

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

**April 6, 2010**

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:08 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

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

Administrative Officials present: Babaki, Dalla, Deese, Duong, Eiser, Gonzales, Hodges, Ladrido, Parra, Raulston, Smith, Stevenson, Zapata.

Others present: Student Representatives Michael Mendoza and Christina Dickey.

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

**PUBLIC ORAL COMMUNICATIONS**

Cindy Gompers Graves, Executive Director, South County Economic Development Council (SCEDC), distributed and highlighted a report prepared by the SCEDC dealing with the Mile of Cars. (Copy on file in the Office of the City Clerk)

James Slade, representing the Municipal Employees Association (MEA), spoke on behalf of the MEA and its members regarding the City's last, best and final offer.

**PROCLAMATION**

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

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

**PRESENTATIONS**

**COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)**

- 1a. Presentation to former Council Member Frank Parra.  
Mayor Morrison presented a plaque to former Council Member Frank Parra in recognition of his 7 ½ years of service on the City Council as assumes his new duties as the City's Director of Emergency Services.

**PRESENTATIONS (cont.)**

**COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)**

2. A Presentation on the Status of Homeless Encampments in National City. (City Attorney)  
Presentation by Senior Assistant City Attorney Jodi Doucette. (Copy on file in the Office of the City Clerk)

**COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)**

3. FY 2010/2011 Budget Update. (Finance)  
Presentation by City Manager Chris Zapata and Finance Director Jeanette Ladrado. (See attached Exhibit 'A')

**COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)**

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)  
Report and presentation by Jacqueline L. Reynoso, President/COE National City Chamber of Commerce. (Copy on file in the Office of the City Clerk)

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 5 (Minutes), Item No. 6 (NMC), Item Nos. 7 through 13 (Resolution Nos. 2010-47 through 2010-53), Item Nos. 14 through 16 (Warrant Registers). Motion by Zarate, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

**APPROVAL OF MINUTES**

5. **SUBJECT:** Approval of the minutes of the Regular City Council/Community Development Commission Meeting of February 16, 2010. (City Clerk)  
**ACTION:** Approved. See above.

**MUNICIPAL CODE 2010 (506-2-25)**

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.

**CONSENT CALENDAR (cont.)**

**POLITICAL SUPPORT ADMIN – INITIATIVES (102-4-1)**

7. Resolution No. 2010-47. 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)

**ACTION:** Adopted. See above.

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

8. Resolution No. 2010-48. 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)

**ACTION:** Adopted. See above.

**ENCROACHMENT AGREEMENT ADMIN 2010 (903-14-4)**

9. Resolution No. 2010-49. 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. 4<sup>TH</sup> STREET. (Development Services)

**ACTION:** Adopted. See above.

**BLOCK GRANT PROGRAM ADMIN 2007 - 2008 (406-1-22)**

**CONTRACT (C2007-34)**

10. Resolution No. 2010-50. 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)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2005-65)**

11. Resolution No. 2010-51. 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)  
**ACTION:** Adopted. See above.

**GRANT / PUBLIC SAFETY (206-4-27)**

12. Resolution No. 2010-53. 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)  
**ACTION:** Adopted. See above.

**CONTRACT (C2010-14)**

13. Resolution No. 2010-52. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDDING 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)  
**ACTION:** Adopted. See above.

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

14. Warrant Register #35 for the period of 02/24/10 through 03/02/10 in the amount of \$949,700.84. (Finance)  
**ACTION:** Ratified. See above.

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

15. Warrant Register #36 for the period of 03/03/10 through 03/09/10 in the amount of \$1,433,850.95. (Finance)  
**ACTION:** Ratified. See above.

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

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

**PUBLIC HEARING**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

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)

**RECOMMENDATION:** Hold the Public Hearing.

**TESTIMONY:** Attorney Earnest Pierucci appeared on behalf of Tracy Miller, Trustee for the Amy Frank House Trust, and indicated support for the plan conditioned on the donation of land by Mr. Miller and the effectuation of the related engineering plans.

Todd Al-Bayati spoke in support of the project but expressed concerns about the negative impacts of parking loss and not knowing the time-frame for the construction easement.

**WRITTEN COMMENTS:** Written comments submitted to the City Clerk prior to the hearing from Attorney Ernest S. Pierucci regarding APN 557-310-26; and from the Law Firm of Luce, Forward, Hamilton and Scripps regarding APN's 557-410-05; 557-410-19; and 557-420-30 were entered into the record by reference. (Copies on file in the Office of the City Clerk)

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

Item Numbers 24 through 24r were taken up next.

## NON CONSENT RESOLUTIONS

### CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)

24. Resolution No. 2010-56. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-250-12; 1539 E. PLAZA BLVD; NATCITY HOLDINGS, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

### CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)

24a. Resolution No. 2010-57. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-410-11; 1615 E. PLAZA BLVD; US. BANK NA, AS TRUSTEE OF LEHMAN BROTHERS).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

### CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)

24b. Resolution No. 2010-58. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-322-14; E. PLAZA BLVD; PACIFIC CASTLE BAY PLAZA, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

### CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)

24c. Resolution No. 2010-59. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-410-19; 1700 E. PLAZA BLVD; NAGRAJ, INC.)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS (cont.)**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24d. Resolution No. 2010-60. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-322-09; 1220 E. PLAZA BLVD; NATIONAL PLAZA, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24e. Resolution No. 2010-61. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-250-43; 1401 E. PLAZA BLVD; PLAZA SQUARE LTD).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24f. Resolution No. 2010-62. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-420-33; 1819 E. PLAZA BLVD; SHRINERS HOSPITAL FOR CHILDREN/AMERICAN INTERNATIONAL ENTERPRISE).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24g. Resolution No. 2010-63. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-410-15; E. PLAZA BLVD; ORKIN, INC. C/O THRIFTY OIL COMPANY).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS (cont.)**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24h. Resolution No. 2010-64. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-322-11; 1302 E. PLAZA BLVD; ALLIANCE LAUNDRY SYSTEMS, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24i. Resolution No. 2010-65. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-380-51; E. PLAZA BLVD; BDI-IV, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24j. Resolution No. 2010-66. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-420-35; 1858-1884 E. 12<sup>TH</sup> ST.; KALESA WALK CORP.).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24k. Resolution No. 2010-67. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 556-590-60 AND 556-590-61; 900 E. PLAZA BLVD, AND 1019-1045 HIGHLAND AVE.; SOUTH BAY SPE, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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



**NON CONSENT RESOLUTIONS (cont.)**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24l. Resolution No. 2010-68. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-250-40; 1325 E. PLAZA BLVD; TRUSTEE OF THE GLENN BATHELOR TRUST).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24m. Resolution No. 2010-69. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-410-27; E. PLAZA BLVD; THRIFTY OIL COMPANY).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24n. Resolution No. 2010-70. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-420-30; E. PLAZA BLVD; TODD AL-BAYATI/SAMIYA ABDUL SATTAR KADDORY).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24o. Resolution No. 2010-71. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-410-05; 1736-1740 E. PLAZA BLVD; AIRTEMIO P. PUEDAN AND FLORA O. PUEDAN, TRUSTEES).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS (cont.)**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24p. Resolution No. 2010-72. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-410-17; 1735 E. PLAZA BLVD; BRUCE M. BOOGAARD AND CYNTHIA K. BOOGAARD).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24q. Resolution No. 2010-73. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 557-310-26; 2401 E. PLAZA BLVD; TRACEY NOEL MILLER, TRUSTEE).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24r. Resolution No. 2010-74. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES (A.P.N. 556-590-51, 556-590-54, 556-590-58, 557-322-10; 1130, 1132, 1210, AND 1240 E. PLAZA BLVD; SOUTH BAY PLAZA, LLC).

