

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

October 5, 2010

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:03 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

Administrative Officials present: Babaki, Clemente, Deese, Duong, Hodges, Ladrido, Parra, Raulston, Rodriguez, Silva, Smith, Stevenson, Williams, Zapata.

Others present: Student Representatives Fred Wells and Samantha Galicia.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Natalie Roberts, representing I Love A Clean San Diego, report on the September 25, 2010 Coastal Clean Up and the Neighborhood Clean Watch scheduled on November 20, 2010 at Kimball School from 8:00 a.m. – 1:00 p.m.

Robert Dominguez, National City Christian Center, extended an invitation to a Meet and Greet Event for All Candidates on October 17th and a Modified Debate for Mayoral Candidates on October 26, 2010.

PRESENTATION

COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)

1. Presentation – Interstate 805 South Project – Joel Haven, Corridor Director – Caltrans. (Copy on file in the Office of the City Clerk)

PROCLAMATION

PROCLAMATION ADMIN (102-2-1)

- 1a. Proclamation: "Dictionary Project Week"

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 2 (Minutes), Item No. 3 (NCMC), Item Nos. 4 through 15 (Resolution Nos. 2010-221 through 2010-232), Item Nos. 16 and 17 (Warrant Registers). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

2. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meetings of July 20, 2010 and September 21, 2010. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2010 (506-2-25)

3. 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.

CONTRACT (C2009-103)

4. Resolution No. 2010-221. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK PERFORMED BY INDUSTRIAL COATING AND RESTORATION SERVICES, INC. WITH THE FINAL AMOUNT OF \$80,883.75, AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR THE NATIONAL CITY POLICE DEPARTMENT WATERPROOFING AND STAIRCASE REPAIR PROJECT, AND AUTHORIZING THE RELEASE OF THE RETENTION IN THE AMOUNT OF \$7,728.38. (Funded through General Funds) (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2001-42)

5. Resolution No. 2010-222. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT TO AN EXISTING COOPERATIVE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND CITY OF NATIONAL CITY FOR THE PORTION OF THE PLAZA BOULEVARD WIDENING IMPROVEMENTS AT I-805 UNDERPASS AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT. (Engineering Division)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-78)

6. Resolution No. 2010-223. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND SOUTHERN CALIFORNIA SOIL & TESTING, INC., TO EXTEND THE AGREEMENT FOR ONE YEAR, WITH OPTION TO EXTEND FOR AN ADDITIONAL YEAR, TO PROVIDE GEOTECHNICAL MATERIALS TESTING SERVICES FOR CITY PROJECTS ON AN AS-NEEDED BASIS. (NO CHANGE TO THE NOT-TO-EXCEED AMOUNT OF \$150,000.00 IN ORIGINAL AGREEMENT). (Development Services/Engineering Division)

ACTION: Adopted. See above.

CONTRACT (C2009-82)

7. Resolution No. 2010-224. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND NINYO & MOORE TO EXTEND THE AGREEMENT FOR ONE YEAR, WITH OPTION TO EXTEND FOR AN ADDITIONAL YEAR, TO PROVIDE GEOTECHNICAL MATERIALS TESTING SERVICES FOR CITY PROJECTS ON AN AS-NEEDED BASIS. (NO CHANGE TO THE NOT-TO-EXCEED AMOUNT OF \$150,000.00 IN ORIGINAL AGREEMENT). (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2010-68)

8. Resolution No. 2010-225. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND PROJECT PROFESSIONALS CORPORATION FOR THE NOT-TO-EXCEED AMOUNT OF \$300,000 FOR A TWO YEAR PERIOD TO PROVIDE ON-CALL GENERAL ENGINEERING, CONSTRUCTION INSPECTIONS, AND PROJECT MANAGEMENT SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT. (VARIOUS CAPITAL IMPROVEMENT PROJECT FUNDS) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-1)

9. Resolution No. 2010-226. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND HARRIS & ASSOCIATES FOR THE NOT-TO-EXCEED AMOUNT OF \$100,000 FOR A TWO YEAR PERIOD TO PROVIDE ON-CALL GENERAL ENGINEERING, CONSTRUCTION INSPECTIONS, AND PROJECT MANAGEMENT SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT. (VARIOUS CAPITAL IMPROVEMENT PROJECT FUNDS) (Development Services/ Engineering)

ACTION: Adopted. See above.

