

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

JANUARY 14, 2003

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, January 14, 2003 was called to order by Mayor/Chair Mark Lewis at 3:00 p.m., in the Council Chambers, 200 East Main Street, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	McClellan, Ramos, Santos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Lewis
Other Officers present:	Linn, City Clerk/Secretary Foley, City Attorney/General Counsel Garrett, City Manager/Executive Director Munzenmaier, Director of Public Works Griffin, Director of Community Development

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 December 17, 2002 Meetings and the Agenda of the January 14, 2003 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

PROCLAMATION

National Volunteer Blood Donor Month – January, 2003

Mayor Lewis proclaims the month of January 2003 to be National Volunteer Blood Donor Month in the City of El Cajon. **Barbara Davies, Nursing Manager, East County San Diego Blood Bank** and **Ramona Walker, Chief Executive Officer, San Diego Blood Bank** receive the proclamation.

PRESENTATION

San Diego-East County Visitors Bureau

Eric Lund, representing the San Diego-East County Visitors Bureau thanks the City of El Cajon for their leadership and support of tourism. A plaque and hand-made dream catcher is presented to Mayor Lewis and Councilmembers.

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.11)

MOTION BY Lewis, SECOND BY Kendrick, to approve Consent Items No. 1.1 – 1.10, pulling Item 1.11 for discussion as requested by the Public.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL MEETINGS:

Approve Minutes of the December 17, 2002 Meetings of the El Cajon City Council.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.3 NOTICE OF COMPLETION AND ACCEPTANCE – PUBLIC WORKS ALTERATIONS AT 1050 VERNON WAY (Report: Purchasing Agent)

Accept the project, authorize the City Clerk to record a Notice of Completion, release the bonds according to the agreement for the project, and require the contractor to maintain insurance until all bonds have been released.

CONSENT ITEMS: (Continued)

1.4 GRANT FOR SAFE ROUTES TO SCHOOL PROGRAM (Report: Director of Public Works)

Approve the subject project, designate matching funds of \$11,750 (10%) from Gas Tax or other appropriate funding sources, and authorize the City Manager or his designee to sign the necessary agreements on behalf of the City.

1.5 GILLESPIE FIELD DEVELOPMENT COUNCIL (Report: City Clerk)

Ratify the appointment by the Board of Supervisors of Cliff Leary to the Gillespie Field Development Council for a term to expire December 3, 2006.

1.6 NOTICE OF COMPLETION AND ACCEPTANCE – ECPAC THEATER SEAT RENOVATION (Report: Purchasing Agent)

Accept the project, authorize the City Clerk to record a Notice of Completion, release the bonds according to the agreement for the project, and require the contractor to maintain insurance until all bonds have been released.

1.7 LETTERS OF APPRECIATION – WALL OF FAME

Authorize the following letters to be included on the City's *Wall of Fame* and/or letters of appreciation be sent to the appropriate parties:

Letter from John F. Boles, concerning a new stop sign at the intersection of Murray Drive and Murray Avenue, commends City Employees Bill Brockman, Dave Garrett, Martin Bitterling, Dan Craft, Joe Gifford and Trev Holman.

Memo from Community Policing Division of the Police Department commending Paul Palombo, Fleet Maintenance, for outstanding customer service.

1.8 RESOLUTION NO.1-03: AWARD BID – SILVERY LANE AND WESTWIND DRIVE SEWER REPLACEMENT (Report: Purchasing Agent)

Adopt RESOLUTION NO. 1-03, and award the bid to the low bidder Sim J. Communications Inc. in the amount of \$187,235.00, and authorize additional funding from the Wastewater CIP account 35950.

CONSENT ITEMS: (Continued)

1.9 RESOLUTION NO. 2-03: AWARD OF BID 02-03 FOR FACTORY LOADED AMMUNITION (Report: Purchasing Agent)

Adopt RESOLUTION NO. 2-03, and award portions of the bid to San Diego Police Equipment Company, Inc. in the amount of \$21,702.68 and All State Police Equipment Company in the amount of \$1,887.78.

1.10 RESOLUTION OF INTENTION - VACATION OF ALLEY SOUTH OF BROADWAY BETWEEN FIRST AND ORO STREETS

Adopt RESOLUTION NO. 03-03 as the Resolution of Intention to vacate the Alley South of Broadway between First and Oro Streets and setting the Public Hearing date for Tuesday, February 11, 2003 at 3:00 p.m.

1.11 PULLED FOR DISCUSSION

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1.11 RESOLUTION NO. 4-03: AWARD BID FOR CONSTRUCTION OF PEDESTRIAN RAMPS (Report: Purchasing Agent)

Adopt RESOLUTION NO. 4-03, to rescind the award of bid to the low bidder P.A. Wilson, Inc. and award the bid to the second low bidder Koch-Armstrong General Engineering, Inc., in the amount of \$78,790 and direct staff to seek recovery of the difference from the bid bond surety for P.A. Wilson Inc.

