



AGENDA

Consolidated Regular Meeting

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

Ron Morrison, Mayor

Ditas Yamane, Vice-Mayor – District 3

Marcus Bush, Councilmember

Luz Molina, Councilmember- District 1

Jose Rodriguez, Councilmember

Benjamin A. Martinez, City Manager

Barry J. Schultz, City Attorney

Shelley Chapel, MMC, City Clerk

R. Mitchel Beauchamp, City Treasurer

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

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

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

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

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

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

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

EFFECTIVE JANUARY 1, 2023

All Contributions to Candidates and Current Elected Officials are required to self-report a Declaration of Campaign Contribution to a Councilmember of more than \$250 within the past year (effective Jan 1, 2023). This report may be included on the Public Comment Speaker Slip to be completed prior to the City Council Meeting.

If you wish to submit a written comment [email](#) to the City Clerk's Office at least 4 hours before the City Council Meeting to allow time for distribution to the City Council.

Spanish Interpretation Services: Spanish Interpretation Services are available; please contact the City Clerk before the start of the meeting for assistance.

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



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

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

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

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

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

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

Si desea enviar comentarios por escrito, envíe un correo electrónico a la Oficina del Secretario de la Ciudad al menos 4 horas antes de la Reunión del Concejo Municipal para dar tiempo a la distribución al Consejo Municipal.

A PARTIR DEL 1 DE ENERO DE 2023

Todas las contribuciones a los candidatos y funcionarios electos actuales deben autoinformar una Declaración de contribución de campaña a un concejal de más de \$ 250 en el último año (a partir del 1 de enero de 2023). Este informe puede incluirse en el Recibo del orador de comentarios públicos que se completará antes de la reunión del Concejo Municipal

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

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



AGENDA

Consolidated Regular Meeting

Tuesday, March 5, 2024, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA

Pages

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. INVOCATION

5. PUBLIC COMMENT

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

6. PROCLAMATIONS AND RECOGNITION

6.1 Introduction of New City Employees

4

6.2 Women's History Month

5

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

7.1 Small Business Administration (SBA) Disaster Center

7.2 Annual Report - CPRC

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

9. CONSENT CALENDAR

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

- 9.1 Approval of Reading by Title Only and Waiver of Reading in Full of Ordinance on this Agenda
- 9.2 Approval of City Council Meeting Minutes. 6
- Recommendation:
Approve and file.
- 9.3 California State Library Lunch at the Library Grant Funds Acceptance 20
- Recommendation:
Adopt the Resolution Entitled “Resolution of the City Council of the City of National City, California, Authorizing the City Manager or his Designee to Accept the California State Library Grant in the Amount of \$25,000 to Fund the National City Public Library’s Lunch at the Library Program for FY 2024 and Authorizing the Establishment of a Library Grants Fund Appropriation of \$25,000 and Corresponding Revenue Budget.”
- 9.4 Partial Termination of a Notice of Restriction Related to Union Tower for a Conditional Use Permit (CUP) Approved in 2011. 27
- Recommendation:
Adopt the Resolution Entitled, “Resolution of the City Council of the City of National City, California, Authorizing the Partial Termination of a Recorded Notice of Restriction for Conditional Use Permit 2011-27 Cup for Public Assembly at 541 East 24th Street in Association with the Union Tower Project”
- 9.5 Warrant Register #28 for the period of 1/5/24 through 1/11/24 in the amount of \$3,063,912.04. 56
- Recommendation:
Ratify Warrants Totaling \$3,063,912.04
- 9.6 Warrant Register #29 for the period of 1/12/24 through 1/18/24 in the amount of \$440,639.82. 61
- Recommendation:
Ratify Warrants Totaling \$440,639.82

10. PUBLIC HEARING

The following item(s) have been advertised as public hearing(s) as required by law.

- 10.1 Ordinance for Introduction – Prevailing Wage Requirement for Traffic Control Workers 65

Recommendation:

Introduce Ordinance by First Reading, entitled, “Ordinance of the City Council of the City of National City, California, Adding Chapter 2.78 – Traffic Control Worker Prevailing Wage to Title 2 of the National City Municipal Code to Establish a Traffic Control Worker Prevailing Wage.”

11. STAFF REPORTS

- 11.1 Discussion and Direction Regarding a Temporary Local Emergency Ordinance Prohibiting Evictions and Rental Increases, Providing Relocation Assistance, and a Right to Return During the Local Emergency Related to the Recent Floods. 71

Recommendation:

1. Direct City staff to prepare a Local Emergency Ordinance with specific provisions as outlined in the Agenda Report.
2. Take no action and rely on existing San Diego County Ordinance.

12. CITY MANAGER'S REPORT

13. ELECTED OFFICIALS REPORT

14. CITY ATTORNEY REPORT

15. ADJOURNMENT

Regular Meeting of the City Council of the City of National City - Tuesday, March 19, 2024 - 6:00 p.m. - Council Chambers - National City, California.



NEW HIRES

2024

FEBRUARY - MARCH



HUMAN RESOURCES

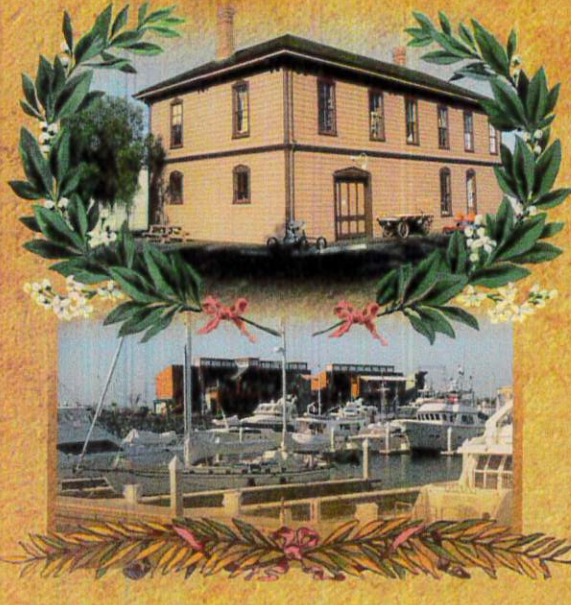
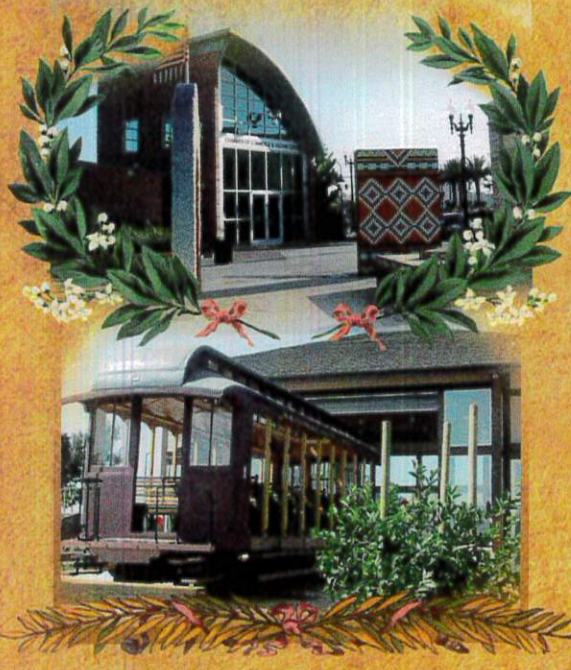
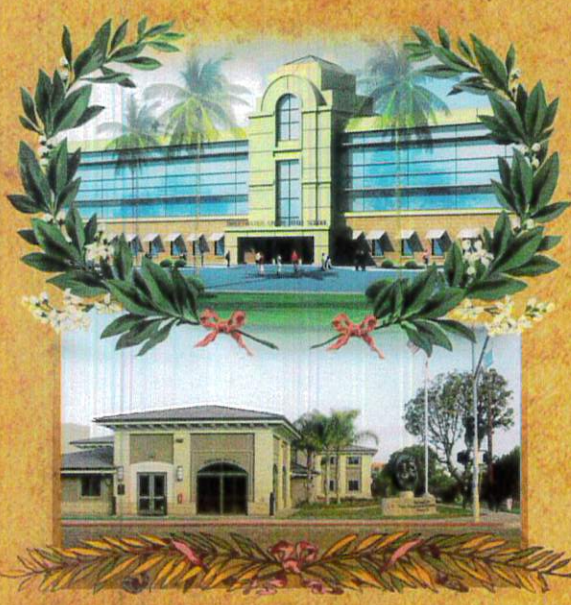
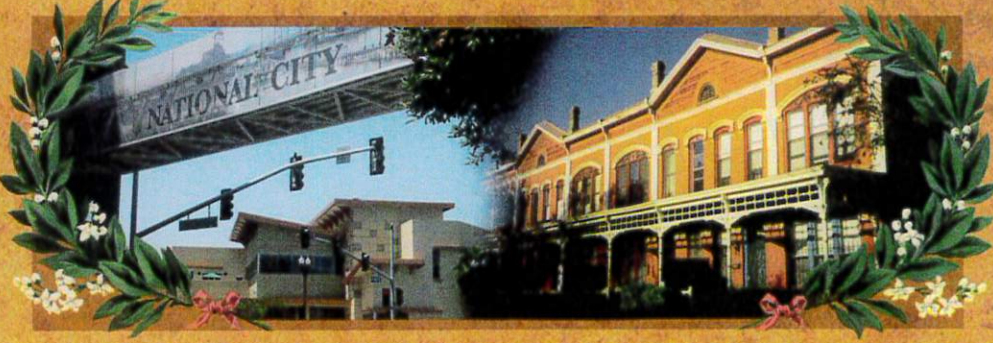
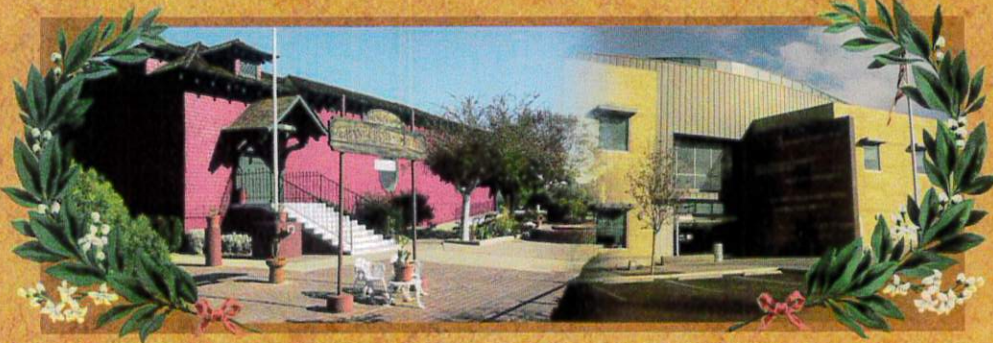
LYDIA FLORES - HERNANDEZ
HUMAN RESOURCES DIRECTOR

WELCOME

BUILDING

SAMUEL MARRINAN
BUILDING OFFICIAL





Proclamation



WHEREAS, every March, Women’s History Month provides an opportunity to honor the generation of trailblazing women and girls who have built our Nation, shaped our progress, and strengthened our charter as people; and

WHEREAS, this Women’s History Month, as we reflect on the achievements of women and girls across the centuries and pay tribute to the pioneers who paved the way, let us recommit to the fight and help realize the deeply American vision of a more equal society where every person has a shot at pursuing the American dream. In doing so, we will advance economic growth, our health and safety, and the security of our Nation and the world; and

WHEREAS, throughout our history, despite hardship, exclusion, and discrimination, women have strived and sacrificed for equity and equality in communities across the country. Women of every race, class and ethnic background have made historic contributions to the growth and strength of The City of National City and the nation; and

WHEREAS, Women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and movements which create a more fair and just society; and

WHEREAS, National Women’s History Month is an ideal time for all citizens to reflect and recognize women’s struggle to obtain equal educational rights and to highlight the numerous contributions of women across National City and our Nation! **NOW, THEREFORE,**

BE IT RESOLVED, I, Ron Morrison, Mayor by virtue of the authority vested in me by the City of National City, affix the official seal and do hereby on behalf of the City Council, proclaim March 2023 as:

WOMEN’S HISTORY MONTH

As the Mayor of the City of National City, I call upon all citizens of National City to observe this month and to celebrate the countless women who have fought tirelessly and courageously for equality, justice and opportunity in our Nation.

Ron Morrison
MAYOR

Ditas Yamane
Vice-Mayor

Marcus Bush
Councilmember

Luz Molina
Councilmember

Jose Rodriguez
Councilmember



AGENDA REPORT

Department: City Clerk's Office
Prepared by: Shelley Chapel, MMC, City Clerk
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Approval of City Council Meeting Minutes.

RECOMMENDATION:

Approve and file.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Meeting Minutes:

- Special City Council Meeting Minutes of January 29, 2024 – Local Emergency
- Special City Council Meeting Minutes of February 5, 2024 – Study Session
- Regular City Council Meeting Minutes of February 6, 2024

FINANCIAL STATEMENT:

Not applicable.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

Not Applicable

EXHIBITS:

- Exhibit A – Special City Council Meeting Minutes of January 29, 2024 – Local Emergency
- Exhibit B – Special City Council Meeting Minutes of February 5, 2024 – Study Session
- Exhibit C – Regular City Council Meeting Minutes of February 6, 2024



SPECIAL MEETING MINUTES OF THE CITY COUNCIL

**January 29, 2024, 4:30 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA**

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

Others Present:
Benjamin A. Martinez, City Manager
Barry J. Schultz, City Attorney
Shelley Chapel, City Clerk (via Zoom)

1. CALL TO ORDER

A Special Meeting of the City Council of the City of National City was called to order at 4:33 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

2. ROLL CALL

Councilmembers present: Bush, Molina, Rodriguez, Yamane, Morrison
Interpretation in Spanish provided by Carlos Diaz and Luisa Diaz de Leon.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Councilmember Molina led the Pledge of Allegiance.

4. PUBLIC COMMENT (Public Comment will be restricted to Agenda Item Only)

Mayor Morrison summarized the process for acceptance of live public comment allowing three (3) minutes per comment and introduced City Clerk Chapel.

5. **STAFF REPORTS**

5.1 Proclamation of Local Emergency (by Emergency Services Director)

One (1) in-person comment was received from Ted Godshalk. One (1) written comment was received from Paul Sande.

Recommendation: Adopt a Resolution of the City of National City, California, Ratifying the Proclamation of the Existence of a Local Emergency by the Emergency Services Director, and Provide Direction to Staff Regarding Future Actions to Address the Emergency.

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

Motion carried by unanimous vote.

6. **ADJOURNMENT**

Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, February 6, 2024, 6:00 in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 4:57 p.m.

Shelley Chapel, MMC, City Clerk

The foregoing minutes were approved at the Regular Meeting of March 5, 2024.

Ron Morrison, Mayor



**MINUTES OF A SPECIAL MEETING
NATIONAL CITY COUNCIL
STUDY SESSION**

February 5, 2024

OPEN SESSION

CALL TO ORDER

The meeting was called to order at 4:06 p.m. by Mayor Morrison.

ROLL CALL

City Councilmembers Present: Bush (arrived at 4:30 p.m.), Rodriguez, Yamane (arrived at 4:40 p.m.), Molina, Morrison

Administrative Officials present:

Benjamin A. Martinez, City Manager
Barry Schultz, City Attorney
Shelley Chapel, City Clerk (via Zoom)
Steve Manganiello, Director of Public Works/ City Engineer
Brian Hadley, Acting Community Development Director
Tonya Hussain, Executive Secretary

Guests: Sandy Naranjo, Port Commissioner
Carly Filler, Chief Commercial Officer. Gage Zero
Sam Arons, Vice-President, Business Operations & Strategies – Gage Zero (via Zoom)
Brandon Rapp, Strategic Advisor – Gage Zero
Andrew Karetsky, President of Skyview Ventures and Acting CEO of SkyCharger (via Zoom)
Graham Richartz, Project Manager - SkyCharger

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

PLEDGE OF ALLEGIANCE TO THE FLAG led by Councilmember Rodriguez.

PRESENTATION

City Manager Martinez introduced the item.

- 4.1 Proposed Truck Charging Infrastructure Project
 - a. Presentation by Gage Zero Teams

Consultants provided PowerPoint Presentation.
Councilmembers provided feedback.

Councilmember Bush arrived at the meeting at 4:30 p.m.

Vice-Mayor Yamane arrived at the meeting at 4:40 p.m.

b. Presentation by SkyCharger

Consultants provided PowerPoint Presentation.
Councilmembers provided feedback.

Councilmember Rodriguez left the dais at 5:49 p.m.

Motion by Councilmember Bush, seconded by Councilmember Yamane to direct the City Manager to request the Port to include the City Manager or their designee be a part of the selection process moving forward and request Port staff consider issues including but not limited to Traffic Analysis and impacts, Fire Department impacts, grid impacts, lease period of 20 to 30 years, opportunities for City Fleet to have access to these charging stations, and community benefits, and economic contributions to the City including the local hire or Job program. Second part of the motion, direct the City Attorney to work with the Port General Counsel on legal analysis on how investments can be made to offset the expenses that National City will incur as a result of the electric truck transition, look at creating an impact fund and ensuring that none of the actions are a gift of public funds or any potential conflicts of interest in the process.

Motion approved by those present.

PUBLIC COMMENT

No public comment was received.

ADJOURNMENT

The meeting adjourned at 6:25 p.m.

Shelley Chapel, MMC, City Clerk

The foregoing minutes were approved at the Regular Meeting of February 6, 2024.

Ron Morrison, Mayor



REGULAR MEETING MINUTES OF THE CITY COUNCIL

**February 6, 2024, 6:00 p.m.
City Council Chamber - 1243 National City Boulevard
National City, CA**

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

Others Present:
Benjamin A. Martinez, City Manager
Barry J. Schultz, City Attorney
Shelley Chapel, City Clerk (via Zoom)
Carlos Aguirre, Acting Deputy City Manager/Housing Authority Director
Walter Amedee, Management Analyst III
Molly Brennan, Administrative Services Director
Chris Garcia, Facilities Maintenance Supervisor
Danielle Ghio, Acting City Librarian
Brian Hadley, Building Official/Acting Director of Community Development
Alex Hernandez, Chief of Police
Robert Hernandez, Battalion Chief
Tonya Hussain, Executive Secretary
Martha Juarez, Asst. Director of Engineering/Public Works
Stephen Manganiello, Director of Engineering/Public Works, City Engineer
Sergio Mora, Fire Chief
Martin Reeder, Planning Manager
Richard Romero, Assistant City Attorney

1. **CALL TO ORDER**

A Regular Meeting of the City Council of the City of National City was called to order at 6:05 p.m. via teleconference and in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

2. **ROLL CALL**

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

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

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

Councilmember Bush led the Pledge of Allegiance.

