

# JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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AUGUST 24, 2010

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, August 24, 2010, was called to order by Mayor/Chair Mark Lewis at 3:07 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California. This meeting was adjourned from the Adjourned Regular Joint meeting held at 3:00 p.m. on August 10, 2010.

#### ROLL CALL

Council/Agencymembers present:	Hanson-Cox, Kendrick, McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Wells
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Henry, City Manager/Executive Director Turner, Deputy City Manager/Director of Public Works Ayres, Director of Community Development

**PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Lewis and 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 August 10, 2010, meeting and the Agenda of the August 24, 2010, meetings in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS: None**

**Mayor Pro Tem Wells** announces that the City Council Advisory Meeting (Brown Bag session) regarding the audit and financial review of the El Cajon Community Development Corporation (CDC), was continued to September 14<sup>th</sup> at 1:30 p.m.

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.14)**

**MOTION BY LEWIS, SECOND BY WELLS, to approve Consent Items 1.1 to 1.9 and 1.13 – 1.14, and pulling Items 1.10, 1.11 and 1.12, as requested by MCCLELLAN and the public, with Councilmember McClellan disqualifying on Item 1.7 due to a potential financial conflict of interest.**

**MOTION CARRIES. (MCCLELLAN – Disqualified on 1.7)**

**1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS**

Approve Minutes of the August 10, 2010, meeting of the El Cajon City Council/Redevelopment Agency.

**1.2 WARRANTS**

Approve payment of Warrants as submitted by the Finance Department.

**1.3 APPROVAL OF READING BY TITLE AND WAIVER OF READING IN FULL OF ORDINANCES ON AGENDA**

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

**1.4 APRIL – JUNE 2010 Quarterly Treasurer's Report (Report: Deputy City Manager/Director of Finance and Treasurer)**

Receive the quarterly Treasurer's Report for the period ending June 30, 2010.

**CONSENT ITEMS: (Continued)**

**1.5 RESOLUTIONS – ANNUAL INVESTMENT POLICY UPDATE  
(Report: Deputy City Manager/Director of Finance and Treasurer)**

Respectively Adopt RESOLUTION NO. 110-10 Adopting City of El Cajon Investment Policy and Delegating Investment Authority to the Director of Finance, and RESOLUTION NO. ECRA-408 Adopting El Cajon Redevelopment Agency Investment Policy and Delegating Investment Authority to the Agency Treasurer.

**1.6 SAN DIEGO COUNTY LAW ENFORCEMENT FOUNDATION 2010 GRANT  
(Report: Chief of Police)**

1. Authorize the City Manager or designee to accept San Diego County Law Enforcement Foundation (SDCLEF) 2010 Grant Funds in the amount of \$2,885.00; and
2. Appropriate the San Diego County Law Enforcement Foundation Grant Funds in the amount of \$2,885.00 to purchase a Pelican Remote Area Lighting System.

**1.7 AMENDMENT OF CONDITIONAL USE PERMIT NO. 1383 – 541 North Johnson Avenue (Report: Director of Community Development)**

Review and accept the Planning Commission's action on a request to amend Conditional Use Permit No. 1383. (McCLELLAN – Disqualified)

**1.8 DRAFT RESPONSE TO GRAND JURY REGARDING MEDICAL MARIJUANA (Report: City Manager)**

Approve the draft response to the Grand Jury regarding Medical Marijuana.

**1.9 ADDITION OF SECRETARY POSITION IN THE PUBLIC WORKS DEPARTMENT (Report: Deputy City Manager/Director of Public Works)**

Authorize the addition of one full-time secretarial position (1.0 FTE) to the Public Works Department and approve the appropriation needed to fund it.

**CONSENT ITEMS: (Continued)**

**PULLED FOR DISCUSSION:**

**1.10 PROFESSIONAL SERVICES AGREEMENT – BUSINESS RECRUITMENT AND RETENTION PROGRAM (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the Redevelopment Agency authorize the Executive Director, or designee, to execute a Professional Services Agreement between the El Cajon Redevelopment Agency and the El Cajon Community Development Corporation (“CDC”) for administration of the Business Retention and Recruitment Program (“BRR”).

