

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

October 16, 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 6:07 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, Vergara, Williams.

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

Neil Gamber, National City, thanked the Mayor and Council for fixing the sidewalk problem he reported.

OFF AGENDA ITEMS

SUBJECT: CALTRANS Road Closure Report.

RECOMMENDATION: Add the item.

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to make a finding that the item came to the attention of the City after the agenda was posted and to bring the item onto the Agenda as Item No. 27a. Carried by unanimous vote.

SUBJECT: Request to authorize Sweetwater High School Cheerleaders to ride on National City Fire Department Engine in Homecoming Parade on October 26, 2012. (Fire)

RECOMMENDATION: Add the item.

ACTION: Motion by Natividad, seconded by Rios, to make findings that the item came to the attention of the City after the agenda was posted and the need to act is urgent and to bring the item onto the Agenda as Item No. 27b. Carried by unanimous vote.

CITY COUNCIL

PROCLAMATION

PROCLAMATION ADMIN (102-2-1)

1. Proclaiming Tuesday, October 16, 2012 as: **“SSG ROBERT GUTIERREZ, JR. DAY” – UNITED STATES AIR FORCE**

PRESENTATION

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

2. Employee of the Month of October 2012 – Charles Roe – Permit Technician, Building Division

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 3 (Minutes), Item No. 4 (NCMC), Item Nos. 5 through 10 (Resolution Nos. 2012-204 through 2012-209), Item No. 11 (Report), Item Nos. 12 and 13 (TUP), Item Nos. 14 and 15 (Warrant Registers). Motion by Sotelo-Solis, seconded by Natividad, to pull Item Nos. 10, 12 and 13, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

3. **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 July 17, 2012 and October 2, 2012. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2012 (506-2-27)

4. 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.)

CONTRACT (C2012-49)

5. Resolution No. 2012-204. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING A CONTRACT TO ZASUETA CONTRACTING, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$69,714.00 FOR THE NATIONAL CITY SHADE STRUCTURE FOR FIRE DEPARTMENT STATION NO. 34, SPECIFICATION NO. 12-11, AND AUTHORIZE 15% CONTINGENCY IN THE AMOUNT OF \$10,457 FOR ANY UNFORESEEN CHANGES. (Funded by Development Impact Fees) (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2012-48)

6. Resolution No. 2012-205. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AWARDING A CONTRACT TO KOCH-ARMSTRONG GENERAL ENGINEERING, INC., IN THE AMOUNT NOT-TO-EXCEED \$657,679.24 AND AUTHORIZE A 10% CONTINGENCY IN THE AMOUNT OF \$65,768 FOR ANY UNFORESEEN CHANGES TO THE PROJECT FOR THE NATIONAL CITY STREET RESURFACING AND CONCRETE IMPROVEMENTS, SPECIFICATION 12-06. (Funded by CDBG & Proposition 'A' funds) (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2012-50)

7. Resolution No. 2012-206. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND BUCKNAM INFRASTRUCTURE GROUP, INC. IN THE NOT TO EXCEED AMOUNT OF \$53,771 AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR THE STREET SIGN INVENTORY AND PAVEMENT MANAGEMENT SOFTWARE. (Funded by Gas Tax \$51,971 and General Fund \$1,800) (Engineering)
ACTION: Adopted. See above.

CONTRACT (C2012-51)

8. Resolution No. 2012-207. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AND SUBMIT PROGRAM SUPPLEMENT AGREEMENT NO. 006-N TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION TO ENCUMBER \$730,000 IN FEDERAL SAFE ROUTES TO SCHOOL FUNDING FOR CONSTRUCTION OF THE COOLIDGE AVENUE SAFE ROUTES TO SCHOOL PROJECT NEAR KIMBALL ELEMENTARY SCHOOL. (Development Services/Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2012-52)

9. Resolution No. 2012-208. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AND SUBMIT PROGRAM SUPPLEMENT AGREEMENT NO. 007-N TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION TO ENCUMBER \$500,000 IN FEDERAL SAFE ROUTES TO SCHOOL FUNDING FOR IMPLEMENTATION OF AN EDUCATION AND ENCOURAGEMENT SUSTAINABILITY PROGRAM FOR ALL 10 ELEMENTARY SCHOOLS CITYWIDE. (\$100,000 local match will be "in-kind" funding for staff time and materials spent on the project) (Development Services/Engineering)

ACTION: Adopted. See above.

AMERICANS WITH DISABILITIES ACT – ADA ADMIN (910-1-3)

10. Resolution No. 2012-209. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE CITY OF NATIONAL CITY AMERICANS WITH DISABILITIES ACT (ADA) PLAN. (Development Services/Engineering)

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

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

11. National City Sales Tax Update, Second Quarter 2012. (Finance/Administrative Services)

ACTION: Filed. See above.