DISCUSSION

Steve Sekeres, 1150 N. Second Street, El Cajon, CA 92021, representing P.A. Wilson, Incorporated, reports he had not seen the HUD documents included in the bid package, and requests the City not cash the bid bond.

City Attorney Foley recommends approval of the Resolution and to seek recovery of the difference in cost within 10 days.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 4-03, in order to rescind the award of bid to P.A. Wilson, Inc. and award the bid to Koch-Armstrong General Engineering, Inc, and recover the difference in cost from P.A. Wilson, Inc. within 10 days, otherwise to recover the cost from the surety posted.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Rosa Shammas, 669 E. Main Street, El Cajon, CA, representing Magnolia Florist, speaks regarding transitory flower vendors on street corners during peak business times, such as holidays.

Buell Stone, 9255 Magnolia, Santee, CA, representing the East County Toy Drive, reports that 8500 children were helped this year with the assistance of the Salvation Army.

Maria Ambriz, 1183 E. Main Street, El Cajon, CA 92020 speaks regarding flower vendors taking business away from stores.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA speaks supporting the florist businesses' complaint about temporary flower vendors and of her efforts to help needy citizens.

Brian Hopson, 644 W. Lexington Avenue, El Cajon, CA, 92020, speaks regarding an incident on November 12, 2002, when he was treated by City paramedics and was billed for the service. He indicates he did not want to be treated.

Edy Mason, 324 W. Park Avenue, El Cajon, CA, speaks regarding graffiti at 379 W. Park, at Hollywood Video and in the general area, especially on sidewalks. She requests removal of the graffiti.

2. WRITTEN COMMUNICATIONS:

2.1 LETTER: ASSEMBLYMEMBER JAY LA SUER – REQUEST TO WAIVE FEES FOR USE OF COMMUNITY CENTER FOR JOB FAIR

77TH District Assemblymember Jay La Suer requests Council waive the fees to use the Community Center from 8:00 am to 2:00 pm on March 8, 2003 for a Job Fair.

DISCUSSION

Councilmember McClellan suggests if the fees are waived, a letter should be written to Assemblymember La Suer commenting on the State's proposed budget cuts.

Councilmembers Ramos and Santos speak in opposition of waiving the fees.

City Manager Garrett remarks the City would be providing use of the center at no charge at this time, but may not be able to do so in the future.

WRITTEN COMMUNICATIONS: (Continued)

MOTION BY Lewis, SECOND BY McClellan, to waive the fees for the event.

AYES: Kendrick, Lewis, McClellan
NOES: Ramos, Santos

MOTION CARRIES.

2.2 LETTER: CLASSIC MOVERS & SHAKERS – WEEKLY CAJON CLASSIC CRUISE

Geoffrey Ferber and Bob Chabot request time to present a formal plan for the 3rd edition of their weekly Cajon Classic Cruise, starting April 2, 2003 to October 29, 2003.

DISCUSSION

Bob Chabot, 8130 La Mesa Blvd., #311, La Mesa, CA 91941, representing Cajon Cruise Classic, speaks in favor expanding the Cajon Classic Cruise event, suggesting more use of pop-outs, extending the show to Avocado Avenue, and allowing a 3-year permit, to make this a more marketable event. Perhaps a similar, abbreviated type of event could be held on Wednesday evenings during the “down season”, which would be the months of November through March.

Geoffrey Ferber, 8130 La Mesa Blvd., #311, La Mesa, CA 91941, representing Cajon Cruise Classic, speaks in favor of expanding the event, noting that with new developments in the downtown area, they are losing space for this event. Moving the event further east, down Main Street would bring more money into the community. Attendance at the event has greatly increased on the three occasions when the streets were shut down. This provides a safer area for children and pedestrians.

Mayor Lewis suggests the organizers develop a more formal plan to submit to the City Manager’s Office.

Daryl Priest, 124 W. Main Street, #240, El Cajon, CA, 92020, representing the Community Development Corporation, reports the Community Development Corporation supports expansion of the event and will work with City staff on a formal plan.

WRITTEN COMMUNICATIONS: (Continued)

Councilmember Santos remarks on complaints received from tenants at the nearby senior housing complexes and suggests a representative from the Community Development Corporation meet with these tenants.

In response to **Mr. Priest's** question on arrangements for use of pop-outs at the event, **City Manager Garrett** indicates staff will take a look at the Code to consider a change and present recommendations to Council.

