

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

**July 21, 2009**

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:09 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, Hodges, Juniel, Ladrado, Raulston, Rodriguez, Smith, Zapata.

Others present: Student Representatives Michael Mendoza and Christina Dickey.

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

**PUBLIC ORAL COMMUNICATIONS**

Sunshine Horton, El Cajon, invited everyone to participate in her birthday celebration to assist in raising funds for Children's Hospital.

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William B. Apan, National City, spoke on behalf of the National City Bandits Soccer Club and their need for a place to play.

William Apan, National City, inquired about how to get a place to play soccer.

Geoffrey Schrock, National City, said the proposed State budget is bad for National City.

**PROCLAMATIONS**

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

1. **SUBJECT:** Proclaiming Thursday, July 23, 2009 as: **"SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL 20<sup>TH</sup> ANNIVERSARY DAY"**

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

2. **SUBJECT:** Proclaiming Thursday, July 23, 2009 as: **"CORPORAL DONALD 'DON' SMITH DAY"**

## PRESENTATIONS

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

3. **SUBJECT:** Presentation – National City Police Explorers (Police Chief)  
**ACTION:** Police Chief Adolfo Gonzales introduced members of the National City Police Explorers in attendance and highlighted their recent successful performance at the San Diego County Law Enforcement Explorer Competition.

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

4. **SUBJECT:** City Council Student Representatives:  
**ACTION:** Christine Moore, representing AT&T, presented a check to Christmas in July and the Lions Club for the purchase of two laptop computers for outgoing Student Representatives Evita Pineda and Marcos Martinez. Ms. Pineda and Mr. Martinez disclosed their college plans and thanked the City Council for the opportunity to serve and for a great learning experience  
Incoming Student Representatives Michael Mendoza and Christina Dickey introduced themselves and their hopes for the coming year (Mayor/Council)

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

5. **SUBJECT:** Introduction of the National City Boys & Girls State participants.  
**ACTION:** Jonathan Gonzales and Rosalie (no last name given), Boys & Girls State participants from National City, were introduced by American Legion representatives.

## CITY COUNCIL

### CONSENT CALENDAR

**ADOPTION OF CONSENT CALENDAR.** Item No. 6 (Minutes), Item No. 7 (NCCMC), Item Nos. 8 through 15 (Resolution Nos. 2009-176 through 2009-183), Item Nos. 16 and 17 (Warrant Registers). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

### APPROVAL OF MINUTES

6. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meetings of May 19, 2009 and June 2, 2009. (City Clerk)  
**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

**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.

**CONTRACT (C2006-63)**

8. Resolution No. 2009-176. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY AND DOKKEN ENGINEERING (THE CONSULTANT) IN THE NOT-TO-EXCEED AMOUNT OF \$55,000 FOR PLAZA BOULEVARD WIDENING PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT. (Funding through Federal STP, Local TransNet and Capital Outlay Funds) (Engineering)

**ACTION:** Adopted. See above.

**CONTRACT (C2008-91)**

9. Resolution No. 2009-177. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AMENDMENT #1 TO THE AGREEMENT WITH WADE & ASSOCIATES FOR PROJECT MANAGEMENT FOR THE SOCCER FIELD PROJECT IN THE AMOUNT NOT-TO-EXCEED \$26,552, AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #1. (Funding available in the CDBG funds) (Engineering)

**ACTION:** Adopted. See above.

**CONTRACT (C2008-32)**

10. Resolution No. 2009-178. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING CHANGE ORDER NO. 24 TO THE CONTRACT WITH KOCH-ARMSTRONG GENERAL ENGINEERING, INC. IN THE AMOUNT OF \$27,835.00 TO ADD A MISSING SIDEWALK AND A RETAINING WALL ON THE NORTH SIDE OF SWEETWATER ROAD, EAST OF PROSPECT STREET WITHIN AND AS REQUESTED BY THE COUNTY OF SAN DIEGO FOR THE NATIONAL CITY STREET RESURFACING PROJECT, FY 08-09 (PHASE 2). (Funded by County Funds through a general fund revenue account) (Engineering)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2009-31)**

