

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

**February 3, 2009**

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:04 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

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

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

Others present: City Treasurer R. Mitchel Beauchamp.

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

Mayor Morrison discussed the passing of Mr. John Kirk, a long-time resident who was active in many community activities and programs.

**OFF AGENDA ITEM**

**SUBJECT:** Request to add two Items to the Agenda.

A. Request to use Granger Hall for a Memorial Service for Mr. John Kirk.

**ACTION:** Motion by Sotelo-Solis, seconded by Zarate, to bring the item onto the Agenda as Item No. 15a. Carried by unanimous vote.

B. Request to add item to Closed Session Agenda – Conference with Legal Counsel – Existing Litigation GC 54956.9(a) *Damian Ballardo, et al.*

**ACTION:** Motion by Parra, seconded by Van Deventer, to add the item to the Closed Session Agenda. Carried by unanimous vote.

**PUBLIC ORAL COMMUNICATIONS**

Ken Muraoka, Manager, Sweetwater Inn, related an incident that occurred at his business, complimented the Police Department; urged that no cuts be made to the Police Department and asked some questions.

Christine Sotelo, Kimball School Teacher, expressed appreciation for the Presidential Inauguration event hosted by the City. Students Victor Nevarez, Sylvia Montigo, Miguel Estrada and Karla Partida read letters of thanks.

**PUBLIC ORAL COMMUNICATIONS (cont.)**

Alfonso Hernandez, National City, expressed concern about the condition of the crosswalk at 16<sup>th</sup> Street and F Avenue.

Wayne English, National City, related his experiences with the Planning/Building Dept. and City Building Inspectors during his efforts to resolve problems at his property.

**PROCLAMATION**

**PROCLAMATION ADMIN (102-2-1)**

1. **SUBJECT:** Proclaiming Friday, February 6, 2009 as: "***National Wear Red Day***"  
Presented to Jane Campbell from Paradise Valley Hospital.

**PRESENTATION**

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

2. **SUBJECT:** 25 Years of Service – Veronica H. Zengota, Police Operations Assistant

**COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)**

3. **SUBJECT:** Presentation by the Census Bureau.  
**ACTION:** The presentation was postponed at the request of Census Bureau staff.

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 4 (Minutes), Items No. 5 through 8 (Resolutions No. 2009-19 through 2009-22), Items No. 9 and 10 (Warrant Registers), Item No. 11 (Report). Motion by Parra, seconded by Sotelo-Solis, to pull Item No. 6, and approve the remainder of the Consent Calendar. Carried by unanimous vote.

**APPROVAL OF MINUTES**

4. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of January 6, 2009 and the Adjourned Regular Meeting of January 13, 2009. (City Clerk)  
**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

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

5. Resolution No. 2009-19. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE FILING OF A GRANT APPLICATION REQUESTING \$2 MILLION OF SMART GROWTH INCENTIVE PROGRAM (SGIP) FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE 8<sup>TH</sup> STREET CORRIDOR SMART GROWTH REVITALIZATION PROJECT, ESTIMATED AT \$3.5 MILLION. (Proposed funding through SGIP Grant Fund, City Tax Increment Fund as local match, and Rule 20A Fund for Underground Utility District 24 as local match) (Engineering)

**ACTION:** Adopted. See above.

**CONTRACT (C2005-59)**

6. Resolution No. 2009-20. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AGREEMENT WITH THE ENVIRONMENTAL HEALTH COALITION TO PERFORM OUTREACH AND EDUCATION SERVICES DURING THE EXTENDED AGREEMENT PERIOD FROM NOVEMBER 1, 2008 TO OCTOBER 31, 2009 AS GRANTED BY HUD TO THE CITY FOR THE HEALTHY HOMES DEMONSTRATION PROJECT. ADDITIONAL FUNDS FROM THE TAX INCREMENT FUND OF \$188,059 WILL BE REQUIRED. (Community Development)

**TESTIMONY:** Robert Leif, San Diego, spoke against the Resolution.

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

**CONTRACT (C2005-69)**

7. Resolution No. 2009-21. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AGREEMENT WITH THE AMERICAN LUNG ASSOCIATION OF CALIFORNIA TO PERFORM ASTHMA EDUCATION SERVICES DURING AN EXTENDED AGREEMENT PERIOD FROM NOVEMBER 1, 2008 TO OCTOBER 31, 2009 AS GRANTED BY HUD TO THE CITY FOR THE HEALTHY HOMES DEMONSTRATION PROJECT. ADDITIONAL FUNDS FROM THE TAX INCREMENT FUND OF \$51,792 WILL BE REQUIRED TO AUGMENT EXISTING GRANT FUNDS. (Community Development)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**TRANSPORTATION RAILROADS/RAILWAYS (802-6-1)**

8. Resolution No. 2009-22. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY SUPPORTING THE EXTENSION OF THE PROPOSED CALIFORNIA HIGH-SPEED TRAIN/RAIL SYSTEM INTO SOUTH SAN DIEGO COUNTY. (City Manager)

**ACTION:** Adopted. See above.

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

9. Warrant Register #28 for the period of 12/31/08 through 01/06/09 in the amount of \$638,712.60. (Finance)

**ACTION:** Ratified. See above.

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

10. Warrant Register #29 for the period of 01/07/09 through 01/13/09 in the amount of \$1,422,680.16. (Finance)

**ACTION:** Ratified. See above.

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

11. **SUBJECT:** Investment Report for quarter ended December 31, 2008. (Finance)

**ACTION:** Filed.

**PUBLIC HEARING**

**SUBDIVISIONS/VARIANCES 2009 (415-1-5)**

12. Public Hearing and Proposed Finding of No Significant Environmental Effect for a proposed 9 lot subdivision map, including a density bonus and development incentive for providing 1 affordable unit on a 0.71 acre site at 2121 Grove Street. (Applicant: Arnold Schmidt) (Case File No. 2007-59 S, IS) (Planning Division)

**RECOMMENDATION:** Staff concurs with the Planning Commission's recommendation that the proposed project and Tentative Subdivision Map be denied.

