

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

October 20, 2009

The Regular Meeting of the City Council and Community Development Commission of National City, meeting in Joint Session with the Planning Commission was called to order at 6:09 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

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

Administrative Officials present: Babaki, Dalla, Deese, Duong, Eiser, Gonzales, Hodges, Juniel, Ladrado, Raulston, Smith, Stevenson, Williams, Zapata.

Others present: City Treasurer Mitch Beauchamp and Student Representatives Michael Mendoza and Christina Dickey.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Taken up after the Joint Session items.

CITY COUNCIL AND PLANNING COMMISSION

PRESENTATIONS

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

1. **SUBJECT:** Employee of the Month of October 2009 - Lynn Cole, Executive Secretary, Development Services.

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

2. Presentation by Sweetwater Union High School Principal West Braddock regarding City support for a proposed Joint Facility Use Agreement. Copy on file in the Office of the City Clerk.

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

3. Presentation of General Plan Update Background Report. (Community Development) Copy on file in the Office of the City Clerk.

PRESENTATIONS (cont.)

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

4. Presentation of 2005-2006 Greenhouse Gas Emissions Inventory. (Community Development) Copy on file in the Office of the City Clerk.

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

5. Presentation - Smart Growth Concept MAP Draft Revision. (Community Development)

COUNCIL MEETING PRESENTATIONS 2009 (102-10-4)

6. Presentation - Update on the Preparation of the Five-Year Capital Improvement Program. (Community Development/Development Services)

ACTION: Motion by Zarate, seconded by Van Deventer, to accept and file Item Nos. 3, 4, 5 and 6. Carried by unanimous vote.

ADJOURNMENT OF PLANNING COMMISSION

The Planning Commission Meeting was adjourned at 8:11 p.m.

A recess was called at 8:11 p.m.

The meeting reconvened at 8:20 p.m. All members were present.

PUBLIC ORAL COMMUNICATIONS

David Mitrovich, Sweetwater High School representative, requested "emergency" approval of a Temporary Use Permit (TUP) for fireworks at the homecoming football game.

ACTION: Motion by Zarate, seconded by Van Deventer, to add item to the Agenda. Carried by unanimous vote.

Motion by Van Deventer, seconded by Parra, to approve the TUP and request for fee waiver. Carried by unanimous vote.

Mark Lovato, representing the Cornerstone Church of San Diego, requested that the City Council consider a request for "emergency approval" of a TUP for Cornerstone's 2009 Harvest Event.

ACTION: Motion by Van Deventer, seconded by Zarate, to add item to the Agenda. Carried by unanimous vote.

Motion by Van Deventer, seconded by Sotelo-Solis, to approve the TUP request with all conditions of staff. Carried by unanimous vote.

Jose Medina, National City, supports involvement of all community members in development of the General Plan Update.

PUBLIC ORAL COMMUNICATIONS (cont.)

Jane Lilly, Environmental Health Coalition (EHC) encouraged the City Council to change the Health Element of the General Plan to be, or to include, an Environmental Justice element.

Ted Godshalk, National City, asked questions about the Old Town EIR being late and parking changes on West Side. Mr. Godshalk requested that city staff attend the next Old Town Neighborhood Council Meeting to provide answers.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 7 (Minutes), Item No. 8 (NMC), Item Nos. 9 through 25 (Resolution Nos. 2009-241 through 2009-257), Item Nos. 26 through 28 (Warrant Registers). Motion by Van Deventer, seconded by Parra, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

7. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of September 15, 2009. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2009 (506-2-24)

8. 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 2009 (801-2-30)

9. Resolution No. 2009-241. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "KEEP CLEAR" STRIPING WITH "DO NOT BLOCK INTERSECTION" SIGN AT THE COMFORT INN HOTEL DRIVEWAY, LOCATED AT 1645 E. PLAZA BOULEVARD, TO IMPROVE INGRESS/EGRESS. (TSC Item No. 2009-19) (Development Services/Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

PARKING & TRAFFIC CONTROL ADMIN 2009 (801-2-30)

10. Resolution No. 2009-242. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "3-MINUTE PASSENGER LOADING" SIGNS AND RED CURBS "NO PARKING" ALONG THE SOUTH SIDE OF E. 7TH STREET BETWEEN NATIONAL CITY BOULEVARD AND A AVENUE TO IMPROVE TRAFFIC SAFETY AND CIRCULATION FOR THE INTEGRITY CHARTER SCHOOL. (TSC Item No 2009-17) (Development Services/Engineering)
ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2009 (801-2-30)

11. Resolution No. 2009-243. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "NO TRUCK PARKING" SIGNS, 1-HOUR TIME RESTRICTED PARKING SIGNS AND 25 FEET OF RED CURB "NO PARKING" FOR THE 700 BLOCK OF ROOSEVELT AVENUE. (TSC Item No. 2009-16) (Development Services/Engineering)
ACTION: Adopted. See above.

