

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL  
AND COMMUNITY DEVELOPMENT COMMISSION –  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**June 5, 2012**

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:08 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

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

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

Others present: City Treasurer Mitch Beauchamp.

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

**PRESENTATION**

Mayor Morrison introduced Admiral Dixon Smith, former Commander, Naval Station – San Diego who has returned to San Diego to a new command responsible for all Naval Facilities in the six Southwestern States.

**PUBLIC ORAL COMMUNICATIONS**

Jacqueline Reynoso, President and CEO of the Chamber of Commerce, communicated the desire of the Chamber to undertake an analysis of the CUP process relating to alcohol and liquor sales and requested postponement of all decisions relating to alcohol licenses until a new standardized process is in place.

Jamie Edwards and Michael Biediger, representing the San Diego Energy District Foundation, extended an invitation to the Council and staff to attend an event on June 21, 2012 to explain and promote Community Choice Aggregation.

Alfonso Hernandez, National City, spoke about a fire in the 2000 block of Harding Avenue and problems residents are experiencing with a shipyard type business.

Anastasia (no last name given), Sweetwater Harley Davidson, appealed to the Council for assistance with an event that was denied by staff under provisions of her existing Conditional Use permit and expressed her displeasure with the situation. The City Attorney advised that the City Council did not have the ability to waive the requirement.

**PUBLIC ORAL COMMUNICATIONS (cont.)**

Luisa McCarthy, La Vista Memorial Park, thanked the staff and Council for their support and participation in the Memorial Day event held at La Vista.

**CITY COUNCIL**

**PRESENTATION**

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

1. Employee for the month of May, 2012 – Gloria Alvarado – Office Assistant, Finance Department

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 2 (Minutes), Item Nos. 3 through 10 (Resolution Nos. 2012-109 through 2012-116), Item Nos. 11 through 15 (TUP), Item No. 16 (Report), Item Nos. 17 through 19 (Warrant Registers). Motion by Zarate, seconded by Sotelo-Solis, to pull Item Nos. 11, 14 and 15 and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

**APPROVAL OF MINUTES**

2. **SUBJECT:** Approval of the Minutes of the Regular City Council and Community Development Commission – Housing Authority of the City of National City of May 15, 2012. (City Clerk)  
**ACTION:** Approved. See above.

**CONTRACT (C2012-23)**

3. Resolution No. 2012-109. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING A CONTRACT TO PALM ENGINEERING CONSTRUCTION IN THE NOT TO EXCEED AMOUNT OF \$556,132 AND AUTHORIZE A 15% CONTINGENCY IN THE AMOUNT OF \$83,420 FOR ANY UNFORESEEN CHANGES TO THE PROJECT FOR THE CITYWIDE SAFE ROUTES TO SCHOOL PROJECT, PHASE III – PEDESTRIAN CROSSING PROJECT, SPECIFICATION 12-03. (Funded by SR2S and CDBG-R) (Development Services/Engineering)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2009-28)**

**UNDERGROUND UTILITY DISTRICT 24 ADMIN (904-1-10)**

4. Resolution No. 2012-110. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A JOINT TRENCH OFFER AGREEMENT WITH COX COMMUNICATIONS (COX) WHEREIN COX SHALL PAY THE CITY UP TO THE NOT TO EXCEED AMOUNT OF \$91,265.35 AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT IN CONJUNCTION WITH UNDERGROUND DISTRICT 24 (20A CONVERSION 8<sup>TH</sup> STREET) AERIAL TO UNDERGROUND CONVERSION OF UTILITIES. (Development Services/Engineering)

**ACTION:** Adopted. See above.

**UNDERGROUND UTILITY DISTRICT 24 ADMIN (904-1-10)**

5. Resolution No. 2012-111. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ESTABLISHING THE FIXED DATE OF AUGUST 26, 2013 BY WHICH ALL POLES, OVERHEAD WIRES AND ASSOCIATED OVERHEAD STRUCTURES AND THE UNDERGROUND INSTALLATION OF WIRES AND FACILITIES FOR SUPPLYING ELECTRIC COMMUNICATION, COMMUNITY ANTENNA TELEVISION OR SIMILAR OR ASSOCIATED SERVICE SHALL BE REMOVED IN UNDERGROUND UTILITY DISTRICT NO. 24 (PHASE I) ON 8<sup>TH</sup> STREET FROM NATIONAL CITY BOULEVARD TO HIGHLAND AVENUE. (Development Services/Engineering)

