

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

May 4, 2010

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:11 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, Ladrado, Parra, Raulston, Smith, Williams.

Others present: City Treasurer Mitch Beauchamp.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Vince Reynolds, National City, announced funeral arrangements for his brother-in-law, Clifford Reid, former National City Assistant Police Chief.

Catherine Hill, Regional Public Affairs Manager for the San Diego Division of the League of California Cities, complimented the City, the Mayor, Josie Flores-Clark and the staff for the extraordinary Dinner event National City hosted on April 15th.

Robert Dominguez, National City Christian Center, thanked the City for proclaiming May 6, 2010 as "National Day of Prayer" in National Day.

Marissa Bejarano, President of Mana de San Diego, thanked the City and reported on the Dia de la Mujer event hosted by the City at the MLK Center on May 1st and requested the city consider partnering with Mana for next years event.

ACTION: Member Sotelo-Solis requested that staff add Mana de San Diego to the list of possible co-sponsored events for next year.

PROCLAMATIONS

PROCLAMATION ADMIN (102-2-1)

1. Proclaiming the month of May, 2010 as: **“NO TEXTING WHILE DRIVING MONTH”**

PROCLAMATION ADMIN (102-2-1)

2. Proclaiming May 6, 2010 as: **“NATIONAL DAY OF PRAYER”**

PRESENTATION

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

3. Rescheduled Employee of the Month of April 2010 – Rosie Machado, Executive Assistant. (Police Dept.)

Mayor Morrison announced that a Judge in Sacramento has ruled against Redevelopment Agencies in California and allowed the State to take local redevelopment funds to balance the State budget and as a consequence National City was forced to write a five million dollar check to the State of California.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item No. 5 (NCMC), Item Nos. 6 and 7 (Resolution Nos. 2010-85 and 2010-86), Item Nos. 8 and 9 (Warrant Registers), Item #10 (Report). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

4. **SUBJECT:** Approval of the Minutes of the Adjourned Regular City Council /Community Development Commission Meeting of January 30, 2010. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2010 (506-2-25)

5. 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.)

CONTRACT (C2009-34)

6. Resolution No. 2010-85. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY 1) ACCEPTING THE WORK PERFORMED BY G.A. DOMINGUEZ CONSTRUCTION WITH THE FINAL AMOUNT OF \$65,526.82, 2) AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR THE KIMBALL HOUSE BATHROOM AND WHEELCHAIR LIFT PROJECT AND, 3) AUTHORIZING RELEASE OF RETENTION IN THE AMOUNT OF \$6,552.67. (Funded through Tax Increment Funds) (Development Services/Engineering)

ACTION: Adopted. See above.

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

7. Resolution No. 2010-86. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE APPLICATION FOR NATURE EDUCATION FACILITY PROGRAM FUNDS FROM THE CALIFORNIA SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006, AUTHORIZING STAFF TO APPLY FOR A \$3.3 MILLION GRANT TO CONSTRUCT THE NATIONAL CITY AQUATIC AND EDUCATION CENTER. (Redevelopment Division)

ACTION: Adopted. See above.

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

8. Warrant Register #40 for the period of 03/31/10 through 04/06/10 in the amount of \$2,119,774.44. (Finance)

ACTION: Ratified. See above.

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

9. Warrant Register #41 for the period of 04/07/10 through 04/13/10 in the amount of \$787,665.33. (Finance)

ACTION: Ratified. See above.

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

10. City Investment Report for quarter ended March 31, 2010. (Finance)

ACTION: Filed. See above.

PUBLIC HEARINGS

TRANSPORTATION DEVELOPMENT PLANNING ADMIN (802-3-1)

11. 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 \$2,040 per new residential dwelling unit to \$2,081 per unit. (Development Services/Engineering) **Companion Item #15**

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

BLOCK GRANT PROGRAM ADMIN 2010 - 2011 (406-1-25)

CITY WIDE HOUSING ADMIN (303-4-1)

12. Public Hearing - 2010-2015 Five-Year Consolidated Plan and 2010-2011 Annual Action Plan for the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs that includes a reallocation of \$236,080 in unexpended CDBG funds. (Community Development, Housing and Grants) **Companion Item #16

RECOMMENDATION: Conduct the Public Hearing.

TESTIMONY: None.