PARKING & TRAFFIC CONTROL ADMIN 2009 (801-2-30)

12. Resolution No. 2009-244. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF 25 FEET OF WHITE CURB PASSENGER LOADING WITH SIGN ON THE NORTH SIDE OF E. 12TH STREET AT A AVENUE, ADJACENT TO THE CENTRO PROJECT TO PROVIDED USPS MAIL CARRIER ACCESS TO THE MAILBOXES. (TSC Item No. 2009-18) (Development Services/Engineering)
ACTION: Adopted. See above.

CONTRACT (C2008-94)

13. Resolution No. 2009-245. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK PERFORMED BY WHILLOCK CONTRACTING, INC. WITH THE FINAL AMOUNT OF \$131,273.62, AUTHORIZING THE MAYOR TO SIGN THE FINAL BALANCE CHANGE ORDER REPORT, AUTHORIZING THE FILING OF A NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR THE DEMOLITION AND DISPOSAL OF BUILDINGS LOCATED AT 2300 CLEVELAND AVENUE AND 830 23RD STREET PROJECT AND RELEASING RETENTION OF \$13,127.36. (Funded through Tax Increment Funds) (Development Services/ Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-82)

14. Resolution No. 2009-246. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY AND NINYO & MOORE FOR THE NOT-TO-EXCEED AMOUNT OF \$150,000 FOR A ONE YEAR PERIOD TO PROVIDE ON-CALL GEO-TECHNICAL MATERIALS TESTING SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT. (Various Capital Improvement Project Funds) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2009-31)

15. Resolution No. 2009-247. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK PERFORMED BY MJC CONSTRUCTION COMPANY WITH THE FINAL AMOUNT OF \$109,800, AUTHORIZING THE MAYOR TO SIGN THE FINAL BALANCE CHANGE ORDER REPORT, AUTHORIZING THE FILING OF A NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR THE NATIONAL CITY PARKS REHABILITATION FURNISHINGS PROJECT (PHASE 2), AND RELEASING RETENTION IN THE AMOUNT OF \$5,490. (Funded through General Fund) (Development Services/Engineering)

ACTION: Adopted. See above.

CONTRACT (C2009-83)

16. Resolution No. 2009-248. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH NINYO & MOORE GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS TO SERVE AS "QUALIFIED ENVIRONMENTAL PROFESSIONAL" FOR THE CITY'S BROWNFIELD REVOLVING LOAN FUND PROGRAM FOR A PERIOD OF FIVE YEARS NOT-TO-EXCEED \$30,000 TO BE PAID FROM A \$1 MILLION GRANT FROM THE US ENVIRONMENTAL PROTECTION AGENCY. (Redevelopment Division)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2009-84)

17. RESOLUTION NO. 2009-249. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH E-2 MANAGETECH SOLUTIONS, INC. TO SERVE AS "QUALIFIED ENVIRONMENTAL PROFESSIONAL" FOR THE CITY'S BROWNFIELD REVOLVING LOAN FUND PROGRAM FOR A PERIOD OF FIVE YEARS NOT-TO-EXCEED \$30,000 TO BE PAID FROM A \$1 MILLION GRANT FROM THE US ENVIRONMENTAL PROTECTION AGENCY. (Redevelopment Division)
ACTION: Adopted. See above.

CONTRACT (C2009-85)

18. Resolution No. 2009-250. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AGREEMENT WITH STANTEC CONSULTING, INC. TO SERVE AS "QUALIFIED ENVIRONMENTAL PROFESSIONAL" FOR THE CITY'S BROWNFIELD REVOLVING LOAN FUND PROGRAM FOR A PERIOD OF FIVE YEARS NOT-TO-EXCEED \$30,000 TO BE PAID FROM A \$1 MILLION GRANT FROM THE US ENVIRONMENTAL PROTECTION AGENCY. (Redevelopment Division)
ACTION: Adopted. See above.

