

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

September 10, 2013

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, September 10, 2013, 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/Agencymembers present:	Ambrose and Kendrick
Council/Agencymembers absent:	McClellan
Mayor Pro Tem/Vice Chair present:	Wells
Mayor/Chair present:	Lewis
Other Officers present:	Hawley, Deputy City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Al-Ghafry, Assistant City Manager Ranu, Planning Manager

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 27, 2013, meetings and the Agenda of the September 10, 2013, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Recognition – R.E.C. Campaign – “All Fore R.E.C.” Awards**
- **Recognition – “Neighborhood Watch”**
- **Proclamation – “September is National Disaster Preparedness Month”**

AGENDA CHANGES:

MOTION BY LEWIS, SECOND BY KENDRICK, to REMOVE Item 3.1 from the Agenda and postpone to the meeting October 22, 2013 at 3:00 p.m., as requested by the City Manager.

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

MOTION BY LEWIS, SECOND BY AMBROSE, to APPROVE the Agenda as amended.

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

CONSENT ITEMS: (1.1 – 1.17)

MOTION BY LEWIS, SECOND BY WELLS, to APPROVE Consent Items 1.1 through 1.17,

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

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

Approve Minutes of the August 27, 2013, meetings 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.

CONSENT ITEMS: (Continued)

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 SUBDIVISION AGREEMENT AND FINAL MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 650 – 1335 Greenfield Drive, Engineering Job No. 3262 (Report: Deputy Director of Public Works)

Approve the Subdivision Agreement and Final Map for Tentative Subdivision Map (TSM) 650 at 1335 Greenfield Drive authorizing execution of the Agreement.

1.5 APPROVAL OF RELEASE OF LIEN FOR PUBLIC IMPROVEMENTS AT 9840 SHADOW ROAD, LA MESA (Report: Deputy Director of Public Works)

Adopt the RESOLUTION NO. 92-13 to approve the Release of Lien for the property at 9840 Shadow Road, La Mesa, recorded on January 31, 2000, Document No. 2000-0049473.

1.6 REQUEST FOR TEMPORARY SIGNS TO PROMOTE FIRE PREVENTION WEEK AND THE FIRE SAFETY EXPO (Report: Fire Chief)

Approve the temporary use of two banners to be hung in front of Fire Station 6 facing Lexington Avenue, and on the west side of the same building facing South Magnolia Avenue for the promotion of Fire Prevention Week and the Fire Department Safety Expo.

1.7 AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT SCS ENGINEERS (Report: Community Development Department Housing Manager)

Authorize the City Manager to execute a first amendment to increase the existing Agreement for Professional Services between the City and SCS Engineers from \$38,565.00 to \$82,365.00 and to amend the agreement by one year, with one-year additional extension upon written agreement by both parties.

CONSENT ITEMS: (Continued)

1.8 RESOLUTION: AWARD OF BID NO. 007-14, OVERLAY THOROUGHFARES 2013, Engineering Job No. 3431 (Report: Purchasing Agent)

1. Find that the bid of the sixth low bidder, Calmex Engineering, Inc., is non-responsive for failure to perform at least fifty percent (50%) of the contract work.
2. Appropriate \$200,000.00 from Gas Tax fund #211.
3. Based on the above, adopt RESOLUTION NO. 93-13 and award the bid to the lowest responsive, responsible bidder, Superior Ready Mix Concrete L.P., d/b/a SRM Contracting & Paving, in the amount of \$2,669,123.00.

1.9 COOPERATIVE AGREEMENT BETWEEN THE CITY OF EL CAJON AND THE GROSSMONT UNION HIGH SCHOOL DISTRICT (Report: Chief of Police)

Authorize the City Manager to execute a Cooperative Agreement between the City of El Cajon and the Grossmont Union High School District (GUHSD) for the placement of School Resource Officers (SROs) on the campuses of Grossmont High School, El Cajon Valley High School, Granite Hills High School and Chaparral High School with reimbursement from GUHSD.

1.10 APPROVAL OF REVISIONS TO POLICE RECORDS SPECIALIST CLASSIFICATION (Report: Director of Human Resources)

Approve revisions to the *Police Records Specialist* classification.

1.11 APPROVAL OF REVISIONS TO SECRETARY TO POLICE CHIEF CLASSIFICATION (Report: Director of Human Resources)

Approve revisions to the *Secretary to the Police Chief* classification.

1.12 APPROVAL OF REVISIONS TO EQUIPMENT MECHANIC SERIES CLASSIFICATIONS (Report: Director of Human Resources)

Approve revisions to the *Equipment Mechanic* and *Lead Equipment Mechanic* classifications.

CONSENT ITEMS: (Continued)

**1.13 APPROVAL OF NEW CLASSIFICATION FOR FACILITIES MANAGER
(Report: Director of Human Resources)**

Approve the new *Facilities Manager* classification.

