

**MINUTES OF THE ADJOURNED REGULAR MEETING OF THE  
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION OF  
NATIONAL CITY, CALIFORNIA**

**January 22, 2008**

The Adjourned Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:05 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Commission members present: Morrison, Natividad, Parra, Ungab, Zarate.

Administrative Officials present: Babaki, Dalla, Deese, Eiser, Hodges, Juniel, Ladrado, Post, Raulston, Rodriguez, Smith, Stevenson, Williams, Zapata.

Others present: City Treasurer George Hood and Student Representative Tanya Concha.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC ORAL COMMUNICATIONS**

Bill Goulet, National City, asked questions about the additional penny sales tax and CDBG funding and where the money could be spent.

Jovita Juarez, South Bay Partnership, reported on a survey of liquor sales businesses and the resulting need for enforcement of training requirements.

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

1. **SUBJECT:** Employee Recognition – John H. Gish, Senior Park Caretaker for his 20 years of service.

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 2 (Minutes), Items 3 through 8 (Resolutions Nos. 2008-6 through 2008-11), Items No. 9 and 10 (Warrant Registers). Motion by Parra, seconded by Natividad, to pull Item No. 7 and the remainder of the Consent Calendar be approved. Carried by unanimous vote.

**CONSENT CALENDAR (cont.)**

**APPROVAL OF MINUTES**

2. **SUBJECT:** Approval of the Minutes of the Adjourned Regular City Council/Community Development Commission Meetings of October 30, 2007 and January 8, 2008. (City Clerk)  
**ACTION:** Approved. See above.

**DEED (D2008-1)**

3. Resolution No. 2008-6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING, APPROVING AND AUTHORIZING RECORDATION OF A FIRE AND EMERGENCY VEHICLE ACCESS EASEMENT OFF OF 4<sup>TH</sup> STREET THROUGH THE MEDICAL PROPERTIES TRUST (MPT) LAND TO SERVE THE EXISTING HOMES. (Engineering)  
**ACTION:** Adopted. See above.

**PLANNED DEVELOPMENT PERMIT ADMIN 2008 (414-1-23)**

4. Resolution No. 2008-7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A NEGATIVE DECLARATION AND AUTHORIZING THE FILING OF A NOTICE OF DETERMINATION FOR A THREE-STORY OFFICE BUILDING INCLUDING RETAIL SPACE AND STRUCTURED PARKING ON AN APPROXIMATELY 1-ACRE VACANT LOT ON THE NORTH SIDE OF EAST 8<sup>TH</sup> STREET, WEST OF V AVENUE. (Applicant: Kamel Zayet) (Case File 2007-08 PD) (Planning)  
**ACTION:** Adopted. See above.

**PERSONNEL EMPLOYEE BENEFITS (604-7-1)**

5. Resolution No. 2008-8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CREATION OF A \$2,500 SIGNING AND RETENTION INCENTIVE PROGRAM FOR THE POLICE DISPATCH CLASSIFICATION. (Human Resources)  
**ACTION:** Adopted. See above.

**PERSONNEL POSITIONS NEW & CLASSIFICATIONS (604-1-1)**

6. Resolution No. 2008-9. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO APPROVE THE SALARY BANDS FOR FOUR NEW CLASSIFICATIONS: CONFIDENTIAL ASSISTANT (\$3,176-\$3,860, MONTHLY), POLICE INVESTIGATIVE AIDE (\$3,252-\$3,952.81, MONTHLY), STREET MAINTENANCE & WASTEWATER SUPERINTENDENT (\$3,049-\$6,559, MONTHLY) AND WASTEWATER CREW CHIEF (\$2,770-\$3,705, MONTHLY). (Human Resources)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**EMPLOYMENT CONTRACT - CHRIS ZAPATA (604-6-2)**

7. Resolution No. 2008-10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING PAYMENT OF A ONE-TIME PERFORMANCE AND RETENTION INCENTIVE TO THE CITY MANAGER. (City Attorney)

**TESTIMONY:** Michael Sunshine, National City, asked a question.

**ACTION:** Motion by Parra, seconded by Zarate, to adopt the Resolution. Carried by unanimous vote.

**CONTRACT (C2008-1)**

8. Resolution No. 2008-11. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY MANAGER THE AUTHORITY TO APPROVE AND SIGN AN AGREEMENT WITH THE COUNTY OF SAN DIEGO AND SAN DIEGO COUNTY SHERIFF'S DEPARTMENT TO COMBAT HUMAN TRAFFICKING. (Police)

