

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

**June 4, 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 6:06 p.m. by Mayor / Chairman Ron Morrison.

**ROLL CALL**

Council / Board members present: Cano, Morrison, Natividad, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Duong, Gonzales, Norrdin, Parra, Raulston, Rodriguez, Silva, Stevenson, Williams.  
Others present: Student Representatives Nallely Aceves and Kane Gillego.

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

**PUBLIC ORAL COMMUNICATIONS**

Sunshine Horton, El Cajon, thanked the Mayor for attending the memorial event for her daughter and the Police Department Staff participants in the Olympic Torch Run.

Bert Andrade, National City, invited everyone to the Philippines 115<sup>th</sup> Independence Day Anniversary event.

Cindy Graves, South County Economic Development Council (SDEDC), presented the City Council with copies of the National City profile brochure prepared by the SDEDC.

Maria Ugart, National City, extended an invitation to an appreciation party at the Thrift Store on June 28<sup>th</sup> to thank everyone who assisted them in bringing their facility up to code.

Carolina Martinez, Environmental Health Coalition, requested a letter of support from the City relating to their position on the expansion of the PASHA facility.

Geoffrey Schrock, National City, thanked Vice Mayor Natividad and the staff for assisting in the removal of illegal dumping and supports making the district tax permanent.

## **PUBLIC ORAL COMMUNICATIONS (cont.)**

Clark Flowers, Bonita, Public Affairs Director for the Church of Jesus Christ of Latter Day Saints, informed the City Council and public of a free health screening clinic his church will be providing for National City residents on June 22<sup>nd</sup>.

Graham Young, Police Department Traffic Sergeant, acknowledged the efforts of key staff and community members in the successful grant award received by the City for the "Every 15 Minutes Program" and distributed award certificates from the California Highway Patrol and the Office of Traffic Safety to Marcus Bush, Ronni Zengota and Police Chief Rodriguez.

## **CITY COUNCIL**

### **INTERVIEWS / APPOINTMENTS**

#### **SUCCESSOR AGENCY 2013 (406-10-11)**

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

1. Appointment to fill a vacancy to the Oversight Board pursuant to Health and Safety Code sections 34179(a)(7) and 34179(g). (Successor Agency)  
**ACTION:** Motion by Morrison, seconded by Rios, to appoint Michael Fellows to the Oversight Board. Carried by unanimous vote.

### **CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 2 (Minutes), Item Nos. 3 through 8 (Resolution Nos. 2013-73 through 2013-78), Item No. 9 (Report), Item Nos. 10 and 11 (Warrant Registers). Motion by Natividad, seconded by Sotelo-Solis, to pull Item No. 6 and to approve the remainder of the Consent Calendar. Carried by unanimous vote.

### **APPROVAL OF MINUTES**

2. **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 April 30, 2013. (City Clerk)  
**ACTION:** Approved. See above.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2012-13)**

3. Resolution No. 2013-73. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY ACCEPTING THE WORK OF BASILE CONSTRUCTION, APPROVING THE FINAL CONTRACT AMOUNT OF \$2,599,924.99, AUTHORIZING THE RELEASE OF RETENTION AND RATIFY THE FILING OF A NOTICE OF COMPLETION FOR THE 8TH STREET UTILITY UNDERGROUNDING AND SEWER REPLACEMENT PROJECT, SPECIFICATION NO. 11-04. FUNDED BY GENERAL FUND (REIMBURSED BY THE 20A UTILITY CONVERSION FUND) AND SEWER FUND. (Engineering)

**ACTION:** Adopted.

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

4. Resolution No. 2013-74. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF FIVE FEET OF RED CURB "NO PARKING" ON BOTH SIDES OF DRIVEWAY AT 2933 E. 4TH STREET TO ENHANCE VISIBILITY AND PROVIDE CLEARANCE FROM PARKED VEHICLES. (TSC-2013-06)  
(Engineering)

**ACTION:** Adopted. See above.

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

5. Resolution No. 2013-75. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY AUTHORIZING THE CONVERSION OF ONE UNRESTRICTED DIAGONAL PARKING SPACE IN FRONT OF 1505 HOOVER AVENUE TO A 30-MINUTE, TIME-RESTRICTED PARKING SPACE TO INCREASE PARKING TURNOVER FOR CUSTOMERS. (Business: Coordinated Wire Rope of San Diego) (TSC-2013-10)  
(Engineering)

