

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

OCTOBER 14, 2003

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, October 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 Odiorne, City Engineer 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 September 30, 2003 Meetings and the Agenda of the October 14, 2003 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

"Pride of El Cajon" Outstanding Employee Nancy Palm

City Manager Garrett introduces **Nancy Palm, Senior Management Analyst, Public Works Department**, recipient of the **"Pride of El Cajon" Outstanding Employee Award**.

Mayor Lewis displays a blanket received in recognition of the 100th anniversary of Holy Trinity Church and the 50th anniversary of the school.

AGENDA CHANGES:

MOTION BY Lewis, SECOND BY Kendrick to add General Information Item "D" (Crime Free Hotel/Motel Program) as Item 8A.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY Lewis, SECOND BY Kendrick, to approve Consent Items 1.1 – 1.2 and 1.4 – 1.10, pulling Item 1.3 for discussion, as requested by Councilmember Ramos.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS:

Approve Minutes of the September 30, 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 PULLED FOR DISCUSSION

**1.4 RESOLUTION NO. 185-03: AWARD BID FOR RESPIRATOR MASKS
(Report: Purchasing Agent)**

Adopt RESOLUTION NO. 185-03 and award the bid to Adamson Industries, in the amount of \$30,950.27.

CONSENT ITEMS: (CONTINUED)

1.5 RESOLUTIONS: MODIFICATION OF TRAFFIC SIGNAL AND SAFETY LIGHTING SYSTEMS AT: AVOCADO AVENUE AND LEXINGTON AVENUE; MAIN STREET AND FIRST STREET; BALLANTYNE STREET AND MADISON AVENUE (Report: Director of Public Works)

Adopt RESOLUTION NO. 186-03 approving the Plans and Specifications and RESOLUTION NO. 187-03 directing a Notice Inviting Bids to be opened November 4, 2003 at 2:00 p.m. for the projects.

1.6 RESOLUTIONS: BUS SHELTERS – VARIOUS LOCATIONS – CITY OF EL CAJON (Report: Director of Public Works)

Adopt RESOLUTION NO. 188-03 to approve Plans and Specifications and RESOLUTION NO. 189-03 directing a Notice Inviting Bids to be opened on November 18, 2003 at 2:00 p.m. for the Project.

1.7 SPECIAL OPERATION LICENSE – EPA K-9 & INVESTIGATIVE SERVICES, INC.

Approve the application submitted by Frank Whiteley for a private patrol service in the name of EPA K-9 & Investigative Services, Inc., at 833 Broadway, #201, as recommended by the Police and Community Development Departments and the City Manager.

1.8 DONATION OF TREES (Reports: Director of Parks)

Accept the donations according to City Council Policy B-2, as follows:

- One Crepe Myrtle Tree to be planted in the parkway at 902 Laguna Avenue – made possible through a donation by Mary K. Buck
- One Australian Willow Tree to be planed in the parkway at 650 Verdin Street – made possible through a donation by Gary and Carol Heinz
- One Pear Tree to be planted in the parkway at 498 Sandalwood Drive – made possible through a donation by Dianna and Reuel White.

1.9 RESOLUTION NO. 190-03: SIDE LETTERS OF AGREEMENT FROM EMPLOYEE GROUPS (Report: Director of Human Resources)

Adopt RESOLUTION NO. 190-03 to approve the Agreements signed by the El Cajon Police Officers' Association, El Cajon Police Officers' Association Management Group, El Cajon Professional Engineers' Association, El Cajon Mid-Management Group, El Cajon Municipal Employees; Association, and Executive/Unrepresented Management and Confidential Employees.

CONSENT ITEMS: (CONTINUED)

1.10 RESOLUTION NO.191-03: POLICIES ON SIGNS IN PUBLIC RIGHT-OF-WAY (Report: City Attorney)

Adopt RESOLUTION NO. 191-03 approving policies regarding the use of public property for the display of signs.

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1.3 RESOLUTION NO 192-03: AWARD BID – FLEET FUELING SERVICES (Report: Purchasing Agent)

RECOMMENDATION: That the City Council adopt RESOLUTION NO 192-03 and award the bid to The SoCo Group, Inc., in the estimated amount of \$230,006.67.

DISCUSSION

In answer to **Councilmember Ramos'** question, **Collin Dawson, Purchasing Agent,** indicates the cost per gallon is 6 3/4 cents above the wholesale price.

