

# 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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**DECEMBER 11, 2012**

A 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, December 11, 2012, was called to order by Mayor/Chair Mark Lewis at 2:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### ROLL CALL

Council/Agencymembers present:	Kendrick, McClellan and Wells
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Ambrose
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, 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 November 13, 2012, meeting and the Agenda of the December 11, 2012, meetings in accordance to State Law and Council/Agency Policy.

**NOVEMBER 6, 2012 GENERAL MUNICIPAL ELECTION – CERTIFICATE OF RESULTS OF CANVASS**

The City Clerk recites the results of the Canvass of the Election for three Councilmembers.

**RESOLUTION:       DECLARING OFFICIAL RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 6, 2012**

**RECOMMENDATION:   That the City Council** adopt the next RESOLUTION in order declaring the results of the election and other matters as required by law.

**MOTION BY LEWIS, SECOND BY AMBROSE, to ADOPT RESOLUTION NO. 105-12** declaring the results of the election and other matters as required by law.

**MOTION CARRIES BY UNANIMOUS VOTE.**

**OATH OF OFFICE ADMINISTERED TO TONY AMBROSE**  
Remarks by Councilmember Ambrose

**OATH OF OFFICE ADMINISTERED TO BILL WELLS**  
Remarks by Councilmember Wells

**OATH OF OFFICE ADMINISTERED TO BOB MCCLELLAN**  
Remarks by Councilmember McClellan

*Recess called at 2:17 p.m.  
Meeting reconvened at 3:00 p.m.*

**ROLL CALL OF NEWLY SEATED COUNCILMEMBERS**

Council/Agencymembers present:	Kendrick, McClellan and Wells
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Ambrose
Mayor/Chair present:	Lewis

**PRESENTATIONS:**

- **Commendation - Rob Turner – Deputy City Manager/Director of Public Works**
- **Commendation - Melissa Ayres – Director of Community Development**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.25)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to APPROVE Consent Items 1.1 through 1.5 and 1.7 through 1.25, pulling Item 1.6, as requested by a member of the public.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

Approve Minutes of the November 13, 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.

**1.4 RESOLUTION: INITIATION OF AMENDMENT TO ZONING ORDINANCE – CARD ROOMS (Report: Director of Community Development)**

Adopt RESOLUTION NO. 106-12 initiating an amendment to Title 17 of the Municipal Code pertaining to card room regulations.

**CONSENT ITEMS: (Continued)**

**1.5 RESOLUTION: AWARD OF BID NO. 006-13, UPGRADE OF REGULATORY TRAFFIC SIGNS FEDERAL PROJECT - HSIP 5211(020) Engineering Job No. PW 3410 (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 107-12 and award the bid to the lowest responsive responsible bidder, McGuire-Pacific Constructors, in the amount of \$196,468.00.

**1.6 PULLED FOR DISCUSSION.**

**1.7 FISCAL YEAR 2012-13 BUDGET AMENDMENTS FOR APPROPRIATION - SUCCESSOR AGENCY BUDGET (Report: Director of Community Development)**

**The City Council in its capacity as the governing board of the Successor Agency:**

1. Amends the Fiscal Year 2012-13 budget to appropriate \$1,012,654 Successor Agency Uncommitted Low- and Moderate-Income Housing (Fund 0290) identified in the Due Diligence Review for All Other Funds, plus any additional amounts as a result of a subsequent Meet-and-Confer with the California Department of Finance (DOF); and
2. Amends the FY 2012-13 budget to appropriate up to \$365,000 Successor Agency Uncommitted Redevelopment 2007 Bond Proceeds (Fund 0597) for the Civic Center Plaza Improvements Project/Activity No. RDR0708S.

**1.8 FISCAL YEAR 2012-13 BUDGET AMENDMENTS AND APPROPRIATIONS – EL CAJON HOUSING AUTHORITY BUDGET (Report: Director of Community Development)**

**The Housing Authority** amends the Fiscal Year 2012-13 Housing Authority budget and appropriate an additional \$662,382 from the Low- and Moderate-Income Housing Asset Fund (Fund 298) for approved housing projects.

