

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

December 3, 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 6:10 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, Rodriguez, Silva, Smith, Stevenson, Vergara, Williams.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Richard Kabbany, National City Business Owner, requested relocation assistance from the City since their business will soon be displaced by a new business at their location.

Jacqueline Reynoso, National City Chamber of Commerce, provided an update on the planned December 12th Tree Lighting event.

Eddie Perez, San Diego, wanted to make everyone aware of the wonderful Thanksgiving Dinner event that took place at Case Salud.

Keith Hanratty appeared on behalf of Mr. Keven Staton who was injured in an altercation at a local hotel and requested help and support.

CITY COUNCIL

PRESENTATIONS

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

1. Recognizing Joe H.A. Smith, Public Works Director for his 32 years of service with the City of National City.

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

2. Presentation of certificates to the Lions Club for services to the "One Site Vision Clinic." (Council Initiated)

PRESENTATIONS (cont.)

COUNCIL MEETING PRESENTATIONS 2013 (102-10-8)

3. Tourism Marketing District – 2013 Year In Review. (San Diego PR)

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item No. 5 (NCMC), Item Nos. 6 through 16 (Resolution Nos. 2013-176 through 2013-186), Item Nos. 17 through 19 (Warrant Registers). Motion by Sotelo-Solis, seconded by Natividad, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

4. Approval of the Minutes of the Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City of November 19, 2013. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2013 (506-2-28)

5. 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.

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

6. Resolution No. 2013-176. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF A BLUE CURB HANDICAP SPACE WITH SIGNAGE IN FRONT OF 405 "E" AVENUE. (TSC 2013-20) (Engineering)
ACTION: Adopted. See above.

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

7. Resolution No. 2013-177. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF A BLUE CURB HANDICAP SPACE WITH SIGNAGE IN FRONT OF 305 "F" AVENUE. (TSC 2013-21) (Engineering)
ACTION: Adopted. See above.

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

8. Resolution No. 2013-178. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING INSTALLATION OF A BLUE CURB HANDICAP SPACE WITH SIGNAGE IN FRONT OF 905 E. 5TH STREET. (TSC 2013-22) (Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

9. Resolution No. 2013-179. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE RESTRIPING OF E. 16TH STREET BETWEEN HIGHLAND AVENUE AND "I" AVENUE TO INSTALL A TWO-WAY LEFT TURN LANE AND "KEEP CLEAR" PAVEMENT MARKINGS WITH SIGNAGE IN FRONT OF THE COMMERCIAL DRIVEWAY TO 1539 HIGHLAND AVENUE TO ENHANCE SAFETY AND ACCESS. (TSC 2013-23) (Engineering)
ACTION: Adopted. See above.

CONTRACT (C2013-10)

10. Resolution No. 2013-180. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY: 1) ACCEPTING THE WORK OF KOCH-ARMSTRONG GENERAL ENGINEERING, INC., 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$859,808.86, 3) AUTHORIZING THE RELEASE OF RETENTION IN THE AMOUNT OF \$42,990.44, AND 4) RATIFYING THE FILING OF A NOTICE OF COMPLETION FOR THE CITYWIDE PEDESTRIAN CROSSING ENHANCEMENTS PROJECT, SPECIFICATION NO. 12-12. (Funded by CDBG and Proposition A Funds) (Engineering)
ACTION: Adopted. See above.

GRANT / LIBRARY (206-4-10)

11. Resolution No. 2013-181. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY RATIFYING THE ACCEPTANCE OF AN AUGMENTATION OF \$27,411 TO THE CALIFORNIA LIBRARY LITERACY SERVICES (CLLS) FY2013-14 GRANT; AND AUTHORIZING THE ESTABLISHMENT OF FUND APPROPRIATIONS AND A CORRESPONDING REVENUE BUDGET. (Library)
ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

CONTRACT (C2011-3)

