

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

**June 16, 2009**

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:03 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

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

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

Others present: Student Representatives Marcos Martinez and Evita Pineda.

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

**PUBLIC ORAL COMMUNICATIONS**

Carl (no last name), National City, asked questions about making improvements in the parkway area of his home.

Blanca Turner, teacher at El Toyon School and two students, expressed thanks to Mayor Morrison for his support and participation at their school and presented him with a yearbook.

Alfonso Hernandez, National City, discussed the need for the City to do some clean-up on the west side in the area around 21<sup>st</sup> Street.

**PROCLAMATION**

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

1. **SUBJECT:** Proclaiming Tuesday, June 16, 2009 as: **"ROGER G. POST DAY"**

**PRESENTATIONS**

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

2. **SUBJECT:** Employee of the Month of June, 2009: Esther Clemente, Administrative Secretary-Deputy City Clerk

**PRESENTATIONS (cont.)**

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

3. **SUBJECT:** Recognizing Adam Landa, Asst. Civil Engineer for his 30 years of service.

**MAYOR'S PRESENTATION**

- 3a. Mayor Morrison presented a check to the City Manager in the amount of \$14,549 from the Regional Solid Waste Authority (RSWA).

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 4 (Minutes), Item Nos. 5 through 19 (Resolution Nos. 2009-137 through 2009-151), Item Nos. 20 and 21 (Warrant Registers). Motion by Parra, seconded by Sotelo-Solis, to approve 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 May 5, 2009. (City Clerk)  
**ACTION:** Approved. See above.

**CONTRACT (C2009-1)**

5. Resolution No. 2009-137. 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)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2009-50)**

6. Resolution No. 2009-138. 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)

**ACTION:** Adopted. See above.

**CONTRACT (C2009-13)**

7. Resolution No. 2009-139. 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)

**ACTION:** Adopted. See above.

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

8. Resolution No. 2009-140. 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)

**ACTION:** Adopted. See above.

**CONTRACT (C2005-14)**

9. Resolution No. 2009-141. 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)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2004-51)**

10. Resolution No. 2009-142. 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)  
**ACTION:** Adopted. See above.

**CONTRACT (C2008-45)**

11. Resolution No. 2009-143. 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)  
**ACTION:** Adopted. See above.

**CONTRACT (C2008-75)**

12. Resolution No. 2009-144. 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)  
**ACTION:** Adopted. See above.

**CONTRACT (C2009-49)**

13. Resolution No. 2009-145. 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)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2009-51)**

14. Resolution No. 2009-146. 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)

**ACTION:** Adopted. See above.

**CONTRACT (C2005-65)**

15. Resolution No. 2009-147. 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)

**ACTION:** Adopted. See above.

**CONTRACT (C2009-52)**

16. Resolution No. 2009-148. 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)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2009 – 2010 (204-1-25)**

17. Resolution No. 2009-149. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009-2010. (Finance)

**ACTION:** Adopted. See above.

**FINANCE – INVESTMENTS / POLICY (204-2-1)**

18. Resolution No. 2009-150. 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)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2007-5)**

19. Resolution No. 2009-151. 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)

**ACTION:** Adopted. See above.

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

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

**ACTION:** Ratified. See above.

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

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

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS**

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

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)

**RECOMMENDATION:** Staff recommends approval of the Tentative Subdivision Map, Negative Declaration, and Underground Request Waiver.

**TESTIMONY:** Arnold Schmidt, National City, spoke in support.

Luis Navanto, San Diego, spoke in support.

Zenda Smith Berry, National City, spoke in opposition.

Forrest and Ila Rustad, National City, spoke in opposition.

Leonard Aguillar, National City, spoke in opposition.

Sal Morales, National City, spoke in opposition.

**PUBLIC HEARINGS (cont.)**

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

22. Public Hearing to consider a proposed Negative Declaration (continued).  
**ACTION:** Motion by Zarate, seconded by Sotelo-Solis, to close the Public Hearing. Carried by unanimous vote. Motion by Van Deventer, seconded by Sotelo-Solis, to reopen the Public Hearing and continue to the 2<sup>nd</sup> meeting in July to allow the developer to have a public information meeting with neighbors. Carried by the following vote, to-wit: Ayes: Morrison, Sotelo-Solis, Van Deventer, Zarate. Nays: Parra. Absent: None. Abstain: None.

**ABATEMENT WEED 2009 (402-3-8)**

23. Weed Abatement Public Hearing. (Fire) \*\*Companion Item #26\*\*  
**RECOMMENDATION:** City Council by Resolution approve the report and account as submitted or as modified or corrected by City Council.  
**TESTIMONY:** Ed Austin spoke in opposition to the amount of the assessment and said he thought he had more time to do the work. Barzo Karimi spoke in opposition to the amount of the assessment and said he can not pay. Marie Boswell, National City, spoke in support of the weed abatement but wants the problems of trash and weeds on a neighbors property solved once and for all. Jim Kunigi spoke against the assessment for his Highland Avenue property. He thought he had an extension and the administrative fee was too high.  
**ACTION:** Motion by Zarate, seconded by Van Deventer, to close the Public Hearing. Carried by unanimous vote.

