

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

February 19, 2008

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:02 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Commission members present: Morrison, Natividad, Parra, Ungab.

Council / Commission members absent: Zarate.

Administrative Officials present: Babaki, Baker, Dalla, Deese, Duong, Eiser, Juniel, Ladrido, Post, Raulston, Rodriguez, Smith, Stevenson.

Others present: Student Representative Marcos Delgadillo.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Alfonso Hernandez, National City, spoke about the poor condition of lots on Palm Avenue, 23rd Street & 'I' Avenue, 28th Street & Prospect and on Highland Avenue.

Ted Godshalk, National City, reported tree problems on National City Blvd., and at 19th Street and McKinley Avenue, encouraged action be taken with the planters on Highland Avenue and progress be made on specific area plans.

Tony LoPresti, Environmental Health Coalition, expressed concerns about the rate of progress being made on specific plan areas.

PRESENTATIONS

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

1. **SUBJECT:** February Employee of the Month – Monica O'Hara, Librarian

COUNCIL MEETING PRESENTATIONS 2008 (102-10-3)

2. **SUBJECT:** Water Conservation Presentation – Dennis Bostad, General Manager, Sweetwater Authority

PRESENTATIONS (cont.)

COUNCIL MEETING PRESENTATIONS 2008 (102-10-3)

3. **SUBJECT:** American Legion Post 255 Award – Commander Patrick DeBaca. Post Commander Patrick DeBaca presented 'American Legion Post 255 Law and Order Awards' to Officer Colleen Stanich and Sargent Graham Young.

INTERVIEWS / APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

4. **SUBJECT:** City Council Appointments to outside Boards & Commissions. a) Heartland Communications; b) Metropolitan Transit System and c) San Diego County Water Authority

ACTION: Motion by Parra, seconded by Natividad, to appoint Member Zarate to the Heartland Communications Board and Member Parra as alternate. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

Motion by Parra, seconded by Ungab, to appoint Member Parra to the Metropolitan Transit System Board and Member Zarate as alternate. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

Motion by Natividad, seconded by Ungab, to reconsider previous motion. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

Motion by Ungab, seconded by Morrison, to appoint member Parra to the Metropolitan Transit System Board and Member Zarate as alternate. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Ungab. Nays: None. Absent: Zarate. Abstain: Parra.

Motion by Parra, seconded by Natividad, to appoint Mayor Morrison to the San Diego Water Authority Board. Carried by the following vote, to-wit: Ayes: Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: Morrison.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 5 (Minutes), Item No. 6 (NCCMC), Items 7 through 12 (Resolutions Nos. 2008-31 through 2008-36), Items No. 13 and 14 (Warrant Registers), Item No. 15 (Resolution No. 2008-37). Motion by Ungab, seconded by Natividad, to pull Item Nos. 7, 8, 9, 10, 11 and 13, and the remainder of the Consent Calendar be approved. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

APPROVAL OF MINUTES

5. **SUBJECT:** Approval of the Minutes of Regular City Council/Community Development Commission Meeting of February 5, 2008. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2008 (506-2-23)

6. **SUBJECT:** 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.

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

7. Resolution No. 2008-31. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$112,000 FOR THE OFFICE OF TRAFFIC SAFETY GRANT FOR THE PURPOSE OF FLASHING BEACONS, VEHICLE SPEED FEEDBACK SIGNS, AND A GIS-BASED TRAFFIC COLLISION RECORDS SYSTEM. (Engineering)
ACTION: Motion by Ungab, seconded by Parra, to adopt the Resolution. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

CONSENT CALENDAR (cont.)

CONTRACT (C2008-5)

8. Resolution No. 2008-32. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH JEFF KATZ ARCHITECTURE IN THE AMOUNT OF \$95,000 IN ORDER TO PROVIDE THE CITY WITH ARCHITECTURAL SERVICES FOR THE CITY REMODELING AND RENOVATION OF PARKS FACILITIES PROJECT. (Engineering)

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

COMMUNITY PROMOTION (102-1-3)

9. Resolution No. 2008-33. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A NEW STATIONERY DESIGN AS PART OF THE CITY'S BRANDING PROGRAM. (Economic Development Division)

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

CONTRACT (C2008-6)

CITY - OWNED LAND / LEASE (1001-1-2)

OLD LIBRARY - ART CENTER - MAINT/ ADMIN (1101-4-2)

10. Resolution No. 2008-34. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE SAN DIEGO REPERTORY THEATRE TO LEASE SPACE IN THE FORMER LIBRARY BUILDING FOR REHEARSAL SPACE AND A PROPERTY SHOP, AND TO FACILITATE PROGRAMMING FOR A FUTURE ARTS CENTER AT THE SITE. (Community Services)

TESTIMONY: Sam Woodhouse, representing the San Diego Repertory Theatre, responded to questions and indicated a willingness to consider contract language clarification desired by the City Council.

