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Regular City Council Meeting

Documenter name: Cynthia Quinonez

Agency: City of National City- City Council Committees

Date: Oct. 15, 2024

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

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Summary

Significant in-person public comment was made in opposition to the proposed USDG fuel transfer depot for the west side of National City (application for permit in process / under review by City of National City Planning Department). No one on the dais commented in response, including councilmember Luz Molina of District 1, where the USDG site would be located.

Most online public comments were calling for the mayor and city council members to pay more attention to the risks of tobacco use and vaping for National City youth, advocating for effective strategies to further limit product availability. Beyond the direct health damage of smoking and vaping, the downstream consequences on National City youth were raised as particularly concerning. Zero mayoral and councilmember acknowledgment, consistent with the same in response to all advocating against a USDG fuel transfer site in National City,

Councilmember Rodriguez's spending of his allotted district funds (new larger amounts in this year's budget, some residents calling these "slush funds") has raised questions among community members, other council members, and the mayor too. City policies are being amended in response, with the addition of more expense review, reporting, and approval processes. As revealed in this meeting, a pro: the policy changes have the potential to increase transparency and otherwise limit misuse; a con: is an added burden for staff and elected officials, the public too, in associated costs, including more time spent arguing about councilmember projects, less attending to the main business of the city.

Here's what you need to know

- The first third of the meeting was mostly public comment advocating for mayor and city council action in support of better health / limiting additional harm, too many residents were already negatively impacted, suffering inordinately from asthma+
- The last third of the meeting was mostly discussion and action related to twenty Consent Calendar items, half routine passed in one motion, the others requiring individual attention
- In between and at the end were lighter city business items, including event announcements, commendations of staff members' proven performance, and quick reports by councilmembers, staff, commissioners, and the mayor

Immediate Actions

- See Notes

Accessibility Issues

- None

Follow-Up Questions

- None

Notes

Meeting Call to Order:

- The meeting was called to order at 6:12 p.m. by Mayor Ron Morrison (0:07).

- The agenda for this meeting may be viewed by clicking [here](#), while a video and/or audio recording of the meeting may be found by clicking [here](#) and [here](#), respectively.
 - **All timestamps below were taken from the video recording.**

Council members in Attendance:

- Councilmember Luz Molina
- Vice Mayor and Council Member Ditas Yamane
- Mayor Ron Morrison
- Councilmember Marcus Bush (left meeting three times, one due to recusal)
- Councilmember Jose Rodriguez (joined a few minutes late)

Staff Present:

- Interpreter, name unknown, for Spanish-to-English interpretation, service information provided in Spanish (0:30-1:05)
- Martin Reeder, City Planner / Director of Community Development
- City Manager Martinez (on dais)
- City Attorney Schultz (on dais)
- Police Chief & staff (for Employee Recognition – see agenda item 6.1)
- City Engineer / Public Works Director Steve Manganiello

Non-Agenda Public Comments: (3:23)

NOTE: Significant in-person Public Comment was made in opposition to the USDG fuel transfer site under consideration/review by City Planning (Full Disclosure: I am actively against this project; however I had no idea any public comment was planned on this non-agenda item for the 10/15/2024 City Council Meeting).

- Peggy Walker – expressed support for Proposition 36 concerning San Diego youth suffering from fentanyl abuse. Walker referred to money being spent on homelessness for which drug addiction is a major contributor (3:37)
- Becky Rapp referred to a proclamation from President Joe Biden in relation to youth substance abuse prevention with active support by City Council of effective strategies for this (6:17)
- Ginny Strang (?) talked about a California Department of Public Health ban on sales of hemp products with detectable levels of THC and the federal Alcoholic Beverage Control's increased surveillance and website reporting of violators (8:14)
- Sonny Mangianelli (?) from Collective Coalition Project of Say San Diego talked about nicotine use by LGBTQ+ youth, (10:30)

Beginning of in-person public comment (14:00) – Interpreter assisted for Spanish speakers

