

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

November 18, 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 6:10 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, Parra, Raulston, Roberts, Rodriguez, Silva, Vergara, Williams.
Others present: Student Representative Isaac Maldonado.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Brian Clapper, National City extended an invitation to the Thanksgiving Dinner at the Casa Salud on November 20th at 5:00 p.m., sponsored by the National City Host Lions Club.

CITY COUNCIL

PRESENTATIONS

PERSONNEL NEW EMPLOYEE INTRODUCTION PROGRAM (604-2-2)

1. New Employee Introduction – Audrey Denham, Recreation Superintendent

COUNCIL MEETING PRESENTATIONS 2014 (102-10-9)

2. ITE San Diego Section "Public Agency of the Year Award." (Engineering & Public Works)

COUNCIL MEETING PRESENTATIONS 2014 (102-10-9)

3. Presentation – Update on 2014 Mid-Year Crime Statistics. (Police)

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (NCCMC), Item No. 5 (Minutes), Item Nos. 6 through 10 (Resolution Nos. 2014-155 and 2014-159), Item No. 11 (TUP), Item Nos. 12 through 15 (Warrant Registers). Motion by Cano, seconded by Natividad, to pull Item No. 6, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2014 (506-2-29)

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

ACTION: Approved. See above.

APPROVAL OF MINUTES

5. 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 OCTOBER 21, 2014. (City Clerk)

ACTION: Approved. See above.

CONTRACT (C2010-77)

6. Resolution No. 2014-155. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SIXTH AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES BETWEEN THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY, THE CITY OF NATIONAL CITY, AND BEST BEST & KRIEGER, LLP, FOR THE DEFENSE IN THE COMMUNITY YOUTH ATHLETIC CENTER LEGAL CHALLENGE TO INCREASE THE NOT TO EXCEED AMOUNT BY \$225,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$787,500. (City Attorney)

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

CONSENT CALENDAR (cont.)

ENCROACHMENT AGREEMENT ADMIN 2014 (903-14-8)

7. Resolution No. 2014-156. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN ENCROACHMENT AGREEMENT WITH RESTRUCTURE PETROLEUM MARKETING SERVICES OF CALIFORNIA (RPMS-CA) FOR THE INSTALLATION OF THREE GROUND WATER MONITORING WELLS IN THE PUBLIC RIGHT-OF-WAY ALONG PALM AVENUE AND "Q" AVENUE ADJACENT TO E. 4TH STREET, AND IN THE ALLEY ADJACENT TO "Q" AVENUE BETWEEN E. 4TH STREET & E. 5TH STREET. (Engineering/Public Works)
ACTION: Adopted. See above.

CONTRACT (C2014-8)

TEMPORARY USE PERMITS 2014 (203-1-30)

8. Resolution No. 2014-157. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR AMENDMENT OF TEMPORARY USE PERMIT – AMENDMENT NO. 1, PREPARED BY THE SAN DIEGO UNIFIED PORT DISTRICT, TO EXTEND THE TERM OF THE PERMIT TO NOVEMBER 29, 2015 TO ALLOW FOR CONSTRUCTION STAGING ON PORT DISTRICT LAND DURING CONSTRUCTION OF THE NATIONAL CITY AQUATIC CENTER (WATERFRONT ADVENTURE CENTER). (Engineering/Public Works)
ACTION: Adopted. See above.

EQUIPMENT SALE OF (209-1-2)

9. Resolution No. 2014-158. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE SALE OF THE DECOMMISSIONED 1996 CENTRAL STATES QUINT FIRE TRUCK TO THE SISTER CITY OF THE CITY OF TECATE FOR \$7,000. (Fire)
ACTION: Adopted. See above.

CONTRACT (C2012-56)

10. Resolution No. 2014-159. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE HOME CHDO FUNDING AGREEMENT DATED OCTOBER 30, 2012 BETWEEN THE CITY OF NATIONAL CITY AND SAN DIEGO HABITAT FOR HUMANITY COMMUNITY HOUSING CORPORATION, INC. FOR THE CONSTRUCTION AND/OR REHABILITATION OF SINGLE FAMILY RESIDENTIAL HOUSING IN THE CITY OF NATIONAL CITY EXTENDING THE TERM OF THE AGREEMENT TO JUNE 30, 2017. (Housing, Grants, and Asset Management)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

TEMPORARY USE PERMITS 2014 (203-1-30)

11. Temporary Use Permit – 7th Annual Tree Lighting Ceremony hosted by the Community Services Department on December 11, 2014 from 5 p.m. to 8 p.m. at Morgan Square & Brick Row, between “A” Avenue and National City Boulevard. This is a City sponsored event under Policy No. 804. (Neighborhood Services)
ACTION: Approved. See above.