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

ORDINANCES FOR INTRODUCTION

MUNICIPAL CODE 2010 (506-2-25)

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING SECTIONS 4.52.050 AND 4.52.140 OF CHAPTER 4.52, TITLE 4, OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO TRANSPORTATION DEVELOPMENT IMPACT FEES. (Development Services/Engineering)

MUNICIPAL CODE 2010 (506-2-25)

14. AN ORDINANCE AMENDING THE CITY OF NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 4.70 RELATING TO RECOVERING COSTS FOR THE DEPLOYMENT OF EMERGENCY SERVICES BY THE NATIONAL CITY FIRE DEPARTMENT. (Fire)

TESTIMONY: Chris Cate, representing the San Diego County Tax Payers Association spoke in opposition.

NON CONSENT RESOLUTIONS

TRANSPORTATION DEVELOPMENT PLANNING ADMIN (802-3-1)

15. Resolution No. 2010-87. A 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 \$2,040 PER NEW RESIDENTIAL DWELLING UNIT TO \$2,081 PER UNIT. (Fees deposited into Transportation Impact Fee Fund) (Development Services/Engineering) **Companion Item #11**
RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

BLOCK GRANT PROGRAM ADMIN 2010 - 2011 (406-1-25)

CITY WIDE HOUSING ADMIN (303-4-1)

16. Resolution No. 2010-88. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE REALLOCATION OF \$236,080 IN UNEXPENDED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS, AND AUTHORIZING THE SUBMISSION OF THE 2010-2015 FIVE-YEAR CONSOLIDATED PLAN AND THE 2010-2011 ANNUAL ACTION PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD). (Community Development, Housing and Grants) **Companion Item #12**
RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

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

17. Resolution No. 2010-89. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY IN SUPPORT OF CALIFORNIA SENATE BILL 1039 PROVIDING THAT IN IMPLEMENTING THE SAN DIEGO UNIFIED DISTRICT PORT MASTER PLAN, THE PORT CONSIDER THE INCLUSION OF COOPERATIVE INFRASTRUCTURE AND CAPITAL PROJECTS WHICH DIRECTLY ADDRESS MARITIME IMPACTS IN THE CITIES THAT HOST THOSE MARITIME ACTIVITIES CONSISTENT WITH THE PUBLIC TRUST DOCTRINE. (City Manager)

RECOMMENDATION: None.

TESTIMONY: None.

NON CONSENT RESOLUTIONS (cont.)

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

17. Resolution No. 2010-89 (continued).

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

NEW BUSINESS

TEMPORARY USE PERMITS 2010 (203-1-26)

18. TEMPORARY USE PERMIT - Renewal request from T-Shirt Mart to continue having the 15.2'x10' inflatable T-Shirt balloon at 1502 Highland Avenue to be display only on Fridays, Saturdays, and Sundays from May 7, 2010 to November 28, 2010 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 Van Deventer, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

TEMPORARY USE PERMITS 2010 (203-1-26)

19. TEMPORARY USE PERMIT - *Sons of Thunder* concert event sponsored by Southport Christian Center on July 24, 2010 at Kimball Park from 12:00 p.m. to 5:00 p.m. with no waiver of fees. Request use of City stage. (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 Van Deventer, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

TEMPORARY USE PERMITS 2010 (203-1-26)

20. TEMPORARY USE PERMIT - San Diego Tijuana Border Initiative's *Cinco de Mayo Con Orgullo Para la Familia*, May 8, 2010 from 11:00 a.m. to 4:00 p.m. at Kimball Park. This event is a National City co-sponsored event (Council Policy #804) and is eligible for a maximum fee reduction of \$1,500.00. Requests use of City stage. (Neighborhood Services)

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.

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2010 (203-1-26)

21. TEMPORARY USE PERMIT - National City & Eugene Amano Football Camp at El Toyon Field on May 15, 2010 from 9:00 a.m. to 2:00 p.m. sponsored by the City of National City Community Services Department and the Eugene Amano Foundation with a request for waiver of fees. (Neighborhood Services)

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

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2010 (203-1-26)

22. TEMPORARY USE PERMIT - Movies in the Park on June 11th, July 9th, August 13th and September 10th, 2010 at various locations from 6:00 p.m. to 9:00 p.m. This is a City-sponsored event. (Neighborhood Services)

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. Maker and seconded agreed to include, supporting efforts to locate out a community partner defray \$666 cost of the event. Carried by unanimous vote.

