

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

March 3, 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 6:09 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, Ybarra.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Enrique Panigua, National City, spoke about problems he is experiencing in his neighborhood and on his street.

Sabastian Solis, National City, invited everyone to attend the spaghetti dinner at El Toyon School on March 11th at 6:00 p.m. Proceeds go toward cost of 6th grade camp.

Sunshine Horton, El Cajon, encouraged interested senior citizens to join the National City Senior Patrol to assist others in need and give back to the community.

CITY COUNCIL

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS 2015 (102-10-10)

1. Presentation of Check to National City Police Department by National City Rotary Club, National City Host Lions Club, and Sweetwater Kiwanis Club for Police K-9 Vests.

COUNCIL MEETING PRESENTATIONS 2015 (102-10-10)

2. Vision Plan Presentation. (Cindy Gompper-Graves, South County Economic Development Council)

ACTION: No presentation was made. The item will be on an upcoming Agenda.

INTERVIEWS AND APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments: Planning Commission. (City Clerk)
William Sendt, Ryan Whipple, Ditas Yamane, Marcus Bush and Janice Martinelli appeared for interview. Planning Commission appointments will be made at the March 17, 2015 meeting.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (NCCMC), Item No. 5 (Minutes), Item Nos. 6 through 8 (Resolution Nos. 2015-20 through 2015-22), Item No. 9 (TUP), Item Nos. 10 and 11 (Warrant Registers). Motion by Sotelo-Solis, seconded by Cano, 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.

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 FEBRUARY 17, 2015. (City Clerk)
ACTION: Approved. See above.

CONTRACT (C2015-7)

6. Resolution No. 2015-20. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND ASPEN RISK MANAGEMENT GROUP, FOR THE PERIOD APRIL 1, 2015 THROUGH OCTOBER 31, 2015 TO PROVIDE LIABILITY CLAIMS ADMINISTRATION AND RISK MANAGEMENT SERVICES TO THE CITY OF NATIONAL CITY AT AN AMENDMENT AMOUNT NOT TO EXCEED \$56,420 AND A TOTAL NOT TO EXCEED COST OF \$81,420. (Human Resources)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-1)

7. Resolution No. 2015-21. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HARRIS & ASSOCIATES, INC. TO PROVIDE CONSTRUCTION SUPPORT SERVICES, INCLUDING PREPARATION OF RECORD DRAWINGS, FOR THE 8TH STREET SMART GROWTH REVITALIZATION AND HIGHLAND AVENUE SAFETY ENHANCEMENT PROJECTS FOR A NOT-TO-EXCEED AMOUNT OF \$50,000. (Engineering/Public Works)
ACTION: Adopted. See above.

CONTRACT (C2015-8)

8. Resolution No. 2015-22. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN FREEWAY MAINTENANCE AGREEMENT 11-8171 BETWEEN THE CITY OF NATIONAL CITY AND THE STATE OF CALIFORNIA BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION IN THE DEVELOPMENT OF STATE HIGHWAY ROUTE 54 FOR THE MAINTENANCE OF PORTIONS OF NATIONAL CITY BOULEVARD, HIGHLAND AVENUE, EDGEMERE DRIVE, SWEETWATER ROAD, AND PLAZA BONITA CENTER WAY ALONG AREAS SHOWN ON THE PLAN MAP ATTACHED HERETO, MARKED EXHIBIT "A," WITHIN THE CITY OF NATIONAL CITY. (Engineering/Public Works)
ACTION: Adopted. See above.

TEMPORARY USE PERMITS 2015 (203-1-31)

9. Temporary Use Permit – National City Public Safety Fair hosted by the National City Police Department and Fire Department on April 18, 2015 from 9 a.m. to 1:30 p.m. at 3030 Plaza Bonita Road. This is a National City sponsored event per Council Policy No. 804. (Neighborhood Services)
ACTION: Approved. See above.

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

10. Warrant Register #30 for the period of 01/14/15 through 01/20/15 in the amount of \$2,164,942.10. (Finance)
ACTION: Ratified. See above.

