

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 24, 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 24, 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. This meeting was adjourned from the Adjourned Regular Joint meeting held at 7:00 p.m. on September 10, 2013.

ROLL CALL

Council/Agencymembers present:	Ambrose, Kendrick, and 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 Williford, City Manager/Executive Director Al-Ghafry, Assistant City 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 September 10, 2013, meetings and the Agenda of the September 24, 2013, meeting in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Proclamation – “German American Month”**
- **Proclamation – “Fire Prevention Week”**
- **Commendation – Farouk Gewarges**
- **Presentation – “Secondary Equivalency for Point Loma Wastewater Treatment Plant”**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.10)

**MOTION BY LEWIS, SECOND BY MCCLELLAN to APPROVE
Consent Items 1.1 through 1.10.**

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 September 10, 2013, Meetings of the El Cajon 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 HOUSING AUTHORITY ANNUAL REPORT – FY 2012-13 (Report: Community Development Department Housing Manager)

Approve the Annual Report and authorize the Executive Director to transmit it, in a form substantially as presented, to the California Department of Housing and Community Development as required by State law.

1.5 FIRST QUARTER BUDGET AMENDMENTS FOR FISCAL YEAR 2013-14 (Report: Deputy City Manager/Director of Finance)

1. Appropriate carry-over funding of \$2,089,760 from Fiscal Year 2012-13 approved Capital Improvement Projects, Capital Outlay Requests, and programs to be expended in Fiscal Year 2013-14 (Table 1).
2. Appropriate \$1,831,391 for the results of the labor negotiations (Table 2).
3. Appropriate \$70,819 for the inclusion of emergency preparedness and disaster management duties as a shared resource within the Heartland Fire & Rescue JPA, and for the reclassification of two positions in the Police Department from Secretary to Police Records Specialists (Table 3).
4. Appropriate \$325,162 for the Fiscal Year 2013-14 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds (Table 4).

1.6 KaBOOM! PLAYGROUND GRANT AWARD 2013 (Report: Director of Recreation)

1. Authorize the City Manager, or designee, to accept the 2013 KaBOOM! Playground Grant. Together with funding partners Humana, Stoney's Kids and American Legion El Cajon Post 303, KaBOOM! will construct a new playground at Bostonia Park; and
2. Appropriate up to \$8,500 as the remaining funding source for the complete installation of the Bostonia Park playground, to include three additional adult exercise stations.

Mayor Pro Tem Wells congratulated **Councilmember Ambrose** and Staff for working together to submit the grant application in a very short timeframe.

CONSENT ITEMS: (Continued)

1.7 PURCHASE OF POLICE MOBILE DATA COMPUTERS/TERMINALS (MDTs) (Report: Purchasing Agent)

Authorize the Purchasing Agent, in accordance with Municipal Code 3.20.010.C.5, to execute a purchase agreement with Hewlett Packard Company in the amount of \$230,497.94 for the purchase of 49 mobile data computers and 40 vehicle docking stations and power adapters.

1.8 STATE OF CALIFORNIA, CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS – ASSEMBLY BILL 109 FUNDING GRANT (Report: Chief of Police)

1. Authorize the City Manager, or designee, to accept the Assembly Bill 109 Funding Grant in the total amount of \$54,338 and to execute any documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate \$54,338 for the Assembly Bill 109 Funding Grant to enable front-line law enforcement intervention services.

1.9 FY2013 SAN DIEGO COUNTY LAW ENFORCEMENT FOUNDATION GRANT (Report: Chief of Police)

1. Authorize the City Manager, or designee, to accept San Diego County Law Enforcement Foundation (SDCLEF) 2013 Grant Funds in the amount of \$1,750 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate the San Diego County Law Enforcement Foundation Grant Funds in the amount of \$1,750 to purchase a compact tactical shotgun.