Mayor Lewis suggests consideration be given to placement of vendors during the event, so as not to deter business from the existing stores and restaurants. **Bob Chabot** states that food vendors will not be placed within 1 block of restaurants.

NO ACTION TAKEN.

2.3 LETTER: DIRECTOR OF MISS EL CAJON SCHOLARSHIP PAGEANT – SIGNS FOR EVENT AND OTHER REQUESTS

A request from Jillian Hanson-Cox that the Pageant be designated as a community wide event in order for signage to be in approved locations and the Pageant be designated as an "Official" co-sponsored City Event.

DISCUSSION

Edie Hanson, 769 Catalpa Way, El Cajon, CA 92021, speaks on behalf of Jillian Hanson-Cox, and requests the City designate the pageant as an official community event. Signage is requested at several locations throughout the city. A sell-out crowd is expected at the East County Performing Arts Center for this year's event.

City Manager Garrett informs that permission is required from the property owners before the signage can be posted at approved locations, and that rental fees will be charged for the event and will need to be paid to the Performing Arts Center.

MOTION BY Lewis, SECOND BY Santos, to designate the pageant as a community wide event, with signs at approved locations and designated as an "Official" co-sponsored City Event.

MOTION CARRIES BY UNANIMOUS VOTE.

3. PUBLIC HEARINGS:

3.1 VACATION OF ALLEY SOUTH OF BROADWAY BETWEEN FIRST AND ORO STREETS

RECOMMENDATION: *That the City Council* continue the Public Hearing to February 11, 2003 to comply with the notice requirements under State law.

MOTION BY Lewis, SECOND BY Santos, to continue the Public Hearing to February 11, 2003.

MOTION CARRIES BY UNANIMOUS VOTE.

3.2 (CONTINUED PUBLIC HEARING FROM DECEMBER 17, 2002) APPEAL OF CONDITIONS IMPOSED IN GRANTING AMENDMENT TO CONDITIONAL USE PERMIT 1007 OUTDOOR DINING WITH A RESTAURANT AT 1185 EAST MAIN STREET (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- ❑ Open the Continued Public Hearing and receive testimony
- ❑ Close the Continued Public Hearing
- ❑ Adopt RESOLUTION NO. 5-03 in order to grant, partially grant, or deny the appeal of conditions imposed by Planning Commission Resolution No. 9729, granting Conditional Use Permit 1007 to add outdoor dining in conjunction with an existing restaurant in the C-2 Zone at 1185 E. Main Street.

Director of Public Works Munzenmaier reports a letter was written and a discussion was held with the property owner advising him of the issues involved, the Conditional Use Permit and the benefits regarding the dedication of right of way. A response was not received from the property owner. The recommendations are to modify the conditions outlined in Resolution 9729, by deleting condition 1a & 1b, and modifying 1c, because the parking is within the right of way. The City would require a hold-harmless agreement at this time, if the space will continue to be used as-is. It is also recommended to delete the wording in condition 1d, regarding the proposed corner radius of 25 feet. The drawing addressing Condition 1d (2), needs to show what currently exists, and an encroachment permit would be required.

Mayor Lewis opens the Continued Public Hearing.

PUBLIC HEARINGS: (Continued)

DISCUSSION

Steve Asaro, 1883 Granite Hills Drive, El Cajon, CA 92019, representing Antique Row Café of El Cajon, speaks in opposition of Condition 1 and requests complete removal of the items listed under this condition, because the landlord will not approve them.

Motion by Lewis, SECOND BY Santos, to close the Continued Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Kendrick, to adopt RESOLUTION NO. 5-03, in order to grant the appeal with the understanding that 1a and 1b, of the conditions imposed by Planning Commission Resolution No. 9729 be deleted, with modification of 1c and 1d (2) to reflect the existing conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

3. ADMINISTRATIVE REPORTS:

**3.3 SUBSTANDARD CONDITIONS AT 417-431 CLAYDELLE AVENUE
(Report: Building Official)**

RECOMMENDATION: *That the City Council consider a recommendation to be made by the Building Official in a verbal report at this meeting.*

DISCUSSION

Dan Pavao, Building Official, reports the all but 7 of the 54 violations noted have been corrected.

City Attorney Foley asks Council to adopt a resolution in order to certify the findings of the **City Manager** and **Building Official** and to assess civil penalties.

MOTION BY Lewis, SECOND BY Ramos, to adopt RESOLUTION NO. 6-03, in order to certify the substandard conditions on the property and assess penalties.

MOTION CARRIES BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

**3.4 SUBSTANDARD CONDITIONS AT 419 EI CAJON BOULEVARD
(Report: Building Official)**

RECOMMENDATION: *That the City Council allow the Building Division to monitor the progress of the renovation of the property for an additional 30 days, at which time a report will be brought back to Council for final resolution.*

DISCUSSION

Dan Pavao, Building Official, reports renovations are continuing at the property.

