

**MINUTES OF THE ADJOURNED REGULAR MEETING OF THE CITY
COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION
OF NATIONAL CITY, CALIFORNIA**

November 23, 2010

The Adjourned Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:10 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Commission members present: Morrison, Sotelo-Solis, Van Deventer, Zarate.

Administrative Officials present: Babaki, Dalla, Deese, Duong, Ladrido, Parra, Raulston, Rodriguez, Silva, Smith, Stevenson, Williams, Zapata.

Others present: Student Representative Samantha Galicia.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Sam Gonzales, National City Diablos, introduced members of the Diablos Cheer groups who stated their fund raising needs for a trip to championship competition in Florida.

PRESENTATION

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

1. Employee of the Month for November 2010 – Lilibeth Aguelo, Senior Office Assistant. (Fire Department)

COUNCIL MEETING PRESENTATIONS 2010 (102-10-5)

2. Bicycle Master Plan Presentation. (Development Services/Engineering)

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 3 (Minutes), Item No. 4 (NCCMC), Item Nos. 5 through 15 (Resolution Nos. 2010-248 through 2010-258), Item Nos. 16 and 17 (Warrant Registers). Motion by Sotelo-Solis, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

CONSENT CALENDAR (cont.)

APPROVAL OF MINUTES

3. **SUBJECT:** Approval of the Minutes of the Adjourned Regular City Council/Community Development Commission Meeting of November 9, 2010. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2010 (506-2-25)

4. 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.

ENCROACHMENT AGREEMENT ADMIN 2010 (903-14-4)

5. Resolution No. 2010-248. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN ENCROACHMENT PERMIT AND AN AGREEMENT WITH CHEVRON CORPORATION FOR THE INSTALLATION OF TWO (2) UNITS GROUNDWATER MONITORING WELLS LOCATED AT 105 WEST 8TH STREET IN THE PUBLIC RIGHT-OF-WAY. (Development Services/Engineering)
ACTION: Adopted. See above.

FINANCIAL MANAGEMENT 2010-2011 (204-1-26)

6. Resolution No. 2010-249. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING SEWER FUNDING IN THE AMOUNT NOT-TO-EXCEED \$244,000 FOR THE CONTRACT PREVIOUSLY AWARDED TO OHNO CONSTRUCTION FOR CONSTRUCTION IMPROVEMENTS FOR THE EL TOYON SOCCER FIELD WHICH INCLUDES THE SEWER MAIN, SPECIFICATION 07-01. (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2010-78)

7. Resolution No. 2010-250. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN AN AUTOMATIC AID AGREEMENT BETWEEN THE CITY OF CORONADO AND THE CITY OF NATIONAL CITY. (Fire)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

EMERGENCY / DISASTER PLANNING ADMIN (301-1-1)

8. Resolution No. 2010-251. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE IMPLEMENTATION OF THE NATIONAL CITY COMMUNITY EMERGENCY RESPONSE TEAM (CERT) PROGRAM AND EXTENDING WORKERS' COMPENSATION BENEFITS TO CERT VOLUNTEERS. (Fire)

ACTION: Adopted. See above.

CONTRACT (C2010-79)

9. Resolution No. 2010-252. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY WAIVING THE BID PROCESS AND AUTHORIZING THE PURCHASE FROM NORTHROP GRUMMAN OF THE COMMANDPOINT RMS SCAN CENTER LICENSING, SOFTWARE AND HARDWARE, INCLUDING THE HP 9250C SCANNER TO ENHANCE THE SPEED AND EFFECTIVENESS OF THE CURRENT RECORDS MANAGEMENT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$38,000.00 FROM JUSTICE ASSISTANCE GRANT LOCAL AWARD 2010. (Police)

ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

10. Resolution No. 2010-253. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE 30-DAY REVIEW AND PUBLIC COMMENT OF THE NATIONAL CITY POLICE DEPARTMENT'S GRANT APPLICATION FOR \$100,000.00 FROM 2011 CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) GRANT WITHOUT MATCHING FUNDS TOWARD THE PURCHASE OF POLICE VEHICLES, SMALL WEAPONS CLEANING SYSTEM, DEFENSIVE TACTICS IMPACT PROTECTION SUITS, DIGITAL CAMERAS AND BALLISTIC SHIELDS. (Police)

ACTION: Adopted. See above.

