

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



**COUNCIL CHAMBERS  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA  
TUESDAY, APRIL 2, 2019 – 6:00 PM**

**ALEJANDRA SOTELO-SOLIS**  
*Mayor*

**RON MORRISON**  
*Vice Mayor*

**JERRY CANO**  
*Councilmember*

**GONZALO QUINTERO**  
*Councilmember*

**MONA RIOS**  
*Councilmember*

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

*Meeting agendas and  
minutes available on web*

**WWW.NATIONALCITYCA.GOV**

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

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

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

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

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

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

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

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

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

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

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

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



**OPEN TO THE PUBLIC**

**A. CITY COUNCIL**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)**

**PROCLAMATIONS AND CERTIFICATES**

1. [National City Proclaims Fair Housing Association Month](#)
2. [National City Proclaims Census Day](#)
3. [National Prescription Drug Take Back Day](#)
4. [National City Celebrates National Latina Business Women Association Day](#)

**AWARDS AND RECOGNITIONS**

5. [Introduction of new employee, Karina Lopez, Senior Office Assistant. \(Community Services\)](#)

**PRESENTATIONS**

6. [Gun Violence Restraining Orders Penal Code Sections 18100-18197. \(City Attorney\)](#)

**INTERVIEWS / APPOINTMENTS**

7. [Interviews and Appointments: Various Boards & Commissions. \(City Clerk\)](#)

**CONSENT CALENDAR**

8. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)
9. [Approval of the Minutes of the Special Meetings of the City Council of the City of National City of September 18, 2018 and December 18, 2018 and](#)

- the Regular Meetings of the City Council and Community Development Commission - Housing Authority of the City of National City of September 18, 2018, October 2, 2018, October 16, 2018, November 20, 2018, and December 4, 2018. (City Clerk)
10. Resolution of the City Council of the City of National City Approving the Memorandum of Understanding (MOU) between the City and the National City Police Officers' Association (NCPOA). (Human Resources)
  11. Resolution of the City Council of the City of National City, waiving the formal bid process pursuant to National City Municipal Code Section 2.60.260 regarding cooperative purchasing and authorizing the City to piggyback onto Sourcewell (formerly National Joint Powers Alliance) Contract #120716-NAF with National Auto Fleet Group for the purchase and build-out of one (1) 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8 Box 141 WB, Factory Order 1500 Lift Gate in an amount not to exceed \$33,470.75. (Engineering/Public Works)
  12. Resolution of the City Council of the City of National City accepting and approving the recordation of a Memorandum of Unrecorded Grant Agreement/Deed Restrictions with the State of California, by and through the Natural Resources Agency, for Paradise Creek Educational Park; and authorizing the City Manager to execute said Memorandum of Unrecorded Grant Agreement/Deed Restrictions. (Engineering/Public Works)
  13. Resolution of the City Council of the City of National City adopting City Council Policy #104 - Rules of Procedure and Order for City Council Meetings. (City Manager)
  14. Temporary Use Permit - "Kidz Fest" Community Easter Hunt sponsored by Cornerstone Church of San Diego at 1914 Sweetwater Road on April 21, 2019 from 9:00 a.m. to 4:00 p.m. with no waiver of fees. (Neighborhood Services)
  15. Temporary Use Permit - Halloween Retail Tent Store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 30, 2019 thru November 4, 2019 with no waiver of fees. (Neighborhood Services)
  16. Warrant Register #34 for the period of 02/13/19 through 02/19/19 in the amount of \$248,456.19. (Finance)
  17. Warrant Register #35 for the period of 02/20/19 through 02/26/19 in the amount of \$2,007,614.26. (Finance)
  18. Warrant Register #36 for the period of 02/27/19 through 03/05/19 in the amount of \$2,270,283.68. (Finance)

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

19. [Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee \(TDIF\) schedule and annual adjustment to the TDIF, 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 \\$2,484 per new residential dwelling unit to \\$2,534 per unit beginning July 1, 2019. \(Engineering/Public Works\)](#)

## **NON CONSENT RESOLUTIONS**

### **NEW BUSINESS**

20. [Approval of rescheduling of fiscal year 2020 budget workshop dates. \(Finance\)](#)

## **B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY**

### **CONSENT RESOLUTIONS - HOUSING AUTHORITY**

### **PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY**

21. [Public Hearing and Adoption of a Resolution of the Community Development Commission - Housing Authority of the City of National City \(CDC-HA\) approving the Housing Choice Voucher Program's Administrative Plan for Fiscal Year 2019-2020. \(Housing Economic & Development\)](#)
22. [Public Hearing and Adoption of a Resolution of the Community Development Commission - Housing Authority of the City of National City \(CDC-HA\) approving the Streamlined Annual Public Housing Agency \(PHA\) Plan for Fiscal Year 2019-2020. \(Housing & Economic Development\)](#)

### **NON CONSENT RESOLUTIONS - HOUSING AUTHORITY**

### **NEW BUSINESS - HOUSING AUTHORITY**

## **C. REPORTS**

### **STAFF REPORTS**

23. [Verbal report on Community Service Day, to be held Saturday, April 27, 2019 at El Toyon Park and Kimball Park. \(Community Services and Neighborhood Services\)](#)

**MAYOR AND CITY COUNCIL**

**CLOSED SESSION REPORT**

**ADJOURNMENT**

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - April 16, 2019 - 6:00 p.m. - Council Chambers - National City, California.

Special Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Budget Workshop - Tuesday - April 9, 2019 - 5:00 p.m. or to be determined - Council Chambers - National City, California

---

**CITY COUNCIL SUMMER LEGISLATIVE RECESS**

July 2, 2019 - City Council Meeting - Dispensed With  
July 16, 2019 - City Council Meeting - Dispensed With

The following page(s) contain the backup material for Agenda Item: [National City Proclaims Fair Housing Association Month](#)  
Please scroll down to view the backup material.

**Item # \_\_\_\_**

**04/02/19**

## **National City Proclaims Fair Housing Association Month**

**Proclamation Forthcoming**

The following page(s) contain the backup material for Agenda Item: [National City Proclaims Census Day](#)

Please scroll down to view the backup material.

**Item # \_\_\_\_**

**04/02/19**

## **National City Proclaims Census Day**

**Proclamation Forthcoming**



The following page(s) contain the backup material for Agenda Item: [National Prescription Drug Take Back Day](#)

Please scroll down to view the backup material.

**Item # \_\_\_\_**

**04/02/19**

**National Prescription Drug Take Back Day**

**Proclamation Forthcoming**

The following page(s) contain the backup material for Agenda Item: [National City Celebrates National Latina Business Women Association Day](#)  
Please scroll down to view the backup material.

**Item # \_\_\_\_**

**04/02/19**

**National City Celebrates National Latina Business  
Women Association Day**

**Proclamation Forthcoming**

The following page(s) contain the backup material for Agenda Item: [Introduction of new employee, Karina Lopez, Senior Office Assistant. \(Community Services\)](#)  
Please scroll down to view the backup material.

**Item # \_\_\_\_**

**4/2/19**

**Introduction of new employee, Karina Lopez, Senior Office  
Assistant. (Community Services)**

The following page(s) contain the backup material for Agenda Item: [Gun Violence Restraining Orders Penal Code Sections 18100-18197. \(City Attorney\)](#)  
Please scroll down to view the backup material.

Item #\_\_\_\_

04/02/2019

## **Presentation**

Gun Violence Restraining Orders  
Penal Code Sections 18100-18197

City Attorney's Office



The following page(s) contain the backup material for Agenda Item: [Interviews and Appointments: Various Boards & Commissions. \(City Clerk\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Interviews and Appointments: Various Boards & Commissions. (City Clerk)

**PREPARED BY:** Michael R. Dalla

**DEPARTMENT:** City Clerk

**PHONE:** 619-336-4226

**APPROVED BY:** 

**EXPLANATION:**

See attached.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ MIS

**ENVIRONMENTAL REVIEW:**

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Interview and appoint as desired.

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Explanation  
Applications |

## BOARDS & COMMISSIONS – CURRENT VACANCIES AND EXPIRED TERMS

April 2, 2019

### **LIBRARY BOARD OF TRUSTEES (Appointing Authority: Mayor, subject to confirmation by City Council)**

There is one unexpired term on the Library Board and three new applicants (**H. Bradley Bang, Christina Griffin-Jones, and Cheryl Howrey Colmenaro**).

<u>Name</u>	<u>Interviewed</u>
H. Bradley Bang	No
Cheryl Howrey Colmenaro	No
Christina Griffin-Jones	No (Also applied for Planning & Public Art)

### **PUBLIC ART COMMITTEE (Appointing Authority: Mayor, subject to confirmation by City Council)**

There are two vacancies on the Public Art Committee and two applicants (**Charles Reilly and Christina Griffin-Jones**). Mr. Reilly, who represents the City on the Port Pubic Art Committee, has expressed a desire to be appointed.

<u>Name</u>	<u>Interviewed</u>
Charles Reilly	Yes
Christina Griffin-Jones	No (Also applied for Planning & Library)

### **COMMUNITY AND POLICE RELATIONS COMMISSION (CPRC) (Appointing Authority: Mayor, subject to confirmation by City Council)**

There is one expiring term (**Zachary Gomez**) and one vacancy on the CPRC. **Mr. Gomez** was appointed 8 months ago. Per City Council Policy #107, he may be re-appointed to a full term without considering other candidates. There are two new applicants for the vacant position who need to be interviewed (**Robert Angel and Stephen DelaCruz**). One additional applicant submitted an incomplete application.

<u>Name</u>	<u>Interviewed</u>
Zachary Gomez	Incumbent (Also on PRSCAB)
Robert Angel	No
Stephen DelaCruz	No (Also applied for Planning & Veterans)

### **PLANNING COMMISSION (Appointing Authority: City Council)**

There is one expiring term (**Ditas Yamane**) and one vacancy (**Gonzalo Quintero**) on the Planning Commission. **Ms. Yamane** has indicated a desire to be re-appointed. There are six new applicants (**Chris Butcher, Stephen DelaCruz, Sherry Gogue, Christina Griffin-Jones, Cheryl Howrey Colmenaro, and Daniel Perez**).

<u>Name</u>	<u>Interviewed</u>
Ditas Yamane	Incumbent
Chris Butcher	Yes (Appointed to PRSCAB 11-20-18)
Sherry Gogue	Yes (Appointed to Library 12-04-18)
Christina Griffin-Jones	No (Also applied for Public Art & Library)
Cheryl Howrey Colmenaro	No
Stephen DelaCruz	No (Also applied for CPRC & Veterans)
Daniel Perez	No

### **VETERANS & MILITARY FAMILIES ADVISORY COMMITTEE (Appointing Authority: Mayor, subject to confirmation by City Council)**

There is one vacancy on the Veterans & Military Families Advisory Committee, and one applicant (**Stephen DelaCruz**).

<u>Name</u>	<u>Interviewed</u>
Stephen DelaCruz	No (Also applied for Planning & CPRC)

**CITY OF NATIONAL CITY**  
**APPLICATION FOR APPOINTMENT**  
**TO CITY BOARDS, COMMISSIONS, AND COMMITTEES**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Committee  |
| <input type="checkbox"/> Library Board of Trustees                                  | <input type="checkbox"/> Planning Commission      |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board         | <input type="checkbox"/> Public Art Committee*    |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee*           | <input type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.

➤ Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: ROBERT V. ANGEL E-Mail: BODYGUARD12453@HOTMAIL.COM

Home Address: 1121 APT. F., D. AVE., NATIONAL CITY, CA Tel. No.: 619 292 4474

Business Affiliation: N/A Title: —

Business Address: — Tel. No.: —

Length of Residence in National City: 10 YRS. San Diego County: — California: —

Educational Background: BS IN COMMERCE, MAJOR IN MANAGEMENT

Occupational Experience: SECURITY OFFICER (GUARD), SOCIAL WORKER  
BROADCAST JOURNALIST, CITY COUNCIL EXECUTIVE

Professional or Technical Organization Memberships: BCBC, PMAP, YOUTH MOVEMENT  
BSP - SCOUT MOVEMENT

Civic or Community Experience, Membership, or Previous Public Service Appointments:  
PUBLIC INFORMATION AND CIVIC ACTION GROUP (PICAG)

Experience or Special Knowledge Pertaining to Area of Interest: SECURITY OFFICER, SOCIAL WORKER

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 03/04/2019

Signature: Angel

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

**Supplemental Application:**  
**National City Community and Police Relations Commission**

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department.

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Applicant Name: ROBERT ANGEL

Have you ever been convicted of a felony crime: No: ☒ Yes: ☐  
Have you been convicted of a misdemeanor: No: ☒ Yes: ☐

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

---

---

---

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

***\*\*Disqualifying criteria for Community and Police Relations Commissioners are listed on the back of this form.***

RECEIVED  
CITY CLERK  
19 MAR - 5 P 3:41  
CITY OF NATIONAL CITY

**CITY OF NATIONAL CITY**  
**APPLICATION FOR APPOINTMENT**  
**TO CITY BOARDS, COMMISSIONS, AND COMMITTEES**

- |   |   |
|---|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC)    | <input type="checkbox"/> Civil Service Committee  |
| <input checked="" type="checkbox"/> Library Board of Trustees               | <input type="checkbox"/> Planning Commission      |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee*    |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee*   | <input type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: H. Bradley Bang E-Mail: bradleybang@gmail.com

Home Address: 10 E. 5th St. NC Tel. No.: 618-254-0687

Business Affiliation: None Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 4 years San Diego County: 40 years California: 51 years

Educational Background: MA in Education, Educational Technology - SDSU 1989;  
Multiple Subject Teaching Credential - National University 1997; BS Radio+TV - SDSU 1984

Occupational Experience: 20 years Computer Prep/Classroom Teacher @ Euclid, Perkins +  
Hamilton ES. 13 years Media Production Specialist @ O'Farrell + Lincoln HS

Professional or Technical Organization Memberships: Former member of IICS - International  
Interactive Communication Society + NSPI - National Society of Performance + Instruction

Civic or Community Experience, Membership, or Previous Public Service Appointments:

Experience or Special Knowledge Pertaining to Area of Interest: As The Media Specialist at my schools  
I use to coordinate with the Library on Special Events, Presentations and equipment

Have you ever been convicted of a felony crime? No: ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: ☒ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 3/18/2019

Signature: H. Bradley Bang

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

**H. Bradley Bang  
10 East 5<sup>th</sup> Street  
National City, CA 91950**

### **Employment**

2002 – 2017	Computer Lab Prep Teacher at Euclid Elementary School, SDSUSD
2000 - 2002	Classroom Teacher at Perkins Elementary School, SDUSD
1999 – 2000	Computer Lab Resource Teacher at Hamilton Elementary, SDUSD
1998 - 1999	Computer Lab Prep Teacher at Perkins Elementary, SDUSD
1990 – 1997	Media Production Specialist at O'Farrell Community School
1989 – 1990	Instructional Designer for Courseware Andersen Consulting
1983 – 1989	Media Technician at Lincoln High School

For the last 15 years I have been a Prep Teacher at Euclid Elementary School. My duties primarily consisted of teaching computer skills to students from Kindergarten to 5<sup>th</sup> Grade. This included, various computer instructional programs such as Raz Kids, Learning Upgrade and Achieve 3000. I also did a lot of writing using Microsoft Word and Microsoft Excel. I provided preparation time for our classrooms teachers. I was responsible for publishing a prep schedule for our school and informing teachers and administration about schedule changes. In addition, I did many workshops for teachers on Email, educational websites, and maintaining computer equipment. I also served our school as chair on the Technology Committee and as Chair for the Site Governance Team. Finally, the last few years I have served as the SDEA Site Representative for our school.

### **Education**

1997 Received Multiple Subject Teaching Credential – National University  
1989 Received MA In Educational Technology – SDSU  
1984 Received BS in Television and Film Production – SDSU

### **Special Interest**

Educate for the Future – Advocate for public education and programs to promote equity.  
Environmental Caucus for the Labor Council – Support legislation/programs for the environment.  
Alliance of Californians for Community Empowerment – Support statewide/neighborhood issues.  
Residential Leadership Academy – Develop plans to create positive change in our community.

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input checked="" type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: CHRIS BUTCHER E-Mail: CBUTCHER2800@GMAIL.COM

Home Address: 667 PARADISE WAY Tel. No.: 949-310-0990

Business Affiliation: CLOUD NOW LLC Title: PRESIDENT

Business Address: 667 PARADISE WAY Tel. No.: 949-310-0990

Length of Residence in National City: 6 San Diego County: 35 California: 50

Educational Background: MARIAN CATHOLIC HIGH SCHOOL 1980-1984, SAN DIEGO STATE UNIVERSITY 1984-1989  
NATIONAL UNIVERSITY 1991-1994

Occupational Experience: HIGH SCHOOL TEACHER 1991-2000 AT HOOVER HIGH & IRVINE HIGH SCHOOLS,  
TELECOMMUNICATIONS CONSULTING AND SALES FROM 2000-CURRENT

Professional or Technical Organization Memberships: HIGH SCHOOL SECONDARY SCHOOL TEACHING  
CREDENTIAL (EXPIRED), FORTINET NETWORK SECURITY EXPERT 2018

Civic or Community Experience, Membership, or Previous Public Service Appointments:  
ORANGE, IRVINE AND NATIONAL CITY CHAMBER OF COMMERCE 2000-2006, BOARD OF DIRECTOR AT NATIONAL CITY CHAMBER OF COMMERCE 2016-2017.

Experience or Special Knowledge Pertaining to Area of Interest: 2017 NATIONAL CITY CHAMBER VOLUNTEER OF  
THE YEAR & 2017 AMBASSADOR OF THE YEAR. CURRENTLY ON BOARD OF THE NATIONAL CITY POLICE & FIRE FOUNDATION. EXTENSIVE VOLUNTEER AND LEADERSHIP EXPERIENCE.

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 02/28/2019

Signature: 

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

This documents is filed as a public document

Revised March 2017

RECEIVED  
CITY CLERK  
2019 FEB 28 AM 10:39  
CITY OF NATIONAL CITY



CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT  
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Community & Police Relations Commission* (CPRC)    | <input type="checkbox"/> Civil Service Committee             |
| <input type="checkbox"/> Library Board of Trustees                                     | <input checked="" type="checkbox"/> Planning Commission      |
| <input checked="" type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee*               |
| <input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*   | <input checked="" type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: STEPHEN DELACRUZ E-Mail: SDELACRUZ@TIS.ATA@yahoo

Home Address: 2142 F AVE #203 Tel. No. 619 731 2097

Business Affiliation: N/A Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 11 yrs San Diego County: 25 California: 46

Educational Background: High School Diploma, 2 years JUNIOR college

Occupational Experience: CIVILIAN CONTRACTOR (NAVY) 20 yrs

Professional or Technical Organization Memberships: N/A

Civic or Community Experience, Membership, or Previous Public Service Appointments:

12 yrs NATIONAL school District, 6 yrs SWEETWATER school District

Experience or Special Knowledge Pertaining to Area of Interest: 10 year BASEBALL COACH  
Community schools volunteer 12 years

Have you ever been convicted of a felony crime? No: X Yes: \_\_\_\_\_ misdemeanor crime? No: X Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 3/12/19

Signature: [Signature]

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

**Supplemental Application:**  
**National City Community and Police Relations Commission**

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department.

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Applicant Name: STEPHEN DELACRUZ

Have you ever been convicted of a felony crime: No: X Yes:       
Have you been convicted of a misdemeanor: No: X Yes:     

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

---

---

---

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

***\*\*Disqualifying criteria for Community and Police Relations Commissioner are listed on the back of this form.***

# CITY OF NATIONAL CITY

## APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- |   |   |
|---|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC)    | <input type="checkbox"/> Civil Service Committee        |
| <input type="checkbox"/> Library Board of Trustees                          | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee*          |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee*   | <input type="checkbox"/> Traffic Safety Committee       |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Sherry Gogue E-Mail: Sherrygogue619@gmail.com

Home Address: 3611 E 8<sup>th</sup> St NC CA 91950 Tel. No.: 619 743 6505

Business Affiliation: Farmers Ins Agency Title: Owner/Agent

Business Address: 9628 Camp Rd #A, SV CA 91977 Tel. No.: 619-337-0721

Length of Residence in National City: 16 yrs San Diego County: 35 California: 35

Educational Background: High School, Finance Certificate, Insurance License

Occupational Experience: Finance + Insurance Certified + Licensed

Professional or Technical Organization Memberships: \_\_\_\_\_

Civic or Community Experience, Membership, or Previous Public Service Appointments: N.C. Library Board

Las Palmar LL + NCGSC Boards, Special Olympics Coach, Adrian Way CEO

Experience or Special Knowledge Pertaining to Area of Interest: \_\_\_\_\_

Have you ever been convicted of a felony crime? No: ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: ☒ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 3/13/19

Signature: Sherry Gogue

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

# CITY OF NATIONAL CITY

## APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- |   |   |
|---|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC)        | <input type="checkbox"/> Civil Service Committee                            |
| <input checked="" type="checkbox"/> Library Board of Trustees <i>2nd choice</i> | <input checked="" type="checkbox"/> Planning Commission <i>1st choice</i>   |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board     | <input checked="" type="checkbox"/> Public Art Committee* <i>2nd choice</i> |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee*       | <input type="checkbox"/> Traffic Safety Committee                           |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: CHRISTINA GRIFFIN-JONES E-Mail: christina.g.griffin@gmail.com

Home Address: 2604 Melrose St. National City 91950 Tel. No.: 619-464-1918

Business Affiliation: ENGAGE SAN DIEGO Title: ORGANIZER

Business Address: 2909 Centre St. SD 92103 Tel. No.: \_\_\_\_\_

Length of Residence in National City: 2 years San Diego County: 21 yrs California: 31 yrs

Educational Background: Bachelor's in Political Science from Howard University

Occupational Experience: Over 10 years of experience organizing my community in National City, Bono Logan and Encanto

Professional or Technical Organization Memberships: Member of UNITE HERE local 30 and 1, UDW, KKKKK 3430, A-Philip Randolph Institute, March for Black Women San Diego

Civic or Community Experience, Membership, or Previous Public Service Appointments: I have been president of A-Philip Randolph Institute SD chapter, I am the vice chair of Hispanic Murante

Experience or Special Knowledge Pertaining to Area of Interest: all kinds I am a black woman who has experienced housing insecurity and challenges in transportation and public safety within San Diego county. I have empowered my community to get involved and represent my community's interests to build a better community in this position.

Have you ever been convicted of a felony crime? No: ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: ☒ Yes: \_\_\_\_\_

If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 2/2/20 Signature: [Signature]

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

Pursuant to the California Public Records Act, information on this form may be released to the public upon request.

**CITY OF NATIONAL CITY**  
**APPLICATION FOR APPOINTMENT**  
**TO CITY BOARDS, COMMISSIONS, AND COMMITTEES**

☐ Community & Police Relations Commission\* (CPRC)  
☒ Library Board of Trustees  
☐ Parks, Recreation & Senior Citizens Advisory Board  
☐ Veterans & Military Families Advisory Committee\*

☒ Civil Service Committee  
☒ Planning Commission  
☐ Public Art Committee\*  
☒ Traffic Safety Committee

- RECEIVED  
CITY OF NATIONAL CITY  
MAR 21 A 10:16
- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Cheryl Howrey Colmenero Cheryl Colmenero eb: ma.  
Home Address: 305 J Ave NE 91950 Tel. No. 619 792 8089

Business Affiliation: \_\_\_\_\_ Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 56 yrs San Diego County: 56 yrs California: 56 yrs

Educational Background: High School Graduate  
Dec-1975

Occupational Experience: many titles in many years. Retired now.

Professional or Technical Organization Memberships: work community  
have always been important in family.

Civic or Community Experience, Membership, or Previous Public Service Appointments:

nc. traffic Safety Committee

Experience or Special Knowledge Pertaining to Area of Interest: Chained traffic  
Safety many years. served 10 plus year.

Have you ever been convicted of a felony crime? No: ☒ Yes: \_\_\_\_\_ Misdemeanor crime? No: ☒ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 3-12-2019

Signature: Cheryl Colmenero

Please feel free to provide additional information or letters of endorsement:

**Return completed form to:**  
Office of the City Clerk, 1243 National City Blvd.  
National City, CA 91950

Thank you for your interest in serving the City of National City.

**CITY OF NATIONAL CITY**  
**APPLICATION FOR APPOINTMENT**  
**TO CITY BOARDS, COMMISSIONS, AND COMMITTEES**

- |   |   |
|---|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC)    | <input type="checkbox"/> Civil Service Committee        |
| <input type="checkbox"/> Library Board of Trustees                          | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee*          |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee*   | <input type="checkbox"/> Traffic Safety Committee       |

- Applicants must be residents of the City of National City except for those marked by an \* and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Daniel Perez E-Mail: danielperezSD@gmail.com

Home Address: 1605 J Ave Tel. No.: 619 988 0149

Business Affiliation: \_\_\_\_\_ Title: \_\_\_\_\_

Business Address: \_\_\_\_\_ Tel. No.: \_\_\_\_\_

Length of Residence in National City: 7 yrs San Diego County: 37 yrs California: 37 yrs

Educational Background: B.S. Business Administration / Finance

Occupational Experience: Financial Analyst Sr, Realtor, Mortgage Loan Originator

Professional or Technical Organization Memberships: PSAE, CAE, NAR, NCHS, Rotary

Civic or Community Experience, Membership, or Previous Public Service Appointments:

Experience or Special Knowledge Pertaining to Area of Interest: \_\_\_\_\_

Have you ever been convicted of a felony crime? No ☒ Yes: \_\_\_\_\_ misdemeanor crime? No: ☒ Yes: \_\_\_\_\_  
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 3-13-2019

Signature: \_\_\_\_\_

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

The following page(s) contain the backup material for Agenda Item: [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # \_\_\_\_  
04/02/19

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL  
CITY APPROVING THE WAIVING OF THE READING OF THE  
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING  
AND PROVIDING THAT SUCH ORDINANCES SHALL BE  
INTRODUCED AND/OR ADOPTED AFTER A READING  
OF THE TITLE ONLY.**

(City Clerk)



The following page(s) contain the backup material for Agenda Item: [Approval of the Minutes of the Special Meetings of the City Council of the City of National City of September 18, 2018 and December 18, 2018 and the Regular Meetings of the City Council and Community Development Commission - Housing Authority of the City of National City of September 18, 2018, October 2, 2018, October 16, 2018, November 20, 2018, and December 4, 2018. \(City Clerk\)](#)

Please scroll down to view the backup material.

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETINGS  
OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
OF SEPTEMBER 18, 2018 AND DECEMBER 18, 2018 AND  
THE REGULAR MEETINGS OF THE CITY COUNCIL  
AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL  
CITY OF SEPTEMBER 18, 2018, OCTOBER 2, 2018,  
OCTOBER 16, 2018, NOVEMBER 20, 2018, AND  
DECEMBER 4, 2018.**

(City Clerk)

**DRAFT      DRAFT      DRAFT**  
**MINUTES OF THE SPECIAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF NATIONAL CITY**

**September 18, 2018**

The Special Meeting of the City Council of the City of National City was called to order at 5:04 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios

Council / Board members absent: Sotelo-Solis

Administrative Officials present: Dalla, Deese, Pedone, Raulston

**CITY COUNCIL**

**OPEN SESSION**

**PUBLIC COMMENTS** – None

Members retired into Closed Session at 5:05 p.m.

**CLOSED SESSION**

1. Conference with Legal Counsel – Pending Litigation  
Existing Litigation under Government Code Section 54956.9(d)(1)  
*Esthela Madrigal v. Bonita Creek Homeowners Association, et al.*  
SDSC Case No. 37-2017-00027590-CU-PA-CTL

**OPEN SESSION**

Members reconvened at 5:29 p.m.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

**CLOSED SESSION REPORT**

Acting City Attorney Pedone reported that in Closed Session the City Council gave authority to act by unanimous vote.

**ADJOURNMENT**

Next Regular City Council Meeting: Tuesday, September 18, 2018, 2018, 6:00 p.m.,  
City Council Chambers, Civic Center – National City, California.

The meeting adjourned at 5:30 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

DRAFT      DRAFT      DRAFT

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

**September 18, 2018**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:06 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong, Mosley, Parra, Pedone, Raulston, Roberts, Tellez, Vergara, Williams, Yano, Ybarra.  
Others present: City Treasurer Mitch Beauchamp.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

The following individuals spoke on justice and Earl McNeil: Rick Bramhall, Amie Zamudio, Yusef Miller, Loxie Gant, Marie, Cheri, Elizabeth Senhen, Margaret Kuchnia, Raul Aceves, Brittany McCline, Shane Parmely, Marco Amaral, and Earl McNeil.

Annette Delariva, National City, requested to have additional public forums to meet the candidates running for Council and Mayor.

**PROCLAMATIONS**

**PROCLAMATION ADMIN (102-2-1)**

1. MTS Free Ride Day

**AWARDS AND RECOGNITIONS**

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2019  
(102-10-14)**

2. Recognition of Outgoing Student Council Representative, Erika Gastelum, and Introduction of Incoming Student Council Representative, Danielle Cruz. (City Clerk)
3. Retiree Service Recognition - Police Sergeant Dennis J. Leach. (Police)
4. Employee of the Quarter 2018 - Tonya Hussain, Executive Secretary. (Planning)

## **AWARDS AND RECOGNITIONS (cont.)**

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2019 (102-10-14)**

5. Receipt of the Certificate of Achievement for Excellence in Financial Reporting for the City of National City's Comprehensive Annual Financial Report and the Award of Outstanding Achievement in Popular Annual Financial Reporting for the City of National City's popular annual financial report from the Government Finance Officers Association for the fiscal year ended June 30, 2017. (Finance)

## **INTERVIEWS / APPOINTMENTS**

### **BOARDS & COMMISSIONS ADMIN (101-1-1)**

6. Interviews and Appointments: Traffic Safety Committee. (City Clerk)

**RECOMMENDATION:** Interview and appoint as desired.

**TESTIMONY:** Richard Sherman appeared for interview.

**ACTION:** Motion by Morrison, seconded by Sotelo-Solis, to re-appoint Coyote Moon to the Traffic Safety Committee. Carried by unanimous vote.

Motion by Morrison, seconded by Cano, to appoint Richard Sherman to the Traffic Safety Committee. Carried by unanimous vote.

## **CITY COUNCIL**

## **CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 7 (NCMC), Item No. 8 through 18 (Resolution Nos. 2018-161 through 2018-171), Item No. 19 and 20 (Reports), Item Nos. 21 and 22 (Warrant Registers). Motion by Cano, seconded by Mendivil, to approve the Consent Calendar. Carried by unanimous vote.

### **MUNICIPAL CODE 2018 (506-2-33)**

7. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

### **CONTRACT (C2017-19)**

8. Resolution No. 2018-161. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ACCEPTING THE WORK PERFORMED BY TRI-GROUP CONSTRUCTION AND DEVELOPMENT, INC. FOR THE 18TH STREET PEDESTRIAN AND BICYCLE ENHANCEMENTS PROJECT, CIP NO. 16-10; 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$929,082.51; 3) RATIFYING THE RELEASE OF

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2017-19)**

8. Resolution No. 2018-161 (continued).  
RETENTION IN THE AMOUNT OF \$45,889.88; AND 4) AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF COMPLETION FOR THE PROJECT. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**CONTRACT (C2018-4)**

9. Resolution No. 2018-162. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ACCEPTING THE WORK PERFORMED BY PAL GENERAL ENGINEERING, INC. FOR THE WILSON AVENUE AND W. 22ND STREET IMPROVEMENTS PROJECT, CIP NO. 17-19; 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$369,659.12; 3) AUTHORIZING THE RELEASE OF RETENTION IN THE AMOUNT OF \$18,482.96; AND 4) AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF COMPLETION FOR THE PROJECT. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

10. Resolution No. 2018-163. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" ON THE EAST SIDE OF NATIONAL CITY BLVD, NORTH SIDE OF THE DRIVEWAY ADJACENT TO THE 2829 NATIONAL CITY BLVD., FRANK SUBARU BUSINESS, IN ORDER TO PROVIDE APPROPRIATE CLEARANCE AND ACCESS ONTO NATIONAL CITY BLVD. (TSC NO. 2018-20). (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

11. Resolution No. 2018-164. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. 24TH STREET AND "J" AVENUE TO ENHANCE VISIBILITY AND ACCESS FROM "J" AVENUE ONTO E. 24TH STREET (TSC No. 2018-21). (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

12. Resolution No. 2018-165. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF 230 FEET OF "NO PARKING" SIGNAGE ON THE EAST SIDE OF 400-500 BLOCK OF "T" AVENUE TO ENHANCE SAFETY FOR VEHICLES TRAVELING ON "T" AVENUE (TSC No. 2018-22). (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**GRANT / LIBRARY (206-4-10)**

13. Resolution No. 2018-166. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) RATIFYING THE ACCEPTANCE OF THE CALIFORNIA LIBRARY LITERACY SERVICES (CLLS) GRANT IN THE AMOUNT OF \$18,000 TO FUND THE NATIONAL CITY LIBRARY'S LITERACY SERVICES PROGRAM FOR FY 2018-19; AND 2) AUTHORIZING THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$18,000. (Library)

**ACTION:** Adopted. See above.

**CONTRACT (C2018-53)**

**GRANT / COMMUNITY SERVICES (206-4-26)**

14. Resolution No. 2018-167. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AUTHORIZING THE ACCEPTANCE OF THE SAN DIEGO UNIFIED PORT DISTRICT'S TIDELANDS ACTIVATION GRANT FUNDS OF \$10,000 AND \$3,330 IN SERVICES PROVIDED BY THE SAN DIEGO UNIFIED PORT DISTRICT FOR SPECIAL EVENTS AT THE NATIONAL CITY AQUATIC CENTER AND PEPPER PARK, WITH NO MATCHING FUNDS REQUIRED; 2) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND THE SAN DIEGO UNIFIED PORT DISTRICT TO RECEIVE FY19 TIDELANDS ACTIVATION GRANT FUNDS; AND 3) AUTHORIZING THE ESTABLISHMENT OF A REIMBURSABLE GRANTS CITYWIDE FUND APPROPRIATION OF \$10,000 AND CORRESPONDING REVENUE BUDGET. (Community Services)

**ACTION:** Adopted. See above.

**COMMUNITY SERVICES DEPT ADMIN (1104-1-7)**

15. Resolution No. 2018-168. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING AN INCREASE OF \$15,000 TO THE COMMUNITY SERVICES DEPARTMENT'S GENERAL FUND CONTRACT SERVICES APPROPRIATION AND USE OF GENERAL FUND UNASSIGNED FUND BALANCE FOR THE EXOS CONTRACT TO OPERATE LAS PALMAS POOL IN FY18. (Community Services)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

16. Resolution No. 2018-169. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT AND WITHDRAWAL OF CITY MONIES WITH THE LOCAL AGENCY INVESTMENT FUND (LAIF) ON BEHALF OF THE CITY OF NATIONAL CITY. (Finance)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

17. Resolution No. 2018-170. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT AND WITHDRAWAL OF CITY MONIES WITH FINANCIAL INSTITUTIONS ON BEHALF OF THE CITY OF NATIONAL CITY. (Finance)  
**ACTION:** Adopted. See above.

**CITY ATTORNEY REPORTS (509-1-3)**

18. Resolution No. 2018-171. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WRITTEN STATEMENT THAT NO FURTHER CHANGES ARE NEEDED AT THIS TIME TO THE CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST CODE, CURRENTLY IN EFFECT THROUGH RESOLUTION NO. 2016-131. (City Attorney)  
**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

19. National City Sales Tax Update Newsletter - First Quarter 2018. (Finance)  
**ACTION:** Filed. See above.
20. Investment Report for the quarter ended June 30, 2018. (Finance)  
**ACTION:** Filed. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

21. Warrant Register #7 for the period of 08/08/18 through 08/14/18 in the amount of \$1,759,826.86. (Finance)  
**ACTION:** Ratified. See above.
22. Warrant Register #8 for the period of 08/15/18 through 08/21/18 in the amount of \$687,978.46. (Finance)  
**ACTION:** Ratified. See above.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

**PARKING DISTRICT ADMIN (801-1-1)**

23. Resolution No. 2018-172. PUBLIC HEARING AND ADOPTION OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING RESIDENTIAL PERMIT PARKING DISTRICT "L" ON BOTH SIDES OF BUCKY LANE, VALID DAILY FROM 5:00PM TO 8:00AM (TSC 2018-16). (Engineering/Public Works)  
**RECOMMENDATION:** Hold Public Hearing to consider establishment of Residential Permit Parking District "L".



**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS (cont.)**

**PARKING DISTRICT ADMIN (801-1-1)**

23. Resolution No. 2018-172 (continued).

**TESTIMONY:** The following individuals spoke in support of the Permit Parking District: Darrell Allison, National City, Zelly Nunez, National City, and Frank Scott. A petition of support was submitted.

**ACTION:** Motion by Cano, seconded by Mendivil, to close the hearing. Carried by unanimous vote.

Motion by Cano, seconded by Mendivil, to adopt the resolution. Carried by unanimous vote.

**NEW BUSINESS**

**MUNICIPAL CODE 2018 (506-2-33)**

24. Request for City Council direction on amending Chapters 9.37, 9.38, and 10.52 of the City of National City Municipal Code to regulate the use of Electronic Smoking Devices. (Planning)

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to have staff bring back an ordinance with includes the changes to the sample language provided by the American Lung Association. Carried by unanimous vote.

**CITY ATTORNEY REPORTS (509-1-3)**

25. Staff report seeking City Council direction on proposed changes to sample Contractor Responsibility Ordinance. (Engineering/Public Works and City Attorney)

**ACTION:** Motion by Mendivil, seconded by Cano, to bring back an ordinance that reflects all staff recommendations. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: Sotelo-Solis. Absent: None. Abstain: None.

Member Rios announced that while not legally required to do so, she chose to recuse herself and not be present during consideration of Item No. 26 which involves her participation in the Rotary Club. Member Rios left the Chamber.

**CITY ATTORNEY REPORTS (509-1-3)**

26. Discussion and consideration of (1) a motion to direct the City Attorney to hire outside counsel to conduct an investigation into the allegations that while members of the Rotary Club, Councilmember Mona Rios and past chairman of the Planning Commission Marcus Bush, violated California Government Code Section 87100 or any other State laws that relate to public officials; and (2) a motion to determine and authorize the establishment of an appropriation from the general fund to fund the investigation. (City Attorney)

**NEW BUSINESS (cont.)**

**CITY ATTORNEY REPORTS (509-1-3)**

26. Discussion and consideration (continued)

**TESTIMONY:** Coyote Moon, Gloria Jean Nieto, and Joan Rincon, National City, spoke in opposition to an additional investigation. Griselda (no last name given) and Sandra Luviano spoke in favor of an investigation.

**ACTION:** Motion by Mendivil, seconded by Cano, to direct the City Attorney to hire outside counsel to conduct an investigation into the allegations that, while members of the Rotary Club, Councilmember Mona Rios and past chairman of the Planning Commission Marcus Bush, violated Government Code Section 87100 or any other State laws that relate to public officials.

Acting City Attorney Nicole Pedone asked the maker of the motion to detail in the motion the facts and questions to be posed to the FPPC or Attorney General for an opinion on any legal basis for an investigation prior to the City Attorney proceeding with an investigation in the matter.

Member Mendivil stated the fact that Member Rios signed a document taking responsibility for renting a room in the MLK Community Center and she did not uphold her responsibility to pay the rent that she signed to pay.

Mayor Morrison added that, "Member Rios and those that were under her direct control; her campaign chairman, her staff person, and two other officers that would control information through the club and everything else, the bills were not being paid to the City, the Club thought they were and therefore then, was their influence used with the City?"

Acting City Attorney Pedone stated that if the two items mentioned are what is to be presented to the FPPC then they should be made as part of the motion and direction should be given on the funding source for an investigation.

Member Mendivil clarified that the motion, would include the two items mentioned.

Member Cano indicated that he had one more item to add. Member Cano stated that some of the club members were told by Mona Rios to make payment for their dues and that she was going to use that money to pay the rent. Some of the members did provide a check for dues with the understanding that she was going to make payment on the rent but it wasn't paid.

Mayor Morrison said that there is a motion and second on the floor that there be an investigation contingent upon review of acceptability through either the FPPC or the Attorney General's Office.

## **NEW BUSINESS (cont.)**

### **CITY ATTORNEY REPORTS (509-1-3)**

26. Discussion and consideration (continued)

**ACTION (cont.):** City Attorney Pedone clarified her understanding that there is a motion to direct the City Attorney to conduct an investigation into the facts with the understanding that such an investigation is contingent upon the City Attorney getting an opinion from the FPPC and/or Attorney General on whether there is some sort of City action or connection based on the three facts or issues that have been provided.

The motion, as clarified, restated, and understood, carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Sotelo-Solis. Absent: None. Abstain: Rios

Member Rios returned to the Chamber.

### **C. REPORTS**

#### **STAFF REPORTS**

#### **HOUSING & ECONOMIC DEVELOPMENT (206-4-28)**

27. Update on the status of finalizing Maintenance and Operating Agreements with the National City Historical Society, National City Living History Farm Preserve (Stein Farm), and the San Diego Electric Railway Association. (Housing & Economic Development).

Assistant City Manager Brad Raulston mentioned the upcoming ribbon cutting for the 2<sup>nd</sup> phase of the Paradise Creek project and provided an update on the adjacent park project which will begin construction late this year and should take roughly a year to complete.

Director of Housing and Economic Development Alfredo Ybarra announced that the City received notice from the League of California Cities that the State Wide Community Development Authority has issued \$67 million in tax exempt Multi-family Affordable Housing Bonds for the rehabilitation of Summercrest Apartments in National City.

#### **MAYOR AND CITY COUNCIL**

City Treasurer Mitch Beauchamp wished Member Sotelo-Solis a, "Feliz Cumpleaños".

Vice Mayor Mendivil complimented retiring Police Sergeant Dennis J. Leach for his closing remarks and looks forward to his send-off.

Member Sotelo-Solis reminded everyone that vacation starts Friday for the kids, so there will be more little ones out using recreation centers and programs.

## MAYOR AND CITY COUNCIL (cont.)

Member Sotelo-Solis thanked everyone for the birthday wishes she received; shared sentiments about her husband and their 14<sup>th</sup> wedding anniversary, and stated that as contentious as the City Council conversations are, she appreciates being on the dais.

Member Rios acknowledged the Fire Department for the yearly September 11<sup>th</sup> ceremony as well as all the Sweetwater High School Homecoming events and reiterated that October 2<sup>nd</sup> is the Metropolitan Transit System's Free Bus Day.

Member Cano spoke about the changes that the City has gone through lately; going from a peaceful city to having protests and people criticizing the staff and calling people names. He hopes things will improve for the better.

Mayor Morrison announced that the official opening of Phase II of the 201 unit Paradise Creek project will be on Thursday, September 20<sup>th</sup> and reminded people of how large the project is. He announced that the Maytime Band Review will be at Plaza Blvd. and the Day of the Dead will be on October 20<sup>th</sup> and a number of other things to celebrate about the City.

## CLOSED SESSION REPORT

There was no Closed Session Report.

## ADJOURNMENT

Motion by Rios, seconded by Sotelo-Solis, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – October 2, 2018 - 6:00 p.m. - Council Chambers - National City, California. Carried by unanimous vote.

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – October 2, 2018 - 6:00 p.m. - Council Chambers - National City, California.

The meeting closed at 10:22 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING

#### CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting - Tuesday, September 18, 2018 – 5:00 p.m.

#### ROLL CALL

#### CITY COUNCIL

#### OPEN SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

#### CLOSED SESSION

1. Conference with Legal Counsel – Pending Litigation  
Existing Litigation under Government Code Section 54956.9(d)(1)  
*Esthela Madrigal v. Bonita Creek Homeowners Association, et al.*  
SDSC Case No. 37-2017-00027590-CU-PA-CTL

#### OPEN SESSION

CLOSED SESSION REPORT

#### ADJOURNMENT

Next Regular City Council Meeting: Tuesday, September 18, 2018, 6:00 p.m., City Council Chamber, Civic Center – National City, California.

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

**October 2, 2018**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:06 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong, Morris-Jones, Mosley, Parra, Raulston, Roberts, Vergara, Williams, Yano, Ybarra.  
Others present: City Treasurer Mitch Beauchamp, Student Representative Danielle Cruz.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Frank Scott, National City, thanked the Council for approving the measure regarding designation of Bucky Lane as a parking permit only zone; posed questions regarding wording in the permit language and requested Council to review and clarify it, including the waiving of permit fees.

Jill Ann Milligan, National City, expressed her concerns and discussed photos that she shared of parking issues in her neighborhood on 18<sup>th</sup> Street, East of Palm Avenue, along Las Palmas Elementary School property.

Joaquin Castro, Jamul, asked for an ordinance to be revisited regarding moving houses within or into National City.

Juan Carlos Lozano, National City, called for community control of the police and control of the use of the Wrap device, in the wake of the Earl McNeil case.

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 1 (NCMC), Item No. 2 (Minutes), Item No. 3 (Temporary Use Permit), Item Nos. 4 and 5 (Warrant Registers). Motion by Sotelo-Solis, seconded by Mendivil, to approve the Consent Calendar. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2018 (506-2-33)**

1. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

**GENERAL ADMIN (103-2-1)**

2. Approval of the Minutes of the Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City of April 17, 2018 and May 1, 2018 and Special Meeting of the City Council of the City of National City of May 1, 2018. (City Clerk)

**ACTION:** Approved. See above.

**TEMPORARY USE PERMITS 2018 (203-1-34)**

3. Temporary Use Permit - "Padres Pedal the Cause" Bicycle Ride sponsored by Padres Pedal the Cause on November 17, 2018 from 10:00 a.m. to 2:15 p.m. with no waiver of fees. (Neighborhood Services)

**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

4. Warrant Register #9 for the period of 08/22/18 through 08/28/18 in the amount of \$1,833,908.57. (Finance)

**ACTION:** Ratified. See above.

5. Warrant Register #10 for the period of 08/29/18 through 09/04/18 in the amount of \$2,464,528.00. (Finance)

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

**PARKING DISTRICT ADMIN (801-1-1)**

6. Resolution No. 2018-173. PUBLIC HEARING AND ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2018 USER FEE SCHEDULE FOR USER FEES WITHIN THE CITY. (City Manager)

**RECOMMENDATION:** Adopt the resolution approving the proposed fee schedule included in the attached Comprehensive User Fee Study Report prepared by Willdan Financial Services in August 2018 ("Willdan Report") with an effective date of January 1, 2019. Staff further recommends returning to the City Council periodically with appropriate updates.

**TESTIMONY:** None.

**ACTION:** Motion by Mendivil, seconded by Rios, to close the Public Hearing. Carried by unanimous vote.

Motion by Cano, seconded by Rios, to accept the Fee Study adopt the Resolution. Carried by unanimous vote.

## PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS (cont.)

### MUNICIPAL CODE 2018 (506-2-33)

7. Ordinance No. 2018-2450. PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADDING CHAPTER 2.63 TO THE NATIONAL CITY MUNICIPAL CODE REGARDING CONTRACTOR RESPONSIBILITY REQUIREMENTS FOR PUBLIC WORKS CONSTRUCTION. (Engineering/Public Works and City Attorney)

**RECOMMENDATION:** Introduce the Ordinance.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Cano, seconded by Sotelo-Solis, to introduce the Ordinance. Carried by unanimous vote.

## NON CONSENT RESOLUTIONS

### CONTRACT (C2007-9)

8. Resolution No. 2018-174. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE & OPERATING AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND SAN DIEGO ELECTRIC RAILWAY ASSOCIATION, INC. (SDERA), CONSISTING OF A TERM OF 5 YEARS WITH AN OPTION TO EXTEND THE TERM FOR UP TO THREE ADDITIONAL 5-YEAR PERIODS FOR THE CITY-OWNED LAND AND BUILDING (NATIONAL CITY RAILROAD DEPOT) LOCATED AT 922 WEST 23RD STREET IN NATIONAL CITY. (Housing & Economic Development)

**RECOMMENDATION:** Adopt the resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Mendivil, to adopt the Resolution. Carried by unanimous vote.

## NEW BUSINESS

### CONDITIONAL USE PERMITS 2018 (403-32-2)

9. Notice of Decision - Planning Commission approval of a Conditional Use Permit for on-site alcohol sales (Type 47) and live entertainment at a new restaurant (Westside Story) located at 1524 McKinley Avenue. (Applicant: Nicholas E. Inzunza) (Case File 2018-01 CUP) (Planning)

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** None.

**ACTION:** Motion by Cano, seconded by Mendivil, to file the Notice of Decision. Carried by unanimous vote.



**B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY**

**NON CONSENT RESOLUTIONS - HOUSING AUTHORITY**

**CONTRACT (C2018-54)**

**HOUSING AUTHORITY 2018 (404-1-7)**

10. Resolution No. 2018-68. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A DISPOSITION AND DEVELOPMENT AGREEMENT WITH SAN DIEGO HABITAT FOR HUMANITY AND SAN DIEGO COMMUNITY LAND TRUST FOR THE DEVELOPMENT OF SIX AFFORDABLE HOMEOWNERSHIP UNITS UNDER A COMMUNITY LAND TRUST WITH THE ELECTION TO DEVELOP SIX ADDITIONAL AFFORDABLE ACCESSORY DWELLING UNITS AT 405-419 WEST 18TH STREET IN NATIONAL CITY. (Housing & Economic Development).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** Laurie Pfeiler, San Diego Habitat for Humanity, and Charles Davis, San Diego Community Land Trust, provided background information on their organizations, explained the development and answered questions.

Margarita Moreno and Alicia Sanchez, National City, spoke in favor of having more Habitat for Humanity houses.

Sandy Naranjo, Environmental Health Coalition, spoke in support of the disposition and development agreement.

**ACTION:** Motion by Cano, seconded by Sotelo-Solis, to adopt the Resolution. Carried by unanimous vote.

**C. REPORTS**

**CLOSED SESSION REPORT**

There was no Closed Session report.

**STAFF REPORTS**

City Manager Leslie Deese spoke on staffing changes and welcomed City Attorney Angil Morris-Jones back to work.

City Treasurer Mitch Beauchamp spoke on the contract for the Depot, inspections, and the Land Trust.

City Clerk Michael Dalla introduced the new Student Council Representative Danielle Cruz.

Student Council Representative Danielle Cruz provided brief update on events at Sweetwater High School (SUHI).

## MAYOR AND CITY COUNCIL

Vice Mayor Mendivil wished City Attorney Morris-Jones well. He spoke about the Code 7 program and the Westside Infill Transit Oriented Development (WI-TOD), and announced that Sweetwater High School hired Jim Martinez as their new baseball coach.

Member Sotelo-Solis welcomed back City Attorney Morris-Jones. She announced that the Tower of Terror will not be taking place this year, however, the Library will be having a book event. She spoke on the two projects and the fee schedule discussed at the meeting and she gave kudos to the staff who were involved.

Member Rios shared information on the 'MTS Free Ride Day'. She reminded the public of the "Coffee with a Cop" event and extended a welcome to the City Attorney and the new Student Council Representative.

Member Cano commended the City Attorney for looking so well and welcomed her back and welcomed the new Student Council Representative. He stated that during the Closed Session, he made a prediction that there was going to be peace. He shared his thoughts on recent retiree, Dennis Leach, and his experience during the WI-TOD ribbon cutting.

Mayor Morrison spoke about the properties on 18<sup>th</sup> Street where San Diego Habitat for Humanity will be building as well as the Cotijas Restaurant flying termite incident, and the resulting social media bad rap against them, and he listed upcoming community events. He announced that he will be the new Chair at SANDAG for their nominating committee as they go through their leadership changes.

Member Sotelo-Solis spoke on the 'Brew Fest' event and the Volunteer Appreciation Dinner that was held in honor of the Boards & Commissions members, and complimented how well the event went.

Motion made by Cano, seconded by Morrison, to put Measure W (Rent Control) on the next agenda for the City Council to take a stand. Motion failed by the following vote, to-wit: Ayes: Cano, Morrison. Nays: Rios, Sotelo-Solis. Absent: None. Abstain: Mendivil.

Note: Member Mendivil abstained on the advice of the City Attorney due to the fact that he is a landlord with rental property.

## CLOSED SESSION REPORT

There was no Closed Session report regarding the 5:00 p.m. Closed Session.

## RECESS

A recess was called at 9:05 p.m.

The meeting reconvened at 9:06 p.m., with all members present.

Members retired into Closed Session at 9:06 p.m.

**CLOSED SESSION**

**LABOR RELATIONS POA (605-3-00)**

11. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Irene Mosley, Jose Tellez, and Lilia Muñoz Employee Organization: Police Officers' Association

**LABOR RELATIONS FFA (605-6-1)**

12. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Robert Hernandez, Irene Mosley, and Lilia Muñoz Employee Organization: Firefighters' Association

**LABOR RELATIONS MEA (605-4-00)**

13. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Irene Mosley, Alfredo Ybarra, and Lilia Muñoz Employee Organization: Municipal Employees' Association

**ADJOURNMENT**

The meeting was adjourned to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – October 16, 2018 - 6:00 p.m. - Council Chambers - National City, California.

The meeting closed at 10:46 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING

#### CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting - Tuesday, October 2, 2018 – 5:00 p.m.

#### ROLL CALL

#### CITY COUNCIL

#### OPEN SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

#### CLOSED SESSION

1. Conference with Legal Counsel – Pending Litigation  
Pursuant to Government Code Section 54956.9(d)  
Two Potential Cases

#### OPEN SESSION

CLOSED SESSION REPORT

#### ADJOURNMENT

Next Regular City Council Meeting: Tuesday, October 2, 2018, 6:00 p.m., City Council Chambers, Civic Center – National City, California.

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

**October 16, 2018**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:45 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong, Morris-Jones, Mosley, Parra, Raulston, Roberts, Vergara, Williams, Yano, Ybarra.  
Others present: City Treasurer Mitch Beauchamp, Student Representative Danielle Cruz.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Maria Casanova, National City, spoke about issues she had with campaign signs that were placed at her residence. She spoke in support of Mayor Morrison.

Andy McLintock, National City, spoke in regards to the street abatement he has been trying to purchase in front of one of his properties.

Lydia Loristo and Edna Concepcion, spoke in opposition to Mayoral candidate Ditas Yamane.

Lorraine DeLorie, Relay for Life of South Bay, asked for the City's support in the upcoming 2019 Relay for Life event in Kimball Park.