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

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\*\*  
**RECOMMENDATION:** Hold the Public Hearing.  
**TESTIMONY:** None.  
**ACTION:** Motion by Parra, seconded by Sotelo-Solis, to close the Public Hearing. Carried by unanimous vote.

**PUBLIC HEARINGS (cont.)**

**USER IMPACT FEE SCHEDULES (205-6-1)**

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\*\*

**RECOMMENDATION:** Hold Hearing.

**TESTIMONY:** None.

**ACTION:** Motion by Van Deventer, seconded by Sotelo-Solis, to close the Public Hearing. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS**

**ABATEMENT WEED 2009 (402-3-8)**

26. Resolution No. 2009-152. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE APPROVAL OF WEED ABATEMENT PUBLIC HEARING FINDINGS. (Fire) \*\*Companion Item #23\*\*

**RECOMMENDATION:** Adopt City Council Resolution confirming Weed Abatement Public Hearing Report and Account.

**TESTIMONY:** None.

**ACTION:** Motion by Parra, seconded by Van Deventer, to continue to the next meeting and have staff take another look at the Highland Avenue and Paradise Lane sites. Carried by unanimous vote.

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

27. Resolution No. 2009-153. 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\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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



**NON CONSENT RESOLUTIONS (cont.)**

**USER IMPACT FEE SCHEDULES (205-6-1)**

28. Resolution No. 2009-154. 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\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**STUDY CITY FEE SCHEDULE (106-3-2)**

29. Resolution No. 2009-155. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Staff clarified that the reduced fees would result in an estimated loss of \$300,000 in revenue. Motion by Parra, seconded by Van Deventer, to adopt the Resolution. Carried by unanimous vote.

**BUDGET FY 2009 – 2010 (206-1-25)**

30. Resolution No. 2009-156. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING A BUDGET FOR 2009-2010 FISCAL YEAR. (Finance)

**RECOMMENDATION:** Adopt the Final Budget for Fiscal Year 2009-2010.

**TESTIMONY:** Richard Frame, Community and Police Relations Commission (CPRC) member, spoke against reducing the CPRC budget by \$25,000.

Ed Reed, Director of National City Community Band, requested consideration to help keep the band going with fee waivers for use of MLK Community Center.

**NON CONSENT RESOLUTIONS (cont.)**

**BUDGET FY 2009 – 2010 (206-1-25)**

30. Resolution No. 2009-156 (continued).

**ACTION:** Motion by Parra, seconded by Van Deventer, to approve the Resolution. Maker and second withdrew motion. Motion by Parra, seconded by Van Deventer, to fund the Boys & Girls Club at the rate of \$10,000 per month for the first half of the fiscal year. Carried by unanimous vote. Motion by Parra, seconded by Van Deventer, to support the National City Band with waiver of fees and conferring status as City sponsored group. Carried by unanimous vote. Motion by Zarate, seconded by Van Deventer, to approve the City and Community Development Commission budget as modified. Carried by unanimous vote.

**GRANT / COMMUNITY DEVELOPMENT COMMISSION (206-4-25)**

31. Resolution No. 2009-157. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**OFF AGENDA ITEM**

**SUBJECT:** Request to add the following Resolution to the Agenda: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS.

**ACTION:** Motion by Sotelo-Solis, seconded by Van Deventer, to bring the item onto the Agenda as Item No. 32a. Carried by unanimous vote.

**NEW BUSINESS**

**HOUSING & COMMUNITY DEV COMM ADMIN (101-12-1)**

32. **SUBJECT:** Report on the Housing and Community Development Committee and Building Advisory and Appeals Board. (City Attorney)

**RECOMMENDATION:** Provide direction to staff.

**TESTIMONY:** None.

**ACTION:** Motion by Van Deventer, seconded by Zarate, that the Planning Commission assume the responsibilities of the Housing and Community Development Committee (HCDC) with will require that two additional tenant members be appointed to the Planning Commission to serve only when HCDC items are to be considered and that the City Council assume the duties of the Building Advisory and Appeals Board. Carried by unanimous vote.

The City Council directed the City Attorney to prepare an ordinance providing that the Planning Commission (Commission) shall act as the Housing and Community Development Committee (HCDC); that two additional members who are tenants of the Housing Authority (Morgan or Kimball Towers) shall be appointed to the Commission; that those appointees shall meet and deliberate with the Commission only when the Commission is considering those matters that are included within the functions and duties of the HCDC; and that the duties of the HCDC shall remain the same.

It was further requested that there be additional review and a report about the possibility of further consolidation of Boards & Commissions. There was no vote.

**LEAGUE OF CA CITIES ADMIN (104-2-1)**

32a. Resolution No. 2009-167. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE FUNDS.

