

**Agenda Of A Regular Meeting - National City City Council /
Community Development Commission of the City of National City
Council Chambers
Civic Center
1243 National City Boulevard
National City, California
Regular Meeting - Tuesday – April 6, 2010 – 6:00 P.M.**

Open To The Public

Please complete a request to speak form prior to the commencement of the meeting and submit it to the City Clerk.

It is the intention of your City Council and Community Development Commission (CDC) to be receptive to your concerns in this community. Your participation in local government will assure a responsible and efficient City of National City. We invite you to bring to the attention of the City Manager/Executive Director any matter that you desire the City Council or Community Development Commission Board to consider. We thank you for your presence and wish you to know that we appreciate your involvement.

ROLL CALL

Pledge of Allegiance to the Flag by Mayor Ron Morrison

Public Oral Communications (Three-Minute Time Limit)

NOTE: Pursuant to state law, items requiring Council or Community Development Commission action must be brought back on a subsequent Council or Community Development Commission Agenda unless they are of a demonstrated emergency or urgent nature.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Council and Community Development Commission Meetings. Audio headphones are available in the lobby at the beginning of the meetings.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.

**Council Requests That All Cell Phones
And Pagers Be Turned Off During City Council Meetings**

COPIES OF THE CITY COUNCIL OR COMMUNITY DEVELOPMENT COMMISSION MEETING AGENDAS AND MINUTES
MAY BE OBTAINED THROUGH OUR WEBSITE AT www.nationalcityca.gov

PROCLAMATION

1. Proclaiming April 2010 as: **“CHILD ABUSE PREVENTION MONTH”**

PRESENTATIONS

2. A presentation on the status of homeless encampments in National City. (City Attorney)
3. FY 2010/2011 Budget Update (Finance)
4. Report by the National City Chamber of Commerce on the San Diego Regional Enterprise Zone Program, Economic Development Loan Program, and San Diego State University Student Consulting Program. (Community Development)

CITY COUNCIL

CONSENT CALENDAR

Consent Calendar: Consent calendar items involve matters, which are of a routine or noncontroversial nature. All consent calendar items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

5. Approval of the minutes of the Regular City Council/Community Development Commission Meeting of February 16, 2010. (City Clerk)
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)
7. Resolution of the City Council of the City of National City supporting green building efforts that will lead to savings and increased efficiency in schools. (Mayor's Office)

CONSENT CALENDAR (Cont.)

8. Resolution of the City Council of the City of National City approving a plan for use of the amount of \$908,556.49 available through Proposition 1B funds for the National City's Street Resurfacing Project, and submitting said plan to the State Department of Finance. (Development Services/Engineering)
9. Resolution of the City Council of the City of National City approving and authorizing the recordation of an Encroachment Agreement with the Estate of Agnes Barber for the installation of 2 groundwater monitoring wells at 340 Palm Avenue along the centerline of Palm Avenue north of E. 4th Street. (Development Services)
10. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Amendment to the Community Development Block Grant (CDBG) Subrecipient Agreement with Christmas in July National City extending the term to June 30, 2011 for the completion of an office construction project at 2101 Hoover Avenue. (Community Development)
11. Resolution of the City Council of the City of National City authorizing the Mayor to execute the Memorandum of Understanding between the City of San Diego Office of Homeland Security and the City of National City regarding FY09 Urban Area Security Initiative (UASI) grant funding. (Fire)
12. Resolution of the City Council of the City of National City authorizing reimbursable grant funds in the amount of \$28,480 for equipment for the National City Police Department from the FY08 Urban Area Security Initiative Grant Program. (Police)
13. Resolution of the City Council of the City of National City awarding a contract to Palm Engineering in the amount not-to-exceed \$54,500 and authorizing the Mayor to execute the Agreement for construction improvements for the Kimball Bowl Sod Project, Specification No. 09-19 (Funded by Park & Recreation Capital Outlay Fund). (Development Services/Engineering)
14. WARRANT REGISTER #35

Warrant Register #35 for the period of 02/24/10 through 03/02/10 in the amount of \$949,700.84. (Finance)

CONSENT CALENDAR (Cont.)