**ACTION:** Adopted. See above.

**CONTRACT (C2009-60)**

6. Resolution No. 2013-76. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING AMENDMENT CT#2911 TO AGREEMENT CT #1752 WITH THE NATIONAL SCHOOL DISTRICT IN THE NOT-TO-EXCEED AMOUNT OF \$125,000 FOR THE NATIONAL CITY PUBLIC LIBRARY TO PROVIDE THE CAMP WINGS SUMMER PROGRAM AT THE NATIONAL SCHOOL DISTRICT'S SEVEN SCHOOL SITES. (Library)

**TESTIMONY:** Paula Jameson, Assistant Superintendent of the National School District, explained that funding for the two-week Camp Wings Summer Program was disallowed by the State.

**ACTION:** No vote was taken.

**CONSENT CALENDAR (cont.)**

**CONTRACT (C2013-27)**

7. Resolution No. 2013-77. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND CITY OF NATIONAL CITY TO PROVIDE FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES FOR A TERM OF 5 YEARS STARTING ON JULY 1, 2013 AT A COST OF \$230,124. (Fire)

**ACTION:** Adopted. See above.

**CONTRACT (C2010-15)**

8. Resolution No. 2013-78. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT WITH THE CITY OF CHULA VISTA FOR A TOTAL NOT TO EXCEED AMOUNT OF \$337,439 TO PROVIDE GENERAL ANIMAL CONTROL, SHELTER, AND RELATED ADMINISTRATIVE SERVICES TO THE RESIDENTS OF NATIONAL CITY FOR AN ADDITIONAL ONE (1) YEAR TERM THROUGH FISCAL YEAR 2013-2014. (Police)

**ACTION:** Adopted. See above.

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

9. Investment Report for quarter ended March 31, 2013. (Finance)

**ACTION:** Filed. See above.

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

10. Warrant Register #44 for the period of 04/24/13 through 04/30/13 in the amount of \$1,625,995.85. (Finance)

**ACTION:** Ratified. See above.

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

11. Warrant Register #45 for the period of 05/01/13 through 05/07/13 in the amount of \$1,273,229.16. (Finance)

**ACTION:** Ratified. See above.

Prior to the Public Hearing regarding EDCO Disposal Corporation, Council Member Sotelo-Solis made the following statement: "I am recusing myself from this matter. My employer has interacted with EDCO and after speaking with legal counsel, even though I'm not financially interested nor benefiting from that interaction, to avoid any appearance of impropriety I am recusing myself from Agenda Item No. 12 and No. 13.

Member Sotelo-Solis left the Council Chamber at 7:05 p.m.

**PUBLIC HEARING**

**SOLID WASTE / TRASH – EDCO (911-1-4)  
CONTRACT (C90-26)**

12. A Public Hearing to consider an increase in the rate for refuse collection services, including recycling and yard waste, provided by EDCO Disposal Corporation. The proposed increase is \$.83 per month for residential users and \$5.48 for commercial users. The proposed increase is based on an increase in tipping fees charged by the County to dispose of National City's trash at the landfill, a decrease in revenue from recyclables sold, and an increase based on the San Diego Consumer Price Index of 2.71%. The proposed rate increase will have no financial impact on the City. (Public Works)

**RECOMMENDATION:** Hold a Public Hearing for the purpose of considering an increase in rates for refuse services, including recycling and yard waste disposal.

**EX PARTE DISCLOSURE:** Member Rios and Natividad disclosed that they had contact with the applicant prior to the meeting.

**STAFF REPORT:** Public Works Director Joe Smith.

**STATEMENT MADE BY MAYOR MORRISON:** This item is an Approval of an Amendment to the Agreement for Collection of Rubbish and Trash between the City of National City and EDCO Disposal Corporation to increase the rates charged by EDCO.

The parcels upon which the increases in fees are proposed for imposition have been identified. Each parcel owner and rate payer, if different, received a notice regarding the proposed increases in fees for refuse services. The notice included the following information:

- a) the amount of the increase in the fee proposed to be imposed upon each parcel;
- (b) the basis upon which the amount of the proposed increase in the fee was calculated;
- (c) the reason for the proposed increase in the fee; and
- (d) the date, time, and location of a public hearing on the proposed increase to the fee.