11. Resolution No. 2009-179. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING CHANGE ORDER NO. 1 TO THE CONTRACT WITH MJC CONSTRUCTION COMPANY IN THE AMOUNT OF \$15,600.00 TO PROVIDE ADA RESTROOM IMPROVEMENTS AND UPGRADES TO THE KIMBALL PARK MEN'S AND WOMEN'S CENTER RESTROOMS FOR THE NATIONAL CITY PARKS REHABILITATION FURNISHINGS PROJECT. (Funding through General Fund). (Engineering)

**ACTION:** Adopted. See above.

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

12. Resolution No. 2009-180. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE REVISED TARGET EMPLOYMENT AREA (TEA) FOR THE SAN DIEGO REGIONAL ENTERPRISE ZONE. (Housing & Grants)

**ACTION:** Adopted. See above.

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

13. Resolution No. 2009-181. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE SAN DIEGO REGIONAL ENTERPRISE ZONE BOUNDARY MODIFICATIONS. (Community Development/Housing and Grants)

**ACTION:** Adopted. See above.

**GRANT / LAW ENFORCEMENT (302-1-2)**

14. Resolution No. 2009-182. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION TOWARD THE PURCHASE OF POLICE VEHICLES, ELECTRONIC POLICE VEHICLES, IN-VEHICLE CAMERAS, STILL AND VIDEO CAMERAS, VEHICLE TRACKING SYSTEM, POLICE ACCESSORIES AND OUTREACH SUPPLIES, VIDEO SURVEILLANCE VEHICLE, VIDEO PROJECTORS, TASERS AND A MOBILE CAD SYSTEM FOR THE POLICE DEPARTMENT UTILIZING \$35,821.00 FROM THE FY 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) LOCAL SOLICITATION PROGRAM. (Police)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**PERSONNEL POSITIONS NEW & CLASSIFICATIONS (604-1-1)**

15. Resolution No. 2009-183. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE SALARY RANGES FOR TWO NEW CLASSIFICATIONS WITHIN THE NATIONAL CITY MUNICIPAL EMPLOYEES' ASSOCIATION SALARY SCHEDULE: ACCOUNTANT TRAINEE (\$3,207.45 - \$3,898.70, MONTHLY) AND MANAGEMENT ANALYST TRAINEE (\$3,358.85 - \$4,082.69, MONTHLY). (Human Resources)

**ACTION:** Adopted. See above.

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

16. Warrant Register #52 for the period of 06/17/09 through 06/23/09 in the amount of \$1,035,713.64. (Finance)

**ACTION:** Ratified. See above.

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

17. Warrant Register #53 for the period of 06/24/09 through 06/30/09 in the amount of \$1,733,936.16. (Finance)

**ACTION:** Ratified. See above.

**PUBLIC HEARINGS**

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

18. Continued Public Hearing to consider a Proposed Negative Declaration and a 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 16.5-foot front yard setbacks for 4-units; and a request to waive utility undergrounding fronting Prospect Street at 2121 Grove Street. (Applicant: Arnold Schmidt) (Case File No. 2007-59 S, IS, Z) (Planning Division)

**RECOMMENDATION:** Approve the Negative Declaration and the 7-unit residential subdivision as presented.

**TESTIMONY:** Luis Naranjo, San Diego, spoke in support of the proposed Negative Declaration and Tentative Subdivision Map.

Sal Morales, National City, spoke in support of the seven units rather than the nine units.

Arnold Schmidt, San Diego, spoke in support of the proposal and Tentative Subdivision Map.

**PUBLIC HEARINGS (cont.)**

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

18. Continued Public Hearing (continued).

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

Motion by Van Deventer, seconded by Zarate, to approve the proposed negative declaration with recommended findings. Carried by the following vote, to-wit: Ayes: Morrison, Sotelo-Solis, Van Deventer, Zarate. Nays: Parra. Absent: None. Abstain: None.