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**ORDINANCES FOR INTRODUCTION**

**MUNICIPAL CODE 2010 (506-2-25)**

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)

**TESTIMONY:** Jacqueline L. Reynoso, President/COE National City Chamber of Commerce requested 60 to 90 days to allow the Chamber to review the Ordinance.

**ORDINANCES FOR INTRODUCTION (cont.)**

**MUNICIPAL CODE 2010 (506-2-25)**

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 (continued).

**TESTIMONY:** Mathew Doren, California Grocers Assoc., was neutral on the Ordinance and expressed a willingness to work with staff.

**MUNICIPAL CODE 2010 (506-2-25)**

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)

**MUNICIPAL CODE 2010 (506-2-25)**

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)

**MUNICIPAL CODE 2010 (506-2-25)**

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**

**CONTRACT (C2010-15)**

22. Resolution No. 2010-54. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS (cont.)**

**ENGINEERING DEPT – GRANTS / REPORTS ADMIN (1104-1-1)  
CONTRACT (C2010-16)**

23. Resolution No. 2010-55. 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. 12<sup>TH</sup> STREET (MATCHING FUNDS IN THE AMOUNT OF \$125,000 AVAILABLE THROUGH THE TAX INCREMENT FUND). (Development Services/Engineering) \*\*Companion Item #36\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

24. Resolutions of Necessity for the Acquisition of real property for the Plaza Boulevard Street Widening Project. (Development Services and City Attorney) \*\*Companion Item #17\*\*

**ACTION:** Taken up earlier in the meeting. See above.

**NEW BUSINESS**

**SUBDIVISIONS / VARIANCES 2010 (415-1-6)**

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)

**RECOMMENDATION:** Staff recommends that the expiration date for S-2006-12 be extended by three years to April 16, 2013.

**TESTIMONY:** None.

**ACTION:** The Item was pulled from the agenda. No action was taken.

**NEW BUSINESS (cont.)**

**CONDITIONAL USE PERMITS 2010 (403-25-1)**

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)

**RECOMMENDATION:** Staff recommends the City Council file the Notice of Decision.

**TESTIMONY:** None.

**ACTION:** Motion by Van Deventer, seconded by Sotelo-Solis, to approve staff recommendation. Carried by unanimous vote.

**TEMPORARY USE PERMITS 2010 (203-1-26)**

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)

**RECOMMENDATION:** Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval.

**TESTIMONY:** None.

**ACTION:** Motion by Van Deventer, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

**COMMUNITY DEVELOPMENT COMMISSION**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item Nos. 28 through 30 (Warrant Registers), Item No. 31 (Resolution No. 2010-75). Motion by Zarate, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

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

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)

**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 \$88,784.14 to the City of National City for the period of 03/03/10 through 03/09/10. (Finance)

**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

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

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)

**ACTION:** Approved. See above.

**CONTRACT (C2006-77)**

31. Resolution No. 2010-75. 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)

**ACTION:** Adopted. See above.

**PUBLIC HEARING**

**CITY WIDE HOUSING ADMIN (303-4-1)**

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\*\*

**RECOMMENDATION:** Conduct the Public Hearing.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS**

**CITY WIDE HOUSING ADMIN (303-4-1)**

33. Resolution No. 2010-76. 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\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY WIDE HOUSING ADMIN (303-4-1)**

34. Resolution No. 2010-77. 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\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CONTRACT (C2010-17)**

35. Resolution No. 2010-78. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** Tina Williams, South Bay YMCA indicated the willingness of her organization to continue working with the City on the Aquatic Center.

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

**NON CONSENT RESOLUTIONS (cont.)**

**ENGINEERING DEPT – GRANTS / REPORTS ADMIN (1104-1-1)  
CONTRACT (C2010-16)**

36. Resolution No. 2010-79. 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. 12<sup>TH</sup> STREET. (Development Services/Engineering) \*\*Companion Item #23\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**STAFF REPORTS**

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

37. Closed Session Report  
City Council / CDC Attorney George Eiser reported from the 5 p.m. Closed Session the following: The City Council authorized the initiation of litigation in one matter. The identity of the action and the defendants will not be disclosed at this time, but once litigation has been formally commenced, will be disclosed to any person upon inquiry, unless to do so would jeopardize the ability to effectuate service of process on one or more unserved parties, or would jeopardize the ability to conclude existing settlement negotiations. (See attached Exhibit 'L')

**Report on City Council Vacancy**

Attorney Eiser briefly reviewed the two options available to the City Council to fill the Council vacancy resulting from the resignation of Frank Parra to assume the position of Emergency Services Director. The two options include (1) appoint a replacement, such appointment to occur within 30 days, or (2) hold a Special Election which is not possible in view of the time and date constraints established by law. Mr. Eiser will have an item on the next agenda for City Council consideration and possible action.



**MAYOR AND CITY COUNCIL**

Member Sotelo-Solis announced and congratulated Student Representative Michael Mendoza on being accepted for admission to Stanford University. Member Sotelo-Solis advised that the monthly Walk-the-Neighborhood event will recommence in May and expressed her support for making an appointment to fill the City Council vacancy.

Mayor Morrison advised that the City will be hosting the League of Cities semi-annual dinner at the Pier 32 Marina.

**ADJOURNMENT**


Motion by Sotelo-Solis, seconded by Van Deventer, to adjourn the meeting to the Adjourned Regular Joint Meeting with the City of National City and the National School District to be held Tuesday, April 13, 2010 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The next Regular City Council and Community Development Commission Meeting to be held Tuesday, April 20, 2010 at 6:00 p.m. at the Council Chambers, National City, California.

The meeting closed at 9:08 p.m.

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

The foregoing minutes were approved at the Regular Meeting of September 7, 2010.