MOTION BY Lewis, SECOND BY Ramos, to monitor the progress of the renovation of the property for an additional 30 days, at which time a report will be brought back to Council for final resolution.

MOTION CARRIES BY UNANIMOUS VOTE.

REDEVELOPMENT AGENCY ITEM:

3.5 ALTERNATIVE APPLICANT QUALIFYING CRITERIA FOR FIRST-TIME HOMEBUYER PROGRAM (Report: Redevelopment Manager)

RECOMMENDATION: *That the Redevelopment Agency consider adoption of alternative qualifying criteria as provided for in California Health and Safety Code Section 50052.5 for applicants applying for the First-Time Homebuyer Program and authorize staff to work with the City Attorney to ensure compliance; and authorize the Executive Director to execute all related documents.*

David Cooksey, Redevelopment Manager, speaks in support of the alternative qualifying criteria and establishment of alternative funding guidelines for the First-Time Homebuyer program.

Jennifer Crane, 797 Lemon Avenue, El Cajon, CA 92020, speaks in support of programs to assist potential homebuyers.

MOTION BY Lewis, SECOND BY Kendrick, to approve Item 3.5 according to staff recommendation, with staff to bring back specifics of the program.

MOTION CARRIES BY UNANIMOUS VOTE.

Recess called at 4:35 p.m.
Meeting called back to order at: 4:40 p.m.

3.6 COLD WEATHER HOMELESS SHELTER PROGRAM (Report: City Manager)

RECOMMENDATION: None; informational only.

DISCUSSION

City Manager Garrett reports the new cold weather shelter will open on Thursday, January 16, 2003 and will remain open for 90 days.

Mayor Lewis and **Councilmember Santos** commend **City Manager Garrett** and staff for their excellent work and assistance with this project.

Councilmember McClellan suggests consideration be given to long-term shelters.

Sunshine Horton, 1525 Granite Hills Dr, El Cajon, CA speaks in support of the shelter program.

Eugene Bigay, 152 Wood Street, Doylestown, PA 18901, speaks in support of a permanent shelter for the homeless. Some flexibility should be given with the program guidelines.

NO ACTION TAKEN.

4. COMMISSION REPORTS:

4.1 TRAFFIC COMMISSION RECOMMENDATIONS – December 11, 2002 Meeting (Report: Secretary to Traffic Commission)

ITEM II. – STOP CONTROL/NO PARKING – CORDELL COURT AT GILLESPIE WAY

***RECOMMENDATION:** That the City Council adopt RESOLUTION NO. 7-03 in order to establish stop control on Cordell Court at Gillespie Way and establish a “No Parking” Zone based on sight distance along the west curb of Gillespie Way beginning 35 feet from the north curb of Cordell Court, continuing 75 feet north.*

COMMISSION REPORTS: (Continued)

ITEM III – NO PARKING – 176 REA AVENUE

RECOMMENDATION: *That the City Council* adopt RESOLUTION NO. 8-03 in order to establish a “No Parking” Zone along the north curb of Rea Avenue, beginning 148 feet west of the west curb of Sulzfeld Avenue, continuing west for 25 feet (includes the 15 foot driveway).

ITEM IV. – NO PARKING – 500 BROADWAY

RECOMMENDATION: *That the City Council* adopt RESOLUTION NO. 8-03 in order to establish a “No Parking” Zone along the north curb of Broadway, beginning 408 feet east of the east curb of Ballantyne Street, continuing east for 25 feet.

ITEM V. – STOP CONTROLS – HOSMER AND EDWARD AT CHATHAM

RECOMMENDATION: *That the City Council* adopt RESOLUTION NO. 7-03 in order to establish “Yield” controls on both Hosmer and Edward Streets at Chatham Street.

MOTION BY Lewis, SECOND BY Kendrick, to approve the Traffic Commission recommendations.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 COMMISSION ON DISABILITIES: PEDESTRIAN SIGNALS FOR THE VISUALLY IMPAIRED (Report: Commission on Disabilities)

RECOMMENDATION: *That the City Council* approve the City continuing to address the placement of pedestrian signals for the visually impaired on a request basis to the Public Works Department.

MOTION BY Lewis, SECOND BY Kendrick, to approve Item 4.2 according to staff recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

5. REPORTS OF MAYOR MARK LEWIS: None.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK: None.

REPORTS OF COUNCILMEMBERS: (Continued)

COUNCILMEMBER DICK RAMOS:

6.1 OTAY WATER DISTRICT MEMBERSHIP IN METRO WASTEWATER JOINT POWERS AUTHORITY (JPA)

The City Council is asked to approve a RESOLUTION authorizing execution of the First Amendment to the Metro Wastewater JPA Agreement to add Otay Water District as a Member.

