

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

AUGUST 26, 2003

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, August 26 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. This meeting was adjourned from the adjourned Regular meeting held at 7:00 p.m., August 12, 2003.

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 Krulikowski, City Traffic Engineer (5:09 p.m.) 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 August 12, 2003 Meetings and the Agenda of the August 26, 2003 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Kathy Cleveland, Department of Animal Control, introduces Daisy, a 4-year old purebred Akita, available for adoption through the Animal Shelter, at 1275 Marshall Avenue.

PROCLAMATION:

International Friendship Month, September 2003

Mayor Lewis proclaims the month of September 2003 to be International Friendship Month in the City of El Cajon. **City Manager Garrett** expresses appreciation to all the ethnic groups who have supported the Friendship Festival over its 12-year history and presents proclamations to the ethnic groups in attendance.

*Recess called at 3:21 p.m. for a reception to honor
International Friendship Month -
Meeting called back to order at 3:36*

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.11)

MOTION BY Lewis, SECOND BY McClellan, to approve Consent Items 1.1 – 1.5 and 1.9 – 1.11, pulling items 1.6 and 1.8 as requested by Councilmember Ramos, and Item 1.7 as requested by Mayor Lewis.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the August 12, 2003 Meetings of the El Cajon City Council/ Redevelopment Agency.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.3 RESOLUTION NO. 145-03: STATE HOMELAND SECURITY GRANT PROGRAM AWARD (Report: Chief of Police)

Adopt RESOLUTION NO. 145-03 in order to designate Chief James R. Davis as authorized agent to act in behalf of the City to complete and submit applicable documents and forms and accept payment of police officer overtime funding provided via a State of Office of Homeland Security Grant.

CONSENT ITEMS: (CONTINUED)

1.4 RESOLUTION NO. 146-03: AWARD BID TO RENOVATE FITNESS COURSE AT WELLS PARK (RE-BID) (Report: Purchasing Agent)

Adopt RESOLUTION NO. 146-03 in order to appropriate funds and award the bid to Zasueta Contracting, Inc., in the amount of \$36,722.00.

1.5 RESOLUTION NO. 147-03: AWARD BID – POLICE CARS (Report: Purchasing Agent)

Adopt RESOLUTION NO. 147-03 and award the bid to Villa Ford, in the amount of \$221,292.58.

1.6 PULLED FOR DISCUSSION.

1.7 PULLED FOR DISCUSSION.

1.8 PULLED FOR DISCUSSION.

1.9 DONATION OF TREES (Report: Director of Parks)

RECOMMENDATION: *That the City Council accept the donation from Joshua and Laura Klindt to purchase two Raywood Ash Trees according to City Council Policy B-2.*

1.10 RESOLUTIONS: EL CAJON INVESTMENT POLICY UPDATE (Report: Director of Finance/Treasurer)

Adopt RESOLUTION NO. 150-03 approving the City of El Cajon Investment Policy and Delegating Investment Authority to the Director of Finance and ECRA-356 approving the Redevelopment Agency Investment Policy and Delegating Investment Authority to the Agency Treasurer.

1.11 RESOLUTIONS: STORM DRAIN PIPE REPLACEMENT – VARIOUS LOCATIONS (Report: Director of Public Works)

Adopt RESOLUTION NO. 151-03 in order to approve Plans and Specifications and RESOLUTION NO. 152-03 to direct Notice Inviting Bids to be opened on September 23, 2003 for the Project.

CONSENT ITEMS: (CONTINUED)

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1.6 RESOLUTIONS: SECOND STREET RESURFACING, I-8 TO NORTH CITY LIMIT (Report: Director of Public Works)

Adopt RESOLUTION NO. 148-03 in order to approve Plans and Specifications and RESOLUTION NO. 149-03 to direct a Notice Inviting Sealed Bids to be opened September 23, 2003 for the Project.

DISCUSSION

In answer to questions by **Councilmembers Ramos** and **McClellan**, **Director of Public Works Munzenmaier** clarifies the North City Limit is in the direction toward Lakeside, with the work scheduled to be normal daytime work. Traffic control plans proposed by the contractor require approval by Staff. One lane of traffic, in each direction, must remain open at all times.

MOTION BY Lewis, SECOND BY Kendrick, to approve Consent item 1.6.