**TESTIMONY:** None. It was reported by staff that the applicant has requested that the item be continued to an unspecified date.

**ACTION:** Motion by Van Deventer, seconded by Parra, to continued the item indefinitely as requested by the applicant. Carried by unanimous vote.

**NON CONSENT RESOLUTION**

**BUDGET FY 2008-2009 (206-1-24)**

13. Resolution No. 2009-23. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE FISCAL YEAR 2008-2009 CAPITAL IMPROVEMENT BUDGET. (Finance)

**RECOMMENDATION:** Approve the amendments to the Fiscal Year 2008-2009 Capital Improvement Program (CIP) Projects and related funding recommendations.

**TESTIMONY:** None.

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

**NEW BUSINESS**

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

14. **SUBJECT:** Request to use the Martin Luther King, Jr. Community Center by the San Diego Foundation and the Alliance Healthcare Foundation for their public community meeting regarding the Paradise Valley Fund on Tuesday, February 10, 2009 with no waiver of fess. (Community Services)

**RECOMMENDATION:** Approve the request with all conditions of staff.

**TESTIMONY:** None.

**ACTION:** Motion by Parra, seconded by Van Deventer, to approve with all recommendations of staff. Carried by unanimous vote.

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

15. **SUBJECT:** Request to use the Martin Luther King, Jr. Community Center by Cornerstone Church of San Diego for a "Valentines Dinner" on February 13, 2009 with no waiver of fees. (Community Services)

**RECOMMENDATION:** Approve the request with no waiver of fees.

**TESTIMONY:** None.

**ACTION:** Motion by Zarate, seconded by Van Deventer, to approve with all recommendations of staff. Carried by unanimous vote.

**GRANGER HALL ADMIN (702-12-1)**

- 15a. **SUBJECT:** Request by National City Host Lions Club to use Granger Music Hall for a Memorial Service for Mr. John Kirk on February 7, 2009.

**RECOMMENDATION:** Approve the request.

**ACTION:** Motion by Zarate, seconded by Van Deventer, to approve the request. Carried by unanimous vote.

**COMMUNITY DEVELOPMENT COMMISSION**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Items No. 16 and 17 (Warrant Registers), Items No. 18 and 19 (Reports), Item No. 20 (Resolution No. 2009-24). Motion by Parra, seconded by Van Deventer, to approve the Consent Calendar. Carried by unanimous vote.

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

16. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$2,671.32 to the City of National City for the period of 12/31/08 through 01/06/09. (Finance)

**ACTION:** Approved. See above.

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

17. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$147,987.87 to the City of National City for the period of 01/07/09 through 01/13/09. (Finance)

**ACTION:** Approved. See above.

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

18. **SUBJECT:** Investment Report for quarter ended December 31, 2008. (Finance)

**ACTION:** Accepted and filed. See above.

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

19. **SUBJECT:** Annual Financial Report for the Fiscal Year Ended June 30, 2008. (Finance) \*\*Continued from Council Meeting 1/20/09\*\*

**ACTION:** Accepted and filed. See above.

**REDEV NATIONAL CITY REDEV PROJECT (411-1-10)**

20. Resolution No. 2009-24. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT TO THE RULES GOVERNING PARTICIPATION AND PREFERENCES BY PROPERTY OWNERS AND BUSINESS OCCUPANTS IN THE NATIONAL CITY REDEVELOPMENT PROJECT. (Redevelopment Division)

**ACTION:** Adopted. See above.

**NEW BUSINESS**

None.

## STAFF REPORTS

### HOUSING & GRANTS DEPT ADMIN (1104-1-9)

21. **SUBJECT:** Home Clinic – Housing Foreclosure Assistance – Verbal Report (Housing & Grants)

**TESTIMONY:** Alfredo Ybarra reviewed the housing foreclosure situation in the City; reported on the recently held clinic and outlined various housing goals and programs.

**ACTION:** Accepted.

Joe Olson, Neighborhood Services Division, reported on code enforcement efforts planned in conjunction with Valentine's Day.

## MAYOR AND CITY COUNCIL

### COUNCIL WORKSHOP NOTICES/ADMIN (102-6-1)

22. **SUBJECT:** Scheduling March 21, 2009 for the City Council Strategic Planning Workshop.

**ACTION:** Consensus was for March 21<sup>st</sup>, 2009 date. No vote was taken.

Mr. Robert Leif, San Diego, spoke on the Closed Session Agenda Item and suggested it was better to work together rather than litigate.

## CLOSED SESSION

### CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a)

*Community Youth Athletic Center v. City of National City, Community Development Commission of the City of National City, et al.*

San Diego County Superior Court Case No. GIS 37-2007-0007604-CU-EI-SC

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a)

*Damian Ballardo, et al. v. City of National City, et al.*

United States District Court, Southern District of California

Case No. 07CV1956 DMS (LSP)

**ACTION:** Motion by Zarate, seconded by Sotelo-Solis, to go into Closed Session. Carried by unanimous vote.

Members retired into Closed Session at 6:59 p.m.

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

City Council / CDC Attorney George Eiser returned to the Council Chamber at 7:44 p.m. and stated that there was nothing to report from the Closed Session meeting.

**ADJOURNMENT**

The meeting was adjourned in memory of Mr. John Kirk.

The next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, February 17, 2009 at 6:00 p.m., Council Chamber, Civic Center.

The meeting closed at 7:44 p.m.

  
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City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of March 17, 2009.

  
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Mayor / CDC Chairman