1.10 RESOLUTIONS: APPROVE PLANS AND SPECIFICATIONS FOR WASHINGTON AVENUE RADAR FEEDBACK SIGNS, Bid No. 005-14, Engineering Job Nos. 3494/3491 (Report: Deputy Director of Public Works)

Adopt RESOLUTION NO. 96-13 approving the Plans and Specifications for the Washington Avenue Radar Feedback Signs project and RESOLUTION NO. 97-13 directing a Notice Inviting Sealed Bids to be opened on October 24, 2013.

PUBLIC COMMENT:

LaVonna Connolly, representing El Cajon Collaborative, invites Council and the public to attend National Food Day at the El Cajon Library on October 23, 2013.

Sunshine Horton speaks about the need to end violence and place more emphasis on raising children.

Monica Zech, Public Information Officer, speaks about “Thunder on Main Street”, the last car show of the season, the weekly Farmers’ Market, and Concerts on the Green. She informs that a community meeting will be held on September 30, 2013, at 5:30 p.m. in the Ronald Reagan Community Center, to discuss “El Cajon on Main Street”, a community-wide event scheduled for June 14, 2013.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

4. ADMINISTRATIVE REPORTS:

4.1 2014 CALENDAR OF CITY COUNCIL/HOUSING AUTHORITY AND SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY MEETINGS (Report: City Clerk)

RECOMMENDATION: That the City Council review the calendar and proposed schedule for City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency Meetings in 2014 and make any appropriate modifications or accept as presented.

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to APPROVE the calendar and proposed schedule for City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency Meetings in 2014.

MOTION CARRIES BY UNANIMOUS VOTE.

**4.2 YOUTH LEAGUE UTILITY SUPPORT RECOMMENDATION,
FISCAL YEAR 2013/2014 (Report: Director of Recreation)**

RECOMMENDATION: That the City Council approve the Recreation Council recommendation to provide utility support to nine Executive Member youth leagues.

DISCUSSION

Al Westermeyer, representing El Cajon Recreation Council, thanks **Council** for their previous support and hopes they will consider approving this year's request.

Mayor Lewis commends the Recreation Council for its efforts to help youth and save energy at the various playing fields within the City.

No further comments made.

MOTION BY LEWIS, SECOND BY AMBROSE, to APPROVE the Recreation Council recommendation to provide utility support to nine Executive Member youth leagues as recommended by Staff.

MOTION CARRIES BY UNANIMOUS VOTE.

Recess called at 3:48 p.m.
Meeting called back to order at 3:52 p.m.

**4.3 RESOLUTION: CONSIDERATION OF ANNUAL ALCOHOL SALES
REGULATORY FEE (Report: City Attorney)**

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order setting the initial annual alcohol sales regulatory fee associated with the City's Alcohol Sales and Deemed Approved Alcohol Sales Regulations Ordinance at \$0.00.

DISCUSSION

City Manager Williford states that during the discussion two meetings ago, when the ordinance for regulating off-sale types of alcohol sales was approved, **Council** indicated to Staff an interest in not charging a fee, moving forward, for the time being. **Council** was advised that the City would then subsidize implementation of the ordinance at a cost of approximately \$25,000 per year. If for some reason, as the implementation plays out over the next couple of years, the cost is found to be significantly above \$25,000 per year, that information will be brought back for consideration by **Council**. The recommendation is to adopt a zero fee for the licensing of alcohol outlets in the City.

ITEM 4.3 (Continued)

In response to the question by **Councilmember Kendrick**, **City Manager Williford** indicates that if anything unusual is happening, the issue may be brought back to **Council** at any time.

Councilmember Kendrick comments that it is important to have a zero fee. He feels there will be no financial effect on businesses that operate legally, as was his goal in bringing this Item forward.

No further comments made.

MOTION BY LEWIS, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 98-13 setting the initial annual alcohol sales regulatory fee associated with the City's Alcohol Sales and Deemed Approved Alcohol Sales Regulations Ordinance at \$0.00, with the understanding that this matter may come back to Council in the future.

MOTION CARRIES BY UNANIMOUS VOTE.

4.4 AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS, INC. FOR RED-LIGHT PHOTO ENFORCEMENT SERVICES (Report: Chief of Police)

RECOMMENDATION: That the **City Council** direct staff to terminate the Agreement for Red-Light Photo Enforcement Services with Redflex Traffic Systems, Inc., effective immediately.