CONTRACT (C2007-36)

19. Resolution No. 2009-251. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR MOTORIST AID AND SAFETY GRANT FUNDING IN THE AMOUNT OF \$7,526.66 FOR THE REIMBURSABLE GRANT PURCHASE OF RESCUE EQUIPMENT FOR THE NATIONAL CITY FIRE DEPARTMENT FROM THE FISCAL YEAR 2009/2010 SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES GRANT PROGRAM. (Fire)
ACTION: Adopted. See above.

GRANT / PUBLIC SAFETY (206-4-27)

20. Resolution No. 2009-252. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING FUNDS IN THE AMOUNT OF \$103,976 FOR THE REIMBURSABLE GRANT PURCHASE OF EQUIPMENT AND TRAINING FOR THE POLICE AND FIRE DEPARTMENTS FROM THE FY09 STATE HOMELAND SECURITY GRANT PROGRAM. (Fire/Police)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

GRANT / PUBLIC SAFETY (206-4-27)

21. Resolution No. 2009-253. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE SUBMISSION OF THE GRANT ASSURANCES FOR THE FY09 STATE HOMELAND SECURITY GRANT PROGRAM. (Fire/Police)

ACTION: Adopted. See above.

CONTRACT (C2007-33)

LABOR RELATIONS MEA MOU 2007-2009 (605-4-9)

22. Resolution No. 2009-254. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY RATIFYING A SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE NATIONAL CITY MUNICIPAL EMPLOYEES' ASSOCIATION, ADJUSTING THE WORK SCHEDULE AND BREAKS FOR POLICE DISPATCHERS. (Human Resources)

ACTION: Adopted. See above.

PERSONNEL POSITIONS NEWS & CLASSIFICATIONS (604-1-1)

23. Resolution No. 2009-255. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY MODIFYING THE TERMS OF THE SIGNING AND RETENTION INCENTIVE PROGRAM FOR THE POLICE DISPATCHER CLASSIFICATION. (Human Resources)

ACTION: Adopted. See above.

LABOR RELATIONS POA 2009-2011 (605-3-9)

24. Resolution No. 2009-256. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY MODIFYING THE CONTRIBUTION RATES TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM BY DECREASING THE CITY'S CONTRIBUTION AND ADDING A MEMBER CONTRIBUTION PAID BY NATIONAL CITY POLICE OFFICERS ASSOCIATION (NCPOA) REPRESENTED EMPLOYEES. (Human Resources)

ACTION: Adopted. See above.

EMPLOYMENT CONTRACT - CHRIS ZAPATA (604-6-2)

25. Resolution No. 2009-257. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A SIXTH AMENDMENT TO EMPLOYMENT AGREEMENT WITH CITY MANAGER CHRIS ZAPATA TO PROVIDE FOR THE SUSPENSION OF HIS \$750 PER MONTH VEHICLE ALLOWANCE, AND FOR AN UNPAID FURLOUGH LEAVE IN THE AMOUNT OF 80 HOURS, FOR THE PERIOD OF NOVEMBER 1, 2009 THROUGH JUNE 30, 2010. (City Attorney)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

26. Warrant Register #11 for the period of 09/09/09 through 09/15/09 in the amount of \$449,256.34. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

27. Warrant Register #12 for the period of 09/16/09 through 09/22/09 in the amount of \$1,998,462.70. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

28. Warrant Register #13 for the period of 09/23/09 through 09/29/09 in the amount of \$1,145,633.89. (Finance)

ACTION: Ratified. See above.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2009 (506-2-24)

HOUSING & COMMUNITY DEV COMM ADMIN (101-12-1)

29. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING SECTIONS 3, 4 AND 5 OF ORDINANCE NO. 1619, SECTION 5 OF ORDINANCE NO. 1829, AND SECTION 5 OF ORDINANCE NO. 91-2012, PERTAINING TO THE COMMITTEE FOR HOUSING AND COMMUNITY DEVELOPMENT. (City Attorney)

MUNICIPAL CODE 2009 (506-2-24)

HOUSING & COMMUNITY DEV COMM ADMIN (101-12-1)

30. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING CHAPTER 2.28 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING SECTION 2.28.015 THERETO, PERTAINING TO THE PLANNING COMMISSION FUNCTIONING AS THE COMMITTEE FOR HOUSING AND COMMUNITY DEVELOPMENT. (City Attorney)

NON CONSENT RESOLUTIONS

CONTRACT (C2009-86)

31. Resolution No. 2009-258. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH. (Finance)

RECOMMENDATION: If the City Council wishes to participate in the Proposition 1A Securitization Program, it should adopt the proposed Proposition 1A Sale Resolution and Purchase and Sale Agreement.

