

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

August 18, 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 6:14 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.
Administrative Officials present: Dalla, Deese, Denham, Duong, Manganiello, Parra, Raulston, Roberts, Silva, Stevenson, Tellez, Vergara, Williams.
Others present: Student Representative Isaac Maldonado and Reah Sahagun.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC COMMENTS

Healy Vigderson, from Olivewood Gardens offered to work and collaborate with the City to develop an Economic Plan for the City that takes into account the health and well-being of residents.

Roy Castle, National City, reported on problems he and his neighbors are experiencing with the relocated skate park equipment at Las Palmas Park.

CITY COUNCIL

AWARDS AND RECOGNITIONS

COUNCIL MEETING PRESENTATIONS 2015 (102-10-10)

1. 2015 Demolition Derby "Top Fundraiser" Presentation – Burn Institute. (Fire)

COUNCIL MEETING PRESENTATIONS 2015 (102-10-10)

2. South County Host Town Special Olympic World Games. (Lauren Maxilom and John Froomin)

COUNCIL MEETING PRESENTATIONS 2015 (102-10-10)

3. Recognition of outgoing Student Council Representative, Isaac Maldonado and introduction of incoming Student Council Representative, Reah Sahagun.

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS 2015 (102-10-10)

4. Introduction of Miss National City and Court 2015 and farewell to outgoing Miss National City and Court 2014.
Leah Munoz, Miss National City Pageant Coordinator, introduced Miss National City 2015 Darcie Vargas and her Court, Princesses Breann Clapper and Rocio Lopez.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 5 (NCMC), Item No. 6 (Minutes), Item Nos. 7 through 12 (Resolution Nos. 2015-116 through 2015-121), Item Nos. 13 and 14 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, to pull Item No. 9, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2015 (506-2-30)

5. 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

6. APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF AUGUST 4, 2015. (City Clerk)
ACTION: Approved. See above.

GRANT / LIBRARY (206-4-10)

7. Resolution No. 2015-116. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE ACCEPTANCE OF \$18,000 GRANT FROM THE CALIFORNIA LIBRARY LITERACY SERVICES (CLLS) TO FUND THE LIBRARY'S LITERACY SERVICES FOR FY2015-16; AND AUTHORIZING THE ESTABLISHMENT OF FUND APPROPRIATIONS AND A CORRESPONDING REVENUE BUDGET. (Library)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

POLITICAL SUPPORT ADMIN - INITIATIVES (102-4-1)

8. Resolution No. 2015-117. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY APPROVING THE POLICE DEPARTMENT'S WRITTEN RESPONSE TO THE SAN DIEGO COUNTY GRAND JURY REPORT "OFFICER INVOLVED SHOOTINGS OF AGGRESSIVE DOGS." (Police)
ACTION: Adopted. See above.

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

9. Resolution No. 2015-118. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" AT MTS BUS STOPS CITYWIDE TO ENHANCE SAFETY AND FOR AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE (TSC 2015-10). (Engineering/Public Works)
TESTIMONY: Walter Varnesses appeared on behalf of MTS and responded to questions.
ACTION: Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

CITY ACQUISITION OR RENTAL / PROPERTY ADMIN (1001-1-6)

10. Resolution No. 2015-119. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE PAYMENT OF \$6,600 IN RENT FOR THE MONTHS OF JUNE AND JULY 2015 TO BEAUCHAMP FAMILY COMMERCIAL FOR THE USE OF 1640 HOOVER AVENUE FOR TEMPORARY STORAGE OF CITY PUBLIC WORKS MATERIALS AND SUPPLIES AS PART OF PUBLIC WORKS RELOCATION. (Engineering/Public Works)
ACTION: Adopted. See above.

CONTRACT (C2015-35)

11. Resolution No. 2015-120. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AUTHORIZING THE MAYOR TO EXECUTE PROGRAM SUPPLEMENT AGREEMENT NO. N38 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE 18TH STREET BICYCLE AND PEDESTRIAN ENHANCEMENTS PROJECT TO ALLOW FOR REIMBURSEMENT OF UP TO \$200,000 IN ELIGIBLE PROJECT EXPENDITURES THROUGH THE STATE ACTIVE TRANSPORTATION PROGRAM (ATP), AND 2) ESTABLISHING APPROPRIATION OF REVENUES AND EXPENDITURES (NO LOCAL MATCH REQUIRED). (Engineering/Public Works)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2015-36)

12. Resolution No. 2015-121. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDING A CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$201,000.00 TO JUST CONSTRUCTION, INC. FOR THE PARADISE VALLEY ROAD PEDESTRIAN AND DRAINAGE ENHANCEMENTS PROJECT, CIP NO. 15-03; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$30,150.00 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

ACTION: Adopted. See above.

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

13. Warrant Register #53 for the period of 06/24/15 through 06/30/15 in the amount of \$283,656.01. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2015 – JUNE 2016 (202-1-30)

14. Warrant Register #1 for the period of 07/01/15 through 07/07/15 in the amount of \$3,086,411.49. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARINGS

CONDITIONAL USE PERMITS 2015 (403-30-1)

15. Public Hearing – Conditional Use Permit for a drive-through fast food restaurant (Freddy's Frozen Yogurt) to be located adjacent to 401 Mile of Cars Way. (Applicant: Rodger Baker) (Case File 2015-01 CUP) (Planning)

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

TESTIMONY: Donald Lamm, the applicant, responded to questions and spoke in support.

Healy Vigdeson, representing Olivewood Gardens, spoke in opposition to the proliferation of drive-through restaurants and supports development of a plan for health and environmental justice.