- Alicia Sanchez, affiliated with the Environmental Health Coalition (EHC), spoke in Spanish about her reasons for being against the USDG fuel transfer depot proposal under review by Planning – too many heavy-duty trucks here 24/7 adding to already polluted air, activating and exacerbating respiratory illness/asthma in the Westside community, the depot to be too near a school, church, neighborhood homes. She urged the denial of their permit application. (14:50)
- Margarita Morena, also speaking in Spanish, urged the denial of the USDG permit application. She is a promoter and like Alicia affiliated with EHC. Her reasons: flammable/combustible fuel accident potential, pollutants to become airborne during 24/7 diesel fuel transfer operations as well as from truck traffic, noise pollution, and likely increase of already known high asthma rates especially among National City youth like her son (18:00)
- Irma Hernandez, Coalition for Better Health addressing youth tobacco consumption advocating against any additional approved permits or licenses for businesses that sell tobacco or vaping products (20:38)
- Maria Sanchez, a longtime resident with two grandchildren suffering from asthma and who says her apartment already evidences dark dust she attributes to local sources of pollution. She expects already bad local air quality would be worsened by the proposed USDG facility harming the community. (24:27)

NOTE: Councilmember Bush left the meeting for a few minutes (23:00)

- Margarita (Maggy) Morales (of Chula Vista) speaking for herself and her mom, the latter a National City resident for 25 years, both opposed to the USDG fuels transfer depot proposal. She highlights reasons such as truck traffic/congestion, closeness to Kimball school, and nighttime noise. She also expressed concern over the potential for spills and explosions. She said it's better for all to invest themselves in Pepper Park improvements and other projects that are a step forward for the health of residents and the community, rather than two steps back like the USDG fuel transfer project. (27:22)
- Edward Nieto, praising comments from the earlier speakers and then addressed the council on the occasion of Indigenous Peoples Day (Monday, 10/14). Nieto asked for council members to engage with everyone in the community respectfully, choosing not to perpetuate harm with comments such as one “off the reservation” social media comment he cited as made by Jose Rodriguez, instead perpetuating harm. Requested an apology from Rodriguez too, and the use of

- more inclusive language. (29:17)
- Ted Godshalk, commented on a number of subjects. (31:55)
 - Godshalk criticized Councilmember Bush over what he described as denying/sidelining parking issues. He urged councilmembers not to pick and choose what issues are important contrary to the National City public's expressed experience with these issues
 - He criticized Rodriguez over use of funds and campaign contributions.
 - Both Bush and Rodriguez elected to city-wide positions (pre-district elections?) cited for not covering Councilmember Molina in neighborhood meetings she had to miss due to vacation, thus denying community members an important opportunity for their concerns to be heard
 - Concluded by saying that councilmembers are only consistent in not listening to the community
 - Bradley Bain, another EHC-affiliated voice was against USDG fuel transfer site permit approval identifying with asthma sufferers, also citing students missing school here / absenteeism (some of the highest in SD County) related to asthma and other health issues. Direct experience with diesel trucks impacting schools. (34:12)
 - Paul and Vivian Wanowski were also against the USDG fuel transfer site. Paul described increased pollution in an overburdened area. He expressed concern over the community health impact. State and County expressing significant concerns. Vivian talked about climate impact risking the health of plants like those at Paradise Creek (community garden) and likewise voicing disapproval of the USDG fuel transfer site. (36:34)
 - Brian Mave (?) - promoted the 10/26 (historic) Kimball Music House Halloween event for clean-up and to deter continued homeless presence at the site.
 - Seniors from Sweetwater Union High and Lions Club members promoting 10/31 Halloween festivities – family-friendly fun and Kimball Historic Society museum tour. (40:34)
 - Jeffrey Shroff (?) - showed support for Proposition 36. (43:37)

Agenda Item #6: Proclamations and Recognition (44.20)

- The Police Department presented a woman identified only as Nancy as the employee of the quarter. Nancy is a 24-year employee who leads 130 employees.

Agenda Item #7: Presentation of Planning Commission Annual Report to Council(48:33)

- Annual Report to Council - Planning Commission.
- Richard Martin Miller, Chairman of the Planning Commission and Housing Advisory Committee, reported for fiscal year 2023/2024. Presented slides, viewable in the Agenda Packet as well as in the City's recording of the meeting (49:56) and below.

