

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

February 5, 2013

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:04 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Board members present: Cano, Morrison, Natividad, Rios, Sotelo-Solis.
Administrative Officials present: Cissel, Dalla, Deese, Duong, Manganiello, Raulston, Rodriguez, Silva, Smith, Stevenson, Williams.
Others present: Student Representatives Nallely Aceves.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Susan Walters, Chula Vista, read a statement regarding her visit to the City owned former Lambs Theatre property on Plaza Blvd., and offered to assist in cleaning the site if the city would provide supplies and install an alarm. (A copy of the statement is on file in the Office of the City Clerk)

National School District Board Member Brian Clapper invited everyone to attend the annual fundraising event at Rancho De La Nacion Elementary School to raise much needed funds for 6th Grade Camp.

Eddie Perez, National City, reported that he did not receive an e-mailed copy of the agenda as he usually does and expressed concerns about the possibility of the YMCA assuming responsibility for City recreation program.

CITY COUNCIL

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

1. Update by City of National City Partner and Lessee of ARTS Center, A Reason to Survive (ARTS). (Community Services)
(Copy on file in the Office of the City Clerk)

PRESENTATIONS (cont.)

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

2. DMAX update on requirements of the new National Pollutant Discharge Elimination System (NPDES) Permit. (Engineering)

INTERVIEWS/APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments – Planning Commission. (City Clerk)
ACTION: Ballots were distributed for a vacancy on the Planning Commission. City Clerk Dalla tabulated the results and reported as follows: Marcus Bush received three votes (Natividad, Rios, Sotelo-Solis); Janice Martinelli received one vote (Morrison); and William Sendt received one vote (Cano). Mr. Bush was declared appointed to the Planning Commission.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item No. 5 (NCCMC), Item Nos. 6 through 13 (Resolution Nos. 2013-12 through 2013-19), Item Nos. 14 through 16 (TUP), Item Nos. 17 through 19 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, to pull Item Nos. 11, 14 and 16, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

4. **SUBJECT:** Approval of the Minutes of the Regular Meetings of the City Council and Community Development Commission – Housing Authority of the City of National City of December 18, 2012 and January 15, 2013. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2013 (506-2-28)

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.

CONSENT CALENDAR (cont.)

GRANT / COMMUNITY SERVICES (206-4-26)

6. Resolution No. 2013-12. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING AN APPLICATION FOR THE CATALYST COMMUNITY GRANT PROGRAM IN THE AMOUNT OF \$500,000 FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE WESTSIDE INFILL TRANSIT-ORIENTED DEVELOPMENT (WI-TOD) PROJECT. (Community Services)

ACTION: Adopted. See above.

LABOR RELATIONS MEA MOU 2011-2014 (605-4-11)

7. Resolution No. 2013-13. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING A SIDE LETTER TO ARTICLE 18 OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE NATIONAL CITY MUNICIPAL EMPLOYEES' ASSOCIATION, AMENDING THE AGREEMENT TO REFLECT THE TERMS AND CONDITIONS OF A THIRD MISCELLANEOUS RETIREMENT TIER AS LEGISLATED BY THE PUBLIC EMPLOYEES' PENSION REFORM ACT OF 2013. (Administrative Services/Human Resources)

ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

8. Resolution No. 2013-14. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING ACCEPTANCE OF A GRANT AWARD OF \$55,000 FROM THE REGENTS OF THE UNIVERSITY OF CALIFORNIA SCHOOL OF PUBLIC HEALTH, BERKLEY AND THE OFFICE OF TRAFFIC SAFETY FOR THE SOBRIETY CHECKPOINT GRANT PROGRAM FOR 2012-2013. THE GRANT WILL FUND OVERTIME FOR DUI/DRIVERS LICENSE CHECKPOINT OPERATIONS IN THE CITY OF NATIONAL CITY. THE GRANT DOES NOT REQUIRE ANY MATCHING FUNDS FROM THE CITY OF NATIONAL CITY. (Police)

ACTION: Adopted. See above.