**1.9 ADOPTION OF FPPC FORM 806 (AGENCY REPORT OF PUBLIC OFFICIAL APPOINTMENTS) (Report: City Clerk)**

Adopt FPPC Form 806 for posting on the City's website with the mandated information.

**CONSENT ITEMS: (Continued)**

**1.10 INFORMATION TECHNOLOGY EQUIPMENT  
(Report: Purchasing Agent)**

Authorize the Purchasing Agent in accordance with Municipal Code 3.20.010.C.5 to execute a purchase agreement with Dell Computers USA in the amount of \$96,662.43 for information technology equipment.

**1.11 RESOLUTION: AUTHORIZATION FOR EXECUTION OF A PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR THE JOHNSON ELEMENTARY SAFE ROUTES TO SCHOOL PROJECT  
(Report: Deputy City Manager/Director of Public Works)**

Adopt RESOLUTION NO. 109-12 to approve Program Supplement Agreement No. 0J67 for the State-funded Safe Routes to School (SR2S) Project.

**1.12 NATIONAL INSTITUTE OF JUSTICE OFFICE OF SCIENCE AND TECHNOLOGY GRANT FOR OFFICER NOTIFICATION AND SMART ALERTING SYSTEM INTERFACE PROJECT  
(Report: Chief of Police)**

1. Authorize the City Manager, or designee, to accept the 2009 National Institute of Justice Office of Science and Technology grant funds via San Diego Association of Governments Automated Regional Justice Information System (SANDAG-ARJIS) in the amount of \$51,765.00 plus travel and on-site expenses estimated at \$3,500.00;
2. Authorize the City Manager, or designee, to execute the Memorandum of Understanding with SANDAG-ARJIS and all agreements and contract documents necessary for the receipt and use of these funds;
3. Appropriate the 2009 National Institute of Justice Office of Science and Technology grant funds in the amount of \$55,265.00; and
4. Authorize the City Manager, or designee, to execute an agreement, including any necessary amendments with New World, the Police Department's existing vendor for Computer Aided Dispatch (CAD)/Mobile Software System, for the development of an interface between CAD and ARJIS per the grant requirements.

**CONSENT ITEMS: (Continued)**

**1.13 CITY COUNCIL POLICY B-14 MISCODED SEWER SERVICE ACCOUNTS  
(Report: Deputy City Manager/Director of Public Works)**

Approve City Council Policy B-14 to provide a uniform procedure for miscoded sewer service accounts and authorize the City Manager, or designee, to execute any necessary agreements.

**1.14 SPECIAL OPERATION LICENSE – ALTA ARDEN AFFORDABLE  
JEWELRY STORE – 123 North Magnolia Avenue**

Approve the application submitted by Mohamad Salim for a secondhand business located at 123 North Magnolia Avenue purchasing, selling and repairing jewelry and accessory buying of precious metals.

**1.15 RESOLUTION: RESCIND PREVIOUS CITY COUNCIL REJECTION  
OF OFFER OF DEDICATION OF LOT “A” ON FINAL MAP NO. 8983,  
AND ACCEPT THE DEDICATION FOR USE AS A PUBLIC STREET  
(Report: Deputy City Manager/Director of Public Works)**

Adopt RESOLUTION NO.110-12 to:

1. Rescind the City Council’s previous action rejecting the Offer of Dedication of Lot “A” for a public street easement on Final Map No. 8983; and
2. Accept the Offer of Dedication of Lot “A” on Final Map No. 8983, for a public street easement, per Government Code Section 66477.2(a).

**1.16 PURCHASE OF MOBILE VIDEO RECORDERS  
(REPORT: Purchasing Agent)**

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 \$68,838.75 for the purchase of Digital In-Car Video Systems.

**CONSENT ITEMS: (Continued)**

**1.17 REALIGNMENT OF STAFFING IN POLICE DEPARTMENT IN ORDER TO IMPLEMENT CRIME LABORATORY MANAGER POSITION (Report: Director of Human Resources)**

Approve the elimination of one Police Sergeant position and one Evidence Technician position and the addition of one Police Officer and one Crime Laboratory Manager position. Additionally, it is recommended that the City Council approve the salary range (97.4) and the classification specifications for the proposed Crime Laboratory Manager position. Finally, it is recommended that the Council authorize the City Manager, or designee, to execute the side letter agreements with the affected bargaining groups in order to implement the change.

