

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

March 2, 2010

The 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, Parra, Sotelo-Solis, Van Deventer, Zarate.

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

Others present: Student Representative Michael Mendoza.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Margaret Godshalk, Stephanie Buttell-Maxin and Ted Godshalk, appeared on behalf of the Paradise Creek Education Park's 10th Anniversary and highlighted numerous past and future events and accomplishments including an award from the American Society of Landscape Architects.

PRESENTATIONS

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

1. Recognizing George Eiser, City Attorney, and Isabel S. Ochoa, Home Delivered Meals Coordinator for their 25 years of service. (Mayor and City Council)

CITY WIDE HOUSING ADMIN (303-4-1)

2. Presentation of the draft Five-Year Consolidated Plan (FY2011-2015) for the U.S. Department of Housing and Urban Development (HUD) by Hogle-Ireland, Inc. Copy on file in the Office of the City Clerk. (Community Development)

INTERVIEWS / APPOINTMENTS

CIVIL SERVICE COMMISSION ADMIN (101-9-1)

3. Interviews and Appointments: Civil Service Commissions. (City Clerk)
TESTIMONY: Martin Martinez was present and interviewed.
ACTION: Motion by Van Deventer, seconded by Zarate, to appoint Martin Martinez to the Civil Service Commission. Carried by unanimous vote.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item No. 5 (NMC), Item Nos. 6 through 10 (Resolution Nos. 2010-25 through 2010-29), Item Nos. 11 and 12 (Warrant Registers). Motion by Parra, seconded by Zarate, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

4. **SUBJECT:** Approval of the minutes of the Regular City Council/Community Development Commission Meeting of January 19, 2010. (City Clerk)
ACTION: Approved. See above.

MUNICIPAL CODE 2010 (506-2-25)

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 2010 (801-2-31)

6. Resolution No. 2010-25. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF 1-HOUR TIME-RESTRICTED PARKING AND 3-MINUTE PASSENGER LOADING ON THE 800 BLOCK OF D AVENUE. (TSC Item No. 2010-1) (Engineering)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

7. Resolution No. 2010-26. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE REMOVAL OF BOTH UNCONTROLLED CROSSWALKS AT THE INTERSECTION OF HIGHLAND AVENUE AND E. 22ND STREET AND INSTALLATION OF BARRICADES WITH SIGNS DIRECTING PEDESTRIANS TO CROSS AT THE SIGNALIZED INTERSECTION OF HIGHLAND AVENUE AND E. 21ST STREET TO IMPROVE SAFETY. (TSC Item No. 2010-2) (Engineering)
ACTION: Adopted. See above.

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

8. Resolution No. 2010-27. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE MODIFICATIONS OF THE STRIPED MEDIAN IN FRONT OF THE PIER 32 MARINA DRIVEWAY LOCATED AT 3201 MARINA WAY TO ACCOMMODATE INGRESS AND EGRESS. (TSC Item No. 2010-3) (Engineering)
ACTION: Adopted. See above.

CONTRACT (C2010-6)

9. Resolution No. 2010-28. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HARRIS & ASSOCIATES, INC. FOR A NOT TO EXCEED AMOUNT OF \$299,814 TO PROVIDE CIVIL ENGINEERING SERVICES FOR THE NATIONAL CITY 8TH STREET SMART GROWTH REVITALIZATION PROJECT (funded by City Tax Increment Fund). (Engineering)
ACTION: Adopted. See above.

CONTRACT (C2009-17)

10. Resolution No. 2010-29. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND BRG CONSULTING, INC. TO REVISE THE LENGTH OF THE AGREEMENT FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED TECHNICAL STUDIES FOR AN AMENDMENT TO THE DOWNTOWN SPECIFIC PLAN. (Case No. SP-2005-3) (Applicant: Library Village South, Inc.) (Community Development)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

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

11. Warrant Register #31 for the period of 01/27/09 through 02/02/10 in the amount of \$1,092,842.71. (Finance)
ACTION: Ratified. See above.

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

12. Warrant Register #32 for the period of 02/03/10 through 02/09/10 in the amount of \$1,613,614.92. (Finance)
ACTION: Ratified. See above.

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2010 (506-2-25)

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING SUBSECTIONS T AND V OF SECTION 2.01.020 OF THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO THE POWERS AND DUTIES OF THE CITY MANAGER. (City Attorney)
**Companion Item #16

ORDINANCES FOR ADOPTION

MUNICIPAL CODE 2010 (506-2-25)

14. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 7 OF THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 7.31 PERTAINING TO LANDSCAPE MAINTENANCE. (Applicant: City Initiated) (Case File No. 2009-25 A) (Development Services/Planning Division)
RECOMMENDATION: Adopt the Ordinance.
TESTIMONY: None.
ACTION: Motion by Parra, seconded by Sotelo-Solis, to adopt the Ordinance. Carried by unanimous vote.

