Date December 31, 2022

SPIRIT HALLOWEEN SUPERSTORES, LLC
6826 BLACK HORSE PIKE
EGG HARBOR TOWNSHIP, NJ 08234-4132

City Manager

**NOTE: IT IS YOUR OBLIGATION TO RENEW THIS
CERTIFICATE WHETHER OR NOT YOU RECEIVE A
RENEWAL NOTICE**

For all inquiries regarding this certificate, contact HdL
Business Tax Support Center at (619) 382-2596.

**THIS BUSINESS TAX CERTIFICATE DOES NOT PERMIT A BUSINESS
THAT IS OTHERWISE PROHIBITED.**

SPIRIT HALLOWEEN SUPERSTORES, LLC

Thank you for your payment on your National City Business Tax Certificate. **ALL CERTIFICATES MUST BE AVAILABLE FOR INSPECTION UPON REQUEST.** If you have questions concerning your business license, contact the Business Support Center via email at: NationalCity@HdLgov.com or by telephone at: (619) 382-2596

Keep this portion for your license separate in case you need a replacement for any lost, stolen, or destroyed license. A fee may be charged for a replacement or duplicate certificate.

This certificate does not entitle the holder to conduct business before complying with all requirements of the National City Municipal code and other applicable laws, nor to conduct business in a zone where conducting such business violates law.

If you have a fixed place of business within the National City, please display the Business Tax Certificate below in a conspicuous place at the premises. Otherwise, every Business Tax Certificate holder not having a fixed place of business in the City shall keep the Business Tax Certificate upon his or her person, or affixed in plain view any cart, vehicle, van or other movable structure or device at all times if required by the Collector.

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: <https://www.dca.ca.gov/publications/>



BUSINESS TAX SUPPORT CENTER
8839 N CEDAR AVE #212
FRESNO, CA 93720-1832



City of National City BUSINESS TAX CERTIFICATE

SPIRIT HALLOWEEN SUPERSTORES, LLC
6826 BLACK HORSE PIKE
EGG HARBOR TOWNSHIP, NJ 08234-4132

Account Number: 09019446
Date of Issue: 01/01/2022

May 24, 2022

City of National City
Neighborhood Service Division
1243 National City Boulevard
National City, California 91950-4301

Re: Temporary Use Permit
Spirit Halloween Superstores LLC (Spirit Halloween) – Westfield Plaza Bonita

To whom it may concern:

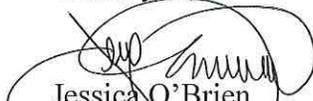
I hereby authorize Spirit Halloween Superstores, LLC and its authorized representatives to operate a business known as Spirit Halloween in a portion of parking lot #1 at Westfield Plaza Bonita during the dates of July 15, 2022 through November 15, 2022.

Spirit Halloween Superstores LLC and its authorized representatives have permission to install temporary power to poles in parking lot #1 to provide power during the temporary use time if adequate power is not already in place.

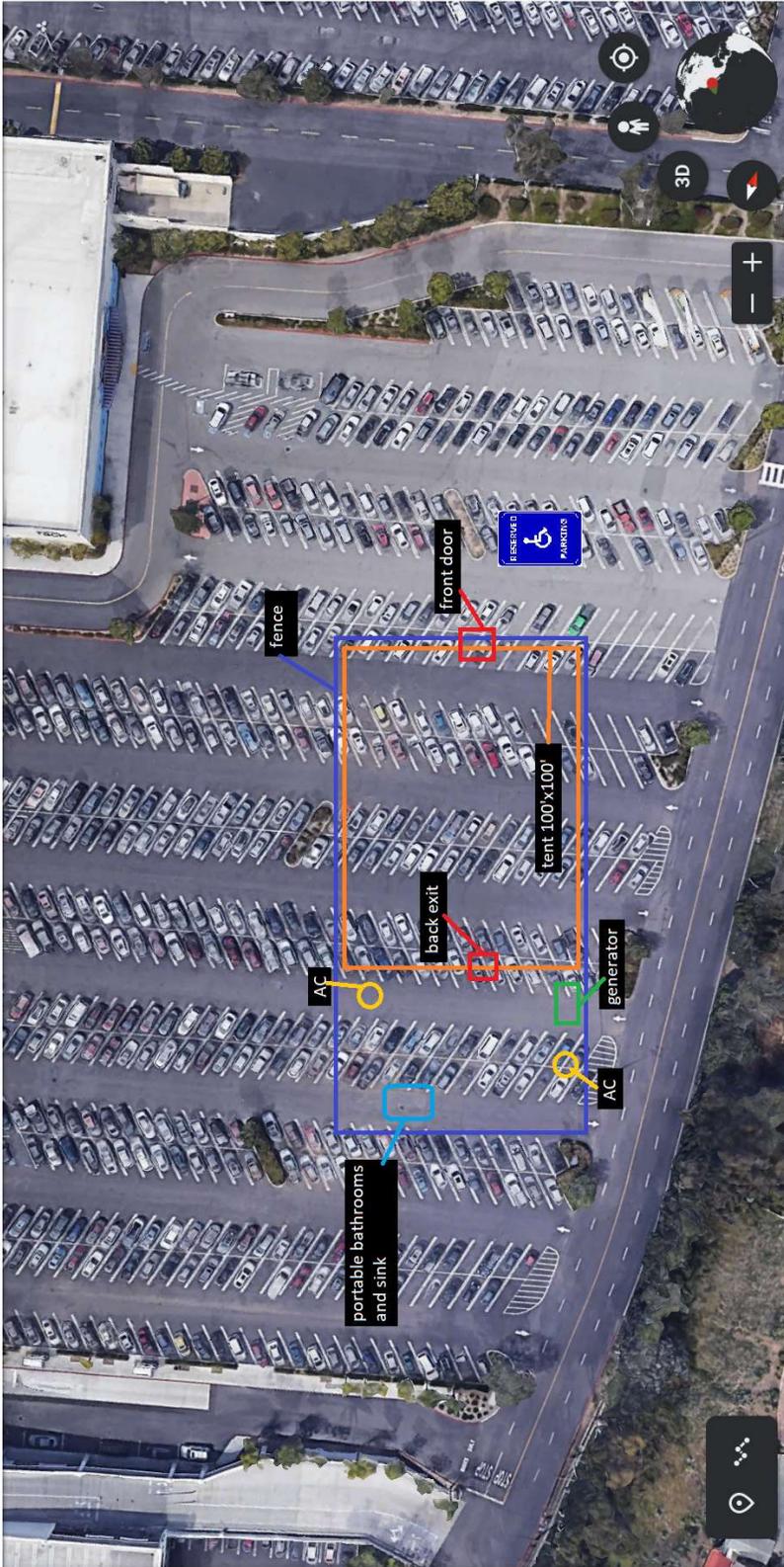
Spirit Halloween Superstores LLC and its authorized representatives will obtain all necessary permits from National City for occupancy at Westfield Plaza Bonita.

Please feel free to call me if you have any questions at 619.267.2850.

Thank you,


Jessica O'Brien
General Manager

Westfield PLAZA BONITA
3030 Plaza Bonita Road #2075
National City, CA 91950



广州建廷会展集团有限公司



KENTEN EXPO GROUP LTD (GUANGZHOU)

Tel. 4000-536836

www.kenten-tent.com

sales@kenten.com.cn

施工说明书

Installation Manual

KT00A3004300/120-18A



安全提示

Announcements

(一) 施工安全:

作业期间,工人必须佩戴安全帽、穿硬面鞋及手套,施工高度达到两米时,必须系上安全带。

(1) Construction safety:

During the operation, workers must wear safety helmets, hard shoes and gloves. When the construction height reaches two meters, the safety belt must be fastened.

(二) 抗风参数:

本篷房可抵抗 ≤ 8 级强度的风力。当风力 > 8 级时,应及时拆除篷房。

(2) Wind-resisted parameters:

This tent can resist ≤ 8 -level-wind. When the wind-force $> level 8$, you should dismantle the tent in time.

(三) 固定方式:

①使用承重盘固定基础底座,承重物品(混凝土,水袋,沙袋等)应 ≥ 2000 kg;

②当搭建场地为草地或沙地时,建议使用D25*(1000-1500)钢钎固定基础底座;

③当搭建场地为水泥地(硬度 > 25 HRC)或坚固的地面时,应使用M16*150膨胀螺栓和D16*50垫片固定基础底座。

(3) The way of reinforcement:

①Bear plates are used for reinforce the base plate. Bearing items (concrete, water bag, sandbags and so on) should ≥ 2000 kg.

②We suggest you use D25*(1000-1500) anchor to fasten the tent in grassland or sandland;

③Using Expansion Bolt M16*150 and D16*50 gasket to fasten the tent in cementland (hardness > 25 HRC) or solid ground.

(四) 维护与保养:

篷布应远离明火,避免切割,勿使用黏胶粘贴物品。

篷房作为临时建筑使用一般不超过7天。

(4) Maintaining:

Keep fire away from the cover, avoid cutting and using viscose to paste other things on it.

It's better to use this tent at temporary structure not exceeding 7 days.

(五) 特别提醒:

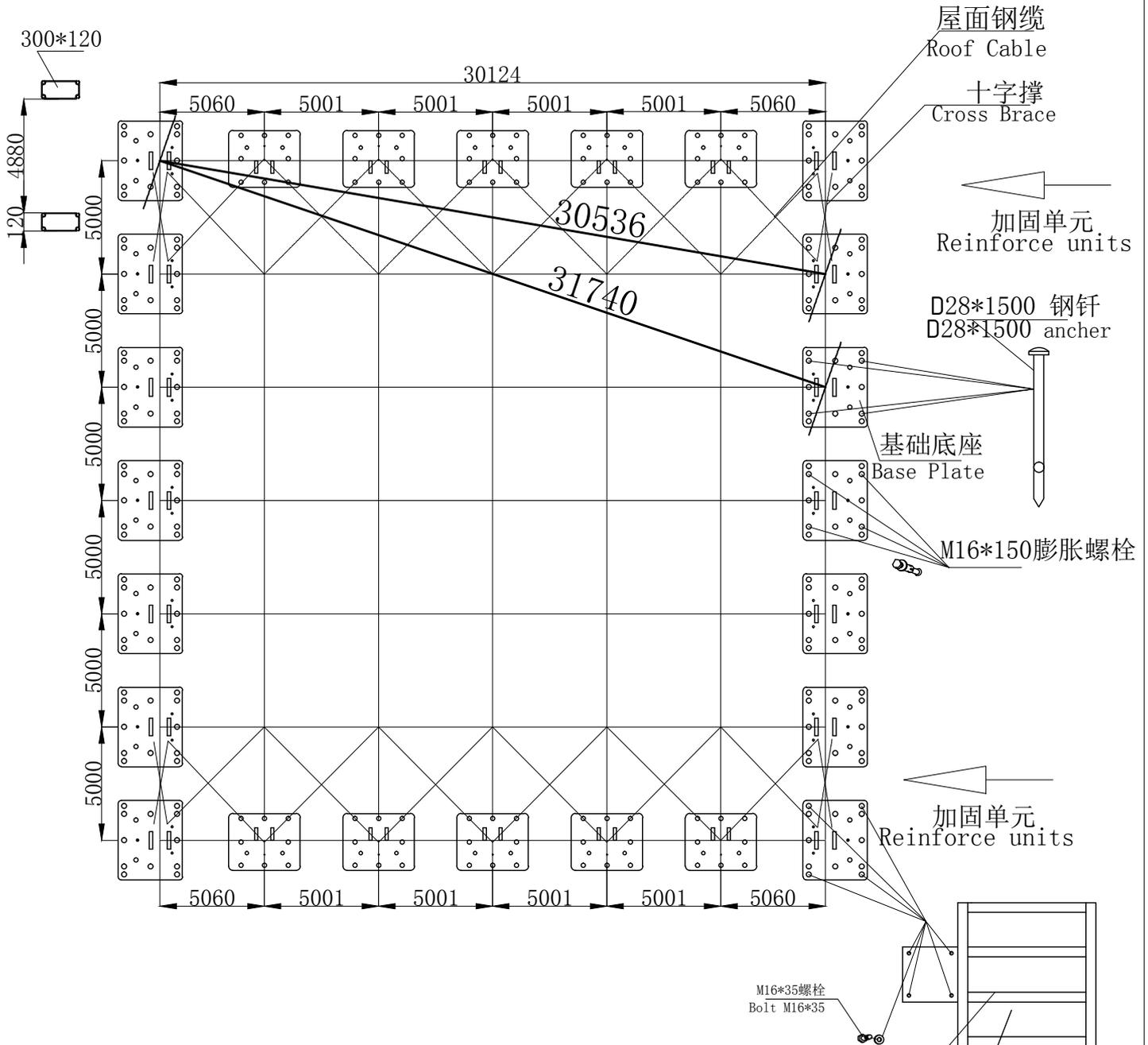
请遵循当地国家城市施工作业的相关法规,切勿违背。

(5) Remindings:

Pls follow the local construction work regulations & laws.

(一) 定位及加固位置布置图

(1) Layout drawing of location and reinforce parts



施工说明:

1. 依图中跨度、单元间隔及对角线尺寸定位和安装基础底座。
2. 加固单元的选用及位置分布。
 - (1). 篷房单元数在1~2个单元的篷房，安装一组加固系统；
 - (2). 篷房单元数在3~6个单元的篷房，安装二组加固系统，即第一单元与最后一个单元；
 - (3). 篷房单元数在6个单元以上的篷房，每隔3个单元安装一组加固系统（篷房的第一个单元与最后一个单元要安装加固系统）；
3. 固定方式的选用及相对适应的环境：
 - (1). 草地及沙地建议用钢钎固定；
 - (2). 水泥地及坚固地面建议用膨胀螺栓固定；
 - (3). 在上两种情况都不能采用的情况下，建议用承重盘来固定；

Install Instruction: 1. According to graph of span, unit interval and diagonal dimension positioning and installed base plate. 2. The location and the selection of the reinforcement units.

- (1) Install one reinforce unit when there are 1 to 2 units of the tent.
 - (2) Install the reinforce system in the first and last unit when there are 3 to 6 units in the tent.
 - (3). The pawn unit with a unit of more than 6 units, each 3 units to install a group of reinforcement systems (the first unit of the tent and the last unit to install the reinforcement system);
3. The methods of weighting fixation and the selection for the suitable environment.
- (1) Use anchor drill into the grass or sand land.
 - (2) Use expansion bolt drill into cement or solid land.
 - (3) Use weighting plate to hold the tent if it can be not used the above two methods.

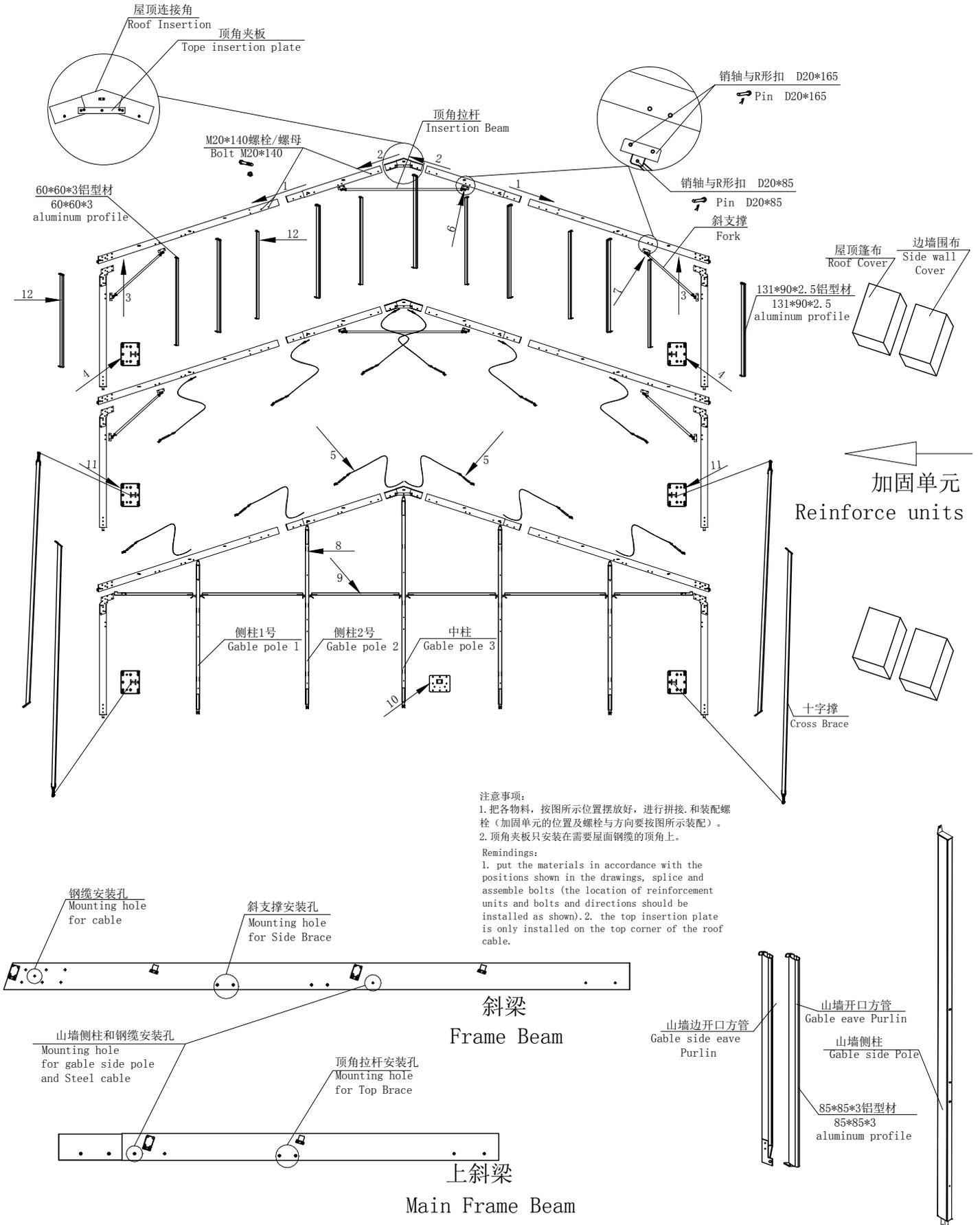
此处堆放大于或等于2000kg/承重物品（混凝土，水袋，沙袋）
Pile up here is equal to or greater than 2000 kg bearing items (concrete, water bag, sandbags)

