

# 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

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OCTOBER 23, 2012

An Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency of the City of El Cajon, California held Tuesday, October 23, 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. This meeting was adjourned from the Adjourned Regular Joint meeting held at 3:00 p.m. on October 9, 2012.

#### ROLL CALL

Council/Agencymembers present:	Kendrick, McClellan and Wells
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair absent:	Ambrose
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Reid, Staff Attorney/General Counsel Williford, City Manager 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 October 9, 2012, meeting and the Agenda of the October 23, 2012, meeting in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **Recognition – “Crime Free Multi-Housing”**

**AGENDA CHANGES:**

**Mayor Lewis** asks if anyone is present to testify on Item 3.3. No one comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to CONTINUE the public hearing on Item 3.3 to the 3:00 p.m. meeting on December 11, 2012.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

**CONSENT ITEMS: (1.1 – 1.7)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to APPROVE Consent Items 1.1 to 1.7.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

**1.1 MINUTES OF CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY MEETINGS**

Approve Minutes of the October 9, 2012, meeting of the City Council/Housing Authority/Successor Agency to the El Cajon 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.

**CONSENT ITEMS: (Continued)**

**1.4 RESOLUTION: APPOINTMENT OF WILMINGTON TRUST AS SUCCESSOR TRUSTEE FOR ICMA RETIREMENT CORPORATION SECTION 457 DEFERRED COMPENSATION PLAN (Report: Deputy City Manager/Director of Finance)**

1. Adopt RESOLUTION NO. 96-12 to appoint Wilmington Trust Retirement and Institutional Services Company ("Wilmington Trust") as Successor Trustee to the City's ICMA-RC 457 Deferred Compensation Plan; and
2. Authorize the City Manager, or designee, to execute all necessary agreements and contract documents to reflect this change.

**1.5 SPECIAL OPERATION LICENSE – SUNNY SIDE UP-CYCLE  
1686 Greenfield Drive**

Approve the application submitted by Crystal Evans for a furniture and home décor resale store located at 1686 Greenfield Drive.

**1.6 SPECIAL OPERATION LICENSE – A TO Z WIRELESS  
415 Parkway Plaza #385**

Approve the application submitted by Amin Kamaluddin for a cell phone sales and repair business located at 415 Fletcher Parkway #385.

**1.7 SPECIAL OPERATION LICENSE – RE-STYLING BABIES  
562 Broadway**

Approve the application submitted by Jesus Amarillas for a second-hand baby merchandise store located at 562 Broadway.

**PUBLIC COMMENT:**

**Lorenzo Higley, representing Communities Against Substance Abuse (CASA),** distributes a handout and thanks **Council** for supporting the tobacco retail licensing ordinance. He indicates the ordinance serves as a role model and has been shared with other California cities.

## **PUBLIC COMMENT: (Continued)**

**Councilmember Kendrick** thanks Mr. Higley and CASA for its success in helping lower the sales of tobacco products to minors.

**Councilmember McClellan** indicates that his mother and step-father died from smoking, and that the health of his sister is also affected by this disease.

**Mayor Lewis** applauds the efforts of CASA for helping to save lives.

**Dana Stevens, representing CASA,** submits a handout to **Council** and speaks about alcohol license density, sales of alcohol to serial inebriates, and the need to keep moving forward towards a safe and healthy community.

**Councilmember McClellan** comments that the City has turned down several applications for alcohol licenses in the recent past.

**Lorraine Gonzalez, Youth Coordinator for CASA, and representative for Students Together Against Alcohol and Drugs (STAAND),** speaks about an internship program that introduces young people to the fields of public health, community health improvement and substance abuse prevention through health education, employment preparation and community action. She and other STAAND members are here to observe local democracy in action.

**Councilmember Kendrick** welcomes the students to the City Council meeting.

**Debbie Norman, representing the Mother Goose Parade Association,** introduces Junior Mother Goose Parade Board Members. The students respond to questions from **Mayor Lewis** about the parade and Mother Goose Village activities.

**Ivan Anduhar, representing East County Transitional Living Center,** speaks about synthetic drugs and thanks **Council** for passage of the ordinance to educate retailers and prohibit the sale of synthetic drugs.

**Joshua Miller** speaks about his past experience and addiction to the synthetic drug "spice". He supports the **Council** for their actions to help stop drugs.

