

**Agenda Of An Adjourned Regular Meeting – National City City Council /
Community Development Commission of the City of National City/ Housing
Authority of the City of National City**

**Council Chambers
Civic Center
1243 National City Boulevard
National City, California
Regular Meeting – Tuesday – January 10, 2012 – 6:00 P.M.**

Open To The Public

Please complete a request to speak form prior to the commencement of the meeting and submit it to the City Clerk.

It is the intention of your City Council and Community Development Commission (CDC) to be receptive to your concerns in this community. Your participation in local government will assure a responsible and efficient City of National City. We invite you to bring to the attention of the City Manager/Executive Director any matter that you desire the City Council or Community Development Commission Board to consider. We thank you for your presence and wish you to know that we appreciate your involvement.

ROLL CALL

Pledge of Allegiance to the Flag by Mayor Ron Morrison

Public Oral Communications (Three-Minute Time Limit)

NOTE: Pursuant to state law, items requiring Council or Community Development Commission action must be brought back on a subsequent Council or Community Development Commission Agenda unless they are of a demonstrated emergency or urgent nature.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Council and Community Development Commission Meetings. Audio headphones are available in the lobby at the beginning of the meetings.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.

**Council Requests That All Cell Phones
And Pagers Be Turned Off During City Council Meetings**

COPIES OF THE CITY COUNCIL OR COMMUNITY DEVELOPMENT COMMISSION MEETING AGENDAS AND MINUTES
MAY BE OBTAINED THROUGH OUR WEBSITE AT www.nationalcityca.gov

PRESENTATIONS

1. Recognizing Estela C. Cordero, Police Sergeant, for her 20 years of service with the City of National City.
2. Swearing in of new Community Emergency Response Team Members (CERT)

Jason Skidmore
Helen Romero
Harold Aranda
3. Presentation by San Diego Association of Governments – Smart Growth Concept Map

CITY COUNCIL

CONSENT CALENDAR

Consent Calendar: Consent calendar items involve matters, which are of a routine or noncontroversial nature. All consent calendar items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

4. Approval of the Minutes of the Regular City Council/Community Development Commission Meetings of November 15, 2011 and December 6, 2011. (City Clerk)
5. 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)
6. Resolution of the City Council of the City of National City authorizing the installation of 30-minute restricted parking from 8:00 am to 6:00 pm, Monday-Saturday, on W. 5th Street adjacent to 438 National City Boulevard (Star Automotive) to create higher parking turnover for customers and alleviate vehicle storage issues. (Traffic Safety Committee Item No. 2011-28) (Development Services/Engineering)

CONSENT CALENDAR (Cont.)

7. Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of D Avenue and E. 20th Street to improve sight distance. (Traffic Safety Committee Item No. 2011-29) (Development Services/Engineering)
8. Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of D Avenue and E. 22nd Street to improve sight distance. (Traffic Safety Committee Item No. 2011-30) (Development Services/Engineering)
9. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement with Project Professionals Corporation for a not-to-exceed amount of \$376,679 and authorizing a 25% contingency amount up to \$94,169.75 to provide construction management and inspection services for the City’s \$3.5 million 8th Street Sewer Replacement and Utility Undergrounding Project. (Development Services/Engineering)
10. Resolution of the City Council of the City of National City authorizing the Mayor to execute an Agreement with URS Corporation for a not-to-exceed amount of \$100,000 and authorize a 25% contingency amount up to \$25,000 to provide on-call program management services for the City’s Bond/Capital Improvement Program. (Funded by various Capital Improvement Project funds. No General funds are included) (Development Services/Engineering)
11. Resolution of the City Council of the City of National City authorizing staff to submit an application for Proposition 84 Storm Water Grant Program (SWGPs) funds in the amount of \$3 million for the restoration of Paradise Creek and authorizing a local match of \$600,000 (matching funds are available through the 2011 Tax Allocation Bond (Capital Improvement) for Paradise Creek Enhancement). (Development Services/Engineering)
12. Resolution of the City Council of the City of National City authorizing staff to apply for funding for certain projects on and off Tidelands to the 2014-2018 Unified Port of San Diego Capital Improvement Program. (Redevelopment/Special Projects)

CONSENT CALENDAR (Cont.)

13. Resolution of the City Council of the City of National City approving a Memorandum of Understanding between the YMCA of San Diego County-South Bay Branch and the City of National City for a 12 month period of negotiation of contemplated partnership to provide sustainable programs at Las Palmas Park to National City residents. (Community Services)

14. Resolution of the City Council of the City of National City adopting updated City Council Policy #203 on “Investments”. (City Manager/Finance)

15. Resolution of the City Council of the City of National City modifying the contribution rates to the Public Employees’ Retirement System by decreasing the City’s contribution and incrementally increasing the member contribution paid by the City of National City’s Police Officers’ Association Represented Employees reaching a 100% employee contribution in July, 2013; and rescinding City Council Resolution 2011-261. (Human Resources)

16. Resolution of the City Council of the City of National City modifying the contribution rates to the Public Employees’ Retirement System by eliminating the City’s contribution and increasing to 8% the member contribution paid by the City of National City’s Miscellaneous Employees, Confidential Employee Group Subset; and rescinding City Council Resolution 2011-263. (Human Resources)

17. Resolution of the City Council of the City of National City designating the representatives authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City. (Finance)
Companion Item #39

18. WARRANT REGISTER #20

Warrant Register #20 for the period of 11/09/11 through 11/15/11 in the amount of \$1,358,307.41. (Finance)

19. WARRANT REGISTER #21

Warrant Register #21 for the period of 11/16/11 through 11/22/11 in the amount of \$465,146.53. (Finance)

CONSENT CALENDAR (Cont.)

