

**JOINT MEETING OF THE
EL CAJON CITY COUNCIL/
HOUSING AUTHORITY/
SUCCESSOR AGENCY
TO THE EL CAJON
REDEVELOPMENT AGENCY**



MINUTES

**CITY OF EL CAJON
EL CAJON, CALIFORNIA**

January 22, 2019

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, January 22, 2019, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Kalasho, Kendrick and McClellan
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Goble
Mayor/Chair present:	Wells
Other Officers present:	Mitchell, City Manager/Executive Director DiMaggio, Assistant City Manager Foley, City Attorney/General Counsel Cortez, City Clerk/Secretary

Mayor Wells invited Angela Shaba, a Valhalla High School student, to lead the PLEDGE OF ALLEGIANCE and a MOMENT OF SILENCE. (The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution).

POSTINGS: The City Clerk posted Orders of Adjournment of the January 8, 2019, meeting and the Agenda of the January 22, 2019, meetings in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS: None

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 12)

1. Minutes of El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy

Approves Minutes of the January 8, 2019, Meeting of the El Cajon City Council/ Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

2. Warrants

Approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

Approves the reading by title and waive the reading in full of all Ordinances on the Agenda.

4. Target Corporation Youth Soccer Grant

Accepts a grant in the amount of \$1,000 from the Target Corporation to purchase youth soccer equipment.

5. Approval for the Use of San Diego Association of Governments (SANDAG) Funds for Three Active Transportation Program Project Applications

Adopts Resolution No. 005-19, allowing the receipt of SANDAG funding for three Active Transportation Program (ATP) project grant applications.

6. Purchase of Police In-Car Mobile Data Terminals

Adopts Resolution No. 006-19, authorizing the Purchasing Agent, in accordance with Municipal Code 3.20.010(C)(5), to execute an agreement with PCS Mobile, Inc. for the purchase of police in-car terminals in the amount of \$177,991.09.

CONSENT ITEMS: (Continued)

7. Upgrade Traffic Signals - Washington and Chase Corridor Project Acceptance

1. Accepts the Upgrade Traffic Signals - Washington and Chase Corridor Project, PW3581, Bid Number 025-18; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

8. Award of Bid No 014-19 – ADA Concrete Improvements (Various Locations) Multi-Year Contract

1. Adopts Resolution No. 007-19 to, approve Plans and Specifications for the ADA Concrete Improvements (Various Locations) Multi-Year Contract, Bid No. 014-19;
2. Find the third and fourth low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Adopts Resolution No. 008-19, to award the bid to the lowest responsive, responsible bidder, Aster Construction Services in the amount of \$424,650 for the initial one-year term, with up to four additional one-year renewal options.

9. Citywide Smoke Testing

Adopts Resolution No. 009-19, to enter into an agreement for Professional Services with NV5, Inc. in the not-to-exceed amount of \$520,000 for a period of one year, with a one-year renewal option.

10. Award of Bid No. 026-19 – Bailout Kits

Adopts Resolution No. 010-19, to award the bid to the lowest responsive, responsible bidders: Municipal Emergency Services, Inc. for Line Items 1 and 3 in the amount of \$26,771.09 and Allstar Fire Equipment Co. for Line Items 2 and 4 in the amount of \$7,252.32.

11. Award of Bid No. 019-19 – 2019 Motor Vehicles

1. Find the second low bidder non-responsive to Line Items 1-5;
2. Authorize the rejection and re-solicitation of Line Items 23-34; and
3. Adopts Resolution No. 011-19, award the bid to the lowest responsive, responsible bidders: Sunroad Auto, LLC dba Kearny Pearson Ford for Line Items 1-5 and 11-15 in the amount of \$65,504.70; and Theodore Robins Ford, Inc. for Line Items 6-10 and 16-22 in the amount of \$261,897.34.

CONSENT ITEMS: (Continued)

12. Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018, and Other Written Communication from the City's Independent Auditor

That the City Council receives and accept the Comprehensive Annual Financial Report and other written communication from the independent accounting firm of Rogers, Anderson, Malody & Scott, LLP, for the fiscal year ended June 30, 2018.

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1 to 12.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Mayor Wells and **Councilmember McClellan** invited students from Valhalla High School in the audience to introduce themselves to Council.

Ruth Thornton spoke about the homeless problem in the City. She recommended that speakers who use profanity, should be escorted out from the council meeting. Ms. Thornton stated that the city does not have enough sworn personnel in service and indicated that critical calls from seniors made to police dispatch are not being recognized as a priority. She also requested that the City brings back Town Hall meetings.

In response to Ms. Thornton's comment, **Mayor Wells** advised her of a Town Hall meeting scheduled for January 30th.

Jim Cirigliano acknowledged Ms. Thornton for initiating the Neighborhood Watch Program in the Villa Novia Mobile Home Park, and thanked the City Attorney staff for their assistance.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS: None

ADMINISTRATIVE REPORTS:

13. Introduction of Ordinance Adding Chapter 16.56 to the El Cajon Municipal Code for the Creation of Easements by Recorded Covenants

RECOMMENDATION: That the City Council considers approving the attached ordinance adding Chapter 16.56 to the El Cajon Municipal Code establishing the creation of easements by recorded covenants, and, if approved, take the following action:

1. By Motion and Second, moves to introduce the ordinance, and
2. Directs the City Clerk to read the title of the ordinance.

