

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

July 6, 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, Hodges, Ladrado, Parra, Rodriguez, Silva, Smith, Stevenson, Williams, Zapata.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Leah Munoz, Miss National City Pageant introduced new Miss National City for 2010, Miss Lexes Zuniga and Princesses Maria Jimenez and Victoria Guerra.

Mona Rios, National City, expressed concerns about potential impacts of reduced service hours at the National City Library.

Bert Andrade, National City, recounted his Korean War experiences.

Alvaro Chavez, National City, expressed concerns about barricades that are in place at the end of Stockman Street and his belief that they need to be removed.

CITY COUNCIL

Mayor Morrison reported on Senate Bill 1039 and the resulting agreement between the Port District and State Senator Ducheny and what it means for the City. Mayor Morrison also praised the staff and the Host Lions Club for a fantastic job with the July 4th Carnival in Kimball Park.

OFF AGENDA ITEM

SUBJECT: Mayor Morrison introduced two related items that need to be added to the Agenda – a Public Hearing and a Resolution.

ACTION: Motion by Van Deventer, seconded by Sotelo-Solis, to bring the items onto the Agenda as Item No. 15a and Item No. 15b. Carried by unanimous vote.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 1 (Minutes), Item No. 2 (NCCMC), Item Nos. 3 through 11 (Resolution Nos. 2010-149 through 2010-157), Item Nos. 12 and 13 (Warrant Registers). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

1. **SUBJECT:** Approval of the Minutes of the Adjourned Regular City Council/Community Development Commission Meeting of June 22, 2010. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2010 (506-2-25)

2. 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.

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

3. Resolution No. 2010-149. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF BLUE CURB HANDICAP PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE AT 1112 E. 2ND STREET. (TSC Item No. 2010-12) (Development Services/Engineering)

ACTION: Adopted. See above.

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

4. Resolution No. 2010-150. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF BLUE CURB HANDICAP PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE AT 1023 D AVENUE. (TSC Item No. 2010-13) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

5. Resolution No. 2010-151. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF 30 FEET OF RED CURB "NO PARKING" TO IMPROVE SIGHT DISTANCE AT THE VALERIO'S CITY BAKERY DRIVEWAY, LOCATED AT 1631 E. 8TH STREET. (TSC Item No. 2010-14) (Development Services/Engineering)

ACTION: Adopted. See above.

DEED (D2010-1)

6. Resolution No. 2010-152. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING CONVEYANCE OF REAL PROPERTY FROM EDWIN B. AND MARION F. KORTE, AUTHORIZING THE RECORDATION OF A STREET EASEMENT FOR A PARCEL OF LAND FOR STREET PURPOSES ON THE WESTERLY END OF LOT 373 OF MAP 1748 LINCOLN ACRES ANNEX NO. 2 AND DEDICATING AND NAMING THE PARCEL OF LAND AS HARBISON AVENUE. (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2010-34)

7. Resolution No. 2010-153. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT NOT TO EXCEED \$50,000 BETWEEN THE CITY OF NATIONAL CITY AND MEYERS NAVE PROFESSIONAL LAW CORPORATION FOR LEGAL SERVICES IN THE SPECIALIZED AREA OF LABOR LAW. (Human Resources)

ACTION: Adopted. See above.

GRANT / COMMUNITY DEVELOPMENT (206-4-25)

CONTRACT (C2010-35)

8. Resolution No. 2010-154. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SUB-GRANT AGREEMENT IN AN AMOUNT NOT TO EXCEED \$200,000 BETWEEN THE CITY OF NATIONAL CITY AND THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY FOR REMEDIATION OF HAZARDOUS MATERIALS AND PETROLEUM ON THE CDC-OWNED PROPERTY LOCATED AT 835 BAY MARINA DRIVE. (Funding from US Environmental Protection Agency) (Redevelopment Division) **Companion Item #21**