**1.18 REQUEST A FIFTH ONE-YEAR TIME EXTENSION TO THE SUBDIVISION AGREEMENT FOR TENTATIVE SUBDIVISION MAP (TSM) 602 – 1362 East Main Street, Engineering Job No. 3018 (Report: Deputy City Manager/Director of Public Works)**

Grant a fifth one (1) year time extension to the Subdivision Agreement approved by the City Council on October 24, 2006, for TSM 602, Final Map No. 15465, and authorize the City Manager, or designee, to execute an amendment to the Subdivision Agreement in such form as approved by the City Attorney, establishing the new expiration date as October 24, 2013.

**1.19 AUTHORIZATION FOR ARCHITECTURAL SERVICES FROM BENSON & BOHL ARCHITECTS (Report: Deputy City Manager/Director of Public Works)**

Approve \$160,000 in Architectural Design Services to provide plans and specifications for the complete remodel and structural upgrades and repairs of the Hillside Recreation Community Center.

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## **CONSENT ITEMS (Continued)**

### **1.20 ACCEPTANCE OF THE PUBLIC SAFETY CENTER PROJECT**

**Bid No. 016-09, Job No. 3066**

**(Report: Deputy City Manager/Director of Finance)**

1. Approve the Settlement and Release Agreement with Ledcor Construction, Inc. substantially in the form as presented with such changes as may be approved by the City Manager;
2. Authorize the City Manager, or designee, to make the respective change orders, budget adjustments and final payments to close out the project; and
3. Accept the project and authorize the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract documents and the Settlement and Release Agreement.

### **1.21 AUTHORIZATION FOR ARCHITECTURAL SERVICES FROM SCHMIDT DESIGN GROUP, INC.**

**(REPORT: Deputy City Manager/Director of Public Works)**

Authorize the City Manager, or designee, to enter into a Professional Services Agreement with Schmidt Design Group, Inc. to provide a lighting assessment master plan of City parks and public grounds in an amount not to exceed \$60,000.00.

### **1.22 SPECIAL OPERATION LICENSE – MILLER’S TOWING, INC. 301 Cypress Lane**

Approve the application submitted by Daniel and Evelyn Miller for a police towing business located at 301 Cypress Lane.

### **1.23 SPECIAL OPERATION LICENSE – DAN MILLER AUTO SALVAGE 301 Cypress Lane**

Approve the application submitted by Daniel Miller for a junkyard, recycling, scrap business located at 301 Cypress Lane.



**1.24 NOTIFICATION OF DELINQUENT LOAN PAYMENTS - LAUREL VILLAGE APARTMENTS – 909-977 Leslie Road  
(REPORT: Director of Community Development)**

Receive the report and authorize staff to proceed with drafting amendments and modifications to the Promissory Note, Deed of Trust With Assignment of Rents dated September 11, 1997, and other regulatory agreements, between the City of El Cajon and El Cajon Gardens, L.P. (“Borrower”), a partnership formed by Affirmed Housing Group, with terms and conditions recommended by staff and set forth in the report.

**1.25 FY 2012 STATE HOMELAND SECURITY GRANT FUNDING  
(Report: Fire Chief and Chief of Police)**

1. Authorize the City Manager, or designee, to accept the FY 2012 State Homeland Security Grant funds in the amount of \$45,315.00 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate the State Homeland Security Grant Program funds in the amount of \$45,315.00.

