

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

March 4, 2008

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:04 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Commission members present: Morrison, Natividad, Parra, Ungab, Zarate.

Administrative Officials present: Babaki, Baker, Dalla, Deese, Eiser, Juniel, Ladrido, Minh, Post, Raulston, Rodriguez, Smith, Stevenson, Zapata.

Others present: City Treasurer George Hood.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Suzanne Leif, San Diego, thanked the City Council for accepting terms proposed by her attorney regarding property on Cleveland Avenue.

John Kirk, National City, reported on the recent National City Host Lions Club vision clinic.

INTERVIEWS / APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

1. **SUBJECT:** Interviews and Appointments: Various Boards & Commissions (City Clerk)

TESTIMONY: The following individuals appeared before the City Council to be interviewed: Jack Bazzi, Arlene Castillo, Dennis Exline, Alfredo Farias, Butch Fimpel, Luciano Gallegos, Ray Garcia, Lupe Martinez and Fred Puhn

ACTION: Mayor Morrison indicated to those in attendance that additional interviews and appointments will be scheduled at a future meeting.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 2 (Minutes), Item No. 3 (NCCMC), Items No. 4 and 5 (Resolutions Nos. 2008-40 through 2008-41), Items No. 6 and 7 (Warrant Registers). Motion by Natividad, seconded by Parra, to pull Item No. 5, and the remainder of the Consent Calendar be approved. Carried by unanimous vote. **Note:** Councilmember Zarate requested that Item No. 2, Approval of Minutes, reflect that she abstained on the approval of the Minutes for February 19, 2008 due to her absence from that meeting.

APPROVAL OF MINUTES

2. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of February 19, 2008. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2008 (506-2-23)

3. **SUBJECT:** 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 2008 (903-14-2)

4. Resolution No. 2008-40. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AND AUTHORIZING THE RECORDATION OF AN ENCROACHMENT AGREEMENT WITH MARINA GATEWAY DEVELOPMENT COMPANY, LLC FOR THE INSTALLATION AND MAINTENANCE OF THE PARKING SPACES FOR PUBLIC USE WITHIN THE CITY RESERVED RIGHT-OF-WAY OF MARINA DRIVE. (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

**SUBDIVISIONS / VARIANCES 2008 (415-1-4)
CONDITIONAL USE PERMITS 2008 (403-23-1)**

5. Resolution No. 2008-41. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A TENTATIVE SUBDIVISION MAP AND CONDITIONAL USE PERMIT AND FINDING OF NO SIGNIFICANT ENVIRONMENTAL EFFECT FOR 16 DETACHED HOMES WITH AN EXCEPTION FOR LESS THAN REQUIRED SETBACKS AND BUILDING SEPARATION ON AN APPROXIMATELY 1.5 ACRE SITE NORTH OF THE INTERSECTION OF KIMBALL WAY, F AVENUE AND E. 14TH STREET. (Applicant: Bitterlin Development Corp.) (Case File No. 2007-37 S. CUP) (Planning)

TESTIMONY: Alfonso Hernandez, National City, inquired about the ownership of property adjacent to the property under consideration.

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

WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)

6. Warrant Register #31 for the period of 01/23/08 through 01/29/08 in the amount of \$1,087,946.24. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)

7. Warrant Register #32 for the period of 01/30/08 through 02/05/08 in the amount of \$879,305.29. (Finance)

ACTION: Ratified. See above.

ORDINANCE FOR ADOPTION

MUNICIPAL CODE 2008 (506-2-23)

8. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING THE NATIONAL CITY MUNICIPAL CODE BY ADDING CHAPTER 15.80 PERTAINING TO CONSTRUCTION AND DEMOLITION DEBRIS. (Building & Safety/City Attorney/Consultant)

RECOMMENDATION: Adopt the Ordinance.

TESTIMONY: None.