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

12. Warrant Register #13 for the period of 09/17/14 through 09/23/14 in the amount of \$552,816.81. (Finance)
ACTION: Ratified. See above.

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

13. Warrant Register #14 for the period of 09/24/14 through 09/30/14 in the amount of \$2,124,852.75. (Finance)
ACTION: Ratified. See above.

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

14. Warrant Register #15 for the period of 10/01/14 through 10/07/14 in the amount of \$1,395,731.08. (Finance)
ACTION: Ratified. See above.

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

15. Warrant Register #16 for the period of 10/08/14 through 10/14/14 in the amount of \$2,038,517.84. (Finance)
ACTION: Ratified. See above.

ORDINANCES FOR INTRODUCTION

MUNICIPAL CODE 2014 (506-2-29)

16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REPEALING CHAPTER 10.63 OF THE NATIONAL CITY MUNICIPAL CODE REGULATING SEX OFFENDERS' PROXIMITY TO CHILDREN'S FACILITIES. (City Attorney)

NON CONSENT RESOLUTIONS

CONTRACT (C2011-56)

17. Resolution No. 2014-160. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND CHANDLER ASSET MANAGEMENT, INC., EXTENDING THE AGREEMENT FOR INVESTMENT MANAGEMENT AND ADVISORY SERVICES TO NOVEMBER 15, 2015. (Finance)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2010-76)

18. Resolution No. 2014-161. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH E2 MANAGETECH, INC. TO INCREASE THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT BY \$300,000 AND EXTEND THE TERM OF THE AGREEMENT ONE YEAR TO DECEMBER 2, 2015. SERVICES ARE REQUIRED TO ASSIST STAFF WITH OBTAINING REGULATORY APPROVALS AND IMPLEMENTATION OF THE PROPERTY MITIGATION PLAN FOR ENVIRONMENTAL REMEDIATION OF THE WESTSIDE INFILL TRANSIT ORIENTED DEVELOPMENT (WI-TOD) PROJECT SITE LOCATED AT 2100 AND 2020 HOOVER AVENUE, PURSUANT TO THE CITY'S OBLIGATION TO THE FORMER REDEVELOPMENT AGENCY TO CARRY OUT THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AND PARADISE CREEK HOUSING PARTNERS, LP. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

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

19. Resolution No. 2014-162. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE PURCHASE OF A NEW LADDER TRUCK FOR THE NATIONAL CITY FIRE DEPARTMENT FOR \$1,033,889 AND THE ESTABLISHMENT OF AN APPROPRIATION OF \$1,033,889 IN THE EQUIPMENT REPLACEMENT FUND. (Fire/Finance)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

POLICE DEPT ADMIN (302-4-1)

20. Resolution No. 2014-163. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OPPOSING THE CLOSURE OF TRAFFIC COURT OPERATIONS IN THE SOUTH COUNTY (CHULA VISTA). (Police)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Natividad, to adopt the Resolution. Carried by unanimous vote. It was suggested that letters be sent to our State Legislators informing them of the City's opposition.

CONTRACT (C2014-49)

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

21. Resolution No. 2014-164. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY WAIVING THE BID PROCESS PURSUANT TO SECTION 2.60.260 OF THE NATIONAL CITY MUNICIPAL CODE BY UTILIZING THE AGREEMENT BETWEEN 3M LIBRARY SYSTEMS AND OAK CREEK PUBLIC LIBRARY, AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND 3M LIBRARY SYSTEMS FOR THE PURCHASE AND INSTALLATION OF AN INTERNATIONAL STANDARDS ORGANIZATION (ISO) RADIO FREQUENCY IDENTIFICATION (RFID) TAG AND THEFT DETECTION SYSTEM FROM 3M LIBRARY SYSTEMS IN THE NOT-TO-EXCEED AMOUNT OF \$81,301 FOR THE NATIONAL CITY PUBLIC LIBRARY. (Library)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

MARTIN LUTHER KING JR. COMMUNITY CENTER (1101-5-1)

22. Request to use Martin Luther King Jr. Community Center (North & South Rooms) by National City College Campus Lions Club for their 7th annual Spirit of the Holidays toy and food giveaway to needy families of National City, on Saturday, December 20, 2014. Applicant anticipates approximately 300-350 families/children will be attending this year's event. The applicant is requesting a waiver of fees. (Engineering & Public Works)

RECOMMENDATION: Staff recommends approving the Facility Use Application with no waiver of fees.

