

**Agenda Of A Regular Meeting - National City City Council /
Community Development Commission of the City of National City**

**Council Chambers
Civic Center
1243 National City Boulevard
National City, California
Regular Meeting - Tuesday – June 16, 2009 – 6:00 P.M.**

Open To The Public

Please complete a request to speak form prior to the commencement of the meeting and submit it to the City Clerk.

It is the intention of your City Council and Community Development Commission (CDC) to be receptive to your concerns in this community. Your participation in local government will assure a responsible and efficient City of National City. We invite you to bring to the attention of the City Manager/Executive Director any matter that you desire the City Council or Community Development Commission Board to consider. We thank you for your presence and wish you to know that we appreciate your involvement.

ROLL CALL

Pledge of Allegiance to the Flag by Mayor Ron Morrison

Public Oral Communications (Three-Minute Time Limit)

NOTE: Pursuant to state law, items requiring Council or Community Development Commission action must be brought back on a subsequent Council or Community Development Commission Agenda unless they are of a demonstrated emergency or urgent nature.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Council and Community Development Commission Meetings. Audio headphones are available in the lobby at the beginning of the meetings.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.

**Council Requests That All Cell Phones
And Pagers Be Turned Off During City Council Meetings**

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OBTAINED THROUGH OUR WEBSITE AT www.nationalcityca.gov

PROCLAMATION

1. Proclaiming Tuesday, June 16, 2009 as: **“ROGER G. POST DAY”**

PRESENTATIONS

2. Employee of the Month of June, 2009: Esther Clemente, Administrative Secretary, City Clerk's Office
3. Recognizing Adam Landa, Asst. Civil Engineer for his 30 years of service.

CITY COUNCIL

CONSENT CALENDAR

Consent Calendar: Consent calendar items involve matters, which are of a routine or noncontroversial nature. All consent calendar items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

4. Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of May 5, 2009. (City Clerk)
5. Resolution of the City Council of the City of National City authorizing the Mayor to execute Addendum No. 2 to the as-needed Civil Engineering/Traffic Engineering Services Agreement with Harris & Associates in the not-to exceed amount of \$41,985 for preparation of plans, specifications and estimates for the T Avenue Reconstruction Project. (Funded through Prop A funds and Contract Services funds). (Engineering)
6. Resolution of the City Council of the City of National City waiving the bid process and authorizing the sole source purchase of three solar-powered radar speed feedback sign trailer units with variable messaging and data collection capabilities from Fortel Traffic, Inc. in the not-to-exceed amount of \$35,890 for use by National City Police and Engineering Departments to enhance driver awareness of excessive speeds and encourage drivers to reduce speeds to improve traffic safety. (Funded through Office of Traffic Safety Grant) (Engineering)

CONSENT CALENDAR (Cont.)

7. Resolution of the City Council of the City of National City approving Amendment No. 1 to the Agreement with Kleinfelder West, Inc. in the amount not-to-exceed \$6,500 and authorizing the Mayor to execute the Amendment to provide materials testing services in conjunction with the Bay Marina Drive Widening. (Funds are available in the Tax Increment Fund). (Engineering)
8. Resolution of the City Council of the City of National City accepting approved funding from California Integrated Waste Management Board (CIWMB) with Grant RAC13-7-3 (Rubberized Asphalt Concrete) in the amount of \$250,000 in conjunction with the FY 08-09 Street Resurfacing Project. (Engineering)
9. Resolution of the City Council of the City of National City approving an Amendment to the Agreement with Tetra Tech in the amount not-to-exceed \$12,816.26 and authorizing the Mayor to execute the Agreement Amendment in conjunction with the Sewer Pump Station Rehabilitation Project. (Funded by Sewer Fund). (Engineering)
10. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement with D-Max Engineering, Inc. in the amount of \$200,000 in order to continue providing the City and engineering and environmental services and assist implementing National Pollutants Discharge Elimination System (NPDES) permit requirements. (Funding will be through Sewer Service Funds). (Engineering)
11. Resolution of the City Council of the City of National City accepting the work performed by ABC Construction Co., Inc. with the final amount of \$1,455,175.06 and authorizing the filing of the Notice of Completion with the County Recorder for the Highland Avenue Resurfacing Project. (Funded through Tax Increment Funds). (Engineering)
12. Resolution of the City Council of the City of National City accepting the work performed by 3-D Enterprises, Inc. with the final amount of \$137,679.00 and authorizing the filing of the Notice of Completion with the County Recorder for the National City Parks Rehabilitation Project. (Funded through General Funds). (Engineering)