ACTION: Motion by Parra, seconded by Ungab, to continue for two weeks. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

CONSENT CALENDAR (cont.)

CONTRACT (C98-21)

11. Resolution No. 2008-35. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR TERMINATION OF THE SPECIAL CONTRACT BETWEEN THE REGIONAL SOLID WASTE ASSOCIATION AND THE CITY OF NATIONAL CITY, AND RESCINDING RESOLUTION NO. 97-118. (City Attorney)

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

GRANT ADMIN (206-4-2)

12. Resolution No. 2008-36. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACTING BUILDING & SAFETY DIRECTOR TO SUBMIT A GRANT APPLICATION WORTH \$95,000 FOR THE WASTE TIRE ENFORCEMENT GRANT TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR FISCAL YEAR 2007/08. (Building & Safety)

ACTION: Adopted. See above.

Mayor Morrison left the Council Chamber at 7:40 p.m.

WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)

13. Warrant Register #29 for the period of 01/09/08 through 01/15/08 in the amount of \$1,341,595.04. (Finance)

ACTION: Motion by Natividad, seconded by Parra, to ratify Warrant Register #29. Carried by the following vote, to-wit: Ayes: Natividad, Parra, Ungab. Nays: None. Absent: Morrison, Zarate. Abstain: None.

Mayor Morrison returned to the Council Chamber at 7:44 p.m.

WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)

14. Warrant Register #30 for the period of 01/16/08 through 01/22/08 in the amount of \$117,664.96. (Finance)

ACTION: Ratified. See above.

CONSENT CALENDAR (cont.)

COUNCIL POLICY MANUAL (102-13-1)

FINANCE – INVESTMENTS / POLICY (204-2-1)

15. Resolution No. 2008-37. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CITY COUNCIL POLICY NO. 203 PERTAINING TO THE NATIONAL CITY INVESTMENT POLICY. (Finance)

ACTION: Adopted. See above.

PUBLIC HEARINGS

SUBDIVISIONS / VARIANCES 2008 (415-1-4)

CONDITIONAL USE PERMITS 2008 (403-23-1)

16. Continued Public Hearing – Time Extension Request – Tentative Subdivision Map to divide a 12,750 square-foot property on the east side of C Avenue, between 8th and 9th Street, into eight residential lots with a Conditional Use Permit for one of the lots to have an accessory living unit. (Applicants: Alfonso Reynoso, Adolfo Gallegos, and Edgar Herrera) (Case File No. S-2004-6/CUP-2004-18) (Planning) (Staff reports by Roger Post and Brad Raulston)

RECOMMENDATION: Staff recommends that the expiration date for S-2004-6/CUP-2004-18 be extended by an additional year to September 21, 2008.

TESTIMONY: Edgar Herrera, the applicant, responded to questions and spoke in support.

ACTION: Motion by Parra, seconded by Natividad, to close the Public Hearing and approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

SUBDIVISIONS / VARIANCES 2008 (415-1-4)

CONDITIONAL USE PERMITS 2008 (403-23-1)

17. Public Hearing – Time Extension Request – Tentative Subdivision Map and Conditional Use Permit for a four-story mixed use building with 13,000 square feet of commercial space and 32 residential condominium units on the west side of Highland Avenue between 21st and 22nd Streets. (Applicant: Baldock Holdings) (Case File No. 2008-02 T.E.) (Planning) (Staff report by Roger Post)

RECOMMENDATION: Staff recommends that the expiration date for S-2004-14/CUP 2004-23 be extended by one year to January 19, 2009.

PUBLIC HEARINGS (cont.)

**SUBDIVISIONS / VARIANCES 2008 (415-1-4)
CONDITIONAL USE PERMITS 2008 (403-23-1)**

17. Public Hearing (continued).

TESTIMONY: Tom Lewis, National City, inquired if the property is going to be cleaned.

An unnamed speaker, representing the lender, spoke in support.

