

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

February 25, 2014

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, February 25, 2014, 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. This meeting was adjourned from the Adjourned Regular Joint meeting held at 3:00 p.m. on February 11, 2014.

ROLL CALL

Council/Agencymembers present:	Ambrose, Bales and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Wells
Other Officers present:	Hawley, 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 February 11, 2014, meeting and the Agenda of the February 25, 2014, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Neighborhood Watch Recognitions**
- **Mid-Year Budget, 5-Year CIP Budget, 5-Year Business Plan**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.7)

MOTION BY McCLELLAN, SECOND BY AMBROSE, to APPROVE Consent Items 1.1 to 1.7.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the February 11, 2014, 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.

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 COMMUNITY EVENT IN THE RIGHT-OF-WAY, RunEC
(Report: Director of Recreation)**

Approve the use of the public right-of-way for the RunEC St. Patrick's Day Half Marathon, subject to conditions.

CONSENT ITEMS (Continued)

1.5 RESOLUTION: AWARD OF BID NO. 014-14, AUTOMATIC CPR DEVICES (Report: Purchasing Agent)

Adopt RESOLUTION NO. 014-14 and award the bid to the lowest responsive, responsible bidders, Barnett Surgical Supply, in the amount of \$2,234.50; BoundTree Medical, LLC, in the amount of \$5,061.01; and Physio-Control, Inc., in the amount of \$48,426.72.

1.6 2013 REGIONAL REALIGNMENT RESPONSE GROUP GRANT (R3G) (Report: Police Chief)

- Authorize the City Manager or designee to participate in the R3G grant, estimated in the total amount of \$40,000 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
- Appropriate these funds in the amount of \$40,000 for overtime and fringe benefits.

1.7 RESOLUTION: AWARD OF BID NO. 016-14, BMW POLICE MOTORCYCLES (Report: Purchasing Agent)

Adopt RESOLUTION NO. 015-14 and award the bid to the sole responsive, responsible bidder, Powersports Unlimited Inc., dba: BMW Motorcycles of Escondido, in the amount of \$92,295.56.

PUBLIC COMMENT:

Ray Lutz expresses concern regarding traffic problems at Anza Street near Chase Avenue, around Anza Elementary School. He feels the drop off lane is insufficient to accommodate the parked and moving vehicles, and suggests the use of red curbs, or a 'keep clear' area to alleviate the traffic. He will deliver a report to the City Manager's Office with more information.

Brenda Hammond shares her opinion about the homeless problem in El Cajon. She feels the local programs are creating more problems rather than solving them, by creating pharmaceutical addicts.

Michael Stowers and Rob Ransweiler speak about the upcoming event: RunEC. Lt. Ransweiler thanks the City Council for their support.

2. WRITTEN COMMUNICATIONS:

**2.1 CITY SUPPORT REQUEST FROM ARAB AMERICAN FESTIVAL
(Report: Director of Recreation)**

RECOMMENDATION: That the **City Council** approve the request for City support from the Arab American Festival to conduct their Festival in the Centennial Plaza on Rea Avenue and Sulzfeld Way, May 17-18, 2014.

DISCUSSION

City Manager Williford gives a brief explanation about the upcoming Arab American Festival.

Ashraf Elgamal, President of the Arab-American Association and founder of the Arab American Festival, gives a video presentation of the upcoming festival.

Councilmembers speak in support of the event.

MOTION BY McCLELLAN, SECOND BY BALES, to APPROVE the request for City support from the Arab American Festival to conduct their Festival in the Centennial Plaza on Rea Avenue and Sulzfeld Way, May 17-18, 2014.

MOTION CARRIES BY UNANIMOUS VOTE.

3. PUBLIC HEARINGS:

**3.1 DELINQUENT REFUSE COLLECTION CHARGES
(Report: Deputy Director of Public Works)**

RECOMMENDATION: That the **City Council:**

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

PUBLIC HEARINGS – ITEM 3.1 (Continued)

DISCUSSION

Deputy Director of Public Works Davies gives brief presentation on refuse collection charges and announces a representative from Waste Management is present to answer any questions City Council or residents might have.

No one else comes forward to speak.

MOTION BY McCLELLAN WELLS, SECOND BY AMBROSE to Close Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY McCLELLAN WELLS, SECOND BY AMBROSE to ADOPT RESOLUTION NO. 016-14 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills; and Authorize the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

MOTION CARRIES BY UNANIMOUS VOTE.

3.2 MAGNOLIA ADULT DAY HEALTH CARE – CONDITIONAL USE PERMIT NO. 2197 (Report: Planning Manager)

RECOMMENDATION: That the City Council:

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

THEN

- Adopt the next RESOLUTION in order approving Conditional Use Permit No. 2197, subject to conditions.

DISCUSSION

Senior Planner Shute gives presentation on Magnolia Adult Day Health Care.

Councilmembers and **Staff** discuss rehabilitation to the landscape on the corner of Madison Avenue and Magnolia Avenue, and trash enclosures in the facility.