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

**GRANT / COMMUNITY SERVICES (206-4-26)
CONTRACT (C2010-36)**

9. Resolution No. 2010-155. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE \$15,000 GRANT FROM THE SAN DIEGO UNIFIED PORT DISTRICT FOR THE FREE, ANNUAL BAYFRONT CONCERT, AND AUTHORIZING STAFF TO PROCEED WITH PLANNING THE EVENT TO BE HELD AT PEPPER PARK ON SEPTEMBER 18, 2010 FROM APPROXIMATELY 2 PM – 6 PM. (exact time to be determined). (Community Services)

ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

10. Resolution No. 2010-156. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION TOWARD THE PURCHASE OF CRIME ANALYSIS SOFTWARE, RECORDS SCANNING HARDWARE AND SOFTWARE AND RELATED CRIME MAPPING, PLOTTING AND REPORTING HARDWARE AND SOFTWARE UTILIZING \$52,065.00 FROM THE 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM. (Police)

ACTION: Adopted. See above.

CONTRACT (C2010-37)

11. Resolution No. 2010-157. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GOVPARTNER.COM INC. IN THE AMOUNT OF \$340,000, WHICH INCLUDES SYSTEM IMPLEMENTATION COST (\$120,000), PLUS ANNUAL HOSTING FEE (\$44,000/YR.) FOR FIVE YEARS TO IMPLEMENT AN INTEGRATED CUSTOMER SERVICE INFORMATION SYSTEM TO FACILITATE LAND USE, ZONING MANAGEMENT, PERMIT TRACKING, CODE ENFORCEMENT, BUSINESS AND PET LICENSING, CITIZEN REQUEST AND WORK ORDER MANAGEMENT. (Information Technology/City Manager)

ACTION: Adopted. See above.

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

12. Warrant Register #48 for the period of 05/26/10 through 06/01/10 in the amount of \$2,454,661.65. (Finance)

ACTION: Ratified. See above.

CONSENT CALENDAR (cont.)

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

13. Warrant Register #49 for the period of 06/02/10 through 06/08/10 in the amount of \$587,461.99. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARING

MUNICIPAL CODE 2010 (506-2-25)

14. Public Hearing to consider the 12 month extension of an Interim Ordinance adopted pursuant to Government Code Section 65858 as an Urgency Measure enacting a moratorium prohibiting establishments dispensing marijuana for medical purposes in National City. (City Attorney) **Companion Item #15**
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.

INTERIM ORDINANCE FOR ADOPTION

MUNICIPAL CODE 2010 (506-2-25)

15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858 AS AN URGENCY MEASURE EXTENDING FOR 12 MONTHS A MORATORIUM PROHIBITING ESTABLISHMENTS DISPENDING MARIJUANA FOR MEDICAL PURPOSES IN NATIONAL CITY. (City Attorney) **Companion Item #14**
RECOMMENDATION: Adopt the Ordinance.
TESTIMONY: None.
ACTION: Motion by Van Deventer, seconded by Sotelo-Solis, adopt the Ordinance. Carried by unanimous vote.

PUBLIC HEARING

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

- 15a. Public Hearing to consider adoption of the 2010 Regional Transportation Improvement Plan of Projects (RTIP) for National City for Fiscal Years 2011 through 2015. (Engineering)
RECOMMENDATION: Conduct the Public Hearing.
TESTIMONY: None.
ACTION: Motion by Van Deventer, seconded by Zarate, to close the Public Hearing. Carried by unanimous vote.

ADDED ITEM

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

- 15b. Resolution No. 2010-158. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING SANDAG'S REQUIRED 2010 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM OF PROJECTS (RTIP) UPDATE FOR NATIONAL CITY FOR FISCAL YEAR 2011 THROUGH 2015. (Engineering)

ACTION: Motion by Zarate, seconded by Sotelo-Solis, to adopt the Resolution with a correction to be made on one of the fees. Carried by unanimous vote.