ACTION: Motion by Parra, seconded by Ungab, to close the Public Hearing and approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

**SUBDIVISIONS / VARIANCES 2008 (415-1-4)
CONDITIONAL USE PERMITS 2008 (403-23-1)**

18. Public Hearing and Proposed Finding of No Significant Environmental Effect for a proposed subdivision map and Conditional Use Permit for 16 detached homes with an exception for less than required setbacks and building separation on an approximately 1.5 acre site north of the intersection of Kimball Way, F Avenue and E. 14th Street. (Applicant: Bitterlin Development Corp.) (Case File No. 2007-37 S, CUP) (Planning) (Staff report by Roger Post)

RECOMMENDATION: Staff concurs with the Planning Commission's recommendation that the Tentative Subdivision Map and Conditional Use Permit be approved.

TESTIMONY: Chris Bitterlin, representing the developer, responded to questions and spoke in support.

ACTION: Motion by Ungab, seconded by Parra, to close the Public Hearing and approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

19. Public Hearing - An Ordinance of the City Council of the City of National City adopting the California Fire Code, 2007 Edition and the International Fire Code, 2006 Edition, and amending Chapter 15.28 of Title 15 of the National City Municipal Code. (Building & Safety)

RECOMMENDATION: Hold the hearing and adopt the California Fire Codes, 2007 Edition and International Fire Code, 2006 Edition.

TESTIMONY: None.

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2008 (506-2-23)

19. Public Hearing (continued).

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

20. Public Hearing - An Ordinance of the City Council of the City of National City adopting the California Energy Code, 2007 Edition, and amending Chapter 15.75 of Title 15 of the National City Municipal Code. (Building & Safety)

RECOMMENDATION: Hold the hearing and adopt the California Energy Code, 2007 Edition.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

21. Public Hearing - An Ordinance of the City Council of the City of National City adopting the California Electrical Code, 2007 Edition and National Electrical Code, 2005 Edition, and amending Chapter 15.24 of Title 15 of the National City Municipal Code. (Building & Safety)

RECOMMENDATION: Hold the hearing and adopt the California Electrical Code, 2007 Edition and National Electrical Code 2005 Edition.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

22. Public Hearing - An Ordinance of the City Council of the City of National City adopting the California Building Code, 2007 Editions, International Building Code, 2006 Edition, and amending Chapter 15.08 of Title 15 of the National City Municipal Code. (Building & Safety)

RECOMMENDATION: Hold the hearing and adopt the California Building Code and International Building Code.

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2008 (506-2-23)

22. Public Hearing (continued).

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

23. Public Hearing - An Ordinance of the City Council of the City of National City adopting the California Plumbing Code 2007 Edition and Uniform Plumbing Code, 2006, Edition, and amending Chapter 15.20 of Title 15 of the National City Municipal Code. (Building & Safety)

RECOMMENDATION: Hold the hearing and adopt the California Plumbing Code, 2007 Edition and Uniform Plumbing Code, 2006 Edition.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

24. Public Hearing - An Ordinance of the City Council of the City of National City adopting the California Mechanical Code, 2007 Edition and Uniform Mechanical, 2006 Edition, and amending Chapter 15.14 of Title 15 of the National City Municipal Code. (Building & Safety)

RECOMMENDATION: Hold the hearing and adopt the California Mechanical Code, 2007 Edition and Uniform Mechanical Code, 2006 Edition.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

25. Public Hearing - An Ordinance of the City Council of the City of National City adopting Appendix J of the 2007 California Building Code and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Engineering). (Building & Safety/City Attorney/Consultant)

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2008 (506-2-23)

25. Public Hearing (continued).

RECOMMENDATION: Hold the hearing and adopt Appendix J of the 2007 California Building Code.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to close the Public Hearing. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2008 (506-2-23)

26. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 15.80 PERTAINING TO CONSTRUCTION AND DEMOLITION DEBRIS. (Building & Safety/City Attorney/Consultant)

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2008 (506-2-23)

27. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE CALIFORNIA BUILDING CODE, 2007 EDITIONS, INTERNATIONAL BUILDING CODE, 2006 EDITION, AND AMENDING CHAPTER 15.08 OF TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE. (Building & Safety)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

28. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION AND NATIONAL ELECTRICAL CODE, 2005 EDITION, AND AMENDING CHAPTER 15.24 OF TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE. (Building & Safety)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2008 (506-2-23)