**PULLED FOR DISCUSSION:**

**1.11 PROFESSIONAL SERVICES AGREEMENT – FAÇADE AND DESIGN IMPROVEMENT PROGRAM (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the Redevelopment Agency authorize the Executive Director, or designee, to execute a Professional Services Agreement between the El Cajon Redevelopment Agency and the El Cajon Community Development Corporation (“CDC”) for administration of the Façade and Design Improvement Program.

**PULLED FOR DISCUSSION:**

**1.12 PROFESSIONAL SERVICES AGREEMENT – NEIGHBORHOOD STABILIZATION PROGRAM (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the Redevelopment Agency authorize the Executive Director, or designee, to execute a Professional Services Agreement between the El Cajon Redevelopment Agency and the El Cajon Community Development Corporation (“CDC”) for administration of the Neighborhood Stabilization Program.

**1.13 REVISED CLASSIFICATION SPECIFICATION AND SALARY RECOMMENDATION FOR REDEVELOPMENT MANAGER (Report: Director of Human Resources)**

Approve the revised classification specification for Redevelopment Manager and allocate the salary to range 105.6, \$80,538.00 to \$98,134.00.

**CONSENT ITEMS: (Continued)**

**1.14 RESOLUTION: AWARD OF BID NO. 007-11 – CONSTRUCTION OF PCC CHANNEL REPAIRS FY 2011, Job No. 3303 (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 111-10 and award the bid to the lowest responsive bidder, Rutledge, Inc., in the amount of \$279,909.00.

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**CONSENT ITEMS PULLED FOR DISCUSSION:**

**1.10 PROFESSIONAL SERVICES AGREEMENT – BUSINESS RECRUITMENT AND RETENTION PROGRAM (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the Redevelopment Agency authorize the Executive Director, or designee, to execute a Professional Services Agreement between the El Cajon Redevelopment Agency and the El Cajon Community Development Corporation (“CDC”) for administration of the Business Retention and Recruitment Program (“BRR”).

**DISCUSSION**

**Ron Pennock, Darrin Mroz and Rick Alexander** addressed their comments towards all three items, 1.10, 1.11 and 1.12, requesting that no action be taken at this time and that **Council** appoint a Blue Ribbon Commission to study the audit and return with recommendations.

**Cindy Fargo** and **John McTighe**, representing the El Cajon CDC, spoke in support of the proposed agreements and discussed potential impacts to services and activities if funding is not approved.

**Council** and **Staff** discuss the following suggestions:

- To continue funding until after the workshops are completed and the Items are scheduled for a future meeting;
- To provide partial funding on a quarterly or a six-month basis;
- To request a plan of correction from the CDC.

**Mario Tilaro**, a property owner in the Business Improvement District, feels that **Council** is being pressured to approve an annual contract. He would support partial funding through a three or six month contract.

## ITEM 1.10 (Continued)

**Mayor Lewis** speaks in favor of approving the agreements as recommended by Staff.

In response to questions by **Councilmember Hanson-Cox**, **City Manager Henry** clarifies that funds are expended on a reimbursement basis.

**MOTION BY MCCLELLAN, SECOND BY WELLS, to Approve six month contracts for Items 1.10, 1.11 and 1.12, and to put into writing any long range plans with a commitment by Council for the following six months.**

**MOTION CARRIES. (LEWIS – NO)**

### **PULLED FOR DISCUSSION:**

**1.11 PROFESSIONAL SERVICES AGREEMENT – FAÇADE AND DESIGN IMPROVEMENT PROGRAM (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the **Redevelopment Agency** authorize the Executive Director, or designee, to execute a Professional Services Agreement between the El Cajon Redevelopment Agency and the El Cajon Community Development Corporation (“CDC”) for administration of the Façade and Design Improvement Program.

