

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

September 15, 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 6:07 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, Muthusamy, Parra, Raulston, Roberts, Rodriguez, Silva, Stevenson, Vergara, Williams, Ybarra.

Others present: City Treasurer Mitch Beauchamp and Student Representative Reah Sahagun.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC COMMENTS

Sunshine Horton, El Cajon, commented on some of the community events she would be participating in and encouraged everyone to help when and where we can to help others.

AWARDS AND RECOGNITIONS

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

1. Employee of the Quarter 2015 – Manuel Sanchez, Custodian.
(Engineering/Public Works)

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015
(102-10-10)**

2. 2015 Community Emergency Response Team Graduates. (Fire)

CITY COUNCIL

PRESENTATIONS

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015
(102-10-10)**

3. 2015 Alliance Healthcare Foundation Grant Check Presentation. (Fire)
ACTION: The Item was pulled.

PRESENTATIONS (cont.)

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015
(102-10-10)**

4. Presentation on Balanced Plan with Mitigation and Enhancements for Marina District/Tidelands Planning Area. (City Manager) (Copy on file in the Office of the City Clerk)

Item Nos. 25 and 26 were taken up next.

NEW BUSINESS

LAND USE PLANNING / TANK FARM AT QUAY & 28TH ST (405-10-3)

25. Report on Revised Notice of Preparation (NOP) for the National City Marine Terminal Tank Farm Paving and Street Closures Project & Port Master Plan Amendment (UPD #EIR-2014-188; SCH# 2014121046) and authorization for staff to oppose the proposed marine related industrial overlay as part of the project described in the revised NOP. (City Manager)

RECOMMENDATION: 1. Oppose the proposed marine related industrial overlay described in the revised NOP; 2. Resubmit revised NOP comments; and 3. Work with the Port District to incorporate land use changes that are consistent with the Balanced Plan.

TESTIMONY: None.

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

HARBOR FACILITY PLANNING / PROJECTS ADMIN (701-1-1)

26. Report on Marina District/Tidelands Planning Area and seeking conceptual approval by the City Council for The Balanced Plan with mitigation and enhancements for National City. (City Manager)

RECOMMENDATION: Staff recommends the City Council take minute action to support the Balanced Plan with Mitigation and Enhancements for National City.

TESTIMONY: None.

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

PRESENTATIONS

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015
(102-10-10)**

5. San Diego Regional Task Force on the Homeless Presentation of the Annual "We All Count" and City update on tours of visited homeless shelters and facilities. (Neighborhood Services)

PRESENTATIONS (cont.)

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015
(102-10-10)**

6. The Status of Water Availability and Water Rates. (Mayor Morrison)

INTERVIEWS / APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

7. Interviews and Appointments: Various Boards and Commissions. (City Clerk)

TESTIMONY: Incumbents Rafael Courtney (Civil Service Commission) and Gloria Bird (Library Board) appeared for interview.

ACTION: Motion by Rios, seconded by Sotelo-Solis to re-appoint Rafael Courtney to the Civil Service Commission. Motion failed by the following vote, to-wit: Ayes: Rios, Sotelo-Solis. Nays: Cano, Mendivil, Morrison. Abstain: None. Absent: None.

Mayor Morrison indicated that he will be ready to make some appointments at the next Council Meeting.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 8 (NCCMC), Item No. 9 (Minutes), Item Nos. 10 and 11 (Resolution Nos. 2015-138 and 2015-139), Item Nos. 12 through 14 (Warrant Registers), Item Nos. 15 and 16 (Reports). Motion by Rios, seconded by Cano, to approve the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2015 (506-2-30)

8. 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

9. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF SEPTEMBER 1, 2015. (City Clerk)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

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

10. Resolution No. 2015-138. 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 A STORAGE AREA NETWORK ARRAY FOR AN AMOUNT NOT TO EXCEED \$35,036. (MIS)

ACTION: Adopted. See above.

CONTRACT (C2015-42)

11. Resolution No. 2015-139. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDING A CONTRACT TO KINSMAN CONSTRUCTION, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$768,463.00 FOR THE POLICE DEPARTMENT BUILDING IMPROVEMENTS, CIP NO. 15-06; 2) AUTHORIZING A 25% CONTINGENCY IN THE AMOUNT OF \$192,115.75 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Engineering/Public Works)

ACTION: Adopted. See above.

