

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

**October 2, 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: Cissel, Dalla, Deese, Duong, Gonzales, Manganiello, Parra, Raulston, Silva, Smith, Stevenson, Vergara, Williams.

Others present: City Treasurer Mitch Beauchamp and Student Representative Nallely Aceves.

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

**COUNCIL PRESENTATIONS**

Mayor Morrison announced that the meeting would be adjourned in memory of Emma Valero, who passed away at the age of 103 and Carolina Sotelo, grandmother of Vice Mayor Sotelo-Solis. Mayor Morrison presented a Certificate of Adjournment to Mr. Sotelo.

Vice Mayor Sotelo-Solis spoke of the inspiration and great influence her grandmother had on her and thanked everyone for their condolences and notes of sympathy.

**PUBLIC ORAL COMMUNICATIONS**

Cyrill Cajulao spoke about the importance of health awareness and wellness and encouraged more outreach efforts by the city on behalf of residents.

CITY COUNCIL

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 1 (Minutes), Item No. 2 (NCCMC), Item Nos. 3 through 9 (Resolution Nos. 2012-195 through 2012-201), Item Nos. 10 through 14 (TUP) Item Nos. 15 through 17 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, to pull Item Nos. 10 and 11, and to approve the remainder of 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 August 21, 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 (C2009-82)**

3. Resolution No. 2012-195. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND NINYO & MOORE CORPORATION TO EXTEND THE TERM OF THE AGREEMENT FOR ONE YEAR TO PROVIDE GEOTECHNICAL MATERIALS TESTING SERVICES FOR CITY PROJECTS ON AN AS-NEEDED BASIS. (Development Services/Engineering)  
**ACTION:** Adopted. See above.

**CONTRACT (C2009-78)**

4. Resolution No. 2012-196. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND SOUTHERN CALIFORNIA SOIL & TESTING, INC. TO EXTEND THE TERM OF THE AGREEMENT FOR ONE YEAR TO PROVIDE GEOTECHNICAL MATERIALS TESTING SERVICES FOR CITY PROJECTS ON AN AS-NEEDED BASIS. (Development Services/Engineering)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2011-54)**

5. Resolution No. 2012-197. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK OF QUALITY MECHANICAL, APPROVING THE FINAL CONTRACT AMOUNT OF \$73,186.98, AUTHORIZING THE RELEASE OF RETENTION AND RATIFY THE FILING OF A NOTICE OF COMPLETION FOR THE NATIONAL CITY CIVIC CENTER DATA CENTER REDUNDANT AC, SPECIFICATION 11-02. (Funded by Information Systems Maintenance Fund) (Development Services/Engineering)  
**ACTION:** Adopted. See above.

**CONTRACT (C2012-46)**

6. Resolution No. 2012-198. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH STACK TRAFFIC CONSULTING, INC. FOR A NOT-TO-EXCEED AMOUNT OF \$200,000 FOR A TWO-YEAR PERIOD TO PROVIDE ON-CALL TRAFFIC SIGNAL UPGRADES AND FIBER OPTIC COMMUNICATIONS ENGINEERING AND INSPECTION SERVICES. (Funded by Prop A – Traffic Signal Upgrades and Information Systems Technology Services) (Development Services/Engineering)  
**ACTION:** Adopted. See above.

**CONTRACT (C2011-29)**

7. Resolution No. 2012-199. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH AMERICAN EMERGENCY PRODUCTS (AEP)/SONCELL NORTH AMERICA COMPANY FOR BUILD OUT OF POLICE AND SPECIALTY POLICE VEHICLES IN AN AMOUNT NOT TO EXCEED \$300,000 FOR THE FISCAL YEAR 2012-2013. (Police)  
**ACTION:** Adopted. See above.

**LABOR RELATIONS PART-TIME / TEMPS / SEASONAL 2000-2014 (605-7-2)**

8. Resolution No. 2012-200. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A SALARY SCHEDULE FOR THE PART-TIME AND SEASONAL EMPLOYEE GROUP FOR FISCAL YEAR 2012-2013 TO INCLUDE THE CREATION OF SALARY RANGES FOR THE PART-TIME CLASSIFICATIONS OF LIBRARIAN, LIBRARY ASSISTANT, LIBRARY TECHNICIAN, POLICE DISPATCHER, POLICE RECORDS CLERK, AND SENIOR LIBRARY TECHNICIAN. (Human Resources /Administrative Services)  
**ACTION:** Adopted. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2004-10)**

9. Resolution No. 2012-201. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AMENDMENT NO. 2 TO AGREEMENT WHICH PROVIDES TWO MONTH EXTENSION TO THE CURRENT AGREEMENT BETWEEN SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF NATIONAL CITY FOR POLICE, FIRE AND EMERGENCY MEDICAL SERVICES. (City Manager)  
**ACTION:** Adopted. See above.

