

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

**June 22, 2010**

The Adjourned Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:06 p.m. by Vice Mayor / Vice Chairman Alejandra Sotelo-Solis.

**ROLL CALL**

Council / Commission members present: Morrison (6:20 pm), Sotelo-Solis, Van Deventer, Zarate.

Council / Commission member absent: None.

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

Others present: Student Representatives Michael Mendoza and Christina Dickey.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**PUBLIC ORAL COMMUNICATIONS**

Frank Lopez, National City, commended the Police Department and Officers Young, Faulkner and Shepperd for volunteering their time to mentor youth in conjunction with the South Bay Community Services.

Elliot Limbrick, Sweetwater Varsity Head Football Coach, appeared on behalf of a new semi-pro football team that would like to partner with the City to bring a better life to the community.

**PRESENTATIONS**

CDC Executive Director Brad Raulston announced winners of General Plan Survey Drawing: Mary Hilger, Jennifer Martinez, Stella Oviedo, Alejandro Garcia and Larry Guntz.

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

1. Employee of the Month of June 2010 – Carlos Aguirre, Community Development Specialist.

**PRESENTATIONS (cont.)**

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

2. AT&T Presentation.  
Christine Moore, representing AT&T, in partnership with the Lions Club, presented laptop computers to departing Student Representatives Michael Mendoza and Christina Dickey.

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

3. Introduction of new Student Council Representatives, Fred Wells and Samantha Galicia. (Mayor/Council)  
**ACTION:** Debbie Rosenbach, Sweetwater High School Representative, introduced the new Student Representatives.

Recognizing Christina Dickey and Michael Mendoza for their service as Student Council Representatives. (Mayor/Council)

**ACTION:** The Mayor and Council acknowledged the active participation of Christina Dickey and Michael Mendoza and wished them well as they move on to college.

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 4 (Minutes), Item No. 5 (NMC), Item Nos. 6 through 23 (Resolution Nos. 2010-122 through 2010-139), Item Nos. 24 and 25 (Warrant Registers), Item No. 26 (Report). Motion by Sotelo-Solis, seconded by Zarate, to pull Item No. 11 and approve the remainder of 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 March 9, 2010, and the Regular Meetings of May 18, 2010 and June 1, 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.)**

**PARKING & TRAFFIC CONTROL ADMIN 2010 (801-2-31)**

6. Resolution No. 2010-122. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF RED CURB "NO PARKING" AND TIME-RESTRICTED PARKING ON W. 26<sup>TH</sup> STREET, W. 28<sup>TH</sup> STREET AND SOUTHPORT WAY, ADJACENT TO SOUTHPORT INDUSTRIAL PARK / COMMERCIAL CENTER. (TSC Item No. 2010-8) (Development Services/ Engineering)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2010 (801-2-31)**

7. Resolution No. 2010-123. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF ONE WHITE CURB 3-MINUTE PASSENGER LOADING SPACE WITH SIGN IN FRONT OF THE ENTRANCE TO MARIPOSA WALK ON E. 7<sup>TH</sup> STREET, EAST OF R AVENUE FOR MAIL CARRIER PARKING AND PASSENGER LOADING OF RESIDENTS AND GUESTS. (TSC Item No. 2010-9) (Development Services /Engineering)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2010 (801-2-31)**

8. Resolution No. 2010-124. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE RESTRIPIING OF THE EXISTING HANDICAP PARKING AREA IN FRONT OF THE CIVIC CENTER BUILDING LOCATED AT 1243 NATIONAL CITY BOULEVARD TO PROVIDE STANDARD 9-FOOT WIDE PARKING STALLS AND A 5-FOOT WIDE ACCESS AISLE ADJACENT TO THE CURB TO IMPROVE ACCESS FOR DISABLED PASSENGERS AND DRIVERS, WHILE PROVIDING A BUFFER FROM TRAFFIC. (TSC Item No. 2010-10) (Development Services/Engineering)

**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2010 (801-2-31)**

9. Resolution No. 2010-125. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF 60 FEET OF CURB "NO PARKING" TO IMPROVE SIGHT DISTANCE AT THE PINWOOD APARTMENTS DRIVEWAY, LOCATED AT 1104 PALM AVENUE. (TSC Item No. 2010-11) (Development Services/Engineering)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