CONTRACT (C2010-77)

11. Resolution No. 2010-254. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY, THE CDC, AND THE LAW FIRM OF BEST, BEST & KRIEGER, LLP, TO CONTINUE PROVIDING LEGAL DEFENSE SERVICES IN THE NOT TO EXCEED AMOUNT OF \$160,000. (Funded by Tax Increment Funds) (City Attorney) **Companion Item #48**

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2007-20)

12. Resolution No. 2010-255. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE LOWEST, RESPONSIVE, RESPONSIBLE BID FOR TWO FORD CROWN VICTORIA POLICE INTERCEPTORS FROM VILLA FORD IN THE AMOUNT OF \$51,447.65. (Funded by 2009 JAG grant) (Finance)

ACTION: Adopted. See above.

CONTRACT (C2010-80)

13. Resolution No. 2010-256. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE LOWEST, RESPONSIVE, RESPONSIBLE BID FOR ONE NISSAN ALTIMA FROM MOSSY NISSAN IN THE AMOUNT OF \$26,522.56. (Funded by Bureau of Justice Assistance Recovery Act Grant and Asset Forfeiture Funds) (Finance)

ACTION: Adopted. See above.

CONTRACT (C2010-81)

14. Resolution No. 2010-257. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE LOWEST, RESPONSIVE, RESPONSIBLE BID FOR 7 CHEVROLET VEHICLES FROM CITY CHEVROLET IN THE AMOUNT OF \$190,619.18. (Funded by JAG Grant, Children Exposed to Domestic Violence (CEDV) Grant, and Asset Forfeiture Funds) (Finance)

ACTION: Adopted. See above.

GRANT / LIBRARY (206-4-10)

15. Resolution No. 2010-258. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING THE ACCEPTANCE OF A \$59,466 GRANT FROM CALIFORNIA LIBRARY LITERACY SERVICES TO FUND THE LIBRARY'S LITERACY PROGRAMS FOR FY10-11. (Library)

ACTION: Adopted. See above.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

16. Warrant Register #17 for the period of 10/20/10 through 10/26/10 in the amount of \$1,919,317.66. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

17. Warrant Register #18 for the period of 10/27/10 through 11/02/10 in the amount of \$2,158,382.41. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARINGS

SUBDIVISIONS / VARIANCES 2010 (415-1-6)

18. Public Hearing – Modification of a previously approved Tentative Subdivision Map for the Centro/Revolution 2 Condominiums located at 41 East 12th Street. (Applicant: Andrew Zlotnik) (Case File 2010-32 M (S-2006-5) (Development Services/Planning) **Companion Items #40, #41, #52**

RECOMMENDATION: Staff concurs with the decision of the Planning Commission.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

19. Public Hearing – Adopting the 2010 California Building Code of Regulations, Title 24, Volumes I and II and Appendices C, G, H and I of said Code, amending certain sections; providing penalties for violation thereof; and amending Chapter 15.08 of the National City Municipal Code pertaining to the California Building Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

20. Public Hearing - Adopting the 2010 California Energy Code, California Code of Regulations, Title 24, Part 6, and amending Chapter 15.75 of the National City Municipal Code pertaining to the California Energy Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2010 (506-2-25)

21. Public Hearing - Adopting the 2010 California Mechanical Code, California Code of Regulations, Title 24, Part 4 and adopting Appendix Chapters 1, A, B, C, and D of said Code, and the 2009 Uniform Mechanical Code, and amending Chapter 15.14 of the National City Municipal Code pertaining to the California Mechanical Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

22. Public Hearing - Adopting the 2010 California Plumbing Code, Table 2902.1 of the 2010 California Building Code and Chapter 1, Division II of the 2010 California Plumbing Code, California Code of Regulations, Title 24, Part 5, and the Uniform Plumbing Code, and amending, adding, and deleting certain sections of these Codes, and amending Chapter 15.20 of the National City Municipal Code pertaining to the California Plumbing Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

23. Public Hearing - Adopting the 2010 California Electrical Code, California Code of Regulations, Title 24, Part 3, Annex H of said Code, and the 2009 National Electrical Code as amended establishing requirements, rules and standards for electrical installations and materials within the City and amending Chapter 15.24 of the National City Municipal Code pertaining to the California Electrical Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2010 (506-2-25)

24. Public Hearing - Adopting the 2010 California Green Building Standards Code, California Code Regulations, Title 24, Part 11 and amending the National City Municipal Code by adding Chapter 15.78 pertaining to the 2010 California Green Building Standards Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

25. Public Hearing - Adopting Appendix J of the 2010 California Building Code, California Code of Regulations, Title 24, Part II, Appendix J and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

26. Public Hearing - Adopting the 2009 Uniform Swimming Pool, Spa and Hot Tub Code, and amending Chapter 15.22 of the National City Municipal Code pertaining to Uniform Swimming Pool, Spa and Hot Tub Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

27. Public Hearing - Adopting the 2010 California Residential Code, California Code of Regulations, Title 24, Part 2.5 and adding Chapter 15.79 pertaining to the California Residential Code. (Development Services/Building Division)

RECOMMENDATION: Conduct the Hearing.