Stephanie Chu Yoon, M.D. expressed concerns about current zoning and obesity issues.

Parry Corana, National City, spoke in opposition.

Maria Villanueva, National City, spoke in opposition.

Margarita Garcia, National City, spoke in opposition.

Carolina Martinez, representing Environmental Health Coalition (EHC), spoke in opposition.

PUBLIC HEARINGS (cont.)

CONDITIONAL USE PERMITS 2015 (403-30-1)

15. Public Hearing – Conditional Use Permit for a drive-through fast food restaurant (Freddy's Frozen Yogurt) (continued).

TESTIMONY: Peter (inaudible last name) representing Scripps Family Health and EHC, spoke in opposition.

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

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

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

ORDINANCES FOR INTRODUCTION

MUNICIPAL CODE 2015 (506-2-30)

16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 15.81 TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS. (Fire)

NON CONSENT RESOLUTIONS

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

17. Resolution No. 2015-122. 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 2323 E. 14TH STREET (TSC 2015-11). (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution to install a blue curb handicap parking space with signage in front of 2323 E. 14th Street.

TESTIMONY: Mrs. Moran, the applicant, responded to questions and spoke in favor.

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

NON CONSENT RESOLUTIONS (cont.)

FINANCIAL MANAGEMENT 2015-2016 (204-1-31)

18. Resolution No. 2015-123. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY (CITY) ESTABLISHING THE APPROPRIATION OF \$189,525.66 FROM YMCA OF SAN DIEGO COUNTY (YMCA) TO CORRESPONDING EXPENDITURE ACCOUNT FOR LAS PALMAS PARK IMPROVEMENTS; PAYMENT RECEIVED REPRESENTS THE REMAINING BALANCE OF A \$250,000.00 DEPOSIT PROVIDED TO YMCA BY THE CITY TO BE SPENT ON DEFERRED MAINTENANCE COSTS FOR NATIONAL CITY MUNICIPAL POOL AND CAMACHO RECREATION CENTER, CONSISTENT WITH ARTICLE 5 "REPAIRS; MAINTENANCE" OF THE MAINTENANCE AND OPERATING AGREEMENT BETWEEN THE CITY AND YMCA, EFFECTIVE NOVEMBER 1, 2013; AND UPDATE ON STATUS OF OPERATOR NEGOTIATIONS FOR NATIONAL CITY MUNICIPAL POOL. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution appropriating funds received from YMCA for expenditure on Las Palmas Park Improvements.

TESTIMONY: None.

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

NEW BUSINESS

CONDITIONAL USE PERMITS 2015 (403-30-1)

19. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a drive-through fast food restaurant (Dunkin' Donuts) to be located at the intersection of Plaza Blvd. and Grove Street. (Applicant: MPA Architects) (Case File 2015-13 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, Morrison, Rios, Sotelo-Solis. Nays: Mendivil. Abstain: None. Absent: None.

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2015 (203-1-31)

20. Temporary Use Permit – Pumpkin Station hosted by Pinery Christmas Trees, Inc. at Westfield Plaza Bonita Mall from September 25, 2015 thru October 31, 2015 with no 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: None.

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

TEMPORARY USE PERMITS 2015 (203-1-31)

21. Temporary Use Permit – “Movies in the Park”- Addition of a 1-mile Fun Run/Walk hosted by the Community Services Division on September 11, 2015 from 5:30 p.m. to 7 p.m., “Movies in the Park” is a National City sponsored event per Council Policy #804. (Neighborhood Services)

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

TESTIMONY: None.

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

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

22. Investment Report for the quarter ended June 30, 2015. (Finance)

RECOMMENDATION: Accept and file the Investment Report for the quarter ended June 30, 2015.

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

LIBRARY REPORT ADMIN (1104-1-6)

23. Update on the Security Guard Service pilot program for the library. (Library)
- 23a. Emergency Services Director Frank Parra provided an update on the deployment of four Fire-line Paramedic-Firefighters from National City in response to the California Master Mutual Aid Agreement to assist in the major fires burning in the State.

MAYOR AND CITY COUNCIL

Member Mendivil said he believes education is the key to people making healthy food choices. Toward that end, he has secured the support of individuals willing to fund jogging clubs at all the elementary schools in the City. Member Mendivil would like to see a total community effort by the schools, service clubs and the City to educate young people regarding nutrition, healthy life-styles and the importance of exercise.

Member Sotelo-Solis stated that the City has some really great projects on the horizon such as the Westside Infill Transit Oriented Development WITOD. Member Sotelo-Solis requested a report back on possible outreach efforts to encourage economic development and inquired about timing for the 'crosswalk' phase at traffic signals.

Member Rios requested a presentation from the Police Department on the recent school supply give-away program for elementary schools and reported that the Relay for Life event in National City raised over \$60,000.

Mayor Morrison praised the Relay for Life event and advised that he will be reporting on water and the drought at a future meeting and the fact that local residents will be paying for their water even though they are using less.

CLOSED SESSION REPORT

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

ADJOURNMENT

Motion by Cano, 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, September 1, 2015 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:19 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of September 1, 2015.



Mayor

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, August 18, 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. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
David Melendez v. Carlos Olguin and City of National City
San Diego Superior Court Case No. 37-2014-00019240
3. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva, Mark Roberts, and
Tim Davis
Employee Organization: Fire Fighters' Association

ADJOURNMENT

Next Regular City Council and Community Development Commission – Housing Authority of the City of National City Meeting will be held Tuesday, August 18, 2015, 6:00 p.m., Council Chambers, Civic Center