

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

August 7, 2012

The Adjourned Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 5:05 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

Administrative Officials present: Dalla, Deese, Hernandez, Manganiello, Norrdin, Raulston, Rodriguez, Silva, Smith.

Others present: City Treasurer Mitch Beauchamp and Student Representatives Nallely Aceves and Kane Gillego.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Eddie Perez, National City, expressed thanks to the City Council and staff for their support of the Old Town Reunion.

CITY COUNCIL

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)

1. Introduction of the new Sweetwater Union High School Student Council Representatives. (Council Initiated)
Sweetwater ASB Advisor Robert Bonilla introduced Kane Gillego and Nallely Aceves.
- 1b. Former Student Representative Aileen Horta thanked the City Council for the opportunity to serve and disclosed her future plans for college.

COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)

2. Miss National City 2011 Marisela Guevara and 2011 Miss National City Princess Ileana Avalos will say their farewells. (Council Initiated)

INTERVIEWS AND APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments: Civil Service Commission and Planning Commission. (City Clerk)

ACTION: Ballots were distributed for a vacancy on the Civil Service Commission. City Clerk Dalla tabulated the results and reported as follows: Fred Puhn received three votes (Morrison, Rios, Zarate); and Richard Wingfield received two votes (Natividad, Sotelo-Solis). Mr. Puhn was the declared appointed to the Civil Service Commission.

NOTE: Member Rios indicated that she would not be participating in the appointment process for the Planning Commission to avoid a conflict of interest since her father, Mr. Al Alvarado, was an applicant.

Ballots were distributed for two expired terms on the Planning Commission. City Clerk Dalla tabulated the results and reported as follows: Al Alvarado and George Baca both received four votes (Morrison, Natividad, Sotelo-Solis, Zarate), and were declared re-appointed to the Planning Commission.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item Nos. 5 through 21 (Resolution Nos. 2012-160 through 2012-176), Item No. 22 (TUP), Item No. 23 (Report), Item Nos. 24 and 25 (Warrant Registers). Motion by Sotelo-Solis, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

4. **SUBJECT:** Approval of the Minutes of the Adjourned Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City of January 31, 2012; the Adjourned Regular Meeting of the City Council / Successor Agency to the Community Development Commission as the National City Redevelopment Commission of February 4, 2012; the Regular Meeting of the City Council / Successor Agency to the Community Development Commission as the National City Redevelopment Commission of March 6, 2012; the Special Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City of July 10, 2012; and the Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City of July 17, 2012. (City Clerk)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

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

5. Resolution No. 2012-160. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE IN FRONT OF 321 CIVIC CENTER DRIVE. (Requested by P. Medina) (Traffic Safety Committee Item No. 2012-13) (Development Services/Engineering)

ACTION: Adopted. See above.

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

6. Resolution No. 2012-161. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF A BLUE CURB HANDICAP PARKING SPACE IN FRONT OF 917 E. 6TH STREET. (Requested by G. Guerrero) (Traffic Safety Committee Item No. 2012-14) (Development Services/Engineering)

ACTION: Adopted. See above.

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

7. Resolution No. 2012-162. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF "KEEP CLEAR" PAVEMENT MARKINGS ON EASTBOUND PLAZA BOULEVARD IN FRONT OF THE DRIVEWAY TO BELLUS ACADEMY LOCATED AT 1520 E. PLAZA BOULEVARD TO IMPROVE INGRESS AND EGRESS. (Requested by B. Quick) (Traffic Safety Committee Item No. 2012-15) (Development Services/Engineering)

ACTION: Adopted. See above.

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

8. Resolution No. 2012-163. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING ACCESS RESTRICTIONS FROM PLAZA BOULEVARD ONTO LANTANA DRIVE TO ENHANCE SAFETY AND REDUCE "CUT-THROUGH" TRAFFIC. (Requested by J. Reynoso) (Traffic Safety Committee Item No. 2012-16) (Development Services/Engineering)

ACTION: Adopted. See above.