CONSENT CALENDAR (Cont.)

13. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement with Project Design Consultants in the amount not-to-exceed \$600,000 to provide consultant services for the comprehensive update of the General Plan and Land Use Code. (Community Development)
14. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement with the Sohagi Law Group in the amount not-to-exceed \$250,000 to provide legal support services for the comprehensive update of the General Plan and Land Use Code. (City Attorney)
15. Resolution of the City Council of the City of National City authorizing the Mayor to execute a Memorandum of Understanding between the City of San Diego Office of Homeland Security and the City of National City regarding the FY08 Urban Area Security Initiative (UASI) Grant funding. (Fire)
16. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement in the not-to-exceed amount of \$51,000 with Grossman Psychological Associates, APC, to provide pre-placement evaluations, pre-employment exams, an officer assistance program, critical incident debriefing, and fitness for duty evaluations for the Police Department. (Police)
17. Resolution of the City Council of the City of National City approving and adopting the annual Appropriations Limit for Fiscal Year 2009-2010. (Finance)
18. Resolution of the City Council of the City of National City authorizing investment of monies in the Local Agency Investment Fund (LAIF) for Fiscal Year 2009-2010. (Finance)
19. Resolution of the City Council of the City of National City authorizing the Mayor to execute the Third Amendment to an Agreement for grant funds in the amount of \$125,000 from the County of San Diego extending the term of the Agreement to allow for the completion of a soccer project at Kimball Park. (Community Services)

CONSENT CALENDAR (Cont.)

20. WARRANT REGISTER #47

Warrant Register #47 for the period of 05/13/09 through 05/19/09 in the amount of \$2,174,667.85. (Finance)

21. WARRANT REGISTER #48

Warrant Register #48 for the period of 05/20/09 through 05/26/09 in the amount of \$873,374.14. (Finance)

PUBLIC HEARINGS

22. Public Hearing to consider a proposed Negative Declaration and previously denied 7-Lot Residential Tentative Subdivision Map, including requests for exceptions for increased density, reduced lot sizes and lot frontage; variance requests to allow 3-story structures for 2-units, 3-foot side yard setbacks for 3-units, and 13.5-foot front yard setbacks for 4-units; and a request to waive the utility undergrounding fronting Prospect Street at 2121 Grove Street. (Applicant: Arnold Schmidt) (Case File No. 2007-59 S, IS, Z) (Planning)

23. Weed Abatement Public Hearing. (Fire) **Companion Item #26**

24. Public Hearing to consider confirming the assessment and ordering the levy for the Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal Year 2009-2010) (Community Development) **Companion Item #27**

25. Public Hearing of the City Council of the City of National City to consider the annual adjustment to the Transportation Development Impact Fee (TDIF), pursuant to NCMC Section 4.52.100 and consistent with Government Code Section 66017, proposing to increase the TDIF by 2% as required by SANDAG, resulting in the fee adjusting from \$2,000 per new residential dwelling unit to \$2,040 per unit. (Engineering) **Companion Item #28**