***NOTE:** Discussion and Action for this item took place under Item 1.10 and is repeated as follows:*

### **DISCUSSION**

**Ron Pennock, Darrin Mroz and Rick Alexander** addressed their comments towards all three items, 1.10, 1.11 and 1.12, requesting that no action be taken at this time and that **Council** appoint a Blue Ribbon Commission to study the audit and return with recommendations.

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**Council and Staff** discuss the following suggestions:

- To continue funding until after the workshops are completed and the Items are scheduled for a future meeting;
- To provide partial funding on a quarterly or a six month basis;
- To request a plan of correction from the CDC.

## **ITEM 1.11 (Continued)**

**Mario Tilaro**, a property owner in the Business Improvement District, feels that **Council** is being pressured to approve an annual contract. He would support partial funding through a three or six month contract.

**Mayor Lewis** speaks in favor of approving the agreements as recommended by Staff.

In response to questions by **Councilmember Hanson-Cox**, **City Manager Henry** clarifies that funds are expended on a reimbursement basis.

**MOTION BY MCCLELLAN, SECOND BY WELLS, to Approve six month contracts for Items 1.10, 1.11 and 1.12, and to put into writing any long range plans with a commitment by Council for the following six months.**

**MOTION CARRIES. (LEWIS – NO)**

### **PULLED FOR DISCUSSION:**

**1.12 PROFESSIONAL SERVICES AGREEMENT – NEIGHBORHOOD STABILIZATION PROGRAM (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the **Redevelopment Agency** authorize the Executive Director, or designee, to execute a Professional Services Agreement between the El Cajon Redevelopment Agency and the El Cajon Community Development Corporation (“CDC”) for administration of the Neighborhood Stabilization Program.

***NOTE:** Discussion and Action for this item took place under Item 1.10 and is repeated as follows:*

### **DISCUSSION**

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**Cindy Fargo and John McTighe**, representing the El Cajon CDC, spoke in support of the proposed agreements and discussed potential impacts to services and activities if funding is not approved.

## ITEM 1.12 (Continued)

**Council** and **Staff** discuss the following suggestions:

- To continue funding until after the workshops are completed and the Items are scheduled for a future meeting;
- To provide partial funding on a quarterly or a six-month basis;
- To request a plan of correction from the CDC.

**Mario Tilaro**, a property owner in the Business Improvement District, feels that **Council** is being pressured to approve an annual contract. He would support partial funding through a three or six month contract.

**Mayor Lewis** speaks in favor of approving the agreements as recommended by Staff.

In response to questions by **Councilmember Hanson-Cox**, **City Manager Henry** clarifies that funds are expended on a reimbursement basis.

No further comments are made.

**MOTION BY MCCLELLAN, SECOND BY WELLS, to Approve six month contracts for Items 1.10, 1.11 and 1.12, and to put into writing any long range plans with a commitment by Council for the following six months.**

**MOTION CARRIES. (LEWIS – NO)**

*Recess called at 4:05 p.m.  
Meeting called back to order at 4:14 p.m.*

## **PUBLIC COMMENT:**

**Mayor Lewis** speaks about upcoming events, including the Annual Chaldean Festival and Art Show on September 4<sup>th</sup> and 5<sup>th</sup>.

## **2. WRITTEN COMMUNICATIONS:**

**2.1 NO ON PROP 23 – STOP THE DIRTY ENERGY PROPOSITION:** Request City Council to consider adoption of a Resolution opposing Prop 23 and sign up as a member of the “No on Prop 23” coalition.

## **DISCUSSION**

**John Reaves** gives a slide presentation and requests that **Council** oppose Proposition 23.



## **ITEM 2.1 (Continued)**

**Dan Hendrickson, Hugh Moore, and Jose Medina** spoke in opposition to Proposition 23 and in support of AB 32.

In response to questions by **Councilmember Hanson-Cox, Mr. Reeves** returns to the podium and provides clarification to his comment referencing products produced in China.

**Council** and **Staff** discuss the options to refer the matter to Staff for a recommendation or for **Council** to take action on an individual basis.