**ACTION:** Adopted. See above.

**DEED (D2012-1)**

6. Resolution No. 2012-112. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING AN EASEMENT FOR DRAINAGE PURPOSES FROM CORAZON D. TRILLES AND AUTHORIZING THE RECORDATION OF THE GRANT DEED FOR A DRAINAGE EASEMENT THROUGH LOT 19 OF BLOCK TWO OF MAP 1148 HOME CREST VILLAS AND THE ADJACENT PORTION OF THE VACATED ALLEY. (Development Services/ Engineering)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)**

7. Resolution No. 2012-113. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING COUNCIL TO WAIVE THE FORMAL BID PROCESS PER SECTION 12 OF THE PURCHASING ORDINANCE #1480 AND IN CHAPTER 2.60.220 (D) AND 2.60.260 OF THE MUNICIPAL CODE AND AUTHORIZE THE CITY (BUYER) TO PIGGYBACK THE CITY OF MANHATTAN BEACH'S BID #858-12 AND AWARD THE PURCHASE AND BUILD OUT OF FOUR (4) 2011 HONDA ST1300PAB POLICE MOTORCYCLES FROM HUNTINGTON BEACH HONDA IN HUNTINGTON BEACH, CA IN THE AMOUNT OF \$100,610 FOR THE POLICE DEPARTMENT. (Police)

**ACTION:** Adopted. See above.

**GRANT / PUBLIC SAFETY (206-4-27)**

8. Resolution No. 2012-114. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION IN THE AMOUNT OF \$34,261.00 FROM THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM TO PURCHASE HEAVY-DUTY PORTABLE SHELVES, A TRAINING WEAPONS SYSTEM, REPLACEMENT FILTERS FOR EVIDENCE DRYING CABINETS, DIGITAL CAMERAS & ACCESSORIES AND A COMPUTER SYSTEM AND MOTORS TO MODERNIZE THE INDOOR SHOOTING RANGE. (Police)

**ACTION:** Adopted. See above.

**GRANT / PUBLIC SAFETY (206-4-27)**

9. Resolution No. 2012-115. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION FOR \$100,000.00 FROM FY 2012 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF)/CITIZENS' OPTION FOR PUBLIC SAFETY PROGRAM (COPS) GRANT WITHOUT MATCHING FUNDS TOWARD THE PURCHASE OF FULLY EQUIPPED POLICE VEHICLES/CRUISERS. (Police)

**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**GRANT / PUBLIC SAFETY (206-4-27)**

10. Resolution No. 2012-116. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE FY 2011 OPERATION STONEGARDEN GRANT IN THE AMOUNT OF \$90,203 AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT FOR THE AWARD OF THE GRANT FUNDS AND APPROPRIATING FUNDS IN THE AMOUNT OF THE GRANT FOR THE REIMBURSABLE GRANT FOR PROGRAMMATIC OPERATIONS AND THE PURCHASE OF A PORTABLE VIDEO SURVEILLANCE CAMERA. (Police)

**ACTION:** Adopted. See above.

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

11. Temporary Use Permit – Solarthon San Diego hosted by Grid Alternatives at 18<sup>th</sup> Street and 'G' Avenue on June 9, 2012 from 8 am to 4 pm with no waiver of fees. (Neighborhood Services)

**TESTIMONY:** Jacqueline Reynoso, Chamber of Commerce, spoke in support of the TUP.

**ACTION:** Motion by Natividad, seconded by Rios, to approve the Temporary Use Permit. Carried by unanimous vote.

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

12. Temporary Use Permit – Sweetwater Harley-Davidson National City Car Show event at 3201 Hoover Avenue on June 30, 2012 from 9 am to 4 pm with no waiver of fees. (Neighborhood Services)

**ACTION:** Approved. See above.

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

13. Temporary Use Permit – American Cancer Society's National City Relay for Life at Kimball Park from August 11, 2012 starting at 10 am and concludes August 12, 2012 at 10 am. This is a City co-sponsored event pursuant to City Council Policy #804. (Neighborhood Services)

**ACTION:** Approved. See above.

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

14. Temporary Use Permit – 21<sup>st</sup> Annual Automobile Heritage Day & Parade hosted by the National City Chamber of Commerce at Kimball Park on August 5, 2012 from 8 am to 4 pm. This is a National City co-sponsored event per City Council Policy No. 804. (Neighborhood Services)

**CONSENT CALENDAR (cont.)**

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

14. Temporary Use Permit (continued).

**TESTIMONY:** Jacqueline Reynoso, Chamber of Commerce President / CEO, and Weldon Donaldson, representing the Mile of Cars Association, requested consideration be given to reducing the proposed fees. It was suggested that modifying the route and shortening the proposed parade route could result in a reduction of the fees and the Chamber was encouraged to explore that possibility.