12. Resolution No. 2013-182. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDING FROM THE FY 2011 OPERATION STONEGARDEN PROGRAM IN THE AMOUNT OF \$85,163, AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AMENDMENT NO. 3 TO THE AGREEMENT FOR THE AWARD OF THE GRANT FUNDS, AND AUTHORIZING THE ESTABLISHMENT OF FUND APPROPRIATIONS AND A CORRESPONDING REVENUE BUDGET. (Police)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)

13. Resolution No. 2013-183. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE COUNCIL TO WAIVE THE FORMAL BID PROCESS PER SECTION 12 OF PURCHASING ORDINANCE #1480, AND CHAPTERS 2.60.220(D) AND 2.60.260 OF THE MUNICIPAL CODE, AND AUTHORIZE THE CITY (BUYER) TO PIGGYBACK THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT #1-12-23-14, AND AWARD THE PURCHASE AND BUILD-OUT OF (3) FULLY-EQUIPPED POLICE VEHICLES FROM FOLSOM LAKE FORD IN THE NOT TO EXCEED AMOUNT OF \$150,000. (Police)

ACTION: Adopted. See above.

CONTRACT (C2006-43)

14. Resolution No. 2013-184. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH OPPER AND VARCO, LLP, TO INCREASE THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT BY \$30,000, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$80,000 TO PROVIDE LEGAL SERVICES REGARDING ENVIRONMENTAL SITE CONDITIONS, REMEDIATION, REGULATORY ISSUES, AND CLOSURE PURSUANT TO THE DISPOSITION AND DISPOSITION AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AND PARADISE CREEK HOUSING PARTNERS, LP. (City Attorney)

ACTION: Adopted. See above.

CONTRACT (C2010-76)

15. Resolution No. 2013-185. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH E2 MANAGETECH, INC. IN THE AMOUNT OF \$120,000 TO ASSIST STAFF WITH OBTAINING REGULATORY APPROVALS AND IMPLEMENTATION OF THE PROPERTY MITIGATION PLAN FOR ENVIRONMENTAL REMEDIATION OF THE WESTSIDE INFILL TRANSIT ORIENTED DEVELOPMENT (WI-TOD) PROJECT SITE LOCATED AT 2100 AND 2020 HOOVER AVENUE, PURSUANT TO THE CITY'S OBLIGATION TO THE FORMER REDEVELOPMENT AGENCY TO CARRY OUT THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AND PARADISE CREEK HOUSING PARTNERS, LP. (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

FINANCIAL MANAGEMENT 2013-2014 (204-1-29)

16. Resolution No. 2013-186. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING: 1) APPROPRIATION OF \$922,853.50 TO BE APPLIED TO COSTS ASSOCIATED WITH THE RELOCATION OF NATIONAL CITY PUBLIC WORKS OPERATIONS PURSUANT TO THE CITY'S OBLIGATION TO THE FORMER REDEVELOPMENT AGENCY TO CARRY OUT THE DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AND PARADISE CREEK HOUSING PARTNERS, L.P.; 2) ESTABLISHMENT OF A REVENUE BUDGET OF \$422,853.50 IN NET PROCEEDS FROM THE SALE OF PARCEL 1 OF THE WESTSIDE INFILL TRANSIT ORIENTED DEVELOPMENT (WI-TOD) PROJECT AND PURCHASE OF 1726 WILSON AVENUE FOR THE RELOCATION OF CITY PUBLIC WORKS; AND 3) ESTABLISHMENT OF A REVENUE BUDGET OF \$500,000 IN GENERAL FUND, TO BE REIMBURSED IN FULL THROUGH A STATE CATALYST GRANT. (Engineering)

ACTION: Adopted. See above.

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

17. Warrant Register #18 for the period of 10/23/13 through 10/29/13 in the amount of \$940,370.78. (Finance)

ACTION: Ratified. See above.

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

18. Warrant Register #19 for the period of 10/30/13 through 11/05/13 in the amount of \$1,429,347.20. (Finance)

ACTION: Ratified. See above.

