



**AGENDA OF A REGULAR MEETING - SUCCESSOR AGENCY TO THE  
COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY  
REDEVELOPMENT AGENCY**

**COUNCIL CHAMBERS  
CIVIC CENTER  
1243 National City Blvd.  
National City, California  
DECEMBER 3, 2013 – 6:00 PM**

**RON MORRISON**  
*Chairman*

**LUIS NATIVIDAD**  
*Boardmember*

**JERRY CANO**  
*Boardmember*

**MONA RIOS**  
*Boardmember*

**ALEJANDRA SOTELO-SOLIS**  
*Boardmember*

**1243 National City Blvd.  
National City, CA 91950  
619-336-4300**

**Meeting agendas and  
minutes available on web**

**WWW.NATIONALCITYCA.GOV**

**ORDER OF BUSINESS:** Public sessions of all Regular Meetings of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency begin at 6:00 p.m. on the first and third Tuesday of each month. Public hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted on the agenda. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda.

**REPORTS:** All regular meeting agenda items and reports as well as all documents and writings distributed to the Board less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Board are webcast and archived on the City's website **WWW.NATIONALCITYCA.GOV**.

**PUBLIC COMMENTS:** Prior to the Business portion of the agenda, the Board will receive public comments regarding any matters within the jurisdiction of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency. Members of the public may also address any item on the agenda at the time the item is considered by the Board. Persons who wish to address the Board are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

**WRITTEN AGENDA:** With limited exceptions, the Board may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior

to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

*Spanish audio interpretation is provided during Board Meetings. Audio headphones are available in the lobby at the beginning of the meeting.*

*Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.*

**THE BOARD REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING BOARD MEETINGS.**

**OPEN TO THE PUBLIC**  
**SUCCESSOR AGENCY AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC ORAL COMMUNICATIONS (THREE-MINUTE TIME LIMIT)**

**CONSENT CALENDAR**

1. Approval of the Minutes of the Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency of November 19, 2013. (City Clerk)
2. Resolution of the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency") authorizing the Chairman to execute a Second Amendment to the Agreement for Legal Services between the Successor Agency, the Community Development Commission of the City of National City acting in its capacity as the Housing Authority of the City of National City ("CDC-HA"), and Kane Ballmer & Berkman to increase the not to exceed amount by \$43,000, for a total agreement amount of \$93,000. (City Attorney)
3. Successor Agency Warrant Register #19 for the period of 10/30/13 through 11/05/13 in the amount of \$480.53. (Finance)
4. Successor Agency Warrant Register #20 for the period of 11/06/13 through 11/12/13 in the amount of \$13,570.38. (Finance)

**PUBLIC HEARINGS**

**NON CONSENT RESOLUTIONS**

**NEW BUSINESS**

**STAFF REPORTS**

**CLOSED SESSION REPORT**

**ADJOURNMENT**

Regular Successor Agency to the Community Development Commission as the National City Redevelopment Agency Meeting - Tuesday - December 17, 2013 - 6:00 p.m. - Council Chambers - National City, California.

**City Offices are closed Monday, December 23, 2013 through Friday, January 3, 2014 in Observance of the Employee Work Furlough. The modified City Council Meetings are:**

December	03	Regular Meeting
December	10	Adjourned Regular Meeting (Council Policy Workshop)
December	17	Regular Meeting
January	07	DISPENSE WITH MEETING
January	21	Regular Meeting

Item # \_\_\_\_  
12/03/13

**APPROVAL OF THE MINUTES OF THE REGULAR  
MEETING OF THE SUCCESSOR AGENCY TO  
THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT  
AGENCY OF NOVEMBER 19, 2013.**

(City Clerk)

DRAFT      DRAFT      DRAFT

**MINUTES OF THE REGULAR MEETING OF THE  
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT  
COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY**

**November 19, 2013**

The Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency was called to order at 9:44 p.m. by Chairman Ron Morrison.

**ROLL CALL**

Board members present: Cano, Morrison, Natividad, Rios, Sotelo-Solis.  
Administrative Officials present: Dalla, Deese, Raulston, Cusato.

**PUBLIC ORAL COMMUNICATIONS**

None.

**CONSENT CALENDAR**

**ADOPTION OF CONSENT CALENDAR.** Item No. 1 (Minutes), Item Nos. 2 and 3 (Warrant Registers), Item No. 4 (Report). Motion by Sotelo-Solis, seconded by Rios, to approve the Consent Calendar. Carried by unanimous vote.

**APPROVAL OF MINUTES**

1. Approval of the Minutes of the Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency of November 5, 2013. (City Clerk)  
**ACTION:** Approved. See above.

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

2. Successor Agency Warrant Register #16 for the period of 10/9/13 through 10/15/13 in the amount of \$4,224.35. (Finance)  
**ACTION:** Approved. See above.