  
\_\_\_\_\_  
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  
National City, California**

**Special Meeting - Tuesday, April 6, 2010 - 5:00 p.m.**

**ROLL CALL**

**CLOSED SESSION**

1. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representatives: Stacey Stevenson, Jeanette Ladrado, David Pease, Claudia Silva  
Employee Organization: Municipal Employees' Association
2. Conference with Legal Counsel – Anticipated Litigation  
Initiation of Litigation Pursuant to Government Code Section 54956.9(c)  
One Potential Case

**ADJOURNMENT**

Next Regular City Council / CDC Meeting – Tuesday, April 6, 2010 – 6:00 p.m. –  
Council Chambers, Civic Center

# Fiscal Year 2010-2011 Budget Update

April 6, 2010

# Council Directed Actions

- January 30 Midyear budget review
- February 16 Adopted midyear changes
- Feb-Mar Presentations to  
Neighborhood Councils
- April 6 FY 2010-11 Budget Update

# Key Dates

- *May 4 or 18*                      *Additional budget update*
- *May 25*                              Budget Workshop
- *June 15 or June 22*              Budget Adoption
- *July 1*                                 Budget available on website

# FY 09-10 Mid-Year Budget Workshop

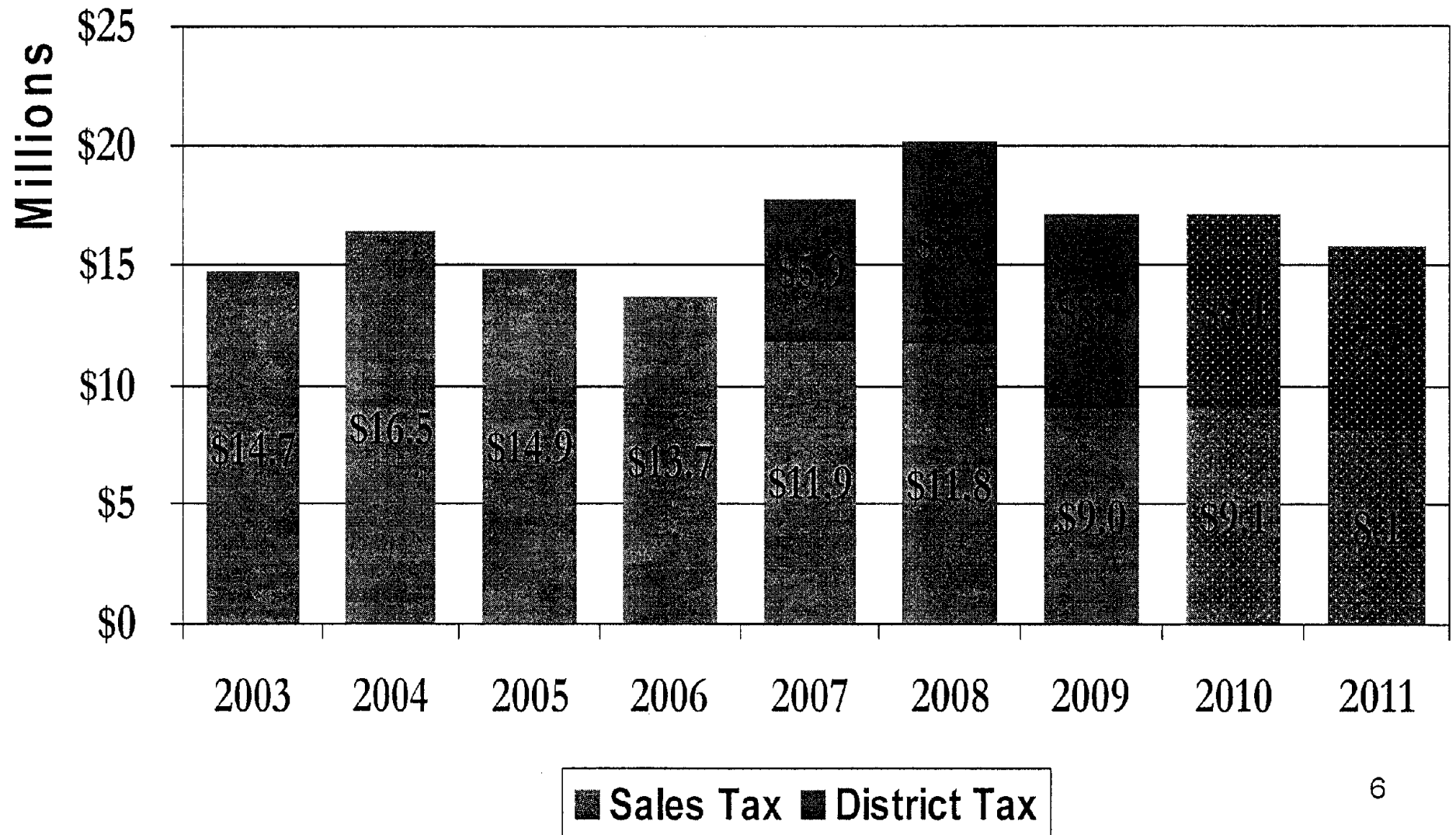
## January 30, 2010

- FY 09-10 General Fund structural deficit of \$3.3 million
  - one time funding used to balance the General Fund structural deficit
  - One time funding totaling \$4.3 million also used for debt repayment and other General Fund related subsidies
- General Fund Contingency Reserve funded @ 23% or \$8.6 million
  - Council direction was to reduce contingency reserve contribution by \$735,430 to cover deficit

