

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

May 19, 2009

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:10 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

Mayor Morrison announced that the meeting will be adjourned in honor of Mr. Rubin Rubio, a long time resident and businessman who passed away last week at the age of 95.

PUBLIC ORAL COMMUNICATIONS

Alfonso Hernandez, National City, announced that volunteers are needed to assist in the installation of new playground equipment at the Boys & Girls Club

Wayne English, National City, recapped events that have occurred and unresolved issues relating to the use of his property on Fourth Street.

Mr. Robert Bleisch, Assistant Principal at Granger Jr. High School introduced three students from the ASB: Lee May Avila, Christopher McMann and Casandra Martinez.

Granger Student Casandra Martinez thanked Mayor Morrison for his attendance and participation at school events and presented him with an award of recognition. Council member Parra was also acknowledged for the time and care he has extended to Granger Jr. High School.

Granger Junior High Assistant Principal Bleisch requested waiver of fees for use of the city stage at the school's Community Carnival scheduled on May 29th.

OFF AGENDA ITEM

SUBJECT: Temporary Use Permit – Request from Granger Jr. High to use the City Stage for the Granger Community Culture Faire on May 29, 2009 and waiver of fees.

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to bring the item onto the Agenda as Item No. 24a. Carried by unanimous vote.

PROCLAMATIONS

PROCLAMATION ADMIN (102-2-1)

1. **SUBJECT:** Proclaiming Wednesday, May 6, 2009 as: “**LAW ENFORCEMENT OFFICERS’ MEMORIAL DAY**”

PROCLAMATION ADMIN (102-2-1)

2. **SUBJECT:** Proclaiming the week of May 17-23, 2009 as: “**NATIONAL PUBLIC WORKS WEEK**”

PRESENTATIONS

Mayor Morrison presented certificates to young ladies, Jessica and Joanna, winners of a contest sponsored by the Network for a Healthy California in conjunction with Grocery Outlet Market in National City.

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

3. **SUBJECT:** Employee of the Month of May 2009 – Sheila Pangco – Accounting Assistant

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

4. **SUBJECT:** National City Website Update. (City Manager / Redevelopment)

INTERVIEWS AND APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

5. **SUBJECT:** Interviews and Appointments: Various Boards & Commissions
The following individuals appeared for an interview: Lucy Anderson, Francis Bueno, James Marler, Timothy Poppe, Dana Richardson, Alyssa Robledo, Daniel Serrano, Geoffrey Schrock.

ACTION: Motion by Morrison, seconded by Parra, to re-appoint Louise Branch, Nancy Estolano and Richard Frame to the CPRC and to appoint Howard Aranda and David Serrano to the CPRC. Carried by unanimous vote.

INTERVIEWS AND APPOINTMENTS (cont.)

BOARDS & COMMISSIONS ADMIN (101-1-1)

5. **SUBJECT:** Interviews and Appointments (continued).

ACTION: Motion by Zarate, seconded by Van Deventer, to confirm the Mayor's re-appointment of Lily Martin, Nancy Nieto and Brian Clapper to the Library Board of Trustees. Carried by unanimous vote.

Motion by Van Deventer, seconded by Zarate, to confirm the Mayor's re-appointment of Howard Schwitkis and James Grier to the Park & Recreation Advisory Board. Carried by unanimous vote.

Motion by Van Deventer, seconded by Sotelo-Solis, to confirm the Mayor's re-appointment of Bennett Peji, William Virchis, Manuel Cavada, Christina Chacon and Janice Martinelli and to appoint Paul Ecdao and Francis Bueno to the Public Art Committee. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Zarate, to confirm the re-appointment of Yvonne Cordoba and Roberto Andrade and the appointment of Katherine Wesner to the Senior Citizens Advisory Board. Carried by unanimous vote.

Motion by Van Deventer, seconded by Morrison, to confirm the re-appointment of Howard Schwitkis and Cheryl Colmenero and the appointment of Mona Rios to the Street Tree & Parkway Committee. Carried by unanimous vote.