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

3. Successor Agency Warrant Register #17 for the period of 10/16/13 through 10/22/13 in the amount of \$64,039.91. (Finance)  
**ACTION:** Approved. See above.

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

4. Report to Council. (Successor Agency)  
**ACTION:** Filed. See above.

**CLOSED SESSION REPORT**

Senior Assistant Agency Counsel Elisa Cusato stated that there was no Closed Session.

**ADJOURNMENT**

Motion by Rios, seconded by Sotelo-Solis, to adjourn the meeting to the next Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency to be held Tuesday, December 3, 2013, 6:00 p.m., Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 9:45 p.m.

\_\_\_\_\_  
Secretary

The foregoing minutes were approved at the Regular Meeting of December 3, 2013.

\_\_\_\_\_  
Chairman

**SUCCESSOR AGENCY TO  
THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT AGENCY  
AGENDA STATEMENT**

**MEETING DATE:** October 30, 2012

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Resolution of the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency") authorizing the Chairman to execute a Second Amendment to the Agreement for Legal Services between the Successor Agency and Kane Ballmer & Berkman to increase the not to exceed amount by \$43,000, for a total agreement amount of \$93,000

**PREPARED BY:** Claudia Gacitua Silva

**PHONE:** Ext. 4222

**DEPARTMENT:** Successor Agency Counsel

**APPROVED BY:** 

**EXPLANATION:**

Please see attached staff report.

**FINANCIAL STATEMENT:**

**ACCOUNT NO.**

Funds are budgeted in Account 711-409-000-209-0000.

**APPROVED:**  Finance

**APPROVED:** \_\_\_\_\_ MIS

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

Adopt proposed resolution.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Staff Report  
Second Amendment to the Agreement for Legal Services  
Proposed resolution



## STAFF REPORT

SUBJECT: Second Amendment to the Agreement for legal services with Kane Ballmer & Berkman

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The Successor Agency, the CDC-HA, and the Kane Ballmer & Berkman (the "Parties") entered into an Agreement for legal services on February 1, 2011, (the "Agreement") wherein Kane Ballmer & Berkman agreed to provide as-needed professional legal services pertaining to redevelopment and housing authority matters subject to the terms and conditions of the Agreement.

The First Amendment to the Agreement entered into on July 3, 2012, increased the not to exceed amount of compensation payable to Kane Ballmer & Berkman by an additional \$25,000, for a total not to exceed amount of \$50,000.

The Parties desire to amend the Agreement to increase the not-to-exceed amount of the Agreement by \$43,000, for a total not-to-exceed amount of \$93,000, as legal services continue to be needed.

The services related to matters of the Successor Agency and/or the former National City Redevelopment Agency/CDC-RDA under this Second Amendment are included on the Recognized Obligation Payment Schedule. This Amendment will require the approval of the Oversight Board to the Successor Agency, as well as the State Department of Finance, prior to being effective.

**SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES  
BY AND BETWEEN  
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT AGENCY,  
THE COMMUNITY DEVELOPMENT COMMISSION OF  
THE CITY OF NATIONAL CITY ACTING IN ITS CAPACITY AS  
THE HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY,  
AND KANE, BALLMER & BERKMAN**

This SECOND AMENDMENT TO AGREEMENT FOR LEGAL SERVICES (the "Second Amendment") is entered into this 19<sup>th</sup> day of November, 2013, by and between THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY, a public entity, duly created, validly existing and in good standing under the laws of the State of California (the "SUCCESSOR AGENCY") (as the successor in interest to the Community Development Commission of the City of National City, acting in its capacity as the National City Redevelopment Agency (the "CDC-RDA")); THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY ACTING IN ITS CAPACITY AS THE HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY, a public body, corporate and politic (the "CDC-HA"); and KANE, BALLMER & BERKMAN, a law corporation, (the "FIRM").

**RECITALS**

- A. The SUCCESSOR AGENCY, the CDC-HA, and the FIRM (the "Parties") entered into an Agreement for legal services on February 1, 2011, (the "Agreement") wherein the FIRM agreed to provide as-needed professional legal services pertaining to redevelopment and housing authority matters subject to the terms and conditions of the Agreement.
- B. The First Amendment to the Agreement entered into on July 3, 2012, increased the not to exceed amount of compensation payable to the FIRM as stated in Article 3, Section C of the Agreement by an additional \$25,000, for a total not to exceed amount of \$50,000.
- C. The Parties desire to amend the Agreement to increase the not-to-exceed amount of the Agreement by \$43,000, for a total not-to-exceed amount of \$93,000.
- D. On January 10, 2012, the City Council of the City of National City adopted Resolution No. 2012-15, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code, electing for the City to serve as the successor agency to the CDC-RDA upon the dissolution of the National City Redevelopment Agency and the CDC-RDA.
- E. On February 1, 2012, all California redevelopment agencies and all redevelopment agency components of community development agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing, and enforcing the enforceable obligations of the former redevelopment agencies.
- F. The services related to matters of the SUCCESSOR AGENCY and/or the former National City Redevelopment Agency/CDC-RDA under this Second Amendment will be included on the SUCCESSOR AGENCY'S Recognized Obligation Payment Schedule and the

Recognized Obligation Payment Schedule will require the approval of the Oversight Board to the Successor Agency prior to being effective.