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY HANSON-COX, to file the letter.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **2.2 TWO LETTERS REQUESTING COUNCIL REZONE 136 AND 146 WEST WASHINGTON AVENUE (Report: Director of Community Development)**

### **RECOMMENDATION: That the City Council:**

1. Direct staff to bring a Resolution back for Council action at the next Council meeting initiating a zoning map amendment to bring 136 and 146 West Washington Avenue zoning into conformance with the General Plan land use map; OR
2. Direct staff to evaluate inconsistencies between the City zoning map and General Plan land use map and bring forth recommended zoning map amendments on these and other properties with inconsistent General Plan and Zoning designations as part of the Community Development Department work program, as time permits; OR
3. Decline requests that Council initiate zoning map amendments at this time (property owners may initiate zoning map amendments and pay filing fee).

### **DISCUSSION**

**Michele Medugno-Corkery** speaks in support of the request to rezone the property at 146 W. Washington Avenue, to bring it into compliance with the General Plan.

No one else comes forward to speak.

## ITEM 2.2 (Continued)

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Direct Staff to bring back a resolution at the next Council meeting initiating a zoning map amendment to bring the zoning for 136 and 146 West Washington Avenue into conformance with the General Plan land use map.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

*Recess called at 4:41 p.m.  
Meeting called back to order at 4:42 p.m.*

### **3. PUBLIC HEARINGS:**

#### **3.1 SUBSTANDARD CONDITIONS AND SUMMARY ABATEMENT AT 1346 GREENFIELD DRIVE (Report: Building Official/Fire Marshal)**

##### **RECOMMENDATION: That the City Council:**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Deem appropriate the Building Official/Fire Marshal's actions in this case;
- Direct staff to file a Notice of Restriction against the property;
- Direct staff to monitor the condition of the property and take action as appropriate with regard to keeping the structure secure;
- Assess staff time, administrative costs, and the costs of boarding the structure;
- Direct staff to bill the property owner for fees and penalties, as appropriate, with any unpaid balance to be placed on the property as a tax lien if not paid within 90 days;
- Authorize staff to record a Release of Notice of Restriction once fees have been paid in this case and the building is under responsible ownership; and
- Adopt the next RESOLUTION in order pursuant to the recommendations listed above.

### **DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Building Official/Fire Marshal Pavao** gives a summary of the Item, indicating that the property was abandoned, has been boarded up and is now bank owned.

### ITEM 3.1 (Continued)

Discussion ensues among **Council** and **Staff** concerning:

- Additional fees that may be charged if the building must be secured again;
- Maintenance of the yard, if required, before the home is sold;
- The requirement to notify the property owner of any new violations.

No further comments are made.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 112-10, approving Item 3.1 per Staff recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

#### 4. ADMINISTRATIVE REPORTS:

##### 4.1 RECOMMENDATION FOR 2010/2011 YOUTH LEAGUE UTILITY SUPPORT (Report: Director of Recreation)

**RECOMMENDATION:** That the **City Council** approve the Recreation Council recommendation to provide utility support to nine Executive Member youth leagues during fiscal year 2010/2011.

#### DISCUSSION

**Al Westermeyer** and **Lou Tejada** speak in support of the Item and thank **Council** for past support and cooperation.

**Councilmember Hanson-Cox** speaks about the importance of athletic programs offered to youth in the community.

In response to questions by **Councilmember Hanson-Cox**, **Mr. Tejada** advises that donations can be made through the Recreation Council or HotSpurs.org.

No one else comes forward to speak.

**ITEM 4.1 (Continued)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve the Recreation Council's recommendation to provide utility support to nine Executive Member youth leagues during fiscal year 2010/2011, as listed in the Agenda Report.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4.2 2010 TRAFFIC SIGNAL REPORT (Report: Deputy City Manager/Director of Public Works)**

**RECOMMENDATION: That the City Council accept the 2010 Traffic Signal Report and the two year recommended priority list outlined in the Agenda Report.**

**DISCUSSION**

**Deputy City Manager/Director of Public Works Turner** gives a summary on the report.

In response to questions by **Mayor Lewis**, **City Traffic Engineer Sanchez** speaks about the proposed exclusive left-turn phase for the westbound lane at the intersection of Main and Ballard Streets.

