

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

October 7, 2014

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:07 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Board members present: Cano, Morrison, Natividad, Rios, Sotelo-Solis.
Administrative Officials present: Dalla, Deese, Duong, Manganiello, Muthusamy, Parra, Raulston, Roberts, Rodriguez, Silva, Stevenson, Vergara, Williams.
Others present: Student Representative Isaac Maldonado.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Sunshine Horton was present and announced that she is now officially a proud member of the Senior Volunteer Program and thanked the City for the opportunity to be of service.

CITY COUNCIL

PROCLAMATION

PROCLAMATION ADMIN (102-2-1)

1. Proclaiming October 19 through October 25, 2014 as: Freedom from Workplace Bullies Week

PRESENTATION

COUNCIL MEETING PRESENTATIONS 2014 (102-10-9)

2. Update on the City of San Diego's National Pollutant Discharge Elimination System (NPDES) Modified permit for the Point Loma Wastewater Treatment Plant. (Engineering/Public Works)

INTERVIEWS AND APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

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

Gary Dines, Brian Monahan and Diana Plazola appeared for interview.

ACTION: Motion by Rios, seconded by Sotelo-Solis, to re-appoint Leslie Coyote to the Civil Service Commission. Carried by unanimous vote.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item Nos. 5 through 13 (Resolution Nos. 2014-135 through 2014-143), Item No. 14 (TUP), Item Nos. 15 and 16 (Warrant Registers). Motion by Natividad, seconded by Cano, to pull Item No. 9, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AND COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF SEPTEMBER 16, 2014. (City Clerk)

ACTION: Approved. See above.

CONTRACT (C2008-29)

5. Resolution No. 2014-135. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH COXCOM, INC. EXTENDING THE TERMS TO LEASE VIDEO AND DATA SERVICES FOR 60 MONTHS IN THE ANNUAL NOT-TO-EXCEED AMOUNT OF \$48,840. (MIS)

ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

6. Resolution No. 2014-136. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE FY 2014 SAN DIEGO COUNTY LAW ENFORCEMENT FOUNDATION GRANT IN THE AMOUNT OF \$6,500.76 AND AUTHORIZING AN INCREASE OF THE APPROPRIATION FOR THE PURCHASE OF BALLISTIC PLATES, BALLISTIC PLATE CARRIERS, AND MAGAZINE POUCHES. (Police)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

PARKING & TRAFFIC CONTROL ADMIN 2014 (801-2-35)

7. Resolution No. 2014-137. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF PEDESTRIAN CROSSING ENHANCEMENTS AT THE INTERSECTION OF NATIONAL CITY BOULEVARD AND EAST 20TH STREET. (TSC Item No. 2014-11) (Engineering/Public Works)

ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2014 (801-2-35)

8. Resolution No. 2014-138. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGNAGE IN FRONT OF 419 WEST 19TH STREET. (TSC 2014-12) (Engineering/Public Works)

ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2014 (801-2-35)

9. Resolution No. 2014-139. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGNAGE IN FRONT OF 1835 "I" AVENUE. (TSC 2014-13) (Engineering/Public Works)

ACTION: Motion by Natividad, seconded by Rios, to continue. Carried by unanimous vote.

CONTRACT (C2007-12)

10. Resolution No. 2014-140. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REQUESTING A COOPERATIVE WORK AGREEMENT (CWA) WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO EXTEND THE BUDGET AUTHORITY FOR THE 8TH STREET SAFE ROUTES TO SCHOOL PROJECT, STATE PROJECT NO. SR2SL-5066(019), FROM THE JUNE 30, 2015 EXPIRATION DATE TO JUNE 30, 2016 TO ALLOW FOR REIMBURSEMENT OF ELIGIBLE PROJECT EXPENDITURES, AND AUTHORIZING THE MAYOR TO SIGN THE CWA REQUEST FORM. (Engineering/Public Works)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2014-41)

11. Resolution No. 2014-141. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY MANAGER TO EXECUTE PROPOSITION 84 STORM WATER GRANT PROGRAM GRANT (SWGP) AGREEMENT NO. 14-450-550 BETWEEN THE STATE WATER RESOURCES CONTROL BOARD AND THE CITY OF NATIONAL CITY FOR THE KIMBALL PARK LOW-IMPACT DEVELOPMENT AND PARADISE CREEK RESTORATION PROJECT IN THE AMOUNT OF \$1,876,153, AND AUTHORIZING CORRESPONDING REVENUE AND EXPENDITURE ACCOUNTS. (Engineering/Public Works)

ACTION: Adopted. See above.

CONTRACT (C2014-42)

12. Resolution No. 2014-142. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GEOSYNTEC CONSULTANTS, INC. FOR A NOT-TO-EXCEED AMOUNT OF \$300,000 TO PROVIDE ON-CALL PROJECT SUPPORT SERVICES FOR NATIONAL CITY'S CAPITAL IMPROVEMENT PROGRAM (CIP), INCLUDING, BUT NOT LIMITED TO, ENVIRONMENTAL ENGINEERING, SITE ASSESSMENTS, CHARACTERIZATION AND REMEDIATION, GROUNDWATER MONITORING AND REPORTING, AND PREPARATION OF ENVIRONMENTAL STUDIES IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). (Engineering/Public Works)

ACTION: Adopted. See above.