This public hearing is taking place not less than 45 days after the notice was mailed. Any parcel owner or tenant may protest the proposed increases in the rates for refuse services. These protests must be in writing. The written protest must include an original signature, identification of the parcel by parcel number or address, and a statement of protest against the proposed increase in the rate. Written protests by e-mail or fax will not be accepted.

**PUBLIC HEARING (cont.)**

**SOLID WASTE / TRASH – EDCO (911-1-4)  
CONTRACT (C90-26)**

12. A Public Hearing to consider an increase in the rate (continued).

**STATEMENT MADE BY MAYOR MORRISON:** During this public hearing, the City Council will hear and consider all objections and protests against the proposed increases in the rates. However, verbal protests will not be counted in calculating a majority protest to the proposed increases in rates. A written protest must be received by the City Clerk prior to the close of this public hearing.

The City Clerk will count one written protest per parcel in calculating a majority protest to the proposed increases in rates. If written protests against the proposed increases in rates are presented by a majority of the owners or the tenants of the identified parcels, the City will not approve the amendment to the Agreement and the rates will not be increased.

I will now open the Public Hearing.

**TESTIMONY:** None.

**MAYOR MORRISON:** Are there any written protests that have not been delivered to the City Clerk? If so, please hand them to the City Clerk now. I will now entertain a motion to close the public hearing.

**ACTION:** Motion by Rios, seconded by Natividad, to close the Public Hearing.

**MAYOR MORRISON:** Mr. City Clerk, how many written protests have you received?

**CITY CLERK DALLA:** Just prior to the Public Hearing, letters of protest were dropped off in the lobby. They have been reviewed by the Deputy City Clerk who will report to you now.

**DEPUTY CITY CLERK CLEMENTE:** Mr. Mayor, prior to the hearing we received a folder that contained 30 written protests.

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

**NON CONSENT RESOLUTIONS**

**SOLID WASTE / TRASH – EDCO (911-1-4)  
CONTRACT (C90-26)**

13. Resolution No. 2013-79. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND EDCO DISPOSAL CORPORATION TO INCREASE THE MONTHLY RATES FOR REFUSE COLLECTION SERVICES. (Public Works)

**RECOMMENDATION:** Approve the proposed Amendment to the Agreement for collection of rubbish and trash in the City of National City by and between the City of National City and EDCO Disposal Corporation for services rendered to increase the rates charged.

**TESTIMONY:** None.

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

Member Sotelo-Solis returned to the Council Chamber at 7:28 p.m.

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

14. Resolution No. 2013-80. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF 165 FEET OF RED CURB "NO PARKING" AND SIGNAGE IN FRONT OF 2303, 2311, AND 2321 S. LANOITAN AVENUE. (TSC-2013-07) (Engineering)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** Eric Peterson, National City, spoke in favor.

Gilbert Sandoval, National City, spoke in favor.

Carol Gudino, National City, expressed concerns but was neutral.

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

**NON CONSENT RESOLUTIONS (cont.)**

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

15. Resolution No. 2013-81. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING SAFETY ENHANCEMENTS ON CAGLE STREET BETWEEN STOCKMAN STREET AND MENARD STREET INCLUDING INSTALLATION OF ALL-WAY STOP CONTROL AT THE INTERSECTION OF CAGLE STREET AND MENARD STREET. (TSC-2013-09) (Engineering)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** Barbara Floyd, National City, spoke in opposition.  
Amanda Washington, National City, spoke in opposition.

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

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

16. Resolution No. 2013-82. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE INSTALLATION OF ANGLE PARKING 20-FOOT LONG PARALLEL PARKING STALLS, AND RED CURB AT DRIVEWAYS TO ADDRESS VEHICLE STORAGE ISSUES INVOLVING LARGE TRUCKS AND DETACHED TRAILERS ON HAFFLEY AVENUE BETWEEN W. 19TH STREET AND BAY MARINA DRIVE. (TSC-2013-08) (Engineering)