**ACTION:** Motion by Natividad, seconded by Rios, to approve the Temporary Use Permit. Carried by unanimous vote.

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

15. Temporary Use Permit – Las Palmas Carnival Days hosted by Neighborhood & Community Amusement (NCA) Entertainment on July 27<sup>th</sup> through July 29, 2012 with no waiver of fees. (Neighborhood Services)

**TESTIMONY:** Greg Nacita, the applicant, spoke in favor and responded to questions.

**ACTION:** Motion by Natividad, seconded by Zarate, to deny the Temporary Use Permit. Carried by unanimous vote.

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

16. Investment Report for quarter ended March 31, 2012. (Finance)

**ACTION:** Filed. See above.

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

17. Warrant Register #44 for the period of 04/25/12 through 05/01/12 in the amount of \$2,049,127.69. (Finance)

**ACTION:** Ratified. See above.

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

18. Warrant Register #45 for the period of 05/02/12 through 05/08/12 in the amount of \$367,625.81. (Finance)

**ACTION:** Ratified. See above.

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

19. Warrant Register #46 for the period of 05/09/12 through 05/15/12 in the amount of \$1,510,806.92. (Finance)

**ACTION:** Ratified. See above.

## NON CONSENT RESOLUTION

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

20. Resolution No. 2012-117. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TAKING ACTION TO DENY A CONDITIONAL USE PERMIT FOR THE ADDITION OF DISTILLED SPIRITS AND BEER SALES TO AN EXISTING BEER AND WINE LICENSE AT WAL-MART AT 1100 HIGHLAND AVENUE. (Applicant: Wal-Mart Stores, Inc.) (Case File 2011-29 CUP) (Planning)

**RECOMMENDATION:** Acknowledge and accept the withdrawal request letter submitted by Wal-Mart. (Copy on file in the Office of the City Clerk)

**TESTIMONY:** Brent McMonigal, representing Wal-Mart, expressed appreciation to staff, Planning Commission and City Council and expressed their willingness to work with the City on a new CIP process.

**ACTION:** Motion by Rios, seconded by seconded by Zarate, to acknowledge and accept the letter from Wal-Mart withdrawing their application for a CUP. Carried by unanimous vote.

## NEW BUSINESS

### SUBDIVISIONS / VARIANCES 2012 (415-1-8)

21. Notice of Decision – Planning Commission approval of a Tentative Parcel Map to divide seven parcels into four parcels and a Variance to exceed the maximum floor area ratio and reduce the minimum dwelling unit size for a 201-unit affordable housing project and park expansion for the Westside Infill Transit Oriented Development (WI-TOD) also known as Paradise Creek Affordable Housing Project, generally located north of 22<sup>nd</sup> Street, west of Hoover Avenue, south of 19<sup>th</sup> Street, and east of Harding Avenue. (Applicant: Paradise Creek Housing Partners, LP) (Case File 2012-04 LS, SC) (Community Services)

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

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Zarate, to approve staff recommendation and file the Notice of Decision. Carried by unanimous vote.

**NEW BUSINESS (cont.)**

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

22. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a wireless communications facility at 2720 East 4<sup>th</sup> street. (Applicant: Technology Associates) (Case File 2012-02 CUP) (Planning)  
**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** None.

**ACTION:** Motion by Rios, seconded by Zarate, to approve staff recommendation and file the Notice of Decision. Carried by unanimous vote.

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

23. Notice of Decision – Planning Commission approval of a Conditional Use Permit modification for the addition of a rooftop play area for Integrity Charter School located at 701 National City Blvd. (Applicant: Integrity Charter School) (Case File 2012-05 CUP) (Planning)  
**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** None.

**ACTION:** Motion by Sotelo-Solis, seconded by Natividad, to approve staff recommendation and file the Notice of Decision. Carried by unanimous vote.