MOTION BY Lewis, SECOND BY Ramos, to approve Item 1.3.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, speaks about her project to tie new yellow ribbons to trees in the downtown area, and the need for people to come together for the betterment of the community.

WRITTEN COMMUNICATIONS: (2.1 - 2.4)

2.1 LETTER: HEARTLAND HUMAN RELATIONS & FAIR HOUSING ASSOCIATION – REQUEST TO USE COUNCIL CHAMBERS

Marcie Findley, Housing Program Manager for Heartland Human Relations & Fair Housing Association, requests use of the Council Chambers on October 30, 2003 at 6:30 p.m. until 9:30 p.m. for this year's fair housing and tenant/landlord seminar in the City of El Cajon.

WRITTEN COMMUNICATIONS: (2.1 - CONTINUED)

DISCUSSION

City Manager Garrett indicates use of the Council Chambers would be appropriate, as the Heartland Human Relations & Fair Housing Association would be acting as an agent for the City.

MOTION BY Lewis, SECOND BY Kendrick, to approve Item 2.1, according to Staff recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

2.2 LETTER: KILLIAN – APPEAL OF WEED REMOVAL - 623 MORGAN WAY

Mr. Killian appeals the clearing of weeds from his property, as he did not receive a notice to remove weeds from his yard.

DISCUSSION

City Manager Garrett provides a summary of the Item. As the letter writer is not present at today's meeting, a letter will be sent informing him of a future Public Hearing and the opportunity to appeal at that time.

Mayor Lewis suggests including in the letter, information on volunteer groups or agencies which may be able to assist with clearing of the weeds.

MOTION BY Lewis, SECOND BY Ramos, to file the letter.

MOTION CARRIES BY UNANIMOUS VOTE.

2.3 LETTER: ANDERSON – RELOCATION OF GROSSMONT HOSPITAL AUXILIARY THRIFT KORRAL TO 490 NORTH MAGNOLIA

Keith Anderson requests relocation of the Thrift Korral to a renovated property at 490 North Magnolia, within Specific Plan 182.

DISCUSSION

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

Councilmember McClellan speaks in support of the request.

WRITTEN COMMUNICATIONS: (2.3 – CONTINUED)

Councilmember Ramos speaks in opposition to the request, as the use is not permitted within Specific Plan 182.

Keith Anderson, 5360 Jackson Drive, La Mesa, CA, indicates he is here to answer questions, and speaks about a possible 7-10 year lease of his property by Grossmont Hospital.

Claire Carpenter, representing the El Cajon Community Development Corporation (CDC), indicates several other parties are interested in the property. The CDC would be willing to assist in finding a suitable location for the Thrift Corral.

MOTION BY Lewis, SECOND BY Ramos, to file the letter.

MOTION CARRIES BY UNANIMOUS VOTE.

REDEVELOPMENT AGENCY ITEM:

**2.4 LETTER: HOMESTART LLC – REQUEST FOR EXTENSION -
REDEVELOPMENT AFFORDABLE HOUSING AGREEMENT AND LOAN**

Thomas K. Wright requests the Agency extend the agreement and loan for their project on Emerald Avenue and also requests that the City subordinate its position to the extension of the loan with Cuyamaca Bank.

DISCUSSION

Redevelopment Manager Cooksy provides a summary of the Item.

Councilmember McClellan commends HomeStart LLC for their efforts to increase home ownership in the City.

Tom Wright, representing HomeStart LLC, speaks in support of the request, with subordination of the loan.

MOTION BY Lewis, SECOND BY McClellan, to extend the loan for 6 months with the subordination to the extension of the loan with Cuyamaca Bank.

MOTION CARRIES BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS:

REDEVELOPMENT AGENCY ITEM:

3.1 RESOLUTION: NY BAKERY – EXTENSION OF EXCLUSIVE RIGHT TO NEGOTIATE (Report: Redevelopment Manager)

RECOMMENDATION: That the Redevelopment Agency agree to a second ninety (90) day extension of the Exclusive Right to Negotiate for parcel 488-211-04, which the developer is interested in acquiring to construct a two-story building as the new location of their bakery business.

MOTION BY Lewis, SECOND BY McClellan, to approve the Extension for 90 days.

MOTION CARRIES BY UNANIMOUS VOTE.

