

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

September 1, 2009

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:07 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, Gonzales, Hodges, Juniel, Raulston, Smith, Stevenson, Williams, Zapata.

Others present: Student Representatives Michael Mendoza and Christina Dickey.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Dukie Valderrama, National City, appeared on behalf of the Old Town National City Reunion Committee. Mr. Valderrama showed a video of the reunion event, thanked the City for their support and presented a check from the proceeds of the reunion in the amount of \$7,204 to be used at Casa Salud for youth activities.

Ted Godshalk, National City, took issue with the accuracy of the response provided to citizens concerned about the timeline for the Old Town Specific Plan Update.

Item Number 34 was taken up next.

STAFF REPORT

CLOSED SESSION REPORT (509-1-4)

34. City Council / CDC Attorney George Eiser reported that a Memorandum of Understanding with the Police Officers' Association has been approved. (See attached Exhibit 'L')

PROCLAMATION

PROCLAMATION ADMIN (102-2-1)

1. **SUBJECT:** Proclaiming September as: "NATIONAL PREPAREDNESS MONTH"

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

2. **SUBJECT:** 2010 Storm Water Calendar Winners. (Engineering)

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

3. **SUBJECT:** Presentation by SANDAG on the 2050 Regional Growth Forecast. (Community Development)

APPOINTMENTS / INTERVIEWS

METRO WASTEWATER JOINT POWERS AUTH ADMIN (101-39-1)

METROPOLITAN TRANSIT DEV BOARD ADMIN (101-14-1)

4. **SUBJECT:** Appointment by the City Council to Regional Agencies and Boards - Metropolitan Transit System and Metro/JPA Wastewater.

ACTION: Motion by Parra, seconded by Morrison, to appoint Councilmember Van Deventer as primary and Councilmember Zarate as alternate to the Metropolitan Transit System Board.

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

Motion by Parra, seconded by Van Deventer, to appoint Vice Mayor Sotelo-Solis to the Metro/JPA Wastewater Board. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Van Deventer, Zarate. Nays: None. Absent: None. Abstain: Sotelo-Solis.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 5 (Minutes), Item No. 6 (NCCMC), Item Nos. 7 through 21 (Resolution Nos. 2009-206 through 2009-220), Item Nos. 22 and 23 (Warrant Registers). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar including change to Item #18 regarding height. Carried by unanimous vote.

APPROVAL OF MINUTES

5. **SUBJECT:** Approval of the Minutes of the City Council / Community Development Commission Regular Meetings of July 7, 2009 and July 21, 2009. (City Clerk)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

MUNICIPAL CODE 2009 (506-2-24)

6. 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.

STREET SIGNS ADMIN (903-12-1)

7. Resolution No. 2009-206. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "NO PARKING FIRE LANE" SIGNS FOR PORTIONS OF LINCOLN COURT TO PROVIDE EMERGENCY VEHICLE ACCESS TO IMPROVE SAFETY. (TSC Item No. 2009-9)
(Development Services/Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2009 (801-2-29)

8. Resolution No. 2009-207. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" AT THE SOUTHEAST CORNER OF HIGHLAND AVENUE AND BUCKY LANE TO IMPROVE SIGHT DISTANCE AND SAFETY FOR VEHICLES STOPPED ON WESTBOUND BUCKY LANE. (TSC Item No. 2009-10)
(Development Services/Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2009 (801-2-29)

9. Resolution No. 2009-208. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" AT DRIVEWAYS AND STRIPING ENHANCEMENTS TO IMPROVE SAFETY ON PLAZA BOULEVARD BETWEEN MANCHESTER STREET AND 8TH STREET / PARADISE VALLEY ROAD. (TSC Item No. 2009-11)
(Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

STREET SIGNS ADMIN (903-12-1)

10. Resolution No. 2009-209. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "COMMERCIAL VEHICLES OVER 3 TONS PROHIBITED" REGULATORY SIGNS ON MARINA WAY TO ENHANCE SAFETY. (TSC Item No. 2009-12) (Development Services/Engineering)

ACTION: Adopted. See above.

STREET SIGNS ADMIN (903-12-1)

11. Resolution No. 2009-210. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "NO U-TURN" SIGNS AT THE INTERSECTION OF "F" AVENUE AND E. 28TH STREET TO IMPROVE TRAFFIC SAFETY AND CIRCULATION. (TSC Item No. 2009-13) (Development Services/Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2009 (801-2-29)

12. Resolution No. 2009-211. 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 1921 ORANGE STREET. (TSC Item No. 2009-14) (Development Services/Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2009 (801-2-29)

13. Resolution No. 2009-212. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" FOR THE PARADISE KNOLL COURT CUL-DE-SAC TO PROVIDE EMERGENCY VEHICLE ACCESS FOR THE SAFETY OF THE RESIDENTS. (TSC Item No. 2009-15) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2008-80)