**RECOMMENDATION:** Adopt the Resolution.

**TESTIMONY:** None.

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

**NEW BUSINESS**

**PLANNED DEVELOPMENT PERMIT ADMIN 2010-2015 (414-1-25)**

**CONDITIONAL USE PERMITS 2013 (403-28-1)**

17. Notice of Decision – Planning Commission approval of a Planned Development Permit modification, Conditional Use Permit, and Coastal Development Permit for a professional college in a retail commercial building located at 700 Bay Marina Drive. (Applicant: Marina Gateway Development Co.) (Case File 2013-07 PD, CUP, CDP) (Planning)

**RECOMMENDATION:** Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

**TESTIMONY:** Mike Rookus, representing the applicant, spoke in favor.

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



**NEW BUSINESS (cont.)**

Member Rios disclosed that she is a member of the Rotary Club and for that reason would recuse herself during consideration of Item No. 18.

Member Rios left the Council Chamber at 7:05 p.m.

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

18. Request to use Martin Luther King Jr. Community Center (South Room) by National City Rotary Club, a service organization, for their weekly luncheon meetings every Tuesday of the month for one year from 12:00 noon to 1:30 pm for approximately 12-15 members. Applicant is requesting a waiver of \$1,200.00 per council policy. (Public Works)

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

**TESTIMONY:** Marcus Bush and an unnamed speaker appeared on behalf of the Rotary Club and responded to questions.

**ACTION:** No vote was taken. Continued to the next meeting.

Member Rios returned to the Council Chamber at 7:15 p.m.

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

19. League of California Cities Annual Conference – Designation of Voting Delegate and Alternate(s). (City Manager)

**RECOMMENDATION:** Staff requests Council's designation of a voting delegate and up to two alternates to represent the City of National City during the 2013 League of California Cities Annual Conference.

**TESTIMONY:** None.

**ACTION:** Motion by Morrison, seconded by Sotelo-Solis, to designated Mayor Morrison as the Primary, Councilmember Rios as 1<sup>st</sup> Alternate and Councilmember Cano as 2<sup>nd</sup> Alternate. 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)**

20. Request for Proposals – On-Call Consultant Support Services for City CIP. (Engineering)

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

21. Update on Safe Routes to School Program. (Engineering)

## **CLOSED SESSION REPORT**

Deputy City Attorney Jennifer Knight reported that the City Council, by unanimous vote in Closed Session, authorized filing of a petition challenging the San Diego Regional Water Quality Board Storm Water Permit formally known as Tentative Order R-2013-0001. (See attached Exhibit 'L')

## **MAYOR AND CITY COUNCIL**

Vice Mayor Natividad said he would like to know the amount of grants received by the City in the last couple of years; inquired about the items he recently referred to the Police Department; expressed disappointment that the Adult School is leaving, suggested a meeting with Sweetwater District staff to discuss the matter and cautioned that the City Council not micro-manage the City.

Council Member Sotelo-Solis thanked staff for the fine reports and everyone who participated with the Kimball Elementary students in her Young Leaders in Government Program. Member Solis inquired if it would be possible to consider and schedule for this year or next the possibility of a Council break.

Council Member Rios related an experience with her computer that caused some concern in transitioning from binders to i-pads; apologized for being unable to attend the 6<sup>th</sup> grade promotion ceremonies which are all scheduled at the same time and reminded everyone about the clean-up event on Saturday.

Mayor Morrison complimented the recent event at St. Anthony's Church, reminded everyone about National City Day at the County Fair on Sunday and provided details on the funeral arrangements for Mr. Winlove Cudal.

**ADJOURNMENT**

The meeting was adjourned in memory of Mr. Winlove Cudal.

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 – City Council Policy Workshop to be held Tuesday, June 11, 2013 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, June 18, 2013 at 6:00 p.m. at the Council Chambers, National City, California

The meeting closed at 9:17 p.m.

  
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City Clerk

The foregoing minutes were approved at the Regular Meeting of August 6, 2013.

  
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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, June 4, 2013 – 5:30 p.m.**

**ROLL CALL**

**CLOSED SESSION**

**CITY COUNCIL**

1. Conference with Legal Counsel – Anticipated Litigation  
Initiation of Litigation Pursuant to Government Code Section 54956.9(a) and  
54956.9(d)(4)  
One Potential Case

**ADJOURNMENT**

Next Regular Meeting of the City Council and Community Development Commission –  
Housing Authority of the City of National City – Tuesday, June 4, 2013, 6:00 p.m.,  
Council Chambers, National City, California.