

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

DECEMBER 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, December 10, 2013, was called to order by Mayor/Chair Bill Wells at 3:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Ambrose, Kendrick, and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Vacant
Mayor/Chair present:	Wells
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 Wells 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 12, 2013, meeting and the Agenda of the December 10, 2013, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Commendations: Nancy Palm and Kathie Rutledge**
- **“KaBOOM” Power Point Presentation**
- **“HauntFest” Power Point Presentation**

AGENDA CHANGES:

City Manager Williford calls attention to Item 1.8, indicating that the City’s website is in desperate need of an upgrade, and that Vision Internet has done great work in this area. He advises that when a draft design is ready, it will come back to **Council**.

MOTION BY MCCLELLAN, SECOND BY AMBROSE, to APPROVE the Agenda.

MOTION CARRIES BY UNANIMOUS VOTE.

City Manager Williford introduces the new Assistant to the City Manager, **Brett Channing**.

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY MCCLELLAN, SECOND BY AMBROSE, 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 November 12, 2013, Meeting 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.

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 ACCEPTANCE OF THE CITY HALL AND COUNCIL CHAMBERS IMPROVEMENTS PART A AND ADA FIRE SYSTEM UPGRADES PART B, Engineering Job Nos. 3295/3237, Bid No. 008-13 (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.

1.5 REQUEST FOR FIFTH ONE-YEAR TIME EXTENSION; SUBDIVISION AGREEMENT FOR TENTATIVE SUBDIVISION MAP (TSM) 602 1362 East Main Street, Engineering Job No. 3018 (Report: Deputy Director of Public Works)

Grant a fifth one-year time extension to the Subdivision Agreement approved by City Council on October 24, 2006, for TSM 602, Final Map No. 15465, and authorize the City Manager 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, 2014.

1.6 RESOLUTION AUTHORIZING THE CITY OF SAN DIEGO LOCAL ENFORCEMENT AGENCY TO BE THE LEAD WASTE AGENCY FOR THE REGIONAL TIRE ENFORCEMENT PROGRAM (Report: Deputy Director of Public Works)

Adopt RESOLUTION NO. 112-13 to authorize the City of San Diego Local Enforcement Agency (LEA) to apply for funds and administer the San Diego Regional Waste Tire Enforcement Program on behalf of the City of El Cajon.

1.7 RESOLUTION: AWARD OF BID NO. 005-14, WASHINGTON AVENUE RADAR FEEDBACK SIGNS (Report: Purchasing Agent)

Adopt RESOLUTION NO. 113-13 and award the bid to the lowest responsive, responsible bidder, Steiny and Company, Inc., in the amount of \$39,580.00.

CONSENT ITEMS: (Continued)

1.8 AUTHORIZATION FOR CITY WEBSITE REDESIGN FROM VISION INTERNET (Report: Information Technologies Manager)

Authorize the City Manager to negotiate and execute a Professional Services Agreement, and any necessary amendments, with Vision Internet in the amount of \$67,665.00 for the development, implementation, and first-year maintenance of a new City website and intranet.

1.9 RESOLUTION: JOHNSON AVENUE SEWER RELIEF PROJECT (JASRP) CONTRACTOR PRE-QUALIFICATION PROCEDURES (Report: Deputy Director of Public Works)

1. Adopt RESOLUTION NO. 114-13 approving pre-qualification procedures for contractors who intend to bid on the JASRP, including the following exhibits to the Resolution:
 - Exhibit A - Questionnaire for contractors seeking pre-qualification.
 - Exhibit B - Uniform system of rating qualified bidders.
 - Exhibit C - Appeal procedure for disqualified contractors.
2. Direct the Purchasing Agent to publish a notification soliciting interested contractors wishing to pre-qualify as bidders for the construction project.

1.10 RESOLUTION: ACQUISITION OF 423 WISCONSIN LANE (Report: Community Development Housing Manager)

1. Adopt RESOLUTION NO. ECHA-13 to authorize the acquisition of 423 Wisconsin Lane, for fair market value not to exceed \$323,655.00.
2. Authorize the Executive Director to execute any documents necessary to implement approved terms and conditions and complete the sale.
3. Appropriate \$338,859.00 for Project/Activity No. 298900-HA1401 from unappropriated Low and Moderate Income Housing Asset Funds.