**ACTION:** Adopted. See above.

**WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)**

9. Warrant Register #25 for the period of 12/12/07 through 12/18/07 in the amount of \$1,488,086.62. (Finance)

**ACTION:** Ratified. See above.

**WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)**

10. Warrant Register #26 for the period of 12/19/07 through 12/25/07 in the amount of \$245,448.30. (Finance)

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS**

**CONDITIONAL USE PERMITS 2008 (403-23-1)**

11. Public Hearing – Appeal of a Planning Commission's denial of a Conditional Use Permit for a wireless communications facility at 1548 Highland Avenue. (Applicant: Sprint/Nextel – Anne Wulftange) (Case File No. 2007-20 CUP) (APN 560-131-19) (Planning)

**RECOMMENDATION:** Staff concurs with the Planning Commission and recommends that the project be denied.

**TESTIMONY:** (Staff report by Planning Director Roger Post.)

Anne Wylftiange, representing Sprint/Nextel, spoke in favor.

Lior Avraham, representing Sprint/Nextel, responded to questions.

**PUBLIC HEARINGS (cont.)**

**CONDITIONAL USE PERMITS 2008 (403-23-1)**

11. Public Hearing (continued).

**ACTION:** Motion by Natividad, seconded by Parra, to close the Public Hearing and deny the Appeal based on the findings of the Planning Commission. Carried by the following vote, to-wit. Ayes: Natividad, Parra, Ungab, Zarate. Nays: Morrison. Absent: None. Abstain: None.

**SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS (302-1-4)**

12. Public Hearing for FY 2007/08 State Supplemental Law Enforcement Services Fund for \$117,519 to be used to purchase an underground antenna, tasers, license plate readers, and a perimeter fence for the rear parking lot of the National City Police Department. (Police)

**RECOMMENDATION:** Approve the expenditure plan as submitted or as modified.

**TESTIMONY:** None. (Staff report by Assistant Police Chief Manuel Rodriguez)

**ACTION:** Motion by Parra, seconded by Zarate, to close the Public Hearing. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS**

**SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS (302-1-4)**

13. Resolution No. 2008-12. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE APPROPRIATION OF FY 2007/08 STATE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND WORTH \$117,519 TO PURCHASE AN UNDERGROUND ANTENNA, TASERS, LICENSE PLATE READERS AND A PERIMETER FENCE FOR THE REAR PARKING LOT OF THE NATIONAL CITY POLICE DEPARTMENT. (Police)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Parra, seconded by Zarate, to adopt the Resolution. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS (cont.)**

**ENCROACHMENT ADMIN 2008 (903-14-2)**

14. Resolution No. 2008-13. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN ENCROACHMENT AGREEMENT WITH PACIFICA HARBOR VIEW TWO, LLC FOR THE INSTALLATION OF A PEDESTRIAN BRIDGE BETWEEN 701 AND 801 NATIONAL CITY BOULEVARD OVER AND ACROSS E. 8TH STREET. (Engineering)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None. (Staff report by City Engineer Maryam Babaki)

**ACTION:** Motion by Zarate, seconded by Parra, to adopt the Resolution. Carried by the following vote, to-wit. Ayes: Morrison, Parra, Ungab, Zarate. Nays: None. Absent: Natividad. Abstain: None.

**NEW BUSINESS**

**KIMBALL PARK ADMIN (702-1-1)**

**LAS PALMAS PARK ADMIN (702-3-4)**

**EL TOYON PARK ADMIN (702-6-1)**

**CITY FACILITY - MAINT / IMPROVEMENTS ADMIN (1101-1-1)**

15. **SUBJECT:** Presentation of the remodeling and renovation of Parks and Recreation Facilities Project with the budgeted amount of \$1.2 million providing a status update and requesting feedback from the City Council of National City in order to move forward with the project. (Engineering)

**RECOMMENDATION:** Provide feedback.

**TESTIMONY:** None. (Staff report by City Engineer Maryam Babaki)  
(Copy on file in the Office of the City Clerk)

**ACTION:** Motion by Parra, seconded by Ungab, to approve Alternative #2. Carried by unanimous vote.

Item No. 21 was taken up next.