TESTIMONY: None.

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

PUBLIC HEARINGS (cont.)

MUNICIPAL CODE 2010 (506-2-25)

28. Public Hearing - Adopting the 2010 California Fire Code of the California Code of Regulations, Title 24, and appendices thereto and the National Fire Protection Association Standards, amending certain sections; providing penalties for violation thereof; and amending Chapter 15.28 of the National City Municipal Code. (Fire)

RECOMMENDATION: Hold Hearing.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2010 (506-2-25)

29. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA BUILDING CODE OF REGULATIONS, TITLE 24, VOLUMES I AND II AND APPENDICES C, G, H AND I OF SAID CODE, AMENDING CERTAIN SECTIONS; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND AMENDING CHAPTER 15.08 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO THE CALIFORNIA BUILDING CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

30. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA ENERGY CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 6, AND AMENDING CHAPTER 15.75 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO THE CALIFORNIA ENERGY CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2010 (506-2-25)

31. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA MECHANICAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4 AND ADOPTING APPENDIX CHAPTERS 1, A, B, C, AND D OF SAID CODE, AND THE 2009 UNIFORM MECHANICAL CODE, AND AMENDING CHAPTER 15.14 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO THE CALIFORNIA MECHANICAL CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

32. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA PLUMBING CODE, TABLE 2902.1 OF THE 2010 CALIFORNIA BUILDING CODE AND CHAPTER 1, DIVISION II OF THE 2010 CALIFORNIA PLUMBING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5, AND THE UNIFORM PLUMBING CODE, AND AMENDING, ADDING, AND DELETING CERTAIN SECTIONS OF THESE CODES, AND AMENDING CHAPTER 15.20 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO THE CALIFORNIA PLUMBING CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2010 (506-2-25)

33. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3, ANNEX H OF SAID CODE, AND THE 2009 NATIONAL ELECTRICAL CODE AS AMENDED ESTABLISHING REQUIREMENTS, RULES AND STANDARDS FOR ELECTRICAL INSTALLATIONS AND MATERIALS WITHIN THE CITY AND AMENDING CHAPTER 15.24 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO THE CALIFORNIA ELECTRICAL CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

34. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA CODE REGULATIONS, TITLE 24, PART 11 AND AMENDING THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 15.78 PERTAINING TO THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

35. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING APPENDIX J OF THE 2010 CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART II, APPENDIX J AND AMENDING CHAPTER 15.70 (GRADING) OF THE NATIONAL CITY MUNICIPAL CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

ORDINANCES FOR ADOPTION (cont.)

MUNICIPAL CODE 2010 (506-2-25)

36. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2009 UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, AND AMENDING CHAPTER 15.22 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

37. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA RESIDENTIAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5 AND ADDING CHAPTER 15.79 PERTAINING TO THE CALIFORNIA RESIDENTIAL CODE. (Development Services/Building Division)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

MUNICIPAL CODE 2010 (506-2-25)

38. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING THE 2010 CALIFORNIA FIRE CODE OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, AND APPENDICES THERETO AND THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS, AMENDING CERTAIN SECTIONS; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND AMENDING CHAPTER 15.28 OF THE NATIONAL CITY MUNICIPAL CODE. (Fire)

RECOMMENDATION: Adopt Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

CONTRACT (C86-47)

39. Resolution No. 2010-259. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND AMERICAN MEDICAL RESPONSE AMBULANCE SERVICE, INC. (Fire)

RECOMMENDATION: Authorize the Mayor to sign the First Amendment to the Agreement by and between the City of National City and American Medical Response Ambulance Service, Inc.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Zarate, to adopt the Resolution. Carried by unanimous vote

SUBDIVISIONS / VARIANCES 2010 (415-1-6)

40. Resolution No. 2010-260. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A MODIFICATION OF A PREVIOUSLY APPROVED TENTATIVE SUBDIVISION MAP FOR THE CENTRO/REVOLUTION 2 CONDOMINIUMS LOCATED AT 41 EAST 12TH STREET. (Applicant: Andrew Zlotnik) (Case File 2010-32 M (S-2006-5) (Development Services/Engineering) **Companion Items #18, #41, #52**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

STREET DEDICATIONG / NAMING 2010-2015 (903-11-25)