28. AN ORDINANCE OF THE CITY COUNCIL (continued).

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

29. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE CALIFORNIA ENERGY CODE, 2007 EDITION, AND AMENDING CHAPTER 15.75 OF TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE. (Building & Safety)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

30. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE CALIFORNIA FIRE CODE, 2007 EDITION AND THE INTERNATIONAL FIRE CODE, 2006 EDITION, AND AMENDING CHAPTER 15.28 OF TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE. (Building & Safety)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

31. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE CALIFORNIA MECHANICAL CODE, 2007 EDITION AND UNIFORM MECHANICAL, 2006 EDITION, AND AMENDING CHAPTER 15.14 OF TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE. (Building & Safety)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2008 (506-2-23)

31. AN ORDINANCE OF THE CITY COUNCIL (continued).

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

32. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE CALIFORNIA PLUMBING CODE 2007 EDITION AND UNIFORM PLUMBING CODE, 2006 EDITION, AND AMENDING CHAPTER 15.20 OF TITLE 15 OF THE NATIONAL CITY MUNICIPAL CODE. (Building & Safety)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

33. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING APPENDIX J OF THE 2007, CALIFORNIA BUILDING CODE, AND AMENDING CHAPTER 15.70 (GRADING) OF THE NATIONAL CITY MUNICIPAL CODE. (Engineering)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

34. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE STANDARD URBAN STORM WATER MITIGATION PLAN (SUSMP), AND REPEALING ORDINANCE 2002-2213. (Engineering)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2008 (506-2-23)

34. AN ORDINANCE OF THE CITY COUNCIL (continued).
ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MUNICIPAL CODE 2008 (506-2-23)

35. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 14, CHAPTER 14.22 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO STORM WATER MANAGEMENT AND DISCHARGE CONTROL. (Engineering)
RECOMMENDATION: Adopt the Ordinance.
TESTIMONY: None.
ACTION: Motion by Natividad, seconded by Parra, to adopt the Ordinance. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

NEW BUSINESS

SUBDIVISIONS / VARIANCES 2008 (415-1-4)

36. **SUBJECT:** Continued Time Extension Request – Tentative Subdivision Map for the division of one 16,675 square-foot lot into eleven lots on a property at 2504 Highland Avenue. (Applicant and new owner: PB Highland, LLC) (Case File No. 2007-63 T.E.) (Planning) (Staff report by Roger Post)
RECOMMENDATION: Staff recommends that the expiration date for S-2005-4 be extended by two years to January 17, 2010.
TESTIMONY: Tracy Hatfield, representing the applicant, spoke in support.
Gary Greenberg, representing the applicant, spoke in support.
ACTION: Motion by Parra, seconded by Natividad, to approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

NEW BUSINESS (cont.)

**SUBDIVISIONS / VARIANCES 2008 (415-1-4)
CONDITIONAL USE PERMITS 2008 (403-23-1)**

37. **SUBJECT:** Time Extension Request – Tentative Subdivision Map and Conditional Use Permit to convert nine apartments into condominium units for individual sale at 603-609 East 19th Street. (Applicant: San Remos Villas, LLC) (Case File No. 2008-05 T.E.) (Planning) (Staff report by Roger Post)

RECOMMENDATION: Staff recommends that the expiration date for S-2005-3/CUP-2005-5 be extended by one year to February 7, 2009.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Ungab, to approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

MARTIN LUTHER KING JR. COMMUNITY CENTER (1101-5-1)

38. **SUBJECT:** Request to use the Martin Luther King Jr. Community Center by Concordia Homes/Pacific Scene Homes on February 23, 2008. (Community Services)

RECOMMENDATION: Approve the request for use.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 39 (Warrant Register), Item No. 40 (Resolution No. 2008-38). Motion by Parra, seconded by Natividad, to approve the Consent Calendar. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)

39. Warrant Register for the period of 01/18/08 through 01/31/08 in the amount of \$182,921.09. (Community Development Commission/Finance)

TESTIMONY: Ted Godshalk, National City, inquired about the \$10,000 warrant for City Walk and the contract signature authority for the CDC Executive Director and City Manager.

ACTION: Ratified. See above.

CONSENT CALENDAR (cont.)

COUNCIL POLICY MANUAL (102-13-1)

FINANCE – INVESTMENTS / POLICY (204-2-1)

40. Resolution No. 2008-38. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY ADOPTING CITY COUNCIL POLICY NO. 203 PERTAINING TO THE NATIONAL CITY INVESTMENT POLICY. (Finance)

ACTION: Adopted. See above.