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**CONSENT ITEM PULLED FOR DISCUSSION:**

**1.6 RESOLUTION: AWARD OF BID NO. 008-13, CITY HALL AND COUNCIL CHAMBERS ADA IMPROVEMENTS PART A AND ADA FIRE SYSTEM UPGRADES PART B (Report: Purchasing Agent)**

**RECOMMENDATION: That the City Council:**

1. Find that the bid of the low bidder, Avi-Con, Inc., dba CA Construction, should be withdrawn on the basis of a mistake made in the preparation of the bid, and consent to relief from its bid.
2. Find the fourth low bidder non-responsive for failure to list the subcontractor values. Find the seventh low bidder non-responsive for failure to submit a properly notarized bid bond.
3. Reject the bid protest received from Grahovac Construction, finding that the bid of NEI Contracting & Engineering, Inc. ("NEI"), is responsive.
4. Based on the above, adopt the next RESOLUTION in order and award the bid to the lowest responsive responsible bidder, NEI Contracting & Engineering, Inc., in the amount of \$1,035,045.00, plus additive alternate 2 for a total of \$1,062,542.00.

**DISCUSSION**

**Susan Cabral, representing Grahovac Construction**, submits a handout and requests that **Council** reconsider the award of bid and deem the bid from NEI Contracting & Engineering as non-responsive.

In response to questions from **Mayor Lewis, Dede Porter, Purchasing Agent**, indicates there is some time urgency to the award, due to funding for the project. She remarks on the issues raised **Ms. Cabral**.

**City Manager Williford** answers questions from **Councilmember Wells**, indicating there are no concerns and that he concurs with the recommendation from **Staff**.

**MOTION BY LEWIS, SECOND BY WELLS, to ADOPT RESOLUTION NO. 108-12 approving Item 1.6 as recommended by Staff.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **PUBLIC COMMENT:**

**Debbie Norman, representing the Mother Goose Parade Association,** presents a trophy to **Council** and thanks them for their support.

**Barry Basso** indicates he is the son of Bob Basso, the victim in the Jillian Hanson-Cox embezzlement case. He reads a speech regarding the illegal use of his family's funds by Jillian Hanson-Cox and the impact on his family.

**LaVonna Connelly, representing the El Cajon Collaborative,** speaks about the El Cajon Resident Leadership Academy course offered to the public.

**Rosemary Johnston, representing Interfaith Shelter Network and Board Member of Taskforce on Homelessness,** speaks about homeless students and the unmet needs of the homeless.

**Dolores Diaz** speaks about homeless children in East County and thanks **Council** for their support. She discusses a best practices toolbox that can help with decisions regarding homelessness, and requests that **Council** endorse the Keys to Ending Family Homeless. She distributes copies of the toolbox kit.

**Sunshine Horton** states she is looking forward to next year and urges everyone to put away negative feelings. She mentions she will be busy with events through Christmas Eve, and wishes everyone a Merry Christmas and a Happy New Year.

**Councilmember Wells** suggests that he could meet with **Sunshine Horton** to discuss ideas on how to honor the military.

**Dolores Diaz** returns to the podium to announce that January 25, 2013 is the annual point-in-time count of the homeless. Volunteers may sign up to assist with the count by registering at [www.countsd.org](http://www.countsd.org).

*Recess called at 3:45 p.m.  
Meeting called back to order at 3:50 p.m.*

## **2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS:**

**3.1 SUBSTANDARD PROPERTY AT 1492A GUSTAVO STREET  
(Report: Building Official/Fire Marshal)  
(Continued from October 23, 2012) (CANCELLED)**

**This Public Hearing has been cancelled.**

**Mayor Lewis** asks if anyone is present to speak on Item 3.1.

No one comes forward to speak.

**3.2 PUBLIC HEARING AND SECOND READING OF ORDINANCE FOR  
ADOPTION BY REFERENCE OF TITLE 6, DIVISION 1 OF THE SAN  
DIEGO COUNTY CODE OF REGULATORY ORDINANCES CONCERNING  
PERMANENT AND MOBILE FOOD FACILITIES  
(Report: City Attorney)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Request the City Clerk to recite the title of the Ordinance; and
- Move to adopt the Ordinance.

**DISCUSSION**

The Public Hearing is now open.