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

NON CONSENT RESOLUTIONS

CONTRACT (C2008-6)

9. Resolution No. 2008-42. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A TWO-YEAR LEASE AGREEMENT WHICH INCLUDES AN OPTION TO RENEW WITH THE SAN DIEGO REPERTORY THEATRE TO LEASE SPACE IN THE FORMER LIBRARY BUILDING FOR REHEARSAL SPACE AND A PROPERTY SHOP, AND TO FACILITATE PROGRAMMING FOR A FUTURE ARTS CENTER AT THE SITE. (Community Services) **Continued from City Council Meeting of Feb. 19, 2008 **

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to adopt the Resolution. Carried by unanimous vote. **Note:** City Attorney Eiser clarified for the record that the term of the agreement is three (3) years.

CONTRACT (C2008-10)

OLD LIBRARY - ART CENTER - MAINT/ ADMIN (1101-4-2)

10. Resolution No. 2008-43. RESOLUTION OF THE CITY COUNCIL OF NATIONAL CITY AWARDING A CONTRACT TO MA STEVENS CONSTRUCTION, INC. IN THE BASE BID AMOUNT OF \$1,018,000 AND ADDITIVE BID AMOUNT OF \$90,000 FOR THE NATIONAL CITY FORMER LIBRARY REMODEL PROJECT. (Funding through 2004 Tax Allocation Bond) (Engineering)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to adopt the Resolution contingent upon the signing of the lease for the old library. Carried by the unanimous vote.

Item Number 17 was taken up next.

COMMUNITY DEVELOPMENT COMMISSION

NEW BUSINESS

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

17. **SUBJECT:** Annual Financial Reports and Audit Review for the Fiscal Year ended June 30, 2007. (Finance)

RECOMMENDATION: Accept and file.

NEW BUSINESS (cont.)

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

17. **SUBJECT:** Annual Financial Reports (continued).

TESTIMONY: The City Auditor gave an oral report.

ACTION: Accepted and filed.

CITY COUNCIL

NEW BUSINESS

TRANSPORTATION DEVELOPMENT PLANNING ADMIN (802-3-1)

SANDAG TRANSPORTATION ENHANCE ACTIVITIES PROG (105-3-12)

11. **SUBJECT:** Report to the City Council of the City of National City on efforts to establish a Transportation Development Impact Fee (TDIF) to fund capital improvement projects needed to maintain acceptable levels of traffic and transportation services due to new development and to satisfy the requirements of the TransNet Regional Transportation Congestion Improvement Plan (RTCIP) for receipt and expenditure of TransNet funds. (Engineering) (Staff reports by Maryam Babaki and Claudia Silva)

RECOMMENDATION: Seek City Council's input on upcoming TDIF.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve minimum requirement and proceed with the process and time frame. Carried by unanimous vote.

Member Ungab disclosed that he works for a competing business (AT&T) and in order to avoid the appearance of a conflict he would excuse himself from the Council Chamber and abstain on Item No. 12.

POLITICAL SUPPORT ADMIN (102-4-1)

12. **SUBJECT:** Consider authorizing letter of support for CoxCom, Inc. d/b/a/ Cox Communications San Diego Petition for Determination of Effective Competition. (City Manager)

RECOMMENDATION: Authorize the Mayor to send a letter of support to the Federal Communications Commission.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to approve staff's recommendation. Carried by the following vote, to-wit: Ayes: Morrison, Natividad, Parra, Zarate. Nays: None. Absent: None. Abstain: Ungab. See explanation, above.

NEW BUSINESS (cont.)

BUDGET FY 2008-2009 (206-1-24)

13. **SUBJECT:** Changing the scheduled Budget Workshop of the Fiscal year 2008-2009 Annual Budget from March 22, 2008 to April 5, 2008. (Finance)

RECOMMENDATION: City Council's direction requested on the date and time of the workshop.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Parra, to approve change of schedule. Carried by unanimous vote.

TEMPORARY USE PERMITS 2008 (203-1-24)

14. **SUBJECT:** Temporary Use Permit – Easter Egg Hunt 2008 sponsored by Cornerstone Church of San Diego at Las Palmas Park on March 22, 2008 from 11 a.m. to 3:00 p.m. (Building & Safety)

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

TESTIMONY: None.

ACTION: Motion by Zarate, seconded by Natividad, to approve the TUP with all recommendations of staff. Carried by unanimous vote.

