

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

December 7, 2010

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:05 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, Gonzales, Hodges, Ladrido, Parra, Raulston, Silva, Smith, Stevenson, Williams, Zapata.

Others present: Student Representatives Fred Wells and Samantha Galicia.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 1 (Minutes), Item Nos. 2 and 3 (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 City Council/Community Development Commission Special Meeting of June 1, 2010 and the Adjourned Regular Meeting of November 23, 2010. (City Clerk)

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

2. Warrant Register #19 for the period of 11/03/10 through 11/09/10 in the amount of \$393,929.82. (Finance)

ACTION: Ratified. See above.

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

3. Warrant Register #20 for the period of 11/10/10 through 11/16/10 in the amount of \$1,655,795.78. (Finance)

ACTION: Ratified. See above.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 4 and 5 (Warrant Registers). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

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

4. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$18,460.57 to the City of National City for the period of 11/03/10 through 11/09/10. (Finance)

ACTION: Approved. See above.

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

5. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$96,412.20 to the City of National City for the period of 11/10/10 through 11/16/10. (Finance)

ACTION: Approved. See above.

BUSINESS RELATING TO GENERAL MUNICIPAL ELECTION NOVEMBER 2, 2010

ELECTION NOV 2010 ADMIN (505-22-1)

6. Resolution No. 2010-268. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW. (City Clerk)

RECOMMENDATION: None.

TESTIMONY: None.

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

RECOGNITION OF OUTGOING ELECTED OFFICIAL

Mayor Morrison presented outgoing Councilmember Jess Van Deventer with a plaque commemorating his service to the community from 1977 to 1992 as well as the past two years and expressed appreciation on behalf of the community for his stepping forward when needed to fill a Council vacancy and serve the citizens and City with honor and distinction.

RECOGNITION OF OUTGOING ELECTED OFFICIAL (cont.)

A representative from County Supervisor Greg Cox's Office presented Councilmember Van Deventer with a plaque recognizing his many years of service to the community, first as a Councilmember then Port Commissioner and now, once again, as a Councilmember.

Vice Mayor Sotelo-Solis congratulated Councilmember Van Deventer for two great years on the Council and thanked him for his service, advice and expertise.

Councilmember Zarate said her experience with Councilmember Van Deventer goes back many years; that he is always helpful and works hard, has done amazing things on behalf of the business community and that she considers him not only a friend but a very honorable person and she wished him well.

City Manager Chris Zapata, on behalf of the organization and employees, said Councilmember Van Deventer has done great work and his service to the community has been exemplary. In recognition of the time spent away from his family, City Manager Zapata presented flowers to Mrs. Van Deventer.

Councilmember Van Deventer said it was a pleasure having an opportunity to come back and serve the people of National and work with the current City Council. Mr. Van Deventer reviewed the accomplishments of the past two years and the future challenges facing the City and said he hopes to continue to participate and be involved doing other things for the city in the near future.

SWEARING IN OF NEWLY ELECTED MAYOR CITY COUNCIL

Mr. Al Alvarado administered the Oath of Office to his daughter, newly elected Councilmember Mona Rios. Councilmember Rios introduced her family and friends and thanked everyone for being present and for their support.

Assemblywoman Mary Salas administered the Oath of Office to newly elected Councilmember Luis Natividad. Councilmember Natividad thanked his team and family for their hard work in getting him elected and everyone for showing up and supporting him.

Assistant District Attorney Jessie Navarro administered the Oath of Office to newly re-elected Mayor Ron Morrison. Mayor Morrison introduced his family members present in the audience including his wife Sherry and announced that, in addition to being sworn in, they were also celebrating their 35th wedding anniversary on the same day.

RECESS

A recess was called at 6:33 p.m.
The meeting reconvened at 6:57 p.m.

ROLL CALL

Council / Commission members present: Morrison, Natividad, Rios, Sotelo-Solis, Zarate.

INCOMING MAYOR AND CITY COUNCIL COMMENTS

Councilmember Rios said she looks forward to working with the Mayor, City Council, business owners, City staff and employees. She invited everyone to join her in promoting community involvement and moving the City forward. Member Rios said she will work to create new ways for people to come together and take part in their City government; she will listen, walk neighborhoods and hold office hours every business day. She said she was honored to share with everyone a new level of responsibility in public office and thanked everyone for allowing her to work for them.

Councilmember Natividad thanked his wife and family for their support and patience as well as his election team. Mr. Natividad said that people of good character are not always going to be on the same side of difficult political social issues but that we must not permit such disputes to obscure our obligations to do our best to serve the whole community. Councilmember Natividad thanked everyone for giving him the opportunity to serve again and promised that he was going to do his best for the community of National City.

Mayor Morrison said the last four years have been quite exciting but that the most recent economic down turn was different from anything experienced in the past and was a life changing event, certainly for city government. Despite the problems, National City has been able to progress because of a cooperative effort by the Council, citizens and staff pulling together to make things happen. Mayor Morrison said working together as staff, elected officials, residents and businesses we are going to do great things in National City and that we are not going to allow recessions or economic crisis get in our way. The Mayor thanked the people for the confidence they have given the entire Council; it has been a great four years, it's going to be another great four years and he looks forward to working together with everyone.

INCOMING MAYOR AND CITY COUNCIL COMMENTS (cont.)

City Manager Chris Zapata said staff looks forward to working with the Council and hopes to continue on the path they set for the City.

Vice Mayor Sotelo-Solis congratulated Council members Rios and Natividad and said she looks forward to working together.

Councilmember Zarate welcomed Members Rios and Natividad and said she believes things are going to be good but the Council has their work cut out for them.

County Supervisor Greg Cox congratulated the Mayor and Council and said he looks forward to working with them.

Assistant District Attorney Jess Navarro congratulated everyone on behalf of District Attorney Bonnie Dumanis and committed to working together on issues of public safety.

PUBLIC ORAL COMMUNICATIONS

Weldon Donaldson, Mile of Cars Association, congratulated the newly elected Mayor and City Council, expressed thanks for the City's assistance with the new freeway signs and updated the Council on the progress with the freeway identification signs and efforts underway to correct some initial problems that surfaced.

Alfonso Hernandez, National City, reminded the City Council that December 7th is the anniversary of the attack on Pearl Harbor and expressed concern that the WWII Memorial Park name is not being used for Kimball Park.

Anna Brown, Feral Cat Coalition, brought to the City Council's attention some on going problems with animal control practices with feral cats and offered some possible solutions.

VICE MAYOR APPOINTMENT ADMIN (101-20-1)

7. Selection of Vice Mayor. (City Attorney)

ACTION: Motion by Morrison, seconded by Zarate, to appoint Member Zarate as Vice Mayor. Motion failed by the following vote, to-wit: Ayes: Morrison, Zarate. Nays: Natividad, Rios, Sotelo-Solis. Absent: None. Abstain: None.

Motion by Rios, seconded by Natividad, to appoint member Sotelo-Solis as Vice Mayor. Carried by the following vote, to-wit: Ayes: Natividad, Rios, Sotelo-Solis, Zarate. Nays: Morrison. Absent: None. Abstain: None.

PROCLAMATION

PROCLAMATION ADMIN (102-2-1)

8. Proclaiming December 16, 2010 as: **"DAY WITHOUT A BAG DAY"**

PRESENTATIONS

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

9. Employee of the Month of December, 2010 – Arthur Sepulveda – Executive Chef, Nutrition Center.

COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)

10. National City Port Commissioners Report – Robert "Dukie" Valderrama

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 11 (NCCMC), Item Nos. 12 through 19 (Resolution Nos. 2010-269 through 2010-276). Motion by Sotelo-Solis, seconded by Zarate, to pull Item Nos. 12, 16, 17 and 19, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2010 (506-2-25)

11. 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.

STREET / PLAZA BLVD. WIDENING (903-16-3)

12. Resolution No. 2010-269. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROPRIATING \$846,200 FOR THE PROPERTY ACQUISITIONS FOR THE PLAZA BOULEVARD WIDENING PROJECT. (Funded by Regional Surface Transportation Program - RSTP) (Development Services/Engineering)

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to adopt the Resolution. Carried by the following vote, to-wit: Ayes: Morrison, Rios, Sotelo-Solis, Zarate. Nays: None. Absent: None. Abstain: Natividad. Member Natividad abstained because he did not believe he was sufficiently briefed on the project to vote.

CONSENT CALENDAR (cont.)

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

13. Resolution No. 2010-270. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE REVISED STANDARD URBAN STORM WATER MANAGEMENT PLAN (SUSMP) MANUAL AS REQUIRED BY THE STATE OF CALIFORNIA. (Development Services /Engineering)

ACTION: Adopted. See above.

CONTRACT (C98-46)

14. Resolution No. 2010-271. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT TO THE AGREEMENT FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES, FOR THE LOWER SWEETWATER FIRE PROTECTION DISTRICT. THE AGREEMENT WILL ALSO PROVIDE NEW GENERAL FUND REVENUE AND EQUIPMENT. (Fire)

ACTION: Adopted. See above. City Attorney Silva clarified, for the record, that the correct percentage figure in the text of the Resolution was 80%.

CONTRACT (C2010-85)

15. Resolution No. 2010-272. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE TEEN PREGNANCY PREVENTION COMMUNITY COLLABORATIVE GRANT AGREEMENTS BETWEEN THE CITY OF NATIONAL CITY AND OPERATION SAMAHAN, INC., IN SUPPORT OF OPERATIONS SAMAHAN'S APPLICATION FOR TWO FIVE-YEAR GRANTS TOTALING \$875,000 IN FUNDING FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, OFFICE OF FAMILY PLANNING. (City Manager)

ACTION: Adopted. See above.

CONTRACT (C2010-86)

16. Resolution No. 2010-273. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A 20 YEAR LEASE BETWEEN THE CITY AND THE BOYS' AND GIRLS' CLUB OF GREATER SAN DIEGO, INC., FOR THE LAND AND BUILDING LOCATED AT 1430 D AVENUE. (City Attorney)

TESTIMONY: Allie Pruitt, representing the Boys & Girls Club, responded to questions.

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to adopt the Resolution and to include a termination clause in the lease. Carried by unanimous vote.

CONSENT CALENDAR (cont.)

CONTRACT (C2010-87)

17. Resolution No. 2010-274. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING FACILITY USE AGREEMENTS BETWEEN THE BOYS' AND GIRLS' CLUB OF GREATER SAN DIEGO, INC., THE NATIONAL SCHOOL DISTRICT; AND THE SWEETWATER UNION HIGH SCHOOL DISTRICT, AND A SUBLEASE BETWEEN THE BOYS' AND GIRLS' CLUB OF GREATER SAN DIEGO, INC. AND PRAISE GOSPEL CHRISTIAN FELLOWSHIP, FOR PORTIONS OF THE CITY-OWNED BUILDING LOCATED AT 1430 D AVENUE. (City Attorney)

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to adopt the Resolution and to include a termination clause. Carried by unanimous vote.

CONTRACT (C2008-3)

18. Resolution No. 2010-275. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE REVISIONS OF THE MEMORANDUM OF AGREEMENT APPROVED ON OCTOBER 5, 2010 WITH 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 FY 2011 UNTIL FY 2020 (10 YEARS). (Finance)

ACTION: Adopted. See above.

CITY WIDE HOUSING ADMIN (303-4-1)

19. Resolution No. 2010-276. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY CONSENTING TO THE SAN DIEGO HOUSING COMMISSION'S STAFFING OF HOUSING DEVELOPMENT PARTNERS, A NONPROFIT 501 (C) (3) CORPORATION, IN THE DEVELOPMENT OF THE SENIOR VILLAGE REHABILITATION, ENHANCEMENT AND EXPANSION PROJECT WITHIN THE CITY OF NATIONAL CITY. (Community Development/Housing and Grants)

ACTION: Motion by Sotelo-Solis, seconded by Rios, to adopt the Resolution. Carried by the following vote, to-wit: Ayes: Morrison, Rios, Sotelo-Solis, Zarate. Nays: None. Absent: None. Abstain: Natividad.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2010 (506-2-25)

20. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING THE SALARIES OF THE MAYOR AND CITY COUNCIL. (City Attorney)

ACTION: The consensus was to tie any raises to what the Municipal Employees Association may receive, to memorialize current and planned Mayor and City Council PERS payments and consider a two percent at 60 retirement formula for future elected officials. There was no vote.

NON CONSENT RESOLUTION

CONTRACT (C2010-88)

21. Resolution No. 2010-277. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO WAIVE THE FORMAL BID PROCESS AND AUTHORIZE THE PURCHASE OF A PIERCE ARROW XT FIRE ENGINE FROM PIERCE MANUFACTURING FOR THE NATIONAL CITY FIRE DEPARTMENT FOR A TOTAL OF \$531,439.13, USING LOWER SWEETWATER FIRE PROTECTION DISTRICT FUNDS. (Fire)

RECOMMENDATION: Staff recommends that the award be made to Pierce Manufacturing, and that authority be given to the Finance Department to issue the resulting purchase order.

TESTIMONY: Rodolfo Gonzales, Sweetwater Fire Protection District Board Member, presented a check to Mayor Morrison for the purchase.

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

NEW BUSINESS

STREET VACATION ADMIN 2010 (902-26-5)

22. Request to extend the 40-day period for initiation of a Street Vacation to vacate portions of D Avenue south of 31st Street and 32nd Street east of D Avenue. (Applicant: Sudberry Properties, Inc.) (Case File No. 2008-37 SC) (Development Services/Planning)

RECOMMENDATION: Staff recommends the Council extend the Street Vacation initiation period for an additional 40 days to January 28, 2010.

TESTIMONY: None.

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

NEW BUSINESS (cont.)

SUBDIVISIONS / VARIANCES 2010 (415-1-6)

23. Notice of Decision – Planning Commission approval of a zone variance for less than required parking at an existing single-family residence at 3425 Cagle Street. (Applicant: Annette Barron) (Case File 2010-30 Z 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 Natividad, seconded by Sotelo-Solis, to approve staff recommendation. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 24 and 25 (Resolution Nos. 2010-278 and 2010-279). Motion by Sotelo-Solis, seconded by Natividad, to pull Item No. 25, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

CONTRACT (C2006-41)

24. Resolution No. 2010-278. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING AN AGREEMENT FOR A PERIOD OF TWO YEARS NOT TO EXCEED \$150,000 FOR LITIGATION AND NON-LITIGATION SUPPORT BY AND BETWEEN THE CDC AND CHRISTENSEN & SPATH LLP. (Tax Increment Fund and Low-Mod Fund) (Community Development)

ACTION: Adopted. See above.

CONTRACT (C2010-89)

25. Resolution No. 2010-279. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING AN AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AND HAPPY SOFTWARE TO UPGRADE THE CDC SECTION 8 RENTAL ASSISTANCE PROGRAM'S CURRENT HOUSING SOFTWARE PROGRAM WITH THE AMOUNT NOT TO EXCEED \$27,661. (CDC/Housing & Grants)

ACTION: The Resolution was pulled from the agenda. No vote was taken.

STAFF REPORTS

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

26. Furlough Schedule Report. (City Manager)
Copy on file in the Office of the City Clerk.

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

27. Draft Budget Calendar Update. (Finance)

BUSINESS LICENSES ADMIN (203-5-1)

28. Update on Business Licenses. (Development Services)

MAYOR AND CITY COUNCIL

Student Representatives Fred Wells and Samantha Galicia congratulated the newly elected Council members and said they looked forward to working with them.

Member Natividad inquired about receiving information on Boards and Commissions and asked the Police Chief questions regarding possible newly classified drugs and plans to eliminate them from retail sale.

Member Sotelo-Solis expressed congratulations to newly elected Council Members, told Member Zarate that she has full confidence in her and values her advice and that she believes in full transparency and honesty to move the community forward. Member Sotelo-Solis extended holiday greetings to everyone.

Member Rios thanked everyone for the warm welcome extended to her; said she was excited to look ahead to the next four years and the good work that she will be doing and extended holiday greetings.

Member Zarate praised the actions of the Mobile Service Station at 30th Street and Highland Avenue for going out of their way to assist her when she had a problem and wished everyone a Merry Christmas and Happy New Year.

Mayor Morrison reminded everyone of the upcoming holiday events including the lighting of the City Christmas tree, Christmas with Kits on Christmas day and Spirit of the Holidays activities. The Mayor extended holiday wishes to everyone.

ADJOURNMENT

The meeting was adjourned in memory of Juanita Mosley and Fernando Julio Sanchez.


Motion by Zarate, seconded by Natividad, to adjourn the meeting to the Adjourned Regular City Council and Community Development Commission Meeting to be held Tuesday, January 11, 2011 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:35 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Adjourned Regular Meeting of January 25, 2011.



Mayor / CDC Chairman