# General Fund - Sales Tax Revenue

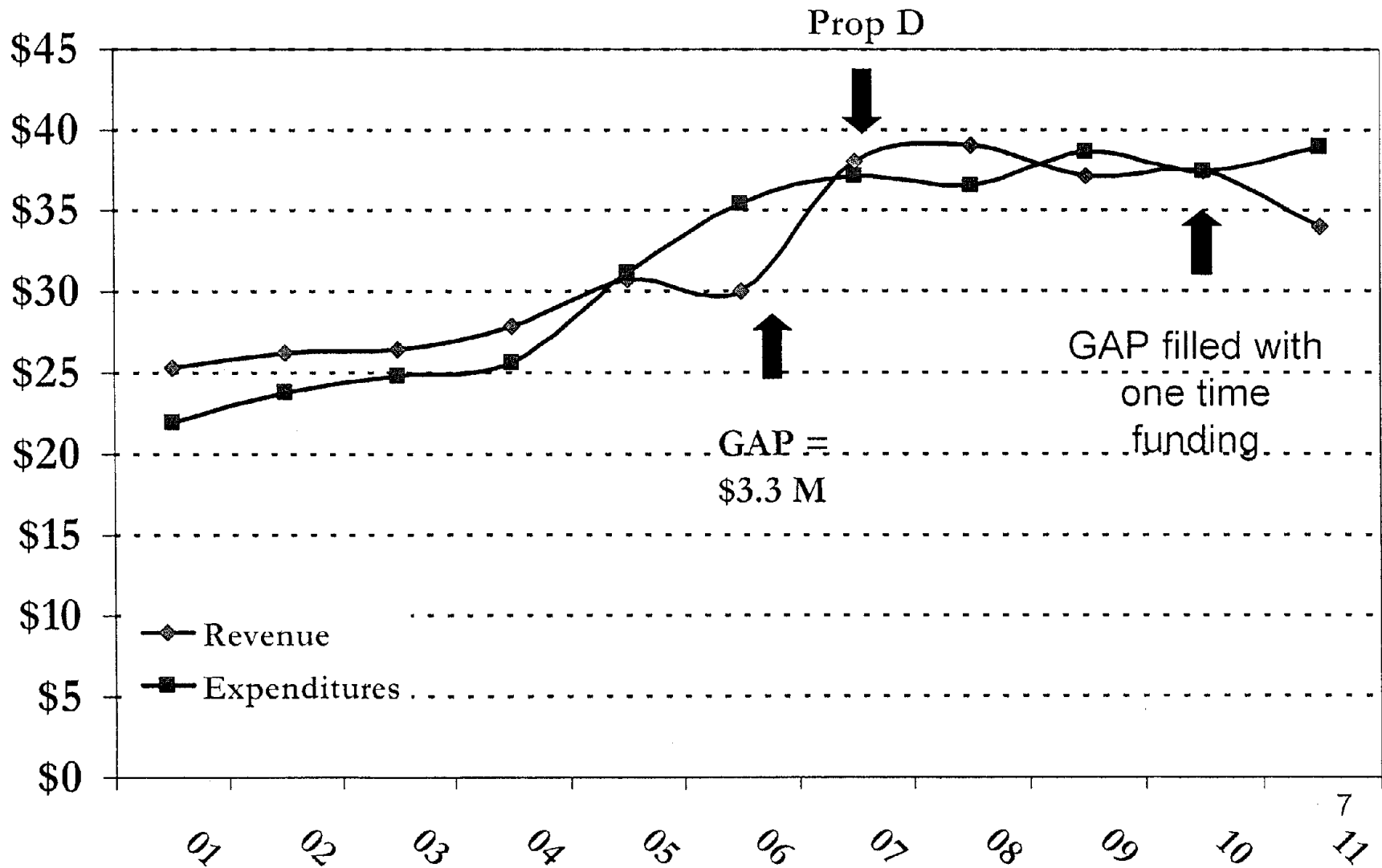


# Sales Tax and District Tax Combined Revenue





# General Fund Revenue and Expenditure Forecast

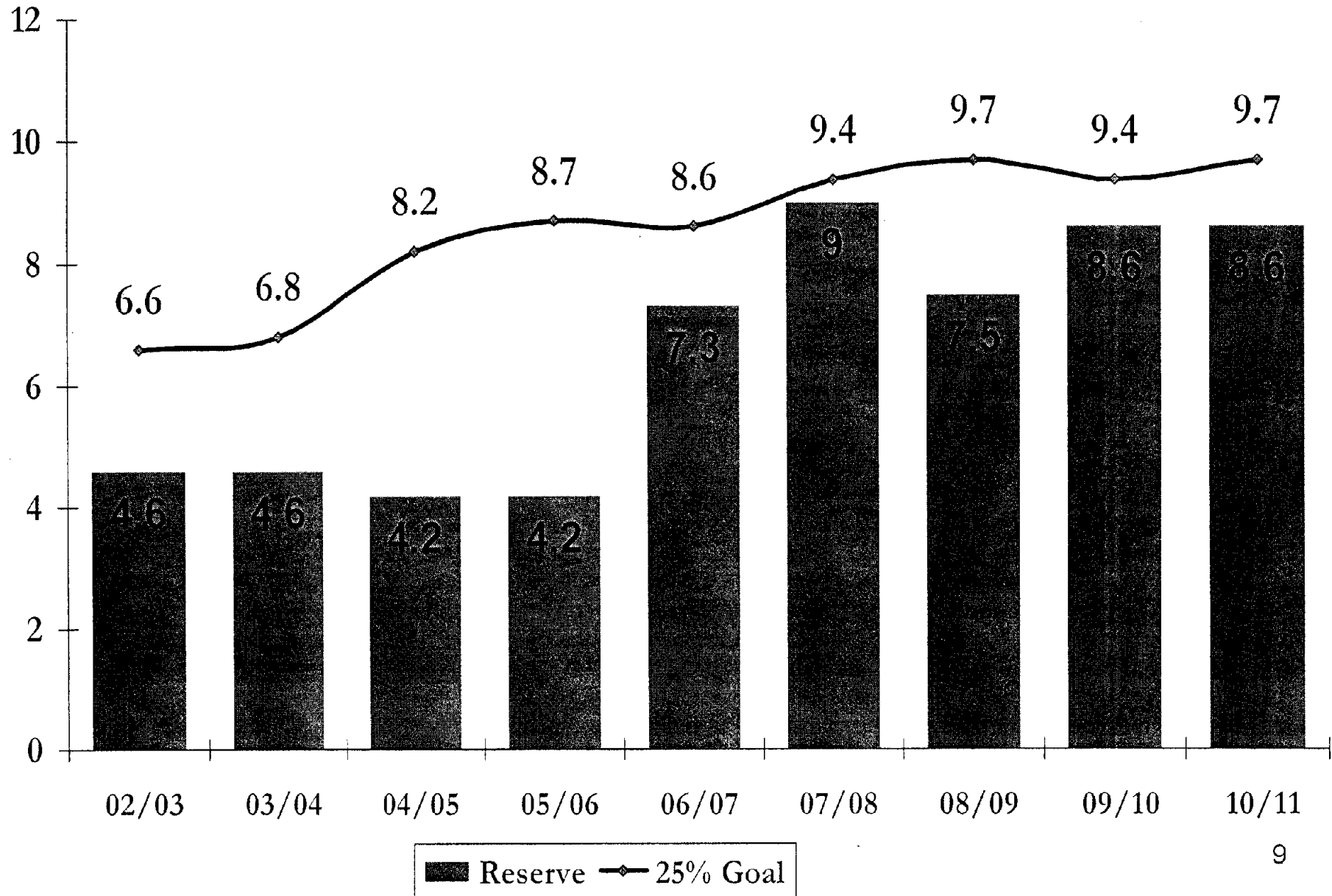


# General Fund Contingency Reserve

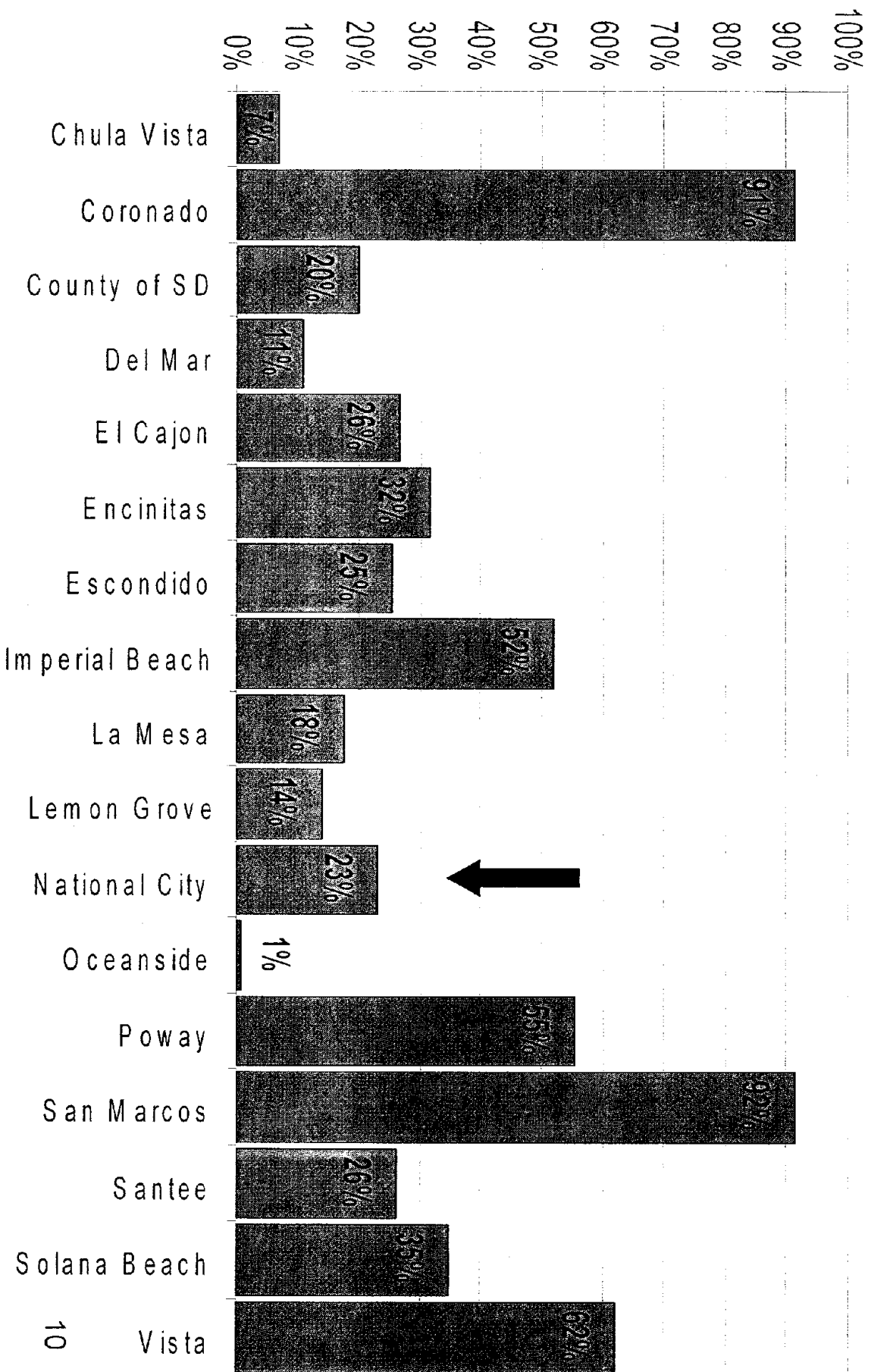
General Fund Policy: ... range between 25% and 50% of a single year's General Fund operating expenditures

- At January 30 midyear budget workshop, staff estimated FY 10-11 General Fund expenditures = \$38.9 million
  - Reserve will be at 22%, which is \$1.1 million below target level of \$9.7 million  