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

10. Resolution No. 2010-126. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING THE RECORDATION OF AN ENCROACHMENT AGREEMENT WITH THE NATIONAL CITY ROTARY CLUB FOR THE INSTALLATION OF FLAGS, POLES AND MOUNTS WITHIN THE CITY RESERVED RIGHT-OF-WAY OF NATIONAL CITY BOULEVARD FROM 14<sup>TH</sup> STREET TO 33<sup>RD</sup> STREET. (Development Services/Engineering)

**ACTION:** Adopted. See above.

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

11. Resolution No. 2010-127. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING THE RECORDATION OF AN ENCROACHMENT AGREEMENT WITH THE CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY FOR THE INSTALLATION OF TWO GROUNDWATER MONITORING WELLS AT WEST 8<sup>TH</sup> STREET AND ALLEY WAY BETWEEN HOOVER AVENUE AND ROOSEVELT AVENUE. (Development Services/Engineering)

**ACTION:** Pulled from the Consent Calendar. No action taken.

**CONTRACT (C2009-58)**

12. Resolution No. 2010-128. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ACCEPTING AND APPROVING THE WORK PERFORMED BY KOCH-ARMSTRONG GENERAL ENGINEERING, INC. FOR THE FINAL CONTRACT AMOUNT OF \$1,912,985.68, 2) FILING OF THE NOTICE OF COMPLETION WITH THE COUNTY RECORDER, AND 3) RELEASING THE RETENTION AMOUNT OF \$99,810.40 FOR THE NATIONAL CITY STREET RESURFACING PROJECT, FY 09-10. (Funded through Gas Tax, Traffic Congestion Relief, Proposition A Funds, County and CIWMB Grants) (Development Services/Engineering)

**ACTION:** Adopted. See above.

**CONTRACT (C2004-51)**

13. Resolution No. 2010-129. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND D-MAX ENGINEERING, INC. FOR THE NOT-TO-EXCEED AMOUNT OF \$250,000 TO PROVIDE THE CITY WITH ENGINEERING AND ENVIRONMENTAL SERVICES AND ASSIST IMPLEMENTING NATIONAL POLLUTANTS DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS. (Funding will be through Sewer Service Funds) (Development Services/Engineering)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**ELECTION NOV 2010 ADMIN (505-22-1)**

14. Resolution No. 2010-130. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES. (City Clerk)

**ACTION:** Adopted. See above.

**ELECTION NOV 2010 ADMIN (505-22-1)**

15. Resolution No. 2010-131. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE. (City Clerk)

**ACTION:** Adopted. See above.

**ELECTION NOV 2010 ADMIN (505-22-1)**

16. Resolution No. 2010-132. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT THE ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010. (City Clerk)

**ACTION:** Adopted. See above.

**EMERGENCY / DISASTER PLANNING ADMIN (301-1-1)**

17. Resolution No. 2010-133. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RESCINDING THE FORMER EMERGENCY OPERATIONS PLAN ADOPTED BY RESOLUTION 98-50, ADOPTING THE CITY OF NATIONAL CITY EMERGENCY OPERATIONS PLAN, AND APPROVING SUBMITTAL OF THE NATIONAL CITY EMERGENCY OPERATIONS PLAN TO THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY. (Fire)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2010-2011 (204-1-26)**

18. Resolution No. 2010-134. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-2011. (Finance)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2010-31)**

19. Resolution No. 2010-135. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ASSI SECURITY INC. IN THE NOT TO EXCEED AMOUNT OF \$175,000 TO UPGRADE/EXPAND THE CARD ACCESS/ALARM SECURITY SYSTEM AT CITY OF NATIONAL CITY FACILITIES. (City Manager)

**ACTION:** Adopted. See above.

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

**CONTRACT (C2010-32)**

20. Resolution No. 2010-136. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT OF EXCHANGE OF REAL PROPERTY BETWEEN THE CITY OF NATIONAL CITY AND RICHARD ILLES FOR PROPERTIES LOCATED AT 522 WEST 8TH STREET AND 2020 HOOVER AVENUE. (Redevelopment Division)

**ACTION:** Adopted. See above.

Note: City Attorney George Eiser reviewed the main deal points for the proposed property exchange and recommended that approval of the Resolution be subject to any further conditions to the agreement approved by the City Attorney. The recommendation was included in the approval of the Consent Calendar.