DISCUSSION

City Attorney, **Morgan Foley**, provided a summary of the Item.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to MOVE to introduce the Ordinance, and directs the City Clerk to read the title of the Ordinance.

MOTION CARRIED BY UNANIMOUS VOTE.

City Clerk **Cortez** introduced the title of the Ordinance:

AN ORDINANCE ADDING A NEW CHAPTER 16.56
TO THE EL CAJON MUNICIPAL CODE
ADDRESSING EASEMENTS

COMMISSION REPORTS:

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

SANDAG (San Diego Association of Governments) Board of Directors; SANDAG – Public Relations Selection Committee; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; LAFCO.

14. Council Activities Report/Comments

Report as stated.

15. Legislative Update: None

ACTIVITIES REPORTS OF COUNCILMEMBERS:

16. COUNCILMEMBER GARY KENDRICK
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

Council Activities Report/Comments.

Report as stated.

17. COUNCILMEMBER BOB MCCLELLAN
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate.

Council Activities Report/Comments.

Report as stated.

18. COUNCILMEMBER BEN KALASHO

Council Activities Report/Comments.

In addition to the submitted report, **Councilmember Kalasho** stated he met with Mr. Jim Cirigliano on January 21, 2019.

19. DEPUTY MAYOR STEVE GOBLE
SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate; METRO Commission/Wastewater JPA – Alternate; Chamber of Commerce – Government Affairs Committee; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council.

Council Activities Report/Comments.

Report as stated.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION:

20. El Cajon Animal Shelter Donations for December 2018

RECOMMENDATION: In accordance with City Council Policy B-2, staff informs the City Council about receiving the following donations for the El Cajon Animal Shelter for the month of December:

Bridget Branch - \$100.00

ORDINANCES: FIRST READING

21. Introduction of Ordinance Amending Chapter 2.12 of the El Cajon Municipal Code related to City Council Procedures

RECOMMENDATION: That the City Council considers approving the attached ordinance amending Chapter 2.12 of the El Cajon Municipal Code related to City Council procedures, and if approved, take the following action:

1. By Motion and Second, moves to introduce the ordinance; and
2. Directs the City Clerk to read the title of the ordinance.

DISCUSSION

City Attorney Foley provided information of the Item.

Change to Section 2.12.150.A3, changing the term 'oral communications' in two sections of the 'Public Comment'.

Jim Cirigliano requested information on the changes to the procedure.

City Attorney Foley advised that the changes are red marked in the Agenda, with the exception of the changes made during the meeting.

Discussion ensued between **Council** and **Staff** referencing the following:

- Brown Act does not require a speaker to provide an address or name;
- Important to protect those who fear retribution;
- Expand on free speech; and
- Concern of people's privacy and safety.

MOTION BY GOBLE, SECOND BY KENDRICK, to MOVE to introduce the Ordinance and directs the City Clerk to read the title of Ordinance.

ORDINANCES: FIRST READING (Item 21 - Continued)

**MOTION CARRIED BY 4-1 VOTE
(KALASHO – NO).**

City Clerk Cortez recited the title of the Ordinance for a first reading.

AN ORDINANCE AMENDING CHAPTER 2.12
OF THE EL CAJON MUNICIPAL CODE
RELATING TO CITY COUNCIL PROCEDURES

ORDINANCES: SECOND READING AND ADOPTION - None

CLOSED SESSIONS:

RECOMMENDATION: That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency adjourned to Closed Session as follows:

22. Closed Session - Conference with Legal Counsel - Existing Litigation - pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9: City of El Cajon vs. ASSCS, LLC; Cloud 9 Wellness Center, Inc.; and Does 1 through 50, inclusive, San Diego Superior Court, Case No. 37-2018-00012001-CU-OR-CTL.

23. Closed Session - Conference with Labor Negotiators pursuant to Government Code section 54957.6:

Agency Designated Representatives:
Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Clay Schoen, Director of Finance
Marisol Thorn, Director of Human Resources

Employee Organizations:
El Cajon Mid-Management and Professional Employees Group
El Cajon Municipal Employees Association
El Cajon Police Officers Association
El Cajon Professional Firefighters Association - Local 4603 (ECPFF)
El Cajon Police Officers' Association Management Group
Executive, Unrepresented and Confidential Employees

CLOSED SESSIONS: (Items 22 and 23 – Continued)

MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 3:47 P.M.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 5:11 P.M.

City Attorney Foley reported the following actions:

22. City Council gave direction to its Legal Counsel.
23. No reportable action taken.

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 22nd day of January, 2019, at 5:11 p.m., to Tuesday, January 22, 2019, at 7:00 p.m.

**Angela Cortez
City Clerk/Secretary**