TEMPORARY USE PERMITS 2012 (203-1-28)

12. Temporary Use Permit – Fall Festival hosted by the South Bay Community Church at 2400 Euclid Avenue on October 31, 2012 from 5:00 pm to 9:00 pm with no waiver of fees. (Neighborhood Services)

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

TEMPORARY USE PERMITS 2012 (203-1-28)

13. Temporary Use Permit – Cornerstone Harvest Festival hosted by Cornerstone Church of San Diego at 1914 Sweetwater Road on October 31, 2012 from 9:00 a.m. to 12 a.m. midnight with no waiver of fees. (Neighborhood Services)

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

CONSENT CALENDAR (cont.)

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

14. Warrant Register #12 for the period of 09/12/12 through 09/18/12 in the amount of \$2,403,056.32. (Finance/Administrative Services)
ACTION: Ratified. See above.

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

15. Warrant Register #13 for the period of 09/19/12 through 09/25/12 in the amount of \$308,267.46. (Finance/Administrative Services)
ACTION: Ratified. See above.

PUBLIC HEARINGS

CITY WIDE HOUSING ADMIN (303-4-1)

16. Public Hearing for the approval by the City of National City of the issuance of multifamily housing revenue bonds for the purpose of financing the acquisition and rehabilitation of Park Villas Apartments in National City. (Housing and Grants) **Companion Item #20**
RECOMMENDATION: Conduct the Public Hearing.
TESTIMONY: None.
ACTION: Motion by Rios, seconded by Sotelo-Solis, to closed the Public Hearing. Carried by unanimous vote.

MUNICIPAL CODE 2012 (506-2-27)

17. Public Hearing to consider an Ordinance Amending Title 18 (Zoning) of the National City Municipal Code by Amending Section 18.30.320 pertaining to pawn shops and businesses engaged in secondhand dealing and/or the purchase and selling of gold and other precious metals. (Applicant City-Initiated) (Case File 2012-18A) (Planning) **Companion Item #18**
RECOMMENDATION: Staff concurs with the Planning Commission's recommendation to adopt the amendments to Title 18.30.320 of the Municipal Code pertaining to pawn shops, etc.
TESTIMONY: None.
ACTION: Motion by Sotelo-Solis, seconded by Zarate, to close the Public Hearing. Carried by unanimous vote.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2012 (506-2-27)

18. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY AMENDING TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE BY AMENDING SECTION 18.30.320 PERTAINING TO PAWN SHOPS AND BUSINESSES ENGAGED IN SECONDHAND DEALING AND/OR THE PURCHASE AND SELLING OF GOLD AND OTHER PRECIOUS METALS. (Applicant: City Initiated) (Case File #2012-18 A) (Planning)
Companion Item #17

ORDINANCE FOR ADOPTION

MUNICIPAL CODE 2012 (506-2-27)

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

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

CITY WIDE HOUSING ADMIN (303-4-1)

20. Resolution No. 2012-210. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION AND REHABILITATION OF PARK VILLAS APARTMENTS IN NATIONAL CITY. (Housing and Grants)

Companion Item #16

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Rios, to adopt the Resolution with the typo corrected from 810 to 817 in the second recital. Carried by unanimous vote.

NON CONSENT RESOLUTIONS (cont.)

Vice Mayor Sotelo-Solis left the Council Chamber at 7:01 p.m.

ABATEMENT PROPERTY (402-1-10)

21. Resolution No. 2012-211. 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)
Continued from October 2, 2012 Council Meeting

RECOMMENDATION: Staff is requesting that the City approve the Resolution for final order of Abatement for Public Nuisance for properties located at 322-340 Highland Avenue, National City, CA 91950.

TESTIMONY: John Richards, attorney representing the property owner, indicated that they had a check in hand from the bank and were ready to proceed and requested the final order not be adopted.

David Abaraca, the demolition contractor, was available for questions.

Gloria Cisneros, a business owner, said she was confused by the process, had no response from the owners about getting her property returned.

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

Vice Mayor Sotelo-Solis returned to the Chamber at 7:28 p.m., and reported that she abstained on the previous item because of the proximity of her residence to the subject property.