FINANCIAL MANAGEMENT 2012-2013 (204-1-28)

9. Resolution No. 2013-15. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE USE OF DEVELOPMENT IMPACT FEES (DIF) NOT TO EXCEED THE AMOUNT OF \$120,000.00 FOR THE PURCHASE OF THREE (3) 2013 NISSAN VEHICLES AND ONE (1) 2013 TOYOTA FOR POLICE DEPARTMENT USE. (Police)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

10. Resolution No. 2013-16. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE COUNCIL TO WAIVE 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 THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT #1-12-23-14, AND AWARD THE PURCHASE AND BUILD-OUT OF THREE (3) 2013 FORD POLICE VEHICLES FROM FOLSOM LAKE FORD IN THE AMOUNT OF \$133,311 FOR THE POLICE DEPARTMENT. (Police)

ACTION: Adopted. See above.

POLITICAL SUPPORT ADMIN – INITIATIVES (102-4-1)

11. Resolution No. 2013-17. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY IN SUPPORT OF UNITED STATES SENATOR FEINSTEIN'S PROPOSED LEGISLATION ENTITLED "ASSAULT WEAPONS REGULATORY ACT OF 2013." (City Manager)

ACTION: Motion by Sotelo-Solis, seconded by Rios, to adopt the Resolution. Carried by the following vote, to-wit. Ayes: Natividad, Rios, Sotelo-Solis. Nays: Cano. Absent: None. Abstain: Morrison. Mayor Morrison stated for the record "that I will continue my habit for the last 20 years on issues that are not directly city related I do not vote on those regardless of my personal feelings."

FINANCIAL MANAGEMENT 2012-2013 (204-1-28)

12. Resolution No. 2013-18. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT AND WITHDRAWAL OF CITY MONIES WITH FINANCIAL INSTITUTIONS ON BEHALF OF THE CITY OF NATIONAL CITY. (Finance)

ACTION: Adopted. See above.

FINANCIAL MANAGEMENT 2012-2013 (204-1-28)

13. Resolution No. 2013-19. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT AND WITHDRAWAL OF CITY MONIES WITH THE LOCAL AGENCY INVESTMENT FUND ("LAIF") ON BEHALF OF THE CITY OF NATIONAL CITY. (Finance)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

TEMPORARY USE PERMITS 2013 (203-1-29)

14. Temporary Use Permit – The Liberty Tax Service requesting advertising displays at 605 Highland Avenue and 1615 E. Plaza Boulevard from February 6, 2013 through April 15, 2013 with no waiver of fees. (Neighborhood Services)

ACTION: Motion by Rios, seconded by Natividad, to continue the item for two weeks. Carried by unanimous vote.

TEMPORARY USE PERMITS 2013 (203-1-29)

15. Temporary Use Permit – The Salvation Army donation collection bins at Westfield Plaza Bonita, 3030 Plaza Bonita Road from February 6, 2013 to February 6, 2014 with no waiver of fees. (Neighborhood Services)

ACTION: Approved. See above.

TEMPORARY USE PERMITS 2013 (203-1-29)

16. Temporary Use Permit – Integrity Charter School's Physical Education program at Kimball Park Monday, Wednesday and Thursdays commencing February 5, 2013 through May 14, 2013 with no waiver of fees. (Neighborhood Services)

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

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

17. Warrant Register #25 for the period of 12/12/12 through 12/18/12 in the amount of \$958,801.90. (Finance)

ACTION: Ratified. See above.

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

18. Warrant Register #26 for the period of 12/19/12 through 12/25/12 in the amount of \$863,207.26. (Finance)

ACTION: Ratified. See above.

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

19. Warrant Register #28 for the period of 01/02/13 through 01/08/13 in the amount of \$2,171,313.98. (Finance)

ACTION: Ratified. See above.

ORDINANCE FOR ADOPTION

MUNICIPAL CODE 2013 (506-2-28)

20. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADDING TITLE 16 TO THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO CITY BOARDS, COMMISSIONS AND COMMITTEES.
(City Attorney)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

A request was made to include discussion of alternates on the next Agenda.

NON CONSENT RESOLUTIONS

PARKING & TRAFFIC CONTROL ADMIN 2013 (801-2-34)

21. Resolution No. 2013-20. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" ON E. 8TH STREET AT ARCADIA PLACE TO IMPROVE VISIBILITY FOR DRIVERS. (TSC 2012-27) (Engineering)

Continued from Council meeting of 12/18/12

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

PARKING & TRAFFIC CONTROL ADMIN 2013 (801-2-34)

22. Resolution No. 2013-21. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" ON E. 8TH STREET AT PARADISE DRIVE TO IMPROVE VISIBILITY FOR DRIVERS. (TSC 2012-28) (Engineering)

Continued from Council meeting of 12/18/12

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Micki Head, National City, spoke in support.