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

**COMMUNITY DEVELOPMENT COMMISSION**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item Nos. 33 and 34 (Warrant Registers), Item Nos. 35 thru 42 (Resolution Nos. 2009-158 thru 2009-165). Motion by Parra, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

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

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)

**ACTION:** Approved. See above.

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

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)

**ACTION:** Approved. See above.

**FINANCE – INVESTMENTS / POLICY (204-2-1)**

35. Resolution No. 2009-158. 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)

**ACTION:** Adopted. See above.

**BUDGET FY 2009 – 2010 (206-1-25)**

36. Resolution No. 2009-159. 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)

**ACTION:** Adopted. See above.

**BUDGET TRANSFERS ADMIN (103-2-4)**

37. Resolution No. 2009-160. 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)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2007-37)**

38. Resolution No. 2009-161. 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)

**ACTION:** Adopted. See above.

**CONTRACT (C2007-21)**

39. Resolution No. 2009-162. 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)

**ACTION:** Adopted. See above.

**CONTRACT (C2007-22)**

40. Resolution No. 2009-163. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION (CDC) OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH GEOSYNTEC CONSULTANTS, INC. FOR AS-NEEDED ENVIRONMENTAL CONSULTING SERVICES NOT-TO-EXCEED \$250,000 UNTIL JUNE 30, 2011. (Redevelopment Division)

**ACTION:** Adopted. See above.

**CONTRACT (C2007-23)**

41. Resolution No. 2009-164. 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)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2007-25)**

42. Resolution No. 2009-165. 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)

**ACTION:** Adopted. See above.

**NON CONSENT RESOLUTION**

**BUDGET FY 2009 – 2010 (206-1-25)**

43. Resolution No. 2009-166. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION (CDC) OF THE CITY OF NATIONAL CITY ADOPTING A BUDGET FOR FISCAL YEAR 2009-2010. (Finance)

**RECOMMENDATION:** Adopt the final budget for FY 2009-2010 for the Community Development Commission of the City of National City.

**TESTIMONY:** None.

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

**NEW BUSINESS**

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

44. **SUBJECT:** 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)

**ACTION:** Filed.

**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**

Assistant City Manager Leslie Deese requested that a Council Member be appointed to a vacant position on the two-member City Council Policy Manual Sub-committee. The sub-committee is currently looking into Special Events Policy and a Naming Policy. Member Van Deventer volunteered to serve with Mayor Morrison on the committee.

### **MAYOR AND CITY COUNCIL**

Student Representative Marcus Martinez expressed appreciation for the action taken by the Council to approve funding for the Boys & Girls Club.

Member Parra reminded everyone about the upcoming Preparedness Workshop at the MLK Community Center on June 18<sup>th</sup> and the west side clean-up on June 20<sup>th</sup>.

Member Sotelo-Solis congratulated the student representatives and wished them well; referred a weed problem on Harding Avenue between 12<sup>th</sup> Street and Civic Center Drive; Thanked staff for their participation at the County Fair; reminded everyone about the 2<sup>nd</sup> Annual Kiwanis Clubs Wine tasting and reported that former St. Anthony's Church Pastor Emmit Ferrell has retired.

Member Van Deventer requested staff to look into the problem of scavengers stealing recyclables and to come back with something.

Member Zarate encouraged participation in the west side clean-up on June 20<sup>th</sup> and at the Old Town Reunion event on June 27<sup>th</sup>.

Mayor Morrison highlighted the many upcoming events during the 4<sup>th</sup> of July holiday which include a movie in the park, international parade, Miss National City Pageant, the Lions Club and City sponsored carnival and the only fireworks in the south bay.

### **ADJOURNMENT**

Motion by Sotelo-Solis, seconded by Van Deventer, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, July 7, 2009 at 6:00 p.m., Council Chambers, National City.

The meeting closed at 9:33 p.m.

  
\_\_\_\_\_  
City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of August 4, 2009.

  
\_\_\_\_\_  
Mayor / CDC Chairman



## EXHIBIT 'L'



### Agenda of a Special Meeting City Council of the City of National City Community Development Commission of the City of National City

Main Conference Room  
Civic Center  
1243 National City Boulevard  
Special Meeting - Tuesday - June 16, 2009 - 5:00 P.M.

#### ROLL CALL

#### CLOSED SESSIONS

#### CITY COUNCIL

1. 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
2. Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to Government Code Section 54956.9 (c)  
36 potential cases
3. Public Employee Performance Evaluation  
Government Code Section 54957  
Title: City Manager

#### COMMUNITY DEVELOPMENT COMMISSION

4. Conference with Real Property Negotiator  
Government Codes Section 54956.8  
Property: Former Days Inn Site (A.P.N. 557-410-200)  
1.07 acre parcel located at 1640 East Plaza Boulevard  
Agency Negotiator: Brad Raulston  
Negotiating Parties: The Mar Group  
Under Negotiation: Price and terms of payment

#### ADJOURNMENT

Next Regular City Council/CDC Meeting – Tuesday, June 16, 2009, 6:00 p.m., Council Chambers,  
Civic Center