NOW, THEREFORE, the SUCCESSOR AGENCY, the CDC-HA, and the FIRM hereto agree that the Agreement entered into on February 1, 2011, as amended by the First Amendment, is hereby further amended by this Second Amendment by amending Article 3 (Compensation), Section C of the Agreement and increasing the not-to-exceed amount by \$43,000, for a total not-to-exceed amount of \$93,000.

The parties further agree that with the foregoing exception, each and every term and provision of the Agreement dated February 1, 2011, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Agreement on the date and year first above written.

**SUCCESSOR AGENCY TO THE  
COMMUNITY DEVELOPMENT  
COMMISSION AS THE NATIONAL CITY  
REDEVELOPMENT AGENCY**

**KANE BALLMER & BERKMAN**

By: Murray O. Kane  
Murray O. Kane, President

By: \_\_\_\_\_  
Ron Morrison  
Chairman

By: Kendall D. Berkey  
Kendall D. Berkey, Officer

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Claudia Gacitua Silva  
General Counsel

**THE COMMUNITY DEVELOPMENT  
COMMISSION OF THE CITY OF NATIONAL  
CITY ACTING IN ITS CAPACITY AS THE  
HOUSING AUTHORITY OF THE CITY OF  
NATIONAL CITY**

By: \_\_\_\_\_  
Ron Morrison  
Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Claudia Gacitua Silva  
General Counsel

**Expenditure Status Report**

CITY OF NATIONAL CITY  
 7/1/2013 through 6/30/2014

Account Number	Adjusted Appropriation	Expenditures	Year-to-date Expenditures	Year-to-date Encumbrances	Balance	Prct Used
711 REDEV OBLIGATIONS RETIREMENT FUND						
409 NON-DEPARTMENTAL						
000 OPERATIONS						
000-200 Maintenance & Operations						
000-209-0000 LEGAL SERVICES	700,089.66	88,339.65	88,339.65	415,250.01	196,500.00	71.93
<b>Total REDEV OBLIGATIONS RETIREMENT FUND</b>	<b>700,089.66</b>	<b>88,339.65</b>	<b>88,339.65</b>	<b>415,250.01</b>	<b>196,500.00</b>	<b>71.93</b>
<b>Grand Total</b>	<b>700,089.66</b>	<b>88,339.65</b>	<b>88,339.65</b>	<b>415,250.01</b>	<b>196,500.00</b>	<b>71.93</b>

RESOLUTION NO. 2013 – 41

RESOLUTION OF THE SUCCESSOR AGENCY  
TO THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT AGENCY  
("SUCCESSOR AGENCY") AUTHORIZING THE CHAIRMAN  
TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT  
FOR LEGAL SERVICES BETWEEN THE SUCCESSOR AGENCY,  
COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF  
THE CITY OF CITY OF NATIONAL CITY, AND KANE BALLMER & BERKMAN  
PERTAINING TO REDEVELOPMENT AND HOUSING AUTHORITY  
MATTERS TO INCREASE THE NOT TO EXCEED AMOUNT  
BY \$43,000 FOR A TOTAL AMOUNT OF \$93,000

WHEREAS, the Successor Agency, the Community Development Commission—Housing Authority of the City of National City ("CDC-HA"), and Kane Ballmer & Berkman entered into an Agreement for legal services on February 1, 2011, (the "Agreement") for the not to exceed amount of \$25,000 wherein Kane Ballmer & Berkman agreed to provide as-needed professional legal services pertaining to redevelopment and housing authority matters subject to the terms and conditions of the Agreement; and

WHEREAS, the First Amendment to the Agreement entered into on July 3, 2012, increased the not to exceed amount of compensation payable to Kane Ballmer & Berkman by an additional \$25,000, for a total not to exceed amount of \$50,000; and

WHEREAS, the parties desire to amend the Agreement to increase the not-to-exceed amount of the Agreement by \$43,000, for a total not-to-exceed amount of \$93,000; and

WHEREAS, the services related to matters of the Successor Agency under this Second Amendment are included on the Successor Agency's Recognized Obligation Payment Schedule, and will require the approval of the Oversight Board to the Successor Agency and the California Department of Finance prior to being effective as to the Successor Agency.

NOW, THEREFORE, BE IT RESOLVED, that the Successor Agency to the Community Development Commission as the National City Redevelopment Agency hereby authorizes the Chairman to execute the Second Amendment to the Agreement for legal services with Kane Ballmer & Berkman, and to increase the not to exceed amount by \$43,000, for a total Agreement amount of \$93,000.

*[SIGNATURE PAGE TO FOLLOW]*

Resolution No. 2013 – 41  
Page Two

PASSED and ADOPTED this 5<sup>th</sup> day of November, 2013.

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Ron Morrison, Chairman

ATTEST:

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Michael R. Dalla, City Clerk as  
Secretary to the Successor Agency

APPROVED AS TO FORM:

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Claudia Gacitua Silva  
Successor Agency Counsel

**SUCCESSOR AGENCY TO  
THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT AGENCY  
AGENDA STATEMENT**

**MEETING DATE:** December 3, 2013

**AGENDA ITEM NO.** |

**ITEM TITLE:**

Successor Agency Warrant Register #19 for the period of 10/30/13 through 11/05/13 in the amount of \$480.53. (Finance)

**PREPARED BY:** K. Apalategui  
**PHONE:** 619-336-4572

**DEPARTMENT:** Finance

**APPROVED BY:** Mark Roberts

**EXPLANATION:**

Pursuant to ABX1 26, all redevelopment agencies in the State of California were dissolved as of February 1, 2012. Upon dissolution of the City of National City's Redevelopment Agency, the City assumed the role of Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency").

In order to streamline the payment process, the City pays all expenses of the Successor Agency. The Successor Agency then reimburses the City.

Attached is a detailed listing of all Successor Agency warrants, totaling \$480.53, paid with City funds. Staff requests approval of reimbursement of the Successor Agency expenses.

**FINANCIAL STATEMENT:**

**APPROVED:** Mark Roberts Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

Reimbursement total \$480.53.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:**  **INTRODUCTION:**  **FINAL ADOPTION:**

**STAFF RECOMMENDATION:**

Ratification of reimbursement in the amount of \$480.53.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Successor Agency Warrant Register #19



**SUCCESSOR AGENCY  
WARRANT REGISTER #19  
11/5/2013**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
OPPER & VARCO LLP	LEGAL / WITOD	309794	11/5/13	260.00
SDG&E	GAS AND ELECTRIC UTILITIES / S A	309795	11/5/13	176.93
SWEETWATER AUTHORITY	WATER UTILITIES / S A	309796	11/5/13	43.60
			<b>A/P Total</b>	<b>\$ 480.53</b>
		<b>GRAND TOTAL</b>		<b>\$ 480.53</b>



**SUCCESSOR AGENCY TO  
THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT AGENCY  
AGENDA STATEMENT**

**MEETING DATE:** December 3, 2013

**AGENDA ITEM NO. |**

**ITEM TITLE:**

Successor Agency Warrant Register #20 for the period of 11/06/13 through 11/12/13 in the amount of \$13,570.38. (Finance)

**PREPARED BY:** K. Apalategui  
**PHONE:** 619-336-4572

**DEPARTMENT:** Finance

**APPROVED BY:** *Walter Roberts*

**EXPLANATION:**

Pursuant to ABX1 26, all redevelopment agencies in the State of California were dissolved as of February 1, 2012. Upon dissolution of the City of National City's Redevelopment Agency, the City assumed the role of Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency").

In order to streamline the payment process, the City pays all expenses of the Successor Agency. The Successor Agency then reimburses the City.

Attached is a detailed listing of all Successor Agency warrants, totaling \$13,570.38, paid with City funds. Staff requests approval of reimbursement of the Successor Agency expenses.

**FINANCIAL STATEMENT:**

**APPROVED:** *Walter Roberts* Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

Reimbursement total \$13,570.38.

**ENVIRONMENTAL REVIEW:**

This is not a project and, therefore, not subject to environmental review.

**ORDINANCE:**  **INTRODUCTION:**  **FINAL ADOPTION:**

**STAFF RECOMMENDATION:**

Ratification of reimbursement in the amount of \$13,570.38.

**BOARD / COMMISSION RECOMMENDATION:**

N/A

**ATTACHMENTS:**

Successor Agency Warrant Register #20



**SUCCESSOR AGENCY  
WARRANT REGISTER #20  
11/12/2013**

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
BEST BEST & KRIEGER ATTN Y LAW	LEGAL / COMM YOUTH ATHLETIC CENTER	309805	11/12/13	13,100.15
EDCO DISPOSAL CORPORATION	WASTE DISPOSAL SERVICES / S A	309806	11/12/13	110.23
MAZZARELLA LORENZANA LLP	LEGAL / ROSENOW, SPEVACEK GROUP, INC	309807	11/12/13	360.00
			<b>A/P Total</b>	<b>\$ 13,570.38</b>
		<b>GRAND TOTAL</b>		<b>\$ 13,570.38</b>