

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

June 3, 2008

The Regular Meeting of the City Council and Community Development Commission of National City was called to order at 6:05 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, Gonzales, Juniel, Ladrido, Post, Raulston, Smith, Williams, Zapata.

Others present: City Treasurer George Hood and Student Representatives Tanya Concha and Marcos Delgadillo.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC ORAL COMMUNICATIONS

Joann Fields, representing the 'One' San Diego Institute for Community Development, expressed thanks and appreciation to the City Council and staff for their efforts to make the 'One Filipino Community Celebration' event possible.

Robert Dominguez, National City, expressed his support for properly recognizing our military.

CITY COUNCIL

PRESENTATIONS

SUBJECT: Presentation to Outgoing Student Representatives

ACTION: Outgoing Student Representatives Tanya Concha and Marcos Delgadillo were presented with laptop computers provided through a donation from AT&T. Both representatives expressed thanks for the computer, appreciation for the experiences they had as student representatives and reported on their future college plans.

PRESENTATIONS (cont.)

SUBJECT: Presentation by Sweetwater Union High School District Superintendent Jesus Grandara.

TESTIMONY: Superintendent Gandara and his staff gave a presentation on the planned improvements to the campuses of Sweetwater High School, National City Middle School and Granger Junior High School.

ACTION: The City Council expressed an interest in holding a joint meeting with the School Board on issues of mutual interest.

Member Natividad left the Council Chamber at 7:09 p.m.

COUNCIL MEETING PRESENTATIONS 2008 (102-10-3)

1. **SUBJECT:** Presentation of check to Trash Enterprise Fund and Disposition of Proceeds.

ACTION: Motion by Ungab, seconded by Zarate, to approve purchase of approximately 130 trash cans as recommended by Mayor Morrison. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Ungab, Zarate. Nays: None. Absent: Natividad. Abstain: None.

2. **SUBJECT:** Communications Required by the Statement of Auditing Standards (SAS) No. 114 – Mayer, Hoffman & McCann.

ACTION: A presentation was made by Mike Harrison representing the City's auditing firm of Hayer, Hoffman & McCann.

Member Natividad returned to the Council Chamber during consideration of Item Number 2.

INTERVIEWS/APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments: Planning Commission & Library Board. (City Clerk)

RECOMMENDATION: That the Council act to fill the vacancies.

TESTIMONY: None.

ACTION: Motion by Morrison, seconded by Parra, to appoint Arlene Castillo to the Library Board of Trustees. Carried by unanimous vote.

Ballots were distributed for the three eligible applicants for the Planning Commission. In the first round of voting, Mr. Alfredo Farias received two votes (Morrison, Parra), Ms. Ditas Yamane received two votes (Natividad, Ungab) and Mr. Fred Puhn received one vote (Zarate).

INTERVIEWS/APPOINTMENTS (cont.)

BOARDS & COMMISSIONS ADMIN (101-1-1)

3. Interviews and Appointments (continued).

ACTION: In the second round of voting Mr. Farias received three votes (Morrison, Ungab, Zarate), and Ms. Yamane received two votes (Natividad, Parra). Mr. Alfredo Farias was declared duly appointed to the Planning Commission.

Members Natividad and Ungab left the Council Chamber at 7:44 p.m.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 4 (Minutes), Item No. 5 (NCMC), Items No. 6 through 12 (Resolutions Nos. 2008-92 through 2008-98), Items No. 13 and 14 (Warrant Registers). Motion by Parra, seconded by Zarate, to approve the Consent Calendar. Carried by the following vote, to-wit: Ayes: Morrison, Parra, Zarate. Nays: None. Absent: Natividad, Ungab. Abstain: None.

APPROVAL OF MINUTES

4. **SUBJECT:** Approval of the Minutes of the Regular City Council/Community Development Commission Meeting of May 20, 2008. (City Clerk)

ACTION: Approved. See above.

MUNICIPAL CODE 2008 (506-2-23)

5. **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.