PUBLIC COMMENT:

Sunshine Horton speaks about books and teddy bears donated by City employees to Rady's Children's Hospital. She wishes everyone a great holiday season.

Terri Wyatt introduces herself as a candidate for District Attorney in 2014.

Dave Sapper discusses the East County Christmas for Kids toy drive and invites **Council** to the event on Sunday.

2. WRITTEN COMMUNICATIONS:

2.1 REQUEST FROM RunEC TO SUPPORT A HALF-MARATHON SPECIAL EVENT (Report: Deputy City Manager/Director of Finance)

RECOMMENDATION: That the **City Council** review the letter from RunEC requesting \$20,000 and support of City services for the 2014 Half-Marathon to begin and end in Downtown El Cajon on Sunday, March 16, and provide direction to staff.

DISCUSSION

Michael and **Meredith Stowers**, representing RunEC, speak in support of the request, and indicate that the run will begin and end in Downtown El Cajon, will include a fitness challenge, and a beer and wine festival.

City Manager Williford states that this is the second year of the event, and the City of El Cajon fully supports the upcoming event.

In response to the suggestion from **Councilmember McClellan** to provide shuttle service, **Mrs. Stowers** indicates they are working with City staff to address parking and transportation issues.

Eric Lund, representing the San Diego East County Chamber of Commerce, feels the event will help showcase the City.

No one else comes forward to speak.

MOTION BY MCCLELLAN, SECOND BY AMBROSE, to APPROVE the request from RunEC.

MOTION CARRIES BY UNANIMOUS VOTE.

3. **PUBLIC HEARINGS: None**

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

No one comes forward to speak.

MOTION BY AMBROSE, SECOND BY MCCLELLAN, to APPOINT Councilmember Kendrick as Mayor Pro Tem.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 **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

City Manager Williford indicates the application period will run from December 11, 2013, through January 16, 2014, and that interviews and appointments will take place at the 7:00 p.m. meeting on January 28, 2014.

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

MOTION CARRIES BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS (Continued)

4.3 RESOLUTION: CONSIDERATION OF A NEW CITY LOGO AND MOTTO (Report: Assistant to the City Manager)

RECOMMENDATION: That the **City Council** adopt the next RESOLUTION in order, creating an official City logo and establishing “The Valley of Opportunity” as the official City motto.

DISCUSSION

Mayor Wells speaks about the opportunity for re-branding the City, given all the events that are happening, and the focus on bringing new businesses to El Cajon, and encouraging people to shop and dine in the City.

City Manager Williford provides the background for the existing logo and motto, and describes why it is time for a change.

Deputy City Manager/Director of Finance Nancy Palm speaks about the process for developing the new logo, which involved participation by the community, and support for the motto “The Valley of Opportunity”. Staff is requesting to use the new logo. However, City documents will continue to use the existing seal.

MOTION BY MCCLELLAN, SECOND BY AMBROSE, to ADOPT Resolution No. 115-13 creating an official City logo and establishing “The Valley of Opportunity” as the official City motto.

MOTION CARRIES BY UNANIMOUS VOTE.

4.4 HIGHWAY SAFETY IMPROVEMENT PROGRAM GRANT PROJECTS – CYCLE 6 (Report: Assistant City Manager)

RECOMMENDATION: That the **City Traffic Engineer** provide a PowerPoint presentation discussing the details of three Federal-aid HSIP grants for projects recently awarded to the City from CalTrans.

DISCUSSION

Assistant City Manager Al-Ghafry introduces the Item.

City Manager Williford comments these grants will bring many improvements to the City, and will help the citizens in the community.

ITEM 4.4 (Continued)

City Traffic Engineer Mario Sanchez gives a slide show presentation.

In response to questions from **Councilmember McClellan**, **Traffic Engineer Sanchez** indicates that cameras at the intersections pick up the video of oncoming vehicles and send signals, which aid in vehicle flow. A future project will include installation of countdown timers throughout the City, which will aid pedestrians.

No further comments made.

INFORMATIONAL ITEM - NO ACTION TAKEN.

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS

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.

