

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

January 20, 2015

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:12 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.
Administrative Officials present: Dalla, Deese, Duong, Manganiello, 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, El Cajon, expressed her displeasure with what law enforcement is going through nationally and said the answer is more communication.

Harry Bennett, representing Paradise Valley Church and Health Center requested steps be taken to improve vehicular safety at the intersection of 8th Street and Borden Drive.

Ed Kravitz, Imperial Beach, urged renewed consideration of reviving the old belt railroad line.

CITY COUNCIL

PRESENTATIONS

PERSONNEL RECOGNITION / APPRECIATION ADMIN (604-2-1)

1. Employee Service Recognition – Recognizing Lieutenant Robert Rounds for his 20 years of service with the City of National City

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

2. Introduction of new employee – Cruz Ruelas Avila, Civil Engineering Technician. (Engineering/Public Works)

INTERVIEWS AND APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments: Various Boards, Commissions and Outside Agencies. (City Clerk)

ACTION: No one appeared for interview for City Boards and Commissions.

Motion by Rios, seconded by Sotelo-Solis, to appoint Mayor Morrison to SANDAG. Carried by unanimous vote.

Motion by Rios, seconded by Sotelo-Solis, to appoint Member Sotelo-Solis as 1st Alternate. Carried by the following vote, to-wit: Ayes: Mendivil, Rios, Sotelo-Solis. Nays: Cano, Morrison. Abstain: None. Absent: None.

Motion by Rios, seconded by Sotelo-Solis, to appoint Member Rios as 2nd Alternate. Carried by the following vote, to-wit: Ayes: Mendivil, Rios, Sotelo-Solis. Nays: Cano, Morrison. Abstain: None. Absent: None.

Motion by Morrison, seconded by Cano, to appoint Vice Mayor Cano to Bay Shore Bikeway Working Group. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Abstain: None. Absent: None.

Motion by Morrison, seconded by Cano, to appoint Vice Mayor Cano to Metro Wastewater JPA. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Sotelo-Solis. Nays: Rios. Abstain: None. Absent: None.

Motion by Morrison, seconded by Cano, to appoint Member Mendivil as Alternate. Carried by unanimous vote.

Motion by Morrison, seconded by Sotelo-Solis, to appoint Member Rios to the MTS Board. Carried by unanimous vote.

Motion by Morrison, seconded by Sotelo-Solis, to appoint Member Sotelo-Solis as Alternate. Carried by unanimous vote.

Motion by Morrison, seconded by Cano, to appoint Mayor Morrison to the Regional Solid Waste Authority. Carried by unanimous vote.

Motion by Morrison, seconded by Cano, to appoint Vice Mayor Cano as Alternate. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Abstain: None. Absent: None.

Motion by Morrison, seconded by Cano, to appoint Mayor Morrison to the San Diego County Water Authority. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison. Nays: Rios, Sotelo-Solis. Abstain: None. Absent: None.

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

INTERVIEWS AND APPOINTMENTS (cont.)

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments: Various Boards, Commissions and Outside Agencies (continued).

ACTION: Motion by Morrison, seconded by Cano, to appoint Jess Van Deventer to the Sweetwater Authority. Carried by unanimous vote.

Motion by Morrison, seconded by Cano, to appoint Member Rios to the Tobacco Smoke Free Committee. Carried by unanimous vote.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (NCMC), Item Nos. 5 through 9 (Resolution Nos. 2015-1 through 2015-5), Item No. 10 (Disclosure of Property Interest), Item Nos. 11 through 15 (Warrant Registers). Motion by Cano, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2015 (506-2-30)

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.