**City Attorney Foley** provides a summary of the report.

No one comes forward to speak.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

The City Clerk recites the title of the ordinance for the second reading:

**An ordinance of the City Council of the City Of El Cajon repealing  
Chapter 8.12 of title 8 of the El Cajon Municipal Code, and adding a  
new Chapter 8.12 of title 8 of the El Cajon Municipal Code by  
adopting by reference Title 6, Division 1 of the San Diego County  
Code of Regulatory Ordinances**

**ITEM 3.2 (Continued)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT ORDINANCE NO. 4981.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.3 RESOLUTION: PURCHASE AND SALE AGREEMENT – EL CAJON SENIOR TOWER APARTMENTS, L.P.  
(Report: Director of Community Development)**

**RECOMMENDATION: That the El Cajon Housing Authority:**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION in order to approve the proposed Purchase and Sale Agreement Between the Housing Authority and El Cajon Senior Tower Apartments, L.P. for the sale of 146 Ballantyne, Assessor's Parcel Number 488-111-14 and a portion of the adjacent property, Assessor's Parcel Number 488-111-33; and
- Authorize the Executive Director, or designee, to execute all documents necessary to implement approved terms and conditions and complete the sale.

**DISCUSSION**

The Public Hearing is now open.

**Director of Community Development Ayres** gives a summary of the report.

In response to the question by **Councilmember McClellan**, **City Attorney Foley** indicates the developer built the building and the City does not own it.

**City Clerk Rutledge** acknowledges the submission of a speaker card, should the **Council** have any questions on this item. The **Council** has no questions.

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### **ITEM 3.3 (Continued)**

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY AMBROSE, to ADOPT RESOLUTION NO. ECHA-7 to approve the proposed Purchase and Sale Agreement Between the Housing Authority and El Cajon Senior Tower Apartments, L.P. for the sale of 146 Ballantyne, Assessor's Parcel Number 488-111-14 and a portion of the adjacent property, Assessor's Parcel Number 488-111-33; and AUTHORIZE the Executive Director, or designee, to execute all documents necessary to implement approved terms and conditions and complete the sale.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**City Attorney Foley** briefly comments on the ensuing actions to complete the purchase.

### **3.4 RESOLUTION: IMPLEMENTATION OF \$1 FEE FOR BUSINESS LICENSE APPLICATIONS AND RENEWAL APPLICATIONS PER SB 1186 (Report: Deputy City Manager/Director of Finance)**

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

- Open the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Adopt the next RESOLUTION in order approving the collection of a One Dollar (\$1.00) application fee for all new and renewal business license applications on and after January 1, 2013, as required by Government Code Section 4467(a).

#### **DISCUSSION**

The Public Hearing is now open.

**City Attorney Foley** gives a brief overview of the report.

**ITEM 3.4 (Continued)**

No one comes forward to speak.

**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. 111-12 to approve the collection of a One Dollar (\$1.00) application fee for all new and renewal business license applications on and after January 1, 2013, as required by Government Code Section 4467(a).**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4. ADMINISTRATIVE REPORTS:**

**4.1 SELECTION OF MAYOR PRO TEM  
(Report: City Clerk)**

**RECOMMENDATION:** That the City Council select a Mayor Pro Tem according to the El Cajon Municipal Code.

**DISCUSSION**

**Mayor Lewis** thanks **Mayor Pro Tem Tony Ambrose** for doing an excellent job this year and nominates **Councilmember Wells** to serve as Mayor Pro Tem for the coming year.

No further comments made.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to SELECT Councilmember Bill Wells as Mayor Pro Tem for the year 2013.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4.2 VACANCIES AND TERM EXPIRATIONS ON CITY COMMISSIONS  
(Report: City Clerk)**

**RECOMMENDATION:** That the **Mayor and City Council** establish a schedule for applications/interviews of candidates to serve on City Commissions/Committees, or reappoint, if appropriate.

**DISCUSSION**

**Mayor Lewis** speaks in favor of the recommended schedule, and indicates that while his personal philosophy would be to allow a person who has done a good job to continue in that position, it is important to go through the process of applications and to make the appointments with concurrence of the **Council**.

**Councilmember McClellan** comments on the excellent job done by a Planning Commissioner whose term is expiring, and wonders if a reappointment can be made.

**Mayor Lewis** and **Councilmember Kendrick** concur on the importance of the application process.

No one comes forward to speak.