Joan Rincon, National City, thanked staff and Council who were involved in the Plaza Boulevard project and expressed her gratitude and admiration for Mayor Morrison and the current walkability conditions in the City.

Florina Arce and Grace (no last name), National City, spoke in support of Mayoral candidate Ditas Yamane.

Sunshine Horton, El Cajon, shared words of encouragement.

Nancy Estolano, National City, spoke in regards to Morgan Square and Mayoral candidate Ditas Yamane.

Genny Torres, National City, expressed her disappointment with the current election candidates and how the campaigns have been running.

## PROCLAMATIONS

### PROCLAMATION ADMIN (102-2-1)

1. Marisa B. Ugarte, Bilateral Safety Corridor Coalition Day

## AWARDS AND RECOGNITIONS

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)

2. Recognition of KirE Builders, Inc. for their Participation in the Adopt-A-Place Program. (Housing & Economic Development)

## INTERVIEWS / APPOINTMENTS

### BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments: Various Boards & Commissions. (City Clerk)

**RECOMMENDATION:** Interview and appoint as desired.

**TESTIMONY:** Michael Lesley appeared for interview.

**ACTION:** Motion by Morrison, seconded by Cano, to re-appoint Deborah Hernandez to the Library Board of Trustees. Carried by unanimous vote.

Motion by Morrison, seconded by Cano to re-appoint Luz Molina-Lopez and Florfina Arce to the Park, Recreation and Senior Citizens Advisory Committee. Carried by unanimous vote.

Motion by Morrison, seconded by Cano, to appoint Michael Lesley to the Community and Police Relations Commission, subject to a background check. Carried by unanimous vote.

## CITY COUNCIL

## CONSENT CALENDAR

**ADOPTION OF CONSENT CALENDAR.** Item No. 4 (NCMC), Item No. 5 (Minutes), Item Nos. 6 through 12 (Resolution Nos. 2018-175 through 2018-181), Item No. 13 (Temporary Use Permit), Item No. 14 (Report), Item Nos. 15 and 16 (Warrant Registers). Motion by Cano, seconded by Mendivil, to approve the Consent Calendar. Carried by unanimous vote.

### MUNICIPAL CODE 2018 (506-2-33)

4. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

**GENERAL ADMIN (103-2-1)**

5. APPROVAL OF THE MINUTES OF THE SPECIAL MEETINGS OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF MARCH 26, 2018 AND OCTOBER 2, 2018 AND THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF MAY 15, 2018. (City Clerk)

**ACTION:** Approved. See above.

**CONTRACT (C2017-59)**

6. Resolution No. 2018-175. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ACCEPTING THE WORK PERFORMED BY DICK MILLER, INC. FOR THE CITYWIDE ALLEY IMPROVEMENTS PROJECT, CIP NO. 16-11; 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$987,241.97; 3) AUTHORIZING THE RELEASE OF RETENTION IN THE AMOUNT OF \$49,362.10 FROM THE DICK MILLER INC.'S ESCROW ACCOUNT; AND 4) AUTHORIZING THE MAYOR TO SIGN THE NOTICE OF COMPLETION FOR THE PROJECT. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

7. Resolution No. 2018-176. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE LOCATED ON 1039 "D" AVENUE (TSC No. 2018-23). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

8. Resolution No. 2018-177. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE LOCATED ON 2229 E. 4TH STREET (TSC NO. 2018-24). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

9. Resolution No. 2018-178. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE LOCATED ON 927 "C" AVENUE (TSC NO. 2018-25). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

10. Resolution No. 2018-179. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE LOCATED ON 318 "F" AVENUE (TSC NO. 2018-26). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**GRANT / COMMUNITY SERVICES (206-4-26)**

11. Resolution No. 2018-180. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AUTHORIZING THE ACCEPTANCE OF THE COUNTY OF SAN DIEGO'S COMMUNITY ENHANCEMENT PROGRAM GRANT FUNDS OF \$10,000 FOR THE SPECIAL EVENT "A KIMBALL HOLIDAY AND TREE LIGHTING CEREMONY", WITH NO MATCHING FUNDS REQUIRED; 2) AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND THE COUNTY OF SAN DIEGO TO RECEIVE FY19 COMMUNITY ENHANCEMENT PROGRAM GRANT FUNDS; 3) AND AUTHORIZING THE ESTABLISHMENT OF A REIMBURSABLE GRANTS CITYWIDE FUND APPROPRIATION OF \$10,000 AND CORRESPONDING REVENUE BUDGET. (Community Services)

**ACTION:** Adopted. See above.

**HUMAN RESOURCES DEPT ADMIN (1104-1-2)**

12. Resolution No. 2018-181. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE DISABILITY DETERMINATIONS UNDER GOVERNMENT CODE SECTION 21173; TO MAKE DISABILITY APPLICATION ON BEHALF OF THE CITY OF NATIONAL CITY PURSUANT TO GOVERNMENT CODE SECTION 21152(C) FOR DISABILITY RETIREMENT FOR ALL EMPLOYEES; AND TO INITIATE REQUESTS FOR REINSTATEMENT OF SUCH EMPLOYEES WHO ARE RETIRED FOR DISABILITY, AND TO CERTIFY SUCH DETERMINATIONS TO THE CALIFORNIA PUBLIC EMPLOYEE RETIREMENT SYSTEM (CalPERS). (Human Resources)

**ACTION:** Adopted. See above.

**TEMPORARY USE PERMITS 2018 (203-1-34)**

13. Temporary Use Permit - Harvest Fest hosted by Cornerstone Church of San Diego at 1914 Sweetwater Road on October 31, 2018 from 6:00 p.m. to 9:00 p.m. with no waiver of fees. (Neighborhood Services)

**ACTION:** Approved. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

14. Investment transactions for the month ended July 31, 2018. (Finance)

**ACTION:** Approved. See above.



**CONSENT CALENDAR (cont.)**

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

15. Warrant Register #11 for the period of 09/05/18 through 09/11/18 in the amount of \$1,954,603.89. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

16. Warrant Register #12 for the period of 09/12/18 through 09/18/18 in the amount of \$1,344,046.41. (Finance)

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

**MUNICIPAL CODE 2018 (506-2-33)**

17. Ordinance No. 2018-2450. PUBLIC HEARING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADDING CHAPTER 2.63 TO THE NATIONAL CITY MUNICIPAL CODE REGARDING CONTRACTOR RESPONSIBILITY REQUIREMENTS FOR PUBLIC WORKS CONSTRUCTION. (Engineering/Public Works)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to adopt the Ordinance. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS**

**CONTRACT (C2018-57)**

18. Resolution No. 2018-182. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) AWARDED A CONTRACT TO WHILLOCK CONTRACTING, INC. IN THE AMOUNT OF \$5,219,250 FOR THE PARADISE CREEK PARK SITE REMEDIATION AND IMPROVEMENTS, CIP NO. 18-07; 2) AUTHORIZING A 25% CONTINGENCY IN THE AMOUNT OF \$1,304,812.50 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Cano, seconded by Rios, to adopt the Resolution. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS (cont.)**

**CONTRACT (C2018-58)**

19. Resolution No. 2018-183. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A THREE YEAR SERVICE AGREEMENT WITH IPS GROUP, INC., FOR A NOT-TO-EXCEED AMOUNT OF \$320,000 TO PROVIDE PARKING MANAGEMENT AND ENFORCEMENT SOLUTIONS. (Engineering/Public Works)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Mendivil, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**CONTRACT (C2018-59)**

20. Resolution No. 2018-184. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A MILLS ACT HISTORIC PRESERVATION CONTRACT FOR 1430 EAST 24TH STREET, COMMONLY KNOWN AS THE WALLACE-DICKINSON HOUSE. (Applicant: Stepheni Norton) (Case File 2018-10 M) (Planning)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** The following speakers spoke in support of the Mills Act Historic Preservation Contract: Stepheni Norton, Janice Martinelli, Lori Peoples, Michael Lesley, Brian Clapper, and Daniel Perez.

**ACTION:** Motion by Mendivil, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**ADDITIONAL ITEM**

Student Representative Danielle Cruz announced current events to be held at Sweetwater High School.

**HOUSING & ECONOMIC DEVELOPMENT DEPT ADMIN (1104-1-9)**

21. Resolution No. 2018-185. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DECLARING A SHELTER CRISIS IN THE CITY OF NATIONAL CITY WITHIN THE MEANING OF GOVERNMENT CODE SECTION 8698, ET SEQ., AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY HOMELESS EMERGENCY AID PROGRAM (HEAP) APPLICATIONS, AGREEMENTS AND ASSOCIATED DOCUMENTS NECESSARY TO APPLY FOR AND SECURE HEAP FUNDS TO ADDRESS SAID SHELTER CRISIS AS PROVIDED FOR IN SENATE BILL 850 (CHAPTER 48, STATUTES OF 2018 AND GOVERNMENT CODE SECTION 8698.2). (Housing & Economic Development)

**NON CONSENT RESOLUTIONS (cont.)**

**HOUSING & ECONOMIC DEVELOPMENT DEPT ADMIN (1104-1-9)**

21. Resolution No. 2018-185 (continued).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis seconded by Mendivil, to adopt the Resolution. Carried by unanimous vote.

**COUNCIL POLICY ADMIN (102-13-1)**

22. Resolution No. 2018-186. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING CITY COUNCIL POLICY NO. 904, HOUSING LOAN SUBORDINATION POLICY (Homebuyer and Single-Family Rehabilitation Assistance Loans). (Housing & Economic Development)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Mendivil, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**PLANNING & BUILDING DEPT ADMIN (1104-1-10)**

23. Resolution No. 2018-187. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO INITIATE THE DESIGNATION OF HISTORIC PROPERTIES AS RECOMMENDED BY THE NATIONAL CITY HISTORICAL SOCIETY AND BASED ON HISTORIC PROPERTIES SURVEYS. (Planning)

**RECOMMENDATION:** 1. Adopt or amend the Resolution to exclude the properties with that are objected to. 2. Provide direction to staff on a subsequent resolution to initiate the historical designation of additional properties identified by the National City Historical Society.

**TESTIMONY:** The following individuals spoke in support of the designation of historic properties: Janice Martinelli, Lori Peoples, Daniel Perez.

Kate Milke, Clara Futura Investments, spoke on behalf of her father and asked that 1932 Harding Avenue be excluded from the list.

Matthew Edwards, National City, spoke in opposition and asked that his property at 1333 E. 24<sup>th</sup> Street, be excluded from the list.

**ACTION:** Motion by Cano, seconded by Morrison, to adopt the Resolution with all thirty-two properties on the list for the initiation stage.

Substitute motion by Sotelo-Solis, seconded by Rios, to only identify thirty properties, excluding properties at 1333 E. 24<sup>th</sup> Street and 1924 through 1936 Harding Avenue from the list. Motion failed by the following vote, to-wit: Ayes: Rios, Sotelo-Solis. Nays: Cano, Mendivil, Morrison. Absent: None. Abstain: None.

Original motion was adopted by unanimous vote.

## NEW BUSINESS

### PLANNING & BUILDING DEPT ADMIN (1104-1-10)

24. Request by the National City Historical Society for notification of building permit applications involving properties that may have features of historic value. (Planning)

**RECOMMENDATION:** Provide direction to staff to work with the National City Historical Society to make available outreach and information materials to building permit applications.

**TESTIMONY:** Janice Martinelli, Stepheni Norton, Matthew Edwards, Lori Peoples, National City, spoke in support.

Written correspondence was received from Mr. Dave Gillingham opposing the inclusion of 1932 Harding Avenue; the letter is on file with the City Clerk.

**ACTION:** Motion by Sotelo-Solis, seconded by Mendivil, to adopt staff recommendations.

Substitute motion made by Rios, seconded by Cano, to adopt staff recommendations and pursue process and best practices.

Carried by the following vote, to-wit: Ayes: Cano, Morrison, Rios. Nays: Mendivil, Sotelo-Solis. Absent: None. Abstain: None.

### TEMPORARY USE PERMITS 2018 (203-1-34)

25. Temporary Use Permit - "Padres Pedal the Cause" Bicycle Ride sponsored by Padres Pedal the Cause on November 17, 2018 from 10:00 a.m. to 2:15 p.m. with no waiver of fees. (Neighborhood Services)

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to approve the Temporary Use Permit. Carried by unanimous vote.

## C. REPORTS

### STAFF REPORTS

There were no staff reports.

### MAYOR AND CITY COUNCIL

Vice Mayor Mendivil expressed his concerns regarding Sweetwater High School District's current issues regarding the loss of transportation for the sports teams and their events.

Member Sotelo-Solis thanked staff for their presentations and spoke in defense of what was said during Public Comments regarding councilmembers. She was pleased with how the voting and dialogue turned out.

Member Rios reminded everyone about the ribbon cutting ceremony at the Embarcadero Brewing Company and the Salute to the Navy event.

### **MAYOR AND CITY COUNCIL (cont.)**

Member Cano said that he was impressed with the electoral candidates who spoke at a recent open forum. He shared words of appreciation for Mayor Morrison.

Mayor Morrison announced that school supplies and snacks were given out at Central and El Toyon Elementary Schools and reminded everyone of the upcoming Dia de los Muertos event. He spoke about the 89<sup>th</sup> Assembly District awards event; shared names of the awards recipients from National City, which included Josie Flores-Clark, and announced that the State of the City address will be on November 15<sup>th</sup>.

### **CLOSED SESSION REPORT**

City Attorney Angil Morris-Jones reported that a) direction was given in the matter regarding the Police Officers Association by a 3 to 2 vote, with members Rios and Sotelo-Solis voting "No"; b) there was no action taken in regards to the Firefighters' Association as it was information only; c) in regards to the Municipal Employees Association, the agency representatives were given unanimous direction by the Council; and, d) in regards to the two potential litigation matters, one was an informational report, and the other one was given unanimous direction by the Council. (See attached Exhibit 'L')

### **ADJOURNMENT**

Motion by Mendivil, seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – November 20, 2018 - 6:00 p.m. - Council Chambers - National City, California. Carried by unanimous vote.

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – November 20, 2018 - 6:00 p.m. - Council Chambers - National City, California.

The meeting closed at 9:55 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

No City Council Meeting will be held on November 6, 2018 due to the Election pursuant to National City Municipal Code 2.04.020.

## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING

#### CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting - Tuesday, October 16, 2018 – 4:30 p.m.

#### ROLL CALL

#### CITY COUNCIL

#### OPEN SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

#### CLOSED SESSION

1. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Irene Mosley, Jose Tellez, and Lilia Muñoz  
Employee Organization: Police Officers' Association
2. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Robert Hernandez, Irene Mosley, and Lilia Muñoz  
Employee Organization: Firefighters' Association
3. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Irene Mosley, Alfredo Ybarra, and Lilia Muñoz  
Employee Organization: Municipal Employees' Association
4. Conference with Legal Counsel – Potential Litigation: Two cases  
Potential Litigation Pursuant to Government Code Section 54956.9(e)(1)

#### OPEN SESSION

CLOSED SESSION REPORT

#### ADJOURNMENT

Next Regular City Council Meeting: Tuesday, October 16, 2018, 6:00 p.m., City Council Chambers, Civic Center – National City, California.

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

**November 20, 2018**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:27 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong, Morris-Jones, Mosley, Parra, Raulston, Roberts, Rodriguez, Tellez, Williams, Yano, Ybarra.  
Others present: City Treasurer Mitch Beauchamp.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Becky Krinsky, representing Shebal San Diego, spoke on behalf of Shabbat San Diego, shared a personal experience of discrimination, and she expressed words of appreciation for Mayor Morrison.

Karen McManus, President of the Maytime Band Association, thanked the Mayor and Council, the Police Department, and Emergency Services Director Frank Parra, for supporting Maytime and encouraged continuous support. Mayor Morrison presented certificates to the Maytime Band Association members.

Donnie Taylor, representing The Crowd Car Club S.D., expressed appreciation for including lowriders as participants in the Maytime event. Mayor Morrison presented certificates to the car club members.

Janice Martinelli, representing National City Historical Society, asked for an update regarding Granger Music Hall and introduced James Guthrie, President of the Irving J. Gill Foundation who invited the Mayor and Council to participate in Foundation events.

Eddie Perez, representing the Old Town National City (OTNC) Reunion Committee, spoke about the Casa de Salud's 5<sup>th</sup> Annual Thanksgiving Dinner and thanked the City and others for contributing support and donations.

David and Carolina Hernandez, representing Sweetwater High School Girls' and Boys' Golf Team, thanked the City on behalf of the teams for use of the golf course and shared the teams accomplishments and statistics. Mayor Morrison presented certificates to the team members and coaches.

## **PUBLIC COMMENTS (cont.)**

Diana Rojas, Sweetwater High School, requested a photo with the Mayor and Council for their Government class project.

Angela Santora, National City, reported that the street lights have been out on Brick Row and asked for assistance due to vandalism and car burglaries.

Dukie Valderrama, representing The Port of San Diego, congratulated the candidates on the recent election results and spoke on the world class "Extreme Sailing Series" event that the Port of San Diego hosted. He shared a video, presented the trophy that was given for 3<sup>rd</sup> Place and thanked Deputy City Manager Brad Raulston for participating in the event as the City's representative.

## **AWARDS AND RECOGNITIONS**

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

1. Employee Service Recognition - Marie Hernandez, Senior Police Dispatcher. (Police)

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

2. Employee Service Recognition - Mary I. Gaffney, Police Dispatcher. (Police)

## **PRESENTATIONS**

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

3. Circulate San Diego Momentum Awards - Healthy Community Award - Downtown Specific Plan. (Steve Manganiello, Acting Deputy City Manager)

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

4. The San Diego Architectural Foundation - Orchids and Onions Awards - Orchid for Placemaking for the Old Town Market Makeover. (Brad Raulston, Deputy City Manager)

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

5. ARTS (A Reason to Survive) Update. (James Halliday, ARTS, Executive Director)



## PRESENTATIONS (cont.)

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)

6. Airport Development Plan; Optimizing SAN to Meet Future Demands. (Mark West, San Diego County Regional Airport Authority Board Member and City of Imperial Beach Mayor Pro Tem)

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)

7. SANDAG Accomplishments. (Terry Sinnott, Chair, SANDAG Board of Directors and City of Del Mar Councilmember)

## INTERVIEWS / APPOINTMENTS

### BOARDS & COMMISSIONS ADMIN (101-1-1)

8. Interviews and Appointments: Various Boards & Commissions. (City Clerk)

**RECOMMENDATION:** Interview and appoint as desired.

**TESTIMONY:** Paul Wapnowski, Candy Morales, Chris Butcher, and Gloria Pangelinan appeared for interview.

Coyote Moon spoke in regards to being appointed to the Community & Police Relations Commission (CPRC).

**ACTION:** Motion by Rios, seconded by Mendivil, to appoint Paul Wapnowski to the Civil Service Commission. Carried by unanimous vote.

Motion by Morrison, seconded by Mendivil, to appoint Candy Morales to the CPRC. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: Sotelo-Solis. Absent: None. Abstain: None.

Motion by Morrison, seconded by Cano, to appoint Chris Butcher to the Parks, Recreation, & Senior Citizens Advisory Board (PRSCAB). Carried by unanimous vote.

## CITY COUNCIL

## CONSENT CALENDAR

**ADOPTION OF CONSENT CALENDAR.** Item No. 9 (NCMC), Item No. 10 (Minutes), Item Nos. 11 through 24 (Resolution Nos. 2018-188 through 2018-201), Item No. 23 (Report), Item Nos. 24 through 27 (Warrant Registers). Motion by Sotelo-Solis, seconded by Cano, to approve the Consent Calendar, except for Item Nos. 9, 15, 16, and 19. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2018 (506-2-33)**

9. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to approve waiving of the reading of the text of the Ordinances. Carried by unanimous vote.

**GENERAL ADMIN (103-2-1)**

10. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF APRIL 3, 2018 AND THE SPECIAL MEETINGS OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF APRIL 3, 2018, APRIL 17, 2018, AND OCTOBER 16, 2018 AND THE CORRECTED MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF APRIL 4, 2017. (City Clerk)

**ACTION:** Approved. See above.

**HUMAN RESOURCES DEPT ADMIN (1104-1-2)**

11. Resolution No. 2018-188. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING EFFECTIVE JANUARY 1, 2019, THE SALARY SCHEDULE FOR THE PART-TIME AND SEASONAL EMPLOYEE CLASSIFICATIONS, AS AMENDED: 1) ADJUSTING UPWARD CLASSIFICATIONS WITH SALARY RANGES BELOW THE 2019 STATE OF CALIFORNIA MINIMUM WAGE; AND 2) ADJUSTING UPWARD CLASSIFICATIONS IMPACTED BY THE SALARY COMPRESSION RESULTING FROM THE MINIMUM WAGE INCREASES. (Human Resources)

**ACTION:** Adopted. See above.

**COUNCIL POLICY ADMIN (102-13-1)**

12. Resolution No. 2018-189. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING CITY COUNCIL POLICY #203, "INVESTMENTS," AS AMENDED, FOR FISCAL YEAR 2018, AMENDING SUBSECTION 12 OF SECTION VIII AND ADDING "ASSET-BACKED SECURITIES" TO THE GLOSSARY OF INVESTMENT TERMS. (Finance)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2014-51)**

13. Resolution No. 2018-190. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WEST COAST ARBORISTS, INC., FOR SPECIALIZED TREE TRIMMING, REMOVAL, AND PLANTING SERVICES FROM DECEMBER 1, 2018 TO JUNE 30, 2019 FOR AN AMOUNT NOT TO EXCEED \$95,000 BY PIGGYBACKING ONTO THE CITY OF ENCINITAS' URBAN FORESTRY MAINTENANCE SERVICES CONTRACT. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

14. Resolution No. 2018-191. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP TO \$5,569,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE 8TH STREET AND ROOSEVELT AVENUE ACTIVE TRANSPORTATION CORRIDOR PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; 2) COMMITTING TO PROVIDING \$1,422,000 IN MATCHING FUNDS FROM SOURCES OTHER THAN THE TRANSNET ATGP; AND 3) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

15. Resolution No. 2018-192. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP TO \$1,286,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE CENTRAL COMMUNITY MOBILITY ENHANCEMENTS PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; 2) COMMITTING TO PROVIDING \$197,000 IN MATCHING FUNDS FROM SOURCES OTHER THAN THE TRANSNET ATGP; AND 3) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**ACTION:** Motion by Rios, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

16. Resolution No. 2018-193. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP TO \$5,421,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE BAYSHORE BIKEWAY - SEGMENT 5 PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; 2) COMMITTING TO PROVIDING \$970,000 IN MATCHING FUNDS FROM SOURCES OTHER THAN THE TRANSNET ATGP; AND 3) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**TESTIMONY:** Ted Godshalk, National City, spoke on traffic and safety conditions and on outside grants and he requested that careful research is done to better understand the grant proposals.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

17. Resolution No. 2018-194. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP \$942,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE NATIONAL CITY BIKE WAYFINDING PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; AND 2) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

18. Resolution No. 2018-195. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP \$1,215,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE HIGHLAND AVENUE INTER-CITY BIKE CONNECTIONS PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; AND 2) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

19. Resolution No. 2018-196. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP \$1,488,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE PARADISE CREEK MULTI-USE PATH PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; AND 2) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**TRANSPORTATION SANDAG REPORTS GENERAL ADMIN (802-2-1)**

20. Resolution No. 2018-197. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE CITY MANAGER TO ACCEPT UP \$1,487,000 IN TRANSNET ACTIVE TRANSPORTATION GRANT PROGRAM (ATGP) FUNDS FOR THE SWEETWATER ROAD PROTECTED BIKEWAY - PHASE 2 PROJECT, IF AWARDED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) THROUGH A FUNDING EXCHANGE WITH THE CYCLE 4 REGIONAL ACTIVE TRANSPORTATION GRANT PROGRAM; AND 2) AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE A GRANT AGREEMENT WITH SANDAG. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

21. Resolution No. 2018-198. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" AT THE INTERSECTION OF SWEETWATER ROAD AND VIA ROMAYA TO IMPROVE VISIBILITY AT THE INTERSECTION. (TSC No. 2018-27). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

22. Resolution No. 2018-199. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" AT THE INTERSECTION OF E. 16TH STREET & ORANGE STREET AND THE INTERSECTION OF E. 16TH STREET & PROSPECT STREET TO IMPROVE VISIBILITY AT THE INTERSECTION. (TSC No. 2018-28). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

23. Resolution No. 2018-200. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF STOP CONTROL SIGNS FOR THE NORTHBOUND AND SOUTHBOUND "LA SIESTA" WAY AND "VALLE VISTA" AVENUE APPROACHES TO THE INTERSECTION AT E. 20TH STREET TO ENHANCE SAFETY AT THE INTERSECTION. (TSC No. 2018-29). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

24. Resolution No. 2018-201. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF STOP CONTROL SIGNS FOR THE NORTHBOUND "B" AVENUE AND "C" AVENUE APPROACHES TO THE INTERSECTION AT E. 27TH STREET TO ENHANCE SAFETY AT THE INTERSECTION. (TSC No. 2018-30). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

25. National City Sales Tax Update Newsletter - Second Quarter 2018. (Finance)

**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

26. Warrant Register #13 for the period of 09/19/18 through 09/25/18 in the amount of \$2,140,962.89. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

27. Warrant Register #14 for the period of 09/26/18 through 10/02/18 in the amount of \$1,568,564.85. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

28. Warrant Register #15 for the period of 10/03/18 through 10/09/18 in the amount of \$2,200,455.60. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

29. Warrant Register #16 for the period of 10/10/18 through 10/16/18 in the amount of \$746,192.50. (Finance)

**ACTION:** Ratified. See above.

## RECESS

A recess was called at 9:28 P.M.

The meeting reconvened at 9:36 P.M. All members were present.

## PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

### MUNICIPAL CODE 2018 (506-2-33)

30. Ordinance No. 2018-2451. PUBLIC HEARING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE NATIONAL CITY MUNICIPAL CODE BY AMENDING CHAPTER 18.24.050 (ALLOWED LAND USES AND PERMIT REQUIREMENTS), 18.30.230 (TOBACCO SPECIALTY SHOPS), AND 18.50 (GLOSSARY) OF TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE RELATED TO ELECTRONIC SMOKING DEVICES. (Applicant: City-Initiated Land Use Amendment) (Case File 2018-23 A) (Planning)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Cano, seconded by Mendivil, to adopt the Ordinance. Carried by unanimous vote.

### MUNICIPAL CODE 2018 (506-2-33)

31. PUBLIC HEARING AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE NATIONAL CITY MUNICIPAL CODE BY AMENDING CHAPTER 9.37 (PROHIBITION OF SMOKING IN OPEN AIR DINING AREAS), CHAPTER 9.38 (RESTRICTING THE SALE, DISPLAY AND PROMOTION OF TOBACCO PRODUCTS OR CIGARETTES TO MINORS), AND CHAPTER 10.52 (REGULATIONS FOR THE USE OF MUNICIPAL PARKS, PLAYGROUNDS AND GOLF COURSES) RELATED TO ELECTRONIC SMOKING DEVICES. (Applicant: City-Initiated Land Use Amendment) (Case File 2018-23 A) (Planning)

**RECOMMENDATION:** Introduce the Ordinance.

**TESTIMONY:** Debra Kelley, American Lung Association, responded to questions.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Cano, seconded by Mendivil, to introduce the Ordinance. Carried by unanimous vote.

## NON CONSENT RESOLUTIONS

### CONTRACT (C2018-62)

32. Resolution No. 2018-202. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS FOR THE SALE OF A 500 SQUARE FOOT PARCEL OF VACANT LAND LOCATED ALONG "A" AVENUE IN FRONT OF 1835 "A" AVENUE IN NATIONAL CITY TO THE BETTY WINONA MCLINTOCK REVOCABLE TRUST. (Housing & Economic Development)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

### LABOR RELATIONS MEA MOU 2018-2020 (605-4-14)

33. Resolution No. 2018-203. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND THE NATIONAL CITY MUNICIPAL EMPLOYEES ASSOCIATION WITH EFFECTIVE DATES OF JULY 1, 2018 - JUNE 30, 2020. (Human Resources)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

### COUNCIL POLICY ADMIN (102-13-1)

34. Resolution No. 2018-204. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING CITY COUNCIL POLICY NO. 120 - "SELECTION OF VICE MAYOR". (City Manager)

**RECOMMENDATION:** Adopt the Resolution and consider adding language to the policy that in the event of an unanticipated vacancy on the City Council that appointees not be considered in a rotation for Vice Mayor during the appointed term of office.

**TESTIMONY:** None.

**ACTION:** Motion by Cano, seconded by Sotelo-Solis, to adopt the Resolution with the added language. Carried by unanimous vote.

City Attorney Angil Morris-Jones, read the amendment into record: "That in the event of an unanticipated vacancy on the City Council that an appointee shall not be included in a rotation for Vice Mayor during the term of office".



## NEW BUSINESS

### CONDITIONAL USE PERMITS 2018 (403-32-2)

35. Notice of Decision – Planning Commission approval of a Conditional Use Permit modification to extend the days of operation for a former Head Start Program located at 1805 East 17th Street. (Applicant: Tim Captain for First Christian Church) (Case File 2018-24 CUP) (Planning)

**RECOMMENDATION:** File the Notice of Decision.

**TESTIMONY:** None.

**ACTION:** Motion by Rios, seconded by Cano, to accept and file the Notice of Decision. Carried by unanimous vote.

### CONDITIONAL USE PERMITS 2018 (403-32-2)

36. Notice of Decision – Planning Commission approval of a Conditional Use Permit and Coastal Development Permit for a gas station, convenience store with beer and wine sales, and bike shop to be located at 724 Civic Center Drive in the Coastal Zone. (Applicant: Stosh Podeswik) (Case File 2018-19 CUP, CDP) (Planning)

**RECOMMENDATION:** File the Notice of Decision.

**TESTIMONY:** Ted Baldyga, Attisha Group and Martin Samo, representing Applicant, spoke in support of the permit.

Jack Bazzi, Cozines Grocery, Damian Cruz, National City, and Genny Torres, National City, spoke in opposition of the permit.

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to accept and file the Notice of Decision. Carried by unanimous vote.

### TEMPORARY USE PERMITS 2018 (203-1-34)

37. Temporary Use Permit – Perry Chrysler requesting to use the vacant lots located at 1105 National City Boulevard, 1123 National City Boulevard and 41 E. 12th Street for storage of vehicles from November 20, 2018 thru May 20, 2019 with no waiver of fees. (Neighborhood Services)

**RECOMMENDATION:** Approve the application for a Temporary Use Permit for a period of six months ending on May 20, 2019.

**TESTIMONY:** None.

**ACTION:** This item was pulled at the request of the Applicant. No action was taken.

### BOARDS & COMMISSIONS ADMIN (101-1-1)

38. Community and Police Relations Commission (CPRC) 2016 and 2017 Annual Reports. (City Manager)

**RECOMMENDATION:** Accept and file 2016 and 2017 Community and Police Relations Commission Annual Reports.

**TESTIMONY:** Victor Barajas, Chairman of the CPRC, reviewed the 2016 and 2017 Annual Reports which included personnel changes, objectives, and the backlog of cases.

**ACTION:** Motion by Mendivil, seconded by Cano, to accept and file the 2016 and 2017 Community and Police Relations Commission Annual Reports. Carried by unanimous vote.

## NEW BUSINESS (cont.)

### COUNCIL MEETINGS REGS / SCHEDULE ADMIN (102-7-1)

39. City Council Meeting Schedule for December 2018 and January 2019.  
(City Clerk)

**RECOMMENDATION:** Adopt a motion dispensing with the January 15, 2019 Regular Meeting of the City Council and Successor Agency to the Community Development Commission as the National City Redevelopment Agency and adjourn the meeting of December 20th to an Adjourned Meeting on January 22, 2019 at 6:00 p.m.

**TESTIMONY:** Mayor Morrison stated the following correction: "Adjourn the meeting of December 18<sup>th</sup>, not December 20<sup>th</sup>".

**ACTION:** Motion by Rios, seconded by Cano, to approve the meeting schedule for December 2018 and January 2019, with Mayor Morrison's correction. Carried by unanimous vote.

## C. REPORTS

### STAFF REPORTS

There were no Staff Reports.

### MAYOR AND CITY COUNCIL

Member Mendivil congratulated the elected candidates for their success and commended them for their desire to remain on the Council and wanting to serve. He commented on the quality of the candidates, those who are on the commissions, and those who want to serve, and said that it speaks well for the City. He spoke on First Christian Church and the need for early childhood education, and praised them for providing the Head Start program to preschoolers.

Member Sotelo-Solis applauded the presentations that were given at the meeting and said that she hopes the members of the public really do digest what was shared, especially the SANDAG and airport presentations; and gave kudos to staff. She asked to bring an item back on the next agenda regarding having the December 18<sup>th</sup> meeting at the MLK Building to accommodate members of the public who are interested in attending the swearing-in ceremony process and wished everyone a Happy Thanksgiving and safe travels.

Motion by Sotelo-Solis, seconded by Rios, to have staff bring back information at the December 4<sup>th</sup> meeting so that the Council can make a decision to hold the December 18<sup>th</sup> City Council meeting and swearing-in ceremony at the MLK Building. Carried by the following vote, to-wit: Ayes: Mendivil, Morrison, Rios, Sotelo-Solis. Nays: Cano. Absent: None. Abstain: None.

Member Rios congratulated staff on the work that was done at the meeting regarding the grants and awards received; praised the dispatch retirees and commended them for their service with the City and wished everyone a Happy Thanksgiving.

### **MAYOR AND CITY COUNCIL (cont.)**

Member Cano commended the Mayor for his performance at the State of the City and his leadership and the great job he and his Executive Assistant Josie Flores-Clark have done; praised others who attended and spoke at the Council meeting and said he hopes for peace and tranquility to continue. Member Cano congratulated Mayor-elect Sotelo-Solis and Councilmember re-elect Rios and Councilmember-elect Morrison for their election success.

Mayor Morrison spoke about the lowrider community and the history of cruising; praised the lowrider community on the great work that they have done in restoring peoples' image of them and said he hopes to bring back some opportunities for cruising to return to National City. Mayor Morrison spoke on upcoming and past events in the City reaching out to the families and the less fortunate and shared his thoughts on the State of the City event and those who received recognition.

Motion by Morrison, seconded by Rios, to bring back on the next agenda on December 4<sup>th</sup> for discussion, to pursue opening up the area if there's points of discussion to go forth and see if there's opportunities to approach a cruising Ordinance and review the current Ordinance. Carried by unanimous vote.

### **CLOSED SESSION REPORT**

City Attorney Angil-Morris Jones reported that in regards to Item Nos. 1, 2 and 3, Council gave direction and authorization to staff. (See attached Exhibit 'L')

### **ADJOURNMENT**

Motion by Rios, seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – December 4, 2018 - 6:00 p.m. - Council Chambers - National City, California. Carried by unanimous vote.

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – December 4, 2018 - 6:00 p.m. - Council Chambers - National City, California.

The meeting closed at 11:37 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

**THIS PAGE INTENTIONALLY LEFT BLANK**

## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting - Tuesday, November 20, 2018 – 4:30 p.m.

#### ROLL CALL

#### CITY COUNCIL

#### OPEN SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

#### CLOSED SESSION

1. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Irene Mosley, Jose Tellez, and Lilia Muñoz  
Employee Organization: Police Officers' Association
2. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Robert Hernandez, Irene Mosley, and Lilia Muñoz  
Employee Organization: Firefighters' Association
3. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Eddie Kreisberg, Mark Roberts, Irene Mosley, Alfredo Ybarra, and Lilia Muñoz  
Employee Organization: Municipal Employees' Association
4. Conference with Legal Counsel – Pending Litigation  
Existing Litigation under Government Code Section 54956.9(d)(1)  
*McKercher v. Morrison*; USDC 18-CV-01054-JM-BLM

#### ADJOURNMENT

Next Regular City Council Meeting: Tuesday, November 20, 2018, 6:00 p.m., City Council Chambers, Civic Center – National City, California.

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

**December 4, 2018**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:13 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong. Morris-Jones, Mosley, Parra, Raulston, Roberts, Rodriguez, Tellez, Williams, Yano, Ybarra.  
Others present: City Treasurer Mitch Beauchamp, Student Representative Danielle Cruz.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC COMMENTS**

Cindy Gomper Graves and Efrain Ibarra, Jr., South County Economic Development Council (South County EDC), shared demographic information on behalf of Megla Manufacturing, and said that there will be upcoming plans for 2019 in partnership with the City of National City and the Chamber of Commerce.

Luis Mercado, appeared on behalf of Richard Zaragosa and extended an invitation to Mayor-Elect Sotelo-Solis to visit his church.

**PROCLAMATIONS**

**PROCLAMATION ADMIN (102-2-1)**

1. NaFFAA San Diego/Imperial Region Filipino-American Friendship Day

**PROCLAMATION ADMIN (102-2-1)**

2. National Recovery Day

**PROCLAMATION ADMIN (102-2-1)**

3. National Weatherization Day

**AWARDS AND RECOGNITIONS**

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018  
(102-10-13)**

4. Employee Service Recognition - Anthony J. Gaut, Equipment Maintenance Supervisor. (Engineering/Public Works)

## AWARDS AND RECOGNITIONS (cont.)

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)

5. Retiree Service Recognition - Tiny Tots teachers Debbie Shinn and Sharon Johnson. (Community Services)

**ACTION:** This item will be carried over to another meeting.

## PRESENTATIONS

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)

6. 2019 Storm Water Calendar Presentation. (Kathy Masters, Acting Executive Secretary) (Engineering/Public Works)

### COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)

7. Presentation on State "Trash Amendments" pertaining to the Investigative Order R9-2017-0077 issued by the San Diego Regional Water Quality Control Board. (John Quenzer, Senior Scientist, D-Max Engineering, Inc.)

## INTERVIEWS / APPOINTMENTS

### BOARDS & COMMISSIONS ADMIN (101-1-1)

8. Interviews and Appointments: Various Boards & Commissions. (City Clerk)

**RECOMMENDATION:** Interview and appoint as desired.

**TESTIMONY:** Javier Alvarado and Sherry Gogue appeared for interview.

**ACTION:** Motion by Morrison, seconded by Sotelo-Solis, to appoint Sherry Gogue to the Library Board of Trustees. Carried by unanimous vote.

Motion by Morrison, seconded by Sotelo-Solis, to appoint Gloria Pangelinan to the Public Art Committee. Carried by unanimous vote.

Motion by Morrison, seconded by Cano, to appoint Javier Alvarado to the Traffic Safety Committee. Carried by unanimous vote.

## CITY COUNCIL

## CONSENT CALENDAR

**ADOPTION OF CONSENT CALENDAR.** Item No. 9 (NCMC), Item No. 10 (Minutes), Item Nos. 11 through 19 (Resolution Nos. 2018-205 through 2018-213), Item No. 20 (Report), Item Nos. 21 through 22 (Warrant Registers). Motion by Cano, seconded by Mendivil, to approve the Consent Calendar. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2018 (506-2-33)**

9. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

**GENERAL ADMIN (103-2-1)**

10. APPROVAL OF THE MINUTES OF THE REGULAR MEETINGS OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF JUNE 19, 2018 AND JULY 3, 2018 AND THE SPECIAL MEETINGS OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF MAY 15, 2018, JULY 3, 2018, AND NOVEMBER 20, 2018. (City Clerk)

**ACTION:** Approved. See above.

**ENGINEERING / PUBLIC WORKS DEPT - GRANTS / REPORTS ADMIN (1104-1-1)**

11. Resolution No. 2018-205. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE FISCAL YEAR 2018-2019 ALLOCATION FROM THE REGIONAL SOLID WASTE ASSOCIATION IN THE AMOUNT OF \$29,882 FOR NATIONAL CITY'S RECYCLING EFFORTS, AND AUTHORIZING THE ESTABLISHMENT OF A TRASH STABILIZATION FUND FUND APPROPRIATION AND A CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$29,882. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

12. Resolution No. 2018-206. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ESTABLISHMENT OF \$300,000 IN TRANSPORTATION DEVELOPMENT IMPACT FEE (TDIF) FUND BALANCE APPROPRIATIONS FOR PLAZA BOULEVARD WIDENING PROJECT. (Engineering/Public Works)

**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

13. Resolution No. 2018-207. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL



**CONSENT CALENDAR (cont.)**

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

13. Resolution No. 2018-207 (continued).  
JOINT POWERS ALLIANCE") CONTRACT #120716-NAF WITH  
NATIONAL AUTO FLEET GROUP FOR THE PURCHASE AND BUILD-  
OUT OF ONE (1) 2019 FORD SUPER DUTY F-450 IN AN AMOUNT NOT  
TO EXCEED \$89,465.83. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

14. Resolution No. 2018-208. RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF NATIONAL CITY WAIVING THE FORMAL BID PROCESS  
PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260  
REGARDING COOPERATIVE PURCHASING AND AUTHORIZING THE  
CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY "NATIONAL  
JOINT POWERS ALLIANCE") CONTRACT #120716-NAF WITH  
NATIONAL AUTO FLEET GROUP FOR THE PURCHASE AND BUILD-  
OUT OF ONE (1) 2019 FORD SUPER DUTY F-350 IN AN AMOUNT NOT  
TO EXCEED \$60,686.25. (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

15. Resolution No. 2018-209. RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF  
BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN  
FRONT OF THE RESIDENCE LOCATED AT 704 "E" AVENUE  
(TSC No. 2018-32). (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

16. Resolution No. 2018-210. RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF  
BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN  
FRONT OF THE RESIDENCE LOCATED AT 2132 "B" AVENUE (TSC No.  
2018-32). (Engineering/Public Works)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

17. Resolution No. 2018-211. RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF  
40 FEET OF PARALLEL "15-MINUTE" PARKING, VALID DAILY FROM  
7:00 A.M. TO 7:00 P.M., LOCATED AT 730 E. 7TH STREET IN FRONT OF  
"TORTILLERIA EL GRANO DE ORO" TO INCREASE PARKING  
TURNOVER FOR CUSTOMERS (TSC No. 2018-33). (Engineering/Public  
Works)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

18. Resolution No. 2018-212. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF 20 FEET OF RED CURB "NO PARKING" ON THE EAST SIDE OF PARADISE DRIVE, NORTH OF E. 11TH STREET, TO ENHANCE VISIBILITY AND ACCESS FROM E. 11TH STREET ONTO PARADISE DRIVE (TSC No. 2018-34). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2018 (801-2-40)**

19. Resolution No. 2018-213. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE LOCATED AT 1911 ORANGE STREET (TSC No. 2018-35). (Engineering/Public Works)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

20. Investment transactions for the month ended August 31, 2018. (Finance)

**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

21. Warrant Register #17 for the period of 10/17/18 through 10/23/18 in the amount of \$2,179,997.37. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

22. Warrant Register #18 for the period of 10/24/18 through 10/30/18 in the amount of \$271,716.06. (Finance)

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS**

**MUNICIPAL CODE 2018 (506-2-33)**

23. Ordinance No. 2018-2452. PUBLIC HEARING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE NATIONAL CITY MUNICIPAL CODE BY AMENDING CHAPTER 9.37 (PROHIBITION OF SMOKING IN OPEN AIR DINING AREAS), CHAPTER 9.38 (RESTRICTING THE SALE, DISPLAY AND PROMOTION OF TOBACCO PRODUCTS OR CIGARETTES TO MINORS), AND CHAPTER 10.52 (REGULATIONS FOR THE USE OF MUNICIPAL PARKS, PLAYGROUNDS AND GOLF COURSES) RELATED TO ELECTRONIC SMOKING DEVICES. (Applicant: City-Initiated Land Use Amendment) (Case File 2018-23 A) (Planning)

**MUNICIPAL CODE 2018 (506-2-33)**

23. Ordinance No. 2018-2452 (continued)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

Motion by Mendivil, seconded by Cano, to adopt the Ordinance. Carried by unanimous vote.

**NEW BUSINESS**

**CONDITIONAL USE PERMITS 2018 (403-32-2)**

24. Notice of Decision - Planning Commission approval of a Conditional Use Permit for on-site alcohol sales (Type 47) at a new restaurant (Gerry's Grill) located at 3030 Plaza Bonita Road #2510. (Applicant: Steve Rawlings) (Case File 2018-22 CUP) (Planning)

**RECOMMENDATION:** File the Notice of Decision.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Mendivil, to approve the CUP and file the Notice of Decision. Carried by unanimous vote.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

25. Approval of Fiscal Year 2020 budget workshop dates. (Finance)

**RECOMMENDATION:** Approve the recommended Fiscal Year 2020 budget workshop dates.

**TESTIMONY:** None.

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to approve the recommended Fiscal Year 2020 workshop dates. Carried by unanimous vote.

**CITY MANAGER / REPORTS ADMIN (1104-1-12)**

26. City Council discussion regarding National City Municipal Code Chapter 11.68 - Cruising. (City Manager)

**RECOMMENDATION:** Provide direction to staff.

**TESTIMONY:** Robert Casas, The Crowd of National City Car Club, spoke on behalf of the lowrider community, their functions, improvements, and the fundraising they've done. He said that a proposal and application for a Temporary Use Permit was submitted to the City to put on a first annual family-oriented car show in Kimball Park in May 2019; part of this would involve the car show participants cruising on Highland Ave afterwards. Eddie Perez, National City, had questions about the current ordinance and suggested looking into the current law implementing the ordinance.

**NEW BUSINESS (cont.)**

**CITY MANAGER / REPORTS ADMIN (1104-1-12)**

26. City Council discussion regarding National City Municipal Code Chapter 11.68 – Cruising. (continued)

**TESTIMONY (cont.):** Daniel Perez, National City, spoke in support of looking into the cruising ordinance and bringing it back to the City since it has a history of cruising and feels that it will help with the City's future.

City Attorney Morris-Jones and Mayor Morrison left the chambers for a brief discussion.

**ACTION:** Motion by Rios, seconded by Mendivil, to create an ad hoc committee appointing current Mayor Morrison and Mayor-elect Sotelo-Solis to serve on the committee continuing in the current year and into the following year. Carried by unanimous vote.

**CITY MANAGER / REPORTS ADMIN (1104-1-12)**

27. City Council discussion and direction on amended City Council Policy No. 104 - "Rules of Procedure and Order for City Council Meetings" (currently titled "Conduct of City Council Meetings"). (City Manager)

**RECOMMENDATION:** Request Council direction on the amended policy.

**TESTIMONY:** Coyote Moon, National City, spoke on Page 9, Section 7, on agenda sequence and order of business. She recommended that the invocation be eliminated or formalize a procedure for determining who gets to give the invocation.

**ACTION:** There was extensive discussion, suggested changes, clarifications, and direction provided, with the understanding that they would be incorporated in the draft policy for City Council consideration at a future meeting. There was no vote.

**CITY MANAGER / REPORTS ADMIN (1104-1-12)**

28. City Council discussion and direction to relocate the December 18, 2018 Regular Meeting of the National City City Council/Community Development Commission-Housing Authority meeting to the Martin Luther King, Jr. (MLK) Community Center. (City Manager and City Clerk)

**RECOMMENDATION:** Request Council direction.

**TESTIMONY:** None.

**ACTION:** Motion by Cano, seconded by Rios, to relocate the December 18<sup>th</sup> meeting to the MLK Community Center. Carried by unanimous vote.

## **C. REPORTS**

### **STAFF REPORTS**

Acting Community Services Director Audrey Denham announced details of the upcoming Christmas Tree Lighting at Kimball Park event, "A Kimball Holiday".

Director of Emergency Services Frank Parra spoke on emergency preparedness in light of the upcoming storm.

### **MAYOR AND CITY COUNCIL**

Student Council Representative Danielle Cruz reported on current Sweetwater High School events such as the Winter Assembly, and the conditions of the new gym. She added that it is college application season.

Member Mendivil gave his final comments as Councilmember, by thanking the Council, staff, and public for allowing him to serve for the last four years. He extended well wishes and is happy for Mayor-elect Sotelo-Solis; he encouraged the Council to find common ground and thinks that the lowrider issue is a perfect opportunity. He said that he will continue being a part of the National City Clergy Association, Boys & Girls Club, and most recently with Sweetwater Baseball.

Member Sotelo-Solis thanked Member Mendivil for his sentiments and commended him on the new chapter in his life. She congratulated Chief Rodriguez on his retirement and Assistant Chief Tellez for his promotion to Chief of Police and said she looks forward to working with the new City Council.

Member Rios said that she looks forward to working together to make sure that the community continues to grow. She thanked Member Mendivil for his service as Councilmember; acknowledged and thanked City staff on their expertise and guidance, and shared information from events and a workshop that she recently attended.

Member Cano thanked Member Mendivil for putting in a good four-year input to the City; commented on Chief Rodriguez's retirement; thanked and gave praise to Executive Assistant to the Mayor Josie Flores-Clark for her twelve years of service, and spoke about his experience as bartender at the Mayor's housewarming party.

Mayor Morrison thanked those who helped with his 23<sup>rd</sup> Annual Christmas Open House Party over the weekend.

## CLOSED SESSION REPORT

City Attorney Angil-Morris Jones reported that in regards to Item Nos. 1 and 2, there was nothing to report. In regards to Item Nos. 3 and 4, both items received direction and authorization from the Council by a 5-0 vote. (See attached Exhibit 'L')

## ADJOURNMENT

Motion by Mendivil, seconded by Cano, to adjourn the meeting to the Special Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – December 18, 2018 - 6:00 p.m. – Martin Luther King Center - National City, California. Carried by unanimous vote.

Special Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – December 18, 2018 - 6:00 p.m. – Martin Luther King Center - National City, California.

The meeting closed at 9:56 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

---

City Council and Community Development Commission - Housing Authority of the City of National City Meeting Schedule for the Period January 1, 2019 through January 22, 2019:

January 01 - Dispense with Meeting - 6:00 p.m.

January 15 - Dispense with Meeting - 6:00 p.m.

January 22 - Adjourned Regular Meeting - 6:00 p.m.

---

In observance of the Employee Work Furlough, City Offices will be closed from Friday, December 21, 2018 through Sunday, January 6, 2019. City Offices will reopen on Monday, January 7, 2019.

## EXHIBIT 'L'



### AGENDA OF A SPECIAL MEETING

#### CITY COUNCIL OF THE CITY OF NATIONAL CITY

Main Conference Room  
Civic Center  
1243 National City Boulevard  
National City, California

Special Meeting - Tuesday, December 4, 2018 – 4:00 p.m.

#### ROLL CALL

#### CITY COUNCIL

#### OPEN SESSION

CALL TO ORDER

ROLL CALL

PRESENTATION:

Public Officials' Social Media Accounts. (City Attorney)

#### CLOSED SESSION

1. Conference with Legal Counsel – Pending Litigation  
Existing Litigation under Government Code Section 54956.9(d)(1)  
*McKercher v. Morrison*; USDC 18-CV-01054-JM-BLM
2. Conference with Legal Counsel – Pending Litigation  
Existing Litigation under Government Code Section 54956.9(d)(1)  
*Esthela Madrigal v. Bonita Creek Homeowners Association, et al.*  
SDSC Case No. 37-2017-00027590-CU-PA-CTL
3. Conference with Legal Counsel – Pending Litigation  
Existing Litigation under Government Code Section 54956.9(d)(1)  
*Stephen Miranda v. City of National City, et al.*  
SDSC Case No. 37-2017-00050087-CU-PO-CTL
4. Liability Claims – Government Code Section 54956.95  
Workers' Compensation Claims  
Agency Claimed Against: City of National City  
Number of Claims: One

#### ADJOURNMENT

Next Regular City Council Meeting: Tuesday, December 4, 2018, 6:00 p.m., City Council Chambers, Civic Center – National City, California.

**DRAFT      DRAFT      DRAFT**  
**MINUTES OF THE SPECIAL MEETING OF THE  
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**December 18, 2018**

The Special Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:17 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Denham, Duong, Manganiello, Morris-Jones, Mosley, Parra, Raulston, Roberts, Rodriguez, Tellez, Williams, Yano, Ybarra.

Others present: City Treasurer Mitch Beauchamp, Student Representative Danielle Cruz.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY STUDENT REPRESENTATIVE  
DANIELLE CRUZ**

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 1 (Minutes), Item No. 2 and 3 (Warrant Registers), Item No. 4 (Report). Motion by Sotelo-Solis, seconded by Cano, to approve the Consent Calendar. Carried by unanimous vote.

**GENERAL ADMIN (103-2-1)**

1. APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OF DECEMBER 4, 2018. (City Clerk)

**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

2. Warrant Register #19 for the period of 10/31/18 through 11/06/18 in the amount of \$2,850,878.55. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2018 - JUNE 2019 (202-1-33)**

3. Warrant Register #20 for the period of 11/07/18 through 11/13/18 in the amount of \$412,913.44. (Finance)

**ACTION:** Ratified. See above.

**FINANCIAL MANAGEMENT 2018-2019 (204-1-34)**

4. Investment transactions for the month ended September 30, 2018. (Finance)

**ACTION:** Approved. See above.



**BUSINESS RELATING TO GENERAL MUNICIPAL ELECTION NOVEMBER 6, 2018**

**ELECTION NOV 2018 ADMIN (505-7-9)**

5. Resolution No. 2018-214. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.  
(City Clerk)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

**RECOGNITION OF OUTGOING ELECTED OFFICIALS**

County Supervisor Greg Cox, presented a proclamation to Vice Mayor Mendivil proclaiming December 18<sup>th</sup> “Albert Mendivil Day” in San Diego County and presented a proclamation to Mayor Morrison for his service as Mayor and for his service on a national and statewide level; and proclaimed December 18<sup>th</sup> as “Ron Morrison Day” in San Diego County. He also presented a proclamation to Mayor Morrison on behalf of Congressman Juan Vargas recognizing his lifetime dedication to public service.

Robert (Dukie) Valderrama, Port Commission, presented a proclamation to Vice Mayor Mendivil for his service and to Mayor Morrison for all his hard work and advocacy. He also recognized and presented a proclamation each to Member Sotelo-Solis and Member Rios for their service on the Council.

Vice Mayor Mendivil presented a proclamation to Mayor Morrison acknowledging his leadership and proclaiming December 18<sup>th</sup> as “Mayor Ron Morrison Day”.

Member Sotelo-Solis thanked outgoing Mayor Morrison and outgoing Vice Mayor Mendivil for the work they have done and provided them with their personalized photo plaques and badges as a keepsake. In addition, a “passing on of the gavel” plaque was presented to outgoing Mayor Morrison.

A representative of La Vista Park and Mortuary, thanked Mayor Morrison and Vice Mayor Mendivil for the support and work they have done for the City and said they look forward to working with Mayor Sotelo-Solis and Councilmember Rios.