GRANT / PUBLIC SAFETY (206-4-27)

5. Resolution No. 2015-1. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE GRANT ASSURANCES FOR THE FY14 STATE HOMELAND SECURITY GRANT PROGRAM, AND AUTHORIZING THE ESTABLISHMENT OF AN APPROPRIATION AND CORRESPONDING REVENUE BUDGET IN THE AMOUNT OF \$51,831 FROM THE FY14 STATE HOMELAND SECURITY GRANT PROGRAM FOR A REIMBURSABLE GRANT PURCHASE OF EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS. (Fire)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2005-65)

6. Resolution No. 2015-2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO OFFICE OF HOMELAND SECURITY AND THE CITY OF NATIONAL CITY REGARDING FY14 URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING FOR A REIMBURSABLE GRANT FOR EQUIPMENT AND TRAINING FOR POLICE AND FIRE PERSONNEL. (Fire)

ACTION: Adopted. See above.

CONTRACT (C2015-1)

7. Resolution No. 2015-3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDING A CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$79,000.00 TO DOWNSTREAM SERVICES, INC. FOR THE NATIONAL CITY CULVERT BARRIER PROJECT, CIP NO. 14-06; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$11,850.00 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2015 (801-2-36)

8. Resolution No. 2015-4. 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 THE RESIDENCE AT 1931 "K" AVENUE. (TSC 2014-17) (Engineering/Public Works)

ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2015 (801-2-36)

9. Resolution No. 2015-5. 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 THE RESIDENCE AT 824 E. 28TH STREET. (TSC 2014-18) (Engineering/Public Works)

ACTION: Adopted. See above.

REDEV NATIONAL CITY REDEV PROJECT (411-1-10)

10. Disclosure of property interest located within Redevelopment Project Area; Councilmember Mendivil. (City Attorney)

ACTION: Accepted and filed. See above.

CONSENT CALENDAR (cont.)

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

11. Warrant Register #21 for the period of 11/12/14 through 11/18/14 in the amount of \$2,129,886.94. (Finance)
ACTION: Ratified. See above.

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

12. Warrant Register #22 for the period of 11/19/14 through 11/25/14 in the amount of \$16,149,175.76. (Finance)
ACTION: Ratified. See above.

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

13. Warrant Register #23 for the period of 11/26/14 through 12/02/14 in the amount of \$1,871,335.75. (Finance)
ACTION: Ratified. See above.

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

14. Warrant Register #24 for the period of 12/03/14 through 12/09/14 in the amount of \$1,769,745.87. (Finance)
ACTION: Ratified. See above.

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

15. Warrant Register #25 for the period of 12/10/14 through 12/16/14 in the amount of \$1,693,052.88. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS

CONDITIONAL USE PERMITS 2015 (403-30-1)

16. Public Hearing – Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street. (Applicant: Grill House at Big Ben) (Case File 2014-08 CUP) (Planning)

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

TESTIMONY: Ben Adler spoke against the CUP.

Janice Martinelli, National City, expressed concerns about security and possible noise problems.

Rick Hesper, National City, expressed concerns about noise and safety and spoke against the CUP.

Jeffrey Cox, National City, spoke against the CUP.

Arkan Somo, representing the applicant, spoke in support of the CUP.

Nick Salam, the applicant, spoke in support and responded to questions.

PUBLIC HEARINGS (cont.)

CONDITIONAL USE PERMITS 2015 (403-30-1)

16. Public Hearing – Conditional Use Permit (continued).

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

Motion by Sotelo-Solis, seconded by Mendivil, that entertainment and alcohol sales end at 9:00 p.m. on Sunday. Motion failed by the following vote, to-wit: Ayes: Mendivil, Sotelo-Solis. Nays: Cano, Morrison, Rios. Abstain: None. Absent: None.

Motion by Rios, seconded by Cano, that entertainment stop at 9:00 p.m. on Sunday. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: Sotelo-Solis. Abstain: None. Absent: None.

Motion by Rios, seconded by Sotelo-Solis, to approve the Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street, approve findings for approval and the conditions of approval as amended. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: None. Abstain: None. Absent: Sotelo-Solis.