TEMPORARY USE PERMITS 2010 (203-1-26)

23. TEMPORARY USE PERMIT - Lions Club Annual Independence Day Carnival hosted by the City of National City and the Lions Club at Kimball Park from July 1, 2010 to July 5, 2010. This is a City-sponsored event eligible for a maximum fee reduction of \$1,500.00 per day. Requests use of City stage. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval including the waiver of fees in the amount of \$7,500.00, as was granted for last year's event and removal of the parade from the permit.

TESTIMONY: None.

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

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2010 (203-1-26)

24. TEMPORARY USE PERMIT - *National Night Out Against Crime* on August 3, 2010 from 5:30 p.m. to 8:00 p.m. at Las Palmas pool. This is a National City sponsored event per City Council Policy #804 hosted by the Community Services Department. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval including use of the City Stage.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2010 (203-1-26)

25. TEMPORARY USE PERMIT - Request from Granger Jr. High to use the City stage for the Granger Community Culture Fair on May 21, 2010 with request for 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 Van Deventer, seconded by Sotelo-Solis, to approve staff recommendation. Carried by unanimous vote. It was noted for the record that the event is now a City co-sponsored event. Two students from Granger thanked the City Council for support.

TEMPORARY USE PERMITS 2010 (203-1-26)

26. TEMPORARY USE PERMIT - Safe Summer Slam sponsored by Operation Samahan at 2841 Highland Avenue on May 22, 2010 from 11:00 a.m. to 3:00 p.m. The applicant is requesting a 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 Zarate, seconded by Van Deventer, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

BD OF PORT COMM NC PORT CIP (701-5-2)

27. Report – Project list created for Port of San Diego Ad Hoc Committee on Maritime Enhancement. (City Manager)

RECOMMENDATION: Accept and file.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Zarate, to accept and endorse the list for presentation to the Port. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 28 and 29 (Warrant Registers), Item No. 30 (Report). Motion by Van Deventer, seconded by Zarate, 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 \$750,664.86 to the City of National City for the period of 03/31/10 through 04/06/10. (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 \$71,830.46 to the City of National City for the period of 04/07/10 through 04/13/10. (Finance)

ACTION: Approved. See above.

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

30. Community Development Commission Investment Report for quarter ended March 31, 2010. (Finance)

ACTION: Filed. See above.

NON CONSENT RESOLUTION

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

31. Resolution No. 2010-90. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE PAYMENT TO THE COUNTY AUDITOR FOR THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY'S SHARE OF THE SUPPLEMENTAL EDUCATION REVENUE AUGMENTATION FUND TOTALING \$5,158,424 (Tax Increment Fund). (Finance)

RECOMMENDATION: Authorize staff to remit payment to the County Auditor and Controller on May 10, 2010 (final due date).

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Van Deventer, to adopt the Resolution with a change in the last sentence to add the following: "and unless the decision of the Superior Court is stayed pending appeal". Carried by unanimous vote.

STAFF REPORTS

FIRE DEPT ADMIN (305-1-1)

32. Report on weed abatement efforts. (Fire)

CLOSED SESSION REPORT (509-1-4)

33. City Council / CDC Attorney George Eiser stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

MAYOR AND CITY COUNCIL

Member Sotelo-Solis reported that she held another Walk in the Park on Saturday and stopped by the MANA event at MLK which was very well attended and successful. Ms. Sotelo-Solis explained the significance of the Cinco De Mayo holiday and encouraged participation in the Cinco de Mayo Con Orgullo event May 8th in Kimball Park.

Member Zarate requested Emergency Services Director Parra to report on events that took place at the Heartland meeting and announced upcoming community 'Bike at the Bay' event scheduled on August 29th.

Mayor Morrison reminded everyone about the Taste of National City event on May 6th.

ADJOURNMENT

The meeting was adjourned in memory of former Asst. Police Chief Clifford Reed.

Motion by Van Deventer, seconded by Zarate, to adjourn the meeting to the next Adjourned Regular City Council and Community Development Commission – Budget Workshop to be held Tuesday, May 11, 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, May 18, 2010 at 6:00 p.m. at the Council Chambers, National City, California.

The meeting closed at 7:26 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of May 18, 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, May 4, 2010 - 5:00 p.m.

ROLL CALL

CLOSED SESSION

1. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representative: Stacey Stevenson
Employee Organization: Confidential Group

ADJOURNMENT

Next Regular City Council / CDC Meeting – Tuesday, May 4, 2010 – 6:00 p.m. –
Council Chambers, Civic Center