REDEVELOPMENT AGENCY ITEM:

3.2 EAST COUNTY COUNCIL ON AGING – REIMBURSEMENT OF EXPENSES FROM FISCAL YEAR 2002-03 (Report: Redevelopment Manager)

RECOMMENDATION: That the Redevelopment Agency authorize an appropriation in the amount of \$11,410.00 from the Fund balance of Low and Moderate Income Housing Funds to reimburse East County Council on Aging for expenses incurred in fiscal year 2002-03.

MOTION BY Lewis, SECOND BY McClellan, to approve Item 3.2.

MOTION CARRIES BY UNANIMOUS VOTE.

3.3 RESOLUTION NO. 193-03: SOLE SOURCE – FIRE DEPARTMENT LADDER TRUCK (Report: Fire Chief)

RECOMMENDATION: That the City Council adopt RESOLUTION NO. 193-03 to approve the sole source purchase of a Pierce 100 foot heavy duty aerial platform fire ladder truck.

DISCUSSION

Fire Chief Jarrell provides a summary of the Item. A video is shown demonstrating access difficulties experienced by current ladder trucks. A second video is shown from Pierce Manufacturing, demonstrating the benefits of an all-wheel steering system, which provides increased maneuverability and an improvement in fire response times.

ADMINISTRATIVE REPORTS: (3.3 – CONTINUED)

In answer to **Councilmember McClellan's** question. **Chief Jarrell** indicates the recommended trucks are currently in use in San Diego and Chula Vista.

MOTION BY Lewis, SECOND BY Santos, to approve Item 3.3 according to Staff recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

3.4 REVISED TENANT RELOCATION ASSISTANCE POLICY AND LETTER FROM GARY ARMBRUSTER DATED SEPTEMBER 28, 2003 (Report: Director of Community Development)

RECOMMENDATION: That the **City Council** consider the revised staff Policy on Tenant Relocation Assistance and affirm the developer's responsibility to pay relocation assistance to the former tenant at 1386 E. Madison Avenue (La Quinta Apartments).

DISCUSSION

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

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

- Timing of the relocation assistance payments
- Eligible recipients for relocation assistance
- A suggestion to have developers deposit relocation assistance funds with the City for disbursement, with an administrative fee of 10% for handling of claims and inquiries

City Attorney Foley provides clarification on the 180 and 60-day notices received by tenants.

Gary Armbruster, 4539 St. George Court, Carlsbad, CA, speaks concerning the letter he wrote on behalf of his daughter, a tenant at La Quinta Apartments.

Joseph Scarlatti, 710 Camino de la Reina, San Diego, CA, representing Westone Management Consultants, speaks concerning the 180-day notice and problems landlords face associated with vacating tenants.

Councilmember Ramos reads from the letter provided by Mr. Armbruster, concerning the 180-day notice.

ADMINISTRATIVE REPORTS: (3.4 – CONTINUED)

Chris Christianson, 4527 Third Street, La Mesa, CA, representing Condo Conversions, speaks concerning tenant rights and the 180 and 60-day notices. He advises the City of San Clemente, or Oceanside, pays relocation assistance 14 days after the Landlord or tenant gives a 30-day notice.

City Attorney Foley suggests strengthening and clarifying the current policy, with consideration being given to:

- A change of eligibility date
- Having the developer's letters to tenants include mention of relocation assistance
- Having the developer deposit funds to the City, along with the 10% administrative fee

Mayor Pro Ten Kendrick and **Councilmember McClellan** indicate their support of a 60-day eligibility and payment of relocation assistance when tenants move out.

In answer to **Mayor Lewis'** question, **City Attorney Foley** indicates a report could be brought back to Council for the October 28th or November 18th meeting.

MOTION BY Lewis SECOND BY McClellan, to refer the Item to Staff for a report on October 28th or November 18th.

MOTION CARRIES BY UNANIMOUS VOTE.

Recess called at 4:55 p.m.
Meeting called back to order at 5:00 p.m.

3.5 LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) FUNDS (Report: Chief of Police)

RECOMMENDATION: That the City Council

- **Open the Public Hearing** and receive any testimony
- **Close the Public Hearing**
- Concur with the recommendation from the LLEBG Advisory Board on the use of FY 2003 Local Law Enforcement Block Grant (LLEBG) funding in the amount of \$102,739 that is being awarded to the City, as follows:
 - (1) To support upgrades and modernization of the Police Department's communications and mobile computer systems. (\$82,191 with \$9,132 as the required local match amount).
 - (2) To support the San Diego County Drug Court Program. (\$20,548 with \$2,284 as the required local match amount).

