

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

**January 10, 2012**

The Adjourned Regular Meeting of the City Council, Community Development Commission and Housing Authority of National City was called to order at 6:11 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

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

Administrative Officials present: Dalla, Deese, Gonzales, Manganiello, Parra, Raulston, Silva, Smith, Stevenson, Williams.

Others present: City Treasurer Mitch Beauchamp and Student Representatives Aileen Horta.

**PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON**

**PUBLIC ORAL COMMUNICATIONS**

Jesus Preciado, National City, distributed information to the City Council on his proposed Hydroponic Farm Project.

Geoffrey Schrock, National City, told the City Council the city is moving in the right direction and the Police Department is doing a good job.

**PRESENTATIONS**

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

1. Recognizing Estela C. Cordero, Police Sergeant, for her 20 years of service with the City of National City.

**COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)**

2. Swearing in of new Community Emergency Response Team (CERT) Academy Members (Fire)  
Fire Engineer Steve Dillard, CERT coordinator, presented the individuals who successfully completed the Community Emergency Response Team Academy: Jason Skidmore, Helen Romero and Harold Aranda.  
City Clerk Michael Dalla administered the Oath of Office to those present.

**PRESENTATIONS (cont.)**

**COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)**

3. Presentation by San Diego Association of Governments – Smart Growth Concept Map

**CITY COUNCIL**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 4 (Minutes), Item No. 5 (NCCMC), Item Nos. 6 through 17 (Resolution Nos. 2012-1 through 2012-12), Item Nos. 18 through 20 (Warrant Registers). Motion by Natividad, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

**APPROVAL OF MINUTES**

4. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meetings of November 15, 2011 and December 6, 2011. (City Clerk)  
**ACTION:** Approved.

**MUNICIPAL CODE 2012 (506-2-27)**

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)  
**ACTION:** Approved. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2012 (801-2-33)**

6. Resolution No. 2012-1. 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. 5<sup>TH</sup> 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)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**PARKING & TRAFFIC CONTROL ADMIN 2012 (801-2-33)**

7. Resolution No. 2012-2. 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. 20<sup>TH</sup> STREET TO IMPROVE SIGHT DISTANCE. (Traffic Safety Committee Item No. 2011-29) (Development Services/ Engineering)  
**ACTION:** Adopted. See above.

**PARKING & TRAFFIC CONTROL ADMIN 2012 (801-2-33)**

8. Resolution No. 2012-3. 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. 22<sup>ND</sup> STREET TO IMPROVE SIGHT DISTANCE. (Traffic Safety Committee Item No. 2011-30) (Development Services/ Engineering)  
**ACTION:** Adopted. See above.

**CONTRACT (C2012-1)**

9. Resolution No. 2012-4. 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 8<sup>TH</sup> STREET SEWER REPLACEMENT AND UTILITY UNDERGROUNDING PROJECT. (Development Services/ Engineering)  
**ACTION:** Adopted. See above.

**CONTRACT (C2012-2)**

10. Resolution No. 2012-5. 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)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**ENGINEERING DEPT – GRANTS / REPORTS ADMIN (1104-1-1)**

11. Resolution No. 2012-6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING STAFF TO SUBMIT AN APPLICATION FOR PROPOSITION 84 STORM WATER GRANT PROGRAM (SWGP) 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)  
**ACTION:** Adopted. See above.

**BOARD OF PORT COMMISSIONERS - PORT CIP (701-5-1)**

12. Resolution No. 2012-7. 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)  
**ACTION:** Adopted. See above.

**CONTRACT (C2012-3)**

13. Resolution No. 2012-8. 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)  
**ACTION:** Adopted. See above.

**COUNCIL POLICY MANUAL (102-13-1)**

14. Resolution No. 2012-9. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING UPDATED CITY COUNCIL POLICY #203 ON "INVESTMENTS". (City Manager/Finance)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**LABOR RELATIONS POA 2011 – 2014 (605-3-10)**

