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

December 2, 2008

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:09 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

Administrative Officials present: Babaki, Baker, Dalla, Deese, Eiser, Gonzales, Juniel, Hodges, Ladrido, Post, Raulston, Smith, Stevenson, Williams. Others present: Student Representatives Marcos Martinez and Evita Pineda.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

CITY COUNCIL

BUSINESS RELATING TO GENERAL MUNICIPAL ELECTION NOVEMBER 4, 2008

APPROVAL OF MINUTES

1. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of November 18, 2008. (City Clerk)

ACTION: Motion by Natividad, seconded by Ungab, to approve the Minutes. Carried by unanimous vote.

ELECTION NOV 2008 ADMIN (505-21-1)

2. Resolution No. 2008-244. RESOLUTION RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW. (City Clerk)

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

RECOGNITION OF OUTGOING ELECTION OFFICIALS

Mayor Morrison presented outgoing Councilmember Fideles Ungab with a plaque of appreciation and his official City Council Photograph and expressed appreciation, on behalf of the people, for Mr. Ungab's service to the community.

A representative from State Senator Ducheney's Office presented a plaque to Councilmember Ungab.

Councilmember Ungab reviewed the many areas of improvement that have occurred during his time on the City Council and expressed appreciation for the opportunity to serve.

SWEARING IN OF NEWLY ELECTED CITY COUNCIL, CITY CLERK, AND CITY TREASURER

City Clerk Michael Dalla administered the Oath of Office to newly re-elected Councilmember Rosalie Zarate and newly elected City Treasurer Mitch Beauchamp.

Mayor Morrison administered the Oath of Office to newly re-elected City Clerk Michael Dalla.

Assemblywoman Mary Salas administered the Oath of Office to newly elected Councilmember Alejandra Sotelo-Solis.

RECESS

A recess was called at 7:02 p.m.

The meeting reconvened at 7:31 p.m.

ROLL CALL

Members present: Morrison, Natividad, Parra, Sotelo-Solis, Zarate.

PUBLIC ORAL COMMUNICATIONS

Laura Charles, National City, a teacher at Sweetwater High School, presented Councilmember Sotelo-Solis with a Su-Hi Pride jersey for her office.

VICE MAYOR APPOINTMENT ADMIN (101-20-1)

3. **SUBJECT:** Selection of Vice-Mayor. (City Attorney)

ACTION: Motion by Morrison, seconded by Zarate, to nominate Luis Natividad as Vice Mayor. Councilmember Natividad declined the nomination.

Motion by Natividad, seconded by Parra, to nominate Alejandra Sotelo-Solis as Vice Mayor. Carried by the following vote, to-wit: Ayes: Natividad, Parra, Sotelo-Solis, Zarate. Nays: Morrison. Absent: None. Abstain: None.

Member Parra said the City Council Policy dealing with the Vice Mayor needs to be updated and requested the City Attorney return with new language. There was no vote.

PRESENTATION

COUNCIL MEETING PRESENTATIONS 2008 (102-10-3)

4. **SUBJECT:** Report: Section 8 Rental Assistance Program. (CDC – Section 8 Rental Assistance Division)

ACTION: It was announced that National City's Section 8 Rental Assistance Program received a score of 100, the highest performance rating possible by the Department of Housing and Urban Development (HUD). Herminio Oliveria, Housing Program Manager, introduced and recognized Section 8 staff members present at the meeting.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 5 (NCMC), Items No. 6 through 19 (Resolutions No. 2008-245 through 2008-258), Items No. 20 and 21 (Warrant Registers). Motion by Parra, seconded by Zarate, to pull Items No. 12 and 13 and approve the remainder of the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2008 (506-2-23)

5. APPROVAL OF A MOTION TO WAIVE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDES THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

PARKING ADMIN 2008 (801-2-28)

6. Resolution No. 2008-245. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF ANGLE PARKING ON THE WEST SIDE OF "A" AVENUE BETWEEN E. 7TH STREET AND E. 9TH STREET TO INCREASE AVAILABLE PARKING ON BOTH BLOCKS. (TSC Item No. 2008-30) (Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2008 (801-2-28)