4. **INVOCATION**

Delivered by Joe Mendoza.

ITEM TAKEN OUT OF ORDER

7. **PROCLAMATIONS AND RECOGNITION**

7.1 Introduction of New City Employees

Police Chief Hernandez introduced Police Dispatcher Reona Bowles and Police Officer Christina Soto. Equipment Maintenance Supervisor Ruben Huerta recognized Equipment Mechanic II Marcos Pesqueira who was not able to attend. Administrative Services Director Brennan stated that new Accounting Assistant Adriana C. Barajas would be introduced at the March Council meeting. Facilities Maintenance Supervisor Chris Garcia introduced Custodian Jessica Gomez.

ITEM TAKEN OUT OF ORDER

5. **PRESENTATION - STAFF REPORT**

5.1 Presentation - Update on Local Emergency Caused by Severe Rainstorm and Flooding

City Manager Ben Martinez introduced the item and recognized youth Roberto Sotello and the Sotello family. A PowerPoint Presentation was provided by Assistant Director of Engineering/Public Works Martha Juarez, Fire Chief Sergio Mora, Director of Engineering/Public Works City Engineer Stephen Manganiello, Battalion Chief Robert Hernandez, Acting Deputy City Manager/Housing Authority Director Carlos Aguirre, Management Analyst III Walter Amedee, and Management Analyst II Myra Pina.

Ten (10) in-person public comments were received from Juan Antonio Vasquez, Hal Malinski, Cynthia Fuller Quinonez, Sherry Gogue, Maria Aleman, Eriq Vargas, Jocelyn Lopez, Janice Reynoso, Anthony Avalos, and Luis Vasquez Gama.

Councilmember Bush left the dais at 7:20 p.m. and returned at 7:22 p.m.

One (1) virtual comment was received from Gemma Cabato Padrihan.

One (1) written comment was received from Ted Godshalk.

Recommendation: Receive Report and Presentation. Provide Direction to Staff through the City Manager.

ITEM TAKEN OUT OF ORDER

- 13.1 POLICY 105 REQUEST - Consideration of Ordinance Exercising Police Power - Evictions Requested by Councilmember Rodriguez

One (1) in-person comment received from George Ching. One (1) virtual comment received from Jennifer Monterroso.

ACTION: Motion by Councilmember Rodriguez, seconded by Councilmember Bush to add the item to the February 20, 2024 City Council meeting agenda.

Motion carried by unanimous vote.

Mayor Morrison excused the interpreters at 8:13 p.m.

Mayor Morrison called for a recess at 8:13 p.m. and all returned at 8:27 p.m.

6. PUBLIC COMMENT

Three (3) speakers provided in-person comments and two (2) people provided virtual comment. There was one (1) written comment.

In-Person Comment:

Geoffrey Schrock
Rob Umana
Randi Castle

Virtual Comment:

Becky Rapp
Barbara Gordon

Written Comment:

Ted Godshalk

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

Councilmember Rodriguez reported on the business of the SANDAG Public Safety Committee.

Councilmember Bush announced that MTS would provide free transit passes for those impacted by the recent flood.

Councilmember Molina provided an update on the recent SANDAG Board meeting.

Vice-Mayor Yamane provided an update on San Diego Community Power and Sweetwater Authority Finance & Administration Committee.

Mayor Morrison provided information on the Sweetwater Authority.

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

9. CONSENT CALENDAR

ACTION: Motion by Councilmember Bush, seconded by Vice-Mayor Yamane to approve Consent Calendar Items 9.1, 9.2, and 9.4 through 9.9 with Item 9.3 pulled from the agenda by staff.

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

Motion carried by unanimous vote.

9.2 Approval of City Council Meeting Minutes.

Approve and file.

Motion carried by unanimous vote.

Item pulled from the agenda by staff.

9.3 Acceptance of State Active Transportation Grant Funds for the Construction Phase of the Central Community Mobility Enhancements Project, CIP No. 19-23.

Adopt a Resolution Entitled, "Resolution of the City of National City, California, 1) Authorizing the Establishment of an Appropriation of \$1,095,000 and a Corresponding Revenue Budget for the Construction Phase of the Central Community Mobility Enhancements Project, CIP 19-23, Reimbursable through the State Active Transportation Program Approved by Caltrans; and 2) Committing to Providing a Local Match in the Amount of \$442,000."

9.4 Project Close-Out and Notice of Completion for the National City Street Resurfacing Project FY 21/22, CIP No. 22-19.

Adopted Resolution No. 2024-08.

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) Accepting the Work Performed by Eagle Paving Company, Inc. for the National City Street Resurfacing Project FY 21/22, CIP No. 22-19; 2) Ratifying Change Order Work in the Amount of \$15,166.39 and Approving the Final Contract Amount of \$2,398,563.39; 3) Ratifying the Release of Retention in the Amount of \$119,928.17; and 4) Authorizing the Mayor to Sign the Notice of Completion."

Motion carried by unanimous vote.

- 9.5 Semi-Annual Report – Boards, Commissions, and Committee Attendance Report – Includes Third and Fourth Quarter of 2023.

Receive and file.

Motion carried by unanimous vote.

- 9.6 Warrant Register #21 for the period of 11/17/23 through 11/23/23 in the amount of \$335,847.62.

Ratify Warrants Totaling \$335,847.62

Motion carried by unanimous vote.

- 9.7 Warrant Register #22 for the period of 11/24/23 through 11/30/23 in the amount of \$5,071,548.14.

Ratify Warrants Totaling \$5,071,548.14

Motion carried by unanimous vote.

- 9.8 Warrant Register #23 for the period of 12/01/23 through 12/07/23 in the amount of \$3,085,699.94.

Ratify Warrants Totaling \$3,085,699.94

Motion carried by unanimous vote.

- 9.9 Warrant Register #24 for the period of 12/08/23 through 12/14/23 in the amount of \$2,634,970.15

Ratify Warrants Totaling \$2,634,970.15

Motion carried by unanimous vote.

10. PUBLIC HEARING

- 10.1 Introduction and First Reading of an Ordinance Amending Section 18.060.10 of Title 18 (Zoning) of the National City Municipal Code Related to the Measurement of Height for New Structures.

Planning Manager Martin Reeder presented the item utilizing a PowerPoint Presentation.

Mayor Morrison declared the Public Hearing open at 9:01 p.m.

There was no public comment.

ACTION: Motion by Councilmember Bush, seconded by Councilmember Molina to close the public hearing.

Public Hearing closed at 9:01 p.m.

Recommendation: Introduce the Ordinance by First Reading, entitled, "Ordinance of the City Council of the City of National City, California, Amending Section 18.10.060 of Title 18 (Zoning) of the National City Municipal Code Related to the Measurement of Height for New Structures."

ACTION: Motion by Councilmember Bush, seconded by Councilmember Molina to introduce the Ordinance.

Motion carried by unanimous vote.

City Attorney Barry Schultz recused himself on Items 10.2 and 11.1 due to his former position as a Boardmember for Wakeland Housing and Development Corporation and left the dais.

Assistant City Attorney Richard Romero approached the dais, and assumed the position in his absence.

10.2 \$1.5 Million HOME, HOME-ARP Loan to Union Tower Project and HUD Substantial Amendment to FY23-24 AAP

Adopted Resolution No. 2024-09.

Acting Deputy City Manager/Housing Authority Director Carlos Aguirre introduced the item.

Mayor Morrison declared the Public Hearing open at 9:04 p.m.

One in-person comment was received from Rebecca Louie. Three (3) virtual public comments were received from Carol Kim, Ansermio Estrada, and Jodie Barthold.

ACTION: Motion by Councilmember Rodriguez, seconded by Councilmember Molina to close the public hearing.

Motion carried by unanimous vote.

Public Hearing closed at 9:07 p.m.

Recommendation: Adopt the Resolution Entitled, "Resolution of the City Council of the City of National City, California Adopting the U.S Department of Housing and Urban Development (HUD) Substantial Amendment to the 2023-2024 Annual Action Plan and the Allocation of \$1,035,092.81 in Home Investment Partnerships Program (HOME) Grant Funds, \$170,808.46 in HOME-Community Housing Development Organization (CHDO) Grant Funds, and \$294,098.73 in HOME-American Rescue Plan (HOME-ARP) Grant Funds as a Conditional Loan to Union Tower by Wakeland Housing and Development Corporation."

ACTION: Motion by Councilmember Molina, seconded by Councilmember Bush to adopt the resolution.

Motion carried by unanimous vote.

11. STAFF REPORTS

- 11.1 Union Tower Project Closing Documents For the Construction and Permanent Financing for the \$8M Housing Authority Loan Agreement and Related Documents.

Adopted Resolution No. 2024-88.

Acting Deputy City Manager/Housing Authority Director Carlos Aguirre introduced the item.

Recommendation: Approve the Resolution, Entitled, “Resolution of the Community Development Commission-Housing Authority of the City of National City, California, (1) Approving the Construction and Permanent Financing Loan Agreement for the Union Tower Project (“Project”), Located at 2312 F Avenue in National City, With the Borrower, Union Tower One LP, a California Limited Partnership; and (2) Authorizing the Executive Director to Execute Project Related Documents.”

ACTION: Motion by Vice-Mayor Yamane, seconded by Councilmember Rodriguez to adopt the resolution.

Motion carried by unanimous vote.

City Attorney Barry Schultz returned to the dais at 9:14 p.m.

Assistant City Attorney Richard Romero left the dais.

- 11.2 Proposed Amendment to the Local Preference for CDC-HA Assisted Affordable Housing Projects.

Adopted Resolution No. 2024-89.

Acting Deputy City Manager/Housing Authority Director Carlos Aguirre introduced the item.

Recommendation: Adopt the Resolution Entitled, “Resolution of the Community Development Commission-Housing Authority (CDC-HA) of the City of National City, California, Amending Its Local Preference Policy to Require Any CDC-HA Assisted Housing Projects to Follow the Local Preference Policy and to Further Align With Federal and State Regulations.”

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

Motion carried by unanimous vote.

11.3 Fiscal Year 2023 Budget Review

Adopted Resolution No. 2024-10.

Administrative Services Director Molly Brennan provided a PowerPoint presentation.

Recommendation: Accept and file this report, and adopt the resolution ratifying budget adjustments as detailed in Exhibit A of this report.

ACTION: Motion by Vice-Mayor Yamane, seconded by Councilmember Molina to accept and file the report and adopt the resolution.

Motion carried by unanimous vote.

11.4 Reorganization of the City Manager's Office, Departments, and Divisions

City Manager Ben Martinez presented the item.

Two (2) written comments were received from Ted Godshalk and Margaret Godshalk.

Recommendation: For the purpose of reorganizing the City Manager's Office, Departments, and Divisions, the City Manager requests authorization to add the following staff positions:

- Deputy City Manager (2)
- Assistant Community Development Director
- Finance Director
- City Librarian
- Executive Assistant III (Council Offices of Molina and Bush)

Furthermore, the City Manager requests authorization to vacate the following staff positions:

- Assistant City Manager
- Director of Administrative Services
- Housing Director
- Human Resources Director
- Library & Community Services Director
- Planning Manager

It is anticipated these actions will create a more efficient organization more adept to meet the needs of the community while achieving significant cost savings.

ACTION: Motion by Councilmember Bush, seconded by Councilmember Molina to approve the item with a revision to add authorization for the City Manager to add full time and part-time positions including Executive Assistant I, II, and III for all Councilmembers provided that the positions do not exceed the allotted budgets for Fiscal Year 2024.

Councilmember Bush amended the motion to include any Administrative Assistant positions within existing job classifications, seconded by Councilmember Molina.

Motion carried by unanimous vote.

12. CITY MANAGER'S REPORT

City Manager Ben Martinez advised that he would attend an upcoming City Manager's Conference.

13. ELECTED OFFICIALS REPORT

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

14. CITY ATTORNEY REPORT

No report.

15. ADJOURNMENT

Mayor Morrison adjourned to the Regular Meeting of the City Council of the City of National City, Tuesday, February 20, 2024, at 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 10:00 p.m.

Tonya Hussain, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of March 5, 2024.

—
Ron Morrison, Mayor



AGENDA REPORT

Department: Library and Community Services
Prepared by: Danielle Ghio, Acting City Librarian
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

California State Library Lunch at the Library Grant Funds Acceptance

RECOMMENDATION:

Adopt the Resolution Entitled “Resolution of the City Council of the City of National City, California, Authorizing the City Manager or his Designee to Accept the California State Library Grant in the Amount of \$25,000 to Fund the National City Public Library’s Lunch at the Library Program for FY 2024 and Authorizing the Establishment of a Library Grants Fund Appropriation of \$25,000 and Corresponding Revenue Budget.”

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Approved by the Board of Library Trustees at the Regular Meeting of February 7, 2024.

EXPLANATION:

The National City Public Library will begin a Lunch at the Library pilot program in 2024 which will support providing summer meals to children and youth. The focus of the program is to provide summer meal sites with learning and enrichment opportunities and wraparound community services in conjunction with meals.

The National City Public Library will partner with Heaven’s Windows, a non-profit whose mission is to aid struggling families, seniors, homeless individuals with free groceries and children with free meals when school is not in session. Heaven’s Window will supply, deliver, and serve nutritious meals to children up to 18 years of age over the course of 10 weeks in summer.

The California State Library grant is designed to establish summer meal sites that also provide programming, farm-to-table resources, and enrichment activities, and develop and build local and regional networks to connect families with nutritious summer meals to reduce summer hunger. This opportunity supports libraries in implementing innovative and often larger-scale efforts to connect more children, teens, and families with nutritious meals during the summer.

The California State Library grant is awarded in three installment payments. The first payment of \$11,250 (45% of the Lunch at the Library Award) is being awarded at this time. The second payment of \$11,250, representing an additional 45% of the award will be awarded according to the payment schedule. The third payment of \$2,500 representing the remaining 10% of the total award for FY 2024, will be claimed at a later date upon submission of the mid-year narrative and financial reports that demonstrate program activity and confirm that 75% of the award has been expended. The total award amount for FY 2024 will be \$25,000. Funds will pay for enrichment activities, marketing, instructional materials, and supplies.

FINANCIAL STATEMENT:

Approval of the Resolution would authorize the establishment of a Library Grants Fund appropriation of \$25,000 and a corresponding revenue budget.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Parks, Recreation and Library

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A - California State Library Award Letter

Exhibit B - Resolution



January 23, 2024

Danielle Ghio
National City Public Library
1401 National City Blvd, National City, CA 91950
National City, CA, 91950

Subject: Lunch at the Library Summer 2024

Dear Ms. Danielle Ghio:

This letter confirms the California State Library's award of **\$25,000** to the National City Public Library for Lunch at the Library Summer 2024.

The Lunch at the Library program makes it possible for public libraries to:

- Provide free summer meals and programming at library sites,
- Take pop-up libraries to other community-based meal sites,
- Connect children, teens, and families to locally sourced, sustainable food and provide hands-on food education activities,
- Create volunteer opportunities for teens, and
- Implement innovative solutions to connect more families with nutritious meals during the summer.

Thank you for being a part of this important work.

National City Public Library will receive \$11,250 of the award upon execution and approval of the grant agreement, certification, and claim forms. The remaining funding (if applicable) will be made available according to the payment schedule and upon the awardee's completion of the requirements listed in the Grant Agreement and Certification of Compliance document included with this award packet.

Hard copies of this correspondence will not follow. Therefore, please keep this correspondence for your files and consider these award materials your original documents.

2023 Lunch at the Library
LATL23-38A
Page 2

This grant is governed by the attached Grant Agreement and Certification of Compliance, which includes the project period, reporting requirements, payment schedule, and the proposal outlining the project plan and budget. Within the DocuSign system, please sign the claim and certification forms included in the award packet using the DocuSign system. Should you have any questions regarding using DocuSign please get in touch with your grant monitor.


There are two people assigned to your project. The first is your Grant Monitor. Contact them regarding compliance and reporting. The Grant Monitor assigned to your project is Lisa Lindsay. Contact Lisa via email at lisa.lindsay@library.ca.gov.

You are also assigned a Library Programs Consultant for ongoing programmatic support. The Library Programs Consultant assigned to your project is Kaela Villalobos. Contact Kaela via email at kaela.villalobos@library.ca.gov.

Please stay in touch with your Grant Monitor and Library Programs Consultant throughout the award period. Read the enclosed award packet thoroughly and contact your Grant Monitor if you have any questions.

Best wishes for a successful project.

Respectfully yours,

DocuSigned by:

Greg Lucas

2/2/2024

California State Librarian

Enclosures

CC: Gina Iwata

Yesenia Castellon

THE BASICS – YOUR GRANT AWARD

The following provides all the basic information about your grant and managing your grant.

Award #:	LATL23-38A
Library/Organization:	National City Public Library
Project Title:	Lunch at the Library Summer 2024
Award Amount:	\$25,000

APPROVED BUDGET CORE PROGRAM

Salaries/Wages/Benefits	\$0
Consultant Fees	\$0
Travel	\$0
Supplies/Materials	\$17,000
Equipment (\$5,000 or more per unit)	\$0
Services (contracted)	\$8,000
Project Total	\$25,000
Indirect Cost	\$0

APPROVED BUDGET INNOVATION

Salaries/Wages/Benefits	\$0
Consultant Fees	\$0
Travel	\$0
Supplies/Materials	\$0
Equipment (\$5,000 or more per unit)	\$0
Services (contracted)	\$0
Project Total	\$0
Indirect Cost	\$0

APPROVED BUDGET TOTAL

Grant Total	\$25,000
Payment Schedule	45%/45%/10%

Start Date:	2/1/2024
End Date:	1/31/2025

Please understand that it can take six to eight weeks to receive a fully executed claim form with no errors before grant funds are delivered. Therefore, if you have not received your payment after eight weeks, please contact your grant monitor.

REPORTING

As outlined in the grant terms and conditions, Jurisdiction is required to provide two financial and narrative reports (first reports due 6/20/2024; second reports due 10/17/2024; final reports and detailed expenditures due 2/20/2025); and updates upon request. In addition, the LATL Annual Outputs Survey (reporting on all outputs thus far) must be submitted by 9/19/2024. Required reports will be available on the State Library's Lunch at the Library website under Evaluation.