MOTION BY Ramos, SECOND BY Lewis, to approve Item 6.1.

MOTION CARRIES BY UNANIMOUS VOTE.

COUNCILMEMBER BOB McCLELLAN:

6.2 BIDDING PREFERENCE FOR LOCAL BUSINESS WITHIN THE CITY OF EL CAJON

RECOMMENDATION: That the City Council award preferences to local bidders within the City Limits of El Cajon, assuming a cost savings with the 1% sales tax.

DISCUSSION

Councilmember McClellan speaks in support of a bidding preference to businesses within the City of El Cajon.

Councilmember Ramos speaks in opposition of the recommendation, and suggests the Chamber of Commerce conduct a poll of businesses within the City of El Cajon.

MOTION BY McClellan, SECOND BY Lewis, to request the Chamber of Commerce to poll the El Cajon membership regarding this issue within 60 days.

MOTION CARRIES BY UNANIMOUS VOTE.

COUNCILMEMBER CHARLES SANTOS: None

7. LEGISLATIVE REPORT - None.

7.1 League of California Cities Legislative Bulletin - *Priority Focus*

8. GENERAL INFORMATION ITEMS FOR DISCUSSION

9. ORDINANCES: FIRST READING

RECOMMENDATION: That the City Council introduce the Ordinance and request the City Clerk to recite the title and waive full reading of the text.

9.1 AMENDMENT OF EL CAJON MUNICIPAL CODE – VALUATION THRESHOLDS FOR PUBLIC IMPROVEMENTS, UNDERGROUNDING/ RIGHT-OF-WAY DEDICATIONS AND DISABLED ACCESS IMPROVEMENTS ON DRIVEWAYS

As a result of action taken at the December 17, 2002 meeting, First Reading of Ordinance amending Section 16.52.150 and 12.12.030, raising the valuation threshold for imposition of public improvements and undergrounding to \$60,000, amending Section 16.52.030 to allow Public Works Department more latitude in granting undergrounding waivers; and amend wording in Section 12.12.030 to allow dedications of rights of way for permits of any valuation.

MOTION BY Lewis, SECOND BY Ramos, to introduce the Ordinance and request the City Clerk to recite the title and waive full reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

9.2 AMENDMENT OF EL CAJON MUNICIPAL CODE – ZONING ORDINANCE – PARKING REQUIREMENT FOR TRADE USES IN THE C-M ZONE

As a result of Public Hearing and action taken at the December 17, 2002 meeting, First Reading of Ordinance to amend the parking requirement for trade uses in the C-M Zone.

MOTION BY Lewis, SECOND BY Ramos, to introduce the Ordinance and request the City Clerk to recite the title and waive full reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

10. CLOSED SESSION:

RECOMMENDATION: That the City Council/Redevelopment Agency adjourn to Closed Session as follows:

- **Under Government Code Section 54956.9 (a)** for CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:
Name of Case: San Diego Christians United v. City of El Cajon, et al
Case No. CV 0019IEG (JFS)
- **Under Government Code Section 54956.9 (b)** for CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Number of Potential Cases: 1
- **Under Government Code Section 54956.9 (a)** for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
Names of Cases (a) The Rector, Wardens, and Vestrymen of St. Alban's Episcopal Church, and Reverend John W. Conrad v. City of El Cajon, et al
Case No. 02 CV-2272 L (POR)
(b) City of El Cajon v. John Conrad et al.

MOTION BY Lewis, SECOND BY Kendrick, to adjourn to Closed Session as recommended, at 5:07 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

- 11. RECONVENE TO OPEN SESSION at 5:45 P.M. – The City Attorney advised that the City Council met in Closed Session to discuss each of the Closed Session items and provided direction to the City Attorney's office with respect to each item.**

ADJOURNMENT: Mayor Lewis adjourned the Regular Joint Meeting of the El Cajon City Council and the El Cajon Redevelopment Agency held this 14th day of January 2003 at 5:46 p.m. to Tuesday, January 14, 2003 at 7:00 p.m.

City Clerk/Secretary

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

January 14, 2003

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, January 14, 2003, was called to order by Mayor/Chair Mark Lewis at 7:00 p.m., in the Council Chambers, 200 East Main Street, El Cajon, California. This meeting was adjourned from the Regular Joint Meeting held at 3:00 p.m., Tuesday, January 14, 2003, by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	McClellan, Ramos, Santos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Lewis
Other Officers present:	Linn, City Clerk/Secretary Foley, City Attorney/General Counsel Garrett, City Manager/Executive Director Griffin, Director of Community Development

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).