PUBLIC HEARING: (3.5 – CONTINUED)

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, speaks in support of the recommendation.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to approve Item 3.5, according to the Staff recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS: None

5. REPORTS OF MAYOR LEWIS

5.1 INFORMATION REGARDING THE DIVERSION RATE FOR EL CAJON (Report: Director of Public Works)

RECOMMENDATION: That the City Council review the report that summarizes the diversion rate calculated by the California Integrated Waste Management Board.

DISCUSSION

Les Hart, representing Waste Management, summarizes the report on the diversion rates.

In response to **Councilmember McClellan's** suggestion on an incentive for recycling efforts, **Mr. Hart** indicates a pilot program was established, however, impediments include lack of space for additional bins and the necessity for convenience to the tenants.

NO ACTION TAKEN.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK:

MAYOR PRO TEM GARY KENDRICK advises the October 21st workshop on Industrial property has been changed to November 4, 2003.

COUNCILMEMBER BOB McCLELLAN:

COUNCILMEMBER BOB McCLELLAN reports on the Harry Griffin Park Steering Committee meeting. The Joint Powers Authority is being dissolved and the City of La Mesa has agreed to pay \$95,000 per year to the Helix Water District for maintenance of the park.

COUNCILMEMBER CHARLES SANTOS: No report.

COUNCILMEMBER DICK RAMOS: No report.

7. LEGISLATIVE REPORT

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

Councilmember Ramos reports the State Controller has agreed to a jurisdiction-by-jurisdiction assessment of the Vehicle License Fee.

8. GENERAL INFORMATION ITEMS FOR DISCUSSION:

8A. CRIME FREE HOTEL/MOTEL PROGRAM

Lieutenant Jim Cunningham, Commander of Community Policing, provides a report on the Crime Free Hotel/Motel Program and recognizes the certification of the El Cajon Travelodge at 471 North Magnolia and the Quality Inn and Suites at 1250 El Cajon Boulevard.

Councilmember McClellan suggests hotels participating in the program be promoted to denote their crime-free certification.

NO ACTION TAKEN.

9. ORDINANCES: FIRST READING

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

9.1 AMENDMENT OF SPECIFIC PLAN 182 – BOUNDARIES, DEVELOPMENT STANDARDS AND USES WITHIN THE DOWNTOWN AREA

As a result of Public Hearing and Action taken at the September 30 Meeting, First Reading of Ordinance to amend Specific Plan 182 changing boundaries; adding automotive service and repair as conditional uses in the C-M Zone in Special Development Areas 9 and 10; adding requirements for development of certain residential uses in the Downtown Area; adding requirements for exterior lighting; making technical changes; and deleting special driveway and back-up distances for residential development in the Downtown Area.

City Attorney Foley distributes revised Attachments to the Item.

MOTION BY Lewis, SECOND BY Ramos, to introduce the Ordinance, with the revised attachments provided, 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 MUNICIPAL CODE – ZONING ORDINANCE – PHYSICAL ELEMENTS REPORTS AND PROJECT UPGRADES WITH CONVERSION OF APARTMENTS TO COMMON INTEREST DEVELOPMENTS

As a result of Public Hearing and Action taken at the September 30 Meeting, First Reading of Ordinance to amend the El Cajon Municipal Code, Zoning Ordinance, establishing the requirement for physical elements reports in the conversion of apartments to common interest subdivisions.

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.

10. CLOSED SESSION:

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

- **Under Government Code Section 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property	Negotiating Party	City Negotiator
City owned property APN 508-080-43-00	Faucetta Development Company	City Manager City Attorney

- **Under Government Code Section 54956.9 (a) for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Name of Case: GET OUTDOORS, LLC v. City of El Cajon, et al.
Case No. 03CV 1437W

MOTION BY Lewis, SECOND BY Ramos, to adjourn to Closed Session at 5:26 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

- 11. RECONVENE TO OPEN SESSION AT 5:36 P.M. - Nothing to report.**

ADJOURNMENT: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 14th day of October 2003 at 5:36 p.m. to Tuesday, October 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

OCTOBER 14, 2003

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, October 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, October 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 Odiorne, City Engineer Griffin, Director of Community Development

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 TIME EXTENSION FOR TENTATIVE SUBDIVISION MAP 488 – McNEIL RANCH – 1933-1957 GRANITE HILLS DRIVE (Report: Director of Public Works)

RECOMMENDATION: *That the City Council*

- **Open the Public Hearing** and receive any testimony
- **Close the Public Hearing**
- Consider granting a time extension for TSM 488 (expiration date October 26, 2003) and set the expiration date to be October 26, 2004, for a 17 lot residential subdivision in the R-E-20 Zone at 1933-1957 Granite Hills Drive.