**MOTION BY LEWIS, SECOND BY KENDRICK, to APPROVE the recommended schedule for applications/interviews of candidates to serve on City Commissions/Committees, or reappoint, if appropriate.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

*(Remainder of page intentionally left blank)*



**4.3 RESOLUTION: ALL-WAY STOP SIGN AT HERON AVENUE AND FINCH STREET (Report: Deputy City Manager/Director of Public Works)**

**RECOMMENDATION:** That the **City Council** adopt the next RESOLUTION in order to establish permanent all-way stop signs on Heron Avenue at the intersection of Finch Street in order to promote safe and efficient pedestrian and traffic flow.

**DISCUSSION**

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

No one comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. 112-12 to establish permanent all-way stop signs on Heron Avenue at the intersection of Finch Street.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4.4 APPROVAL OF EXCLUSIVE NEGOTIATION AGREEMENT WITH SUNROAD E C LAND, INC., FOR DEVELOPMENT OF NEW BMW DEALERSHIP AT 720 EL CAJON BOULEVARD (Report: City Manager and City Attorney)**

**RECOMMENDATION:** That the **City Council** review and approve the draft Exclusive Negotiation Agreement with Sunroad E C Land, Inc., and authorize the City Manager to execute the agreement with such changes as may be approved by the City Manager.

**DISCUSSION**

**City Manager Williford** provides a summary of the report and speaks in support of the proposed agreement. He comments that if bond money is not approved by the State, the City would then use its best efforts to provide funding.

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

- The favorable impact for both the City and the car dealership, with the opening of the new dealership;
- The importance of enhancing the business climate in El Cajon;
- A comment that this may be the first step towards the rebirth of El Cajon Boulevard;
- Appreciation expressed to **City Manager Williford** and **Tom Story** for partnering on this project.

## ITEM 4.4 (Continued)

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to APPROVE the draft Exclusive Negotiation Agreement with Sunroad E C Land, Inc., and authorize the City Manager to execute the agreement with such changes as may be approved by the City Manager.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Tom Story** thanks **Council** for the vote of confidence, and comments that **Staff** is very skilled and cooperative. He indicates that groundbreaking should take place next summer, and that they are excited about going forward with this project.

### 5. COMMISSION REPORTS: None

### 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 COUNCIL ASSIGNMENTS

**RECOMMENDATION:** That the **City Council** consider and approve council assignments to the various boards and commissions giving El Cajon input on matters important to this region as follows.

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

**Mayor Pro Tem Tony Ambrose:** Chamber of Commerce – Government Affairs; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council.

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

**ITEM 6.1 (Continued)**

**Councilmember Gary Kendrick:** Heartland Communications JPA; Heartland Fire Training JPA.

**Councilmember Bill Wells:** League of California Cities, San Diego Division; METRO Commission/Wastewater JPA; East County Economic Development Council - Alternate; SANDAG – Alternate; SANDAG Public Safety Committee – Alternate; Heartland Fire Training JPA – Alternate.

**DISCUSSION**

**Mayor Lewis** comments that the (SANDAG) SAFE Steering Committee has been disbanded, and that the Downtown El Cajon Business Partners Board of Directors will be represented by **Staff**. He indicates that he is not sure if **Councilmember Wells** will be the alternate for the SANDAG Public Safety Committee as that appointment will be made by SANDAG after the first of the year. He reminds **Councilmembers** to notify him if a meeting conflict exists.

No further comments made.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to APPROVE the Council assignments as modified by Mayor Lewis.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**6.2 Local Agency Formation Commission Agenda – November 5, 2012**

**REPORT AS STATED.**

**6.3 Downtown El Cajon Business Partners, Inc. Board Meeting Agenda – November 7, 2012**

**REPORT AS STATED.**

**6.4 SANDAG Public Safety Committee Agenda – November 9, 2012**

**REPORT AS STATED.**

**ACTIVITIES REPORTS OF MAYOR LEWIS: (Continued)**

**6.5 SANDAG Board of Directors Agenda – November 16, 2012**

**REPORT AS STATED.**

**6.6 SANDAG SAFE Steering Committee Agenda – November 16, 2012**

**REPORT AS STATED.**

**6.7 Downtown El Cajon Business Partners, Inc. Board Meeting Agenda (Revised) – December 5, 2012**

**REPORT AS STATED.**

**6.8 Local Agency Formation Commission Agenda – December 3, 2012**

**REPORT 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.

**7.1 Council Activities Report**

**REPORT AS STATED.**

**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**

**REPORT AS STATED.**

**10.**

**COUNCILMEMBER BILL WELLS**

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

**10.1 Council Activities Report**

**REPORT AS STATED.**

**11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin dated November 7, 16, 20, 30 and December 3, 2012 – *City Advocate Weekly***