Janice Martinelli, National City Historical Society, thanked Mayor Morrison and staff for being supportive of the Society and welcomed the new people to office.

Mr. Jesse Navarro expressed thanks and appreciation to Mayor Morrison and Vice Mayor Mendivil for their service, on behalf of the San Diego District Attorney’s office and congratulated the newly elected Mayor and Councilmember.

## **RECOGNITION OF OUTGOING ELECTED OFFICIALS (cont.)**

Executive Assistant to Mayor Morrison, Josie Flores-Clark, expressed her thanks to Mayor Morrison for his leadership and service during the past twelve years.

Vice Mayor Mendivil congratulated incoming Mayor Sotelo-Solis and her family and shared words of encouragement and advice. He expressed his appreciation for the National City Police Department and said it was an honor to be associated with them.

Mayor Morrison spoke on his time in office for the past twenty-six years and how things have progressed for the better as a City and said that the community should be proud of all that has gone on and will happen. He expressed gratitude and thanks to City staff, his family, his Executive Assistant, Josie Flores-Clark, the people of National City, the community, and region for allowing him to serve as Mayor.

## **OUTGOING MAYOR RON MORRISON AND VICE MAYOR ALBERT MENDIVIL WALKED OFF THE DAIS.**

## **OATH OF OFFICE CEREMONY**

City Clerk Michael Dalla, introduced Toni Atkins, the Honorable President Pro Tempore of the California Senate and Senator for the 39<sup>th</sup> District.

Senator Atkins acknowledged various elected officials that were in attendance: State Board of Equalization Member-Elect Michael Schaefer, Diamond Wallace representing State Assemblywoman Lorena Gonzalez-Fletcher, District 1 County Supervisor Greg Cox, Imperial Beach Mayor Serge Dedina, Imperial Beach Mayor Pro-Tem Mark West, Imperial Beach Councilmember Paloma Aguirre, San Diego District 9 City Council President Georgette Gomez, Councilmember Vivian Moreno, Adrian Granda representing San Diego Mayor Kevin Faulconer, National City School District Board Members Maria Dalla, Maria Betancourt-Castaneda, and Brian Clapper, National School District Superintendent Leighangela Brady, Southwestern Community College District Governing Board Nora Vargas, Sweetwater Union High School District Board Members Arturo Solis and Paula Hall, Sweetwater Water Authority Board member Jess Van Deventer and Port Commissioner Robert (Dukie) Valderrama.

Senator Atkins praised the diverse National City community and the work done in the City and gave words of advice and support to the newly elected officials.

## **INVOCATION**

Imam Yusef Miller, Council on American Islamic Relations.

## **PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE**

National City Girl Scout Troop 6045 followed by the Pledge of Allegiance led by Student Council Representative Danielle Cruz from Sweetwater High School.

### **CEREMONIAL OATH OF OFFICE**

City Clerk Michael Dalla invited newly elected and re-elected officials Mona Rios, Alejandra Sotelo-Solis, and Ron Morrison forward for administration of the Oath of Office.

Mr. Val Macedo administered the ceremonial Oath of Office to newly elected Councilmember Ron Morrison.

Mr. Al Alvarado administered the ceremonial Oath of Office to his daughter, newly re-elected Councilmember Mona Rios.

Francisco Sevilla administered the ceremonial Oath of Office to newly elected Mayor Alejandra Sotelo-Solis.

### **PRAYER OF BENEDICTION**

Father Edmundo Zarate from St. Anthony's Church and Father Nemesio Sugcad from St. Mary's Church.

**A RECESS WAS CALLED AT 6:48 P.M. FOR REFRESHMENTS.**

**THE MEETING RECONVENED AND WAS CALLED TO ORDER AT 7:45 P.M.**

### **ROLL CALL**

Council / Board members present: Cano, Morrison, Rios, Sotelo-Solis.

Administrative Officials present: Dalla, Deese, Denham, Morris-Jones, Mosley, Parra, Raulston, Roberts, Rodriguez, Tellez, Williams, Yano, Ybarra.

Others present: City Treasurer Mitch Beauchamp, Student Representative Danielle Cruz.

### **INCOMING MAYOR AND CITY COUNCIL COMMENTS**

Councilmember Morrison said that he is excited to be continuing his service on the Council; congratulated Mayor Sotelo-Solis and re-elected Councilmember Rios and said that he will continue to fight for real tolerance and diversity within the City, and working together to help to make good things happen.

Councilmember Rios spoke about the importance of community growth and how happy she is to be part of the transition. She thanked Mayor Sotelo-Solis for standing up and running for Mayor and concurred with Councilmember Morrison's comments about working together to make sure the City is the place that it should be. She read a statement of acknowledgement and thanks to her family, City employees, and elected officials.

Mayor Sotelo-Solis offered special recognition to previous female elected officials and others in leadership roles, to her fifth grade teacher Francisco Sevilla, her high school coaches, union members, all elected officials that were in attendance, colleagues and City staff, as well as her family for always believing in her and supporting her in her last ten years as a councilmember. She briefly shared her future goals as Mayor.

**PUBLIC COMMENTS** - None

## **AWARDS AND RECOGNITIONS**

### **COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2018 (102-10-13)**

6. Employee of the Quarter 2018 - Firefighter Zachary Stout. (Fire)

## **INTERVIEWS / APPOINTMENTS**

### **BOARDS & COMMISSIONS ADMIN (101-1-1)**

7. Interviews and Appointments: Outside Boards & Committees. (City Clerk)

**RECOMMENDATION:** Interview and appoint as desired.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Cano, to re-appoint Charles Reilly to the Port Public Art Committee. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to appoint Member Rios as primary and Member Jerry Cano as Alternate on the Bay shore Bikeway Working Group. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to appoint Mayor Sotelo-Solis to San Diego Association of Governments (SANDAG) as primary, Member Rios as first alternate, and Member Morrison as second alternate. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to appoint Mayor Sotelo-Solis as primary to the Shoreline Preservation Working Group, and Member Morrison as alternate. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to appoint Member Rios to Metropolitan Transit System (MTS) as primary, and Mayor Sotelo-Solis as alternate. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to keep the primary as Member Cano on Metro Wastewater JPA and the alternate as Member Morrison. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Cano, to appoint Mayor Sotelo-Solis and Member Cano to Sweetwater Authority. Carried by the following vote, to-wit: Ayes: Cano, Rios, Sotelo-Solis. Nays: Morrison. Abstain: None. Absent: None.

## **CITY COUNCIL**

### **CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 8 (NCMC), Item Nos. 9 and 10 (Resolution Nos. 2018-215 and 2018-216). Motion by Rios, seconded by Cano, to approve the Consent Calendar. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**MUNICIPAL CODE 2018 (506-2-33)**

8. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

**ACTION:** Approved. See above.

**POLICE DEPT ADMIN (302-4-1)**

9. Resolution No. 2018-215. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION IN THE AMOUNT OF \$23,207 TO THE 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO PURCHASE MOTOROLA HANDHELD POLICE RADIOS AND MOTOROLA HANDHELD RADIO BATTERIES, APPROVING THE ACCEPTANCE OF THE GRANT AWARD AND THE EXPENDITURE OF GRANT FUNDS, AND APPROVING THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$23,207. (Police)

**ACTION:** Adopted. See above.

**POLICE DEPT ADMIN (302-4-1)**

10. Resolution No. 2018-216. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION IN THE AMOUNT OF \$21,457 TO THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO PURCHASE MOTOROLA HANDHELD POLICE RADIOS AND MOTOROLA HANDHELD RADIO BATTERIES, APPROVING SETTING ASIDE 3% OF THE AWARDED GRANT FUNDS FOR NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) COMPLIANCE, AS DICTATED WITHIN THE GRANT, APPROVING THE ACCEPTANCE OF THE GRANT AWARD AND THE EXPENDITURE OF GRANT FUNDS, AND APPROVING THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$21,457. (Police)

**ACTION:** Adopted. See above.

## PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

### MUNICIPAL CODE 2018 (506-2-33)

#### CITY ATTORNEY REPORTS (509-1-3)

11. Ordinance No. 2019-2453. DISCUSSION, PUBLIC HEARING, AND INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING THE COMPENSATION OF THE MAYOR AND THE CITY COUNCIL. (City Attorney)

**RECOMMENDATION:** Introduce the Ordinance.

**TESTIMONY:** None.

**ACTION:** Motion by Cano, to approve the pay increase for Mayor and Council. Motion died for lack of a second.

Motion by Rios, seconded by Sotelo-Solis, to keep the current salaries for the Mayor and City Council as set on February 21, 2017 (\$1,189.78 per month for Council and \$4,532.13 per month for Mayor. Carried by unanimous vote.

## NON CONSENT RESOLUTIONS

### HUMAN RESOURCES DEPT ADMIN (1104-1-2)

12. Resolution No. 2018-217. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ADDING A CURRENTLY UNBUDGETED EXECUTIVE SECRETARY POSITION TO THE DEPARTMENT OF HOUSING & ECONOMIC DEVELOPMENT; 2) AUTHORIZING THE USE OF GENERAL FUND FUND BALANCE TO ADD THE EXECUTIVE SECRETARY POSITION AT A COMPENSATION LEVEL EQUAL TO THAT OF THE EXECUTIVE ASSISTANT IV INCUMBENT, WHO WILL OCCUPY THE POSITION, TO THE DEPARTMENT OF HOUSING & ECONOMIC DEVELOPMENT; AND 3) REPLACING THE EXECUTIVE ASSISTANT IV POSITION IN THE MAYOR'S OFFICE WITH A CONFIDENTIAL ASSISTANT (AT-WILL) POSITION, RESULTING IN COST SAVINGS. (Human Resources)

**RECOMMENDATION:** Adopt the resolution 1) adding a currently unbudgeted Executive Secretary position to the Department of Housing and Economic Development; 2) authorizing the use of General Fund fund balance to add the Executive Secretary position at a compensation level equal to that of the Executive Assistant IV incumbent, who will occupy the position, to the Department of Housing and Economic Development; and, 3) replacing the Executive Assistant IV position in the Mayor's office with a Confidential Assistant (At-Will) position, resulting in cost savings.

**TESTIMONY:** None.

**ACTION:** Motion by Morrison, seconded by Rios, to adopt the Resolution. Carried by unanimous vote.

## NEW BUSINESS

### PLANNING & BUILDING DEPT ADMIN (1104-1-10)

13. Request to demolish potentially historic property located at 1924-36 Harding Avenue (APN 559-105-12-00). (Planning)

**RECOMMENDATION:** Withhold issuance of the permit and continue this item to the City Council meeting of January 22, 2019.

**TESTIMONY:** Janice Martinelli, National City Historical Society, stated that the property is historic for many reasons, based on research. The Historical Society would go along with the demolition permit provided that they can go in and remove anything that they think might be useable to other people who own historic homes in National City.

Dave Gillingham, Applicant/Property Owner, stated that he has done considerable research with a consultant and that the house was not what it was characterized as being at the October 16<sup>th</sup> Public Hearing. He also disagrees with his home being characterized as "Greek Revival Style". He is more than willing to allow the Historical Society to have whatever they want and would like his demolition permit to be approved. Mr. Gillingham affirmed that ninety days would be sufficient to provide time for the Historical Society to extract items from the home.

**EX PARTE DISCLOSURE:** Mayor Sotelo-Solis stated for the record, that the property owner has sent all of the members of the Council an email stating his position that his property is not historic. Member Morrison disclosed that he also received a call from the property owner.

**ACTION:** Motion by Cano, seconded by Rios, to approve the demolition permit with the conditions that the applicant accepted with a ninety-day period of time for the Historical Society or any other individual with involvement in the Historical Society and with the applicant's permission, to extract belongings that they feel can be used for other properties that are part of the Historical Society. Carried by unanimous vote.

### CITY ATTORNEY REPORTS (509-1-3)

14. Selection of Vice Mayor. (City Attorney)

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to appoint member Morrison as Vice Mayor. Carried by unanimous vote.

## NEW BUSINESS (cont.)

### CITY ATTORNEY REPORTS (509-1-3)

15. Requirement to fill vacancy on the City Council pursuant to Government Code Section 36512. (City Attorney)

**STAFF REPORT:** City Attorney Angil Morris-Jones advised that the City Council has 60 days to fill the vacant City Council seat by appointment or call a Special Election. If the City Council fails to fill the vacancy within 60 days then a Special Election will be called by operation of law. The first available date for a Special Election would be November 5, 2019 and would cost approximately \$408,000. Additionally, an outlined example of the 4 step procedure the City Council followed to fill a vacancy in 2006 was provided in the City Attorney's staff report. The City Attorney stated that Mayor Sotelo-Solis has suggested that the deadline for submitting City Council applications would be January 22<sup>nd</sup>, and interviews would be held on January 29<sup>th</sup>.

**TESTIMONY:** The following individuals spoke in favor of appointing Jose Rodriguez to the City Council: Ramon Espinal, Juan Perez, Gretchen Newsom, Bradley Bang, Sandy Naranjo, Alicia Trevino, Ignacio Hernandez, Michelle Krug, Jose Medina, Jose Estrada, David Garcias, Alicia Sanchez, and Jose Rodriguez.

**ACTION:** Motion by Rios, seconded by Sotelo-Solis, to appoint Jose Rodriguez to the vacancy. Motion failed by the following vote, to-wit: Ayes: Rios, Sotelo-Solis. Nays: Cano, Morrison. Abstain: None. Absent: None.

Motion by Morrison, seconded by Cano, to go with the Mayor's suggestion to follow the 4 step procedure followed in 2006; to include advertising the vacancy, requiring applicants to submit a resume, Statement of Economic Interest and nomination papers with 20 valid voter signatures; and all application materials to be filed by 6 p.m. on January 22<sup>nd</sup> and interviews to take place at 6 p.m., on January 29<sup>th</sup>.

Carried by the following vote, to-wit: Ayes: Cano, Morrison, Sotelo-Solis. Nays: Rios. Abstain: None. Absent: None.

## C. REPORTS

### STAFF REPORTS

City Manager Leslie Deese offered her sincere congratulations on the election results for Mayor Sotelo-Solis, Councilmember Morrison, and Councilmember Rios. Staff looks forward to working with them and carrying out their policies. She acknowledged the following individuals for their hard work in helping put the program together and others who played a part: Esther Clemente, Lauren Maxilom, Leah Munoz, City staff in various departments, and audio/visual firm Accent Live, who live streamed the program. She wished everyone a happy holiday during the furlough.



## MAYOR AND CITY COUNCIL

City Clerk Michael Dalla and City Treasurer Mitch Beauchamp wished everyone a Merry Christmas.

Member Cano congratulated Mayor Sotelo-Solis on her victory and accomplishment as the first Latina Mayor in National City and looks forward to working with her in achieving the needs of the community.

Member Morrison congratulated everyone on the election and their new seats and looks forward to continuing to make the City better. He wished everyone a Merry Christmas.

Member Rios congratulated everyone on their previous service and their current service and looks forward to working with everyone and hopes that there is more conversation moving forward so that the community knows that they are here to get work done and save money for the City. She is proud to sit on a Council with the City's first Latina Mayor. She wished everyone happy holidays.

Mayor Sotelo-Solis gave a special thanks to all of the staff that helped make the program happen including elected officials, City staff and guests, and a special recognition to Lauren Maxilom and Leah Munoz. She looks forward to working closely with her re-elected and elected colleagues and wished everyone a safe furlough and happy holidays.

## ADJOURNMENT

Motion by Sotelo-Solis, seconded by Cano, to adjourn the meeting to the next Adjourned Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – January 22, 2019 - 6:00 p.m. - Council Chambers - National City, California. Carried by unanimous vote.

Adjourned Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday – January 22, 2019 - 6:00 p.m. - Council Chambers - National City, California.

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - February 5, 2019 - 6:00 p.m. - Council Chamber - National City, California.

The meeting closed at 9:21 p.m.

---

City Clerk

The foregoing minutes were approved at the Regular Meeting of April 2, 2019.

---

Mayor

---

City Council and Community Development Commission - Housing Authority of the City of National City Meeting Schedule for the Period January 1, 2019 through January 22, 2019:

January 01 - Dispense with Meeting - 6:00 p.m.

January 15 - Dispense with Meeting - 6:00 p.m.

January 22 - Adjourned Regular Meeting - 6:00 p.m.

---

In observance of the Employee Work Furlough, City Offices will be closed from Friday, December 21, 2018 through Sunday, January 6, 2019. City Offices will reopen on Monday, January 7, 2019.

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City Approving the Memorandum of Understanding \(MOU\) between the City and the National City Police Officers' Association \(NCPOA\). \(Human Resources\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City Approving the Memorandum of Understanding (MOU) between the City and the National City Police Officers' Association (NCPOA).

**PREPARED BY:** Robert J. Meteau Jr.

**PHONE:** 336-4308

**DEPARTMENT:** Human Resources

**APPROVED BY:** 

**EXPLANATION:**

The labor agreement between the City of National City and the National City Police Officers' Association (NCPOA) expired December 31, 2018. City representatives began meeting and conferring in good faith with NCPOA representatives in September, 2018 for the purpose of negotiating a successor agreement. On January 29, 2019 the NCPOA membership voted to ratify the terms of a two (2) year agreement, retroactive to January 1, 2019 as set forth by the negotiating teams. A complete summary of the terms of the agreement is attached.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Fiscal Impact:

FY 19 (6 mos) - \$219,000; FY 20 - \$609,000; FY 21 - \$1,334,000; FY 22 (6 mos) - \$934,000

Total, term of agreement - \$3,096,000.

**APPROVED:**  **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the resolution approving the terms of a two (2) year agreement reached between the City National of City negotiating team and the City of National City Police Officers' Association (NCPOA).

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Summary of Package Tentative Agreement Between City and NCPOA  
NCPOA Memorandum of Understanding  
Resolution

**CITY OF NATIONAL CITY / NATIONAL CITY POA  
2018 MOU NEGOTIATIONS  
PACKAGE CONTINGENT TENTATIVE AGREEMENT<sup>1</sup> – 1/22/19**

**ARTICLE 12 – EDUCATION/POST CERTIFICATION INCENTIVE PAY**

Safety employees covered by this Memorandum of Understanding are eligible for educational incentive pay upon meeting the requirements indicated below.

<b>LEVEL I</b> <b>\$30.00 per month</b> <b>compensation *</b>	<b>LEVEL II</b> <b>2% of base monthly salary</b>	<b>LEVEL III</b> <b>7% of base monthly salary</b>
AS or AA in related field	Intermediate POST Certificate	Advanced POST Certificate
* Level I benefits are only available to employees already receiving such benefits as of July 1, 2002.		
Effective the first full pay period in October 2021, increase Advanced POST to 8.0%.		

**General Requirements**

1. Completion of the initial Probationary Period with the National City Police Department.
2. Performance Report of at least "Satisfactory" on last two (2) reports.
3. Recommendation from the Chief of Police and the approval of the City Manager or designee.

**Tuition Reimbursement**

...

The Educational Expenses Reimbursement Plan is available to employees who wish to improve their work performance through furthering their education. The plan provides reimbursement for up to \$3,500 per fiscal year and is open to all employees who meet the following criteria:

...

---

<sup>1</sup> This package contingent tentative agreement is will be recommended to the City Council by the City Manager but is entirely contingent on City Council support/approval.

## ARTICLE 14 – CAFETERIA PLAN FOR HEALTH, DENTAL AND INSURANCE PLANS

### Section 1 Health Coverage

As a benefit to full-time employees covered by this Memorandum of Understanding, the City will provide a group health and dental insurance program. The benefits and limitations of the program are to be designed cooperatively by the Association, the insurance carrier and the City. The Association and the City agree to select and implement health insurance programs that meet the requirements of applicable law.

The City will provide a cafeteria benefit to all employees for use of paying insurance premiums for health, dental and other insurance plans. As of December 31, 2018, the City contributes as follows:

#### CITY'S CONTRIBUTION IF ELECT THE KAISER HIGH DEDUCTIBLE HEALTH PLAN (Kaiser HDHP)

Employee Only	\$457.56/month
Employee +1	\$736.80/month
Employee +2 or more	\$1,029.81/month

#### CITY'S CONTRIBUTION FOR ALL PLANS OTHER THAN KAISER HIGH DEDUCTIBLE HEALTH PLAN (Kaiser HDHP):

Employee Only	\$527.41/month
Employee +1	\$876.54/month
Employee +2 or more	\$1,227.43/month

Effective the first full pay period following City Council adoption of this 2019-2021 MOU, the City will contribute the same amount regardless of what health plan an employee chooses equal to the amounts contributed to the non-high deductible plans. Also, effective the first full pay period following City Council adoption of this 2019-2021 MOU, the City will contribute \$50 per month more than the City would be otherwise obligated to contribute under the cost sharing methodology described in the next paragraph.

Each health plan year (currently February through the following January), the City's new contribution obligation for employee only, employee +1 and employee +family shall be the City's monthly contribution amounts from the prior health plan year plus 50% of any increase in the lowest cost health plan and dental plan.

### Section 2 Money in Lieu

An employee may elect to receive an amount equivalent to the City's contribution minus the cost of health coverage for the employee alone, as cash in lieu.

## ARTICLE 16 - PUBLIC EMPLOYEES' RETIREMENT SYSTEM

### Section 1

Consistent with the Government Code of the State of California, employees are local safety or miscellaneous members of the Public Employees' Retirement System and are entitled to all benefits previously adopted amendments by the Board of Administration of PERS and the City Council.

### Section 2 Plan Definitions

The following benefits and definitions apply to the retirement plan benefits:

(a) **"Classic Employee" Definition:** Classic employees are defined as current employees and future employees who do not qualify as a "new member" under the California Public Employees' Pension Reform Act of 2013 (PEPRA).

(b) **"New Member" Definition:** New members are defined in the Public Employees' Pension Reform Act of 2013 (PEPRA), Government Code Section 7522.04(f).

(c) **CalPERS Retirement Formula for Public Safety New Members (Police Officer, Police Corporal, Police Sergeant and Police Lieutenant) as Defined Under the Public Employees' Pension Reform Act of 2013 (PEPRA):** Public safety "new members" as defined by PEPRA who are hired by the City on or after January 1, 2013 shall be entitled to the 2.7% at age 57 retirement formula with highest three (3) year average final compensation as set forth in PEPRA.

(d) **CalPERS Retirement Formula for Public Safety Classic Employees (Police Officer, Police Corporal, Police Sergeant and Police Lieutenant) Hired on or After March 18, 2010 (current employees and employees who do not qualify as "New Members" under PEPRA):** Current public safety employees or former City of National City employees who were members of CalPERS while employed with the City and had membership with CalPERS prior to January 1, 2013 and who are rehired on or after March 18, 2010 and other employees hired after January 1, 2013 who do not qualify as "new members" under PEPRA shall be entitled to or continue to be entitled to the 3% at age 55 retirement formula with single highest 12-month period for final compensation.

(e) **CalPERS Retirement Formula for Public Safety Classic Employees Hired Before March 18, 2010:** Public safety employees hired before March 18, 2010 shall continue to be entitled to the 3% at age 50 retirement formula with single highest 12-month period for final compensation.

Each of the above-listed plans shall include the following optional benefits:

- (h) Third Level of 1959 Survivor Benefit (Section 21573)
- (i) Credit for Unused Sick Leave (Section 20965)
- (j) The City will report Employer Paid Member Contributions (EPMC), effective the last pay period in June, 2009, as compensation earnable to PERS under applicable California Government Code and California Code of Regulations provisions.

### **Section 3 Employee Contributions to Pension**

(a) Effective the first full pay period in January 2019, Classic Employees shall pay 1.0% toward the employer CalPERS rate in addition to the full employee CalPERS contribution percentages of 9% for a total contribution of 10%. Effective the first full pay period in January 2020, Classic Employees shall pay an additional 1.0% toward the employer CalPERS rate for a total contribution of 11.0%.

(b) New Members shall pay 50% of the normal share of cost required by PEPR for the applicable pension formula and benefit.

## **ARTICLE 20 – SALARIES**

### **Section 1 Salary Schedule**

The City shall provide on a timely basis each year a copy of the official salary schedule developed by the Finance Department.

### **Section 2 Salary Adjustments**

#### **A. Police Officer, Sergeant, Lieutenant**

Effective the first full pay in January 2019 , and then again in the first full pay period of April 2020 and October 2021, the City will adjust the salary range for Police Officer by the percent necessary (if any) to move the salary of a top step National City Police Officer to the mid-point of the salary of a top step police officer or deputy sheriff (excluding longevity) in the 2nd and 3rd ranked comparison agencies (including National City among the comparison agencies) in effect, and already approved by the applicable City Council or Board, at the comparison agencies as of the beginning of the City's first full pay period in January 2019 (and the first full pay period in April 2020 and October 2021 for the 2020 and 2021 adjustments). If a National City Police Officer is ranked third, employees shall receive the percent necessary to move the top step salary of a National City Police Officer to the mid-point between that salary and the top step salary (excluding longevity) of the second ranked agency. If a National City Police Officer already is ranked 2nd or higher, employees shall not receive a salary decrease under this paragraph.



For purposes of this subsection, adjustments will be made upon current salaries, comparing top step to top step excluding longevity, in place at the time of the pay period adjustment among the comparison agencies. Subsequent retroactive adjustments are not to be considered nor are salary increases not yet ratified or approved. The agreed upon comparison agencies are (1) Oceanside (using its "Step G" for police officer pay); (2) Escondido (using its "Step 6" police officer pay); (3) Chula Vista; (4) Carlsbad; (5) City of San Diego; (6) National City; (7) El Cajon; (8) Coronado; (9) San Diego County Sheriff's Department; and (10) La Mesa.

The same methodology as set forth in the prior two paragraphs shall be used for separately surveying and adjusting the pay of a National City Sergeant and National City Lieutenant (i.e. survey and survey adjustments as of the City's first full pay period in January 2019, April 2020 and October 2021). If a survey agency in the future no longer has a Lieutenant classification, the parties will promptly meet and confer regarding that agency's elimination of the Lieutenant classification (i.e. whether or not to include the agency, use the second line supervisor, other) with each side retaining all the rights of meet and confer including but not limited to the Association reserving the right to move an impasse on the issue to fact-finding.

#### **B. Police Corporals**

The salary for Police Corporals shall be a flat amount approximately five percent (5%) higher than "E" step for Police Officer.

After 2 years of continuous service as a Police Corporal, the salary shall increase to a flat amount approximately six-and-a-half percent (6.5%) higher than "E" step for Police Officer. After 5 years of continuous service as a Police Corporal, a Police Corporal shall be paid a salary approximately nine percent (9.0%) higher than "E" step for Police Officer.

### **ARTICLE 30 – TERM OF PROVISIONS**

This is the entire integrated agreement and it shall be effective January 1, 2019 through December 31, 2021, superseding all conflicting provisions of the previous MOU and past practices.

### **NEW ARTICLE OR SECTION – DEATH IN THE LINE OF DUTY**

If an Association represented employees is killed due to an accident or injury occurring in the line of duty, the City shall make a \$5,000 payment to the designated spouse or domestic partner or other designated beneficiary.

CITY OF NATIONAL CITY



**MEMORANDUM  
OF  
UNDERSTANDING**

BETWEEN

CITY OF NATIONAL CITY  
CALIFORNIA

and

NATIONAL CITY  
POLICE OFFICERS' ASSOCIATION

AGREEMENT PERIOD

JANUARY 1, 2019 – DECEMBER 31, 2021

**MEMORANDUM OF UNDERSTANDING CONCERNING WAGES AND OTHER TERMS AND  
CONDITIONS OF EMPLOYMENT BETWEEN THE CITY OF NATIONAL CITY AND THE  
NATIONAL CITY POLICE OFFICERS' ASSOCIATION  
FOR THE FOLLOWING PERIOD OF TIME:  
JANUARY 1, 201~~9~~ – DECEMBER 31, 20~~21~~**

The representatives of the City Manager of the City of National City, for and on behalf of the City Council of the City of National City, have met and conferred with the representatives of the National City Police Officers' Association, an organization representing employees of the City of National City, in accordance with the provisions of Section 3500 et. Seq., of the Government Code of the State of California, and;

As a result of meeting and conferring in good faith with said Group, agreement has been reached on the following terms and conditions of employment as applied to those employees who are members of and represented by the Association; and the Memorandum of Understanding concerning said agreed terms and conditions of employment has been approved by the City Council of the City of National City on ~~April 2~~~~March 5~~, 201~~9~~, by Resolution No. ~~2019-~~.

**For the CITY:**

\_\_\_\_\_  
**LESLIE DEESE**  
City Manager

\_\_\_\_\_  
**EDWARD L. KREISBERG**  
Chief Negotiator

\_\_\_\_\_  
~~ROBERT J. METEAU, JR~~~~IRENE MOSLEY~~  
~~Interim~~ Director of Human Resources

\_\_\_\_\_  
**MARK ROBERTS**  
Director of Finance

\_\_\_\_\_  
**JOSE TELLEZ**  
~~Assistant~~ Chief of Police

**For the NCPOA:**

\_\_\_\_\_  
**BRAD FIELDS**  
Chief Negotiator

\_\_\_\_\_  
~~ROMAR RAMIREZ~~~~YAN STINNETT~~  
President NCPOA

\_\_\_\_\_  
~~OMAR~~~~YAN STINNETT~~~~RAMIREZ~~  
NCPOA Representative

\_\_\_\_\_  
**ROBERT ROUNDS**  
NCPOA Representative

\_\_\_\_\_  
**STEVE SHEPHARD**  
NCPOA Representative

\_\_\_\_\_  
**WADE WALTERS**  
NCPOA Representative

\_\_\_\_\_  
**ANTONIO YBARRA**  
NCPOA Representative

\_\_\_\_\_  
**WADE WALTERS**  
NCPOA Representative

---

# TABLE OF CONTENTS

---

ARTICLE 1 – RECOGNITION .....	4
ARTICLE 2 – VACATION AND HOLIDAY LEAVE/FURLOUGH LEAVE.....	5
ARTICLE 3 – LEAVE ELIGIBILITY AND PROCEDURE .....	8
ARTICLE 4 – MILITARY LEAVE.....	9
ARTICLE 5 – COURT LEAVE.....	10
ARTICLE 6 – SICK LEAVE WITH PAY .....	11
ARTICLE 7 – SPECIAL LEAVE WITH PAY .....	15
ARTICLE 8 – THE COMPENSATION PLAN.....	16
ARTICLE 9 – PAY DIFFERENTIAL .....	18
ARTICLE 10 – OVERTIME.....	20
ARTICLE 11 – COMPENSATORY TIME .....	23
ARTICLE 12 – EDUCATION/POST CERTIFICATE INCENTIVE PAY .....	25
ARTICLE 13 – LONGEVITY PAY .....	26
ARTICLE 14 – CAFETERIA PLAN FOR HEALTH, DENTAL AND INSURANCE PLANS .....	27
ARTICLE 15 – EMPLOYEE LIFE INSURANCE.....	<a href="#">2928</a>
ARTICLE 16 – PUBLIC EMPLOYEES’ RETIREMENT SYSTEM .....	<a href="#">3029</a>
ARTICLE 17 – MANAGEMENT RIGHTS .....	<a href="#">3231</a>
ARTICLE 18 – LONG TERM DISABILITY INSURANCE.....	<a href="#">3332</a>
ARTICLE 19 – UNIFORM ALLOWANCE.....	<a href="#">3433</a>
ARTICLE 20 – SALARIES .....	<a href="#">3534</a>
ARTICLE 21 – ASSOCIATION RIGHTS .....	<a href="#">3736</a>
ARTICLE 22 – EMPLOYEE RIGHTS.....	<a href="#">3837</a>
ARTICLE 23 – WORK WEEK/DAY .....	<a href="#">3938</a>
ARTICLE 24 – TRAINING .....	<a href="#">4039</a>
ARTICLE 25 – EMPLOYEE GRIEVANCE PROCEDURE .....	<a href="#">4140</a>
ARTICLE 26 – CONTINUATION OF WAGES, HOURS AND WORKING CONDITIONS.....	<a href="#">4746</a>
ARTICLE 27 – AGREEMENT, MODIFICATION, WAIVER .....	<a href="#">4847</a>
ARTICLE 28 – OBLIGATION TO SUPPORT.....	<a href="#">4948</a>
ARTICLE 29 – PROVISIONS OF LAW .....	<a href="#">5049</a>
ARTICLE 30 – TERM OF PROVISIONS.....	<a href="#">5150</a>
ARTICLE 31 – EMPLOYEE ASSISTANCE PROGRAM .....	<a href="#">5251</a>
ARTICLE 32 – USE OF CITY VEHICLES .....	<a href="#">5352</a>
ARTICLE 33 – DEFINITIONS .....	<a href="#">5453</a>

---

## ARTICLE 1 – RECOGNITION

---

The City continues to recognize the Association as the formally recognized majority employees' organization for the following full-time employees of the National City Police Department:

(A) **Sworn Positions:**

Police Lieutenant  
Police Sergeant  
Police Corporal  
Police Officer  
~~Animal Control Officer~~

(B) **Non-Sworn Positions:**

Police Recruit  
~~Senior Police Dispatcher \*~~

~~\* The Police Officer Association (POA) will continue to represent the position of Senior Police Dispatcher until the present incumbent vacates the position. Thereafter, the position will be represented by Municipal Employees' Association (MEA).~~

---

## ARTICLE 2 – VACATION AND HOLIDAY LEAVE/FURLOUGH LEAVE

---

### Section 1 Purpose

The purpose of Vacation and Holiday leave is to provide time for an employee to be away from the work environment and to enable such employee to return to work mentally refreshed. All employees shall be entitled to annual vacation and holiday leave with pay.

### Section 2 Accrual Rates

- A. All accrual rates in this section are based on years of service at the City of National City, except Paragraphs B and C, below. Employees covered by this Memorandum of Understanding shall earn vacation and holiday leave as follows:

Date of hire through 5 <sup>th</sup> year anniversary	7.39 hrs. per pay period of service
1 <sup>st</sup> pay period after 5 <sup>th</sup> year anniversary to 15 year anniversary	8.92 hrs. per pay period of service
1 <sup>st</sup> pay period after 15 year anniversary	10.46 hrs. per pay period of service

- B. Employees hired laterally after June 23, 2014 from another public safety department, who have already completed police academy training, shall immediately accrue vacation and holiday leave with the City based on the total number of pay periods of consecutive employment the employee had with the two public safety departments immediately preceding being hired by the City. For example, a lateral with a total of 10 years of consecutive employment with their current and one prior public safety employer would, upon employment with the City, accrue 8.92 hours of vacation and holiday pay per pay period of service he/she performs for the City.
- C. Lateral employees from another public safety department who had already completed police academy training and were hired by the City of National City before June 23, 2014 were placed in the highest tier for vacation and holiday leave with the City.
- D. It is recognized that the above accrual rates includes eight (8) hours credit for each of the following ten (10) fixed holidays and four (4) floating holidays:

Fixed Holidays	Floating Holidays
New Year's Day – January 1 <sup>st</sup>	Lincoln's Birthday – February 12
Martin Luther King Day – 3 <sup>rd</sup> Monday in Jan	Washington Birthday – 3 <sup>rd</sup> Monday in Feb
Cesar Chavez Day – March 31 <sup>st</sup>	Columbus Day – 2 <sup>nd</sup> Monday in October
Memorial Day – Last Monday in May	Veteran's Day
Independence Day – July 4 <sup>th</sup>	
Labor Day – 1 <sup>st</sup> Monday in September	
Thanksgiving Day – 4 <sup>th</sup> Thursday in Nov	
Day After Thanksgiving Day	
Christmas Eve Day – December 24 <sup>th</sup>	
Christmas Day – December 25 <sup>th</sup>	

## **Section 2      Accrual Rates (continued)**

It is further recognized that this provision shall not limit any additional future benefits applicable to the above mentioned holidays and that any such future benefits or compensation shall be granted.

## **Section 3      Maximum Vacation Accumulation**

An employee may accumulate vacation and holiday leave to a maximum of three (3) times the annual accrual, and accrual shall stop whenever the employee reaches the maximum.

## **Section 4      Vacation Schedules**

1. Vacation schedules shall be arranged by the Department Head, taking into account the needs of the Department, the needs and wishes of the employees and the employees' seniority.
2. An employee may take earned vacation in any increment of one (1) hour or more with the consent of the Department Head.

## **Section 5      Terminal Vacation and Holiday Leave Pay**

Upon termination of employment for any cause, an employee shall be entitled to pay in lieu for the number of accumulated vacation and holiday leave credited to the employee's account under the provisions of this section. All leave available upon completion of an employee's last day of work shall be a lump sum payment termed "terminal vacation and holiday pay".

## **Section 6      Terminal Vacation and Holiday Leave**

In the case of retirement, the employee may elect to place himself/herself on terminal vacation and holiday leave. In such a case, the employee will use all accumulated vacation and holiday time and retire at the end of said period.

## **Section 7      Holidays Occurring on Normal Work Day**

In the event an employee is required to work, as determined by the Chief of Police or designee, on a fixed holiday listed in Section 2 above, hourly compensation shall be based on the overtime rate.

## **Section 8      Vacation Sell Back**

During the term of this agreement, all employees (except Police Recruits) meeting the eligibility criteria defined below, may convert a minimum of 20 hours and a maximum of 80 hours of their accumulated vacation and holiday leave time to pay. The City shall attempt to process these requests prior to the Thanksgiving holiday.

In order to convert accrued vacation hours:

- a. Employees must use a minimum of 40 vacation hours during the eligibility period.
- b. Employees must submit a written request to the Human Resources Department to convert vacation hours to pay on or before November 1 of each year.
- c. The eligibility period is defined as the first pay period in November to the last pay period in October.

## **Section 9      Furlough Bank**

Current furlough bank hours shall remain in each employee's account until used by the employee as time off from work with pay. Requests to use furlough hours shall be made and may be approved consistent with present vacation policies. Furlough bank hours have no cash value and if not used prior to separation shall be extinguished.



---

## **ARTICLE 3 – LEAVE ELIGIBILITY AND PROCEDURE**

---

### **Section 1      Leave Categories**

Consistent with the provisions of this MOU, employees shall be entitled to annual vacation and shall be allowed sick, injury, emergency and special leaves of absence. Administrative leave will be treated the same as time actually worked for purposes of leave requests, benefits and pay.

### **Section 2      Requests for Leave**

All requests for leaves of absence, whether with or without pay, shall be submitted in writing on prescribed forms, and, except as provided in the case of Administrative Leave, Court Leave and Special Meetings, must meet the approval of the Department Head.

### **Section 3      Leave Approval**

Except in the case of sick, emergency or military leave, the time during which any leave of absence shall be taken by an employee shall be designated by the Department Head.

### **Section 4      Leave of Absence – Commencement and Termination**

Each leave of absence shall be granted for a specific period of time and a specific cause, and if such cause shall cease to exist prior to the expiration of the period for which the leave is granted, such leave shall thereafter be invalid.

### **Section 5      Leave of Absence - Failure to Report**

Leaves of absence shall be indicated on the payroll time sheets submitted to the Director of Finance for checking and certification. Failure of an employee to report at the expiration of leave shall separate the employee from City service and shall be considered, in effect, a resignation; provided, however, the Department Head may in his/her discretion cancel such separation if circumstances warrant such cancellation.

---

## ARTICLE 4 – MILITARY LEAVE

---

In addition to the leaves of absence provided in this Article, City employees who are also members of the armed services or militia or organized reserves of this State or Nation, shall be entitled to the leaves of absence and the employment rights and privileges provided by the Military and Veterans' Code of the State of California.

1. The term "military service" as used herein shall signify service on active duty with any branch of service above mentioned, as well as training or education under the supervision of the United States preliminary to induction into the military service.
2. The terms "active service" or "active duty" shall include the period during which such employee while in military service is absent from duty on account of sickness, wounds, leave or other lawful cause.
3. No employee serving under a permanent appointment in the Classified Service shall be subjected by any person directly or indirectly by reason of his absence on military leave to any loss or diminution of accrued vacation, holiday, insurance, pension, retirement or other privilege or benefit now offered or conferred by law, or be prejudiced by reason of such leave with reference to promotion, continuance in office or employment, re-appointment of re-employment.
4. When military leave is granted to an employee in the Classified Service pursuant to this section, the position held by such employee shall be filled temporarily only during the employees absence, except in the event of the employee's death while on leave, and said employee shall be entitled to be restored to such position, or to a position of like seniority, status and pay, upon return from such leave, provided the employee is still mentally and physically qualified to perform the duties of such position, and provided said employee makes application for re-employment within 90 days after being relieved from such military service.
5. During absence on military leave, any employee in the Classified Service who has been employed continuously by the City for a period of not less than one (1) year prior to the date upon which such absence begins, shall receive his regular salary and benefits for a period not to exceed normal hours worked in 30 calendar days (or 180 hours maximum) in any one fiscal year. All services of said employee in the recognized military service shall be counted as employment with the City.

---

## ARTICLE 5 – COURT LEAVE

---

An employee who is required by court order to serve as a juror or as a witness who is not a party to a court action, or an employee required to attend or testify at court in a lawsuit against the City in which the employee is a named defendant, shall be granted leave for such purpose upon presentation of proof of the period of said employee's required attendance to the Police Chief/designee. The employee shall receive full pay for the time the employee serves on court duty, provided the money received as a juror or witness is deposited with the Finance Department for credit to the proper fund. Request for such leave shall be made upon leave of absence forms, and the normal work schedule of an employee on court leave may be adjusted to accommodate the needs of the department and the employee's particular circumstances.

If the employee makes a court appearance during the morning session and at least part of the afternoon session, after he/she has just completed working a graveyard shift, and if the employee is scheduled to work the next succeeding night shift, the employee shall either:

1. Take the succeeding scheduled graveyard shift off with paid compensation at straight time for the succeeding shift; or
2. With the approval of the on-duty watch commander or shift supervisor, work the succeeding scheduled graveyard shift and receive time and one-half paid compensation for the actual court appearance time.

---

## ARTICLE 6 – SICK LEAVE WITH PAY

---

The intent of this Article is to provide a continuity of full salary to those employees who are unable, because of illness or injury, to perform the duties of their position or who would expose fellow workers or the public to contagious disease and are thereby forced to be absent from employment and to provide necessary time off from work for medical and dental care subject to administrative regulations designed to prevent malingering or abuse of these privileges.

### **Section 1      Sick Leave Defined**

Sick leave is the necessary absence from duty of an employee and may be approved for:

1.    Diagnosis, care, or treatment of the employee's existing health condition or preventive medical or dental care for an employee.
2.    The incapacity of the employee while on a scheduled vacation as defined in Section 7 of this Article.
3.    Bereavement.

Diagnosis, care, or treatment of an existing health condition of, or preventive care for an employee's family member. For the purposes of using sick leave under this policy only, "family member" shall mean an employee's parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild or grandparent.

In addition, an employee who is a victim of domestic violence, sexual assault, or stalking may use accrued paid sick leave under this policy for the following reasons:

1.    To obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or the victim's child;
2.    To seek medical attention for inquiries caused by domestic violence, sexual assault, or stalking;
3.    To obtain services from a domestic violence shelter, program, or rape crisis center;
4.    To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking;
5.    To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

### **Section 2      Sick Leave Accumulation**

1.    Each full-time permanent or probationary employee covered by this Memorandum of Understanding shall be entitled to accumulate sick leave at a rate of 3.69 hours per biweekly pay period if he/she has been on paid status at least half the regularly scheduled work days in that month.
2.    Unused sick leave shall be accumulative in an unlimited amount.

### **Section 3      Limitation on Time Chargeable to Sick Leave**

- A. No person shall be entitled to sick leave with pay while absent from duty on account of any of the following causes:
  - 1. Sickness or injury purposely self-inflicted.
  - 2. Sickness or injury caused by willful misconduct.
  - 3. No paid sick leave shall be granted in excess of the employee's sick leave credit or on an employee's regularly scheduled day off.
- B. Absence that is chargeable to sick leave in accordance with this article shall be charged in an amount not smaller than one (1) hour for the first hour of absence and thereafter, in increments of not less than fifteen (15) minutes.

### **Section 4      Notification**

- A. In order to receive compensation while on sick leave, the employee shall notify:
  - 1. The immediate supervisor; or
  - 2. The Department Head; or
  - 3. In the event of the unavailability of either, the senior department representative available.
- B. Notification shall be made prior to or not later than the beginning of the work day in the employee's respective department.
- C. The Department Head may waive the above requirements if, in his/her opinion, an emergency or other exceptional circumstances so warrants.

### **Section 5      Physician's Statement Required**

- A. When absence is for more than three (3) consecutive working days, the department head shall require the employee to furnish, at the employee's expense, a certificate or statement from a licensed and practicing physician, indicating the nature and duration of the employee's incapacity or, if the employee was not examined by a physician, other adequate evidence. Based upon circumstances of the particular case and review of previous sick leave usage, the department head may require evidence of incapacity in cases of shorter periods of absence.
- B. The employee shall not be called at home/hospital while on sick leave for the purpose of pressuring the employee to return to work while still ill or to pressure the employee to perform duties at home/hospital. This section does not limit the right of a supervisor to contact an employee in order to obtain needed information about the status of his/her health and expected date of return to work or for a work related emergency which requires consultation with the employee when other means to rectify the emergency have been exhausted.

## **Section 6      Separation from City Service**

All accumulated sick leave shall be canceled upon separation of the employee from the City service, except as set forth in subsection 8 (“Sick Leave Payment Upon Retirement”). However, if separation is due to lay-off, the employee’s accumulated sick leave, up to a maximum of 240 hours shall be restored to him if the employee is re-employed within 24 months.

## **Section 7      Illness during Vacation Leave**

An employee who becomes incapacitated for work due to the employees' illness or injury while on paid vacation shall have the option of substituting sick leave credit for vacation provided the employees' request for sick leave substitution is accompanied by a doctor’s statement or other evidence satisfactory to the Department Head or his designee.

## **Section 8      Sick Leave Payment upon Retirement**

An employee hired on or before June 30, 1979 shall upon formal retirement from the City under the Public Employees' Retirement System be paid for each day of unused sick leave or fraction thereof which has accrued to his credit up to and including his last day of work but not to exceed 45 days or 360 hours. An employee hired on or after July 1, 1979 shall not be entitled to sick leave payoff upon retirement.

## **Section 9      Evidence of Cause of Absence**

In all cases of absence due to sickness or injury of the employee or illness, injury or death in the employee's immediate family, the employee may be required to furnish the Department Head evidence substantiating the request for such leave. Failure to furnish such evidence upon request shall be sufficient reason to deny the leave of absence with pay.

## **Section 10      Sick Leave Incentive Pay**

1. Employees using 40 or fewer hours of sick leave during the fiscal year may convert 50% of their remaining accrued sick leave up to a maximum of 50% of an employee’s annual rate of accrual (i.e. 50% of 96 hours). Sick leave not converted to pay shall be carried over and accumulated for use when needed. For purposes of this section, sick leave used in relation to a death in the immediate family as provided in Article 9, shall not be counted against the forty (40) or fewer hour eligibility limit on sick leave usage.
2. Pay shall be computed based on the following schedule and all computations shall be rounded to the nearest whole hour:

<b>Remaining Sick Leave at End of Fiscal Year</b>	<b>Pay Incentive (50%)</b>
96 hours	48 hours
88 hours	44 hours
80 hours	40 hours
72 hours	36 hours
64 hours	32 hours
56 hours or less	0 hours

(**EXAMPLE:** Employee has 93 hours remaining yearly sick leave; therefore, 93 hours x .5 = 46.5 hours = 47 hours of pay)

3. Payment will be made during the month of August each year. Pay will be computed based on the employee's salary step on June 30 of the preceding fiscal year.
4. Payment will be made to an employee hired during the fiscal year on a prorated basis provided he/she is on payroll June 30.
5. Employees who separate during the fiscal year will be compensated on a prorated basis subject to their formal separation date.

---

## **ARTICLE 7 – SPECIAL LEAVE WITH PAY**

---

### **Section 1      Intent**

The intent of this Article is to allow the limited use of sick leave credits by an employee who is confronted with emergency illness, injury or death in said employee's immediate family as defined in Article 35 of this MOU with regard to family care. Consistent with provisions of this MOU, an employee who is eligible for sick leave with pay as defined in Article 8 of this MOU, shall be granted special emergency leave with pay by the Department Head to be charged against the employee's sick leave accumulation.

### **Section 2      Special Leave Defined**

Special leave is defined as anything that cannot be anticipated or planned necessitating absence from duty of an employee because of emergency, illness or injury of a member of the immediate family requiring the attendance of an employee upon said immediate family member as defined in Article 35 of this MOU until professional or other attendance can be obtained, or the absence from duty of an employee to discharge the customary obligations arising from a death of a member of the employee's immediate family, as defined in Article 35 of this MOU.

### **Section 3      Limitation**

Special leave with pay granted pursuant to this Article shall be limited to a maximum of 60 hours annually.

Special leave with pay must be approved by the Department Head or his designee consistent with the provisions of this Article.



---

## ARTICLE 8 – THE COMPENSATION PLAN

---

### Section 1      Salary Advancement

The Compensation Plan has the following characteristics:

1. The salary range for all classifications, except Police Corporal, consists of five (5) steps (A through E). The salary for Police Corporal is a flat amount approximately five percent (5%) higher than "E" step for Police Officer.
2. The increase from one step to the next step on each salary range is as indicated in the salary schedule for Police Department employees.

The success of the Compensation Plan depends upon incentives which will encourage employees to put forth increasing efforts as they advance through the salary steps of the salary range. Salary advancement for each employee shall be granted only upon a satisfactory evaluation ("standard" or above) and a recommendation to the City Manager by the department head. The step increase must then be approved by the City Manager or his designee.

If an employee is denied his/her salary step advancement due to failure of the department head or other administrators to follow applicable Civil Service or Personnel Rules, he/she may appeal said denial through the established Grievance Procedure.

### Section 2      Salary Steps

The steps of the salary range shall be interpreted and applied as follows. The second, third, fourth and fifth salary steps are incentive adjustments to encourage an employee to continue to improve his work:

1. The first salary step (Step "A"), is the minimum rate and will normally be the hiring rate. Appointment may be made to other than normal entering salary step upon the recommendation of the department head and upon the approval of the City Manager, when it is decided that such action is in the best interests of the City.
2. The second salary step (Step "B"), twelve (12) months of satisfactory service at Step "A" shall make an employee eligible consistent with Section 1 for consideration for this salary advancement.

Employees hired prior to July 1, 1981 require six (6) months of satisfactory service to become eligible for consideration for this salary advancement.

3. The third salary step (Step "C"), twelve (12) months of satisfactory service at the Step "B" shall make an employee eligible consistent with Section 1 for this salary advancement.

Employees hired prior to July 1, 1981 require six (6) months of satisfactory service to become eligible for consideration for this salary advancement.

**Section 2      Salary Steps (continued)**

4.    The fourth salary step (Step "D"), twelve (12) months of satisfactory service at Step "C" shall make an employee eligible consistent with Section 1 for this salary advancement.

Employees hired prior to July 1, 1981 require six (6) months of satisfactory service to become eligible for consideration for this salary advancement.

5.    The fifth salary step (Step "E"), twelve (12) months of satisfactory service at Step "D" shall make an employee eligible consistent with Section 1 for this salary advancement.

All rates shown and conditions set forth herein, are in full payment for services rendered and are intended to cover full payment for the number of hours now regularly worked in each class. Each promotion shall carry with it an annual salary increase during the first year equal to approximately five percent (5%).

The provisions of this Article are based upon the salary schedule adopted by the City Council.

---

## **ARTICLE 9 – PAY DIFFERENTIAL**

---

### **Section 1**

Those employees classified as Police Officer, Police Corporal or Police Sergeant and assigned Police Service Dog Handler duty on a permanent basis shall receive a specialty pay differential of 4% of base salary per month for the duration of said assignment.

### **Section 2**

Those employees classified as Police Officer, Police Corporal or Sergeant and assigned motorcycle duty on a permanent basis shall receive a specialty pay differential of 4% of base salary per month for the duration of said assignment.

### **Section 3**

Effective January 1, 2016, those employees who, upon recommendation of the Chief of Police and the approval of the Administrative Services Director, and successful completion of a Bilingual Performance Evaluation administered by the Human Resources Department, who are regularly required to use their bilingual skills in Spanish, Tagalog or any second language approved by the Chief of Police and the Administrative Services Director, shall receive a pay differential as follows: 3% of monthly base salary for Sergeants and Lieutenants and 4% of monthly base salary for Officers and Corporals.

### **Section 4**

Those employees classified as Police Officer shall receive a specialty pay differential of 3% of their base salary for each shift in which a police officer is assigned a trainee and is required to write an evaluation of the trainee's performance.

### **Section 5**

Those employees permanently assigned to the SWAT Team shall receive a hazardous pay differential of 3% of their base salary, and shall be paid only for the time the employee is assigned to the SWAT Team.

### **Section 6**

Corporals assigned by Command Staff to work a full shift or more as an acting sergeant shall receive an additional 5% of base pay for the hours worked as an acting sergeant. This provision shall not preclude a Corporal being eligible for any greater acting pay benefit that may be provided by Department policy or a City-wide rule, in which case the greater benefit shall apply instead of, but not in addition to, the benefit provided under this provision.

## Section 7

Effective January 1, 2016, Officers (except Officers in a training status), Corporals, Sergeants and Lieutenants assigned to work Swing Shift shall receive a shift differential in the amount of 2% of their base salary.

Effective January 1, 2016, Officers (except Officers in a training status) Corporals, Sergeants and Lieutenants assigned to work Graveyard shall receive a shift differential in the amount of 4% of their base salary.

~~Effective January 1, 2016, if the majority of the regularly scheduled shift for a Lead Dispatcher or Animal Regulation Officer is after 10:00 p.m. and before 6:00 a.m. the next day, the employee shall receive \$40 night differential per pay period.~~

## Section 8

Effective the first full pay period following Council approval of a new MOU, the City agrees to pay sworn employees that are residents of National City \$200 per month.

