

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

December 16, 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 6:13 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, Hernandez, Manganiello, Muthusamy, Raulston, Roberts, Rodriguez, Silva, Stevenson, Williams, Ybarra.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Sunshine Horton, El Cajon, thanked members of the Police Department for volunteering to be Santas; encouraged everyone to do a good deed for someone and extended Christmas greetings.

CITY COUNCIL

PRESENTATIONS

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

1. Recognizing National City Recreation Specialist Mercy Miana for her efforts in locating a missing juvenile

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

2. Employee of the Quarter 2014 – Christopher Duron, Firefighter

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

3. Retirement Recognition – Recognizing Veronica (Ronni) Zengota, Police Operations Assistant for her 30 years of service with the City of National City.

COUNCIL MEETING PRESENTATIONS 2014 (102-10-9)

4. 2015 Storm Water Calendar Presentation. (Engineering/Public Works)

PRESENTATIONS (cont.)

COUNCIL MEETING PRESENTATIONS 2014 (102-10-9)

5. Update ARTS / A Reason to Survive – (Ashleigh Starke, Director of Programs)

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 6 (NCCMC), item No. 7 (Minutes), Item Nos. 8 through 19 (Resolution Nos. 2014-169 through 2014-180), Item Nos. 20 and 21 (Warrant Registers). Motion by Cano, seconded by Rios, to pull Item No. 8, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2014 (506-2-29)

6. 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

7. 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 NOVEMBER 18, 2014. (City Clerk)

ACTION: Approved. See above.

GRANT / PUBLIC SAFETY (206-4-27)

8. Resolution No. 2014-169. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE ACCEPTANCE OF THE SECOND DISBURSEMENT FROM THE STATE OF CALIFORNIA AB109 GRANT FUND ADMINISTERED THROUGH THE CITY OF SAN DIEGO IN THE AMOUNT OF \$36,351 AND THE ESTABLISHMENT OF A FISCAL YEAR 2015 APPROPRIATION OF \$36,351 AND A CORRESPONDING REVENUE BUDGET FOR MONITORING AND ASSISTING FRONTLINE LAW ENFORCEMENT IN OUR REGION WITH THE PROBLEMS ASSOCIATED WITH THE EARLY RELEASE OF NON-VIOLENT OFFENDERS FROM STATE PRISON. (Police)

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

CONSENT CALENDAR (cont.)

CONTRACT (C2014-1)

9. Resolution No. 2014-170. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO AN AMENDMENT TO EXTEND THE CURRENT MEMORANDUM OF AGREEMENT WITH THE COUNTY OF SAN DIEGO (SAN DIEGO SHERIFF'S DEPARTMENT AND PROBATION DEPARTMENT) AND MUNICIPAL LAW ENFORCEMENT AGENCIES THROUGHOUT THE COUNTY, FOR PROGRAM SUPPORT OF THE REGIONAL REALIGNMENT RESPONSE GROUP (R3). (Police)

ACTION: Adopted. See above.

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

10. Resolution No. 2014-171. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE COUNCIL TO WAIVE THE FORMAL BID PROCESS FOR THE PURCHASE AND BUILD-OUT OF (5) FULLY EQUIPPED POLICE VEHICLES BASED ON MUNICIPAL CODE SECTION 2.60.260 AND AUTHORIZE THE CITY (BUYER) TO PIGGYBACK THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT # 1-12-23-14 TO AWARD THE PURCHASE AND BUILD-OUT TO FOLSOM LAKE FORD IN THE AMOUNT OF \$246,969.33; AND, WAIVING THE BID PROCESS FOR THE PURCHASE OF THE POLICE RADIOS BASED ON MUNICIPAL CODE SECTION 2.60.220 (B) AND (C) TO BE PURCHASED FROM THE REGIONAL COMMUNICATIONS SYSTEM (RCS) SOLE SOURCE VENDOR, MOTOROLA SOLUTIONS, INC. IN THE AMOUNT OF \$19,620.26 FOR A TOTAL COST OF THE PURCHASE, BUILD OUT, AND RADIOS FOR THE FIVE (5) VEHICLES IN THE NOT TO EXCEED AMOUNT OF \$266,589.59, AND THE ESTABLISHMENT OF AN APPROPRIATION OF \$266,589.59. ONE VEHICLE WILL BE FUNDED THROUGH THE EQUIPMENT REPLACEMENT FUND. (Police)

ACTION: Adopted. See above.

COUNCIL POLICY MANUAL (102-13-1)

11. Resolution No. 2014-172. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING CITY COUNCIL POLICY # 203, "INVESTMENTS" FOR FISCAL YEAR 2015, ADDING SUB-SECTION "A. MONTHLY REPORTS" TO SECTION XII. (Finance)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

12. Resolution No. 2014-173. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ESTABLISHMENT OF GOVERNMENTAL PURPOSES AND TRAINING APPROPRIATIONS FOR THE OFFICE OF COUNCILMEMBER MENDIVIL AND USE OF UNASSIGNED GENERAL FUND FUND BALANCE TO FUND THE APPROPRIATIONS. (Finance)

ACTION: Adopted. See above.