7. Resolution No. 2008-246. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" FOR SCHOOL BUS LOADING AND CONVERSION OF EXISTING 24-HOUR PASSENGER LOADING ZONE TO TIME-RESTRICTED PASSENGER LOADING ON LANOITAN AVENUE, ADJACENT TO LINCOLN ACRES SCHOOL. (TSC Item No. 2008-26) (Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2008 (801-2-28)

8. Resolution No. 2008-247. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" FOR SCHOOL BUS LOADING ON E. 20TH STREET, ADJACENT TO GRANGER JUNIOR HIGH SCHOOL. (TSC Item No. 2008-27) (Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2008 (801-2-28)

 Resolution No. 2008-248. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" IN FRONT OF THE UNITED WOMEN'S MEDICAL CLINIC LOCATED AT 1611 HIGHLAND AVENUE. (TSC Item No. 2008-29) (Engineering)

ACTION: Adopted. See above.

STREET SIGNS ADMIN (903-12-1)

10. Resolution No. 2008-249. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "KEEP CLEAR" STRIPING IN FRONT OF THE DRIVEWAY TO FAMILY HOUSE OF PANCAKES LOCATED AT 1900 E. PLAZA BOULEVARD. (TSC Item No. 2008-28) (Engineering)

ACTION: Adopted. See above.

GRANT / PLANNING (206-4-24)

11. Resolution No. 2008-250. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAMS UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 IN THE AMOUNT OF \$2,354,842 FOR THE PURPOSE OF CONSTRUCTION OF PARADISE CREEK PARK IMPROVEMENTS AND HABITAT RESTORATION. (Planning) ACTION: Adopted. See above.

CONDITIONAL USE PERMITS 2008 (403-23-1)

12. Resolution No. 2008-251. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONDITIONAL USE PERMIT FOR THE EXPANSION OF A FOOD MART AND FOR ACCESSORY BEER AND WINE SALES AT AN EXISTING GAS STATION AT 1803 HIGHLAND AVENUE. (Planning)

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

Note: Member Sotelo-Solis disclosed that she abstained on the item do to the fact that she was not present at the Public Hearing when the Conditional Use Permit was considered.

CONDITIONAL USE PERMITS 2008 (403-23-1)

13. Resolution No. 2008-252. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONDITIONAL USE PERMIT TO RECONFIGURE PREVIOUSLY APPROVED PARKING AND OPEN SPACE FOR A DUPLEX BEHIND AN EXISTING HOME AT 720 I AVENUE. (Planning)

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

Note: Member Sotelo-Solis disclosed that she abstained on the item do to the fact that she was not present at the Public Hearing when the Conditional Use Permit was considered.

GRANT / LIBRARY (206-4-10) CONTRACT (C2008-101)

14. Resolution No. 2008-253. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE EXTENSION OF THE FIRST 5 FOR PARENTS GRANT (CONTRACT #515385 – FIRST 5 COMMISSION OF SAN DIEGO) IN THE AMOUNT OF \$128,265.00 FOR FY 2009-2010. (Library)

ACTION: Adopted. See above.

POLICY MANUAL ADMIN (110-1-1)

15. Resolution No. 2008-254. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AMENDED SECTION 11 OF THE CITY OF NATIONAL CITY EMPLOYERS-EMPLOYEE RELATIONS POLICY PERTAINING TO IMPASSE PROCEDURES. (City Attorney)

ACTION: Adopted. See above.

CONTRACT (C2008-102)

16. Resolution No. 2008-255. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AUTHORIZATION TO ORDER UNDER THE STATE OF CALIFORNIA CALNET II CONTRACT WITH AT&T GLOBAL SERVICES, INC. FOR TELECOMMUNICATIONS (LOCAL / LONG DISTANCE TELEPHONE, DATA) SERVICE AND PRODUCTS. (MIS)

ACTION: Adopted. See above.

COUNCIL POLICY MANUAL (102-13-1)

17. Resolution No. 2008-256. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE CURRENT CITY COUNCIL POLICY NUMBER 110 TITLED "DISPLAY OF FLAGS" POLICY-LINE 4 AND LINE 4 SECTION (D). (Public Works)

ACTION: Adopted. See above.