15. Resolution No. 2012-10. 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)

**ACTION:** Adopted. See above.

**LABOR RELATIONS CONFIDENTIAL EMPLOYEES 2012 – 2014 (605-5-7)**

16. Resolution No. 2012-11. 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)

**ACTION:** Adopted. See above.

**FINANCIAL MANAGEMENT 2011 – 2012 (204-1-27)**

17. Resolution No. 2012-12. 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\*\*

**ACTION:** Adopted. See above.

**WARRANT REGISTER JULY 2011 – JUNE 2012 (202-1-26)**

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

**ACTION:** Ratified. See above

**WARRANT REGISTER JULY 2011 – JUNE 2012 (202-1-26)**

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

**ACTION:** Ratified. See above

**CONSENT CALENDAR (cont.)**

**WARRANT REGISTER JULY 2011 – JUNE 2012 (202-1-26)**

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

**ACTION:** Ratified. See above

**PUBLIC HEARING**

**COMMUNITY DEVELOPMENT ADMIN 2011 – 2014 (406-2-16)**

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 \*\*

**RECOMMENDATION:** None.

**TESTIMONY:** None.

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

**ORDINANCE FOR ADOPTION**

**MUNICIPAL CODE 2012 (506-2-27)**

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)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS**

**COMMUNITY DEVELOPMENT ADMIN 2011 – 2014 (406-2-16)**

23. Resolution No. 2012-13. 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\*\*

**RECOMMENDATION:** None.

**TESTIMONY:** None.

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

**POLITICAL SUPPORT ADMIN (102-4-1)**

24. Resolution No. 2012-14. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**COMMUNITY DEV ADMIN (406-2-16)**

25. Resolution No. 2012-15. 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)

**RECOMMENDATION:** Adopt the Resolution

**TESTIMONY:** None.

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

**NON CONSENT RESOLUTIONS (cont.)**

**CITYWIDE HOUSING ADMINISTRATION (303-4-1)**

26. Resolution No. 2012-16. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITYWIDE HOUSING ADMINISTRATION (303-4-1)**

27. Resolution No. 2012-17. 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)

**RECOMMENDATION:** Staff recommended that the Resolution be pulled and no action taken.

**TESTIMONY:** None.

**ACTION:** Item pulled. No action taken.

**NEW BUSINESS**

**BOARD OF PORT COMMISSIONERS – STRATEGIC PLANNING (701-4-2)**

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)

**STAFF PRESENTATION:** Ray Pe and Chris Morrow of Project Design Consultants. (Copy on file in the Office of the City Clerk)

**RECOMMENDATION:** (1) Accept and file the Marina District Planning Study. (2) Direct staff to work with the Port to develop RFP for the implementation of the study recommendations and development of the study area with flexibility to consider phasing on portions of the study area. (3) Direct staff to work with the Port on the development of parks and supporting facilities on the B-1 and B-3 parcels pursuant to the Harbor District Specific Area Plan and the approved Port CIP. (4) Direct City staff to consider the feasibility of relocating Granger Music Hall to a location within the study area.



**NEW BUSINESS (cont.)**

**BOARD OF PORT COMMISSIONERS – STRATEGIC PLANNING (701-4-2)**

28. Presentation on the Marina District joint planning process with the Port (continued).

**TESTIMONY:** Dukie Valderama, National City Port Commissioner highlighted the progress made on behalf of National City and encouraged the City Council to work with the Port District. Commissioner Valderama stated that he supports and will continue to support the City's 'Preferred Alternative' site but that the approval by the Port District Board for development of the 20-acre parcel was a substantial victory for the City.

Ivar Leetma, San Diego, expressed his support for the consultants 'Preferred Alternative' but acknowledged the difficult issues involved.

John Grimstead, representing DB Capital Holdings, Pier 32 Marina, said he believes the 26-acre parcel approved by the Port is a viable site and encouraged the City Council to support a phased approach with the Port District.

Carolina Martinez, Environmental Health Coalition (EHC), read the comments she presented to the Port District Board expressing the neutral position of EHC to the Vision Plan.