PUBLIC HEARINGS – ITEM 3.2 (Continued)

In response to **Councilmember Bales’** and **Mayor Well’s** questions, **Nataly Kourabi**, the applicant, informs the City Council that all costs incurred by these patients are covered by a Federal State Program. She also states that to keep patients safe, they keep a high number of staff on hand to assist with recurring issues.

MOTION BY WELLS SECOND BY McCLELLAN to CLOSE Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY McCLELLAN BALES, SECOND BY KENDRICK to ADOPT RESOLUTION No. 017-14 approving Conditional Use Permit No. 2197, subject to conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

Recess called at 4:07 p.m.

Meeting called back to order at 4:15 p.m.

4. ADMINISTRATIVE REPORTS:

**4.1 KaBOOM! PLAYGROUND GRANT AWARD 2014
(Report: Director of Recreation)**

RECOMMENDATION: That the City Council:

- Authorize the City Manager or designee to accept the 2014 KaBOOM! Playground Grant. Together, with funding partner Forresters, and community partners Stoney’s Kids and the Boys & Girls Club of East County, KaBOOM! Will construct a new playground at Wells Park; and
- Appropriate \$8,500.00 as the remaining fund source for the complete installation of the Wells Park playground.

DISCUSSION

Director of Recreation Sara Ramirez gives a brief presentation on the KaBoom! Playground Grant Award.

ADMINISTRATIVE REPORT – ITEM 4.1 (Continued)

Councilmembers congratulate the Recreation Department on being awarded a second playground grant.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to AUTHORIZE the City Manager or designee to accept the 2014 KaBOOM! Playground Grant.

MOTION CARRIES BY UNANIMOUS VOTE.

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS

SANDAG (San Diego Association of Governments); SANDAG Public Safety Committee; League of California Cities, San Diego Division; Heartland; Fire Training JPA – Alternate; Indian Gaming Local Community Benefit Committee.

6.1 Council Activities Report/Comments

REPORT AS STATED.

6.2 Legislative Report – Mayor Wells reports that bill AB188 died in the Senate.

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

MAYOR PRO TEM GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA; SANDAG (San Diego Association of Governments) - Alternate; SANDAG Public Safety Committee – Alternate.

7.1 Council Activities Report/Comments

In addition to the stated report, **Mayor Pro Tem Kendrick** indicates that he attended a meeting on February 24, 2014 with Jill Kalasho, owner of Ali Baba Restaurant.

REPORTS OF COUNCILMEMBERS: (Continued)

8.

COUNCILMEMBER TONY AMBROSE

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

8.1 Council Activities Report/Comments

REPORT AS STATED

8.2 Proposal for El Cajon Veterans' Memorial

RECOMMENDATION: That the City Council provide its support for the concept of an El Cajon Veterans' Memorial and authorize Councilmembers Tony Ambrose and Star Bales to pursue this effort on behalf of the City Council, and to report back to the full Council on a regular basis.

DISCUSSION

Councilmember Ambrose gave detailed information on the proposed El Cajon Veterans' Memorial and answered questions from Council in regards to this project.

MOTION BY AMBROSE SECOND BY McCLELLAN to APPROVE Item 8.2 as recommended.

MOTION CARRIES BY UNANIMOUS VOTE.

9.

COUNCILMEMBER STAR BALES

East County Economic Development Council - Alternate; METRO Commission/ Wastewater JPA – Alternate; Indian Gaming Local Community Benefit Committee – Alternate.

9.1 Council Activities Report/Comments

REPORT AS STATED.

10.

COUNCILMEMBER BOB McCLELLAN

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

10.1 Council Activities Report/Comments

REPORT AS STATED.

11. **JOINT COUNCILMEMBER REPORT: 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 Sessions as follows:

15.1 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 project manager for the project.

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15.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Pursuant to Section 54956.8 of the Government Code:

Property	Negotiating Parties	Agency Negotiators
APN #488-111-28-00 A portion of City-owned property (ECPAC Theater)	Rock Church Mark W. Stevens	City Manager Assistant City Manager City Attorney

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential lease of property owned by the City.

DISCUSSION

Ray Lutz, CitizensOversight.org, opposes Item 15.2 being a Closed Session item. He feels it is a Brown Act violation, and if churches will be allowed, then all churches should have an equal opportunity.

City Manager Williford explains the issue falls under the Brown Act as a Real Property Negotiation and that is the reason it is allowed to be discussed under Closed Session.

City Attorney Foley provides clarification on the nature of the item and the legalities of having this item as a Closed Session. He explains the meeting is to present details to Council, not make a decision.

Art Ballantyne offers suggestions on repairing ECPAC so it can to be re-opened to the public.

Bonnie Price speaks against giving Rock Church access to ECPAC, and feels other groups should be given the same opportunity.

Mayor Wells clarifies that this meeting with Rock Church is only to listen to their proposal. It is not to make decisions regarding the use of ECPAC at this point, and there is no Brown Act Violation.