STREET SIGNS ADMIN (903-12-1)

6. Resolution No. 2008-92. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF TWO CURVE WARNING SIGNS (W1-1) WITH 15 MPH SPEED LIMIT PLAQUES AT THE E. 9TH STREET / "R" AVENUE CURVE FOR BOTH DIRECTIONS OF TRAFFIC. (TSC Item No. 2008-14) (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

STREET SIGNS ADMIN (903-12-1)

7. Resolution No. 2008-93. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF "NO PARKING THIS SIDE" SIGNS ON THE EAST SIDE OF EDGERTON WAY TO FACILITATE FIRE ACCESS. (TSC Item No. 2008-10). (Engineering)

ACTION: Adopted. See above.

PARKING ADMIN 2008 (801-2-28)

8. Resolution No. 2008-94. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE CITY ENGINEER TO APPROVE INSTALLATION OF 3 FEET OF RED CURB "NO PARKING" ADJACENT TO THE DRIVEWAY OF THE RESIDENCE AT 1941 "B" AVENUE TO PROHIBIT VEHICLES FROM BLOCKING THE DRIVEWAY. (TSC Item No. 2008-15) (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2007-10)

9. Resolution No. 2008-95. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING CHANGE ORDERS NUMBERS THREE AND FOUR WITH ZONDIROS, INC. FOR THE ADDITIONAL WORK IN THE TOTAL AMOUNT OF \$39,311.86 IN CONJUNCTION WITH THE NATIONAL CITY PUMP STATIONS REHABILITATION PROJECT AND AUTHORIZING THE CITY ENGINEER TO EXECUTE THE CHANGE ORDERS. (Funded by Sewer Funds). (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2008-28)

10. Resolution No. 2008-96. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF NATIONAL CITY AND THE CITY OF CHULA VISTA TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE CITY'S MAJOR STREET RESURFACING AND PARKS REHABILITATION PROJECTS, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AGREEMENT. (Funded by TransNet, Traffic Congestion relief and General Funds). (Engineering)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2007-51)

11. Resolution No. 2008-97. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ACCEPTING THE WORK FROM PORTILLO CONCRETE, INC. APPROVING THE CONTRACT FINAL BALANCE CHANGE ORDER FORM WITH THE FINAL AMOUNT OF \$329,957.00 AND AUTHORIZING THE CITY ENGINEER TO SIGN THE CONTRACT FINAL BALANCE AND FILE THE NOTICE OF COMPLETION WITH THE COUNTY RECORDER FOR THE MISCELLANEOUS CONCRETE IMPROVEMENT PROJECT AT VARIOUS LOCATIONS, SPECIFICATION NO. 07-04. (Funded by CDBG & General Funds) (Engineering)

ACTION: Adopted. See above.

CONTRACT (C2008-29)

12. Resolution No. 2008-98. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT IN THE ANNUAL AMOUNT OF \$43,200 WITH COX COMMUNICATIONS, INC. TO LEASE A 60MB DATA CIRCUIT TO UPGRADE THE INTERNET BANDWIDTH AT CITY FACILITIES. (MIS)

ACTION: Adopted. See above.

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

13. Warrant Register #45 for the period of 04/30/08 through 05/06/08 in the amount of \$1,455,159.07. (Finance)

ACTION: Ratified. See above.

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

14. Warrant Register #46 for the period of 05/07/08 through 05/13/08 in the amount of \$564,882.20. (Finance)

ACTION: Ratified. See above.

Members Natividad and Ungab returned to the Council Chamber at 7:46 p.m. and 7:47 p.m., respectively.

PUBLIC HEARING

MUNICIPAL CODE 2008 (506-2-23)

15. Public Hearing regarding an Amendment to Chapter 18.62 of the National City Municipal Code pertaining to signs and outdoor advertising displays. (City Attorney/Planning) **Refer to Item #16**

RECOMMENDATION: None.

TESTIMONY: None.

