

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

August 20, 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 6:07 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, Manganiello, Parra, Raulston, Roberts, Silva, Smith, Stevenson, Vergara, Williams.
Others present: Student Representatives Nallely Aceves and Kane Gillego.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Eddie Perez, San Diego, suggested 'no smoking' signs be posted outside the entrance to the library and expressed concerns about Alliant University locating in the Adult School.

CITY COUNCIL

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

1. Recognition of Student Council Representatives. (Mayor / City Council)
Mayor Morrison acknowledged departing Student Representative Nallely Aceves and continuing Student Representative Kane Gillego. Mayor Morrison informed Ms. Aceves that, through the generosity of AT&T, she will be receiving a lap-top computer to assist her at UC Berkley.

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

2. Port of San Diego Update – Port Commissioner Robert (Dukie) Valderrama
ACTION: This item was continued to a future meeting.

PRESENTATIONS (cont.)

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

3. Trolley Renewal Blue Line Improvements Update – San Diego Association of Governments (SANDAG) / San Diego Metropolitan Transit System – Bruce Schmith, SANDAG

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 4 through 8 (Resolution Nos. 2013-121 through 2013-125), Item No. 9 (TUP), Item No. 10 (Report), Item Nos. 11 and 12 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, to approve the Consent Calendar. Carried by unanimous vote.

CONTRACT (C2013-35)

4. Resolution No. 2013-121. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY 1) AWARDING A CONTRACT IN THE NOT TO EXCEED AMOUNT OF \$4,212,486.25 TO PAL GENERAL ENGINEERING, INC. FOR THE COMMUNITY CORRIDOR IMPROVEMENTS PROJECT, SPECIFICATION NO. 12-05; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$631,872.94 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (CIP Project funded by various grants and Prop A) (Engineering)

ACTION: Adopted. See above.

ENCROACHMENT AGREEMENT ADMIN 2013 (903-14-7)

5. Resolution No. 2013-122. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND KAMEL FAMILY TRUST FOR THE INSTALLATION AND MAINTENANCE OF A PEDESTRIAN RAMP WITHIN THE CITY RESERVED RIGHT-OF-WAY OF NATIONAL CITY BOULEVARD TO PROVIDE AMERICANS WITH DISABILITIES ACT (ADA) ACCESS TO THE PROPERTY LOCATED AT 421 NATIONAL CITY BOULEVARD. (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

PROP A TRANSNET (RTIP) ADMIN (205-5-1)

6. Resolution No. 2013-123. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING AN AMENDMENT TO THE 2012 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) FOR NATIONAL CITY TO ALLOCATE \$8,000 OF LOCAL TRANSNET (PROP A) FUNDING FOR THE TRAFFIC SIGNAL INSTALL/UPGRADES PROJECT TO SATISFY NATIONAL CITY'S "FAIR SHARE" CONTRIBUTION TOWARDS THE ANNUAL COST OF REGIONAL ARTERIAL MANAGEMENT SYSTEM (RAMS) OPERATIONS SUPPORT SERVICES FOR FY 2014 (FUNDED BY PROP A). (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2013-36)

7. Resolution No. 2013-124. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY 1) AWARDED A CONTRACT IN THE NOT TO EXCEED AMOUNT OF \$1,199,139.75 TO RAMONA PAVING AND CONSTRUCTION CORP. FOR THE 8TH STREET SAFETY ENHANCEMENT PROJECT, SPECIFICATION NUMBER 12-15; 2) AUTHORIZING A 15% CONTINGENCY IN THE AMOUNT OF \$179,870.96 FOR ANY UNFORESEEN CHANGES; AND 3) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT. (Funded by HSIP Grant and Proposition A Funds) (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2009-60)

8. Resolution No. 2013-125. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) APPROVING AN AMENDMENT TO INCREASE THE AMOUNT OF THE AGREEMENT CONTRACT NO. CT#1752 WITH THE NATIONAL SCHOOL DISTRICT TO \$1,185,538 FOR THE LIBRARY TO PROVIDE A BEFORE AND AFTER-SCHOOL PROGRAM DURING THE 2013-2014 SCHOOL YEAR AT THE DISTRICT'S TEN SCHOOLS; AND 2) AUTHORIZING THE CITY LIBRARIAN TO EXECUTE SAID AMENDMENT. (Library-WINGS)

ACTION: Adopted. See above.