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

9. Resolution No. 2012-164. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING RED CURB "NO PARKING" AT THE INTERSECTION OF "Q" AVENUE AND E. 16TH STREET TO IMPROVE SIGHT DISTANCE. (Requested by City Engineering on behalf of National City Residents) (Traffic Safety Committee Item No. 2012-17) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

10. Resolution No. 2012-165. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF RED CURB "NO PARKING" ON THE 1700 BLOCK OF "L" AVENUE TO IMPROVE SIGHT DISTANCE AT THE ALLEY. (Requested by J. Peters) (Traffic Safety Committee Item No. 2012-18) (Development Services/Engineering)

TESTIMONY: Raul Salas, National City, raised issues and concerns about red curb.

ACTION: Adopted. See above.

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

11. Resolution No. 2012-166. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF 20 FEET OF RED CURB "NO PARKING" AT THE BUS STOP ON WESTBOUND E. 8TH STREET, WEST OF HIGHLAND AVENUE TO PROVIDE CLEARANCE FROM A PRIVATE DRIVEWAY LOCATED NEXT TO 725 E. 8TH STREET. (Requested by J. Codling, Metropolitan Transit System (MTS) (Traffic Safety Committee Item No. 2012-19) (Development Services/Engineering)

ACTION: Adopted. See above.

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

12. Resolution No. 2012-167. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING BUS STOP RELOCATIONS ON E. 8TH STREET BETWEEN "B" AVENUE AND "F" AVENUE TO REDUCE PARKING IMPACTS TO LOCAL BUSINESSES AND ENHANCE SAFETY AND ACCESS FOR TRANSIT USERS. (Requested by City Engineering on behalf of local business owners) (TSC Item No. 2012-20) (Development Services/Engineering)

ACTION: Adopted. See above.

DEED (D2012-2)

13. Resolution No. 2012-168. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING AN EASEMENT FOR CONSTRUCTION OF A RETAINING WALL TO ENHANCE VISIBILITY AT THE DRIVEWAY FOR 1141 E. 8TH STREET FROM LORETTA C. BUTZ AND AUTHORIZING THE RECORDATION OF A SLOPE AND WALL EASEMENT ACROSS LOT 4 OF BLOCK 5 OF MAP 615, PARCEL NUMBER 556-417-05. (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

DEED (D2012-3)

14. Resolution No. 2012-169. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING AN EASEMENT FOR CONSTRUCTION OF A RETAINING WALL TO ENHANCE VISIBILITY AT THE DRIVEWAY FOR 1131 E. 8TH STREET FROM RONALD T. AND GUADALUPE G. ANDERSON AND AUTHORIZING THE RECORDATION OF A SLOPE AND WALL EASEMENT ACROSS LOT 4 OF BLOCK 5 OF MAP 615, PARCEL NUMBER 556-417-06. (Development Services/Engineering)

ACTION: Adopted. See above.

ENCROACHMENT AGREEMENT 2012 (903-14-6)

15. Resolution No. 2012-170. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING AND AUTHORIZING THE MAYOR TO SIGN AN ENCROACHMENT AGREEMENT WITH NORMAN C. SUTTER FOR THE INSTALLATION AND CONTINUED MAINTENANCE OF AN AWNING AT 2813 TO 2821 HIGHLAND AVENUE. (Development Services/Engineering)

ACTION: Adopted. See above.

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

16. Resolution No. 2012-171. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE PURCHASE AND BUILD-OUT OF ONE (1) 2012 FORD ECONOLINE TURN-KEY SURVEILLANCE VAN IN THE AMOUNT OF \$145,284.25 AND WAIVING THE FORMAL BID PROCESS PER SECTION 12 OF PURCHASING ORDINANCE #1480, AND CHAPTERS 2.60.220 (D) AND 2.60.260 OF THE MUNICIPAL CODE, AND AUTHORIZE THE CITY (BUYER) TO PIGGYBACK ON THE COUNTY OF BLOUNT, TENNESSEE'S BID #2010-2119, AND AWARD THE PURCHASE AND BUILD-OUT FROM AEP CALIFORNIA, LLC. (Police)

ACTION: Adopted. See above.