承重盘
bear plate



(二) 物料摆放及龙门架拼装示意图

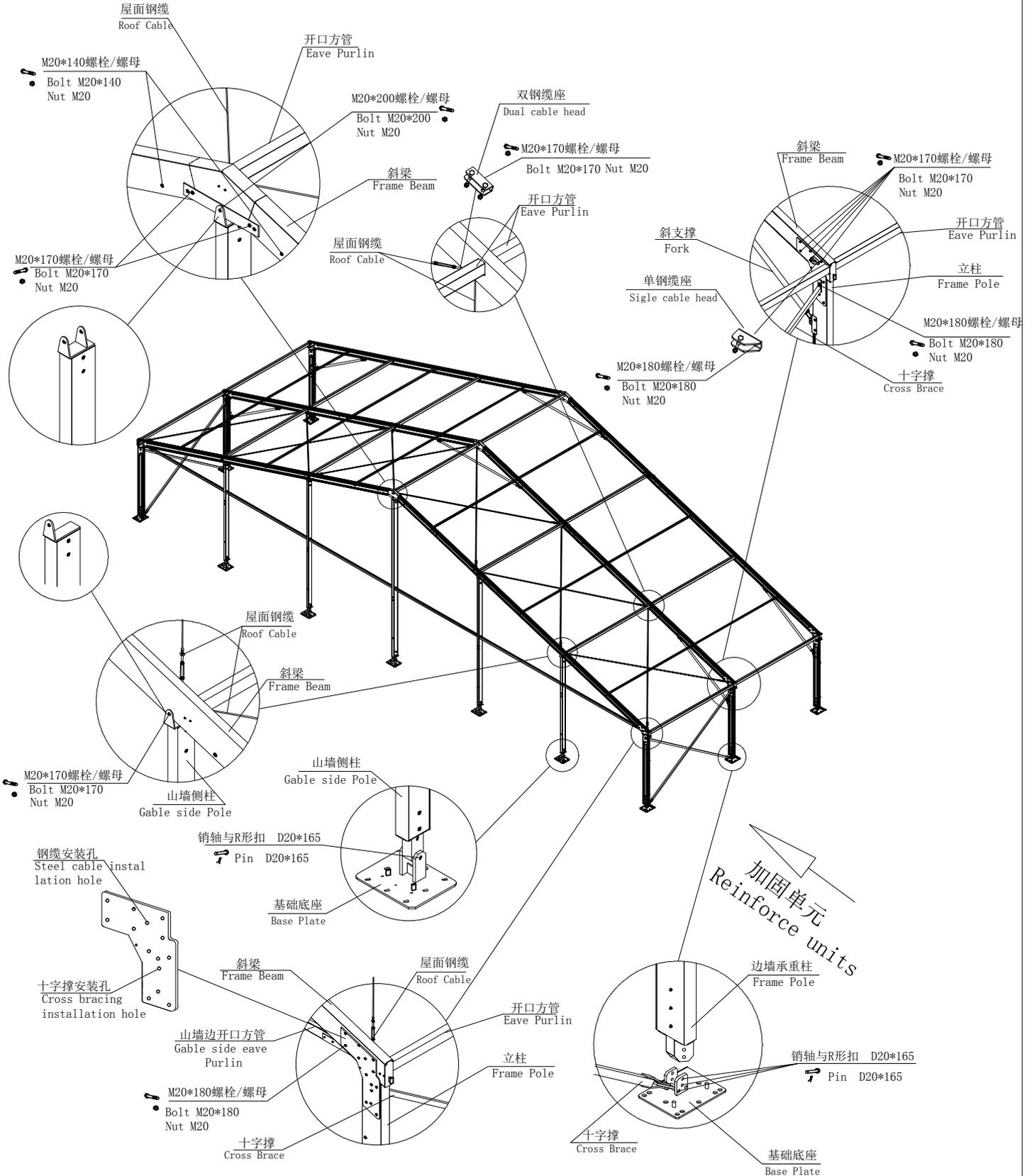
(2) Erection drawing of portal-type frame and parts location





(三) 螺栓选用及其安装位置图

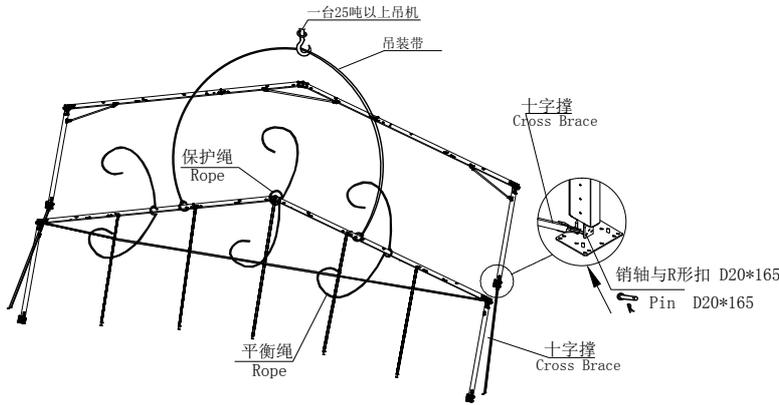
(3) bolts selection and install location drawing





(四) 龙门架起架及挂方管步骤图

(4) Installation drawings of lifting truss and hanging purlins



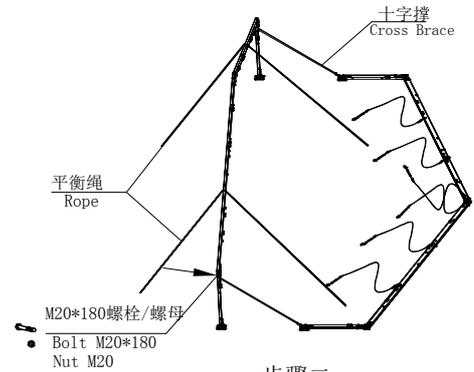
步骤一

施工说明:

1. 先按图示位置用吊带分两个点绑在上下斜梁连接处(在吊点上预装拆卸拉绳,方便拆卸吊带),在顶角系上保护绳、在斜梁两边系上平衡绳。
2. 用1台25吨以上吊机牵引起架,在顶角系上保护绳由1~2个人来牵引保护,防止龙门架过于晃动。

Step 1

1. first, tie the strap at two points on the upper and lower frame beam connections as shown in the drawings (Pre-installing pull-out rope at the hanging point facilitates the removal of the strap), install the protecting rope at the top corner and install the balancing rope at both sides of frame beam.
2. use a crane with a capacity of 25 tons or more to pull the frame truss, and use 1-2 people to pull the protecting rope at the top corner to prevent the truss from shaking too much.



步骤二

施工说明:

1. 龙门架起架前,先将十字撑和基础底座进行连接。
2. 龙门架起正后,两边同时安装好十字撑。
3. 固定平衡绳。
4. 解开吊带,接着如步骤一所示拉起另一个龙门架。

Step 2

1. Before pulling the frame truss, connect the cross braces and the base plate.
2. After the frame truss is erected install the brace on both sides.
3. Fixed balance rope.
4. Untie the straps and pull another truss as shown in step 1.

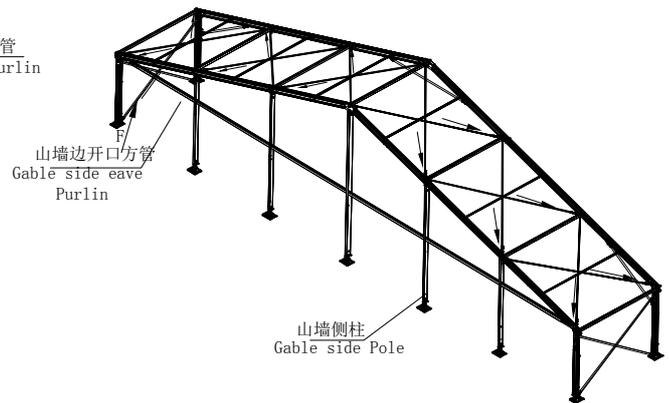
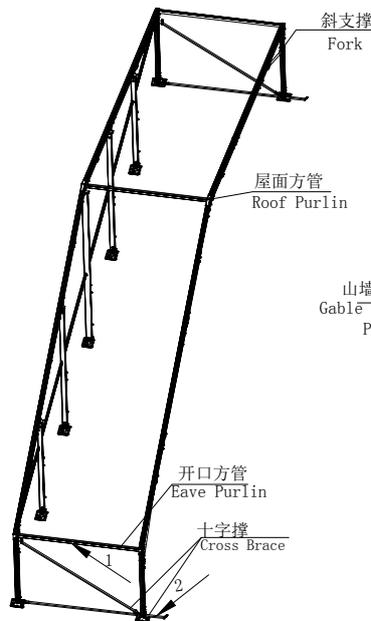
步骤三

施工说明:

1. 拉起下一组龙门架后通过挂开口方管固定龙门架,先挂两边与屋顶开口方管,注意挂方管时要先挂带弯钩那端,后用撑杆挂另一端。
2. 挂上余下的方管,如够不到方管扣位置就用保护绳来牵引调整龙门架。
3. 安装另外一条十字撑。

Step 3

1. Pull up the next truss and fix it by hanging eave purlins. Hang the tow sides and roof purlins first. Hang the end with a hook first, then hang the other end with fork.
2. Hang up the rest purlins and use the protective rope to adjust the truss if it is not reachable by the buckle.
3. install another cross brace.



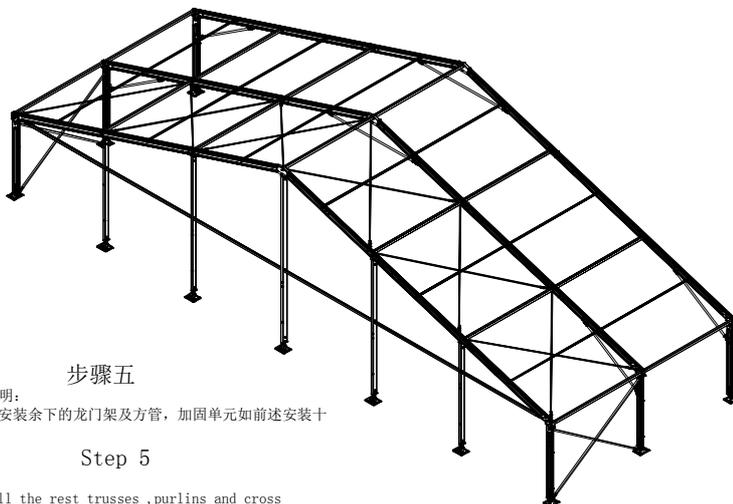
步骤四

施工说明:

1. 挂好方管后,安装屋面钢索,并调整。

Step 4

1. Install and adjust tightly the roof cable after hanging the eave purlin.



步骤五

施工说明:

1. 依次安装余下的龙门架及方管,加固单元如前述安装十字撑。

Step 5

1. install the rest trusses, purlins and cross brace as the previous instruction.

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
CONDITIONS OF APPROVAL**

**SPONSORING ORGANIZATION: Spirit Halloween
EVENT: Spirit Halloween Superstore
DATE OF EVENT: 09/01/2022 – 11/05/2022**

APPROVALS:

COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS []
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS []
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS []
ENGINEERING	YES [x]	NO []	SEE CONDITIONS []
COMMUNITY DEVELOPMENT	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

PUBLIC WORKS (619)366-4580

No involvement

POLICE DEPARTMENT

No comments

ENGINEERING

No comments

COMMUNITY SERVICES

No involvement

FINANCE

Spirit Halloween Superstores, LLC has a current business license (#09019446).
Finance/Business License has no further comments.

COMMUNITY DEVELOPMENT

Planning

No comments

Building

A Building permit will be required for the Spirit Halloween Superstore LLC, Tent, Temporary Power Pole, Generators and any other structures involved for the event. In order to properly process the Building Permit provide a clear detailed plan minimum size 30" X 24", 3 copies. The plans should include all the details for the following:

1. **Complete** plans and details for the Tent Structure
2. **ADA** - complete accessibility details
3. **Generator** - details of size and number of generators (with grounding details). Is power to be provided only by a generator? If power is to be provided by a temporary power pole a permit for the T-pole is required.
4. **Electrical** - What will the generators provide power for? Load Calcs., cable/trip protection
5. **Site Lighting**
6. **Exiting** - We need all details for exiting, including exit distances, fencing, lighting, total area in square feet of fenced areas.
7. **Mechanical** – Details for Air Conditioning and heat.
8. **Maximum total attendance (Occupants)** include all employees and staff. This will determine number of bathrooms, hand wash stations and exits
9. **Show all extinguishers on site plan**
10. **Details for Tents and Canopies** – provide Flame Retardant Certificate
11. **Special Effects if any**

Fees:

Generator	\$64
Plan Check	\$154
Temporary Service	\$64

Neighborhood Services

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

Display of banners -- Banners are allowed on site for event but must be removed immediately thereafter event completion. If you wish to place banners in any location other than on-site, you must get approval from the property/business owner where you intend to display the banner.

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above-captioned application for issuing a Temporary Use Permit. As much as the event will be held solely on private property, no additional insurance requirements are necessary for the permit issuance.

It should be noted that the applicant properly executed the Hold Harmless and Indemnification Agreement when the Special Event Application was submitted.

FIRE (619) 336-4550

\$751.00 TENT FEE

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the area to be maintained at all times, entrances and emergency roadways
- 2) Fire Department access into and through event areas are to be maintained at all times. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 14 feet
- 3) Fire Hydrants shall not be blocked or obstructed
- 4) Participants on foot are to move immediately to the sidewalk upon approach of emergency vehicle(s)
- 5) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s)

- 6) If tents or canopies are used, the following information shall apply:
- Tents having an area from 0-200 square feet shall be \$391.00
 - Tents having an area more than 201 square feet shall be \$751.00
 - Canopies having an area from 0-400 square feet shall be no charge.
 - Canopies from 401-500 square feet shall be \$391.00.
 - Canopies from 501-600 square feet shall be \$436.00.
 - Canopies from 601 square feet or greater shall be \$571.00.
 - Multiple tents and or canopies placed together equaling or greater than the above stated information shall be charged accordingly.
 - Tents shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. Fees can only be waived by the City Council.
- A ten feet separation distance must be maintained between tents and canopies. A permit from the Fire Department must be obtained
- 7) A tent shall not be located within **20** feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines. For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the temporary membrane structure, tent or canopy
- 8) Provide a minimum of 2A:10BC fire extinguishers inside tent area. Extinguisher to be mounted in a visible location between 3½'to 5' from the floor to the top of the extinguisher (*See Attached*). Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance. A sign describing location of extinguisher (*Fire Extinguisher*) shall be placed immediately above the fire extinguisher
- 9) Exit openings from tents shall remain open and identified unless covered by a flame –resistant curtain. The curtain shall comply with the following:
- Curtains shall be free sliding on a metal support. The support shall be a minimum of 80 inches above the floor level at the exit. Then curtains shall be so arranged that, when open, no part of the curtain obstructs the exit
 - Curtains shall be of a color, or colors, that contrast with the color of the tent
- 10) In public tent areas, smooth surfaced, unobstructed aisles having a minimum width of not less than 44 inches shall be provided from seating areas, and aisles shall be progressively increased in width to provide, at all points, not less than 1 foot of isles width for each 50 persons served by such aisles at the point
- 11) The arrangement of aisles shall be subject to approval by the fire code official and shall be maintained clear at all times during occupancy

- 12) All chairs used for seating inside tent shall be secured to one another using approved chair binding methods
- 13) **Exits shall be clearly marked.** Exit signs shall be installed at required exit doorways and where otherwise necessary to indicate clearly the direction of egress when the exit serves and occupant of 50 or more
- 14) Exit signs shall be **GREEN** in color and shall be of an approved self-lumination type or shall be internally or externally illuminated by luminaries supplied in the following manner:
 - Two separate circuits, one of which shall be separated from all other circuits, for occupant loads of 300 or less
- 15) Means of egress shall be illuminated with light (**Bug Eyes**) having an intensity of not less than 1 foot-candle at the floor level while the structure is occupied. Fixtures required for means of egress illumination shall be supplied from a separate circuit or source of power
- 16) Exits, aisles and passageways shall not be blocked, locked or otherwise obstructed, and shall have their minimum clear width available at all times
- 17) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only. Consult building official for requirements and inspection of electrical
- 18) Vehicles shall be isolated from contact with the tents or canopies, Vehicles shall be at least **20** feet away from tents or canopies
- 19) Every room or space, shall have the occupant load of the tent or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent. The maximum occupant load of this space shall be based on room set-up and items placed inside tents or canopies. **The maximum occupancy load shall posted by the Building or Fire Official based on room configuration.** At no time shall the owner or agent allow the posted occupant load to be exceeded. Occupant load sign shall be clearly visible at all times and maintained at all times.
- 20) Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted
- 21) Spot or effect lighting shall only be by electricity, and all combustibles construction located within 6 feet of such equipment shall be protected with approved noncombustible insulation not less than 9.25 inches thick.

- 22) There shall be a minimum clearance of at least 3 feet between the fabric envelope and all contents located inside the tent structure.
- 23) The floor surface inside tents and canopy structures and grounds outside and within a 30-foot perimeter shall be kept clear of combustible waste. Such waste shall be stored in approved containers until removed from the premises. Combustible waste shall be removed from the structure as necessary and daily to meet code.
- 24) **A fire safety inspection is to be conducted by the Fire Department prior to operations of the event**
- 25) **Please contact the National City Fire Department to arrange a time for inspection. Periodic inspections will be conducted by the Fire Department for this event**
- 26) **Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of two hundred (\$211.00) dollars.**
- 27) Fire Department fees can only be waived by City Council
- 28) **All Jumpers, Bounce Houses, Inflatables, Stage coverings etc. shall have a Certificate of State Fire Marshal flame resistance shall be provided to the National City Fire Department before the event.**
- 29) **The fence around and the tent must have Building Department approved exits.**
- 30) **Any electrical power used is to be properly grounded and approved by the Building Official. Extension cords shall be used as “temporary Wiring” only.**
- 31) **Internal combustion power sources that may be used for “Light Towers” shall be of adequate capacity to permit uninterrupted operation during normal operating hours.**
- 32) **Internal combustion power sources shall be isolated from contact with the public by either physical guards, fencing or an enclosure.**

If you have any questions please feel free to contact me.