2023 Lunch at the Library

LATL23-38A

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PAYMENTS

Please note this clarification regarding payments. Grant payments will be made based on the payment schedule laid out in the Grant Term and Award Documentation. Ten percent (10%) of the full grant award is withheld until the end of the project period. It is payable only if the grant recipient fulfills all project reporting requirements and expends all funds, or returns all unspent grant funds, by the time specified in the grant terms and conditions.

CONTACT

We want your project to be successful. Please work with the grant monitor and library programs consultant in implementing your project:

Grant Monitor	Lisa Lindsay	Library Programs Consultant	Kaela Villalobos
Phone	916.603.6708	Phone	279.399.8977
Email	lisa.lindsay@library.ca.gov	Email	kaela.villalobos@library.ca.gov

In Process

RESOLUTION NO. 2024 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT THE CALIFORNIA STATE LIBRARY GRANT IN THE AMOUNT OF \$25,000 TO FUND THE NATIONAL CITY PUBLIC LIBRARY'S LUNCH AT THE LIBRARY PROGRAM FOR FY 2024 AND AUTHORIZING THE ESTABLISHMENT OF A LIBRARY GRANTS FUND APPROPRIATION OF \$25,000 AND CORRESPONDING REVENUE BUDGET.

WHEREAS, the California State Library grant is designed to establish summer meal sites that also provide programming, farm to table resources, enrichment activities and develop and build local and regional networks to connect families with nutritious summer meals to reduce summer hunger. This opportunity supports libraries in implementing innovative and often larger-scale efforts to connect more children, teens, and families with nutritious meals during the summer; and

WHEREAS, the National City Public Library will begin a Lunch at the Library pilot program in 2024 which will support providing summer meals to children and youth. The focus of the program is to provide summer meal sites with learning and enrichment opportunities and wraparound community services in conjunction with meals; and

WHEREAS, the National City Public Library was awarded \$25,000 from the California State Library to fund a Lunch at the Library program for our community residents.

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

Section 1: That the City Council hereby authorizes the acceptance of grant funds in the amount of \$25,000 from the California State Library to fund the National City Public Library's Lunch at the Library Program for Fiscal Year 2024 and authorizes the establishment of Library Grant Fund appropriations in the amount of \$25,000 and a corresponding revenue budget.

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

PASSED and ADOPTED this 5th day of March, 2024.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney



AGENDA REPORT

Department: Planning
Prepared by: Martin Reeder, AICP, Assistant Community Development Director
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Partial Termination of a Notice of Restriction Related to Union Tower for a Conditional Use Permit (CUP) Approved in 2011.

RECOMMENDATION:

Adopt the Resolution Entitled, “Resolution of the City Council of the City of National City, California, Authorizing the Partial Termination of a Recorded Notice of Restriction for Conditional Use Permit 2011-27 Cup for Public Assembly at 541 East 24th Street in Association with the Union Tower Project”

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

The National City Park Apartments are an affordable housing development comprising almost 30 acres and 1,700 residents. The project is undergoing a phased redevelopment to replace older buildings with new units. On the southeast corner of the property is the Olivewood Clubhouse, a historic building currently used as a meeting hall and community center. The facility was granted a CUP for public assembly in 2011 and continues to be used in the same manner for which the CUP was approved. The Olivewood Clubhouse was, until recently, located upon its own property, separate from a much larger parcel that housed apartment buildings. When CUPs are approved, a Notice of Restriction is recorded against the property in order to ensure that future operating conditions remain consistent with the original approval.

As part of the phased development (Union Tower project), the property owners processed a lot line adjustment that carved out the area for Union Tower as its own lot (“Lot B”). Through this process, the Olivewood Clubhouse is now located on the same property as the remaining original apartment buildings (“Lot A”). However, part of the originally-restricted lot is located within the boundaries of Lot B. The lender on the Union Tower project has requested that the Notice of Restriction for the CUP be updated so that it does not refer to the new Lot B in any way, as that would constitute a cloud on the title and complicate matters related to construction financing. To that end, the property owner has requested a partial termination of the Notice of Restriction specifying that it will not refer to Lot B. Staff is in support of the request, as no change in use of the Olivewood Clubhouse would occur, nor would any new use be granted. Further, City staff and the City Attorney’s office has reviewed this draft document and approved it as to form as, again it does not alter the relevant use restriction and simply clarifies its application consistent with the original approvals. However, because the City Council approved the original CUP, any subsequent action would also need to be approved by the City Council, hence this request.

FINANCIAL STATEMENT:

No impact. The restriction refers to an existing and continuing Conditional Use Permit. No change in use will occur.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Housing and Community Development

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – Partial Termination of Restriction

Exhibit B – Recorded Lot Line Adjustment

Exhibit C - Resolution

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Union Tower One LP
c/o Matt Wilcox, Esq.
FENNEMORE LLP
550 East Hospitality Lane, Suite 350
San Bernardino, CA 92408-4295

Portions of APNs 560-370-09-00 and
560-370-10-00

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

PARTIAL TERMINATION OF RESTRICTION

THIS PARTIAL TERMINATION OF RESTRICTION (“**Termination**”) is made as of this 6th day of February, 2024 by the City of National City and National City Planning Department (collectively, “**City**”), relative to that certain Notice of Restriction on Real Property executed by City on January 19, 2012, and recorded in the Official Records on February 13, 2012 as Instrument No. 2012-0081758 (“**Restriction**”). The Restriction affects the following described property (“**Property**”):

Address: 541 E. 24th Street
APN: 560-370-09
Legal Description:

The southeast quarter of the east half of the west half of ten acre Lot 9 in Quarter Section 153 in Rancho de la Nacion, as surveyed by George S. Morril, in 1868.

Lot Line Adjustment No. 2023-001 has been recorded in the Official Records to divide the Property into two (2) separate parcels: (i) Lot A of Lot Line Adjustment No. 2023-001 as described on Exhibit “A”, attached hereto and incorporated herein by reference (“**Lot A**”), and (ii) Lot B of Lot Line Adjustment No. 2023-001 as described on Exhibit “B”, attached hereto and incorporated herein by reference (“**Lot B**”). The purpose of this Termination is to terminate the Restriction with respect to Lot B, and to memorialize that the Restriction affects only Lot A. In this regard, City hereby terminates the Restriction and releases and quitclaims any interest it may have in and to Lot B arising out of the Restriction, to the owner thereof. City further confirms that the Property subject to the Restriction is Lot A.

OWNER:

APPROVED AS TO FORM:

Property Owner's Name

BARRY J. SCHULTZ, City Attorney
City of National City

Property Owner's Signature

Date

Date

RON MORRISON, Mayor
City of National City

Date

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

STATE OF _____)
)
COUNTY OF _____) ss.

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

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

WITNESS my hand and official seal.

Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION OF LOT A

That certain real property located in the County of San Diego, State of California, more particularly described as follows:

LOT A:

REAL PROPERTY IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SHOWN AS LOT A ON THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 2023-001 ADJUSTMENT PLAT NO. 2023-001 RECORDED JANUARY 3, 2024 AS INSTRUMENT NO. 2024-0001169, AND RE-RECORDED JANUARY ____, 2024 AS INSTRUMENT NO 2024-_____ IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND DESCRIBED AS FOLLOWS:

PARCEL 1:

THE SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF TEN ACRE LOT 9 IN QUARTER SECTION 153 OF RANCHO DE LA NACION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SURVEYED BY GEORGE S. MORRILL IN 1868, EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON NORTHERLY LINE OF SAID SOUTHEAST QUARTER, DISTANT THEREFROM THE NORTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, BEING THE POINT OF BEGINNING #1;

THENCE SOUTHEASTERLY ALONG A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 19° 00'00" EAST, 4.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTHWESTERLY ALONG LAST SAID PARALLEL LINE, SOUTH 70°54'47" WEST, 4.00 FEET, TO THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTHERLY ALONG SAID WESTERLY LINE OF SAID SOUTHEAST QUARTER, NORTH 19°00'00" WEST, 4.00 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, TO THE POINT OF BEGINNING #1.

TOGETHER WITH A 13.00 FOOT STRIP OF LAND IN SAID TEN ACRE LOT 9, DESCRIBED AS FOLLOWS:

PARCEL 2:

BEGINNING AT A POINT ON NORTHERLY LINE OF SAID SOUTHEAST QUARTER, DISTANT THEREFROM THE NORTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, BEING THE POINT OF BEGINNING #1;

THENCE SOUTHEASTERLY ALONG A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 19° 00'00" EAST, 4.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTHWESTERLY ALONG LAST SAID PARALLEL LINE, SOUTH 70°54'47" WEST, 4.00 FEET, TO THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID PARALLEL LINE, SOUTH 70°54'47" WEST, 13.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 13.00 FEET WESTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID PARALLEL LINE, SOUTH 90°00'00" EAST, 121.19 FEET TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TEN ACRE LOT 9 AND THE NORTH RIGHT OF WAY LINE OF 24TH STREET;

THENCE ALONG SAID NORTH LINE AND NORTH RIGHT OF WAY LINE, NORTH 70°54'47" EAST, 13.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER;

THENCE ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, NORTH 19°00'00" WEST, 121.19 FEET TO THE TRUE POINT BEGINNING;

ALSO, TOGETHER WITH THAT PORTION OF THE WEST HALF OF TEN ACRE LOTS 9, 10 AND 11 IN QUARTER SECTION 153 OF RANCHO DE LA NACION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 166, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

PARCEL 3:

BEGINNING AT POINT OF BEGINNING LOT A #2, BEING THE MOST WESTERLY CORNER OF THE EASTERLY 30 FEET OF THE WEST HALF

OF SAID TEN ACRE LOT 11, THENCE ALONG THE WESTERLY LINE OF SAID EASTERLY 30 FEET OF THE WESTERLY HALF OF SAID TEN ACRE LOTS 9, 10 AND 11, AND THE WEST RIGHT OF WAY LINE OF "F" AVENUE, SOUTH 19°00' EAST, 825.92 FEET TO THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF SAID TEN ACRE LOT 9;

THENCE LEAVING SAID WESTERLY RIGHT OF WAY AND ALONG SAID NORTHERLY LINE, SOUTH 70°54'47" WEST, 5.00 FEET TO A LINE PARALLEL TO, MEASURED AT RIGHT ANGLES, AND 5.00 FEET WESTERLY OF SAID WESTERLY LINE AND WEST RIGHT OF WAY LINE;

THENCE LEAVING SAID NORTHERLY LINE AND ALONG SAID PARALLEL LINE, NORTH 19°00' WEST, 213.53 FEET;

THENCE LEAVING SAID PARALLEL LINE, SOUTH 57°59'32" WEST, 125.54 FEET;

THENCE SOUTH 32°00'28" EAST, 31.92 FEET;

THENCE SOUTH 57°59'32" WEST, 84.19 FEET;

THENCE NORTH 32°00'28" WEST, 9.08 FEET;

THENCE SOUTH 57°59'32" WEST, 48.81 FEET;

THENCE NORTH 32°00'28" WEST, 40.42 FEET;

THENCE SOUTH 57°59'32" WEST, 46.43 FEET;

THENCE NORTH 32°00'28" WEST, 43.21 FEET;

THENCE SOUTH 57°59'32" WEST, 34.00 FEET;

THENCE SOUTH 32°00'28" EAST, 147.09 FEET;

THENCE SOUTH 19°00'28" EAST, 170.16 FEET;

THENCE SOUTH 28°02'14" WEST, 0.91 FEET;

THENCE SOUTH 18°55'10" EAST, 8.04 FEET, TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TEN ACRE LOT 9, AND THE NORTH RIGHT OF WAY LINE OF 24^T" STREET;

THENCE ALONG SAID NORTH LINE AND NORTH RIGHT OF WAY LINE, SOUTH 70°54'47" WEST, 276.56 FEET TO THE EAST LINE OF THE WESTERLY 40 FEET OF SAID TEN ACRE LOT 9 AND THE EAST RIGHT OF WAY LINE OF "D" AVENUE;

THENCE ALONG SAID EAST RIGHT OF WAY LINE AND EASTERLY LINE OF THE WESTERLY 40 FEET OF SAID TEN ACRE LOTS 9 AND 10, NORTH 18°59'33" WEST, 620.77 FEET TO THE SOUTHEAST CORNER OF THE WESTERLY 40 FEET OF SAID TEN ACRE LOT 11;

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE AND EASTERLY LINE OF THE WESTERLY 40 FEET OF SAID LOT NORTH 18°56'57" WEST, 330.50 FEET TO THE NORTHERLY LINE OF SAID TEN ACRE LOT 11;

THENCE ALONG SAID NORTHERLY LINE, NORTH 70°55'40" EAST, 592.68 FEET TO THE POINT OF BEGINNING LOT A #2.

EXHIBIT "B"
LEGAL DESCRIPTION OF LOT B

That certain real property located in the County of San Diego, State of California, more particularly described as follows:

LOT B:

REAL PROPERTY IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, SHOWN AS LOT B ON THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. 2023-001 ADJUSTMENT PLAT NO. 2023-001 RECORDED JANUARY 3, 2024 AS INSTRUMENT NO. 2024-0001169, AND RE-RECORDED ON JANUARY _____, 2024 AS INSTRUMENT NO 2024-_____ IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND DESCRIBED AS FOLLOWS:

THAT PORTION OF THE WEST HALF OF TEN ACRE LOT 9 AND 10 IN QUARTER SECTION 153 OF RANCHO DE LA NACION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 166, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON NORTHERLY LINE OF SAID SOUTHEAST QUARTER, DISTANT THEREFROM THE NORTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, BEING THE POINT OF BEGINNING #1;

THENCE ALONG THE SAID NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF SAID WEST HALF OF TEN ACRE LOT 9, NORTH 70°54'47" EAST, 126.76 FEET TO A LINE PARALLEL TO, MEASURED AT RIGHT ANGLES, AND 5.00' WESTERLY OF THE WESTERLY LINE OF THE EASTERLY 30 FEET OF THE WESTERLY HALF OF SAID TEN ACRE LOTS 9 AND 10, AND THE WEST RIGHT OF WAY LINE OF "F" AVENUE;

THENCE LEAVING SAID NORTHERLY LINE AND ALONG SAID PARALLEL LINE, NORTH 19°00' WEST, 213.53 FEET;

THENCE LEAVING SAID PARALLEL LINE, SOUTH 57°59'32" WEST, 125.54 FEET;

THENCE SOUTH 32°00'28" EAST, 31.92 FEET;

THENCE SOUTH 57°59'32" WEST, 84.19 FEET;

THENCE NORTH 32°00'28" WEST, 9.08 FEET;

THENCE SOUTH 57°59'32" WEST, 48.81 FEET;

THENCE NORTH 32°00'28" WEST, 40.42 FEET; THENCE SOUTH 57°59'32" WEST, 46.43 FEET; THENCE NORTH 32°00'28" WEST, 43.21 FEET;

THENCE SOUTH 57°59'32" WEST, 34.00 FEET; THENCE SOUTH 32°00'28"

EAST, 147.09 FEET; THENCE SOUTH 19°00'28" EAST, 170.16 FEET; THENCE SOUTH 28°02'14" WEST, 0.91 FEET;

THENCE SOUTH 18°55'10" EAST, 8.04 FEET, TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TEN ACRE LOT 9 AND THE NORTH RIGHT OF WAY LINE OF 24TH STREET;

THENCE ALONG SAID NORTH LINE AND NORTH RIGHT OF WAY LINE, NORTH 70°54'47" EAST, 167.73 FEET TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 13.00 FEET WESTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF SAID TEN ACRE LOT 9;

THENCE ALONG SAID PARALLEL LINE, NORTH 19°00'00", WEST 121.19 FEET TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF SAID TEN ACRE LOT 9;

THENCE SOUTHEASTERLY ALONG LAST SAID PARALLEL LINE, NORTH 70°54'47" EAST, 17.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTHERLY ALONG LAST SAID PARALLEL LINE, NORTH 19°00'00" WEST, 4.00 FEET, TO THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER, BEING THE POINT OF BEGINNING LOT B.

RECORDING REQUESTED BY:
Commonwealth Land Title Company

DOC# 2024-0027851



Feb 01, 2024 03:26 PM

OFFICIAL RECORDS
JORDAN Z. MARKS,
SAN DIEGO COUNTY RECORDER
FEES: \$62.00 (SB2 Atkins: \$0.00)

PAGES: 17

WHEN RECORDED MAIL THIS DEED TO:
Wakeland Housing and Development Corp.
Attn: David Hetherington
1230 Columbia Street, Ste 950
San Diego, CA 92101

SPACE ABOVE THIS LINE IS FOR THE RECORDER'S USE

CERTIFICATE OF COMPLIANCE

"This Certificate of Compliance is being recorded to correct and supersede that certain Certificate of Compliance recorded on January 3, 2024 as Document Number 2024-0001169".

RECORDING REQUESTED BY:
Commonwealth Land Title Company

WHEN RECORDED MAIL THIS DEED TO:
Wakeland Housing and Development Corp.
Attn: David Hetherington
1230 Columbia Street, Ste 950
San Diego, CA 92101

SPACE ABOVE THIS LINE IS FOR THE RECORDER'S USE

Gov Code 66499.35 (e)

CERTIFICATE OF COMPLIANCE NO. 2023-001

ADJUSTMENT PLAT NO. 2023-001

CITY OF NATIONAL CITY

SEE ATTACHED PLAT EXHIBIT A AND EXHIBIT B

OWNER: SDBTC Family Housing Corp. One
ADDRESS: 2323 D Avenue, National City, CA 91950

PHONE NO 619-477-3114

DATED 1/18/2024

SIGNATURE [Redacted]
Jodi Barthold

OWNER: SDBTC Family Housing Corp. Three
ADDRESS: 2323 D Avenue, National City, CA 91950

PHONE NO. 619-477-3114

DATED 1/18/2024

SIGNATURE [Redacted]
Jodi Barthold

APPROVALS:

PLANNING DEPT
BY: [Redacted]
DATE: 1/22/24
Martin Reeder
Planning Manager

ENGINEERING DEPT.
BY: [Redacted]
DATE: 1/29/24
Stephen Manganiello
Director of Public Works/City Engineer

MAP PREPARED BY: Forefront Land Surveying, Inc.