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

19. Warrant Register #20 for the period of 11/06/13 through 11/12/13 in the amount of \$1,332,461.43. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARINGS

MUNICIPAL CODE 2013 (506-2-28)

20. Public Hearing - Adopting Appendix J of the 2013 California Building Code, amending certain sections of Appendix J and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Engineering)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2013 (506-2-28)

21. Public Hearing - Amending Chapter 15.04 of the National City Municipal Code by amending Section 15.04.010 pertaining to the City Council's authority under Title 15. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

22. Public Hearing - Adopting the 2013 California Electrical Code, including Annex H, and the 2011 National Electric Code, and amending certain sections of those codes, and amending Chapter 15.24 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

23. Public Hearing - Adopting the 2013 California Fire Code and the Appendices thereto, adopting the National Fire Protection Association Standards, and amending Chapter 15.28 of the National City Municipal Code. (Fire)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

24. Public Hearing - Adopting the 2013 California Energy Code, and amending Chapter 15.75 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2013 (506-2-28)

25. Public Hearing - Adopting the 2013 California Green Building Standards Code, and amending Chapter 15.78 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

26. Public Hearing - Adopting the California Mechanical Code, including appendix Chapters A, B, C and D, amending certain sections of that code, and amending Chapter 15.14 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

27. Public Hearing - Adopting the 2013 California Plumbing Code and Table 2902.1 of the 2013 California Building Code, amending certain sections of those codes, and amending Chapter 15.20 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

28. Public Hearing - Adopting Volumes I and II and Appendices C, G, H and I of the 2013 California Building Code, amending certain sections of that code, and amending Chapter 15.08 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2013 (506-2-28)

29. Public Hearing - Adopting the 2013 California Residential Code, amending certain sections of that Code, and amending Chapter 15.79 of the National City Municipal Code. (Building)

RECOMMENDATION: Hold the Public Hearing.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2013 (506-2-28)

30. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, ADOPTING APPENDIX J OF THE 2013 CALIFORNIA BUILDING CODE, AMENDING CERTAIN SECTIONS OF APPENDIX J AND AMENDING CHAPTER 15.70 (GRADING) OF THE NATIONAL CITY MUNICIPAL CODE. (Engineering)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

31. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2013 CALIFORNIA ELECTRICAL CODE, INCLUDING ANNEX H, AND THE 2011 NATIONAL ELECTRIC CODE, AND AMENDING CERTAIN SECTIONS OF THOSE CODES, AND AMENDING CHAPTER 15.24 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2013 (506-2-28)

32. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2013 CALIFORNIA FIRE CODE AND THE APPENDICES THERETO, ADOPTING THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS, AND AMENDING CHAPTER 15.28 OF THE NATIONAL CITY MUNICIPAL CODE. (Fire)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

33. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2013 CALIFORNIA ENERGY CODE, AND AMENDING CHAPTER 15.75 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

34. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, ADOPTING THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, AND AMENDING CHAPTER 15.78 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

35. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, ADOPTING THE CALIFORNIA MECHANICAL CODE, INCLUDING APPENDIX CHAPTERS A, B, C AND D, AMENDING CERTAIN SECTIONS OF THAT CODE, AND AMENDING CHAPTER 15.14 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2013 (506-2-28)

36. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, ADOPTING THE 2013 CALIFORNIA PLUMBING CODE AND TABLE 2902.1 OF THE 2013 CALIFORNIA BUILDING CODE, AMENDING CERTAIN SECTIONS OF THOSE CODES, AND AMENDING CHAPTER 15.20 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

37. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, ADOPTING VOLUMES I AND II AND APPENDICES C, G, H AND I OF THE 2013 CALIFORNIA BUILDING CODE, AMENDING CERTAIN SECTIONS OF THAT CODE, AND AMENDING CHAPTER 15.08 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2013 (506-2-28)

38. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, ADOPTING THE 2013 CALIFORNIA RESIDENTIAL CODE, AMENDING CERTAIN SECTIONS OF THAT CODE, AND AMENDING CHAPTER 15.79 OF THE NATIONAL CITY MUNICIPAL CODE. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

ACTION: Motion by Morrison, seconded by Rios, to adopt the Ordinance. Carried by unanimous vote.