**1.14 APPROVAL OF REVISION TO SENIOR PUBLIC WORKS MAINTENANCE
WORKER CLASSIFICATION (Report: Director of Human Resources)**

Approve revisions to the *Senior Public Works Maintenance Worker* classification.

**1.15 APPROVAL OF REVISION TO PUBLIC WORKS CREW LEADER
CLASSIFICATION (Report: Director of Human Resources)**

Approve revisions to the *Public Works Crew Leader* classification.

**1.16 SPECIAL OPERATION LICENSE – THE PALMS RESTAURANT AND
BANQUET HALL – 143 East Main Street**

Approve the application submitted by Nasri Naif to conduct a card room inside an existing restaurant and banquet hall located at 143 East Main Street.

**1.17 ACCEPTANCE OF MURRAY DRIVE SLOPE STABILIZATION,
Engineering Job No. 3375, Bid No. 020-13
(Report: Deputy Director of Public Works)**

Accept the project and authorize the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

PUBLIC COMMENT:

Debbie Norman requests support from **Council** for a 5K and 10K Fun Run to take place before the start of the Mother Goose Parade. **City Manager Williford** suggests she send a letter to the City outlining the request and providing details of the event.

Sunshine Horton promotes the weekly car shows, concerts in the park and the Farmers' Market. She shows a ceramic tile that Children's Hospital gave to her in memory of her daughter.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

THROUGH EARLIER ACTION, THIS ITEM WAS CONTINUED TO OCTOBER 22, 2013 AT 3:00 P.M.

**3.1 SUBSTANDARD ABATEMENT AT 620-640 South Marshall Avenue
(Report: Building Official/Fire Marshal)**

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;

THEN

- Direct staff to file a Notice of Restriction against the property;
- Begin accrual of civil penalties starting September 11, 2013; and
- Direct staff to monitor the progress of clean up and renovation/demolition of the structures, and bring this case back to Council for final resolution and determination of staff time, administrative fees, and civil penalties at the resolution of this case.

4. ADMINISTRATIVE REPORTS: None

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR LEWIS

SANDAG (San Diego Association of Governments); SANDAG (Chair, Public Safety Committee); LAFCO (Local Agency Formation Commission) - Member; Indian Gaming Local Community Benefit Committee

6.1 Council Activities/Comments

REPORT AS STATED.

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

MAYOR PRO TEM 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; Heartland Fire Training JPA – Alternate

7.1 Council Activities Report/Comments

REPORT AS STATED.

7.2 Legislative Report

Mayor Pro Tem Wells reports the status of the following bills:

- AB 188 (Oppose) which allows reassessment of property taxes for commercial properties to occur in circumstances that don't currently occur, is still being watched;
- SB 7 (Oppose) which forces charter cities to pay prevailing wage or face losing significant State funding for future project, is currently on the Governor's desk for signature;
- SB 604 (Support) as proposed by Senator Joel Anderson, regarding panhandling, has died in Committee;
- SB 1 is being watched and analyzed by Staff for possible appropriateness for El Cajon. This would reinstate a limited form of redevelopment, including low-income housing funding, under certain circumstances, and in certain areas of the City.

7.3 League of California Cities Bulletins dated August 22, 23, 26, 28, 30 and September 4, 2013 – *City Advocate Weekly*

NO ACTION TAKEN.

8.

COUNCILMEMBER TONY AMBROSE

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

8.1 Council Activities Report/Comments

REPORT AS STATED.

8.2 FUNDING REQUEST FROM LADIES OF HOPE FOR THEIR 2013 EAST COUNTY CARNIVAL

RECOMMENDATION: That the City Council designate \$2,000 from the City Council Contingency Budget to the Ladies of Hope for the 2013 East County Carnival.

DISCUSSION

Councilmember Ambrose speaks in favor of the request made by Ladies of Hope.

MOTION BY LEWIS, SECOND BY AMBROSE, to designate \$2,000 to the Ladies of Hope for the 2013 East County Carnival.

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

9.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

9.1 Council Activities Report/Comments

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/Comments

11.

JOINT COUNCILMEMBER REPORTS

11.1 No Report

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 AMENDING TITLE 17 - OFF-SITE NEW AND USED VEHICLE STORAGE

- MOTION to adopt Ordinance amending Title 17 for off-site new and used vehicle storage.

MOTION BY LEWIS, SECOND BY AMBROSE, to ADOPT Ordinance No. 4993 amending Title 17 for off-site new and used vehicle storage.

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

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON AMENDING TITLE 17 OF THE EL CAJON MUNICIPAL CODE TO REPEAL SECTION 17.75.020 OF CHAPTER 17.75 AND SECTION 17.145.150 OF CHAPTER 17.145, TITLE 17; AND ADDING A NEW SECTION 17.75.020 OF CHAPTER 17.75 AND A NEW SECTION 17.145.150 OF CHAPTER 17.145, TITLE 17 ALLOWING TEMPORARY OFF-SITE STORAGE OF NEW AND USED VEHICLES FOR AUTOMOBILE DEALERS OPERATING IN THE CITY OF EL CAJON ON SITES NOT LESS THAN TWO (2) ACRES IN SIZE

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14.2 REPEALING CHAPTER 17.210 OF TITLE 17 AND ADDING A NEW CHAPTER 17.210 OF TITLE 17 - DEEMED APPROVED ALCOHOL

- **MOTION to adopt Ordinance repealing and adding a new Chapter 17.210 of Title 17.**

DISCUSSION

Marlena Lewis-Hamilton speaks in support of the Ordinance.