ADDRESS: 318 State Place, Escondido, CA 92029

PHONE NO. 760-738-8804

R.E. NO./L.S. NO. L.S. 5653

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California

County of San Diego }

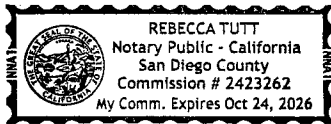
On 01/18/2024 before me, Rebecca Tutt Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Jodi Barthold
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature _____
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Certificate of Compliance

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California

County of San Diego }

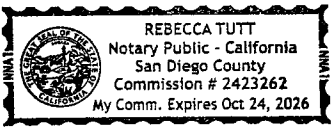
On 01/18/2024 before me, Rebecca Tutt Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Jodi Barthold
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature [Redacted]
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Certificate of Compliance

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

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

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

EXHIBIT "A"
LOT LINE ADJUSTMENT NO. 2023-001
LEGAL DESCRIPTION

LOT A

REAL PROPERTY IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THE SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF TEN ACRE LOT 9 IN QUARTER SECTION 153 OF RANCHO DE LA NACION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SURVEYED BY GEORGE S. MORRILL IN 1868, EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON NORTHERLY LINE OF SAID SOUTHEAST QUARTER, DISTANT THEREFROM THE NORTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, BEING THE **POINT OF BEGINNING #1**;

THENCE SOUTHEASTERLY ALONG A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 19° 00'00" EAST, 4.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTHWESTERLY ALONG LAST SAID PARALLEL LINE, SOUTH 70°54'47" WEST, 4.00 FEET, TO THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTHERLY ALONG SAID WESTERLY LINE OF SAID SOUTHEAST QUARTER, NORTH 19°00'00" WEST, 4.00 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, **TO THE POINT OF BEGINNING #1**.

TOGETHER WITH A 13.00 FOOT STRIP OF LAND IN SAID TEN ACRE LOT 9, DESCRIBED AS FOLLOWS:

PARCEL 2:

BEGINNING AT A POINT ON NORTHERLY LINE OF SAID SOUTHEAST QUARTER, DISTANT THEREFROM THE NORTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, BEING THE **POINT OF BEGINNING #1**;

EXHIBIT "A"
LOT LINE ADJUSTMENT NO. 2023-001
LEGAL DESCRIPTION

THENCE SOUTHEASTERLY ALONG A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, SOUTH 19° 00'00" EAST, 4.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTHWESTERLY ALONG LAST SAID PARALLEL LINE, SOUTH 70°54'47" WEST, 4.00 FEET, TO THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, BEING THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID PARALLEL LINE, SOUTH 70°54'47" WEST, 13.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 13.00 FEET WESTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID PARALLEL LINE, SOUTH 90°00'00" EAST, 121.19 FEET TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TEN ACRE LOT 9 AND THE NORTH RIGHT OF WAY LINE OF 24TH STREET;

THENCE ALONG SAID NORTH LINE AND NORTH RIGHT OF WAY LINE, NORTH 70°54'47" EAST, 13.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER;

THENCE ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, NORTH 19°00'00" WEST, 121.19 FEET TO THE **TRUE POINT BEGINNING**;

ALSO, TOGETHER WITH THAT PORTION OF THE WEST HALF OF TEN ACRE LOTS 9, 10 AND 11 IN QUARTER SECTION 153 OF RANCHO DE LA NACION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 166, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

PARCEL 3:

BEGINNING AT **POINT OF BEGINNING LOT A #2**, BEING THE MOST WESTERLY CORNER OF THE EASTERLY 30 FEET OF THE WEST HALF OF SAID TEN ACRE LOT 11, THENCE ALONG THE WESTERLY LINE OF SAID EASTERLY 30 FEET OF THE WESTERLY HALF OF SAID TEN ACRE LOTS 9, 10 AND 11, AND THE WEST RIGHT OF WAY LINE OF "F" AVENUE, SOUTH 19°00' EAST, 825.92 FEET TO THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF SAID TEN ACRE LOT 9;

THENCE LEAVING SAID WESTERLY RIGHT OF WAY AND ALONG SAID NORTHERLY LINE, SOUTH 70°54'47" WEST, 5.00 FEET TO A LINE PARALLEL TO, MEASURED AT RIGHT ANGLES, AND 5.00 FEET WESTERLY OF SAID WESTERLY LINE AND WEST RIGHT OF WAY LINE;

EXHIBIT "A"
LOT LINE ADJUSTMENT NO. 2023-001
LEGAL DESCRIPTION

THENCE LEAVING SAID NORTHERLY LINE AND ALONG SAID PARALLEL LINE, NORTH 19°00' WEST, 213.53 FEET;

THENCE LEAVING SAID PARALLEL LINE, SOUTH 57°59'32" WEST, 125.54 FEET;

THENCE SOUTH 32°00'28" EAST, 31.92 FEET;

THENCE SOUTH 57°59'32" WEST, 84.19 FEET;

THENCE NORTH 32°00'28" WEST, 9.08 FEET;

THENCE SOUTH 57°59'32" WEST, 48.81 FEET;

THENCE NORTH 32°00'28" WEST, 40.42 FEET;

THENCE SOUTH 57°59'32" WEST, 46.43 FEET;

THENCE NORTH 32°00'28" WEST, 43.21 FEET;

THENCE SOUTH 57°59'32" WEST, 34.00 FEET;

THENCE SOUTH 32°00'28" EAST, 147.09 FEET;

THENCE SOUTH 19°00'28" EAST, 170.16 FEET;

THENCE SOUTH 28°02'14" WEST, 0.91 FEET;

THENCE SOUTH 18°55'10" EAST, 8.04 FEET, TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TEN ACRE LOT 9, AND THE NORTH RIGHT OF WAY LINE OF 24TH STREET;

THENCE ALONG SAID NORTH LINE AND NORTH RIGHT OF WAY LINE, SOUTH 70°54'47" WEST, 276.56 FEET TO THE EAST LINE OF THE WESTERLY 40 FEET OF SAID TEN ACRE LOT 9 AND THE EAST RIGHT OF WAY LINE OF "D" AVENUE;

THENCE ALONG SAID EAST RIGHT OF WAY LINE AND EASTERLY LINE OF THE WESTERLY 40 FEET OF SAID TEN ACRE LOTS 9 AND 10, NORTH 18°59'33" WEST, 620.77 FEET TO THE SOUTHEAST CORNER OF THE WESTERLY 40 FEET OF SAID TEN ACRE LOT 11;

THENCE CONTINUING ALONG SAID EAST RIGHT OF WAY LINE AND EASTERLY LINE OF THE WESTERLY 40 FEET OF SAID LOT NORTH 18°56'57" WEST, 330.50 FEET TO THE NORTHERLY LINE OF SAID TEN ACRE LOT 11;

EXHIBIT "A"
LOT LINE ADJUSTMENT NO. 2023-001
LEGAL DESCRIPTION

THENCE ALONG SAID NORTHERLY LINE, NORTH 70°55'40" EAST, 592.68 FEET TO THE **POINT OF BEGINNING LOT A #2.**

CONTAINING 487,791 SQUARE FEET / 11.20 ACRES

LOT B

REAL PROPERTY IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE WEST HALF OF TEN ACRE LOT 9 AND 10 IN QUARTER SECTION 153 OF RANCHO DE LA NACION, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 166, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON NORTHERLY LINE OF SAID SOUTHEAST QUARTER, DISTANT THEREFROM THE NORTHWESTERLY CORNER OF SAID SOUTHEAST QUARTER, SOUTH 70°54'47" EAST, 4.00 FEET, BEING THE **POINT OF BEGINNING #1;**

THENCE ALONG THE SAID NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF SAID WEST HALF OF TEN ACRE LOT 9, NORTH 70°54'47" EAST, 126.76 FEET TO A LINE PARALLEL TO, MEASURED AT RIGHT ANGLES, AND 5.00' WESTERLY OF THE WESTERLY LINE OF THE EASTERLY 30 FEET OF THE WESTERLY HALF OF SAID TEN ACRE LOTS 9 AND 10, AND THE WEST RIGHT OF WAY LINE OF "F" AVENUE;

THENCE LEAVING SAID NORTHERLY LINE AND ALONG SAID PARALLEL LINE, NORTH 19°00' WEST, 213.53 FEET;

THENCE LEAVING SAID PARALLEL LINE, SOUTH 57°59'32" WEST, 125.54 FEET;

THENCE SOUTH 32°00'28" EAST, 31.92 FEET;

THENCE SOUTH 57°59'32" WEST, 84.19 FEET;

THENCE NORTH 32°00'28" WEST, 9.08 FEET;

THENCE SOUTH 57°59'32" WEST, 48.81 FEET;

EXHIBIT "A"
LOT LINE ADJUSTMENT NO. 2023-001
LEGAL DESCRIPTION

THENCE NORTH 32°00'28" WEST, 40.42 FEET;

THENCE SOUTH 57°59'32" WEST, 46.43 FEET;

THENCE NORTH 32°00'28" WEST, 43.21 FEET;

THENCE SOUTH 57°59'32" WEST, 34.00 FEET;

THENCE SOUTH 32°00'28" EAST, 147.09 FEET;

THENCE SOUTH 19°00'28" EAST, 170.16 FEET;

THENCE SOUTH 28°02'14" WEST, 0.91 FEET;

THENCE SOUTH 18°55'10" EAST, 8.04 FEET, TO THE NORTH LINE OF THE SOUTH 40 FEET OF SAID TEN ACRE LOT 9 AND THE NORTH RIGHT OF WAY LINE OF 24TH STREET;

THENCE ALONG SAID NORTH LINE AND NORTH RIGHT OF WAY LINE, NORTH 70°54'47" EAST, 167.73 FEET TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 13.00 FEET WESTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF SAID TEN ACRE LOT 9;

THENCE ALONG SAID PARALLEL LINE, NORTH 19°00'00", WEST 121.19 FEET TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE EAST HALF OF THE WEST HALF OF SAID TEN ACRE LOT 9;

THENCE SOUTHEASTERLY ALONG LAST SAID PARALLEL LINE, NORTH 70°54'47" EAST, 17.00 FEET, TO A LINE PARALLEL, MEASURED AT RIGHT ANGLES, AND 4.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTHERLY ALONG LAST SAID PARALLEL LINE, NORTH 19°00'00" WEST, 4.00 FEET, TO THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER, BEING THE **POINT OF BEGINNING LOT B.**

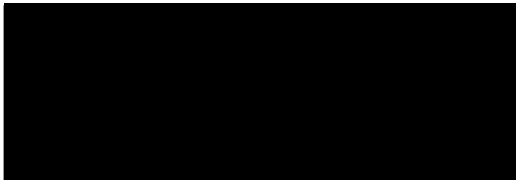
CONTAINING 76,217 SQUARE FEET / 1.75 ACRES

EXHIBIT "A"
LOT LINE ADJUSTMENT NO. 2023-001
LEGAL DESCRIPTION

SUBJECT TO ALL COVENANTS, CONDITIONS, RESERVATIONS, RESTRICTIONS, RIGHT-OF-WAY AND EASEMENTS OF RECORD, IF ANY.

ATTACHED HERETO IS A PLAT LABELED EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.



January 17, 2024

DALE KEITH BREWER, LS 5653
EXPIRES 09/30/25

DATE

JN 17-34



EXHIBIT "B"
ADJUSTMENT PLAT NO. 2023-001

Applicant:

**WAKELAND HOUSING &
DEVELOPMENT CORPORATION**
1230 COLUMBIA STREET
SUITE 950
SAN DIEGO, CA 92101
619-677-2370



Applicant Rebecca Louie

Owner:

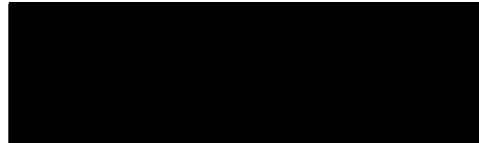
**SDBTC Family Housing Corp. One
and
SDBTC Family Housing Corp. Three**
2323 D AVENUE
NATIONAL CITY, CA 91950
619-477-3114



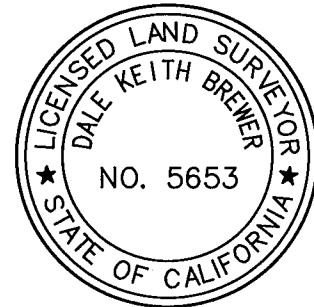
Owner Jodi Barthold

Prepared By:

FOREFRONT LAND SURVEYING
318 STATE PLACE
ESCONDIDO, CA 92029
760-738-8804

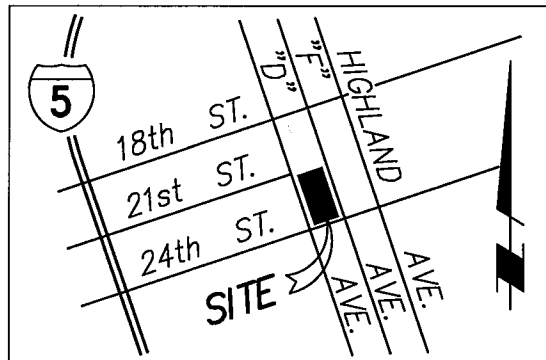


Dale Keith Brewer
L.S. 5653



VICINITY MAP

NOT TO SCALE



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

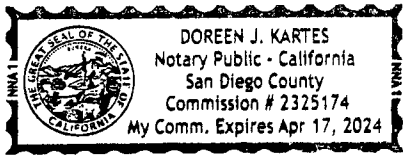
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Diego)
On January 19th, 2024 before me, Doreen J. Kartes Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Rebecca Louie
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

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

Capacity(ies) Claimed by Signer(s)

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

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

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

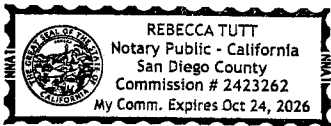
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of San Diego }
On 01/18/2024 before me, Rebecca Tutt Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Jodi Barthold
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature _____
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Exhibit "B" Adjustment Plat No. 2023-00)

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

EXHIBIT "B"

ADJUSTMENT PLAT NO. 2023-001

GUERRERO TRUST
560-300-06
PASTRANA
560-300-07
TRAVELMAN TRUST
560-300-21
WRIGHT
560-300-22

N 70°55'40" E 592.68'

P.O.B. LOT A
#2

LINE	BEARING	DISTANCE
L1	N 18°55'10" W	8.04'
L2	N 28°02'14" E	0.91'
L3	N 57°59'32" E	34.00'
L4	N 32°00'28" W	43.21'
L5	N 57°59'32" E	46.43'
L6	N 32°00'28" W	40.42'
L7	N 57°59'32" E	48.81'
L8	N 32°00'28" W	9.08'
L9	N 57°59'32" E	84.19'
L10	N 32°00'28" W	31.92'

WEST 1/2 OF 10 ACRE LOT 11
OF 1/4 SECTION NO. 153
RANCHO DE LA NACION

22nd ST.

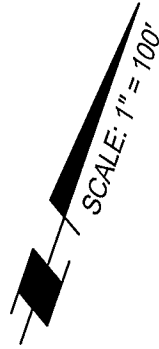
WEST 1/2 OF 10 ACRE LOT 10
OF 1/4 SECTION NO. 153
RANCHO DE LA NACION

12' x 6' P.U.E.
to S.D.G.&E.
Rec. 7-27-67
Doc.# 110460, O.R.

LOT A
11.20 Acres
487,791 Sqft.

560-370-10

ZONING: RM-3
MEDIUM DENSITY
MULTI-UNIT RESIDENTIAL



825.92'

N 19°00'00" W 951.11'

"F" AVENUE

ALLEY

40' 40'

"D" AVENUE

620.77'

N 18°59'33" W
444.04'

WEST 1/2 OF 10 ACRE LOT 9
OF 1/4 SECTION NO. 153
RANCHO DE LA NACION

N 19°00'28" W
170.16'

276.56'

444.29'

N 70°54'47" E 593.05'

24th STREET

40'

P.O.B. LOT A
#1

(NWLY COR, SE 1/4,
E 1/2, W 1/2, LOT 9)
TRUE POINT OF
BEGINNING

N 70°54'47" E
4.00'

N 70°54'47" E
13.00'

N 70°54'47" E
4.00'

N 19°00'00" W
121.19'

N 19°00'00" W
167.73'

N 70°54'47" E
126.76'

N 70°54'47" E
4.00'

N 19°00'00" W
13'

EXISTING
LOT LINE
(SE 1/4, E 1/2
W 1/2, LOT 9)

560-370-09

13.00'

N 19°00'00" W
121.19'

N 57°59'32" E
125.54'

N 19°00'00" W
213.53'

N 19°00'00" W
5.00'

N 19°00'00" W
13'

N 19°00'00" W
5.00'

N 19°00'00" W
13'

N 19°00'00" W
13'

N 19°00'00" W
13'

N 19°00'00" W
13'

N 19°00'00" W
13'

N 19°00'00" W
13'

N 19°00'00" W
13'

N 19°00'00" W
13'

30' 30'

30' 30'

30' 30'

30' 30'

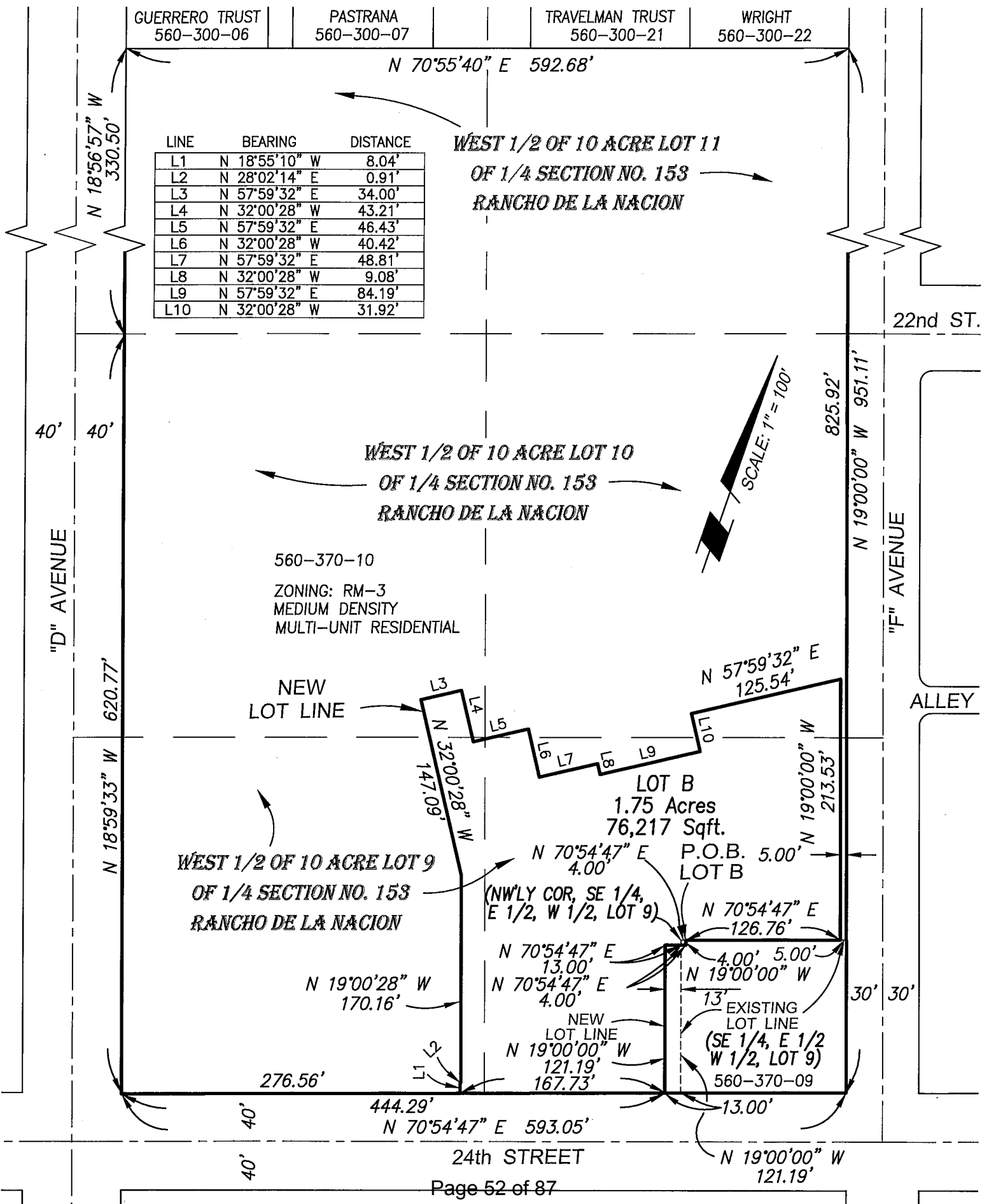
30' 30'