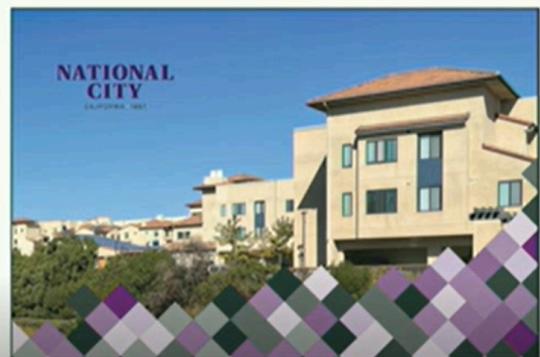
Commission Action

- Conditional Use Permit (7)
 - Grocery & Restaurant Alcohol Sales
 - Padel Club Sports Complex
- Annexation (1)
 - Valley View
- Code Amendment (2)
 - Zoning Map to conform with the updated Zoning Ordinance
 - FGPU (Focused General Plan Update)
- Subdivision (3)
 - Grove Street (9 lots)
 - San Diego Rescue Mission (2 lots)
 - 'F' Avenue (2 lots)
- Zone Variance (1)
 - New SFR
- Street Vacation (1)
 - Paradise Avenue

Highlights

Planning Commission Recommended to the City Council Adoption of:

- Focused General Plan Update
- Updated Zoning Ordinance
- Updated Zoning Map to Comply with the Updated Zoning Ordinance
- House National City Program
- Downtown Specific Plan
- Westside Specific Plan



Public comments:

- Councilmember Yamane commended the Commissioner on his service. (52:30)
- Link to Focused General Plan Update Page:
<https://www.nationalcityca.gov/government/community-development/planning/focused-general-plan-update>

Agenda Item #8: Regional Boards And Committee Reports (52:46)

- Per Government Code Section 53232.3(d) also known as AB1234: Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.
- Nothing to Report: Rodriguez and Bush
- Molina: SANDAG Board of Directors Meeting preceded by Executive Committee Meeting with discussions of:
 - The potential removal of toll on route 125 (no decision yet) and the Regional Transportation Plan (ongoing conversations)
 - Regional Housing Needs Assessment policy - SANDAG preparing a letter to the State of California recommending fixes to the controversial formula determining housing density requirements across the region. More updates to come.
 - Yamane: Sweetwater Authority Meeting where Kimball Holiday Event was approved for support
 - Morrison: SANDAG Meeting he was scheduled to attend was canceled for lack of a quorum.
 - Port Commissioner: nothing to report

Agenda Item #9: Consent Calendar (55:22)

- Several items from the consent calendar were pulled and publicly discussed. Of the original items, 9.1, 9.3, 9.4, 9.8, 9.9, 9.10, 9.11, 9.12, 9.13, 9.15, 9.17 were voted on in the consent agenda.
- Motion by Yamani, 2nd by Rodriguez, Passed unanimous (57:45)
- The following were pulled for separate consideration.

Agenda Item #9.2: Amending City Council Policy #s 101, 104, 106, 107 & 121 pulled by Molina for Public Comment and Council Discussion as follows

- Public comments:
 - Public Comment by Ted Godshalk (58:20)
 - 104,6,c wording for better acknowledgment of escribe submissions
 - 121 section f a member of city manager's department shall execute any purchase for an elected official; any reimbursement to happen within 2 months.
 - Needed policy: filling of the seat of councilmember on vacation

- Council comments
 - Molina suggested adding language for Policy 121 (at the next review of the policy as already planned)
 - Allow retroactive approval of expenses for travel to conferences, etc., this to occur at next city council meeting following the expense
 - Cover travel for lobbying (legislative advocacy) related to the city council's discussed and approved position, city attorney assisting with language
 - The city attorney commented on the need for transparency on councilmembers attending conferences beyond those on the approved conference list, adding retro approval language to the policy on this too
 - Policy 104, Bush recommended a change in the cut-off time for Zoom registrations to participate online in City Council meetings (section c). Previously 2 p.m. cut-off time (four hours before the meeting). Proposed 1-hour prior to start of meeting (after discussion - he originally suggested Zoom registration up to the start of the meeting). Molina, Morrison weighed in talking about written comments needing to come in four hours early. Rodriguez differentiated Zoom registration. The city council also addressed written comments. Bush again differentiated he was addressing Zoom registration for online participation. City Clerk and Molina raised concerns about public confusion with a separate cut-off for submitting written comments vs. registering for Zoom participation.
- Council action
 - Motion by Bush, 2nd by Yamane, Passed 3-2 (Molina and Morrison voting no)
 - Policy 121 Changes to language as discussed above motioned by Molina, 2nd by Bush, but then more discussion needed was cited by Morrison
 - Policy 121 Bush proposed changes to the language in the fourth paragraph to all professional service contracts greater than \$50K (previously read "consulting contracts") motioned by Bush, 2nd by Yamani, passed unanimously
 - Acceptance with specific changes as just discussed
 - Motioned by Yamane, 2nd by Molina, passed unanimously (1:24:17) – City Council Policy Nos. 101, 104, 106, 107, and 121 to be so amended.