Motion by Morrison, seconded by Zarate, to re-appoint Mary Martin, Dale Bennett, Brian Clapper, Cheryl Colmenero and Arlito Reclosado to the Traffic Safety Committee. Carried by unanimous vote.

Motion by Morrison, seconded by Van Deventer, to appoint Ted Muehleisen to fill an unexpired term on the Sweetwater Authority. Carried by the following vote, to-wit: Ayes: Morrison, Van Deventer, Zarate. Nays: Parra, Sotelo-Solis. Absent: None. Abstain: None.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 6 (Minutes), Item No. 7 (NCCM), Item Nos. 8 through 18 (Resolution Nos. 2009-103 through 2009-113), Item Nos. 19 and 20 (Warrant Registers). Motion by Van Deventer, seconded by Parra, to approve the remainder of the Consent Calendar. Carried by unanimous vote.

Note: Member Van Deventer indicated that in order to avoid any possible conflict, he would be abstaining on Item No. 12.

APPROVAL OF MINUTES

6. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of April 7, 2009. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2009 (506-2-24)

7. 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)

ACTION: Approved. See above.

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

8. Resolution No. 2009-103. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A GRANT APPLICATION IN THE AMOUNT OF \$35,000 FOR TRANSPORTATION DEVELOPMENT ACT (TDA) / TRANSNET BICYCLE AND PEDESTRIAN PROJECTS FUNDS FOR COMPLETION OF THE CITY OF NATIONAL CITY BICYCLE MASTER PLAN. (Funding through TDA grant and Traffic System Improvements CIP) (Engineering)

ACTION: Adopted. See above.

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

9. Resolution No. 2009-104. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING AN AMENDMENT TO THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) TO APPROPRIATE \$924,000 OF AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) / ECONOMIC STIMULUS PACKAGE FUNDING TO THE NATIONAL CITY STREET RESURFACING PROJECT. (Funded through Proposition "A" funds) (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2008-93)

10. Resolution No. 2009-105. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK FROM 3-D ENTERPRISES, APPROVING THE FINAL CONTRACT AMOUNT OF \$104,630 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE STORM DRAIN PROJECT ON MARINA WAY. (Funded by Tax Increment Funds). (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2009-38)

11. Resolution No. 2009-106. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS AND AUTHORIZING A SOLE SOURCE PURCHASE OF A GIS-BASED TRAFFIC COLLISION RECORDS SYSTEM FROM CROSSROADS SOFTWARE IN THE AMOUNT OF \$33,570 FOR USE BY NATIONAL CITY POLICE AND ENGINEERING DEPARTMENTS TO PROVIDE ENHANCED ANALYSIS OF TRAFFIC COLLISIONS FOR IMPROVING SAFETY. (Funded through Office of Traffic Safety Grant) (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2008-10)

12. Resolution No. 2009-107. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING WORK FROM MA STEVENS CONSTRUCTION INC. WITH FINAL CONTRACT AMOUNT OF \$1,487,832.73 AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR NATIONAL CITY LIBRARY REMODEL PROJECT. (Funding is through Tax Increment Funds) (Engineering)

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

CONTRACT (C2009-39)

13. Resolution No. 2009-108. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE LOWEST, RESPONSIVE, RESPONSIBLE BID FOR A 3 YEAR LEASE OF FOUR HYBRID TOYOTA PRIUS FROM FRANK TOYOTA IN THE AMOUNT OF \$52,215.80. (Finance/Purchasing)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

GRANT / LAW ENFORCEMENT (302-1-2)

14. Resolution No. 2009-109. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF CHILDREN EXPOSED TO DOMESTIC VIOLENCE (CEDV) SPECIALIZED RESPONSE PROGRAM GRANT AWARD IN THE AMOUNT OF \$600,000. (Police)
ACTION: Adopted. See above.

LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)

15. Resolution No. 2009-110. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) FOR 2009-2010. (Community Development)
ACTION: Adopted. See above.

LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)

16. Resolution No. 2009-111. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE ANNUAL ENGINEER'S REPORT FOR THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) FOR 2009-2010. (Community Development)
ACTION: Adopted. See above.

LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)

17. Resolution No. 2009-112. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) FOR 2009-2010. (Community Development)
ACTION: Adopted. See above.

CONTRACT (C2009-40)

18. Resolution No. 2009-113. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS AND AUTHORIZING THE AWARD OF PURCHASE OF (3) ZOLL AUTOPULSE SYSTEMS WITH PASS THRU AND AUTOPULSE ACCESSORIES TO ZOLL MEDICAL CORPORATION FOR \$53,026.21, USING FUNDS PROVIDED BY THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND AMERICAN MEDICAL RESPONSE, INC. (Fire)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

19. Warrant Register #43 for the period of 04/15/09 through 04/21/09 in the amount of \$2,189,326.85. (Finance)

ACTION: Ratified. See above.

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

20. Warrant Register #44 for the period of 04/22/09 through 04/28/09 in the amount of \$709,308.00. (Finance)

ACTION: Ratified. See above.

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2009 (506-2-24)

21. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADDING CHAPTER 9.37 TO THE NATIONAL CITY MUNICIPAL CODE TO PROHIBIT SMOKING IN OPEN AIR DINING AREAS. (City Attorney)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: Jonathan Yepiz, Paty Asvizu, Carolina Chavez, South Bay Youth for Change, spoke in support.

Harold Posadas, National City, spoke in support.

Alejandra Aceves, representing Turning the Heart Center, spoke in support.

Jose Medina, National City, spoke in support.

Silvia Martinez, National City, spoke in support.

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

Item No. 24a was taken up next

TEMPORARY USE PERMITS 2009 (203-1-25)

- 24a. Temporary Use Permit – Request from Granger Jr. High to use the City Stage for the Granger Community Culture Faire on May 29, 2009.

ACTION: Motion by Van Deventer, seconded by Parra, to approve the request including waiver of fees. Carried by unanimous vote.

Item No. 29 was taken up next.

NON CONSENT RESOLUTIONS

SUBDIVISIONS / VARIANCES 2009 (415-1-5)

29. Resolution No. 2009-119. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DENYING A PROPOSED SEVEN LOT RESIDENTIAL TENTATIVE SUBDIVISION MAP, INCLUDING REQUESTS FOR EXCEPTIONS FOR LOT SIZE, LOT WIDTH, AND STREET FRONTAGE, A VARIANCE REQUEST FOR THREE STORY UNITS, SETBACKS, AND A REQUEST TO WAIVE UNDERGROUNDING OF UTILITIES FRONTING ON PROSPECT STREET ON 0.71 ACRE SITE AT 2121 GROVE STREET. (Applicant: Arnold Schmidt) (Case File No. 2007-59 S, IS, Z) (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Mr. Smaha, representing the applicant, responded to questions.

ACTION: Motion by Zarate, seconded by Morrison, to file and re-notice. Carried by the following vote, to-wit: Ayes: Morrison, Sotelo-Solis, Zarate. Nays: Parra, Van Deventer. Absent: None. Abstain: None.

Exparte Disclosure: Mayor Morrison and Council Member Parra disclosed that they had contact with the applicant prior to the meeting.

Item No. 22 was taken up next.

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2009 (506-2-24)

22. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE NATIONAL CITY MUNICIPAL CODE CHAPTER 18.62 AND LOCAL COASTAL PROGRAM IMPLEMENTATION DOCUMENT SECTION XII PERTAINING TO SIGNS AND OUTDOOR ADVERTISING. (Applicant: City initiated) (Case File No. 2007-41 A, LCP) (Planning)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Sotelo-Solis, to adopt the Ordinance. Motion by Sotelo-Solis, seconded by Zarate, to amend the Ordinance to permit a 4' x 8' sign on a candidate's own property. Motion failed by the following vote, to-wit: Ayes: Sotelo-Solis, Zarate. Nays: Morrison, Parra, Van Deventer. Absent: None. Abstain: None. Original Motion, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Van Deventer, Zarate. Nays: Sotelo-Solis. Absent: None. Abstain: None.