**SEWER CAPACITY / FEES ADMIN (906-1-4)**

19. Public Hearing to consider the report required by California Health and Safety Code Section 5473, et. seq. pertaining to collection of sewer charges on the tax roll, directing the City Clerk to file said report with the San Diego County Auditor, and directing the Finance Director to certify with the San Diego County Auditor the "Sewer Service Charge Fund." Sewer service fees will not increase for FY 09-10. (Public Works)

\*\*Companion Item #21\*\*

**RECOMMENDATION:** Hold the Public Hearing.

**TESTIMONY:** None.

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

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**URGENCY ORDINANCE FOR ADOPTION**

**MUNICIPAL CODE 2009 (506-2-24)**

20. AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858 AS AN URGENCY MEASURE TO TAKE EFFECT IMMEDIATELY, ENACTING A MORATORIUM PROHIBITING ESTABLISHMENTS DISPENSING MARIJUANA FOR MEDICAL PURPOSES IN NATIONAL CITY. (City Attorney)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS**

**SEWER CAPACITY / FEES ADMIN (906-1-4)**

21. Resolution No. 2009-184. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE REPORT REQUIRED BY CALIFORNIA HEALTH AND SAFETY CODE SECTION 5473, ET SEQ. PERTAINING TO COLLECTION OF SEWER CHARGES ON THE TAX ROLL, DIRECTING THE CITY CLERK TO FILE SAID REPORT WITH THE SAN DIEGO COUNTY AUDITOR, AND DIRECTING THE FINANCE DIRECTOR TO CERTIFY WITH THE SAN DIEGO COUNTY AUDITOR THE "SEWER SERVICE CHARGE FUND." SEWER SERVICE FEES WILL NOT INCREASE FOR FY 09-10. (Public Works)

\*\*Companion Item #19\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**PROPERTY TAX RATE BONDED INDEBTEDNESS FY 09-10 (205-2-3)**

22. Resolution No. 2009-185. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REDUCING THE LIBRARY GENERAL OBLIGATION BOND TAX RATE FOR FISCAL YEAR 2009-2010 FROM 1.30 CENTS PER \$100 OF ASSESSED VALUATION TO 1.27 CENTS. (Finance)

**RECOMMENDATION:** None.

**TESTIMONY:** None.

**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. 23 and 24 (Warrant Registers). Motion by Van Deventer, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

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

23. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$688,833.02 to the City of National City for the period of 06/17/09 through 06/23/09. (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 \$259,989.87 to the City of National City for the period of 06/24/09 through 06/30/09. (Finance)

**ACTION:** Approved. See above.

**NEW BUSINESS**

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

25. **SUBJECT:** Report: 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)

**RECOMMENDATION:** Accept and file.

**ACTION:** Filed.

**STAFF REPORTS**

**DEVELOPMENT SERVICES GROUP ADMIN (1104-1-2)**

26. **SUBJECT:** Report: Development Services Group Update (Development)  
Staff provided a status report on continuing organizational efforts to improve customer service and become more cost effective and clarified organizational changes and updated Council on ongoing implementation efforts.

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

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

Fire Chief Rod Juniel reported that National City has been awarded a \$17,381 grant for Community Fire Suppression Training/Education. The grant is from Qualcomm Corporation and administered by The San Diego Police Foundation.

Police Chief Adolfo Gonzales provided a brief summary of the mid-year crime report. The report shows violent crime in the City down 20%, property crime down 16% and auto theft down 36% from the same period last year.

**MAYOR AND CITY COUNCIL**

Mayor Morrison said that the National Football League Youth football clinic held in National City was a big success and complimented staff. The Mayor highlighted many of the upcoming events in the City including National Night out, Auto Heritage Days, Relay for Life and Christmas in July.

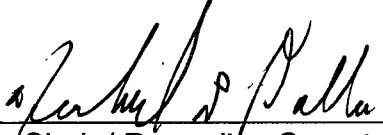


**ADJOURNMENT**

The meeting was adjourned in memory of Mrs. Edith Hughes, who worked for and led the National City Chamber of Commerce for over 50 years.

Motion by Sotelo-Solis, seconded by Zarate, to adjourn the meeting to the next Adjourned Regular Meeting of the City Council and Community Development Commission to be held Tuesday, August 4, 2009 at 5:00 p.m., Council Chambers, National City.

The meeting closed at 7:50 p.m.

  
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City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of September 1, 2009.

  
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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**

**LARGE CONFERENCE ROOM  
CIVIC CENTER  
1243 NATIONAL CITY BOULEVARD  
NATIONAL CITY, CALIFORNIA**

**SPECIAL MEETING - TUESDAY, JULY 21, 2009 - 5:00 P.M.**

**ROLL CALL**

**CLOSED SESSION**

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**CITY COUNCIL**

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

**COMMUNITY DEVELOPMENT COMMISSION**

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, July 21, 2009, 6:00 p.m.,  
Council Chambers, Civic Center