NON CONSENT RESOLUTIONS

CONTRACT (C2015-2)

17. Resolution No. 2015-6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDING A CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$2,841,105.00 TO L.B. CIVIL CONSTRUCTION FOR THE "A" AVENUE GREEN STREET IMPROVEMENT PROJECT, CIP NO. 14-05; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$426,165.75 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

Item No. 19 was taken up next.

NEW BUSINESS

COUNCIL POLICY MANUAL (102-13-1)

19. City Council Policy #804 "City Support for Special Events" for review and discussion of proposed Policy update to the City Council Policy Manual (Chapter 800). (Neighborhood Services)

RECOMMENDATION: Review proposed policy revisions for Policy #804. A supporting Resolution will be brought forward to Council at a subsequent Council meeting for adoption of said chapter with final revisions.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to increase co-sponsored amount to \$1,200.00 per day and approve the cap for non-sponsored groups at \$1,000. Carried by unanimous vote.

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

18. Request to use Martin Luther King Jr. Community Center (North and South Rooms) by National City Chamber of Commerce for a Job Fair on Tuesday, April 14, 2015. Applicant anticipates approximately 1,000 attendees. Applicant is requesting a waiver of fees. (Engineering/Public Works)

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

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to approve with a fee waiver of \$1,200.00. Carried by unanimous vote.

COUNCIL POLICY MANUAL (102-13-1)

19. City Council Policy #804 "City Support for Special Events" for review and discussion of proposed Policy update to the City Council Policy Manual (Chapter 800). (Neighborhood Services)

ACTION: Item taken up earlier. See above.

Member Cano left the Chamber at 8:36 pm.

HUMAN RESOURCES DEPT ADMIN (1104-1-2)

20. Report on the status of the San Diego Pooled Insurance Program Authority (SANDPIPA). (Administrative Services)

RECOMMENDATION: Accept and file the report.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to accept and file. Carried by the following vote, to-wit: Ayes: Mendivil, Morrison, Rios, Sotelo-Solis. Nays: None. Abstain: None. Absent: Cano.

NEW BUSINESS (cont.)

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

21. City Council Summer Legislative Recess. (City Manager)

RECOMMENDATION: Request Council direction.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to approve legislative recess in July. Carried by the following vote, to-wit:

Ayes: Mendivil, Morrison, Rios, Sotelo-Solis. Nays: None. Abstain: None. Absent: Cano.

Member Cano returned to the Chamber at 8:39 pm.

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

NO AGENDA ITEMS

STAFF REPORTS

LIBRARY REPORT ADMIN (1104-1-6)

22. Update on the Library's Radio Frequency Identification (RFID) System Conversion Project. (Library)

MAYOR AND CITY COUNCIL

Member Sotelo-Solis thanked the staff and extended New Year greetings.

Member Mendivil said he attended the training for new council members and found it to be a very worthwhile learning experience.

Member Rios extended New Year greetings.

Member Cano thanked the staff for their good work and extended New Year greetings.

Mayor Morrison recalled that many years ago no one knew about National City but in the years since the City has made a name for itself and is known state-wide.

CLOSED SESSION REPORT

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

ADJOURNMENT

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, February 3, 2015 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:02 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of February 3, 2015.



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, January 20, 2015 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel -- Existing Litigation
Government Code Section 54956.9(a)
City of National City, Successor Agency v. Morgan Square, Inc.
San Diego Superior Court Case No. 37-2013-00054606-CU-OR-CTL
2. Public Employee Performance Evaluation
Government Code Section 54957(b)(1)
Title: City Manager

SUCCESSOR AGENCY

2. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City, Successor Agency v. Morgan Square, Inc.
San Diego Superior Court Case No. 37-2013-00054606-CU-OR-CTL

ADJOURNMENT

Next Regular City Council and Successor Agency Meetings: Tuesday, January 20, 2015,
6:00 p.m., Council Chambers, Civic Center