CONTRACT (C2014-53)

13. Resolution No. 2014-174. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDED A CONTRACT TO FORDYCE CONSTRUCTION, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$128,200.00 TO COMPLETE ALL LINE ITEMS OF WORK INCLUDED IN THE BASE BID AND ALTERNATE BID "A" FOR THE NATIONAL CITY MORGAN TOWER REPAIRS AND CITY HALL REMODEL PROJECT, CIP NO. 14-04, 2) AUTHORIZING A 25% CONTINGENCY IN THE AMOUNT OF \$32,050.00 FOR ANY UNFORESEEN CHANGES, AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

ACTION: Adopted. See above.

CONTRACT (C2010-28)

14. Resolution No. 2014-175. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) APPROVING AMENDMENT NO. 1 TO THE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF NATIONAL CITY REGARDING THE NATIONAL CITY AQUATIC CENTER (RENAMED AS THE WATERFRONT ADVENTURE CENTER) WHEREIN THE PORT DISTRICT AGREES TO CONTRIBUTE AN ADDITIONAL \$500,000 TOWARDS COMPLETION OF THE PROJECT, 2) AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT, AND 3) AUTHORIZING THE APPROPRIATION OF \$500,000 TO THE PROJECT, TO BE REIMBURSED BY THE PORT DISTRICT VIA THE TERMS OF THE AMENDMENT. (Engineering/Public Works)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2014-54)

15. Resolution No. 2014-176. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KTU&A FOR A NOT-TO-EXCEED AMOUNT OF \$700,000 TO PROVIDE ON-CALL PROJECT SUPPORT SERVICES FOR NATIONAL CITY'S CAPITAL IMPROVEMENT PROGRAM (CIP), INCLUDING, BUT NOT LIMITED TO, LANDSCAPE ARCHITECTURE, TRANSPORTATION DESIGN AND PLANNING, MOBILITY AND LAND USE PLANNING, ADA AND UNIVERSAL DESIGN, PUBLIC OUTREACH AND GEOGRAPHIC INFORMATION SYSTEMS (GIS). (Engineering/Public Works)

ACTION: Adopted. See above.

GRANT / LIBRARY (206-4-10)

16. Resolution No. 2014-177. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE ACCEPTANCE OF A \$26,152 AUGMENTATION TO THE CALIFORNIA LIBRARY LITERACY SERVICES (CLLS) GRANT, FISCAL YEAR 2014-15, FOR THE NATIONAL CITY LIBRARY'S LITERACY PROGRAM, INCREASING THE TOTAL AMOUNT OF THE GRANT FROM \$15,000 TO \$41,152, AND AUTHORIZING THE ESTABLISHMENT OF FUND APPROPRIATIONS AND A CORRESPONDING REVENUE BUDGET. (Library)

ACTION: Adopted. See above.

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

17. Resolution No. 2014-178. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS BY PIGGYBACKING WESTERN STATES CONTRACTING ALLIANCE (WSCA) CONTRACT B27160, AND AUTHORIZING THE PURCHASE FROM DELL INC. OF TWO SERVERS AND STORAGE AREA NETWORK (SAN) STORAGE FOR AN AMOUNT NOT TO EXCEED \$60,984.64. (MIS)

ACTION: Adopted. See above.

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

18. Resolution No. 2014-179. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS BY PIGGYBACKING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) CONTRACT 3-13-70-2409D, AND AUTHORIZING THE PURCHASE FROM PCS MOBILE OF AT&T LTE BROADBAND MODEMS FOR POLICE MOBILE DATA COMPUTERS (MDC) FOR AN AMOUNT NOT TO EXCEED \$49,500.00. (MIS)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

19. Resolution No. 2014-180. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS PURSUANT TO SECTION 2.60.110(B) OF THE NATIONAL CITY MUNICIPAL CODE AND AUTHORIZING THE PURCHASE FROM TRITECH SOFTWARE SYSTEMS, INFORM MOBILE MDC SOFTWARE IN THE TOTAL NOT-TO-EXCEED AMOUNT OF \$64,628.00. (MiS)
ACTION: Adopted. See above.

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

20. Warrant Register #19 for the period of 10/29/14 through 11/04/14 in the amount of \$848,281.00. (Finance)
ACTION: Ratified. See above.