RECORDS MGMT CITY CLERK DEPT ADMIN (1102-1-2)

18. Resolution No. 2008-257. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING A RECORDS RETENTION SCHEDULE MANUAL AUTHORIZING DESTRUCTION OF CERTAIN CITY RECORDS IN CONFORMANCE WITH STATE STATUTES. (City Clerk)

ACTION: Adopted. See above.

CONTRACT (C2008-103)

19. Resolution No. 2008-258. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH IRON MOUNTAIN, INC. FOR THE STORAGE OF VITAL CITY RECORDS AND DOCUMENTS. (City Clerk)

ACTION: Adopted. See above.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

20. Warrant Register #19 for the period of 10/29/08 through 11/04/08 in the amount of \$1,500,453.97. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

21. Warrant Register #20 for the period of 11/05/08 through 11/11/08 in the amount of \$565,188.81. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARINGS

SUBDIVISIONS / VARIANCES 2008 (415-1-4)

22. Continued Public Hearing – Modification of Conditions of Approval for a previously approved five lot subdivision map to waive undergrounding existing utilities at 940 East 16th Street. (Applicant: Janice Martinelli) (Case File No. 2008-31 M1, (2007-15 S) (Planning) **Continued from Council Meeting of Nov. 18, 2008**

RECOMMENDATION: Staff concurred with the decision of the Planning Commission and recommended approval.

TESTIMONY: Janice Martinelli, National City, appeared in support. **ACTION:** Motion by Parra, seconded by Zarate, to close Public Hearing. Carried by unanimous vote. Motion by Zarate, seconded by Parra, to approve staff recommendation. Carried by unanimous vote.

BLOCK GRANT PROGRAM ADMIN 2008-2009 (406-1-23)

23. Public Hearing – Fiscal Year 2008-2009 Supplemental Funding Cycle for the CDBG Program – Public Hearing #4. (Community Development/Housing and Grants Division)

RECOMMENDATION: Conduct the Public Hearing.

TESTIMONY: None.

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

ORDINANCES FOR INTRODUCTION

MUNICIPAL CODE 2008 (506-2-23)

24. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING THE SALARIES OF THE MAYOR AND CITY COUNCIL. (City Attorney)

ACTION: Motion by Morrison that the City Council grant a 4% pay increase and that Council Members begin to pay 4% of their retirement out of their own pocket for a net cost increase to the City of zero. Motion died for lack of a second.

Motion by Parra, seconded by Zarate, that there be no City Council pay increase and the City Council members personally pay 2% of their individual retirement cost. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis, Zarate. Nays: None. Absent: None. Abstain: Natividad.

Note: Member Natividad indicated that the reason for his abstention would become clear at the end of the meeting.

MUNICIPAL CODE 2008 (506-2-23)

25. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 1 OF THE NATIONAL CITY MUNICIPAL CODE BY AMENDING CHAPTER 1.24, SECTION 1.24.010 OF THE CITY'S "HOLIDAYS NAMED" ORDINANCE BY ADDING CERTAIN HOLIDAYS, DELETING UNNECESSARY DATES, AND CLARIFYING THE LANGUAGE. (City Attorney)

MUNICIPAL CODE 2008 (506-2-23)

26. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 2 OF THE NATIONAL CITY MUNICIPAL CODE BY AMENDING CHAPTER 2.04, SECTION 2.04.020 "DISPENSING WITH MEETINGS" BY PROVIDING GREATER SPECIFICITY TO THE PROVISION THAT THE CITY COUNCIL DOES NOT MEET ON AN ELECTION DAY. (City Attorney)

Member Natividad left the Council Chamber.

NON CONSENT RESOLUTION

BLOCK GRANT PROGRAM ADMIN 2008-2009 (406-1-23)

27. Resolution No. 2008-259. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE FISCAL YEAR (FY) 2008-2009 ANNUAL ACTION PLAN AMENDMENT #1 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP ACT (HOME) PROGRAMS. (Community Development/Housing and Grants-Division)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

28. Resolution No. 2008-260. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE AMENDMENT OF THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) TO CLOSE OUT APPROPRIATIONS IN THE AMOUNT OF \$628,880 FROM CIP NUMBER 6033 AND ALLOCATE TO CIP NUMBER 6035 (PROPOSITION A FUNDS). (Finance)

RECOMMENDATION: 1. Approve the Resolution authorizing the reallocation of funds and 2. Authorize staff to submit project amendment to SANDAG.

