

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

June 2, 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 Vice Mayor / Vice Chairman Alejandra Sotelo-Solis.

ROLL CALL

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

Council / Commission members absent: Morrison.

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

Others Present: Student Representative Marcos Martinez.

PLEDGE OF ALLEGIANCE TO THE FLAG BY VICE MAYOR ALEJANDRA SOTELO-SOLIS

PUBLIC ORAL COMMUNICATIONS

William Apan, National City, raised issues regarding use of El Toyon Park by a local Soccer Club.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 1 (Minutes), Item Nos. 2 through 11 (Resolution Nos. 2009-124 through 2009-133), Item No. 12 (Facility Use Request), Item Nos. 13 and 14 (Reports), Item Nos. 15 and 16 (Warrant Registers). Motion by Van Deventer, seconded by Zarate, to pull Item No. 12, and approve the remainder of the Consent Calendar. Carried by the following vote, to-wit: Ayes: Parra, Sotelo-Solis, Van Deventer, Zarate. Nays: None. Absent: Morrison. Abstain: None.

APPROVAL OF MINUTES

1. **SUBJECT:** Approval of the Minutes of the Regular City Council /Community Development Commission Meeting of April 21, 2009. (City Clerk)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

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

2. Resolution No. 2009-124. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL LOCAL PROPERTY TAX FUNDS ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA. (City Manager)

ACTION: Adopted. See above.

STREET SIGNS ADMIN (903-12-1)

3. Resolution No. 2009-125. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF YIELD SIGNS ON W. 12TH STREET AT COOLIDGE AVENUE TO ENHANCE TRAFFIC SAFETY. (TSC Item No. 2009-7) (Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2009 (801-2-29)

4. Resolution No. 2009-126. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE AT 206 E. 4TH STREET. (TSC Item No. 2009-6) (Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2009 (801-2-29)

5. Resolution No. 2009-127. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF ANGLED PARKING SPACES ON THE EAST SIDE OF A AVENUE BETWEEN E. 6TH STREET AND E. 7TH STREET TO PROVIDE ADDITIONAL STREET PARKING. (TSC Item No. 2009-8) (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2008-28)

6. Resolution No. 2009-128. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AMENDMENT NO. 3 TO THE AGREEMENT WITH THE CITY OF CHULA VISTA IN THE AMOUNT NOT-TO-EXCEED \$277,136.50 AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO PROVIDE ADDITIONAL INSPECTION AND PROJECT MANAGEMENT SERVICES. (Funded by Tax Increment, Prop A, Facilities Maintenance and General Fund Capital Improvement funds). (Engineering)

CONSENT CALENDAR (cont.)

CONTRACT (C2008-28)

6. Resolution No. 2009-128 (continued).

TESTIMONY: Alfonso Hernandez, National City, questioned the need to use Chula Vista City staff members on National City projects. Mr. Hernandez was advised that the practice served to both save tax payer money by getting a lower price than a private consultant would charge and assist our neighboring city during difficult economic times.

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

CONTRACT (C2009-12)

7. Resolution No. 2009-129. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING CHANGE ORDER NO. 4 TO THE CONTRACT WITH L.B. CIVIL CONSTRUCTION IN THE NOT-TO-EXCEED AMOUNT OF \$17,468.34 TO PROVIDE CONSTRUCTION CHANGES FOR THE FINAL DESIGN PLANS OF SDG&E AND AT&T UNDERGROUNDING FOR BAY MARINA DRIVE PROJECT. (Funded by Tax Increment Funds) (Engineering)

ACTION: Adopted. See above.

TRANSPORTATION DEVELOPMENT PLANNING ADMIN (802-3-1)

8. Resolution No. 2009-130. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ELECTING EXEMPTION FROM STATUTES REQUIRING THE DEVELOPMENT AND IMPLEMENTATION OF A CONGESTION MANAGEMENT PROGRAM IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65088.3. (Engineering)

ACTION: Adopted. See above.