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to accept the 2010 Traffic Signal Report and the two-year recommended priority list outlined in the Agenda Report.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**5. COMMISSION REPORTS: None**

**6. ACTIVITIES REPORTS OF MAYOR LEWIS**

SANDAG (San Diego Association of Governments); SANDAG (Chair, Public Safety Committee); SANDAG (Quality of Life Ad Hoc Steering Committee); LAFCO (Local Agency Formation Commission).

**Mayor Lewis** speaks about the grand re-opening of Prescott Promenade and the Citizen of the Year Awards Ceremony at the Elks Lodge.

## ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

### **MAYOR PRO TEM BILL WELLS**

METRO Commission/Wastewater JPA; East County Economic Development Council; Heartland Fire Training JPA - Alternate.

#### **7.1 Council Activities Report**

**REPORT AS STATED.**

8.

### **COUNCILMEMBER JILLIAN HANSON-COX**

SANDAG (San Diego Association of Governments - Alternate); SANDAG (Public Safety Committee – Alternate); MTS (Metropolitan Transit System Board – Alternate); League of California Cities, San Diego Division; East San Diego County Gang Task Force.

#### **8.1 Council Activities - Verbal Report**

**Councilmember Hanson-Cox** states she will submit a written report at the next meeting.

9.

### **COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

#### **9.1 Council Activities Report**

**REPORT AS STATED.**

10.

### **COUNCILMEMBER BOB McCLELLAN**

Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate; MTS (Metropolitan Transit System Board).

#### **10.1 Council Activities Report**

In addition to the report submitted, **Councilmember McClellan** adds that he attended the San Diego Association of Realtors luncheon in Mission Valley and the United Methodist Church Outreach Block Party.

**11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin dated August 6 and 13, 2010 – *City Advocate Weekly***

**NO RECOMMENDED ACTION.**

**12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

**13. ORDINANCES: FIRST READINGS - None**

**14. ORDINANCES: SECOND READING AND ADOPTION - None**

**15. CLOSED SESSIONS:**

**RECOMMENDATION: That the City Council/Redevelopment Agency adjourn to Closed Session as follows:**

**15.1**

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - pursuant to Section 54956.8 of the Government Code:**

<b><u>Property</u></b>	<b>Negotiating Parties</b>	<b>Agency Negotiators</b>
APN 493-152-05-00 963 Taft Avenue	Kevin & Darlene Houghton	Executive Director/City Manager Interim Director of Redevelopment & Housing General Counsel/City Attorney

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the possible purchase of property by the Agency for redevelopment.



# JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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AUGUST 24, 2010

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, August 24, 2010, was called to order by Mayor/Chair Mark Lewis at 7:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California. This meeting was adjourned from the Adjourned Regular Joint Meeting held at 3:00 p.m., Tuesday, August 24, 2010, by order of the City Council and Redevelopment Agency.

#### ROLL CALL

Council/Agencymembers present:	Hanson-Cox, Kendrick, McClellan,
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Wells
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Henry, City Manager/Executive Director Turner, Deputy City Manager/Director of Public Works Ayres, Director of Community Development

#### PLEDGE OF ALLEGIANCE TO FLAG and MOMENT OF SILENCE.

(The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution)

#### AGENDA CHANGES: None



## **PUBLIC COMMENT:**

**Sunshine Horton** speaks about the delicious cakes available at New York Bakery, and reports on the Dance-A-Thon event held on August 14<sup>th</sup>, benefiting Rady's Children's Hospital.

