

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

**November 20, 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 6:30 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, Manganiello, Mora, Raulston, Rodriguez, 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**

Tony Davrda, National City, expressed his thanks and appreciation for the wonderful job done by the National City Fire and Police Departments in responding to a fire at his home.

**CITY COUNCIL**

**PRESENTATIONS**

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

1. Employee of the Month of November, 2012 – Eduardo Sanchez, Fire Inspector, Fire Department

**COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)**

2. Old Town Reunion Committee Update on 2012 Reunion  
**TESTIMONY:** Council Member Zarate introduced and thanked her reunion committee members.  
Dukie Valderrama, Reunion Committee member, presented a check to the City representing the net proceeds from the Old Town Reunion event and thanked Rosalie Zarate for her leadership.  
Eddie Perez, Reunion Committee member, expressed thanks to the committee and to Rosalie Zarate.

**PRESENTATIONS (cont.)**

**COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)**

2. Old Town Reunion Committee Update on 2012 Reunion (continued)  
**TESTIMONY:** Rebecca Aguilera-Gardiner, Reunion Committee member, spoke on behalf of her mother, Betty Aguilera and late father and founder of the Reunion Committee, Diego Aguilera and presented a video of the 2012 Reunion.

**COUNCIL MEETING PRESENTATIONS 2012 (102-10-7)**

3. Communities of Excellence Presentation – Rocina Lizarraga, CX3 Project Coordinator, County of San Diego, Health & Human Services Agency

**INTERVIEWS/APPOINTMENTS**

**BOARDS & COMMISSIONS ADMIN (101-1-1)**

4. Interviews and Appointments: San Diego Port Commissioner Re-Appointment. (City Clerk)  
**ACTION:** Motion by Sotelo-Solis, seconded by Rios, to re-appoint Dukie Valderrama. Carried by unanimous vote.

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 5 (Minutes), Item No. 6 (NCMC), Item Nos. 7 and 8 (Resolution Nos. 2012-221 and 2012-222), Item Nos. 9 and 10 (TUP), Item No. 11 (Report), Item Nos. 12 through 15 (Warrant Registers), Motion by Natividad, seconded by Rios, to pull Item Nos. 8 and 9, and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

**APPROVAL OF MINUTES**

5. **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 October 30, 2012. (City Clerk)  
**ACTION:** Approved. See above.

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

6. 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 (C2012-57)**

7. Resolution No. 2012-221. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY MANAGER TO: (1) EXECUTE THE CONTRACT WITH WEST-TECH CONTRACTING IN THE NOT-TO-EXCEED AMOUNT OF \$37,245 FOR THE REMOVAL OF UNDERGROUND STORAGE TANK SYSTEM AND STORM WATER INTERCEPTOR SYSTEM AS MANDATED BY THE DEPARTMENT OF ENVIRONMENTAL HEALTH, SPECIFICATION NO. 12-08, (2) AUTHORIZE THE CITY MANAGER TO EXECUTE ANY CHANGE ORDERS WITHIN THE BUDGET AMOUNT NECESSARY TO COMPLETE THE PROJECT, AND (3) APPROVE AN APPROPRIATION OF \$85,000 TO FUND THE CONTRACT AND FUND ANY UNFORESEEN CHANGES. (Funded by General Fund) (Development Services/Engineering)

**ACTION:** Adopted. See above.

**ENCROACHMENT AGREEMENT ADMIN 2012 (903-14-6)**

8. Resolution No. 2012-222. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AMENDMENT NO. 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY EXTENDING THE AGREEMENT EXPIRATION DATE TO NOVEMBER 23, 2014 FOR MONITORING WELL (W-27) ENCROACHMENT OF THE ALLEY BETWEEN ROOSEVELT AND HOOVER AVENUES, SOUTH OF 8<sup>TH</sup> STREET (CITY RIGHT-OF-WAY) FOR CONTINUING MONITORING. (Development Services/ Engineering)

**ACTION:** Pulled from the agenda. No action taken.

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

9. Temporary Use Permit – Request from Iglesia Cristiana Fuego de Dios to host One World musical concert at Kimball Park on December 12, 2012 from 6 p.m. to 9 p.m. with no waiver of fees. (Neighborhood Services)

**TESTIMONY:** An un-named speaker appeared on behalf of the Church and responded to questions.

**ACTION:** Motion by Natividad, seconded by Zarate, to approve the Temporary Use Permit. See above.

**CONSENT CALENDAR (cont.)**

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

10. Temporary Use Permit – Christmas Tree Lighting hosted by the Community Services Department on December 13, 2012 from 5 pm to 8 pm at Morgan Square, between “A” Avenue and National City Boulevard. This is a City sponsored event under Policy No. 804. (Neighborhood Services)