Christina Park encourages **Council** to support the Ordinance as she feels the East County businesses are suffering because of problems due to alcohol related issues in the community.

Lois Fritz praises the different cultures living in El Cajon and their willingness to help with alcohol problems in the City.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY KENDRICK, to ADOPT Ordinance No. 4994.

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

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON REPEALING CHAPTER 17.210 OF TITLE 17 OF THE EL CAJON MUNICIPAL CODE AND ADDING A NEW CHAPTER 17.210 OF TITLE 17 OF THE EL CAJON MUNICIPAL CODE

15. CLOSED SESSIONS

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

15.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9:

Name of Case: Murillo v. City of El Cajon et al.
San Diego Superior Court
Case Number 37-2013-00030258-CU-WM-CTL

**15.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of
Government Code Section 54956.9:**

Number of potential cases: 1

Pertaining to Item 15.2, **City Attorney Foley** reads the following Facts and Circumstances known to potential plaintiffs:

In the construction of the City's Public Safety Facility certain disputes have arisen among the City's project manager, design professionals, and the City. These disputes involve various items in the project, and include claims for extra compensation, on the part of the project manager, and claims of errors and omissions, on the part of the City.

MOTION BY LEWIS, SECOND BY WELLS, to ADJOURN to Closed Session at 3:40 p.m.

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

16. RECONVENE TO OPEN SESSION AT 3:55 P.M.

City Attorney reports on action taken in Closed Session.

15.1 Information given – no action taken.

15.2 Council gave direction to City's Legal Counsel.

Adjournment: **Mayor Lewis** adjourned the Regular Joint Meeting of the City Council/ Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 10th day of September 2013, at 3:56 p.m. to Tuesday, September 10, 2013 at 7:00 p.m.

**BELINDA A. HAWLEY, CMC
Deputy 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

SEPTEMBER 10, 2013

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, September 10, 2013, 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, September 10, 2013, by order of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	Ambrose and Kendrick
Council/Agencymembers absent:	McClellan
Mayor Pro Tem/Vice Chair present:	Wells
Mayor/Chair present:	Lewis
Other Officers present:	Hawley, Deputy City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Al-Ghafry, Assistant City Manager Ranu, Planning Manager

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: None

PUBLIC HEARINGS:

100 SHADOW MOUNTAIN COMMUNITY CHURCH – SPECIFIC PLAN NO. 523 (Report: Planning Manager)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;

THEN

- Move to adopt the next RESOLUTION in order approving Addendum to Final Environmental Impact Report No. 77; and
- Move to introduce an ordinance approving Specific Plan No. 523 and repealing Specific Plan No. 301 and request the City Clerk to recite the title; and
- Move to adopt the next RESOLUTION in order to revoke Conditional Use Permit No. 1985, subject to conditions.

DISCUSSION

Planning Manager Ranu provides a summary of the Item.

The Public Hearing is open.

Brian Snow, representing the applicant, responds to questions from **Council** regarding lighting issues and outreach to property owners in the area.

Deputy City Clerk Hawley advises that speakers are available should **Council** have any questions for the architect, or regarding the environmental impact report.

Council has no questions.

MOTION BY LEWIS, SECOND BY WELLS, to CLOSE the Public Hearing.

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

ITEM 100 (Continued)

MOTION BY LEWIS, SECOND BY AMBROSE, to:

- 1. ADOPT RESOLUTION NO. 94-13 approving the Addendum to Final Environmental Impact Report No. 77;**
- 2. INTRODUCE an ordinance approving Specific Plan No. 523 and repealing Specific Plan No. 301 and REQUEST the City Clerk to recite the title;**
- 3. ADOPT Resolution No. 95-13 revoking Conditional Use Permit No. 1985, subject to conditions.**

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

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

AN ORDINANCE APPROVING SPECIFIC PLAN NO. 523 FOR THE CONSTRUCTION OF A PROPOSED MULTI-STORY MULTI-USE BUILDING, THE INSTALLATION OF ADDITIONAL PARKING SPACES, THE INCLUSION OF THE EXISTING MASTER PLAN APPROVED BY CONDITIONAL USE PERMIT NO. 1985 INTO SPECIFIC PLAN NO. 523, AND REPEALING SPECIFIC PLAN NO. 301

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 10th day of September 2013, at 7:14 p.m. to Tuesday, September 24, 2013, at 3:00 p.m.

**BELINDA A. HAWLEY, CMC
Deputy City Clerk/Secretary**