( $\$38.9 \text{ million} \times 25\%$ )

# History of Contingency Reserve



# FY 09-10 Reserve Percentages Local Entities



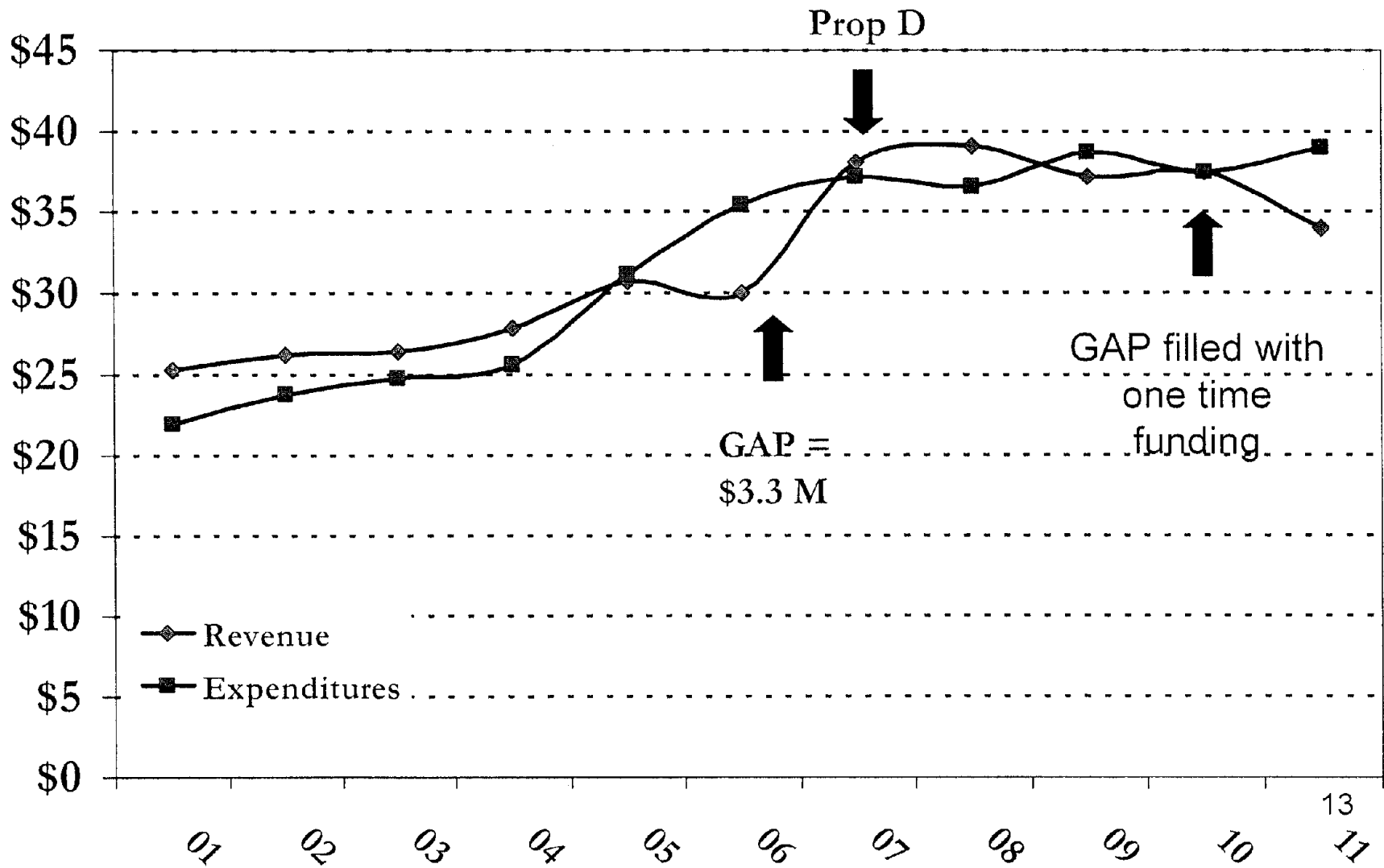
# FY 10-11 Budget Preparation

- Staff continue to closely monitor revenues and expenditures
  - Cost-reduction and Revenue Efficiency (CARE) Committee
  - Position Review Committee
  - Purchasing Review Committee
- Actively seeking Grants & Stimulus funds
- Staff are analyzing expenditures to identify potential cuts
- Finance is calculating personnel costs, PERS impact, revenue impacts