CONTRACT (C2010-69)

10. Resolution No. 2010-227. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND KIMLEY-HORN & ASSOCIATES, INC. FOR THE NOT-TO-EXCEED AMOUNT OF \$100,000 FOR A TWO YEAR PERIOD TO PROVIDE ON-CALL GENERAL ENGINEERING, CONSTRUCTION INSPECTIONS, AND PROJECT MANAGEMENT SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT. (VARIOUS CAPITAL IMPROVEMENT PROJECT FUNDS) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2010-70)

11. Resolution No. 2010-228. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND CIVILSOURCE, INC. FOR THE NOT-TO-EXCEED AMOUNT OF \$100,000 FOR A TWO YEAR PERIOD TO PROVIDE ON-CALL GENERAL ENGINEERING, CONSTRUCTION INSPECTIONS, AND PROJECT MANAGEMENT SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT (VARIOUS CAPITAL IMPROVEMENT PROJECT FUNDS) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

HISTORICAL SITES LIST ADMIN (405-10-1)

12. Resolution No. 2010-229. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADDING JUDGE FREDERICK HERTEL-HAWKEN HOUSE AT 940 EAST 16TH STREET TO THE CITY'S HISTORIC SITES LIST. (Applicant: Janice Martinelli) (Case File 2010-28 HL) (Development Services/Planning)
ACTION: Adopted. See above.

CONTRACT (C2010-71)

13. Resolution No. 2010-230. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A MILLS ACT HISTORIC PRESERVATION CONTRACT FOR 940 EAST 16TH STREET. (Applicant: Janice Martinelli) (Case File 2010-28 M) (Development Services/Planning)
ACTION: Adopted. See above.

CONTRACT (C2010-72)

14. Resolution No. 2010-231. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A MILLS ACT HISTORIC PRESERVATION CONTRACT FOR 2525 N AVENUE. (Applicant: International Community Foundation Center) (Case File 2010-09 M) (Development Services/Planning)
ACTION: Adopted. See above.

CONTRACT (C2009-105)

15. Resolution No. 2010-232. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH DAY WIRELESS SYSTEMS, IN AN AMOUNT NOT TO EXCEED \$46,509.00 TO PROVIDE MAINTENANCE, SERVICE AND INSTALLATION OF THE CITY'S RADIO COMMUNICATIONS EQUIPMENT, MAINTAIN INFRASTRUCTURE FOR MOBILE AND PORTABLE RADIOS, ON CALL SERVICES AND OTHER PROJECTS AS NEEDED. (Police/Fire)
ACTION: Adopted. See above.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

16. Warrant Register #9 for the period of 08/25/10 through 08/31/10 in the amount of \$539,789.52. (Finance)
ACTION: Ratified. See above.

CONSENT CALENDAR (cont.)

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

17. Warrant Register #10 for the period of 09/01/10 through 09/07/10 in the amount of \$2,063,127.79. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT ADMIN 2007 - 2010 (406-2-12)

18. Public Hearing: Accept public comments on an impending remediation project to be conducted by the Community Development Commission (CDC) at 835 Bay Marina Drive. (Redevelopment Division)

RECOMMENDATION: None.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

19. Public Hearing – An Amendment to the National City Municipal Code amending Chapter 18.62 pertaining to signs and outdoor advertising displays. (Applicant: City of National City) (Case File No. 2010-27 A) (Development Services/Planning) **Companion Item # 20**

RECOMMENDATION: Staff recommends approval.

TESTIMONY: None.

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

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2010 (506-2-25)

20. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CHAPTER 18.62 OF THE NATIONAL CITY MUNICIPAL CODE BY AMENDING SUBSECTION D OF SECTION 18.62.170 PERTAINING TO TEMPORARY SIGNS IN SINGLE-FAMILY RESIDENTIAL ZONES. (Applicant: City of National City) (Case File No. 2010-27 A) **Companion Item #19**

NON CONSENT RESOLUTION

CONTRACT (C2008-3)

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

21. Resolution No. 2010-233. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REQUESTING SANDAG, ACTING AS THE SAN DIEGO COUNTY REGIONAL TRANSPORTATION COMMISSION, TO PROVIDE ADVANCED FUNDING THROUGH DEBT FINANCING FOR USE ON TRANSNET ELIGIBLE PROJECTS AND REFINANCE THE VARIABLE RATE COMMERCIAL PAPER OF \$3,366,000 INTO FIXED RATE BONDS FROM FY2011 UNTIL FY 2021 (10 YEARS). (Finance)

RECOMMENDATION: Adopt the Resolution and memorandum of agreement with SANDAG, acting as the San Diego County Regional Transportation Commission, and submit to SANDAG for execution.

TESTIMONY: None.