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

21. Warrant Register #20 for the period of 11/05/14 through 11/11/14 in the amount of \$2,833,575.64. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS

STREET VACATION ADMIN 2011-2020 (902-26-6)

22. Public Hearing – Proposed Street Vacation of a segment of "A" Avenue located south of East 28th Street and north of East 29th Street. (Applicant: Frank Motors) (Case File No. 2013-23 SC) (Planning)
RECOMMENDATION: Staff concurs with the Planning Commission determination and recommends approval of the Street Vacation.
TESTIMONY: Francisco Marruenda, National City, spoke in opposition.
Joe Leon and Andre Leon, National City, spoke in opposition.
Dan Mann, National City, spoke in opposition.
Jim Fernaca and Gary Fanelli appeared on behalf of Frank Motors, and agreed to do an expanded traffic study.
ACTION: Motion by Sotelo-Solis, seconded by Rios, to continue the Public Hearing, have the applicant do a more comprehensive traffic study and staff expand the Public Notice area and to include tenants. Carried by unanimous vote.

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2014 (506-2-29)

23. Ordinance No. 2014-2400. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING THE COMPENSATION OF THE MAYOR AND THE CITY COUNCIL. (City Attorney)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, to deny the Ordinance. Motion died for lack of a second.

Motion by Cano, to raise the Mayor's compensation to \$65,000. Died for lack of a second.

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

NON CONSENT RESOLUTIONS

CONTRACT (C2014-55)

24. Resolution No. 2014-181. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDED A CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$1,379,220.00 TO PORTILLO CONCRETE, INC. FOR THE HIGHLAND AVENUE SAFETY ENHANCEMENTS PROJECT, CIP NO. 13-07; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$206,883.00 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

CONDITIONAL USE PERMITS 2014 (403-29-1)

25. Notice of Decision – Planning Commission approval of a 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 and recommends that the Notice of Decision be filed.

TESTIMONY: None.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2014 (403-29-1)

25. Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales, a banquet facility, and live entertainment at Big Ben Market located at 108 East 8th Street (continued).

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

Member Mendivil requested the item be set for hearing. The maker of the motion declined. Member Sotelo-Solis, withdraw her second. Member Rios seconded the motion, to approve staff recommendation. Motion failed by the following vote, to-wit: Ayes: Cano, Rios. Nays: Mendivil, Morrison, Sotelo-Solis. Absent: None. Abstain: None.

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

SUBDIVISIONS / VARIANCES 2014 (415-1-10)

26. Notice of Decision – Planning Commission approval of a Tentative Parcel Map for subdividing one lot into two, Zone Variance for a reduced front yard setback, and exception for reduced lot frontage at 240 Norton Avenue. (Applicant: Abraham Edid) (Case File 2014-18 LS, Z) (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 Cano, to approve staff recommendation. Carried by unanimous vote

BUDGET FY 2014-2015 (206-1-30)

27. Fiscal Year 2014 4th Quarter and Fiscal Year 2015 1st Quarter Budget Review. (Finance)

RECOMMENDATION: Accept the staff report as presented.

TESTIMONY: None.

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

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

NO AGENDA ITEMS

STAFF REPORTS

CITY MANAGER / REPORTS ADMIN (1104-1-12)

28. Update on National City' portion of the Bayshore Bikeway. (City Manager)

POLICE DEPT ADMIN (302-4-1)

29. Update on South Bay Traffic Court Closure. (Police)

ENGINEERING DEPT - GRANTS / REPORTS ADMIN (1104-1-1)

30. Update on recent rain and flooding. (Engineering/Public Works)

MAYOR AND CITY COUNCIL

Member Sotelo-Solis extended Christmas greetings and a sincere thanks to City Manager Leslie Deese, the Executive/Management team and staff for everything they have done the past year and said the time they dedicate to the community has been phenomenal and really makes a difference.

Member Mendivil thanked staff and everyone in general. As a new person coming in, everyone has been very kind and helpful. He said it is awesome to be involved in the City and he looks forward to continuing to grow together.

Member Rios thanked staff for all their work the past year and highlighted the Christmas breakfast. She said it was great to see another side of people and thanked City Manager Leslie Deese for sponsoring the event and for all that she does.

Vice Mayor Cano also thanked staff and extended Holiday greetings. Member Cano reviewed several holiday events he attended including the Christmas Tree lighting event and the Police Officers Association (POA) dinner. He offered special thanks to the POA and La Maestra for their holiday toy drives for needy families.

City Clerk Daila discussed meeting procedures and noticing requirements.

Mayor Morrison said the Christmas Breakfast was a huge success and thanked City Manager Deese for sponsoring the event and the employee committee and volunteers who worked on it. The Mayor gave special mention to the low-riders "Tacos to Toys" Toy Drive and updated the Council on the leadership issues confronting the San Diego Association of Governments (SANDAG).

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 Mendivil, 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, January 20, 2015 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:45 p.m.



City Clerk

The foregoing minutes were approved at the Adjourned Regular Meeting of August 4, 2015.



Mayor

City Council Meeting Schedule for the Period of January 6, 2014 through January 20, 2015:

- 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, December 16, 2014 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation Pursuant to Government Code Section 54956.9(c)
Robertson v. San Diego Association of Governments
SD Superior Court Case No. 37-2013-00051297-CU-WM-CTL
One Potential Case
2. 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

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

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, December 16, 2014, 6:00 p.m., Council Chambers, Civic Center