6.1 Council Activities Report/Comments

6.2 Legislative Report

6.3 League of California Cities Bulletins dated – *City Advocate Weekly*

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

Mayor Pro Tem (Vacant)

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 – None

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING – None

14. ORDINANCES: SECOND READING AND ADOPTION – None

15. CLOSED SESSIONS:

RECOMMENDATION: That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency 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: Cindy-Marie Wiedmann-Rabion v. Billy Joe Cavins, et al.
San Diego Superior Court
Case Number 37-2012-00065831-CU-PA-EC

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

Name of Case: Paula Brown v. Christopher Baldwin, et al.
San Diego County Superior Court
Case Number GIC 868862

15.3 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

15.4 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

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CLOSED SESSIONS (Continued)

15.5 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

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 general contractor, the City, and the City's design professionals. Although all disputes involving the general contractor have been resolved, there remain disputes with the City's design professionals and consultants providing project management, in both the design and management of the project.

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

Name of Case: HSH, Inc.; HS Razuki, Inc. and 3201 National Inc.
v. City of El Cajon
United States District Court, Southern District of California
Case Number: 13CV2881 WQHNLS

MOTION BY MCCLELLAN, SECOND BY KENDRICK, to ADJOURN to Closed Session at 4:15 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 5:00 P.M.

City Attorney Foley reports the following actions:

- 15.1** Direction given by Council to the attorneys on this case.
- 15.2** No action taken.
- 15.3** Direction given by Council to the City Attorney.
- 15.4** Direction given by Council to the City Attorney.
- 15.5** Direction given by Council to the City's Legal Counsel.
- 15.6** Informational only – no action taken.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the City Council/ Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 10th day of December 2013, at 5:01 p.m. to Tuesday, December 10, 2013 at 7:00 p.m.

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

DECEMBER 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, December 10, 2013, was called to order by Mayor/Chair Bill Wells 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 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 McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Wells
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 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:

Mayor Wells requests to revise the order of the Agenda slightly, and hear Item 100 prior to Public Comment. After the public hearing item is completed, the meeting will continue with Public Comment and then Item 101. If there are people wishing to speak under Item 101 other than the applicants who will be interviewed, they should speak under Public Comment.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS:

Through earlier action, Item 100 is being considered ahead of Public Comment:

**100 SAN DIEGO COUNTY HHSa OFFICE CONSOLIDATION
CONDITIONAL USE PERMIT NO. 2187, 367 & 389 No. Magnolia Ave.
(Report: Planning Manager)**

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION in order approving Conditional Use Permit No. 2187, subject to conditions.

DISCUSSION

Mayor Wells indicates he must recuse himself from this Item as he lives within 500 feet of the subject property. He leaves the Chambers at 5:02 p.m.

Mayor Pro Tem Kendrick announces the Item.

Planning Manager Ranu provides a summary and slide presentation for the item.

The Public Hearing is now open.

Victor Mosso, CFO of MotoWorld of El Cajon and owner of a business in this complex, speaks in support of the project and praises the County, City Staff and developers for working together with other tenants and homeowners behind the project.

Michael Abrams indicates it was a pleasure to work with **City Manager Williford** and staff.

ITEM 100 (Continued)

No one else comes forward to speak.

MOTION BY MCCLELLAN, SECOND BY AMBROSE, to CLOSE the Public Hearing.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(WELLS – Disqualified)**

MOTION BY MCCLELLAN, SECOND BY AMBROSE, to ADOPT Resolution No. 116-13, approving Conditional Use Permit No. 2187, subject to conditions.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(WELLS – Disqualified)**

Mayor Wells returns to the Chambers at 7:08 p.m.

PUBLIC COMMENT:

Mayor Wells states that he assumes there are many people in the audience who wish to address the City Council on Item 101 regarding the open City Council seat. He suggests combining those comments with general public comments at this time, and requests that anyone wishing to speak on Item 101 submit speaker cards now, to the City Clerk. He adds there will no duplication of public comments when Item 101 comes up on the agenda a few minutes later. Anyone wishing to speak to items not on the Agenda should also submit speaker cards at this time.

Barbara Blackledge speaks in support of Tony Sottile, an applicant for City Council.