COMMUNITY DEVELOPMENT COMMISSION

NON CONSENT RESOLUTIONS

WARRANT REGISTER JULY 2007 – JUNE 2008 (202-1-22)

15. Warrant Register for the period of 02/01/08 through 02/14/08 in the amount of \$1,342,552.63. (Finance)

RECOMMENDATION: Ratification of warrants in the amount of \$1,342,552.63.

TESTIMONY: None.

ACTION: Motion by Parra, seconded by Zarate, to approve staff's recommendaton. Carried by unanimous vote.

NON CONSENT RESOLUTIONS (cont.)

LABOR RELATIONS CDC EMPLOYEES (605-12-1)

BUDGET TRANSFERS ADMIN (103-2-4)

16. Resolution No. 2008-44. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY AUTHORIZING A ONE-TIME PERFORMANCE AND RETENTION INCENTIVE PAYMENT OF UP TO FIVE PERCENT TO ELIGIBLE EMPLOYEES IN THE COMMUNITY AND DEVELOPMENT COMMISSION AND NUTRITION CENTER'S EXECUTIVE AND MANAGEMENT GROUPS IN LIEU OF INCREASES IN BASE SALARY, AND APPROVING A TRANSFER OF FUNDS NOT TO EXCEED \$26,200 FROM THE UNDESIGNATED FUND BALANCE ACCOUNT TO FUND SAID PAYMENT. (Human Resources)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

FINANCIAL MANAGEMENT 2007-2008 (204-1-23)

17. **SUBJECT:** Annual Financial Reports and Audit Review for the Fiscal Year ended June 30, 2007. (Finance)

ACTION: Accepted and filed earlier. See above.

SPECIFIC PLAN – WESTSIDE (417-1-10)

18. **SUBJECT:** Report – Update on the EPA Brownfield Assessment Grant for the Westside Neighborhood. (Redevelopment Division)

RECOMMENDATION: Accept and file.

TESTIMONY: None.

ACTION: Accepted and filed.

A recess was called at 7:15 p.m.

The meeting reconvened at 7:20 p.m. All members were present.

STAFF REPORTS

SPECIFIC PLAN – WESTSIDE (417-1-10)

19. **SUBJECT:** Update on the Westside Specific Plan. (Planning)
RECOMMENDATION: Provide direction to staff on land use considerations. (Staff reports by Brad Raulston, Roger Post, Consultant Chris Nordby, Peggy Chapin, George Eiser, Chris Zapata)
TESTIMONY: Ditas Yamane, National City, spoke in opposition to the proposed plan.
Jacob Schwartz, San Diego, spoke in opposition.
Tony Lo Presti, Environmental Health Coalition, expressed concerns, submitted written recommendations (Copy on file in the Office of the City Clerk) and indicated he was neutral on the plan.
Jess Van Deventer, National City, spoke in opposition.
Sonia Sevilla, National City, spoke in support of the plan.
Margaret Godshalk, National City, spoke in opposition.
Ted Godshalk, National City, spoke in opposition to the proposed plan.
Alejandra Sotelo Solis, National City, spoke in support of a healthy environment, a three story limit and affordable housing and against manipulation of hard work.
Arturo Solis, National City, spoke in support of the draft plan if it is fixed.
Jim Beauchamp, National City, supports a broader view and was neutral on the plan.
Philip Chodur, San Diego, said the future of National City is at stake with consideration of the plan.
Chris Wahl, San Diego, expressed concerns about the plan and spoke in opposition.
Christina Sotelo, representing Rosa Cervantes, spoke in favor of the draft plan.
Perla Medina, National City, spoke in support of the plan as drafted.
Jose Medina, National City, spoke in favor of the plan as is.
Irma Tranquilino, National City, expressed concerns and was neutral on the plan.
Joy Williams, Environmental Health Coalition, spoke in support of the draft plan.
Adriana Calderon, National City, addressed problems in the community and spoke in support of the draft plan including the amortization Ordinance and getting rid of polluting businesses.

STAFF REPORTS (cont.)