Agenda Item #9.5: Light structure for Kimball Park Ballfields pulled by Yamani

- Council comments
 - Yamane talked about her conversations with coaches at Kimball Park, citing lights all busted and feedback from kids and parents citing needed lighting

for improved safety.

- Council action
 - Motion to approve by Yamane, 2nd by Rodriguez with comment commending staff. Morrison elaborated on the longtime need for action. Passed unanimously (1:27:13). Resolution of the City Council of the City of National City, California adopted, 1) 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 Contract #041123-MSL with Musco Sports Lighting, LLC, for the purchase of a Light-Structure System in a Not-to-Exceed Amount of \$292,350 for the Kimball Park Ballfields; and 2) Authorizing the Establishment of an Appropriation of \$292,350 in the American Rescue Plan Act fund for the Kimball Park Ballfield Lighting Project.

Agenda Item #9.6: Purchase of Ford Police Utility Interceptors pulled for Public Comment

- Public comments
 - Thomas Wright (?) talked about the cost of interceptors per vehicle – and questioned why not contracted with (local) Perry Ford for these. Morrison responded, explaining immediate need and advantages coming from go-forward (piggy-backing) as proposed via existing Kearny Mesa Ford contract, with concurrence by city engineer (1:29:00)
- Council comments
- Council action
 - A motion by Yamane to accept staff recommendation, 2nd by Rodriguez, passed. Adopting resolution for 1) 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 County of San Diego Contract # 570454 with Kearny Mesa Ford for the Purchase Six 2025 Ford Police Utility B/W AWD Interceptors in a Not-to-Exceed Amount of \$323,000 for the National City Police Department; and 2) Authorizing the City Manager to approve Adjustments of up to \$32,300 to the Not-to-Exceed Amount for the Purchase as a 10% Contingency for Unforeseen Fluctuations in Pricing.

Agenda Item #9.7: Aster Construction Contract for Central Community Mobility Enhancements Project pulled by Mayor Morrison to explain his reasons for opposition.

- Council comments:

- Morrison said he's opposed to bike paths on streets he considers too narrow for these, the bike lanes then "causing more problems than doing good."
- Bush encouraged greater specificity.
- Morrison talked about the N Avenue in the Plaza Blvd area. He suggested other approaches could be considered not unlike other cities with their cable car lines, not having two-way travel on every street.
- Rodriguez asked the city engineer/ public works director about funding, who responded that money was mostly coming from an active transportation grant supplemented by gas tax funds. Leveraging the grant allows repaving/road rehab to be done with less impact on city dollars. Rodriguez cited the benefits of no lane closures. Closing infrastructure gap First PLA contract.
- Council action
 - Bush motioned for approval, Rodriguez 2nd. Bush asked about community outreach which actually happened "quite some time" ago (3-5 years?). CIP website provides continuing updates to the public. (1:36:00)
 - Link to CIP website project dashboard:
<https://nacity.maps.arcgis.com/apps/dashboards/806c335977874ffa8b52792fd58db018>
- Council comment
 - Bush questioned about other public outreach. Staff answered citing door hangers to be provided to residents along the corridor. Morrison reiterated his opposition to "bike lanes on every street" creating traffic problems and "inactive transportation" but encouraged vote.
- Council action:
 - Motion passed with only Morrison voting no, thus adopting resolution for 1) Awarding a Contract to Aster Construction Services in the Not-to-Exceed Amount of \$1,915,050 for the Central Community Mobility Enhancements Project, CIP No. 19-23; 2) Authorizing a 15% Contingency in the Amount of \$287,257.50 for any Unforeseen Changes; and 3) Authorizing the Mayor to Execute the Contract.
 - 7:53 p.m. Councilmember Bush again leaves the meeting (1:41:35)

Agenda Item #9.14: Kimball Senior Center Lease pulled by Yamane citing the need for a business plan from the City Manager for the operation of the facility.