NON CONSENT RESOLUTIONS

26. Resolution of the City Council of the City of National City authorizing the approval of weed abatement Public Hearing findings. (Fire) **Companion Item #23**
27. Resolution of the City Council of the City of National City confirming the assessment and ordering the levy for the Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal year 2009-2010. (Community Development) **Companion Item #24**
28. Resolution of the City Council of the City of National City amending the previously adopted Transportation Development Impact Fee (TDIF) schedule and annual adjustment to the TDIF, pursuant to NCMC Section 4.52.100 and consistent with Government Code Section 66017, approving an increase in the TDIF by 2% as required by SANDAG, resulting in the fee adjusting from \$2,000 per new residential dwelling unit to \$2,040 per unit. (Fees deposited into Transportation Impact Fee Fund) (Engineering) **Companion Item #25**
29. Resolution of the City Council of the City of National City approving adoption of a temporary reduction of those fees in the 2008 Fee Schedule which are higher than those corresponding fees contained in the 2005 Fee Schedule, to the fee amounts contained in the 2005 Fee Schedule. (Planning)
30. Resolution of the City Council of the City of National City adopting a budget for 2009-2010 Fiscal Year. (Finance)
31. Resolution of the City Council of the City of National City authorizing the submission of an application to the U.S. Department of Energy for funds totaling \$561,700 under the Energy Efficiency and Conservation Block Grant (EECBG) Program. (Community Development/Housing and Grants Division)

NEW BUSINESS

32. Report on Housing and Community Development Committee and Advisory and Appeals Board. (City Attorney)

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

33. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$455,993.90 to the City of National City for the period of 05/13/09 through 05/19/09. (Finance)
34. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$38,263.18 to the City of National City for the period of 05/20/09 through 05/26/09. (Finance)
35. Resolution of the Community Development Commission (CDC) of the City of National City authorizing investment of monies in the Local Agency Investment Fund (LAIF) for Fiscal Year 2009-2010. (Finance)
36. Resolution of the Community Development Commission (CDC) of the City of National City adopting the Morgan and Kimball Towers Budgets for Fiscal Year 2009-2010. (Housing and Grants Division)
37. Resolution of the Community Development Commission (CDC) of the City of National City appropriating \$92,000.00 from Tax Increment Undesignated Fund Balance to the Highland Avenue Resurfacing Phase II Project. (Funded by Tax Increment Fund) (Engineering)
38. Resolution of the Community Development Commission (CDC) of the City of National City approving an Agreement with Keyser Marston Associates, Inc. to provide as-needed economic consulting services not-to-exceed \$75,000 for Fiscal year 2009-2010. (Redevelopment Division)
39. Resolution of the Community Development Commission (CDC) of the City of National City approving an Agreement with RORE, Inc. for as-needed environmental consulting services not-to-exceed \$250,000 until June 30, 2011. (Redevelopment Division)

CONSENT CALENDAR (Cont.)

40. Resolution of the Community Development Commission (CDC) of the City of National City approving an Agreement with GeoSyntech Consultants, Inc. for as-needed environmental consulting services not-to-exceed \$250,000 until June 30, 2011. (Redevelopment Division)
41. Resolution of the Community Development Commission (CDC) of the City of National City approving an Agreement with Ninyo & Moore, Inc. for as-needed environmental consulting service not-to-exceed \$250,000 until June 30, 2011. (Redevelopment Division)
42. Resolution of the Community Development Commission (CDC) of the City of National City approving the Second Amendment to the Exclusive Negotiation Agreement (ENA) by and between the Community Development Commission of the City of National City and Marina Gateway Development Company, LLC for two blocks north of Bay Marina Drive owned by the Community Development Commission to extend the First Negotiation Period under the ENA through June 30, 2010. (Redevelopment Division)

NON CONSENT RESOLUTION

43. Resolution of the Community Development Commission (CDC) of the City of National City adopting a budget for Fiscal Year 2009-2010. (Finance)

NEW BUSINESS

44. Report on real property transaction for Former Days Inn site; 1.07-acre parcel located at 1640 East Plaza Boulevard. (A.P.N. 557-410-200) (City Attorney)

STAFF REPORTS

MAYOR AND CITY COUNCIL

ADJOURNMENT

Next Regular City Council and Community Development Commission Meeting -
Tuesday – July 7, 2009 - 6:00 p.m. – Council Chambers - National City.