City Attorney Foley clarifies this item is only a proposal to lease, not manage ECPAC.

ITEM 15.2 (Continued)

Councilmember Bales supports the idea of listening to different groups and re-opening ECPAC.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADJOURN to Closed Session at 4:45 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 5:34 P.M.

City Attorney Foley reports the following actions:

15.1 Direction was given to the City's Legal Counsel.

15.2 City Council discussed terms of the potential lease and possible rents, and gave direction to the Real Property Negotiators.

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 25th day of February, 2014, at 5:35 p.m. to Tuesday, February 25, 2014, at 7:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

February 25, 2014

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, February 25, 2014, 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 February 25, 2014, by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	Ambrose, Bales and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair absent:	Kendrick
Mayor/Chair present:	Wells
Other Officers present:	Hawley, 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: None

PUBLIC COMMENT: None

PUBLIC HEARINGS:

100 FY 2014-2015 CDBG AND HOME ALLOCATIONS (Report: City Manager)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Accept public input for the Five-Year Consolidated Plan;
- Close the Public Hearing;
- Allocate funds to projects and programs that will be funded from the FY 2014-15 Community Development Block Grant (CDBG) and HOME grant programs.

Staff will prepare a draft Consolidated Plan and preliminary funding schedule reflecting the City Council's decisions relative to the FY 2014-15 Annual Action Plan, and will present both for final adoption at the second public hearing scheduled for April 22, 2014.

DISCUSSION

City Attorney Foley announces that **Mayor Pro Tem Kendrick** is not present as he is disqualified due to his spouse's employment by the Home of Guiding Hands, which is a source of income to his family.

City Manager Williford introduces **Senior Management Analyst Jamie Kasvikis** to present the Five-Year Consolidated Plan.

Mayor Wells announces the Public Hearing is now Open.

The following people speak to request CDBG and Home Allocations funds:

Estela De Los Rios – CSA San Diego County

Mark Klaus – Home of Guiding Hands

Ilya Uribe – Resident Leaders in Action/Lexington Elementary PTA (Supported funding for First Street/Redwood Improvements)

Harold Brown – East County Transitional Living Center

Marion Mann – Meals on Wheels

Leah Healy - Urban Corps of San Diego County

Debra Emerson – St. Madeleine Sophie's Center.

Carlos Medina, on behalf of Alberto Cortez - Mamas Kitchen

Sallie Bayless – Chaldean & Middle Eastern Social Services

ITEM 100: (Continued)

Lori Pfeilor - San Diego Habitat for Humanity

Councilmember McClellan asks why San Diego Habitat is not listed in the proposal, under the HOME Funds Section. **Senior Management Analyst Kasvikis** explains San Diego Habitat currently does not meet the criteria for using HOME Funds.

No further comments are offered.

MOTION BY McCLELLAN, SECOND BY BALES, to CLOSE the Public Hearing.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

At the request of **Councilmember McClellan**, **Council** and **Staff** consider allocating money to assist the East County Transitional Living Center for solar panels to save money on monthly utility costs. **City Manager Williford** suggests re-opening the Public Hearing to get more information from the manager at ECTLC regarding their needs and the condition of the buildings where the solar panels would be installed.

MOTION BY WELLS, SECOND BY McCLELLAN, to re-open Public Hearing.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

Mr. John Gibson explains that solar panels on their older buildings is probably not the best option, however, installing the solar panels at the pool area and administrative building would be a better option.

Discussion between **Council** and **Staff** continues regarding where money would be taken from to give \$60,000 to East County Transitional Living Center to install solar panels.

The consensus of **Council** agrees to CLOSE the Public Hearing.

MOTION BY WELLS, SECOND BY McCLELLAN, to TENTATIVELY APPROVE the allocations for CBDG Public Facilities/Capital/Other, as recommended by Staff, with the exception of reducing the allocation for ADA Pedestrian Curb Ramps to \$16,157.00 and allocating \$60,000.00 to East County Transitional Living Center for the installation of solar panels.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

ITEM 100: (Continued)

MOTION BY WELLS, SECOND BY McCLELLAN, to TENTATIVELY APPROVE the CDBG - Administration as recommended by Staff.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

MOTION BY WELLS, SECOND BY AMBROSE, to TENTATIVELY APPROVE the CDBG -Public Services as recommended by Staff.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

MOTION BY WELLS, SECOND BY McCLELLAN, to TENTATIVELY APPROVE the HOME-Administration as recommended by Staff.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

MOTION BY AMBROSE, SECOND BY McCLELLAN, to TENTATIVELY APPROVE the HOME-CHDO Reserve as recommended by Staff.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

MOTION BY BALES, SECOND BY McCLELLAN, to TENTATIVELY APPROVE the HOME-Entitlement Projects as recommended by Staff.

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.
(KENDRICK – DISQUALIFIED)**

ADJOURNMENT: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 25th day of February, 2014, at 7:58 p.m. to Tuesday, March 11, 2014, at 3:00 p.m.

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