- Council action:
 - Motion to adopt staff recommendation on this item by Yamane, 2nd by

Rodriguez, passed with four in favor, Bush abstaining (absent from the meeting). (1:43:25)

Agenda Item #9.16: Planning Commission approval of conditional use permit for addition of distilled spirits to beer and wine license at Manolo Farmers Market, 303 Highland pulled by Bush (returning to meeting at 7:55 / 1:43:49 in city video of livestream).

- Council action:
 - Bush noted community complaints that were voiced at the Planning Commission. Motioned to schedule a 2nd public hearing, 2nd by Molina. A community member present to speak on this item opted to delay her comments until a public hearing. Details on complaints requested by Rodriguez, provided by Bush. Molina explained her support. Passed unanimously.

Agenda Item #9.18: Euclid Avenue Roadway Resurfacing pulled by Bush, recusal needed for this item (he lives on Euclid).

- Council action:
 - Bush stepped out. Rodriguez motion, 2nd by Yamane, motion carried with Bush recused. (1:46:47) Adopted: Resolution Authorizing the Mayor to Execute a Service Agreement with the County of San Diego for Roadway Resurfacing of Euclid Avenue Between Sweetwater Road and 24th Street in the Amount of \$112,960.42.

Agenda Item #9.19: Warrant Register #9 - \$1 million.

- Public comments:
 - Ted Godshalk asked Morrison about e-scribe (and email) requests for items to be pulled and/or questions to be answered, in meetings attended from home / via Zoom participating in the meeting. He asked about the policy for action on these requests via e-scribe.
 - Morrison responded action to pull items is taken with in-person (on-site) meeting participation.
 - Molina added that as his District 1 representative she tries to ensure his e-scribe requests are addressed if not in the meeting then by city staff. She questioned if this action was insufficient from his perspective? Godshalk indicated responses would come after items approved and wanted more discussion of this. Morrison pressed for Godshalk comment on 9.19 item. He referred to e-scribe and the six 9.19 questions submitted there, as yet

unanswered.

- Council comments:
 - Morrison deferred to the city manager for response. The city manager preferred to respond via memo, to better ensure accuracy of his response. (1:51:09)
 - Ed Nieto thanked the council for the registry. He would like more discussion of the city’s budget deficit. “What’s the plan?” Nieto asked. In the register, he sees payment by Rodriguez to a consultant - a person known to be president of a National City democratic club, with members including Rodriguez supporters, followers and family members. Bush previously has raised good questions about Rodriguez spending patterns, prompting Rodriguez to comment in ways that have offered needed transparency. Nieto encouraged public review of posts on Facebook in a National City politics discussion group for greater edification.
 - (Link to this Facebook group:
<https://www.facebook.com/groups/1874629392815267/?ref=share&mibextid=NSMWBT>)
- Council action:
 - Motion requested by Morrison. Motion to approve item by Yamane, 2nd by Rodriguez with clarification that he hired a “community housing consultant” for workshops/outreach to the community on topics of affordable housing, homeownership, rent control and “light up National City” – addressing streetlights not working. Bush requested a change in the register from “Cindy Lopez” to her LLC. Morrison and Rodriguez's exchange ensued with some acrimony about the approval of payment. Yamane called for order. Motion passed unanimously. (2:00:14)

Agenda Item #9.20: Warrant Register #10 - \$4.6m, Public Comment Requested

- Public comments:
 - Thomas Wright (?) questioned the reasonableness of expense for the 24th Street Transit Project and the expenses for Police Department ammo. Staff responded.
- Council action:
 - Motion to approve by Yamani, 2nd by Rodriguez, passed unanimously. Warrants ratified totaling \$4,637,113.79 (2:02:56)

Agenda item #10: Public Hearing 10.1 Amendment of Chapter 18.29 of the National City Municipal Code to Add Regulations for the Mixed-Use Overlay Zone. Recommendation: Introduce the Ordinance

- Presentation:
 - Martin Reeder, City Planner/Director of Community Development showed an updated picture/slide of the area to be affected by the mixed-use overlay, reportedly consistent with National City's Downtown and Westside Specific plans, and indicated the municipal code update required in support of this got missed previously when approval was given.

Motion made to close the public hearing; passed. Motion made to adopt; passed.

----- 2-hour time limit reached -----

Adjournment:

- **Mayor Morrison adjourned the meeting at 8:24 p.m.**

If you believe anything in these notes is inaccurate, please email us at documenters@inewssource.org with "Correction Request" in the subject line.