30' 30'

30' 30'

EXHIBIT "B"

ADJUSTMENT PLAT NO. 2023-001



LINE	BEARING	DISTANCE
L1	N 18°55'10" W	8.04'
L2	N 28°02'14" E	0.91'
L3	N 57°59'32" E	34.00'
L4	N 32°00'28" W	43.21'
L5	N 57°59'32" E	46.43'
L6	N 32°00'28" W	40.42'
L7	N 57°59'32" E	48.81'
L8	N 32°00'28" W	9.08'
L9	N 57°59'32" E	84.19'
L10	N 32°00'28" W	31.92'

WEST 1/2 OF 10 ACRE LOT 11
OF 1/4 SECTION NO. 153
RANCHO DE LA NACION

WEST 1/2 OF 10 ACRE LOT 10
OF 1/4 SECTION NO. 153
RANCHO DE LA NACION

WEST 1/2 OF 10 ACRE LOT 9
OF 1/4 SECTION NO. 153
RANCHO DE LA NACION

LOT B
1.75 Acres
76,217 Sqft.
P.O.B. 5.00'
LOT B

EXISTING LOT LINE
(SE 1/4, E 1/2 W 1/2, LOT 9)
560-370-09

EXHIBIT "B"
ADJUSTMENT PLAT NO. 2023-001

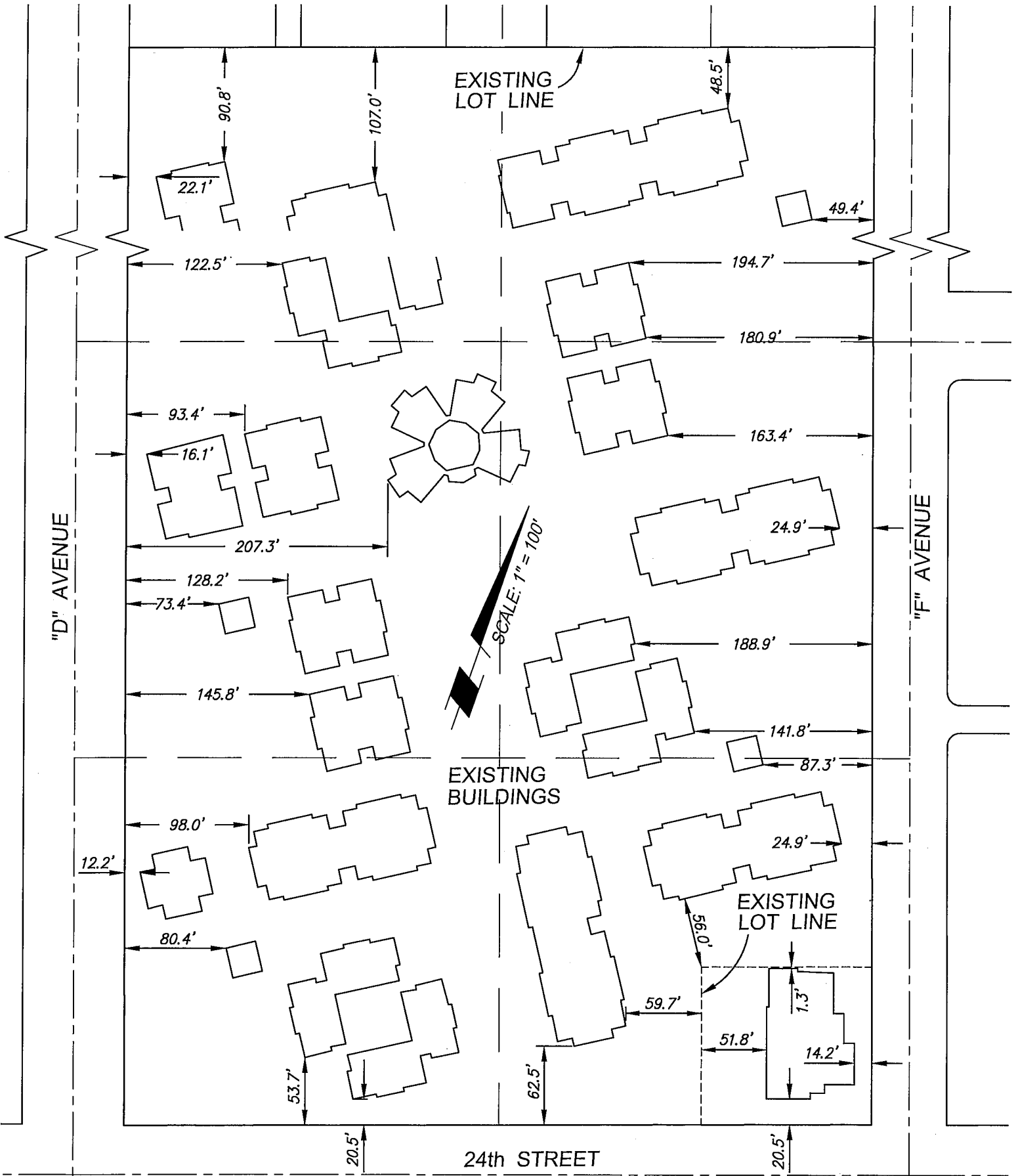
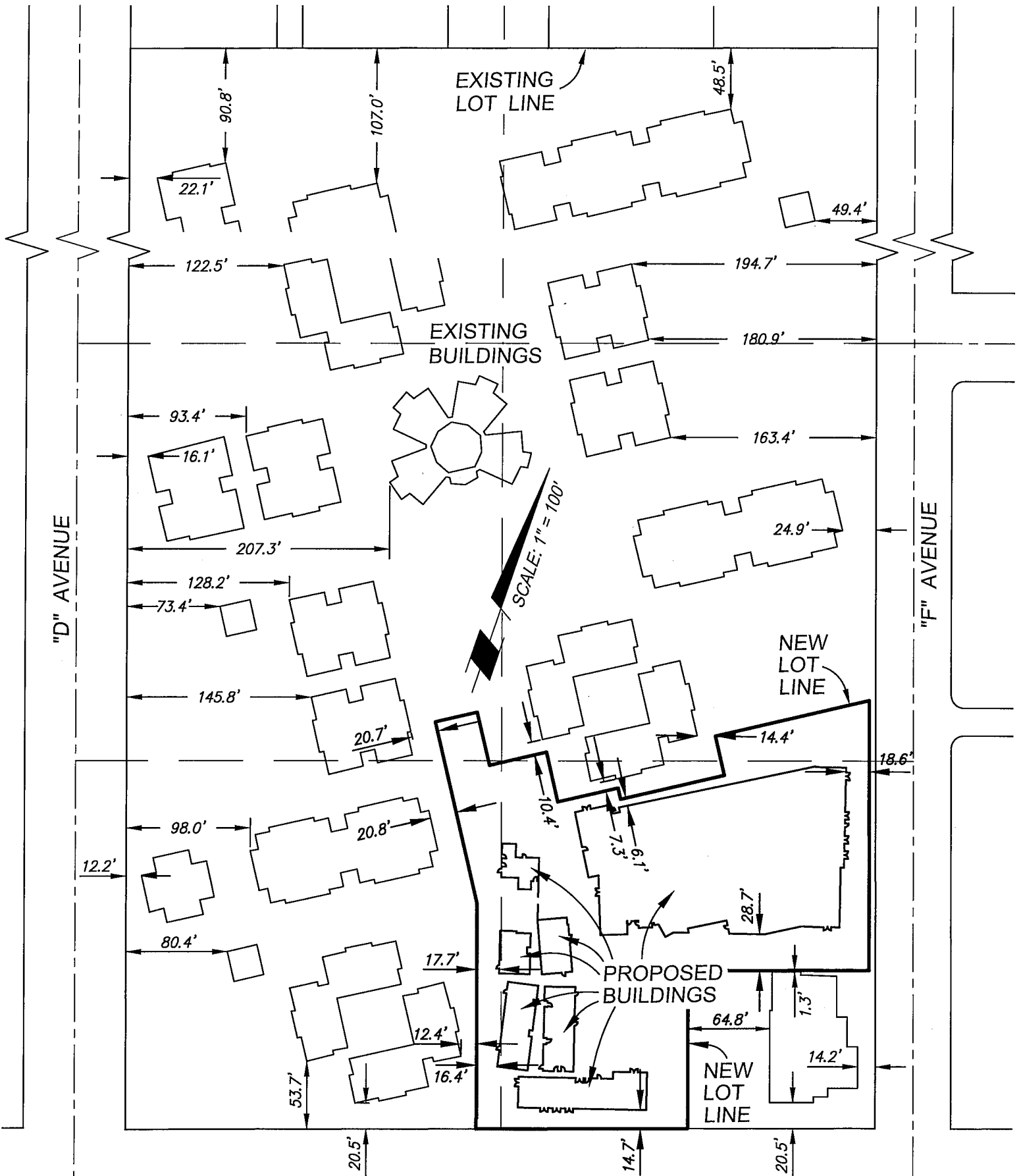


EXHIBIT "B"
ADJUSTMENT PLAT NO. 2023-001



24th STREET

RESOLUTION NO. 2024 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AUTHORIZING THE PARTIAL TERMINATION OF A RECORDED NOTICE OF RESTRICTION FOR CONDITIONAL USE PERMIT 2011-27 CUP FOR PUBLIC ASSEMBLY AT 541 EAST 24TH STREET IN ASSOCIATION WITH THE UNION TOWER PROJECT

WHEREAS, a Conditional Use Permit was approved by the City Council for public assembly at 541 East 24th Street on January 10, 2012; and

WHEREAS, subsequent to said approval a Notice of Restriction was recorded against the property at 541 East 24th Street (APN 560-370-09); and

WHEREAS, a lot line adjustment has since been processed that has caused the Notice of Restriction to partially refer to a new parcel on which a separate project is to be constructed; and

WHEREAS, said partial reference has created a cloud on the title that is complicating construction financing for a new affordable housing project; and

WHEREAS, staff has determined that the requested partial termination of the Notice of Restriction would not change the use under the original approval, nor would any new use be granted.

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

Section 1: That the City Council hereby authorizes the partial Termination of the Notice of Restriction for 2011-27 CUP recorded with the San Diego County Recorder as document 2012-0081758 so that the restriction, while still applying in full to the property addressed as 541 East 24th Street, specifically does not affect or encumber “Lot B” as shown on Lot Line Adjustment No. 2023-001, recorded with the San Diego County Recorder as document 2024-0027851.

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

PASSED and ADOPTED this 5th day of March, 2024.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney



AGENDA REPORT

Department: Finance
Prepared by: Karla Apalategui, Sr. Accounting Assistant
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Warrant Register #28 for the period of 1/5/24 through 1/11/24 in the amount of \$3,063,912.04.

RECOMMENDATION:

Ratify Warrants Totaling \$3,063,912.04

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Per Government Section Code 37208, below are the payments issued for the period 1/5/24 – 1/11/24. Consistent with the 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>
Chen Ryan Associates	366792	\$438,610.33	CIP 19-24 Bayshore Bikeway
Kaiser Foundation HP	366807	\$233,622.78	February 2024 – Group# 104220
The Bank of NY Mellon	3129	\$348,799.20	SA National City RDA TARB 2017A
Public Emp Ret System	240110	\$326,397.93	Service Period 12/12/23 – 12/25/23

FINANCIAL STATEMENT:

Warrant total \$3,063,912.04

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

Not Applicable

EXHIBIT:

Exhibit A. Warrant Register 28



**WARRANT REGISTER # 28
1/11/2024**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
CMO				
HOME DEPOT CREDIT SERVICES	6 FT FOLDING PICNIC TABLES	366805	1/11/24	3,282.34
Total for Department				3,282.34
<u>Community Services/Nutrition/Library</u>				
HOME DEPOT CREDIT SERVICES	RADIO HEAD SETS FOR EVENTS	366805	1/11/24	163.09
AMAZON	SENIOR PROGRAMMING MATERIALS & SUPPLIES	366838	1/11/24	10,610.58
ALDEMCO	FOOD	366779	1/11/24	15,446.02
ALL FRESH PRODUCTS	CONSUMABLES	366780	1/11/24	1,694.52
COZZINI BROS., INC.	KNIFE SHARPENING SERVICE	366796	1/11/24	52.50
PRUDENTIAL OVERALL SUPPLY	LAUNDRY & CONSUMABLES	366818	1/11/24	1,842.56
SEAPORT MEAT COMPANY	FOOD	366821	1/11/24	297.69
SYSCO SAN DIEGO INC	FOOD	366827	1/11/24	14,855.83
PACIFIC REFRIGERATION INC	FOOD WASTE DISPOSER	366849	1/11/24	5,777.79
AMAZON CAPITAL SERVICES, INC.	AMAZON/OFFICE SUPPLIES/FY24	366839	1/11/24	40.55
EBSCO INFORMATION SERVICES	RFW/ESBCO DATABASES/SUBSCRIPTION RENEWAL	366842	1/11/24	17,800.00
LEXIA LEARNING SYSTEMS LLC	RFW- LEXIA- CORE5 SUBSCRIPTION RENEWAL-	366844	1/11/24	440.00
OCLC, INC	RFW/OCLC SUBSCRIPTION RENEWAL/FY24	366848	1/11/24	12,809.38
SIRSIDYNIX	SIRSI DYNIX/LINK+/FY24	366855	1/11/24	900.00
STAPLES BUSINESS ADVANTAGE	MOP 45704 / OFFICE SUPPLIES / LIBRARY	366857	1/11/24	169.43
Total for Department				82,899.94
<u>Engineering / PW's</u>				
HOME DEPOT CREDIT SERVICES	SUPPLIES FOR BUILDINGS / PW	366805	1/11/24	3,456.77
PACIFIC STATES PETROLEUM INC	HYDRAULIC OIL, ENGINE OIL FY24-PW/EQM	366814	1/11/24	1,488.46
PRO BUILD COMPANY	MOP 45707 GENERAL SUPPLIES FY24-PW/FACIL	366817	1/11/24	5,897.71
SOUTHWEST SIGNAL SERVICE	INTERSECTION MAINTENANCE FOR STREETS FY2	366823	1/11/24	33,085.19
STAPLES BUSINESS ADVANTAGE	MOP 45704 / OFFICE SUPPLIES / PW'S	366825	1/11/24	238.24
SWEETWATER AUTHORITY	WATER BILL FOR WASTEWATER FY24 OCT-NOV -	366826	1/11/24	314.94
T MAN TRAFFIC SUPPLY	STREET TRAFFIC SUPPLIES FY24-PW/STREETS	366828	1/11/24	6,283.56
VULCAN MATERIALS COMPANY	ASPHALT MATERIALS FOR STREETS FY24-PW/ST	366836	1/11/24	1,530.05
AMAZON	BASKETBALL HOOPS FOR PARKS	366838	1/11/24	409.97
MAINTEX INC	MISC JANITORIAL SUPPLIES FY24-PW/FACILITIES	366845	1/11/24	353.22
MEGLA MANUFACTURING INC	AUTO REPAIRS FY24-PW/EQM	366846	1/11/24	1,000.00
PERRY FORD-NATIONAL CITY LLC	AUTO PARTS FY24-PW/EQM	366851	1/11/24	1,856.95
RDO EQUIPMENT CO	FUEL PUMP FY24-PW/EQM	366852	1/11/24	482.72
SAF COLLISION CENTER	TRUCK PAINTING FY24-PW/EQM	366853	1/11/24	2,800.00
SAN DIEGO MECHANICAL ENERGY	REPAIRS TO HVAC SYSTEMS FY24-PW/FACILITI	366854	1/11/24	1,995.24
SOUTH COAST EMERGENCY	AUTO REPAIRS FY24-PW/EQM	366856	1/11/24	887.50
SWEETWATER AUTHORITY	WATER BILL FOR PARKS DIVISION FY24 OCT-N	366858	1/11/24	112.92
T'S & SIGNS INC	WORK APPAREL FY24-PW/PARKS	366860	1/11/24	380.08
UNDERGROUND SERVICE ALERT	UNDERGROUND SERVICE ALERT FY24-PW/SEWER	366861	1/11/24	466.57
WINSUPPLY SOUTH BAY	PLUMBING SUPPLIES FOR CITY-WIDE-PW/ENG	366862	1/11/24	2,185.31
SDG&E	GAS AND ELECTRIC UTILITIES FOR STREETS	366820	1/11/24	43,127.41



