

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

August 5, 2008

The Adjourned Regular Meeting of the City Council and Community Development Commission of National City was called to order at 5:05 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

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

Others present: Student Representatives Marcos Martinez and Evita Pineda.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

OFF AGENDA ITEM

SUBJECT: Request to add a Resolution and Ordinance to the agenda.

RECOMMENDATION: Add the items.

ACTION: Motion by Natividad, seconded by Ungab, to add the items to the Agenda as Item Nos. 24a and 24b. Carried by unanimous vote.

PUBLIC ORAL COMMUNICATIONS

Alfonso Hernandez, National City, referred a complaint about ice cream trucks at National City Middle School.

Daryl Gorham, National City, invited candidates for the November Municipal Election to sign-on to his web radio site.

Cathleen Ching appeared on behalf of RLH Communications, distributed a letter of explanation and requested more time to move.

Judith Castillo, President of National City American Little League and Coach Rick Piche introduced the 2008 District 66 American Little League Champions (9 to 10 year olds) from National City.

PRESENTATION

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

1. **SUBJECT:** Employee of the Month of July 2008 – Corporal Daniel Nagle (Police)

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 2 (Minutes), Items No. 3 through 10 (Resolutions Nos. 2008-150 through 2008-157), Items No. 11 and 12 (Warrant Registers). Motion by Natividad, seconded by Parra, to approve the Consent Calendar. Carried unanimous vote. Note: Councilmember Zarate abstained on Item No. 3 do to the fact that it involves her personal residence.

APPROVAL OF MINUTES

2. **SUBJECT:** Approval of the Minutes of the Adjourned Regular City Council/Community Development Commission Meeting of June 10, 2008 and the Regular Meeting of July 15, 2008. (City Clerk)

ACTION: Approved. See above.

ENCROACHMENT AGREEMENT ADMIN 2008 (903-14-2)

3. Resolution No. 2008-150. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING THE RECORDATION OF AN ENCROACHMENT PERMIT WITH MRS. ROSALIE G. ZARATE FOR THE MAINTENANCE OF FRONT YARD BLOCKWALL ENCROACHING THE PUBLIC RIGHT OF WAY AT 1734 E. 12TH STREET. (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. Abstain: Zarate.

DEED (D2008-6)

4. Resolution No. 2008-151. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE RECORDATION OF A DEED RESTRICTION UPON THE PROPERTY OF THE NATIONAL CITY LIBRARY (A.P.N. 560-100-04-00) AS STIPULATED BY THE GRANT APPLICATION AND REQUIRED BY THE EDUCATION CODE SECTION 19999 AND TITLE 5, DIVISION 2, CHAPTER 3 OF THE LIBRARY BOND ACT FOR THE RELEASE OF THE GRANT FUND PAYMENT RETENTION. (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2008-44)

5. Resolution No. 2008-152. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO EXECUTE A STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT AGREEMENT IN THE AMOUNT OF \$132,000 FOR THE PURCHASE OF FLASHING BEACONS, VEHICLE SPEED FEEDBACK SIGNS, AND A GIS-BASED TRAFFIC COLLISION RECORDS SYSTEM TO IMPROVE SAFETY. (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2008-45)

6. Resolution No. 2008-153. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO AWARD A CONTRACT IN THE AMOUNT OF \$1,669,702.72 TO ABC CONSTRUCTION COMPANY, INC. FOR THE HIGHLAND AVENUE RESURFACING PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT. (Funded by Tax Increment Dollars). (Engineering)

ACTION: Adopted. See above.

KIMBALL PARK ADMIN (702-1-1)

7. Resolution No. 2008-154. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY MEMORIALIZING THE APPROPRIATION OF \$165,000 FROM PARKS AND RECREATION CAPITAL OUTLAY FUND FOR THE COMPLETION OF A SKATEBOARD PARK IN KIMBALL PARK. (Community Services)

ACTION: Adopted. See above.

POLITICAL SUPPORT ADMIN – INITIATIVES (102-4-1)

8. Resolution No. 2008-155. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OPPOSING FISCALLY IRRESPONSIBLE STATE BUDGET DECISIONS THAT WOULD "BORROW" LOCAL GOVERNMENT, REDEVELOPMENT AND TRANSPORTATION FUNDS. (City Manager)

ACTION: Adopted. See above.

