

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

January 6, 2009

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:06 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Commission members present: Morrison, Parra, Sotelo-Solis.

Council / Commission members absent: Zarate.

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

Others present: Student Representatives Marcos Martinez and Evita Pineda.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

OFF AGENDA ITEM

SUBJECT: Request to add an Item to the Agenda:

A Resolution of the City Council of the City of National City approving an agreement amendment with CPM LTD DBA Manpower of San Diego in the amount of \$10,000.00 to provide temporary administrative support.

RECOMMENDATION: Add the item to the agenda since the need to act arose after the agenda was posted.

ACTION: Motion by Parra, seconded by Sotelo-Solis, to bring the item onto the Agenda as Item No. 16a. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

PUBLIC ORAL COMMUNICATIONS

Alfonso Hernandez, National City, referred various problems he observed on Cleveland Avenue, 13th Street and 12th Street.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 1 (Minutes), Item No. 2 (NCCMC), Items No. 3 through 8 (Resolutions No. 2009-1 through 2009-6), Item No. 9 (Report), Items No. 10 and 11 (Warrant Registers). Motion by Parra, seconded by Sotelo-Solis, to pull Item No. 7, and approve the remainder of the Consent Calendar. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

APPROVAL OF MINUTES

1. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of December 2, 2008. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2009 (506-2-24)

2. 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)

CONTRACT (C2006-25)

3. Resolution No. 2009-1. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AMENDMENT NO. 3 TO THE AGREEMENT WITH RICK ENGINEERING COMPANY IN THE AMOUNT OF \$33,675.00 FOR ADDITIONAL DESIGN SERVICES IN CONJUNCTION WITH BAY MARINA DRIVE WIDENING PROJECT, FUNDED BY TAX INCREMENT FUND. (Engineering)
ACTION: Adopted. See above.

BUDGET TRANSFERS ADMIN (103-2-4)

4. Resolution No. 2009-2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL AUTHORIZING CLOSING OF APPROPRIATIONS IN THE AMOUNT OF \$1,032,627.49 FROM CIP NUMBER 6149 (PARADISE VALLEY ROAD IMPROVEMENTS) AND REALLOCATING THE FUNDS TO CIP NUMBER 6569 (PLAZA BOULEVARD WIDENING PROJECT). (Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-1)

5. Resolution No. 2009-3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR A ONE YEAR CONTRACT WITH HARRIS & ASSOCIATES TO PROVIDE "AS-NEEDED" CIVIL ENGINEERING/TRAFFIC ENGINEERING SERVICES FOR CAPITAL IMPROVEMENT PROJECTS FOR A "NOT-TO-EXCEED" AMOUNT OF \$100,000. (Funding though various CIP program budgets) (Engineering)
ACTION: Adopted. See above.

GRANT / LIBRARY (206-4-10)

6. Resolution No. 2009-4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE ACCEPTANCE OF AN AUGMENTATION OF THE CALIFORNIA LIBRARY LITERACY SERVICES GRANT IN THE AMOUNT OF \$16,653, INCREASING THE TOTAL AMOUNT OF THE GRANT FROM \$40,000 TO \$56,653 FOR FY2008-2009. (Library)
ACTION: Adopted. See above.

LABOR RELATIONS MEA MOU 2007-2009 (605-4-9)

CONTRACT (C2007-33)

7. Resolution No. 2009-5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING A SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE NATIONAL CITY MUNICIPAL EMPLOYEES' ASSOCIATION, ADJUSTING THE WORK SCHEDULE AND BREAKS FOR POLICE DISPATCHERS. (Human Resources)

RECOMMENDATION: Continue the Item to the next meeting.

ACTION: Motion by Sotelo-Solis, seconded by Parra, to continue to the January 20th, 2008 Meeting. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

CONSENT CALENDAR (cont.)