**Victoria Ramirez,** a former drug user, thanks **Council** for what they are doing to stop drug use.

**Jeff Davies** provides information about Hauntfest on Main Street, an event taking place on October 26<sup>th</sup>.

**PUBLIC COMMENT: (Continued)**

**Councilmember Kendrick** thanks **Jeff Davies** for the work he has done in the downtown area.

**Sunshine Horton** indicates she would like to start a project for the troops in Afghanistan and welcomes any suggestions. She also states she would like to have her 70<sup>th</sup> birthday celebration at ECPAC (East County Performing Arts Center) if it opens in the next three years.

**Mayor Lewis** encourages **Sunshine Horton** to contact Monica Zech about an upcoming event dealing with the fight against drunk driving.

**Monica Zech, Public Information Officer**, discusses the City's Centennial Celebration to be held on Monday, November 12<sup>th</sup> and the historical speaker series at the library on Douglas Street. She advises the MADD (Mothers Against Drunk Driving) Walk is on November 10<sup>th</sup> at Liberty Station.

**Councilmember Wells** sends thoughts and prayers to Kathy Spacone, as she recovers from a recent hospitalization.

**Mayor Lewis** reads a historical fact about a City Council meeting held in 1912.

*Recess called at 4:11 p.m.  
Meeting called back to order at 4:17 p.m.*

**2. WRITTEN COMMUNICATIONS: None**

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**3. PUBLIC HEARINGS:**

**3.1 RESOLUTION: DELINQUENT REFUSE COLLECTION CHARGES  
(Report: Deputy City Manager/Director of Public Works)**

**RECOMMENDATION: That the City Council:**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION in order certifying the list of property owners as delinquent in the payment of their mandatory trash service bills; and
- Authorize the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

**DISCUSSION**

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 OF THOSE PRESENT.  
(AMBROSE – Absent)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. 97-12 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and AUTHORIZE the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

**3.2 RESOLUTION: DELINQUENT SEWER SERVICE CHARGES  
(Report: Senior Accountant, Finance Department)**

**RECOMMENDATION: That the City Council:**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION in order confirming the charges and levying the assessments on the next regular tax bill; and
- Authorize the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.

**DISCUSSION**

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 OF THOSE PRESENT.  
(AMBROSE – Absent)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. 98-12 confirming the charges and levying the assessments on the next regular tax bill; and AUTHORIZE the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

*Through action taken under Agenda Changes, this Item was continued to the 3:00 p.m. meeting on December 11, 2012:*

**3.3 SUBSTANDARD PROPERTY AT 1492A GUSTAVO STREET  
(Continued to December 11, 2012)**

**Mayor Lewis** asks if anyone is present to testify on Item 3.3. No one comes forward to speak.

**4. ADMINISTRATIVE REPORTS:**

**4.1 REPORT ON STORMWATER REGULATIONS IMPOSED BY THE REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)  
(Report: Deputy City Manager/Director of Public Works)**

**RECOMMENDATION:** That the **City Council** accept and approve the report, and authorize the Mayor to send a letter on behalf of the City objecting to the current Draft Municipal Permit and recommend that the RWQCB modify the permit to provide for a balanced approach to controlling stormwater pollution.

**DISCUSSION**

**Councilmember McClellan** asks if the City has expressed opposition to the increased regulations that will raise costs to the citizens of El Cajon.

**Deputy City Manager/Director of Public Works Turner** advises that at the staff level, the City has diligently expressed opposition. The Regional Board will hold a workshop in a couple weeks, and at this time, the **Mayor** is being asked to send a letter of opposition. An engineering study, done by a consultant, estimates costs to the City to be approximately \$1.5 million dollars per year.

No further comments made.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ACCEPT and APPROVE the report, and authorize the Mayor to send a letter on behalf of the City objecting to the current Draft Municipal Permit and recommend that the RWQCB modify the permit to provide for a balanced approach to controlling stormwater pollution.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

**5. COMMISSION REPORTS: None**

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## **6. ACTIVITIES REPORTS OF MAYOR LEWIS**

SANDAG (San Diego Association of Governments); SANDAG (Chair, Public Safety Committee); SANDAG (SAFE Steering Committee); LAFCO (Local Agency Formation Commission) - Member; Indian Gaming Local Community Benefit Committee; Downtown El Cajon Business Partners Board of Directors.