---

## ARTICLE 10 – OVERTIME

---

1. The smallest unit of time credited as overtime as an extension of shift shall be 6 minutes. The overtime policy issued to clarify how overtime is calculated shall be used by the City to calculate overtime hours.
2. Overtime credit must be for work specifically ordered, requested or approved by the Department Head or a designated representative. All time, (including actual hours worked, sick leave, vacation, etc.) except suspension time shall be considered in the determination and calculation of overtime.
3. Except as provided in Section 5 regarding court time, if an employee is required to return to his/her place of employment after he/she has completed a normal work day, he/she shall receive overtime pay for a minimum of four (4) hours unless such overtime is within three (3) hours of the beginning of the employee's regular work period, in which case the employee shall receive overtime pay for one (1) hour more than the overtime hours worked. Said employee shall have the option of taking compensatory time off in lieu of call back pay.
4. All overtime compensation shall be at time and a half whether it is paid or is credited as compensatory time off.
  - (a) The 14-day FLSA work period shall coincide with the bi-weekly pay period. Though the City is only required to pay FLSA overtime for hours actually worked over eighty-six (86) in a bi-weekly pay period, the City under this MOU agrees to pay overtime for all hours over eighty (80) hours of paid time in a biweekly pay period.
5. Employees on scheduled time off, who are subpoenaed in the line of duty or required by the Department Head or his designee to be present in criminal or juvenile court, or other judicial proceedings shall receive overtime compensation for all time actually spent and required to be at court. Employees shall be guaranteed a minimum of four (4) hours for each separate court appearance unless such overtime is within one (1) hour of the beginning of the employee's regular work period, in which case a one (1) hour minimum will be paid. Said employee shall be reimbursed for the round trip mileage of the shorter of either the mileage between the Police Station and the location to which said employee is subpoenaed, or the actual mileage said employee travels round trip between the employee's home and the location to which said employee is subpoenaed.
  - (a) Overtime shall not be granted to an employee who schedules voluntary leave and then volunteers to work overtime during the scheduled leave.
  - (b) Overtime shall not be granted to an employee who is scheduled to appear in court during his regular shift and requests and is granted leave time. This paragraph shall not apply to an annual scheduled vacation or a person on leave who is unexpectedly ordered to appear in court.
  - (c) Those employees classified as Police Officer, Police Corporal or Police Sergeant and assigned Motorcycle duty on a regular basis shall receive two hours paid at an overtime rate per week (4 hours per pay period) to compensate them for the time outside their regular schedule necessary to clean their assigned motorcycles.

- (d) Those employees classified as Police Officer, Police Corporal or Police Sergeant who are assigned Police Canine duty on a regular basis shall receive three and one-half (3.5) hours paid at an overtime rate per week (7 hours per pay period) to compensate them for the routine care and maintenance of their assigned canine. Care and maintenance includes routine off-duty care and maintenance of the canine (feeding, watering, exercising, grooming, administering any medication), the take home police vehicle and the facilities used to house the canine, including routine daily obedience training for their canine. 3.5 hours represents a good faith estimate of the City and POA of the average time required to perform these duties.

Periodic duties, such as taking the canine to the veterinarian, the purchase of dog food or supplies, more extensive cleaning of the police vehicle, repairs to the police vehicle, repairs to the construction of the facilities used to house the canine, and the time spent with the City's Canine Trainer, are not considered to be routine care and maintenance activities, and are not intended to be compensated by this Section. All such periodic duties shall be performed during the Police Canine Handler's assigned shift. Any need for overtime beyond the 3.5 hours per week and/or outside the scope of routine care and maintenance must be specifically ordered, requested, and approved by the Canine Lieutenant or a designated representative. Requests to repair the police vehicle and the facilities used to house the canine shall be made to the Public Works Department during the Canine Officer's shift.

- 6. Along with other rights reserved to management, the right of management to make changes in prior practices to more effectively and efficiently carryout the requirements of the Federal Fair Labor Standards Act is recognized subject to the following limitations:
  - (a) No changes shall be inconsistent with the other provisions of this article except as required by law; and
  - (b) The Association shall be notified in writing of such changes and such notification shall be prior to implementation unless this is not feasible due to unforeseen circumstances or legal requirements; and
  - (c) The Association reserves the right to meet and confer on these changes by submittal of a written request within 30 days prior to or after their implementation.
- 7. The parties understand that unexpected problems may arise in the administration of overtime and leave. At the request of either party to this agreement, a committee composed of representative of the National City Police Officers' Association and the City will meet and discuss overtime and leave issues with the intent to reduce unnecessary overtime and maximize the opportunity to reduce furlough and comp time balances.

## **8. Change of Schedule**

With the understanding that the needs of the department will sometimes require short notice, every effort will be made to notify employees regarding transfers or shift adjustments as far in advance of such changes as is possible. Employees (other than probationary employees) who are subject to transfer or shift adjustment shall be notified no less than 7 calendar days prior to that movement or adjustment. Probationary employees who are subject to transfer or shift adjustment shall be notified no less than forty-eight (48) hours prior to that movement or adjustment. If such notice cannot be made or is not made, and the employee chooses to not waive calendar days notification guideline, the first shift worked on the new schedule shall be compensated at time and a half.

Employees who usually work a 4/10 schedule may be assigned to a 5/8 schedule for training scheduled for a full week or longer. For training of 8 hours or more up to 10 hours, employees shall be credited with ten hours worked even if the length of the training day was scheduled for or lasted fewer than 10 hours. For training of less than a week but more than a day, employees shall be credited for the actual number of hours that the training lasted and may either a) use vacation or comp time for the differences between the length of the training and 10 hours or b) work that amount of time on either the same day or on another day during the same pay period.

## **9. Department Credit Card**

The City shall make a credit card available for department use in paying for reimbursable travel and training costs. Use of the department credit card, including the details of the expenditure and the amount to be charged to that card, must be approved by the Chief of Police or his/her designee, prior to using the credit card.

---

## ARTICLE 11 – COMPENSATORY TIME

---

### Section 1

An employee is entitled to receive 1.5 hours of compensatory time off in lieu of pay for each hour of overtime worked. The maximum compensatory time an employee may bank shall be one hundred-thirty (130) hours.

### Section 2

When an employee's employment terminates for any reason, all comp time shall be paid to said employee at the employee's current regular rate (base pay plus applicable incentive and specialty pays computed to an hourly rate) as specified under the Fair Labor Standards Act.

### Section 3

An employee may use his comp time to extend his regular vacation period with the approval of the Department Head.

### Section 4

Along with other rights reserved to management, the right of management to make changes in prior practices to more effectively and efficiently carryout the requirements of the Federal Fair Labor Standards Act is recognized subject to the following limitations:

- (a) No changes shall be inconsistent with the other provisions of this article except as required by law; and
- (b) The Association shall be notified in writing of such changes and such notification shall be prior to implementation unless this is not feasible due to unforeseen circumstances or legal requirements; and
- (c) The Association reserves the right to meet and confer on these changes by submittal of a written request within 30 days prior to or after their implementation.

### Section 5

Employees may cash comp time during employment, as follows:

- (a) Employees will have the opportunity to cash out a total of 120 hours of earned but unused comp time between the following dates: July 1 through March 31, of any fiscal year.



**Section 5 (continued)**

- (b) An employee can only cash out comp time twice a year, during the above listed time period. Employees must request a cash out of comp time in a memorandum addressed to the Chief of Police.
- (c) The minimum number of hours that an employee can cash out, per request, is 20 hours. The maximum, per request, is 80 hours.
- (d) The Operations Assistant will be tasked with tracking employees' requests to assure employees do not exceed two requests per the listed fiscal year.

---

## ARTICLE 12 – EDUCATION/POST CERTIFICATE INCENTIVE PAY

---

Safety employees covered by this Memorandum of Understanding are eligible for educational incentive pay upon meeting the requirements indicated below.

Effective retroactive to January 1, 2016		
LEVEL I \$30.00 per month compensation *	LEVEL II 2% of base monthly salary	LEVEL III <del>7</del> 6% of base monthly salary **
AS or AA in related field	Intermediate POST Certificate	Advanced POST Certificate
* Level I benefits are only available to employees already receiving such benefits as of July 1, 2002.		
** Effective <u>the first full pay period in October 2021, increase Advanced POST to 8%, January 1, 2017,</u> increase Advanced POST to 7%		

### General Requirements

1. Completion of the initial Probationary Period with the National City Police Department.
2. Performance Report of at least "Satisfactory" on last two (2) reports.
3. Recommendation from the Chief of Police and the approval of the City Manager or designee.

### **Tuition Reimbursement**

The Educational Expenses Reimbursement Plan is available to employees who wish to improve their work performance through furthering their education. The plan provides reimbursement for up to ~~\$3,500~~2,500 per fiscal year and is open to all employees who meet the following criteria:

1. Successful completion of probation.
2. A proposed course of instruction is related to the employee's employment with the City, or the course is required for a degree in a closely related field. The Chief of Police or his designee has the final authority on determining whether a course or degree is job related. Request must be submitted in writing on appropriate department form according to established procedures.
3. The reimbursement may be used to cover the costs of tuition, registration and books at a local community or state college or university.
4. The course must be passed with a grade of "C" or better. If taken on a pass/fail basis, employee must pass course(s) taken.
5. The employee must show written documentation of the expenditures being claimed for reimbursement.
6. The Police Chief will be given an annual budget of \$30,000 for purposes of tuition reimbursement pursuant to this Article. Once this budget is fully expended in any one year, no further tuition reimbursement is available for that year. If the Department is about to exhaust its entire \$30,000 fiscal year budget, the Department will reimburse employees within that fiscal year in the same order in which the employees received Department approval for course reimbursement.

---

## ARTICLE 13 – LONGEVITY PAY

---

For employees hired on or before June 30, 2011, the City shall provide longevity pay as follows:

- (a) After 15 years of continuous and uninterrupted service, in a classification represented by the Association, the sum of \$40.00 per month;
- (b) After 20 years of continuous and uninterrupted service, in a classification represented by the Association, the sum of \$45.00 per month;
- (c) After 25 years of continuous and uninterrupted service, in a classification represented by the Association, the sum of \$50.00 per month, which shall be the maximum payable.

Vacations, sick leave, military leave and absence authorized by the City Council of National City shall not be considered as interruption of service.

In the event an employee ceases to be employed by National City for a reason other than military service or lay-off, all rights to longevity pay shall be forfeited and expire, and if said officer or employee is subsequently re-employed by the City, said employee shall not be entitled to any longevity pay by reason of prior employment.

~~Employees currently being paid Longevity Pay for service of five (5) and ten (10) years will continue to be paid at the \$10/month and \$15/month respectively.~~

---

## ARTICLE 14 – CAFETERIA PLAN FOR HEALTH, DENTAL AND INSURANCE PLANS

---

### Section 1 Health Coverage

As a benefit to full-time employees covered by this Memorandum of Understanding, the City will provide a group health and dental insurance program. The benefits and limitations of the program are to be designed cooperatively by the Association, the insurance carrier and the City. The Association and the City agree to select and implement health insurance programs that meet the requirements of applicable law.

The City will provide a cafeteria benefit to all employees for use of paying insurance premiums for health, dental and other insurance plans. As of December 31, 2018-2015, the City ~~will~~ contributes as follows:

<del>Employee only</del>	<del>\$491.89 per month</del>
<del>Employee +1</del>	<del>\$805.49 per month</del>
<del>Employee +family</del>	<del>\$1,126.90 per month</del>

#### CITY'S CONTRIBUTION IF ELECT THE KAISER HIGH DEDUCTIBLE HEALTH PLAN (Kaiser HDHP)

<u>Employee Only</u>	<u>\$457.56/month</u>
<u>Employee +1</u>	<u>\$736.80/month</u>
<u>Employee +2 or more</u>	<u>\$1,029.81/month</u>

#### CITY'S CONTRIBUTION FOR ALL PLANS OTHER THAN KAISER HIGH DEDUCTIBLE HEALTH PLAN (Kaiser HDHP):

<u>Employee Only</u>	<u>\$527.41/month</u>
<u>Employee +1</u>	<u>\$876.54/month</u>
<u>Employee +2 or more</u>	<u>\$1,227.43/month</u>

Effective the first full pay period following City Council adoption of this 2019-2021 MOU, the City will contribute the same amount regardless of what health plan an employee chooses equal to the amounts contributed to the non-high deductible plans. Also, effective the first full pay period following City Council adoption of this 2019-2021 MOU, the City will contribute \$50 per month more than the City would be otherwise obligated to contribute under the cost sharing methodology described in the next paragraph.

~~Effective February 1, 2016, and in Each following health plan year (currently February through the following January), the City's new contribution obligation for employee only, employee +1, and employee +2 or more family shall be the City's monthly contribution amounts from the prior health plan year plus 50% of any increase in the lowest cost health plan and dental plans.~~

~~Beginning in January 2017, the City and Association agree to meet to discuss health insurance coverage, benefits and cost issues, including but not limited to potential impacts and compliance issues related to the Affordable Care Act. While both sides agree to participate in these discussions in good faith, this shall not be a true re-opener such that impasse and imposition procedures that might apply to a re-opener shall not apply.~~

### Section 2 Money in Lieu

An employee may elect to receive an amount equivalent to the City's contribution minus the cost of health coverage for the employee alone, as cash in lieu.

### **Section 3      Retiree Health Benefit**

Employees covered by this MOU must retire from the City of National City and have at least 20 full years of pensionable service credit with National City Police Department to receive \$20/month for each year of service with National City Police Department as the City's contribution towards the retiree's medical insurance premium.

This contribution shall continue until reaching age 65. A qualifying retiree may receive these contributions even if not enrolled in a City health plan, so long as the retiree annually provides the City with written proof (e.g. copy of health insurance invoice and payment) that the retiree is using the contributions to pay for health premiums and understand that the retiree is solely responsible for any taxes that might be due as a result of the City's contributions.

---

## ARTICLE 15 – EMPLOYEE LIFE INSURANCE

---

As a benefit to full-time employees covered by this Memorandum of Understanding, the City will provide a group life insurance program. The benefits and limitations of the program are to be designed cooperatively by the Association, insurance carrier and the City. The City will provide \$50,000 Basic Life Accident Insurance coverage for each employee.

### **Death in the Line of Duty**

If an Association represented employee is killed due to an accident or injury occurring in the line of duty, the City shall make a \$5,000 payment to the designated spouse or domestic partner or other designated beneficiary.

---

## ARTICLE 16 – PUBLIC EMPLOYEES’ RETIREMENT SYSTEM

---

### Section 1

Consistent with the Government Code of the State of California, employees are local safety or miscellaneous members of the Public Employees' Retirement System and are entitled to all benefits previously adopted amendments by the Board of Administration of PERS and the City Council.

### Section 2 Plan Definitions

The following benefits and definitions apply to the retirement plan benefits:

(a) **“Classic Employee” Definition:** Classic employees are defined as current employees and future employees who do not qualify as a “new member” under the California Public Employees’ Pension Reform Act of 2013 (PEPRA).

(b) **“New Member” Definition:** New members are defined in the Public Employees’ Pension Reform Act of 2013 (PEPRA), Government Code Section 7522.04(f).

(c) **CalPERS Retirement Formula for Public Safety New Members (Police Officer, Police Corporal, Police Sergeant and Police Lieutenant) as Defined Under the Public Employees’ Pension Reform Act of 2013 (PEPRA):** Public safety “new members” as defined by PEPRA who are hired by the City on or after January 1, 2013 shall be entitled to the 2.7% at age 57 retirement formula with highest three (3) year average final compensation as set forth in PEPRA.

~~(d) **CalPERS Retirement Formula for Miscellaneous New Members (Lead Dispatcher, Animal Regulation Officer) as Defined Under the Public Employees’ Pension Reform Act of 2013 (PEPRA):** Public Safety “new members” as defined by PEPRA who are hired by the City on or after January 1, 2013 shall be entitled to the 2.0% at age 62 retirement formula with highest three (3) year average final compensation as set forth in PEPRA.~~

(de) **CalPERS Retirement Formula for Public Safety Classic Employees (Police Officer, Police Corporal, Police Sergeant and Police Lieutenant) Hired on or After March 18, 2010 (current employees and employees who do not qualify as “New Members” under PEPRA):** Current public safety employees or former City of National City employees who were members of CalPERS while employed with the City and had membership with CalPERS prior to January 1, 2013 and who are rehired on or after March 18, 2010 and other employees hired after January 1, 2013 who do not qualify as “new members” under PEPRA shall be entitled to or continue to be entitled to the 3% at age 55 retirement formula with single highest 12-month period for final compensation.

(ef) **CalPERS Retirement Formula for Public Safety Classic Employees Hired Before March 18, 2010:** Public safety employees hired before March 18, 2010 shall continue to be entitled to the 3% at age 50 retirement formula with single highest 12-month period for final compensation.

~~(g) **CalPERS Retirement Formula for Classic Miscellaneous Employees (Lead Dispatcher, Animal Regulation Officer) Tier I:** Current or former classic miscellaneous employees hired before March 18, 2010 shall continue to be entitled to the 3% at age 60 retirement formula, with single highest 12-month period for final compensation.~~

~~(h) CalPERS Retirement Formula for Classic Miscellaneous Employees (Lead Dispatcher, Animal Regulation Officer) Tier II: Current or former classic miscellaneous employees hired on or after March 18, 2010, or hired after January 1, 2013 but still qualifying as a classic employee, shall continue to be entitled to the 2% at age 60 retirement formula, with single highest 12 month period for final compensation.~~

Each of the above-listed plans shall include the following optional benefits:

- (h) Third Level of 1959 Survivor Benefit (Section 21573)
- (i) Credit for Unused Sick Leave (Section 20965)
- (j) The City will report Employer Paid Member Contributions (EPMC), effective the last pay period in June, 2009, as compensation earnable to PERS under applicable California Government Code and California Code of Regulations provisions.

### Section 3 Employee Contributions to Pension

- (a) ~~Effective the first full pay period in January 2019, Classic Employees shall continue to pay 1.0% toward the employer CalPERS rate in addition to the full employee CalPERS contribution percentages of 9.0% for a total contribution of 10.0%. Effective the first full pay period in January 2020, Classic Employees shall pay an additional 1.0% toward the employer CalPERS rate for a total contribution of 11.0%. —toward their pensions (9% for public safety and 8% for miscellaneous).~~
- (b) New Members ~~hired on or after January 1, 2013~~ shall pay 50% of the normal share of cost required by PEPPRA for the applicable pension formula and benefit.



---

## ARTICLE 17 – MANAGEMENT RIGHTS

---

Except--and only to the extent--that specific provisions of this Agreement expressly provide otherwise, the City has and will continue to retain regardless of the frequency of exercise, rights to operate and manage its affairs in each and every respect. The rights of the City shall include, but not be limited to the right:

to determine the mission of its constituent departments, commission, boards; set standards of service determine the procedures and standards of selection for employment and promotions; direct its employees; establish and enforce reasonable dress and grooming standards, determine the methods and means to relieve its employees from duty because of lack of governmental operations; determine the methods, means and personnel by which government operations are to be conducted; determine the content and intent of job classifications; approve or disapprove secondary employment held by departmental employees; determine methods of financing; determine style and/or types of City-issued wearing apparel, equipment or technology to be used; determine and/or change the facilities, methods technology, means, organizational structure and size and composition of the work force and allocate and assign work by which the City operations are to be conducted; determine and change the number of locations, relocations and types of operations, processes and materials to be used in carrying out all City functions including, but not limited to the right to contract for or subcontract any work or operations of the City; to assign work to and schedule employees in accordance with requirements as determined by the City and to establish and change work schedules and assignments upon reasonable notice; establish and modify productivity and performance programs and standards; discharge, suspend, demote, reprimand, withhold salary increases and benefits, or otherwise discipline employees for just cause; establish reasonable employee performance standards including, but not limited to quality and quantity standards; and to require compliance therewith; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

In exercising these rights the City shall comply with all applicable provisions of this MOU. The exercise of said rights shall not preclude employees or their representatives from meeting and conferring as required by law with City management representatives about the practical consequences that decisions on these matters may have on wages, hours, and other terms and conditions of employment.

---

## ARTICLE 18 – LONG TERM DISABILITY INSURANCE

---

The City will provide up to \$30 per month, per employee to provide a Long Term Disability Insurance Plan as selected by the POA.

In the event the cost of providing Long Term Disability Insurance exceeds the established City contribution, the employee must pay the excess amount, and if the cost is less than \$30/month, the City shall provide the cost of insurance only, and the employee will not receive the excess as cash-in-lieu. It is the employee's responsibility to notify the Police Department and Human Resources Department when benefits under the plan are awarded.

---

## ARTICLE 19 – UNIFORM ALLOWANCE

---

### Section 1

~~Effective the first full pay period following Council approval of a successor MOU, the City shall provide an additional \$150 in uniform allowance to full time employees in the classifications of Police Lieutenant, Police Officer, Police Recruit, Police Sergeant, Corporal, and Animal Control Officer to be applied toward the purchase and maintenance of prescribed uniforms so that the total amount of the uniform allowance for the 2015-16 fiscal year will be \$900 rather than \$750.~~

~~In August of 2016 and each year thereafter, T~~the City shall provide \$900 per year to full-time employees in the classifications of Police Lieutenant, Police Officer, Police Recruit, Police Sergeant, and Corporal, ~~and Animal Control Officer~~ to be applied towards the purchase and maintenance of prescribed uniforms.

### Section 2

In addition to the above the City shall provide each new employee appointed to a position listed above \$450 toward the initial purchase of prescribed uniforms.

### Section 3

The City shall provide each sworn employee a flat badge.

---

## ARTICLE 20 – SALARIES

---

### Section 1      Salary ~~Adjustments and~~ Schedules

The City shall provide on a timely basis each year a copy of the official salary schedule developed by the Finance Department.

### ~~Section 2      Recruitment / Retention Stipend~~

~~The City will pay a one-time \$2,000 retention stipend to sworn personnel employed in a sworn position on the date Council approves this MOU and who are still employed in a sworn position the entire first full pay period in December 2018, in the paycheck for the first full pay period in December 2018. Employees hired after Council approval of this MOU but prior to December 1, 2017, and still employed in a sworn position the entire first full pay period in December 2018 shall receive a one-time \$1,000 recruitment/retention stipend in the paycheck for the first full pay period in December 2018.~~

~~An employee receiving a one-time stipend under this provision may choose to contribute part or all of the stipend into the employee's Section 457 deferred compensation account. The recruitment and recruitment/retention incentives described in this paragraph shall not be reported as PERSable compensation to PERS.~~

### Section ~~23~~      Salary ~~Adjustments~~Increases

#### A.      Police Officer, Sergeant, Lieutenant

Effective ~~the first full pay period in January 1, 2019~~<sup>2020, and October 2021</sup>, and then again in the first full pay period of ~~April 2020, and October 2021~~<sup>January 2017, January 2018 and July 2018</sup>, the City will adjust the salary ~~range~~<sup>for Police Officer all sworn personnel other than Police Corporal</sup> by the percent necessary (if any) to move the salary of a top step National City Police Officer to the mid-point of the salary of a top step police officer or deputy sheriff (excluding longevity) in the 2<sup>nd</sup> and 3<sup>rd</sup> ranked comparison agencies (including National City among the comparison agencies) in effect, and already approved by the applicable City Council or Board, at the comparison agencies as of the beginning of the ~~City's~~<sup>City's</sup> first full pay period in January ~~2019~~<sup>2019</sup> (and the first full pay period in ~~April 2020 and October 2021 for the 2020 and 2021~~<sup>July 2018 for the July 2018</sup> adjustments). If a National City Police Officer is ranked third, employees shall receive the percent necessary to move the top step salary of a National City Police Officer to the mid-point between that salary and the top step salary (excluding longevity) of the second ranked agency. If a National City Police Officer already is ranked 2<sup>nd</sup> or higher, employees shall not receive a salary decrease under this paragraph.

### Section 3      Salary Increases (continued)

For purposes of this subsection, adjustments will be made upon current salaries, comparing top step to top step excluding longevity, in place at the time of the pay period adjustment among the comparison agencies. Subsequent retroactive adjustments are not to be considered nor are salary increases not yet ratified or approved. The agreed upon comparison agencies are (1) Oceanside (~~using its~~<sup>using its</sup> "Step G" for police officer pay); (2) Escondido (using ~~its~~<sup>their</sup> "Step 6" police officer pay); (3) Chula Vista; (4) Carlsbad; (5) City of San Diego; (6) National City; (7) El Cajon; (8) Coronado; (9) San Diego County Sheriff's Department; and (10) La Mesa.

The same methodology as set forth in the prior two paragraphs shall be used for separately surveying and adjusting the pay of a National City Sergeant and National City Lieutenant (i.e. survey and survey adjustments as of the City's first full pay period in January 2019, April 2020, and October 2021). If a survey agency in the future no longer has a Lieutenant classification, the parties will promptly meet and confer regarding that agency's elimination of the Lieutenant classification (i.e. whether or not to include the agency, use the second line supervisor, other) with each side retaining all the rights of meet and confer including but not limited to the Association reserving the right to move an impasse on the issue to fact-finding.

## **B. Police Corporals**

The salary for Police Corporals shall be a flat amount approximately five percent (5%) higher than "E" step for Police Officer.

~~Effective the first full pay period in July 2016, A~~after 2 years of continuous service as a Police Corporal, the salary shall increase to a flat amount approximately six-and-a-half percent (6.5%) higher than "E" step for Police Officer. ~~Effective the first full pay period in July 2018, A~~after 5 years of continuous service as a Police Corporal, a Police Corporal shall be paid a salary approximately nine percent (9.0%) higher than "E" step for Police Officer.

## **~~C. Animal Control Officer / Senior Police Dispatcher~~**

~~The City will pay a one-time \$750 stipend to the Animal Control Officer and Senior Police Dispatcher if employed in the same classification the date Council approves this MOU and the entire first full pay period in December 2018, in the paycheck for the first full pay period in December 2018.~~

~~In addition, prior to March 31, 2016, the City shall prepare a total compensation survey for the job families that include Animal Control Officer and Senior Police Dispatcher and provide a copy to the POA. The parties shall then have a re-opener limited only to the salaries of the classifications of Animal Control Officer and Senior Police Dispatcher.~~

---

## **ARTICLE 21 – ASSOCIATION RIGHTS**

---

### **Section 1**

The City recognizes the right of the Association to govern its internal affairs.

### **Section 2**

Upon the receipt of a written request and authorization from an employee for deduction of Association dues and other related lawful deductions, the City shall withhold such dues and deductions from the salary of the employee and remit the withholdings to the Association in a timely manner. The City shall continue to withhold such deductions unless the employee files a written statement with the City withdrawing authorization for the continued withholding of the deductions.

### **Section 3**

The Association shall have sole and exclusive use of specific bulletin board space, clearly marked and identified as such, of roughly four feet by eight feet in dimension, located in the hallway area of the Police Department. The Police Chief shall designate the authorized bulletin board space and said space shall be the only space which is authorized for the posting of Association business. Material placed on the bulletin board shall be at the discretion of the Association with the understanding that materials so posted shall only be for legitimate communications with members. Said postings shall not be offensive to good taste, defamatory or involve support or opposition to candidates for political office within the City government. The Police Chief or his designee shall have the right to remove any such materials upon prior notice to the Association representative. The Association shall be responsible for maintaining the space provided in an orderly condition and shall promptly remove outdated materials.

### **Section 4**

The employee shall be allowed to designate a representative to assist said employee in:

1. Preparing and presenting grievances;
2. Preparing and processing material for Disciplinary Hearing;
3. Preparing and presenting material for any legitimate Employer-Employee relations matter for which representation is granted pursuant to existing law.

### **Section 5**

Subject to the needs of the department and the approval of the Chief of Police, designated employee representatives shall be allowed reasonable release time from regularly scheduled duties to present grievances and material for Disciplinary Hearing on behalf of the affected employee if said employee requests said assistance and to meet with City management representatives relative to matters of Employer-Employee Relations.

---

## ARTICLE 22 – EMPLOYEE RIGHTS

---

Each individual employee shall have the following rights which he/she may exercise in accordance with the National City Employer-Employee Relations Resolution and all applicable laws, ordinances, and rules and regulations and this MOU:

1. The right to form, join and participate in the activities of employee organizations of his/her own choosing for the purpose of representation on matters of his/her employee relations with the City, or to refuse to join or participate in the activities of any employee organization.
2. The right to pay dues to such employees organization through regular payroll deduction.
3. The right to be free from interference, intimidation, restraint, coercion, discrimination or reprisal on the part of his/her department head for his membership or non-membership in any employee organization or with respect to any lawful activity associated therewith which is within the scope of representation.
4. The right to represent himself/herself individually in his/her employee relations with the City.
5. The right to review his/her personnel file by so requesting in writing to the appropriate City official.
6. The City shall maintain only one official employee personnel file and that file shall be in the custody of the City Personnel Officer. That personnel file shall be the only official source or repository of documents pertaining to the employee's performance, past and present, leave requests, disciplinary records and commendations.

The employee's personnel file will not contain information relating to the employee's background investigation, Civil Service Examination results pertaining to initial hiring or promotional examinations, legal correspondence, workers' compensation records, aside from injury claims or any ongoing or incomplete internal investigations or citizens complaints. These documents shall be maintained in separate files by the Chief of Police or the Personnel Officer. A duplicate official personnel file may be maintained by the Chief of Police for the convenience of the employee and as an administrative aide. The employee's immediate supervisor may maintain files with information that is kept for a maximum of 12 months during ongoing investigation or in preparation for an employee performance appraisal report. However, at such time as the investigation is complete or the performance appraisal has been completed, such material shall then either be placed in the employee's official personnel file or destroyed. In no event shall such material be maintained in any location other than the official file referred to above nor shall materials be placed in the employee's official personnel file without his/her knowledge.

7. Whenever an employee desires to represent himself/herself in consulting with City management during his/her regular hours of work, he/she shall first request from his/her department head permission to take time off to do so. Said request shall be granted unless the needs of the City or Department are such that the employee's services cannot be spared during the particular time requested. In such case the employee shall be permitted to re-schedule his/her appointment with City management.
8. Discipline shall remain in the affected employee's personnel file for five (5) years with the exception of a "Written Notice of Deficiency," which shall remain in the personnel file for two years from the date of issuance. At the end of said period of time, the disciplinary action shall be removed from the employee's file provided that no ensuing similar discipline has been imposed. Consistent with the above provisions, all materials of this nature more than five (5) years old shall be removed from employees' personnel files.

---

## **ARTICLE 23 – WORK WEEK/DAY**

---

### **Section 1**

All employees of the National City Police Department covered by this agreement who work four (4) ten (10) hour days per work week, including two (2) 15 minute rest periods, one-half (½) hour lunch break and "roll call" shall be scheduled for three (3) consecutive days off per work week.

### **Section 2**

All employees of the National City Police Department covered by this agreement who work five (5) eight (8) hour days shall have two (2) consecutive days off per week. Said shift shall include two (2) 15 minute rest periods and "roll call" and one-half (½) hour off duty unpaid lunch break.

### **Section 3**

If the rest periods are not utilized the time cannot be accumulated nor will additional compensation be provided.

### **Section 4**

The City agrees to provide an Alternative 4/10 Work Schedule to Police Detectives. Assignment of this schedule will be completed by the Investigations Unit Lieutenant and approved by the Chief of Police, with the requirement that the Investigations Unit have staff available at all times during the Monday through Friday workweek.

### **Section 5**

Employees shall be allowed fifteen (15) minutes at the start of their shift to put on (donning) their safety gear and fifteen (15) minutes at the end of their shift to take off (doffing) their safety gear. Briefing will begin fifteen (15) minutes after the start of a shift and end fifteen (15) minutes before the end of a shift to allow for the donning and doffing of safety gear.



---

## ARTICLE 24 – TRAINING

---

All sworn Police Department employees should have equal opportunities to attend P.O.S.T. training consistent with the needs of the department.

The City will pay for the actual travel time required for training outside San Diego County. Employees are expected to work with the department to flex their schedules to avoid overtime.

---

## ARTICLE 25 – EMPLOYEE GRIEVANCE PROCEDURE

---

### Section 1 Purpose

The purpose and objectives of this Grievance Procedure of the City of National City are:

- A. To promote improved employer-employee relations by establishing grievance procedures on matters within the scope of a Memorandum of Understanding between the City and a recognized employee association for which appeal or hearing is not provided by other regulations.
- B. To assure fair and equitable treatment of all employees and promote harmonious relations among employees, supervisors and management.
- C. To encourage the settlement of disagreements informally at the employee-supervisor level and provide an orderly procedure to handle grievances throughout the several supervisory levels where necessary.
- D. To provide that appeals shall be conducted as informally as possible.
- E. To resolve grievances as quickly as possible and correct, if possible, the cause of grievances, thereby reducing the number of grievances and future similar complaints.

This grievance procedure is applicable to all employees in positions within a bargaining unit represented by an employee association. This procedure does not supersede the grievance or other appeal procedures in the Civil Service Rules of the City.

### Section 2 Identification of Participants

For the purpose of this grievance procedure, the following definitions shall apply:

- A. **Association**: The employee organization recognized by the City to represent employees in the grievant's bargaining unit.
- B. **City**: The City of National City.
- C. **City Manager**: The City Manager or his designee.
- D. **Department**: A major organizational unit of the City.
- E. **Department Head or Head of a Department**: The chief executive officer of a department.
- F. **Employee or City Employee**: A member of a bargaining unit either at the time of initiation of the grievance or within seven (7) calendar days prior to initiation of the grievance.
- G. **Employee Representative**: An individual who appears on behalf of the employee.

## Section 2 Identification of Participants (continued)

- H. **Grievance**: A complaint of an employee, or a group of employees or the Association on behalf of its membership as a whole, arising out of the application or interpretation of existing provisions of an MOU.
- I. **Immediate Supervisor**: The individual who normally assigns, reviews or directs the work of an employee.
- J. **Management**: (1) Any employee having significant responsibilities for formulating and administering City policies and programs, including but not limited to the chief executive officer and department heads; (2) Any employee having authority to exercise independent judgment to hire, transfer, suspend, lay-off, recall, promote, discharge, assign, reward or discipline other employees, or having the responsibility to direct them or to adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
- K. **Memorandum of Understanding (MOU)**: A written agreement between an employee organization and the City which is a result of the meet and confer process.
- L. **Personnel Officer**: The Personnel Officer or his designee.
- M. **Second Level Supervisor**: The individual to whom an immediate supervisor normally reports.

## Section 3 Scope of Grievance Procedure

- A. To be reviewable under this procedure, a grievance must:
  - 1. Concern matters or incidents that have occurred.
  - 2. Results from an act or omission by management which is alleged to be a violation of a specific provision of a current Memorandum of Understanding.
  - 3. Arise out of a specific situation, act or acts complained of as being unfair which result in specified inequity or damage to the employee(s).
- B. A grievance is not reviewable under this procedure if either it is a matter which would require the modification of the MOU or a policy established by the City Council or by law. Also, a grievance is not reviewable under this procedure if it is reviewable under some other administrative or Civil Service procedure such as:
  - 1. Applications for changes in title, job classification or salary;
  - 2. Appeals from formal disciplinary proceedings;
  - 3. Appeals arising out of Civil Service examinations;
  - 4. Appeals from work performance evaluations.

## Section 3 Scope of Grievance Procedure (continued)

- C. A complaint may not be considered under this procedure if a grievance has been filed on the same matter under the Civil Service Grievance Procedure (Rule IX).

#### **Section 4      Special Provisions of the Grievance Procedure**

- A. **Procedure for Presentation:** In presenting a grievance the employee shall follow the sequence and the procedure outlined in Section 5 of this Procedure.
- B. **Prompt Presentation:** The employee shall discuss the grievance with the immediate supervisor promptly after the act or omission of management causing the grievance.
- C. **Submittal of Grievance:** The written grievance shall be submitted on a form prescribed by the Personnel Officer for this purpose. At each level, the form must be completed fully, signed by the grievant and hand delivered or sent by U.S. mail to the designated reviewer's office.
- D. **Statement of Grievance:** The grievance must contain a statement of:
1. The specific situation, act or acts complained of as being unfair;
  2. The specific provision(s) of the MOU which has been violated;
  3. The inequity or damage suffered by the employee;
  4. The relief sought;
  5. The representative of the grievant (if applicable).
- E. **Employee Representative:** The employee may choose someone to provide representation at any step in the procedure. No person hearing a grievance need recognize more than one representative for any employee at any one time.
- F. **Handled During Working Hours:** Whenever possible, grievance hearings and meetings with reviewers will be conducted during the regularly scheduled working hours of the parties involved.
- G. **Extension of Time:** The time limit within which action must be taken or a decision made as specified in this procedure may be extended by mutual written consent of the parties involved. A statement of the duration of such extension of time must be signed by both parties involved at the step to be extended.
- H. **Consolidation of Grievances:** If the grievance involves a group of employees or if a number of employees file separate grievances on the same matter, the grievances may be handled by management as a single grievance.

#### **Section 4      Special Provisions of the Grievance Procedure (continued)**

- I. **Settlement:** A grievance shall be considered settled and not subject to further consideration or re-filing if *any* of the following conditions exist:
1. The grievant indicates in writing that the grievance is withdrawn.
  2. The specific remedy requested on the grievance form is granted.
  3. The grievant does not submit the grievance to the next higher level of review with the normal time limits or extended time limits obtained in writing by mutual agreement.
- J. **Rejection:** A grievance may be rejected for consideration at any time during the grievance review process for any of the following reasons:
1. The grievant does not meet the definition of "employee" indicated in Section 2.
- K. **Representation:** The grievant may elect to be represented by the Association or any other person or to represent himself/herself. If the grievant elects to not be represented by the Association, the Association shall be given a copy of the grievance and its resolution.
- L. **Deletion of Step(s):** By mutual written consent of the department head and the grievant, any one or more of the first three (3) steps of the procedure may be omitted in consideration of a specific grievance when it is felt that this is in the best interests of an equitable and expeditious resolution of the grievance.
- M. **Reprisals:** The grievance procedure is considered an integral part of the employee-employer relations policy of the City. As such, it is intended to assure a grievant and his/her representative the right to present the grievance without fear of disciplinary action or reprisal of any kind by his/her supervisor or other agents of the City provided he/she observes the provisions of the grievance procedure.

## **Section 5      Grievance Procedure Steps**

The following procedure shall be followed by an employee submitting a grievance:

- Step I      Immediate Supervisor:** The employee shall discuss the grievance with the immediate supervisor within 20 calendar days of the alleged act or omission of management causing the grievance. Within seven (7) calendar days the supervisor shall give a decision to the employee verbally.
- Step II      Second-Level Supervisor:** If the employee and supervisor cannot reach an agreement as to a solution of the grievance or the employee has not received a decision within the time limit above, the employee may within seven (7) calendar days present the grievance in writing to his/her supervisor who shall endorse his/her comments thereon and present it to his/her second level supervisor within seven (7) calendar days. The second-level supervisor shall hear the grievance and give a written decision to the employee within fourteen (14) calendar days after receiving the grievance.

## **Section 5      Grievance Procedure Steps (continued)**

**Step III**     **Department Head:** If the employee and second level supervisor cannot reach an agreement as to a solution of the grievance or the employee has not received a written decision within the time limit, the employee may within seven (7) calendar days present the grievance in writing to the department head. The department head shall hear the grievance and give a written decision to the employee within fourteen (14) calendar days.

**Step IV**     **Non-Binding Arbitration:**

- (a) **Grievance to Personnel Officer:** If the grievant and the department head cannot reach an agreement as to a solution of the grievance or the employee has not receive a written decision within the time limit, the grievant may within fourteen (14) calendar days present the grievance in writing to the Personnel Officer.
- (b) **Selection of Arbitrator:** Within seven (7) calendar days of receiving the grievance at this level, the Human Resources Director shall request a list of five (5) arbitrators from California State Mediation and Conciliation Services with experience in public sector employment. The grievant and City shall alternatively strike names from the list until one name remains, which person shall serve as the arbitrator. The parties shall flip a coin to determine who shall strike first, with the “winner” of the coin toss striking second and the “loser” of the coin toss striking first. The parties shall share equally the cost of the arbitrator. If the arbitrator requires a transcript, a court reporter shall be utilized, the cost of which shall be shared by the parties. Alternatively, the parties may mutually agree to utilize a court reporter, in which case the cost shall also be shared equally. In the absence of a court reporter, and with the agreement of the arbitrator, the hearing may be tape recorded.
- (c) **Arbitration Hearing:** The arbitration hearing shall be private, unless the grievant requests that the hearing be public. Each side shall have the opportunity to present witnesses and evidence. The arbitrator shall rule on the admissibility of evidence, and strict legal rules of evidence shall not apply.
- (d) **Arbitration Decision:** The arbitrator shall submit a written decision to the City Manager with a copy to the grievant that shall make findings of fact and make a recommendation on what remedy or remedies, if any, the arbitrator concludes appropriate. Any remedy in favor of the grievant requires a finding that the grievant satisfied the requirements of the grievance procedure, and be supported by a preponderance of the evidence and be consistent with the applicable MOU.
- (e) **City Manager's Response:** The City Manager shall provide written response to both parties on the resolution of the grievance. If the City Manager disagrees with any recommendation of the arbitrator, his written response shall indicate strong and compelling reason(s) for that disagreement. Basis for disagreement may be any one or more of the following:
  - 1. The arbitrator substantially deviated from the hearing procedures.
  - 2. The recommendation is in excess of the remedy sought on the initial grievance submittal.
  - 3. The recommendation is inconsistent with the MOU.

**Section 5**     **Grievance Procedure Steps (continued)**

4. The recommendation is inconsistent with the facts as stated in the grievance form and/or the written information provided by the arbitrator.

The decision of the City Manager shall be final and not subject to further appeal except for such appeals to the Courts and State or Federal compliance agencies as provided by law.

## **Section 6      Interpretation and Application**

The Personnel Officer is responsible for the interpretation and application of this grievance procedure. In the event of disagreement with the Personnel Officer's actions or interpretations, the final authority will be the City Manager. The City Manager's determinations on the application and interpretation of the grievance procedure are final and not subject to further appeal or grievance.

---

## ARTICLE 26 – CONTINUATION OF WAGES, HOURS AND WORKING CONDITIONS

---

The provisions of this Memorandum of Understanding shall not be revised to adversely affect the employees covered by this Memorandum of Understanding during the term of this Memorandum of Understanding.

Any written policies and procedures or past practices regarding wages hours and working conditions subject to meeting and conferring which are currently in existence and not changed by this MOU, shall not be revised to adversely affect the employees covered by this MOU during the term of the MOU without prior meeting and conferring in good faith with the Association.



---

## **ARTICLE 27 – AGREEMENT, MODIFICATION, WAIVER**

---

- A. No agreement, alteration, understanding, variation, waiver or modification of any of the terms or provisions contained herein shall in any manner be binding upon the parties hereto unless made and executed in writing and affixed hereto by all parties and approved by the City Council.
- B. The waiver of any breach, term or condition of this memorandum by either party shall not constitute a precedent in the future enforcements of all of its terms and provisions.

---

## ARTICLE 28 – OBLIGATION TO SUPPORT

---

The parties agree that subsequent to the execution of this Memorandum and during the period of time said Memorandum is pending before the City Council for action, neither the employee organization nor management, nor their authorized representatives, will appear before the City Council or meet individually or privately with said members of the City Council, to advocate any amendment, deletion or addition to the terms and conditions of this Memorandum. It is further understood that this article shall not preclude the parties from appearing before the City Council to advocate or urge the adoption and approval of this Memorandum in its entirety.

---

## ARTICLE 29 – PROVISIONS OF LAW

---

This MOU is subject to all future and current applicable federal, or state and local laws and regulations.

If any part or provision of this MOU is in conflict with such applicable provisions of Federal or State laws or regulations, or is otherwise held to be invalid or unenforceable by any tribunal of competent jurisdiction, such part or provision shall be suspended and superseded by such applicable law or regulations, and the remainder of the MOU shall not be affected, and the Employees' Association and/or the City shall have the right to meet and confer within 30 days concerning said section. This MOU shall supersede all City rules or ordinances which are in conflict with this MOU.

---

## ARTICLE 30 – TERM OF PROVISIONS

---

This is the entire integrated agreement and it shall be effective January 1, 201~~9~~<sup>6</sup> through December 31, 20~~21~~<sup>18</sup>, superseding all conflicting provisions of the previous MOU and past practices.

---

## **ARTICLE 31 – EMPLOYEE ASSISTANCE PROGRAM**

---

The City shall provide an Employee Assistance Program (EAP) available to all employees in the bargaining unit. A program description shall be developed by the City with the input of the Association and a request for proposals will be circulated. Final selection of the contractor to provide this service shall be made by the City with the input of the Association.

---

## ARTICLE 32 – USE OF CITY VEHICLES

---

### Section 1

Under normal circumstances, employees, other than probationary employees, with the following assignments shall be allowed to drive an assigned City vehicle between their residence and their work station:

- (A) Motorcycle Officers
- (B) Officers assigned to the canine program
- (C) The Detective Lieutenant
- (D) The Detective Sergeant assigned to Crimes Against Person
- (E) The Detective whose primary assignment is to Homicide Investigation
- (F) Crimes of Violence Investigator
- (G) Crimes of Property Investigator
- (H) Other employees on a temporary basis when it is determined by the Chief to best meet the interests of the department

The primary residence of employees in categories (C) – (G) above must be located in San Diego County to qualify for a take-home vehicle, with the exception of an employee assigned to the DEA Task Force.

### Section 2

The City will provide marked take home cars to sworn employees who live in National City and are off probation, except for those POA members who can take home cars under Section 1 above. Should the number of eligible employees exceed the number of marked patrol vehicles available for this purpose, the distribution of the vehicles would be based upon seniority. Officers assigned take home cars under this provision will follow the same rules and guidelines as officers assigned under Section 1 of this agreement. The City maintains the right to rescind this program at any time.

### Section 3

Except as specifically provided in this Article, no employees represented by the POA will be allowed to take home cars.

---

## ARTICLE 33 – DEFINITIONS

---

Unless the particular provision or the context otherwise requires the definitions and provisions contained in this article shall govern the construction, meaning and applications of words and phrases used in this Memorandum of Understanding.

**ADVANCEMENT** – Shall mean a salary increase within range of compensation provided for each position, which is conditioned upon a given minimum term of meritorious service in the same position and which is made without examination.

**ANNIVERSARY DATE** – Shall mean the date that the employee completes twelve (12) calendar months of service. Under normal circumstances, when an employee receives a promotion to a new classification, the promotion date will become the new anniversary date for the employee.

**APPOINTING AUTHORITY** – Shall mean the City Council, the City Manager and any other person or body to whom the power to appoint personnel to positions in the Classified Services may be delegated.

**ASSOCIATION** – Shall mean the National City Police Officers' Association.

**CALENDAR YEAR** – Shall mean a twelve (12) month period beginning January 1 and ending December 31.

**CLASS** – Shall mean a position or group of positions sufficiently similar in respect to duties and responsibilities that the same title may reasonably and fairly be used to designate each position allocated to the class, that the same minimum qualifications may be required, and the same salary range may be made to apply with equity.

**CLASSIFIED SERVICE** – Shall mean all positions in the competitive service of the City of National City which are subject to the provisions of the Civil Service Ordinance No. 1076 creating the Civil Services System and the Rules of the Civil Service Commission.

**COMPENSATION** – Shall mean any salary, wage, fee, allowance or other emolument paid to an employee for performing the duties and exercising the responsibilities of a position.

**COMPENSATION PLAN** – Shall mean the official schedule of pay approved by the City Council assigning one or more rates of pay to each class title.

**COMPENSATORY LEAVE** – Shall mean time off from work in lieu of monetary payment for overtime worked.

**CONTINUOUS SERVICE** – Shall mean employment in the City service uninterrupted by separation and applies to the time a person has been employed on a permanent basis or to the continuation of employment from temporary to a permanent appointment, without any break in service.

**DEMOTION** – Shall mean the appointment of an employee holding position in one class to a position in another class having lower maximum salary rate; movement to a lower step within the same class; or for employees covered by the State Government Code Section 3300-311 (Police Officers' Bill of Rights), loss of special assignment pay.

**DEPARTMENT** – Shall mean the Police Department.

**DEPARTMENT HEAD** – Shall mean the Chief of Police or his designee

**EMPLOYEE** – Shall mean a person who is legally an incumbent of position in the Classified Service or who is on authorized leave of absence from such a position with the right to return to his position.

**FISCAL YEAR** – Shall mean a twelve (12) month period beginning July 1 and ending June 30.

**IMMEDIATE FAMILY** – For the purpose of family care under Article 9 of this MOU, shall mean any person who is related by blood, marriage or adoption and shall include children of the employee, children of the employee's spouse, the employee's spouse, domestic partner as well as the employee's parents and grandparents. For purposes of memorial observance, under Article 9 of this MOU, immediate family shall include the individuals listed above for family care and also include the siblings of the employee or the employee's spouse or domestic partner.

**INTERIM APPOINTMENT** – Shall mean a short term appointment made from an eligible list.

**LAY-OFF** – Shall mean the involuntary, non-disciplinary separation of an employee from a position resulting from lack of work, lack of funds or abolishment of a position.

**LEAVE** – Shall mean an approved type of absence from work as provided for by these Rules.

**PERMANENT EMPLOYEE** – Shall mean an employee who has been appointed to a permanent position. A permanent employee may be serving a probationary period.

**PERMANENT POSITION** – Shall mean a specific office or classification, whether occupied or vacant, carrying responsibilities and calling for the performance of certain duties by one individual. This position shall be included in the Classified Service and may be either on a part-time or full-time basis.

**PERMANENT STATUS** – Shall mean the satisfactory completion of one (1) year of probationary service and continuing permanent appointment.

**PERSONNEL OFFICER** – Shall mean the City Manager or the person appointed by the City Manager to act as Secretary to the Civil Service Commission, to administer the activities of the Personnel Department and to exercise general supervision over the employment policy of the City subject to the direction of the Commission.

**POSITION** – Shall mean any specific office or classification, whether occupied or vacant, carrying certain responsibilities and calling for the performance of certain duties by one individual, either on a full-time basis or part-time basis.



**PROBATIONARY PERIOD** – Shall mean the working test period during which an employee is required to demonstrate his fitness by the actual performance of the duties and responsibilities of his position and during which time he may be terminated without right of appeal to the Civil Service Commission.

**PROBATIONARY STATUS** – Shall mean service in a permanent position prior to completion of the prescribed period of probationary service.

**PROBATIONER** – Shall be an employee in the Classified Service who is serving a probationary period.

**PROVISIONAL APPOINTMENT** – Shall mean the temporary appointment of a person who possesses the minimum qualifications established for a particular class and who has been appointed to a position in the class in the absence of available eligibles; any non-permanent appointment, other than seasonal, part-time or emergency appointment, which is not made from a re-employment list or an eligible list.

**SALARY RANGE** – Shall mean one or more, but commonly five (5) specific pay rates having a percentage relationship to one another, assigned to a class of positions as the compensation for the class.

**SALARY RATE** – Shall mean a specific dollar amount, expressed as either an annual rate, a monthly rate, a semi-monthly rate, a biweekly rate or an hourly rate, as shown in the Compensation Plan of the City.

**SALARY STEP** – Shall mean the location of a salary rate within a salary range, as identified by a letter of the alphabet.

**SENIORITY** – Shall mean the number of months of continuous service in the Police Department in a permanent position.

**TEMPORARY EMPLOYEE** – Shall mean an employee appointed to a position of a non-permanent nature on a provisional basis.

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
APPROVING A TWO YEAR MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN  
THE CITY AND THE NATIONAL CITY POLICE OFFICERS' ASSOCIATION (NCPOA) FOR  
THE PERIOD OF JANUARY 1, 2019 THROUGH DECEMBER 31, 2021

WHEREAS, the Memorandum of Understanding ("MOU") between the City of National City and the National City Police Officers' Association ("NCPOA") expired December 31, 2018; and

WHEREAS, City representatives began meeting and conferring in good faith with NCPOA representatives in September, 2018 for the purpose of negotiating a successor agreement; and

WHEREAS, said meet and confer was conducted pursuant to California Government Code Section 3500, et seq.; and

WHEREAS, On January 29, 2019 the NCPOA membership voted to ratify the terms of a two (2) year agreement, retroactive to January 1, 2019 as set forth by the negotiating teams.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby approves the Memorandum of Understanding between the City of National City and the National City Police Officers' Association for the period of January 1, 2019 through December 31, 2021. The Memorandum of Understanding is on file in the Office of the City Clerk.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City, waiving the formal bid process pursuant to National City Municipal Code Section 2.60.260 regarding cooperative purchasing and authorizing the City to piggyback onto Sourcewell \(formerly National Joint Powers Alliance\) Contract #120716-NAF with National Auto Fleet Group for the purchase and build-out of one \(1\) 2019 Ford F-150 \(F1C\) XL 2WD Reg Cab 8 Box 141 WB, Factory Order 1500 Lift Gate in an amount not to exceed \\$33,470.75. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the City Council of the City of National City, waiving the formal bid process pursuant to National City Municipal Code Section 2.60.260 regarding cooperative purchasing and authorizing the City to piggyback onto Sourcewell (formerly "National Joint Powers Alliance") Contract #120716-NAF with National Auto Fleet Group for the purchase and build-out of one (1) 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate in an amount not to exceed \$33,470.75.

**PREPARED BY:** Ray Roberson, Management Analyst II

**DEPARTMENT:** Engineering/Public Works

**PHONE:** (619) 336-4583

**APPROVED BY:** 

**EXPLANATION:**

See attached explanation.

**FINANCIAL STATEMENT:**

**APPROVED:**  Finance

**ACCOUNT NO.**

**APPROVED:** MIS

644-416-223-511-0000 (Equipment Replacement Reserve – Facilities Maintenance): \$33,470.75 |  
\$200,000 is appropriated in the FY2019 budget for Engineering/Public Works Department Facilities Maintenance vehicles.

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt Resolution awarding the purchase and build-out of one (1) 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate for the National City Engineering/Public Works Department.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Quote
3. Sourcewell Contract #120716-NAF
4. Resolution

Explanation:

The current 1999 Ford F-450 used by the City Public Works Facilities Maintenance Division has exceeded its useful life and is scheduled to be replaced. Staff desires to purchase a new 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate. Consistent with Section 2.60.260 of the National City Municipal Code (NCMC) regarding cooperative purchasing, there is an opportunity to piggyback onto the Sourcewell Contract #120716-NAF with National Auto Fleet Group to allow for the purchase of one 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate.

NCMC Section 2.60.260 provides authority to the purchasing agent to join with other public jurisdictions to take advantage of cooperative purchasing opportunities, including but not limited to any federal, state or local agency pricing program or structure that is determined by the purchasing agent to allow a procurement that is in the best interests of the City. The purchasing agent may buy directly from a vendor at a price established through competitive bidding by another public agency whose procedures have been determined by the purchasing agent to be in substantial compliance with the City's procurement procedures, irrespective of the contracting limits of that jurisdiction or agency, even if the City had not initially joined with that public agency in the cooperative purchase.