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

ORDINANCE FOR INTRODUCTION

MUNICIPAL CODE 2008 (506-2-23)

16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AMENDING TITLE 18 OF THE NATIONAL CITY MUNICIPAL CODE BY AMENDING CHAPTER 18.62 PERTAINING TO SIGNS AND OUTDOOR ADVERTISING DISPLAYS. (City Attorney/Planning) **Refer to Item #15**

NON CONSENT RESOLUTION

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

17. Resolution No. 2008-99. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE REALLOCATIONS OF EXISTING VEHICLE CAPITAL IMPROVEMENT FUNDS TOTALING \$67,000 TO BE USED TO LEASE HYBRID TYPE GREEN VEHICLES TO REPLACE OUR EXISTING POOL VEHICLES. (Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

NEW BUSINESS

CONDITIONAL USE PERMITS 2008 (403-23-1)

18. Notice of Decision – Planning Commission approval of a modification of a Conditional Use Permit (2007-22 CUP) to allow for an 830 square foot expansion of an existing pawn shop at 1050 Highland Avenue, Suite E. (Applicant: Express Financial Services) (Case File 2008-08 CUP) (Planning)

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

NEW BUSINESS (cont.)

CONDITIONAL USE PERMITS 2008 (403-23-1)

18. Notice of Decision (continued).

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Ungab, to set for Public Hearing. Carried by unanimous vote.

CONDITIONAL USE PERMITS 2008 (403-23-1)

19. Notice of Decision – Planning Commission approval of a Conditional Use Permit for an auto body and paint shop in an existing industrial building at 940 West 19th Street. (Applicant: Phillip Schwartze) (Case File 2008-09 CUP) (Planning)

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

TESTIMONY: Tony LoPresti, representing the Environmental Health Coalition, spoke in support.

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

PLANNED DEVELOPMENT PERMIT ADMIN 2008 (414-1-23)

20. Notice of Decision – Planning Commission approval of a planned development to construct a duplex behind an existing single-family residence at 439 Palm Avenue. (Applicant: Francisco Godinez – Specialties Design) (Case File 2007-42 PD) (Planning)

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

TESTIMONY: None.

ACTION: Filed.

TEMPORARY USE PERMITS 2008 (203-1-24)

21. **SUBJECT:** Temporary Use Permit – St. Anthony of Padua Festival, June 7-8, 2008 from 9:00 a.m. to 5:00 p.m. daily at 1816 Harding Avenue. (Building & Safety)

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

TESTIMONY: Ms. Coronado, representing Saint Anthony's, clarified the times for the event. Staff clarified the revised fees to be paid.

ACTION: Motion by Natividad, seconded by Ungab, to approve staff's recommendation with time correction from 9:00 am to 9:00 pm on Saturday and total fees corrected to be \$817.45. Carried by unanimous vote.

NEW BUSINESS (cont.)

TEMPORARY USE PERMITS 2008 (203-1-24)

22. **SUBJECT:** Temporary Use Permit – Movies in the Park on June 13, 2008 at 8:00 p.m. in Las Palmas Park. The event is expected to last approximately 2.5 hours. (Building & Safety)

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

TESTIMONY: None.

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

COMMUNITY DEVELOPMENT COMMISSION

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 23 (Warrant Register), Item No. 24 (Resolution No. 2008-100). Motion by Natividad, seconded by Parra, to approve the Consent Calendar. Carried by unanimous vote.

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

23. Warrant Register for the period of 05/02/08 through 05/15/08 in the amount of \$377,905.61. (Community Development Commission/Finance)

ACTION: Ratified. See above.

CONTRACT (C2007-30)

24. Resolution No. 2008-100. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING A SUBORDINATION AGREEMENT WITH PACIFIC VIEW ESTATES, LLC FOR A 49-UNIT SINGLE FAMILY PROJECT LOCATED AT FIG COURT AND EAST DIVISION STREET IN NATIONAL CITY, CALIFORNIA AND AUTHORIZING THE CHAIRMAN TO EXECUTE SAID AGREEMENT AS REQUIRED BY THE STATE OF CALIFORNIA, DEPARTMENT OF REAL ESTATE. (Housing and Grants Division)

ACTION: Adopted. See above.

NON CONSENT RESOLUTIONS

CONTRACT (C2008-30)

25. Resolution No. 2008-101. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) PERTAINING TO FUNDS FOR THE RENEWAL OF A 48-MONTH RENTAL AGREEMENT WITH PITNEY BOWES, INC. FOR A MAIL PROCESSING SYSTEM. (Finance)

NON CONSENT RESOLUTIONS (cont.)