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2009 (506-2-24)

23. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE HARBOR DISTRICT SPECIFIC AREA PLAN OF THE LOCAL COASTAL PROGRAM PERTAINING TO SIGNS. (Case File No. 2009-2 LCPA) (Planning)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

LABOR RELATIONS – EXECUTIVE EMPLOYEES (605-2-1)

24. Resolution No. 2009-114. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ELECTING TO EXERCISE THE PROVISIONS OF GOVERNMENT CODE SECTION 20903, WITH THE PURCHASE OF TWO ADDITIONAL SERVICE YEARS FOR THE SINGLE INCUMBENT CLASSIFICATION OF DIRECTOR OF PLANNING AS A RESULT OF A PLANNED CONSOLIDATION OF DEPARTMENTS. (Human Resources)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2009 (203-1-25)

- 24a. Temporary Use Permit – Request from Granger Jr. High to use the City Stage for the Granger Community Culture Faire on May 29, 2009.

ACTION: Motion by Van Deventer, seconded by Parra, to approve the request including waiver of fees. Carried by unanimous vote.

LABOR RELATIONS POA 2006 - 2009 (605-3-8)

25. Resolution No. 2009-115. 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 POLICE OFFICERS' ASSOCIATION, MODIFYING THE OVERTIME PROVISIONS FOR SWORN PERSONNEL ASSIGNED TO POLICE CANINE DUTY ON A PERMANENT BASIS. (Human Resources)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

FIRE DEPT ADMIN (305-1-1)

CONTRACT (C2009-41)

26. Resolution No. 2009-116. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO WAIVE THE FORMAL BID PROCESS AND AUTHORIZE THE PURCHASE OF A PIERCE ARROW XT 105' QUINT TRUCK FROM PIERCE MANUFACTURING FOR THE NATIONAL CITY FIRE DEPARTMENT FOR A TOTAL OF \$953,669.
(Fire)

RECOMMENDATION: Staff recommends that the award be made to Pierce Manufacturing, and that authority be given to the Finance Department to issue the resulting purchase order.

TESTIMONY: None.

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

GRANT / FIRE DEPT (206-4-13)

FIRE DEPT ADMIN (305-1-1)

CONTRACT (C2009-41)

27. Resolution No. 2009-117. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF \$248,456 FROM THE FY08 ASSISTANCE TO FIREFIGHTERS GRANT TO PURCHASE A PIERCE ARROW XT 105' QUINT TRUCK FOR THE NATIONAL CITY FIRE DEPARTMENT FOR A TOTAL OF \$953,669.
(Fire)

RECOMMENDATION: Staff recommends the acceptance of \$248,456 from the FY08 Assistance to Firefighters Grant Program to purchase a Pierce Arrow XT 105' Quint Aerial Fire Truck for the National City Fire Department.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

**GRANT / FIRE DEPT (206-4-13)
FIRE DEPT ADMIN (305-1-1)
CONTRACT (C2009-41)**

28. Resolution No. 2009-118. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE FINANCE DEPARTMENT TO PROCEED WITH THE PURCHASE OF A PIERCE ARROW XT 105' QUINT TRUCK FOR THE NATIONAL CITY FIRE DEPARTMENT BY UTILIZING \$248,456 FROM THE FY08 ASSISTANCE TO FIREFIGHTERS GRANT, \$90,000 IN DEVELOPMENT IMPACT FEES, AND BORROWING \$615,213 FROM THE CIVIC CENTER REFURBISHING FUND 189 TO PAY THE REMAINING BALANCE FOR THE \$953,669 FIRE TRUCK. (Fire)

RECOMMENDATION: Staff recommends authorizing the Finance Department to proceed with the purchase of a Pierce Arrow XT 105' Quint Truck by borrowing \$615,213 from the Civic Center Refurbishing Fund 189 to pay the remaining balance for the fire truck and establishing a ten (10) year re-payment agreement with the NCFD at an interest equal to 3.69% per annum.