**WARRANT REGISTER # 28
1/11/2024**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
CHEN RYAN ASSOCIATES INC	CIP 19-24 BAYSHORE BIKEWAY SEGMENT 5- EN	366792	1/11/24	438,610.33
HDR ENGINEERING, INC.	CIP 19-11 PARADISE CREEK AT PLAZA PHASE	366802	1/11/24	7,593.25
INNOVATIVE CONSTRUCTION	CIP 22-01 LAS PALMAS POOL - ENG/PW	366806	1/11/24	21,133.00
KIMLEY HORN	CIP 19-23 CENTRAL COMMUNITY MOBILITY - ENG	366808	1/11/24	3,108.00
			Total for Department	578,797.39
 <u>Building/Planning</u>				
BUREAU VERITAS N AMERICA INC	BUREAU VERITAS PLAN REVIEWS	366785	1/11/24	3,435.01
STAPLES BUSINESS ADVANTAGE	MOP 45704 / OFFICE SUPPLIES / BUILDING	366825	1/11/24	436.17
			Total for Department	3,871.18
 <u>Finance</u>				
C A P F	JANUARY 2024 - FIRE LTD	366786	1/11/24	1,150.50
CALPERS - FINANCIAL REPORTING	2024 REPLACEMENT BENEFIT CONTRIBUTION	366789	1/11/24	41,978.64
CESNAUSKAS	RETIREMENT HEALTH BENEFIT / DEC 2023	366791	1/11/24	400.00
KAISER FOUNDATION HEALTH PLAN	FEBRUARY 2024 - GROUP #104220	366807	1/11/24	233,622.78
CALIFORNIA LAW ENFORCEMENT	JANUARY 2024 - PD LTD	366840	1/11/24	2,624.00
			Total for Department	279,775.92
 <u>Fire</u>				
ALLSTAR FIRE EQUIPMENT INC	LION LPGVCTRY VICTORY GAUNTLET/FIRE	366781	1/11/24	637.36
HOME DEPOT CREDIT SERVICES	ORDER #WJ44624708, MILWAUKEE M18 FUEL 18	366843	1/11/24	1,448.29
			Total for Department	2,085.65
 <u>Housing / Sec 8</u>				
NAN MCKAY AND ASSOCIATES INC	HOUSING CHOICE VOUCHER MB DIGITAL REVISI	366847	1/11/24	239.00
CHRISTENSEN & SPATH LLP	CDC-HA AGREEMENT WITH CHRISTENSEN &	366793	1/11/24	8,025.00
KIMLEY HORN	TOWER 999 TRANSACTION ASSISTANCE FOR	366809	1/11/24	328.63
MCALISTER INSTITUTE	NOVEMBER 2023 INVOICE	366813	1/11/24	14,217.95
THE STAR NEWS	TEFRA PUBLIC NOTICE 00136706	366830	1/11/24	292.13
			Total for Department	23,102.71
 <u>Human Resources</u>				
CESNAUSKAS	ADVANCED DISABILITY PENSION PAYMENT - JAN	366791	1/11/24	4,472.29
			Total for Department	4,472.29
 <u>MIS</u>				
AT&T	SBC - AT&T FOR FY24	366782	1/11/24	16,697.26
AT&T	SBC - AT&T FOR FY24	366783	1/11/24	299.18
CENTRICITY GIS, LLC	CENTRICITY CITYWORKS PERMITTING	366790	1/11/24	450.00



**WARRANT REGISTER # 28
1/11/2024**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
COUNTY OF SAN DIEGO	NEXTGEN REGIONAL COMMUNICATIONS SYSTEM	366794	1/11/24	8,151.00
COX COMMUNICATIONS	COX DATA, VIDEO SERVICES FY24	366795	1/11/24	2,320.62
GRANICUS LLC	GRANICUS WEBCASTING FY24	366801	1/11/24	2,055.29
LASER SAVER INC	LASER SAVER MOP FY24	366810	1/11/24	146.76
SHARP ELECTRONICS CORPORATION	INVOICE # 9004561882	366822	1/11/24	5,614.00
SPOK INC	SPOK METROCALL PAGING FY24	366824	1/11/24	692.74
TYLER TECHNOLOGIES INC	TYLER MUNIS / CAD~	366833	1/11/24	10,360.00
VERIZON WIRELESS	VERIZON CELLULAR SERVICES FOR FY24	366835	1/11/24	10,798.40
WILLY'S ELECTRONIC SUPPLY	WILLY'S ELECTRONICS MOP FY24	366837	1/11/24	187.09

Total for Department 57,772.34

<u>NSD</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACE UNIFORMS & ACCESSORIES INC	ACE UNIFORMS / NSD	366778	1/11/24	2,381.86
BOOT WORLD	MOP 64096 BOOT WORLD / NSD	366784	1/11/24	975.38

Total for Department 3,357.24

<u>Police</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ACE UNIFORMS & ACCESSORIES INC	ACE UNIFORMS / POLICE	366778	1/11/24	3,549.13
CALIXTO	REIMB: REFRIGERATOR FOR INVESTIGATIONS	366788	1/11/24	243.71
CYRACOM INTERNATIONAL, INC	DISPATCH LANGUAGE LINE	366797	1/11/24	115.05
DOGTEAMPRO INC	BEAGLE PLAN FOR K9 TRAINING	366798	1/11/24	1,699.00
EXPERIAN	DECEMBER CREDIT CHECKS	366799	1/11/24	42.20
FON JON PET CARE CENTER	BAUTISTA & DAVIS K9 FOOD	366800	1/11/24	366.35
LOZANO	REIMB: SUPPLIES FOR DUI CK PT 12/30/23	366811	1/11/24	54.88
MAN K9 INC	MONTHLY MAINT TRAINING	366812	1/11/24	1,520.00
PALOMAR HEALTH	SART EXAM NOVEMBER	366815	1/11/24	1,350.00
PC SPECIALISTS INC	MISC MIS EQUIP	366816	1/11/24	876.37
SAFARILAND, LLC	PE SUPPLIES	366819	1/11/24	2,273.10
STAPLES BUSINESS ADVANTAGE	MOP 45704 / OFFICE SUPPLIES / PD	366825	1/11/24	148.66
THE COUNSELING TEAM	EMPLOYEE SUPPORT SVCS	366829	1/11/24	800.00
THOMSON REUTERS	INVESTIGATIONS SUBSCRIPTION	366831	1/11/24	691.95
T-MOBILE MOBILE USA INC.	GPS LOCATE 09/24/23-09/27/23	366832	1/11/24	25.00
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL VET CARE	366834	1/11/24	976.23
CALIFORNIA LAW ENFORCEMENT	CARMAGO MEMBERSHIP	366841	1/11/24	75.00
PC SPECIALISTS INC	MISC MIS EQUIPMENT	366850	1/11/24	180.73
STAPLES BUSINESS ADVANTAGE	MOP 45704 SUPPLIES PD	366857	1/11/24	318.09
SYMBOLARTS, LLC	MOTOR BADGES	366859	1/11/24	838.01
HERNANDEZ	TRAINING POST REIM SDCRLI TRACK 2	366803	1/11/24	40.00
HERNANDEZ	TRAINING REIM SDCRL TRK3	366804	1/11/24	32.00

Total for Department 16,215.46

A/P Total 1,055,632.46



WARRANT REGISTER # 28
1/11/2024

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PAYROLL				
Pay period	Start Date	End Date	Check Date	
1	12/12/2023	12/25/2023	1/3/2024	1,313,369.57
WIRED PAYMENTS				
CMO				
U S BANK	CREDIT CARD EXPENSES / CMO	983710	1/10/24	2,072.61
Community Services/Nutrition/Library				
U S BANK	CREDIT CARD EXPESES / CSD	983710	1/10/24	581.72
U S BANK	CREDIT CARD/LIBRARY	276142	1/11/24	231.75
Finance				
THE BANK OF NEW YORK MELLON	SA NATIONAL CITY RDA TARB 2017A	3129	1/11/24	348,799.20
THE BANK OF NEW YORK MELLON	SA NATIONAL CITY RDA TARB 2017B	3142	1/11/24	16,826.80
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 12/12/23 - 12/25/23	240110	1/10/24	326,397.93
GRAND TOTAL				<u>3,063,912.04</u>



AGENDA REPORT

Department: Finance
Prepared by: Karla Apalategui, Sr. Accounting Assistant
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Warrant Register #29 for the period of 1/12/24 through 1/18/24 in the amount of \$440,639.82.

RECOMMENDATION:

Ratify Warrants Totaling \$440,639.82

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Per Government Section Code 37208, below are the payments issued for the period 1/12/24 – 1/18/24. Consistent with the 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>
Anser Advisory Management	366866	\$87,450.00	CIP Wastewater Rate Analysis ENG
KTUA	366896	\$57,051.01	NC Old CC Installation Resiliency

FINANCIAL STATEMENT:

Warrant total \$440,639.82

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

Not Applicable

EXHIBIT:

Exhibit A - Warrant Register 29



**WARRANT REGISTER # 29
1/18/2024**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
<u>CMO</u>				
GARCIA	REIMBURSEMENT FOR CULTURE CLUB	366888	1/18/24	268.60
COUNTY OF SAN DIEGO	PROPERTY OF KIMBALL HOUSE	366882	1/18/24	1,671.24
SPARKLETTS	WATER FOR FINANCE DEPARTMENT	366920	1/18/24	130.24
Total for Department				2,070.08
<u>Community Services/Nutrition/Library</u>				
PACIFIC ERGONOMICS	OFFICE CHAIR FURNITURE FOR CSD	366904	1/18/24	1,299.56
SMART & FINAL	MOP 45756 CASA YOUTH SNACKS	366917	1/18/24	298.31
STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES / NUTRITION	366923	1/18/24	105.44
WINTERGREEN CORPORATION	ADDITIONS TO THE HOLIDAY TREE FOR A KIMB	366935	1/18/24	11,902.36
STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES / CSD	366923	1/18/24	98.19
SYSCO SAN DIEGO INC	FOOD	366925	1/18/24	4,394.12
ALLSTATE SECURITY	ALLSTATE DBA INVICTA/SECURYT GUARD/LIBRA	366865	1/18/24	8,535.40
Total for Department				26,633.38
<u>Engineering / PW's</u>				
ASSI SECURITY INC	CITY-WIDE SECURITY REPAIRS FY24-PW/FACIL	366867	1/18/24	950.00
BOOT WORLD	MOP 64096 SAFETY APPAREL FY24-PW/FACILIT	366873	1/18/24	900.34
COSCO FIRE PROTECTION	FIRE SERVICE INSPECTIONS FY24-PW/FACILIT	366881	1/18/24	3,245.00
CUSTOM TRUCK BODY & EQUIPMENT,	TOMMYGATE INSTALL FOR CITY VEHICLE FY24-	366884	1/18/24	6,072.38
FACTORY MOTOR PARTS	MOP 82766 AUTO SUPPLIES FY24-PW/EQM	366887	1/18/24	156.93
HASA INC	CHEMICAL PRODUCTS FOR MUNICIPAL POOL FY2	366890	1/18/24	2,095.43
JJJ ENTERPRISES	FIRE AND SECURITY ALARM MONITORING FY24-	366894	1/18/24	1,060.00
MASON'S SAW	MOP 45729 LANDSCAPE SUPPLIES FY24-PW/PAR	366898	1/18/24	385.66
MEGLA MANUFACTURING INC	STREET SWEEPER 304 STAINLESS TRASH CHUTE	366899	1/18/24	475.00
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES FY24-PW/EQM	366903	1/18/24	169.12
PARTS AUTHORITY METRO	MOP 75943 AUTO SUPPLIES FY24-PW/EQM	366905	1/18/24	259.06
PARTS AUTHORITY METRO	MOP 75943 AUTO SUPPLIES FY24-PW/EQM	366906	1/18/24	6.78
PERRY FORD-NATIONAL CITY LLC	AUTO PARTS FY24-PW/EQM	366907	1/18/24	2,838.72
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES FY24-PW/PARKS	366909	1/18/24	938.58
SAN DIEGO MECHANICAL ENERGY	REPAIRS TO HVAC SYSTEMS FY24-PW/FACILITI	366911	1/18/24	4,159.13
SDG&E	GAS AND ELECTRIC UTILITIES FOR STREETS N	366913	1/18/24	42,642.80
SDG&E	GAS AND ELECTRIC FOR FACILITIES FOR FY24	366914	1/18/24	5,611.60
SEDANO FORD OF LM, INC.	R&M CITY VEHICLES FY24-PW/EQM	366915	1/18/24	498.68
SITEONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES FY24-PW/PAR	366916	1/18/24	38.07
SOUTH COAST EMERGENCY	AUTO SUPPLIES FY24-PW/EQM	366919	1/18/24	666.89
SPEEDPRO IMAGING	LAMINATED VEHICLE VINYL WEEDED & MASKED	366921	1/18/24	492.44
SWEETWATER AUTHORITY	WATER BILL FOR FACILITIES FY24 OCT-DEC -	366924	1/18/24	31,838.20
TOPECO PRODUCTS	MOP 63849 AUTO SUPPLIES FY24-PW/EQM	366926	1/18/24	17.73
T'S & SIGNS INC	SAFETY APPAREL FY24-PW/STREETS	366927	1/18/24	176.72
VORTEX INDUSTRIES INC	CITY-WIDE DOORS, GATES, AND RELATED FY24	366929	1/18/24	5,663.33
WAXIE SANITARY SUPPLY	MISC JANITORIAL SUPPLIES FY24	366931	1/18/24	4,308.35
WETMORES	MOP 80333 AUTO SUPPLIES FY24-PW/ EQM	366932	1/18/24	108.59



**WARRANT REGISTER # 29
1/18/2024**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
WINSUPPLY SOUTH BAY	PLUMBING SUPPLIES FOR CITY-WIDE FY24-PW/	366934	1/18/24	61.34
ANSER ADVISORY MANAGEMENT, LLC	CIP 22-47 WASTEWATER RATE ANALYSIS- ENG/	366866	1/18/24	87,450.00
ATLAS TECHNICAL CONSULTANTS,	CIP 19-20 SWEETWATER RD BIKEWAY TIC- ENG	366871	1/18/24	2,582.50
CANON SOLUTIONS AMERICA INC.	EQUIPMENT BASE CHARGE- ENG/PW	366875	1/18/24	111.28
D-MAX ENGINEERING INC	T&A 90634 IN-N-OUT BURGER- ENG/PW	366885	1/18/24	2,944.37
HDR ENGINEERING, INC.	CIP 20-01 SEWER LINE UPSIZING- ENG/PW	366892	1/18/24	648.25
INNOVATIVE CONSTRUCTION	CIP 22-09 EASTSIDE I-805- ENG/PW	366893	1/18/24	1,600.00
KIMLEY HORN	CIP 20-09 NC EASTSIDE I-805 COMMUNI- ENG	366895	1/18/24	7,969.52
KTUA	NC OLDCC INSTALLATION RESILIENCY GRANT-	366896	1/18/24	57,051.01
MESHULAM	REFUND REQUEST FOR TA 90646 BOND- ENG/PW	366900	1/18/24	4,118.44
PROJECT PROFESSIONALS CORP	CIP 23-14 CASA DE SALUD ROOF REPLACEMENT	366908	1/18/24	1,618.75
SOLANA CENTER	SUPPORT SERVICES UNDER RSWA- ENG/PW	366918	1/18/24	5,217.00
CLEAN HARBORS ENVIRONMENTAL	HOUSEHOLD HAZARDOUS WASTE FOR DECEMBER 2	366878	1/18/24	761.52
ENTERPRISE FLEET MANAGEMENT	ENTERPRISE FLEET LEASES NOVEMBER 2023 -	366886	1/18/24	49,253.07
GEOSYNTEC CONSULTANTS INC	CIP 21-16 CITY OF NATIONAL CITY COMPLIANCE	366889	1/18/24	4,459.00
	Total for Department			341,621.58
 <u>Fire</u>				
VECTOR SOLUTIONS	VECTOR LMS TARGET SOLUTIONS PREMIER	366928	1/18/24	3,515.00
	Total for Department			3,515.00
 <u>MIS</u>				
AT&T	SBC - AT&T FOR FY24	366868	1/18/24	2,112.36
AT&T	SBC - AT&T FOR FY24	366869	1/18/24	333.75
AT&T	SBC - AT&T FOR FY24	366870	1/18/24	97.23
CORELOGIC SOLUTIONS LLC	REALQUEST PROPERTY RESEARCH APP	366880	1/18/24	79.03
COX COMMUNICATIONS	COX DATA, VIDEO SERVICES FY24	366883	1/18/24	2,596.70
LASER SAVER INC	LASERSAVER MOP FY24	366897	1/18/24	130.45
WILLY'S ELECTRONIC SUPPLY	WILLY'S ELECTRONICS MOP FY24	366933	1/18/24	114.20
	Total for Department			5,463.72
 <u>NSD</u>				
SAN DIEGO COUNTY ASSESSOR	COUNTY ASSESSORS RECORDS / NSD	366910	1/18/24	38.00
	Total for Department			138.00
 <u>Police</u>				
CALIXTO	REIMB: FOOD DURING HOMICIDE INVESTIGATIO	366863	1/16/24	124.83
CHICK-FIL-A	EMERGENCY FOOD PROCUREMENT CASE 2307822	366876	1/18/24	239.60
CHICK-FIL-A	EMERGENCY FOOD PROCUREMENT / PD	366864	1/16/24	224.50
BERNAL	TRAINING ADV LDG MMBTH	366872	1/18/24	667.85
HAWK	TRAINING ADV SUB RIFLE INSTR	366891	1/18/24	1,068.87
MORRISON	TRAINING ADV LDG MMBTH	366901	1/18/24	667.85
SPORTELLI	ADV LODGING FOR THE MANUAL MECHANICAL	366922	1/18/24	667.85



**WARRANT REGISTER # 29
1/18/2024**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
WADSWORTH	TRAINING ADV LDG MMBTH	366930	1/18/24	667.85
		Total for Department		4,329.20
 <u>Risk</u>				
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES	366877	1/18/24	8,000.00
CONTRERAS	LIABILITY CLAIM COST	366879	1/18/24	4,267.77
		Total for Department		12,267.77
		A/P Total		396,038.73
 WIRED PAYMENTS				
 <u>Finance</u>				
PUBLIC EMP RETIREMENT SYSTEM	2024 REPLACEMENT CHARGES FOR CITY OF NC	394855	1/17/24	41,978.64
 <u>Human Resources</u>				
PAYCHEX BENEFIT TECH INC	BENETRAC ESR SERVICES BASE FEE - JANUARY	252738	1/12/24	722.35
 <u>CMO</u>				
U S BANK	CREDIT CARD STATEMENT - BENJAMIN MARTINE	614472	1/17/24	750.00
 <u>Fire</u>				
U S BANK	CREDIT CARD PYMT FOR B. KREPPS /FIRE	30096	1/18/24	1,150.10
		GRAND TOTAL		<u>440,639.82</u>



AGENDA REPORT

Department: Engineering
Prepared by: Stephen Manganiello, Director of Public Works / City Engineer
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Ordinance for Introduction – Prevailing Wage Requirement for Traffic Control Workers

RECOMMENDATION:

Introduce Ordinance by First Reading, entitled, “Ordinance of the City Council of the City of National City, California, Adding Chapter 2.78 – Traffic Control Worker Prevailing Wage to Title 2 of the National City Municipal Code to Establish a Traffic Control Worker Prevailing Wage.”