TESTIMONY: None.

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

CONTRACT (C2009-58)

32. Resolution No. 2009-259. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) APPROVING CHANGE ORDER NUMBER FIVE TO THE CONTRACT WITH KOCH-ARMSTRONG GENERAL ENGINEERING, INC. FOR THE NATIONAL CITY STREET RESURFACING PROJECT, FY 09-10 TO RESURFACE ADDITIONAL STREETS AND INCREASE RELATED CONCRETE WORK IN THE AMOUNT OF \$500,149.05, 2) AUTHORIZING THE MAYOR TO EXECUTE THE CHANGE ORDER, 3) AUTHORIZING THE ENGINEERING DIVISION TO EXPEND UP TO \$50,000 FOR CONTRACT CHANGES. (Funded through Proposition "1B" and Proposition "A" Funds) (Development Services/ Engineering)

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.)

CONTRACT (C2009-87)

33. Resolution No. 2009-260. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, 1) AWARDDING THE MULTIPLE FACILITY REPAIR PROJECT CONTRACT TO CONAN CONSTRUCTION, INC. IN THE AMOUNT OF \$313,900 FOR IMPROVEMENTS IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR NATIONAL CITY SENIOR CENTER AND KIMBALL & MORGAN TOWERS (SCHEDULE A & B) OF BID, 2) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT, AND 3) AUTHORIZING ENGINEERING TO EXPEND UP TO \$31,390 FOR CONTRACT CHANGES FOR SCHEDULE A & B. (Funded through Tax Increment and General Fund) (Development Services/Engineering)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NOTE: Council Members Parra, Van Deventer and Zarate disclosed that they each had property or business interests that could result in a potential conflict of interest were they to participate in consideration of Item No. 34. For that reason they all stated their intention to abstain from acting on the item. City Attorney Eiser advised that in order to have a quorum, State Law, through the Rule of Necessity, provides that one of the abstaining members may be qualified to vote if selected at random from those abstaining. City Clerk Dalla administered a random drawing resulting in Council Member Van Deventer qualifying to vote on Item No. 34.

STUDY CITY FEE SCHEDULE (106-3-2)

34. Resolution No. 2009-261. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE 2008 NATIONAL CITY USER FEE SCHEDULE TO DELETE THE \$21.50 BUSINESS LICENSE ADMINISTRATIVE APPLICATION FEE AND THE \$10.50 BUSINESS LICENSE ADMINISTRATION RENEWAL FEE FROM THE SCHEDULE OF FEES FOR THE FINANCE DEPARTMENT. (City Attorney)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: Ted Godshalk, National City, asked who was responsible for the fee.

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

NEW BUSINESS

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

35. Jurisdictional Urban Runoff Management Program (JURMP) Fiscal Year 08-09 Annual Report Executive Summary. (Development Services/Engineering)

RECOMMENDATION: Receive the report.

TESTIMONY: None.

ACTION: Motion by Zarate, seconded by Sotelo-Solis, to accept and file. Carried by unanimous vote.

SUBDIVISIONS / VARIANCES 2009 (415-1-5)

36. Time Extension Request – Tentative Subdivision Map for the division of one 23,917 square-foot lot into three lots at 1821 – 1827 C Avenue and a request to waive the application fee of \$1,232.00. (Applicant: Ziba Ghaziaskari) (Case File No. 2009-20 TE) (APN 560-222-27) (Development Services/Planning)

RECOMMENDATION: Staff recommends that the expiration date for S-2006-14 be extended by three years to October 3, 2012 and recommend the Council deny the request for waiver of fee of \$1,232.00.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve staff recommendation with no waiver of fees. Carried by unanimous vote.

TEMPORARY USE PERMITS 2009 (203-1-25)

37. Temporary Use Permit - Integrity Charter School Harvest Festival sponsored by Integrity Charter School on October 30, 2009 from 4 pm to 8 pm on "A" Avenue, between 7th and 8th Street with no waiver of fees. (Neighborhood Services Division)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees.

TESTIMONY: None.

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

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2009 (203-1-25)

38. Temporary Use Permit – Tower of Terror sponsored by the National City Fire Department on October 31, 2009 from 5 pm to 9 pm at Fire Station 34 located at 343 East 16th Street with a request of waiver of fees by applicant. (Neighborhood Services Division)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval and waiver of fees.

TESTIMONY: None.