**LABOR RELATIONS PERSONNEL (605-1-1)**

21. Resolution No. 2010-137. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO BECOME SUBJECT TO THE PROVISIONS OF SECTION 20903, PURCHASE OF TWO ADDITIONAL SERVICE YEARS FOR MISCELLANEOUS AND SAFETY EMPLOYEES. (Human Resources)

**ACTION:** Adopted. See above.

**STATEMENT OF ECONOMIC INTERESTS ADMIN (503-10-1)**

22. Resolution No. 2010-138. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING AN AMENDED CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST CODE, AND RESCINDING RESOLUTION NO. 2009-224. (City Attorney)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

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

23. Resolution No. 2010-139. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING ISSUANCE OF A WRITTEN REPORT PERTAINING TO A MORATORIUM ORDINANCE PROHIBITING ESTABLISHMENTS DISPENSING MARIJUANA FOR MEDICAL PURPOSES. (City Attorney)  
**ACTION:** Adopted. See above.

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

24. Warrant Register #46 for the period of 05/12/10 through 05/18/10 in the amount of \$1,822,975.97. (Finance)  
**ACTION:** Ratified. See above.

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

25. Warrant Register #47 for the period of 05/19/10 through 05/25/10 in the amount of \$1,415,646.26. (Finance)  
**ACTION:** Ratified. See above.

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

26. National City Sales Tax Update – Fourth Quarter 2009. (Finance)  
**ACTION:** Accepted and filed. See above.

**PUBLIC HEARINGS**

**COMMUNITY DEVELOPMENT LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)**

27. Public Hearing – Confirming the assessment and ordering the levy for the Landscape Maintenance No. 1 (Mile of Cars) for fiscal year 2010-2011. (Community Development) \*\*Companion Item # 32\*\*

**RECOMMENDATION:** Hold the Public Hearing.

**TESTIMONY:** None.

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

**PUBLIC HEARINGS (cont.)**

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

28. Public Hearing – To consider amending Title 18 of the Municipal Code by amending Chapters 18.10 (Zones and Zoning Map), Title 18.14 (Residential zones), 18.16 (Commercial Zones), 18.50 (Fences, Walls, and Hedges), 18.58 (Off-Street Parking and Loading), 18.62 (Signs, and Outdoor Advertising Displays), 18.88 (Mobile Homes), 18.104 (Use Groups), and 18.140 (Mixed Uses) to provide standards for the Westside Specific Plan Area. (Applicant: City) (Case File No. 2007-34 GPA, ZC, SPA, EIR). (Development Services/Planning) **\*\*Companion Item #29\*\***

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends amending Title 18 of the Municipal Code and amending the Combined General Plan/Zoning Map.

**TESTIMONY:** None.

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

**ORDINANCE FOR INTRODUCTION**

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

29. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 18 OF THE MUNICIPAL CODE BY AMENDING CHAPTERS 18.10 (ZONES AND ZONING MAP), TITLE 18.14 (RESIDENTIAL ZONES), 18.16 (COMMERCIAL ZONES), 18.50 (FENCES, WALLS, AND HEDGES), 18.58 (OFF-STREET PARKING AND LOADING), 18.62 (SIGNS, AND OUTDOOR ADVERTISING DISPLAYS), 18.88 (MOBILE HOMES), 18.104 (USE GROUPS), AND 18.140 (MIXED USES) TO PROVIDE STANDARDS FOR THE WESTSIDE SPECIFIC PLAN AREA. (Applicant: City of National City) (Case File No. 2007-34 GPA, AZ, SPA, EIR) (Development Services/Planning) **\*\*Companion Item #28\*\***

**ACTION:** The Ordinance was introduced by title.



**ORDINANCE FOR ADOPTION**

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

30. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 7 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 7.34 PERTAINING TO SHOPPING CART CONTAINMENT. (Continued from Council Meeting of 04-20-10) (City Attorney)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

**ACTION:** Motion by Van Deventer, seconded by Sotelo-Solis, to adopt the Ordinance and review it in six months. Carried by unanimous vote.