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

Traffic control workers are responsible for stopping, slowing, and safely guiding, directing, or controlling traffic through construction and maintenance work in public rights of way. Unexpected and difficult driving conditions in these areas can present a significant risk of harm to motorists, other users of the City’s public rights of way, and the traffic control workers themselves. Traffic control workers employed on public works projects are paid a prevailing wage while the same workers employed on private construction projects may be paid significantly less to perform the same work. Low wages, less qualified workers, and difficult working conditions can present a significant risk of harm to workers and users of the City’s public rights of way that can be mitigated by ensuring the most qualified, well-trained and sufficiently paid workers are employed to provide traffic control work in public rights of way. The City seeks to address the unique safety risks confronted by workers and users of City streets subject to traffic control by ensuring that, except in limited circumstances, all traffic control workers are paid a wage equal to or greater than the prevailing wage that is set by the Department of Industrial Relations in the State of California for traffic control on public works projects according to the type of work and location of the project.

The City of San Diego, City of Chula Vista and County of San Diego have recently adopted similar ordinances.

FINANCIAL STATEMENT:

The cost to administer and enforce the ordinance has not been determined, but is not expected to be significant.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Public Safety

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

First Reading

EXHIBIT:

Exhibit A - Ordinance

ORDINANCE NO. 2024 -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ADDING CHAPTER 2.78 – TRAFFIC CONTROL WORKER PREVAILING WAGE TO TITLE 2 OF THE NATIONAL CITY MUNICIPAL CODE TO ESTABLISH A TRAFFIC CONTROL WORKER PREVAILING WAGE.

WHEREAS, the City of National City (the "City") may adopt ordinances in accordance with its police powers to ensure the public health, welfare, and safety of its residents, including the police powers vested in the City pursuant to article XI, section 7, of the California Constitution and California Labor Code section 1205; and

WHEREAS, construction and maintenance activities in public rights of way may create health and safety risks to the public, including drivers, pedestrians, bicyclists and workers, if proper traffic control measures are not implemented; and

WHEREAS, traffic control workers perform a critical role in ensuring public safety during construction and maintenance work in the City's public rights of way; and

WHEREAS, traffic control workers are exposed to health and safety hazards, including the risk of serious injury and death; and

WHEREAS, traffic control workers who work on public works projects for the City must be paid the prevailing wages required by the California Labor Code for public works projects; however, employers on non-public works projects currently may pay traffic control workers significantly less for the same type of work performed in the City's public rights of way; and

WHEREAS, the California Department of Industrial Relations generally describes the prevailing wage rate as the basic hourly rate paid on public works projects to a majority of workers engaged in a particular craft, classification, or type of work within the locality and in the nearest labor market area (if a majority of such workers are paid at a single rate) and, if there is no single rate paid to the majority, then the single or modal rate being paid to the greatest number of workers is prevailing; and

WHEREAS, the payment of an applicable prevailing wage rate supports a safe working environment and can reduce the rate of injury and death among workers as workers who are paid prevailing wages generally are more qualified, based on factors such as skill, training, and experience; and

WHEREAS, the City desires to limit health and safety risks to the public and traffic control workers associated with construction and maintenance activities in the City's public rights of way by requiring all employers or contractors authorized to perform work in the City's public rights of way to pay no less than the prevailing wage rate paid for the same type of work on public works projects in San Diego County.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: That Chapter 2.78 is added to the National City Municipal Code to read as follows:

Chapter 2.78

TRAFFIC CONTROL WORKER PREVAILING WAGE

2.78.010 Purpose and Intent

The purpose of this chapter is to address the unique safety risks confronted by workers and users of City public rights of way by ensuring that, except in limited circumstances, all traffic control workers are paid a wage at least equivalent to the prevailing wage they would receive if they were working on a City public works project. Traffic control workers are responsible for stopping, slowing, and safely guiding, directing, or controlling traffic through construction and maintenance work in public rights of way. Unexpected and difficult driving conditions in these areas can present a significant risk of harm to motorists, other users of the City's public rights of way, and the traffic control workers themselves. Traffic control workers employed on public works projects are paid a prevailing wage while the same workers employed on private construction projects may be paid significantly less to perform the same work. Low wages, less qualified workers, and difficult working conditions can present a significant risk of harm to workers and users of the City's public rights of way that can be mitigated by ensuring the most qualified, well-trained and sufficiently paid workers are employed to provide traffic control work in public rights of way.

2.78.020 Definitions

When used in this chapter, the following words and phrases shall have the meanings ascribed to them below. Words and phrases not specifically defined below shall have the meanings ascribed to them elsewhere in this Code, or shall otherwise be defined by common usage. For definitions of nouns, the singular shall also include the plural; for definitions of verbs, all verb conjugations shall be included.

"City" means the City of National City.

"City Manager" means the City Manager of the City of National City, or designee.

"Code" means the City of National City Municipal Code.

"Employee" has the same meaning as California Labor Code section 2775.

"Employer" means any Person, including a corporate officer or executive, who directly or indirectly, or through any other Person, including through the services of a temporary service, staffing agency, or similar entity, employs or exercises control over the wages, hours, or working conditions of any Employee.

"Permit" means a permit issued by the City for work in the public right of way requiring Traffic Control Work.

"Person" means any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination of Persons acting as a unit.

"Prevailing Wage" means the prevailing rate of per diem wages as determined by the California Director of Industrial Relations in accordance with California Labor Code section 1720 *et seq.*, as may be amended, to be paid to a laborer within San Diego County on a public works project.

"Public Works Project" shall have the same meaning as applicable to the payment of prevailing wages under Labor Code section 1720, *et seq.* and includes the construction, reconstruction, or repair of public buildings, streets, utilities, and other public works.

"Traffic Control Work" means the stopping, slowing or otherwise guiding, directing, or controlling of traffic pursuant to a Permit.

"Traffic Control Worker" means any Person engaged in Traffic Control Work, excluding public agency Employees performing traffic control for a public agency.

2.78.030 Payment of Prevailing Wage

All Traffic Control Workers performing Traffic Control Work, as required by a Permit, shall be paid no less than the Prevailing Wage, except as follows:

- A. Traffic Control Work performed by an Employee in support of the construction, renovation, or repair of a single-family home, duplex, triplex, or accessory dwelling unit.
- B. Traffic Control Work performed by an Employee on any project costing \$1,000 or less, as specified in California Labor Code section 1771 or any subsequent cost threshold applicable to the payment of Prevailing Wage established by California law.
- C. Traffic Control Work performed by an Employee of a gas or electric utility company on any project where the Employee performs Traffic Control Work for one hour or less per workday or one hour or less per shift.
- D. Traffic Control Work performed by an Employee of any public agency.
- E. To the extent prohibited by law or by a state or federal funding source requirement applicable to the work that is the subject of the Permit.

2.78.040 Enforcement

- A. The City Manager may enforce this Chapter in accordance with the provisions of Chapter 1.44 or Chapter 1.48 of this Code.
- B. The City Manager is authorized to establish, consistent with the terms of this Chapter, any additional administrative rules, regulations, and standards determined to be necessary to carry out the purposes of this Chapter.
- C. Any person may file a written complaint with the City Manager regarding a violation of this Chapter. The written complaint must describe the alleged violation, including a statement of relevant facts, dates, places, and Persons or entities responsible for the alleged violation.
- D. If an Employer ceases its business operations, or sells, exchanges, transfers, or otherwise disposes of the Employer's business, then any Person that becomes a successor

to the business shall be liable for any unpaid amounts owed under this Chapter if, at the time of the conveyance of the business, the successor has actual or constructive knowledge of the amounts owed as determined by the City.

2.78.050 Limitations

A. Any waiver by a Traffic Control Worker of any or all of the provisions of this Chapter or of rights or protections afforded under the authority of this Chapter shall be deemed contrary to public policy and shall be void and unenforceable.

B. This Chapter is not intended to, and shall not be interpreted to, conflict with federal or state law and shall be interpreted to be compatible with federal and state enactments, not limited to those dealing with employee/employer and labor relations, and in furtherance of the public purposes that those enactments encompass.

C. This Chapter does not create any cause of action for damages against the City.

D. This Chapter is not to be construed to limit the rights of an Employee to bring legal action for a violation of any law concerning wages, hours, or other standards or rights. Exhaustion of remedies under this Chapter is not a prerequisite to the assertion of any right.

E. This chapter shall not be construed to discourage or prohibit an Employer from providing higher wages to its Employees.

Section 2: This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the City Council voting for and against the same in the Star News, a newspaper of general circulation published in the County of San Diego, California.

Section 3: The City Clerk shall certify to the adoption of this Ordinance and shall publish in accordance with the law.

INTRODUCED at a regular meeting of the City Council of the City of National City, California, held on this 5th day of March, 2024.

PASSED and ADOPTED this _____ of _____, 2024.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney



AGENDA REPORT

Department: City Attorney's Office
Prepared by: Barry J. Schultz, City Attorney
Meeting Date: Tuesday, March 5, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Discussion and Direction Regarding a Temporary Local Emergency Ordinance Prohibiting Evictions and Rental Increases, Providing Relocation Assistance, and a Right to Return During the Local Emergency Related to the Recent Floods.

RECOMMENDATION:

1. Direct City staff to prepare a Local Emergency Ordinance with specific provisions as outlined in the Agenda Report.
2. Take no action and rely on existing San Diego County Ordinance.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

On January 29, 2024, the City Council ratified the Proclamation of the Existence of a Local Emergency by the Emergency Services Director.

On February 20, 2024, the City Council directed City staff to return with optional language to address relocation benefits, rental increases, right to return and the term of the ordinance.

EXPLANATION:

On Monday, January 22, 2024, residents of San Diego County experienced an event referred to as the 1,000-year storm. Cities around the County experienced rainfall of over 3 inches in a single 24-hour period, a total that exceeds that of an average wet month and rivals the rainfall needed to spur a 100-year flood.

On Tuesday, January 23, 2024, the Governor of the State of California issued a Proclamation of a State of Emergency for San Diego County due to the historic rainfall experienced. The County of San Diego also issued a similar proclamation. On Thursday, January 25, 2024, the City Manager, as Emergency Services Director, issued a Proclamation of Local Emergency. The City Council ratified the proclamation on January 29, 2024.

On January 30, 2024, the County of San Diego adopted an emergency ordinance prohibiting residential evictions without Just Cause and enacting a delay on certain residential rent increases (Attachment "A"). On February 20, 2024 the City Council considered Councilmember Rodriguez's Policy 105 request for consideration of adopting a local ordinance prohibiting evictions in addition to limiting rental increases and providing relocation benefits. The Council directed City staff to return with optional language to address these concerns.

Housing and Community Development staff will provide a brief update on the status of the assistance programs provided by the City, County, State, and Federal resources.

County of San Diego Ordinance

The County of San Diego's Ordinance included the following provisions:

- 1) *Prohibition of Residential Evictions Without Just Cause*
No Landlord can evict or require a Tenant to vacate a residential unit without Just Cause. "Just Cause" requires a showing that the Tenant is an imminent health or safety threat. This protection applies to Tenants who are within a Flood Affected Area¹ and have suffered economic loss of any sort caused by the flood. The ordinance does not prohibit the temporary relocation of a Tenant in order to accomplish any necessary repairs.
- 2) *Relocation*
The ordinance references relocation but does not provide any specific requirements for relocation benefits. In essence, the ordinance does not prohibit a Landlord from relocating a Tenant temporarily in compliance with all state and local laws including those requiring relocation assistance, if needed to fix damage caused by the Flood. Additionally, the ordinance states that it is not intended to supersede any applicable requirements in Civil Code Section 1946.2 pertaining to relocation or rent waiver.²
- 3) *Delay of Residential Rent Increases*
The ordinance prohibits a Landlord from increasing a Tenant's rent by any amount greater than the CPI for the previous year. Under this ordinance, a Tenant is not specifically entitled to return to the unit in the event of the need for temporary repairs nor is the Tenant provided a right to return under the same rent.

DISCUSSION

The City can enact an ordinance that provides stronger protections for Tenants affected by the flood than those provided in the County's Ordinance. The purpose of this Agenda Report is to provide optional language to supplement the County's Ordinance as it relates to relocation benefits, rent increases and right of first refusal. Attached to this Agenda Report are the following optional languages:

1) Temporary/Permanent Relocation Benefits – Attachment "B"

The County Ordinance does not specifically address the issue of relocation benefits for Tenants either temporarily or permanently displaced by the flood. It simply references relocation benefits as required by state and local laws. Under State law, relocation benefits are provided in the case of a "no-fault just cause" eviction under Civil Code Section 1946.2. These relocation benefits are either one-month rental payment or waiver of the final month of tenancy. Health and Safety Code section 17975.2 requires two months of fair market rent as relocation benefits in the event a Tenant is displaced due to uninhabitability of a residential unit. In both of these cases, the Tenant's tenancy is terminated and there is no specific right of the Tenant to return to the unit.

It should also be noted that in those cases where relocation benefits are required to be paid by the Landlord, it is generally in the context of the Landlord being responsible for the circumstances creating the need to vacate the unit. Where the circumstances

¹ National City is included as a Flood Affected Area.

² Civil Code section 1946.2 requires a Landlord in the case of a "no-fault just cause" eviction to provide either one month's relocation benefit or waive the payment of rent for the final month of tenancy.

are not due to the fault of the Landlord relocation benefits are minimized or not required.

Attachment “B” includes optional language to address relocation benefits. Option 1 provides a relocation benefit equal to one month of the Tenant’s rent in effect as of the time of the temporary relocation. This option is based on the relocation benefit provided for by Civil Code 1946.2. This relocation benefit is required notwithstanding that the cause of the relocation is beyond the control of the Landlord.

Option 2 is intended as short-term relocation and is intended to apply where the temporary relocation will be for a short period of time (20 days or less). This relocation benefit is based on a daily hotel rate and daily allowance for meals. Depending on the time of the displacement, this option can be a greater financial burden on the Landlord. Additionally, due to the short-term nature of the displacement, should the Tenant elect to receive the benefit the Tenant will remain responsible for the payment of rent. This provision will lessen the burden on the Landlord.

Both options allow for the Landlord to provide alternative housing in lieu of paying a relocation benefit.

2) Rent Increases – Attachment “C”

The County’s Ordinance limits the increases in rent allowed during the emergency period to an amount no greater than the CPI for the previous year³. Option 1 provides that no increase in rent is allowed during the time in which the ordinance is in effect. Option 2 limits the allowable increase in rent to a percentage of the CPI for the previous year. Finally, Option 3 is based on the State’s anti-gouging statute (California Penal Code Section 396(e)) and prohibits any increase in rent greater than 10%.

3) Tenant Right to Return – Attachment “D”

The County’s Ordinance prohibits evictions or requiring a Tenant to vacate the residential unit. However, it does not prohibit the relocation of a Tenant temporarily for the purpose of repairing damage caused by the flood. In light of the fact that the County Ordinance prohibits evictions, it would seem reasonable to consider providing a Tenant with a right of first refusal to return to their unit upon completion of repairs. This is especially true given the difficulty in finding permanent affordable housing.

Attachment “D” provides for a right of first refusal allowing a Tenant the right to return to the unit upon the completion of repairs. The provision also includes noticing requirements on both the Landlord and the Tenant. Finally, it also includes an obligation on the Tenant to provide timely response to the Landlord’s notice of the Tenant’s right to return to the unit.

4) Term of the Ordinance

In addition to the above provisions, the Council did direct staff to include an extension of time to the term of the ordinance. The County’s Ordinance expires 60 days after its effective date. It was suggested by some members of Council to consider an expiration date either 60 or 90 days after the expiration of the County’s Ordinance. The term of the ordinance can be modified based on the Council direction.

³ See Option 4 in Attachment C.

FINANCIAL STATEMENT:

Not Applicable

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

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

PUBLIC NOTIFICATION:

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

ORDINANCE:

Not Applicable

EXHIBITS:

- Attachment A – San Diego County Ordinance
- Attachment B – Relocation Options
- Attachment C – Rent Increase Options
- Attachment D – First Right of Refusal

ORDINANCE NO. 10887 (N.S.)

AN URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SAN DIEGO EXERCISING THE COUNTY'S POLICE POWER TO PROHIBIT
RESIDENTIAL EVICTIONS WITHOUT JUST CAUSE AND TO ENACT
A DELAY ON CERTAIN RESIDENTIAL RENT INCREASES

The County of San Diego Board of Supervisors ordains as follows:

Section 1. Findings.

- (a) On Monday, January 22, 2024, the County of San Diego endured the fourth wettest day since 1850, with nearly three inches of rain deluging the County in a single day.
- (b) This atmospheric river or rainstorm (hereafter "the Flood") was serious enough that disaster preparedness experts refer to it as a "thousand-year storm."
- (c) The Flood left devastation in its wake. As a result of the flooding, the residents of San Diego County have had their lives upended as well as suffered property damage and economic hardship. Homes were damaged, businesses were unable to operate, and a large but presently unquantifiable number of people were displaced or stuck in uninhabitable dwellings. The full extent of the Flood effects are yet to be known.
- (d) As of the morning of January 27, 2024, at least three deaths were confirmed to have been caused by the Flood. As of that same date, there were over 2,500 damage reports totaling more than \$125,000,000 in damage to homes and personal property. In addition, the county-wide damage estimate for public infrastructure exceeded \$60,000,000. Because of the Flood's lasting effects, there is good reason to believe these figures are under-estimates of the real cost to San Diego County.
- (e) Numerous residents affected by the Flood have reported that landlords have failed to make necessary repairs to make their housing meet basic requirements of habitability, have demanded full rent despite uninhabitable conditions, and have evicted or threatened to evict tenants who have clearly suffered economic hardship because of the Flood.
- (f) In one example reported by local media, tenants at an apartment complex were given 10-days notice to relocate, and informed that relocation expenses would only be paid through the end of January, after which point their leases would be cancelled.
- (g) Economic hardship caused by the Flood may result from property damage, the need to take time off from work to address property damage and engage in property cleanup, the inability to get through flooded streets to get to work, and a variety of other negative effects from flooding.