**Councilmember Wells** indicates the Legislature is currently on holiday.

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

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

**14. ORDINANCES: SECOND READING AND ADOPTION**

**RECOMMENDATION:** That Mayor Lewis requests the City Clerk to recite the title.

**14.1 ZONE RECLASSIFICATION NO. 2308**

**An ordinance approving Zone Reclassification No. 2308 to rezone property from the M (Manufacturing) Zone to the C-M (Heavy Commercial – Light Industrial) Zone; APNs: 487-281-04 & 487-281-05; General Plan Designation: Light Industrial (LI) and Special Development Area 11 (SDA 11)**

The **City Clerk** recites the title of the ordinance for a second reading.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT Ordinance No. 4982 approving Zone Reclassification No. 2308.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**14.2 ZONE RECLASSIFICATION NO. 2306**

**An ordinance rezoning property from the RS-6 (Residential Single-Family 6,000 Square Foot) Zone, and the RM-4300 (Residential Multi-Family 4,300 Square Foot) Zone, to the RM-2200 (Residential Multi-Family 2,200 Square Foot) Zone; APNs: 489-122-26 and 489-122-27; General Plan Designation: Medium Density Residential (MR), Zone Reclassification No. 2306**

The **City Clerk** recites the title of the ordinance for a second reading.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT Ordinance No. 4983 approving Zone Reclassification No. 2306.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**15. CLOSED SESSIONS: None**

**Adjournment:** Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 11th day of December, 2012, at 4:24 p.m. to Tuesday, December 11, 2012 at 7:00 p.m.

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

# 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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**DECEMBER 11, 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, December 11, 2012, 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, December 11, 2012, by order of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

#### **ROLL CALL**

Council/Agencymembers present:	Kendrick, McClellan and Wells
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Ambrose
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, 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:**

**John Q. Public**, a lifelong East County resident, comments about the Jillian Hanson-Cox case. He disagrees with the quoted statement that “every sector of the community is down here to support her” (at the courtroom) as it makes El Cajon look bad. He feels the **Council** should not support a thief.

**Councilmember Kendrick** states that he does not support thievery, and feels there is never an excuse to steal.

**PUBLIC HEARINGS:**

**100 AMENDMENTS TO EL CAJON MUNICIPAL CODE TITLE 17 (ZONING) AND SPECIFIC PLAN NO. 182 (DOWNTOWN) SIGN REGULATIONS (Report: Director of Community Development)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;  
THEN
- Move to INTRODUCE an Ordinance amending Title 17 of the El Cajon Municipal Code to revise, correct and fill regulatory gaps in the Zoning Code; allow for the keeping of chickens for personal food production; allow for community gardens; and provide for administrative amendments to adopted entitlements; Zoning Ordinance Amendment No. 421; and
- Move to INTRODUCE an Ordinance amending Specific Plan No. 182 to provide more flexibility for signage in downtown.

**DISCUSSION**

**Manjeet Ranu, Planning Manager** provides a summary of the Agenda Report.

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

- Fencing requirements and hours of access for community gardens;
- The allowed areas for keeping chickens;
- Possible health concerns associated with chickens;

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

## ITEM 100 (Continued)

**Sandy Foreman** speaks in support of community gardens and allowing chickens in the City.

In response to questions from **Mayor Lewis, Planning Manager Ranu** indicates that chickens need to be disposed of properly or be buried at least three feet underground.

**Daniel Foreman** thinks that having chickens would be good because their eggs would be fresh and healthy, and that people might like to experience raising them.