# FY 10-11 Budget Preparation

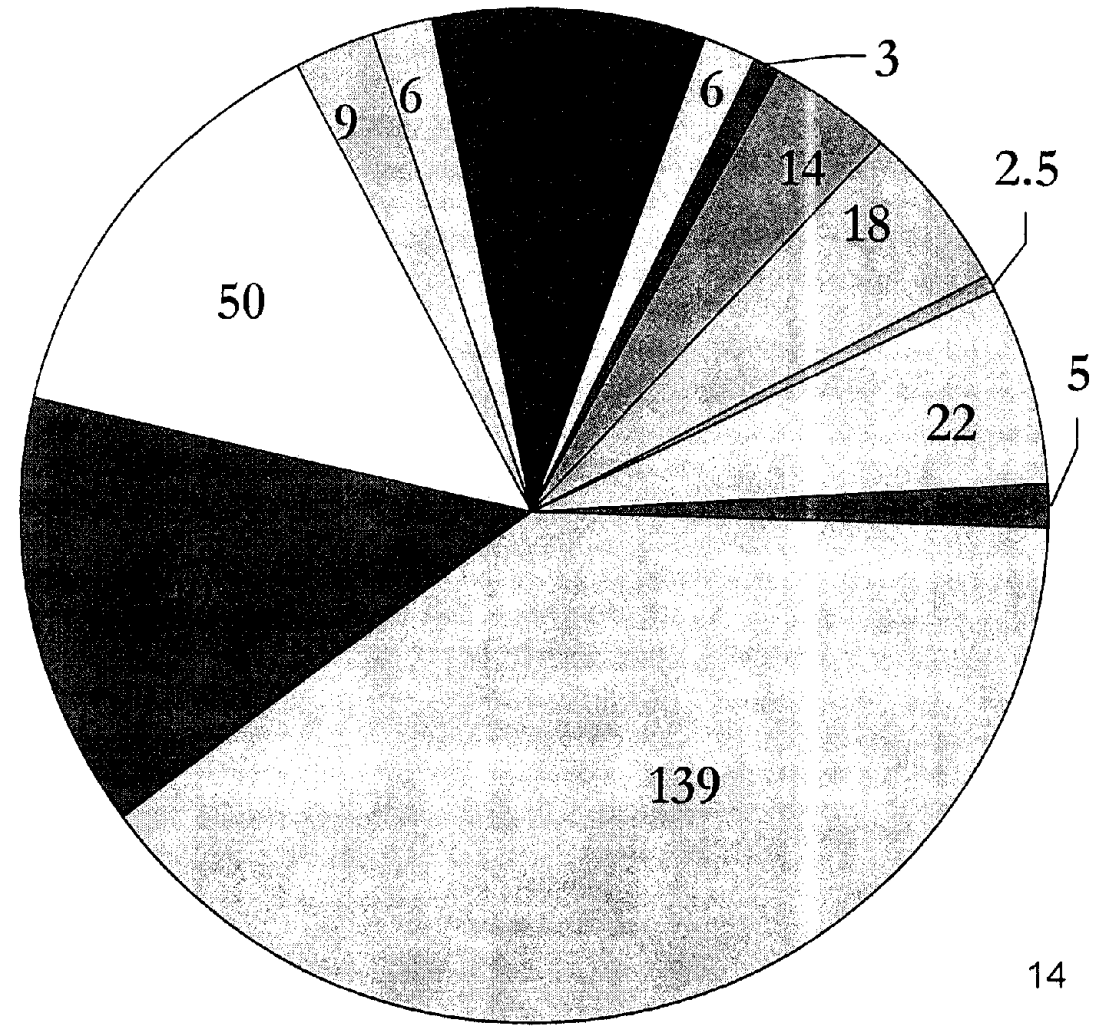
- Service levels – Maintained to date
- Personnel levels - Reduced
  - 35 Vacancies left unfilled
  - 29 vacancies have been frozen (not funded)
  - 6 vacancies are funded

# General Fund Revenue and Expenditure Forecast



# 354.5 Budgeted Full Time Employees (All Funds)

- City Council
- City Clerk
- ▣ City Manager
- ▤ Finance
- ▥ City Attorney
- ▦ Development Services
- ▧ Human Resources
- ▨ Police
- ▩ Fire
- Public Works
- Library
- ▬ Community Services
- ▭ Community Development





# 35 Full Time Vacancies (All Funds)

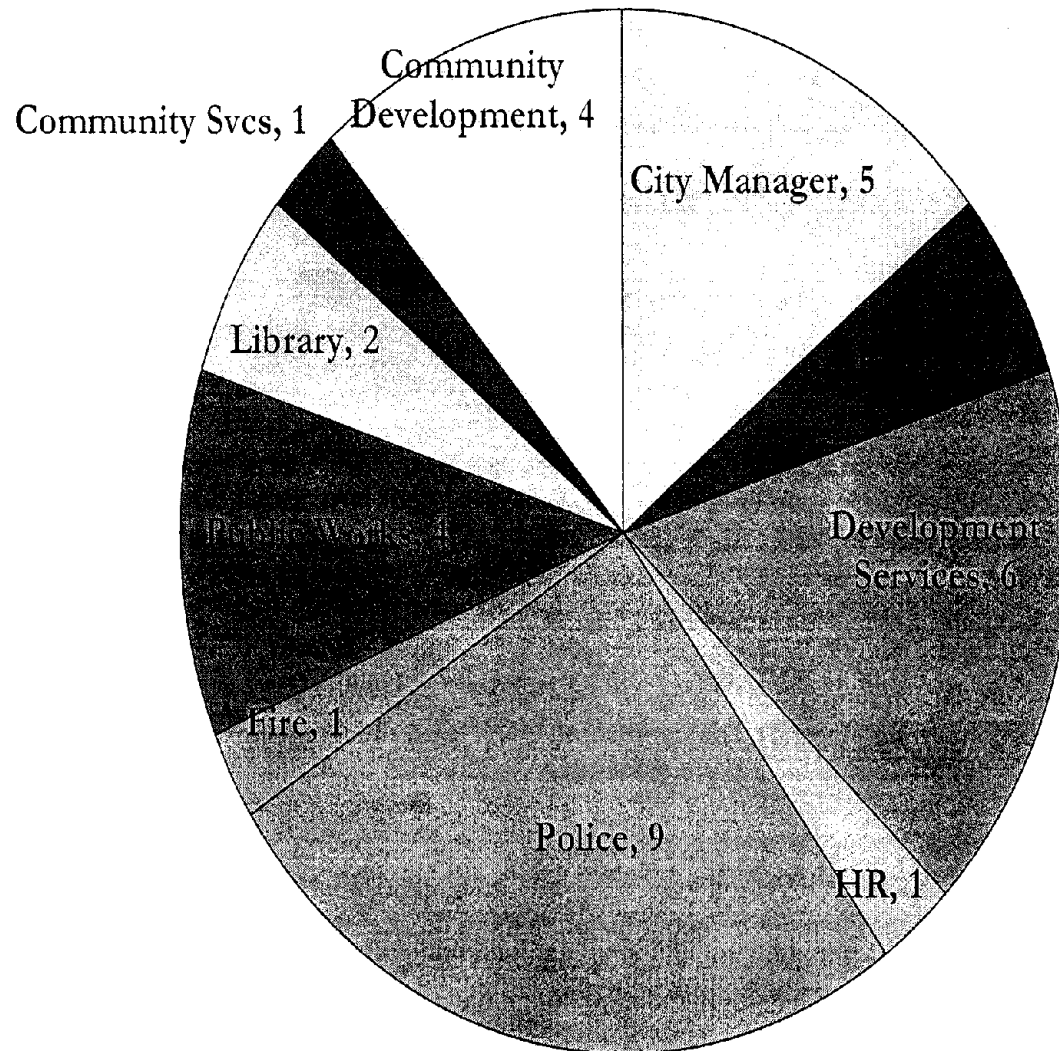
DEPARTMENT	POSITION	# of FT Positions
City Manager	Executive Asst IV, Mgt Analyst III, Public Information Officer, Risk Manager, MIS Tech III	5
Finance	Sr. Accounting Asst, Sr. Accountant	2
Dev Services	Associate Planner, Bldg Inspector, Sr Bldg Inspector, Associate Civil Engineer, Civil Engineering Tech; Mgt Analyst II	6
Human Resources	Mgt Analyst II	1
Police *	Community Svcs Officer, Crime Scene Specialist, Parking Regulations Officer, Police Records Clerk (2), Animal Control Officer, Police Dispatcher (2.5)	9