CONTRACT (C2009-105)

17. Resolution No. 2012-172. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH DAY WIRELESS SYSTEMS IN THE AMOUNT NOT TO EXCEED \$52,189.00 TO PROVIDE MAINTENANCE, SERVICE AND INSTALLATION OF THE CITY'S RADIO COMMUNICATIONS EQUIPMENT, MAINTAIN INFRASTRUCTURE FOR MOBILE AND PORTABLE RADIOS, ON CALL SERVICES AND OTHER PROJECTS AS NEEDED. (Police)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

GRANT / PUBLIC SAFETY (206-4-27)

18. Resolution No. 2012-173. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE GRANT ASSURANCES FOR THE FY11 STATE HOMELAND SECURITY GRANT PROGRAM FOR THE PURCHASE OF EQUIPMENT, TRAINING, EXERCISES, AND PLANNING FOR POLICE AND FIRE PERSONNEL. (Fire)
ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

19. Resolution No. 2012-174. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING FUNDS IN THE AMOUNT OF \$64,291 FOR THE REIMBURSEMENT GRANT PURCHASE OF EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS FROM THE FY11 STATE HOMELAND SECURITY GRANT PROGRAM. (Fire)
ACTION: Adopted. See above.

CONTRACT (C2005-65)

20. Resolution No. 2012-175. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO OFFICE OF HOMELAND SECURITY AND THE CITY OF NATIONAL CITY REGARDING FY11 URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING FOR EQUIPMENT AND TRAINING NEEDED FOR DISASTER PREPAREDNESS. (Fire)
ACTION: Adopted. See above.

CONTRACT (C2012-37)

21. Resolution No. 2012-176. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BLUE VIOLET NETWORKS IN THE AMOUNT OF \$64,717 AND AUTHORIZE A 15% CONTINGENCY IN THE AMOUNT OF \$9,708 TO IMPLEMENT A NETWORK VIDEO MANAGEMENT SYSTEM AND REPLACE FOUR PUBLIC SAFETY CAMERAS. (Administrative Services)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

TEMPORARY USE PERMITS 2012 (203-1-28)

22. Temporary Use Permit – 11th Annual 9/11 Remembrance Ceremony hosted by the National City Fire Department at 343 E. 16th Street on September 11, 2012 from 6:00 a.m. to 10:00 a.m. This is a City-sponsored event. (Neighborhood Services)

ACTION: Approved. See above.

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

23. National City Sales Tax Update – Fourth Quarter 2011. (Finance)

ACTION: Filed. See above.

WARRANT REGISTER JULY 2012 – JUNE 2013 (202-1-27)

24. Warrant Register #1 for the period of 06/27/12 through 07/03/12 in the amount of \$1,467,151.08. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2012 – JUNE 2013 (202-1-27)

25. Warrant Register #2 for the period of 07/04/12 through 07/10/12 in the amount of \$992,306.30. (Finance)

ACTION: Ratified. See above.

NEW BUSINESS

CONDITIONAL USE PERMITS 2012 (403-27-1)

26. Notice of Decision – Planning Commission approval of a Conditional Use Permit for a restaurant equipment auction located at 3039 Hoover Avenue. (Applicant: Bruce Wolski) (Case File 2012-14 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 Zarate, seconded by Rios, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2012 (403-27-1)

27. Notice of Decision – Planning Commission approval of a Conditional Use Permit for title loan service at an existing payday advance business located at 925 East Plaza Blvd., Ste. H. (Applicant: Shellie Hawkins – Check Into Cash) (Case File 2012-09 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 Zarate, seconded by Sotelo-Solis, to approve staff recommendation. Carried by unanimous vote.