**COMMUNITY PROMOTION (102-1-3)**

24. Update on the 125<sup>th</sup> Anniversary Committee that was formed by City Council in November of 2011 and seek direction from City Council on next steps. (Community Services)

**TESTIMONY:** A presentation was made by staff. (Copy on file in the Office of the City Clerk)

**ACTION:** None.

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

25. Discussion of possible waiver of TUP fees for Old Town National City 6<sup>th</sup> Annual Reunion event on July 21, 2012. (Neighborhood Services)

**RECOMMENDATION:** None.

**TESTIMONY:** David Enriquez and Dukie Valderrama, representing the Old Town Reunion Committee spoke in support of waiver of all fees.



**NEW BUSINESS (cont.)**

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

25. Discussion of possible waiver of TUP fees (continued).

**ACTION:** Motion by Natividad to approve the TUP and waive all fees provided any proceeds given to the City be used to reimburse departments that incurred expenses. Motion died for lack of a second.

Motion by Rios, seconded by Sotelo-Solis, to waive all fees. Carried by the following vote, to-wit: Ayes: Natividad, Rios, Sotelo-Solis, Zarate. Nays: Morrison. Absent: None. Abstain: None.

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

26. Update on the Parks Ad Hoc Committee and seeking City Council direction on next steps for Ad Hoc Committee formed to oversee Quality of Life Facility Plan. (Community Services)

**RECOMMENDATION:** Approve conceptual plans for Phase 1 Park Improvements and accept final report from Parks Ad Hoc Committee. Consider and provide direction on cessation of Parks, Senior and Youth Ad Hoc Committees formed by City Council in 2011.

**TESTIMONY:** A presentation was made by staff. (Copy on file in the Office of the City Clerk)

**ACTION:** Support was voiced to maintain the Youth Ad Hoc Committee. There was no vote.

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

27. Request for City Council Member Appointment(s) to City of National City Nutrition Center Sustainability Ad Hoc Committee. (City Manager)

**RECOMMENDATION:** Appoint one or two City Council Members to City of National City Nutrition Centers Sustainability Ad Hoc Committee.

**TESTIMONY:** None.

**ACTION:** Mayor Morrison appointed Councilmember Natividad to serve with him on the Ad Hoc Committee.

**STAFF REPORTS**

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

28. Verbal report budgeting for FY 2012-2013 amortization implementations. (Community Services)

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

29. Closed Session Report. (City Attorney)

City Attorney Claudia Silva stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

**COMMUNITY DEVELOPMENT COMMISSION -  
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

**NO AGENDA ITEMS**

**MAYOR AND CITY COUNCIL**

Council Member Rios thanked Lisa McCarthy for the wonderful Memorial Day event at La Vista Cemetery.

Council Member Zarate complimented Lisa McCarthy for her very fine community program.

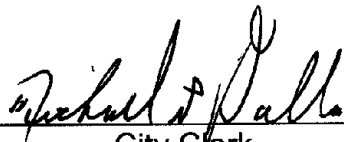
Mayor Morrison spoke about the unique Memorial Day event at La Vista and how it brought families and community together in a special way.

City Treasurer Beauchamp provided additional commentary on his Quarterly Treasurer's Report, discussed the importance of improving the TUP and CUP approval process, expressed concerns about the charter school on National City Blvd., and reported that the date for the railroad engines to come to the City has been set for September 15<sup>th</sup>.

**ADJOURNMENT**

Motion by Natividad, seconded by Sotelo-Solis, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, June 19, 2012 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:40 p.m.

  
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City Clerk

The foregoing minutes were approved at the Regular Meeting of June 19, 2012.

  
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Mayor

## 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, June 5, 2012 – 5:00 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<sup>1</sup>  
Government Code Section 54956.9 (a)  
*Omar Largo v. City of National City, National City Police Department, et al.*  
San Diego County Superior Court Case No. 09 CV 1639 BEN BLM
3. Conference with Real Property Negotiator – Government Code Section 54956.8  
Property: 3000 National City Blvd, National City  
APN's: 562-220-13-00 and 562-220-31-00  
Agency Negotiator: Brad Raulston  
Negotiating Parties: Tony McCune  
Under Negotiation: Price and Terms of Payment

#### ADJOURNMENT

Next Regular City Council Meeting – Tuesday, June 5, 2012, 6:00 p.m., Council Chambers,  
Civic Center