SEWER SAN DIEGO AREA WASTEWATER MGMT DIST (906-1-8)

13. Resolution No. 2014-143. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING A JOINT RESOLUTION OF THE METRO WASTEWATER JOINT POWERS AUTHORITY AND THE METRO COMMISSION, SUPPORTING THE CITY OF SAN DIEGO'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MODIFIED PERMIT FOR THE POINT LOMA WASTEWATER TREATMENT PLANT. (Engineering/Public Works)

ACTION: Adopted. See above.

TEMPORARY USE PERMITS 2014 (203-1-30)

14. Temporary Use Permit – 7th Annual Tower of Terror sponsored by the National City Fire Fighters Association October 31, 2014 from 5pm to 9pm at Fire Station 34 located at 343 East 16th Street. This is a National City sponsored event per Council Policy No. 804. (Neighborhood Services)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

WARRANT REGISTER JULY 2014 – JUNE 2015 (202-1-29)

15. Warrant Register #9 for the period of 08/20/14 through 08/26/14 in the amount of \$642,181.09. (Finance)
ACTION: Ratified. See above.

WARRANT REGISTER JULY 2014 – JUNE 2015 (202-1-29)

16. Warrant Register #10 for the period of 08/27/14 through 09/02/14 in the amount of \$3,540,187.67. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS

SUBDIVISIONS / VARIANCES 2014 (415-1-10)

17. Public Hearing – Modification of a Previously Approved Tentative Subdivision Map and Consistency Review for "Park Lofts" located at 1509, 1531, 1535 National City Blvd. (Applicant: Paradise Creek Holding Corporation) (Case File 2012-03 S, DSP) (Planning)

RECOMMENDATION: Staff concurs with the decision of the Planning Commission.

TESTIMONY: Shawn Schmidt, Randy Williams and their Attorney, representing the applicant spoke in support and responded to questions.

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

EX PARTE DISCLOSURE: All members indicated that they had contact with the applicant prior to the hearing.

Member Sotelo-Solis left the Council Chamber at 7:56 pm during discussion of Item No. 18.

CONDITIONAL USE PERMITS 2014 (403-29-1)

18. Public Hearing – Conditional Use Permit and Coastal Development Permit for a crematorium to be located at 100 East 35th Street, Suite "A" in the Coastal Zone. (Applicant: Cortez Cremations and Funeral Services Corporation) (Case File 2014-09 IS) (Planning)

RECOMMENDATION: Staff concurs with the decision of the Planning Commission.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Cano, Morrison, Natividad, Rios. Nays: None. Absent: Sotelo-Solis. Abstain: None.

EX PARTE DISCLOSURE: Members Natividad and Rios disclosed that they had prior contact with the applicant.

Member Sotelo-Solis returned to the Chamber at 7:58 pm.

NON CONSENT RESOLUTIONS

CONDITIONAL USE PERMITS 2014 (403-29-1)

19. Resolution No. 2014-144. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY CERTIFYING A NEGATIVE DECLARATION AND AUTHORIZING THE CITY COUNCIL TO FILE A NOTICE OF DETERMINATION RELATED TO A CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT FOR A CREMATORIUM TO BE LOCATED AT 100 EAST 35TH STREET, SUITE "A" IN THE COASTAL ZONE. (Applicant: Cortez Cremations and Funeral Services Corporation) (Case File 2014-09 IS) (Planning)

RECOMMENDATION: Staff recommends adopting the Resolution certifying the Negative Declaration and filing of a Notice of Determination.

TESTIMONY: None.

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

CONDITIONAL USE PERMITS 2014 (403-29-1)

20. Resolution No. 2014-145. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT FOR A CREMATORIUM TO BE LOCATED AT 100 EAST 35TH STREET, SUITE "A" IN THE COASTAL ZONE. (Applicant: Cortez Cremations and Funeral Services Corporation) (Case File 2014-09 IS) (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

SUBDIVISIONS / VARIANCES 2014 (415-1-10)

21. Resolution No. 2014-146. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A MODIFICATION OF A PREVIOUSLY APPROVED TENTATIVE SUBDIVISION MAP AND CONSISTENCY REVIEW FOR "PARK LOFTS" LOCATED AT 1509, 1531, 1535 NATIONAL CITY BLVD. (Applicant: Paradise Creek Holding Corporation) (Case File 2012-03 S, DSP) (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2014-3)

22. Resolution No. 2014-147. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY INCREASING THE CONTRACT WITH CLAUSS CONSTRUCTION IN THE NOT TO EXCEED AMOUNT OF \$845,000 FOR THE 2020 AND 2100 HOOVER AVENUE SITE REMEDIATION AND DEMOLITION PROJECT, SPECIFICATION NO. 13-01, AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL CHANGE ORDERS IN EXCESS OF \$50,000 UP TO THE NOT TO EXCEED LIMIT. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

POLITICAL SUPPORT ADMIN – INITIATIVES (102-4-1)

23. Resolution No. 2014-148. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OPPOSING PROPOSITION 47, ALSO KNOWN AS THE "THE SAFE NEIGHBORHOODS AND SCHOOLS ACT." (Police)

RECOMMENDATION: Oppose Proposition 47 on the November 4, 2014 ballot.