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

TEMPORARY USE PERMITS 2009 (203-1-25)

39. Temporary Use Permit – Circus Vargas sponsored by Tabares Entertainment from February 18-22, 2010 at the Plaza Bonita Mall with no waiver of fees. (Neighborhood Services Division)

RECOMMENDATION: Approve the application for a Temporary Use Permit subject to compliance with all conditions of approval.

TESTIMONY: None.

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

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

40. The City of National City Five-Year Consolidated Plan (FY2011-FY2015) for the U.S. Department of Housing and Urban Development (HUD). (Community Development/Housing and Grants Division)

RECOMMENDATION: Accept and file the report.

TESTIMONY: None.

ACTION: Filed.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 41 thru 43 (Warrant Registers), Item Nos. 44 and 45 (Resolution Nos. 2009-262 and 2009-263). Motion by Sotelo-Solis, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

CONSENT CALENDAR (cont.)

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

41. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$8,084.00 to the City of National City for the period of 09/09/09 through 09/15/09. (Finance)

ACTION: Approved. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

42. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$416,112.19 to the City of National City for the period of 09/16/09 through 09/22/09. (Finance)

ACTION: Approved. See above.

WARRANT REGISTER JULY 2009 - JUNE 2010 (202-1-24)

43. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$105,023.94 to the City of National City for the period of 09/23/09 through 09/29/09. (Finance)

ACTION: Approved. See above.

CONTRACT (C2009-88)

44. Resolution No. 2009-262. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AWARDING A CONTRACT TO HOGLE-IRELAND, INC. IN THE AMOUNT NOT-TO-EXCEED \$26,935 AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE CONTRACT AGREEMENT FOR THE PREPARATION OF THE CITY OF NATIONAL CITY FIVE-YEAR CONSOLIDATED PLAN (FY2011-FY2015) AND A ONE-YEAR ANNUAL ACTION PLAN (FY2010-FY2011) FOR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD). (Community Development/Housing and Grants Division)

ACTION: Adopted. See above.

CONTRACT (C2009-89)

45. Resolution No. 2009-263. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY APPROVING AN INDEMNITY AGREEMENT WITH THE NATIONAL BROWNFIELD ASSOCIATION REGARDING A GRANT-FUNDED FEASIBILITY STUDY OF THE PACIFIC STEEL SITE AT 1500 CLEVELAND AVENUE. (Redevelopment Division)

ACTION: Adopted. See above.

NEW BUSINESS

CITY - OWNED LAND / SALE (1001-1-1)

46. Real Property Transaction for National City Public Works Yard located at 2100 Hoover Avenue. (City Attorney)

RECOMMENDATION: Accept and file.

TESTIMONY: None.

ACTION: Filed.

STAFF REPORTS

CLOSED SESSION REPORT (509-1-4)

47. City Council / CDC Attorney George Eiser stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

MAYOR AND CITY COUNCIL

Member Parra raised concerns about security at the trolley station after being contacted by an individual who had their car stolen from the 24th Street Trolley station.

Member Zarate said she was interested in including environmental justice as a General Plan Element as was suggested earlier in the meeting. There was apparent consensus among by the Council to do so. No vote was taken.

Member Sotelo-Solis thanked staff for the special reports presented earlier in the meeting, offered congratulations on the recent talent show and jazz event and thanked Public Works and Code Enforcement for promptly responding to a citizen complaint.

Mayor Morrison updated the Council on League of Cities action to place a measure on the 2010 state-wide ballot and the court challenge by the California Redevelopment Association on to State budget actions. The Mayor encouraged everyone to attend the Public Safety Fair and Tower of Terror Halloween event.

ADJOURNMENT


Motion by Zarate, seconded by Van Deventer, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, November 3, 2009 at 6:00 p.m., Council Chambers, National City. Carried by unanimous vote.

The meeting closed at 9:20 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of December 1, 2009.



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**

**Martin Luther King Community Center
South Conference Room
140 East 12th Street, Suite A
National City, California**

Tuesday, October 20, 2009 - 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva, Jeanette Ladrado, David Pease
Employee Organization: Municipal Employees' Association

COMMUNITY DEVELOPMENT COMMISSION

Conference with Real Property Negotiator
Government Codes Section 54956.8
Property: National City Public Works Yard
2100 Hoover Avenue, National City
Agency Negotiator: Brad Raulston
Negotiating Parties: The Related Group
Under Negotiation: Price and Terms of Payment

ADJOURNMENT

Next Regular City Council / CDC Meeting – Tuesday, October 20, 2009, 6:00 p.m.,
Council Chambers, Civic Center