**Councilmembers** express their opinions on raising chickens.

**Mayor Lewis** notes that Title 17 will have many rules and regulations pertaining to chickens.

**Lillian Foreman** thanks **Council** for addressing the issue on chickens and gardens. She is a nursing student and understands the importance of proper nutrition. She states this will allow people to be in charge of their environment, and that both children and adults will benefit educationally. She adds that community gardens will promote a strong and healthy community.

**Lily Schworm** thanks **Council** for hearing the voice of the community and the outcry of those who wanted chickens. She commends the Planning Commission on doing a fabulous job.

**Rick Alexander** feels that Section 17.140.155, relating to wet bars, should be deleted from the amendment, as it may hamper the ability of builders or designers to design homes.

**Council** and **Staff** discuss the suggestion to delete the aforementioned section.

**LaVonna Connelly, representing the El Cajon Collaborative**, thanks **Council** for considering chickens and community gardens.

**Shreya Sasaki, representing Kaiser Permanente** and **Anchi Mei** speak in support of community gardens. In response to questions from **Councilmember Wells**, they indicate they do not feel fences are necessary, and urge **Council** not to require them.

**Mayor Pro Tem Ambrose** states he does not want to see solid fences around community gardens as he has concerns about security.

**ITEM 100 (Continued)**

**Mayor Lewis** speaks about a community garden located on Greenfield.

*Recess called at 7:55 p.m.  
Meeting called back to order at 7:58 p.m.*

**City Attorney Foley** clarifies that two separate motions are necessary, one for the Title 17 amendments, including possible deletion of Section 17.140.155, and a second motion relating to the signs in Specific Plan No. 182.

**Mayor Lewis** comments on Newcastle's disease and feels some clarification is necessary for the benefit of the audience regarding possible health issues or health code violations with disposal of dead chickens in trashcans. He reiterates that the ordinance requires dead chickens to be buried three feet underground.

No one else comes forward to speak.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY KENDRICK, to INTRODUCE an Ordinance amending Title 17 of the El Cajon Municipal Code to revise, correct and fill regulatory gaps in the Zoning Code; allow for the keeping of chickens for personal food production; allow for community gardens; and provide for administrative amendments to adopted entitlements; Zoning Ordinance Amendment No. 421, with the deletion of Section 17.140.155.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to request the City Clerk to recite the titles of the ordinance regarding Specific Plan No. 182.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ITEM 100 (Continued)**

The City Clerk recites the titles of the ordinances:

**An Ordinance of the City Council of the City of El Cajon amending Title 17 of the El Cajon Municipal Code (Zoning) to revise, correct and fill regulatory gaps in Chapters 17.05, 17.10, 17.20, 17.25, 17.35, 17.40, 17.45, 17.60, 17.65, 17.70, 17.75, 17.80, 17.105, 17.110, 17.120, 17.130, 17.135, 17.140, 17.145, 17.150, 17.165, 17.185, 17.190, 17.195, 17.205, 17.215, 17.220, 17.225, 17.240 and 17.245 of Title 17, adding a new Chapter 17.63 implementing and regulating the substantial conformance review process, and adding a new Chapter 17.57 implementing and regulating the minor amendment process, adding a new Section 17.45.065 of Chapter 17.45 prohibiting changes to adult entertainment permits under the substantial conformance review process or the minor amendment process, adding a new Section 17.70.120 of Chapter 17.70 regulating Specific Plans, adding Section 17.205.065 of Chapter 17.205 to allow for the keeping of chickens for personal food production, adding a new Section 17.205.105 to Chapter 17.205 allowing for community gardens, and adding a new Section 17.130.115 of Chapter 17.130 regulating steeples, spires, and similar architectural projections**

and

**An Ordinance amending Specific Plan No. 182 to establish exceptions to sign regulations in Chapter 17.190 of Title 17 of the El Cajon Municipal Code by allowing for additional commercial signs, permitting temporary signs in the public rights-of-way, and establishing design criteria, all for signs in downtown El Cajon**

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

**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 11th day of December, 2012, at 8:14 p.m. to Tuesday, January 8, 2013, at 3:00 p.m.

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