National City's Purchasing staff has confirmed that the Sourcewell Contract #120716-NAF with National Auto Fleet Group was competitively bid through a Request for Proposals (RFP) process, and that the State of California Department of General Services procurement procedures are in substantial compliance with those of National City.

Therefore, staff requests that City Council authorize the Mayor to award the purchase of one 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate to National Auto Fleet Group in an amount not to exceed \$33,470.75, consistent with Section 2.60.260 of the National City Municipal Code regarding cooperative purchasing, by piggybacking onto the Sourcewell Contract #120716-NAF.

The funding to purchase this vehicle was approved by City Council through adoption of the FY 2019 annual budget. |



# National Auto Fleet Group

A Division of Chevrolet of Watsonville

480 Auto Center Drive, Watsonville, CA 95076

(855) 289-6572 • (831) 480-8497 Fax

Fleet@NationalAutoFleetGroup.com

3/7/2019

3/14/2019 Re-Configured

Quote ID: 9957 R2

Order Cut Off Date: TBA

Mr Tony Gaut  
City of National City

1726 Wilson Ave

National City, California, 91950

Dear Tony Gaut,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.

**One (1) New/Unused (2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate) and delivered to your specified location, each for**

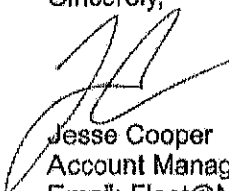
	One Unit
Contract Price	\$26,703.32
Factory Order	\$3,528.40
1500 Lift Gate	
2 additional key(s)	\$400.00
Tax (8.7500 %)	\$2,680.28
Tire fee	\$8.75
Transportation	\$150.00
Total	\$33,470.75

- per the attached specifications.

This vehicle(s) is available under the **Sourcewell (Formerly Known as NJPA) Contract 120716-NAF**. Please reference this Contract number on all purchase orders to National Auto Fleet Group. Payment terms are Net 20 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

  
Jesse Cooper  
Account Manager  
Email: Fleet@NationalAutoFleetGroup.com  
Office: (855) 289-6572  
Fax: (831) 480-8497

Quoting Department  
Account Manager  
Fleet@NationalAutoFleetGroup.com  
(855) 289-6572



**In order to Finalize your Quote, please submit this purchase packet to your governing body for Purchase Order Approval. Once you issue a Purchase Order please send by:**

**Fax: (831) 480-8497**

**Mail: National Auto Fleet Group  
490 Auto Center Drive  
Watsonville, CA 95076**

**Email: Fleet@nationalautofleetgroup.com**

**We will then send a W-9 if you need one**

**Please contact our main office with any questions:  
1-855-289-6572**



255 Voyager Ave  
Brea, CA 92821  
Phone: 714-996-0411  
Fax: 714-996-0695

## Sales Quote

Page 1 of 1

Sales Quote SQ22852  
Sales Quote Date: 3/7/2019  
Inside Sales Rep: Kimberly Ballamy

Sell  
To: NATIONAL AUTO FLEET GROUP  
DEALER # 71E061  
1330 W. MAIN ST.  
ALHAMBRA, CA 91801  
626-414-2000

Ship  
To: CITY OF NATIONAL CITY  
1726 WILSON AVE  
NATIONAL CITY, CA 91950

Tax Ident. Type Legal Entity

Customer ID FLW01

Ship Via HARBOR

Dealer Number

Terms 2% 10 Days, Net 30

SalesPerson

JENNIFER

Location BREA

VIN

Territory REGION 1

Harbor Truck Bodies is Not Held Responsible for any items not listed on this order/quote.

Pricing on quote is valid 30 days from sales quote date.

Item No.	Description	Exp. Notes	Unit	Qty.	Unit Price	Net Price
FORD 056-R-SRW	FORD 56" CA REGULAR CAB SRW GAS-	THIS IS A TRUCK WITH FACTORY PICKUP BED	EACH	1		
SEO_1	TOMMYGATE MODEL # G2-60-1542 TP42		EACH	1	3,228.40	3,228.40
FREIGHT	Freight		EACH	1	150.00	150.00
FUEL CHARGE	FUEL CHARGE		EACH	1	75.00	75.00
MPDI	PDI FOR NEW VEHICLE		EACH	1	225.00	225.00

Amount Subject to Sales Tax 0  
Amount Exempt from Sales Tax 3,678.40

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Dealer VIN/VON \_\_\_\_\_

P.O.# \_\_\_\_\_

**Subtotal:** 3,678.40  
Invoice Discount: 0.00  
Total Sales Tax 0.00

**Total:** 3,678.40



## Vehicle Configuration Options

<b>ENGINE</b>	
<b>Code</b>	<b>Description</b>
99B	ENGINE: 3.3L V6 PDFI, -inc: auto start-stop technology and flex-fuel capability (STD)
<b>TRANSMISSION</b>	
<b>Code</b>	<b>Description</b>
446	TRANSMISSION: ELECTRONIC 6-SPEED AUTOMATIC, -inc: selectable drive modes: normal/tow-haul/sport (STD)
<b>WHEELS</b>	
<b>Code</b>	<b>Description</b>
64C	WHEELS: 17" SILVER STEEL, (STD)
<b>TIRES</b>	
<b>Code</b>	<b>Description</b>
---	TIRES: P245/70R17 BSW A/S, (STD)
<b>PRIMARY PAINT</b>	
<b>Code</b>	<b>Description</b>
YZ	OXFORD WHITE
<b>PAINT SCHEME</b>	
<b>Code</b>	<b>Description</b>
---	STANDARD PAINT
<b>SEAT TYPE</b>	
<b>Code</b>	<b>Description</b>
AG	MEDIUM EARTH GRAY, VINYL 40/20/40 FRONT SEAT
<b>AXLE RATIO</b>	
<b>Code</b>	<b>Description</b>
X19	3.55 AXLE RATIO, (STD)
<b>ADDITIONAL EQUIPMENT</b>	
<b>Code</b>	<b>Description</b>
85A	XL POWER EQUIPMENT GROUP, -inc: Power Glass Sideview Mirrors w/Black Skull Caps, manual-folding, Power Door Locks, flip key and integrated key transmitter keyless-entry (includes Autolock), Illuminated Entry, Power Front Windows, Perimeter Alarm, Power Tailgate Lock, MyKey
53A	TRAILER TOW PACKAGE, -inc: Towing capability up to TBD, tailgate LED, Class IV Trailer Hitch Receiver, towing capability up to TBD on 3.3L V6 PFDI engine (99B) and 2.7L EcoBoost

	engine (99P) or up to TBD on 3.5L EcoBoost engine (994), 3.5L EcoBoost High Output engine (99G) and 5.0L V8 engine (995), smart trailer tow connector and 4-pin/7-pin wiring harness, Upgraded Front Stabilizer Bar
422	CALIFORNIA EMISSIONS SYSTEM, -inc: Required code for California Emissions States registration, Optional code for Cross Border State dealers (Arizona, District of Columbia, Idaho, New Hampshire, Nevada, Ohio, Virginia and West Virginia)
93N	DEALER ORDER FOR CALIFORNIA STATES REGISTRATION, -inc: Federal Emissions state dealers ordering a California Emissions system (422) are also required to use order code 93N to attest that the vehicle is to be registered in a California Emissions state, Note: It is a violation of federal law for a Federal Emissions state dealer to sell a vehicle w/a California Emissions system for registration in a Federal Emissions state, unless the vehicle also meets EPA standards (i.e, 50-state emissions)
53B	CLASS IV TRAILER HITCH RECEIVER, -inc: towing capability up to TBD on 3.3L V6 PFDI engine (99B) and 2.7L EcoBoost engine (99P) or up to TBD on 3.5L EcoBoost engine (994), 3.5L EcoBoost High Output engine (99G) and 5.0L V8 engine (995), smart trailer tow connector and 4-pin/7-pin wiring harness
67T	INTEGRATED TRAILER BRAKE CONTROLLER
153	FRONT LICENSE PLATE BRACKET, -inc: Standard in states requiring 2 license plates, optional to all others
96W	TOUGH BED SPRAY-IN BEDLINER
94S	AMBER LED WARNING STROBES, -inc: By Sound Off Signal, Ford accessory, center high-mounted stop light bar and 2 hood mounted lights
942	DAYTIME RUNNING LAMPS, -inc: Non-controllable
55B	BOXLINK, -inc: 4 premium locking cleats
52P	SYNC, -inc: enhanced voice recognition communications and entertainment system, 911 assist, 4.2" LCD display in center stack, Applink and 1 smart charging USB port
50S	CRUISE CONTROL
76R	REVERSE SENSING SYSTEM
85H	BACKUP ALARM SYSTEM
---	XL POWER EQUIPMENT GROUP SAVINGS
<b>OPTION PACKAGE</b>	
<b>Code</b>	<b>Description</b>
100A	EQUIPMENT GROUP 100A BASE

# 2019 Fleet/Non-Retail Ford F-150 XL 2WD Reg Cab 8' Box 141" WB

## WINDOW STICKER

2019 Ford F-150 XL 2WD Reg Cab 8' Box 141" WB		
CODE	MODEL	MSRP
F1C	2019 Ford F-150 XL 2WD Reg Cab 8' Box 141" WB	\$28,455.00
<b>OPTIONS</b>		
99B	ENGINE: 3.3L V6 PFI, -Inc: auto start-stop technology and flex-fuel capability (STD)	\$0.00
446	TRANSMISSION: ELECTRONIC 6-SPEED AUTOMATIC, -Inc: selectable drive modes: normal/tow-haul/sport (STD)	\$0.00
64C	WHEELS: 17" SILVER STEEL, (STD)	\$0.00
—	TIRES: P245/70R17 BSW A/S, (STD)	\$0.00
YZ	OXFORD WHITE	\$0.00
—	STANDARD PAINT	\$0.00
AG	MEDIUM EARTH GRAY, VINYL 40/20/40 FRONT SEAT	\$0.00
X19	3.55 AXLE RATIO, (STD)	\$0.00
85A	XL POWER EQUIPMENT GROUP, -Inc: Power Glass Sideview Mirrors w/Black Skull Caps, manual-folding, Power Door Locks, flip key and integrated key transmitter keyless-entry (includes Autolock), Illuminated Entry, Power Front Windows, Perimeter Alarm, Power Tailgate Lock, MyKey	\$970.00
53A	TRAILER TOW PACKAGE, -Inc: Towing capability up to TBD, tailgate LED, Class IV Trailer Hitch Receiver, towing capability up to TBD on 3.3L V6 PFI engine (99B) and 2.7L EcoBoost engine (99P) or up to TBD on 3.5L EcoBoost engine (994), 3.5L EcoBoost High Output engine (99G) and 5.0L V8 engine (995), smart trailer tow connector and 4-pin/7-pin wiring harness, Upgraded Front Stabilizer Bar	\$595.00
422	CALIFORNIA EMISSIONS SYSTEM, -Inc: Required code for California Emissions States registration, Optional code for Cross Border State dealers (Arizona, District of Columbia, Idaho, New Hampshire, Nevada, Ohio, Virginia and West Virginia)	\$0.00
93N	DEALER ORDER FOR CALIFORNIA STATES REGISTRATION, -Inc: Federal Emissions state dealers ordering a California Emissions system (422) are also required to use order code 93N to attest that the vehicle is to be registered in a California Emissions state, Note: It is a violation of federal law for a Federal Emissions state dealer to sell a vehicle w/a California Emissions system for registration in a Federal Emissions state, unless the vehicle also meets EPA standards (i.e. 50-state emissions)	\$0.00
53B	CLASS IV TRAILER HITCH RECEIVER, -Inc: towing capability up to TBD on 3.3L V6 PFI engine (99B) and 2.7L EcoBoost engine (99P) or up to TBD on 3.5L EcoBoost engine (994), 3.5L EcoBoost High Output engine (99G) and 5.0L V8 engine (995), smart trailer tow connector and 4-pin/7-pin wiring harness	INC
67T	INTEGRATED TRAILER BRAKE CONTROLLER	\$275.00
153	FRONT LICENSE PLATE BRACKET, -Inc: Standard in states requiring 2 license plates, optional to all others	\$0.00
96W	TOUGH BED SPRAY-IN BEDLINER	\$595.00
94S	AMBER LED WARNING STROBES, -Inc: By Sound Off Signal, Ford accessory, center high-mounted stop light bar and 2 hood mounted lights	\$675.00
942	DAYTIME RUNNING LAMPS, -Inc: Non-controllable	\$45.00
55B	BOXLINK, -Inc: 4 premium locking cleats	\$80.00
52P	SYNC, -Inc: enhanced voice recognition communications and entertainment system, 911 assist, 4.2" LCD display in center stack, Applink and 1 smart charging USB port	\$420.00

50S	CRUISE CONTROL	\$225.00
76R	REVERSE SENSING SYSTEM	\$275.00
85H	BACKUP ALARM SYSTEM	\$125.00
—	XL POWER EQUIPMENT GROUP SAVINGS	(\$500.00)
100A	EQUIPMENT GROUP 100A BASE	\$0.00

Please note selected options override standard equipment

<b>SUBTOTAL</b>	<b>\$32,235.00</b>
Advert/ Adjustments	\$0.00
Manufacturer Destination Charge	\$1,595.00
<b>TOTAL PRICE</b>	<b>\$33,830.00</b>

Est City: N/A MPG  
Est Highway: N/A MPG  
Est Highway Cruising Range: N/A mi

Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

## Standard Equipment

### MECHANICAL

Engine: 3.3L V6 PDFI -inc: auto start-stop technology and flex-fuel capability
Transmission: Electronic 6-Speed Automatic -inc: selectable drive modes: normal/tow-haul/sport
3.55 Axle Ratio
GVWR: 6,170 lbs Payload Package
Transmission w/SelectShift Sequential Shift Control
Rear-Wheel Drive
70-Amp/Hr 610CCA Maintenance-Free Battery w/Run Down Protection
200 Amp Alternator
Towing Equipment -inc: Harness and Trailer Sway Control
1960# Maximum Payload
Gas-Pressurized Shock Absorbers
Front Anti-Roll Bar
Electric Power-Assist Speed-Sensing Steering
23 Gal. Fuel Tank
Single Stainless Steel Exhaust
Double Wishbone Front Suspension w/Coil Springs
Leaf Rear Suspension w/Leaf Springs
4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist, Hill Hold Control and Electric Parking Brake

### EXTERIOR

Wheels: 17" Silver Steel
Tires: P245/70R17 BSW A/S
Regular Box Style
Steel Spare Wheel
Full-Size Spare Tire Stored Underbody w/Crankdown
Clearcoat Paint
Black Front Bumper w/Black Rub Strip/Fascia Accent
Black Rear Step Bumper
Black Side Windows Trim and Black Front Windshield Trim
Black Door Handles
Black Manual Side Mirrors w/Convex Spotter and Manual Folding
Fixed Rear Window
Light Tinted Glass
Variable Intermittent Wipers
Aluminum Panels
Black Grille
Tailgate Rear Cargo Access

Manual Tailgate/Rear Door Lock
Fully Automatic Aero-Composite Halogen Auto High-Beam Daytime Running Lights Preference Setting
Headlamps w/Delay-Off
Cargo Lamp w/High Mount Stop Light

## ENTERTAINMENT

Radio: AM/FM Stereo w/4 Speakers -inc: auxiliary audio input jack (not available w/SYNC)
Radio w/Seek-Scan
Fixed Antenna
2 LCD Monitors In The Front

## INTERIOR

Cloth 40/20/40 Front Seat -inc: 2-way manual driver/passenger adjustment and armrest
4-Way Driver Seat -inc: Manual Recline and Fore/Aft Movement
4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement
Manual Tilt/Telescoping Steering Column
Gauges -inc: Speedometer, Odometer, Voltmeter, Oil Pressure, Engine Coolant Temp, Tachometer, Transmission Fluid Temp and Trip Odometer
Front Cupholder
Compass
Manual Air Conditioning
Glove Box
Interior Trim -inc: Cabback Insulator and Chrome Interior Accents
Full Cloth Headliner
Urethane Gear Shift Knob
Day-Night Rearview Mirror
Passenger Visor Vanity Mirror
2 12V DC Power Outlets
Fade-To-Off Interior Lighting
Full Vinyl/Rubber Floor Covering
Pickup Cargo Box Lights
Instrument Panel Bin, Dashboard Storage, Driver And Passenger Door Bins
Manual 1st Row Windows
Outside Temp Gauge
Analog Display
Manual Adjustable Front Head Restraints
Front Center Armrest
Securilock Anti-Theft Ignition (pats) Engine Immobilizer

## SAFETY

Electronic Stability Control (ESC) And Roll Stability Control (RSC)
ABS And Driveline Traction Control
Side Impact Beams
Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Pre-Collision Assist w/Automatic Emergency Braking (aeb)
Tire Specific Low Tire Pressure Warning
Dual Stage Driver And Passenger Front Airbags
Safety Canopy System Curtain 1st Row Airbags
Airbag Occupancy Sensor
Outboard Front Lap And Shoulder Safety Belts -Inc: Height Adjusters and Pretensioners
Dynamic Hitch Assist Back-Up Camera

**FORM E**  
**CONTRACT ACCEPTANCE AND AWARD**



(Top portion of this form will be completed by NJPA if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

NJPA Contract #: 120716-NAF

Proposer's full legal name: 72 Hour LLC, dba National Auto Fleet Group

Based on NJPA's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.

The effective date of the Contract will be January 17, 2017 and will expire on January 17, 2021 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

**NJPA Authorized Signatures:**

  
NJPA DIRECTOR OF COOPERATIVE CONTRACTS  
AND PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz  
(NAME PRINTED OR TYPED)

  
NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Codette  
(NAME PRINTED OR TYPED)

Awarded on January 16, 2017

NJPA Contract # 120716-NAF

**Vendor Authorized Signatures:**

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name 72 Hour LLC, National Auto Fleet Group

Authorized Signatory's Title Fleet Manager

  
VENDOR AUTHORIZED SIGNATURE

Jesse Cooper  
(NAME PRINTED OR TYPED)

Executed on 1-16, 2017

NJPA Contract # 120716-NAF



RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE FORMAL BID PROCESS PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 2.60.260 AUTHORIZING THE CITY TO PIGGYBACK ONTO SOURCEWELL (FORMERLY NATIONAL JOINT POWERS ALLIANCE) CONTRACT 120716-NAF WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE AND BUILD-OUT OF ONE 2019 FORD F-150 (F1C) XL 2WD REG CAB 8' BOX 141" WB, FACTORY ORDER 1500 LIFT GATE IN AN AMOUNT NOT TO EXCEED \$33,470.75

WHEREAS, the current 1999 Ford F-450 used by the City Public Works Facilities Maintenance Division has exceeded its useful life and is scheduled to be replaced; and

WHEREAS, the funding to purchase one (1) 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate was approved by City Council through adoption of the FY 2019 annual budget; and

WHEREAS, there is an opportunity for the City to piggyback onto Sourcewell (formerly National Joint Powers Alliance) Contract 120716-NAF with National Auto Fleet Group for the purchase of one (1) 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate in an amount not to exceed \$33,470.75; and

WHEREAS, National City Municipal Code Section 2.60.260 provides authority to the purchasing agent to join with other public jurisdictions to take advantage of cooperative purchasing opportunities, including but not limited to any federal, state or local agency pricing program or structure that is determined by the purchasing agent to allow a procurement that is in the best interests of the City; and

WHEREAS, the National City's Purchasing staff has confirmed that the Sourcewell (formerly National Joint Powers Alliance) Contract 120716-NAF with National Auto Fleet Group was competitively bid through a Request for Proposals (RFP) process, and that the State of California Department of General Services procurement procedures are in substantial compliance with those of National City.

///

///

///

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby affirms the determination that Sourcewell (formerly National Joint Powers Alliance) procurement procedures are in substantial compliance with the City's, and pursuant to Section 2.60.260 of the Municipal Code, authorizes the waiver of the bidding process to piggyback on Sourcewell (formerly National Joint Powers Alliance) Contract No. 120716-NAF with National Auto Fleet Group for the purchase of one (1) 2019 Ford F-150 (F1C) XL 2WD Reg Cab 8' Box 141" WB, Factory Order 1500 Lift Gate in an amount not to exceed \$33,470.75.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City accepting and approving the recordation of a Memorandum of Unrecorded Grant Agreement/Deed Restrictions with the State of California, by and through the Natural Resources Agency, for Paradise Creek Educational Park; and authorizing the City Manager to execute said Memorandum of Unrecorded Grant Agreement/Deed Restrictions. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.**

**ITEM TITLE:**

Resolution of the City Council of the City of National City accepting and approving the recordation of a Memorandum of Unrecorded Grant Agreement/Deed Restrictions with the State of California, by and through the Natural Resources Agency, for Paradise Creek Educational Park; and authorizing the City Manager to execute said Memorandum of Unrecorded Grant Agreement/Deed Restrictions.

**PREPARED BY:** Carla Hutchinson

**PHONE:** 619-336-4388

**EXPLANATION:**

See attached.

**DEPARTMENT:** Engineering & Public Works

**APPROVED BY:** \_\_\_\_\_



**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Categorical Exception 15333; Small Habitat Restoration Project (filed with County Recorder on 10/30/15)

**ORDINANCE:** INTRODUCTION: ☐ FINAL ADOPTION: ☐

**STAFF RECOMMENDATION:**

Adopt the Resolution accepting and approving the recordation of a Memorandum of Unrecorded Grant Agreement/Deed Restrictions with the State of California for Paradise Creek Educational Park.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Grant Agreement No. U59149-0
3. Memorandum of Unrecorded Grant Agreement/Deed Restrictions
4. Resolution

**Explanation:**

On November 5, 2013, per City Council Resolution No. 2013-168, City Council authorized staff to submit an application for Proposition 84 Urban Greening for Sustainable Communities Grant Program funding for the Paradise Creek Educational Park Urban Greening Project, and authorized the City Manager to execute the grant agreement pending award.

In April, 2015, the City Manager executed Grant Agreement No. U59149-0 with the California Natural Resources Agency (NRA) for the Project, effective April 1, 2015. See attached fully executed copy of the grant agreement.

On September 20, 2016, per City Council Resolution No. 2016-147, City Council awarded a contract to C.S. Legacy, Inc. for construction. This project was completed consistent with grant requirements. The Notice of Completion was signed by the Mayor on August 25, 2017.

The State of California, by and through the NRA, is requesting that the City accept and record the Memorandum of Unrecorded Grant Agreement/Deed Restrictions (MOUGA) as required by Exhibit "A" of the executed Grant agreement. The MOUGA recognizes that the City's General Plan identifies this site as a park and requires that the use remain consistent with the grant objective (park site) for a minimum of 20 years from the date of the execution of the Grant Agreement. In addition, the MOUGA restricts the use of the park site as mitigation and the use of the park site to secure any debt without the written approval of the State of California, acting through the NRA.

State of California  
Natural Resources Agency – GRANT AGREEMENT

GRANTEE NAME: City of National City  
PROJECT TITLE: Paradise Creek Educational Park (formerly Hoover Avenue Park/Paradise Creek Walk)  
AUTHORITY: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Prop 84)  
PROGRAM: Urban Greening Project Grants  
AGREEMENT NUMBER: U59149-0  
TERM OF LAND TENURE: 20 years from date of project completion as evidenced by Project Certification Form  
PROJECT PERFORMANCE PERIOD IS: April 1, 2015 -- December 1, 2017

Under the terms and conditions of this agreement, the applicant agrees to complete the project as described in the project scope described in Exhibit A, and any subsequent amendments, and the State of California, acting through the Resources Agency pursuant to the California Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006, agrees to fund the project up to the total state grant amount indicated.

**PROJECT DESCRIPTION:**

See project description on page 1 and Exhibit A of the Agreement

Total State Grant not to exceed \$840,000.00 (or project costs, whichever is less)

The Special and General Provisions attached are made a part of and incorporated into the Agreement.

CITY OF NATIONAL CITY

STATE OF CALIFORNIA  
NATURAL RESOURCES AGENCY

By   
Leslie Deese

By   
Bryan Cash

Title City Manager

Title Deputy Assistant Secretary


Date 4/20/15

Date 4/20/15

**CERTIFICATION OF FUNDING**

AMOUNT OF ESTIMATE FUNDING		AGREEMENT NUMBER		FUND	
\$840,000.00		U59149-0		6051 - Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Prop 84)	
ADJ. INCREASING ENCUMBRANCE		APPROPRIATION			
\$		0540-6051-001-2010-101			
ADJ. DECREASING ENCUMBRANCE		FUNCTION			
\$		Local Assistance			
UNENCUMBERED BALANCE		LINE ITEM ALLOTMENT	CHAPTER	STATUTE	FISCAL YEAR
\$		0540-6051-101	712	2010	10/11
T.B.A. NO.	B.R. NO.	INDEX	OBJ. EXPEND	PCA	PROJECT NUMBER
		0540	751	30591	U59149

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

  
SIGNATURE OF ACCOUNTING OFFICER

5/4/15  
DATE

**GRANT AGREEMENT**  
**State of California - The Natural Resources Agency**

**Grantee Name:** City of National City

**Project Title:** Paradise Creek Educational Park (formerly Hoover Avenue Park/Paradise Creek Walk)

**Agreement Number:** U59149-0

**Authority:** Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 -- Proposition 84

**Program:** Urban Greening for Sustainable Communities Grant Program

**PROJECT DESCRIPTION**

Expand existing community space adjacent to school site and planned development; create a safe route to school path, edible garden and remove a significant amount of hardscape for bioswale and native vegetation.

A detailed Project Scope and activities, project schedule and Project Budget are described and attached hereto as Exhibit A.

Grant Funds are to be used to preserve, enhance, increase or establish community green areas such as urban forest, open spaces, wetlands and community spaces (e.g., community gardens), in accordance with the provisions contained in the Urban Greening for Sustainable Communities Grant Program and this Agreement.

**TERMS AND CONDITIONS OF GRANT**

**Special Provisions**

1. Recipients of Grant Funds shall post signs acknowledging the source of the funds pursuant to the California Urban Greening for Sustainable Communities Grant Program Grant Guidelines and Application (Application Guidelines). Size, location and number of signs shall be determined by the State. Required signage must be in place before Grant Funds for construction will be released.
2. As conditions precedent to the State's obligation to make any construction funding available pursuant to this Agreement, Grantee shall first provide evidence of compliance with CEQA by January 31, 2016.
3. Upon completion of detailed Project design, plans and specifications, Grantee shall provide to the State for review and approval a revised detailed Project Budget, Project Scope and detailed site plan. If Project includes habitat restoration or landscaping, Grantee shall provide a planting palette demonstrating how native, low-water, drought-resistant vegetation will be used in the Project. Approval by the State of such plans and specifications, or any other approvals provided for in this Agreement, shall be for scope and quality of work and shall not relieve Grantee of the obligation to construct and maintain the facilities, or carry out any other obligations required by this Agreement, in accordance with applicable law or any other standards ordinarily applied to such work or activity.

4. The Grantee may be required to record Deed Restrictions, incorporating by reference this Grant Agreement and giving public notice that the Grantee received Funds under this Agreement in order to assist Grantee in developing the real property and that, in consideration for the receipt of the Grant Funds, the Grantee has agreed to the terms of this Agreement.

## General Provisions

### A. Definitions

1. The term "Act" means Proposition 84, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 .
2. The term "Acquisition" means obtaining a fee interest or any other interest, including easement, leases, and development rights.
3. The term "Agreement" means this Grant Agreement.
4. The term "Application" means the individual application form, its required attachments for grants pursuant to the enabling legislation and/or program and any applicable materials supplied by applicant to the Natural Resources Agency prior to award.
5. The term "Application Guidelines" means the California Urban Greening for Sustainable Communities Grant Program Grant Guidelines and Application.
6. The term "Development" means improvement, rehabilitation, restoration, enhancement, preservation, protection and interpretation or other similar activities.
7. The term "Fair Market Value" means the value placed upon the property as supported by an appraisal that has been reviewed and approved by the California Department of General Services (DGS).
8. The term "Grant" or "Grant Funds" means the money provided by the State to the Grantee in this Agreement.
9. The term "Grant Agreement" means a contractual arrangement between the State and grantee specifying the payment of funds by the State for the performance of specific Urban Greening Project objectives within a specific project performance period by the grantee.
10. The term "Grantee" means an applicant who has a signed agreement for Grant Funds.
11. The term "Interpretation" means visitor-serving amenities that communicate the significance and value of natural, historical and cultural resources in a manner that increases the understanding and enjoyment of these resources, or other similar activities.
12. The term "Other Sources of Funds" means cash or in-kind contributions that are required or used to complete the urban greening project beyond the Grant Funds provided by this Agreement.
13. The term "Payment Request Form" means Form RA212.
14. The term "Project" means the Acquisition or Development activity described in the application as modified by Exhibit A to be accomplished with Grant Funds.



15. The term "Project Budget" means the State approved cost estimate included as Exhibit A to this Agreement.
16. The term "Project Scope" means the description or activity for work to be accomplished by the Urban Greening Project.
17. The term "State" means the Secretary for Natural Resources or his/her representatives, or other political subdivision of the State.

**B. Project Execution**

1. Subject to the availability of funds in the Act, the State hereby grants to the Grantee a sum of money (Grant Funds) not to exceed the amount stated on the signature page in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the description of Project in this Agreement and its attachments and under the Terms and Conditions set forth in this Agreement.
2. Grantee shall furnish any and all additional funds that may be necessary to complete the Project.
3. Grantee shall complete the Project in accordance with the Project Performance Period set forth on the signature page, unless an extension has been formally granted by the State and under the Terms and Conditions of this Agreement. Extensions may be requested in advance and will be considered by State, at its sole discretion, in the event of circumstances beyond the control of the Grantee, but in no event beyond May 1, 2019.
4. Grantee shall at all times ensure that Project complies with the California Environmental Quality Act (CEQA) (Public Resources Code, Division 13, commencing with section 21000, et. seq., Cal Code Regs tit. 14, section 15000 et. seq.) and all other environmental laws, including but not limited to obtaining all necessary permits. Grant Funds will not be disbursed before the close of the period for legal challenge under CEQA.

Grant Funds for planning and document preparation may be available sooner if included in the grant Project Scope (Exhibit A) and approved by the State. CEQA compliance shall be completed within one (1) year from the Grant Agreement start date, unless an extension is granted by the State.

Changes to the scope resulting from CEQA compliance are permitted provided the State determines that the project continues to meet all objectives of the Urban Greening for Sustainable Communities Grant Program and is consistent with the intent cited in the original Application.

If a grantee's project is disapproved on grounds related to the Natural Resource Agency's CEQA determination, the grantee shall have the option of either: (1) reimbursing the Natural Resources Agency for all State-reimbursed preliminary costs (e.g., planning, design, etc.), or (2) relinquishing any planning/design documents, including all copies, reproductions, and variations resulting from said funding, without a license to use or otherwise retain in any form.

5. Projects must comply with Labor Code Section 1771.8 regarding the payment of prevailing wages and the labor compliance program as outlined in the Labor Code Section 1771.5 (b).
6. Grantee certifies that the Project does and will continue to comply with all current laws and regulations which apply to the Project, including, but not limited to, legal requirements for construction contracts, building codes, environmental laws, health and safety codes, and

disabled access laws. Grantee certifies that, prior to commencement of construction, all applicable permits and licenses (e.g., state contractor's license) will have been obtained.

7. Grantee shall provide access by the State upon 24 hours notice to determine if Project work is in accordance with the approved Project Scope, including a final inspection upon Project completion.
8. Prior to the commencement of any work, Grantee agrees to submit in writing to the State for prior approval any deviation from the original Project Scope per Exhibit A and the Application. Changes in Project Scope must continue to meet the need cited in the original application or they will not be approved. Any modification or alteration in the Project as set forth in the Application on file with the State must be submitted to the State for approval. Any modification or alteration in the Project must also comply with all current laws and regulations, including but not limited to CEQA.
9. Grantee shall provide for public access and/or educational features where feasible.
10. Grantee must have (1) fee title, (2) leasehold, or (3) other interest to Project lands and demonstrate to the satisfaction of the State that the proposed Project will provide public benefits that are commensurate with the type and duration of the interest in land. Any acquisition of Project lands by Grantee following award shall not involve eminent domain proceedings or threat of eminent domain proceedings.
11. Grantee shall promptly provide photographs of the site during and after implementation of Project at the request of the State.

#### C. Project Costs

1. Any Grant Funds provided to Grantee under this Agreement will be disbursed for eligible costs, on a reimbursement basis, as follows, but shall not exceed in any event the amount set forth on the signature page of this Agreement:
  - a. Approved direct management costs or construction and Development costs. Up to ten percent (10%) of the reimbursement amount will be held back and issued as a final payment upon completion of the Project.
  - b. Remaining Grant Funds shall be paid up to the total amount of the Grant Funds or the actual Project cost, whichever is less, upon completion of the Project, receipt of a detailed summary of Project costs from the Grantee found to be satisfactory by the State, and the satisfactory completion of a site inspection by the State.
2. Payment Documentation:
  - a. All payment requests must be submitted using a completed Payment Request Form. This form must be accompanied by an itemized list of all expenditures that clearly documents the check numbers, dates, recipients, line-item description as described in the Project Budget approved by the State and amounts. Each payment request must also include proof of payment such as receipts, paid invoices, canceled checks or other forms of documentation demonstrating payment has been made.
  - b. Any payment request that is submitted without the required itemization and documentation will not be authorized. If the payment request package is incomplete, inadequate or inaccurate, the State will inform the Grantee and hold the payment request until all required information is received or corrected. Any penalties imposed on the Grantee by a contractor, or other consequence, because of delays in payment will be paid by the Grantee and is not reimbursable under this Agreement.

3. Grant Funds in this award have a limited period in which they must be expended. Grantee expenditures funded by the State must occur within the time frame of the Project Performance Period as indicated in this Agreement.
4. Except as otherwise provided herein, the Grantee shall expend Grant Funds in the manner described in the Exhibit A approved by the State. The total dollars of a category in the Project Budget may be increased by up to ten percent (10%) through a reallocation of funds from another category, without approval by the State. However, the Grantee shall notify the State in writing when any such reallocation is made, and shall identify both the item(s) being increased and those being decreased. Any cumulative increase or decrease of more than ten percent (10%) from the original budget in the amount of a category must be approved by the State. In any event, the total amount of the Grant Funds may not be increased, nor may any adjustments exceed the limits for management costs as described in the Application Guidelines.

D. Project Administration

1. Grantee shall promptly provide Project reports and/or photographs upon request by the State. In any event Grantee shall provide the State a report showing total final Project expenditures with the final payment request and required closing documents.
2. Grantee shall make property and facilities acquired or developed pursuant to this Agreement available for inspection upon request by the State.
3. Grantee shall use any income earned by the Grantee from use of the Project to further Project purposes, or, if approved by the State, for related purposes within the jurisdiction.
4. Grantee shall submit all documentation for Project completion, including a notice of completion as applicable and final reimbursement within ninety (90) days of Project completion, but in no event any later than May 1, 2019.
5. Final payment is contingent upon State verification that Project is consistent with Project Scope as described in Exhibit A, together with any State approved amendments.
6. This Agreement may be amended by mutual agreement in writing between Grantee and State. Any request by the Grantee for amendments must be in writing stating the amendment request and reason for the request. The Grantee shall make requests in a timely manner and in no event less than sixty (60) days before the effective date of the proposed amendment.
7. Grantee must report to the State all sources of other funds for the Project.

E. Project Termination

1. Prior to the completion of Project construction, either party may terminate this Agreement by providing the other party with thirty (30) days' written notice of such termination. The State may also terminate this Grant Agreement for any reason at any time if it learns of or otherwise discovers that there is a violation of any state or federal law or policy by Grantee which affects performance of this or any other grant agreement or contract entered into with the State.
2. If the State terminates without cause the Agreement prior to the end of the Project Performance Period, the Grantee shall take all reasonable measures to prevent further costs to the State under this Agreement. The State shall be responsible for any reasonable and non-cancelable obligations incurred by the Grantee in the performance of

the Agreement prior to the date of the notice to terminate, but only up to the undisbursed balance of funding authorized in this Agreement.

3. If the Grantee fails to complete the Project in accordance with this Agreement, or fails to fulfill any other obligations of this Agreement prior to the termination date, the Grantee shall be liable for immediate repayment to the State of all amounts disbursed by the State under this Agreement, plus accrued interest and any further costs related to the Project. The State may, at its sole discretion, consider extenuating circumstances and not require repayment for work partially completed provided that the State determines it is in the State's best interest to do so. This paragraph shall not be deemed to limit any other remedies available to the State for breach of this Agreement.
4. Failure by the Grantee to comply with the terms of this Agreement or any other Agreement under the Act may be cause for suspension of all obligations of the State hereunder.
5. Failure of the Grantee to comply with the terms of this Agreement shall not be cause for suspending all obligations of the State hereunder if, in the judgment of the State, such failure was due to no fault of the Grantee. At the discretion of the State, any amount required to settle at minimum cost any irrevocable obligations properly incurred shall be eligible for reimbursement under this Agreement.
6. Because the benefit to be derived by the State, from the full compliance by the Grantee with the terms of this Agreement, is the preservation, enhancement or establishment of community green areas and spaces for the people of the State of California, and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State by way of Grant Funds under the provisions of this Agreement, the Grantee agrees that payment by the Grantee to the State of an amount equal to the amount of the Grant Funds disbursed under this Agreement by the State would be inadequate compensation to the State for any breach by the Grantee of this Agreement. The Grantee further agrees therefore, that the appropriate remedy in the event of a breach by the Grantee of this Agreement shall be the specific performance of this Agreement, unless otherwise agreed to by the State.

## Hold Harmless

1. Grantee shall waive all claims and recourses against the State, including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this Agreement, except claims arising from the gross negligence of State, its officers, agents and employees.
2. Grantee shall indemnify, hold harmless and defend State, its officers, agents and employees in perpetuity against any and all claims, demands, damages, costs, expenses or liability costs arising out of the Project, including Development, construction, operation or maintenance of the property described in the Project description which claims, demands or causes of action arise under Government Code Section 895.2 or otherwise, including but not limited to items to which the Grantee has certified, except for liability arising out of the gross negligence of State, its officers, agents or employees. Grantee acknowledges that it is solely responsible for compliance with items to which it has certified.
3. Grantee and State agree that in the event of judgment entered against the State and Grantee because of the gross negligence of the State and Grantee, their officers, agents or employees, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction. Neither party shall request a jury apportionment.

### C. Financial Records

1. Grantee shall maintain satisfactory financial accounts, documents and records for the Project and to make them available to the State for auditing at reasonable times. Grantee shall also retain such financial accounts, documents and records for three (3) years after final payment and one (1) year following an audit.
2. Grantee agrees that during regular office hours, the State and its duly authorized representatives shall have the right to inspect and make copies of any books, records or reports of the Grantee pertaining to this Agreement or matters related thereto. Grantee shall maintain and make available for inspection by the State accurate records of all of its costs, disbursements and receipts with respect to its activities under this Agreement.
3. Grantee shall use applicable Generally Accepted Accounting Principles, unless otherwise agreed to by the State.

#### H. Use of Facilities

1. The real property (including any portion of it or any interest in it) may not be sold or transferred without the written approval of the State of California, acting through the Natural Resources Agency, or its successor, provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained.
2. Grantee shall maintain, operate and use the Project in fulfillment of the purpose funded pursuant to this Grant for a minimum of TWENTY (20) YEARS, consistent with the Land Tenure/Site Control requirements included in the Application Guidelines. The Grantee, or the Grantee's successor in interest in the property, may assign without novation the responsibility to maintain and operate the property in accordance with this requirement only with the written approval of the State. Grantee may be excused from its obligations for operation and maintenance of the Project site only upon the written approval of the State for good cause. "Good cause" includes, but is not limited to, natural disasters that destroy the Project improvements and render the Project obsolete or impracticable to rebuild.
3. Grantee shall use the property for the purposes for which the Grant was made and shall make no other use or sale or other disposition of the property. This Agreement shall not prevent the transfer of the property from the Grantee to a Public Agency, if the successor Public Agency assumes the obligations imposed by this Agreement.
4. If the use of the property is changed to a use that is not permitted by the Agreement, or if the property is sold or otherwise disposed of, at the State's sole discretion, an amount equal to (1) the amount of the Grant (2) the Fair Market Value of the real property, or (3) the proceeds from the sale or other disposition, whichever is greater, may be reimbursed to the State. If the property sold or otherwise disposed of is less than the entire interest in the property funded in the Grant, an amount equal to either the proceeds from the sale or other disposition of the interest or the Fair Market Value of the interest sold or otherwise disposed of, whichever is greater, shall be reimbursed to the State.
5. The Grantee shall not use or allow the use of any portion of the real property for mitigation without the written permission of the State.
6. The Grantee shall not use or allow the use of any portion of the real property as security for any debt.

#### I. Nondiscrimination

1. The Grantee shall not discriminate against any person on the basis of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave in the use of any property or facility acquired or developed pursuant to this Agreement.
2. The Grantee shall not discriminate against any person on the basis of residence except to the extent that reasonable difference in admission or other fees may be maintained on the basis of residence and pursuant to law.
3. The completed Project and all related facilities shall be open to members of the public generally, except as noted under the special provisions of this Agreement or under provisions of the Act.

J. Application Incorporation

The Grant Guidelines and the Application and any subsequent changes or additions to the Application approved in writing by the State are hereby incorporated by reference into this Agreement as though set forth in full in this Agreement.

K. Severability

If any provision of this Agreement or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Agreement are severable.

L. Waiver

No term or provision hereof will be considered waived by either party, and no breach excused by either party, unless such waiver or consent is in writing and signed on behalf of the party against whom the waiver is asserted. No consent by either party to, or waiver of, a breach by either party, whether expressed or implied, will constitute consent to, waiver of or excuse of any other, different or subsequent breach by either party.

M. Assignment

Except as expressly provided otherwise, this Agreement is not assignable by the Grantee either in whole or in part.

N. Disputes

If the Grantee believes that there is a dispute or grievance between Grantee and the State arising out of or relating to this Agreement, the Grantee shall first discuss and attempt to resolve the issue informally with the Agency Grants Administrator. If the issue cannot be resolved at this level, the Grantee shall follow the following procedures:

1. If the issue cannot be resolved informally with the Agency Grants Administrator, the Grantee shall submit, in writing, a grievance report together with any evidence to the Deputy Assistant Secretary for Bonds and Grants for the Natural Resources Agency. The grievance report must state the issues in the dispute, the legal authority, or other basis for the Grantee's position and the remedy sought. Within ten (10) working days of receipt of the written grievance report from the Grantee, the Deputy Assistant Secretary shall make a determination on the issue(s) and shall respond in writing to the Grantee indicating the decision and reasons therefore. Should the Grantee disagree with the Deputy Assistant Secretary's decision, the Grantee may appeal to the Assistant Secretary for Administration and Finance for the Natural Resources Agency.

2. The Grantee must submit a letter of appeal to the Assistant Secretary explaining why the Deputy Assistant Secretary's decision is unacceptable. The letter must include, as an attachment, copies of the Grantee's original grievance report, evidence originally submitted, and response from the Deputy Assistant Secretary. The Grantee's letter of appeal must be submitted within ten (10) working days of the receipt of the Deputy Assistant Secretary's written decision. The Assistant Secretary or designee shall, within twenty (20) working days of receipt of Grantee's letter of appeal, review the issues raised and shall render a written decision to the Grantee. The decision of the Assistant Secretary or designee shall be final.

**O. Audit Requirements**

Urban Greening projects are subject to audit by the State annually and for three (3) years following the final payment of Grant Funds. The audit shall include all books, papers, accounts, documents, or other records of the Grantee, as they relate to the Project for which the Grant Funds were granted.

## EXHIBIT A

### STATE OF CALIFORNIA NATURAL RESOURCES AGENCY GRANT AGREEMENT

Urban Greening for Sustainable Communities Grant Program  
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of  
2006 (Proposition 84)

**Grantee Name:** City of National City  
**Project Title:** Paradise Creek Educational Park  
**Agreement Number:** U59149-0

**Project Scope:**

Expand existing community space adjacent to Kimball Elementary School and planned development; create a new safe route to school path, an edible community garden and remove a significant amount of hardscape to create bioswales and a native vegetation park.

- Remove approximately 13,600 sq. ft. asphalt paving from Hoover Avenue and W. 19<sup>th</sup> Street
- Establish approximately 0.07 acres of native vegetation with temporary irrigation during its establishment
- Install an educational native garden and approximately 500 foot long plant walk with interpretive elements explaining the site's unique salt flat and other habitats
- Establish approximately 14,000 sq. ft. of decomposed granite nature trail along Paradise Creek
- Establish a community garden for use by both the public and school children
- Install a cistern to collect and recycle rain water
- Construct a large water-quality bioswale to retain and treat storm water run-off

The public will be able to access the new park elements via new entry gateways installed at W. 19<sup>th</sup> Street (west end) and Hoover Avenue (north end) adjacent to the school.

**Project Schedule:**

Activity Description	Timeline (Due Date)
Obtain Notice to Proceed from State	April 1, 2015
Submit county-recorded CEQA docs to State	January 31, 2016
Submit final site design/plans/specifications to State	June 30, 2016
Submit evidence of bond acknowledgment signage	October 1, 2016
Award construction contract	November 1, 2016
Mobilization, begin construction, restoration, and/or other key activities.	December 1, 2016
File Notice of Completion with County	October 1, 2017
Record MOUGA/Deed Restrictions Document, and Submit Project Closeout package with final Payment Request to State	December 1, 2017



## COST ESTIMATE / BUDGET

Project Elements		Total Amount	Prop 84 Urban Greening Grant	National City CIP (Local Match) <sup>3</sup>
		\$	\$	\$
<b>1A. Project Management Costs<sup>1</sup></b>				
	Project Management (non-participating)	TBD	N/A	TBD
		TBD	N/A	TBD
<b>1B. Planning, Design, &amp; Permitting</b>				
	Environmental Permitting/CEQA	\$75,000	\$75,000	
	Design (Site Improvements, Planting Palette)	\$125,000	\$125,000	
	Public Outreach	\$10,000	\$10,000	
	<b>Subtotal Tasks 1A &amp; 1B (not to exceed 25% of grant)</b>	<b>\$210,000</b>	<b>\$210,000</b>	
<b>2. Site Preparation<sup>2</sup></b>				
	General Conditions & Mobilization	\$20,000	\$20,000	
	Clearing & Grubbing	\$35,000	\$35,000	
	Grading	\$40,000	\$40,000	
	Soil	\$21,000	\$21,000	
	Bio-retention Basin	\$20,000	\$20,000	
	Stormwater Pollution Control	\$40,000	\$40,000	
	<b>Subtotal Task 2</b>	<b>\$176,000</b>	<b>\$176,000</b>	
<b>3. Landscaping/Plant Establishment<sup>2</sup></b>				
	Trees	\$7,500	\$7,500	
	Irrigation	\$37,500	\$37,500	
	Transitional Uplands Plant	\$17,000	\$17,000	
	Bio-retention Basin Plants	\$3,600	\$3,600	
	<b>Subtotal Task 3</b>	<b>\$66,200</b>	<b>\$66,200</b>	
<b>4. Site Elements<sup>2</sup></b>				
	Trails - DG Path, Walking Area	\$28,360	\$28,360	
	Metal Edging	\$14,675	\$14,675	
	Permeable Pavers	\$85,100	\$85,100	
	Curb and Gutter	\$8,125	\$8,125	
	Benches	\$5,100	\$5,100	
	Raised Beds	\$45,000	\$45,000	
	Vermiculture and Compost Bins	\$1,600	\$1,600	
	Wrought Iron Fence	\$10,000	\$10,000	
	Wrought Iron Gate	\$2,000	\$2,000	
	Cistern w/ pump	\$120,000	\$120,000	
	Interpretive/Educational Signage	\$30,000	\$30,000	
	<b>Subtotal Task 4</b>	<b>\$327,960</b>	<b>\$327,960</b>	
<b>5. Contingency (not to exceed 10% of grant)</b>		<b>\$59,840</b>	<b>\$59,840</b>	
<b>Grand Total</b>		<b>\$840,000</b>	<b>\$840,000</b>	
Notes: <sup>1</sup> City will provide project management services at its own expense				
<sup>2</sup> Only direct project-related management costs supported by detailed time data will be eligible for reimbursement.				

Recording requested by, and )  
when recorded, return to: )  
State of California )  
Natural Resources Agency )  
Bonds & Grants )  
1416 Ninth Street, Suite 1311 )  
Sacramento, CA 95814 )

Space above this line for Recorder's use

## **MEMORANDUM OF UNRECORDED GRANT AGREEMENT/DEED RESTRICTIONS**

This Memorandum of Unrecorded Grant Agreement/Deed Restrictions (Memorandum), dated as of April 2<sup>nd</sup> 2019, is recorded to provide notice of an agreement between the State of California, by and through the Natural Resources Agency ("Agency") and the City of National City.

### RECITALS

- On or about April 1<sup>st</sup>, 2015, Agency and Grantee entered into a certain Grant Agreement, Grant No. U59149-0 ("Grant"), pursuant to which Agency granted to Grantee certain funds for the acquisition or development of certain real property, more particularly described in attached Exhibit A and incorporated by reference (the "Real Property").
- Under the terms of the Grant, Agency reserved certain rights with respect to the Real Property.
- Grantee desires to execute this Memorandum to provide constructive notice to all third parties of certain Agency reserved rights under the Grant.

### NOTICE

- The Real Property (including any portion of it or any interest in it) may not be sold or transferred without the written approval of the State of California, acting through the Natural Resources Agency, or its successor, provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained.
- The Grantee shall not use or allow the use of any portion of the real property for mitigation without the written permission of the State.
- The Grantee shall not use or allow the use of any portion of the real property as security for any debt.
- For additional terms and conditions of the Grant, reference should be made to the Grant Agreement, which is on file with the Natural Resources Agency, 1416 Ninth Street, Suite 1311, Sacramento, California 95814.

GRANTEE (Authorized Representative):

By: \_\_\_\_\_

**EXHIBIT "A"**  
**Legal Description**  
**MOUGA PARADISE CREEK PARK**

Portions of Blocks 45, 46, and 84, together with portions of 19<sup>th</sup> Street, 20<sup>th</sup> Street, Coolidge Avenue, Hoover Avenue and portions of the alleys within said Blocks, all as shown on Map No. 348, Filed March 1852 in the Office of the County Recorder of San Diego County, more particularly described as follows:

**PARCEL 1**

**COMMENCING** at a lead and tag stamped "SD CITY ENG" per Record of Survey No. 14492, filed March 31, 1994 as File No. 1994-0214720, said monument being Point 1278 on said Record of Survey and bears South 01°54'18" West 2750.14 feet from a 2 1/2" brass disc in a standard well monument stamped "RCE 27399" being Point 1232 per said Record of Survey No. 14492;  
Thence North 08°07'16" West 657.90 feet to a point in the northerly right of way line of 22nd Street;  
Thence along the centerline of the closed alley in said Block 150, North 17°45'34" West 250.000 feet to a point on the southerly right of way line of 21<sup>st</sup> Street;  
Thence along said southerly right of way line North 72°14'26" East 86.05 feet to the beginning of a tangent curve concave southerly and having a radius of 36.00 feet;  
Thence leaving said right of way line, along said curve easterly 13.23 feet through a central angle of 21°03'09" to a point of reverse curvature with a curve concave northwesterly having a radius of 84.00 feet, a radial line of said curve from said point bears North 03°17'35" East;  
Thence along said curve northerly 194.05 feet through a central angle of 132°21'46" to a point of reverse curvature with a curve concave northeasterly having a radius of 36.00 feet, a radial line of said curve from said point bears North 50°55'49" East;  
Thence along said curve northerly 13.38 feet through a central angle of 21°17'22" to a point on the easterly right of way line of Harding Avenue;  
Thence along said easterly right of way line North 17°46'49" West 250.70 feet to a point on the centerline of 20<sup>th</sup> Street;  
Thence along said centerline North 72°13'55" East 143.03 feet;  
Thence leaving said centerline North 17°44'32" West 40.00 feet to a point on the northerly right of way line of 20<sup>th</sup> Street;  
Thence along said northerly right of way line North 72°13'55" East 2.00 feet;  
Thence North 17°44'32" West 150.37 feet to the northerly line of Lot 18 of said Block 109;  
Thence along said northerly line and its extension North 72°15'28" East 145.02 feet to a point on the centerline of Coolidge Avenue and the **TRUE POINT OF BEGINNING**;  
Thence North 72°19'21" East 7.42 feet;  
Thence South 72°11'18" East 123.81 feet;  
Thence South 19°53'27" West 149.39 feet to a point on the centerline of 20<sup>th</sup> Street;  
Thence along said centerline North 72°14'26" East 115.26 feet;  
Thence leaving said centerline North 19°44'16" East 52.25 feet;  
Thence North 18°14'23" East 172.78 feet;  
Thence North 23°36'04" East 37.08 feet;  
Thence North 26°50'07" East 113.93 feet;  
Thence North 37°25'28" East 70.03 feet to a point on the centerline of 19<sup>th</sup> Street;  
Thence along said centerline South 72°15'28" West 25.42 feet;  
Thence leaving said centerline North 20°52'00" East 132.80 feet to a point in the westerly line of the alley in said Block 46;  
Thence along said westerly line North 17°46'09" West 86.22 feet to a point on the southerly line of Lot 4 of said Block 46;

Thence along said southerly line and its extension South  $72^{\circ}14'48''$  West 195.00 feet to a point on the westerly line of Hoover Avenue;  
Thence along said westerly line South  $17^{\circ}46'09''$  East 189.96 feet to a point on the centerline of 19<sup>th</sup> Street;  
Thence along said centerline South  $72^{\circ}15'30''$  West 290.00 feet to a point on the centerline of Coolidge Avenue;  
Thence along said centerline South  $17^{\circ}46'09''$  East 140.00 feet to the **TRUE POINT OF BEGINNING**.

**CONTAINING** 2.48 Acres, more or less.

**SUBJECT TO** all covenants, rights, right-of-way and easements of record.

**EXHIBIT "B"** is attached and made a part hereto.



3/21/19

Peter C. Golding, PLS 4768

License Expires: 3-31-20



THIS PLAT WAS PREPARED BY ME OR UNDER MY  
DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL  
LAND SURVEYOR'S ACT ON MARCH 21, 2019.