AGENDA REPORT

Department: Community Development
Prepared by: Martin Reeder, AICP – Planning Manager, Planning Division
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Public Hearing – Conditional Use Permit Modification for the addition of live entertainment and modified operating hours at an existing public market (Market on 8th) located at 41 East 8th Street.

RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. (Community Development)

BOARD/COMMISSION PRIOR ACTION:

The Planning Commission recommended approval of the Conditional Use Permit.

EXPLANATION:

The market has an existing Conditional Use Permit (CUP), approved in 2016 for a beer tasting room (ABC Type 23 license) with operating hours of noon to 10:00 p.m. daily. The applicant is proposing to change to a Type 41 license (on-sale beer and wine – eating place) and offer live entertainment in the form of live music, DJ, and karaoke. Requested hours of alcohol sales are 6:00 a.m. to 1:00 a.m. daily with live entertainment from 8:00 a.m. to 1:00 a.m. daily (since modified by the Planning Commission). Other requested modifications include adding a bar on the rear patio, allowing alcohol consumption on the front patio, and selling craft beer and wine to go.

The Planning Commission conducted a public hearing on July 18, 2022 and voted to recommend approval of the request based on the attached findings and recommended Conditions of Approval, with modified hours of live entertainment and additional conditions related to security and the need for a noise study prior to live entertainment taking place.

The attached background report describes the proposal in detail.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Existing Facilities CCR 15301. This project qualifies for a Notice of Exemption. CCR 15374.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A -

1. Background Report
2. Recommended Findings
3. Recommended Conditions of Approval
4. Overhead
5. Applicant's Plans (Exhibit A, Case File No. 2022-18 CUP, dated 4/7/2022)
6. City Council Resolution 206-122
7. City Council Policy 707
8. Public Hearing Notice (Sent to 595 property owners & occupants)
9. Public comment
10. Census Tract & Police Beat Maps
11. PD comments
12. CEQA Notice of Exemption
13. PC Resolution 2022-16
14. Resolution

BACKGROUND REPORT

Staff Recommendation

Staff recommends approval of the request for extended alcohol sales hours, live entertainment, and other proposed modifications subject to the attached recommended conditions. The sale of alcohol and live entertainment are conditionally-allowed uses in Development Zone 4 and would be accessory to food sales at the market.

Executive Summary

The market has an existing Conditional Use Permit (CUP), approved in 2016 for a beer tasting room (ABC Type 23 license) with operating hours of noon to 10:00 p.m. daily. The applicant is proposing to change to a Type 41 license (on-sale beer and wine – eating place) and offer live entertainment in the form of live music, DJ, and karaoke. Requested hours of alcohol sales are 6:00 a.m. to 1:00 a.m. daily with live entertainment from 8:00 a.m. to 1:00 a.m. daily. Other requested modifications include adding a bar on the rear patio, allowing alcohol consumption on the front patio, and selling craft beer and wine to go.

Site Characteristics

The project site is Market on 8th, a multi-tenant food service and retail market. The market is located in the Downtown Specific Plan area. The market has 12 restaurants and two retail merchants, as well as an exterior beer garden/outdoor seating area. One of the primary tenants is Novo Brazil, a local craft beer company that has occupied the building since it opened. Novo Brazil has an ABC (California Alcoholic Beverage Control) Type 23 license (Small Beer Manufacturer), typical of craft beer establishments. Current alcohol sales hours are 12 p.m. to 10:00 p.m. daily.

Although the business opened prior to the City's Tasting Room Ordinance (adopted in 2017), it is still subject to City Council Policy 707, which regulates alcohol sales in the City. This includes the sale of beer to go, which has occurred since that time. At the time of CUP approval, the City Council waived the requirement for alcohol sales to occur with food and alcohol sales to not exceed food sales.

Proposed Use

The applicant is proposing to change to a Type 41 license (on-sale beer and wine – eating place), which will be associated with a restaurant within the market (Weapon Ramen). Novo Brazil will be leaving the market and the Type 23 license will be transferred elsewhere. The current beer bar area inside the market will remain and continue to be the location for alcohol sales. Hours are requested to be extended from 10:00 a.m. to 10:00 p.m. daily to 6:00 a.m. to 1:00 a.m. daily.

The applicant is also requesting live entertainment in the form of live music (solo entertainer or bands), DJ, and karaoke. Live entertainment hours are proposed from 8:00 a.m. to 1:00 a.m. daily.

Other requested modifications include adding a small mobile bar on the rear patio, allowing alcohol consumption on the front patio, and selling beer and wine to go. While the current craft brewery is permitted to offer beer to go (growlers) that is only through City Council Policy 707 and not through CUP conditions. The change in ABC license would necessitate this request being permitted by new conditions of approval. On and off-site beer and wine sales have previously approved at the Waterfront Grill (Pier 32 Marina).

Planning Commission Action

The Commission held a public hearing on July 18, 2022. 39 comments were provided at the hearing and read into the record, 26 in support and 13 in opposition. The Planning Commission discussed hours of operation, noise issues, and the need for security. The Commission ultimately recommended approval of the CUP modification request, with changes in live entertainment hours and the addition of conditions related to security and a noise study.

Analysis

Section 18.30.050 of the National City Land Use Code allows for on and off-site alcohol sales with an approved Conditional Use Permit (CUP). Additional requirements for alcohol CUP's include expanded notification, a community meeting, and distance requirements, although community meetings are not required for CUP modifications or live entertainment (just new applications for businesses selling alcohol). In addition, distance requirements were analyzed for the original CUP.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications, as was done in this case. 595 notices were mailed for this public hearing.

Public comment

Staff received a total of 44 comments in response to the public notice for the Planning Commission. Five were emails received prior to the Planning Commission staff report, with the remainder presented at the hearing, as mentioned above. Most comments in opposition had concerns over noise and the late hours of live entertainment. All public comments are included as Attachment 9.

Hours of Operation

The most recent CUP's for on-site alcohol consumption have had varying hours of operation (see following table). The Grill House at Big Ben, which received a CUP for on-site alcohol consumption and live entertainment in 2015, is located at the opposite corner of the same intersection. Alcohol consumption is limited until 10:00 p.m. daily. McDini's across 'A' Avenue to the east has alcohol sales until 2:00 a.m. daily.

Business	Address	CUP type	End time
Grill House at Big Ben	108 E 8 th St	Beer & Wine	10 p.m.
Denny's	1904 Sweetwater Rd	Beer & Wine	11 p.m.
Royal Mandarin	1132 E Plaza Blvd	Beer & Wine	10 p.m.
Chipotle	404 Mile of Cars Way	Beer	11 p.m.
Hooters (closed)	Westfield Plaza Bonita	Beer/Wine/Spirits	12 a.m.
Yi Sushi	1430 E Plaza Blvd	Beer & Wine	11 p.m.

Conditions of approval for alcohol sales hours reflect what the applicant has requested (6:00 a.m. to 1:00 a.m.). The applicant has stated that the large timeframe is to cover the potential for events that may occur outside normal market operating hours.

Live entertainment

As mentioned above, the applicant originally proposed live entertainment from 8:00 a.m. to 1:00 a.m. daily. There have been three CUPs in recent years that included live entertainment as follows:

Business	Address	Year	Entertainment hours
Tita's II	3421 Plaza Blvd.	2010	5 p.m. to 12 a.m. W-Sa
Big Ben Market	108 East 8 th St.	2015	12 p.m. to 10 p.m. F-Sa
			12 p.m. to 9 p.m. Su
Gerry's Grill	Westfield Plaza Bonita	2021	7:30 p.m. to 10 p.m. Th
			8:30 p.m. to 11:30 p.m.

After discussion at the Planning Commission, the following hours were proposed and were included in the approval resolution:

Live entertainment inside the building shall be permitted during the following hours:

Sunday 12:00 p.m. to 10:00 p.m.

Monday to Thursday 3:00 p.m.* to 10:00 p.m.

Friday 3:00 p.m.* to 11:30 p.m.

Saturday 12:00 p.m. to 11:30 p.m.

Live entertainment outside the building shall be permitted during the following hours.

Sunday 12:00 p.m. to 8:00 p.m.

Monday to Thursday 3:00 p.m.* to 8:00 p.m.

Friday 3:00 p.m.* to 9:00 p.m.

Saturday 12:00 p.m. to 9:00 p.m.

* On days when Integrity Charter School is not in session, live entertainment may begin at 12:00 p.m.

Conditions have been included to require compliance with noise limitations contained in Title 12 (Noise) of the Municipal Code. Conditions also include requiring doors and windows to remain closed after 9:00 p.m. during live entertainment activities. The Planning Commission added a condition (No. 18) requiring a noise study prior to any live entertainment activities.

Required findings

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

Alcohol sales and live entertainment are allowable within Development Zone 4 of the Downtown Specific Plan, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales and live entertainment are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant accessory beer sales is also a use that is consistent with Development Zone 4 of the Downtown Specific Plan, which allows such uses.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use is existing and is accessory to the restaurant and public market, which is located in an existing commercial area. The building is existing and has ten on-street parking spaces adjacent to the property, as well as access to several nearby parking areas. Live entertainment would occur within the existing building.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The sale and consumption of beer and wine would continue to be a small part of the overall public market use, with the alcohol serving area only 10% of the total floor area of the whole property. Alcohol consumption would be monitored by staff of the public market. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available. Furthermore, live entertainment will be limited to appropriate hours and to maximum noise standards to avoid impacts to nearby residential uses.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act.

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as the current uses and the density of which were analyzed as part of the Downtown Specific Plan.

7. That the proposed use is deemed essential and desirable to the public convenience or necessity.

Alcohol sales have contributed to the viability of the public market, an allowed use in Development Zone 4 of the Downtown Specific Plan. The existing tasting room has been a draw for area and non-area residents alike and has further activated the downtown core,

consistent with the spirit and intent of the Downtown Specific Plan. The addition of live entertainment is expected to add to the success of the market and the enjoyment of its patrons.

Department and Agency Comments

Alcohol Sales Concentration/Location – Per ABC, there are currently four on-sale permits issued in the subject census tract (118.01). These permits are:

Name	Address	License Type*	CUP
Oriental Café	39 East 7 th Street	41	-
McDini's	105 East 8 th Street	47	-
Napoleone's Pizza House	619 National City Blvd.	41	Y
Market on 8 th	41 East 8 th Street	23	Y

- * Type 41 – On-Sale Beer and Wine
- Type 47 – On-Sale General
- Type 23 – Small Beer Manufacturer

Of the four licenses, two are restaurants, one a bar that also offers food, and the applicant's business. The subject use is consistent with other on-sale businesses, all of which are consistent with the Downtown Specific Plan.

Census tract 118.01 includes the area between Division Street and East 8th Street, and between National City Blvd. and Highland Avenue. The attached census tract map shows the location of the subject tract. ABC recommends a total of four off-sale alcohol permits be issued in this census tract, where four exist.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 14 points, which places it in the Medium Risk category. Medium risk is considered 13 to 18 points. PD comments are included as Attachment 8.

Institute for Public Strategies (IPS)

No comments were received from IPS as of the writing of this report, although they usually recommend at least the need for Responsible Beverage Sales and Service (RBSS) training for all staff. This is a previous condition of approval and would continue to be attached to this CUP.

Conditions of Approval

The previous approval resolution contained standard Conditions of Approval, as well as conditions specific to on-sale alcohol sales per Council policy 707 (hours of operation, employee training, accessory sales, etc.). For the previous approval, City Council waived two conditions related to alcohol sales only with food and alcohol sales not to exceed food sales. All previous conditions, unless modified by a subsequent approval would continue to be in effect. There are also conditions related to live entertainment hours and noise abatement, as discussed above.

Because the applicant is proposing to offer craft beer and wine to go, conditions from City Council Policy 707 related to off-sale alcohol are included. The hours in particular are limited in order to maintain the market-like nature of the business. The “to-go” products would primarily be bottles of craft beer and potentially bottles of wine. Craft beer bottles are typically 22-ounces in size, which is in conflict with the Council Policy, which prohibits the sale of beer in certain quantities:

1. *The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.*

The applicant is requesting the waiver of this condition (No. 11 in attached recommended conditions), which may only be granted by the City Council. The Planning Commission was favorable to the waiver request. The waiver request necessitates a second public hearing, hence the hearing tonight rather than the normal Notice of Decision.

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption and live entertainment both being conditionally-allowed uses in Development Zone 4 of the Downtown Specific Plan. The alcohol sales use would continue to be accessory to the existing public market in an established commercial area. The addition of live entertainment, will also be accessory to the market use. The inclusion of conditions requiring compliance with noise standards and operating hours is intended to alleviate concerns related to area impacts. A Notice of the Planning Commission’s decision will be sent to City Council for final action.

Options

1. Approve 2022-18 CUP subject to the conditions listed within, based on the attached findings, with a recommendation to the City Council that Condition of Approval No. 10 be waived; or
2. Approve 2022-18 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
3. Deny 2022-18 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
4. Continue the item to a specific date in order to obtain additional information.

RECOMMENDED FINDINGS FOR APPROVAL

2022-18 CUP – Market on 8th

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales and live entertainment are allowable within Development Zone 4 of the Downtown Specific Plan, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales and live entertainment are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant accessory beer sales is also a use that is consistent with Development Zone 4 of the Downtown Specific Plan, which allows such uses.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed use is existing and is accessory to the restaurant and public market, which is located in an existing commercial area. The building is existing and has ten on-street parking spaces adjacent to the property, as well as access to several nearby parking areas. Live entertainment would occur within the existing building.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the sale and consumption of beer and wine would continue to be a small part of the overall public market use, with the alcohol serving area only 10% of the total floor area of the whole property. Alcohol consumption would be monitored by staff of the public market. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available. Furthermore, live entertainment will be limited to appropriate hours and to maximum noise standards to avoid impacts to nearby residential uses.

ATTACHMENT 2

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act and is not considered a project,
7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as the current uses and the density of which were analyzed as part of the Downtown Specific Plan.
8. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales have contributed to the viability of the public market, an allowed use in Development Zone 4 of the Downtown Specific Plan. The existing tasting room has been a draw for area and non-area residents alike and has further activated the downtown core, consistent with the spirit and intent of the Downtown Specific Plan. The addition of live entertainment is expected to add to the success of the market and the enjoyment of its patrons.

RECOMMENDED FINDING FOR DENIAL

2022-18 CUP – Market on 8th

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because extension of the hours that alcohol is served, in addition to live entertainment, may increase the propensity for over-consumption of alcohol and increase the potential for impacts to the surrounding area.

RECOMMENDED CONDITIONS OF APPROVAL

2022-18 CUP – Market on 8th

General

1. This Conditional Use Permit authorizes the extension of alcohol sales hours (as stated in Condition No. 9 below), the addition of live entertainment (subject to the hours stated in Condition No. 15 below), a mobile bar in the back patio, off-site alcohol sales (subject to the hours stated in Condition No. 10 below), and consumption of alcohol in the front patio at an existing public market located at 41 East 8th Street. Any plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-18 CUP, dated 4/7/2022.
2. Unless specifically modified by this resolution, all Conditions of Approval of City Council Resolution 2016-122 shall remain in full force and effect.
3. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

7. No change in alcohol sales and consumption practices shall be permitted without receiving a Type 41 license from the California Department of Alcoholic Beverage Control (ABC).

ATTACHMENT 3

8. The Type 41 ABC license shall not be considered in effect until the Type 23 ABC license has been surrendered or transferred to a different location.
9. The sale of alcoholic beverages for on-site consumption shall only be permitted between the hours of 6:00 a.m. and 1:00 a.m. daily.
10. The sale of alcoholic beverages for off-site consumption shall only be permitted between the hours of 12:00 p.m. and 10:00 p.m. daily.
11. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
12. No sale of wine shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
13. Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.
14. Live entertainment shall be conducted as an accessory use to the public market for the enjoyment of its patrons. No concerts or specific live entertainment events shall be permitted.
15. Live entertainment inside the building shall be permitted during the following hours:
 - Sunday 12:00 p.m. to 10:00 p.m.
 - Monday to Thursday 3:00 p.m.* to 10:00 p.m.
 - Friday 3:00 p.m.* to 11:30 p.m.
 - Saturday 12:00 p.m. to 11:30 p.m.
16. Live entertainment outside the building shall be permitted during the following hours.
 - Sunday 12:00 p.m. to 8:00 p.m.
 - Monday to Thursday 3:00 p.m.* to 8:00 p.m.
 - Friday 3:00 p.m.* to 9:00 p.m.
 - Saturday 12:00 p.m. to 9:00 p.m.