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

10. Temporary Use Permit – 2012 State of the City Address sponsored by the City of National City on October 18, 2012 from 5 pm to 8 pm at 1914 Sweetwater Road. This is a City-sponsored event per Council Policy No. 804. (Neighborhood Services)  
**ACTION:** Motion by Natividad, seconded by Zarate, to approve the Temporary Use Permit. Carried by unanimous vote.

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

11. Temporary Use Permit – “Wine’ing Down the Summer with Jazz” hosted by Jazzy Mynds Productions at Olivewood Learning Center on October 20, 2012 from 4 pm to 8:30 pm with no waiver of fees. (Neighborhood Services)  
**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to approve the Temporary Use Permit. Carried by unanimous vote.

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

12. Temporary Use Permit – Health & Wellness Fair hosted by Paradise Valley Hospital and The National City Times on October 27, 2012 from 10 a.m. to 3 p.m. at 2400 E. 4<sup>th</sup> Street with no waiver of fees. (Neighborhood Services)  
**ACTION:** Approved. See above.

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

13. Temporary Use Permit – 5<sup>th</sup> Annual Tower of Terror sponsored by the National City Fire Department on October 31, 2012 from 5 pm to 9 pm at Fire Station 34 located at 343 East 16<sup>th</sup> Street. This is a National City sponsored event per Council Policy No. 804. (Neighborhood Services)  
**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

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

14. Temporary Use Permit – Sweetwater High School's Homecoming on October 26, 2012 from 6:30 p.m. to 9:30 p.m. at 2900 Highland Avenue. This is a City co-sponsored event per Council Policy No. 804. (Neighborhood Services)

**ACTION:** Approved. See above.

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

15. Warrant Register #9 for the period of 08/22/12 through 08/28/12 in the amount of \$1,942,890.83. (Finance/Administrative Services)

**ACTION:** Ratified. See above.

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

16. Warrant Register #10 for the period of 08/29/12 through 09/04/12 in the amount of \$2,237,593.26. (Finance/Administrative Services)

**ACTION:** Ratified. See above.

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

17. Warrant Register #11 for the period of 09/05/12 through 09/11/12 in the amount of \$394,652.86. (Finance/Administrative Services)

**ACTION:** Ratified. See above.

**ORDINANCE FOR INTRODUCTION**

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

18. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CHAPTER 9.06.110 OF THE NATIONAL CITY MUNICIPAL CODE TO ALLOW THE GRADING OF MOBILE FOOD FACILITIES THAT PREPARE FOOD. (City Manager/City Attorney)

**ORDINANCE FOR ADOPTION**

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

19. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CHAPTER 7.20 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING SECTION 7.20.150 REGULATING THE USE OF TARPAULINS. (Development Services/ Planning)

**RECOMMENDATION:** Adopt the Ordinance.

**TESTIMONY:** None.

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

## NON CONSENT RESOLUTIONS

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

20. Resolution No. 2012-202. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF RED CURB "NO PARKING" AT THE DRIVEWAY TO 2320 EUCLID AVENUE TO PROVIDE CLEARANCE FROM PARKED VEHICLES. (Traffic Safety Committee Item No. 2012-24) (Development Services/ Engineering)

**RECOMMENDATION:** The Traffic Safety Committee recommended installation of red curb "No Parking" at the driveway at 2320 Euclid Avenue. The Staff recommendation is to install red curb "No Parking" along the west side of the 2200 block of Euclid Avenue.

**TESTIMONY:** Julio Bermudez, National City, spoke in opposition to the staff recommendation.

Donald Tafoya, National City, spoke in opposition to the staff recommendation.

Janet Garmon, National City, spoke in opposition to the staff recommendation.

**ACTION:** Motion by Natividad, to approve Traffic Safety Committee recommendation to install red curb "No Parking" at the driveways to 2320 Euclid Avenue. Motion died of lack of a second.

Motion by Sotelo-Solis, seconded by Rios, to have staff return with a new exhibit that shows exact measurements relative to each driveway and the maximum red curb possible without loss of parking. Carried by unanimous vote.

### ABATEMENT PROPERTY (402-1-10)

21. Resolution No. 2012-203. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING AND ADOPTING A FINAL ORDER OF ABATEMENT OF A DECLARED PUBLIC NUISANCE FOR PROPERTIES LOCATED AT 322-340 HIGHLAND AVENUE. (Fire)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** John Richards, Attorney representing the owners, spoke in opposition to the resolution.