**COMMUNITY DEVELOPMENT COMMISSION**

**NON CONSENT RESOLUTION**

**COMMUNITY DEVELOPMENT STUDENT PROJECT (406-2-13)**

21. Resolution No. 2008-15. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY APPROVING STAFF'S RECOMMENDATION FOR THE STUDENT COMMUNITY DEVELOPMENT PROJECT WITH A NOT TO EXCEED BUDGET OF \$50,000. (Economic Development Division)

**NON CONSENT RESOLUTION (cont.)**

**COMMUNITY DEVELOPMENT STUDENT PROJECT (406-2-13)**

21. Resolution No. 2008-15 (continued).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** (Staff report by Jacqueline Reynoso)  
Sweetwater High School Students Dejuan Bright, Erik Pulido and Jose Valencia reviewed their proposed project and responded to questions.

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

Mayor Morrison left the Council Chamber at 8:14 p.m.

**CITY COUNCIL**

**NEW BUSINESS**

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

16. **SUBJECT:** Request to use the Martin Luther King, Jr. Community Center by the National School District for their Language Arts Workshop on Wednesday, January 30, 2008. (Community Services)

**RECOMMENDATION:** Approve the request.

**TESTIMONY:** None.

**ACTION:** Motion by Ungab, seconded by Zarate, to approve staff's recommendation. Carried by the following vote, to-wit. Ayes: Natividad, Parra, Ungab, Zarate. Nays: None. Absent: Morrison. Abstain: None.

Member Natividad left the Council Chamber at 8:15 p.m.

**INTERNET / WEB HOSTING ADMIN (1200-1-3)**

17. **SUBJECT:** Request for proposal (RFP) to redesign the City of National City's web site ([www.ci.national-city.ca.us](http://www.ci.national-city.ca.us)). (MIS)

**RECOMMENDATION:** Issue Request for Proposal (RFP) to select a web site design vendor to redesign the City's web site.

**TESTIMONY:** None. (Staff report by MIS Manager Ron Williams)

**ACTION:** Motion by Zarate, seconded by Ungab, to approve staff's recommendation. Carried by the following vote, to-wit. Ayes: Parra, Ungab, Zarate. Nays: None. Absent: Morrison, Natividad. Abstain: None.

**NEW BUSINESS (cont.)**

Mayor Morrison and Member Natividad returned to the Council Chamber at 8:19 p.m.

**TEMPORARY USE PERMITS 2008 (203-1-24)**

18. **SUBJECT:** Temporary Use Permit – Circus Vargas sponsored by Tabares Entertainment from February 7-11, 2008 at the Plaza Bonita Mall. (Building & Safety)

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

**TESTIMONY:** An un-named speaker representing Circus Vargas responded to questions.

**ACTION:** Motion by Parra, seconded by Ungab, to approve staff's recommendation. Carried by unanimous vote.

**COMMUNITY DEVELOPMENT COMMISSION**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 19 (Warrant Register), Item No. 20 (Resolution No. 2008-14). Motion by Natividad, seconded by Parra, to approve the Consent Calendar. Carried by unanimous vote.

**WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)**

19. Warrant Register for the period of 12/14/07 through 01/03/08 in the amount of \$789,608.32. (Community Development Commission / Finance)

**ACTION:** Ratified. See above.

**CONTRACT (C2006-41)**

20. Resolution No. 2008-14. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH CHRISTENSEN SCHWERDTFEGER & SPATH LLP (CSS) FOR AS NEEDED LEGAL SERVICES AND AUTHORIZING THE CHAIRMAN TO EXECUTE SAID AGREEMENT WITH A NOT TO EXCEED AMOUNT OF \$75,000. (Redevelopment Division)

**ACTION:** Adopted. See above.

**NON CONSENT RESOLUTION**

**COMMUNITY DEVELOPMENT STUDENT PROJECT (406-2-13)**

21. Resolution No. 2008-15. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY APPROVING STAFF'S RECOMMENDATION FOR THE STUDENT COMMUNITY DEVELOPMENT PROJECT WITH A NOT TO EXCEED BUDGET OF \$50,000. (Economic Development Division)

**ACTION:** Adopted earlier. See above.

**STAFF REPORTS**

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

22. **SUBJECT:** Verbal Update on Plaza Bonita Road Bikeway Project. (Engineering) (Copy on file in the Office of the City Clerk)

**BUILDING & SAFETY DEPT ADMIN (1104-1-8)**

23. **SUBJECT:** Update on City of National City Building Department's plan of action for non-permitted flower vendors within City limits. (Building & Safety)