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

NEW BUSINESS

FINANCIAL MANAGEMENT 2012-2013 (204-1-28)

23. Investment Report Quarter ended 12/31/12. (Finance)
(Copy on file in the Office of the City Clerk)
ACTION: Filed.

MARTIN LUTHER KING JR. COMMUNITY CENTER (1101-5-1)

24. Request to use Martin Luther King Jr. Community Center (North and South rooms) by National City Chamber of Commerce for a Job Fair on Wednesday, April 3, 2013, from 8:00 am to 2:00 pm. Applicant has requested a waiver of fees. (Public Works)

RECOMMENDATION: Staff recommends approving the Facility Use Application with no waiver of fees.

TESTIMONY: Jacquelyn Reynoso, Debbie Trujillo and Marquis Jackson appeared on behalf of the Chamber of Commerce and spoke in support.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to approve the request with the same fee waiver as last year. Carried by the following vote, to-wit. Ayes: Cano, Morrison, Rios, Sotelo-Solis. Nays: Natividad. Absent: None. Abstain: None.

CITY ATTORNEY REPORTS (509-1-3)

25. Staff report regarding the powers and duties of the Vice-Mayor. (City Attorney)

RECOMMENDATION: Accept and file.

TESTIMONY: None.

ACTION: City Attorney to survey other Cities on policy. No vote was taken.

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

NO AGENDA ITEMS

STAFF REPORTS

HUMAN RESOURCES DEPT ADMIN (1104-1-2)

26. Report on Furlough. (Human Resources)

CLOSED SESSION REPORT (509-1-4)

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

MAYOR AND CITY COUNCIL

Student Representative Aceves thanked the Council for their attendance at the Sweetwater Theater dedication.

City Treasurer Beauchamp complimented Finance Director Roberts' report and commented on issues about our current and future investment strategy.

Vice Mayor Natividad inquired about the status of the trash/recycle containers on National City Blvd., and the vacant CDC owned parcels on Bay Marina Drive.

Council Member Sotelo-Solis reported on social media tracking strategies highlighted at the SANDAG Public Safety Committee meeting; thanked the Council for supporting the Resolution on assault weapon legislation and emphasized the City Council's role as a policy making body.

Council Member Rios congratulated Mr. Marcus Bush for his appointment to the Planning Commission and reported on her appointments by the Metropolitan Transit (MTS) Board to the SANDAG Regional Planning Committee and an Ad Hoc Committee on Public Safety.

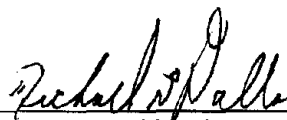
Council Member Cano expressed thanks to Josie Flores Clark for taking the time to introduce him to people at various community events.

Mayor Morrison reported that the annual SANDAG retreat is scheduled February 6th through February 8th and he will be introducing the publisher of the Union-Tribune Newspaper, one of the primary event speakers.

ADJOURNMENT

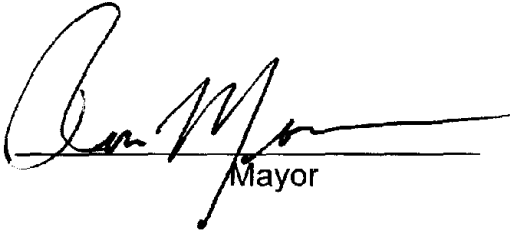
Motion by Sotelo-Solis, seconded by Rios, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, February 19, 2013 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:46 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of February 19, 2013.



Handwritten signature of the Mayor, written in cursive over a horizontal line. The signature appears to be "C. M. ...".

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, February 5, 2013 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Threatened Litigation
Threat of Litigation Pursuant to Government Code Section 54956.9(d)(2)
One Potential Case
2. Conference with Legal Counsel – Anticipated and Pending Litigation
Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(1) and (d)(4)
The Affordable Housing Coalition of San Diego County v. Sandoval
County of Sacramento Superior Court Case No. 34-2012-80001158-CU-WM-GDS

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, February 5, 2013, 6:00 p.m., Council Chambers, Civic Center