CONTRACT (C2008-46)

9. Resolution No. 2008-156. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$61,384 WITH GLOBAL PRESENTER INC. TO UPGRADE THE COUNCIL CHAMBER'S AUDIO/VIDEO SYSTEMS TO FACILITATE VIDEO ARCHIVING OF COUNCIL MEETINGS. (MIS)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CABLE TV RATE REGULATIONS (908-2-3)

10. Resolution No. 2008-157. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY SCHEDULING A PUBLIC HEARING TO CONSIDER AND DECLARING IT'S INTENTION TO GRANT, A NON-EXCLUSIVE FRANCHISE TO NEXHORIZON BROADBAND OF SOUTHERN CALIFORNIA, INC. TO CONSTRUCT, MAINTAIN, AND OPERATE A CABLE TELEVISION SYSTEM WITHIN THE CITY, PURSUANT TO CHAPTER 6.10 OF THE NATIONAL CITY MUNICIPAL CODE. (City Attorney)

ACTION: Adopted. See above.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

11. Warrant Register #1 for the period of 06/25/08 through 07/01/08 in the amount of \$501,347.42. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

12. Warrant Register #2 for the period of 07/02/08 through 07/08/08 in the amount of \$588,495.57. (Finance)

ACTION: Ratified. See above.

NEW BUSINESS WAS TAKEN UP NEXT

NEW BUSINESS

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

18. **SUBJECT:** Investment Report for quarter ended June 30, 2008. (Finance)

RECOMMENDATION: Accept and file the Report.

TESTIMONY: None.

ACTION: Motion by Zarate, seconded by Ungab, to approve staff recommendation. Carried by unanimous vote.

CONDITIONAL USE PERMITS 2008 (403-23-1)

19. Withdrawal of Conditional Use Permit for a 16-unit apartment project at 2701, 2703, and 2729 E. 18th Street. (Case File No. 2007-60) (Planning)

RECOMMENDATION: Council accept the withdrawal of the Conditional Use Permit request and rescind the prior motion to deny and that the CUP fees be applied to the Tentative Subdivision Map.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve staff recommendation. Carried unanimous vote.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2008 (403-23-1)

20. Notice of Decision – Planning Commission approval of a modification of a Conditional Use Permit for the expansion of an existing church at 2432 E. 18th Street. (Applicant: Bible Baptist Church) (Case File 2007-43 CUP) (Planning)

RECOMMENDATION: Staff concurs with the Planning Commission decisions and recommends filing the Notice of Decision.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Natividad, to file staff. Carried by unanimous vote.

TEMPORARY USE PERMITS 2008 (203-1-24)

21. **SUBJECT:** Temporary Use Permit – American Cancer Society's National City Relay for Life at Kimball Park from August 9-10, 2008 with \$1,500 in fees waived pursuant to City Council Policy #804. (Neighborhood Services Division)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions; waiver of fees totaling \$1,500 and addition of requested modifications at a cost of \$273.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve staff recommendation with requested modifications. Carried by unanimous vote.

TEMPORARY USE PERMITS 2008 (203-1-24)

22. **SUBJECT:** Temporary Use Permit - Pumpkin Station hosted by Pinery Christmas Trees at Plaza Bonita from September 26, 2008, to October 31, 2008, with no waiver of fees. (Neighborhood Services Division)

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 Zarate, seconded by Ungab, to approve staff recommendation. Carried by unanimous vote.

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

23. **SUBJECT:** Request to use the Martin Luther King, Jr. Community Center by the National School District for their teacher staff development on Monday, August 18 and Tuesday, August 19, 2008 with no waiver of fees. (Community Services)

RECOMMENDATION: Approve the request.

NEW BUSINESS (cont.)

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

23. **SUBJECT:** Request to use the Martin Luther King, Jr. Community Center (continued).

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

KIMBALL SENIOR CENTER ADMIN (702-1-2)

24. **SUBJECT:** Request to use the Kimball Senior Center by the Spearhead Senior Citizens Association for their monthly dance on every third Saturday with waiver of fees except cleaning and kitchen refundable deposit. (Community Services)

RECOMMENDATION: Approve the request for subject to conditions.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve staff recommendation and correcting the day to be Sunday. Carried by unanimous vote.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2008 (506-2-23)

24a. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 10 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 10.53 PERTAINING TO REGULATIONS FOR THE USE OF SKATE BOARD PARKS.

NEW BUSINESS

CONTRACT (C2008-47)

24b. Resolution No. 2008-158. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS AND AUTHORIZING THE AWARD OF FUNDS IN THE AMOUNT OF \$136,795.76 TO AMERICAN RAMP COMPANY FOR THE PURCHASE OF SKATEBOARD RAMPS, GUARD RAILING SYSTEM, AND FRAMEWORK FOR THE KIMBALL PARK SKATEBOARD PARK.

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Ungab, to adopt the Resolution. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 25 (Warrant Register). Motion by Natividad, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

WARRANT REGISTER JULY 2008 – JUNE 2009 (202-1-23)

25. Warrant Register for the period of 06/27/08 through 07/17/08 in the amount of \$950,726.06. (Community Development Commission/Finance)
ACTION: Ratified. See above.