20. WARRANT REGISTER #22

Warrant Register #22 for the period of 11/23/11 through 11/29/11 in the amount of \$3,078,993.52. (Finance)

PUBLIC HEARING

21. Public Hearing of the City Council of the City of National City regarding results of majority protest proceedings and establishing the National City Tourism Marketing District. (Redevelopment/Special Projects) **Companion Item #23 **

ORDINANCE FOR ADOPTION

22. An Ordinance of the City Council of the City of National City to approve 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 3% @ 55 full formula benefit for Fire Safety Members entering membership for the first time in the Firefighters' Association. (Human Resources)

NON CONSENT RESOLUTIONS

23. Resolution of the City Council of the City of National City declaring results of majority protest proceedings and establishing the National City Tourism Marketing District. (Redevelopment/Special Projects) **Companion Item #21**
24. Resolution of the City Council of the City of National City urging the State of California to adopt urgency legislation making the possession of psychoactive bath salts and psychoactive herbal incense a violation of State law. (City Attorney/Police)
25. Resolution of the City Council of the City of National City designating the City of National City as the Successor Agency under Part 1.85 of the Health and Safety Code subject to reservations herein stated. (City Attorney)

NON CONSENT RESOLUTIONS (Cont.)

26. Resolution of the City Council of the City of National City under Part 1.85 of Division 24 of the Health and Safety Code designating the National City Housing Authority to perform the housing functions previously performed by the Community Development Commission of the City of National City subject to reservations herein stated. (City Attorney)
27. Resolution of the City Council of the City of National City electing to retain the housing assets and functions of the Community Development Commission of the City of National City under Part 1.85 of Division 24 of the Health and Safety Code subject to reservations herein stated. (City Attorney)

NEW BUSINESS

28. Presentation on the Marina District joint planning process with the Port and authorizing staff to work jointly with the Port District to issue a Request for Qualifications (RFQ) from parties interested in developing the Marina District. (Development Services)
29. Follow-up report and request for direction from City Council regarding the initiation of a Code Amendment to reclassify auto glass use for inclusion in the Major Mixed-Use Corridor (MXC-2) zone. (Development Services/Planning)
30. Approval of the Disqualifying Criteria of a Community and Police Relations Commissioner and the Supplemental Application to the City Application for appointment to boards, commissions and committees. (Community Services)
31. Review of amended application for the Community and Police Relations Commission (CPRC) in light of Disqualifying Criteria and the Supplemental Application to the City Application for appointment to City boards, commissions and committees. (Community Services)
32. Review of BayView Tower's TUP for banner and advertising display located on the BayView Tower building at 801 National City Boulevard. (Neighborhood Services)

NEW BUSINESS (Cont)

33. Notice of Decision – Planning Commission approval of a Conditional Use Permit for public assembly at the Olivewood Clubhouse located at 541 East 24th Street. (Applicant: San Diego County Building Trades Corporation) (Case File 2011-27 CUP) (Development Services/Planning)
34. Notice of Decision – Planning Commission approval of a Conditional Use Permit for live entertainment at McDini's Bar/Restaurant, located at 105 East 8th Street, with a zone variance for less than required parking. (Applicant: Benny Adler) (Case File 2010-33 CUP, Z) (Development Services/Planning)
35. Notice of Decision – Planning Commission approval of a Conditional Use Permit for public assembly and a Tattoo Studio at Sweetwater Harley Davidson located at 3201 Hoover Avenue. (Applicant: Anastasia Polles) (Case File 2011-28 CUP) (Development Services/Planning)

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

36. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$200,111.39 to the City of National City for the period of 11/09/11 through 11/15/11. (Finance)
37. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$257,895.20 to the City of National City for the period of 11/16/11 through 11/22/11. (Finance)
38. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$126,839.84 to the City of National City for the period of 11/23/11 through 11/29/11. (Finance)
39. Resolution of the Community Development Commission of the City of National City designating the representatives authorized to order the deposit and withdrawal of Community Development Commission monies with financial institutions on behalf of the Community Development Commission of the City of National City. (Finance) **Companion Item #17**

HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY

NON CONSENT RESOLUTION

40. Resolution of the National City Housing Authority accepting the transfer of the housing assets and functions of the Community Development Commission of the City of National City under Part 1.85 of Division 24 of the Health and Safety Code subject to reservations herein stated. (City Attorney)

STAFF REPORTS

41. Grants Status Report. (Housing & Grants)
42. Spice Update. (Police/Code Enforcement)
43. Report: California Supreme Court Decision regarding ABx1 26 and ABx1 27. (City Attorney)
44. Closed Session Report. (City Attorney)

MAYOR AND CITY COUNCIL

ADJOURNMENT

Adjourned Regular City Council and Community Development Commission Meeting – Tuesday – January 24, 2012 – 6:00 p.m. – Council Chambers – National City, California