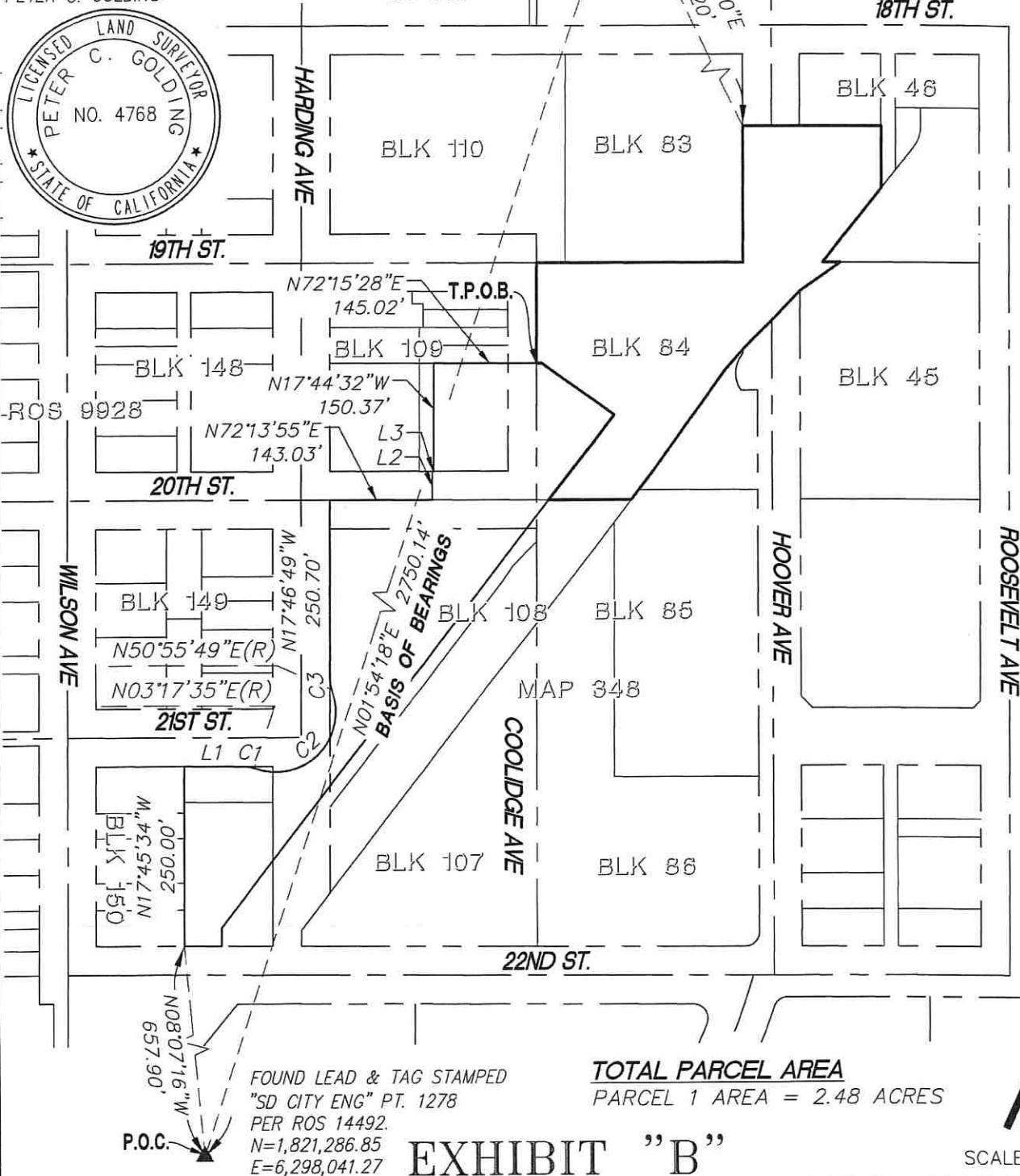
*Peter C. Golding* 3/21/19

PETER C. GOLDING

L.S. 4768



FOUND 2 1/2" BRASS DISC IN  
WELL STAMPED "RCE 27399"  
PT. 1232 PER ROS 14492.  
N=1,824,035.47  
E=6,298,132.69



**N|V|5**

15092 AVENUE OF SCIENCE, SUITE 200  
SAN DIEGO, CA 92128  
P: 858.385.0500 WWW.NV5.COM

**MOUGA  
PARADISE CREEK PARK  
NATIONAL CITY**

PREPARED FOR: NATIONAL CITY

DATE SUBMITTED: 3-21-19

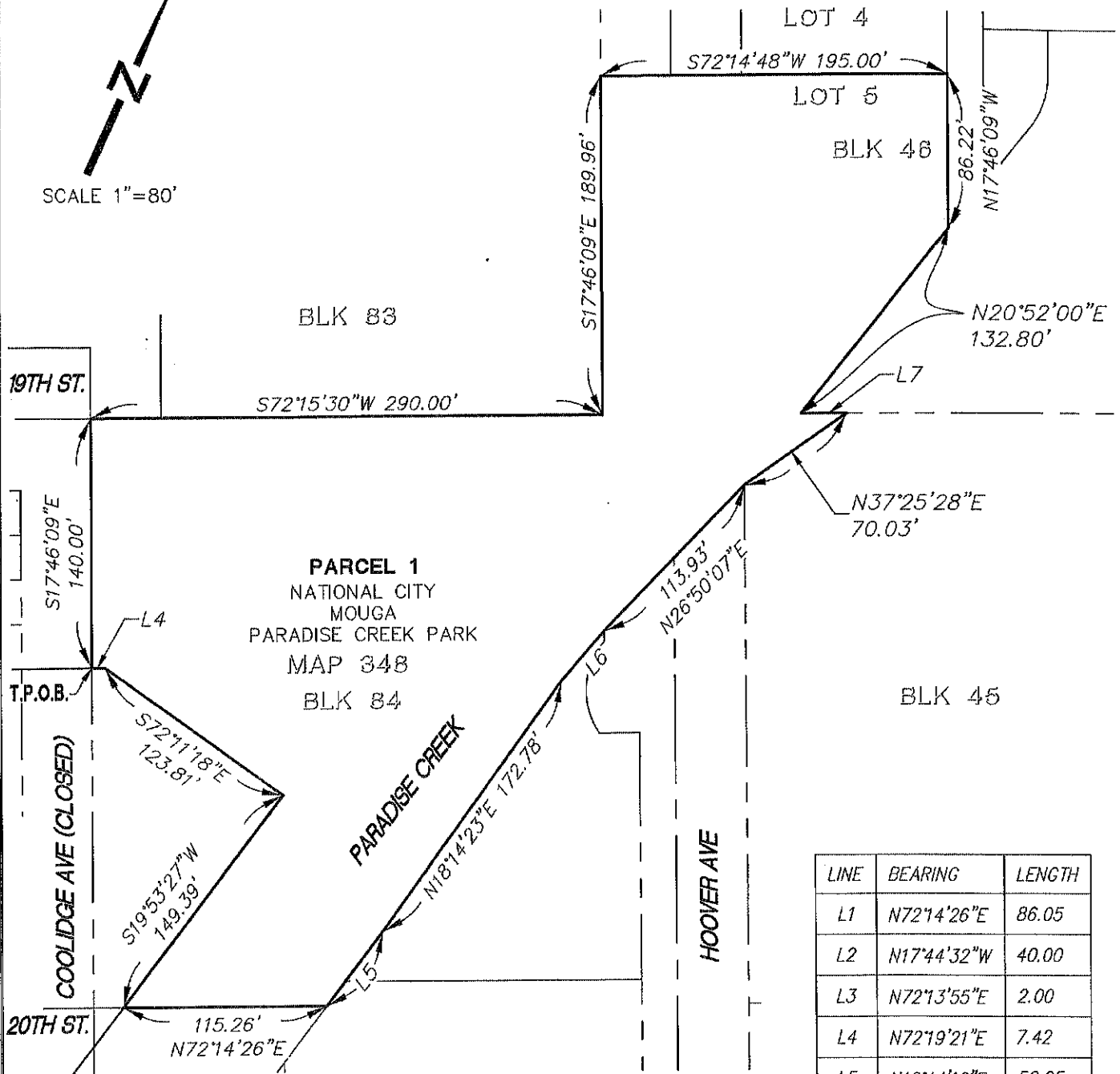
SHEET NUMBER

1

OF 2 SHEETS

JOB NUMBER  
226817-0000241.03

SCALE 1"=80'



LINE	BEARING	LENGTH
L1	N72°14'26"E	86.05
L2	N17°44'32"W	40.00
L3	N72°13'55"E	2.00
L4	N72°19'21"E	7.42
L5	N19°44'16"E	52.25
L6	N23°36'04"E	37.08
L7	S72°15'28"W	25.42

**N|V|5**

15092 AVENUE OF SCIENCE, SUITE 200  
SAN DIEGO, CA 92128  
P: 858.385.0500 WWW.NV5.COM

**MOUGA**  
**PARADISE CREEK PARK**  
**NATIONAL CITY**

PREPARED FOR: NATIONAL CITY

DATE SUBMITTED: 3-21-19

SHEET NUMBER

**2**

OF **2** SHEETS

JOB NUMBER  
226817-0000241.03

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ACCEPTING AND APPROVING THE RECORDATION OF A MEMORANDUM OF  
UNRECORDED GRANT AGREEMENT/DEED RESTRICTIONS WITH THE STATE OF  
CALIFORNIA, BY AND THROUGH THE NATURAL RESOURCES AGENCY, FOR  
PARADISE CREEK EDUCATIONAL PARK, AND AUTHORIZING THE CITY  
MANAGER TO EXECUTE SAID MEMORANDUM OF UNRECORDED GRANT  
AGREEMENT/DEED RESTRICTIONS

WHEREAS, on November 5, 2013, per City Council Resolution No. 2013-168, the City Council authorized staff to submit an application for Proposition 84 Urban Greening for Sustainable Communities Grant Program funding for the Paradise Creek Educational Park Urban Greening Project, and authorized the City Manager to execute the grant agreement upon award; and

WHEREAS, in April, 2015, the City Manager executed Grant Agreement No. U59149-0 with the California Natural Resources Agency (NRA) for the Project, effective April 1, 2015; and

WHEREAS, on September 20, 2016, per City Council Resolution No. 2016-147, City Council awarded a contract to C.S. Legacy, Inc. for construction and the project was completed consistent with grant requirements and the Notice of Completion was signed by the Mayor on August 25, 2017; and

WHEREAS, the State of California, by and through the NRA, is requesting that the City accept and record the Memorandum of Unrecorded Grant Agreement/Deed Restrictions (MOUGA) as required by Exhibit "A" of the executed Grant agreement and the MOUGA recognizes that the City's General Plan identifies this site as a park and requires that the use remain consistent with the grant objective (park site) for a minimum of 20 years from the date of the execution of the Grant Agreement; and

WHEREAS, the MOUGA restricts the use of the park site as mitigation and the use of the park site to secure any debt without the written approval of the State of California, acting through the NRA.

///

///

///

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby approves the adoption of a Resolution accepting and approving the recordation of a Memorandum of Unrecorded Grant Agreement/Deed Restrictions with the State of California for Paradise Creek Educational Park and authorizes the City Manager to execute said Memorandum of Unrecorded Grant Agreement/Deed Restrictions.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones



The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City adopting City Council Policy #104 - Rules of Procedure and Order for City Council Meetings. \(City Manager\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.**

**ITEM TITLE:** Resolution of the City Council adopting City Council Policy #104 – Rules of Procedure and Order for City Council Meetings

**PREPARED BY:** Leslie Deese, City Manager

**DEPARTMENT:** City Manager

**PHONE:** 619.336.4242

**APPROVED BY:** 

**EXPLANATION:**

On March 19, 2019, the City Council considered draft Council Policy #104 – Rules of Procedure and Order for City Council Meetings. After discussing the item, the Council approved the policy with minor changes and directed staff to bring back a resolution adopting said policy. Policy changes include: correcting the adjournment time to 10:30pm (page 11, VII-P), and adding language specific to Councilmembers not using aliases or having fake profiles on social networking sites (Social Media, page 21, paragraph 5).

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** N/A

**APPROVED:** \_\_\_\_\_ **Finance**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Adopt the Resolution

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. City Council Policy #104 – Rules of Procedure and Order for City Council Meetings

**City of National City  
City Council Policy #104**

---

**Rules of Procedure and Order for  
City Council Meetings**

**Adopted: December 13, 1983**

**Amended: April 2, 2019**

## Table of Contents

---

I.	<b>PURPOSE</b> .....	1
II.	<b>RESPONSIBILITIES</b> .....	1
	A. Responsibilities of Presiding Officer/Mayor.....	1
	B. Responsibilities of Vice Mayor .....	2
	C. Responsibilities of City Council.....	2
	D. Responsibilities of City Clerk .....	2
	E. Responsibilities of City Manager.....	2
	F. Responsibilities of City Attorney .....	3
III.	<b>MEETINGS</b> .....	3
	A. Regular Meeting .....	3
	B. Adjourned Meeting .....	3
	C. Special Meeting .....	3
	D. Emergency Meeting .....	3
	E. Recessed Meeting.....	3
	F. Closed Session Meeting .....	3
	G. Quorum .....	4
	H. City Council Recess Periods .....	4
	I. Cancellation of Meetings .....	4
	J. Location of Meetings .....	4
	K. Holidays or Elections .....	4
	L. Adjournment .....	5
	M. Taping or Broadcasting .....	5
	N. Teleconferencing .....	5
	O. Agenda Exception .....	5
	P. Comfort Breaks .....	5
	Q. Use of Personal Electronic Devices .....	5
	R. Translation Services .....	5
	S. Compliance with Brown Act .....	5
IV.	<b>REMOTE ACCESS TO MEETINGS</b> .....	6
	A. Internet Broadcast .....	6
	B. E-Notification .....	6
V.	<b>PUBLIC ASSISTANCE &amp; ACCOMMODATIONS</b> .....	6
VI.	<b>PUBLIC MEETING COMMUNICATION</b> .....	6
	A. Communications between City Councilmembers .....	6
	B. Email Communications between Councilmembers .....	6
	C. Communication with Persons Addressing the City Council .....	7

VII.	<b>AGENDA SEQUENCE AND ORDER OF BUSINESS .....</b>	<b>9</b>
	A. Call to Order .....	9
	B. Roll Call .....	9
	C. Pledge of Allegiance .....	9
	D. Public Comments .....	9
	E. Proclamations & Certificates .....	10
	F. Awards & Recognitions .....	10
	G. Presentations .....	10
	H. Interviews & Appointments .....	10
	I. Consent Calendar .....	10
	J. Public Hearings: Ordinances & Resolutions.....	10
	K. Non-Consent Resolutions .....	10
	L. New Business .....	10
	M. Staff Reports .....	10
	N. Mayor & City Council Reports.....	10
	O. Closed Session Report .....	11
	P. Adjournment .....	11
VIII.	<b>AGENDA PROCESS.....</b>	<b>11</b>
	A. Preparation, Distribution & Posting .....	11
	B. City Council Request to Place Items on Future Agenda.....	12
IX.	<b>VOTING.....</b>	<b>12</b>
	A. Obtaining the Floor .....	12
	B. Voting Procedure .....	13
	C. Disqualification for Conflict of Interest .....	13
	D. Failure to Vote .....	13
	E. Tie Vote .....	13
	F. Changing Vote .....	13
	G. Reconsideration .....	13
	H. Point of Order .....	13
	I. Continuation of Discussion or Hearings .....	14
	J. Rosenberg's Rules of Order .....	14
	K. Disclosure of Ex Parte Contacts .....	14
X.	<b>MOTIONS .....</b>	<b>14</b>
	A. Procedure for Motions .....	14
	B. Amendments to Motions .....	15
XI.	<b>PUBLIC HEARINGS/ORDINANCES &amp; RESOLUTIONS .....</b>	<b>15</b>
XII.	<b>MEETING DECORUM &amp; CONDUCT .....</b>	<b>16</b>
	A. Conduct .....	17
	B. Authorized & Designated Areas .....	17
	C. Signs, Objects or Symbolic Material .....	17
	D. Service Animals .....	18

	E. Photography/Videography .....	18
	F. Cellular & Electronic Devices .....	18
XIII.	<b>ENFORCEMENT</b> .....	18
	A. Sergeant-at-Arms .....	18
	B. Violations .....	18
XIV.	<b>PROCEDURAL MATTERS</b> .....	19
	A. City Council Seating Arrangement .....	19
	B. Signing of Meeting Documents .....	19
	C. Copy of Recordings .....	19
	D. Ceremonial Matters .....	19
	E. Proclamations .....	20
XV.	<b>SOCIAL MEDIA</b> .....	20
XVI.	<b>POLICY INTERPRETATION &amp; APPLICABILITY</b> .....	21
XVII.	<b>DEFINITIONS</b> .....	21
XVIII.	<b>RELATED POLICY REFERENCES</b> .....	24



## **I. PURPOSE**

The purpose of this Policy is to establish Rules of Procedure and Order for City officials, staff and members of the public at all meetings of the City Council to ensure that the business of the City is attended to in an open and orderly manner and in an environment safe for all persons in attendance. The policy establishes and delineates general meeting rules, roles and responsibilities, to allow for an orderly meeting where all individuals can exercise their Constitutional rights.

All meetings of the City Council will be conducted under Rosenberg's Rules of Order. In addition, such meetings will be governed in accordance with the Ralph M. Brown Act (Gov. Code § 54950, hereinafter "the Brown Act") and other applicable State laws. Any question about proper procedure will be immediately referred to the City Clerk as parliamentarian.

This policy applies to all persons attending public meetings in the City Council Chambers or any other location where a meeting subject to this policy takes place. In the event of any inconsistency between this policy and State law or regulation, State law or regulation shall apply.

## **II. RESPONSIBILITIES**

It is important to recognize that the City Council acts as a legislative body. No member has extraordinary powers beyond those of other members. While the Mayor and Vice Mayor may have additional ceremonial and administrative responsibilities, in the establishment of policies, voting and in other significant areas, all members are equal. Policy is established and direction is given to City staff by a majority vote of the Council.

While individual Councilmembers may disagree with decisions of the majority, a decision of the majority binds the Council to a course of action and provides staff with direction to follow. In turn, it is staff's responsibility to ensure the policy of the Council is implemented and upheld consistent with the wishes of the majority. Implementation of Council policy by staff does not reflect a bias against Councilmembers who held a minority opinion on an issue.

- A. Responsibilities of Presiding Officer/Mayor: The Presiding Officer of the City Council, shall be the Mayor, or in the Mayor's absence the Vice Mayor, or in both of their absence any other member designated by the City Council. It shall be the duty of the Presiding Officer to ensure that the Rules of Procedure and Order contained herein are observed. The Presiding Officer shall maintain control of communication between Councilmembers and between the Council, staff, and members of the public. The Presiding Officer may make and second motions.

B. Responsibilities of Vice Mayor: In the absence of the Mayor from the City or a Council meeting, the Vice Mayor shall possess all the powers of the office of the Mayor, and be subject to all prescribed duties for that office.

C. Responsibilities of City Council:

1. Members of the City Council shall review all meeting materials in preparation for Council meetings and be prepared to discuss the agenda.
2. Members of the City Council shall arrive on time for all Council meetings.
3. Members of the City Council shall conduct themselves in an orderly, professional and businesslike manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times.
4. Members of the City Council shall maintain a polite, respectful and courteous manner when addressing one another, City staff, and members of the public during City Council meetings.
5. As a courtesy, members of the City Council shall report upcoming absences or out of town trips to the City Manager as soon as possible to ensure that any necessary adjustments to the agenda may be made, and to ensure a quorum.

D. Responsibilities of City Clerk:

1. The City Clerk shall serve as the Parliamentarian for the City Council meetings to advise the Presiding Officer. Within the limitations imposed by Rosenberg's Rules of Order, the Presiding Officer has the authority to determine proper parliamentary procedure.
2. The City Clerk shall call and record roll call votes; and shall read ordinance titles and agenda items as requested by the Presiding Officer.
3. The City Clerk shall keep minutes of the open meeting in accordance with City Council Policy No. 106, and disposition of video recordings of those proceedings.

E. Responsibilities of City Manager:

1. The City Manager's duties during City Council meetings include keeping a record of concerns raised by the City Council regarding direction for future staff action and facilitating the orderly presentation of staff reports.



F. Responsibilities of City Attorney:

1. The City Attorney's duties during City Council meetings is to consult with Council on items of concern on the agenda and to pro-actively inform and protect Councilmembers from potential violations and conflicts of law.

### III. MEETINGS

- A. Regular Meeting: The City Council shall hold regular meetings on the first and third Tuesday of each month. The meetings shall be held in the Council Chambers of City Hall, 1243 National City Boulevard in the City of National City. The regular meeting shall begin at 6:00 p.m., or as otherwise scheduled due to the demand of business or for closed session.
- B. Adjourned Meeting: The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn.
- C. Special Meeting: A special meeting may be called at any time by the Mayor whenever the public business may require it or upon direction by a majority of the City Council. The call and notice shall be posted at least twenty-four (24) hours prior to the special meeting in a location that is accessible to members of the public.
- D. Emergency Meeting: Pursuant to the Government Code, the twenty-four (24) hour notice and posting requirements for a special meeting may be dispensed with under the following emergency conditions: work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body, except in the case of a dire emergency.
- E. Recessed Meeting: Pursuant to the Government Code, a meeting of the City Council may recess to the following regular business day if the action is taken in good faith and not to circumvent the requirements of the Brown Act. The meeting may not be recessed to another day after that unless it is posted in accordance with the Brown Act.
- F. Closed Session Meeting: The City Council may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which is authorized to be heard or considered in closed session in accordance with State law. If a closed session is included on the agenda, the description of the item need only identify the statutory basis for the closed session, and need not include the specific topic which is the subject of the closed session, unless otherwise required by law. For each closed session, the body must orally announce the subject matter of the closed session. If final action is taken in closed session, the body generally must report the action at the conclusion of the closed session.

No minutes of the proceedings of the City Council during closed session are required. There shall be no closed session during any special emergency meeting. No person present in a closed session shall disclose, outside of the closed session, any information revealed in such closed session, without the prior authorization of a majority of the City Council. Any violation of this policy may be enforced by one or more of the actions delineated in City Council Policy No. 113.

- G. Quorum: A quorum at any meeting of the City Council will be established by the presence of three (3) members of the City Council. The Mayor shall count as a Councilmember for the establishment of a quorum.
- H. City Council Recess Periods: The City Council has traditionally observed a recess period during the summer to provide elected officials and staff an opportunity to catch up on work, reenergize after a lengthy budget and strategic planning process, and prepare for the start of a new fiscal year. For purposes of this policy, a recess period is defined as a period of time longer than thirteen (13) days without a regular or special meeting of the Council.

During any recess period, the City Manager is authorized to take such ministerial actions on matters of operational urgency as would normally be taken by the Council during the recess except for those duties specifically reserved to the Council by Government Code, and including such emergency actions as are necessary for the immediate preservation of the public peace, health or safety. The City Manager shall make a full and complete report to the Council at its first regularly scheduled meeting following the recess of actions taken by the City Manager pursuant to this section, at which time the City Council may make such findings as may be required and confirm said actions of the City Manager.
- I. Cancellation of Meetings: Any meeting of the City Council may be cancelled in advance by a majority vote of the Council. In the event that the Mayor and/or Vice Mayor are unable to cancel a meeting, in the case of an emergency the City Manager is authorized to cancel such meeting.
- J. Location of Meetings: Regular meetings of the City Council shall be held in the Council Chambers unless appropriate notice is given pursuant to and the location of the meeting is in accordance with the Brown Act. The City Council may hold a special meeting at another location within the City, or locations outside the jurisdiction of the City, provided appropriate notice is given pursuant to and the location of the meeting is in accordance with the Brown Act.
- K. Holidays or Elections: In the event that the regular meeting of the City Council falls on a legal holiday, or an election day on which a National City candidate or National City measure appears on the ballot, no meeting will be held on such day. Any regular



meeting may be dispensed with by a majority vote of the City Council.

- L. Adjournment: It is the policy of the City Council that that all evening meetings of the City Council, including special meetings and workshops, be adjourned no later than 10:30 p.m., which time is referred to as the normal time of adjournment. The meeting shall be extended no more than once and subsequently may be adjourned to a later date. No new item of business shall be taken up by the Council after the normal time unless the Council has determined by a super-majority vote to set aside this policy. In the event the entire agenda cannot be completed by the normal time of adjournment, the Council may take up and act upon the more pressing agenda items. All agenda items not considered at the meeting shall be on the agenda of the next regular, special, or adjourned regular meeting unless the Council directs otherwise.
- M. Taping or Broadcasting: Meetings may be broadcast, audio-recorded, video-recorded or "live" streamed so long as the activity does not constitute a disruption of the proceeding.
- N. Teleconferencing: Teleconferencing shall be allowed as per Government Code. Teleconference meetings may be held under carefully defined conditions. The meeting notice must specifically identify all teleconference locations, and each such location must be fully accessible to members of the public.
- O. Agenda Exception: Special procedures permit a body to proceed without an agenda in the case of emergency circumstances, or where a need for immediate action came to the attention of the body after posting of the agenda. (Reference Section VIII, A.5 – Non-Agenda Items Requiring Immediate Action)
- P. Comfort Breaks: It is the policy of the City Council that the Presiding Officer will call comfort breaks of 5-10 minutes when a meeting is expected to last more than two hours. While it is not possible to predict the duration of a meeting, scheduled breaks allow participants to not miss any part of the meeting and help stay alert and maintain a high level of concentration and participation.
- Q. Use of Personal Electronic Devices: The use of personal electronic devices on the dais shall be limited to official agenda-related tasks and emergency notifications. If, in the opinion of the Presiding Officer, a Councilmember's use of an electronic device is disruptive to Council deliberations or disrespectful to the public, the Presiding Officer may request that the Councilmember cease his or her use of such device.
- R. Translation Services: Simultaneous Spanish interpreting services are provided at City Council meetings, through the use of headsets. An interpreter is also available to interpret for speakers who wish to address the Council.
- S. Compliance with Brown Act: All regular, special and adjourned meetings of the City Council shall be called, noticed and conducted in compliance with the Brown Act.

#### **IV. REMOTE ACCESS TO MEETINGS**

- A. Internet Broadcast: "Live" streaming video of City Council meetings is available at [www.nationalcityca.gov](http://www.nationalcityca.gov). Archived meetings are also available online.
- B. E-Notification: Individuals may sign up via the City's website to receive email notifications of published City Council and board and commission meeting agendas, City news, special events and more.

#### **V. PUBLIC ASSISTANCE & ACCOMMODATIONS**

Upon request, the City Council agenda and backup materials will be made available in alternative formats. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, may request a modification, accommodation, aid, or service by contacting the City Clerk's Office either in person or by telephone no later than 10:00 a.m. on the day preceding the scheduled meeting.

#### **VI. PUBLIC MEETING COMMUNICATIONS**

- A. Communications between City Councilmembers:
  - 1. Councilmembers wishing to speak should request the floor by being recognized by the Presiding Officer before speaking. The Presiding Officer must recognize any Councilmember who seeks the floor when appropriately entitled to address the City Council.
  - 2. No Councilmember shall speak again until all Councilmembers have had the opportunity to speak.
  - 3. Councilmembers shall remember that the purpose of the Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall limit their comments to the subject matter at hand. Councilmembers shall endeavor to express their views without engaging in unnecessarily lengthy debates.
  - 4. When one Councilmember is speaking, other Councilmembers shall not interrupt, disrupt or disturb the speaker. During questions and deliberations, the Presiding Officer may vary the speaking sequence of Councilmembers from item to item.
- B. Email Communications between City Councilmembers: Because email communications can ultimately lead to the exchange of information intended to, or which may, create collective concurrence among a quorum of Councilmembers, e-mail communications between Councilmembers relative to Council business should be avoided at all times.



- C. Communications with Persons Addressing the City Council: Members of the public may address the City Council during the Public Comment period and/or prior to the consideration of any agenda item. Persons shall address the City Council as a whole and shall not engage in a dialogue with individual Councilmembers, staff, or with other members of the audience. Any person wishing to speak, whether during the Public Comment period or on an agenda item, is requested to complete a "Request to Speak" form and submit the form to the City Clerk prior to the calling to order of the meeting or as soon thereafter as possible. Filling out a speaker slip is not required to participate. All those addressing the Council shall do so from the podium.

The City Council may not prohibit public criticism of the City in general, City staff, or members of the City Council, its policies, procedures, programs, or services of an agency or its acts or omissions. A speaker may not be stopped from speaking because either the Presiding Officer or Councilmembers disagree with the viewpoint being expressed.

1. Translation Services: The City strives to provide simultaneous Spanish interpreting services at all regular City Council meetings, through the use of headsets. An interpreter is also available to interpret for speakers who wish to address the Council.
2. Public Comment (Non-agenda): At all regular City Council meetings, speakers shall have the right to address the City Council on any matter within the elected body's jurisdiction, subject to a three (3) minute time limit or less, depending on the number of speakers. The Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda Public Comment may be referred to the City Manager for administrative action or placement on a subsequent agenda, with a majority vote of the Council.
  - a. At each regular Council meeting, up to 30 minutes shall be reserved for Public Comment.
  - b. The City Clerk will review the speaker slips and inform the Presiding Officer of the number of slips. If the number of speakers, at three (3) minutes each, exceeds the 30-minute allotted time for Public Comment, the Presiding Officer may reduce the time allotted to each speaker, extend Public Comment time, or continue remaining speakers to the end of the meeting.
  - c. Donations of time from one speaker to another will not be permitted.

- d. The Presiding Officer shall have the authority to reduce equally each speaker's time to accommodate a larger number of speakers.
  - e. Speaker slips for Public Comment will be accepted by the City Clerk in the Council Chambers no earlier than 15 minutes before the meeting and up until the Public Comment portion of the agenda is finished.
  - f. In order to ensure that non-English speakers receive the same opportunity to directly address the City Council, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Council, unless simultaneous translation equipment is used to allow the Council to hear the translated public testimony simultaneously. (Government Code 54954.3)
  - g. Remarks shall be addressed to the City Council as a body.
  - h. If there is a group representing a common position, designation of a spokesperson is encouraged. The Presiding Officer may allot a mixed amount of time for presentations of this nature.
3. Public Comment (Agenda Items): Speakers shall have the right to address the City Council on items which appear on the agenda, subject to the 3-minute time limit.
- a. Donations of time from one speaker to another will not be permitted.
  - b. The Presiding Officer shall have the authority to reduce equally each speaker's time to accommodate a larger number of speakers, or to limit the total speakers' time on an agenda item.
  - c. Speaker slips for agenda items will be accepted by the City Clerk in the Council Chambers no earlier than 15 minutes before the meeting and up until the public testimony on the item is finished. Included on the speaker slip shall be the option for the individual to register support or opposition but do not wish to speak (individual must be present).
  - d. Remarks shall be addressed to the City Council as a body and not to any member of the City Council, staff or the public. No questions shall be asked of an individual member of the City Council, staff or the public. The Presiding Officer may limit interaction between Councilmembers and public speakers to questions of clarification.

- e. If there is a group representing a common position, designation of a spokesperson is encouraged. The Presiding Officer may allot a mixed amount of time for presentations of this nature.
  - f. In order to ensure that non-English speakers receive the same opportunity to directly address the City Council, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Council, unless simultaneous translation equipment is used to allow the Council to hear the translated public testimony simultaneously. (Government Code 54954.3)
4. Presentations to City Council: Any information presented to the City Council for its consideration in formats such as PowerPoint, Video VHS, or DVD must be submitted to the City Clerk's office no later than the Wednesday immediately prior to the Council meeting in order to have the presentation facilitated for Council viewing and broadcast. If presentations are submitted after that deadline, it will not be possible for them to be played or displayed during the meeting, although ten (10) hard copies may be submitted to the City Clerk for distribution to the Council. Documents and presentations displayed during the Council meeting shall become a public record and must be submitted to the City Clerk for retention.

## **VII. AGENDA SEQUENCE AND ORDER OF BUSINESS**

Generally, the agenda sequence and order of business at regularly scheduled meetings of the City Council shall be as follows, unless otherwise reordered by the Presiding Officer with the consensus of the City Council.

- A. Call to Order: The Presiding Officer officially calls the meeting to order.
- B. Roll Call: Before the City Council shall proceed with the business of the Council, the City Clerk shall call the roll of the members and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes.
- C. Pledge of Allegiance: Each agenda of a regularly scheduled Council meeting shall provide an item for the recital of the "Pledge of Allegiance" to both the United States flag and the California flag.
- D. Public Comments: Speakers shall have the right to address the City Council on any matter within the elected body's jurisdiction, subject to a 3-minute time limit or less, depending on the number of speakers. The City Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda public comment may be referred to the City Manager for administrative action or placement on a subsequent agenda.

- E. Proclamations and Certificates: The agenda shall provide a time when proclamations directing attention to a person, organization or event may be presented. Proclamations will be issued subject to Section XIV, E – Proclamations.
- F. Awards and Recognitions: The agenda shall provide a time when recognitions may be presented.
- G. Presentations: The Presentations section of the agenda is for the purpose of allowing a brief (5 to 10 minutes each) opportunity at the beginning of a Council meeting for Council to receive information from outside agencies or City staff. It is not meant for a topic that would require lengthy deliberation, debate, or action. Items may be placed on the Presentation section of the agenda at the request of the City Council or City staff with the City Manager's concurrence. Approval to place a presentation on the agenda that has been requested by a community member must be obtained through the City Manager's Office.
- H. Interviews and Appointments: The agenda shall provide a time for the City Council to interview and/or appoint members of the City Council or the public to City and/or external boards, commissions and committees.
- I. Consent Calendar: Items of a routine or generally uncontested nature may be approved by the Council in a single motion by adoption of the Consent Calendar. The approval of the Consent Calendar shall signify the approval of each matter or recommendation included therein. Upon request of any Councilmember, staff, or public made through the Presiding Officer, an item may be removed from the Consent Calendar for separate discussion and/or action. Each item proposed for consideration as part of the Consent Calendar shall be described on the agenda posted for the meeting.
- J. Public Hearings: Ordinances & Resolutions: This portion of the meeting allows for a noticed public session to receive original evidence or testimony on applications regulated by this title. Scheduled public hearings shall be commenced at 6:00 p.m. or as soon thereafter as possible. (Reference Section XI, Public Hearings)
- K. Non-Consent Resolutions: Items generally of a non-routine nature for City Council discussion and/or action.
- L. New Business: This portion of the meeting is devoted to discussion or consideration of items of business that have or have not previously been before the City Council.
- M. Staff Reports: This portion of the meeting provides the City Manager and staff the opportunity to give general comments, updates, and announcements.
- N. Mayor and City Council Reports: This portion of the meeting provides the City Council the opportunity to give general comments, announcements, or informational reports on



any item not on the agenda. These matters may not be discussed or deliberated. This is also the portion of the meeting for a Councilmember who is seeking to place an item on a future meeting agenda to make their request (Reference Section VIII-B, City Council Requests to Place Items on Future Agenda).

- O. Closed Session Report: At an Open Session following a Closed Session, the body must report on final action taken in Closed Session under specified circumstances.
- P. Adjournment: It is the policy of the City Council that that all evening meetings of the City Council, including special meetings and workshops, be adjourned no later than 10:30 p.m., which time is referred to as the normal time of adjournment.

### **VIII. AGENDA PROCESS**

In order for both the City Council and City staff to be adequately prepared to discuss City business during Council meetings, items for discussion shall be placed on the agenda in accordance with established Council agenda deadlines and in compliance with the Brown Act. Generally, items not on the agenda cannot be discussed or considered during a Council meeting. This section of the policy discusses the limits upon non-agenda items and how to place those items onto the agenda, agenda setting, preparation and distribution, and the process by which Councilmembers request to place items on a future agenda.

#### **A. Preparation, Distribution and Posting**

- 1. **Agenda Items**: In conjunction with City staff, the City Manager shall have the primary responsibility for preparing the City Council agenda and placing matters on the agenda in accordance with identified City needs and scheduling.
  - a. In the event an item is brought to the attention of the City Manager that requires immediate City Council attention after the agenda setting meeting and before the agenda is distributed, the City Manager will determine the need for the item to be added to the agenda.
  - b. With regard to items directed by the City Council made during the regular City Council meeting, such items will be scheduled for the next Council meeting whenever possible. If an item requires additional staff work that cannot be completed in that time frame, the City Manager will advise the Council when staff anticipates the item will be scheduled for Council action.
- 2. **Agenda Review Meeting**: Prior to release and posting of a final City Council agenda, an agenda review meeting shall be held by the City Manager with the City Attorney and the Mayor, or another member of the City Council designated by the Mayor, to serve in his/her absence. The proposed agenda shall be reviewed at this meeting.

3. **Agenda Preparation:** Not later than the Thursday prior to the City Council meeting, the City Manager is responsible for preparing the agenda packet, which shall include the agenda plus all its corresponding duplicated agenda items. No item shall be considered if not included in the packet, except that a correction or supplement to an item already included in the packet may be considered in accordance with the Brown Act.
4. **Agenda Distribution and Posting:** Not later than the Thursday prior to the City Council meeting, the City Manager is responsible for distributing the agenda packet to each member of the City Council. Staff shall post each agenda at least 72-hours in advance of the meeting and shall post each agenda of a special meeting at least 24-hours in advance of the meeting on the official bulletin boards at City Hall, Police Department, Library and on the City's website.
5. **Non-Agenda Items Requiring Immediate Action:** Matters requiring City Council action must be placed onto a Council Agenda in a timely manner in order for Council to consider the matter. In accordance with the Brown Act, off-agenda items requiring Council approval will not be considered by the City Council except under the following two circumstances:
  - a. An emergency situation exists, as defined in the Government Code; or,
  - b. The City Council determines by a two-thirds (2/3's) vote, or by a unanimous vote if less than two-thirds of the Council is present, that:
    - There is a need for immediate action, and
    - The need to take action on the item arose after the posting of the agenda.

If the Council finds that the need to take action arose subsequent to the agenda posting, pursuant to the criteria above, it shall make those findings by separate motion, including the factual reasons supporting the findings. The findings shall be reflected in the Council minutes.

- B. **City Council Requests to Place Items on Future Agenda:** A Councilmember seeking to place an item on a future agenda shall make such request under the "Mayor and City Council Comment" portion of the agenda; such request requires a majority vote of the Council.

## IX. VOTING

- A. **Obtaining the Floor:** Any Councilmember wishing to speak must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any Councilmember who seeks the floor when appropriately entitled to do so.



- B. Voting Procedure: Any vote of the City Council, including a roll call vote, may be registered by the members by answering “Yes” for an affirmative vote, “Abstain” for an abstention, or “No” for a negative vote upon the member’s name being called by the City Clerk; or an electronic vote may be registered by pressing the Councilmember button for an affirmative vote, an abstention, or a negative vote, upon a vote being called for by the Presiding Officer.

Following the vote, the City Clerk shall audibly announce the results of the vote by name indicating whether the question carried or was defeated. The same shall be recorded in the minutes as the vote. The Presiding Officer in his or her discretion may publicly explain the effect of a vote for the audience, or may direct a member of the staff to do so before proceeding to the next item of business.

- C. Disqualification for Conflict of Interest: Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state, the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Councilmember affected, be decided by the other Councilmembers. A Councilmember who is disqualified by reason of a conflict of interest in any matter shall not remain in his or her seat during the debate and vote on such matter, but shall request and be given the permission by the Presiding Officer to step down from the Council dais. A Councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.
- D. Failure to Vote: Every Councilmember should vote unless disqualified by reason of a conflict. The vote of a Councilmember who abstains absent a disqualifying conflict of interest shall be counted with the majority vote of the quorum on the question voted upon.
- E. Tie Vote: Tie votes shall be lost motions and may be reconsidered.
- F. Changing Vote: A Councilmember may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up.
- G. Reconsideration: A motion to reconsider the vote on any action taken by the City Council at either this meeting or a previous meeting may be made only by one of the Councilmembers who voted with the prevailing side.
- H. Point of Order: An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.

- I. Continuance of Discussion or Hearings: Any item being discussed or any public hearing at a City Council meeting may, by order, notice, or motion, be continued or tabled to any subsequent meeting.
- J. Rosenberg's Rules of Order: Rosenberg's Rules of Order have been adopted by the City Council and shall apply in all cases.
- K. Disclosure of Ex Parte Contacts: An "ex parte" contact or communication occurs when, prior to considering a matter on a public meeting agenda, a member or members of the City Council receives information, oral, written, or otherwise, pertaining to that matter outside the public meeting. (Reference City Council Policy No. 116 – Procedure for Disclosure of Ex Parte Contacts)

## X. MOTIONS

Motions are the vehicles for decision making by a body. It is normally best to have a motion before the body prior to commencing discussion of an agenda item. There are three motions that are the most common and recur often at meetings:

- 1. The basic motion. The basic motion is the one that puts forward a decision for the body's consideration.
- 2. The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it.
- 3. The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion.

Motions may be made by any member of the Council including the Chair. Any member of the City Council may second a motion. (Reference *Rosenberg's Rules of Order* for a more detailed discussion on motions in general and sample motions)

- A. Procedure for Motions: The following is the general procedure for making motions:
  - 1. The item is presented by staff or others followed by questions and discussion by Councilmembers.
  - 2. A Councilmember who wishes to make a motion shall first obtain the floor.
  - 3. A Councilmember who wishes to second a motion shall do so through a request to the Chair.
  - 4. Before a motion can be discussed, it shall be seconded.

5. Once a motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Presiding Officer.
  6. Once the matter has been fully debated and the Presiding Officer calls for a vote, no further debate will be allowed, provided however, any Councilmember may be allowed to explain his or her vote prior to the vote being cast.
- B. Amendments to Motions: As previously discussed, when a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject other than the agenda item under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

## **XI. PUBLIC HEARINGS/ORDINANCES & RESOLUTIONS**

- A. Except as provided otherwise by law, public hearings shall generally be conducted as follows:
1. Scheduled public hearings shall commence at 6:00 p.m. or as soon thereafter as possible.
  2. Speakers are encouraged to complete a speaker request slip; however a speaker slip is not required in order to speak.
  3. At the beginning of each public hearing item, the Presiding Officer shall announce the item for the public hearing, request that staff present the staff report and any other relevant evidence, and open the public hearing. The presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing.
  4. Following the staff report and opening of the public hearing, the Presiding Officer shall thereupon call upon the proponent (if other than staff) to present his or her presentation. Thereafter, the Presiding Officer shall inquire as to whether there are any persons present who desire to address the City Council on the matter. Any person desiring to speak or present evidence shall then make their presence known to the Presiding Officer and, upon being recognized by the Presiding Officer, may speak or present evidence relevant to the subject matter being heard.
  5. The applicant/appellant, and/or their representative shall speak first and shall have a sufficient amount of time to do so, any portion of which may be reserved and used



for rebuttal.

6. Each member of the public wishing to address the Council, other than the applicant/appellant, shall then be allowed to address the Council and shall have three (3) minutes to speak. Prior to declaring the public hearing open, however, when necessary because of the number of possible speakers, the Presiding Officer may establish a time limit for the entire public hearing, or establish time limits for the presentation of each individual speaker. All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the City Clerk as part of the record.
7. Councilmembers who wish to ask questions of the speakers, staff or each other, during the public hearing portion, may do so only after being recognized by the Presiding Officer in the manner set out in this policy.
8. Councilmembers should be mindful that the purpose of the public hearing is to obtain testimony, and not to debate the merits of the item under consideration. Councilmembers should avoid debate and expressions of personal opinion until after the close of the public hearing.
9. Following the conclusion of such questions, the Presiding Officer shall allow the applicant/appellant the opportunity for rebuttal.
10. Following the rebuttal, the Presiding Officer shall close the public hearing and then allow each Councilmember to state his or her opinion on the item before asking for a motion to decide the matter.
11. Upon closing the public hearing by the Presiding Officer, no additional public testimony shall be solicited or received by the Council without reopening the public hearing through the Presiding Officer with consensus of the Council.
12. The Presiding Officer at all times shall conduct the public hearing in such a manner as to afford due process to all affected persons.

## **XII. MEETING DECORUM & CONDUCT**

Meetings of the City Council shall be conducted in an open and orderly manner and in an environment safe for all persons in attendance to ensure that the public has a full opportunity to be heard and that the deliberative process of the Council is retained at all times. The Presiding Officer shall be responsible for maintaining the order and decorum of meetings. This policy is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe and conducive place to conduct public business.

A. Conduct:

1. Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of obscene, lewd, loud, threatening, repeatedly irrelevant or repetitious, or abusive language; including clapping, whistling, yelling, stamping of the feet, or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City Council meeting infeasible. A member of the audience engaging in any such conduct may, after warning by the Presiding Officer, at the discretion of the Presiding Officer or a majority of the City Council, be subject to removal from the meeting.
2. Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
3. Noise emanating from the lobby outside the Council Chambers which is audible within the Chambers shall not be permitted. The Sergeant-at-Arms is authorized to enforce this rule by requesting those in the lobby to remain silent or to leave the area.

B. Authorized & Designated Areas:

1. No person shall stand or sit in the aisles. No person shall block any doorways or exits.
2. No person except City officials shall be permitted within the platform area in front of the Council dais without the prior consent of the Presiding Officer or City Manager.

C. Signs, Objects or Symbolic Material:

1. Placards, signs, and posters may be brought into the Council Chambers unless such objects disturb, disrupt, impede or otherwise render the orderly conduct of the Council meeting infeasible, or block the view of any other person in attendance, in which case such placard, sign, or poster shall, at the discretion of the Presiding Officer or a majority of the Council, be moved to a different location or removed from the Chambers.
2. Packages, bundles, suitcases or other large or potentially dangerous objects shall not, without the prior authorization of the Presiding Officer or City Manager, be brought into the City Council Chambers and are subject to search to determine that they do not pose a threat or as otherwise requested by the Sergeant-at-Arms.

- D. Service Animals: Except as otherwise allowed by the City Council, no animals except for service animals shall be brought into the Council Chambers.
- E. Photography/Videography: Photographs, audiotapes and videotapes may be taken from the rear of the Council Chambers or from any seat within the Chambers, as long as such activity does not disrupt or disturb the audience, public speakers, Councilmembers or others on the dais, and interfere with the orderly conduct of the meeting. When a filming area has been designated by the Fire Marshal or Sergeant-at-Arms, filming shall occur in that area only. The Fire Marshal or Sergeant-at-Arms may designate an area for credentialed media only.
- F. Cellular & Electronic Devices: Persons in the audience will refrain from using cellular phones and/or pagers while the City Council meeting is in session.

### **XIII. ENFORCEMENT**

- A. Sergeant-at-Arms: The Chief of Police or his or her designee shall be the ex-officio Sergeant-at-Arms of the City Council. The Sergeant-of-Arms shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Any Councilmember may move to require the Presiding Officer to enforce the rules upon affirmative vote of a majority of the Council.
- B. Violations: Upon a violation of the Rules of Procedure and Order established herein, the procedure to enforce the rules are as follows:
  - 1. **Warning**: The Presiding Officer shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Presiding Officer, the person persists in violating the rules, the Presiding Officer shall order a recess. The Sergeant-at-Arms is authorized to warn the person that their conduct is violating the rules and that they are requested to cease such conduct. If upon resumption of the meeting the violation persists, the Presiding Officer may order another recess whereupon the Sergeant-at-Arms shall have the authority to order the person removed from the meeting and/or cited in violation of Penal Code Section 403.
  - 2. **Motion to Enforce**: Any Councilmember may call a Point of Order should the City Council fail to abide by the provisions of this policy, whereupon the Council shall immediately act upon the Point of Order by roll call vote. If the Presiding Officer fails to enforce the Rules of Procedure and Order set forth herein, any member of the Council may move to require the Presiding Officer to do so, and an affirmative vote of a majority of the Council shall require the Presiding Officer to do so. If the Presiding Officer fails to carry out the will of the majority of the Council, the majority may designate another member of the Council to act as Presiding Officer for the



remainder of the meeting, for the limited purpose of enforcing the rules established herein.

3. **Clearing the Room:** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the Presiding Officer may order the room cleared and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Credentialed representatives of the press or other credentialed news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Section 54957.9.
4. **Violation of California State Law:** A person or persons who willfully and intentionally impair or impede the conduct of a Council meeting by violating these Rules of Procedure and Order may be prosecuted under California Penal Code §403, California Elections Code Section 18340, or any other applicable State law for disturbing a public meeting.

#### **XIV. PROCEDURAL MATTERS**

- A. City Council Seating Arrangement: The seating arrangement of Councilmembers on the dais is at the prerogative of the Mayor.
- B. Signing of Meeting Documents: The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents necessitating his or her signature which were adopted in his or her presence, unless he or she is unavailable, in which case the signature of the Vice Mayor may be used.
- C. Copy of Recordings: The public may obtain from the City Clerk a copy, at cost, of an existing recording made by the legislative body of its public sessions.
- D. Ceremonial Matters: There are several different types of action the City Council may take to provide recognition or express appreciation:
  1. **Certifications of Appreciation or Recognition:** Commendations are typically issued to acknowledge the activities of a person or organization.
  2. **Proclamations:** Public announcements directing attention to a person, organization, event or cause. Proclamations will be issued subject to the policy described below.

- E. Proclamations: It is the policy of the City Council to issue proclamations for certain individuals, organizations, events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents.
1. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.
  2. It is the policy of the City Council to process requests for proclamations in the following manner:
    - a. Requests for proclamations will be made through the Mayor's Office;
    - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct his or her staff member to prepare the proclamation and the proclamation will be issued.
    - c. Upon receipt of the draft proclamation language, the Mayor will direct the City Manager to place the item on a meeting agenda depending on the nature and time-sensitivity of the request.

## **XV. SOCIAL MEDIA**

With the ever-growing use of social media, the Council and City staff should be aware that comments, statements, opinions, etc. are still subject to the same restrictions identified in the California Government Code (commonly referred to as the Brown Act and the Public Records Act). While the City of National City strives to maintain community involvement and transparency in its government functions, certain State and local laws must be considered and kept in mind while using social media mediums. Social mediums such as Facebook, Twitter, and others can be viewed by other people including other Councilmembers. Councilmembers are encouraged to check the information they provide for accuracy.

Multiple Councilmembers cannot comment on the same conversation, as that can create a "serial meeting" of the Council and is a direct violation of the Brown Act. If Councilmembers communicate on social media about "city business", as defined in City Administrative Policy No. 02.06, any such communication may be released to the public upon request.

Councilmembers should refrain from stating personal opinions on matters being brought before the Council including, but not limited to: personal opinions on topics, declarations on how an official intends to vote for an item, debating with citizens on items, or presentation of the Councilmember's argument before or against an item, as those could be considered violations of the Brown Act, which can result in criminal and civil liabilities for the official.

Councilmembers should always maintain professionalism and common courtesy in posts and comments when commenting in their official capacity and should remain neutral in postings to prevent the interpretation that a decision has already been made outside of an open meeting, in violation of the Brown Act. Councilmembers should also be aware that there is inherent personal civil liability risk on all comments they make outside of official meetings. For example, if a Councilmember “blocks” a social media user, or deletes a comment from a social media user, the Councilmember risks violating the social media user’s First Amendment rights.

Councilmembers should not use their official positions to make negative posts, voice personal opinions, etc. against any individual, business, entity, etc. as that could create negative feedback for the official and City and could potentially subject the official to personal civil liability for slander, defamation of character, or other civil remedies that could be determined by a court. Councilmembers should also refrain from using aliases or having fake profiles on social networking sites.

City Councilmembers and staff shall not use any official City media site, including but not limited to the City’s Facebook page, the City’s Twitter accounts, or to any other City media outlet for personal reasons or personal gain.

#### **XVI. POLICY INTERPRETATION & APPLICABILITY**

The Policy and Rules of Procedure and Order set forth herein shall be liberally construed to effectuate their purpose and no ordinance, resolution, proceeding or other action of the City Council shall be invalidated, nor the legality thereof otherwise affected, by the failure or omission of the Council to technically comply with, observe, or otherwise follow such rules. Any provision of these rules not already governed by City ordinance or State law may be suspended by a majority vote of the Council.

The rules set forth herein shall apply to all meetings of the City Council subject to the Brown Act and shall apply to the Council Chambers or any other location where a meeting subject to these rules takes place. In the event of any inconsistency between these rules and State law or regulation, State law or regulation shall apply.

#### **XVII. DEFINITIONS**

<b>Abstain</b>	To publicly refrain from voting usually because of a conflict of interest.
<b>Adjourn</b>	A privileged motion to officially close a meeting. A second is required and a majority vote is required to adopt it.
<b>Call to Order</b>	An announcement by the Presiding Officer to convene a meeting.



<b>Consent Calendar</b>	The routine parts of the agenda which are approved without discussion or dissent.
<b>Decorum</b>	To conduct oneself in a proper manner.
<b>Dire Emergency</b>	When a majority of the legislative body determines that a dire emergency exists, it may call an emergency meeting (§ 54956.5). A dire emergency is defined as a crippling disaster, mass distribution, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both.
<b>Emergency Meeting</b>	When a majority of the legislative body determines that an emergency situation exists, it may call an emergency meeting (§ 54956.5). An emergency is defined as a crippling activity, work stoppage or other activity which severely impairs public health, safety or both.
<b>Legislative Body</b>	City Councilmembers are legislators. Together they constitute a legislative body that is given authority by the State constitution and State law to make local law.
<b>Meeting</b>	Includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any matter which is under the subject matter jurisdiction of the agency. (Government Code § 54952.2(a))
<b>Minutes</b>	The official record of what is done at a meeting.
<b>Motion</b>	The vehicles for decision making by a body used with a vote to indicate approval or denial, adoption or direction.
<b>Ordinance</b>	A city law that generally requires two separate meetings and typically becomes effective thirty days after adoption.
<b>Parliamentarian</b>	One who advises the officers, committees, and members on matters regarding parliamentary procedure.
<b>Policy</b>	The opinions, philosophy, or practices that are adopted by an organization.

<b>Public Hearing</b>	Items that are publicly noticed for a specific Council meeting date, as generally required by law, and are designed to receive separate public input on a specific matter.
<b>Point of Order</b>	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.
<b>Presiding Officer</b>	The officer conducting the meeting; Chair or Chairman
<b>Public Hearing</b>	A noticed public session to receive original evidence or testimony on applications regulated by this title. Scheduled public hearings shall be commenced at 6:00 p.m. or as soon thereafter as possible.
<b>Quorum</b>	The minimum number of members who must be present at a meeting to transact business legally.
<b>Ralph M. Brown Act</b>	The Ralph M. Brown Act, commonly known as the “Brown Act”, governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The Act represents the Legislature’s determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other. The purpose of the Brown Act is to facilitate public participation in local government decisions and to curb misuse of the democratic process by secret legislation by public bodies.
<b>Recess</b>	A period of time longer than thirteen (13) days without a regular or special meeting of the Council.
<b>Resolution</b>	Represents a legislative or other type of action providing for the disposition of a particular item of business. Resolutions take effect upon passage by a majority vote of the Council unless other law imposes a later effective date.
<b>Rosenberg’s Rules of Order</b>	Written rules of parliamentary procedure which govern a meeting.
<b>Sergeant-at-Arms</b>	The Chief of Police or his or her designee shall be the ex-officio Sergeant-at-Arms of the City Council.