TEMPORARY USE PERMITS 2013 (203-1-29)

9. Temporary Use Permit – 12th Annual 9/11 Remembrance Ceremony hosted by the National City Fire Department at 343 E. 16th Street on September 11, 2013 from 6:00 a.m. to 10:00 a.m. This is a city-sponsored event. (Neighborhood Services)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

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

10. Investment Report for the quarter ended June 30, 2013. (Finance)
ACTION: Filed. See above.

WARRANT REGISTER JULY 2013 – JUNE 2014 (202-1-28)

11. Warrant Register #3 for the period of 07/10/13 through 07/16/13 in the amount of \$895,639.59. (Finance)
ACTION: Ratified. See above.

WARRANT REGISTER JULY 2013 – JUNE 2014 (202-1-28)

12. Warrant Register #4 for the period of 07/17/13 through 07/23/13 in the amount of \$1,012,486.71. (Finance)
ACTION: Ratified. See above.

PUBLIC HEARINGS

SEWER SAN DIEGO AREA WASTEWATER MGMT DIST (906-1-8)

13. A Public Hearing to consider the updated Sewer System Management Plan (SSMP), as required by State Water Resources Control Board Order No. 2006-0003-DWQ. (Public Works)
RECOMMENDATION: Hold the Public Hearing.
TESTIMONY: None.
ACTION: Motion by Sotelo-Solis, seconded by Rios, to close the Public Hearing. Carried by unanimous vote.

CONDITIONAL USE PERMITS 2013 (403-28-1)

14. Public Hearing – Appeal of Planning Commission Revocation of Conditional Use Permit 2010-33 CUP for live entertainment at an existing bar/restaurant located at 105 E. 8th Street. (Case File No.: 2013-11 R) (Planning)
RECOMMENDATION: Staff concurs with the decision of the Planning Commission.
TESTIMONY: Mr. Benny Adler, the appellant, spoke against revocation of the CUP.
Mr. Jack Armstrong, National City, spoke in support of revocation.
Victor Gonzales, no address given, discussed the service his security company provided and the business relationship he had with the business owner.
Geoffrey Schrock, National City, spoke in support of revocation.

PUBLIC HEARING (cont.)

CONDITIONAL USE PERMITS 2013 (403-28-1)

14. Public Hearing – Appeal of Planning Commission Revocation of Conditional Use Permit 2010-33 CUP (continued).

WRITTEN TESTIMONY: Written materials were submitted by the appellant, Mr. Adler, in favor of the appeal.

Letters supporting the revocation were submitted by Janice Martinelli and Van Effner. One anonymous letter supporting revocation was submitted.

Planning and Police Department staff presented the verbal and PowerPoint Presentations supporting revocation made at the Planning Commission Hearing. (Copies of all written materials and presentations are on file in the Office of the City Clerk)

ACTION: Motion by Sotelo-Solis, seconded by Rios, to close the Public Hearing. Carried by unanimous vote.

Motion by Sotelo-Solis, seconded by Rios, to affirm the action of the Planning Commission revoking the CUP. Carried by unanimous vote.

ORDINANCE FOR ADOPTION

MUNICIPAL CODE 2013 (506-2-28)

15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CHAPTER 1.08 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO OFFICIAL CITY SEALS, LOGOS, INSIGNIAS, BADGES, AND NAMES. (City Attorney)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

SEWER SAN DIEGO AREA WASTEWATER MGMT DIST (906-1-8)

16. Resolution No. 2013-126. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE UPDATED SEWER SYSTEM MANAGEMENT PLAN (SSMP), AS REQUIRED BY STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003-DWQ. (Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2013-37)

17. Resolution No. 2013-127. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR (OR CITY MANAGER) TO EXECUTE A PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND ALTURAS IMPERIAL LLC FOR THE SALE OF A RECENTLY VACATED PORTION OF 'G' AVENUE, SOUTH OF EAST 24TH STREET IN NATIONAL CITY. (Planning)

RECOMMENDATION: Direct staff to enter into a 30-day escrow to sell the surplus portion of 'G' Avenue for the appraised value of \$18,000, less title insurance fees and half of the escrow fee.

TESTIMONY: None.