### **6.1 SANDAG Board of Directors Agenda – September 28, 2012**

### **6.2 Local Agency Formation Commission Agenda – October 1, 2012**

### **6.3 Downtown El Cajon Business Partners, Inc. Board Meeting Agenda October 3, 2012**

### **6.4 SANDAG Board of Directors Agenda – October 12, 2012**

### **6.5 SANDAG Criminal Justice FAX Volume 14, Issue 9**

**REPORTS AS STATED.**

## **ACTIVITIES REPORTS OF COUNCILMEMBERS**

### **7.**

#### **MAYOR PRO TEM TONY AMBROSE**

Chamber of Commerce – Government Affairs; MTS (Metropolitan Transit System Board) – Alternate); East County Economic Development Council - Alternate.

### **7.1 Council Activities Report**

### **8.**

#### **COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

### **8.1 Council Activities Report**

**REPORT AS STATED.**

## ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

9.

### COUNCILMEMBER BOB McCLELLAN

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

#### 9.1 Council Activities Report

**Councilmember McClellan** adds the following events to his report:

- 10<sup>th</sup> Annual Women in Leadership Awards Ceremony (also attended by **Mayor Pro Tem Ambrose**);
- ABC's of Bullying Prevention, a presentation by Harlem Globetrotter Scooter Christensen at Johnson Avenue Elementary School;
- El Cajon Police Sector Watch Community Forum hosted by Community Policing.

10.

### COUNCILMEMBER BILL WELLS

League of California Cities, San Diego Division; METRO Commission/Wastewater JPA; East County Economic Development Council; SANDAG (San Diego Association of Governments) – Alternate; SANDAG (Public Safety Committee) – Alternate; Heartland Fire Training JPA – Alternate.

#### 10.1 Council Activities Report

**Councilmember Wells** adds that on October 22<sup>nd</sup> he attended a meeting with a prospective new business owner in El Cajon, and on October 23<sup>rd</sup> he met with Jim Kelly of the Grossmont Union High School District, concerning a potential partnership to help re-open ECPAC.

#### 10.2 PROPOSED PARTNERSHIP WITH EL CAJON AUTO DEALERSHIP COMMUNITY

**RECOMMENDATION:** That the **City Council** continue to meet with the auto dealers in El Cajon to pursue a partnership with the El Cajon Auto Dealership Community to facilitate branding and increase auto sales.

### DISCUSSION

**Councilmember Wells** reports that he and **City Manager Williford** met with members from 11 local auto dealerships to consider a partnership to help brand the City of El Cajon as a place to purchase cars.

## **ITEM 10.2 (Continued)**

Discussion ensues among **Council** and **Staff** regarding the following considerations: Associated costs, attorney fees, articles of incorporation, assessments, participation and possible matching monetary contribution by the City, creation of a logo, slogan and website.

**City Manager Williford** feels this would be an investment, rather than a giveaway, of a relatively small amount, which will be returned many times over, and will result in greater car sales.

**MOTION BY WELLS, SECOND BY MCCLELLAN, to Authorize the City Manager to spend up to \$10,000 to match the amount contributed by the auto dealers, towards formation of a partnership.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

### **11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin dated October 5 and 12, 2012 – *City Advocate Weekly***

**NO RECOMMENDED ACTION.**

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

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

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

**15. CLOSED SESSION**

**RECOMMENDATION:** That the City Council/Housing Authority adjourn to Closed Session as follows:

**15.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to subdivision (a) of Government Code Section 54956.9:**

Name of Case: Galardi Group Franchise & Leasing Inc. v.  
City of El Cajon  
Case No. 37-2008-00093730-CU-EI-CTL

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADJOURN to Closed Session at 4:34 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(AMBROSE – Absent)**

**16. RECONVENE TO OPEN SESSION AT 4:41 P.M.**

**Staff Attorney Reid** reports that pursuant Item 15.1, direction was given to the City's Legal Counsel.

**Adjournment:** **Mayor Lewis** adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 23<sup>rd</sup> day of October 2012, at 4:42 p.m. to Tuesday, November 13, 2012, at 3:00 p.m.

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