

# JOINT MEETING OF THE EL CAJON CITY COUNCIL AND HOUSING AUTHORITY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**March 13, 2012**

A Regular Joint Meeting of the El Cajon City Council and Housing Authority of the City of El Cajon, California held Tuesday, March 13, 2012, was called to order by Mayor/Chair Mark Lewis at 3:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### **ROLL CALL**

Council/Authority members present:	Kendrick, McClellan, and Wells
Council/Authority members absent:	None
Mayor Pro Tem/Vice Chair present:	Vacant
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Turner, Acting City Manager/Executive Director Griffiths, Acting Director of Public Works/ Acting City Engineer 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 February 28, 2012, meeting and the Agenda of the March 13, 2012, meeting in accordance to State Law and Council/Authority Policy.

**PRESENTATIONS:**

- **Grossmont Community College**
- **Cajon Valley Middle School**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.5)**

**MOTION BY LEWIS, SECOND BY WELLS, to APPROVE Consent Items 1.1 to 1.5, after Acting City Manager responded to an inquiry from Councilmember McClellan confirming the video recorders are for police cars.**

**MOTION CARRIES BY UNANIMOUS VOTE  
OF THOSE PRESENT.**

**1.1 MINUTES OF CITY COUNCIL/HOUSING AUTHORITY MEETINGS**

Approve Minutes of the February 28, 2012, meeting of the El Cajon City Council/Housing Authority.

**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 RESOLUTION: REJECTION OF BID NO. 020-12, SIDEWALK REPAIR 2012  
(Report: Purchasing Agent)**

Adopt RESOLUTION NO. 27-12 to reject all bids and authorize rebidding with revised specifications.

**CONSENT ITEMS: (Continued)**

**1.5 PURCHASE OF MOBILE VIDEO RECORDERS  
(Report: Purchasing Agent)**

**RECOMMENDATION:** That the City Council authorize the Purchasing Agent to waive the bidding requirements, in accordance with Municipal Code 3.20.010.C.5 and execute a purchase agreement with WatchGuard Video in the amount of \$81,355.88 for the purchase of Digital In-Car Video Systems.

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**PUBLIC COMMENT:**

**Ray Lutz** from Citizens Oversight asks why ECPAC is closed despite promises that it would not close. Mayor Lewis responds that funding from the State was lost and there was no other option.

**Councilmember Wells** greets Vickie Butcher who is attending today's meeting.

**Bryan Zmijewski** corrects information on the Upcoming Events page, and advises that the Hawaiianaires Golf Tournament will be held on May 11<sup>th</sup> at Cottonwood Golf Course.

**2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS:**

**PUBLIC HEARINGS: (Item 3.1 Continued)**

**3.1 RESOLUTION: SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT CHAMBERS SENIOR RESIDENCES, L.P. (Report: Director of Community Development) (Continued from February 28, 2012)**

**RECOMMENDATION: That the Housing Authority**

1. Continue the Public Hearing and accept testimony for the proposed Second Amendment to the Disposition and Development Agreement Between the El Cajon Housing Authority and Chambers Senior Residences, L.P.;
2. Close the Public Hearing;
3. Adopt the next RESOLUTION in order approving execution of a Second Amendment to the Disposition and Development Agreement and related documents, substantially in the form as presented with such changes approved by the Executive Director.

## **PUBLIC HEARINGS: (Continued)**

### **DISCUSSION**

The Public Hearing is now open.

Acting City Manager Turner provides a brief background on the project.

Councilmember McClellan asks if this project is continuing from Redevelopment, and City Attorney Foley replies yes, because this is on the enforceable obligation schedule.

Ray Lutz, of Citizen Oversight, speaks in support of spending the money for this project on ECPAC instead. Acting City Manager Turner explains these funds can only be spent on low and moderate-income housing.

Chris Earl, from Affirmed Housing, provides in-depth information about the project and states he is available for questions.

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

- Number of families receiving benefit from the project
- Benefits to the City from housing project

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY McClellan, to CLOSE the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE  
OF THOSE PRESENT.**

**MOTION BY LEWIS, SECOND BY WELLS, to ADOPT RESOLUTION NO. ECHA-3 approving the Disposition and Development Agreement and related documents.**

**MOTION CARRIES BY UNANIMOUS VOTE  
OF THOSE PRESENT.**

**4. ADMINISTRATIVE REPORTS:**

**4.1 RESOLUTION: APPROVAL OF AN EXCLUSIVE NEGOTIATION AGREEMENT WITH E. NEAL ARTHUR  
(Report: Director of Community Development)**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order approving an Exclusive Negotiation Agreement with E. Neal Arthur pertaining to City-owned property located at 210 East Main Street, and authorizing the Acting City Manager to sign the Agreement on the City's behalf.

**DISCUSSION**

**Acting City Manager Turner** gives a brief history on the negotiation agreement.

**Neal Arthur** introduces architect Larry Kimble, who provides a power point presentation of the proposed hotel development at 210 East Main Street.

**Mayor Lewis** speaks about visions he has about having a performing arts center and a hotel development in the El Cajon Downtown Area.