\* No sworn positions vacant

# 35 Full Time Vacancies (All Funds)

DEPARTMENT	POSITION	# of FT positions
Fire	Battalion Chief	1
Public Works	Custodian (2), Sr Park Caretaker, Tree Trimmer	4
Library	Principal Librarian, Sr Librarian Tech	2
Com Services	Admin Secretary	1
Com Development	Com Dev Specialist III, Code Conformance Officer II, Housing Inspector I & II	4
Total		35

# 35 Full Time Vacancies Estimated Savings = \$ 2.9 million (all funds)

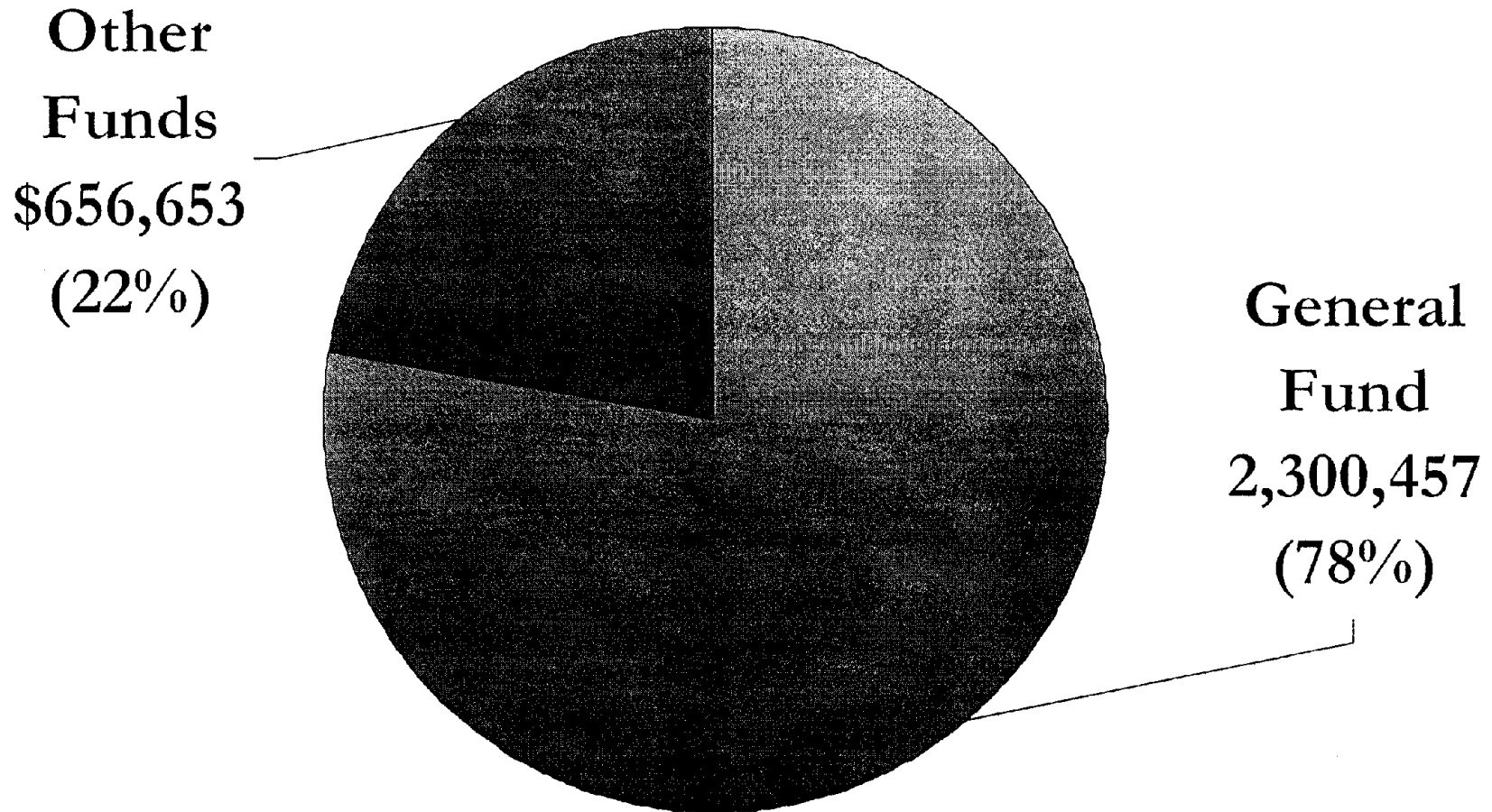


# 35 Full Time Vacancies Estimated

## Savings = \$ 2.9 million (all funds)

DEPARTMENT	GENERAL FUND	OTHER FUNDS	TOTAL SAVINGS
City Manager	317,125	215,731	532,856
Finance	161,741		161,741
Dev Services	566,977		566,977
Human Resources	82,079	11,193	93,272
Police	617,602		617,602
Fire	147,414		147,414
Public Works *	133,339	108,274	241,613
Library *	181,178		181,178
Com Services	63,647		63,647
Com Development	29,355	321,455	350,810
Total	2,300,457	656,653	2,957,110