DISCUSSION

City Manager Williford introduces the Item.

Police Chief Redman summarizes the report, providing statistics relating to collisions at both red light camera and non-red light camera intersections during the period of February 27 through August 31, 2012 when the red light cameras were operational, and during the same period in 2013, when the system was suspended. He concludes that based on the data reviewed and presented, there has been no significant increase in traffic collisions since suspension of the red light cameras, and that there has been a reduction in collisions where red light cameras were determined to be the primary collision factor.

ITEM 4.4 (Continued)

Bob Warner, representing Redflex Traffic Systems, speaks in opposition, and suggests that **Council** consider extending the suspension rather than terminating the program.

Mayor Lewis speaks about the importance of public safety.

Trev Holman indicates he is a former Traffic Engineer for the City and has had quite a bit of experience with the program. He feels much misinformation is being considered, and disagrees with the data presented by Police Chief Redman.

Humbert Cabrera suggests that **Council** should continue to be “pro-business” and welcome businesses to the City by canceling the red-light camera program.

Councilmember Kendrick states this is the most unpopular program he has seen in 16 years and that it may be dissuading people from coming to El Cajon. He comments that cities across the county are taking out the cameras and that he is in favor of keeping the cameras out of the City.

Mayor Lewis feels that an accident is much more costly than the fine for a red light camera ticket. He would like to keep the program in place until June of next year, when the contract ends.

Mayor Pro Tem Wells speaks in favor, stating that the City must evaluate the costs and benefits of the program, and consider finances of the people and businesses. He supports keeping police officers on the street and feels that by terminating the contract there will be no loss in safety and no over-reach by government.

Councilmember Ambrose indicates he has not heard from public that they love red light cameras. He adds that when the cameras were covered, the public was pleased. He would rather spend the money on educational law enforcement.

Councilmember McClellan feels the program may result in a loss of freedom and may be a government over-reach.

No one else comes forward to speak.

MOTION BY WELLS, SECOND BY KENDRICK, to DIRECT STAFF to terminate the Agreement for Red-Light Photo Enforcement Services with Redflex Traffic Systems, Inc., effective immediately.

MOTION CARRIES. (LEWIS – No)

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR LEWIS

SANDAG (San Diego Association of Governments); SANDAG (Chair, Public Safety Committee); Indian Gaming Local Community Benefit Committee

6.1 SANDAG Board of Directors Agenda – September 13, 2013

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 indicates he attended the League of California Cities conference in Sacramento with **City Manager Williford**. They attended meetings with other city leaders, the staff from Joel Anderson's office, and the City's lobbyists. He commends **Fire Chief Rick Sitta** for doing a great job in leading the discussion on JPAs (Joint Powers Agreements) between several different fire departments.

On the last day of the conference, a vote took place on two major issues. The first was a resolution pertaining to water bond funds which encourages the Governor and Legislature to work with cities in providing sufficient local funding if there is a future statewide water bond. This would help ensure that cities would be at the table in part of the negotiating process about how the money would be spent. A public safety vote was also taken, encouraging the Governor and Legislature to work with the League and the Police Chiefs' Association, on programs to assist local government with the State's realignment policy relating to AB 109.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

- 7.3 League of California Cities Bulletins dated September 9, 10, 12, and 13, 2013 – *City Advocate Weekly***

NO RECOMMENDED ACTION.

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.

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**

REPORT AS STATED.

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 SPECIFIC PLAN NO. 523

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

MOTION BY LEWIS, SECOND BY AMBROSE, to Adopt Ordinance No. 4995 approving Specific Plan No. 523.

MOTION CARRIES BY UNANIMOUS VOTE.

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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

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 4:35 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 4:47 P.M.

Pursuant to Item 15.1, **City Attorney Foley** reports no action was taken.

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 24th day of September 2013, at 4:48 p.m. to Tuesday, October 8, 2013, at 3:00 p.m.

KATHIE J. RUTLEDGE, CMC
City Clerk/Secretary