SUBDIVISIONS / VARIANCES 2010 (415-1-6)

41. Resolution No. 2010-261. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY TO APPROVE, ACCEPT, AND FILE CENTRO/REVOLUTION 2 SUBDIVISION MAP WITH A STREET DEDICATION LOCATED ON THE NORTH SIDE OF 12TH STREET AND A AVENUE (S-2006-5) WITH THE COUNTY RECORDER FOR RECORDING. (Development Services/Engineering) **Companion Items #18, #40, #52**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

PARKING & TRAFFIC CONTROL ADMIN 2010 (801-2-31)

42. Resolution No. 2010-262. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE RESTRIPING OF E. 8TH STREET BETWEEN PALM AVENUE AND HARBISON AVENUE FROM 4 TRAVEL LANES TO 3 TRAVEL LANES (1 WESTBOUND AND 2 EASTBOUND) WITH LEFT-TURN LANES AT INTERSECTIONS TO ENHANCE TRAFFIC SAFETY, MAINTAIN PARKING, REDUCE CUT-THROUGH TRAFFIC, AND PROVIDE CONSISTENCY WITH PLANNED TRAFFIC CALMING AND SAFETY ENHANCEMENTS ON E. 8TH STREET WEST OF PALM AVENUE TO HARBOR DRIVE. (Funded through City Street Resurfacing Program) (Development Services/ Engineering)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Michael Salsberry, National City, spoke in support. Mary Stein, National City, submitted written comments in opposition.

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

CONTRACT (C2010-82)

43. Resolution No. 2010-263. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR A NOT-TO-EXCEED AMOUNT OF \$149,160 TO PROVIDE CIVIL ENGINEERING SERVICES FOR CONSTRUCTION OF NATIONAL CITY'S SAFE ROUTES TO SCHOOL PROJECT FOR COOLIDGE AVENUE FROM E. 12TH STREET TO E. 18TH STREET, FACILITATED BY A FEDERAL \$730,000 SRTS GRANT. (\$149,160 funded by City General Fund) (Development Services/Engineering)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2010-83)

44. Resolution No. 2010-264. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE THE *LETTER OF INTENT FOR PROPOSED REORGANIZATION PROCESSING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY AND THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY, COMMONLY REFERRED TO AS THE STRAIGHT LINING PROJECT.* (City Manager) ****Companion Item #51****

RECOMMENDATION: Adopt Resolution.

TESTIMONY: None.

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

NEW BUSINESS

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

45. Request from National City College Lion's to use MLK (north and south rooms) for their 'Spirit of the Holidays' annual distribution on Saturday, December 18th from 7:00 a.m. – 1:00 p.m. Applicant is requesting a fee waiver. (Community Services)

RECOMMENDATION: Authorize use of MLK as requested, with no waiver of fees.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Zarate, to approve request with fee waiver. Carried by unanimous vote.

TEMPORARY USE PERMITS 2010 (203-1-26)

46. Temporary Use Permit – Christmas Tree Lighting hosted by the Community Services Department on December 9, 2010 from 5:00 pm – 8:00 pm at Morgan Square, between 9th Street and National City Blvd. This is a City sponsored event under Policy No. 804. (Neighborhood Services Division)

RECOMMENDATION: Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval. Please waive fees for this event as it is a City sponsored event.

TESTIMONY: None.

ACTION: Motion by Van Deventer, seconded by Zarate, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

BLOCK GRANT PROGRAM ADMIN 2011-2012 (406-1-26)

47. Fiscal Year 2011-2012 Annual Action Plan and the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program funding cycle. (Community Development/Housing and Grants)

RECOMMENDATION: File this report.

TESTIMONY: None.

ACTION: Consensus was to have staff advise applicants of Council's intention to give priority to City Projects. There was no vote.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 48 (Resolution No. 2010-265), Item Nos. 49 and 50 (Warrant Registers). Motion by Van Deventer, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

CONTRACT (C2010-77)

48. Resolution No. 2010-265. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT BETWEEN THE CITY, THE CDC, AND THE LAW FIRM OF BEST, BEST & KRIEGER, LLP, TO CONTINUE PROVIDING LEGAL DEFENSE SERVICES IN THE NOT TO EXCEED AMOUNT OF \$160,000. (Funded by Tax Increment Funds (City Attorney) **Companion Item #11**

ACTION: Adopted. See above.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

49. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$101,765.03 to the City of National City for the period of 10/20/10 through 10/26/10. (Finance)

ACTION: Approved. See above.