TESTIMONY: None.

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

SUBDIVISIONS / VARIANCES 2009 (415-1-5)

29. Resolution No. 2009-119. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DENYING A PROPOSED SEVEN LOT RESIDENTIAL TENTATIVE SUBDIVISION MAP, INCLUDING REQUESTS FOR EXCEPTIONS FOR LOT SIZE, LOT WIDTH, AND STREET FRONTAGE, A VARIANCE REQUEST FOR THREE STORY UNITS, SETBACKS, AND A REQUEST TO WAIVE UNDERGROUNDING OF UTILITIES FRONTING ON PROSPECT STREET ON 0.71 ACRE SITE AT 2121 GROVE STREET. (Applicant: Arnold Schmidt) (Case File No. 2007-59 S, IS, Z) (Planning)

ACTION: Taken up earlier in the meeting. See above.

Member Parra announced, for the record, that he would be abstaining on Item No. 30 due to the proximity of his personal residence to area under consideration.

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2009-42)

30. Resolution No. 2009-120. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A LEASE TO THE CITY, AT AN ANNUAL RENT OF \$2,000, OF APPROXIMATELY 1,999 SQUARE FEET OF LAND AT 2805 N AVENUE FROM IGNACIO AND BEATRIZ MORALES FOR USE AS A PORTION OF THE NATIONAL CITY GOLF COURSE. (City Attorney)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Alfonso Hernandez, National City, expressed concern about the misuse of water by the golf course operators.

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

LABOR RELATIONS CITY ATTORNEY (605-11-1)

31. Resolution No. 2009-121. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY GRANTING A ONE-TIME PERFORMANCE INCENTIVE OF \$15,000 TO THE CITY ATTORNEY. (City Attorney)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

TEMPORARY USE PERMITS 2009 (203-1-25)

32. **SUBJECT:** Temporary Use Permit (modification) - Request for the City Council to modify a previously approved TUP for the Philippine Fair on June 6, 2009 to authorize use of the City Stage, tables and chairs. (Neighborhood Services)

RECOMMENDATION: Approve modification of the TUP to permit use of the City stage, tables and chairs subject to all conditions of approval with no waiver of fees.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Van Deventer, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2009 (203-1-25)

33. **SUBJECT:** Temporary Use Permit – Movies in the Park on June 12, 2009 sponsored by the Community Services Department's Neighborhood Councils. On June 12, 2009 in Las Palmas Park, July 10th at the pool, August 14th and September 11th at Kimball Park. The showings are from 6:00 pm to 9:00 pm. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Van Deventer, to approve staff recommendation. Carried by unanimous vote.

TEMPORARY USE PERMITS 2009 (203-1-25)

34. **SUBJECT:** Temporary Use Permit – National Night Out on August 4, 2009 from 6:00 p.m. to 10 p.m. at Las Palmas Pool. This is a National City sponsored event per City Council Policy #804 sponsored by the Community Services Department's Neighborhood Councils. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval including the use of the City Stage.

TESTIMONY: None.

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

STREET VACATION ADMIN 2009 (902-26-4)

35. A request to initiate a street vacation to vacate the alley between West 23rd Street and Bay Marina Drive. (Applicant: Community Development Commission) (Case File No. 2009-04 SC) (Planning)

RECOMMENDATION: Staff recommends the Council initiate a Street Vacation to vacate the alley between West 23rd Street and Bay Marina Drive.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Parra, to approve staff recommendation. Carried by unanimous vote.

Staff was requested to look at the desirability of closing the remainder of the alley. There was no vote.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2009 (403-24-1)

36. Notice of Decision – Planning Commission approval of a Conditional Use Permit application for the sale of beer and wine at a restaurant and video arcade at Plaza Bonita Shopping Center, 3030 Plaza Bonita Road. (Applicant: John JIPC Ventures, Inc.) (Case File 2008-52 CUP) (Planning)

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

TESTIMONY: Jovita Juarez, Institute for Public Strategies, expressed concern about availability of alcohol to youth.