**ACTION:** Approved. See above.

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

11. Investment Report for Quarter ended September 30, 2012. (Finance)

**ACTION:** Filed. See above.

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

12. Warrant Register #15 for the period of 10/03/12 through 10/09/12 in the amount of \$605,558.32. (Finance)

**ACTION:** Ratified. See above.

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

13. Warrant Register #16 for the period of 10/10/12 through 10/16/12 in the amount of \$1,242,583.44. (Finance)

**ACTION:** Ratified. See above.

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

14. Warrant Register #17 for the period of 10/17/12 through 10/23/12 in the amount of \$1,131,500.23. (Finance)

**ACTION:** Ratified. See above.

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

15. Warrant Register #18 for the period of 10/24/12 through 10/30/12 in the amount of \$1,271,451.35. (Finance)

**ACTION:** Ratified. See above.

Member Zarate left the Council Chamber at 7:52 p.m., due to the fact that she owns property in or near the area to be considered during Public Hearing Item No. 16.

**PUBLIC HEARING**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

16. Public Hearing to consider adoption of Resolutions amending Resolution Nos. 2011-248, 2011-249, and 2011-250, Resolutions of Necessity for the Acquisition of Real Property for the Plaza Boulevard Street Widening Project (Nagraj, Inc., APN 557-410-19; Todd Al-Bayati/Samiya Abdul Sattar Kaddory, APN 557-420-30; Artemio P. Puedan/Flora O. Puedan, APN 557-410-05). (City Attorney) **\*\*Companion Items #18, #19, #20\*\***

**RECOMMENDATION:** Hold Public Hearing.

**TESTIMONY:** None.

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

Item Numbers 18 through 20 were taken up next.

**NON CONSENT RESOLUTIONS**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

18. Resolution No. 2012-223. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING RESOLUTION NO. 2011-248, RESOLUTION OF NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE PLAZA BOULEVARD STREET WIDENING PROJECT (NAGRAJ, INC., APN 557-410-19). (City Attorney) **\*\*Companion Items #16, #19, #20\*\***

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

19. Resolution No. 2012-224. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING RESOLUTION NO. 2011-249, RESOLUTION OF NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE PLAZA BOULEVARD STREET WIDENING PROJECT (TODD AL-BAYATI/SAMIYA ABDUL SATTAR KADDORY, APN 557-420-30). (City Attorney) **\*\*Companion Items #16, #18, #20\*\***

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

**NON CONSENT RESOLUTIONS (cont.)**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

19. Resolution No. 2012-224 (continued).

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

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

20. Resolution No. 2012-225. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING RESOLUTION NO. 2011-250, RESOLUTION OF NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE PLAZA BOULEVARD STREET WIDENING PROJECT (ARTEMIO P. PUEDAN/FLORA O. PUEDAN, APN 557-410-05). (City Attorney) \*\*Companion Items #16, #18, #19\*\*

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

Member Zarate returned to the Council Chamber at 7:55 p.m.

**ORDINANCE FOR INTRODUCTION**

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

17. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 11, CHAPTER 11.16, SECTION 11.16.010 – SPEED ZONES DESIGNATED OF THE NATIONAL CITY MUNICIPAL CODE ESTABLISHING SPEED LIMITS ON VARIOUS STREETS BASED ON CERTIFIED ENGINEERING AND TRAFFIC SURVEYS. (Engineering)

**NON CONSENT RESOLUTIONS**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

18. Resolution No. 2012-223. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING RESOLUTION NO. 2011-248, RESOLUTION OF NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE PLAZA BOULEVARD STREET WIDENING PROJECT (NAGRAJ, INC., APN 557-410-19). (City Attorney)

\*\*Companion Items #16, #19, #20\*\*

**ACTION:** Taken up earlier. See above.

**NON CONSENT RESOLUTIONS (cont.)**

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

19. Resolution No. 2012-224. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING RESOLUTION NO. 2011-249, RESOLUTION OF NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE PLAZA BOULEVARD STREET WIDENING PROJECT (TODD AL-BAYATI/SAMIYA ABDUL SATTAR KADDORY, APN 557-420-30). (City Attorney) **\*\*Companion Items #16, #18, #20\*\***  
**ACTION:** Taken up earlier. See above.