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

Daryl Priest, 124 W. Main Street, El Cajon, CA, indicates he is here to answer any questions.

In answer to questions by **Councilmembers McClellan** and **Ramos, Mr. Priest** indicates storm drain issues and a change in those requirements have delayed the project.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Ramos, to grant an Extension of time for Tentative Subdivision Map 488, to October 26, 2004.

MOTION CARRIES BY UNANIMOUS VOTE.

101 ZONE RECLASSIFICATION 2237 – 347 S. SUNSHINE AVENUE (Ortega) (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. 9849** to rezone property at 347 S. Sunshine Avenue from the R-1-6 Zone to the R-2 Zone.
- **If Approved or Modified, refer to the City Attorney for an Ordinance upon completion of a specified condition.**

PUBLIC HEARINGS: (ITEM 101 – CONTINUED)

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to be heard.

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to approve Zone Reclassification 2237 according to Planning Commission Resolution No. 9849.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan to refer to the City Attorney for an Ordinance upon completion of specified conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

**102 AMENDMENT OF EL CAJON MUNICIPAL CODE – ZONING ORDINANCE
CONVERSION OF APARTMENTS TO CONDOMINIUMS – WATER METER
(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. 9848** recommending approval of Amendment to Section 17.54.290.D of the Municipal Code, Zoning Ordinance regarding conversion of apartments to condominiums to delete the requirement for a separate water meter for each unit. Section 17.54.290 of the Municipal Code to read as follows:
 - “D. Utility Systems.
Prior to the sale of any residential unit, a separate utility system shall be provided for each unit for water, electricity, gas and venting services. At a minimum there shall be one water meter provided for all residential units and one water meter shall be provided for all exterior uses. A separate sewer lateral or water meter for each residential unit is not required.”
- **If Approved or Modified, refer to the City Attorney for an Ordinance.**

PUBLIC HEARINGS: (ITEM 102 – CONTINUED)

DISCUSSION

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

Councilmember McClellan suggests the developer should be given the option to install a separate water meter for irrigation purposes. Some properties may have less irrigation requirements and minimal amenities, which would make the cost to install an additional water meter unfeasible. Staff may wish to make the determination as to whether a separate meter should be required.

Councilmember Ramos speaks on the subject of sub-meters, which would enable meter readings at a lesser cost per unit.

Mayor Lewis announces the Public Hearing is now Open.

Viky Baker, 513 W. Bradley Avenue, El Cajon, CA, speaks regarding the current Ordinance and proposed changes, adherence to the Ordinance by developers, and separate shut-off valves for each building.

Joseph Scarlatti, representing Westone Management Consultants, 710 Camino de la Reina, San Diego, CA, questions the status of previously approved projects, should the Ordinance change.

In response to **Councilmember McClellan's** question, **City Attorney Foley** indicates projects already approved by Council will still be subject to the old Ordinance. If the Council decides to proceed with recommendations by the Planning Commission, the revised Ordinance would come back for a First Reading, followed by the Second Reading. The Ordinance would go into effect 30 days after the Second Reading, which would be sometime in January. Projects in the process now, but not yet approved by Council, may be Continued until after the Ordinance becomes effective, in which case Council may approve those projects subject to the new Ordinance. Projects already approved by Council, even though there has been no Final Map recorded, have a condition that requires separate water meters. If developers wish to take advantage of a possible new Ordinance, they would have to come back with an Amendment of their Tentative Subdivision Map or Planned Unit Development (PUD) conditions, which may involve a Public Hearing, and may or may not go through the Planning Commission. The applicant would need to pay the fee for an Amendment to the PUD, after approval.

In answer to **Mayor Lewis'** questions on sub-metering, **City Engineer Odiorne** indicates to truly credit and separate the irrigation water away from the sewer bill, it would require a separate, dedicated, installed meter labeled as irrigation, and it would not be part of the sewer bill. Early estimates for irrigation usage are approximately 13 to 15%.

PUBLIC HEARINGS: (ITEM 102 – CONTINUED)

In answer to **Mayor Pro Tem Kendrick's** question, **Mr. Scarlatti** indicates his clients like the idea of a second meter for landscaping, as it helps reduce the Home Owners' Association fees.

In answer to **Mayor Lewis'** question, **City Attorney Foley** speaks on due process concerns and Public Hearing procedures, and indicates a law cannot be made retroactive in a way that would violate due process for any or all interested parties. Developers' options for approved projects currently in process include:

- To proceed and provide separate water meters in order to get the Final Map ready for recording
- To hold off on the process, bring back an amendment of the PUD application, go through the Public Hearing process, obtain approval, and then proceed to finalize the map and continue with the development, if Council, after the Public Hearing process, makes the decision to allow for a single meter on the units.

In answer to **Mayor Lewis'** question on batching together several projects for a single Public Hearing, **City Clerk Linn** indicates Staff will accommodate the Council's decision, however, an appropriate amount of time would be required to accomplish noticing of all the projects.

Discussion ensues among **Council, Staff** and **Mr. Scarlatti** concerning leasing of the apartments until the conversions are completed.

Jack Wasson, 2820 Via Orange Way, Suite J, Spring Valley, CA, speaks in opposition to the requirement of separate water meters.

Alex Pellegrino, 5811 Amaya Drive, Suite 100, La Mesa, CA, speaks in favor of affordable housing and first-time homebuyer programs.

Corbitt Kerr, representing Davlyn Communities, speaks concerning the costs associated with installing separate water meters.

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

MOTION CARRIES BY UNANIMOUS VOTE.

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

- The feasibility of sub-meter usage
- Giving developers the option of installing a second water meter for exterior uses

No further comments are offered.

PUBLIC HEARINGS: (ITEM 102 – CONTINUED)

MOTION BY Lewis, SECOND BY McClellan, to refer to the City Attorney for an Ordinance stating that at a minimum there shall be one water meter provided for all residential usage, although the property owner may install a separate water meter for all exterior uses.

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

MOTION CARRIES.

103 PLANNED UNIT DEVELOPMENT 211 and TENTATIVE SUBDIVISION MAP 521 – 300 Roanoke Road (CC-Monterra, LLC for Roanoke, a California Limited Partnership) (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- **Open the Public Hearings** and receive testimony
- **Close the Public Hearings**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9850** to convert an existing 16-unit apartment complex to a 16-unit common interest development in the R-4 Zone at 300 Roanoke. **(Planned Unit Development 211)**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission No. 9851** for a one-lot subdivision map in the R-4 Zone at 300 Roanoke Road. **(Tentative Subdivision Map 521)**

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Corbitt Kerr, representing Davlyn Communities, questions his options concerning postponing the Public Hearing.

At **Mayor Lewis'** request, **City Attorney Foley** outlines the available options, including Continuance of the Item.

Mr. Kerr requests Continuance the Item to the November 18th meeting.

No further comments are offered.

PUBLIC HEARINGS: (ITEM 103 – CONTINUED)

MOTION BY Lewis, SECOND BY McClellan, to Continue the Public Hearing to the November 18, 2003 Meeting.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARING CONTINUED FROM THE SEPTEMBER 16, 2003 MEETING:

104 PLANNED UNIT DEVELOPMENT 205 and TENTATIVE SUBDIVISION MAP 516 – 908 S. Sunshine Avenue (Report: City Clerk)

RECOMMENDATION: *That the City Council*

- **Open the Public Hearings** and receive testimony.
- **Close the Public Hearings.**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9829** recommending approval of Planned Unit Development 205 to convert an existing 19-unit apartment complex to a common interest development in the R-3 Zone at 908 S. Sunshine Avenue.
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9830** recommending approval of Tentative Subdivision Map 516 for a one-lot subdivision map in the R-3 Zone at 908 S. Sunshine Avenue.

DISCUSSION

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

Mayor Lewis announces the Continued Public Hearing is now Open.

Jack Wasson, 2820 Via Orange Way, Suite J, Spring Valley, CA, requests to Continue the Item to the time of the Second Reading of the revised Ordinance.

MOTION BY Lewis, SECOND BY McClellan, to Continue the Public Hearing to the November 18, 2003 Meeting.

MOTION CARRIES BY UNANIMOUS VOTE.

105 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 14th day of October 2003 at 8:05 p.m.

NOTE: The next meetings of the El Cajon City Council and Redevelopment Agency will be held on Tuesday, October 28, 2003 at 3:00 p.m.

City Clerk/Secretary