14. Resolution No. 2009-213. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK PERFORMED BY INDUSTRIAL COATING AND RESTORATION SERVICES WITH THE FINAL AMOUNT OF \$123,925.25, AUTHORIZING THE MAYOR TO SIGN THE FINAL BALANCE CHANGE ORDER AND AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR THE NATIONAL CITY POLICE DEPARTMENT PARKING LOT DECK WATERPROOFING PROJECT. (Funded through General Funds) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2009-63)

15. Resolution No. 2009-214. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING THE CONTRACT TO CGP MAINTENANCE & CONSTRUCTION, INC. IN THE AMOUNT OF \$58,135.60 (SPEC NO. 09-06) FOR THE REPLACEMENT OF THE WALK-IN FREEZER, FLOORING REPAIR, FIRE SUPPRESSIVE SYSTEM, AND OTHER ANCILLARY REPAIRS AT THE NATIONAL CITY SENIOR NUTRITION CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Funded through Tax Increment Funds) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2009-64)

16. Resolution No. 2009-215. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING A CONTRACT IN THE AMOUNT OF \$595,580.00 TO PTM GENERAL ENGINEERING SERVICES, INC. FOR THE NATIONAL CITY SAFE ROUTES TO SCHOOL PROJECT, FY 09-10 (SPEC. NO. 09-14) AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Funding available through State Safe Routes to School Grant, State Office of Traffic Safety Grant and General Fund) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

STREET VACATION ADMIN 2009 (902-26-4)

17. Resolution No. 2009-216. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING EXECUTION OF AN ORDER OF VACATION OF AN UNIMPROVED ALLEY TO RESTRICT PUBLIC ACCESS SOUTH OF WEST 23RD STREET AND NORTH OF BAY MARINA DRIVE IN THE COASTAL ZONE. (Case File No. 2009-04 SC, CDP) (APNs 559-117-04 to 07 and 12) (Development Services/ Planning)

ACTION: Adopted. See above.

CONTRACT (C2009-65)

18. Resolution No. 2009-217. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY USE AGREEMENT WITH NEXTG NETWORKS FOR THE INSTALLATION OF FIBER OPTICS TELECOMMUNICATIONS EQUIPMENT IN TWO LOCATIONS IN NATIONAL CITY. (MIS)

ACTION: Adopted. See above.

CELLULAR RADIO / TEL FACILITIES ADMIN - WIRELESS COMM. (908-1-3)

19. Resolution No. 2009-218. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE EXPENDITURE OF FUNDS FOR THE CONTINUATION OF WIRELESS CELL PHONE SERVICES WITH VERIZON WIRELESS INC. UNDER THE STATE OF CALIFORNIA WIRELESS CONTRACT. (MIS)

ACTION: Adopted. See above.

CONTRACT (C2009-66)

20. Resolution No. 2009-219. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS AND AUTHORIZING THE PURCHASE / INSTALLATION OF A BULLET TRAP SYSTEM FOR THE POLICE INDOOR FIREARMS RANGE, FROM ACTION TARGET INC., IN THE AMOUNT OF \$46,760 FROM THE GENERAL FUND. (Police)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-67)

21. Resolution No. 2009-220. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN AN ADMISSION AGREEMENT FOR A PARTY TO THE MEMORANDUM OF UNDERSTANDING FOR THE SAN DIEGO REGIONAL INTEROPERABLE COMMAND & CONTROL COMMUNICATIONS (3CS) PROGRAM. (Fire/Police)

ACTION: Adopted. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

22. Warrant Register #5 for the period of 07/29/09 through 08/04/09 in the amount of \$1,213,520.47. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

23. Warrant Register #6 for the period of 08/05/09 through 08/11/09 in the amount of \$2,052,602.12. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARING

MUNICIPAL CODE 2009 (506-2-24)

24. Public Hearing - Public Hearing – To consider the extension of an Interim Ordinance adopted pursuant to Government Code Section 65858 as an urgency measure enacting a moratorium prohibiting establishments dispensing marijuana for medical purposes in National City. (City Attorney) **Companion item to #25**

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

URGENCY ORDINANCE FOR ADOPTION

MUNICIPAL CODE 2009 (506-2-24)

25. An Interim Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an urgency measure extending for 10 months and 15 days a moratorium prohibiting establishments dispensing marijuana for medical purposes in National City. (City Attorney) **Companion Item to #24**

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NEW BUSINESS

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

26. Request to use the Martin Luther King, Jr. Community Center by the National City Chamber of Commerce for their annual "Salute to Navy Luncheon" on Wednesday, October 7, 2009. (Community Services)

RECOMMENDATION: Approve the request for use.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Zarate, to approve with all conditions of staff. Carried by unanimous vote.