LEAGUE OF CA CITIES ADMIN (104-2-1)

28. City Council review of League of California Cities 2012 Annual Conference Resolutions. (City Manager)

RECOMMENDATION: City Council to consider the League's resolutions and determine the City's position so that our voting delegates can represent their position during the League conference in September 4-7 in San Diego.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Natividad, to support the Resolutions as approved by the Policy Committee and allow our delegate discretion as needed. Carried by unanimous vote.

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

HOUSING AUTHORITY 2012 (404-1-1)

29. Report and a request to approve a "Smoke-Free Policy" at the Kimball Tower and Morgan Tower located at 1317 D Avenue and 1415 D Avenue. (Housing and Grants)

RECOMMENDATION: Approve staff recommendation to implement a smoke-free policy at Kimball and Morgan Towers and provide a one year notice to residents as outlined in the background report.

TESTIMONY: Staff presentation by Alfredo Ybarra.

Eddie Perez, National City, spoke in opposition and suggested more study is needed.

Deborah Kelly, American Lung Association, spoke in support.

ACTION: Motion by Rios, seconded by Zarate, to get more information and conduct a resident survey. Carried by unanimous vote.

STAFF REPORTS

NEIGHBORHOOD SERVICES DEPT ADMIN (1104-1-15)

30. Update on Neighborhood Services Code Enforcement and Parking Regulations staffing. (Neighborhood Services)

STAFF REPORT: Brad Raulston, Executive Director, gave a very brief report and indicated that the more detailed report would be given by Neighborhood Services Manager Armando Vergara at a future meeting.

30a. Update on Nutrition Center Flooding Damage and Steps Taken for Continued Operation and Repair.

STAFF REPORT: Housing Manager Alfredo Ybarra updated the City Council on the 6" water main brake and resulting damage to the Nutrition Center and steps taken and underway to accomplish repairs and the continued operation of the Center.

30b. City Attorney Claudia Silva introduced new Legal Intern Leticia Hernandez.

CLOSED SESSION REPORT (509-1-4)

31. Closed Session Report. (City Attorney)

City Attorney Claudia Silva reported that authorization was given in Closed Session to add additional parties to lawsuit. (See attached Exhibit 'L')

MAYOR AND CITY COUNCIL

32. Report on Employee Picnic at Pepper Park. (Council Initiated)

City Manager Leslie Deese gave the report on behalf of the Employee Picnic Committee members who were unable to be present.

Student Representative Kane Gillego said the meeting was very interesting and enlightening. She invited everyone to the Sweetwater Open House on August 16th.

City Treasurer Mitch Beauchamp expressed his concerns regarding the amortization process and the unfriendly message it sends to the business community and the potentially serious financial consequences for the City.

Council Member Natividad reminded about the Relay for Life on August 11 and 12 and inquired about yellow curb markings on National City Blvd.

Vice Mayor Sotelo-Solis thanked staff for all their efforts during the past very hectic weeks and said the financial uncertainty will likely continue for a while.

Mayor Morrison said the Auto Heritage Day event was a phenomenal success.

ADJOURNMENT

Motion by Sotelo-Solis, seconded by Rios, to adjourn the meeting to the next Adjourned Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, August 14, 2012 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, August 21, 2012 at 6:00 p.m. at the Council Chambers, National City, California

The meeting closed at 6:59 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of September 4, 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, August 7, 2012 – 3:30 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. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City v. Nagraj, Inc.
San Diego Superior Court Case No. 37-2010-00077984-CU-EI-SC
3. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City v. Al-Bayati
San Diego Superior Court Case No. 37-2010-00078027
4. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City v. Puedan
San Diego Superior Court Case No. 37-2010-000779831
5. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City, et al. v. Ana Matosantos, et al.
Sacramento County Superior Court Case No. 34-2012-80001198

CLOSED SESSION (cont.)

CITY COUNCIL

6. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)
Two Potential Cases

ADJOURNMENT

Next Adjourned Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City – Tuesday, August 7, 2012, 5:00 p.m., Council Chambers, National City, California.