**John Martes** cautions the Council about risks in approving this project.

**Ray Lutz** speaks about lack of maintenance of ECPAC and misuse by organizations that used the building.

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY McClellan, to ADOPT RESOLUTION NO. 28-12 approving an Exclusive Negotiation Agreement with E. Neal Arthur.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.**

**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 - Member; Indian Gaming Local Community Benefit Committee.

### **6.1 SANDAG Board of Directors Agenda – March 9, 2012**

#### **REPORT AS STATED**

*Recess called at 4:10 p.m.*

*Meeting called back to order at 4:20 p.m.*

## **ACTIVITIES REPORTS OF COUNCILMEMBERS**

### **7.**

#### **MAYOR PRO TEM JILLIAN HANSON-COX**

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

#### **7.1 Letter of Resignation**

#### **7.2 VACANCY ON CITY COUNCIL (Report: City Attorney)**

**RECOMMENDATION:** That the City Council determines the manner by which the vacancy on the City Council will be filled for the seat recently held by Councilmember Jillian Hanson-Cox.

**Mayor** expressed his desire to wait two weeks to appoint a person to fill the council seat vacancy.

## VACANCY ON CITY COUNCIL: (Continued)

### Speakers:

1. **Duane Swainston** speaks in favor of selecting an impartial person to be the next Councilmember, and suggests the candidate who came in second in the last election (Swainston) be appointed.
2. **Dan Goar** speaks in support of Ben Kalasho.
3. **Michael Salatino** submits his resume for Councilmember position.
4. **Vickie Butcher** expresses interest in vacant Councilmember position.
5. **Karen Marie Otter** speaks in support of Vickie Butcher.
6. **Bryan Zmijewski**, on behalf of POA, would like to see someone selected who will not be running for position in November.
7. **Eddie Putris** speaks in support of Ben Kalasho.
8. **Bonnie Price** asks the Council to clarify the process of selection for vacancy and speaks in support of Vickie Butcher.
9. **Jessica Deddeh** speaks in support of Ben Kalasho.
10. **Kevin Ballo** supports Ben Kalasho for appointment.
11. **Hani Esoo** speaks in support of Ben Kalasho for City Council.
12. **Bessma Garmo** speaks in support of Ben Kalasho.
13. **Ben Kalasho** compliments the work of Jillian Hanson-Cox and presents himself as candidate for Councilmember.
14. **John Martes** would like to see an interim, someone who will not run for the seat in November; he suggests Dick Ramos as a possibility.
15. **Ray Lutz** feels appointing someone to the seat is not the best way to select someone, but if so, strongly encourages a woman should be selected.
16. **Don Mitchell** presents himself as candidate for the vacant Council seat.
17. **Jonathan Goetz** suggests a councilmember should be chosen at the June 5<sup>th</sup> election.
18. **Wadie Deddeh** speaks in support of Ben Kalasho.

**City Attorney Foley** clarifies that the deadlines have passed for this to be included in the June 5<sup>th</sup> election. The Council has 60 days in which to make an appointment.

**City Attorney Foley** suggests each Councilmember bring one or two names for consideration at the March 27<sup>th</sup> Council meeting.

**MAYOR** suggested that Council might wish to consider someone currently on the Planning Commissioner to fill the vacancy.

**MOTION BY LEWIS, SECOND BY MCCLELLAN to CONTINUE the item to March 27, 2012, at 3:00 p.m. with each Councilmember submitting one or two names for consideration.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.**

**7.3 SELECTION OF MAYOR PRO TEMPORE  
(Report: City Attorney)**

**RECOMMENDATION:** That as a result of the resignation of Councilmember Jillian Hanson-Cox, the City Council selects a new Mayor Pro Tempore according to the El Cajon Municipal Code for the remainder of the calendar year 2012.

**MOTION BY LEWIS, SECOND BY WELLS to CONTINUE the selection of Mayor Pro Tem until the Council seat is filled.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.**

**8. COUNCILMEMBER GARY KENDRICK**  
Heartland Communications JPA; Heartland Fire Training JPA.

**8.1 Council Activities Report**  
**AS REPORTED**

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

**9.1 Council Activities Report**  
**AS REPORTED.**

**9.2 LETTER FROM LORIE ZAPF AND DAVID ALVAREZ, SAN DIEGO COUNCILMEMBERS REQUESTING THE CITY OF EL CAJON SUPPORT AB 1572**  
**DISCUSSION**

Council supports AB 1572 and requests Acting City Manager Turner to send a letter of support to the appropriate parties.

**MOTION BY LEWIS, SECOND BY McCLELLAN to support AB 1572.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.**



10.

**COUNCILMEMBER BILL WELLS**

METRO Commission/Wastewater JPA; East County Economic Development Council; Heartland Fire Training JPA – Alternate; El Cajon Community Development Corporation.

10.1 **Council Activities Report**

**AS REPORTED**

11. **LEGISLATIVE REPORT**

11.1 **League of California Cities Legislative Bulletins dated February 24 and 27, 2012, and March 2 and 5, 2012 – *City Advocate Weekly***

**Per Acting City Manager Turner no action to be taken at this time.**

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

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

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

15. **CLOSED SESSIONS: None**

**Adjournment:** Mayor Lewis adjourned the Regular Joint Meeting of the City Council/Housing Authority held this 13<sup>th</sup> day of March, 2012, at 5:02 p.m. to Tuesday, March 27, 2012, at 3:00 p.m.

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