

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

July 3, 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 6:05 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, Parra, Silva, Smith, Stevenson, Vergara, Williams.

Others present: City Treasurer Mitch Beauchamp.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Bert Andrade, National City, highlighted his naval experiences on a mine sweeper during the Korean War commencing in July, 1950. Mr. Andrade also expressed thanks for the new bus shelters in the City.

Al Alvarado, National City Planning Commissioner, indicated that he would be unable to attend the scheduled Interviews and Appointments for re-appointment to the Planning Commission scheduled for July 17, 2012 and was making himself available for questions at this meeting.

George Baca, National City Planning Commissioner, indicated that he too would be unable to attend the interviews on July 17, 2012 and was available for any questions.

Paul Cleary, representing Great Alternatives, expressed appreciation and thanks to the Mayor and Council for their support and participation in their recent SolarThon Event held on June 18th.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 1 (Minutes), Item No. 2 (NCMC), Item Nos. 3 through 8 (Resolution Nos. 2012-138 through 2012-143), Item Nos. 9 and 10 (Warrant Registers). Motion by Natividad, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

1. **SUBJECT:** Approval of the Minutes of the Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City of June 19, 2012. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2012 (506-2-27)

2. 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.

CONTRACT (C2011-53)

3. Resolution No. 2012-138. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE FINAL CONTRACT AMOUNT OF \$148,514.38 WITH BLACK ROCK CONSTRUCTION COMPANY, AUTHORIZING THE RELEASE OF RETENTION AND RATIFY THE FILING OF THE NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE CONCRETE IMPROVEMENT PROJECT FY 2011-12, SPECIFICATION 11-06. (Funded CDBG & Gas Tax Funds) (Development Services/Engineering)
ACTION: Adopted. See above.

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

CONTRACT (C2012-30)

4. Resolution No. 2012-139. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING A \$500,000 FEDERAL SAFE ROUTES TO SCHOOL GRANT TO DELIVER A CITYWIDE SAFE ROUTES TO SCHOOL EDUCATION AND ENCOURAGEMENT SUSTAINABILITY PROGRAM, APPROPRIATE FUNDS, AND AWARD A CONTRACT TO RADY'S CHILDREN'S HOSPITAL-SAN DIEGO IN THE NOT-TO-EXCEED AMOUNT OF \$500,000 TO ASSIST STAFF WITH PROGRAM DELIVERY (CONTRACT TO BE FUNDED IN FULL BY THE SRTS GRANT). (Development Services/Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

SUBDIVISIONS / VARIANCES 2012 (415-1-8)

5. Resolution No. 2012-140. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO APPROVE, ACCEPT, AND FILE WITH THE COUNTY RECORDER A MODIFIED SUBDIVISION MAP FOR HARBORVIEW CONDOMINIUMS LOCATED AT 819 D AVENUE. (Case File 2011-26 S) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2010-15)

6. Resolution No. 2012-141. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH THE CITY OF CHULA VISTA FOR A TOTAL NOT TO EXCEED AMOUNT OF \$326,927 TO PROVIDE GENERAL ANIMAL CONTROL, SHELTER, AND RELATED ADMINISTRATIVE SERVICES TO THE RESIDENTS OF NATIONAL CITY FOR AN ADDITIONAL ONE (1) YEAR TERM THROUGH FISCAL YEAR 2012-2013. (Police)

ACTION: Adopted. See above.

EMPLOYMENT CONTRACT – LESLIE DEESE (604-6-5)

7. Resolution No. 2012-142. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND CITY MANAGER LESLIE DEESE TO SET THE HEALTH CARE BENEFIT AT THE SAME AMOUNT AS FOR EXECUTIVE AND MANAGEMENT EMPLOYEES, WITH NO INCREASE TO BASE SALARY. (City Attorney)

ACTION: Adopted. See above.

EMPLOYMENT CONTRACT – CLAUDIA SILVA (604-6-4)

CONTRACT (C2010-56)

8. Resolution No. 2012-143. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND CITY ATTORNEY CLAUDIA GACITUA SILVA TO SET THE HEALTH CARE BENEFIT AT THE SAME AMOUNT AS FOR EXECUTIVE AND MANAGEMENT EMPLOYEES, WITH NO INCREASE TO BASE SALARY. (City Manager)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

9. Warrant Register #49 for the period of 05/30/12 through 06/05/12 in the amount of \$1,141,696.84. (Finance)
ACTION: Ratified. See above.

