

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

April 5, 2011

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:09 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, Silva, Smith, Stevenson, Williams, Zapata.

Others present: City Treasurer Mitch Beauchamp and Student Representative Samantha Galicia.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Geoffrey Schrock, National City, advised that the shopping cart problem in the City continues unabated.

INTERVIEWS AND APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

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

The following individuals appeared for interview: Vener Yambao, Roberto Griffin, Kenold Seaton-Msemaji. The following applicants were not present: Emmanuel Gutierrez, Philip Chodur.

ACTION: No action was taken.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 2 (Minutes), Item Nos. 3 through 9 (Resolution Nos. 2011-73 through 2011-79), Item Nos. 10 and 11 (Warrant Registers). Motion by Sotelo-Solis, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

2. **SUBJECT:** Approval of the Minutes of the City Council/Community Development Commission Adjourned Meeting of February 5, 2011, the Special Meeting of February 8, 2011 and the Regular Meeting of February 15, 2011. (City Clerk)

ACTION: Approved. See above.

DEED (D2011-1)

3. Resolution No. 2011-73. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING AND AUTHORIZING THE RECORDATION OF A STREET EASEMENT INITIATED BY GEORGE ALBERT CONTRERAS, THE PROPERTY OWNER, ON A PARCEL OF LAND FOR STREET EASEMENT PURPOSES LOCATED AT 3005 F AVENUE. (A.P.N. 562-290-35-00) (Development Services/Engineering)

ACTION: Adopted. See above.

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

4. Resolution No. 2011-74. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF APPROXIMATELY 1400 FEET OF PARKING LANE STRIPING ON THE NORTH SIDE OF DIVISION STREET FROM GILBERT LANE TO THE WEST TO CREATE AN 8-FOOT PARKING LANE TO PROVIDE A BUFFER BETWEEN PARKED VEHICLES / VEHICLES EXITING THE PRIVATE DRIVEWAYS AND THROUGH TRAFFIC. (Traffic Safety Committee Item No. 2011-6) (Development Services/Engineering)

ACTION: Adopted. See above.

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

5. Resolution No. 2011-75. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF PARKING LANE STRIPING AND SIGNAGE ON THE 800 BLOCK OF EDGERTON WAY TO DISCOURAGE VEHICLES FROM BLOCKING PEDESTRIAN GATES. (Traffic Safety Committee Item No. 2011-5) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

6. Resolution No. 2011-76. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF A STOP SIGN ON MARY LANE AT ETHEL PLACE, AND INSTALLATION OF RED CURB "NO PARKING" AT THE SOUTHWEST CORNER OF THE INTERSECTION TO ENHANCE SAFETY. (Traffic Safety Committee Item No. 2011-4) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2010-10)

7. Resolution No. 2011-77. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN A ONE YEAR EXTENSION TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND SAN DIEGO SPORTS MEDICINE AND FAMILY HEALTH CENTER FOR WELLNESS PROGRAM SERVICES. (Fire)

ACTION: Adopted. See above.

LAND USE PLANNING / MITIGATION (405-10-4)

8. Resolution No. 2011-78. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND ADOPTING THE UPDATED MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT SAID PLAN. (Fire)

ACTION: Adopted. See above.

GRANT / COMMUNITY DEVELOPMENT (206-4-25)

CONTRACT (C2009-47)

CONTRACT (C2009-95)

9. Resolution No. 2011-79. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY MODIFYING EXPENDITURE METHODS CONSISTENT WITH U.S. DEPARTMENT OF ENERGY (DOE) GRANT (NO. DE-SC0002029) REQUIREMENTS, PUBLIC CONTRACT CODE AND CITY POLICIES IN THE AMOUNT OF \$561,700 FOR THE CIVIC CENTER CHILLER PROJECT, SPECIFICATION NO. 11-01 AND AMENDING RESOLUTION NO. 2009-274 TO REMOVE THE HONEYWELL BUSINESS SOLUTION REFERENCE. (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

10. Warrant Register #34 for the period of 02/16/11 through 02/22/11 in the amount of \$2,585,519.19. (Finance)
ACTION: Ratified. See above.

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

11. Warrant Register #35 for the period of 02/23/11 through 03/01/11 in the amount of \$1,256,613.75. (Finance)
ACTION: Ratified. See above.

NON CONSENT RESOLUTIONS

CONTRACT (C2011-19)

12. Resolution No. 2011-80. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH UNION BANK, N.A., FOR BANKING AND CUSTODY SERVICES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL OTHER RELATED DOCUMENTS AS DEEMED NECESSARY. (Finance) **Companion Item #29**
RECOMMENDATION: Authorize the Mayor to execute the agreement with Union Bank N.A., and authorize the City Manager to execute other related documents as deemed necessary.
TESTIMONY: None.
ACTION: Motion by Natividad, seconded by Rios, to adopt the Resolution. Carried by unanimous vote.