POLITICAL SUPPORT ADMIN (102-4-1)

22. Resolution No. 2012-212. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY OPPOSING FURTHER CUTS TO FEDERAL PROGRAMS THAT FURTHER IMPACT CORE LOCAL GOVERNMENT PROGRAMS. ("Sequestration") (City Manager / Housing & Grants)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

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

23. Report on proposed red curb "No Parking" along the west side of 2200 and 2300 blocks of Euclid Avenue to improve visibility at driveways and provide clearance from parked vehicles. (TSC Item No. 2012-24) (Development Services/Engineering)

RECOMMENDATION: Provide direction to staff.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Natividad, to return with Resolution approving Alternative Recommendation 'A' with the addition of parking delineations. Carried by unanimous vote.

STORM DRAIN / WATER ADMIN (909-1-1)

24. Update on City's Jurisdictional Urban Runoff Management Program (JURMP) Annual Report for Fiscal Year 2011-12. (Development Services/Engineering)

RECOMMENDATION: Accept the report.

TESTIMONY: None.

ACTION: Motion by Zarate, seconded by Rios, to accept and file. Carried by unanimous vote.

CASA DE SALUD ADMIN (702-9-1)

25. Request to use Casa de Salud by Reiyukai America, a non-profit organization, for a "Reiyukai Family Day Festival" on November 11, 2012. The event is geared towards raising awareness of self-development, increase family values and respect for ones ancestors. The event will include family dance performances and testimonials. This event is open to the public and is free to all who attend. (Public Works)

RECOMMENDATION: The requested use is in accordance with Council Policy 805 pending Council approval. Staff recommends payment of all fees.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

PARKS ADMIN (702-1-3)

26. 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 October 20, 2012, November 3, 2012, and November 10, 2012. (Public Works) **Continued from October 2, 2012 Council Meeting**

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

TESTIMONY: None.

NEW BUSINESS (cont.)

PARKS ADMIN (702-1-3)

26. Request from semi-pro football team "National City Bears" (continued).
ACTION: Motion by Rios, seconded by Sotelo-Solis, to deny request. Carried by unanimous vote.
Council Member Natividad wanted to go on record that he would support allowing charging in the event that there was a playoff game.
EXPARTE: Members Rios and Zarate disclosed that they were contacted by applicant.

BUDGET FY 2012-2013 (206-1-28)

27. First Quarter Fiscal Year 2012/2013 Budget Update. (Finance/Administrative Services)
RECOMMENDATION: Accept and file.
TESTIMONY: Staff report by Stacey Stevenson.
ACTION: Accepted and filed. There was no vote.

CALTRANS (802-5-1)

- 27a. Information Report from the California Department of Transportation (CALTRANS) regarding the closure of Sweetwater Road for construction.
TESTIMONY: Paul Hsu and Ed Cartiegena from CALTRANS reported on the planned closure of Sweetwater Road for two or three weekends in conjunction with Interstate 805 construction project and responded to questions.

TEMPORARY USE PERMITS 2012 (203-1-28)

- 27b. Request to Authorize Sweetwater High School Cheerleaders to ride on National City Fire Department Engine in Homecoming Parade on October 26, 2012. (Fire)
RECOMMENDATION: None.
TESTIMONY: None.
ACTION: Motion by Natividad, seconded by Sotelo-Solis, to approve request. Carried by unanimous vote.

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

NO AGENDA ITEMS

STAFF REPORTS

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

City Treasurer Beauchamp expressed concern about the ROPS decision by the State Department of Finance and reported that the Finance Director position is in the process of being filled.

Council Member Natividad asked about the possibility of adding computers to the library and having the Pledge of Allegiance led by different people at the beginning of the meeting.

Vice Mayor Sotelo-Solis reported on the new insurance business that opened, thanked staff for the Wi-Fi access at City Hall and reminded everyone about the Tower of Terror event on October 31st.

Council Member Rios presented information on the library computer program and the need for volunteers and asked if it was possible to inform TUP and CUP applicants of the need for Council approval before they advertise their events.

Council Member Zarate thanked Public Works for dealing with issues she referred to them and expressed thanks to the Council for adjourning in honor of Josie and Jim Sheppard.

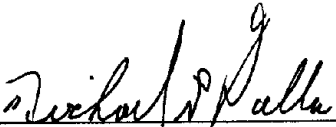
Mayor Morrison presented a check to the City Manager from the Regional Solid Waste Authority in the amount of \$17,508, and reminded everyone about the State of the City Address scheduled for October 25th.

ADJOURNMENT

The meeting was adjourned in honor of Josie and Jim Sheppard.

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, October 30, 2012 at 6:00 p.m. at the Council Chambers, National City, California.
Carried by unanimous vote.

The meeting closed at 9:10 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of October 30, 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, October 16, 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, et al. v. Ana Matosantos, et al.
Sacramento County Superior Court Case No. 34-2012-80001198

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, October 16, 2012, 6:00 p.m., Council Chambers, Civic Center