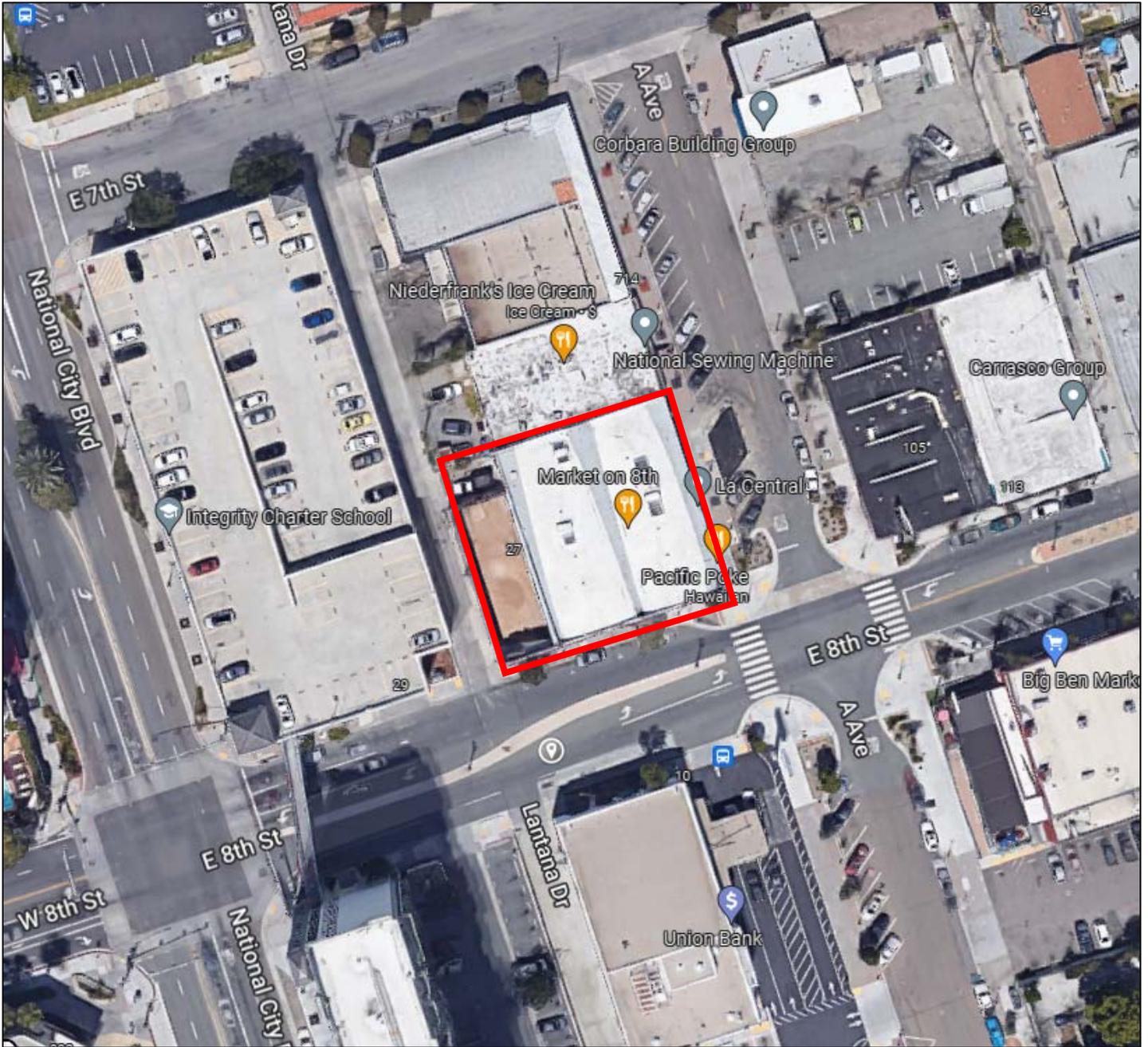
* On days when Integrity Charter School is not in session, live entertainment may begin at 12:00 p.m.
17. A licensed security guard shall be on site during all live music performances.

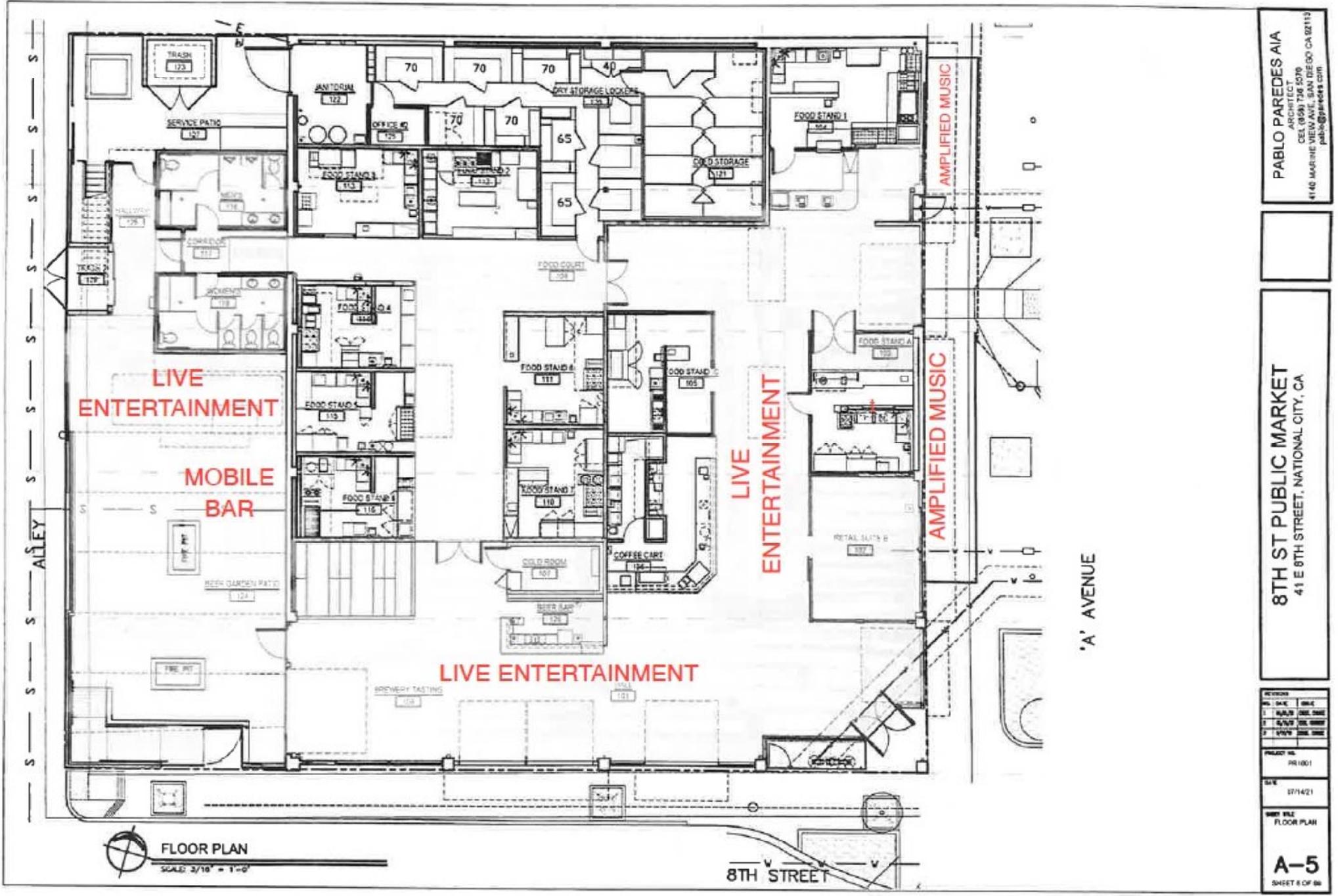
18. A sound study shall be commissioned by the applicant to ensure that live entertainment complies with Title 12 of the National City Municipal Code (Noise). Results shall be provided to the Community Development Department and verified prior to any live entertainment being offered.
19. All activities shall comply with the limits contained in Table III of Title 12 (Noise) of the National City Municipal Code.
20. All entry and exit doors, including windows, shall remain closed after 9:00 p.m. during inside live entertainment activities.
21. Speakers located on the patio along 'A' Avenue shall be turned off no later than 9:00 p.m. daily
22. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.

Police

23. The permittee shall comply with all applicable laws, including, but not limited to all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

2022-18 CUP – Market on 8th – Overhead





PABLO PAREDES AIA
 ARCHITECT
 CEJ (858) 736 5076
 4140 MARINE VIEW AVE., SAN DIEGO CA 92119
 pablo@pabloparades.com

8TH ST PUBLIC MARKET
 41 E 8TH STREET, NATIONAL CITY, CA

REVISION	NO.	DATE	BY
1	ADD	08/14/21	PK
2	ADD	08/14/21	PK
3	ADD	08/14/21	PK
PROJECT NO. PR1001			
DATE 07/14/21			
SHEET FILE FLOOR PLAN			
A-5			
SHEET 6 OF 66			

RESOLUTION NO. 2016 – 122

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING A CONDITIONAL USE PERMIT FOR A CRAFT BEER
TASTING ROOM (NOVO BRAZIL) AT 27 AND 41 EAST 8TH STREET

WHEREAS, the City Council considered a Conditional Use Permit (CUP) for a craft beer tasting room (Novo Brazil) at 27 and 41 East 8th Street at a duly advertised public hearing held on August 2, 2016, at which time the City Council considered evidence; and

WHEREAS, at said public hearing, the City Council considered the staff report provided for Case File No. 2016-12 CUP, which is maintained by the City and incorporated herein by reference, along with any other evidence presented at said hearing; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law, and is found to be essential for the preservation of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of National City that the evidence presented to the City Council at the public hearing held on August 2, 2016, support the following findings:

FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit, and complies with all other applicable provisions of the Land Use Code because the use is allowable within Development Zone 4 of the Downtown Specific Plan as a retail use pursuant to a Conditional Use Permit, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A public market with accessory beer sales is a use that is consistent with Development Zone 4 of the Downtown Specific Plan, which allows retail uses.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity because no expansion of the building is proposed. The proposal involves the interior construction of a public market space, which is consistent with other commercial businesses in the area. Development of the area was analyzed for traffic impacts as part of the Downtown Specific Plan, which envisioned significant density in this area. The sale of alcohol would be accessory to the sale of other products in the market, which would not create traffic issues above and beyond what was expected as part of the development of downtown. Access to and from the site is provided by East 8th Street, an arterial street operating at a Level of Service (LOS) of "C". East 8th Street in this location is operating at half of its capacity. In addition, the sale of alcohol is not expected to result in an increase in Average Daily Trips (ADT) such that the LOS would be affected, particularly as the area devoted to alcohol sales is only a small part of the overall public market.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints because the proposed use would be accessory to the public market that will be located in an existing

commercial area. The building is existing and has ten (10) on-street parking spaces adjacent to the property, as well as access to several nearby parking areas.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located because the sale and consumption of beer would be a small part of the overall public market use, alcohol consumption would be monitored by staff of the tasting room and public market, and the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as non-conditionally allowed uses (commercial and retail enterprises).

7. That the proposed use is deemed essential and desirable to the public convenience or necessity because alcohol sales will contribute to the viability of a public market, an allowed use in Development Zone 4 of the Downtown Specific Plan. The tasting room as part of the market would be a draw for area and non-area residents alike. It would also help to further activate the downtown core, consistent with the spirit and intent of the Downtown Specific Plan.

8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes a beer tasting room at a proposed market to be located at 27 and/or 41 East 8th Street, including sales of sealed containers (commonly known as growlers) for off-site consumption (per ABC Type 23 license regulations). Only beer produced by the master licensee under a Type 23 (small beer manufacturer) license may be sold and/or consumed at this location. The serving and consumption of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit "A", Case File No. 2016-12 CUP, dated June 7, 2016.

2. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.

3. This permit shall expire if the use authorized by this Resolution is discontinued for a period of 12 months or longer. This permit may also be revoked pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.

4. This Conditional Use Permit may be revoked if the operator is found to be in violation of the Conditions of Approval.

5. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form provided by the Planning Department acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Deputy City Manager that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.

Planning

6. Alcohol sales shall be limited to the hours of 12:00 p.m. to 10:00 p.m., daily.

7. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a City business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

8. Alcohol shall be available only in conjunction with the availability of food on the premises.

9. The consumption of alcoholic beverages is prohibited outside of the building, with the exception of the outdoor enclosed patio seating area. The permittee shall post signs, to be approved by the Planning Department, at the entrances and exits to the building prohibiting consumption of alcohol beyond those points. Said signs shall not be less than 17 by 22 inches (17" x 22") in size, with lettering not less than one inch (1") in height. The signs shall read as follows:

- a. "No consumption of alcohol is allowed beyond this point."
- b. "No open alcoholic beverage containers are allowed beyond this point."

10. All activities shall abide by the limitations contained in Table III of Title 12 (Noise) of the National City Municipal Code.

11. All activities involving the sale of food from a food truck or similar apparatus shall be consistent with Chapter 9.06 (Food Vending Vehicles) of the National City Municipal Code.

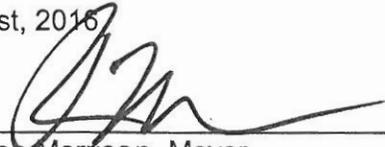
12. The proposed alcohol sales, service, and consumption shall abide by all applicable rules and regulations as stated by the California Department of Alcoholic Beverage Control (ABC). In the case where any of these conditions violate any laws, rules, or regulations administered by ABC, the laws, rules, or regulations shall govern.

Police

13. Permittee shall comply with all regulatory provisions of the Business and Professions Code that pertain to the sale, serving, and consumption of alcoholic beverages.

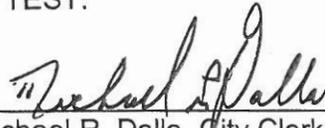
BE IT FURTHER RESOLVED that this Resolution shall become effective, final, and conclusive on the day following the City Council meeting where this Resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedures Section 1094.6.

PASSED and ADOPTED this 16th day of August, 2016



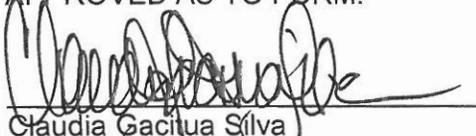
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Claudia Gacitua Silva
City Attorney

Passed and adopted by the Council of the City of National City, California, on August 16, 2016 by the following vote, to-wit:

Ayes: Councilmembers Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2016-122 of the City of National City, California, passed and adopted by the Council of said City on August 16, 2016.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

CITY COUNCIL POLICY

TITLE: Alcohol Beverage License Application Review Process
and Alcohol Conditional Use Permit Standards

POLICY
NUMBER 707

ADOPTED: November 12, 1991

AMENDED OR

REVISED:

December 19, 2017

Page 1 of 5

PURPOSE/BACKGROUND:

To streamline the process of alcohol license application review to ensure timely staff responses and/or protests to the Department of Alcoholic Beverage Control regarding these applications.

The City Municipal Code requires Conditional Use Permits for the sale of alcohol. Such land use regulation is designed to ensure that the health, safety and welfare of the community does not become negatively impacted. In order to minimize any potential adverse effects of alcohol sales for both on and off-site consumption, including public drunkenness, disorderly conduct, illegal sales or domestic violence, the City adopts conditions of approvals and enact policies designed to protect the public from such effects. The following sets forth the City Council's policy on the applicable alcohol standards for Conditional Use Permit applications for both on and off-sale alcohol sales, as well as the Department of Alcoholic Beverage Control application notification requirements.

POLICY:

The Department of Alcoholic Beverage Control (ABC) sends copies of all alcoholic beverage license applications to the Police Department. The City has thirty days from the date of the ABC mailing to provide comments to the ABC. If no protests are received within that time period, the ABC issues the license.

The Police Department is responsible for ensuring that an appropriate Conditional Use Permit (CUP) exists for the applicant business. If such a CUP exists, the copy of the application is simply filed by the Police Department in the existing file with the notation that there were no objections to the issuance of the license. If it is a new (in the case of an "original" license application) or expanding business or one seeking a license to effect a premises transfer, and no CUP exists, the Police Department is responsible for sending a letter to the ABC protesting the issuance of the license until a CUP is issued by the City.

Whenever such a protest letter is sent to the ABC, that agency notifies the applicant that they must begin the process of obtaining a CUP with the City's Planning Division and that the issuance of the alcoholic beverage license will be delayed until such time as the protest is withdrawn.

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Once a CUP has been issued, the Planning Division notifies the Police Department of that issuance and it is then the responsibility of the Police Department to notify the ABC that the protest is withdrawn.

The CUP application, approval and issuance process is such that it provides all the checks, balances and controls necessary to ensure that businesses seeking alcoholic beverage licenses are in compliance with local standards.

These conditions of approval shall apply to all new Conditional Use Permits (CUPs) for the sale of alcohol for on and/or off-site consumption and modifications of existing CUPs for such sales as specified by the preceding parenthetical references with each condition. These references specify to which type of alcohol CUP being applied for the conditions would apply to – on-sale (restaurant, bar, etc) or off-sale (market, grocery store, etc). Regulation of these conditions and allowances shall be enforced through the Conditional Use Permit process, specifically conditions of approval to read as follows:

1. **(off-sale alcohol)** The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
2. **(off-sale alcohol)** No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
3. **(off-sale alcohol)** No sale of wine shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
4. **(off-sale alcohol)** Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.
5. **(off-sale alcohol)** The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
6. **(off-sale alcohol)** All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.

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7. **(off-sale alcohol)** Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
8. **(off-sale alcohol)** The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit ____, Case File No. ____, dated ____.
9. **(off-sale alcohol)** Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Division, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
 - a. "No open alcoholic beverage containers are allowed on these premises."
 - b. "No loitering is allowed."
10. **(off-sale alcohol)** Containers of alcohol may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
11. **(off-sale alcohol)** Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
12. **(off-sale alcohol)** The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
13. **(on and off-sale alcohol)** All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part -

CITY COUNCIL POLICY

TITLE: Alcohol Beverage License Application Review Process
and Alcohol Conditional Use Permit Standards

POLICY
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ADOPTED: November 12, 1991

AMENDED OR
REVISED: December 19, 2017

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- of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

14. **(on-sale alcohol)** The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgment to verify that the sale of alcohol does not exceed the sale of food. All information obtained by an investigation of records shall remain confidential.
15. **(on-sale alcohol)** Alcohol shall be available only in conjunction with the purchase of food.
16. **(on-sale alcohol with patio)** Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.
17. **(brewery tasting rooms)** The requirements that alcohol be available only with the purchase of food and that alcohol sales not exceed food sales shall not apply to tasting rooms.
18. **(brewery tasting rooms)** Sales of sealed containers (commonly known as growlers) for off-site consumption of the beer produced by the master licensee may be sold and/or consumed at this location.
19. **(brewery tasting rooms)** Hours of operation of tasting rooms shall be limited to between 10:00 a.m. to 10:00 p.m. with last call being at 9:00 p.m.
20. **(brewery tasting rooms)** With the submittal of a business license for a tasting room, the Police Department shall provide an ABC Risk Assessment for each business applicant that indicates whether the business is considered a low, medium, or high risk. In the event that a risk assessment for the business allocates more than 15 points, no business license shall be issued without the issuance of a Conditional Use Permit.

CITY COUNCIL POLICY

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and Alcohol Conditional Use Permit Standards

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REVISED: December 19, 2017

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The sale of three-packs of 24-oz cans of beer shall apply retroactively to all existing off-sale CUPs where a condition exists limiting sales to no less than six-pack quantities. However, business wishing to avail themselves of this modification must conform with all regulations of the Department of Alcoholic Beverage Control (ABC).