AGENDA CHANGES: None.

PUBLIC COMMENT:

Jillian Hanson-Cox, representing the Miss El Cajon Scholarship Pageant, expresses thanks for the City's support of the pageant and reports on the Fairest of the Fair meeting she attended today.

PUBLIC HEARINGS:

ITEMS 100, 101 AND 102 ARE ONE PROJECT

100 ZONE RECLASSIFICATION 2225 (Rezoning) – 1055 Ballantyne Street (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- ❑ Open the Public Hearing and receive testimony
- ❑ Close the Public Hearing
- ❑ Adopt the next RESOLUTION in order to approve the Mitigated Negative Declaration.
- ❑ Refer to the City Attorney for an Ordinance upon completion of specified conditions, according to Planning Commission Resolution No. 9727 to rezone property at 1055 Ballantyne Street from the County R-S-7 and R-V-15 Zones to the City PRD Low Zone, rather than the requested PRD Low-Medium Zone.

101 PLANNED RESIDENTIAL DEVELOPMENT 56 – 1055 Ballantyne Street (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- ❑ Open the Public Hearing and receive testimony
- ❑ Close the Public Hearing
- ❑ Adopt the next RESOLUTION in order to approve the Mitigated Negative Declaration.
- ❑ Adopt the next RESOLUTION in order to approve Planned Residential Development 56 for a 29-unit common interest subdivision in the (pending) PRD LOW Zone at 1055 Ballantyne Street, according to Planning Commission Resolution No. 9728.

102 TENTATIVE SUBDIVISION MAP 500– 1055 Ballantyne Street (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- ❑ Open the Public Hearing and receive testimony
- ❑ Close the Public Hearing
- ❑ Adopt the next RESOLUTION in order to approve the Mitigated Negative Declaration.
- ❑ Adopt the next RESOLUTION in order to approve Tentative Subdivision Map 500 for a 36-lot subdivision in the (pending) PRD LOW Zone at 1055 Ballantyne Street, according to Planning Commission Resolution No. 9731.

DISCUSSION

Director of Community Development Griffin provides an overview of the projects. Because of new storm water regulations by the Regional Water Quality Control Board and the County's plans at this site, the applicant would be required to expand the drainage easement from the current 20 feet to 70 feet. The Planning Commission recommends approval of all three items, with conditions.

Councilmember McClellan suggests the swimming pool and soccer field in the common area be maintained by the Homeowners Association with the monies that the developer would have paid for removal of these amenities.

Recess called at 7:45 p.m.
Meeting called back to order at: 7:52 p.m.

Mayor Lewis announces the Public Hearing is now open.

Daryl Priest, 124 W. Main Street. Suite 240, El Cajon, CA 92020, representing Priest Development Corporation, speaks regarding the drainage ditch requirements and options for the common areas of the development, such as designation of parks.

Councilmembers and **Staff** discuss suggestions such as giving up a section of the land back to the County and reducing the number of proposed units for the development. **City Attorney Foley** comments that the General Plan Amendment would need to be replaced, which would take about 3 months.

PUBLIC HEARINGS: (Continued)

MOTION BY Lewis, SECOND BY Kendrick, to close the Public Hearings and to send all items back to the Planning Commission to review the applications at the same time as the consideration of a General Plan Amendment to be processed by the applicant and that a new Zone Reclassification consistent with the General Plan designation be considered.

MOTION CARRIES BY UNANIMOUS VOTE.

103 GENERAL PLAN AMENDMENT 2002-04 – STORM WATER RUNOFF POLICIES AND OBJECTIVES (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Approve the next RESOLUTION in order to approve adding storm water runoff policies and objectives to the General Plan Text, according to Planning Commission Resolution No. 9734.

Mayor Lewis announces the Public Hearing is now open.

MOTION BY Lewis, SECOND BY Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Ramos, to approve RESOLUTION NO. 10-3, in order to approve adding storm water runoff policies and objectives to the General Plan Text, according to Planning Commission Resolution No. 9734

MOTION CARRIES BY UNANIMOUS VOTE.

104 AMENDMENT OF EL CAJON MUNICIPAL CODE – ZONING ORDINANCE – TRANSITION SERVICE CENTERS, INCLUDING HOMELESS SHELTERS IN THE C-M AND M ZONES (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Adopt the next RESOLUTION in order to approve the Negative Declaration.

PUBLIC HEARINGS: (Continued)

- Refer to the City Attorney for preparation of an Ordinance according to Planning Commission Resolution No. 9735, or as modified by Council, to approve Amending the El Cajon Municipal Code, Zoning Ordinance, to allow Transition Service Centers, including Homeless Shelters, in the C-M (Heavy Commercial/Light Industrial) and M (Manufacturing) Zones by right and in accordance with Staff Exhibit "A" to the Resolution.