**Special Meeting**

In contrast with a regular meeting, a meeting called for a particular purpose that is stated when the meeting is called.

**SECTION XVIII. RELATED POLICY REFERENCES**

- National City Municipal Code, Chapter 2.04
- National City Municipal Code, Title 16
- Ralph M. Brown Act
- Rosenberg's Rules of Order
- City Council Policy No. 102 – City Council Meeting Times
- City Council Policy No. 103 – Special Council Meetings
- City Council Policy No. 105 – Off Agenda Items and Placing Non-Agenda Items on the Agenda
- City Council Policy No. 106 – Preparation of City Council Meeting Minutes
- City Council Policy No. 113 – Unauthorized Disclosure of Information Revealed in Closed Sessions
- City Council Policy No. 116 – Procedure for Disclosure of Ex Parte Contacts
- Administrative Policy No. 02.06 – Public Records Act Affecting Personal Electronic Devices & Accounts of City Users

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY  
ADOPTING CITY COUNCIL POLICY NO. 104,  
“RULES OF PROCEDURE AND ORDER FOR CITY COUNCIL MEETINGS”

BE IT RESOLVED by the City Council of the City of National City that National City Council Policy No. 104, entitled “Rules of Procedure and Order for City Council Meetings” is hereby adopted.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
City Attorney

The following page(s) contain the backup material for Agenda Item: [Temporary Use Permit - "Kidz Fest" Community Easter Hunt sponsored by Cornerstone Church of San Diego at 1914 Sweetwater Road on April 21, 2019 from 9:00 a.m. to 4:00 p.m. with no waiver of fees. \(Neighborhood Services\)](#)

Please scroll down to view the backup material.



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Temporary Use Permit "Kidz Fest" Community Easter Egg Hunt sponsored by Cornerstone Church of San Diego at 1914 Sweetwater Road on April 21, 2019 from 9 a.m. to 4 p.m. with no waiver of fees.

**PREPARED BY:** Dionisia Trejo |

**DEPARTMENT:** Neighborhood Services Department

**PHONE:** (619) 336-4255

**APPROVED BY:** 

**EXPLANATION:**

This is a request from the Cornerstone Church of San Diego to conduct an Easter egg hunt at 1914 Sweetwater Road on April 21, 2019 from 9 a.m. to 4 p.m. Set up for the event will commence at 7 a.m. on the day of the event. This event will include an Easter egg hunt for appropriate age groups, face painting, inflatable bouncer slide, rock climbing wall, music stage with monitored sound system and eating areas with tables and chairs. Free games will be provided.

In 2018 the organization decided to change the event location from Las Palmas Park to Cornerstone Church of San Diego at 1914 Sweetwater Road to be able to make a closer connection with families.

Note: This event was approved by Council in 2017 and 2018 with no waiver of fees.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

City fee of \$272.00 for processing the TUP, plus \$191.00 for the Fire Inspection.  
Total fees: \$463.00

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waive of fees or in accordance to City Council Policy 802. |

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Application for a Temporary Use Permit with recommended conditions of approval. |



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 "Kidz Fest" (Community Easter Egg Scramble)

Event Location (list all sites being requested) Cornerstone Church of San Diego

### Event Times

Set-Up Starts  
Date 04/21/19 Time 7:00am Day of Week Sunday

Event Starts  
Date 04/21/19 Time 9:00am Day of Week Sunday

Event Ends  
Date 04/21/19 Time 4:00pm Day of Week Sunday

Breakdown Ends  
Date 04/21/19 Time 6:00pm Day of Week Sunday



### Applicant Information

Applicant (Your name) Shannon Bryant Sponsoring Organization Cornerstone Church

Event Coordinator (if different from applicant) N/A

Mailing Address 1914 Sweetwater Rd National City 91950

Day Phone 619-425-9333 After Hours Phone 619-841-8082 Cell \_\_\_\_\_ Fax \_\_\_\_\_

Public Information Phone 619-425-9333 E-mail shannon@turningthehearts.com

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: Shannon Bryant Digitally signed by Shannon Bryant  
Date: 2017.02.15 11:36:48 -08'00' Date 01/29/19

## 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):

\$ <sup>0</sup> \_\_\_\_\_ Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ <sup>10,000</sup> \_\_\_\_\_ Estimated Expenses for this event.

\$ <sup>0</sup> \_\_\_\_\_ 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:

Special areas for appropriate age group egg hunt. Face painting, music and fun for kids.

Eating areas with tables and chairs. Free games provided.

### Estimated Attendance

Anticipated # of Participants: 1500 Anticipated # of Spectators: 1000

**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: Cornerstone Church  
security and traffic ministries.

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 City's Risk Manager for review and approval prior to the event.

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 \_\_\_\_\_

### Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Event will be held on our property which meets ADA standards. Facility restrooms will be used.

---

---

---

---

### 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?

5 \_\_\_\_\_ # of canopies size 10X10

\_\_\_\_\_ # of tents size \_\_\_\_\_

☐ No canopies/tents being set up

Setting up tables and chairs?

☒ Furnished by Applicant or Contractor

10 \_\_\_\_\_ # of tables ☐ No tables being set up

50 \_\_\_\_\_ # 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 Cornerstone Worship Ministry

▶ 1914 Sweetwater Rd

National City, CA

619-425-9333

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 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): Propane

☐ 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. There is a \$25 fee to process the permit application. 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 # <sup>3</sup> \_\_\_\_\_ ☒ Rock climbing wall Height <sup>32'</sup> \_\_\_\_\_

☒ Inflatable bouncer slide # <sup>3</sup> \_\_\_\_\_ ☒ Arts & crafts (i.e., craft making, face painting, etc.)

☐ 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 \$502.00

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 # <sup>1</sup> \_\_\_\_\_ Dimensions <sup>8x12</sup> \_\_\_\_\_

☐ Yes, having inflatable signage # \_\_\_\_\_ ► (complete Inflatable Signage Request form)

☐ Yes, we will have banners # <sup>2</sup> \_\_\_\_\_

☐ What will signs/banners say? \_\_\_\_\_ Event title, activities, date and hours

☐ How will signs/banners be anchored or mounted? \_\_\_\_\_ poles

## 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 \_\_\_\_\_ Company \_\_\_\_\_ Phone \_\_\_\_\_  
► Load-out Day & Time \_\_\_\_\_

☐ 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: <u>Community Easter Egg Hunt</u>	
Event Address: <u>Cornerstone Church of San Diego</u>	Expected # of Attendees: <u>1500</u>
Event Host/Coordinator: <u>Shannon Bryant</u>	Phone Number: <u>619-425-9333</u>

### 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: <u>10</u>	X		
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>10</u>	X		
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)			X
Do all storm drains have screens to temporarily protect trash and debris from entering?			
Are spill cleanup kits readily available at designated spots?			X

\* 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: Cornerstone Church of San Diego

Person in Charge of Activity: Shannon Bryant

Address: 1914 Sweetwater Road National City, CA. 91950

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 attorneys 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.

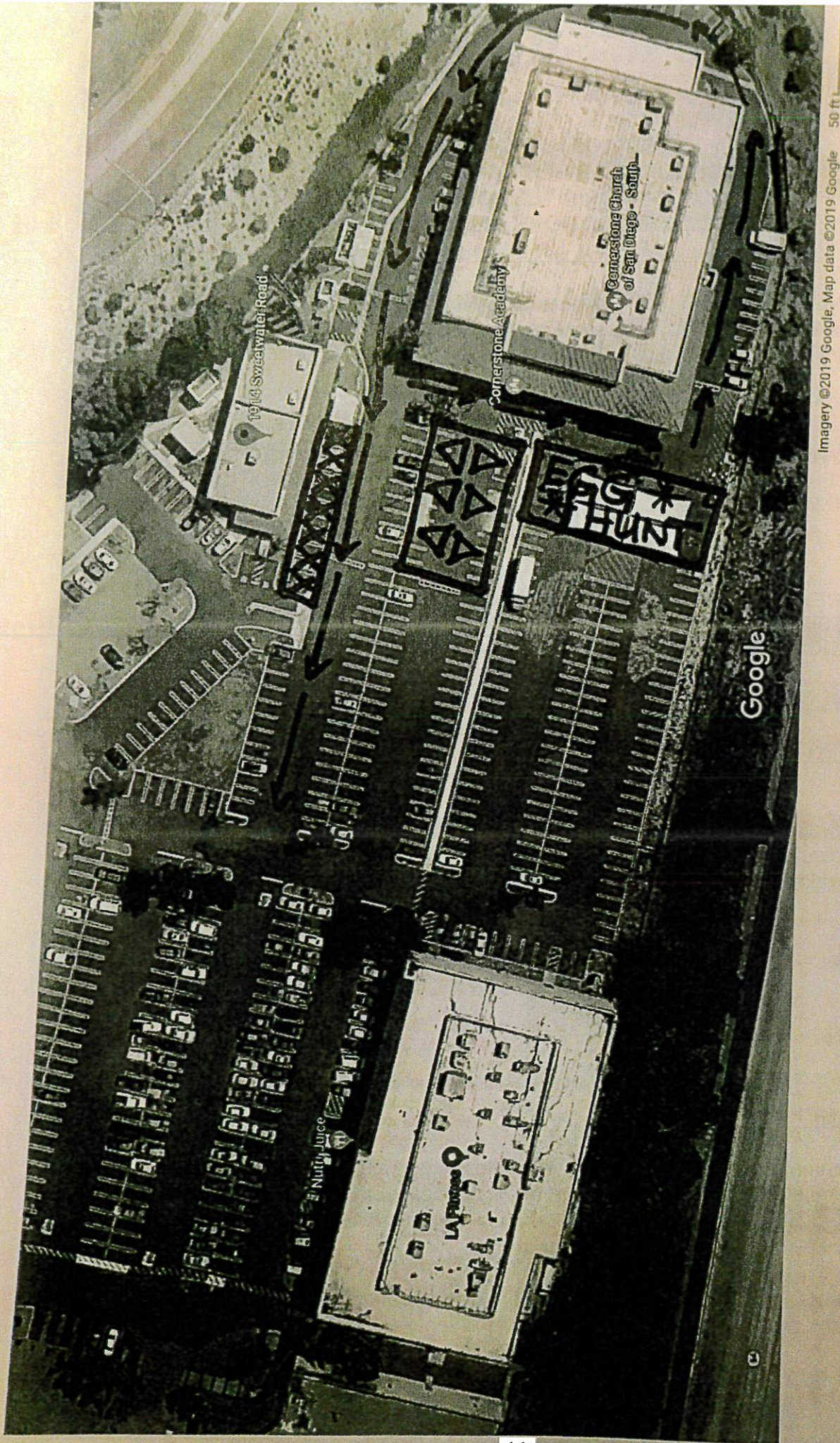
Signature of Applicant: Shannon Bryant Digitally signed by Shannon Bryant  
Date: 2017.02.15 15:12:35 -08'00'

Official Title: \_\_\_\_\_ Date: \_\_\_\_\_

For Office Use Only

Certificate of Insurance Approved \_\_\_\_\_ Date \_\_\_\_\_





Imagery ©2019 Google, Map data ©2019 Google 50 ft

\* Egg hunt area → Fire lane  
Δ Tum pers XX Food/Seating area



**CITY OF NATIONAL CITY  
NEIGHBORHOOD SERVICES DEPARTMENT  
APPLICATION FOR A TEMPORARY USE PERMIT  
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: **Cornerstone Church**  
EVENT: **Kidz Fest (Community Easter Egg Scramble)**  
DATE OF EVENT: **April 21, 2019**

**APPROVALS:**

DEVELOPMENT SERVICES	YES [x]	NO [ ]	SEE CONDITIONS [x]
RISK MANAGER	YES [x]	NO [ ]	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO [ ]	SEE CONDITIONS [ ]
FINANCE	YES [x]	NO [ ]	SEE CONDITIONS [x]
FIRE	YES [x]	NO [ ]	SEE CONDITIONS [x]
POLICE	YES [x]	NO [ ]	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO [ ]	SEE CONDITIONS [x]
COMMUNITY SERVICES	YES [x]	NO [ ]	SEE CONDITIONS [ ]
NEIGHBORHOOD SERVICES	YES [x]	NO [ ]	SEE CONDITIONS [x]

**CONDITIONS OF APPROVAL:**

**DEVELOPMENT SERVICES (619) 336-4318**

**Planning**

1. All activities shall comply with the limitations contained in Table III of NCMC Title 12 (Noise).
2. All speakers shall face away from residential properties.

**Building**

No comments

**Engineering**

No comments

**RISK MANAGER (619) 336-4370**

Risk Management has reviewed the above captioned application for the issuance of a Temporary Use Permit. In as much as the event will held solely on private property there will be no additional insurance requirements necessary for the issuance of the permit.

It should be noted that the Hold Harmless and Indemnification Agreement were properly executed by the applicant at the time the Special Event Application was submitted.

**PUBLIC WORKS (619)366-4580**

No involvement

**FINANCE**

Cornerstone Church needs to renew their business license.

**FIRE (619) 336-4550**

**Inspection Required  
After Hours Inspection Fee \$191.00**

---

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the area in and around the buildings shall be maintained at all times. Do not block entrances and emergency roadways.
- 2) Fire Department access into and through booth 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) Provide a 2A:10BC fire extinguisher at stage area. Extinguisher to be mounted in a visible location between 3½' to 5' from the floor to the top of the extinguisher. Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance.
- 7) Internal combustion power sources that may be used for inflatables, shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Refueling shall be conducted only when the ride is not in use
- 8) Internal combustion power sources shall be isolated from contact with the public by either physical guards, fencing or an enclosure. Internal combustion power shall be at least **20** feet away stage area

- 9) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only
- 10) A fire safety inspection is to be conducted by the Fire Department prior to operations of the event to include all rides, cooking areas, game booths, etc.
- 11) If tents or canopies are used, the following information shall apply:
- Tents having an area from 0-200 square feet shall be \$300.00
  - Tents having an area more than 201 square feet shall be \$600.00
  - Canopies having an area from 0-400 square feet shall be no charge.
  - Canopies from 401-500 square feet shall be \$353.00.
  - Canopies from 501-600 square feet shall be \$394.00.
  - Canopies from 601 or greater shall be \$515.00.
  - 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. **Cooking shall not be permitted under tents or canopies unless the tents or canopies meet State Fire Marshal approval for cooking. See Fire Marshal for required explanation**

- 12) Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides and shall not be located within 10 feet of tents or canopies.
- 13) All cooking booths or areas to have one 2A:10BC fire extinguisher. **If grease or oil is used in cooking a 40:BC or class "K" fire extinguisher will be required.** See Fire Marshal for required explanation. All fire extinguishers to have a current State Fire Marshal Tag attached.
- 14) First Aid will be provided by Cornerstone Church of San Diego personnel.
- 15) **Provide inflatable Jumpers/Slide vendors California State Fire Marshal Certificate for Flame Resistance.**
- 16) **Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of one hundred (\$191.00) dollars.**

### **POLICE DEPARTMENT**

The police department has no stipulations regarding this event.

### **CITY ATTORNEY**

Approved on condition that Risk Manager approves.

### **COMMUNITY SERVICES**

No involvement

### **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.





The following page(s) contain the backup material for Agenda Item: [Temporary Use Permit - Halloween Retail Tent Store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 30, 2019 thru November 4, 2019 with no waiver of fees. \(Neighborhood Services\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Temporary Use Permit – Halloween retail tent store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 30, 2019 thru November 4, 2019 with no waiver of fees.

**PREPARED BY:** Dionisia Trejo

**DEPARTMENT:** Neighborhood Services Department

**PHONE:** (619) 336-4255

**APPROVED BY:** 

**EXPLANATION:**

This is a request from Halloween Express to open a temporary outdoor Halloween retail tent store at Plaza Bonita Mall from August 30, 2019 thru November 4, 2019. Daily hours of operations will be from 10 a.m. to 9 p.m.

This 50 x 150sqft tent will be set-up on the westside parking lot of the mall adjacent to Ring Road within lot number location known as Lot #2. This outdoor tent will provide the community with a wide product selection of seasonal items such as Halloween costumes, decorations, and accessories. At the end of the season, starting November 1<sup>st</sup>, Halloween Express will have a three day 50 percent liquidation sale. If approved, this temporary structure may require additional permits and inspections from both the Building and Fire Department prior to opening for business. Westfield Plaza Bonita security and the applicant's staff will serve as security during the business and closed hours of operation.

Note: This applicant has been approved for this request with no waivers in 2017 & 2018.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.** |

**APPROVED:** \_\_\_\_\_ **MIS**

City fee of \$272.00 for processing the TUP through various City departments, plus \$600.00 for Fire Department and \$154.86 for Building.

Total fees: \$1,026.86

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF 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 RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Application for a Temporary Use Permit with recommended conditions of approval.



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) Retail Sales

### Event Name & Location

Event Title Halloween Retail Tent

Event Location (list all sites being requested) Parking Lot 2 at Westfield Plaza Bonita Mall

### Event Times

Set-Up Starts  
Date 8/16/2019 Time 8:00 AM Day of Week Friday

Event Starts  
Date August 30th Time 10:00 AM Day of Week Friday

Event Ends  
Date November 4th Time 9:00 PM Day of Week Monday

Breakdown Ends  
Date November 10th Time 8:00 PM Day of Week Sunday



### Applicant Information

Applicant (Your name) Halloween Tyme LLC Sponsoring Organization Halloween Express

Event Coordinator (if different from applicant) Mathew Fahr

Mailing Address 784 Avenida Codorniz, San Marcos, CA 92069

Day Phone 414-803-8989 After Hours Phone 414-803-8989 Cell 414-803-8989 Fax 866-568-6655

Public Information Phone \_\_\_\_\_ E-mail mmfahr@gmail.com

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: [Signature] 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:

*Detail Sale of Halloween Costumes*  
*Decoration and Make up.*

---

---

---

### 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: Mall Security and  
Halloween Express Employees

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 City's Risk Manager for review and approval prior to the event.

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: Halloween Express Hours are

9:00 AM to 10:00 PM. We will use SDGE Electricity to have Standard Internal Lighting and will use

Parking Lot lights as well as some Flood lights and Light tower to illuminate the outside.

### 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 \_\_\_\_\_

### Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Attached, please find a map of where the tent will be set up and Halloween Express Two Marked

Parking Spots for Disabled Parking

### 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 \_\_\_\_\_

one # of tents size 7500 sq f

☐ 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 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. There is a \$25 fee to process the permit application. 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.)
- ☐ 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 \$502.00

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 # <sup>4</sup> \_\_\_\_\_

☐ What will signs/banners say? Halloween Express \_\_\_\_\_

☐ How will signs/banners be anchored or mounted? The banners will be fastened to the tent with bolts \_\_\_\_\_

### 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: Two \_\_\_\_\_

► Total number of ADA accessible portable toilets: One \_\_\_\_\_

☐ Contracting with portable toilet vendor. ► Diamond Environmental Services \_\_\_\_\_

► Load-in Day & Time 8/19/2019 \_\_\_\_\_ Company \_\_\_\_\_ Phone \_\_\_\_\_  
► Load-out Day & Time 11/11/2019 \_\_\_\_\_

☐ Portable toilets to be serviced. ► Time Twice a week \_\_\_\_\_

### 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) 14 days \_\_\_\_\_

☐ 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) 6 days
- ☐ 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: <u>Halloween Tyme LLC dba Halloween Express</u>	
Event Address: <u>3030 Plaza Bonita Road</u>	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: <u>1</u>	✓		
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>1</u>	✓		
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: Halloween Tyme LLC dba Halloween Express

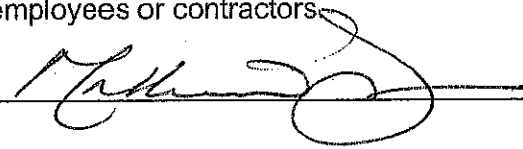
Person in Charge of Activity: Mathew Fahr

Address: 784 Avenida Codorniz, San Marcos, CA, 92069

Telephone: 414-803-8989 Date(s) of Use: August 15, 2019 to Nov 1

## 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 attorneys 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: Member

Date: 2/8/2019

For Office Use Only

Certificate of Insurance Approved \_\_\_\_\_ Date \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/1/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> ISU Davidson Insurance Group - Olathe 15416 S. Darnell St.  Olathe KS 66062		<b>CONTACT NAME:</b> Gene Brake <b>PHONE (A/C, No, Ext):</b> 9139095432 <b>FAX (A/C, No):</b> <b>E-MAIL ADDRESS:</b> g.brake@davidsoninsurance.net	
<b>INSURED</b> Halloween Tyme, LLC 784 Avenida Codorniz  San Marco CA 92069		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> COVINGTON SPECIALTY INS CO <b>INSURER B:</b> HARTFORD ACCIDENT AND INDEMNITY CO. <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 13027 22357	

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		VBA511357	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y / N <input checked="" type="checkbox"/> Y	N / A	57WECZT9765	01/01/2019	01/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Property Coverage		VBA511357	01/01/2019	01/01/2020	Limit 25,000 Ded 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of National City, its officials, agents, and employees are Additional Insured's as respects to the General Liability as per written contract. Waiver of Subrogation in favor of City of National City where allowed by state law.

**CERTIFICATE HOLDER****CANCELLATION**

City of National City  Risk Management Department 1243 National City Blvd National City, CA 91950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE Eugene Brake
---	---

© 1988-2015 ACORD CORPORATION. All rights reserved.

## Release and Hold Harmless Agreement

THE UNDERSIGNED HEREBY AGREES THAT:

In consideration for Temporary Use Permit to erect a retail Halloween Tent in the shopping center commonly known as Westfield Plaza Bonita at 3030 Plaza Bonita Road in National City California, the undersigned, on behalf of itself and its next of kin and anyone claiming through the undersigned, hereby releases, and forever indemnifies and hold harmless the City of National City and its officials, employees, agents and volunteers from any and all damages, losses, claims, demands, liabilities, obligations, actions and causes whatsoever, whether known or unknown, whether liability be direct or indirect, liquidated or unliquidated, whether absolute or contingent, foreseen or unforeseen, suspected or unsuspected, anticipated or unanticipated, disclosed or undisclosed, and whether or not heretofore asserted, upon or by reason or as a result of the use of or access to the Premises from and after the date hereof regardless of how such injury may arise, regardless of who is at fault or whose negligence caused such injury.

COMPANY: Halloween Tyme LLC, dba Halloween Express

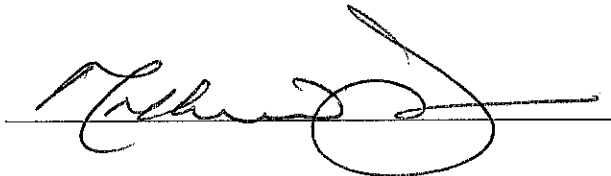
NAME: Mathew Fahr

TITLE: Member

ADDRESS: 784 Avenida Codorniz, San Marcos, California, 92069 \_\_\_\_\_

TELEPHONE NUMBER: 414-803-8989

SIGNATURE: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Mathew Fahr', is written over a horizontal line. The signature is stylized with a large, circular flourish at the end.

DATE: 2-8-2019

January 8, 2019

City of National City  
Attention: Vianey Rivera  
Neighborhood Service Division  
1243 National City Boulevard  
National City, California 91950-4301

Re: Temporary Use Permit  
Halloween Express (Halloween Tyme) – Westfield Plaza Bonita

To whom it may concern:

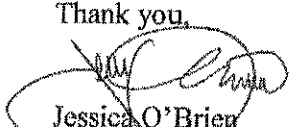
I hereby authorize Matthew Fahr, acting as representative of Halloween Tyme, LLC, to operate a business known as Halloween Express in parking lot #2 at Westfield Plaza Bonita during the dates of August 15, 2019 – November 10, 2019 .

Matthew Fahr has permission to install temporary power to poles in parking lot #2 to provide power during the temporary use time if adequate power is not already in place.

Matthew Fahr 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



# HALLOWEEN EXPRESS

Halloween Tyme LLC.  
dba Halloween Express  
784 Avenida Codorniz  
San Marcos, CA 92069  
T. 414-803-8989  
F. 866-568-6655  
Email. [mmfahr@gmail.com](mailto:mmfahr@gmail.com)

Date: February 10, 2019  
To: City of National City  
From: Halloween Tyme LLC  
Subject: Halloween Express Plan of Operation

Halloween Express is excited to have the opportunity to enter into a tentative lease agreement with Westfield to set up a 50ft.by 150ft. tent at their Plaza Bonita Mall, in the City of National City. This agreement is contingent on permitting. We are requesting that the City of National City, grant us a temporary use permit to allow the tent to be set-up from August 15th to November 10th, 2019.

Halloween Express's initial set up is a two week process. It includes permitting and inspection, hiring and training, coordination with tent delivery & set up team, fixture building, product inventory set up and new inventory delivery. These steps are all subject to a domino effect that requires each part of the process to start and complete before the next steps can be taken. At the end of the season, starting November 1<sup>st</sup>, Halloween Express has a three day 50 percent liquidation sale as well as three days of product inventory, fixture tear down and clean up. The final step is a two day tent tear down, therefore it is a eight day closing process.

In order to ensure the tent is successful and presents a wonderful seasonal attraction to the community, Halloween Express is committed to have great product selection and great customer service. We employ about 20 to 25 part time and full time employees that will be working to complete and run the tent throughout the season. We will be open daily in September from 10:00 a.m. to 9:00 p.m. and in October from 9:00 a.m. to 10:00 p.m..

Halloween Express will have significant product cost, fix cost and set up expenses. In order to retrieve our costs and be competitive in the area, we will need to be open throughout September and October. We would appreciate for the city to consider our application for Temporary use permit to set up a tent from August 15<sup>th</sup> to Nov 10<sup>th</sup> 2019.

Sincerely Yours,

Mathew Fahr  
Halloween Tyme LLC



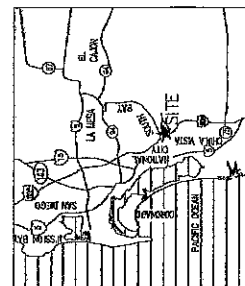
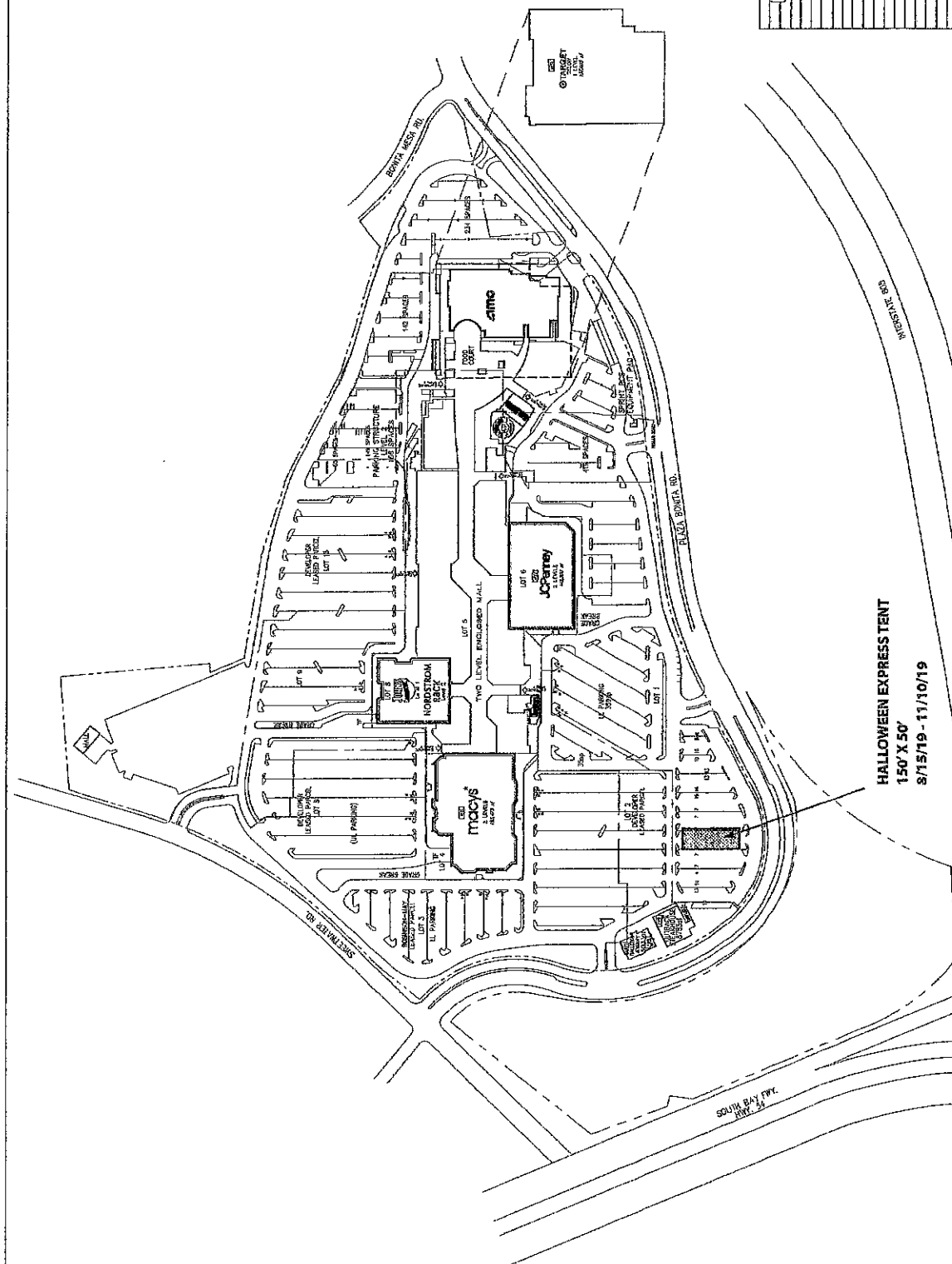


Google earth

feet 400  
meters 100



**HALLOWEEN EXPRESS  
TENT LOCATION**  
50FT X 150FT  
8/15/19 - 11/10/19



<p><b>Westfield, LLC</b></p> <p>1700 WILLOW BLVD, 17TH FLOOR LOS ANGELES, CA 90024 213-231-0422</p>	<p>The accuracy of the information and data shown on this map is not warranted or guaranteed by the City of Los Angeles. The city is not responsible for any errors or omissions. A warrant of accuracy is not issued for this map. The City of Los Angeles is not responsible for any errors or omissions. The City of Los Angeles is not responsible for any errors or omissions.</p>	<p><b>Westfield</b></p> <p>Plaza Bonita</p>	<p>PLAZA BONITA APR 2012</p> <p><b>S</b></p>	<p>DATE: 04/10/2012 DRAWN BY: J. L. LEE CHECKED BY: J. L. LEE APPROVED BY: J. L. LEE</p>
<p><b>AS-IS SITE PLAN</b></p>	<p><b>SCALE</b></p>	<p><b>Westfield</b></p> <p>Plaza Bonita</p>	<p>PLAZA BONITA APR 2012</p> <p><b>S</b></p>	<p>DATE: 04/10/2012 DRAWN BY: J. L. LEE CHECKED BY: J. L. LEE APPROVED BY: J. L. LEE</p>

HALLOWEEN EXPRES 373  
 PLAZA BONITA TENT - OUTSIDE LAYOUT

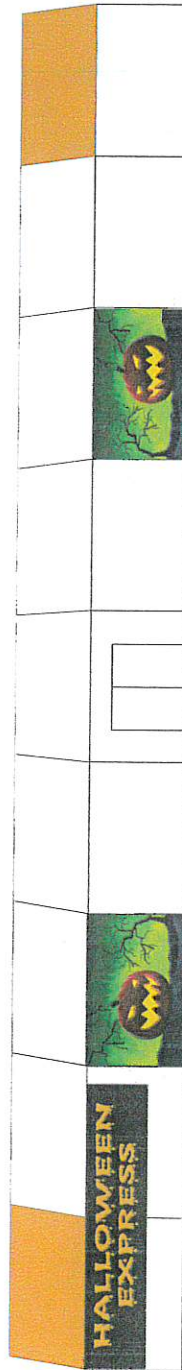
MACY'S / ENTRANCE side



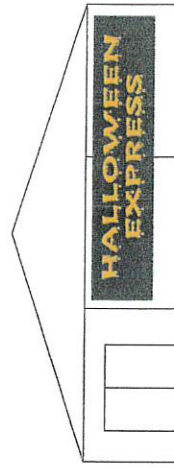
OUTBACK side



ROAD side



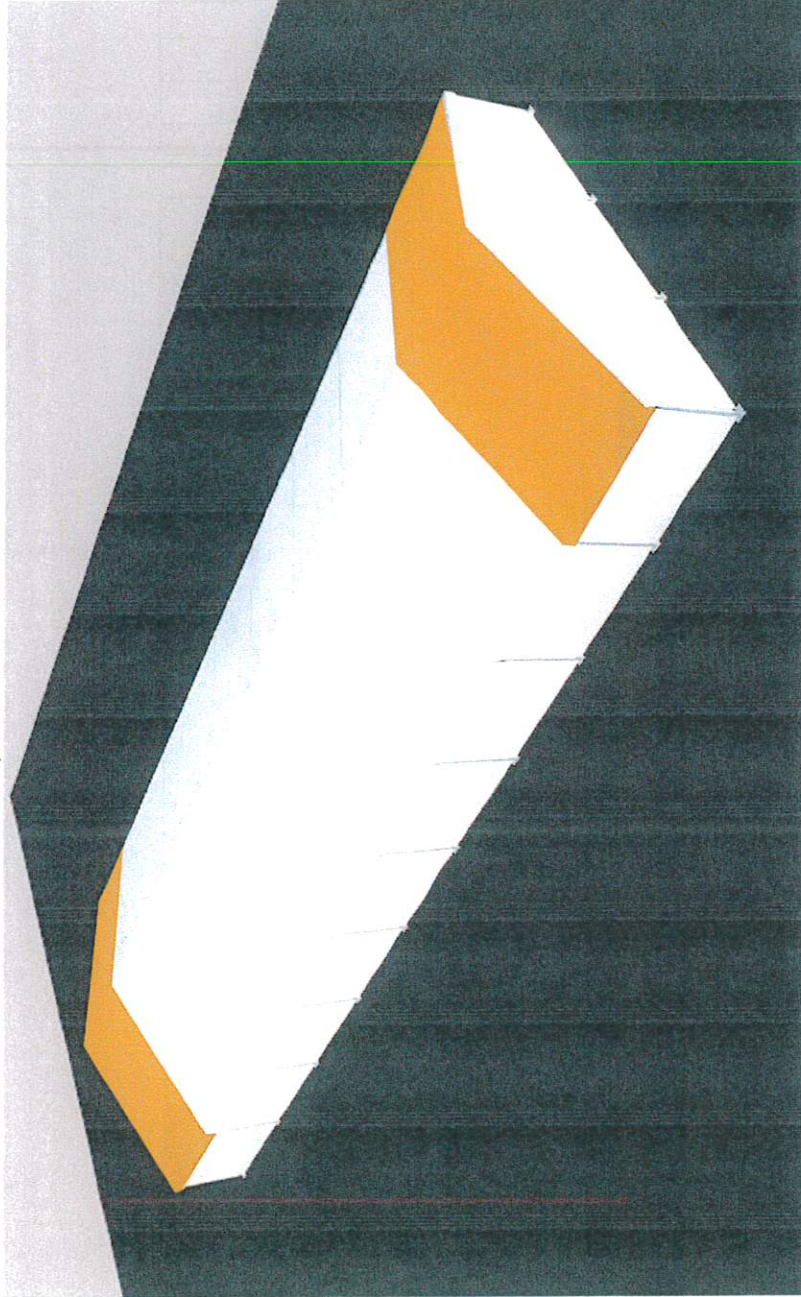
ROAD side

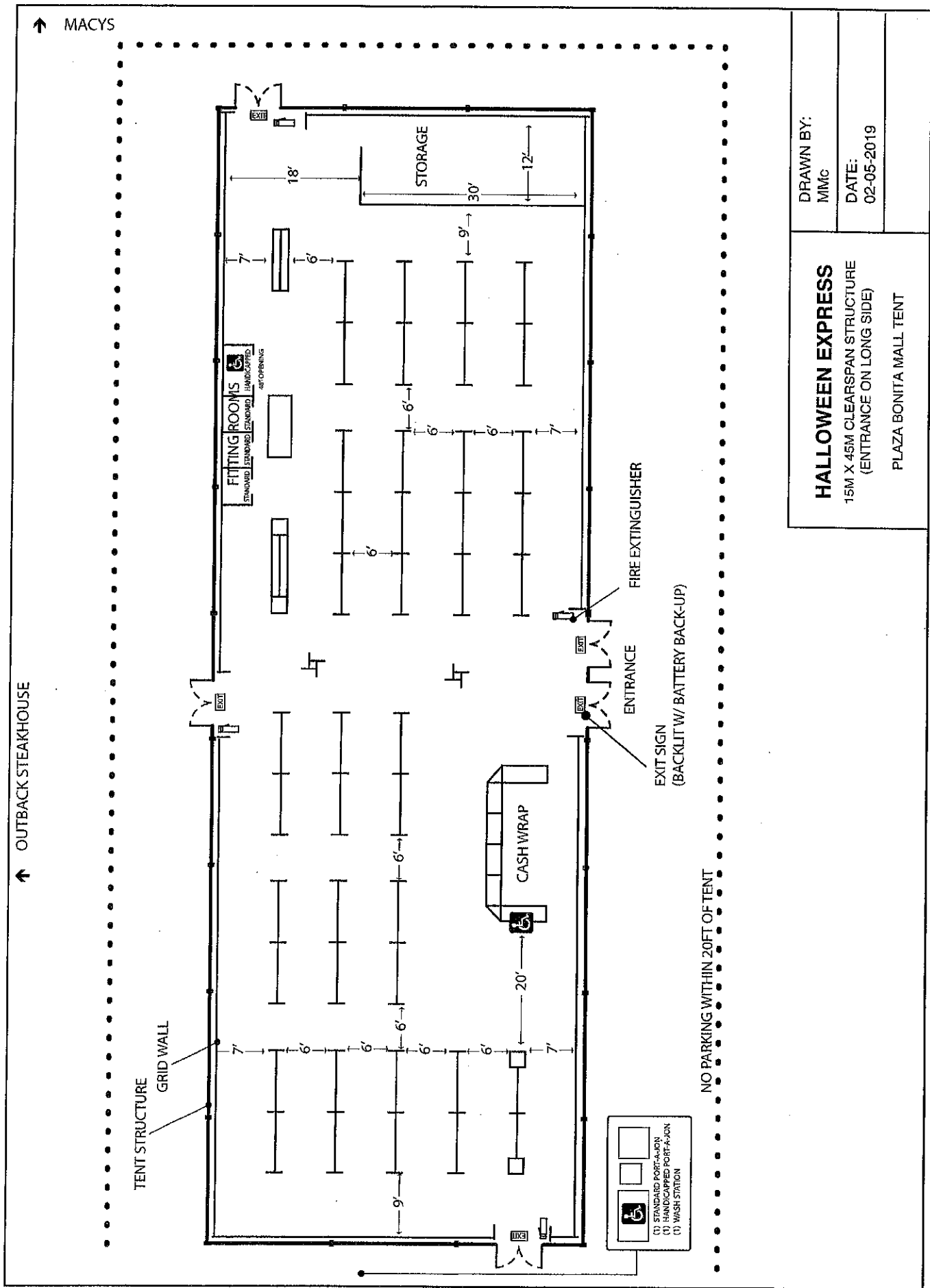




HALLOWEEN EXPRES 373  
PLAZA BONITA - OUTSIDE LAYOUT

TOP OF TENT





**CITY OF NATIONAL CITY  
NEIGHBORHOOD SERVICES DEPARTMENT  
APPLICATION FOR A TEMPORARY USE PERMIT  
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: **Halloween Express**  
EVENT: **Halloween Retail Tent**  
DATE OF EVENT: **August 30, 2019 to November 4, 2019**

**APPROVALS:**

DEVELOPMENT SERVICES	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]
RISK MANAGER	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]
PUBLIC WORKS	YES [ x ]	NO [ ]	SEE CONDITIONS [ ]
FINANCE	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]
FIRE	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]
POLICE	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]
CITY ATTORNEY	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]
COMMUNITY SERVICES	YES [ x ]	NO [ ]	SEE CONDITIONS [ ]
NEIGHBORHOOD SERVICES	YES [ x ]	NO [ ]	SEE CONDITIONS [ x ]

---

**CONDITIONS OF APPROVAL:**

**CITY ATTORNEY**

Approved on condition that Risk Manager approves.

**COMMUNITY SERVICES**

No involvement

**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.

## **DEVELOPMENT SERVICES (619) 336-4318**

### **Building**

The applicant will be required to submit 4 sets of plans which comply with the 2016 California Building and Fire Codes. **Section 3103.1 General** state the following:

The provisions of Sections 3103.1 through 3104.4 shall apply to structures erected for a period of less than 180 days. Tents and other membrane structures erected for a period of less than 180 days shall comply with the *California Fire Code*. Those erected for a longer period of time shall comply with the applicable sections of this code.

**Section 3103.1.1 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

Sections 3103.1.2 through 3103.4 call out details as to what shall be required, such as permits, construction documents, locations of structures and means of egress. Please have the applicant submit 4 sets of plans to the Building Division for review, the plan review fee will be based on the proposed structure, plan review times are typically 30 days.

The fee will be an hourly fee. We can't give you a set price because it is based on how many submissions will be required to be reviewed. It will be at least one hour at \$154.86

If anyone has any questions please let us know, thank you.

### **Planning**

No comments

### **Engineering**

No comments

## **POLICE DEPARTMENT**

The police department does not have any stipulations.

## **FINANCE**

No comments



**RISK MANAGER (619) 336-4370**

Risk Management has reviewed the above captioned application for the issuance of a Temporary Use Permit. In as much as the event will held solely on private property there will be no additional insurance requirements necessary for the issuance of the permit.

It should be noted that the Hold Harmless and Indemnification Agreement were properly executed by the applicant at the time the Special Event Application was submitted.

**PUBLIC WORKS (619)366-4580**

No involvement

**FIRE (619) 336-4550**

**\$600.00 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 \$300.00
  - Tents having an area more than 201 square feet shall be \$600.00
  - Canopies having an area from 0-400 square feet shall be no charge.
  - Canopies from 401-500 square feet shall be \$353.00.
  - Canopies from 501-600 square feet shall be \$394.00.
  - Canopies from 601 square feet or greater shall be \$515.00.
  - 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 foot 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, (Looks to be 125 total Occupant load)
- 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 (\$191.00) 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.**

If you have any questions please feel free to contact me.



The following page(s) contain the backup material for Agenda Item: [Warrant Register #34 for the period of 02/13/19 through 02/19/19 in the amount of \\$248,456.19. \(Finance\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #34 for the period of 02/13/19 through 02/19/19 in the amount of \$248,456.19.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 02/13/19 through 02/19/19.

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>
TSC Group Inc	340900	54,222.75	Purchase 28'x68' Modular Building / Fire
Adminsure Inc	320880	64,570.01	W/C Account Replenishment / Jan 19

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

Warrant total \$248,456.19.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$248,456.19

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 34



**WARRANT REGISTER # 34**  
**2/19/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ABLE PATROL & GUARD	SECURITY GUARD SERVICES JAN 2019	340847	2/19/19	2,626.80
AMAZON	BOOKS AS NEEDED FOR 12/15/18	340848	2/19/19	20.61
BAKER & TAYLOR	BOOKS AS NEEDED FOR JAN 17, 2019	340849	2/19/19	2,241.33
BOOT WORLD	MOP 64096 SAFETY BOOTS - PW	340850	2/19/19	600.07
BOUND TREE MEDICAL LLC	CPR TRAINING MANIKINS / FIRE	340851	2/19/19	1,274.62
BRODART CO	BOOKS / LIBRARY	340852	2/19/19	421.02
BRODART CO	BOOKS / LIBRARY	340853	2/19/19	15.43
CAL UNIFORMS INC	STATION UNIFORMS, RECRUITS - FIRE	340854	2/19/19	3,342.80
CALIFORNIA ASSOCIATION OF CODE	CACEO MEMBERSHIP YEAR 2019 - NSD	340855	2/19/19	95.00
CALIFORNIA COMMERCIAL SECURITY	MOP 45754 GENERAL SUPPLIES - PW	340856	2/19/19	116.82
CASAS, LAURA	MEETING TRANSLATION FEB 12, 2019	340857	2/19/19	50.00
CEKANDER, L	TRAINING REIMBURSEMENT GEO PRO / PD	340858	2/19/19	233.28
CHEN RYAN ASSOCIATES INC	PARKING CONSULTANT SERVICES	340859	2/19/19	11,132.50
CLF WAREHOUSE INC	MOP 80331 AUTO SUPPLIES - PW	340860	2/19/19	299.12
COUNTY OF SAN DIEGO	MAIL SERVICES FOR DEC 2018	340861	2/19/19	1,874.16
DALEY & HEFT LLP	LIABILITY CLAIM COST LX-300-0038-17	340862	2/19/19	4,814.32
DALEY & HEFT LLP	LIABILITY CLAIM COST LP-100-0022-18	340863	2/19/19	2,708.40
DALEY & HEFT LLP	LIABILITY CLAIM COST LX-500-0029-17	340864	2/19/19	2,663.75
DALEY & HEFT LLP	LIABILITY CLAIM COST LX-100-0037-18	340865	2/19/19	703.00
D-MAX ENGINEERING	CALFIRE URB PLAN NOV 2018 - JAN 2019	340866	2/19/19	435.00
ENTERPRISE FLEET MANAGEMENT	ENTERPRISE FLEET LEASE - ENG	340867	2/19/19	15,247.30
FACTORY MOTOR PARTS	MOP 82766 AUTO SUPPLIES - PW	340868	2/19/19	54.44
G & A AUTOMOTIVE INC	MOP 72665 AUTO SUPPLIES - PW	340869	2/19/19	267.20
GRAINGER	MOP 65179 GENERAL SUPPLIES - PW	340870	2/19/19	783.96
HEARTSMART.COM	DEFIBRILLATION PADS / FIRE	340871	2/19/19	861.30
IRON MOUNTAIN	MONTHLY MN STRG CHARGE FEB 2019	340872	2/19/19	185.40
KIMLEY HORN	EL TOYON IRRIGATION SVC DEC 31, 2018	340873	2/19/19	997.30
L N CURTIS & SONS	DUAL PRESSURE NOZZLE / FIRE	340874	2/19/19	12,305.53
LASER SAVER INC	MOP 45725, FIRE CHARGES	340875	2/19/19	304.28
LIEBERT CASSIDY WHITMORE	LIABILITY CLAIM COST THRU DEC 2018	340876	2/19/19	96.00
LIEU, C	REIMB FOR TUTOR EVENT JAN 17, 2019	340877	2/19/19	12.36
LIFE ASSIST INC	ECONOMY RING CUTTER / FIRE	340878	2/19/19	288.19
LOPEZ, TERESA YOLANDA	MEETING TRANSLATION FEB 12, 2019	340879	2/19/19	160.00
MASON'S SAW	MOP 45729 LANDSCAPE SUPPLIES - PW	340880	2/19/19	384.49
MCDUGAL LOVE ECKIS	LIABILITY CLAIM COST THRU DEC 2018	340881	2/19/19	2,607.50
MICRONICHE INC	ANNUAL RENEWAL FEE 3/01/19 - 3/01/20	340882	2/19/19	900.00
MIDWEST TAPE	AUDIO VISUAL MATERIALS NOV 27, 2018	340883	2/19/19	1,957.93
NATIONAL CITY TROPHY	MOP 66556 GENERAL SUPPLIES - PW	340884	2/19/19	81.56
OFFICE TEAM	OFFICETEAM TEMP SVC / NSD	340885	2/19/19	477.80
ORANGE COUNTY SHERIFF'S T D	TRAINING FTO UPDATE TUITION/ GARCIA	340886	2/19/19	65.00
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	340887	2/19/19	166.03
POWERSTRIDE BATTERY CO INC	MOP 67839 GENERAL SUPPLIES - PW	340888	2/19/19	43.41
PRO BUILD COMPANY	MOP 45707 OFFICE SUPPLIES - PW	340889	2/19/19	3,056.72
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	340890	2/19/19	589.61
RANDALL LAMB ASSOCIATES INC	CONTRG SUPPORT 12/17/18 THRU 01/13/19	340891	2/19/19	2,025.00
SDG&E	GAS & ELECTRIC UTILITIES - PW	340892	2/19/19	1,991.85
SITEONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES - PW	340893	2/19/19	1,265.45





**WARRANT REGISTER # 34**  
**2/19/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SORIANO, R	SUPERVISOR ACADEMY MILE REIMB / NSD	340894	2/19/19	106.82
SOUTHERN CALIF TRUCK STOP	MOP 45758 GENERAL AUTO SUPPLIES - PW	340895	2/19/19	241.08
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES - PW	340896	2/19/19	852.35
SUPERIOR READY MIX	CONCRETE DELIVERY SVCS JAN 24, 2019	340897	2/19/19	721.93
TELLEZ, J	TRAINING 2019 SYMP ADV LDG TELLEZ	340898	2/19/19	771.26
THE SHERWIN WILLIAMS CO	MOP 77816 OFFICE SUPPLIES - PW	340899	2/19/19	51.82
TSC GROUP INC	28'X68' MODULAR BUILDING / FIRE	340900	2/19/19	54,222.75
U S BANK	REIMBURSEMENT ENGINEERING	340901	2/19/19	114.23
UNDERGROUND SERVICE ALERT	148 NAT01 NEW TICKET CHARGES	340902	2/19/19	408.66
VISTA PAINT	MOP 68834 TRAFFIC PAINT – PW	340903	2/19/19	474.79
WAXIE SANITARY SUPPLY	MISC JANITORIAL SUPPLIES - PW	340904	2/19/19	2,310.34
WESTFLEX INDUSTRIAL	MOP 63850 GENERAL SUPPLIES - PW	340905	2/19/19	299.04
WILLY'S ELECTRONIC SUPPLY	MOP 45763 GENERAL SUPPLIES - PW	340906	2/19/19	86.98
YBARRA, A	TRAINING ADV POST SUB SLI 7/A Y	340907	2/19/19	384.00
YBARRA, A	TRAINING REIMBURSEMENT SLI 8/YBARRA	340908	2/19/19	78.09
YOUNG, G	TRAINING ADV LDG TRNG SYMPOSIUM GRAHAM	340909	2/19/19	771.26
ZOLL MEDICAL CORP	ECG CABLE - FIRE	340910	2/19/19	600.84

**A/P Total 145,339.88**

**WIRED PAYMENTS**

ADMINSURE INC	W/C ACCOUNT REPLENISHMENT JAN 2019	320880	2/13/19	64,570.01
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET JANUARY 2019	320883	2/13/19	26,553.01
PAYCHEX BENEFIT TECH INC	BENETRAC ESR SVCS BASE FEE FEB 2019	389122	2/15/19	517.65

**SECTION 8 HAPS**

<b>Start Date</b>	<b>End Date</b>	
2/13/2019	2/19/2019	<b>11,475.64</b>

**GRAND TOTAL**

**\$ 248,456.19**

## **Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, DIRECTOR OF FINANCE

STEPHEN MANGANIELLO,  
ACTING CITY MANAGER

### **FINANCE COMMITTEE**

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF APRIL 2019.

AYES\_\_\_\_\_

NAYS\_\_\_\_\_

ABSENT\_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Warrant Register #35 for the period of 02/20/19 through 02/26/19 in the amount of \\$2,007,614.26.](#)  
[\(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #35 for the period of 02/20/19 through 02/26/19 in the amount of \$2,007,614.26.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**DEPARTMENT:** Finance

**PHONE:** 619-336-4572

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 02/20/19 through 02/26/19.