TEMPORARY USE PERMITS 2009 (203-1-25)

27. Temporary Use Permit - 17th Annual Fiesta Filipiniana Caroling Competition "Holiday Edition" hosted by the Seafood City Supermarket on December 12, 2009 from 10 a.m. to 10 p.m. at 1420 Plaza Blvd. with no waiver of fees. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Sotelo-Solis, to approve with all conditions of staff. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 28 and 29 (Warrant Registers). Motion by Van Deventer, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

CONSENT CALENDAR (cont.)

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

28. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$185,833.09 to the City of National City for the period of 07/29/09 through 08/04/09. (Finance)

ACTION: Approved. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

29. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$322,978.21 to the City of National City for the period of 08/05/09 through 08/11/09. (Finance)

ACTION: Approved. See above.

NEW BUSINESS

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

30. 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.

STAFF REPORTS

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

31. **SUBJECT:** Report by the National City Chamber of Commerce on the Economic Development Loan Program (formerly Community Benefit Loan Program) and San Diego State University Student Consulting Program. (Community Development)

RECOMMENDATION: Accept and file report per contract agreement.

TESTIMONY: Jacqueline Reynoso, Project Director for the National City Chamber of Commerce, reviewed the report and responded to questions.

Ken Clark, Small Business Development Center, introduced his program and spoke in support of the efforts to develop and attract businesses in National City.

Elvie Habana, owner of Karaoke Specialists, spoke in support of the Economic Development Loan Program.

Memo Cavada, owner of Creative Images Photography and a participant in the Student Consulting Program and Economic Development Loan Programs spoke.

Harris Golden, owner of San Diego Pretzel, spoke in support of the Student Consulting and Economic Development Loan Programs.

ACTION: No action was taken.

STAFF REPORT (cont.)

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

32. Updates on Safe Routes to School Grant and Office of Traffic Safety Grant. (Development Division/Engineering)

City Engineer Babaki reported that the City has received a grant of \$132,000 from the Office of Traffic Safety which will be used to purchase 2 Vehicle Speed Feedback Sign Trailer units and an additional \$500,000 for the Safe Routes to School Program. The total from that grant is now three million dollars.

ACTION: Accepted and filed. Member Sotelo-Solis requested that consideration be given to a crosswalk at the library.

CITY MANAGER / REPORTS ADMIN (1104-1-12)

CITY ATTORNEY REPORTS (509-1-3)

33. Report to City Council on:

- a) Current Towing Contract (City Manager)
- b) Executive Assistant III Hiring Process (City Manager)
- c) Conflict of Interest Review (City Attorney)

ACTION: Motion by Sotelo-Solis, seconded by Van Deventer, to amend the City's Conflict of Interest Code to include the Executive Assistant III position. Carried by unanimous vote.

The City Attorney was asked to review and recommend the appropriate reporting categories for the Executive Assistant III position and to schedule a workshop for Council, employees and Board members on the reporting requirements of the Conflict of Interest code. There was no vote.

There was discussion about bringing back both towing contracts for review and a staff update on an expedited schedule. There was no vote.

TESTIMONY: Augie Boreno, Abco Consulting representing Moynihan Towing, spoke against the expedited contract review.

CDC Executive Director Raulston reported that the Farm Bureau will no longer be sponsoring the Farmers' Market in National City.

CLOSED SESSION REPORT (509-1-4)

34. Closed Session Report: City Council / CDC Attorney George Eiser reported that a Memorandum of Understanding with the Police Officers' Association has been approved. (See attached Exhibit 'L')

ACTION: Taken up earlier. See above.

MAYOR AND CITY COUNCIL

Member Sotelo-Solis (a) suggested the City send appropriate congratulations and recognition to the Chula Vista Little League All-Star Team for winning the 2009 Little League World Series; (b) proposed the City gear up for the upcoming flu season and consider using our website to dispense info, and (c) reported a light pole at 2nd and Highland Avenue that does not have a banner.

Member Zarate reported that she took a tour of the Senior Village Project as was quite pleased with everything she saw.

Mayor Morrison reported that the Diablos Pop Warner Football League kicked-off their new season on Saturday with a very successful event, made everyone aware that the Senior Village Development has a very nice restaurant and reminded everyone that the State of City Address is scheduled two weeks from Thursday.

ADJOURNMENT

The meeting was adjourned in memory of Mr. Rubin Dominguez.

Next Regular City Council and Community Development Commission Meeting to be held Tuesday, September 15, 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 October 6, 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**

**Large Conference Room
Civic Center
1243 National City Boulevard
National City, California**

Special Meeting - Tuesday, September 1, 2009 - 5:00 p.m.

ROLL CALL

CLOSED SESSION

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 Labor Negotiators - Government Code Section 54957.6 Agency Designated Representatives: Stacey Stevenson, Jeanette Ladrido, David Pease, Claudia Silva
Employee Organization: Municipal Employees' Association

COMMUNITY DEVELOPMENT COMMISSION

3. 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, September 1, 2009, 6:00 p.m., Council Chambers, Civic Center