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

12. Warrant Register #4 for the period of 07/22/15 through 07/28/15 in the amount of \$2,052,437.76. (Finance)

ACTION: Ratified. See above.

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

13. Warrant Register #5 for the period of 07/29/15 through 08/04/15 in the amount of \$3,078,412.53. (Finance)

ACTION: Ratified. See above.

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

14. Warrant Register #6 for the period of 08/05/15 through 08/11/15 in the amount of \$524,794.16. (Finance)

ACTION: Ratified. See above.

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

15. Investment transactions for the month ended July 31, 2015. (Finance)

ACTION: Filed. See above.

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

16. National City Sales Tax Update Newsletter – First Quarter 2015. (Finance)

ACTION: Filed. See above.

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2015 (506-2-30)

17. Ordinance No. 2015-2406. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 2 OF THE NATIONAL CITY MUNICIPAL CODE TO ESTABLISH THE CITY MANAGER'S AUTHORITY TO APPROVE, SETTLE OR COMPROMISE WORKERS' COMPENSATION CLAIMS UNDER CHAPTER 2.01.020. (Human Resources)

RECOMMENDATION: Adopt the Ordinance amending City of National City Municipal Code Section 2.01.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

SUBDIVISIONS / VARIANCES 2015 (415-1-11)

18. Resolution No. 2015-140. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A ZONE VARIANCE TO ALLOW A PARKING SPACE IN THE FRONT YARD SETBACK FOR A SINGLE-FAMILY HOME LOCATED AT 1926 "E" AVENUE. (Applicant: Victor Castillo) (Case File 2015-05 Z) (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

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

19. Resolution No. 2015-141. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN INCREASE TO THE FISCAL YEAR 2016 BUDGETED POSITION ALLOCATION FOR THE SENIOR ASSISTANT CITY ATTORNEY POSITION FROM 0.5 TO 1.0 FULL TIME EQUIVALENT (FTE) AND INCREASE THE CORRESPONDING GENERAL FUND APPROPRIATIONS BY A TOTAL OF \$70,000. (City Attorney)

RECOMMENDATION: Adopt proposed Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2010-28)

20. Resolution No. 2015-142. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) APPROVING AMENDMENT NO. 2 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 \$223,110 TOWARDS COMPLETION OF THE PROJECT, 2) AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT, AND 3) AUTHORIZING THE APPROPRIATION OF \$223,110 TO THE PROJECT, TO BE REIMBURSED BY THE PORT DISTRICT VIA THE TERMS OF THE AMENDMENT. (Pending approval by the Board of Port Commissioners) (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2015-43)

21. Resolution No. 2015-143. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING, 1) THE CITY (BUYER) TO UTILIZE COOPERATIVE PURCHASING ESTABLISHED THROUGH NATIONAL JOINT POWERS ALLIANCE (NJPA), CONSISTENT WITH MUNICIPAL CODE SECTION 2.60.260 FOR COOPERATIVE PURCHASING, TO PURCHASE CUSTOMIZED MOBILE SHELVING FROM SPACESAVER INTERMOUNTAIN, LLC, BASED ON THEIR CONTRACT 031715-KII WITH THE NJPA; AND 2) THE MAYOR TO EXECUTE AN AGREEMENT WITH SPACESAVER INTERMOUNTAIN, LLC, TO PURCHASE AND INSTALL CUSTOMIZED MOBILE SHELVING TO EXPAND CAPACITY IN THE POLICE DEPARTMENT EVIDENCE ROOM, IN AN AMOUNT NOT TO EXCEED \$387,149.25. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

TEMPORARY USE PERMITS 2015 (203-1-31)

22. Temporary Use Permit – St. Mary's Fall Festival hosted by St. Mary's Catholic Church on Sunday, October 4, 2015 at the parish grounds located between E. 8th Street and "E" Avenue from 7 a.m. to 7:00 p.m. 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 Sotelo-Solis, seconded by Cano, to approve staff recommendation with clarification. Carried by unanimous vote.

Member Sotelo-Solis left the Council Chamber at 8:35 p.m.