Dr. Charles Kendall speaks in support of Tony Sottile.

Mark Arabo indicates he echoes the sentiments of what unites everyone in this room. He supports district elections and transparency, and hopes that the Mayor and Council will put district-wide elections on the ballot to help make things equitable, fair, and diverse.

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PUBLIC COMMENT: (Continued)

Kamil Salem speaks in support of Humbert Cabrera for City Council.

Frank Tsimboukakis, President of the East County Democratic Club and a customer of El Cajon businesses, feels it is time for some diversity. He hopes this time integrity will be used, and urges that Council not choose an applicant because of political or church affiliations.

Bonnie Price urges Council to think very carefully before making a selection for the Council seat. She supports Ben Kalasho and feels he is very capable to handle the issues facing El Cajon.

Keith Michael Eshaki thanks each member of the Council for their service, and indicates he is here to support Michael Griffiths.

Elizabeth Frazier speaks in support of Tony Sottile.

Kathleen Harmon speaks in support of Vickie Butcher and district elections.

Younis Hamawi speaks in support of Humbert Cabrera for City Council, and the need for accessible curb ramps, sidewalks and buses for people in wheelchairs.

Michael Foldenauer comments that he is very impressed with El Cajon, its cleanliness and churches. He inquires as to whether there is a community gymnasium.

Andrew Johnson speaks in support of Humbert Cabrera for City Council.

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INTERVIEWS:

**101 INTERVIEWS FOR CITY COUNCIL VACANCY
(Report: City Attorney)**

RECOMMENDATION: That the **City Council** conduct interviews for the vacant Council seat, and appoint an applicant to serve the remainder of a term expiring in November 2016.

**LIST OF APPLICANTS
(In Alphabetical Order)**

1	Intsar Bales
2	Theresa Benintende-Wister
3	Rodney Bohling
4	Cornelius Bowser
5	Vickie Butcher
6	Humbert Cabrera
7	Nick Demaj
8	Paul Dosik
9	Mike Foldenauer
10	Michael Griffiths
11	Stephanie Harper
12	Theodore Kagan
13	Ben Kalasho
14	John "Stan" Landess
15	Kimberly Lobera
16	James Lewis
17	Johnny Minarick
18	Darrin Mroz
19	Melinda Neill
20	Stephen Nissou
21	Emily "Lily" Schworm
22	Christopher Shamoon
23	Rodgers Smith
24	Anthony Sottile
25	Katherine Spacone
26	Duane Swainston
27	Wendie Wigginton

ITEM 101 (Continued)

DISCUSSION

Mayor Wells outlines the procedure for the interviews, and advises there may not be sufficient time at this meeting to interview all of the applicants. Interviews may need to conclude next Tuesday, December 17th at 6:00 p.m. He notes that applicant Theresa Benintende-Wister is unable to attend this evening and will be interviewed on December 17th.

Applicants are interviewed as follows:

**Star Bales
Rodney Bohling
Vickie Butcher**

*Recess called at 8:37 p.m.
Meeting called back to order at 8:43 p.m.*

Interviews continue as follows:

**Humbert Cabrera
Fisnik Nick Demaj
Paul Dosik
Michael Griffiths
Stephanie Harper
Theodore Kagan
Ben Kalasho**

*Recess called at 10:11 p.m.
Meeting called back to order at 10:19 p.m.*

Mayor Wells indicates that due to the late hour, interviews will need to conclude at the next meeting, and that three more applicants will be interviewed this evening.

Johnny Minarick advises **Mayor Wells** that he will not be able to stay for the interview this evening. **Mayor Wells** suggests that **Mr. Minarick** return next week for the interview.

Interviews continue with the following applicants:

**John Stan Landess
Kimberly Lobera
Darrin Mroz**

ITEM 101 (Continued)

Mayor Wells thanks everyone for coming to tonight's meeting, and reminds them interviews will continue at an adjourned meeting on Tuesday, December 17th at 6:00 p.m.

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

ADJOURNMENT: **Mayor Wells** 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 December 2013, at 10:53 p.m. to Tuesday, December 17, 2013, at 6:00 p.m.

KATHIE J. RUTLEDGE, CMC
City Clerk/Secretary