WARRANT REGISTER JULY 2010 - JUNE 2011 (202-1-25)

50. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$774,113.11 to the City of National City for the period of 10/27/10 through 11/02/10. (Finance)

ACTION: Approved. See above.

NON CONSENT RESOLUTIONS

CONTRACT (C2010-83)

51. Resolution No. 2010-266. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING THE CHAIRMAN TO EXECUTE THE *LETTER OF INTENT FOR PROPOSED REORGANIZATION PROCESSING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY AND THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY, COMMONLY REFERRED TO AS THE STRAIGHT LINING PROJECT.* (City Manager)

****Companion Item #44****

RECOMMENDATION: None.

TESTIMONY: None.

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

CONTRACT (C2006-57)

52. Resolution No. 2010-267. A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) AUTHORIZING THE CHAIRMAN TO EXECUTE AMENDMENT NO. 5 TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION AND CONSTELLATION PROPERTY GROUP (A AVENUE) LP, AND ACCEPTING THE CONVEYANCE AND RELEASE OF REAL PROPERTY PURSUANT TO SAID AMENDMENT. (City Attorney)

****Companion Items #18, #40, #41****

RECOMMENDATION: None.

TESTIMONY: None.

ACTION: CDC Attorney Claudia Silva clarified that page number 2, paragraph 1 of the Resolution will reflect condominium unit number 401. Motion by Sotelo-Solis, seconded by Zarate, to adopt the Resolution. Carried by the following vote, to-wit: Ayes: Morrison, Sotelo-Solis, Zarate. Nays: Van Deventer. Absent: None. Abstain: None.

NEW BUSINESS

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

53. Quarterly Report. (Development Services)

STAFF REPORT: Development Services Director Babaki reported on activities of the Planning, Building and Engineering Divisions.

ACTION: A written report was requested on processing time for Business Licenses.

STAFF REPORTS

PUBLIC WORKS DEPT ADMIN (1104-1-11)

54. Christmas Tree Recycling relocation from El Toyon Park to Las Palmas Park. (Public Works)

Assistant Police Chief Gonzales reported on the Plaza Bonita holiday staffing plans.

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT (509-1-4)

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

Member Sotelo-Solis promoted the city's new Military Recognition Program, referred to staff problems on 'L' Avenue between 18th and 19th Street and thanked Councilmember Van Deventer for his service.

Member Zarate thanked Traffic Engineer Steve Manganiello for bicycle route work and grants.

Mayor Morrison reported that the old city banners have been removed and new ones are going up. He also extended an invitation to the Morrison Christmas gathering at his home on December 4th.

ADJOURNMENT

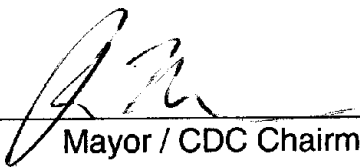
Motion by Van Deventer, seconded by Sotelo-Solis, to adjourn the meeting to the next Regular City Council and Community Development Commission Meeting to be held Tuesday, December 7, 2010 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 7:50 p.m.



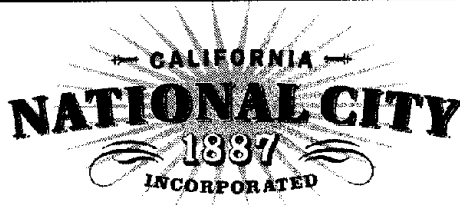
City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of December 7, 2010.



Mayor / CDC Chairman

EXHIBIT 'L'



**AGENDA OF A SPECIAL MEETING
CITY COUNCIL OF THE CITY OF NATIONAL CITY
COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY**

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

Special Meeting – Tuesday, November 23, 2010 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Labor Negotiators – Government Code Section 54657.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva, Eddie Kreisberg,
Brad Raulston and Jeannette Ladrido
Employee Organization: Fire Fighters Association
2. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a)
*Community Youth Athletic Center v. City of National City, Community Development
Commission of the City of National City, et al.*
San Diego County Superior Court Case No. GIS 37-2007-0007604-CU-EI-SC
3. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a)
Largo v. National City and the National City Police Department, et al.
San Diego County Superior Court Case No. 09 CV 1639 BEN BLM

COMMUNITY DEVELOPMENT COMMISSION

1. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a)
*ARE Holding, LLC v. Community Development Commission of the City of National City and
Parking Authority of National City*
San Diego County Superior Court Case No. 37-2010-00102387-CU-BC-CTL

ADJOURNMENT

Next Regular City Council/CDC Meeting - Tuesday, November 23, 2010, 6:00 p.m.,
Council Chambers, Civic Center