CONTRACT (C2004-20)

13. Resolution No. 2011-81. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND MAYER HOFFMAN MCCANN P.C. FOR INDEPENDENT AUDITING SERVICES TO INCLUDE THE FISCAL YEAR ENDED JUNE 30, 2011, IN THE AMOUNT OF \$37,300. (Finance) **Companion Item #30**
RECOMMENDATION: Staff recommends amending the agreement to include the fiscal year ended June 30, 2011 at a cost of \$37,300.
TESTIMONY: None.
ACTION: Motion by Natividad, seconded by Sotelo-Solis, to adopt the Resolution. Carried by unanimous vote.

NEW BUSINESS

EQUIPMENT DONATIONS OF SURPLUS (209-1-3)

14. Donation of City surplus property (police patrol vehicle) to the Southwestern Community College Police Academy to assist academy recruits transition from the academy training environment to a law enforcement training program. (City Manager)

RECOMMENDATION: Approve the donation.

TESTIMONY: None.

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

PERSONNEL ADMIN (604-6-1)

15. Notice of the City of National City's intent to enact Government Code Section 20903, two years additional service credit at an estimated cost of \$250,000 amortized over 20 years resulting from an economically driven reduction in workforce initiative. (Human Resources)

RECOMMENDATION: None.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to accept. Carried by unanimous vote.

ANIMAL SAFETY ADMIN (304-1-2)

16. Response to request by Ana Brown of the Feral Cat Coalition at the City Council Meeting of December 7, 2010. (Police)

RECOMMENDATION: Based on the needs of the community, the program should continue and no changes be made to the Municipal Code.

TESTIMONY: Josh Hirschmiller, representing East County Animal Rescue and Amber Millen from the Feral Cat Coalition spoke against staff recommendation.

Cheryl Howery-Colmenero, National City, spoke against staff recommendation.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to refer back to staff for additional study and information. Carried by unanimous vote.

COUNCIL MEETING PRESENTATIONS (102-10-6)

17. Report on pawnshops, and businesses engaged in secondhand dealing and/or the purchase and selling of gold and other precious metals. (City Manager)

RECOMMENDATION: The City Council may wish to direct staff to further research the City's ability to further regulate secondhand and gold buying businesses, where they are not preempted by State law.

TESTIMONY: None.

NEW BUSINESS (cont.)

COUNCIL MEETING PRESENTATIONS (102-10-6)

17. Report on pawnshops (continued).

ACTION: Staff to bring back additional information and recommendations. No vote taken.

TEMPORARY USE PERMITS 2011 (203-1-27)

18. Temporary Use Permit – Integrity Charter School's Physical Education program at Kimball Park Monday, Wednesday and Thursdays commencing April 6, 2011 thru June 3, 2011 with no waiver of fees. Note: A Field/Facilities Use Permit will also apply. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2011 (203-1-27)

19. Temporary Use Permit – T-Shirt Mart requesting to have a 15.2x10' inflatable T-shirt balloon at 1502 Highland Avenue to be displayed only on Fridays, Saturdays, and Sundays from April 8, 2011 through December 30, 2011 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 Natividad, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

TEMPORARY USE PERMITS 2011 (203-1-27)

20. Temporary Use Permit – Community Easter Egg Hunt 2011 sponsored by Cornerstone Church of San Diego at Las Palmas Park on April 23, 2011 from 11 a.m. to 3 p.m. with no waiver of fees. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval.

TESTIMONY: None.

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

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2011 (203-1-27)

21. Temporary Use Permit – National City Chamber of Commerce’s Taste of National City on May 6, 2011 at Brick Row Heritage Square from 4 p.m. to 7 p.m. This is a National 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.

TESTIMONY: Jacqueline Reynoso, Chamber of Commerce President, requested modification of the application and approval to allow participation of Barrio Logan Winery.

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

TEMPORARY USE PERMITS 2011 (203-1-27)

22. Temporary Use Permit – Lions Club 67th Annual Independence Day Carnival sponsored by the National City Host Lions Club at Kimball Park from June 30, 2011 to July 4, 2011. 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 and approve the waiver of fees in the amount of \$5,000 as was granted for last year’s event.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2011 (203-1-27)

23. Temporary Use Permit – National City & Eugene Amano Football Camp at El Toyon field on July 16, 2011 from 9 a.m. to 2 p.m. sponsored by the City of National City Community Services Department and the Eugene Amano Foundation with a request for waiver of fees. (Neighborhood Services)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval with waiver of fees.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to continue for two weeks to allow confirmation of warranty and possible consideration of Policy 804 modifications. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 24 and 25 (Warrant Registers). Motion by Sotelo-Solis, seconded by Natividad, to approve the Consent Calendar. Carried by unanimous vote.

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

24. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$242,379.33 to the City of National City for the period of 02/16/11 through 02/22/11. (Finance)

ACTION: Approved. See above.

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

25. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$753,338.51 to the City of National City for the period of 02/23/11 through 03/01/11. (Finance)

ACTION: Approved. See above.