The Council may, at its sole discretion, choose to waive or modify any of the above conditions.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of National City will hold a Public Hearing after the hour of 6:00 p.m., **Tuesday, August 16, 2022**, in the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider:

**CONDITIONAL USE PERMIT MODIFICATION FOR THE ADDITION OF
LIVE ENTERTAINMENT AND MODIFIED HOURS OF OPERATION
AT AN EXISTING PUBLIC MARKET (MARKET ON 8TH)
LOCATED AT 41 EAST 8TH STREET.**

The Planning Commission conducted a Public Hearing at their meeting of July 18, 2022 and voted to recommend approval to the City Council of the Conditional Use Permit modification, by a vote of 4 to 1.

Anyone interested in this matter may appear at the above time and place and be heard. The City Council will also accept written public comments regarding this matter via e-mail sent to clerk@nationalcityca.gov. Written comments from the public (limited to a maximum of three minutes) must be submitted via e-mail by 4:00 p.m. on the day of the City Council Meeting. For information on registering to speak or on submitting written comments, please visit the City Clerk's webpage at <https://www.nationalcityca.gov/government/city-clerk/public-comments>.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice via e-mail, or through written correspondence delivered to the undersigned prior to the Public Hearing.

August 2, 2022
Shelley Chapel, Deputy City Clerk
Published in the Star News: Friday, August 5, 2022.

ATTACHMENT 8

Martin Reeder

From: Sandra McColl <nca1smccoll@hotmail.com>
Sent: Tuesday, July 12, 2022 8:35 AM
To: Planning
Subject: Re public hearing " market in the 8th"

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear planning ,

Regarding opening until 1 am with live music - I am against . 10 pm seems a reasonable time to close , also against selling alcoholic drinks to go until late in the night - this only will promote drunk driving , disorderly conduct , accidents . Please keep things as it is . It seems that when you allow something that before was not allowed , they want more and more and more (you give your hand and they want the whole arm) let's keep our families safe and in peace . Thank you
Sandra McColl and Bill McColl Sent from my iPhone

Martin Reeder

From: Bill McColl <bill@silviamccoll.com>
Sent: Wednesday, July 13, 2022 12:26 PM
To: Planning
Subject: Conditional Use Permit - Public Market - 41 East 8th

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear City of National City,

We are opposed to allowing the sale of liquor to go from the Public Market during the evening hours. Allowing the vendor to sell "to go" liquor in the day seems acceptable, but to allow "to Go" liquor from a party atmosphere (night time, music, bar) is a recipe for trouble. To extend operating hours to 1am on a weekend also seems reasonable, but to allow those extended hours on a nightly basis will attract an unhealthy party crowd. Lots of us in National City work in construction and in hospitality. We are up early. Let's keep the noise down in our neighborhood for those who work and especially for our children.

Thank you for the opportunity to comment.

Bill and Sandra McColl
619 559 -8395

Martin Reeder

From: David Ruffin <tempts1957@gmail.com>
Sent: Wednesday, July 13, 2022 10:58 PM
To: Planning
Subject: Public Market on 8th CUP file 2022-18 CUP

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We are residents within the area of 7th and A street, responding to a letter concerning Market on 8th conditional use modification request. I am also a co-owner of property within the 600 block of "A" Avenue with 4 rentals.

We are absolutely OPPOSED to any live entertainment at this location for these reasons:

1. Markets do NOT offer live entertainment nor do any other retail markets offer this within the city. If it was, every 7-11 in National City would be offering free karaoke with any Jumbo Slurpee purchase.
 2. The "Market" does not have a permit for a tasting room. The tenant there, NOVO BRAZIL holds the actual type 23 alcoholic license issued by the CA Department of Alcoholic Beverage Control (ABC). MARKET on 8th is NOT on the ABC permit, it does NOT hold a liquor license .
The Market has nothing to do with the ABC license other than common stock holders names listed. (Licensee information for ABC license #612592)
A retail market, typically holders on an "off sale" ABC permit cannot serve alcohol on premise. Market on 8th has neither for "on sale" or "off sale" ABC permits.
 3. Neither Market on 8th nor the ACTUAL type 23 license holder, Novo Brazil have submitted ANY CHANGES or REQUESTS TO MODIFY they're type 23 small beer mfr license as of today's date, according to updated ABC information for this 27-47 East 8th business address.
Planning indicates "applicant is proposing to change to a type 41 license"., etc.
Under state ABC law, a type 41 beer license CANNOT be considered nor approved due to multiple ABC regulations, among them, the PUBLIC CHARTER SCHOOL located 19'.2" from 27 East 8th Street (Novo outdoor patio) the area aside school indoor playground/recess area among other regulations including proximity of residences affected by Novo's use of off street parking, absence of a full kitchen serving full meals at Novo and (predictably) impending public protests to the license change.
It is interesting to note that Novo/Market did not have to follow normal NCMC codes (section 18) to open as a beer bar under the guise of a mini-brewery, however, now they seek to use that "secret" advantage to acquire live entertainment and dancing.
Oddly, to our understanding, NCPD, City Manager Ralston and current council members have recently been adverse to the idea of Live Entertainment and Dancing within that same block having taken adamant steps to prevent just that just, only a few steps away at an established ABC venue with ample parking accommodations and full kitchen facilities.
- On the surface, this CUP modification request appears to be little more than a poorly disguised attempt by either: CITY of National City or Market on 8th ownership (or all three) to "award" licensee Novo Brazil with live entertainment, live music, DJ's, Karaoke with live audience participation and (though not listed on City's Notice), dancing, implying the more "docile" Market is the actual party seeking to gain live entertainment when in reality, it is the unmentioned Bar (Novo) who would most benefit from this approved condition strategy.

The word "proposed" used in the CUP mod language is nothing more than a semantic tactic inserted to persuade or "fool" area residents into thinking the type 41 ABC license request has already been set into motion,.....*when, in fact, it HAS NOT BEEN!

4. There are conflicts with the 2016 Market on 8th resolution 2016-122

The parking requirements for an 11,000 sq ft retail bldg with at least 11 different tenants currently does not allow for additional vehicle traffic. When Market applied for 2016 CUP, there were either 3 or fewer leased tenants, had there been 11 as there presently, the CUP would have likely been denied for a type 23 beer bar or any alcohol serving venue.

There are 19 parking spots within adjacent "A" Ave, 2 at front of 41 East 8th, one green zone, one handicapped space and ten more spots on East 7th between 8th St alley and "A" Avenue

ALL shared with LONGTIME established businesses, 4 of whom have NO private lots

Newer retail-tenant Container Store serves 250-400 retail customers daily at 706 "A" occupying much of the parking within "A" Avenue and 7th Street from the rear with new hours 9A -10PM weekends when Novo appears busiest. Neiderfranks Ice Cream and Vee Auto Parts are open 7 days with limited off street parking shared with Container store AND Market.

Findings for approval (#3 on 2016 CUP) indicated (alcohol sales at Market), "would not create traffic issues above and beyond what is expected as part of the development of downtown".

The key here is neighboring (and smaller) cities (La Mesa, Imperial Beach, El Cajon) have city owned or managed public parking lots to accommodate multiple vehicles. National City does not have that "luxury" with no known plans to offer or construct a parking structure to offset that growing parking nuisance, leaving patrons to trespass onto other privately owned lots, block residential driveways and alleyways while creating contentions that are becoming increasingly violent and dangerous for law enforcement, resulting in multiple calls for service at 27-41 East 8th Street area. No increased parking solutions, noise title violation solutions or potential ABC licensee conditions have been listed on the CUP modification, as this entire presentation is a self serving attempt to fool the area residents of National City.

Summary: (What this all means)

Most everyone within 660' of Novo/Market on 8th never took the food court rental concept seriously, and conditions have changed now with 11 food court tenants and a beer bar (Novo), no realistic parking solution, something neighboring merchants can do little about.(Our mistake)

If the "proposed" hour changes and entertainment were approved, it would cause a potential legal situation bordering on public nuisance, with city's "dirty hands" all over this.

There exists a question of ethics as the notice' language contains glaring inaccuracies blatantly presented to unsuspecting area residents without full knowledge of ABC law and this situation as it is being offered in black and white, the word "fraudulently" comes to mind.

*There is no plan to upgrade into a type 41, if there is, please demand the applicant present that as evidence of they're intentions at the July 18, 2022 hearing for all to view., if they lied, REJECT the proposal as to what it is, futile attempts at some odd favoritism to a Market WITH NO LIQUOR LICENSE on file with the state ABC.)

Conclusion

If the actual ABC licensee wishes to apply for live entertainment, they must first develop and present a CLEAR plan for increased private parking to accommodate additional patrons from "6AM until 1AM" or during whatever serving times they seek. There is no mention of that on request.

Predictable CUP conditions like "ALL DOORS MUST STAY CLOSED WHILE MUSIC PRESENT", WINDOWS MUST BE CLOSED, (all presumingly from 6A - 1A) must stay and are aside from this.

Market/Novo has already shown they cannot be entrusted to follow those exact simple 2016 CUP conditions as they have already demonstrated by at least (8) calls for service to NCPD for ABC condition violations and (5) Problem Location complaints filed with the state ABC enforcement division for violations of the Novo ABC license conditions that may already be under accusation stages of enforcement.

There is NO PLAN HERE, only a PLOT to add entertainment to an existing mini-brewery (Market?) that would inevitably be public protested and most likely DENIED by the state.

Both the Market on 8th and Novo Brazil will be fine the way they are now with the area peaceful and quiet, despite the lack of parking and PD enforcement.

We would like to keep it the way it is.

Save us National City residents from the problems this modification approval would surely invoke.

DO what is correct.

DENY THIS REQUEST ON MONDAY JULY 18th, 2022

David D. Ruffin
Resident

To Planning Department:

07-14-2022

We operate Vee Parts & Accessories at 704 A Avenue. It would be a grand mistake to allow live entertainment at The Market on 8th/Novo Brazil for any reason. There is absolutely no parking for anyone anymore. We have lost 50% of our walk in business due to the lack of public parking, that is part 1. Many of those market visitors, food pick-up services and delivery trucks invade the Mc Dini's parking lot. Mr. Adler asks us to maintain voluntary vigil out there. If we ask persons to leave they get disrespectful or violent to the point of confrontational and potentially deadly. We will be opening later in the evenings and weekends to compensate the lack of business. There is NO room for extra cars, visitors, music or what this brings unless the City buys the parking structure/school at 8th & National City BLVD. or constructs a public parking BLDG. for all to use. DO NOT ALLOW THIS MODIFICATION TO OCCUR!

Pablo Evans, owner

619-477-4787

Martin Reeder

From: Magda Vera <magdavera74@yahoo.com>
Sent: Thursday, July 14, 2022 12:30 PM
To: Planning
Subject: Type 41 license for 8th Street Marketplace

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Vergara,

I'm a resident at Bay View Tower on 801 National City Blvd in this city. You're receiving this email in response to the letter saying the market mentioned above has a proposal to change its CUP.

I would like to express my disagreement about it. Having loud music, crazy drivers, and extra noise on Friday night until 10, it's a kind tolerable. It would not be until 1:00 a.m.

Please, consider my personal point of view.

Best regards,

A resident of

801 National City Blvd

Sent from my iPhone

National City Planning Division
1243 National City Blvd.
National City, CA 91950
7/12/2022

Mr Armando Vergara
Director of Community
Development.

Dear Armando:

My name is Jesus Rojas, I live at 801 National City Blvd unit 801 right across the 8th street public market located at 41 East 8th street.

I own my apartment since September 2008.

I'd like to bring to your attention and comment about the modification they are trying to change, case file NO. 2022-18 CUP.

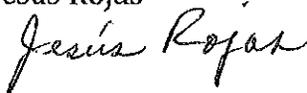
I strongly object to these changes for the following reasons:

- a) They are adjacent to a children's school.
- b) The noise will be unbearable for us neighbors as they plan to have music until 1:00 a.m. Presently we can hear all the noise and conversations people are having in the back patio, you can just imagine how worse it would be by having Karaoke. We would be unable to sleep.
- c) There are already five places within our block that are selling alcohol:
- d) Big Ben Market
- e) Hero's restaurant
- f) Ramada Hotel
- g) Market on 8th street
- h) Mc Dini's Restaurant

Thanking you for your attention to this Matter, and your great job you have been doing. I know we can trust you will be making your best decision

Regards,

Jesus Rojas



City of National City Planning Department

City of National City Planning Commission

1243 National City Blvd

National City, CA 91950

I represent interests of Legendary McDini's located at 105 East 8th Street at the corner of 8th & "A" Street's, directly across from Market on 8th.

The letter sent to property ownership regarding Markets' proposal is a **No-Win situation** for area merchants, area residents and school-age children/faculty and parents of Integrity Charter School just across the alley from Market on 8th.

City has unwittingly (or unpredictably) created a public nuisance predicated upon the complete lack of available parking, parking enforcement and simply put, nowhere for visitors to the emerging Downtown area to park.

McDini's has taken the brunt of this issue since at least February of this year.

We are presently dealing with the Market vendor customers, most of whom seem to feel they have an entitlement to parking at McDini's 7000 ft lot despite our efforts, signage and traffic cones to divert them.

We have watched them on camera as they arrive, disembark in our lot, walk towards Market on 8th while completely ignoring our requests to leave or move vehicles out when confronted.

We have called NCPD non-emergency on multiple occasions to report Market patrons blocking the McDini's parking lot entrance, city crews came out in April to "red zone" portion of "A" Avenue aside from entry to parking lot, however, both enforcement and additional signage to illustrate monetary fines for red zone parking remain absent from view.

We have had at least (5) vehicles towed for illegally parking within our lot, most recently, a potential incident erupted between McD's ownership and an intoxicated Novo Brazil/Market patron within our lot, fortunately that person was persuaded by a female companion to leave the area,

later, however returning later to inscribe obscenities into the windshield of our delivery truck within our parking lot that evening. (photo)

The litter situation, while tolerable (bottles, "shot" bottles, food, feces) however, is NOT our responsibility to clean up, further, there has been zero cooperation from any Market on 8th owners or managers to assume responsibility to do so.

Area residents have reached out to us for our assistance in these endeavors.

We called NCPD several times for noise issues stemming from open doors and windows at Market on 8th, karaoke within the Pizza vendor at 7th Avenue entrance and public walkways taken over by motorcycle clubs.

There is ZERO security at Market on 8th.

Additionally, we have noticed recent reemergence of females soliciting loitering male Market/Novo patrons within 7th Street area across from McD's.

Interestingly, it continues apparently unrestrained, harming the peaceful enjoyment of area residents and merchants within earshot, (two of our tenants included who have also reached out to us for help in this).

On the occasions we attempted calling Market or Novo Brazil Bar to advise clientele to remove the trespassing vehicles, there was no direct line to communicate, instead, messages go to a bar in Otay Ranch area.

Since at least Feb 2022, the employee's and vendor lessee's at Market consistently loiter in clusters at front of McDinis or within OUR parking lot while drinking alcoholic beverages (Kombucha Beer and liquor) while many appear to be smoking marijuana daily within **OUR** property area.

State and muni codes require McDini's to post outdoor signs to avert drinking activity, those signs prominently posted in accordance to codes.

Market employee's, vendors and patrons appear to assume that activity is permissible within our side, **including loitering** on city sidewalks.

Their food delivery service and wholesale delivery drivers have also, sadly taken the assumption they can enter McDini's parking area or block entire entrance for long periods of time without consequences.

It remains presently an out of control situation that remains unaddressed.

If Market was to have ANY additional hours or privileges such as live entertainment, etc, it will intensify the problems here to the point of violence, one can see it approaching very steadily for reasons already stated.

If the problem with the parking/trespassing at McDini's and surrounding area intensifies, the fault points directly at City of National City for allowing it to increase.

The most practical solution at this time is to DENY MODIFICATION PROPOSAL until reasonable conditions created for Novo to include, a PRIVATE PARKING LOT for Market patrons, Armed Security guards, traffic control and noise barriers to protect citizens along with conditions to revoke any permits if more than "X" number of calls for NCPD service increase within the period of ONE YEAR.

We have been informed that Market is requesting the CUP modification, however, according to ABC website, **Market on 8th has no liquor license**, Novo appears to possess a type 23 (small beer manufacturer).

Further, according to sources, Novo has not applied to the ABC to modify or change their current type 23 license. Why then, does your letter indicate "proposing to apply for type 41 license"?

They speculate, or **"propose" to do so, but first desire ministerial rights to offer "live events, DJ's and karaoke" PRIOR to PROPOSING** to proceed with modification request?

City code allows a small beer brewery to open without normal CUP process, that is fine, however, Market (or Novo) is trying to skirt the typical licensing process that, presumably, would not allow such open ended activities for a bar without rendering hardship conditions that (predicably) current Novo license does not contain. This is a questionable and thinly veiled scheme to propel Novo, avoids immediate ABC involvement pertaining to distancing and schools, aside from highly questionable city of National City participation.

Their request for CUP changes, should be DENIED and left as status quo at this time.

Benjamin Adler

Martin Reeder

From: Miguel Aldrete <migaldrete@cox.net>
Sent: Monday, July 18, 2022 3:30 PM
To: Planning Commission
Subject: Market on 8th - National City

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern; (Planning)

Good afternoon,

I would like to comment on how Market on 8th has benefitted the National City community.

As a business owner, Market on 8th is great location for me to take friends, family and customers. I think that what this

building represents in terms of local talent is amazing. From the local food and drink stands, the clothing store, and the musicians, this place has created a very welcoming environment for the community.

If we can expand the hours of operation and bring in more of what our locals enjoy, there will be less people leaving Market on 8th after they close to look for alternative locations to enjoy the music, drinks and food.

I am really grateful for this location's focus and care in their business plan, while improving the look and feel of this

well needed site.

If you need additional input from my part, I will be glad to take a call from you any time.

Miguel Aldrete

(619) 395-4213

Martin Reeder

From: agnes basco <bascoagnes@gmail.com>
Sent: Monday, July 18, 2022 12:14 AM
To: Planning
Subject: Notice of Public Hearing for Monday, July 18, 2022

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention: Planning Department

To whom this may concern,

This is to protest the request for Market on 8th Street to have:

- Live music
- Dj
- Karaoke and
- Serving alcohol on the outdoor patio.

We want to have a quiet place to live, especially at night when we all need to get good rest and sleep for the next day's work. We have children living in Bayview and going to the Charter School at 8th St. corner National City Blvd. The above-mentioned requested activities are not good for our community, especially our children. We need to preserve a good environment for our community, especially our children.