SPECIFIC PLAN – WESTSIDE (417-1-10)

19. **SUBJECT:** Update on the Westside Specific Plan (continued).

ACTION: There was extensive discussion and comment on land use considerations by members of the City Council. CDC Executive Director Brad Raulston proposed a summary of City Council direction resulting from their discussion. The 13 Points of Direction summarized by the CDC Executive Director include: 1) Draft plan to allow building prototypes 1 and 2 within residential land use category; 2) Include existing residential structures west of Wilson Avenue as part of the residential land use category; 3) Draft plan to allow building prototypes 1, 2 and 3 within mixed-use residential land use category; 4) Expand mixed-use residential land use area to include properties along W 18th Street; 5) Draft plan to allow building prototype 4 along Civic Center Drive; 6) Incorporate ULI Technical Advisory Panel recommendations for TOD overlay; 7) Focus on integrating public works yard into TOD development; 8) Maximize affordable housing along Paradise Creek while preserving/enhancing a healthy eco-system; 9) Provide flexible land uses of up to 3 stories within the mixed-use non-residential land use category; 10) Create and study a "green light industrial/manufacturing" land use designation which requires some type of discretionary approval (CPU or PD overlay); 11) Adjust plan area boundary to remove existing automotive commercial land uses along National City Blvd. and Mile of Cars Way; 12) Designate property east of Hoover as mixed-use residential and 13) Consider all auto body/paint shops and other gross polluting uses to be unallowable uses throughout the plan area. Three additional Points to Consider in moving forward include: 1) Create prioritization for amortization; 2) Create parking district and traffic calming measures and 3) Strengthen code and parking enforcement.

It was the consensus of the City Council that the 13 'Points of Direction' and three additional 'Points to Consider' enumerated by the CDC Executive Director were an acceptable summation of the City Councils desire of how they wished to proceed. The CDC Executive Director indicated that the items he verbalized would be made available in written form within a week. There was no vote.

CLOSED SESSION REPORT (509-1-4)

City Attorney George Eiser reported there was no action to report from 5:00 p.m. the Closed Session. (See attached Exhibit 'L')

MAYOR AND CITY COUNCIL

Member Ungab expressed his desire to receive a report on code enforcement efforts.

Member Zarate advised that the family of Mr. Manuel Portillo who recently passed away have requested that donations, in lieu of flowers, be made to Casa Salud.

Mayor Morrison reminded everyone about the Ground Breaking for the Sycuan Hotel on March 18th and the upcoming opening of expanded Plaza Bonita Mall.

ADJOURNMENT

The meeting was adjourned in honor of Sue Lively, Manuel Portillo, Alan Lesko and Bernice Schidler.

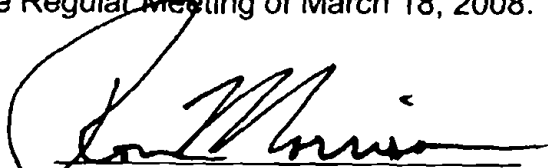
ACTION: Motion by Parra, seconded by Ungab, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission to be held Tuesday, March 18, 2008 at 6:00 p.m., Council Chamber, Civic Center. Carried by the unanimous vote.

The meeting closed at 10:30 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of March 18, 2008.



Mayor / CDC Chairman

**TAPE RECORDINGS OF EACH CITY COUNCIL AND COMMUNITY
DEVELOPMENT COMMISSION MEETINGS ARE AVAILABLE FOR SALE IN
THE CITY CLERK'S OFFICE.**

EXHIBIT 'L'

**Agenda of a Special Meeting
City Council of the City of National City
Large Conference Room
Civic Center
1243 National City Boulevard
Special Meeting - Tuesday – March 4, 2008
5:00 P.M.**

ROLL CALL

CITY COUNCIL

CLOSED SESSIONS

1. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section
554956.9(b)
Two Potential Cases
2. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva
Employee Organization: NCMEA/SEIU

ADJOURNMENT

Adjourned Regular City Council/CDC Meeting – Tuesday, March 4, 2008 -
6:00 p.m. - Council Chambers, Civic Center