NON CONSENT RESOLUTIONS

CONTRACT (C2008-7)

41. Resolution No. 2008-39. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BUXTON COMMUNITY ID IN THE AMOUNT OF \$50,000 TO PROVIDE RETAIL MATCHING AND MARKETING SERVICES FOR THE CITY'S RETAIL ATTRACTION AND RETENTION PROGRAM, AND A MEMORANDUM OF UNDERSTANDING WITH MARINA GATEWAY DEVELOPMENT COMPANY TO PAY THE NOT TO EXCEED AMOUNT OF \$25,000 OF THE COST OF THE AGREEMENT. (Economic Development Division)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Ted Godshalk, National City, spoke in opposition.

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

NEW BUSINESS

COMMUNITY DEVELOPMENT ADMIN (406-2-12)

42. **SUBJECT:** Report – Bonita Financial Corporation declines an Exclusive Negotiating Agreement for an industrial park on Cleveland Avenue within six months as requested by the Community Development Commission. (Redevelopment Division)

ACTION: Filed.

STAFF REPORTS

FIRE DEPT ADMIN (305-1-1)

43. **SUBJECT:** Written Report - National City Fire Department's Quarterly Report. (Fire)
ACTION: Filed.

CLOSED SESSION REPORT (509-1-4)

City Attorney George Eiser reported there was no action to report from the Closed Session however the City Council / Community Development Commission did add two items to the Closed Session Agenda that arose after the agenda was posted. (See attached Exhibit 'L')

MAYOR AND CITY COUNCIL

Member Natividad reported that an information session dealing with foreclosures is in the works for interested residents and requested that the City Council be provided with the names of employees who receive a promotion.

Member Ungab emphasized that Tuesdays are a good time to schedule events appropriate for City Council participation and also expressed interest in being provided names of individuals for Council recognition. Mr. Ungab indicated that he was interested in exploring the possibility of naming a tennis facility to honor the Redondo Family as well as having a local event to Honor Cesar Chavez.

ADJOURNMENT

The meeting was adjourned in memory of Mr. Bobby Garcia and Mr. Henry Mendoza.

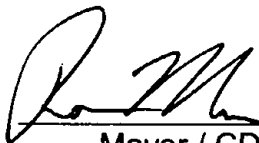
ACTION: Motion by Parra, seconded by Natividad, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, March 4, 2008 at 6:00 p.m., Council Chamber, Civic Center. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Ungab. Nays: None. Absent: Zarate. Abstain: None.

The meeting closed at 8:55 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of March 4, 2008.



Mayor / CDC Chairman

**TAPE RECORDINGS OF EACH CITY COUNCIL AND COMMUNITY
DEVELOPMENT COMMISSION MEETINGS ARE AVAILABLE
FOR SALE IN THE CITY CLERK'S OFFICE.**

EXHIBIT 'L'

AGENDA OF A SPECIAL MEETING

**National City City Council
Community Development Commission of the City of National City**

**City Council Chambers
Civic Center
1243 National City Boulevard, National City, California
Tuesday – February 19, 2008– 5:00 P.M.**

OPEN TO THE PUBLIC

BUSINESS

Closed Sessions

CITY COUNCIL

1. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson
Employee Organization: Confidential Group
2. Liability Claim – Government Code Section 54956.95
Workers' Compensation Claim
Agency Claimed Against: City of National City

COMMUNITY DEVELOPMENT COMMISSION

3. Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation Pursuant to Government Code Section 54956.9
One Potential Case

Two additional items (listed below) were added to the Closed Session Agenda. At the conclusion of the Closed Session, City / CDC Attorney George Eiser reported that no reportable action was taken on the items.

4. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9a
 - a) Community Youth Athletic Center v. City of National City, Community Development Commission of the City of National City
Case No. GIS 37-2007-0007604-CU-EI-SC
 - b) Community Development Commission of the City of National City v. Fraternal Order of Eagles, et al.
Case No. GIC869512-1

NOTE: Pursuant to State Law, items requiring Council action must be brought back on a subsequent Council agenda unless they are of a demonstrated emergency or urgent nature.

ADJOURNMENT

Next Regular City Council And Community Development Commission Meeting Tuesday – February 19, 2008 - 6:00 p.m. – Council Chambers, Civic Center

**TAPE RECORDINGS OF EACH CITY COUNCIL MEETING ARE
AVAILABLE FOR SALE IN THE CITY CLERK'S OFFICE**