MUNICIPAL CODE 2013 (506-2-28)

39. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CHAPTER 15.04 OF THE NATIONAL CITY MUNICIPAL CODE BY AMENDING SECTION 15.04.010 PERTAINING TO THE CITY COUNCIL'S AUTHORITY UNDER TITLE 15. (Building)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

LAND USE CODE AMENDMENTS ADMIN (405-6-1)

40. Resolution No. 2013-187. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ORDERING THE AFFIRMATIVE TERMINATION BY AMORTIZATION OF THE NONCONFORMING LAND USE LOCATED AT 1732 COOLIDGE AVENUE, AND ORDERING A REASONABLE AMOUNT OF TIME IN WHICH SUCH USE SHALL BE ORDERED TERMINATED (STEVE'S WEST COAST AUTOMOTIVE). (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Carolina Martinez, from the Environmental Health Coalition, spoke in support.

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

LAND USE CODE AMENDMENTS ADMIN (405-6-1)

41. Resolution No. 2013-188. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ORDERING THE AFFIRMATIVE TERMINATION BY AMORTIZATION OF THE NONCONFORMING LAND USE LOCATED AT 108 WEST 18TH STREET, AND ORDERING A REASONABLE AMOUNT OF TIME IN WHICH SUCH USE SHALL BE TERMINATED (JOSE'S AUTO ELECTRIC). (Planning)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

CONDITIONAL USE PERMITS 2013 (403-28-1)

42. Notice of Decision - Planning Commission approval of a Conditional Use Permit for alcohol sales at Redbird Market located at 2035 Highland Avenue. (Applicant: Laith Arabo) (Case File 2013-18 CUP) (Planning)

RECOMMENDATION: Staff recommended denial of the Conditional Use Permit.

TESTIMONY: Augie Bareno, representing the applicant, spoke in support.

Wameed Tepo, National City, spoke in opposition.

Andrea Cardenas, representing the Neighborhood Market Association, spoke in support.

Ninus Malan spoke in opposition to the CUP and in favor of a Public Hearing.

Shannon Zamudio, National City, spoke in opposition to the CUP and in favor of a Public Hearing.

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2013 (403-28-1)

42. Notice of Decision - Planning Commission approval of a Conditional Use Permit for alcohol sales at Redbird Market (continued).

TESTIMONY: Charles Alexander, National City, spoke in opposition to the CUP and in favor of a Public Hearing.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to set for Public Hearing at a date to be determined. Carried by unanimous vote.

Council Member Sotelo-Solis announced that in an abundance of caution and to avoid the appearance of impropriety, she would abstain from participating in consideration of Item No. 43 due to the fact that one of her employers owns property adjacent to or near the property under consideration.

Member Sotelo-Solis left the Chamber at 8:03 p.m.

CONDITIONAL USE PERMITS 2013 (403-28-1)

43. Notice of Decision - Planning Commission approval of a Conditional Use Permit for a drive-through coffee shop located at 404 Mile of Cars Way. (Applicant: HG Fenton Co.) (Case File 2013-22 CUP) (Planning)

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

TESTIMONY: Brian Gates, representing H. G. Fenton Corporation, responded to questions.

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

EXPARTE DISCLOSURE: Council Members Morrison, Cano and Rios disclosed that they met with representatives of the property owner.

Member Sotelo-Solis returned to the Chamber at 8:18 p.m.

CONDITIONAL USE PERMITS 2013 (403-28-1)

44. Notice of Decision - Planning Commission approval of a Conditional Use Permit for a public works facility to be located at 1726 Wilson Avenue. (Applicant: City-initiated) (Case File 2013-28 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 Natividad, seconded by Rios, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

PUBLIC WORKS DEPT ADMIN (1104-1-11)

45. Discussion and presentation on staff report on the relocation of National City Public Works operations to the following proposed locations in order to complete environmental remediation and development of the Westside Infill Transit Oriented Development (WI-TOD) Project: 1726 Wilson Avenue, 2) 2101 Hoover Avenue, 3) 1243 National City Boulevard/"A" Avenue/Kimball Park, 4) El Toyon Park, and 5) 1237 and 1239 McKinley Avenue. (Engineering) (Report on file in the Office of the City Clerk)

RECOMMENDATION: Accept and file the staff report.