NEW BUSINESS

CONDITIONAL USE PERMITS 2010 (403-25-1)

16. Notice of Decision – Planning Commission approval of a Conditional Use Permit to operate a dance studio located at 3142 East Plaza Blvd., Suite A. (Applicant: Carla Perez) (Case File 2010-12 CUP) (Development Services/Planning)

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

TESTIMONY: None.

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

CONDITIONAL USE PERMITS 2010 (403-25-1)

17. Notice of Decision – Planning Commission approval of a Conditional Use Permit to operate a fiberglass manufacturing business at 1921 Cleveland Avenue. (Applicant: Jose Flores) (Case File 2010-10 CUP) (Development Services/Planning)

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

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)

18. Temporary Use Permit – Baptism and BBQ sponsored by Cornerstone Church of San Diego at Las Palmas Park on July 31, 2010 from 12 p.m. to 7 p.m. with no waiver of fees. A Facilities Use Permit is required for the use of the municipal pool. (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.

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2010 (203-1-26)

18. Temporary Use Permit (continued).

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. 19 and 20 (Warrant Registers), Item No. 21 (Resolution No. 2010-158). 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)

19. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$782,108.36 to the City of National City for the period of 05/26/10 through 06/01/10. (Finance)

ACTION: Approved. See above.

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

20. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$352,958.30 to the City of National City for the period of 06/02/10 through 06/08/10. (Finance)

ACTION: Approved. See above.

GRANT / COMMUNITY DEVELOPMENT (206-4-25)

CONTRACT (C2010-35)

21. Resolution No. 2010-159. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY ACCEPTING A GRANT AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SUB-GRANT AGREEMENT NOT TO EXCEED \$200,000 FROM THE CITY OF NATIONAL CITY FOR THE REMEDIATION OF HAZARDOUS MATERIALS AND PETROLEUM ON PROPERTY AT 835 BAY MARINA DRIVE. (Funding from US Environmental Protection Agency). (Redevelopment Division)

Companion Item #8

ACTION: Adopted. See above.

CLOSED SESSION REPORT (509-1-4)

22. Closed Session Report

Acting City Council / CDC Attorney Claudia Silva stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

STAFF REPORTS

Human Resources Director Stacey Stevenson provided an update on the Employee Voluntary Separation Program. She reported that, to date, 22 employees have submitted paperwork; 16 for retirement with purchase of two years retirement credit and 6 for resignation with the cash-out option. There are 10 applications from MEA employees, 5 from Police, 5 from Fire, one from the Confidential group and one Management employee. The deadline for submitting applications in July 28, 2010.

Finance Director Jeanette Ladrado provided an update on the posting and publishing of the recently adopted budget. The posting of the budget on the City's web site was accomplished according to law and the final budget documents will be printed and available by the end of the month.

Assistant City Manager Leslie Deese reported on the status of service level reductions contemplated in the 2010 budget for the Library and Community Services Departments. After Board, Commission and community input, staff will bring proposed service reductions and staff analysis back to the City Council for consideration along with proposed time lines.

MAYOR AND CITY COUNCIL

Member Sotelo-Solis expressed thanks to city staff and the public for their participation in July 4th activities and encouraged people to volunteer for the West Side Clean Up on July 31st.

Member Van Deventer said he was still looking for report on the 'A' Avenue Condo Project and inquired about the system to empty trash bins on National City Blvd. and Highland Avenue.

Member Zarate requested a status updates on the old gas station site at 8th and Palm Avenue and the condos on 'L' Avenue across from CVS Pharmacy.

Mayor Morrison gave an update on the extension of the City's agreement with the Regional Solid Waste Authority and how the City will benefit.

ADJOURNMENT

Motion by Sotelo-Solis, seconded by Van Deventer, to adjourn the meeting to the next Regular City Council and Community Development Commission Meeting to be held Tuesday, July 20, 2010 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 7:19 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of July 20, 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, July 6, 2010 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)
2. Public Employment – Government Code Section 54957
Title: Acting City Attorney

ADJOURNMENT

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