

JOINT MEETING OF THE EL CAJON CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

September 27, 2016

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency of the City of El Cajon, California held Tuesday, September 27, 2016, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Bales, Kendrick and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Ambrose
Mayor/Chair present:	Wells
Other Officers present:	Hawley, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director
Other Officers absent:	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 September 13, 2016, meeting and the Agenda of the September 27, 2016, meeting in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

For practical purposes, **Mayor Wells** announced that the Presentation and Proclamation for Manufacturing Expo and Resource Fair Event would be moved ahead of the Big Brothers and Big Sisters presentation.

- **PROCLAMATION: Fire Prevention Week - October 9-15, 2016**
- **PROCLAMATION: German American Month – October 2016**
- **Big Brothers and Big Sisters of San Diego County - Ayana Program**
- **PRESENTATION AND PROCLAMATION: Manufacturing Expo and Resource Fair Event**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.6)

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1.1 to 1.6.

MOTION CARRIED BY UNANIMOUS VOTE.

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

Approve Minutes of the September 13, 2016 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.

CONSENT ITEMS: (Continued)

**1.4 FISCAL YEAR 2016/2017 YOUTH LEAGUE UTILITY SUPPORT RECOMMENDATION
(Report: Stacy Knight, Recreation Services Manager)**

Approves the Recreation Council recommendation to provide utility support to eight Executive Member youth leagues.

1.5 2017 CALENDAR OF MEETINGS FOR THE CITY COUNCIL/ HOUSING AUTHORITY AND SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY (Report: Belinda Hawley, City Clerk)

Reviews the proposed 2017 calendar of meetings for the City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency, makes appropriate modifications, or accepts as presented.

1.6 HOUSING AUTHORITY ANNUAL REPORT – FY 2015-16 (Report: Anthony Shute, Deputy Director, Community Development)

- Approves the Annual Report; and
- Authorizes 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.

PUBLIC COMMENT:

Lu Tejada, representing the El Cajon Recreation Council, expressed his gratitude for the continued support of the **Council** for their program.

Councilmembers thanked **Mr. Tejada** for all his hard work on the Recreation Council.

Sunshine Horton shared a flyer with information about her birthday celebration, indicating that profits will benefit Rady's Childrens Hospital in honor of her late daughter.

Stephen Heverly, representing Equinox Project, shared with Councilmembers and Staff a pamphlet with information about their program. **Mayor Pro Tem Ambrose** thanked Mr. Heverly for his work and stated that the information in the brochure was mainly gathered from SANDAG.

PUBLIC COMMENT: (Continued)

Monica Zech spoke about the last educational work shop being offered with information regarding District Elections Measure S, on October 3, 7:00 - 8:30pm, 1221 Emerald Avenue. Information is also available on the City's website.

Mayor Wells announced a special Public Comment section for comments on District Elections, which will be available until the November Elections.

In answer to a question by **Councilmember McClellan**, **City Manager Williford** stated that he was informed that the City of El Cajon would be sued if the citizens voted no on Measure S. As with other legal issues, Staff would seek the advice from **City Council** on how to proceed at that point.

City Attorney Foley added that should Measure S be turned down, the courts could alter the City's Charter to enforce the districts forming. This would be done at a costly price to the City.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

3.1 SUBSTANDARD CONDITIONS AT 1257 BROADWAY (Report: Dan Pavao, Building Official/Fire Marshal)

RECOMMENDATION: That the City Council:

- Opens the public hearing and receive testimony;
- Closes the public hearing;
- Deems appropriate the Building Official/Fire Marshal's actions in this case;
- Directs staff to monitor the condition of the property and release power when the building has been rehabilitated; and,
- Bills the current property owner for administrative costs in the amount of \$615.00, and staff time in the amount of \$500.33, for a total of \$1,115.33 to be placed as a tax lien if not paid within 90 days.

DISCUSSION

Building Official/Fire Marshal, Dan Pavao, gave a summary of the Item.

PUBLIC HEARINGS: (Item 3.1 – Continued)

Conversation ensued between **Staff** and **Councilmembers** regarding:

- The type of business operating at the site;
- SDGE will not turn power on until clearance is received from the City;
- The owner of the property has been notified of the situation;
- Dangerous situation for the public with generators being utilized; and
- Discussion of more severe penalties for future situations.