MOTION CARRIES BY UNANIMOUS VOTE.

1.7 LETTERS OF APPRECIATION – WALL OF FAME

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

Letter from Jon Williams expressing appreciation for City Staff assistance in connection with a condominium conversion project, "Palm Court Condominiums."

DISCUSSION

Mayor Lewis suggests General Information Item "C", the Government Finance Officers Association awards received by the Finance Department should be placed on the Wall of Fame.

MOTION BY Lewis, SECOND BY Kendrick, to approve Consent item 1.7 to include General Information Item "C".

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (CONTINUED)

1.8 CONTINUATION OF SALARY AND BENEFITS FOR MILITARY RESERVISTS CALLED TO ACTIVE DUTY (Report: Director of Human Resources)

RECOMMENDATION: *That the City Council extend the continuation of salary and benefits for another year or until released if active duty is less than one year.*

DISCUSSION

In answer to **Councilmember Ramos'** question, **City Manager Garrett** indicates he will work with the Department Directors on a special recognition for the employees serving on military deployment.

MOTION BY Lewis, SECOND BY Kendrick, to approve Consent item 1.8.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Kim Sabala, P.O. Box 2297, El Cajon, CA, representing Concerned Citizens for El Cajon, advises their group will be attending Council Meetings and Commission Meetings and will become involved in decisions of the City.

Catherine Metivier, 1526 Constancia, El Cajon, CA, representing Concerned Citizens for El Cajon, speaks in opposition to the Alpha Project shelter in El Cajon.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, speaks concerning her husband's deployment, the need for trust and giving, and donating blood.

Mayor Lewis speaks about Mama Rosa's Restaurant on E. Main Street and the Guadalupana Celebration at Holy Trinity Church.

WRITTEN COMMUNICATIONS: (2.1 – 2.2)

2.1 LETTER BUCK KNIVES: REQUEST THAT THE CITY VACATE PROPERTY BETWEEN THEIR SOUTHERN PROPERTY LINE AND WELD BOULEVARD

RECOMMENDATION: *That the City Council consider the letter.*

WRITTEN COMMUNICATIONS 2.1: (CONTINUED)

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

City Clerk Linn speaks concerning the fees involved with a Public Hearing.

Councilmember McClellan speaks in support of the request.

MOTION BY Lewis, SECOND BY Kendrick, to set to Public Hearing with Buck Knives to be responsible for the costs of processing the Vacation.

MOTION CARRIES BY UNANIMOUS VOTE.

2.2 REQUEST: EAST COUNTY PERFORMING ARTS CENTER (ECPAC) – NATALIE COLE RECEPTION

Letter from Emma Lee Moorman requests use of the City Council Chambers anteroom and the area outside the Chamber for ECPAC's opening night reception for the Natalie Cole concert on September 12, 2003, from 5:30 p.m. to 7:30 p.m.

DISCUSSION

Emma Lea Moorman, 210 E. Main Street, El Cajon, representing ECPAC, requests use of the City Council Chambers anteroom and the area outside the Chamber.

MOTION BY Lewis, SECOND BY Santos, to refer to Staff to handle the arrangements for the event.

MOTION CARRIES BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (3.1 – 3.2)

***3:55 p.m. – City Attorney Foley leaves the Council Meeting.
Leslie Gallagher attends the meeting as Staff Attorney***

(Continued from the August 12, 2003 meeting)

3.1 SEPARATE WATER METERS FOR APARTMENT CONVERSIONS TO CONDOMINIUMS (Report: Director of Community Development)

RECOMMENDATION: That the City Council consider the report.

DISCUSSION

Councilmember Ramos speaks concerning several recently completed projects that are in violation of the Ordinance requiring separate water meters.

ADMINISTRATIVE REPORTS 3.1: (CONTINUED)

In answer to **Councilmember Ramos'** question, **Director of Community Development Griffin** indicates there are approximately 400 to 500 units in process for conversion to condominiums.

Joseph Scarlatti, 710 Camino de la Reina, Suite 129, San Diego, CA, representing Westone Management Consultants, advises there are 700 to 800 units currently in process for conversion to condominiums. Costs to install separate water meters is anywhere from \$12,000 to \$16,000 or \$17,000 per unit.