PUBLIC HEARING

CITY WIDE HOUSING ADMIN (303-4-1)

26. Public Hearing - Community Development Commission of National City Section 8 Rental Assistance Division, Public Housing Agency Plan, Annual Plan for Fiscal Year 2011 and the Section 8 Administrative Plan; and authorizing the submittal of the PHA Plan to the U.S. Department of Housing and Urban Development. (Community Development/Housing and Grants/Section 8 Program) **Companion Items #27 and #28**

RECOMMENDATION: Conduct the Public Hearing.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

CITY WIDE HOUSING ADMIN (303-4-1)

27. Resolution No. 2011-82. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING THE PUBLIC HOUSING AGENCY ANNUAL PLAN (PHA) FOR FISCAL YEAR 2011, AND AUTHORIZING THE SUBMITTAL OF THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Community Development/Housing and Grants/Section 8 Program) **Companion Items #26 and #28**

RECOMMENDATION: Adopt the Resolution.

NON CONSENT RESOLUTIONS (cont.)

CITY WIDE HOUSING ADMIN (303-4-1)

27. Resolution No. 2011-82 (continued).

TESTIMONY: None.

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

CITY WIDE HOUSING ADMIN (303-4-1)

28. Resolution No. 2011-83. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING THE REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN, AND AUTHORIZING SUBMITTAL OF THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Community Development/Housing and Grants/Section 8 Program) **Companion Items #26 and #27**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2011-19)

29. Resolution No. 2011-84. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH UNION BANK, N.A., OF CALIFORNIA TO PROVIDE BANKING AND CUSTODY SERVICES, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ALL OTHER RELATED AGREEMENTS, AS DEEMED NECESSARY. **Companion Item #12**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2004-20)

30. Resolution No. 2011-85. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) AUTHORIZING THE CHAIRMAN TO EXECUTE A ONE YEAR AGREEMENT BETWEEN THE CDC AND MAYER HOFFMAN MCCANN P.C., FOR INDEPENDENT AUDITING SERVICES TO INCLUDE THE FISCAL YEAR ENDED JUNE 30, 2011, IN THE AMOUNT OF \$21,250. (Finance) **Companion Item #13**

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2004-20)

30. Resolution No. 2011-85 (continued).

RECOMMENDATION: Authorize the one year agreement for the fiscal year ended June 30, 2011 at a cost of \$21,250. Costs will be allocated as follows: Section 8 = \$5,750 / Morgan Towers = \$7,500 / Tax Increment = \$8,000

TESTIMONY: None.

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

STAFF REPORTS

CLOSED SESSION REPORT (509-1-4)

31. 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')

31a. Development Services Director Maryam Babaki reported that the City has received two small Safe Routes to Schools grants.

MAYOR AND CITY COUNCIL

Member Natividad reported that he had a productive meeting with the Mayor; attended the Lions Club Eye Program event which was very impressive; thanked Neighborhood Services for responding to a referral; inquired about the status of "Citizen of the Month" Program and suggested the City work with Habitat for Humanity and look at the possibility of relocating residents of the Keystone Trailer Park to new affordable units.

Member Sotelo-Solis thanked staff for work on budget and noted that tough decisions lie ahead; requested there be more coordination and communication regarding legislative supports requests; reported that she attended the SANDAG Regional Planning Meeting and stressed the importance of having a representative in attendance and finding ways to help citizens participate in the census redistricting process.

Member Rios thanked staff for their budget work; asked that consideration be given to having a 'suggestion box' at future Neighborhood Breakfast meetings and inquired about having more detail in the City Calendar of Events.

Member Zarate reported on the award of a \$2.5 million grant for the Bay Shore Bike Path and \$5 million for trees and shrubs in the south bay.

MAYOR AND CITY COUNCIL (cont.)

Mayor Morrison reminded everyone about the free e-waste recycling event at Plaza Bonita on Saturday and Sunday; reported that several business opening events are coming soon and advised that, despite recent publicity, the drought is not over for National City and Southern California.

ADJOURNMENT


Motion by Sotelo-Solis, seconded by Zarate, to adjourn the meeting to the next Regular City Council and Community Development Commission Meeting to be held Tuesday, April 19, 2011 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:30 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of April 19, 2011.



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, April 5, 2011 – 4:30 p.m.

ROLL CALL

CLOSED SESSION

1. Conference with Labor Negotiators – Government Code Section 54657.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva, Eddie Kreisberg, Brad Raulston and Teresa Mendoza
Employee Organization: Fire Fighters Association
2. Conference with Legal Counsel: Existing Litigation – Government Code Section 54956.9(a)
City of National City v. Bruce M. Boogard and Cynthia K. Boogard, One West Bank
San Diego County Superior Court Case No. 37-2010-00077982-CU-EI-SC
3. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson, Teresa Mendoza, Claudia Silva, Jeff Servatius
Employee Organization: Municipal Employees' Association
4. Public Employment – Government Code Section 54957
Title: City Manager

ADJOURNMENT

Next Regular City Council/CDC Meeting – Tuesday, April 19, 2011, 6:00 p.m., Council Chambers, Civic Center