TESTIMONY: Paul Robinson, representing the Lions Club, outlined their program and requested a waiver of fees.

ACTION: Motion by Cano, seconded by Natividad, to approve request with a waiver of fees. Carried by unanimous vote.

TEMPORARY USE PERMITS 2014 (203-1-30)

23. Temporary Use Permit – “Christmas with Kids” hosted by Christmas with Kids National City at 223 E. 3rd Street on December 25, 2014 from 7 a.m. to 11:30 a.m. The applicant has requested a waiver of fees. (Neighborhood Services)

RECOMMENDATION: Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.

TESTIMONY: John Reed, representing the applicant, requested a waiver of fees.

ACTION: Motion by Sotelo-Solis, seconded by Natividad, to approve the application with a waiver of fees. Carried by unanimous vote.

BOARDS & COMMISSIONS ADMIN (101-1-1)

24. Report to the City Council regarding implementing attendance requirements as a condition of serving on Boards, Commissions, and Committees. (City Attorney)

RECOMMENDATION: Accept and file.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to accept and file. Carried by unanimous vote. The consensus was to have staff bring back additional information and best practices from other cities.

NEW BUSINESS (cont.)

MUNICIPAL CODE 2014 (506-2-29)

25. Report, discussion, and direction pertaining to Chapter 10.63 of the National City Municipal Code regulating sex offenders' proximity to children's facilities. (City Attorney)

RECOMMENDATION: Discuss and file report.

TESTIMONY: None.

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

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

NO AGENDA ITEMS

STAFF REPORTS

FIRE DEPT ADMIN (305-1-1)

26. Report on the City's Co-Sponsored 7th Annual Halloween Tower of Terror. (Fire)

MAYOR AND CITY COUNCIL

Member Rios said that she was contacted by the National City Diablos Junior Cheer Squad about their fund raising efforts to attend the National Championships in Orlando, Florida. Member Rios also participated in the Police Department Thanksgiving Dinner Giveaway which was a great event.

Member Cano expressed his heartfelt thanks to the citizens for their support for Proposition 'D' and encouraged people to participate in the Long Range School Master Plan (LRSMP) efforts underway at Sweetwater High School.

Member Sotelo-Solis reminded everyone about the upcoming Neighborhood Council Breakfast on December 13th and that the City would be on furlough starting December 19th. Member Sotelo-Solis requested that a Proclamation be prepared to honor Mr. Al Alvarado for his many years of community involvement; thanked outgoing Council Member Natividad for being a mentor and friend and expressed congratulations to the successful candidates in the recent election.

MAYOR AND CITY COUNCIL (cont.)

Mayor Morrison acknowledged the continuing and growing support of the people of the City for Proposition 'D' and commented on the generous spirit of giving present in National City.

Student Representative Isaac Maldonado invited everyone to attend the Sweetwater High School Football Playoff game on Friday night against Morse High.

CLOSED SESSION REPORT

City Attorney Claudia Silva stated action was taken on one item from the Closed Session. By a 4 to 0 vote the City Council took action to authorize the City to file suit against Wesco Insurance Company. (See attached Exhibit 'L')

ADJOURNMENT

The meeting was adjourned in honor of Mr. Roberto Trejo.

Motion by Sotelo-Solis, seconded by Cano, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, December 2, 2014 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:02 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of December 16, 2014.



Mayor

City Council / Community Development/Housing Authority of the City of National
City Meeting Schedule for the Period December 2, 2014 through January 20,
2015:

- December 02 Regular Meeting
- December 16 Regular Meeting
- January 06 Regular Meeting (Dispense with Meeting)
- January 20 Regular Meeting

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, November 18, 2014 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. 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
2. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Frank Lindsay v. City of National City
United States District Court Case No. 14CV0855L BLM
3. 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

CLOSED SESSION (cont.)

SUCCESSOR AGENCY

4. 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, November 18, 2014, 6:00 p.m., Council Chambers, Civic Center