15. WARRANT REGISTER #36

Warrant Register #36 for the period of 03/03/10 through 03/09/10 in the amount of \$1,433,850.95. (Finance)

16. WARRANT REGISTER #37

Warrant Register #37 for the period of 03/10/10 through 03/16/10 in the amount of \$496,949.19. (Finance)

PUBLIC HEARING

17. Public Hearing to consider adoption of Resolutions of Necessity for the acquisition of real property for the Plaza Boulevard Street Widening Project. (Development Services/City Attorney) **Companion Item #24**

- APN 557-250-12 (NatCity Holdings, LLC).
- APN 557-410-11 (U.S. Bank NA, as Trustee of Lehman Brothers)
- APN 557-322-14 (Pacific Castle Bay Plaza, LLC)
- APN 557-410-19 (Nagraj, Inc.)
- APN 557-322-09 (National Plaza, LLC)
- APN 557-250-43 (Plaza Square, LTD)
- APN 557-420-33 (Shriners Hospital for Children/American International Enterprise)
- APN 557-410-15 (Orkin, Inc.)
- APN 557-322-11 (Alliance Laundry Systems, LLC)
- APN 557-380-51 (BDI-IV, LLC)
- APN 557-420-35 (Kalesa Walk Corporation)
- APN 556-590-60 & 556-590-61 (South Bay SPE, LLC)
- APN 557-250-40 (Glenn Bathelor Trust)
- APN 557-410-27 (Thrifty Oil Company)
- APN 557-420-30 (Todd Al-Bayati/Samiya Abdul Sattar Kaddory)
- APN 557-410-05 (Airtemio P. Puedan and Flora O. Puedan, Trustees)
- APN 557-410-17 (Bruce M. Boogaard and Cynthia K. Boogaard)
- APN 557-310-26 (Tracey Noel Miller, Trustee)
- APN 556-590-51, 556-590-54, 556-590-58, 557-322-10 (South Bay Plaza, LLC)

ORDINANCES FOR INTRODUCTION

18. An Ordinance of the City Council of the National City amending Title 7 of the National City Municipal Code by adding Chapter 7.34 pertaining to shopping cart containment. (City Attorney)

19. An Ordinance of the City of National City amending Title 7 of the National City Municipal Code by adding Chapter 7.35 pertaining to accepting recyclable items from shopping carts. (City Attorney)

20. An Ordinance of the City of National City amending Title 9 of the National City Municipal Code by adding Chapter 9.37 pertaining to the sale or distribution of *Salvia Divinorum* or *Alvinorin A* to people over the age of 18 years of age. (City Attorney)

21. An Ordinance of the City Council of the City of National City amending Title 10 of the National City Municipal Code by adding Chapter 10.15 pertaining to aggressive solicitation. (City Attorney)

NON CONSENT RESOLUTIONS

22. Resolution of the City Council of the City of National City authorizing the Mayor to sign an Agreement with the City of Chula Vista for general animal control, shelter, and related administrative services for National City for a total not to exceed \$377,730 for Fiscal Year 2009-2010, with options to extend for four (4) additional one (1) year terms. (Police)

23. Resolution of the City Council of the City of National City authorizing the City Engineer to execute and submit Program Supplement Agreement No. 0G79 to the State of California Department of Transportation to encumber \$500,000 in State Safe Routes to School Funding for construction of a roundabout at the intersection of D Avenue and E. 12th Street (matching funds in the amount of \$125,000 available through the Tax Increment Fund). (Development Services/Engineering) **Companion Item #36**

NON CONSENT RESOLUTIONS (Cont.)

24. Resolutions of Necessity for the Acquisition of real property for the Plaza Boulevard Street Widening Project:

- APN 557-250-12 (NatCity Holdings, LLC).
- APN 557-410-11 (U.S. Bank NA, as Trustee of Lehman Brothers)
- APN 557-322-14 (Pacific Castle Bay Plaza, LLC)
- APN 557-410-19 (Nagraj, Inc.)
- APN 557-322-09 (National Plaza, LLC)
- APN 557-250-43 (Plaza Square, LTD)
- APN 557-420-33 (Shriners Hospital for Children/American International Enterprise)
- APN 557-410-15 (Orkin, Inc.)
- APN 557-322-11 (Alliance Laundry Systems, LLC)
- APN 557-380-51 (BDI-IV, LLC)
- APN 557-420-35 (Kalesa Walk Corporation)
- APN 556-590-60 & 556-590-61 (South Bay SPE, LLC)
- APN 557-250-40 (Glenn Bathelor Trust)
- APN 557-410-27 (Thrifty Oil Company)
- APN 557-420-30 (Todd Al-Bayati/Samiya Abdul Sattar Kaddory)
- APN 557-410-05 (Airtemio P. Puedan and Flora O. Puedan, Trustees)
- APN 557-410-17 (Bruce M. Boogaard and Cynthia K. Boogaard)
- APN 557-310-26 (Tracey Noel Miller, Trustee)
- APN 556-590-51, 556-590-54, 556-590-58, 557-322-10 (South Bay Plaza, LLC)
(Development Services and City Attorney) **Companion Item #17**