NEW BUSINESS

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

26. **SUBJECT:** Investment Report for quarter ended June 30, 2008. (Finance)
RECOMMENDATION: Accept and file the Report.
TESTIMONY: None.
ACTION: Filed.

STAFF REPORTS

City Manager Chris Zapata Informed the City Council that the formal opening ceremony for the National City Marina is scheduled on September 16th.

MAYOR AND CITY COUNCIL

CITY COUNCIL ADMIN (102-16-1)

27. **SUBJECT:** Discussion regarding Highland Avenue Planters. (Council initiated)
ACTION: No action taken.

Mayor Morrison reported on plans for a West Side Compliance Committee; reviewed events scheduled for National City Week beginning September 13th and praised the recent Auto Heritage Day event.

Member Natividad congratulated Assistant Chief of Police Manuel Rodriguez for receiving the Lifetime Award from the Latino Police Officers Association and inquired about the newly installed display cases on the first floor.

Member Parra asked staff to look into the traffic situation at the Family House Restaurant and thanked the Mayor and Council for their grill work at Auto Heritage Days.

MAYOR AND CITY COUNCIL (cont.)

Member Zarate suggested that the Employee of the Month be featured in the new lobby display cases.

PUBLIC HEARINGS WERE TAKEN UP NEXT

PUBLIC HEARINGS

SEWER CAPACITY / FEES ADMIN (906-1-4)

13. Public Hearing to consider the report required by California Health and Safety Code Section 5473, et seq. pertaining to collection of sewer charges on the tax roll, directing the City Clerk to file said report with the San Diego County Auditor, and directing the Finance Director to certify with the San Diego County Auditor the "Sewer Service Charge Fund." Sewer service fees will not increase for FY-09. (Public Works) ** Refer to Item #15 **

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

UNDERGROUND UTILITY DISTRICT 25 ADMIN (904-1-11)

14. Public Hearing to determine whether the Public Health, Safety or Welfare require the formation of underground utility District No. 25, located in the Marina Gateway area which includes Bay Marina Drive, Harrison Avenue, 23rd Street and Cleveland Avenue. (Engineering) **Refer to Item #16**

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Natividad, to close the Public Hearing. Carried by unanimous vote.

NON CONSENT RESOLUTIONS

SEWER CAPACITY / FEES ADMIN (906-1-4)

15. Resolution No. 2008-159. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING A REPORT REQUIRED BY CALIFORNIA HEALTH AND SAFETY CODE SECTION 5473, ET SEQ. PERTAINING TO COLLECTION OF SEWER CHARGES ON THE TAX ROLL, DIRECTING THE CITY CLERK TO FILE SAID REPORT WITH THE SAN DIEGO COUNTY AUDITOR AND DIRECTING THE FINANCE DIRECTOR TO CERTIFY WITH THE SAN DIEGO COUNTY AUDITOR THE "SEWER SERVICE CHARGE FUND." SEWER SERVICE FEES WILL NOT INCREASE FOR FY-09. (Public Works) **Refer to Item #13**

NON CONSENT RESOLUTIONS (cont.)

SEWER CAPACITY / FEES ADMIN (906-1-4)

15. Resolution No. 2008-159 (continued).

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Natividad, to adopt the Resolution. Carried by unanimous vote.

UNDERGROUND UTILITY DISTRICT 25 ADMIN (904-1-11)

16. Resolution No. 2008-160. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING UNDERGROUND UTILITIES DISTRICT NO. 25 IN THE MARINA GATEWAY AREA WHICH INCLUDES BAY MARINA DRIVE, HARRISON AVENUE, 23RD STREET AND CLEVELAND AVENUE FOR THE PURPOSE OF CONVERTING THE OVERHEAD FACILITIES. (Engineering) **Refer to Item #14**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

PROPERTY TAX RATE BONDED INDEBTEDNESS FY 05-06 THRU FY 08-09 (205-2-2)

17. Resolution No. 2008-161. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REDUCING THE PROPERTY TAX RATE FOR BONDED INDEBTEDNESS FOR FISCAL YEAR 2008-2009 FROM 1.43 PER \$100 OF ASSESSED VALUATION TO 1.3 CENTS. (Finance)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Resolution. Carried by unanimous vote.

ITEMS NO. 18 THROUGH 27

ACTION: Taken up earlier. See above.

ADJOURNMENT

ACTION: The meeting was adjourned to an Adjourned Regular Meeting of the City Council and Community Development Commission to be held Tuesday, August 12, 2008 at 6:00 p.m., Council Chamber, Civic Center. Carried by unanimous vote.

The next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, August 19, 2008 at 6:00 p.m., Council Chamber, Civic Center.

The meeting closed at 6:12 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of August 19, 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.**