**ACTION:** Motion by Sotelo-Solis, seconded by Natividad, to continue for two weeks. Carried by unanimous vote.

**NEW BUSINESS**

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

22. Request to use Martin Luther King Jr. Community Center (North and South Rooms) by National City College Campus Lions Club for a Spirit of the Holidays toy and food giveaway to needy families of National City on December 21-22 2012. Applicant anticipates approximately 450 people will be attending this year's event. The applicant has requested a waiver of fees. (Public Works)

**RECOMMENDATION:** Approve request for use with no waiver of fees.

**TESTIMONY:** Paul Robinson, Lion's Club representative, spoke in support and requested a waiver of fee.

**ACTION:** Motion by Natividad, seconded by Sotelo-Solis, to approve the use and waive the hall fee of \$791.55. Second withdrew the second.

Motion by Rios, seconded by Zarate, to treat the event as a co-sponsored event and waive \$1,000 and to refer it to the committee to be considered for inclusion on the list. Carried by unanimous vote.

**PARKS ADMIN (702-1-3)**

23. Request from semi-pro football team "National City Bears" to charge admission for games under facility use permit (FUP) at El Toyon Multi-Use Field on 10/13/12, 10/20/12, 11/3/12, and 11/10/12. (Public Works)

**RECOMMENDATION:** If approved, staff recommends all conditions and requirements in accordance with City Council Policy #801.

**EXPARTE DISCLOSURE:** Council Members Rios, Sotelo-Solis and Zarate disclosed that they met with the applicant and discussed the request.

**TESTIMONY:** Ditas Yamane, the applicant, spoke in support and responded to questions.

**ACTION:** Motion by Natividad, seconded by Sotelo-Solis, to deny the request. Motion failed by the following vote, to-wit: Ayes: Natividad, Sotelo-Solis. Nays: Morrison, Rios, Zarate. Absent: None. Abstain: None.

Motion by Morrison, seconded by Zarate, to continue for two weeks for additional information. Carried by unanimous vote.

**ABATEMENT WEED 2012 (402-3-11)**

24. Appeal Hearing – Notice to Abate Public Nuisance, 822 E. 4<sup>th</sup> Street, APN 556-331-15-00. (Weed Abatement) (City Clerk)

**RECOMMENDATION:** Hold the Hearing and make findings and determinations as provided in Municipal Code Section 1.36.060.

**TESTIMONY:** None.

**ACTION:** Item withdrawn at request of appellant.

**NEW BUSINESS (cont.)**

**COUNCIL MEETINGS REGS / SCHEDULE ADMIN (102-7-1)**

25. City Council Meeting Schedule – October 2012 through January 2013.  
(City Clerk)

**RECOMMENDATION:** Review and provide direction.

**TESTIMONY:** None.

**ACTION:** Motion by Rios, seconded by Zarate, to approve meeting schedule. Carried by unanimous vote.

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

**NO AGENDA ITEMS**

**STAFF REPORTS**

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

26. Active Transportation Grant Awards. (Engineering)  
City Engineer Steve Manganiello reported that the City was notified by SANDAG that we were successful in receiving three Active Transportation Grants totaling \$1.1 million.

**CS PROGRAMS / EVENTS / ACTIVITIES (702-2-1)**

27. Follow-up on 125<sup>th</sup> Anniversary Event. (Community Services)

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

28. 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**

Council Member Natividad suggested that it was time to look to into the desirability of reducing our street sweeping schedule.

Vice Mayor Sotelo-Solis thanked everyone for condolences offered on behalf of her Grandmother Carolina Sotelo; mentioned that the area around 12<sup>th</sup> Street and Harding Avenue has been hit hard by graffiti and reminded everyone about the Salute to Navy and Tower of Terror Halloween event.

Council Member Rios reported a possible abandoned truck at a business on the east side.



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

Council Member Zarate has a house that is a possible candidate for attention by Christmas in July.

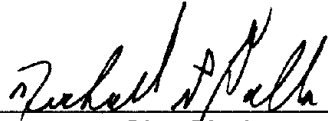
Mayor Morrison reminded everyone about the 57<sup>th</sup> Annual Salute to Navy event on October 3<sup>rd</sup>.

**ADJOURNMENT**

The meeting was adjourned in honor of Emma Valero and Carolina Sotelo.

Motion by Rios, 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, October 16, 2012 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:14 p.m.

  
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City Clerk

The foregoing minutes were approved at the Regular Meeting of October 16, 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, October 2, 2012 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*City of National City v. Thrifty Oil (Orkin, Inc.)*  
SD Superior Court Case No. 37-2010-00077981
2. Conference with Legal Counsel – Existing Litigation  
Government Code Section 54956.9(a)  
*City of National City v. Thrifty Oil, Co.*  
SD Superior Court Case No. 37-2010-000778
3. Liability Claims: Government Code Section 54956.9(b)(3)(c)  
Guerrero – Sewer Claim  
Agency Claimed Against: City of National City  
Number of Claims: One
4. Liability Claims: Government Code Section 54956.95  
Workers' Compensation Claim  
Agency Claimed Against: City of National City  
Number of Claims: Two

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, October 2, 2012, 6:00 p.m., Council Chambers, Civic Center