TEMPORARY USE PERMITS 2015 (203-1-31)

23. Temporary Use Permit – 7th Annual Health & Wellness Fair hosted by Paradise Valley Hospital and The Southbay Times on October 31, 2015 from 10 a.m. to 3 p.m. at 2400 E 4th Street 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 Cano, seconded by Mendivil, to approve staff recommendation. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: None. Abstain: None. Absent: Sotelo-Solis.

Member Sotelo-Solis returned to the Council Chamber at 8:38 p.m.

COMMUNITY SERVICES DEPT ADMIN (1104-1-7)

24. Seeking concurrence to complete the Operating Agreement with MediFit so staff may return with an Operating Agreement and appropriation request for City Council approval on October 6, 2015. (Community Services)

RECOMMENDATION: Provide direction and concurrence to proceed and return with a proposed agreement.

TESTIMONY: None.

ACTION: Motion by Cano, seconded by Sotelo-Solis, to concur with the deal points and staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

LAND USE PLANNING / TANK FARM AT QUAY & 28TH ST (405-10-3)

25. Report on Revised Notice of Preparation (NOP) for the National City Marine Terminal Tank Farm Paving and Street Closures Project & Port Master Plan Amendment (UPD #EIR-2014-188; SCH# 2014121046) and authorization for staff to oppose the proposed marine related industrial overlay as part of the project described in the revised NOP. (City Manager)

ACTION: Item was taken up earlier in the meeting. See above.

HARBOR FACILITY PLANNING / PROJECTS ADMIN (701-1-1)

26. Report on Marina District/Tidelands Planning Area and seeking conceptual approval by the City Council for The Balanced Plan with mitigation and enhancements for National City. (City Manager)

ACTION: Item was taken up earlier in the meeting. See above.

MIS DEPT ADMIN (1104-1-14)

27. Report seeking direction on consideration of cablecasting of City of National City, City Council meetings, other City of National City public meetings, and public service messages. (MIS)

RECOMMENDATION: It is staff's recommendation that the City not pursue cablecasting.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Mendivil, to continue to gather additional information and bring back for further consideration. Carried by unanimous vote.

LEAGUE OF CA CITIES ADMIN (104-2-1)

28. City Council Review of League of California Cities 2015 Annual Conference Resolutions. (City Manager)

RECOMMENDATION: City Council consider the League's resolutions and determine the City's position so that our voting delegates can represent the City's position during the League conference from September 30-October 2 in San Jose, CA.

TESTIMONY: None.

ACTION: Resolutions that might impact the City were discussed. No formal action was taken.

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

NO AGENDA ITEMS

STAFF REPORTS

None.

MAYOR AND CITY COUNCIL

City Treasurer Beauchamp related problems getting approval for a cover for the historic rail car at the Depot, spoke about the Port District Tank Farm Project and cautioned about the City purchasing equipment that might compete with private businesses.

Member Mendivil reported that he went on a ride-along with the police and it was a real eye opener.

Member Sotelo-Solis said it was great to see the new CERT graduates and encouraged City efforts to reach out to prepare citizens for the predicted El Nino winter event.

Member Rios said she was pleased with the outreach efforts on Facebook and Twitter, reported that she participated in the final School Supply Giveaway by the Police Department and extended an invitation to the Old Town Reunion on September 26th.

Member Cano asked for information on half-way houses particularly the one on Harbison Avenue. Member Cano reported a house above Plaza Blvd. near "O" Avenue with erosion problems and inquired about a reported incident involving unknown individuals performing lifesaving measures on a citizen.

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 Adjourned Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City – Sign Ordinance Workshop and Brown Act Presentation to be held Tuesday, September 22, 2015 at 5:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, October 6, 2015 at 6:00 p.m. at the Council Chambers, National City, California.

The meeting closed at 9:50.



City Clerk

The foregoing minutes were approved at the Regular Meeting of October 6, 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, September 15, 2015 – 5:00 p.m.**

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. 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
2. Liability Claims – Government Code Section 54956.95
Workers' Compensation Claims
Agency Claimed Against: City of National City
Number of Claim: Two
3. 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
4. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City and CDC v. Rosenow Spevacek Group
Arbitration Matter

CLOSED SESSION (cont.)

SUCCESSOR AGENCY

5. 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

6. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City and CDC v. Rosenow Spevacek Group
Arbitration Matter

ADJOURNMENT

Next Regular City Council and Successor Agency Meetings: Tuesday, September 15,
2015, 6:00 p.m., Council Chambers, Civic Center