TESTIMONY: None.

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

COUNCIL POLICY MANUAL (102-13-1)

24. Resolution No. 2014-149. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE AMENDMENT OF CITY COUNCIL POLICY #201, "MAINTENANCE OF RESERVE FUNDS." (Finance)

RECOMMENDATION: Adopt the Resolution, amending City Council Policy 201, "Maintenance of Reserve Funds."

TESTIMONY: None.

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

NEW BUSINESS

TEMPORARY USE PERMITS 2014 (203-1-30)

25. Temporary Use Permit – Cornerstone Harvest Festival hosted by Cornerstone Church of San Diego at 1914 Sweetwater Road on October 31, 2014 from 5 p.m. to 8 p.m. with no waiver of fees. (Neighborhood Services)

RECOMMENDATION: Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Cano, to approve staff recommendation. Carried by unanimous vote.

CONDITIONAL USE PERMITS 2014 (403-29-1)

26. Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales at Aunt Emma's Restaurant located at 214 National City Blvd. (Applicant: Nikos Gelastopoulos) (Case File 2014-10 CUP)

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

TESTIMONY: None.

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

CONDITIONAL USE PERMITS 2014 (403-29-1)

27. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a Fiberglass Manufacturing Business (McCallum Surfboards) located at 3101 Hoover Avenue. (Applicant: Jeff McCallum) (Case File 2014-12 CUP) (Planning)

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

TESTIMONY: None.

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

POLITICAL SUPPORT ADMIN (102-4-1)

28. City of National City's participation in "South San Diego County Host Town" in support of the 2015 Special Olympics World Games in Los Angeles. (City Manager)

RECOMMENDATION: Approve the City's support of the 2015 Special Olympics World Games in Los Angeles.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

PROP D DISTRICT SALES TAX ADMIN (205-7-1)

29. Update of actions taken related to the City of National City Three Year Operating Plan for the period Fiscal Years 2015 through 2017. (Administrative Services)

RECOMMENDATION: Accept and filed the staff report.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to accept and file. Carried by unanimous vote.

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

30. City Council Holiday Meeting Schedule – December 2014 through January 2015. (City Clerk)

RECOMMENDATION: Review and provide direction.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Sotelo-Solis, to approve Alternative Schedule A. Carried by unanimous vote.

**COMMUNITY DEVELOPMENT COMMISSION –
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

NO AGENDA ITEMS

STAFF REPORTS

None.

MAYOR AND CITY COUNCIL

Student Representative Isaac Maldonado extended an invitation to Sweetwater High School's 93rd Homecoming on October 17, 2014.

Member Rios thanked Code Enforcement staff for their recent efforts on the east side of the City.

Member Cano complimented the graffiti crew for their quick response to calls.

Mayor Morrison complimented those responsible for the recent Employee Picnic and presented to the City Manager a check for \$50,000 from the County for the Nutrition Center and a check for \$18,240 from the Regional Solid Waste Authority.

CLOSED SESSION REPORT

City Attorney Claudia Silva stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

ADJOURNMENT

Motion by Cano, seconded by Sotelo-Solis, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, October 21, 2014 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:34 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of October 21, 2014.



Mayor

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

CITY COUNCIL OF THE CITY OF NATIONAL CITY
AND
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT
COMMISSION AS THE NATIONAL CITY REDEVELOPMENT
AGENCY

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

Special Meeting – Tuesday, October 7, 2014 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Liability Claims – Government Code Section 54956.95
Workers' Compensation Claim
Agency Claimed Against: City of National City
Number of Claim: One
2. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Isabel Padilla v. City of National City
San Diego Superior Court Case No. 37-2013-00030288
3. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Benjamin Adler v. City of National City
San Diego Superior Court Case No. 37-2013-00077889-CU-W-CTL
4. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
McDini's Restaurant Corp. v. City of National City
San Diego Superior Court Case No. 37-2014-00013211-CU-PO-CTL
5. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
McDini's Inc. v. City of National City
United States District Court Case No. 14CV2199

CLOSED SESSION (cont.)

CITY COUNCIL

6. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Community Youth Athletic Center v. City of National City, CDC, et al.
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL
Court of Appeal Case No. D060001

SUCCESSOR AGENCY

7. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Community Youth Athletic Center v. City of National City, CDC, et al.
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL
Court of Appeal Case No. D060001

ADJOURNMENT

Next Regular City Council Meeting: Tuesday, October 7, 2014, 6:00 p.m., Council Chambers, Civic Center