DISCUSSION

City Attorney Foley speaks in support of amending the Zoning Ordinance per the recommendation.

Councilmember Santos remarks on the importance for the City to give latitude or flexibility with the zoning requirements, in consideration of future lawsuits/liability.

In response to **Councilmember McClellan's** question on imposing restrictions for site distances in the certain areas, **City Attorney Foley** remarks this would diminish the number of available sites for shelters.

Mayor Lewis announces the Public Hearing is now open.

Eugene Bigay, 152 Wood Street, Doylestown, PA, speaks in opposition of the certain operations procedures for the homeless shelter, stating the guidelines should be less restrictive. Social services are needed at the shelter site 24 hours a day, 7 days a week.

MOTION BY Lewis, SECOND BY Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Santos, to adopt RESOLUTION NO. 11-03, in order to approve the Negative Declaration.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Continued)

MOTION BY Lewis, SECOND BY Santos, to refer to the City Attorney for an Ordinance according to Planning Commission resolution No. 9735 to amend the Zoning Ordinance of the Code to allow Transition Service Centers, including Homeless Shelters, in the C-M and M Zones by right.

AYES: Kendrick, Lewis, McClellan, Santos
NOES: Ramos

MOTION CARRIES.

105 APPEAL: CONDITIONAL USE PERMIT 1939 – RV GENERATOR, APPLIANCE AND ELECTRICAL SALES, SERVICE AND REPAIR IN THE C-2 Zone at 1062 N. Second Street – QUALITY RV, INC. (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Approve the next RESOLUTION in order to approve, modify or disapprove the appeal of Public Works conditions requiring street improvements in Planning Commission Resolution No. 9733 in granting Conditional Use Permit 1939.

Mayor Lewis announces the Public Hearing is now open.

Edwin Lindmeier, 211 Scenic Dr, El Cajon, CA 92021, requests **Michelle Sabol** address the Council, on behalf of the applicant, **Quality RV.**

Michelle Sabol, 10111 Prospect Avenue, Santee, CA, representing Quality RV, requests waiver of the curb return, street light requirements and undergrounding of utilities.

Director of Public Works Munzenmaier recommends deferral of the public improvement requirements B1 and B5 and retention of the lien.

City Attorney Foley clarifies the recommendation is for a deferral, and the lien contract will not be removed.

MOTION BY Lewis, SECOND BY Ramos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Continued)

MOTION BY Lewis, SECOND BY Ramos, to approve RESOLUTION NO. 12-03, in order to grant in part the appeal, deferring conditions B1 and B5 of the Public Works memorandum.

MOTION CARRIES BY UNANIMOUS VOTE.

106 CONDITIONAL USE PERMIT 1942 – SHORT-ORDER EATING FACILITY – 1870 CORDELL COURT #114 – COUNTY OF SAN DIEGO (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Approve the next RESOLUTION in order to approve conditional Use Permit 1942 for a short-order eating facility in the M Zone at 1870 Cordell Court #114, according to Planning Commission Resolution No. 9738.

Mayor Lewis announces the Public Hearing is now open.

Rick Dentt, 1184 Coco Palms Drive, El Cajon, CA, representing Gillespie Field Partners, speaks in support of the Conditional Use Permit.

MOTION BY Lewis, SECOND BY Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Santos, to adopt RESOLUTION NO. 13-03, in order to approve conditional Use Permit 1942 for a short-order eating facility in the M Zone at 1870 Cordell Court #114, according to Planning Commission Resolution No. 9738.

MOTION CARRIES BY UNANIMOUS VOTE.

Recess called at 9:06 p.m.
Meeting called back to order at: 9:16 p.m.

PUBLIC HEARINGS: (Continued)

ITEMS 107 AND 108 ARE ONE PROJECT

107 AMENDMENT OF CONDITIONAL USE PERMIT 329 – MODIFY EXISTING FAST-FOOD RESTAURANT WITH DRIVE-THROUGH FACILITIES – 2733 NAVAJO ROAD – JACK in the BOX (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- ❑ Open the Public Hearing and receive testimony
- ❑ Close the Public Hearing
- ❑ Adopt the next RESOLUTION in order to modify an existing fast-food restaurant with drive-through facilities, and deny the requested monument sign, in the C-1 Zone at 2733 Navajo Road, according to Planning Commission Resolution No. 9736.