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

10. Warrant Register #50 for the period of 06/06/12 through 06/12/12 in the amount of \$2,035,525.89. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)

11. Public Hearing: Confirming the assessment and ordering the levy for the Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal Year 2012/13. (Community Services) **Companion Item #14**
RECOMMENDATION: Conduct the Public Hearing.
TESTIMONY: None.
ACTION: Motion by Rios, seconded by Natividad, to close the Public Hearing. Carried by unanimous vote.

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

12. Public Hearing: Consider the adoption of the 2012 Regional Transportation Improvement Program (RTIP) pursuant to San Diego Association of Governments (SANDAG) Board Policy No. 025. (Development Services/Engineering) **Companion Item #15**
RECOMMENDATION: Hold Hearing.
TESTIMONY: None.
ACTION: Motion by Natividad, seconded by Sotelo-Solis, to close the Public Hearing. Carried by unanimous vote.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2012 (506-2-27)

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 13 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 13.28 PERTAINING TO PROPRIETARY USE OF AND PLACEMENT OF SIGNS ON CITY PROPERTY. (City Attorney)

NON CONSENT RESOLUTIONS

COMMUNITY DEVELOPMENT LANDSCAPE MAINTENANCE DISTRICT NO. 1 (MILE OF CARS) (406-2-8)

14. Resolution No. 2012-144. Resolution of the City Council of the City of National City confirming the assessment and ordering the levy for the Landscape Maintenance District No. 1 (Mile of Cars) for Fiscal Year 2012/13. (Community Services) **Companion Item #11**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

15. Resolution No. 2012-145. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2012 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) FOR NATIONAL CITY PROJECTS FOR FISCAL YEARS 2013 THROUGH 2017. (Funded by Proposition 'A' Funds) (Development Services/Engineering) **Companion Item #12 **

RECOMMENDATION: Adopt the Resolution for the five-year RTIP and TransNet Projects.

TESTIMONY: None.

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

**UNDERGROUND UTILITY DISTRICT 24 ADMIN (904-1-10)
CONTRACT (C2012-28)**

16. Resolution No. 2012-146. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A JOINT TRENCH AGREEMENT WITH ACCESS CABLE CORPORATION WHEREIN ACCESS CABLE CORPORATION SHALL PAY THE CITY THE AMOUNT OF \$9,372.31 AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT IN CONJUNCTION WITH DISTRICT 24 (8TH STREET) AERIAL TO UNDERGROUND CONVERSION OF UTILITIES. (Development Services/Engineering)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

**UNDERGROUND UTILITY DISTRICT 24 ADMIN (904-1-10)
CONTRACT (C2012-29)**

17. Resolution No. 2012-147. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A JOINT TRENCH AGREEMENT WITH SHELTER ISLAND OPPORTUNITY FUND, LLC AND DOUGLAS P. WILSON, RECEIVER FOR NEXHORIZONS WHEREIN THE CITY SHALL RECEIVE THE AMOUNT OF \$9,372.31 FOR PROVIDING UNDERGROUND FACILITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT IN CONJUNCTION WITH UNDERGROUND DISTRICT 24 (20A CONVERSION 8TH STREET) AERIAL TO UNDERGROUND CONVERSION OF UTILITIES. (Development Services/Engineering)

RECOMMENDATION: Take no action on the Resolution.

TESTIMONY: None.

ACTION: Pulled. No action taken.

MUNICIPAL CODE 2012 (506-2-27)

18. Resolution No. 2012-148. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING ISSUANCE OF A WRITTEN REPORT PERTAINING TO A MORATORIUM ORDINANCE PROHIBITING NEW PAWNBROKER, SECONDHAND AND PRECIOUS METAL DEALING AND ESTABLISHMENTS IN NATIONAL CITY. (City Attorney)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

ABATEMENT WEED 2012 (402-3-11)

19. Resolution No. 2012-149. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE APPROVAL OF WEED ABATEMENT PUBLIC HEARING FINDINGS. (Fire)

RECOMMENDATION: Approve the Weed Abatement Public Hearing Findings and approve Resolution.