**ACTION:** Motion by Sotelo-Solis, seconded by Zarate, to authorize staff to work jointly with the Port District to issue an RFQ from parties interested in leasing and developing the property in the 'Preferred Alternative'. Carried by unanimous vote.

**ZONING CHANGE ADMIN (410-1-1)**

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)

**RECOMMENDATION:** Consider the staff report and determine if a Code Amendment initiation is warranted.

**TESTIMONY:** None.

**ACTION:** Motion by Natividad, to request initiation of Code Amendment. Motion died for lack of second.

Motion by Sotelo-Solis, seconded by Rios, to table for a report on possible impacts. Carried by the following vote, to-wit: Ayes: Morrison, Rios, Sotelo-Solis, Zarate. Nays: Natividad. Absent: None. Abstain: None.

**NEW BUSINESS (cont.)**

**BOARDS & COMMISSIONS ADMIN (101-1-1)**

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)

**RECOMMENDATION:** Option 1: Accept documents as presented and apply to (a) current suspended commissioner & pending appointee; or (b) new applicants only. Option 2: Modify criteria, such as age of conviction and/or type of offense.

**TESTIMONY:** None.

**ACTION:** Motion by Natividad, seconded by Sotelo-Solis, to refer Item No. 30 back to staff for a report and recommendations on class and age of felonies. Carried by unanimous vote.

**BOARDS & COMMISSIONS ADMIN (101-1-1)**

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)

**RECOMMENDATION:** Dependent on Council action taken from preceding Council Agenda Item regarding Disqualifying Criteria.

**TESTIMONY:** None.

**ACTION:** Motion by Natividad, seconded by Sotelo-Solis, to refer Item No. 31 back to staff for a report and recommendations for modifying the application form. Carried by unanimous vote.

**TEMPORARY USE PERMITS 2012 (203-1-28)**

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)

**RECOMMENDATION:** Pacifica Companies must re-apply for a new TUP extension to allow City Departments the review and recommendation process.

**TESTIMONY:** Allison Rolfa, representing the applicant, spoke in favor and responded to questions.

**ACTION:** Referred back to staff for report in 30 days.

**NEW BUSINESS (cont.)**

**CONDITIONAL USE PERMITS 2012 (403-27-1)**

33. Notice of Decision – Planning Commission approval of a Conditional Use Permit for public assembly at the Olivewood Clubhouse located at 541 East 24<sup>th</sup> Street. (Applicant: San Diego County Building Trades Corporation) (Case File 2011-27 CUP) (Development Services/Planning)

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** Tom Lemmon, representing the applicant, spoke in support and responded to questions.

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to file the notice of decision. Carried by unanimous vote.

**CONDITIONAL USE PERMITS 2012 (403-27-1)**

34. Notice of Decision – Planning Commission approval of a Conditional Use Permit for live entertainment at McDini's Bar/Restaurant, located at 105 East 8<sup>th</sup> Street, with a zone variance for less than required parking. (Applicant: Benny Adler) (Case File 2010-33 CUP, Z) (Development Services/Planning)

**RECOMMENDATION:** Staff's recommendation to Planning Commission was to deny the Conditional Use Permit and to approve the Zone Variance.

**TESTIMONY:** Ben Adler, the applicant, spoke in favor and responded to questions.

**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to set for Public Hearing on February 7<sup>th</sup>. Carried by unanimous vote.

**CONDITIONAL USE PERMITS 2012 (403-27-1)**

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)

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** Anastasia Polles, the applicant, spoke in favor and responded to questions.

**ACTION:** Motion by Sotelo-Solis, seconded by Zarate, to set for Public Hearing on January 24<sup>th</sup>. Carried by unanimous vote.

**COMMUNITY DEVELOPMENT COMMISSION**

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item Nos. 36 through 38 (Warrant Registers), Item No. 39 (Resolution No. 2012-18). Motion by Zarate, seconded by Rios, to approve the Consent Calendar. Carried by unanimous vote.

**WARRANT REGISTER JULY 2011 – JUNE 2012 (202-1-26)**

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)

**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2011 – JUNE 2012 (202-1-26)**

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)

**ACTION:** Approved. See above.

**WARRANT REGISTER JULY 2011 – JUNE 2012 (202-1-26)**

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)

**ACTION:** Approved. See above.

**FINANCIAL MANAGEMENT 2011 – 2012 (204-1-27)**

39. Resolution No. 2012-18. 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\*\*

**ACTION:** Adopted. See above.

**HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**NON CONSENT RESOLUTION**

**CITYWIDE HOUSING ADMINISTRATION (303-4-1)**

40. Resolution No. 2012-1. 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)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**STAFF REPORTS**

**HOUSING & GRANTS DEPT ADMIN (1104-1-9)**

41. Grants Status Report. (Housing & Grants)

**POLICE DEPT ADMIN (302-4-1)**

42. Spice Update. (Police/Code Enforcement)

**CITY ATTORNEY REPORTS (509-1-3)**

43. Report: California Supreme Court Decision regarding ABx1 26 and ABx1 27. (City Attorney)

**CLOSED SESSION REPORT (509-1-4)**

44. 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**

Vice Mayor Sotelo-Solis informed everyone that UCSD students would be participating in a Day of Service on January 15<sup>th</sup> at the American Legion Hall and Paradise Creek in honor of Martin Luther King. Volunteers are welcome

Member Rios said she attended the meeting at the Port District and complimented the Mayor for his presentation.

Member Zarate praised the recent e-waste event and extended New Year's Greetings.

**MAYOR AND CITY COUNCIL (cont.)**

Mayor Morrison confirmed that City Manager Chris Zapata is moving on to a new City at the end of the month and the Council wished him the very best on his move to San Leandro. The Mayor said the City Council discussed the City Manager's departure for the first time in closed session; that in the coming weeks and months work will be done on a selecting a replacement and that the Council will reveal their intention and how they are going to proceed as it is determined.

City Treasurer Beauchamp gave a brief update on implementation of the Financial Policy.

**ADJOURNMENT**

The meeting was adjourned in memory of Mr. Leonard (Bud) Heuss.

Motion by Sotelo-Solis, seconded by Rios, to adjourn the meeting to the next Adjourned Regular City Council, Community Development Commission and Housing Authority Meeting to be held Tuesday, January 24, 2012 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:45 p.m.

  
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City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of January 24, 2012.


  
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Mayor / CDC Chairman

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

CITY COUNCIL OF THE CITY OF NATIONAL CITY  
AND  
THE 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 10, 2012 – 4:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*Community Youth Athletic Center v. City of National City, CDC, et al.*  
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL  
Court of Appeal Case No. D060001
2. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*Victor Nuñez, CYAC v. City of National City, National City Planning Commission, et al.*  
San Diego County Superior Court Case No. 37-2011-00078086-CU-MC-SC
3. Conference with Labor Negotiators – Government Code Section 54957.6  
Agency Designated Representative  
Employee Organization: Executive and Management Group
4. Public Employment – Government Code Section 54957  
Title: City Manager
5. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*People v. Quiambao*; (Rescue Homes: 811 N Avenue and 834 Delta Street)  
San Diego County Superior Court Case No. 37-2011-00099379

**CLOSED SESSION (cont.)**

**CITY COUNCIL**

6. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*People v. Cruz*; (Rescue Home: 809 N Avenue)  
San Diego County Superior Court Case No. 37-2011-00100070
7. Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)  
One Potential Case
8. Liability Claims – Government Code Section 54956.95  
Workers' Compensation Claims  
Agency Claimed Against: City of National City  
Number of Claims: Four

**COMMUNITY DEVELOPMENT COMMISSION**

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*Community Youth Athletic Center v. City of National City, CDC, et al.*  
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL  
Court of Appeal Case No. D060001

**ADJOURNMENT**

Next Adjourned Regular City Council/CDC Meeting – Tuesday, January 10, 2012, 6:00 p.m., Council Chambers, Civic Center