Mayor Wells opened the public hearing.

No one came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY BALES, to DEEM appropriate the Building Official/Fire Marshal's actions in this case; Direct staff to monitor the condition of the property and release power when the building has been rehabilitated; and, Bill the current property owner for administrative costs in the amount of \$615.00, and staff time in the amount of \$500.33, for a total of \$1,115.33 to be placed as a tax lien if not paid within 90 days.

MOTION CARRIED BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS: None

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS

SANDAG (San Diego Association of Governments); SANDAG Public Safety Committee – Chair; 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.

ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS: (Continued)

6.2 LEGISLATIVE REPORT - No Report

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

7.1 Council Activities Report/Comments

REPORT AS STATED.

8.

MAYOR PRO TEM TONY AMBROSE

SANDAG – Alternate; SANDAG Public Safety Committee – Alternate; 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

In addition to the submitted report, **Mayor Pro Tem Ambrose** stated he attended the Governmental Affairs meeting at the Chamber of Commerce earlier in the day.

9.

COUNCILMEMBER BOB McCLELLAN

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

9.1 Council Activities Report/Comments

REPORT AS STATED.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

10. COUNCILMEMBER STAR BALES

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

10.1 Council Activities Report/Comments

In addition to the submitted report, **Councilmember Bales** stated she attended a meeting with **City Manager Williford** and the Council Meeting of September 27, 2016.

11. JOINT COUNCILMEMBER REPORTS: None

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING

13.1 INTRODUCTION OF ORDINANCE ADDING CHAPTER 9.33 TO THE EL CAJON MUNICIPAL CODE BANNING PUBLIC NUDITY (Report: Morgan Foley, City Attorney)

RECOMMENDATION: That the **City Council** considers approving the ordinance attached to the report, adding Chapter 9.33 to the El Cajon Municipal Code banning public nudity, and, if approved, takes the following actions:

- **Make a MOTION, and second to introduce the Ordinance**
- **Discussion**
- **Vote**
- **If approved, the Mayor requests the City Clerk to recite the title**

MOTION BY AMBROSE, SECOND BY BALES, to INTRODUCE the Ordinance.

MOTION CARRIED BY UNANIMOUS VOTE.

ORDINANCES: FIRST READING (Item 13.1 – Continued)

DISCUSSION

City Attorney Foley gave a summary of the Item.

Mayor Pro Tem Ambrose spoke in support of the Item.

No further comments were offered.

MOTION BY AMBROSE, SECOND BY BALES, to INTRODUCE the Ordinance.

MOTION CARRIED BY UNANIMOUS VOTE.

The **City Clerk** recited the title of the ordinance for a first reading.

An Ordinance by the City Council of the City of El Cajon, California, adding Chapter 9.33 to Title 9 to the El Cajon Municipal Code to Prohibit Public Nudity

14. ORDINANCES: SECOND READING AND ADOPTION

14.1 SPEED LIMIT ON WINDMILL VIEW ROAD

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

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

An Ordinance Amending Section 10.20.130 of Chapter 10.20 of the El Cajon Municipal Code Deleting the 35 Miles Per Hour Speed Limit and Establishing a New 30 Miles Per Hour Speed Limit on Windmill View Road Between Hacienda Drive and Valley Lake Drive in the City of El Cajon

MOTION BY WELLS, SECOND BY McCLELLAN, to ADOPT Ordinance No. 5042.

MOTION CARRIED BY UNANIMOUS VOTE.

15. CLOSED SESSIONS:

RECOMMENDATION: That the City Council/Housing Authority/Successor Agency to the Redevelopment Agency adjourns 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: Christine Greer v. City of El Cajon, et al.
San Diego Superior Court
Case No. 37-2016-00027133-CU-OE-CTL

MOTION BY KENDRICK, SECOND BY McCLELLAN, to ADJOURN to Closed Session at 4:05 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 4:14 P.M.

City Attorney Foley reported the following actions:

15.1 City Council gave direction to Legal Counsel.

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 27th day of September 2016, at 4:14 p.m. to Tuesday, October 11, 2016, at 3:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary