

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

January 11, 2011

The Adjourned Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:14 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

Administrative Officials present: Babaki, Dalla, Deese, Duong, Gonzales, Hodges, 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

PUBLIC ORAL COMMUNICATIONS

Janice Martinelli, National City, inquired about concrete work at the City owned theater property on Plaza Blvd.

Ted Godshalk, National City, related problems involving Paradise Creek during the recent storms. Mr. Godshalk said there was a need to develop a Best Management Practice plan (BMP) to avoid problems in the future and he was willing to assist.

Petra Barajas, Chula Vista, presented a gift to Mayor Morrison for his wife and daughter and requested a proclamation be given to Mrs. Morrison for the humane care she provided to someone in need.

Geoffrey Schrock, National City, expressed his political view point about events that occurred at the previous City Council meeting.

PRESENTATION

BOARDS & COMMISSIONS ADMIN (101-1-1)

1. Interviews and Appointments: Various Boards & Commissions. (City Clerk)

The following individuals appeared for interview: Leslie Coyote, Christopher Coyote, Carolyn St. Clair, Pearl Quinones, William Ramsey, James Brewer, Janice Martinelli, Jess Van Deventer, Darryl Gorham, Roberto Garcia, Gonzalo Quintero, Maria De LaPaz, Dolores Flores, Al Alvarado, Vince Reynolds, George Baca, Alie Pruitt, Francis Bueno, Brian Clapper.

ACTION: Mayor Morrison indicated that no appointments would be made at this time and that additional interviews would be conducted at the January 25th meeting.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 2 (Minutes), Item No. 3 (NCMC), Item Nos. 4 through 13 (Resolution Nos. 2011-1 through 2011-10), Item Nos. 14 and 15 (Warrant Registers). Motion by Natividad, 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 Meeting of December 7, 2010. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2011 (506-2-26)

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.

PARKING & TRAFFIC CONTROL ADMIN 2011 (801-2-32)

4. Resolution No. 2011-1. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE AT 3502 STOCKMAN STREET (TSC Item No. 2010-23). (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

PARKING & TRAFFIC CONTROL ADMIN 2011 (801-2-32)

5. Resolution No. 2011-2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A "PARALLEL PARKING ONLY" SIGNS ON C AVENUE BETWEEN E. 20TH STREET AND E. 31ST STREET TO DISCOURAGE ANGLED PARKING (TSC Item No. 2010-26). (Development Services/Engineering)

ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2011 (801-2-32)

6. Resolution No. 2011-3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE AT 340 D AVENUE (TSC Item No. 2010-22). (Development Services/Engineering)

ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2011 (801-2-32)

7. Resolution No. 2011-4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF 40 FEET OF BLUE CURB HANDICAP PARKING WITH SIGNS IN FRONT OF CENTRAL ELEMENTARY SCHOOL AT 933 E AVENUE (TSC Item No. 2010-21). (Development Services/Engineering)

ACTION: Adopted. See above.

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

CONTRACT (C2010-74)

8. Resolution No. 2011-5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROPRIATING \$64,138 TO EXPAND THE CITY'S CURRENT CITY-WIDE CONCRETE IMPROVEMENTS PROJECT CONTRACT WITH BLACK ROCK CONSTRUCTION FROM \$256,552 TO \$320,690 AND TO USE THE REMAINING CDBG AND GAS TAX FUNDS AVAILABLE FOR THE PROJECT. (Funded by CDBG and Gas Tax). (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2010-54)

9. Resolution No. 2011-6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING ADDITIVE ALTERNATES TO THE CONTRACT WITH OHNO CONSTRUCTION, IN THE AMOUNT NOT-TO-EXCEED \$159,161.20 FOR CONSTRUCTION IMPROVEMENTS FOR THE EL TOYON SOCCER FIELD SPECIFICATION 07-01 AND AUTHORIZE THE MAYOR TO EXECUTE THE CHANGE ORDER #3. (County of San Diego Grants and Park & Recreation Capital Outlay Fund) (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2007-5)

10. Resolution No. 2011-7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE THIRD AMENDMENT TO AGREEMENT FOR GRANT FUNDS IN THE AMOUNT OF \$100,000 FROM THE COUNTY OF SAN DIEGO EXTENDING THE TERMS OF THE AGREEMENT TO APRIL 30, 2011 TO ALLOW FOR THE COMPLETION OF A SOCCER PROJECT AT EL TOYON PARK. (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2007-5)

11. Resolution No. 2011-8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE FIFTH AMENDMENT TO AGREEMENT FOR GRANT FUNDS IN THE AMOUNT OF \$125,000 FROM THE COUNTY OF SAN DIEGO EXTENDING THE TERMS OF THE AGREEMENT TO APRIL 30, 2011 TO ALLOW FOR THE COMPLETION OF A SOCCER PROJECT AT EL TOYON PARK. (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2011-1)

12. Resolution No. 2011-9. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING A CONTRACT TO MJC CONSTRUCTION, IN THE AMOUNT NOT-TO-EXCEED \$242,007.50 FOR CONSTRUCTION IMPROVEMENTS FOR THE NATIONAL CITY PARKS ADA ACCESS UPGRADES & PARK GARDEN, SPECIFICATION NO. 10-05 AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Funded by CDBG Funds) (Development Services/Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2011-2)

13. Resolution No. 2011-10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS AND AUTHORIZING THE PURCHASE FROM TRITECH SOFTWARE SYSTEMS OF THE MOBILE COMPUTER AIDED DISPATCH (CAD) LICENSING, SOFTWARE AND HARDWARE FOR AN AMOUNT NOT TO EXCEED \$30,000 FROM CITIZEN OPTION FOR PUBLIC SAFETY (COPS) GRANT 2010. (Police)
ACTION: Adopted. See above.

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

14. Warrant Register #21 for the period of 11/17/10 through 11/23/10 in the amount of \$436,123.78. (Finance)
ACTION: Ratified. See above.

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

15. Warrant Register #22 for the period of 11/24/10 through 11/30/10 in the amount of \$3,502,548.02. (Finance)
ACTION: Ratified. See above.

ORDINANCES FOR INTRODUCTION

MUNICIPAL CODE 2011 (506-2-26)

16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING THE COMPENSATION OF THE MAYOR AND CITY COUNCIL. (City Attorney)

MUNICIPAL CODE 2011 (506-2-26)

17. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO PROVIDE FOR A 2% @ 60 FULL FORMULA BENEFIT FOR MISCELLANEOUS MEMBERS. (Human Resources) **Companion Item #18**

NON CONSENT RESOLUTIONS

CONTRACT (C2002-33)

18. Resolution No. 2011-11. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO PROVIDE FOR A 2% @ 60 FULL FORMULA BENEFIT FOR MISCELLANEOUS MEMBERS. (Human Resources) **Companion Item #17**

RECOMMENDATION: Recommend approval of Resolution.

TESTIMONY: None.

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

CONTRACT (C2010-32)

19. Resolution No. 2011-12. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING A SECOND AMENDMENT TO AGREEMENT FOR EXCHANGE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS, AND AUTHORIZING THE MAYOR TO EXECUTE AN INDEMNIFICATION AGREEMENT WITH THE ILLES FAMILY TRUST AND WELLS FARGO BANK PERTAINING TO SAID EXCHANGE OF REAL PROPERTY (522 WEST 8TH STREET AND 2020 HOOVER AVENUE). (City Attorney)

RECOMMENDATION: Adopt proposed Resolution.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Natividad, to adopt the Resolution with changes recommended by the City Attorney including an additional ten day extension of time for the contingency period to January 24, 2011. Carried by unanimous vote.

NEW BUSINESS

CITY ATTORNEY REPORTS (509-1-3)

20. Report: City Council Policy prohibiting the sales of beer in small quantities. (City Attorney)

RECOMMENDATION: File Report.

TESTIMONY: Debbie Ramos, Institute for Public Strategies, spoke in support of a comprehensive policy review of the sale of beer in small quantities.

Vice Mayor Sotelo-Solis noted, for the record, that El Super Supermarket has been doing their due diligence and very responsible handling alcohol sales.

NEW BUSINESS (cont.)

CITY ATTORNEY REPORTS (509-1-3)

20. Report: City Council Policy prohibiting the sales of beer in small quantities (continued).

TESTIMONY: City Manager Chris Zapata referenced a letter from the Police Department and stated that it will be made part of the record.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to refer to the Planning Commission for review and recommendation. Carried by unanimous vote.

CONDITIONAL USE PERMITS 2011 (403-25-2)

21. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the expansion of an existing restaurant (Tita's II) and the modification of nonconforming alcohol sales at 3421 East Plaza Blvd. (Applicant: Roger Speir) (Case File: 2010-29 CUP) (Development Services/Planning)

RECOMMENDATION: Due to unintentional irregularities in the process the City Attorney recommended that the Notice of Decision be set for a hearing.

TESTIMONY: Raudall Speir, the applicant, inquired about the process and the need for a public hearing.

Anne Campbell, National City, spoke in opposition.

Ed Nieto, National City, expressed concerns and requested additional information.

ACTION: Motion by Natividad, seconded by Rios, to set for Public Hearing on February 1st as recommended by the City Attorney. Carried by unanimous vote.

BUSINESS LICENSES ADMIN (203-5-1)

22. Update to the City Council on the Business Outreach and Retention Program: Second monthly business license report. (Redevelopment)

RECOMMENDATION: None.

TESTIMONY: None.

ACTION: Accepted and filed. No vote was taken.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 23 and 24 (Warrant Registers). Motion by Natividad, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

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

23. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$971,023.46 to the City of National City for the period of 11/24/10 through 11/30/10. (Finance)

ACTION: Approved. See above.

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

24. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$42,379.43 to the City of National City for the period of 11/17/10 through 11/23/10. (Finance)

ACTION: Approved. See above.

STAFF REPORTS

COUNCIL WORKSHOP NOTICES / ADMIN (102-6-1)

25. Scheduling February 5, 2011 for the City Council Planning and Budget Workshop. (City Manager)

ACTION: The consensus was to schedule the workshop for 9:00 am on Saturday, February 5th in the Council Chambers. There was no vote.

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

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

TESTIMONY: City Manager Zapata expressed appreciation to Assistant City Manager Leslie Deese for handling all the calls during the furlough and all the employees for their financial sacrifice

ACTION: Accepted and filed.

CLOSED SESSION REPORT (509-1-4)

27. Closed Session Report. (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

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

28. Discussion of Employee Recognition Program and Citizen of the Month.
(Councilmember Initiated)

ACTION: The consensus was to form a sub-committee of Mayor Morrison and Vice Mayor Sotelo-Solis to review and make recommendations to the City Council.

Member Natividad reported that a new bakery opened at Palm and 18th Street, inquired about maintenance issues at the City golf course, said he believes that something needs to be done with the planters along Highland Avenue and that there should be reports to the City Council from those serving on outside boards.

Member Sotelo-Solis suggested that the agenda include an item calling for reports from outside boards, advised that future 'Walks with the Vice-Mayor' will be scheduled on the last Saturday of each month and extended New Year's Greetings to everyone.

Member Rios thanked everyone who appeared for an interview, requested consideration be given to repairing the public's microphone in the Council Chamber and expressed holiday greetings.

Member Zarate agreed that the chamber microphone needs some attention, reported that Christmas trees are being left at El Toyon Park and wished everyone a Happy New Year.

Mayor Morrison advised that the Governor's proposed budget will be bad for National City; thanked everyone for their efforts during work furlough and acknowledged the outpouring of giving from the community which is especially noteworthy during these difficult economic times.

ADJOURNMENT

The meeting was adjourned in honor of Antonio Borbone.

Motion by Sotelo-Solis, seconded by Natividad, to adjourn the meeting to the next Adjourned Regular City Council and Community Development Commission Meeting to be held Tuesday, January 25, 2011 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:43 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of February 1, 2011.



Mayor / CDC Chairman

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

**CITY COUNCIL OF THE CITY OF NATIONAL CITY
AND COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF NATIONAL City**

**Main Conference Room
Civic Center
1243 National City Boulevard
National City, California**

Special Meeting – Tuesday, January 11, 2011 – 4:30 p.m.

ROLL CALL

OPEN SESSION

1. Real Property Transaction – Exchange of City-owned property at 522 West 8th Street for Illes Family Trust property at 2020 Hoover Avenue.

CLOSED SESSION

1. Conference with Real Property Negotiator – Government Code Section 54956.8
Property: 522 West 8th Street and 2020 Hoover Avenue, National City
Agency Negotiator: Brad Raulston
Negotiating Parties: Rich Illes for the Illes Family Trust
Under Negotiation: Price and terms of payment
2. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9 (a)
City of National City v. Hasting A. Lovell, Beverly Lovell, et al.
San Diego Superior Court Case No. 37-2010-00104865-CU-OR-CTL
3. Public Employment – Government Code Section 54957
Title: City Manager

ADJOURNMENT

Next Regular City Council/CDC Meeting - Tuesday, January 11, 2011, 6:00 p.m., Council Chambers, Civic Center