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>
Ameresco Inc	340915	108,600.08	Energy Services Agreement
Bert W Salas Inc	340920	80,912.92	Las Palmas Parkstorm Drain Repair
Health Net Inc	340941	71,510.94	Group R1192A Jan 2019
Public Emp Ret System	2212019	237,499.10	Service Period 01/15/19 – 01/28/19
Public Emp Ret System	2262019	240,083.76	Service Period 01/29/19 – 02/11/19

**FINANCIAL STATEMENT:**

**APPROVED:** 

**FINANCE**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_

**MIS**

Warrant total \$2,007,614.26.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:**    **INTRODUCTION** ☐    **FINAL ADOPTION** ☐

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$2,007,614.26

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 35



**WARRANT REGISTER # 35**  
**2/26/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACME SAFETY & SUPPLY CORP	DAY-NITE CONES / PW	340911	2/25/19	490.35
DEL AMO MOTORSPORTS OF SD	R&M CITY VEHICLES / PW	340912	2/25/19	7,782.01
REBOLLEDO, YESSENIA	RELOCATION COST OF 2525 SWEETWATER ROAD	340913	2/25/19	1,905.04
ACE UNIFORMS & ACCESSORIES INC	UNIFORMS AND SUPPLIES / PD	340914	2/26/19	3,742.60
AMERESCO INC	ENERGY SERVICES AGREEMENT	340915	2/26/19	108,600.08
ASSI SECURITY INC	PARTS AND LABOR FOR JAN 01, 2019	340916	2/26/19	1,275.00
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY19	340917	2/26/19	2,286.60
AT&T	AT&T SBC ANNUAL PHONE SERVICE / JAN 2019	340918	2/26/19	5,206.37
AT&T	AT&T SBC ANNUAL PHONE SERVICE FOR FY19	340919	2/26/19	80.42
BERT W SALAS INC	LAS PALMAS PARKSTORM DRAIN REPAIRS	340920	2/26/19	80,912.92
BETTER IMPACT USA INC	VOLUNTEER IMPACT STANDARD EDITION	340921	2/26/19	425.00
BEVERIDGE, M	REIMB FOR INTERVIEW PANEL - FIRE	340922	2/26/19	87.83
BLACK, N	REIMB PARAMEDIC LIC RENEW - FIRE	340923	2/26/19	200.00
CALIXTO, R	TRAINING REIM FTO / CALIXOT / PD	340924	2/26/19	373.49
CANON SOLUTIONS AMERICA INC.	SCANNER MODEL SCEXP3 MAINT JAN 2019	340925	2/26/19	159.36
CITY CLERKS ASSOCIATION OF CA	2019 CITY CLERK ASSN. DUES	340926	2/26/19	170.00
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT / AUG-SEPT 2018	340927	2/26/19	420.12
CORELOGIC SOLUTIONS LLC	METROSCAN ANNUAL RENEWAL / MIS	340928	2/26/19	7,899.96
COUNTY OF SAN DIEGO	NEXTGEN REGIONAL COMMUNICATIONS SYSTEM	340929	2/26/19	8,578.50
COX COMMUNICATIONS	COX DATA VIDEO SERVICES FY19	340930	2/26/19	4,865.65
COX COMMUNICATIONS	COX DATA VIDEO SERVICES FY19	340931	2/26/19	524.96
CSA SAN DIEGO COUNTY	FAIR HOUSING SERVICES JAN 31, 2019	340932	2/26/19	2,047.12
CSULB FOUNDATION	TRAINING TUITION FTO SUPER O. RAMIREZ / PD	340933	2/26/19	381.00
DE LAGE LANDEN	LEASE 20 SHARP COPIERS FEB 2019	340934	2/26/19	2,939.63
DELGADO, E	REIMB FOR CPRS MINI CONFERENCE - CSD	340935	2/26/19	103.24
DYNAMIC CONTRACTING SVCS	REFUND FOR OVERPAID BUSINESS TAX, ACCT 8	340936	2/26/19	125.00
GIL, S	TRAINING REIM FIREARMS INSTR/ GIL / PD	340937	2/26/19	265.43
GOVCONNECTION INC	DEEPPFREEZE SOFTWARE RENEWAL	340938	2/26/19	1,030.00
GRANICUS INC	INV97561/GOVERNMENT TRANSPARENCY MEETING	340939	2/26/19	4,657.05
HANSON, E	RETIREE HEALTH BENEFIT OCT 2018	340940	2/26/19	135.00
HEALTH NET INC	GROUP R1192A JAN 2019	340941	2/26/19	71,510.94
HEALTH NET INC	GROUP 57135A JANUARY 2019	340942	2/26/19	4,770.08
HUTCHINSON	REIMB TECH ADV COMMITTEE - ENG	340943	2/26/19	14.84
L N CURTIS & SONS	FF SHUT OFF CLAMP FOR SINGLE JACKET	340944	2/26/19	1,238.32
LA TIENDITA	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340945	2/26/19	30.00
LASER SAVER INC	MOP 45725. INK CARTRIDGES / MIS	340946	2/26/19	184.77
LCPTRACKER INC	LCP TRACKER ANNUAL RENEWAL / MIS	340947	2/26/19	4,235.00
LONG, D	TRAINING REIM ICI NARCOTICS INV/LONG	340948	2/26/19	1,117.45
LOPEZ, J	REIMB MEETING WITH ARCHITECT - ENG	340949	2/26/19	56.61
LOPEZ, TERESA YOLANDA	TRANSLATION SERVICES FEB 19, 2019	340950	2/26/19	160.00
MACHADO, R	TRAINING REIMB WELLNESS IN THE WORKSHOP/PD	340951	2/26/19	131.39
MUNICIPAL CODE CORPORATION	MUNICODE ANNUAL SUBSCRIPTION / MIS	340952	2/26/19	900.00
NOT YOUR MOMMA'S	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340953	2/26/19	30.00
PACIFIC SAFETY CENTER	ANNUAL MEMBERSHIP RENEWAL	340954	2/26/19	145.00
PACIFIC TELEMAGEMENT SERVICE	PAYPHONE SERVICES / FEB 2019	340955	2/26/19	78.00
PROCURE AMERICA INC	COPIER COST JUL 06, 2018 - OCT 18, 2018	340956	2/26/19	18,841.40



**WARRANT REGISTER # 35**  
**2/26/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PROGRESSIVE SOLUTIONS INC	ADDING WEB RENEWAL FIRE INSPECTION	340957	2/26/19	3,000.00
QUESTYS SOLUTIONS	QUESTYS TEMPLATE SUPPORT	340958	2/26/19	200.00
REYES, VIOLETA	REFUND OF DEPOSIT - T&A 90267 - ENG	340959	2/26/19	1,173.31
ROGUE FITNESS	BLACK CONCEPT 2 MODEL MONITOR	340960	2/26/19	2,382.98
SAN DIEGO UNION TRIBUNE	ADVERTISING THE HARBISON AVE RD	340961	2/26/19	367.00
SDAPSD	TRAINING DISPATCHERS BASIC / KELLER	340962	2/26/19	200.00
SHARP ELECTRONICS CORPORATION	MAINTENANCE 20 SHARP COPIERS FOR FY19	340963	2/26/19	1,786.84
SIEMENS INDUSTRY INC	CITY HALL FIRE ALARM	340964	2/26/19	6,650.00
SMART & FINAL	MOP 45756 CASA YOUTH SNACKS - CSD	340965	2/26/19	40.06
SMITH, M	TRAINING REIM ROT/ M SMITH	340966	2/26/19	260.72
SOUTH BAY COMMUNITY SERVICES	REIMB FOR AGREEMT 2ND QTR OF FY2018	340967	2/26/19	15,403.46
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / MIS	340968	2/26/19	1,730.15
STINNETT, R	TRAINING REIM FTO / STINNETT	340969	2/26/19	309.99
TELECOM LAW FIRM P C	LIC AGREEMT FOR RIGHT-OF-WAY W F	340970	2/26/19	570.00
THE LINCOLN NATIONAL LIFE INS	GROUP 415491 MARCH 2019	340971	2/26/19	9,816.92
THE STAR NEWS	ADVERTISING NOTICES FEB 15, 2019	340972	2/26/19	199.88
VALERIE GURROLA	PROFESSIONAL LEGAL SVCS JAN 2019	340973	2/26/19	3,222.32
VERIZON WIRELESS	VERIZON CELLULAR SERVICES FOR FY19	340974	2/26/19	12,279.09
WEST COAST ARBORISTS INC	CALFIRE GRANT PLANTING	340975	2/26/19	47,950.00
WEST PAYMENT CENTER	BOOKS & BOUND VOLUMES	340976	2/26/19	560.65
WILLY'S ELECTRONIC SUPPLY	MOP 45763 ELECTRONIC SUPPLIES - MIS	340977	2/26/19	111.49
YBARRA, A	TRAINING SLI REIMB / YBARRA	340978	2/26/19	85.08
CELLEBRITE INC	TRAINING TUITION CELLEBRITE/CHILIUS	340979	2/26/19	3,850.00
OVERLAND PACIFIC & CUTLER LLC	PARADISE CREEK PARK PROJECT - ENG	340980	2/26/19	8,642.50
PALMA, A	REIMBURSEMENT FOR TRAINING /HED	340981	2/26/19	1,435.65
PALMA, A	REIMBURSEMENT FOR SDRAFF AND CDBG MEETING	340982	2/26/19	59.54
<b>A/P Total</b>				<b>473,401.16</b>

**WIRED PAYMENTS**

PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 01/15/19 - 01/28/19	2212019	2/21/19	237,499.10
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 01/29/19 - 02/11/19	2262019	2/26/19	240,083.76

**PAYROLL**

<b>Pay period</b>	<b>Start Date</b>	<b>End Date</b>	<b>Check Date</b>	
5	2/12/2019	2/25/2019	3/6/2019	<b>1,056,630.24</b>

**GRAND TOTAL**

**\$ 2,007,614.26**

## **Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, DIRECTOR OF FINANCE

STEPHEN MANGANIELLO,  
ACTING CITY MANAGER

### **FINANCE COMMITTEE**

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF APRIL 2019.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT \_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Warrant Register #36 for the period of 02/27/19 through 03/05/19 in the amount of \\$2,270,283.68.](#)  
[\(Finance\)](#)

Please scroll down to view the backup material.



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Warrant Register #36 for the period of 02/27/19 through 03/05/19 in the amount of \$2,270,283.68.  
(Finance)

**PREPARED BY:** Karla Apalategui, Accounting Assistant

**PHONE:** 619-336-4572

**DEPARTMENT:** Finance

**APPROVED BY:** 

**EXPLANATION:**

Per Government Section Code 37208, attached are the warrants issued for the period of 02/27/19 through 03/05/19. 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>
DBX Inc	341023	139,465.33	Fiber Optic Traffic Signal IC
HMS Construction Inc	341060	98,946.30	Highland Ave Traffic Signal MOD
Kaiser Foundation HP	341067	191,336.48	Group 104220-0002 – Jan 2019 (A)
Project Professionals	341108	109,006.77	Paradise Creek Park III
SDG&E	341122	53,182.34	Gas & Electric Utilities – PW
STC Traffic	341134	55,592.31	Fiber Optic TS Interconnect Expansion
City of San Diego	241158	1,337,858.00	Sewerage Syst 3 <sup>rd</sup> Qtr 1/01/19 – 3/31/19

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

**APPROVED:**  **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

Warrant total \$2,270,283.68.

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Ratify warrants totaling \$2,270,283.68

**BOARD / COMMISSION RECOMMENDATION:**

**ATTACHMENTS:**

Warrant Register # 36



**WARRANT REGISTER # 36**  
**3/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
24 HOUR ELEVATOR INC	CITY WIDE ELEVATOR SERVICE AND REPAIR	340983	3/5/19	975.00
ACE UNIFORMS & ACCESSORIES INC	UNIFORMS / POLICE	340984	3/5/19	164.84
ACEDO, I	RETIREE HEALTH BENEFITS MARCH 2019	340985	3/5/19	160.00
ACME SAFETY & SUPPLY CORP	WEARING APPAREL-RAIN JACKETS	340986	3/5/19	618.80
ADMINSURE INC	W/C CLAIMS ADM MONTHLY MAR 2019	340987	3/5/19	7,396.66
ADVANTIDGE	BLANK ID CARDS / PD	340988	3/5/19	837.80
AK & COMPANY	PROFESSIONAL CONSULTING SVCS SB 90	340989	3/5/19	3,500.00
AMERICAN MEDICAL RESPONSE	STRYKER STAIR PRO / PD	340990	3/5/19	2,694.29
ANDERSON, E	RETIREE HEALTH BENEFITS MARCH 2019	340991	3/5/19	110.00
AT&T	AT&T SVCS JAN 13, 2019 - FEB 12, 2019	340992	3/5/19	5,065.02
ATKINS NORTH AMERICA INC	ALLEY DESIGN DEC 03, 2018 THRU FEB 03, 2019	340993	3/5/19	1,192.00
BEARD, P	RETIREE HEALTH BENEFITS MARCH 2019	340994	3/5/19	70.00
BECK, L	RETIREE HEALTH BENEFITS MARCH 2019	340995	3/5/19	140.00
BISHOP, R	RETIREE HEALTH BENEFITS MARCH 2019	340996	3/5/19	110.00
BOB MURRAY & ASSOCIATES	EXECUTIVE SEARCH KICK OFF / HR	340997	3/5/19	3,735.60
BOEGLER, C	RETIREE HEALTH BENEFITS MARCH 2019	340998	3/5/19	260.00
BOOT WORLD	MOP 64096 SAFETY WEARING APPAREL - PW	340999	3/5/19	354.96
BULL, P	RETIREE HEALTH BENEFITS MARCH 2019	341000	3/5/19	580.00
C A P F	FEBRUARY 2019 - FIRE LTD	341001	3/5/19	882.00
C A P F	MARCH 2019 - FIRE LTD	341002	3/5/19	882.00
CALIFORNIA COMMERCIAL SECURITY	ELECTRONIC DOOR LOCK INSTALLATION / PW	341003	3/5/19	499.25
CALIFORNIA ELECTRIC SUPPLY	LIGHT BULBS LED	341004	3/5/19	543.75
CALIFORNIA LAW ENFORCEMENT	MARCH 2019 - PD LTD	341005	3/5/19	2,072.25
CALIFORNIA LAW ENFORCEMENT	FEBRUARY 2019 - PD LTD	341006	3/5/19	2,058.00
CARRILLO, R	RETIREE HEALTH BENEFITS MARCH 2019	341007	3/5/19	290.00
CASAS, LAURA	CITY COUNCIL TRANSLATION FY19	341008	3/5/19	100.00
CEKANDER, L	TRAINING REIM IACA/CEKANDER/PD	341009	3/5/19	219.78
CELLEBRITE INC	TRAINING TUITION CELLEBR/ SHANAHAN / PD	341010	3/5/19	3,850.00
CEPA OPERATIONS INC	FUME HOOD CERTIFICATION	341011	3/5/19	195.00
CIRCULATE SAN DIEGO	INTRA-CONNECT PROJECT	341012	3/5/19	4,576.44
COLE, L	RETIREE HEALTH BENEFITS MARCH 2019	341013	3/5/19	165.00
COLLINSON, C	RETIREE HEALTH BENEFITS MARCH 2019	341014	3/5/19	420.00
COLSON, K	TRAINING ADV LDG SOVEREIGN/ COLSON	341015	3/5/19	143.63
COMMERCIAL AQUATIC SERVICE INC	CHEMICAL SUPPLIES PURCHASES FOR POOL	341016	3/5/19	4,285.36
CONCENTRA MEDICAL CENTERS	PRE-EMPLOYMENT PHYSICALS	341017	3/5/19	1,541.50
CONDON, D	RETIREE HEALTH BENEFITS MARCH 2019	341018	3/5/19	280.00
CORDERO, E	RETIREE HEALTH BENEFITS MARCH 2019	341019	3/5/19	520.00
CORPUZ, T	RETIREE HEALTH BENEFITS MARCH 2019	341020	3/5/19	140.00
COUNTYWIDE MECHANICAL	HVAC MAINTENANCE AND REPAIR FY 2019	341021	3/5/19	6,285.84
DANESHFAR, Z	RETIREE HEALTH BENEFITS MARCH 2019	341022	3/5/19	250.00
DBX INC	FIBER OPTIC TRAFFIC SIGNAL IC	341023	3/5/19	139,465.33
DELTA DENTAL	GROUP 05-0908601002 - FEB 2019	341024	3/5/19	226.10
DEPARTMENT OF JUSTICE	FINGERPRINT APPS JANUARY 2019	341025	3/5/19	32.00
DESROCHERS, P	RETIREE HEALTH BENEFITS MARCH 2019	341026	3/5/19	110.00
DI CERCHIO, A	RETIREE HEALTH BENEFITS MARCH 2019	341027	3/5/19	70.00
DIAZ, M	RETIREE HEALTH BENEFITS MARCH 2019	341028	3/5/19	680.00
DILLARD, S	RETIREE HEALTH BENEFITS MARCH 2019	341029	3/5/19	480.00



**WARRANT REGISTER # 36**  
**3/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
DIXIELINE LUMBER CO	MOP 45707 MARKING PAINT - ENG	341030	3/5/19	69.03
D-MAX ENGINEERING	IMPLEMENTATION GRANT APPLICATION	341031	3/5/19	7,229.69
DOKKEN ENGINEERING	PLAZA BLVD. PROJECT	341032	3/5/19	1,475.60
DREDGE, J	RETIREE HEALTH BENEFITS MARCH 2019	341033	3/5/19	250.00
EISER III, G	RETIREE HEALTH BENEFITS MARCH 2019	341034	3/5/19	250.00
ENSAFE INC	REMEDIATION PARADISE PH3 CA	341035	3/5/19	37,635.18
ETZLER, J	RETIREE HEALTH BENEFITS MARCH 2019	341036	3/5/19	460.00
FABINSKI, D	RETIREE HEALTH BENEFITS MARCH 2019	341037	3/5/19	220.00
FERNANDEZ, R	RETIREE HEALTH BENEFITS MARCH 2019	341038	3/5/19	270.00
FIFIELD, K	RETIREE HEALTH BENEFITS MARCH 2019	341039	3/5/19	540.00
FLYERS ENERGY LLC	MOTOR OIL SYNTHETIC / PW	341040	3/5/19	1,055.73
FRANK TOYOTA	SILENCER FRONT FLOOR / PW	341041	3/5/19	903.40
GAFFNEY, M	RETIREE HEALTH BENEFITS MARCH 2019	341042	3/5/19	700.00
GALINDO ROJAS, L	REIMB LCW H R ACADEMY FEB 14, 2019	341043	3/5/19	55.10
GARCIA, A	TRAINING FTO UPD REIM/ A. GARCIA	341044	3/5/19	250.90
GELSKEY, K	RETIREE HEALTH BENEFITS MARCH 2019	341045	3/5/19	115.00
GEOSYNTEC CONSULTANTS INC	VALLEY ROAD CHANNEL	341046	3/5/19	12,728.03
GIBBS JR, R	RETIREE HEALTH BENEFITS MARCH 2019	341047	3/5/19	120.00
GONZALES, G	TRAINING REIM ROT G GONZALES	341048	3/5/19	100.66
GONZALES, M	RETIREE HEALTH BENEFITS MARCH 2019	341049	3/5/19	480.00
GOVCONNECTION INC	DISPATCH HEADSET PLANTRONICS	341050	3/5/19	1,473.67
GRAINGER	MOP 65179 GENERAL SUPPLIES - PW	341051	3/5/19	481.96
GROSSMAN PSYCHOLOGICAL	FITNESS FOR DUTY EXAM FEB 18, 2019	341052	3/5/19	925.00
HANSON, E	RETIREE HEALTH BENEFITS MARCH 2019	341053	3/5/19	135.00
HARLAN, M	RETIREE HEALTH BENEFITS MARCH 2019	341054	3/5/19	500.00
HAUG, S	RETIREE HEALTH BENEFITS MARCH 2019	341055	3/5/19	120.00
HD SUPPLY CONSTRUCTION	RAIN BOOTS WITH STEEL TOE / SEWER DEPT	341056	3/5/19	439.30
HEALTH NET	GROUP N7177A - FEBRUARY 2019	341057	3/5/19	1,860.33
HERNANDEZ, M	RETIREE HEALTH BENEFITS MARCH 2019	341058	3/5/19	600.00
HERNANDEZ, R	RETIREE HEALTH BENEFITS MARCH 2019	341059	3/5/19	400.00
HMS CONSTRUCTION INC	HIGHLAND AVE TRAFFIC SIGNAL MOD	341060	3/5/19	98,946.30
HODGES, B	RETIREE HEALTH BENEFITS MARCH 2019	341061	3/5/19	200.00
IBARRA, J	RETIREE HEALTH BENEFITS MARCH 2019	341062	3/5/19	780.00
IDEMIA IDENTITY & SECURITY USA	FINGERPRINT SUBMISSIONS JAN 2019 / HR	341063	3/5/19	2.00
INNOVATIVE CONSTRUCTION	LAS PALMAS PARK STORM DRAIN REPAIRS	341064	3/5/19	22,223.50
JAMES, R	RETIREE HEALTH BENEFITS MARCH 2019	341065	3/5/19	140.00
JUNIEL, R	RETIREE HEALTH BENEFITS MARCH 2019	341066	3/5/19	50.00
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-0002 - JAN 2019 (A)	341067	3/5/19	191,336.48
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-7002 - JAN 2019 (A)	341068	3/5/19	2,783.55
KIMBLE, R	RETIREE HEALTH BENEFITS MARCH 2019	341069	3/5/19	300.00
KIMLEY HORN AND ASSOC	EL TOYON LAS PALMAS PS&E	341070	3/5/19	39,507.41
KLOS, F	RETIREE HEALTH BENEFITS MARCH 2019	341071	3/5/19	480.00
KTUA	INTRA-CONNECT PROJECT	341072	3/5/19	1,078.75
L C ACTION	SABRE RED CROSSFIRE / PD	341073	3/5/19	807.18
LANDA, A	RETIREE HEALTH BENEFITS MARCH 2019	341074	3/5/19	155.00
LEACH, D	RETIREE HEALTH BENEFITS MARCH 2019	341075	3/5/19	600.00
LEFORT'S SMALL ENGINE REPAIR	MOP 80702 AUTO SUPPLIES - PW	341076	3/5/19	141.38



**WARRANT REGISTER # 36**  
**3/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
LIMFUECO, M	RETIREE HEALTH BENEFITS MARCH 2019	341077	3/5/19	160.00
LYNN PEAVEY	PROPERTY & EVIDENCE SUPPLIES / PD	341078	3/5/19	1,671.73
MACHADO, R	TRAINING REIM ROLE OF LE EXC / PD	341079	3/5/19	380.37
MATIENZO, M	RETIREE HEALTH BENEFITS MARCH 2019	341080	3/5/19	100.00
MC CABE, T	RETIREE HEALTH BENEFITS MARCH 2019	341081	3/5/19	280.00
MCDANIEL, P	RETIREE HEALTH BENEFITS MARCH 2019	341082	3/5/19	290.00
MEDINA, R	RETIREE HEALTH BENEFITS MARCH 2019	341083	3/5/19	105.00
MENDOZA, G	RETIREE HEALTH BENEFITS MARCH 2019	341084	3/5/19	290.00
MICHAEL BAKER INTERNATIONAL	CONST SUPPORT FOR LAS PALMAS SD	341085	3/5/19	1,100.00
MINER, D	RETIREE HEALTH BENEFITS MARCH 2019	341086	3/5/19	580.00
MORRISON, R	RETIREE HEALTH BENEFITS MARCH 2019	341087	3/5/19	520.00
MYERS AND SONS	CHANNELFLEX II POST UR INSERT / PW	341088	3/5/19	493.29
NATIONAL CITY MOTORCYCLES	REPAIR SERVICE FOR POLICE VEHICLE	341089	3/5/19	2,435.38
NATIONAL CITY TROPHY	MOP 66556 GENERAL SUPPLY - PW	341090	3/5/19	20.39
NERI LANDSCAPE ARCHITECTURE	PARADISE CREEK PARK DRIVING SCHOOL	341091	3/5/19	9,320.00
NOTEWARE, D	RETIREE HEALTH BENEFITS MARCH 2019	341092	3/5/19	120.00
OFFICE TEAM	TEMP SVCS WEEK ENDED 02/08/19 - NSD	341093	3/5/19	955.60
OLIVARES, G	RETIREE HEALTH BENEFITS MARCH 2019	341094	3/5/19	280.00
OLIVERIA, H	RETIREE HEALTH BENEFITS MARCH 2019	341095	3/5/19	360.00
OPTUM	GROUP HB1966 - OCT, NOV, AND DEC 2018	341096	3/5/19	35.75
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES - PW	341097	3/5/19	21.78
PAL GENERAL ENGINEERING INC	N KENTON AVE ST IMPROVEMENTS	341098	3/5/19	5,035.38
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	341099	3/5/19	568.92
PAUU JR, P	RETIREE HEALTH BENEFITS MARCH 2019	341100	3/5/19	340.00
PEASE JR, D	RETIREE HEALTH BENEFITS MARCH 2019	341101	3/5/19	140.00
PENSKE FORD	R&M CITY VEHICLE FOR FY 2019	341102	3/5/19	491.77
PETERS, S	RETIREE HEALTH BENEFITS MARCH 2019	341103	3/5/19	290.00
POST, R	RETIREE HEALTH BENEFITS MARCH 2019	341104	3/5/19	280.00
POWERSTRIDE BATTERY CO INC	MOP 67839 GENERAL SUPPLIES - PW	341105	3/5/19	681.93
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES - PW	341106	3/5/19	409.85
PROGRESSIVE SOLUTIONS INC	PRINTER RIBBON / PD	341107	3/5/19	71.92
PROJECT PROFESSIONALS CORP	PARADISE CREEK PARK III	341108	3/5/19	109,006.77
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	341109	3/5/19	378.10
RAMIREZ, O	TRAINING REIM MEDIA RELATIONS / PD	341110	3/5/19	252.42
RANDALL LAMB ASSOCIATES INC	NATIONAL CITY ECM COMMISSIONING	341111	3/5/19	6,490.00
RAY, S	RETIREE HEALTH BENEFITS MARCH 2019	341112	3/5/19	190.00
REGIONAL TRAINING CENTER	TRAINING TUITION RECORDS CLERK/ SHULTZ G	341113	3/5/19	1,050.00
RELY ENVIRONMENTAL	HAZARDOUS WASTE 2100 MCKINLEY AVE	341114	3/5/19	6,291.00
RIVERSIDE COUNTY SHERIFF DEPT	TRAINING DISPATCHER TRAINING / JONES / PD	341115	3/5/19	72.00
ROARK, L	RETIREE HEALTH BENEFITS MARCH 2019	341116	3/5/19	135.00
RUIZ, J	RETIREE HEALTH BENEFITS MARCH 2019	341117	3/5/19	310.00
SAN DIEGO HYDRAULICS	SEAL KIT REPLACEMENT / PW	341118	3/5/19	126.21
SANCHEZ, L	RETIREE HEALTH BENEFITS MARCH 2019	341119	3/5/19	330.00
SASI	MONTHLY TRUST ACCOUNT MAR 2019	341120	3/5/19	49.00
SCST INC	HIGHLAND AVE & 28TH ST TRAFFIC SIGNAL	341121	3/5/19	1,169.50
SDG&E	GAS AND ELECTRIC UTILITIES - PW	341122	3/5/19	53,182.34
SERVATIUS, J	RETIREE HEALTH BENEFITS MARCH 2019	341123	3/5/19	340.00



**WARRANT REGISTER # 36**  
**3/5/2019**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SHARP REES STEALY MED GROUP	PRE-EMPLOYMENT PHYSICALS	341124	3/5/19	216.00
SHORT, C	RETIREE HEALTH BENEFITS MARCH 2019	341125	3/5/19	300.00
SITEONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES - PW	341126	3/5/19	19.76
SMART & FINAL	SMART AND FINAL MOP PD	341127	3/5/19	349.04
SMART SOURCE OF CALIFORNIA LLC	MOP 63845 OFFICE SUPPLIES - PW	341128	3/5/19	147.90
SMITH, J	RETIREE HEALTH BENEFITS MARCH 2019	341129	3/5/19	320.00
SNAP-ON INDUSTRIAL	TOOLS / PW	341130	3/5/19	3,032.92
SOUTHERN CALIF TRUCK STOP	MOP 45758 GENERAL AUTO SUPPLIES - PW	341131	3/5/19	398.77
SOUTHWEST SIGNAL SERVICE	MONTHLY MAINTENANCE – JANUARY 2019	341132	3/5/19	16,019.62
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / PD	341133	3/5/19	2,490.28
STC TRAFFIC	FIBER OPTIC TS INTERCONNECT EXPANSION	341134	3/5/19	55,592.31
STEWART, W	RETIREE HEALTH BENEFITS MARCH 2019	341135	3/5/19	200.00
STRASEN, W	RETIREE HEALTH BENEFITS MARCH 2019	341136	3/5/19	135.00
SUPERIOR READY MIX	COLD MIX ASPHALTS, TACK OIL, 3/8 SHEET	341137	3/5/19	407.30
SWEETWATER AUTHORITY	WATER SERVICES FOR PARK FY 2019	341138	3/5/19	972.84
THE BUMPER GUY INC	PAINT DUMP TRUCK TAILGATE	341139	3/5/19	375.00
THE NYHART COMPANY	GASB 75 INT ROLL FORWARD VALUATION	341140	3/5/19	1,950.00
THE SHERWIN WILLIAMS CO	MOP 77816 PAINTING SUPPLIES – PW	341141	3/5/19	108.12
THE STAR NEWS	ADVERTISING NOTICES FOR FY19	341142	3/5/19	148.63
TIPTON, B	RETIREE HEALTH BENEFITS MARCH 2019	341143	3/5/19	250.00
T'S & SIGNS	BANNER FOR UPPER LOT / PD	341144	3/5/19	489.38
TURF STAR INC	BEARING, ROLLER, ROLLER DECK / PW	341145	3/5/19	272.97
U S BANK	SUBSCRIPTION/TRAINING/BOOKS	341146	3/5/19	305.83
U S BANK	JANUARY 2019 CREDIT CARD STATEMENT	341147	3/5/19	140.00
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS AND MAINTENANCE	341148	3/5/19	1,439.53
US BANK	TRAINING FBI ACADEMY CREDIT CARD/ PD	341149	3/5/19	1,027.35
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 GENERAL SUPPLIES - PW	341150	3/5/19	407.81
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL EMERGENCY CARE / PD	341151	3/5/19	623.26
VERRY, L	RETIREE HEALTH BENEFITS MARCH 2019	341152	3/5/19	280.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFITS MARCH 2019	341153	3/5/19	480.00
VISION SERVICE PLAN	FEBRUARY 2019 VISION SERVICE PLAN	341154	3/5/19	873.18
VORTEX INDUSTRIES INC	CITY WIDE ON SITE SERVICE & REPAIRS / PW	341155	3/5/19	500.00
WEST PAYMENT CENTER	BOOKS / CITY ATTORNEY'S OFFICE	341156	3/5/19	429.38
WESTFLEX INDUSTRIAL	HOSES, VALVE / PW	341157	3/5/19	1,648.85
WHITE, J	RETIREE HEALTH BENEFITS MARCH 2019	341158	3/5/19	230.00
WILLY'S ELECTRONIC SUPPLY	MOP 45763 ELECTRIC SUPPLIES - PW	341159	3/5/19	53.58
			<b>A/P Total</b>	<b>930,439.34</b>
<b>WIRED PAYMENTS</b>				
CITY OF SAN DIEGO	SEWERAGE SYST 3RD QTR 01/01/19 - 3/31/19	241158	2/27/19	1,337,858.00
EDD	UNEMPLOYMT INS BENFT OCT THRU DEC 2018	773068	2/28/19	1,986.34

**GRAND TOTAL**

**\$ 2,270,283.68**

## **Certification**

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, DIRECTOR OF FINANCE

STEPHEN MANGANIELLO,  
ACTING CITY MANAGER

### **FINANCE COMMITTEE**

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 2<sup>ND</sup> OF APRIL 2019.

AYES\_\_\_\_\_

NAYS\_\_\_\_\_

ABSENT\_\_\_\_\_

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee \(TDIF\) schedule and annual adjustment to the TDIF, 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 \\$2,484 per new residential dwelling unit to \\$2,534 per unit beginning July 1, 2019. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.



**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.**

**ITEM TITLE:**

Public Hearing and Adoption of a Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee (TDIF) schedule and annual adjustment to the TDIF, 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 \$2,484 per new residential dwelling unit to \$2,534 per unit beginning July 1, 2019.

**PREPARED BY:** Stephen Manganiello

**DEPARTMENT:** Engineering & Public Works

**PHONE:** 619-336-4382

**APPROVED BY:** \_\_\_\_\_

**EXPLANATION:**

See attached.



**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ **MIS**

Funds will be deposited into the following TDIF Revenue Accounts: 326-00000-3162 and 326-00000-3163

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

**STAFF RECOMMENDATION:**

Hold Public Hearing on the adoption of a Resolution increasing the TDIF from \$2,484 per new residential dwelling unit to \$2,534 per unit beginning July 1, 2019.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

1. Explanation
2. Public Hearing Notice
3. Transportation Impact Fee Program Report (on file at the Office of the City Engineer)
4. Resolution



## Explanation

In November 2004, San Diego County voters approved local Proposition A extending the TransNet ½ cent sales tax to fund the region's transportation system for 40 years. As part of Proposition A and the *TransNet* Extension Ordinance, the Regional Transportation Congestion Improvement Program (RTCIP) was created to ensure that new development directly invests in the region's transportation system to offset the negative impacts of growth on congestion and mobility. One of the requirements of the RTCIP was that by July 1, 2008, each local agency must contribute \$2,000 from exactions imposed on the private sector for each new residence constructed within each jurisdiction. Failure to do so would result in an agency's loss of *TransNet* funding for improvement of local streets. Cities have the authority to impose impact fees under the *Mitigation Fee Act* contained in California Government Code sections 66000 through 66025.

Therefore, on April 1, 2008, to satisfy the requirements of the *TransNet* RTCIP for receipt and expenditure of *TransNet* funds, City Council adopted Ordinance No. 2008-2310 amending Title 4 of the National City Municipal Code by adding Chapter 4.52 "Establishing and Approving a Transportation Development Impact Fee for Capital Improvement Projects Necessary to Maintain Acceptable Levels of Traffic and Transportation Service Within the City".

The *TransNet* Extension Ordinance requires that the RTCIP transportation mitigation fee charged by local jurisdictions be adjusted every year on July 1 in order to maintain the purchasing power of the program for improvements to the Regional Arterial System. On February 22, 2019, the SANDAG Board of Directors approved a 2 percent adjustment to the RTCIP, raising the minimum fee from \$2,483.48 per new residential dwelling unit to \$2,533.15 per unit beginning July 1, 2019.

The following table summarizes the adjusted Transportation Development Impact Fee (TDIF) schedule for new residential development, which will go into effect on July 1, 2019, if adopted by City Council. The TDIF shall be collected prior to the issuance of any building permit for new residential development in the City of National City. A copy of the City's Transportation Impact Fee Program Report is available at the Office of the City Engineer.

<i>Residential Land Use</i>	<i>Fee</i>
<i>Single-family</i>	<i>\$ 2,534 per dwelling unit</i>
<i>Multi-family</i>	<i>\$ 2,534 per dwelling unit</i>

## 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, April 2, 2019, in the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider **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, RESULTING IN THE TDIF INCREASING FROM \$2,484 PER NEW RESIDENTIAL DWELLING UNIT TO \$2,534 PER UNIT BEGINNING JULY 1, 2019.**

The full text of the Transportation Impact Fee Program Report is available for viewing at the Office of the City Clerk during normal business hours.

Anyone interested in this matter may appear at the above time and place and be heard. 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 undersigned, or to the City Council at, or prior to, the public hearing.

Michael Dalla, City Clerk

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE PREVIOUSLY ADOPTED TRANSPORTATION DEVELOPMENT IMPACT FEE (TDIF) SCHEDULE AND ANNUAL ADJUSTMENT TO THE TDIF, PURSUANT TO NATIONAL CITY MUNICIPAL CODE SECTION 4.52.100 AND CONSISTENT WITH GOVERNMENT CODE SECTION 66017, APPROVING AN ADJUSTMENT TO THE TDIF OF 2 PERCENT, AS REQUIRED BY THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) FOR RECEIPT OF *TRANSNET* LOCAL STREET IMPROVEMENT REVENUES, RESULTING IN THE TDIF INCREASING FROM \$2,484 PER NEW RESIDENTIAL DWELLING UNIT TO \$2,534 PER UNIT BEGINNING JULY 1, 2019

WHEREAS, in November 2004, San Diego County voters approved local Proposition A extending the TransNet ½ cent sales tax to fund the region's transportation system for 40 years, and as part of Proposition A and the *TransNet* Extension Ordinance, the Regional Transportation Congestion Improvement Program (RTCIP) was created to ensure that new development directly invests in the region's transportation system to offset the negative impacts of growth on congestion and mobility; and

WHEREAS, one of the requirements of the RTCIP was that by July 1, 2008, each local agency must contribute \$2,000 from exactions imposed on the private sector for each new residence constructed within each jurisdiction, and failure to do so would result in an agency's loss of *TransNet* funding for improvement of local streets; and

WHEREAS, on April 1, 2008, to satisfy the requirements of the *TransNet* RTCIP for receipt and expenditure of *TransNet* funds, City Council adopted Ordinance No. 2008-2310 amending Title 4 of the National City Municipal Code by adding Chapter 4.52 "Establishing and Approving a Transportation Development Impact Fee for Capital Improvement Projects Necessary to Maintain Acceptable Levels of Traffic and Transportation Service Within the City"; and

WHEREAS, the *TransNet* Extension Ordinance requires that the RTCIP transportation mitigation fee charged by local jurisdictions be adjusted every year on July 1 in order to maintain the purchasing power of the program for improvements to the Regional Arterial System; and

WHEREAS, on February 22, 2019, the SANDAG Board of Directors approved a 2 percent adjustment to the RTCIP, raising the minimum fee from \$2,484 per new residential dwelling unit to \$2,534 per unit beginning July 1, 2019.

///

///

///

Resolution No. 2019 –  
Page Two

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby approves the adoption of a Resolution amending the Transportation Development Impact Fee (TDIF) from \$2,484 per new residential dwelling unit to \$2,534 per unit beginning July 1, 2019.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Mayor

ATTEST:

\_\_\_\_\_  
Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones

The following page(s) contain the backup material for Agenda Item: [Approval of rescheduling of fiscal year 2020 budget workshop dates. \(Finance\)](#)  
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.:**

**ITEM TITLE:**

Approval of rescheduling of fiscal year 2020 budget workshop dates.

**PREPARED BY:** Yen Kelly, Budget Analyst

**PHONE:** 619-336-4330

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Ralento

**EXPLANATION:**

During the December 4, 2018 Council meeting, City Council approved the fiscal year 2020 budget calendar. The approved calendar set two budget workshop dates, the first on April 9, 2019 and a second, tentative workshop on April 23, 2019 for presentation and discussion of the preliminary budget.

Due to scheduling conflicts, new workshop dates must be approved. Staff proposes new workshop dates of April 24 and May 14, 2019 for the initial and second (tentative) workshops, respectively. No change is proposed for adoption of the budget, currently scheduled for the regular City Council meeting of June 4, 2019.

With this item, staff seeks direction regarding the rescheduling of the budget workshop dates. If the proposed dates are not agreeable, direction on alternative dates is sought.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**  
NA

**APPROVED:** Mark Ralento **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

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

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Approve the recommended revised fiscal year 2020 budget workshop dates.

**BOARD / COMMISSION RECOMMENDATION:**

NA

**ATTACHMENTS:**

Previously Approved Budget Schedule - Fiscal Year 2020



**PREVIOUSLY APPROVED BUDGET SCHEDULE - FISCAL YEAR 2020**

DATE & TIME	DESCRIPTION
Tuesday, December 4th (City Council Meeting)	Scheduling of City Council workshops
Tuesday, January 22nd (City Council Meeting)	City Council budget priorities
Tuesday, April 9th (City Council Workshop)	Budget workshop - preliminary budget & capital improvement program presentation
Tuesday, April 23rd (City Council Workshop)	Budget workshop (tentative - prior to regularly schedule meeting)
Tuesday, June 4th (City Council Meeting)	Budget hearing / Budget adoption

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Adoption of a Resolution of the Community Development Commission - Housing Authority of the City of National City \(CDC-HA\) approving the Housing Choice Voucher Program's Administrative Plan for Fiscal Year 2019-2020. \(Housing Economic & Development\)](#)

Please scroll down to view the backup material.



**CITY OF NATIONAL CITY, CALIFORNIA  
COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.:**

**ITEM TITLE:** Public Hearing and Adoption of a Resolution of the Community Development Commission-Housing Authority of the City of National City (CDC-HA) approving the Housing Choice Voucher Program's Administrative Plan for Fiscal Year 2019 - 2020.

  
Marta Rios

**PREPARED BY:** Housing Programs Manager

Housing & Economic  
Development

**DEPARTMENT:**

**APPROVED BY:** 

**PHONE:** 619-336-4259

**EXPLANATION:**

See attached report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.** There will be no fiscal impact  
as a result of this action.

**APPROVED:** \_\_\_\_\_ **FINANCE**  
**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Not applicable

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Adopt the resolution.

**BOARD / COMMISSION RECOMMENDATION:**

Not applicable

**ATTACHMENTS:**

- 1: Background Report
- 2: CDC-HA, Housing Choice Voucher Program's Administrative Plan for FY 2019 - 2020 was distributed via e-mail in pdf format to Council on February 18, 2019, and is available on [www.nationalcityca.gov](http://www.nationalcityca.gov) and at: City Clerk's Office, National City Library and the CDC-HA, Housing Choice Voucher Program office.

**Community Development Commission  
Housing Authority Of The City of National City  
Housing Choice Voucher Program**

**Agenda Statement Addendum**

**April 2, 2019**

---

**Background:**

The Housing Choice Voucher Program was enacted as part of the Housing and Community Development Act of 1974, which re-codified the U.S. Housing Act of 1937. The Act has been amended from time to time, most recently on October 21, 1998, with the passage of the Quality Housing and Work Responsibility Act (QHWRA.) The requirements of the Housing Act as amended as they apply to the Housing Choice Voucher (HCV) Program, are described in and implemented through the Administrative Plan.

Administration of the HCV Program shall be in compliance with the U.S. Department of Housing and Urban Development's (HUD) HCV regulations as well as all Federal, State and local Fair Housing laws and regulations. The Housing and Economic Development Department will comply with any and all subsequent regulatory and statutory program changes.

The Administrative Plan is set forth to define the Housing and Economic Development Department's local policies for operation of the housing programs in the context of Federal laws and regulations. All issues related to the HCV Program not addressed in this document are governed by such Federal regulations, HUD memos, notices and guidelines or other applicable law.

The current Community Development Commission - Housing Authority of the City of National City (CDC-HA), Housing Choice Voucher Program Administrative Plan for FY 2019 - 2020 has no revisions and the policies remain in accordance with the published QHWRA requirements.

The Resident Advisory Board (RAB), comprising of all HCV Participants, were given an opportunity to review and comment on the proposed CDC-HA, Housing Choice Voucher Program Administrative Plan for Fiscal Year 2019 - 2020. No recommendations or comments were received.

Staff recommends that the Community Development Commission - City of National City, Housing Authority Board of Commissioners conduct a Public Hearing and consider the adoption of the attached Resolution approving the CDC-HA, Housing Choice Voucher Program's Administrative Plan for FY 2019 - 2020.

RESOLUTION NO. 2019 –

RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY (CDC\_HA) APPROVING  
THE HOUSING CHOICE VOUCHER PROGRAM'S ADMINISTRATIVE PLAN FOR FISCAL  
YEAR 2019 - 2020, AND AUTHORIZING SUBMITTAL OF THE PLAN TO THE U.S.  
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, on October 21, 1998, the U.S. Congress enacted Public Law 105-276, known as the Quality Housing and Work Responsibility Act (QHWRA) notifying housing authorities to adopt and amend an Administrative Plan, including local policies for admissions and continued participation in accordance with the new HUD requirements; and

WHEREAS, the Administrative Plan is set forth to define the Housing Department's local policies for operation of the housing programs in the context of Federal laws and regulations, and issues related to Section 8 not addressed in this document are governed by such Federal regulations, HUD memos, notices and guidelines, or other applicable law; and

WHEREAS, the current Community Development Commission - Housing Authority of the City of National City (CDC-HA), Housing Choice Voucher Program Administrative Plan for FY 2019 - 2020 has no revisions and the policies remain in accordance with the published QHWRA requirements, and posted the Administrative Plan on the National City's website, and made it available at the City Clerk's Office, National City Public Library, and Section 8 Office; and

WHEREAS, the Resident Advisory Board (RAB), comprising of all HCV Participants, were given an opportunity to review and comment on the proposed CDC-HA, Housing Choice Voucher Program Administrative Plan for Fiscal Year 2019 – 2020, and no recommendations or comments were received.

NOW THEREFORE BE IT RESOLVED that the Community Development Commission-Housing Authority of the City of National City hereby approves the Housing Choice Voucher Program Administrative Plan, as set forth in that document dated April 2, 2019, and authorizes the submittal of said Plan to the U.S. Department of Housing and Urban Development. Said Plan is on file in the office of the City Clerk.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Chairwoman

ATTEST:

\_\_\_\_\_  
Stephen Manganiello, Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
General Counsel

The following page(s) contain the backup material for Agenda Item: [Public Hearing and Adoption of a Resolution of the Community Development Commission - Housing Authority of the City of National City \(CDC-HA\) approving the Streamlined Annual Public Housing Agency \(PHA\) Plan for Fiscal Year 2019-2020. \(Housing & Economic Development\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA  
COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY  
COUNCIL AGENDA STATEMENT**

**MEETING DATE:** April 2, 2019

**AGENDA ITEM NO.:**

**ITEM TITLE:** Public Hearing and Adoption of a Resolution of the Community Development Commission-Housing Authority of the City of National City (CDC-HA) approving the Streamlined Annual Public Housing Agency (PHA) Plan for Fiscal Year 2019 - 2020.



Marta Rios

**PREPARED BY:** Housing Programs Manager

Housing & Economic  
Development

**DEPARTMENT:**

**APPROVED BY:** 

**PHONE:** 619-336-4259

**EXPLANATION:**

See attached report

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

There will be no fiscal impact as  
a result of this action.

**APPROVED:** \_\_\_\_\_ **FINANCE**

**APPROVED:** \_\_\_\_\_ **MIS**

**ENVIRONMENTAL REVIEW:**

Not applicable

**ORDINANCE:** INTRODUCTION ☐ FINAL ADOPTION ☐

**STAFF RECOMMENDATION:**

Conduct the Public Hearing and Adopt the Resolution.

**BOARD / COMMISSION RECOMMENDATION:**

Not applicable

**ATTACHMENTS:**

- 1: Background Report
- 2: Notice of Public Hearing
- 3: Proof of Publication
4. Streamlined Annual PHA Plan for Fiscal Year 2019 - 2020 was distributed via email in pdf format to Council on February 18, 2019, and is available on the website: [www.nationalcityca.gov](http://www.nationalcityca.gov) and at the City Clerk's Office, National City Library and the CDC-HA Housing Choice Voucher Program Office.

**Community Development Commission  
Housing Authority Of The City Of National City  
Housing Choice Voucher Program**

**Agenda Statement Addendum**

**April 2, 2019**

---

**Background:**

The U.S. Department of Housing and Urban Development (HUD), in response to the Quality Housing and Work Responsibility Act of 1998 (QHWRA), requires housing authorities to prepare a Streamlined Annual Public Housing Agency (PHA) Plan. The PHA Plan concept is based on the consolidated planning process used for HUD's community and development programs. Like the Consolidated Plan that is required by HUD for jurisdictions using federal funds for housing and community development, the plan provides a planning mechanism by which the Housing Authority of the City of National City (HACNC), Housing Choice Voucher (HCV) Program, can examine its long-range needs and short term needs. Specifically, the Plan identifies the needs of the families that it serves and develops both long-term strategies (i.e. Five-Year Plan) and short-term strategies (i.e. Annual Plan) for addressing the needs.

The PHA Plan provides details about the HACNC's immediate operations, program participants, programs and services. This Plan also identifies the HACNC's strategy for handling operation concerns, resident's concerns and needs, programs and services.

The Resident Advisory Board (RAB), comprising of HCV Participants, were given an opportunity to review and comment on the proposed PHA Plan. No recommendations or comments were received regarding the proposed PHA Plan.

Staff recommends that the Community Development Commission - City of National City, Housing Authority Board of Commissioners conduct a Public Hearing and consider the adoption of the attached Resolution approving the HACNC, Streamlined Annual Public Housing Agency (PHA) Plan for FY 2019 - 2020.

## NOTICE OF PUBLIC HEARING

Attachment 2

Community Development Commission-Housing Authority of the City of National City  
Housing Choice Voucher Program  
Streamlined Annual  
Public Housing Agency Plan (PHA) for  
Fiscal Year 2019 - 2020

**NOTICE IS HEREBY GIVEN** that the Board of Commissioners of the Community Development Commission-Housing Authority of the City of National City (CDC-HA) will hold a public hearing on April 2, 2019, at 6:00 p.m., in the National City Council Chambers located at 1243 National City Boulevard, National City, California. Public testimony can be heard on the proposed Streamlined Annual Public Housing Agency Plan for Fiscal Year 2019-2020. The referenced plan and policies will be released for a 45-day public review and comment period.

The Public Housing Agency (PHA) Plan is a comprehensive guide to a public housing agency's policies, programs, operations, and strategies for meeting local housing needs and goals for the Section 8 Housing Choice Voucher Program. The Annual Plan is submitted to the U.S. Department of Housing and Urban Development (HUD) every year.

The draft PHA Plan will be available for public review after February 17, 2019 at the following locations:

CDC-Housing Authority of the City Of National City Housing Choice Voucher Program 140 E. 12 <sup>th</sup> Street, Suite B National City CA 91950	City of National City – City Hall City Clerk 1243 National City Blvd National City CA 91950	City of National City Main Library 1401 National City Blvd National City CA 91950
--	--	--

Written comments may be submitted prior to the public hearing and during the 45-day comment period ending on or about April 2, 2019, to:

CDC-Housing Authority of the City of National City  
Housing Choice Voucher Program  
Attn: Marta Rios  
140 E. 12<sup>th</sup> Street, Suite B  
National City CA 91950-3312  
Phone: (619) 336-4254  
Fax: (619) 477-3747

DATED: February 17, 2019

Leslie Deese  
Executive Director

Date of Publication: February 20, 2019



# The San Diego Union-Tribune

## PROOF of Publication

**Bill To:**

CITY OF NATIONAL CITY COMM.DEV.COMM SEC0-8RENT ASST - CU00465754  
140 E 12th St  
Ste B  
National City, CA 91950-3323

**STATE OF ILLINOIS  
COUNTY OF Cook**

The Undersigned, declares under penalty of perjury under the laws of the State of California: That he/she is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that he/she is not a party to, nor interested in the above entitled matter; that he/she is Chief Clerk for the publisher of

### Proof of Publication of

See Attached

**San Diego Union-Tribune**

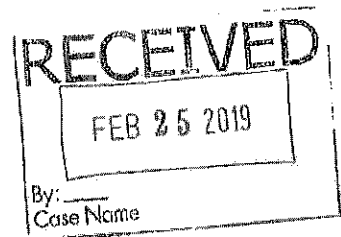
a newspaper of general circulation, printed and published daily in the City of San Diego, County of San Diego, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all the times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established, printed and published at regular intervals in the said City of San Diego, County of San Diego, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to, and which newspaper is not devoted to nor published for the interests, entertainment or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice of which the annexed is a printed copy, has been published in said newspaper in accordance with the instruction of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**February 20, 2019**

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated in the City of Chicago, State of Illinois  
on this 20th of February 2019.

Stefanie Sobie  
San Diego Union-Tribune  
Legal Advertising



6141831



# The San Diego Union-Tribune

**Bill To:**

CITY OF NATIONAL CITY COMM.DEV.COMM SEC0-8RENT ASST - CU00465754  
140 E 12th St  
Ste B  
National City, CA 91950-3323

**Sold To:**

CITY OF NATIONAL CITY COMM.DEV.COMM SEC0-8RENT ASST - CU00465754  
140 E 12th St  
Ste B  
National City, CA 91950-3323

**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that the Board of Commissioners of the Community Development Commission-Housing Authority of the City of National City (CDC-HA) will hold a public hearing on April 2, 2019, at 6:00 p.m. in the National City Council Chambers located at 1243 National City Boulevard, National City, California. Public testimony can be heard on the proposed Streamlined Annual Public Housing Agency Plan for Fiscal Year 2019-2020. The referenced plan and policies will be released for a 45-day public review and comment period.

The Public Housing Agency (PHA) Plan is a comprehensive guide to a public housing agency's policies, programs, operations, and strategies for meeting local housing needs and goals for the Section 8 Housing Choice Voucher Program. The Annual Plan is submitted to the U.S. Department of Housing and Urban Development (HUD) every year.

The draft PHA Plan will be available for public review after February 20, 2019 at the following location:

CDC-Housing Authority of the City of National City  
Housing Choice Voucher Program  
140 E. 12th Street,  
Suite B  
National City CA 91950

City of National City -  
City Hall  
City Clerk  
1243 National City Blvd  
National City CA 91950

City of National City  
Main Library  
1401 National City Blvd  
National City CA 91950

Written comments may be submitted prior to the public hearing and during the 45-day comment period ending on or about April 2, 2019, to:

CDC-Housing Authority of the City of National City  
Housing Choice Voucher Program  
Arlin Garcia Iñes  
140 E. 12th Street,  
Suite B  
National City CA 91950-3312  
Phone: (619) 336-4254  
Fax: (619) 477-5747

Leslie Deane  
Executive Director

6141831

RESOLUTION NO. 2019 –

RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY (CDC-HA) APPROVING  
THE STREAMLINED ANNUAL PUBLIC HOUSING AGENCY PLAN FOR  
FISCAL YEAR 2019-2020, AND AUTHORIZING THE SUBMITTAL OF THE PLAN  
TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, on October 21, 1998, the United States Congress enacted Public Law 105-276, known as the Quality Housing and Work Responsibility Act (“QHWRA”) requiring housing authorities to prepare and submit a Section 8 Public Housing Agency (PHA) Plan; and

WHEREAS, like the Consolidated Plan that is required by the U.S. Department of Housing and Urban Development (HUD) for jurisdictions using federal funds for housing and community development, the PHA Plan provides a planning mechanism by which the Housing Authority of the City of National City Housing Choice Voucher Program can identify the needs of the families that it serves, and develops both long-term strategies (i.e. Five-Year Plan) and short-term strategies (i.e. Annual Plan) for addressing the needs; and

WHEREAS, the Streamlined Annual Plan provides details about the CDC-HA’s immediate operations, program participants, programs and services. This Plan also identifies the CDC-HA’s strategy for handling operational concerns, resident concerns and needs, programs and services; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires a Public Hearing to be held in order to receive public input; and

WHEREAS, on April 2, 2019, a Public Hearing was held for review and recommendations by the public of the proposed Streamlined Annual Public Housing Agency Plan for Fiscal Year 2019-2020; and

WHEREAS, the Resident Advisory Board, composed of all Section 8 participants, was given an opportunity to review and comment on the proposed plan. No recommendations or comments were received regarding the proposed plan.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Commission – Housing Authority of the City of National City hereby approves the Streamlined Annual Public Housing Agency Plan for Fiscal Year 2019 - 2020.

///

///

///

Resolution No. 2019 -  
Page Two

BE IT FURTHER RESOLVED that the Community Development Commission – Housing Authority of the City of National City approves the submittal of the Streamlined Annual Public Housing Agency Plan for Fiscal Year 2019-2020 by the Executive Director to the U.S. Department of Housing and Urban Development. Said PHA Plan is on file in the office of the City Clerk.

PASSED and ADOPTED this 2nd day of April, 2019.

\_\_\_\_\_  
Alejandra Sotelo-Solis, Chairwoman

ATTEST:

\_\_\_\_\_  
Stephen Manganiello, Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Angil P. Morris-Jones  
General Counsel

The following page(s) contain the backup material for Agenda Item: [Verbal report on Community Service Day, to be held Saturday, April 27, 2019 at El Toyon Park and Kimball Park. \(Community Services and Neighborhood Services\)](#)

Please scroll down to view the backup material.

**Item # \_\_\_\_**

**4/2/19**

**Verbal report on Community Service Day, to be held Saturday, April  
27, 2019 at El Toyon Park and Kimball Park.  
(Community Services and Neighborhood Services)**