MUNICIPAL CODE 2010 (506-2-25)

15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 18 OF THE MUNICIPAL CODE BY AMENDING CHAPTER 18.54 ESTABLISHING WATER EFFICIENT LANDSCAPE REGULATIONS. (Applicant: City Initiated) (Case File No. 2009-25 A) (Development Services/Planning Division)
RECOMMENDATION: Adopt the Ordinance.
TESTIMONY: None.
ACTION: Motion by Parra, seconded by Van Deventer, to adopt the Ordinance. Carried by unanimous vote.

NON CONSENT RESOLUTIONS

COUNCIL POLICY MANUAL (102-13-1)

16. Resolution No. 2010-30. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT TO CURRENT CITY COUNCIL POLICY NO. 502 FOR PUBLIC IMPROVEMENTS OR PROFESSIONAL SERVICE CONTRACT CHANGE ORDER TO ESTABLISH AUTHORIZATION LIMITS AND STANDARD METHODS FOR THE APPROVAL OF CHANGES IN CONTRACTS. (Development Services) **Companion Item #13

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

COUNCIL POLICY MANUAL (102-13-1)

17. Resolution No. 2010-31. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY REVISING CITY COUNCIL POLICY NO. 801 PERTAINING TO RECREATIONAL FIELD AND FACILITY USE RULES AND REGULATIONS FOR THE USE OF SPORTS FIELDS AND FACILITIES. (Community Services)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CONTRACT (C2010-7)

18. Resolution No. 2010-32. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING FOR OPERATION OF THE SAN DIEGO REGIONAL ENTERPRISE ZONE (SDREZ) PROGRAM (OPERATING MOU) AND BUDGET BETWEEN THE CITIES OF NATIONAL CITY, SAN DIEGO, CHULA VISTA, AND THE SAN DIEGO UNIFIED PORT DISTRICT, COLLECTIVELY REFERRED TO AS THE "PARTNERSHIP." (Community Development)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS (cont.)

Member Parra stated his intention, on the advice of the City Attorney, to leave the Chamber during consideration of Item No. 19. Mr. Parra left the Chamber at 7:10 p.m.

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

19. Resolution No. 2010-33. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE SALARY BAND FOR THE NEWLY CREATED EXECUTIVE LEVEL CLASSIFICATION TITLED DIRECTOR OF EMERGENCY SERVICES (\$64,872-\$131,410, ANNUALLY). (Human Resources)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

Member Parra returned to the Chamber at 7:11 p.m.

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item Nos. 20 and 21 (Warrant Registers). Motion by Van Deventer, seconded by Sotelo-Solis, to approve the Consent Calendar. Carried by unanimous vote.

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

20. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$164,570.96 to the City of National City for the period of 01/27/10 through 02/02/10. (Finance)

ACTION: Approved. See above.

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

21. Authorize the reimbursement of Community Development Commission expenditures in the amount of \$115,611.43 to the City of National City for the period of 02/03/10 through 02/09/10. (Finance)

ACTION: Approved. See above.

STAFF REPORTS

CDC Executive Director Brad Raulston reminded everyone that the first of five City Council General Plan working meetings will be held on Tuesday, March 9th at 6 p.m.

CLOSED SESSION REPORT

City Attorney Eiser reported the following from the 5 p.m. Closed Session:

The City Council authorized the initiation of litigation in one matter. The identity of the action and the defendants will not be disclosed at this time, but once litigation has been formally commenced, will be disclosed to any person upon inquiry, unless to do so would jeopardize the ability to effectuate service of process on one or more unserved parties, or would jeopardize the ability to conclude existing settlement negotiations. (See attached Exhibit 'L')

MAYOR AND CITY COUNCIL

Member Sotelo-Solis commented on Read Across America activities, reported on the Feria de Salud scheduled in Kimball Park on Saturday between 9 am and 2 pm and advised that the monthly 'Walk with the Vice Mayor' would also take place on Saturday just prior to the Feria de Salud event.

Member Zarate reported on a presentation that was made at the SANDAG Public Safety Committee meeting regarding the Graffiti Tracker Program.

Mayor Morrison advised that he was in Washington D.C. for a National Congress of Governments meeting and was able to follow up on some City projects and came away with some 'good assurances' on funding.

ADJOURNMENT

The meeting was adjourned to the next Adjourned Regular City Council and Community Development Commission Meeting to be held Tuesday, March 9, 2010 at 6:00 p.m. at the Council Chambers, National City, California.

The next Regular City Council and Community Development Commission Meeting to be held Tuesday, March 16, 2010 at 6:00 p.m. at the Council Chambers, National City, California.

The meeting closed at 7:26 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of April 20, 2010.



Mayor / CDC Chairman

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

CITY COUNCIL OF THE CITY OF NATIONAL CITY

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

Tuesday, March 2, 2010 - 5:00 p.m.

ROLL CALL

CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation Pursuant to Government Code Section 54956.9(c)
Two Potential Cases

ADJOURNMENT

Next Regular City Council / CDC Meeting - Tuesday, March 2, 2010, 6:00 p.m.,
Council Chambers, Civic Center