NEW BUSINESS

- 25. Time Extension Request – Tentative Subdivision Map for the Division of A 1.41-acre lot into ten at the site of ten existing duplexes at 1205-1243 Fig Court. (Applicant: Robert Gulotta) (Case File No. 2010-03 TE) (APN 551-490-19) (Development Services/Planning)
- 26. Notice of Decision – Planning Commission approval of a minor Conditional Use Permit to allow operation of a sign shop within an existing commercial building located at 416 National City Boulevard. (Applicant: David Kenworthy and Mario Rodriguez) (Case File No. 2010-02 MCUP) (APN 555-041-09) (Development Services/Planning)
- 27. Temporary Use Permit – National City Chamber of Commerce’s Taste of National City on May 6, 2010 at Brick Row Heritage Square from 4 p.m. to 7 p.m. This is a National City cosponsored event eligible for a \$1,500 fee waiver. (Neighborhood Services Division)

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

28. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$717,381.39 to the City of National City for the period of 02/24/10 through 03/02/10. (Finance)
29. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$88,784.14 to the City of National City for the period of 03/03/10 through 03/09/10. (Finance)
30. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$20,576.17 to the City of National City for the period of 03/10/10 through 03/16/10. (Finance)
31. Resolution of the Community Development Commission of the City of National City (CDC) approving an Amendment to the Disposition and Development Agreement with San Diego Habitat for Humanity, Incorporated, allowing for first-time homebuyer promissory notes to be forgiven on the forty-fifth anniversary date of the recording of the Affordable Housing Resale Restrictions, Option to Designate Eligible Purchasers and Option to Purchase Upon Default Agreement (Resale Restriction). (Community Development)

PUBLIC HEARING

32. Public Hearing - Community Development Commission of National City) Section 8 Rental Assistance Division Public Housing Agency Plan Five-Year Plan for Fiscal Years 2010-2015 Annual Plan for Fiscal Year 2010 and the Section 8 Administrative Plan; and authorizing the submittal of the PHA Plan to the U.S. Department of Housing and Urban Development. (Community Development Housing and Grants Section 8 Program) **Companion Item #33 and #34**

NON CONSENT RESOLUTIONS

33. Resolution of the Community Development Commission of the City of National City (CDC) approving the Section 8 Five Year (Fiscal Years 2010-2015) and Annual (Fiscal Year 2010) Public Housing Agency (PHA) Plans; and authorizing the submittal of the PHA Plan to the U.S. Department of Housing and Urban Development. (Community Development Housing and Grants Section 8 Program) **Companion Item #32 and #34**

34. Resolution of the Community Development Commission of the City of National City (CDC) approving revisions to the Section 8 Administrative Plan and authorizing the submittal of the Plan to the U.S. Department of Housing and Urban Development. (Community Development Housing and Grants Section 8 Program) **Companion Items #32 and #33**

35. Resolution of the Community Development Commission of the City of National City (CDC) approving a Tidelands Use and Occupancy Permit with the Port of San Diego at no cost to the Community Development Commission, to allow continued operation of the National City Aquatic and Education Center out of temporary facilities at Pepper Park. (Redevelopment Division)

36. Resolution of the Community Development Commission of the City of National City (CDC) authorizing the appropriation of \$125,000 in Tax Increment Funds for the City's Safe Routes to School Project for construction of a roundabout at the intersection of D Avenue and E. 12th Street. (Development Services/Engineering) **Companion Item #23**

STAFF REPORTS

37. Closed Session Report (City Attorney)

MAYOR AND CITY COUNCIL

ADJOURNMENT

Adjourned Regular Joint Meeting with the City of National City and the National School District – Tuesday – April 13, 2010 – 6:00 p.m. – Council Chambers – National City, California

Regular City Council and Community Development Commission Meeting - Tuesday – April 20, 2010 - 6:00 p.m. - Council Chambers - National City, California