**CITY ACQUISITION / PROPERTY ADMIN (1001-1-6)**

20. Resolution No. 2012-225. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING RESOLUTION NO. 2011-250, RESOLUTION OF NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE PLAZA BOULEVARD STREET WIDENING PROJECT (ARTEMIO P. PUEDAN/FLORA O. PUEDAN, APN 557-410-05). (City Attorney) **\*\*Companion Items #16, #18, #19\*\***  
**ACTION:** Taken up earlier. See above.

**NEW BUSINESS**

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

21. Temporary Use Permit – Request from North Star Gas LTD Company to operate a temporary transfer site at 2101 Tidelands Avenue from December 8, 2012 to December 8, 2013 with no waiver of fees. (Neighborhood Services) **\*\*THIS TEMPORARY USE PERMIT WILL INCLUDE A POWERPOINT PRESENTATION\*\***

**RECOMMENDATION:** Approve the application for a Temporary Use Permit subject to compliance with all conditions and requirements of approval with no waiver of fees.

**TESTIMONY:** Ed Palmer, representing the applicant, spoke in support and responded to questions.

**ACTION:** Motion by Rios, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

**EX PARTE:** Members Natividad, Sotelo-Solis, Rios and Zarate disclosed that they had contact with the applicant prior to the meeting.

**NEW BUSINESS (cont.)**

**BUSINESS LICENSES ADMIN (203-5-1)**

22. Report of the City of National City implementation of the State of California \$1.00 fee for new local business licenses and renewals to fund programs related to ADA access as mandated by Senate Bill No.1186 (SB1186) Business License. (Finance)

**RECOMMENDATION:** Accept and file.

**TESTIMONY:** None.

**ACTION:** Filed.

**CITIZEN PARTICIPATION PLAN (406-5-1)**

23. Staff Report – Draft letter welcoming and encouraging new residents to participate in City government. (Housing & Grants)

**RECOMMENDATION:** None.

**TESTIMONY:** None.

**ACTION:** Several suggestions and ideas were offered to enhance and clarify the letter.

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

**HOUSING AUTHORITY 2012 (404-1-1)**

**CONTRACT (C2012-58)**

24. Resolution No. 2012-11. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY AUTHORIZING THE CHAIRMAN TO EXECUTE A SUBORDINATION AGREEMENT ALLOWING A NEW MORTGAGE NOT-TO-EXCEED \$155,000 TO BE AND REMAIN A LIEN PRIOR AND SUPERIOR TO A FIRST-TIME HOME BUYER ASSISTANCE LOAN ON A SINGLE-UNIT PROPERTY LOCATED IN NATIONAL CITY. (Housing and Grants)

**RECOMMENDATION:** Staff recommends the adoption of a Resolution to execute the Subordination Agreement.

**TESTIMONY:** None.

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

**STAFF REPORTS**

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

25. Vehicle and Pedestrian Access to National City Public Library. (Engineering) (Copy on file in the Office of the City Clerk)



**STAFF REPORTS (cont.)**

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

26. \$2.5 million Prop 84 Storm Water Grant Award – “A” Avenue Green Street and Pedestrian Pathway Project. (Engineering) (Copy on file in the Office of the City Clerk)

City Manager Leslie Deese extended Thanksgiving wishes on behalf of the entire staff.

**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**

Vice Mayor Sotelo-Solis wished everyone a Happy Thanksgiving.

Council Member Rios reported on the upcoming event put on by the Trash Talkers from Samahan Clinic and asked if their flyer could be placed on the city's web page.

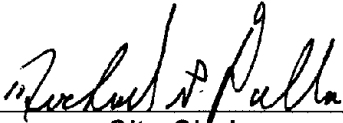
Council Member Zarate extended Thanksgiving wishes to everyone.

Mayor Morrison wished everyone a Happy Thanksgiving and extended an invitation for his annual holiday celebration at his home.

**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, December 4, 2012 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:06 p.m.

  
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City Clerk

The foregoing minutes were approved at the Regular Meeting of December 18, 2012.

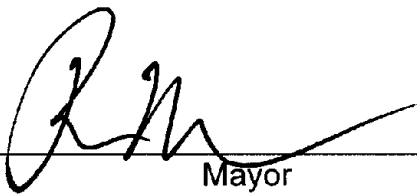
  
\_\_\_\_\_  
Mayor

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, November 20, 2012 – 5:30 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. Nagraj, Inc.*  
San Diego Superior Court Case No. 37-2010-00077984-CU-EI-SC
2. 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
3. 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

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, November 20, 2012, 6:00 p.m., Council Chambers, Civic Center