TESTIMONY: None.

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

NEW BUSINESS

BOYS / GIRLS CLUB ADMIN (109-5-1)

29. **SUBJECT:** Report - Lease between the City of National City and the Boys' and Girls' Club of National City of City property located at 1430 "D" Avenue and 1521 "C" Avenue. (City Attorney)

RECOMMENDATION: Provide direction to staff.

TESTIMONY: None.

ACTION: Consensus was to accept quit claim and direct City Attorney to prepare the necessary documents. There was no vote.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2008 (403-23-1)

30. Notice of Decision – Planning Commission approval of a Conditional Use permit for the construction of a day care center at the southwest corner of Highland Avenue and Division Street. (Applicant: Ricardo Perez) (Case File 2008-27 CUP) (Planning)

RECOMMENDATION: Staff concurred with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Sotelo-Solis, <u>to approve staff recommendation</u>. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis, Zarate. Nays: None. Absent: Natividad. Abstain: None.

TEMPORARY USE PERMITS 2008 (203-1-24)

31. **SUBJECT:** Temporary Use Permit – Christmas at Morgan Square hosted by the Community Services Department on December 5, 2008 at Morgan Square between 9th Street and National City Blvd. (Neighborhood Services)

RECOMMENDATION: Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval and waive fees for the event as it is a City sponsored event.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2008 (203-1-24)

32. **SUBJECT:** Temporary Use Permit – Feria de Salud – Por Tu Familia hosted by the American Diabetes Association on March 7, 2009 at Kimball Park 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 Zarate, seconded by Parra, to approve staff recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Zarate. Nays: None. Absent: Natividad. Abstain: Sotelo-Solis.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Items No. 33 and 34 (Warrant Registers), Item No. 35 (Resolution No. 2008-261). Motion by Parra, seconded by Zarate, to approve the Consent Calendar. Carried by the following vote, towit: Ayes: Morrison, Parra, Sotelo-Solis, Zarate. Nays: None. Absent: Natividad. Abstain: None.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

33. **SUBJECT:** Authorize the reimbursement of CDC expenditures in the amount of \$40,404.68 to the City of National City for the period of 10/29/08 through 11/04/08. (Finance)

ACTION: Approved. See above.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

34. **SUBJECT:** Authorize the reimbursement of CDC expenditures in the amount of \$111,503.06 to the City of National City for the period of 11/05/08 through 11/11/08. (Finance)

ACTION: Approved. See above.

CONTRACT (C2006-37)

35. Resolution No. 2008-261. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$7,500 PER MONTH BETWEEN THE CDC AND HUSK PARTNERS, INC. TO PROVIDE GOVERNMENTAL AFFAIRS, POLITICAL STRATEGIES, ECONOMIC DEVELOPMENT, PUBLIC AND MEDIA RELATIONS, PLANNING AND MARKETING AND LEGISLATIVE ADVOCACY CONSULTING SERVICES. (City Attorney)

ACTION: Adopted. See above.

NEW BUSINESS

Member Natividad returned to the Council Chamber at 8:21 p.m.

STAFF REPORTS

FIRE DEPT ADMIN (305-1-1)

36. **SUBJECT:** Staff Report – November 13th Golden Guardian 2008 Earthquake Exercise. (Fire)

MAYOR AND CITY COUNCIL

Student Representatives Marcos Martinez and Evita Pineda expressed appreciation for Council Member Ungab and best wishes to Vice Mayor Sotelo-Solis.

Member Sotelo-Solis requested staff look into having a Presidential Inauguration event at MLK on January 20, 2009.

Member Natividad announced his intention to resign from the City Council effective January 5th, 2009.

ADJOURNMENT

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, December 16, 2008 at 6:00 p.m., Council Chamber, Civic Center. Carried by unanimous vote.

The meeting closed at 8:31 p.m.

City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of January 6, 2009.

Mayor / CDC Chairman

TAPE RECORDINGS OF CITY COUNCIL/COMMUNITY
DEVELOPMENT COMMISSION MEETINGS ARE AVAILABLE
FOR SALE IN THE CITY CLERK'S OFFICE