CONTRACT (C2008-30)

25. Resolution No. 2008-101 (continued).

RECOMMENDATION: 1. Approve funding for the rental agreement totaling \$4,200 for FY 08/09 or 2. Deny the requested funding and direct CDC staff to continue utilizing the City's mail courier service.

ACTION: Motion by Zarate, seconded by Parra, that the Resolution not be approved. Carried by unanimous vote.

CONTRACT (C2008-31)

26. Resolution No. 2008-102. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING AN EXCLUSIVE NEGOTIATION AGREEMENT WITH CBS OUTDOOR REGARDING THE CITY'S COMPREHENSIVE SIGNAGE PROGRAM AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT. (Economic Development)

RECOMMENDATION: Adopt the Resolution and authorize the Chairman to enter into an ENA with CBS Outdoor, and approve prospective proposals from American Outdoor Advertising and Media Management as secondary and tertiary options, respectively.

TESTIMONY: None.

ACTION: Motion by Natividad, seconded by Zarate, to continue to June 17, 2008 at the request of staff. Carried by unanimous vote.

CONTRACT (C2006-57)

27. Resolution No. 2008-103. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY (CDC) APPROVING AMENDMENT NO. 4 TO DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION AND CONSTELLATION PROPERTY GROUP. (Redevelopment Division)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

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

CLOSED SESSION REPORT (509-1-4)

City Council / CDC Attorney George Eiser stated that there was nothing to report from the Special Meeting Closed Session held at 5:00 p.m. (See attached Exhibit 'L')

STAFF REPORTS

CS PROGRAMS / EVENTS / ACTIVITIES (702-2-1)

28. **SUBJECT:** Verbal Report - Summer 2008 Events and Activities Summary.
(Community Services)

MAYOR AND CITY COUNCIL

Member Natividad expressed concerns about the large number of car washes he sees on weekends.

Member Parra reported on a large group of volunteers from Home Depot the Navy and Kiwanis Club who donated materials and labor to improve the Boys & Girls Club facility. Member Parra also referred Graffiti behind the Fire Station.

Member Ungab thanked staff for the job they did to make the recent 'One Filipino Community' event in the park safe and successful.

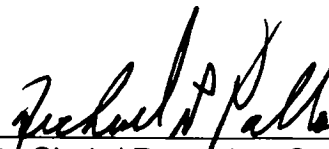
Mayor Morrison announced that Leah Munoz, a resident and former Miss National City, will be filling the receptionist position recently vacated by Cathy Ormonde. Mayor Morrison also reminded everyone about the neighborhood clean-up scheduled for Saturday.

ADJOURNMENT

ACTION: The meeting was adjourned to an Adjourned Regular Meeting of the City Council and Community Development Commission (Budget Workshop) to be held Tuesday, June 10, 2008 at 6:00 p.m., Council Chamber, Civic Center.


The next Regular City Council and Community Development Commission Meeting to be held Tuesday, June 17, 2008 at 6:00 p.m., Council Chamber, Civic Center.

The meeting closed at 8:58 p.m.



City Clerk / Recording Secretary

The foregoing minutes were approved at the Regular Meeting of June 17, 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

**National City City Council
Parking Authority of the City of National City**

**City Council Chambers
Civic Center
1243 National City Boulevard
National City, California
Tuesday – June 3, 2008– 5:00 P.M.**

OPEN TO THE PUBLIC

BUSINESS

Closed Sessions

CITY COUNCIL

1. Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation Pursuant to Government Code Section 54956.9 (c)
One Potential Case
2. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 (b)
One Potential Case
3. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9 (a)
Claim for Damages for Sewer-Main Backup Filed by Vista del Sol on May 7, 2008

PARKING AUTHORITY

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

NOTE: Pursuant to State Law, items requiring Council action must be brought back on a subsequent Council agenda unless they are of a demonstrated emergency or urgent nature.

ADJOURNMENT

Next Regular City Council and Community Development Commission Meeting
Tuesday – June 3, 2008 - 6:00 p.m. – Council Chambers, Civic Center

**TAPE RECORDINGS OF EACH CITY COUNCIL MEETING ARE
AVAILABLE FOR SALE IN THE CITY CLERK'S OFFICE**

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at 336-4228 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.