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

9. Resolution No. 2009-131. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A PARTNERSHIP WITH KIMBALL SCHOOL, A PART OF THE NATIONAL SCHOOL DISTRICT, ON A GRANT SPONSORED BY SUN CHIPS AND THE NATIONAL GEOGRAPHIC SOCIETY TO PROVIDE ENVIRONMENTAL EDUCATION TO STUDENTS. (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-47)

10. Resolution No. 2009-132. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF INTENT AND MEMORANDUM OF UNDERSTANDING WITH HONEYWELL BUILDING SOLUTIONS TO PERFORM AN INVESTMENT GRADE AUDIT OF CITY-OWNED FACILITIES WORKING TOWARDS FINALIZING A CONTRACT FOR A SELF-FUNDED COMPREHENSIVE CITY ENERGY RETROFIT PROGRAM. THE PROGRAM'S COST IS \$2,100,000 AND WILL BE FUNDED FOR A TERM OF 15 YEARS BY \$53,000 IN UTILITY INCENTIVES AND \$148,265 OF ANNUAL ENERGY SAVINGS. (Public Works)

ACTION: Adopted. See above.

CONTRACT (C2008-17)

11. Resolution No. 2009-133. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO AGREEMENT WITH VISION INTERNET PROVIDERS, INC. FOR THE WEBSITE REDESIGN PROJECT IN THE AMOUNT OF \$350. (Funded by Tax Increment Funds) (MIS)

ACTION: Adopted. See above.

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

12. **SUBJECT:** Request to use the Martin Luther King, Jr. Community Center by the Golden Coast Marketing Consultants for their information forum regarding loan fraud on Saturday, June 20, 2009 with no waiver of fees. (Community Services)

TESTIMONY: Carlos Gonzales, San Diego, requested use of the City Logo as a co-sponsor and consideration of a waiver of fees.

ACTION: Motion by Van Deventer, seconded by Parra, to approve request with fee waiver. Carried by the following vote, to-wit: Ayes: Parra, Sotelo-Solis, Van Deventer, Zarate. Nays: None. Absent: Morrison. Abstain: None.

GRANT / LIBRARY (206-4-10)

LIBRARY REPORT ADMIN (1104-1-6)

13. **SUBJECT:** Report - Department of Finance, Office of State Audits and Evaluations Final Audit Report of the City of National City Library Construction Grant Agreement 1028 for the period of January 18, 2002 through December 31, 2008. (Finance)

ACTION: Filed. See above.

CONSENT CALENDAR (cont.)

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

14. **SUBJECT:** Report - City of National City Sales Tax Update – Fourth Quarter 2009. (Finance)
ACTION: Filed. See above.

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

15. Warrant Register #45 for the period of 04/29/09 through 05/05/09 in the amount of \$2,651,706.63. (Finance)
ACTION: Ratified. See above.

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

16. Warrant Register #46 for the period of 05/06/09 through 05/12/09 in the amount of \$946,774.21. (Finance)
ACTION: Ratified. See above.

NON CONSENT RESOLUTIONS

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

17. Resolution No. 2009-134. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY MAKING CERTAIN FINDINGS WITH RESPECT TO THE USE OF REDEVELOPMENT FUNDS TO FINANCE THE COST OF CERTAIN PUBLIC FACILITIES, INCLUDING ROADWAY RESURFACING PROJECTS, WITHIN THE REDEVELOPMENT PROJECT AREAS. (Redevelopment Division) **Companion Items #18 and #25**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2009-48)

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

18. Resolution No. 2009-135. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A SUMMARY OF REDEVELOPMENT PROJECTS LIST, WHICH INCLUDES ROADWAY RESURFACING PROJECTS, AND A PROMISSORY NOTE BETWEEN THE CITY OF NATIONAL CITY AND THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY. (Redevelopment Division) **Companion Items #17 and #25**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2009-48)

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

18. Resolution No. 2009-135 (continued).

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

NEW BUSINESS

Member Van Deventer announced that his family trust owns the property under consideration in Item No. 19. For that reason he would absent himself from the Council Chamber and abstain on the Item.