**COMMUNITY SERVICES DEPT ADMIN (1104-1-7)**

24. **SUBJECT:** Staff Report to Council regarding a new art exhibit highlighting Women's History Month by artists Yolanda Lopez and Maura Harvey in the National City Public Library from February 5<sup>th</sup> to March 31, 2008. (Community Services)

**CLOSED SESSION REPORT (509-1-4)**

City Attorney George Eiser reported that there was no action to report from the closed session however the City Council did add two items to the Closed Session Agenda that arose after the agenda was posted. (See attached Exhibit 'L')

CDC Executive Director Brad Raulston reported that the work-groups organizational model implemented last year is working.

Assistant Police Chief Manuel Rodriguez announced that a county-wide simulated terrorist training exercise was scheduled for January 24, 2008.



## MAYOR AND CITY COUNCIL

### MAYOR ADMIN / AGENDA ITEMS (102-14-2)

25. **SUBJECT:** Discussion regarding forming a citywide Health Committee.  
(Council initiated)

**TESTIMONY:** Jovita Juarez, South Bay Partnership, spoke in support.

Tony LoPresti, Environmental Health Coalition, spoke in support.

**ACTION:** Following discussion, the consensus of the City Council was to bring the item back at the next meeting along with ideas on how to proceed and names of possible committee members. There was no vote.

Member Ungab expressed concern that architectural treatment for the new senior facility on Plaza Blvd., did not match what was proposed.

Member Zarate expressed appreciation for the media training session put on by CDC Consultant Gary Huff.

Student Representative Tanya Concha said she was pleased with the opportunities being provided for youth involvement.

Member Natividad provided the City Attorney with copies of an Ordinance and Municipal Code section from another city and asked for review and comment; reported a problem at the 3<sup>rd</sup> hole at the Municipal Golf Course and suggested that next year the City consider having a local event to commemorate Martin Luther King Day.

Member Parra said that with Proposition 'D' revenue, security in the parks and use of drive-cams in city vehicles should be on the table for consideration.

Mayor Morrison reported that the new National City reporter for the *Union-Tribune* newspaper is already gone and has not yet been replaced.


## ADJOURNMENT

**ACTION:** Motion by Parra, seconded by Ungab, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, February 5, 2008 at 6:00 p.m., Council Chamber, Civic Center. Carried by the unanimous vote.

The meeting closed at 9:01 p.m.

  
\_\_\_\_\_  
City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of February 5, 2008.

  
\_\_\_\_\_  
Mayor / CDC Chairman

**TAPE RECORDINGS OF EACH CITY COUNCIL AND COMMUNITY  
DEVELOPMENT COMMISSION MEETINGS ARE AVAILABLE  
FOR SALE IN THE CITY CLERK'S OFFICE.**

## EXHIBIT 'L'

**AGENDA OF A SPECIAL MEETING  
National City City Council  
City Council Chambers, Civic Center  
1243 National City Boulevard, National City, California  
Tuesday – January 22, 2008– 5:00 P.M.**

### OPEN TO THE PUBLIC

#### CITY COUNCIL

#### **BUSINESS**

##### Closed Session

1. Public Employee Performance Evaluation – Government Code Section 54957  
Title: City Attorney
2. Conference with Labor Negotiators – Government Code Section 54957.6
  - a) Agency Designated Representatives: Stacey Stevenson, Claudia Silva  
Employee Organization: NCMEA/SEIU
  - b) Agency Designated Representatives: Stacey Stevenson  
Employee Organization: Confidential Group

Two additional items (listed below) were added to the Closed Session Agenda. At the conclusion of the Closed Session, City / CDC Attorney George Eiser reported that no reportable action was taken on the items.

3. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a)
  - a) Community Development Commission v. Matchinske Family Partnership, et al.
  - b) Community Development Commission v. Fraternal Order of Eagles, et al.

NOTE: Pursuant to State Law, items requiring Council action must be brought back on a subsequent Council agenda unless they are of a demonstrated emergency or urgent nature.

#### **ADJOURNMENT**

Next Regular City Council and Community Development Commission Meeting Tuesday  
– January 22, 2008 - 6:00 p.m. – Council Chambers, Civic Center

#### **TAPE RECORDINGS OF EACH CITY COUNCIL MEETING ARE AVAILABLE FOR SALE IN THE CITY CLERK'S OFFICE**

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