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

HOUSING & GRANTS DEPT ADMIN (1104-1-9)

18. Resolution No. 2013-128. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE REALLOCATION OF \$2,095,492 OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOME INVESTMENT PARTNERSHIPS ENTITLEMENT GRANT FUNDS TO THE COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY TO BE USED FOR THE ACQUISITION AND DEVELOPMENT OF A 4.143 ACRE PARCEL OF LAND AT THE CORNER OF 22ND AND HOOVER AVENUE FOR PHASE I OF THE WESTSIDE IN-FILL TRANSIT ORIENTED DEVELOPMENT PROJECT COMPRISED OF 109 AFFORDABLE RENTAL UNITS. (Housing, Grants, and Asset Management Department)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Mary Jane, representing Community Housing Works, spoke in support.

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

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2013-38)

19. Resolution No. 2013-129. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH THE COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY ("CDC-HA") FOR THE SALE OF TWO PARCELS OF LAND TOTALING 6.299 ACRES FOR A TOTAL PURCHASE PRICE OF \$7,035,000, GENERALLY BOUNDED BY 19TH STREET, HARDING AVENUE, 22ND STREET, AND HOOVER AVENUE, IN THE CITY OF NATIONAL CITY, FOR THE DEVELOPMENT OF 201 AFFORDABLE HOUSING UNITS AS PHASE I AND II OF THE WESTSIDE IN-FILL TRANSIT ORIENTED DEVELOPMENT PROJECT, APPROVING A LOAN FROM THE CITY OF NATIONAL CITY TO THE CDC-HA FOR \$4,941,000 TO COMPLETE SAID PURCHASE, AND APPROVING THE MONTH-TO-MONTH LEASEBACK OF THE SUBJECT PROPERTY FROM THE CDC-HA. (Housing, Grants, and Asset Management Department)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2013-39)

20. Resolution No. 2013-130. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH ROBERT T. COMARTIN AND DAVID P. COMARTIN FOR THE PURCHASE OF PROPERTY LOCATED AT 1726 WILSON AVENUE FOR THE TOTAL PURCHASE PRICE OF \$1,650,000 FOR THE RELOCATION OF THE NATIONAL CITY PUBLIC WORKS FACILITIES FROM 2100 HOOVER AVENUE IN THE CITY OF NATIONAL CITY ALLOWING FOR THE DEVELOPMENT OF 201 AFFORDABLE RENTAL HOUSING UNITS AS PHASE I AND II OF THE WESTSIDE IN-FILL TRANSIT ORIENTED DEVELOPMENT PROJECT. (Housing, Grants, and Asset Management Department)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

CONDITIONAL USE PERMITS 2013 (403-28-1)

21. Notice of Decision – Planning Commission approval of a Conditional Use Permit for the sale of secondhand jewelry, gold, and/or other precious metals at a retail jewelry store located at 1536 Sweetwater Road, Suite D. (Applicant: Leo Hamel Fine Jewelers) (Case File 2013-17 CUP) (Planning)

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

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to file the notice of decision. Carried by the following vote, to-wit: Ayes: Cano, Morrison, Rios, Sotelo-Solis. Nays: Natividad. Absent: None. Abstain: None

COUNCIL POLICY MANUAL (102-13-1)

22. Proposed date of October 8, 2013 for a City Council Workshop on City Council Policy Manual (Chapters 200 - 500). (City Manager)

RECOMMENDATION: Consider scheduling October 8, 2013 for a Council workshop to review and update the Chapters 200 – 500 policies.

TESTIMONY: None.

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

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

23. City Council Review of League of California Cities 2013 Annual Conference Resolutions. (City Manager)

RECOMMENDATION: City Council consider the League's Resolutions and determine the City's position so that our voting delegates can represent the City's position during the League conference on September 18-20 in Sacramento.

TESTIMONY: None.

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

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

CITY WIDE HOUSING ADMIN (303-4-1)
HOUSING AUTHORITY 2013 (404-1-2)

24. Resolution No. 2013-17. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY APPROVING THE SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) FOR FISCAL YEAR ENDING JUNE 30, 2013 AND AUTHORIZING THE SUBMITTAL OF THE SEMAP TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Housing, Grants and Asset Management)

RECOMMENDATION: 1. Adopt the Resolution approving the Section 8 Management Assessment Program (SEMAP); and 2. Authorize the submittal of the SEMAP to the U.S. Department of Housing and Urban Development.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to adopt the Resolution and approve staff's recommendation. Carried by unanimous vote.

NON CONSENT RESOLUTION

CONTRACT (C2013-38)
HOUSING AUTHORITY 2013 (404-1-2)

25. Resolution No. 2013-18. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY AUTHORIZING THE CHAIRMAN TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH THE CITY OF NATIONAL CITY FOR THE PURCHASE OF TWO PARCELS TOTALING 6.299 ACRES, GENERALLY BOUNDED BY 19TH STREET, HARDING AVENUE, 22ND STREET, AND HOOVER AVENUE, IN THE CITY OF NATIONAL CITY FOR THE DEVELOPMENT OF 201 AFFORDABLE HOUSING UNITS AS PHASE I AND II OF THE WESTSIDE IN-FILL TRANSIT ORIENTED DEVELOPMENT PROJECT, ACCEPTING A HOME ALLOCATION OF \$2,095,492 FROM THE CITY OF NATIONAL CITY, AUTHORIZING THE USE OF THE HOME ALLOCATION FOR THE PARTIAL PAYMENT OF THE PROPERTY PURCHASE, AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE A PROMISSORY NOTE FOR \$4,941,000 PAYABLE TO THE CITY OF NATIONAL CITY TO COMPLETE SAID PURCHASE, AND APPROVING A MONTH-TO-MONTH LEASEBACK TO THE CITY OF NATIONAL CITY OF SAID PROPERTY. (Housing, Grants, and Asset Management Department)

RECOMMENDATION: Adopt the Resolution.

NON CONSENT RESOLUTION (cont.)

CONTRACT (C2013-38)

HOUSING AUTHORITY 2013 (404-1-2)

25. Resolution No. 2013-18 (continued).

TESTIMONY: None.

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

STAFF REPORTS

PUBLIC WORKS DEPT ADMIN (1104-1-11)

26. Trash and Recyclables collected from National City's clean-up event. (Public Works)

Public Works Director Joe Smith reported that the most recent bi-annual City-wide clean-up event with EDCO Disposal resulted in 1144 vehicles that disposed of 413 tons of trash, 14 tons of rock & concrete, 26 tons of green waste, 2 tons of e-waste and 16 tons of steel and metal.

ACTION: Motion by Natividad, seconded by Cano, to accept the report. Carried by unanimous vote.

CITY MANAGER / REPORTS ADMIN (1104-1-12)

27. City of National City – Designation as a “Purple Heart City”. (City Manager)

ACTION: The consensus was to bring back a Resolution. There was no vote. A request was made to have staff place on a future agenda discussion of the creation of a Board or Committee to deal with military and armed forces issues.

MAYOR AND CITY COUNCIL

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

28. Report on Project Interchange – Bi-Partisan Delegation of San Diego Officials' Educational Visit to Israel. (Councilmember Sotelo-Solis)

Council Member Sotelo-Solis gave a PowerPoint Presentation on her recent trip to Israel. (Copy on file in the Office of the City Clerk)

Vice Mayor Natividad asked for a report on SB 1 and suggested looking into possible parking accommodations for Board & Commission members.

Council Member Rios acknowledged the report and update that was provided regarding Board & Commission vacancies and expired terms and paid tribute to the citizen volunteers who serve the City.

MAYOR AND CITY COUNCIL (cont.)

Mayor Morrison reminded everyone about the Relay for Life event in Kimball Park.

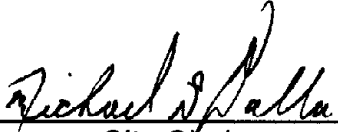
CLOSED SESSION REPORT

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

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, September 3, 2013 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 10:38 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of October 1, 2013.



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, August 20, 2013 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)
One Potential Case [City of San Diego Regional Wastewater Disposal Agreement: Padre Dam Overcharge Issue]
2. Liability Claims – Government Code Section 54956.95
Workers' Compensation Claim
Agency Claimed Against: City of National City
Number of Claims: Three

ADJOURNMENT

Next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City – Tuesday, August 20, 2013, 6:00 p.m., Council Chambers, National City, California.