LABOR RELATIONS CITY CLERK (605-9-1)

LABOR RELATIONS CITY TREASURER (605-10-1)

LABOR RELATIONS MAYOR/CITY COUNCIL (605-8-1)

8. Resolution No. 2009-6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY FOR EMPLOYER PAID MEMBER CONTRIBUTIONS: MODIFYING THE CONTRIBUTION RATES TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM BY DECREASING THE CITY'S CONTRIBUTION AND ADDING A MEMBER CONTRIBUTION PAID BY THE MAYOR, CITY COUNCIL, CITY CLERK, AND CITY TREASURER, ALL OF WHOM ARE ELECTED OFFICIALS. (Human Resources)

ACTION: Adopted. See above.

FINANCIAL MANAGEMENT 2008-2009 (204-1-24)

9. **SUBJECT:** 2008-2009 City of National City's Property Tax Summary. (Finance)

ACTION: Accepted and filed. See above.

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

10. Warrant Register #23 for the period of 11/26/08 through 12/02/08 in the amount of \$2,454,314.61. (Finance)

ACTION: Ratified. See above.

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

11. Warrant Register #24 for the period of 12/03/08 through 12/09/08 in the amount of \$599,310.05. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARING

BLOCK GRANT PROGRAM ADMIN 2009-2010 (406-1-24)

12. Public Hearing – Fiscal Year 2009-2010 Funding Cycle for the CDBG and HOME Programs. The purpose of Public Hearing #1 is to review community needs, discuss eligible activities for both the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) Programs, and solicit public comments and input regarding the use of these funds. (Grants and Housing Department)

RECOMMENDATION: Continue the hearing to the next meeting.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Parra, to continue the hearing to the January 20th, 2008 Meeting. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2009 (506-2-24)

13. 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, "DISPENSING WITH MEETINGS" BY PROVIDING GREATER SPECIFICITY TO THE PROVISION THAT THE CITY COUNCIL DOES NOT MEET ON AN ELECTION DAY WHEN A CANDIDATE FOR A NATIONAL CITY OFFICE OR A NATIONAL CITY MEASURE APPEARS ON THE BALLOT. (City Attorney)

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2009 (506-2-24)

14. AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE MAYOR AND CITY COUNCIL BY MAINTAINING SAID COMPENSATION AT ITS CURRENT LEVEL ESTABLISHED IN 2003, AND APPROVING THE PAYMENT OF TWO PERCENT OF THEIR PERS CONTRIBUTION FROM THEIR RESPECTIVE SALARIES. (City Attorney)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NEW BUSINESS

TEMPORARY USE PERMITS 2009 (203-1-25)

15. **SUBJECT:** Temporary Use Permit – Westfield Plaza Bonita Carnival sponsored by Christiansen Amusements from January 23 – February 1, 2009 at the Plaza Bonita mall 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: Bill Jacob, the applicant, responded to questions.

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

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2009 (203-1-25)

16. **SUBJECT:** Temporary Use Permit – Circus Vargas sponsored by Tabares Entertainment from February 12-16, 2009 at the Plaza Bonita Mall 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: An un-named speaker appeared on behalf of the applicant and responded to questions.

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

CONTRACT (C2008-74)

- 16a. Resolution No. 2009-7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT AMENDMENT WITH CPM LTD DBA MANPOWER OF SAN DIEGO IN THE AMOUNT OF \$10,000 TO PROVIDE TEMPORARY ADMINISTRATIVE SUPPORT. (Funds are available in Fund 307 – Proposition A).

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Items No. 17 and 18 (Warrant Registers), Items No. 19 and 20 (Reports), Items No. 21 and 22 (Resolutions No. 2009-8 and 2009-9). Motion by Parra, seconded by Sotelo-Solis, to pull Item Nos. 19 and 20, and approve the remainder of the Consent Calendar. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

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

17. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$129,597.30 to the City of National City for the period of 11/26/08 through 12/02/08. (Finance)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

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

18. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$276,491.75 to the City of National City for the period of 12/03/08 through 12/09/08. (Finance)

ACTION: Approved. See above.