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

11. Warrant Register #31 for the period of 01/21/15 through 01/27/15 in the amount of \$2,561,308.46. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS

CONDITIONAL USE PERMITS 2015 (403-30-1)

12. Public Hearing – Conditional Use Permit for alcohol sales at American Multi-Cinema (AMC) located at Westfield Plaza Bonita. (Applicant: American Multi-Cinema, Inc.) (Case File 2014-19 CUP) (Planning)

RECOMMENDATION: Staff concurs with the decision of the Planning Commission and is in support of the requested changes.

TESTIMONY: Brian Clapper, National City, spoke against the CUP.
Eddie Perez, San Diego, spoke in opposition.

Sunshine Horton, El Cajon, spoke in opposition.

Frank Lewis, representing the applicant, spoke in support and responded to questions.

Enrique Zapata, National City, spoke in opposition.

Frances Camacho, National City, spoke in opposition.

William Sendt, National City, spoke in opposition.

Ethan McDonald, National City, spoke in opposition.

Nathan McDonald spoke in opposition.

Jacqueline Reynoso, National City Chamber of Commerce CEO, spoke in support on behalf of the Chamber Board of Directors.

Emilio Gallegos, Chula Vista, spoke in opposition.

Alexandro Rodriguez, Bonita, spoke in opposition.

Marisol Natividad, National City, spoke in opposition.

Patty Corona, National City, spoke in opposition.

Gabriel Mateus, Chula Vista, spoke in opposition.

EXPARTE DISCLOSURE: Members Mendivil, Morrison, Rios, and Sotelo-Solis disclosed that they had contact with the applicant prior to the meeting.

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

Motion by Sotelo-Solis, seconded by Rios, to deny the Conditional Use Permit. Carried by the following vote, to-wit: Ayes: Mendivil, Rios, Sotelo-Solis. Nays: Cano, Morrison. Abstain: None. Absent: None.

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2015 (506-2-30)

13. Ordinance No. 2015-2401. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING SECTION 18.42.020 (A) (2) RELATED TO PROJECTIONS INTO REQUIRED SETBACKS. (Applicant: Gary L. Line) (Case File 2014-13 A) (Planning)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

CONDITIONAL USE PERMITS 2015 (403-30-1)

14. Resolution No. 2015-23. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONDITIONAL USE PERMIT FOR A CHARTER SCHOOL IN NATIONAL CITY PLAZA AT THE NORTHWEST CORNER OF EUCLID AND DIVISION AVENUES. (Applicant: Diego Valley Public Charter, Inc.) (Case File 2014-21 CUP) (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Sandra Huezo, Interim Sweetwater Union High School District Superintendent, cited sections of the Education Code and requested that the item be continued.

ACTION: Motion by Rios, seconded by Cano, to continue the item. Carried by unanimous vote.

NEW BUSINESS

CONDITIONAL USE PERMITS 2015 (403-30-1)

15. Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales at Denny's Restaurant located in Sweetwater Crossings Shopping Center. (Applicant: Denfran Systems, Inc.) (Case File 2014-24 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 Cano, seconded by Morrison, to approve staff recommendation. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, and Morrison. Nays: Rios, Sotelo-Solis. Abstain: None. Absent: None.

FINANCIAL MANAGEMENT 2013-2014 (204-1-29)

16. City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2014. (Finance)
(Copy on file in the Office of the City Clerk)

RECOMMENDATION: Accept and file the City of National City Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014.

Staff report provided by Coley Delaney from the auditing firm of Pun & Macready, LLP.

TESTIMONY: None.

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

NEW BUSINESS (cont.)

AUDIT FINANCIAL REPORT FY 2013-2014 (208-1-28)

17. City of National City's Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2014. (Finance)
(Copy on file in the Office of the City Clerk)

RECOMMENDATION: Accept and file the City of National City's Single Audit Report on Federal Awards for the Fiscal Year ended June 30, 2014.

Staff report provided by Coley Delaney from the auditing firm of Pun & McGeady, LLP.

TESTIMONY: None.

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

FINANCIAL MANAGEMENT 2014-2015 (204-1-30)

18. Transfer of \$2,000,000 investment from Neighborhood National Bank Certificate of Deposit Account Registry Service ("CDARS") deposit to portfolio managed by Chandler Asset Management. (Finance)

RECOMMENDATION: Accept and file the report.