**NON CONSENT RESOLUTIONS**

**FINANCIAL MANAGEMENT 2010-2011 (204-1-26)**

31. Resolution No. 2010-140. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY COUNCIL AUTHORIZING A \$1,500,000 LOAN OF SEWER FUND UNDESIGNATED FUND BALANCE TO BE REPAID WITH THE TAX INCREMENT FUND AND TRANSNET FUND OVER FIVE FISCAL YEARS AT AN INTEREST RATE OF 0.75% THAT IS SECURED BY GENERAL FUND TO PROVIDE ADDITIONAL FUNDING FOR THE STREET RESURFACING IMPROVEMENTS PROGRAM. (Development Services/Engineering) \*\*Companion Item #43\*\*

**RECOMMENDATION:** Adopt the Resolution authorizing the Inter Fund Loan Program.

**TESTIMONY:** None.

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

**COMMUNITY DEVELOPMENT LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)**

32. Resolution No. 2010-141. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY CONFIRMING THE ASSESSMENT AND ORDERING THE LEVY FOR THE LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) FOR FISCAL YEAR 2010-2011. (Redevelopment Division) \*\*Companion Item #27\*\*

**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.)**

**CONTRACT (C2010-33)**

33. Resolution No. 2010-142. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE NATIONAL CITY FIRST-TIME HOMEBUYER ASSISTANCE PROGRAM MANUAL, AND AUTHORIZING THE MAYOR TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND COMMUNITY HOUSINGWORKS REALTY AND LENDING INCORPORATED TO ADMINISTER THE FIRST-TIME HOMEBUYER ASSISTANCE PROGRAM. (Community Development Dept., Housing and Grants Division)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**STUDY CITY FEE SCHEDULE (106-3-2)**

34. Resolution No. 2010-143. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, REINSTATING THE 2008 DEVELOPMENT SERVICES GROUP FEES, WITH ADJUSTMENTS TO CERTAIN FEES. (Development Services)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Van Deventer, to adopt the Resolution. The maker and second agreed to modify the motion, to include a review in six months. Carried by unanimous vote.

**BUDGET FY 2010-2011 (206-1-26)**

35. Resolution No. 2010-144. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011. (Finance)

**RECOMMENDATION:** Adopt the Final Budget for Fiscal Year 2010-2011.

**TESTIMONY:** None.

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

**NEW BUSINESS**

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

36. Notice of Decision – Planning Commission approval of a modification to a Conditional Use Permit to extend hours of operation for the sale of alcohol, karaoke, and live entertainment at an existing restaurant located at 1615 Sweetwater Road. (Applicant: Dr. Benjamin Camacho) (Case File No. 2010-01 MCUP) (APN 563-161-65) (Development Services/Planning)

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** Frank Lopez, National City, spoke in opposition.

Ditas Yamane appeared on behalf of the applicant, spoke in support and responded to questions.

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

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

37. Notice of Decision – Planning Commission approval of a Conditional Use Permit for off-sale alcohol at a proposed grocery store at 3007 Highland Avenue. (Applicant: Bodiga Latina Corp. dba El Super) (Case File No. 2010-08 CUP) (Development Services/Planning)

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** Frank Lopez, National City, spoke in opposition.

Michael Cho, representing the applicant, spoke in support and requested modification and clarification of some of the conditions of approval.

**ACTION:** Motion by Van Deventer, seconded by Sotelo-Solis, to set for a hearing. Motion withdrawn. Motion by Van Deventer, seconded by Sotelo-Solis, to file. Carried by unanimous vote.

**COMMUNITY DEVELOPMENT COMMISSION**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item Nos. 38 and 39 (Warrant Registers), Item Nos. 40 and 41 (Resolution No. 2010-145 and 2010-146). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

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

38. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$230,192.54 to the City of National City for the period of 05/12/10 through 05/18/10. (Finance)

**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

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

39. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$18,739.08 to the City of National City for the period of 05/19/10 through 05/25/10. (Finance)

**ACTION:** Approved. See above.

**CONTRACT (C2009-63)**

40. Resolution No. 2010-145. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY TO RATIFY THE NOTICE OF COMPLETION FOR THE CONTRACT WITH CGP MAINTENANCE & CONSTRUCTION, INC. FOR THE REPLACEMENT OF THE WALK-IN FREEZER AND OTHER ANCILLARY REPAIRS AT THE NATIONAL CITY SENIOR NUTRITION CENTER AND TO AUTHORIZE THE RELEASE OF \$6,266.42 IN FINAL RETENTION FUNDS FROM A TOTAL CONTRACT VALUE OF \$62,664.24. (Community Development Department)

**ACTION:** Adopted. See above.

**BUDGET FY 2010-2011 (206-1-26)**

41. Resolution No. 2010-146. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY ADOPTING THE MORGAN TOWER AND KIMBALL TOWER BUDGETS FOR FISCAL YEAR 2010-2011. (Community Development)