Do NOT approve the above-mentioned requested business activities for Market on 8th Street. Thank you.

Sincerely,

Agnes Basco

July 11, 2022

From:
ALL BAY TOWER RESIDENTS

LET'S STOP THE LIE!!!

You probably received a letter from City of National City planning department entitled "**NOTICE OF PUBLIC HEARING**" for Monday July 18th.

It's regarding Market on 8th Street's request for **LIVE MUSIC, DJ's, KARAOKE** and **OUTDOOR ALCOHOL SERVING** on exterior patio that faces **OUR PARKING LOT** and **REAR BALCONIES!! ARE THEY INSANE?????!**

Stop what your doing now, **E-MAIL** the planning department at planning@nationalcityca.gov
TELL THEM: "NO WAY/NO HOW/ we don't want 8th Street Market changes to what they have presently!"

TELL THEM: "NO, WE DONT WANT THE NOISE THIS WILL BRING INTO OUR HOMES"!

TELL THEM: "NO, THEYRE FINE, LEAVE THE WAY IT IS and LEAVE IT ALONE"!

Keep it simple. Let's protect our investment and our quality of life at Bay View.

If they get this approved, there is **LITTLE TO NOTHING** we can do in the future to stop the **NOISE, LITTER** and **DRUNK** voices echoing into our bedrooms, and

YES, they'll have dancing too, something that National City Police Department

NEVER BEFORE SUPPORTED, WANTED or **EVER CARED TO SEE** happening here.

WHY NOW, WHY HERE and most important...**WHY DO WE HAVE TO SUFFER???**

BTW, the people behind this are **NOT** Market on 8th,.....it's Novo Brazil bar.

8th St Market ownership "innocently" promised us "**SUMMER MOVIES**

and kid's activities in the patio area" in exchange for our 2016 consent.

Guess what? **THEY LIED!! NOVO** and 8th St **MARKET** owners **WANT A NITE CLUB**

until 1 AM to **CAUSE THE WORST NOISE WE DON'T NEED** and **DO NOT WANT!!!**

PLEASE DON'T LET IT HAPPEN, WE CAN STOP IT WITH OUR RESISTANCE.

Email the planning department now at: planning@nationalcityca.gov

JUST SAY NO to another **LOUD DIVE BAR, KARAOKE, TRAFFIC, DRUNKS, LOUD MOTORCYCLES** late at night and lower standards within **OUR AREA!**
JUST TELL THEM "NO, I DON'T APPROVE OF ANY CHANGES TO EXISTING MARKET on 8th or Novo Brazil and **NO ENTERTAINMENT"!!!**
LET'S STOP THE LIE, TOGETHER we can do it and keep things quiet!
SEND YOUR E-MAIL NOW!!

L. Peabody

801 National City Blvd. National City

RECEIVED

JUL 18 REC'D

CITY OF NATIONAL CITY
PLANNING

Martin Reeder

From: Oscar Campos <camposos777@gmail.com>
Sent: Monday, July 18, 2022 3:27 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

More music, better beer selection, and more time to enjoy it at Market & 8th would be awesome for National City. Help make this city become a popular destination for fine dining and nightlife. Wishing Mr. Tubao best of luck and sending a big thank you for choosing to invest in the city I live and love.

Oscar Campos

Martin Reeder

From: alex carolino <alexcarolino@gmail.com>
Sent: Monday, July 18, 2022 3:31 PM
To: Planning Commission
Cc: alex carolino
Subject: Support for market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the City Council Members:

I am in SUPPORT for approving the Conditional Use Permit of Market on 8th to extend hours and ADD live entertainment because it will contribute positively to our growing and vibrant community in National City. This is first of a kind in our City and having these amenities will give enjoyment and also additional income to the City.

Thank you,
Alex Carolino
(619) 434-9200

Sent from my iPhone

Martin Reeder

From: Beverly CODALLOS <beverly.codallos@icloud.com>
Sent: Monday, July 18, 2022 2:54 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern,

I'm writing on behalf of the application put forth by the business, Market on 8th and asking you to consider approving their request.

As a patron of Market on 8th, I believe it has been a wonderful addition to National City as well as the South Bay. The venue is family-friendly and offers a diverse selection that is representative of the cultures and generations in our community. Market on 8th is an innovative attraction that isn't normally found in the South Bay. I am proud to invite out of town guests to it. Having grown up in National City, it is exciting to see the neighborhood gentrify with new locations like Market on 8th that brings me back to enjoy my roots and familiar faces!

As a South Bay business professional, Market on 8th provides a unique environment to host business affairs on the patio. With the addition of live music and longer hours, the event space is much-needed in our area to host private business events that attract prominent community leaders to a trending venue.

Thank you for your consideration. I am happy to discuss my support of Market on 8th's application further if needed.

Beverly Codallos
619-306-0049

Sent from my iPhone

Martin Reeder

From: Alex Danilowicz <alex@heycanopy.com>
Sent: Monday, July 18, 2022 2:47 PM
To: Planning Commission
Subject: Market on 8th is and will be the best thing that ever happened to National City

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello, I am a property owner in National City writing in support of the Market on 8th expansion.

Market on 8th is one of the greatest things to ever happen to National City. I know many locals that work there and that derive great value from the sense of community.

Please contact me if you have any questions.

Respectfully,
Alexander Danilowicz
619-254-5480

--

Alex Danilowicz
Software Engineer
1 Ferry Building, San Francisco, CA 94111
(619) 254-5480
heycanopy.com



Martin Reeder

From: Rommel Diaz <rommeld01@yahoo.com>
Sent: Friday, July 15, 2022 5:54 PM
To: Planning
Subject: 8th Street Marketplace
Attachments: Letter to CDD-PD 7 15 2022.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

July 15, 2022

National City Planning Division

1243 National City Blvd

National City

Dear Ladies and Gentlemen,

My name is Rommel Díaz, a resident of National City for the last 20 years. In 2002 my family and I bought a house from a development that the city of National City started on the corner of E 9th and A Avenue.

For many years we had to deal with the presence of a nightclub located on the corner of National City Blvd and Plaza Blvd named Trophy Lounge. This club closed at 1:30 am. There were several bloody events that occurred on that corner and on the block where my family and I live. Not to mention street fights, urinating in public (often times on the wall of our home which happens to be to the alley or even more flagrantly in the entrance to our home which has some stairs that lead up to the main entrance) etc. These events would last until well past 2 in the morning. Finally this club closed its doors due to the non-renewal of the license by the city government, which I am not positive, but I do believe the National City Police Department was in fact who discouraged this renewal. After they closed the doors to Trophy's Lounge, we finally had peace and tranquility in our neighborhood.

Today, with dismay I read the letter sent to the residents of this part of the city, where the National City Planning Commission informs of the request of 8th Street Marketplace LLC to extend its current ABC Type 23 conditional permit, which allows beer tasting room, to the Type 41 license that would allow it to sell beer and wine at the Eating Place and offer live entertainment, extending its hours of operation from 6:00 am. to 1:00 a.m. Not only that, but permission is requested to make modifications by adding a bar in the back patio (adjacent to Integrity Charter School) and allowing alcohol consumption in the "front patio" which is actually 8 tables seating 4 people each that are on the sidewalk of A Avenue (closed off by a sidewalk café-style railing). They are requesting permission to sell beer and wine "to go" as well, and this gives me great concern that we will have open container

drinking on the street with no one to regulate the chaos that could come with that type of environment.

If the city government authorizes this requested permit, the city government will be otherwise granting permission to those that VISIT our sector to take over our community, which is the beautiful sector that the families here CHOSE as their home and community. National City has been through many changes throughout its history, some that have taken years to accomplish. Our streets are cleaner; our neighborhood respects its families and the many cultures here. We want to keep moving toward positive changes as we move forward and not turn it into a city with people drunk in the street, being loud and disorderly, vomiting/urinating, and fighting where our families can see and hear them, as it would literally be the view we have from our windows.

For these reasons, I respectfully request that the National City government deny the Type 41 permit to 8th Street Marketplace LLC and that 8th Street Marketplace LLC continue to operate with the permits it currently has.

Respectfully,

Rommel R. Díaz

111 E 9th St, National City

Mobil Ph. #619.972.6336

Home Ph. #619.434.5956

Email: rommeld01@yahoo.com

Martin Reeder

From: Phillip Esteban <phill@opengymsd.com>
Sent: Monday, July 18, 2022 2:38 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

I am excited to hear that Market on 8th is in hopes to replace the 28 ABC license to a 41 for beer and wine, along with expanding outdoor consumption and operational hours in accordance with the license.

As a local resident and business owner in National City and Market on 8th, the expanding hours and areas consumption will allow for more visibility to the market with the activation of outdoor drinking and eating. As on lookers and commuters drive by, they are drawn to the presence and will more openly stop by.

The change of ownership from Nozo only to a “craft beer” tap room will allow for new flavors, styles and local breweries to be supported. With that, followers of those beers will be drawn to the market along with their marketing and PR.

I hope this message is heard and understood that it will help bring more foot traffic to market on 8th, 8th street corridor and National City as a whole.

Best,
--

Phillip Esteban
619-948-9983
OpenGym SD

Martin Reeder

From: Jeremy Feig <redwingfan8991@gmail.com>
Sent: Friday, July 15, 2022 2:59 PM
To: Planning
Subject: Market on 8th

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

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To whom this may concern,

It has come to our attention that market on 8th is trying to get a permit to stay open till 1am. My wife and I think this is a wonderful idea as it will garnish more money for our city and having a bar like that so close would be awesome to enjoy.

However there is someone spreading propagana against this permit. I only ask that you please disregard any negative emails on this subject as most of them are most likely not properly informed.

I hope the vote is not negatively effected by these misinformed emails.

Thank you and I look forward to being to stop in at market on 8th after work for a drink.

Jeremy Feig

Martin Reeder

From: Patti Finnegan <niederfranks@aol.com>
Sent: Sunday, July 17, 2022 6:44 PM
To: Planning
Subject: Market on 8th

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

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>
> Dear Commissioners
> As this is a major change from the original proposal I respectfully request that this decision be postponed to afford neighbors and surrounding businesses more time to research and discuss the potential impact.
> Thank you for service and attention to this matter.
>
> Sincerely,
> Patti Finnegan
> Niederfrank's Ice Creams
>
>
> Sent from my iPhone

Martin Reeder

From: Adam Futo <adam.s.futo@gmail.com>
Sent: Monday, July 18, 2022 3:33 PM
To: Planning Commission
Subject: Support for Market on 8th

Categories: Blue Category

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Expanding the beer and wine permit (from 28 to 41) as well as allowing music at Market on 8th will truly be a very positive step in growing a market/commercial/entertainment area, diverse in appeal, for National City. Locals already love the market, but this type of expansion will make it a destination for those in other parts of the County; one that rivals Liberty Station and Downtown San Diego.

Adam S. Futo

Martin Reeder

From: Peter Glevanik <pglevanik@gmail.com>
Sent: Monday, July 18, 2022 3:12 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I would like to commend the city for the development taking place in the neighborhood surrounding 8th and A St. in National City, specifically the "Market on 8th". This food hall and event concept has become a great gathering place and I look forward to seeing it grow and develop into a true community hub. The revitalization and energy these businesses have brought to the neighborhood was long overdue.

Again, I hope they continue to develop and add value to the community by expanding their offerings and evolving into a place with a little something for everyone!

Peter Gkevanik
(619) 396-9732
Pglevaik@gmail.com

--

Peter Glevanik

Martin Reeder

From: Jason Guardado <JasonGuardado@outlook.com>
Sent: Friday, July 15, 2022 7:52 PM
To: Planning

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

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I do not want to be woken up by loud music at night while I am sleeping. If you guys want non-stop noise complaints from residents than I strongly recommend to not go through with it.

Martin Reeder

From: Michael Guerrero <mguerrer@ix.netcom.com>
Sent: Monday, July 18, 2022 3:22 PM
To: Planning Commission
Subject: Market on 8th. CUP

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing in support of the expansion of the Conditional Use Permit to add live music to the beer garden/sidewalk cafe and replace their 28 ABC license to a 41 for all beer and wine.

I have worked with Joel Tubao for over four years at a San Diego non-profit. Joel has impressed me as a smart businessman who gives back to the community.

Joel grew up in the South Bay and has not forgotten where he comes from. Market on 8th is currently providing minority owned businesses an opportunity to succeed and at the same time provide employment opportunities to citizens of National City.

If approved, an expanded CUP, will increase people from throughout San Diego County visiting the Market and thus improving the local businesses inside the Market chances of profitability.

Market on 8th can become a cornerstone for modernizing and popularizing a part of National City. Please vote in favor of the CUP expansion.

Michael Guerrero C.P.A.

Sent from my Verizon, Samsung Galaxy smartphone

Martin Reeder

From: erwin hines <erwinhines@gmail.com>
Sent: Monday, July 18, 2022 2:32 PM
To: Planning Commission
Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I just wanted to show my support for what Market on 8th has done for the community. I love the energy they have brought into the neighborhood and how it more so amplified what was already here. It's truly a space for the people and of the people. I'm excited to see the continued growth and activation of the space with more community events and artists.

--

Erwin Hines II
Designer
412-298-7092

July 18, 2022

City of National City
Nationalcityca.new.swagit.com/views.33

Dear Sirs and Madams:

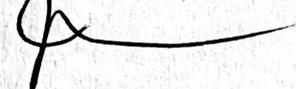
Please accept this letter as an explanation for my request to expand the CUP for Market on 8th.

My family and I are proud South Bay natives. We recognize what an amazing community National City is and want to help it reach its full potential. To that end, we decided to develop Market on 8th to give the National City community a place to meet, and place to eat and place to be together to celebrate all of the wonders of National City.

We are requesting to expand our CUP to provide the community with an even better experience. We want to add a live music component, we want to expand our operating hours, we want to be able to hold special events on occasion. While we understand there have been concerns expressed about our requested expansion, i.e., parking issues, an increase in noise disruptions, etc., we are taking steps to address those concerns. For example, although we were not required by the city to provide for parking, we have taken steps to attempt to secure parking for our patrons at Southwestern college to try and help alleviate any street parking problems in the surrounding area. We are not trying to turn the Market into a nightclub scene – this is a family-centered establishment and we are simply trying to give our community more choices.

Since we have been open, we have seen improvements on many levels throughout the neighborhood; there are more families coming together, people are spending money in the area, new businesses are opening and perhaps most importantly, people are coming to National City from all over the county and coming to appreciate what we already know – what a wonderful place this is.

Sincerely,



Joel J. Tubao
Market on 8th

I am responding to the letter for tonight's planning commission hearing.

We are opposed to this modification.

Our children attend Integrity Charter School at 8th and National City Blvd's

A type 41 beer bar cannot operate adjacent or within 600' of a Public school.

A Charter school is considered a Public school under state and CA Supreme court

Legal Interpretations.

Our kids SHOULD NOT BE EXPOSED to a beer bar at the Market on 8th.

Do not grant the conditions modifications.

L. Belara

Parents of two elementary school students at Integrity



RECEIVED

JUL 18 2022

CITY OF NATIONAL CITY
PLANNING

Home / Specialized Programs / Charter Schools / Charter Schools - CalEdFacts

Charter Schools - CalEdFacts

This content is part of California Department of Education's information and media guide about education in the State of California. For similar information on other topics, visit the full [CalEdFacts](#).

A charter school is a public school that may provide instruction in any combination of grades (kindergarten through grade twelve). Parents, teachers, or community members may initiate a charter petition, which is typically presented to and approved by a local school district governing board. The law grants chartering authority to county boards of education s, such as the appeal of a petition's denial by a school district governing board or the direct approval of countywide benefit charter schools.

The specific goals and operating procedures for a charter school are detailed in the agreement (also referred to as the charter, petition, or charter petition) between the authorizing entity and the school's organizers. Charter status frees the school from many of the state statutes and regulations that apply to school districts. Pursuant to California *Education Code (EC)* Section 47601, it is the intent of the California Legislature under state law that charter schools operate independently from the existing school district structure as a method to accomplish all of the following:

- Improve pupil learning.
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

Martin Reeder

From: Fausto Lagazo <pi_electronics@yahoo.com>
Sent: Monday, July 18, 2022 12:10 AM
To: Planning
Subject: 8th Street Market Changes

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Aloha,

My name is Fausto Lagazo. I am a resident of Bayview Tower. I am writing in opposition to any proposed 8th Street Market changes. I do not want any increased noise, litter and traffic that would come with any changes. It should stay the way it is now.

Thank you for your time,

Fausto Lagazo

Martin Reeder

From: Justin Lipford <jclipford78@gmail.com>
Sent: Monday, July 18, 2022 2:54 PM
To: Planning Commission
Subject: Public Comment: Market on 8th

Categories: Blue Category

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To whom it may concern.

My name is Justin C. Lipford, South Bay resident since 1978. I have also participated in community development for the past 25 years working to improve conditions for all members of our community. I have recently come to meet Mr. Joel Tubao, owner of the Market on 8th. I strongly believe that his establishment brings high value to all of the South Bay. I believe Joel wants what is best for his community and I trust his leadership to sustain what is best for our community with his request for expansion. Please feel free to contact me anytime to further discuss.

Respectfully,
Justin C. Lipford

Martin Reeder

From: Andrew Malick <andrew@malickinfill.com>
Sent: Monday, July 18, 2022 3:35 PM
To: Planning Commission
Subject: Market on 8th CUP Endorsement

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sorry, prematurely sent my last email. I am writing to show support for the change of the CUP for alcohol sales at Market on 8th. My tenants love utilizing the vendors at Market on 8th. The proprietor has shown that he can responsibly manage events and am looking forward to them, on occasion having the ability to host special events with expanded alcohol types.

Respectfully,

ANDREW MALICK
619.252.8465



Martin Reeder

From: Jayson Marijana <jaymarijana@hotmail.com>
Sent: Monday, July 18, 2022 4:01 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I have been going to the Market on 8th since it opened in October 2022. I really enjoy the restaurants and the positive vibes it brings to the community. My family and I pass by the market to grab a bite to eat or to grab a drink. We also attend to just hang out with the locals. I have nothing but positive thoughts and experiences when I've attended the Market on 8th and don't see that changing anytime soon. Thanks.