TESTIMONY: None.

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

COMMUNITY SERVICES DEPT ADMIN (1104-1-7)

19. Update on Construction of the Waterfront Adventure Center (formerly known as the Aquatic Center) and seeking City Council direction to issue a Request For Proposals (RFP) for a "Maintenance and Operating Agreement" or "Sub-lease" with the most qualified operator. (Community Services)

RECOMMENDATION: None.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Sotelo-Solis, to seek Request for Proposals. Carried by unanimous vote.

COMMUNITY SERVICES DEPT ADMIN (1104-1-7)

20. Update on the partnership with the YMCA of San Diego County-South Bay (YSB) and request council direction regarding management and operation of the National City Municipal Pool and Camacho Gym Recreation Center located in Las Palmas Park. (Community Services)

Staff Report on file in the Office of the City Clerk.

RECOMMENDATION: Staff recommended the City assume programming for the Camacho Gym with a projected opening on June 1, 2015 and to not open the Municipal Pool for the 2015 summer/fall season in order to do a comprehensive study on deferred maintenance and capital needs.

TESTIMONY: Tina Williams, YMCA representative, responded to questions.

NEW BUSINESS (cont.)

COMMUNITY SERVICES DEPT ADMIN (1104-1-7)

20. Update on the partnership with the YMCA of San Diego County-South Bay (YSB) (continued.)

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

COMMUNITY SERVICES DEPT ADMIN (1104-1-7)

21. Request authorization by the Mayor, on behalf of City Council, for a letter in support of the San Diego Community Garden Network's plans to partner with the City and create a network of urban agriculture in National City. (Community Services)

RECOMMENDATION: Authorize the Mayor, on behalf of City Council to sign the letter in support of the San Diego Community Garden Network's plans to partner with the City and create a network of urban agriculture in National City.

TESTIMONY: Walt Sanford, San Diego Community Garden Network, addressed the Council.

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

BUDGET FY 2015-2016 (206-1-31)

22. Request for direction regarding City Council priorities for the City of National City's Fiscal Year 2016 budget. (Finance)

RECOMMENDATION: None.

TESTIMONY: Carolina Martinez, Environmental Health Coalition, urged code enforcement and amortization be priorities.

ACTION: There was discussion. No vote was taken.

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

NO AGENDA ITEMS

STAFF REPORTS

None.

MAYOR AND CITY COUNCIL

Member Sotelo-Solis thanked staff for their very professional reports, congratulated Member Rios for the success of the police dog fund raising event and urged everyone to consider participating in Read-Across-America.

MAYOR AND CITY COUNCIL (cont.)

Member Rios expressed appreciation for support received by the Rotary Club for the police dogs and announced that Sweetwater High will be hosting events to welcome Gayle Devers' visit to the school and urged everyone to show their support.

Mayor Morrison gave an update on transportation funding issues before the San Diego Association of Governments (SANDAG) and reported that the snowpack in California is the second lowest in history. Mayor Morrison also mentioned that former City Council Member Jess Van Deventer was going to be inducted into the International Drag Raising Hall of Fame in Florida.

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, March 17, 2015 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 11:11 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of March 17, 2015.



Mayor

Upcoming City Council Workshops:

- Strategic Planning Workshop, March 24, 2015 @ 5:00 pm - City Council Chambers
- Homelessness Workshop, April 21, 2015 @ 4:30 pm - City Council Chambers
- FY 16 Budget Workshop, April 28, 2015 @ 5:00 pm - City Council Chambers
- FY 16 Budget Workshop, May 26, 2015 @ 5:00 pm - City Council Chambers

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

CITY COUNCIL OF THE CITY OF NATIONAL CITY

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

Special Meeting – Tuesday, March 3, 2015 – 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. Liability Claims – Government Code Section 54956.95
Workers' Compensation Claim
Agency Claimed Against: City of National City
Number of Claim: Three

ADJOURNMENT

Next Regular City Council and Successor Agency Meetings: Tuesday, March 3, 2015, 6:00 p.m., Council Chambers, Civic Center