In answer to **Councilmember Ramos'** question, **Mr. Scarlatti** indicates his firm was not aware of the Ordinance requiring separate water meters.

In answer to **Councilmember Ramos'** questions, **Director of Community Development Griffin** indicates two projects have been completed which do not have separate water meters. A copy of the Ordinance is provided with the materials supplied to the applicant.

Discussion ensues among **Council** and **Staff** concerning the approximate costs for separate water meters and the need for affordable housing and home ownership.

Joel Kriger, representing Homestart LLC, speaks in opposition to separate meters. His firm represents Home Owners Associations and they have not had complaints about water usage. The City of San Diego does not require separate water meters.

Jon Wayne, representing Homestart LLC, speaks in opposition to separate meters and indicates his firm's goal to have a pool of homes for first time homebuyers. The total cost to install water meters is approximately \$15,000 and separate water heaters may be required, at an additional cost. They would also need to find a place for the water heater.

4:32 p.m. – City Attorney Foley returns to the Council Meeting

Tom Wright, representing Homestart LLC indicates separate water meters does not add value to the unit.

Viky Baker, 513 W. Bradley Avenue, El Cajon, CA, speaks concerning completed conversion projects that violate the City's Ordinance established in the year 2000, and suggests penalizing developers who fail to comply.

Ron Pennock, Chairman, East County Construction Council, speaks regarding his involvement with development, and in particular, the conversion process. The issues are parking, sewer laterals and the separate water meters.

ADMINISTRATIVE REPORTS 3.1: (CONTINUED)

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, questions why the rules were not followed and expresses concerns over future rentals of the converted units.

Discussion ensues among **Council** and **Staff** concerning amendment of the Code, with possible retroactivity.

In answer to **Mayor Lewis'** question, **City Attorney Foley** indicates the entire process would need to be followed, including approval by the Planning Commission, in order to amend the Code. Retroactivity is not recommended.

Councilmember Santos indicates he does not support a change to the Code.

MOTION BY McClellan, SECOND BY Lewis, to send the issue to the Planning Commission, to amend the Code to not require separate water meters for apartments converted to condominiums.

Ayes: Kendrick, Lewis, McClellan
Noes: Ramos, Santos

MOTION CARRIES.

Recess called at 5:04 p.m.
Meeting called back to order at 5:07 p.m.

3.2 REDEVELOPMENT AGENCY ITEM – ALTERNATIVE APPLICANT QUALIFYING CRITERIA FOR HOUSING ASSISTANCE (Report: Redevelopment Manager)

RECOMMENDATION: *That the Redevelopment Agency* authorize the City Manager/Executive Director to approve applications for housing assistance when the “affordable housing cost” of the applicant is less than twenty-eight percent (28%) as required by Health and Safety Code Section 50052 (b)(4) for moderate income households.

DISCUSSION

Tom Wright, 3035 Udall St, San Diego, CA, representing Homestart LLC, requests Council consider reducing the 28% minimum housing cost requirement.

In response to **Councilmember McClellan's** question, **City Manager Garrett** clarifies that “qualifying criteria” is a State requirement, when State funds are being utilized for this program.

MOTION BY Lewis, SECOND BY McClellan, to approve according to Staff recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS:

**4.1 TRAFFIC COMMISSION RECOMMENDATIONS – August 13, 2003 Meeting
(Report: Secretary to Traffic Commission)**

ITEM I. – “NO PARKING” – 644-646 EMERALD AVENUE

RECOMMENDATION: *That the City Council request that an Ordinance be drafted that would restrict parking in any portion of a driveway in the City of El Cajon.*

ITEM II – ALTERNATIVE POLICE ENFORCEMENT PROGRAM

RECOMMENDATION: Item presented for information at this time.

DISCUSSION

Councilmember McClellan suggests homeowners should be allowed to park in their own driveways.

MOTION BY Lewis, SECOND BY McClellan, to refer to the City Attorney to prepare an Ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 RECREATION COUNCIL RECOMMENDATION – LEAGUES TO RECEIVE UTILITY SUPPORT FOR FISCAL YEAR 2003-04 (Report: Recreation Services Manager)

RECOMMENDATION: *That the City Council approve the recommendation of the Recreation Council that 15 of the 16 Youth League members of the Recreation Council receive utility support during fiscal year 2003-04. (Recommended Leagues are: American Little League, American Youth Soccer Organization, South El Cajon Bobby Sox League, East County ASA, El Cajon Pony League, El Cajon Youth Football, Emerald Pony League, El Cajon National Little League, Fletcher Hills Little League, North El Cajon Bobby Sox, East County Soccer Alliance, Valley Colt League, Western Little League, Hotspurs/United Soccer Association, and Singing Hills Little League)*

MOTION BY Lewis, SECOND BY Santos, to approve the recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

REPORTS OF MAYOR LEWIS

5.1 LETTER FROM SANDAG RE: PUBLIC WORKSHOPS ON SAN DIEGO'S REGIONAL COMPREHENSIVE PLAN

Ron Morrison, Chair of the SANDAG Board of Directors and Lori Pfeiler, Chair of SANDAG Regional Planning Committee encourages attendance at the second round of area public workshops to provide input in the Regional Comprehensive Plan. (Thursday, September 4, 2003 from 6:00 p.m. to 9:00 p.m. at the El Cajon Community Center).

DISCUSSION

Mayor Lewis informs the public of the upcoming SANDAG workshops.

Informational Item only.

5.2 LETTER FROM RESIDENT OF SAFARI MOBILE HOME LODGE – PROSTITUTION ON EAST MAIN STREET

Resident expresses concerns about increased prostitution activity on East Main Street.

DISCUSSION

Mayor Lewis acknowledges the problems of prostitution on E. Main Street.

Mayor Pro Tem Kendrick offers the following suggestions:

- A letter be sent to the judges handling the cases suggesting that offenders be required to care for AIDS patients
- Names and photographs of offenders be published in the newspaper.
- Citizens watch groups become involved by reporting prostitution and illegal drug activities to the police.

Charles Benner, 1174 E. Main Street, Safari Mobile Home Park, El Cajon, CA, speaks regarding the increase in prostitution on E. Main Street and the effects on residents.

Michelle Holman, 186 Decker Court, El Cajon, CA, indicates she has observed prostitute activity and drug use near her home and in the common areas of her neighborhood.

REPORTS OF MAYOR LEWIS: (CONTINUED)

Councilmember McClellan speaks of the need by police to prioritize the issues they address, including responses to crimes and complaints.

Virginia Wilson, 1174 E. Main Street, Safari Mobile Lodge, El Cajon, CA, speaks concerning illegal drug use and prostitutes near bus stops in the neighborhood and inside the mobile home park.

In response to questions by **Councilmember McClellan** and **Mayor Lewis**, **Police Chief Davis** speaks concerning prostitution problems involving gang members, and recent enforcement efforts in the area. It is a significant problem if the landlord permits prostitutes into the park. Officer Sal Campos has met with residents of the mobile home park.

Discussion ensues among **Council**, **Staff** and **Chief Davis** concerning the following:

- Using volunteers to assist police officers on this problem
- Scheduling a meeting with concerned citizens and representatives from Community Policing
- Placing large impound fees or liens on cars associated with prostitution activity

In answer to **Councilmember McClellan's** question, **City Attorney Foley** advises an ordinance is in place concerning seizure and forfeiture of public nuisance vehicles. The City is working with a supervising Judge on possible changes to the ordinance.

Mayor Lewis requests the Police Department work with the letter writer and residents to develop ideas on how to resolve the problem, find out information on publishing pictures of those involved with prostitution activity, and to report back to Council in a month.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK: No report.

COUNCILMEMBER BOB McCLELLAN: No report.

COUNCILMEMBER CHARLES SANTOS: No report.

COUNCILMEMBER DICK RAMOS: No report.

7. LEGISLATIVE REPORT

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

No Recommended Action.

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: RESIDENCY REQUIREMENT FOR COMMISSIONERS

First Reading of Ordinance to Amend the El Cajon Municipal Code Sections. 2.24.030 and 2.24.720 to Chapter 2.24, establishing residency requirements for commission members.

DISCUSSION

Kim Sabala, P.O. BOX 2297, El Cajon, CA, speaks in support of having a 12-month residency requirement.

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

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

MOTION CARRIES.

9.2 AMENDMENT OF SPECIFIC PLAN 238 – CAL-AMERICAN CORPORATION – 803-890 JACKMAN STREET

First Reading of Ordinance to amend Specific Plan 238 to allow expansion of an existing commercial building in the C-R Zone at 803-890 Jackman Street

MOTION BY Lewis, SECOND BY McClellan, 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.

9.3 AMENDMENT OF EL CAJON MUNICIPAL CODE – JUDSON PARK

First Reading of Ordinance repealing Section 9.36.010 of the El Cajon Municipal Code and adding a new Section 9.36.010 to include Judson Park as an area within the City where sleeping is prohibited.

ORDINANCES: FIRST READING 9.3 (CONTINUED)

DISCUSSION

Lisa Lind, representing the El Cajon Community Development Corporation, speaks in support of the Ordinance.

Discussion ensues among **Council** and **Staff** concerning extension of the Ordinance to include other parks and the redevelopment area.

City Attorney Foley indicates a proper definition would be required for any areas to be added to the Ordinance.

MOTION BY Lewis, SECOND BY McClellan, 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.

9.4 AMENDMENT OF EL CAJON MUNICIPAL CODE – DOGS WITHIN THE CITY

First Reading of Ordinance repealing Section 6.12.150 of the El Cajon Municipal Code and adding a new Section 6.12.150 to include all signal and service dogs and dogs-in-training to the exemption currently applicable only to seeing-eye dogs accompanied by a legally blind person.

MOTION BY Lewis, SECOND BY McClellan, 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.

9.5 AMENDMENT OF EL CAJON MUNICIPAL CODE – STORAGE OF PERSONAL PROPERTY AND CAMP PARAPHERNALIA IN CITY PARKS

First Reading of Ordinance repealing Section 2.56.010 of the El Cajon Municipal Code and adding a new Section 2.56.010 and adding a new subsection BB to Section 2.56.030 prohibiting the storage of personal property and camp paraphernalia in City parks.

MOTION BY Lewis, SECOND BY McClellan, 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.

ORDINANCE: SECOND READING AND ADOPTION

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

9.6 REPEALING SECTION 10.28.090 OF THE EL CAJON MUNICIPAL CODE REGULATING PARKED “FOR SALE” VEHICLES (Report: City Attorney)

Adopting Ordinance No. 4746 to repeal Section 10.28.090 of Chapter 10.28 of the El Cajon Municipal Code regulating parked “For Sale” Vehicles.

MOTION BY Lewis, SECOND BY McClellan, to request the City Clerk to recite the title, waive full reading of the text and adopt Ordinance No. 4746.

MOTION CARRIES BY UNANIMOUS VOTE.

Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 26th day of August 2003 at 6:08 p.m. to Tuesday, August 26, 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

AUGUST 26, 2003

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, August 26, 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 Adjourned Regular Joint Meeting held at 3:00 p.m., Tuesday, August 26, 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 Krulikowski, City Traffic Engineer

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:

CONTINUED PUBLIC HEARING: (Continued from July 8 Meeting)

100 ZONE RECLASSIFICATION 2232 – 1254 VICTOR AVENUE (Westone Management Consultants) (Report: Director of Community Development and City Clerk)

RECOMMENDATION: That the City Council

- Open the Continued Public Hearing and receive testimony.
- Close the Public Hearing.
- Approve, Modify or Disapprove Planning Commission Resolution No. 9796 recommending approval of Zone Reclassification 2232 to Pre-Zone property at 1254 Victor Avenue from the County R-U-29 Zone to the City R-3-R (Multiple Family Restricted) Zone.

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

In response to **Councilmember McClellan's** suggestion of requiring a bond to guarantee conversion of apartments to condominiums, **City Attorney Foley** indicates this may not be an appropriate condition to a legislative action. If a bond for an appropriate amount were required, the bond would need to remain in place for as long as it takes for the conversion to be completed.

Discussion ensues among **Council** and **Staff** concerning the following:

- The Mutual Aid agreement between the City and County
- Costs to service the property
- Annexation issues and LAFCO requirements

City Attorney Foley expresses concern over conditioning a Zone Reclassification on the provision of a bond to ensure the construction of a particular use, and ultimate conversion, as it may not meet the Nollan-Dolan nexus that might apply to the situation. There may be some Constitutional issues with making that type of requirement.