- (h) On Tuesday, January 23, 2024, the County’s Interim Chief Administrative Officer declared a state of emergency which was ratified by the San Diego County Board of Supervisors on Wednesday January 24, 2024.
- (i) California Governor Gavin Newsom proclaimed a state of emergency in San Diego County because of the privations caused by the Flood on Tuesday January 23, 2024.
- (j) Tenants faced with the economic hardships resulting from the Flood are less able to pay rent than normal, exposing them to risk of eviction as a consequence of the Flood and its devastating effect on the local economy.
- (k) For this reason, it is necessary for a brief and limited period of time to provide protection to those tenants in areas devastated by the Flood from having an eviction exacerbate their economic hardship.
- (l) Further, as observed in the recent COVID pandemic, when landlords are prohibited from evicting tenants for nonpayment of rent, they have with some frequency resorted to alleged lease violations or other conduct-based allegations as a pretext to evict tenants whose economic situation would not let them pay rent as demanded by the landlord.
- (m) Without sufficient eviction protections, many tenants “self-evict” and move out even without adequate replacement housing, rather than face future legal eviction that could impact their ability to find new housing.
- (n) The County of San Diego is experiencing a severe housing affordability crisis and approximately forty-six percent of San Diego County housing units are occupied by renters, who would not be able to locate affordable housing within the County if they lose their housing.
- (o) In response to the housing affordability crisis, in 2019 Governor Newsom signed into law Assembly Bill 1482, a statewide response to the problem of rent gouging that further burdens tenants, some of whom cannot afford exorbitant rent increases and who might be at risk of self-evicting if faced with rent amounts that they can no longer pay.
- (p) On January 12, 2021, the San Diego County Board of Supervisors adopted a Resolution Declaring Racism as a Public Health Crisis.
- (q) The Flood offered new evidence to support this finding because many of the communities most devastated by the Flood were areas where lower income and Black, Indigenous, and persons of color (BIPOC) tenants reside.
- (r) This ordinance requires just cause for termination of a residential tenancy and provides additional tenant protections that are not prohibited by any other provision of law. The ordinance also serves justice and promotes racial equity for renters in the County of San

Diego, and preserves the public health and safety, which is threatened by the damage caused by the Flood, by keeping the residents of the County of San Diego housed.

- (s) This ordinance is necessary for the immediate preservation of the public peace, health, and safety as described in subdivision (d) of Government Code section 25123.
- (t) This Ordinance offers more protection to tenants than Civil Code section 1946.2, and this Ordinance is binding as required by Civil Code section 1946.2(g)(1)(B)(iii).

Section 2. Definitions.

- (a) "Change in CPI" means the percentage change from April 1 of the prior year to April 1 of the current year in the regional Consumer Price Index for the San Diego area, as published by the United States Bureau of Labor Statistics.
- (b) "Economic Loss" means reduced income, increased expenses, or other personal economic consequences directly or indirectly caused by the Flood, including, but not limited to, lost work hours, damage to a Tenant's property or to a Tenant's Residential Unit, or a need to relocate because of damage to a Tenant's Residential Unit or building. Economic Loss includes any loss caused by a Landlord in the course of improperly evicting or requiring the relocation of a Tenant.
- (c) "Flood Affected Area" refers only to areas that have been particularly devastated by the Flood. Specifically, the Flood Affected Area is limited to the following areas: All Residential Units located in the geographic boundaries of the following United States Postal (ZIP) Codes: 92113 (San Diego), 91977 (Spring Valley), 91950 (National City), 92114 (San Diego), 92102 (San Diego), 92115 (San Diego), 91945 (Lemon Grove), 92118 (Coronado), 92104 (San Diego), 92105 (San Diego), and 92111 (San Diego).
- (d) "Imminent health or safety threat" exists when an act or omission by a Tenant creates an immediate and serious threat to a person's health or safety, taking into account (1) any public health or safety risk caused by the eviction, and (2) all other remedies available to the landlord and other occupants of the property, against the nature and degree of health and safety risk posed by the tenant's activity. Acts or omissions of a Tenant responsive to the Flood (including but not limited to acts or omissions regarding leaving a Residential Unit for flood repairs) shall not constitute an imminent health or safety threat.
- (e) "Landlord" includes owners, lessors, or sublessors (of any level) of either residential rental property, and the agent, representative, or successor of any of the foregoing.
- (f) "Residential Unit" is a unit that is occupied by a tenant as their place of residence, including but not limited to apartments, houses, rooms, and residential hotels. A unit is considered a residential unit if it is used for residential occupation regardless of its permitting status. A Residential Unit must be in a Flood Affected Area.

- (g) "Tenant" includes a tenant, subtenant, lessee, sublessee (of any level), or any other person entitled to use or occupy residential property, including occupants who are holding over after the expiration of the term of a written or oral lease and current occupants who occupied the property with the current or prior consent of the property's landlord or a prior owner. This shall also include a prior homeowner residing in a residential unit post-foreclosure. However, the term "Tenant" only applies to a resident of a Flood Affected Area.

Section 3. Prohibition of Residential Evictions Without Just Cause.

- (a) For purposes of this section, "just cause" requires a showing that there is an imminent health or safety threat, as defined in Section 2 above.
- (b) This section does not apply to any eviction where a fully legally compliant notice of eviction has been served or an unlawful detainer action has been filed prior to January 22, 2024.
- (c) In the absence of just cause, no Landlord may lawfully terminate a residential tenancy and are therefore prohibited from engaging in any of the following behaviors with respect to a Tenant of a residential unit:
 - (1) Serve a notice of termination of tenancy on a Tenant who the Landlord (or any person or combination of persons within the definition of Landlord) knows or reasonably should have known has suffered Economic Loss of any sort caused by the Flood;
 - (2) File or serve an unlawful detainer lawsuit, ejectment action, or other action on a Tenant who the Landlord (or any person or combination of persons within the definition of Landlord) knows, or reasonably should know, has suffered Economic Loss of any sort caused by the Flood to recover possession of a Residential Unit;
 - (3) Evict a Tenant or require a Tenant to vacate a residential unit, including by seeking the entry of an eviction judgment or by causing or permitting a writ of possession to be executed, where the Landlord (or any person or combination of persons within the definition of Landlord) knows, or reasonably should know, has suffered Economic Loss of any sort caused by the Flood;
 - (4) Take any other action in reliance on a notice of termination of tenancy that expired or attempt to induce a tenant to vacate based on such a notice where the Landlord (or any person or combination of persons within the definition of Landlord) knows, or reasonably should know, has suffered Economic Loss of any sort caused by the Flood. Any such notice of termination of tenancy served or expiring from January 24, 2024 through the end of this ordinance's term shall be deemed invalid and insufficient to support an action in unlawful detainer; or

- (5) Represent to a Tenant who the Landlord (or any person or combination of persons within the definition of Landlord) knows, or reasonably should know, has suffered Economic Loss of any sort caused by the Flood that the Tenant is required to move out of their unit by law.
- (d) To the extent state law is more protective of a residential tenancy than this ordinance, those state law provisions shall apply to the residential tenancy as well. Nothing in this section shall be construed to supersede any applicable requirements in Civil Code section 1946.2 pertaining to relocation assistance or rent waiver.
- (e) No Landlord shall be permitted to recover possession of a rental unit or prevail in an unlawful detainer action unless the Landlord shows that (1) the Landlord provided notice of termination of tenancy and fully complied with all of the terms of this Section 3; (2) the lawsuit was served and filed complying with all terms of this section; and (3) unless justified by just cause, the Tenant has not suffered Economic Loss as a result of the Flood.
- (f) Nothing in this section shall be construed to reduce or eliminate a Landlord's duty to make a reasonable accommodation for disability in rules, policies, practices, or services that may be necessary to afford a person equal opportunity to use and enjoy a dwelling, including remedies such as the reinstatement of a terminated tenancy.
- (g) In addition to complying with any other applicable notice requirements under local, state, or federal law, any notice of termination of tenancy served on a Tenant with respect to a residential unit during the term of this ordinance shall include the reason for termination amounting to just cause or a different basis for eviction authorized under this ordinance and must set forth specific facts to permit a determination of the date, place, witnesses, and circumstances concerning the reason for eviction.
- (h) In order to prevail in an action to recover possession of a Residential Unit, a Landlord must prove strict compliance with all applicable notice requirements or any applicable portion of this ordinance.
- (i) Nothing in this ordinance prohibits or exempts a Landlord from any obligations to provide a Tenant a Residential Unit that complies with all statutory and common-law requirements for habitability. If a Tenant must be relocated from a unit to accomplish any necessary repairs, a Landlord must comply with all state law requirements regarding relocation assistance. Nothing in this ordinance prohibits a Landlord from relocating a Tenant temporarily, in compliance with all state and local laws including those requiring relocation assistance, if needed to fix damage caused by the Flood.
- (j) Nothing in this section may impose liability on any law enforcement personnel or their employer serving process or enforcing judgments.
- (k) Nothing in this ordinance shall relieve a Tenant of the obligation to pay rent, nor restrict a Landlord's ability to recover rent due, in accordance with state law.

Section 4. Delay of Residential Rent Increases.

- (a) During the term of this ordinance, no Landlord may increase a Tenant's rent by any amount greater than the CPI for the previous year.
- (b) Just cause, as defined in Section 3 of this ordinance, does not include a Tenant's failure to pay any increase in rent made during the term of this ordinance.
- (c) A residential real property that is exempt from the rent limits imposed by Civil Code section 1947.12 is exempt from this section.
- (d) This section does not apply when a unit lawfully becomes vacant and the Landlord sets the initial rent for a new tenancy for a new Tenant.
- (e) This section does not apply to any rent increase from taking effect for which notice was lawfully provided to a Tenant prior to January 22, 2024.

Section 5. No Waiver of Rights.

Any agreement to waive any rights under this ordinance, including a stipulation, settlement agreement, or lease agreement, shall be void as contrary to public policy.

Section 6. Remedies.

- (a) No Landlord shall be permitted to recover possession of a rental unit or prevail in an unlawful detainer action, ejectment action, or other action to recover possession of a residential unit unless the Landlord is able to prove strict compliance with any applicable provision of this ordinance, including all notice requirements. A Landlord's lack of strict compliance with the terms of subsection 3(g), and all other noncompliance constituting a fatal defect to the Landlord's case shall entitle a Tenant to judgment.
- (a) The provisions of this ordinance may be asserted as an affirmative defense in an unlawful detainer action, ejectment action, or any other action to recover possession of a residential unit.
- (b) If a Landlord attempts to recover possession or recovers possession of a residential real property in violation of this ordinance, retaliates against a Tenant for the exercise of any rights under this ordinance, or attempts to prevent a Tenant from acquiring any rights under this ordinance, the aggrieved Tenant may institute a civil proceeding for injunctive relief, money damages (including damages for mental or emotional distress as specified below), and all other relief the court deems appropriate. In the case of an award of damages for mental or emotional distress, said award shall only be trebled if the trier of fact finds that the Landlord acted in knowing violation of or in reckless disregard of this ordinance. The remedy available under this section shall be in addition to any other existing remedies which may be available to the Tenant under local, state or federal law.
- (c) The remedies provided by this ordinance are cumulative and in addition to any other

remedies available at law or in equity, including sanctions for violating an order issued pursuant to the Emergency Services Act (Government Code section 8550 et seq.) and all remedies provided for in Government Code section 25132 or for authorized for violations of the San Diego County Code of Regulatory Ordinances.

Section 7. Applicability.

- (a) Government Code section 8634 authorizes the Board of Supervisors to promulgate countywide orders and regulations necessary to provide for the protection of life and property during a local emergency. Pursuant to Government Code section 8634, the regulations in this ordinance shall apply to cities within the County of San Diego and unincorporated area of the county, subject to subsections (b) through (d) below.
- (b) If the governing body of a city has enacted an ordinance that has stronger protections for Tenants related to the Flood, the Tenant may apply the city ordinance in lieu of the county ordinance, to the extent the city's ordinance is stronger.
- (c) To the extent the city ordinance is not stronger, the county ordinance protecting Tenants shall apply despite contrary provisions or silence on the subject in the city ordinance.
- (d) This ordinance only applies to Tenants and Residential Units in Flood Affected Areas.

Section 8. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

Section 9. Effective Date.

Pursuant to Government Code Section 25123, subdivision (d), this measure is declared to be an urgency ordinance, to take effect and be in force immediately upon its passage by 4 or more votes.

Section 10. Term of Ordinance

This ordinance shall remain effective for 60 days after its effective date. However, any action by a Landlord during the term of this ordinance in violation of this ordinance's provisions shall continue to be unlawful and subject to this ordinance's provisions after the ordinance's expiration.

APPROVED AS TO FORM AND LEGALITY
CLAUDIA G. SILVA, COUNTY COUNSEL
By: Caitlin Rae, Assistant County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 30th day of January 2024.



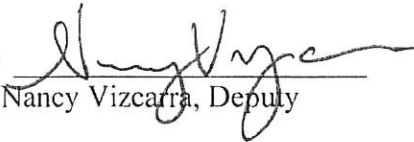
NORA VARGAS
Chair, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Lawson-Remer, Montgomery Steppe, Desmond
NOES: Anderson

ATTEST my hand and the seal of the Board of Supervisors this 30th day of January 2024.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Nancy Vizcarra, Deputy



Ordinance No.: 10887 (N.S.)
Meeting Date: 01/30/2024 (01)

Relocation Benefit Options

Option 1

Section 4. Specific Relocation Assistance

Where a Tenant must be temporarily displaced from a unit to accomplish any necessary repairs as a result of the Flood, the Tenant shall be entitled to receive temporary relocation assistance consisting of one month of the Tenant's rent in effect as of the time of the temporary relocation.

In lieu of providing relocation payment, the Landlord may provide safe and legal housing that is equivalent in size, number of bedrooms and location within the city for the period that the Tenant is required to vacate the dwelling, as evidenced by a written agreement binding the property owner to provide such replacement housing tendered to the Tenant for acceptance.

Option 2

Section 4. Specific Short Term Relocation Assistance

Where a Tenant must be temporarily displaced from a unit to accomplish any necessary repairs as a result of the Flood, the Tenant shall be immediately entitled to receive short-term relocation benefits from the Landlord as set forth below:

The following amounts shall be paid by the Landlord to the Tenant for each day of displacement not to exceed 30 days:

- a) Hotel or motel accommodations: \$180 per household
- b) Meal expenses: \$__ per occupant

The Tenant may choose not to receive short-term relocation payments. If the Tenant receives short term relocation payments, the Tenant remains obligated to pay to the Landlord the lawful rent in effect when the Tenant vacates. If the Tenant has chosen not to receive short-term relocation payments, the Tenant shall not be obligated to pay any rent until the Tenant reoccupies the unit.

In lieu of providing relocation payment, the Landlord may provide safe and legal housing that is equivalent in size, number of bedrooms and location within the city for the period that the Tenant is required to vacate the dwelling, as evidenced by a written agreement binding the property owner to provide such replacement housing tendered to the Tenant for acceptance.

Residential Rental Increases

Option 1.

Section 6. Rental Increases Prohibited

- (a) During the term of this Ordinance, no Landlord may increase a Tenant's rent in effect as of the effective date of this Ordinance.
- (b) A residential real property that is exempt from the rent limits imposed by Civil Code Section 1947.12 is exempt from this section.
- (c) This section does not apply when a unit lawfully becomes vacant and the Landlord sets the initial rent for a new tenancy for a new Tenant.

Option 2.

Section 6. Rental Increases Limited

- (a) During the term of this Ordinance, no Landlord may increase a Tenant's rent by any amount greater than ___% of CPI for the previous year.
- (b) Just Cause, as defined in Section 3 of this ordinance, does not include a Tenant's failure to pay any increase in rent from the effective date of this Ordinance until December 31, 2024
- (c) A residential real property that is exempt from the rent limits imposed by Civil Code Section 1947.12 is exempt from this section.
- (d) This section does not apply when a unit lawfully becomes vacant and the Landlord sets the initial rent for a new tenancy for a new Tenant.
- (e) This section does not apply to any rent increase from taking effect for which notice was lawfully provided to a Tenant prior to January 22, 2024.

Option 3.

Section 6. Rental Increases Limited

- (a) During the term of this Ordinance, no Landlord may increase a Tenant's rent in effect as of the effective date of this ordinance by more than 10%.
- (b) A residential real property that is exempt from the rent limits imposed by Civil Code section 1947.12 is exempt from this section.
- (c) This section does not apply when a unit lawfully becomes vacant and the Landlord sets the initial rent for a new tenancy for a new Tenant.
- (d) This section does not apply to any rent increase from taking effect for which notice was lawfully provided to a Tenant prior to January 22, 2024.

Option 4.

Section 6. Delay of Residential Rent Increases¹

- (a) During the term of this Ordinance, no Landlord may increase a Tenant's rent in effect as of the effective date of this Ordinance by any amount greater than the CPI for the previous year.
- (b) Just Cause, as defined in Section 3 of this Ordinance, does not include a Tenant's failure to pay any increase in rent made during the term of this Ordinance.
- (c) A residential real property that is exempt from the rent limits imposed by Civil Code Section 1947.12 is exempt from this section.
- (d) This section does not apply when a unit lawfully becomes vacant and the Landlord sets the initial rent for a new tenancy for a new Tenant.
- (e) This section does not apply to any rent increase from taking effect for which notice was lawfully provided to a Tenant prior to January 22, 2024.

¹ This option is the language included in the County's ordinance.

Right of First Refusal

Section 5. Right of First Refusal. Any Tenant temporarily displaced from a unit to accomplish any necessary repairs as a result of the Flood, shall be given the right of first refusal to reoccupy the unit once said unit becomes habitable.

- (1) The owner of said unit shall, at the time the Tenant vacates, personally provide written notice advising the Tenant of the right of first refusal. Said notice shall include a current address and telephone number which can be used by the Tenant to contact the Landlord.
- (2) It shall be the Tenant's responsibility to provide the Landlord of said unit with contact information consisting of the Tenant's current address and/or telephone number to be used for future notification, and to provide updated contact information to the Landlord upon change of said information.
- (3) Thereafter, when said unit, becomes habitable, the Landlord shall give written notice to the Tenant advising said Tenant that the unit is ready for occupancy. Said written notice shall be made by certified mail, return receipt requested.
- (4) If the Landlord cannot locate a previous Tenant after two attempts over a period of two weeks made by certified mail, return receipt requested, or if the Tenant has not responded within one week after receiving the notice provided by the Landlord, the Landlord shall be deemed to have complied with the right of first refusal provision of this chapter, and the Tenant's right of first refusal shall thereafter be forfeited.