35 Full Time Vacancies Estimated  
Savings = \$ 2.9 million (all funds)



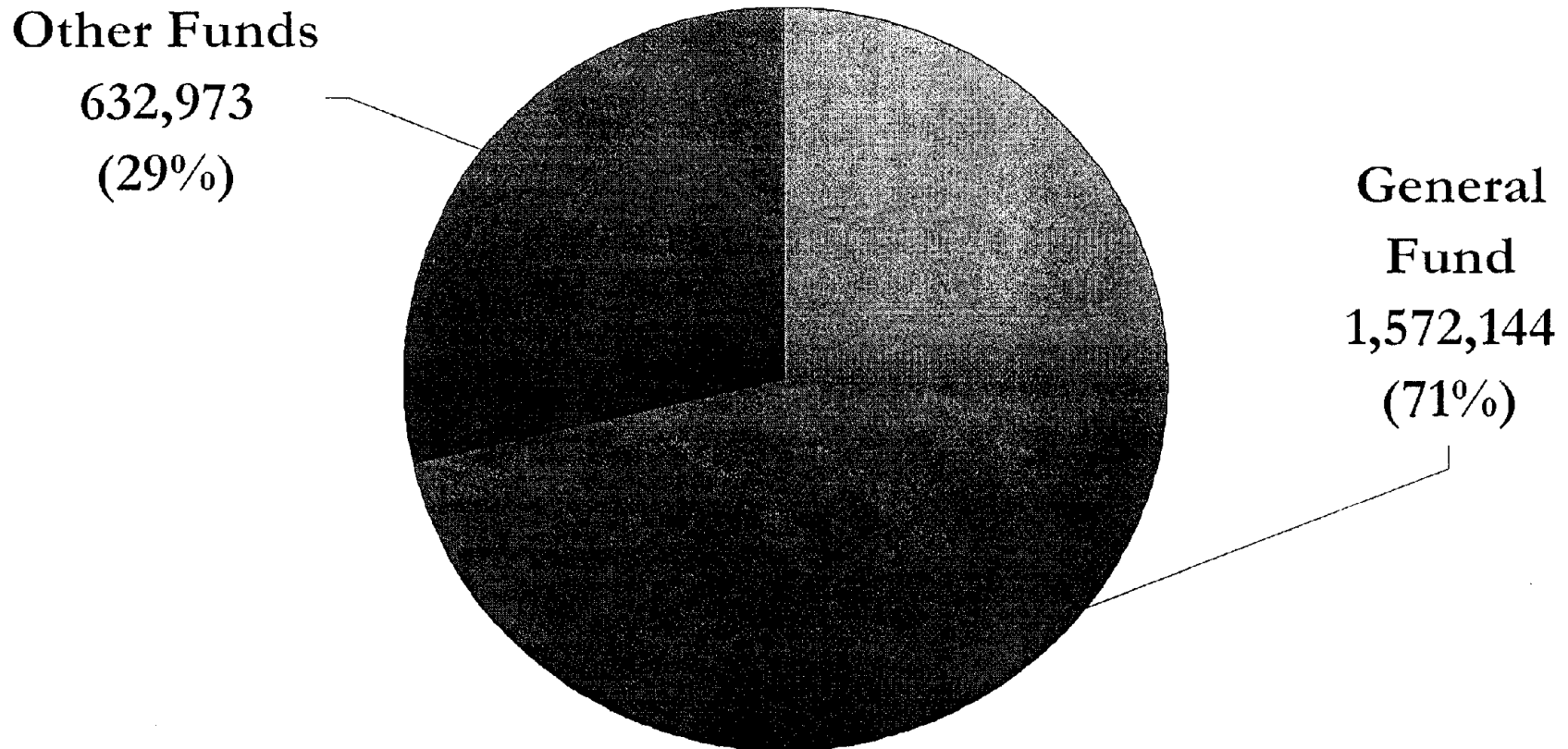
# 29 Frozen Positions (All Funds)

## Estimated Savings = \$ 2.1 million

DEPARTMENT	GENERAL FUND	OTHER FUNDS	TOTAL SAVINGS
City Manager	254,359	36,909	291,268
Finance	161,741		161,741
Dev Services	205,088	21,803	226,891
Human Resources	82,079	11,193	93,272
Police	447,283		447,283
Fire	147,414		147,414
Public Works	0	241,613	241,613
Library	181,178		181,178
Com Services	63,647		
Com Development	29,355	321,455	350,810
Total	1,572,144	632,973	2,205,117

# 29 Frozen Positions (All Funds)

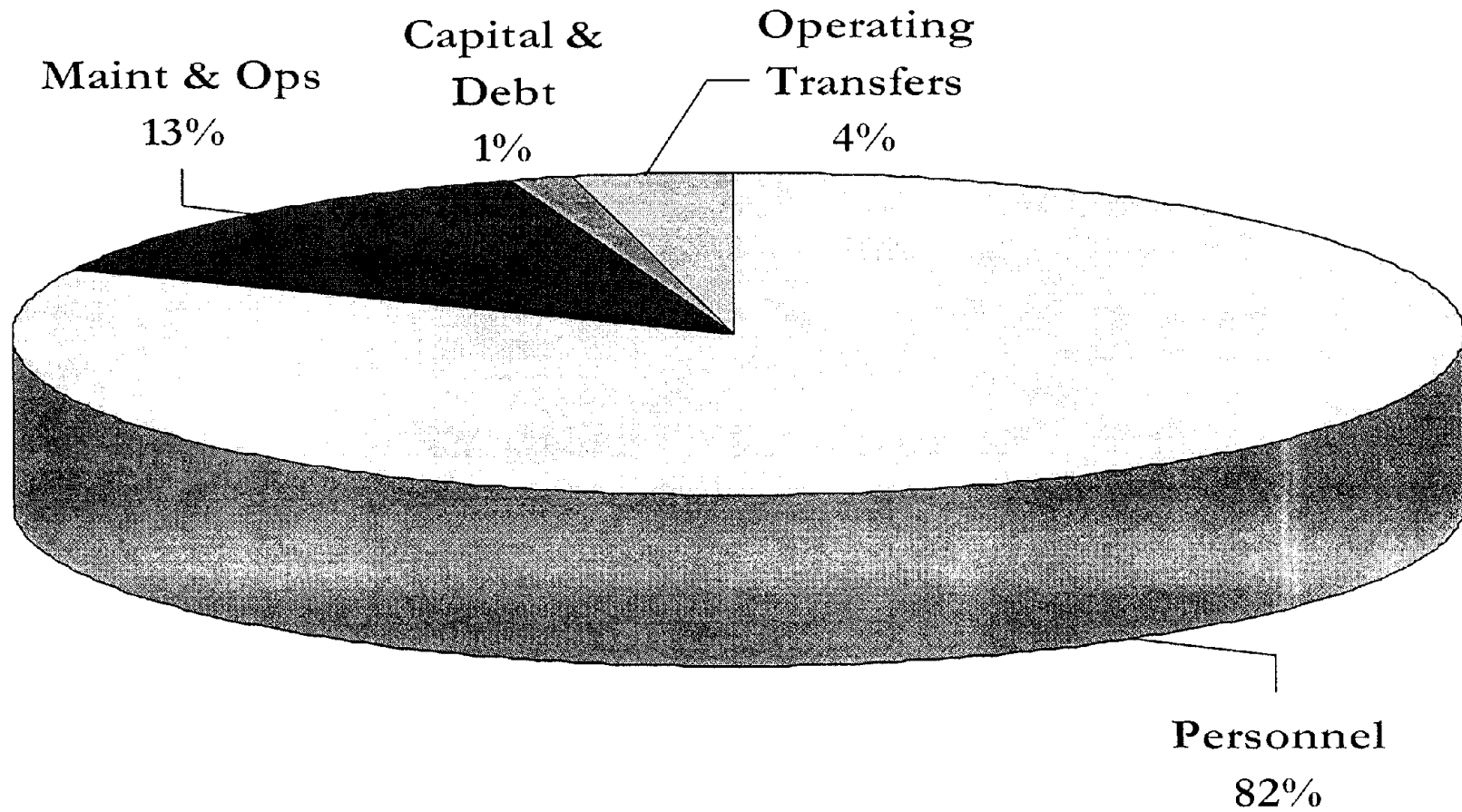
Estimated Savings = \$ 2.1 million



# General Fund Personnel Costs



# General Fund Operating Expenditures



# Next Steps

- Schedule additional budget meeting(s)
- Council direction on General Fund structural deficit