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

CITYWIDE HOUSING ADMIN (303-4-1)

19. **SUBJECT:** Submission of the annual report of Financial Transactions and Housing and Community Development Annual Report of housing activity to the State Controller for the Fiscal Year 2007-2008. (Finance)

RECOMMENDATION: Continue to the next meeting.

ACTION: Motion by Sotelo-Solis, seconded by Parra, to continue to the January 20th, 2008 Meeting. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

20. **SUBJECT:** Annual Financial Reports for the Fiscal Year Ended June 30, 2008. (Finance)

RECOMMENDATION: Continue to the next meeting.

ACTION: Motion by Sotelo-Solis, seconded by Parra, to continue to the January 20th, 2008 Meeting. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

CITYWIDE HOUSING ADMIN (303-4-1)

21. Resolution No. 2009-8. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE BUILDING EQUITY AND GROWTH IN NEIGHBORHOODS (BEGIN) PROGRAM, AND THE EXECUTION OF ANY RELATED AGREEMENTS AND DOCUMENTS NECESSARY TO PROVIDE FOR HOMEBUYER ASSISTANCE TO LOW AND MODERATE INCOME HOUSEHOLDS ON 49 NEWLY CONSTRUCTED UNITS LOCATED AT FIG COURT AND EAST DIVISION STREET IN NATIONAL CITY, CALIFORNIA. (Community Development/Housing and Grants Division)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2006-41)

22. Resolution No. 2009-9. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT FOR AS-NEEDED LEGAL SERVICES WITH CHRISTENSEN & SPATH, LLC, FOR A TERM OF TWO YEARS IN THE TOTAL NOT TO EXCEED AMOUNT OF \$100,000. (City Attorney)

ACTION: Adopted. See above.

NEW BUSINESS

None.

CLOSED SESSION REPORT (509-1-4)

City Council / CDC Attorney George Eiser reported that the Special Meeting Closed Session at 5:00 p.m was not held. (See Attached Exhibit 'L')

STAFF REPORTS

City Engineer Maryam Babaki reported on the Federal Governments Economic Stimulus Package and the possible inclusion of several projects within National City and the surrounding area.

MAYOR AND CITY COUNCIL

Member Sotelo-Solis gave an update on the upcoming Presidential Inauguration event planed for the Martin Luther King Community Building on January 20th.

Mayor Morrison spoke about the community support for the San Diego Chargers Football Team during the current championship series and encouraged everyone to show support for the team by wearing team colors on Thursday.

ADJOURNMENT

ACTION: Motion by Sotelo-Solis, seconded by Parra, to adjourn the meeting to the next Adjourned Regular Closed Session Meeting of the City Council and Community Development Commission to be held Tuesday, January 13, 2009 at 5:00 p.m., Council Chamber, Civic Center. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Sotelo-Solis. Nays: None. Absent: Zarate. Abstain: None.

The next Adjourned Regular Meeting of the City Council and Community Development Commission to be held Tuesday, January 13, 2009 at 6:00 p.m., Council Chamber, Civic Center.

ADJOURNMENT (cont.)

The next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, January 20, 2009 at 6:00 p.m., Council Chamber, Civic Center.

The meeting closed at 6:40 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of February 3, 2009.



Mayor / CDC Chairman

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

EXHIBIT 'L'

**Agenda of a Special Meeting
City Council of the National City
Main Conference Room
Civic Center
1243 National City Boulevard
Special Meeting - Tuesday – January 6, 2009 - 5:00 P.M.**

ROLL CALL

CLOSED SESSION

1. Public Employee Performance Evaluation – Government Code Section 54957
Title: City Manager.
2. Public Employee Performance Evaluation – Government Code Section 54957
Title: City Attorney

ADJOURNMENT

Next Regular City Council/CDC Meeting – Tuesday, January 6, 2009 - 6:00 p.m. -
Council Chambers, Civic Center