Jayson Marijana

Martin Reeder

From: Nicole Medina <nicoleemedinaa1898@gmail.com>
Sent: Friday, July 15, 2022 8:10 AM
To: Planning
Subject: Notice of public hearing

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

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No. We don't want the noise this will bring into our homes. I do not approve of any changes to existing market on 8th. I would rather summer movies and kids activities in the patio area!!!

Martin Reeder

From: Nidya Rivera Moreno <nidyariveramoreno@live.com>
Sent: Monday, July 18, 2022 11:58 AM
To: Planning Commission; Planning
Subject: Public Hearing July 18, 2022 - Conditional Use Permit for the Operation of a Tobacco Specialty Business

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Vergara:

Thank you for sending the notice regarding the conditional use permit for the operation of a tobacco specialty business at 120 National City Blvd.

I understand the city collects revenue from such permits, but I'd be interested in learning why the city thought a tobacco specialty business was necessary or appropriate for the area? Of course, perhaps this should have been sent before the business owners had begun to completely remodel the suite and invested money into it so many months ago.

Now, let's pretend for a moment that the city is interested in cleaning up the 100 block of National City Blvd., where are the patrons from this establishment going to park? Will the business have real waste bins for the litter their products are going to create? What about the air pollution, are the patrons from this establishment going to be allowed to loiter on/in and around the business and pollute the air? Did anyone consider second-hand smoke and how those of us that live in this area will be affected? Is the city going to monitor the business hours or pretend the business doesn't exist as it does with most until an incident occurs?

I know the city is going to proceed as they normally do, and will no doubt have "reasons" for their decision, but it would be great if for ONCE, the city gave a damn about the residents who live in the area, who actually have a positive impact in improving the entrance to National City.

I am sure this will go to the same deaf ears that continue to ignore the disgusting state that the 116-122 NCB building finds itself in or the fact that patrons for the barber shop continue to park on the sidewalk and alley, blocking the right of way. Or the litter that the patrons from these businesses just love to leave behind. How many incidents of illegal dumping have been reported in the last 6 months in the area? Ever noticed how they are around the barber shop and the liquor store?

How will the city monitor the restrictions in place for this new business are going to be met? You have a liquor store that still doesn't have proper waste bins for its patrons and the trash bins in the back are always full, creating an unsightly view and the perfect home for rodents and pests. The city has been aware of this and numerous others issues and yet nothing has been done.

Is the city really trying to attract people to our city or scare them away? Why not focus on attracting positive businesses that don't promote addiction or bring shady customers? The only other decent business on National City Blvd, between main and 4th, will be leaving to the Chula Vista mall because our city couldn't do anything to stop people from vandalizing it 😞.

I guess the military men and the pimps will be the only ones benefitting from this; a drink, a haircut, a smoke, a hooker, and an unregistered firearm, all within the same street...

Thank you for your time.

Nidya Rivera-Moreno
140 National City Blvd.

Martin Reeder

From: Beth Morgante <Beth.Morgante@sharp.com>
Sent: Monday, July 18, 2022 3:09 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As a second generation Southbay native, I can't tell you enough about how happy we are to have the Market on 8th in National City. It is wonderful to have such a unique venue nearby, so my family and friends don't have to travel to enjoy the ambiance and fun of a place like the Market. We prefer to avoid the city and would rather stick to the neighborhoods we live near when we go out. It's hard to find places with live music or variety of food choices without traveling great distances. We hope The Market on 8th continues to grow and thrive because we will continue to frequent the establishment for a long long time!

Beth Morgante

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[iOS](#)

Martin Reeder

From: Kwa Nguyen <kwa@thefreshyard.com>
Sent: Monday, July 18, 2022 2:55 PM
To: Planning Commission
Subject: Market on 8th - Great addition to the neighborhood!

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I am a local resident of National City and a business owner here too. Market on 8th has been an amazing addition to the National City neighborhood. Since the opening in October I have been seeing a lot of people from out of town coming to National City, specifically for Market on 8th. They are coming in and spending money in our city. Before Market on 8th, National City wouldn't even be on any tourists' to do lists or even locals that live out of the city but now it's a changed community. For the better! Other businesses are coming in because of what the Market has established. We need more of this in National City. Especially on this side of National City.

As a local homeowner it's great for the community and my home price. Looking forward to what this community will look like in the next few years.

Thanks,

Kwa Nguyen
owner

The Fresh Yard | Fresh Yard Records | Mixed Grounds Coffee
41 E. 8th St, National City, CA 91950
mobile. 510.375.0042
www.thefreshyard.com
www.freshyardrecords.com
www.mixedgrounds.com

Martin Reeder

From: Olivia Tubao <oliviaturbao@gmail.com>
Sent: Monday, July 18, 2022 3:18 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

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Hello! I am a resident of San Diego and would like to voice my support for Market on 8th in National City, California. I have been visiting the market every week since it has opened. It serves as a wonderful place to meet up with family and friends. I often run into old friends whom I haven't seen in years while at Market on 8th as it embodies a unique sense of community within National City in addition to South Bay as a whole. Market on 8th celebrates its community and sheds a special light on families and cultures within its space so that they may share their food and love with the surrounding community. I strongly believe that a continued live music aspect in addition to other beverage options would provide even more attraction to the market as well. Overall, I would like to give my great support to Market on 8th and all they have done for National City - as they bring together families and friends, inspire others, and celebrate cultures among one great space.

Thank you, Olivia Tubao

Martin Reeder

From: Cheryl Olivar <cherylolivar@gmail.com>
Sent: Thursday, July 14, 2022 4:00 PM
To: Planning
Subject: Market on 8th letter

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello sir.

I receive your letter for market on 8th today.

I co-own condo at Bay Towers on National City boulevard across street from Market on 8th.

They customers park in our back lot and disappear to drink there.

We had one truck towed last week, the owner of truck came running out to chase tow truck, they left with his truck.

The guy started yelling in the parking lot, drunk.

They have no parking there and bother all of us here with outdoor noise.

If Union bank ever starts towing cars again, they will have no where else to go.

I do not want them to have entertainment or music, too loud and no space.

They need to get bigger place or rent out Big Bens grill house.

Please respect us residents here and let it be like is now.

cheryl olivar

Martin Reeder

From: Casa Raza <casarazaland@gmail.com>
Sent: Monday, July 18, 2022 3:20 PM
To: Planning Commission
Subject: Market on 8th Support

Categories: Blue Category

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To National City Planners,

My family and I visit Market on 8th regularly. They have done a great job in bringing positivity to our community through their businesses and events. We support their desire to expand their hours of operation, integration of live entertainment, and the expansion of services and products. They have been responsible for creating more opportunities for young families like mine to have a safe and fun place for us to visit as a whole. Thank you for listening.

Sincerely,
Rachel Vangstad
Local Resident and Mother

Martin Reeder

From: Lee Razalan Jr. <razalan@gmail.com>
Sent: Monday, July 18, 2022 2:30 PM
To: Planning Commission
Subject: Support for Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom It May Concern,

I'm a local resident and also a consistent visitor to Market on 8th. They have invigorated the community with new life and a safe place for families to gather. I want to express my support for their ability to add live entertainment, extend their hours, and expand their options of service items like spirits and liquor to the community. They have shown respect and innovation to our city and are the type of business and energy we need to better our neighborhood.

Thank you for your time and attention.

Always,

Lee Razalan Jr.
Local Resident and Business Owner
razalan@gmail.com

Martin Reeder

From: Joan Rincon <jrincon@mail.com>
Sent: Friday, July 15, 2022 5:09 PM
To: Planning Commission
Subject: Planning Comm July 18, Item 4, CUP regarding Market on 8th

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

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I believe what should happen is to open this hearing and not vote on the result, but rather continue the matter into the next Planning Comm meeting that has live public participation, and finish it then.

This is an important matter for this part of the City. Adding drinking along the sidewalk is a big deal. Going to 1 am is a big deal. Having live bands playing until late is a big deal.

Some residents will find it downright suspicious that with a school nearby and hundreds of residents in Bayview Towers and with Brick Row so close, this item somehow got brought in the last video-only meeting we are scheduled to have. Let's give residents access to a true public hearing on this item.

The also gives the Commission a chance to hear input from the Institute for Public Strategies.

Joan Rincon, National City

Martin Reeder

From: Marco Sibaja <marcosibaja1957@gmail.com>
Sent: Saturday, July 16, 2022 9:44 AM
To: Planning

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

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Hi:NO,WE DON'T want any changes to Market on 8th street or novo bar.Thanks..

Martin Reeder

From: Robert Smiley <robertjsmiley@gmail.com>
Sent: Monday, July 18, 2022 3:11 PM
To: Planning Commission
Subject: Market on 8th CUP

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

My name is Robert Smiley. I'm the owner of Cafe Indonesia, a family owned business in Market on 8th St in National City. I'm writing to voice my support of National City expanding our hours and offerings via the CUP. It's been an honor to be part of Market on 8th, which has been more than supportive in giving us born and raised locals a chance to share our food and culture to the community as well the larger San Diego area. Market on 8th has brought together people from all over to share drinks, food, and company and has quickly become a growing staple of National City area. Expanding our CUP would not only allow us locals at the market to give back more to the community, but also allow our city to share more with San Diego through special events and local entertainment. National city has a lot to offer. We need to show San Diego that we not only have great local food purveyors, but great local entertainers as well.

I hope you give this proposal true consideration. Thank you.

Robert Smiley

Sent from my iPhone

Martin Reeder

From: Raymond Smith III <rsmith@me.com>
Sent: Monday, July 18, 2022 3:28 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,

I'm writing in support of the Market on 8th. I grew up in the South Bay and now work in the South Bay. I love to spend time at the Market for lunch and dinner, thoroughly enjoying the wonderful food and drink. I would love to see music added to this vibrant beer garden/sidewalk cafe, live entertainment, and would also like to see a greater selection of alcoholic beverages. We would also like to see the hours expanded beyond 10 pm on occasion for special events. Please support small businesses that bring the community together!

Thanks,
Ray Smith

Sent from my iPhone

Martin Reeder

From: Fro Sng <jaylein23@yahoo.com>
Sent: Monday, July 18, 2022 2:48 PM
To: Planning Commission
Subject: Fwd: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sent from Len

Begin forwarded message:

From: Fro Sng <jaylein23@yahoo.com>
Date: July 18, 2022 at 2:34:13 PM PDT
To: plcpubcomment@nationalcity.ca.gov
Subject: Market on 8th

To whom it may concern;

I would just like to make a feedback in regards the newly open Public Market at 8th St, I used to remember that area to be dark and no lifeand dirty, but since the Market on 8th open it gives life and makes the place lively. It also serves as a gathering place for the community to catch and try the different foods that they offer them.

I love the food and the ambiance.

The only negative I could say is that they close really early.

I also want to thank the City of National city for allowing this kind of bussiness to open in our city, i feel like our neighborhood got upgraded😊☐

Martin Reeder

From: tlightm <tlightm@gmail.com>
Sent: Friday, July 15, 2022 7:09 PM
To: Planning
Subject: Market on 8th

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Planning Commission,

The proposed modification use permit for the Market on 8th or by any other establishment is absolutely unacceptable. **NO to any permit modification for said establishment.**

The area already is inflicted with high level of traffic noise that it doesn't need to add to it. Furthermore, there was a homicide committed in bright day light that occurred across the street from said establishment. If such a horrific crime where the victim was stabbed twice and the perpetrator run the victim with his car. If such a crime can occur during daytime, how much more at night!! The area will not be safe to add a **night club!** It is not a wise community development to add an establishment that will infringe on peace and safety of the community. There are enough places where such activities are already in existence that pleasure seeker can go to. Please, **NO NIGHT CLUB!! AND NO MODIFICATION TO EXISTING (CUP) FOR MARKET ON 8th.**

Thank you

P. Thomas

Martin Reeder

From: Maria Villalobos <maria.villalobos@me.com>
Sent: Monday, July 18, 2022 3:31 PM
To: Planning Commission
Subject: In support of Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am an owner of two commercial properties on C Avenue and 8th st.

My name is Maria Villalobos Danilowicz. We are incredibly grateful to market on eighth and what that business has done to our community. Bringing people together, gathering eating socializing and best of all creating jobs.

Sincerely

María Villalobos Danilowicz

Martin Reeder

From: Tina Wurtz <bambina.tw@gmail.com>
Sent: Monday, July 18, 2022 3:23 PM
To: Planning Commission
Subject: Market on 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

It was brought to my attention that there are questions as to why live music and multi-alcohol vendors for Market on 8th.

First off what an amazing edition to the city, a clean urban venue involving the community and job opportunities. I am an event planner and a restaurateur so the first time I went into Market on 8th I started seeing all the amazing opportunities to bring in local talent and vendors. I have been asking for months when they will get live music on the weekends as well. Music creates a positive and uplifting atmosphere. People go out to relax and forget about their jobs and long days. It creates a social vibe. It brings people together. This location can serve as a focal point for the community with parades, fundraisers, and charity events. I hope to see more at Market on 8th soon.

•
--

Tina Pernicano Wurtz
619-347-1781

Martin Reeder

From: Dr. Zhivago <drzhivago@drzhivago.us>
Sent: Monday, July 18, 2022 3:26 PM
To: Planning Commission
Subject: Market On 8th

Categories: Blue Category

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Marie Zhivago active patron to this wonderful site for Business in Food, Shopping and Entertainment!

As I was an employee my Colleagues would dine and have meetings there as an added plus include offering venue space and a family friendly environment!

I assisted with Otay Ranch Mall and Otay Market Nights early planning stages in Entertainment with local shops and forming new entrepreneurs in the Spring.

Now we have an amazing Summer venue for the Mall, surrounding businesses and local businesses with farmers market type of setup!

Families come in to join during the early evening to the night!

We collaborated with the local Beer company, Novo Brazil, to have a safe place for adults to enjoy the Beer Garden and enjoying local live entertainment playing until evening! Families have enjoyed the dancing and local artists in the area.

Arts, business, food industry and community coming together for all seasons!

I grew up in South Bay, our cousins own Valerio Family Bakery and National City is a major city with future innovation building up backed by Military Family setting.

I am so proud of what Market on 8th has become and about to do in National City expansion.

The leaders of developing community spaces will strive to develop an amazing area devoted to the best and new Tastes the world has to offer!

Some of the worlds best chefs and entrepreneurs are already living here!

I am looking forward to seeing the devotion the next generations bring Forward with your guidance!

With love,

Marie Dolopo Zhivago
Aka
Dr Zhivago

--

Marie Zhivago
Pronouns- Her,She

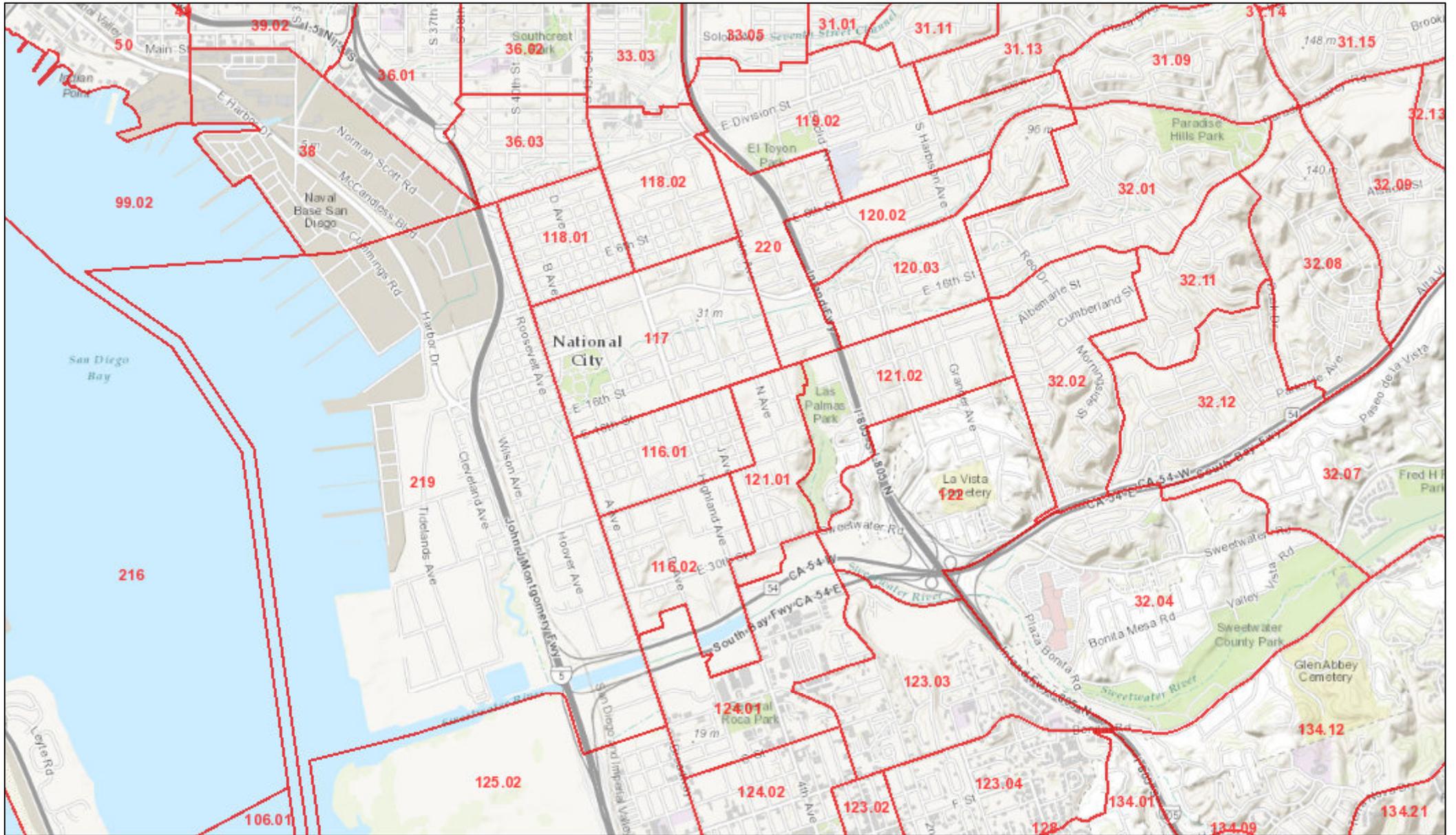
Dr. Zhivago is an:
US Entrepreneur
📖 Author

Educational Advocate and Panelist in-
👤 Visual and Performing Arts Education
☐ S.T.E.A.M. Keynote Speaker and Workshop Presenter.