**ACTION:** Adopted. See above.

**NON CONSENT RESOLUTIONS**

**BUDGET FY 2010-2011 (206-1-26)**

42. Resolution No. 2010-147. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY ADOPTING A BUDGET FOR FISCAL YEAR 2010-2011. (Finance)

**RECOMMENDATION:** Adopt the final budget for FY 2010-2011 for the Community Development Commission of the City of National City.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS (cont.)**

**FINANCIAL MANAGEMENT 2010-2011 (204-1-26)**

43. Resolution No. 2010-148. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE EXPENDITURE OF \$771,250 IN TAX INCREMENT FUNDS FOR THE 2010-2011 STREET RESURFACING PROGRAM. (Development Services/Engineering) \*\*Companion Item #31\*\*

**RECOMMENDATION:** Modify the resolution to reflect the time period of Fiscal Year 2010 to 2013 and adopt the Resolution.

**TESTIMONY:** None.

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

**STAFF REPORTS**

**COMMUNITY SERVICES DEPT ADMIN (1104-1-7)**

44. Update on soccer related events. (Community Services)  
Rudy Lopez, Neighborhood Council Coordinator, updated the Council on recently approved facility use permits for El Toyon Park. On July 2<sup>nd</sup> and 3<sup>rd</sup> the Southern California Soccer Association will hold team tryouts open to all National City youth and on July 13<sup>th</sup> a player from the Soccer Club America will be available to meet and speak with players and adult coaches.

**GENERAL PLAN UPDATE 2009-2013 (405-8-6)**

45. General Plan Update.  
CDC Executive Director Brad Raulston, introduced the fifth and culminating working council meeting on the General Plan Update. All nine elements of the General Plan have been covered. There will be future steps and opportunities for the public to participate. A PowerPoint presentation was given by the city's General Plan consultants. (Copy on file in the Office of the City Clerk)

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

46. City Council / CDC Attorney George Eiser stated that the 5:00 p.m. Closed Session was recessed until after the conclusion of the Regular Council meeting when a report would be given.

**MAYOR AND CITY COUNCIL**

Member Sotelo-Solis thanked staff for all their work, stressed the importance of public input in upcoming decisions and asked staff to look into San Diego's organized outdoor fitness program.

**MAYOR AND CITY COUNCIL (cont.)**

Member Van Deventer asked staff to look into motor homes parking on Hoover Avenue and inquired when he could get a report on the former Lamb's Players property.

Member Zarate informed everyone of the Bicycle Master Plan event on June 26<sup>th</sup>.

Mayor Morrison reminded everyone about the July 4<sup>th</sup> event at Kimball Park from July 1st through July 5<sup>th</sup> and announced that he was chosen President Elect of the National Congress of Governments and would serve as President in 2011.

A recess was called at 9:25 p.m.

The meeting reconvened at 9:26 p.m. All members were present.

**CLOSED SESSION**

Motion by Sotelo-Solis, seconded by Zarate, to go into Closed Session. Carried by unanimous vote. (See attached Exhibit 'L')

Members retired into Closed Session at 9:26 p.m.

At the conclusion of the Closed Session, City Attorney George Eiser gave the following report:

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

46. City Council / CDC Attorney George Eiser stated the following is the report from the Closed Session. (See attached Exhibit 'L')

**Item No. 1**

The City Council approved the purchase of two years of retirement service credit for City Attorney George Eiser.

City Attorney George Eiser will retire effective June 30, 2010. His last day as City Attorney will be June 29, 2010.

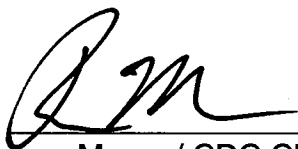
**Item No. 2**

The City Council made the decision to appoint Senior Assistant City Attorney Claudia Silva as Acting City Attorney, effective July 1, 2010.

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

  
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City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of July 20, 2010.

  
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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, June 22, 2010 - 5:00 p.m.**

**ROLL CALL**

**CLOSED SESSION**

1. Public Employee Performance Evaluation – Government Code Section 54957  
Title: City Attorney
2. Public Employment – Government Code Section 54957  
Title: City Attorney

**ADJOURNMENT**

Next Regular City Council/CDC Meeting - Tuesday, June 22, 2010, 6:00 p.m., Council Chambers, Civic Center