**Councilmember Hanson-Cox** gives a positive review of Park Place Café, a new restaurant on Main Street.

## **PUBLIC HEARINGS:**

### **100 REALLOCATION OF CDBG FUNDS AND MODIFICATION OF FY 2010-11 ALLOCATIONS (Report: Interim Director of Redevelopment and Housing)**

#### **RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Consider staff recommendations in the reallocation of FY 2010/11 CDBG funds;
- Consider staff recommendations regarding the allocation of funds from completed prior year projects to the Renette Center Renovations;
- Adopt the next RESOLUTION in order for reallocation and commitment of these funds;
- Increase the expenditure budget in the CDBG Funds Activity/Project #270900-9910-C0902, in the amount set forth in Attachment "A" to the Agenda Report, for Fiscal Year 2010-11; and
- Pending Council decision, authorize the City Manager, or designee, to make the necessary changes to the One-Year Action Plan and submit to the U.S. Department of Housing and Urban Development ("HUD") along with all appropriate forms and documents for this modification.

## **DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

No one comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ITEM 100 (Continued)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 113-10 for reallocation and commitment of the funds and Approve Item 100 per Staff recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**101 REALLOCATION OF HOME FUNDS, UNALLOCATED FUNDS, AND MODIFICATION OF FISCAL YEAR 2010-11 ALLOCATIONS AND APPROVAL OF AGREEMENT WITH SAN DIEGO HABITAT FOR HUMANITY COMMUNITY HOUSING CORPORATION FOR CONSTRUCTION OR REHABILITATION OF SINGLE FAMILY RESIDENTIAL HOUSING (Report: Interim Director of Redevelopment and Housing)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Consider staff recommendations regarding the reallocation of HOME funds;
- Consider staff recommendations regarding the allocation of HOME funds from current and prior year projects in "Attachment 1" to San Diego Habitat for Humanity Community Housing Corporation;
- Adopt the next RESOLUTION in order for reallocation and commitment of these funds;
- Establish the expenditure budget in the HOME Funds Activity/Project #275900-H0718, as set forth in "Attachment 1" for Fiscal Year 2010-11;
- Pending Council decision, authorize the City Manager, or designee, to execute all appropriate documents and make the necessary changes to the One-Year Action Plan and submit all required documentation to the U.S. Department of Housing and Urban Development ("HUD"), as well as to amend any existing agreements with affected subrecipients; and
- Approve the Home Funding and Agreement ("Attachment 3") substantially in the form as presented with such changes approved by the City Manager.

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**City Clerk Rutledge** indicates a speaker is available should **Council** have any questions.

## **ITEM 101 (Continued)**

In response to questions by **Council, Interim Director of Redevelopment and Housing O'Grady** briefly discusses use of Federal HOME funds and the requirement for the City to work in partnership with a qualified CHODO program, such as Habitat for Humanity.

**City Manager Henry** indicates the City has enjoyed working with Habitat for Humanity and looks forward to an ongoing relationship.

No further comments are offered.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 114-10 for reallocation and commitment of the funds and Approve Item 101 per Staff recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **102 CONDUIT FINANCING FOR LITERACY FIRST CHARTER SCHOOLS (Report: Deputy City Manager/Director of Finance)**

### **RECOMMENDATION: That the City Council**

- Conduct the Public Hearing under the requirements of the Tax and Equity Fiscal Responsibility Act ("TEFRA") and the Internal Revenue Code of 1986, as amended (the "Code") and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION, in order, approving the issuance of the Bonds not to exceed \$4,000,000 by the California Municipal Finance Authority ("CMFA") for the benefit of Literacy First Charter School Issuer, LLC (the "LLC"), a California limited liability company, the sole member of which is Literacy First Charter Schools ("Literacy First"), a California nonprofit public benefit corporation and an organization described in Section 501(c)(3) to provide for the financing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following). The Resolution will also authorize the City Manager, or designee thereof, to execute the Joint Exercise of Powers Agreement with CMFA.

**ITEM 102 (Continued)**

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**City Clerk Rutledge** indicates two speakers are available should **Council** have any questions. No questions are asked.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 115-10, to approve Item 102 as recommended by Staff.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**103 ITEMS CONTINUED FROM THE 3:00 P.M. MEETING: None**

**ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 24th day of August 2010, at 7:15 p.m. to Tuesday, September 14, 2010, at 3:00 p.m.**

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**KATHIE J. RUTLEDGE, CMC  
City Clerk/Secretary**