“Delivering a Bundle of Love Worldwide.”

Visit: www.drzhivaglobal.com

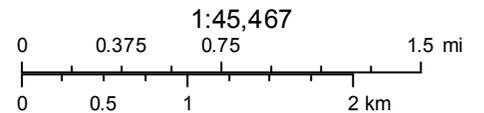
#drzhivaglobal



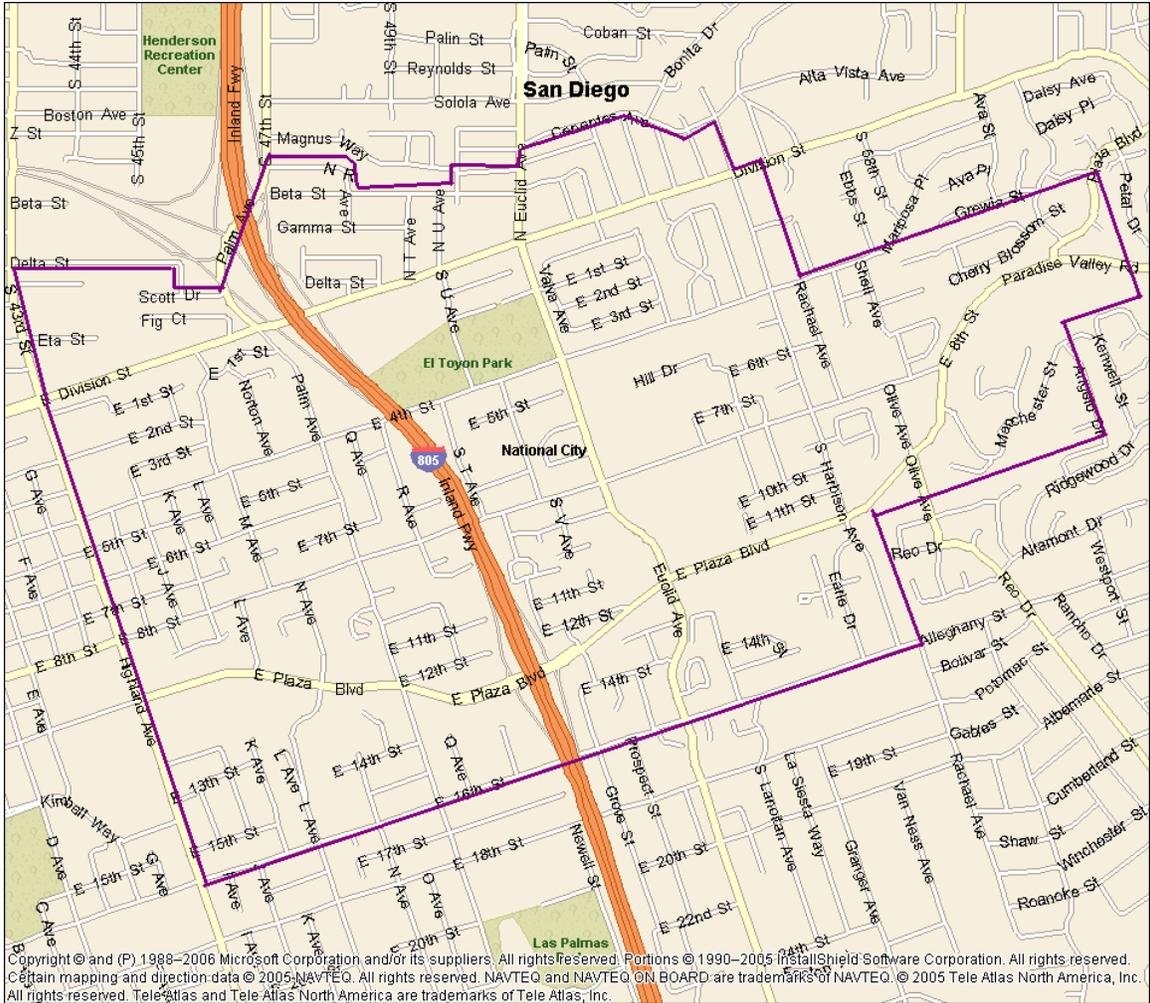
August 25, 2014

Census Tracts 2010

ATTACHMENT 10



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 21

Source: Microsoft Mappoint
NCPD CAU, 4/18/07

VI. Calls for Service at Location (for previous 6 months)

- Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- Mostly commercial businesses (1 pt)
- Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts) Total Points _____
--

VIII. Owner(s) records check

- No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

Recommendation:

Completed by: _____ Badge ID: _____



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Project Title: 2022-18 CUP

Project Location: 41 East 8th Street, National City, CA 91950

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit Modification for live entertainment and modified hours of alcohol sales at an existing public market (Market on 8th) located at 41 East 8th Street.

Applicant:

8th Street Marketplace LLC
c/o: Joel Tubao
41 East 8th Street
National City, CA 91950

Telephone Number:

(619) 306-8193

Exempt Status:

Categorical Exemption. Class 1 Section 15301 (Existing Facilities)

Reasons why project is exempt:

The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as the current uses and the density of which were analyzed as part of the Downtown Specific Plan.

Date:

MARTIN REEDER, AICP
Planning Manager

RESOLUTION NO. 2022-16

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT MODIFICATION FOR THE ADDITION
OF LIVE ENTERTAINMENT AND MODIFIED HOURS OF OPERATION AT AN
EXISTING PUBLIC MARKET (MARKET ON 8TH) LOCATED AT 41 EAST 8TH STREET.
CASE FILE NO. 2022-18 CUP
APN: 556-331-26

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit Modification for the addition of live entertainment and modified hours of operation at an existing public market (Market on 8th) located at 41 East 8th Street at a duly advertised public hearing held on July 18, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearing the Planning Commission considered the staff report contained in Case File No. 2022-18 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on July 18, 2022, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales and live entertainment are allowable within Development Zone 4 of the Downtown Specific Plan, pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because alcohol sales and live entertainment are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant accessory beer sales is also a use that is consistent with Development Zone 4 of the Downtown Specific Plan, which allows such uses.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity,

because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the proposed use is existing and is accessory to the restaurant and public market, which is located in an existing commercial area. The building is existing and has ten on-street parking spaces adjacent to the property, as well as access to several nearby parking areas. Live entertainment would occur within the existing building.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the sale and consumption of beer and wine would continue to be a small part of the overall public market use, with the alcohol serving area only 10% of the total floor area of the whole property. Alcohol consumption would be monitored by staff of the public market. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available. Furthermore, live entertainment will be limited to appropriate hours and to maximum noise standards to avoid impacts to nearby residential uses.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that no expansion of the building is proposed and uses would basically be the same as the current uses and the density of which were analyzed as part of the Downtown Specific Plan.
7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales have contributed to the viability of the public market, an allowed use in Development Zone 4 of the Downtown Specific Plan. The existing tasting room has been a draw for area and non-area residents alike and has further activated the downtown core, consistent with the spirit and intent of the Downtown Specific Plan. The addition of live entertainment is expected to add to the success of the market and the enjoyment of its patrons.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the extension of alcohol sales hours (as stated in Condition No. 7 below), the addition of live entertainment (subject to the hours stated in Condition No. 9 below), a mobile bar in the back patio, off-site alcohol sales (subject to the hours stated in Condition No. 8 below), and consumption of alcohol in the front patio at an existing public market located at 41 East 8th Street. Any plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-18 CUP, dated 4/7/2022.
2. Unless specifically modified by this resolution, all Conditions of Approval of City Council Resolution 2016-122 shall remain in full force and effect.
3. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

7. No change in alcohol sales and consumption practices shall be permitted without receiving a Type 41 license from the California Department of Alcoholic Beverage Control (ABC).
8. The Type 41 ABC license shall not be considered in effect until the Type 23 ABC license has been surrendered or transferred to a different location.

9. The sale of alcoholic beverages for on-site consumption shall only be permitted between the hours of 6:00 a.m. and 1:00 a.m. daily.
10. The sale of alcoholic beverages for off-site consumption shall only be permitted between the hours of 12:00 p.m. and 10:00 p.m. daily.
11. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
12. No sale of wine shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
13. Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.
14. Live entertainment shall be conducted as an accessory use to the public market for the enjoyment of its patrons. No concerts or specific live entertainment events shall be permitted.
15. Live entertainment inside the building shall be permitted during the following hours:
 - Sunday 12:00 p.m. to 10:00 p.m.
 - Monday to Thursday 3:00 p.m.* to 10:00 p.m.
 - Friday 3:00 p.m.* to 11:30 p.m.
 - Saturday 12:00 p.m. to 11:30 p.m.
16. Live entertainment outside the building shall be permitted during the following hours.
 - Sunday 12:00 p.m. to 8:00 p.m.
 - Monday to Thursday 3:00 p.m.* to 8:00 p.m.
 - Friday 3:00 p.m.* to 9:00 p.m.
 - Saturday 12:00 p.m. to 9:00 p.m.

* On days when Integrity Charter School is not in session, live entertainment may begin at 12:00 p.m.
17. A licensed security guard shall be on site during all live music performances.
18. A sound study shall be commissioned by the applicant to ensure that live entertainment complies with Title 12 of the National City Municipal Code (Noise). Results shall be provided to the Community Development Department and verified prior to any live entertainment being offered.
19. All activities shall comply with the limits contained in Table III of Title 12 (Noise) of the National City Municipal Code.

BE IT FURTHER RESOLVED that the applicant has requested the waiver of Condition 11 of this Resolution, which is a policy condition of City Council Policy 707; and

BE IT FURTHER RESOLVED that only the City Council may waive a policy condition at a public hearing; and

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council in order to conduct said public hearing; and

BE IT FINALLY RESOLVED that this Resolution shall become effective on the day following review and approval by the City Council after a duly noticed public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of July 18, 2022, by the following vote:

AYES: Sendt, Valenzuela, Castle, Yamane

NAYS: Miller

ABSENT: Natividad, Sanchez

ABSTAIN:



CHAIRPERSON



AGENDA REPORT

Department: Finance
Prepared by: Rachelle Barrera, Finance Manager
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Adopt the Resolution, setting Property Tax Rate for Library General Obligation Bond Property Tax Rate 2023 at .572 cent.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, setting Property Tax Rate for Library General Obligation Bond Property Tax Rate 2023 at .572 cent." (Finance)

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

In the special municipal election held on March 5, 2002, more than two-thirds of National City's eligible voters approved the issuance of general obligation bonds to fund the construction of the new National City Library. In April 2003, the City issued the general obligation bonds in the aggregate principal amount of \$6 million. Those bonds mature on August 1st of each of the years 2004 through 2028. In 2012, the City refinanced the bonds to lower the interest rate on the bonds and to decrease the tax burden required for repayment. The amount of principal and interest to be paid each year is generated through the proceeds of property taxes received from the County of San Diego. Each year, the City must establish the property tax rate that is needed to raise the revenue required to service its annual bonded indebtedness. For fiscal year 2023, the calculated property tax rate is 0.572 cent per \$100 of assessed value. This is a reduction of \$0.018 cent per \$100 of assessed value over the prior year's tax rate.

FINANCIAL STATEMENT:

A FY23 property tax rate of \$0.572 is estimated to generate around \$285,000 in revenue.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - Library General Obligation Bond Rate Calculation – 2022-2023 Tax Roll
Exhibit B - Resolution

**General Obligation Bond Debt Service (Fund 259)
Tax Rate Computation for Fiscal Year 2023**

National City				AVR Report Fund No.	6065-50
	Rate per \$100	Assessed Valuation	FY22/23 Est. Revenue	PY Rate Change:	3.0508%
Secured Valuation	0.0057200	4,714,826,881	269,688		
Unsecured Valuation	0.0059000	241,154,118	14,228		
			<hr/>		
			283,916		
HO Exemption		27,483,917			
1 Net Secured Valuation		4,714,826,881	11 Amount to be raised	280,235	
3 Less Delinquency Allowance		-	12 Unsecured HOPTR	-	
4 Net after Delinquency		4,714,826,881	14 Unsecured Delinquency	13,944	
5 Plus HOPTR		27,483,917	15 Less Unsecured Redevelopment Impact	-	
6 Prelim Adj Secured Valuation		4,742,310,798	16 Amount to be raised by Secured Taxes	266,292	
7 Less Redevelopment Impact		-			
8 Adj Sec Valuation Less Redevelopment Impact		4,742,310,798			
9 Anticipated Roll Corrections			18a Tax rate times #4	264,973	
10 Adj Sec Val for Rate Computation		4,742,310,798	18b Tax rate times HOPTR	1,545	
16 Computed Rate (per \$100)		0.00562000	19 Secured Proof	266,518	
17 Plus .0001		0.00572000	20 Raised by 1/100th mil	4,742	
			21,23 Taxes Raised	285,204	

I CERTIFY THAT THE ABOVE COMPUTED RATE + 1/100TH MIL IS A REASONABLE TAX RATE FOR THIS FUND



Rachelle Barrera
Finance Manager

7/26/2022

Date

RESOLUTION NO. 2022 -

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
AUTHORIZING THE SAME PROPERTY TAX RATE FOR THE LIBRARY GENERAL
OBLIGATION BOND FOR FISCAL YEAR 2023 TO 0.572 CENT PER \$100 OF
ASSESSED VALUATION**

WHEREAS, in the special municipal election held on March 5, 2002, more than two-thirds of National City's eligible voters approved the issuance of General Obligation Bonds to fund the construction of the new National City Public Library; and

WHEREAS, in April, 2003, the City issued the Library General Obligation Bonds in the aggregate principal amount of \$6 million which mature August 1st of each of the years from 2004 through 2028; and

WHEREAS, in 2012, the City refinanced the bonds to lower the interest rate on the bonds and to decrease the tax burden required for repayment; and

WHEREAS, the amount of principal and interest to be paid each year is generated through the proceeds of property taxes received from the County of San Diego; and

WHEREAS, each year the City must establish the property tax rate that is needed to raise the revenue required to service its annual bonded indebtedness; and

WHEREAS, for Fiscal Year 2023, the calculated property tax rate is 0.572 cent per \$100 of assessed value.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: Authorizes the property tax rate for bonded indebtedness for Fiscal Year 2023 to be reflected as 0.572 cent per \$100 (0.00572%) of assessed valuation.

Section 2: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 16th day of August, 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney



AGENDA REPORT

Department: Administrative Services - Human Resources
Prepared by: Molly Brennan, Administrative Services Director
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Citywide Recruitment and Retention Update

RECOMMENDATION:

Review and discuss

BOARD/COMMISSION PRIOR ACTION:

Not Applicable.

EXPLANATION:

As requested by City Council, staff has prepared a presentation to review the City's current recruitment and retention efforts across the City's departments.

FINANCIAL STATEMENT:

No fiscal impact.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is a project under CEQA and requires full environmental review and the preparation of an environmental impact report. CCR 15362.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

None



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, MMC, Deputy City Clerk
Meeting Date: Tuesday, August 16, 2022
Approved by: Brad Raulston, City Manager

SUBJECT:

Public Meeting Protocols – In-Person and Teleconference Meetings

RECOMMENDATION:

Discuss and provide staff recommendation.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

The City Council has made previous findings to remain virtual as allowed under AB 361, which authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Brown Act. On April 5, 2022, the City Council voted to transition Public Meetings, including City Council and all Boards, Commissions, and Committees (BCCs), back to in-person meetings effective August 1.

Highly Infectious BA.4 and BA.5 Subvariants are increasing COVID cases in San Diego County. Council consideration continues with a focus specifically on the meetings through December 2022. To assist with the City Council discussion and decision staff has conducted a survey of the 18 San Diego County Cities, and Regional Agencies regarding current practices for public meetings as shown in the table below.

City Council Meetings In-Person Only	8	(Carlsbad, El Cajon, Encinitas, Imperial Beach, Lemon Grove, San Marcos, Santee, Vista)
City Council Meetings Virtual Only	2	(Del Mar and Solana Beach)
City Council Meetings Hybrid/Zoom	8	(Chula Vista, Coronado, Escondido, La Mesa, National City, Oceanside, Poway, San Diego)
Written Comment Read Into the Record by Clerk	2	(National City and Imperial Beach)
Require Masks in Chamber	3	(Chula Vista, ((Staff Only: National City, Vista))
Full Capacity Seating	15	(National City is 50% Capacity and 2 Cities are still Virtual only)

Other Regional Agencies and Board Meetings the City Council Members attend:

VIRTUAL ONLY:

SANDAG
 MTS
 Metro Wastewater JPA
 Sweetwater Authority
 San Diego County Water Authority

IN-PERSON

Port of San Diego
 San Diego County Supervisors
 RSWA – Regional Solid Waste Association

Returning to the in-person meetings in the Chamber on August 2, staff members were presented with technical challenges to continue both the in-person and virtual meetings simultaneously. Considerations are the Audio-Visual (AV) System in the Chamber used for streaming the meetings, recording votes and providing monitors for attendees viewing is outdated. Staff was able to piece-meal the system to ensure the meeting occurred, but not without requiring additional staff to assist and work overtime. The City Clerk's Office currently has three (3) members attending the meeting to manage three (3) different systems (Zoom, Voting and eSCRIBE), and the IT department had three (3) staff members on-site to ensure internet connectivity, assist with the AV system within the Chamber and additional AV provided in the Conference Room available for the Closed Session Meeting to include consultants' participation, and Spanish interpretation of the meetings.

The cost of overtime for the four (4) hourly staff members was not included in the departmental budgets for FY 2022/2023, therefore, an appropriation of \$10,000 is being requested should the City Council continue with the hybrid meeting format. This cost would fund overtime for hourly staff members for the remaining eight (8) scheduled Regular Meetings and two (2) scheduled Special Meetings; estimating the average length of a meeting is three (3) hours. This cost would not include any Special Closed Session Meetings that are not already scheduled.

FINANCIAL STATEMENT:

If City Council directs staff to continue with the hybrid meeting format for the rest of the calendar year, staff will bring forward a budget appropriation of \$10,000 as a future Council item to cover the additional overtime personnel costs.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review. CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

None.