ACTION: Motion by Parra, seconded by Van Deventer, to approve staff recommendation. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 37 and 38 (Warrant Registers), Item Nos. 39 and 40 (Resolution No. 2009-122 through 2009-123). 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)

37. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$132,960.70 to the City of National City for the period of 04/15/09 through 04/21/09. (Finance)

ACTION: Approved. See above.

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

38. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$75,979.17 to the City of National City for the period of 04/22/09 through 04/28/09. (Finance)

ACTION: Approved. See above.

CONTRACT (C2009-43)

39. Resolution No. 2009-122. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION (CDC) OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH NOWELL & ASSOCIATES LANDSCAPE ARCHITECTURE TO PROVIDE AS-NEEDED LANDSCAPE ARCHITECTURE SERVICES WITH NOT-TO-EXCEED AMOUNT OF \$50,000 AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT. (Redevelopment)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-44)

40. Resolution No. 2009-123. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION (CDC) OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH DAVID REED LANDSCAPE ARCHITECTS TO PROVIDE AS-NEEDED LANDSCAPE ARCHITECTURE SERVICES WITH NOT-TO-EXCEED AMOUNT OF \$50,000 AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT. (Redevelopment)

ACTION: Adopted. See above.

CLOSED SESSION REPORT (509-1-4)

City Council / CDC Attorney George Eiser stated that there was nothing to report from the Closed Session. (See attached Exhibit 'L')

STAFF REPORTS

CDC Executive Director Brad Raulston informed the Council that a Request for Qualifications has been issued for the prime consultant for the General Plan Update and a recommendation will be before the Council in June.

Minh Duong, City Librarian, reported on and announced the winners of the recent Chili Cook-off and Salsa Event held at the Library.

COMMUNITY DEVELOPMENT ADMIN 2007-2010 (406-2-12)

41. **SUBJECT:** Update on the San Diego Regional Enterprise Zone (City Attorney)

Senior Assistant City Attorney Claudia Silva updated the Council on the pending Regional Enterprise Zone modification effort particularly as it relates to the boundary modification issue.

MAYOR AND CITY COUNCIL

Member Parra referred complaints he has received about the business at 8th and A Avenue and expressed interest in residents having the pay-on-line feature available to them on the City web site.

Member Sotelo-Solis commended City staff for making the Chili Cook-off a successful community event and reminded everyone about the upcoming wine tasting on June 19th sponsored by the National City and Sweetwater Kiwanis Clubs.

Member Van Deventer inquired about progress on Mile of Cars signs.

MAYOR AND CITY COUNCIL (cont.)

Member Zarate thanked the Police Department for the Pay Pal program event.

ADJOURNMENT

The meeting was adjourned in memory of Mr. Consuelo Rubio.

The next Adjourned Regular Meeting of the City Council and Community Development Commission Budget Workshop to be held Tuesday, May 26, 2009 at 6:00 p.m., Council Chambers, National City.


The next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, June 2, 2009 at 6:00 p.m., Council Chambers, National City.

The meeting closed at 8:39 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of July 21, 2009.



Mayor / CDC Chairman

EXHIBIT 'L'



**Agenda of a Special Meeting
City Council of the City of National City
Main Conference Room
Civic Center
1243 National City Boulevard
Special Meeting - Tuesday – May 19, 2009 - 5:00 P.M.**

ROLL CALL

CLOSED SESSION

Conference with Labor Negotiators

Government Code Section 54957.6

Agency Designated Representatives: Leslie Deese, Manuel Rodriguez,
Stacey Stevenson, Joe Smith, Claudia Silva, Eddie Kreisberg

Employee Organization: Police Officers' Association

ADJOURNMENT

Next Regular City Council/CDC Meeting – Tuesday, May 19, 2009,
6:00 p.m., Council Chambers, Civic Center