Mayor Lewis announces the Continued Public Hearing is now Open.

Terry Moore, representing Mustard Seed, speaks in support of the request to pre-zone the property.

Discussion ensues among **Council** about accepting a property that does not meet the City's Ordinance requirements.

CONTINUED PUBLIC HEARING ITEM 100: (CONTINUED)

Dan Greenblatt, 4441 Pavlov Avenue, San Diego, CA 92121, speaks in support of pre-zoning the property and increasing home ownership through condominium conversions projects.

Joseph Scarlatti, 710 Camino de la Reina, Suite 129, San Diego, CA, representing Westone Management Consultants, speaks concerning the sewer capacity and the scarcity of 3-bedroom units. His company is open to performance bonds, approval with conditions or other suggestions, to ensure completion of the project.

Councilmember McClellan speaks in support of pre-zoning the property.

City Manager Garrett indicates there would be increased costs with usage of the Mission Gorge sewer line, should the City annex more properties from the County.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

Councilmember McClellan speaks in support of pre-zoning the property.

Councilmember Ramos speaks in opposition to pre-zoning the property.

MOTION BY Lewis, SECOND BY Santos, to adopt RESOLUTION 153-03, disapproving Planning Commission Resolution No. 9796 recommending approval of Zone Reclassification 2232 to Pre-Zone property at 1254 Victor Avenue.

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

MOTION CARRIES.

Recess called at 7:57 p.m.
Meeting called back to order at 8:02 p.m.

PUBLIC HEARINGS:

**101 ZONE RECLASSIFICATION 2234 – 1358 AND 1362 OAKDALE AVENUE
(Report: City Clerk)**

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony.
- Close the Public Hearing.
- Approve, modify or disapprove Planning Commission Resolution No. 9821 recommending property at 1358 and 1362 Oakdale Avenue be rezoned from the R-1-6 Zone to the R-2 Zone (rather than the requested R-3 Zone).

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to be heard.

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Ramos, to approve Planning Commission Resolution No. 9821 recommending property at 1358 and 1362 Oakdale Avenue be rezoned from the R-1-6 Zone to the R-2 Zone.

MOTION CARRIES BY UNANIMOUS VOTE.

*Items 102 & 103 are one Project. The Public Hearing
may be opened on both items.*

**102 PLANNED UNIT DEVELOPMENT 204 – 1025 Estes Street (Westone
Management Consultants) (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, modify or disapprove Planning Commission Resolution No. 9817 recommending conversion of an existing 18-unit apartment complex to a common-interest development in the R-3 Zone at 1025 Estes Street.

PUBLIC HEARINGS: (CONTINUED)

103 TENTATIVE SUBDIVISION MAP 515 – 1025 Estes Street (Westone Management Consultants) (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, modify or disapprove Planning Commission Resolution No. 9819 recommending a one-lot subdivision in the R-3 Zone at 1025 Estes Street.

DISCUSSION

Director of Community Development Griffin provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

Joseph Scarlatti, 710 Camino de la Reina, Suite 129, San Diego, CA, representing Westone Management Consultants, speaks concerning the garages and assigned parking at the unit.

Terry Moore, 2635 Camino del Rio South, Suite 200, San Diego, CA, representing Mustard Seed, speaks concerning improvements to be made to the units.

Lee Donahue, 1025 Estes Street, #8, El Cajon, CA, speaks in support of the project and expresses concerns about the garages and the issue of separate water meters. He would be willing to handle specific improvements to the unit he would like to purchase.

Discussion ensues among **Council** concerning the garages and recommended improvements to the units.

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 153-03 in order to approve Planning Commission Resolution No. 9817, recommending conversion of an existing 18-unit apartment complex to a common-interest development in the R-3 Zone at 1025 Estes Street.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (CONTINUED)

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 154-03 in order to approve Planning Commission Resolution No. 9819 recommending a one-lot subdivision in the R-3 Zone at 1025 Estes Street.

MOTION CARRIES BY UNANIMOUS VOTE.

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

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 26th day of August 2003 at 8:17 p.m.

NOTE: The next meetings of the El Cajon City Council and Redevelopment Agency will be held on Tuesday, September 16, 2003 at 3:00 p.m.

City Clerk/Secretary