TESTIMONY: None.

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

NEW BUSINESS

CONDITIONAL USE PERMITS 2012 (403-27-1)

20. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a dialysis school at 124 East 30th Street, Suite E. (Applicant: Teresita Mabini) (Case File 2012-10 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 Zarate, to file the Notice of Decision. Carried by unanimous vote.

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

21. Report on amending the criteria for the City of National City Employee Performance Recognition Program effective January 1, 2013. (Administrative Services/Human Resources)

RECOMMENDATION: Accept and file the report.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to accept and file the staff recommendation. Carried by unanimous vote.

MUNICIPAL CODE 2012 (506-2-27)

22. Report on pawn brokers, second-hand dealers, and gold buying businesses and the impending expiration of the moratorium. (City Attorney)

RECOMMENDATION: File report.

TESTIMONY: Staff report and presentation by Tom DiZinno from the Police Department. (Copy on file in the Office of the City Clerk)
No public testimony.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to have staff schedule a Public Hearing and bring back a Resolution on extending the moratorium. Carried by unanimous vote.

BOARDS & COMMISSIONS ADMIN (101-1-1)

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

RECOMMENDATION: Appoint Councilmember(s) to City of National City Nutrition Center Sustainability Ad-Hoc Committee.

TESTIMONY: None.

ACTION: Motion by Morrison to appoint Morrison to the Ad Hoc Committee. Motion died for lack of a second.

COMMUNITY DEVELOPMENT COMMISSION –
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY

NO AGENDA ITEMS

STAFF REPORTS

CLOSED SESSION REPORT (509-1-4)

24. Closed Session Report. (City Attorney)
City Attorney Claudia Silva stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')
- 24a. 125th Anniversary Handout. (City Manager)
City Manager Leslie Deese introduced the newly printed 125th Anniversary handout pamphlet that is slated for wide community distribution and thanked the Anniversary Committee and staff for a job well done.
- 24b. Update on AB 1484 and Follow-up to Inquiry about changes to the Sign Ordinance. (City Attorney)
City Attorney Claudia Silva reported on the newly adopted Assembly Bill 1484 which contains major changes to AB X126 dealing with elimination of Redevelopment Agencies. Staff is reviewing the timelines and impacts to National City which may necessitate a special meeting on July 10th.
The City Attorney also provided a follow-up on inquiries made at the last Council Meeting regarding updates to the sign ordinance.

MAYOR AND CITY COUNCIL

Council Member Natividad thanked the Lions Club members for their work at the 4th of July Carnival, City staff for volunteering at the City booth and Leah Munoz for a great job with the Miss National City Pageant.

Vice Mayor Sotelo-Solis complimented the great 4th of July family event at Kimball Park, praised the Police and Fire personnel for a job well done and said she was very pleased with the 125th Anniversary informational flyer.

Council Member Rios said the July 4th Carnival is an outstanding community event, expressed special thanks to Public Works staff members Kevin Beecher and Arturo Gonzalez for their tireless efforts throughout the event; asked staff to consider continuing the Rotary Club flag display to City Hall and to look into traffic concerns along Kimball Way.

Council Member Zarate said the 125th Anniversary flyer is fantastic as was the Miss National City Pageant. Mrs. Zarate expressed interest in having a joint meeting with the Planning Commission.

MAYOR AND CITY COUNCIL (cont.)

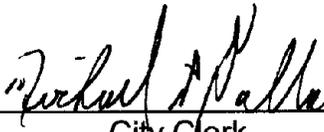
Mayor Morrison praised the 4th of July Carnival, the food, the fireworks and the efforts and participation of staff and community.

City Treasurer Beauchamp complimented the Pawn Shop presentation by the Police Department; suggested that yard sales appear to be out of control and encouraged the Mayor and Council to come together on the Nutrition Center issue.

ADJOURNMENT

Motion by Zarate, 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, July 17, 2012 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 7:43 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of July 17, 2012.



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, July 3, 2012 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. 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

2. Public Employee Performance Evaluation
Government Code Section 54957
Title: City Attorney

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, July 3, 2012, 6:00 p.m., Council Chambers, Civic Center