108 AMENDMENT OF SPECIFIC PLAN 52 – EXISTING SHOPPING CENTER – 2733 NAVAJO ROAD (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- ❑ Open the Public Hearing and receive testimony
- ❑ Close the Public Hearing
- ❑ Refer to the City Attorney for an Ordinance to amend Specific Plan 52 for an existing shopping center to reflect modifications to an existing drive-through fast-food facility (Jack in the Box) in the C-1 Zone at 2733 Navajo Road according to Planning Commission Resolution No. 9737, upon completion of specified conditions.

Mayor Lewis announces the Public Hearing is now open.

Steve Schneider, 9455 Ridgehaven Court, San Diego, CA, 92123, representing Jack-in-the-Box, informs he is here to answer any questions of Council and requests approval of a monument sign. Many of the surrounding businesses have monument signs in place.

MOTION BY Lewis, SECOND BY McClellan, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Continued)

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 14-03, in order to modify an existing fast-food restaurant with drive-through facilities, and approve the requested monument sign, in the C-1 Zone at 2733 Navajo Road, according to Planning Commission Resolution No. 9736.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to Refer to the City Attorney for an Ordinance to amend Specific Plan 52 for an existing shopping center to reflect modifications to an existing drive-through fast-food facility (Jack in the Box) in the C-1 Zone at 2733 Navajo Road according to Planning Commission Resolution No. 9737, upon completion of specified conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

ITEMS 109 AND 110 ARE ONE PROJECT

109 SPECIFIC PLAN 491 – 60 FOOT HIGH MONOPOLE – WIRELESS COMMUNICATIONS SITE AT 1595 E. MAIN STREET (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Refer to the City Attorney for an Ordinance approving Specific Plan 491 for a 60 foot high monopole as part of a wireless communications site in the C-2 Zone at 1595 E. Main Street, according to Planning Commission Resolution No. 9739, upon completion of conditions.

110 CONDITIONAL USE PERMIT 1943 – 60 FOOT HIGH MONOPOLE WIRELESS COMMUNICATIONS SITE – 1595 E. MAIN STREET (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Approve the next RESOLUTION in order to approve Conditional Use Permit 1943 for a 60 foot high monopole in conjunction with a wireless communications site and related equipment in the C-2 Zone at 1595 E. Main Street.

PUBLIC HEARINGS: (Continued)

Mayor Lewis announces the Public Hearing is now open.

Darryl Doherty, 6170 Cornerstone Court, San Diego, CA 92123, representing Cingular Wireless, states he is available to answer any questions.

MOTION BY Lewis, SECOND BY Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Santos, to refer to the City Attorney for an Ordinance approving Specific Plan 491 for a 60 foot high monopole as part of a wireless communications site in the C-2 Zone at 1595 E. Main Street, according to Planning Commission Resolution No. 9739, upon completion of conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND by Kendrick, to adopt RESOLUTION NO. 15-03, in order to approve Conditional Use Permit 1943 for a 60 foot high monopole in conjunction with a wireless communications site and related equipment in the C-2 Zone at 1595 E. Main Street.

MOTION CARRIES BY UNANIMOUS VOTE.

111 VARIANCE 938 – VACANT PROPERTY – NORTHEAST CORNER OF VAN HOUTEN AND WEST LEXINGTON AVENUES (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- Open the Public Hearing and receive testimony
- Close the Public Hearing
- Adopt the next RESOLUTION in order to grant Variance 938 for a reduction in required interior and exterior setbacks for development on the vacant property northeast corner of Van Houten and West Lexington Avenues in the O-P Zone (Special Development Area #9/Office Non-Retail), according to Planning Commission Resolution No. 9741.

Mayor Lewis announces the Public Hearing is now open.

Sam Elias, General Contractor representing Sal Silva, requests a zero-clearance setback in the back of the property at Lexington and Van Houten and the return radius to remain the same.

PUBLIC HEARINGS: (Continued)

Director of Public Works Munzenmaier clarifies the City is requesting for dedication of a 20 foot curb return at this time, to protect the right-of-way. This provides for better sight distance.

Sal Silva, 291 Redwood Ave, Carlsbad, CA, owner of property, requests radius to stay the same, to keep traffic from slowing down.

MOTION BY Lewis, SECOND by Santos, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND by Kendrick, to adopt RESOLUTION NO. 16-03, in order to grant Variance 938 for a reduction in required interior and exterior setbacks for development on the vacant property northeast corner of Van Houten and West Lexington Avenues in the O-P Zone (Special Development Area #9/Office Non-Retail), according to Planning Commission Resolution No. 9741.

MOTION CARRIES BY UNANIMOUS VOTE.

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

ADJOURNMENT: MAYOR LEWIS adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council and the El Cajon Redevelopment Agency held this 14th day of January 2003 at 9:45 p.m. to Tuesday, January 28, 2003 at 3:00 p.m.

City Clerk/Secretary