TESTIMONY: Rita Heuss, National City, spoke against use of El Toyon Park but in favor of the overall plan.

Eddie Perez, San Diego, spoke against use of the park.

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

FINANCIAL MANAGEMENT 2013-2014 (204-1-29)

46. National City Sales Tax Update Newsletter - Second Quarter – 2013. (Finance)

RECOMMENDATION: Accept and file the newsletter.

TESTIMONY: None.

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

COUNCIL WORKSHOP NOTICES / ADMIN (102-6-1)

47. Discussion of potential City Council Retreat, including possible dates and topics. (City Manager)

RECOMMENDATION: Provide direction to staff.

TESTIMONY: None.

ACTION: Following extensive discussion, staff was asked to look into available resources and come back with additional information. No vote was taken.

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

HOUSING AUTHORITY 2013 (404-1-2)
CONTRACT (C2011-05)

48. Resolution No. 2013-19. RESOLUTION OF 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") AUTHORIZING THE CHAIRMAN TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES BETWEEN THE SUCCESSOR AGENCY, 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)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

STAFF REPORTS

HUMAN RESOURCES DEPT ADMIN (1104-1-2)

49. 2013 Holiday Closure and Employee Work Furlough. (Human Resources)

MAYOR AND CITY COUNCIL

Member Sotelo-Solis reminded everyone about the planned Empowerment Play scheduled at Sweetwater High and the Sweetwater Football playoff game.

Member Rios suggested that an e-mail be sent to encourage donations to the Christmas Holiday collection bins at City Hall for Children's Hospital and Spirit of the Holidays.

Mayor Morrison mentioned numerous Holiday events including the Historical Society Dinner, Spirit of the Holidays and Neighborhood Council Breakfasts; the Sweetwater Football playoff game, the December 12th tree lighting event; the Community Christmas event at the Mayor's house and the Tacos-for-Toys event sponsored by the Low-riders Council.

CLOSED SESSION REPORT

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

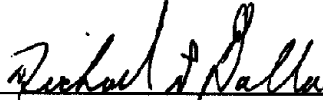
ADJOURNMENT

The meeting was adjourned in memory of Mr. Sam Brown.

Motion by Sotelo-Solis, seconded by Rios, to adjourn the meeting to an Adjourned Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, December 10, 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, December 17, 2013 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous

The meeting closed at 9:36 p.m.



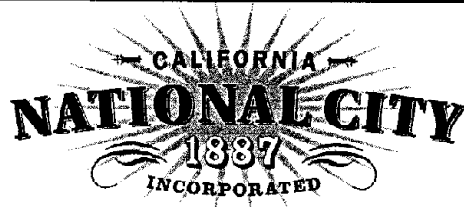
City Clerk

The foregoing minutes were approved at the Regular Meeting of January 21, 2014.



Mayor

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

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

**Main Conference Room
Civic Center
1243 National City Boulevard
National City, California**

Special Meeting – Tuesday, December 3, 2013 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Teodoro Villalon Torres, et al. v. Almquist, et al.
San Diego Superior Court Case No. 37-2012-000763304-CU-PO-SC
2. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Community Youth Athletic Center v. City of National City, CDC, et al.
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL
Court of Appeal Case No. D060001
3. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City and Successor Agency v. Morgan Square
San Diego Superior Court Case No. 37-2013-00030288

SUCCESSOR AGENCY

1. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Community Youth Athletic Center v. City of National City, CDC, et al.
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL
Court of Appeal Case No. D060001

SUCCESSOR AGENCY

2. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
City of National City and Successor Agency v. Morgan Square
San Diego Superior Court Case No. 37-2013-00030288

ADJOURNMENT

Next Regular Meeting of the City Council and Community Development Commission –
Housing Authority of the City of National City – Tuesday, December 3, 2013, 6:00 p.m.,
Council Chambers, National City, California.