CONDITIONAL USE PERMITS 2009 (403-24-1)

19. Notice of Decision – Planning Commission approval of a Conditional Use Permit application for the outdoor storage of vehicles at 1523 Wilson Avenue. (Applicant: Jess E. Van Deventer) (Case File 2009-03 CUP) (Planning)

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

TESTIMONY: None.

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

CONDITIONAL USE PERMITS 2009 (403-24-1)

20. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a pawn shop at 604 Highland Avenue. (Applicant: Francisco Anzar) (Case File 2009-05 CUP) (Planning)

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

TESTIMONY: None.

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

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2009 (403-24-1)

21. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the sale of alcohol and to offer live entertainment at the Marina Gateway Plaza Development at 700, 740 and 800 Bay Marina Drive. (Applicant: Aloha Restaurants, Inc.) (Case File 2009-07 CUP) (Planning)

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

TESTIMONY: None.

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

CONTRACT (C2009-49)

22. Recommendation to enter into an Agreement with Project Design Consultants to provide consultant services for the comprehensive update of the General Plan and Land Use Code. (Community Development)

RECOMMENDATION: Direct staff to prepare a resolution and an agreement for consultant services for Council consideration.

TESTIMONY: None.

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

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 23 and 24 (Warrant Registers). Motion by Van Deventer, seconded by Zarate, to approve the Consent Calendar. Carried by the following vote, to-wit: Ayes: Parra, Sotelo-Solis, Van Deventer, Zarate. Nays: None. Absent: Morrison. Abstain: None.

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

23. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$1,189,027.63 to the City of National City for the period of 04/29/09 through 05/05/09. (Finance)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

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

24. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$130,362.49 to the City of National City for the period of 05/06/09 through 05/12/09. (Finance)

ACTION: Approved. See above.

NON CONSENT RESOLUTION

CONTRACT (C2009-48)

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

25. Resolution No. 2009-136. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION (CDC) OF THE CITY OF NATIONAL CITY APPROVING A SUMMARY OF REDEVELOPMENT PROJECTS LIST, WHICH INCLUDES ROADWAY RESURFACING PROJECTS, AND A PROMISSORY NOTE BETWEEN THE CITY OF NATIONAL CITY AND THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY. (Redevelopment Division) **Companion Items #17 and #18**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

STAFF REPORTS

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')

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

26. **SUBJECT:** Status Report – SANDAG Smart Growth Grant Application for the 8th Street Improvement Project. (Engineering)

MAYOR AND CITY COUNCIL

Member Van Deventer inquired about the overflowing trash cans on National City Blvd.

Member Zarate reminded everyone about the Old Town Reunion scheduled for June 27th. Many events are planned and good food will be available.

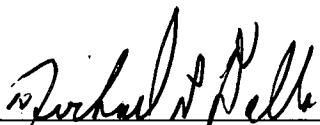
MAYOR AND CITY COUNCIL (cont.)

Vice Mayor Sotelo-Solis invited everyone to participate in the 2nd Annual Wine Tasting sponsored by the National City and Sweetwater Kiwanis Clubs which will take place ant Pier 31 on June 19th.

ADJOURNMENT

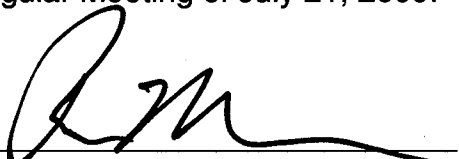
Motion by Parra, seconded by Zarate, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, June 16, 2009 at 6:00 p.m., Council Chambers, National City.

The meeting closed at 6:54 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 – June 2, 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, June 2, 2009, 6:00 p.m.,
Council Chambers, Civic Center