ACTION: Motion by Zarate, seconded by Sotelo-Solis, to adopt the Resolution with language change and date change from FY 2021 to FY 2020. Carried by unanimous vote.

NEW BUSINESS

PLANNED DEVELOPMENT PERMIT ADMIN 2010 (414-1-25)

22. Notice of Decision – Planning Commission approval of a modification of a planned development to allow a 9,210 square foot expansion and an ATM kiosk at an existing retail planned development at 855-901 Euclid and 2525-2531 East Plaza Boulevard. (Applicant: Euclid Plaza LP) (Case File 2010-22 PD) (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 Zarate, seconded by Sotelo-Solis, to approve staff recommendation. Carried by unanimous vote.

CONDITIONAL USE PERMITS 2010 (403-25-1)

23. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the sale of beer and wine at Anthony's Mexican and Pizza Restaurant at 1526 East 18th Street. (Applicant: Hana Kizy) (Case File 2010-24 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.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2010 (403-25-1)

24. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a Head Start Program at an existing apartment complex at 817 Eta Street. (Applicant: Robert J. St. Germaine) (Case File 2010-26 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.

TEMPORARY USE PERMITS 2010 (203-1-26)

25. Temporary Use Permit – Sweetwater High School's Homecoming Football Game Halftime Show on October 22, 2010 from 8:00 p.m. to 10:30 p.m. at Sweetwater High School. This is a City co-sponsored event per Council Policy No. 804. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval with a fee credit in the amount of \$1,500.00.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2010 (203-1-26)

26. Temporary Use Permit – 18th Annual Fiesta Filipiniana Singing Competition hosted by the Seafood City Supermarket on October 23, 2010 from 10 a.m. to 10 p.m. at 1420 Plaza Blvd. 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 Sotelo-Solis, seconded by Van Deventer, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

KIMBALL SENIOR CENTER ADMIN (702-1-2)

27. Request by National City Collaborative (Food Bank) to use Kimball Senior Center on the 2nd Friday of each month from 6:30 a.m. – 11:00 a.m. to distribute food to National City residents. Application is requesting waiver of all fees. (Community Services)

RECOMMENDATION: None.

TESTIMONY: Sergio Rosas representing National City Collaborative spoke in support of the request and answered questions.

ACTION: Motion by Van Deventer, seconded by Zarate, to approve request to use Kimball Senior Center and for staff to bring back to Council an evaluation report in January / February 2011. Carried by unanimous vote.

COMMUNITY DEVELOPMENT ADMIN 2007 - 2010 (406-2-12)

28. Report – City Council's request for a program to welcome, retain and highlight the business community. (Redevelopment Division) (Copy on file in the Office of the City Clerk)

RECOMMENDATION: None.

TESTIMONY: Reports by Pat Beard from CDC and Jacqueline Reynoso, National City Chamber of Commerce.

ACTION: Accepted and filed.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 29 and 30 (Warrant Registers). Motion by Sotelo-Solis, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

29. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$66,745.90 to the City of National City for the period of 08/25/10 through 08/31/10. (Finance)

ACTION: Approved. See above.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

30. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$750,627.58 to the City of National City for the period of 09/01/10 through 09/07/10. (Finance)

ACTION: Approved. See above.

NEW BUSINESS

COMMUNITY DEVELOPMENT ADMIN 2007 - 2010 (406-2-12)

31. 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) (Copy on file in the Office of the City Clerk)

RECOMMENDATION: Accept and file report per Contract Agreement.

TESTIMONY: None.

ACTION: Accepted and filed.

STAFF REPORTS

CLOSED SESSION REPORT (509-1-4)

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

MAYOR AND CITY COUNCIL

Member Sotelo-Solis reported that the last Diablo Pop Warner football game will be on October 16, 2010.

ADJOURNMENT


Motion by Zarate, seconded by Sotelo-Solis, to adjourn the meeting to the next Regular City Council and Community Development Commission Meeting to be held Tuesday, October 19, 2010 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 7:15 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of November 9, 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, October 5, 2010 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

1. Liability Claims: Government Code Section 54956.95
Workers' Compensation Claim
Agency Claimed Against: City of National City
Number of Claims: One
2. Conference with Labor Negotiators: Government Code Section 54957.6 (a)
Agency Designated Representatives: Stacey Stevenson, Jeanette Ladrido, David Pease, Claudia Silva
Employee Organization: Municipal Employees' Association

ADJOURNMENT

Next Regular City Council/CDC Meeting - Tuesday, October 5, 2010, 6:00 p.m.,
Council Chambers, Civic Center