

# JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**OCTOBER 28, 2003**

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, October 28, 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 7:00 p.m. meeting held October 14, 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 Odiorne, City Engineer Griffin, Director of Community Development

#### **PLEDGE OF ALLEGIANCE TO FLAG AND MOMENT OF SILENCE**

In light of the recent fires in San Diego County, Councilmember McClellan offers a prayer.

**POSTINGS:** The City Clerk posted Orders of Adjournment of the October 14, 2003 Meetings and the Agenda of the October 28, 2003 Meetings in accordance to State Law and Council/Agency Policy.

#### **PRESENTATIONS:**

**Ed Jarrell, Fire Chief** provides an update concerning the fires in San Diego County.

- **“LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY” – NOVEMBER 5, 2003**

**Mayor Lewis** proclaims November 5, 2003 as Law Enforcement Records and Support Personnel Day. **Police Chief Davis** accepts the Proclamation.

**PRESENTATIONS: (Continued)**

• **PROCLAIMING CAMERON FAMILY OF EL CAJON AS HONORARY CITIZENS OF THE DAY**

**Mayor Lewis** presents a Proclamation to **Richard Stern, representing the San Diego Blood Bank**, to honor the Cameron Family, for their participation in developing the 10 Gallon Gala, an event to raise funds for a new mobile unit.

**AGENDA CHANGES:**

**MOTION BY Lewis, SECOND BY Santos, to add Consent Item 1.12, Resolution: Declaration of Existence of a Public Calamity and Local Emergency, finding the need to take action arose after preparation of the Agenda, as recommended by the City Manager.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**CONSENT ITEMS: (1.1 – 1.12)**

**MOTION BY Lewis, SECOND BY Santos, to approve Consent Items 1.1 – 1.12, pulling Item 1.4 as requested by Councilmember Ramos.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS:**

Approve Minutes of the October 14, 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. 194-03: AWARD BID FOR TRAFFIC SIGNAL - CHASE AND ESTES (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 194-03 and award the bid to Lekos Electric, Incorporated, in the amount of \$70,269.00.

**1.4 PULLED FOR DISCUSSION.**

**CONSENT ITEMS: (Continued)**

**1.5 TREASURER'S QUARTERLY REPORT JULY – SEPTEMBER 2003 (Report: Director of Finance/Treasurer)**

Accept the Quarterly Report from the Director of Finance.

**1.6 RESOLUTION NO. 195-03: AWARD BID FOR BARRIER RAIL REPLACEMENT PROJECT (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 195-03 in order to award the bid to Scheidel Contracting and Engineering, Inc. in the amount of \$156,317.00.

**1.7 RESOLUTION NO. 196-03: AWARD BID FOR WASHINGTON AVENUE, EL CAJON BOULEVARD TO JOHNSON AVENUE AND FLETCHER PARKWAY, NAVAJO ROAD TO HACIENDA DRIVE RESURFACING PROJECTS (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 196-03 in order to:

- Award the Bid to Superior Ready Mix Concrete L.P. dba SRM Contracting and Paving in the amount of \$754,437.20.
- Approve additional funding in the amount of \$75,000 from Traffic Congestion Relief Funds, and reallocate surplus Transnet Funds in the amount of \$387,000 from the Marshall Avenue Widening and Resurfacing Project budget.

**1.8 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 Stephen Goble expressing appreciation for City Staff, Trev Holman, Ed Krulikowski and Irene Ventura and Traffic Commissioners Burrows, Hawkins, Murphy, Nasif and Waymire in addressing an issue at the corner of Tres Lomas Drive and Greenfield Drive.

Letter from Leslie LaBonte expressing appreciation for outstanding service provided by Trev Holman for adjusting the timing of the traffic signal at Navajo and Medford.

**1.9 DONATION OF TREES (Report: Director of Parks)**

Accept the \$45 donation from Donald and Traude Davis to purchase one 15-gallon Crepe Myrtle Tree to be planted in the parkway at 733 Skyview Street.

**1.10 DISPOSAL OF SURPLUS PROPERTY (Report: Purchasing Agent)**

Declare the listed property surplus and authorize disposal in accordance with policy.

**CONSENT ITEMS: (Continued)**

**1.11 STATE OFFICE OF PUBLIC SAFETY MINI-GRANT AGREEMENT (Report: Chief of Police)**

Approve the Police Department's participation in a State Office of Public Safety mini-grant program that funds police employee overtime expenses associated with local DUI checkpoints.

**1.12 RESOLUTION NO. 197-03: DECLARATION OF EXISTENCE OF A PUBLIC CALAMITY AND LOCAL EMERGENCY**

Under Action taken for AGENDA CHANGES, Adopt RESOLUTION NO. 197-03.

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**1.4 RESOLUTIONS: DOWNTOWN EL CAJON MAGNOLIA CORRIDOR IMPROVEMENTS FOR WALKABLE COMMUNITIES GRANT (Report: Director of Public Works and Redevelopment Manager)**

Adopt RESOLUTION NO. 198-03 to:

- Approve Plans and Specifications and direct Notice Inviting Bids to be opened on December 2, 2003 for the project. and
- RESOLUTION NO. 199-03 to approve additional funding of \$100,000 from the Redevelopment Agency's Unappropriated Reserve and reallocate Gas Tax Funds of \$30,000 from the Traffic Signal Rewire Project Budget.

**DISCUSSION**

In response to **Councilmember Ramos'** question, **Claire Carpenter, representing the El Cajon Community Development Corporation (CDC)**, indicates the \$320,000 SANDAG grant allows 15% for design expenses, for which the CDC has submitted a figure of \$47,000.

**Ed Krulikowski, City Traffic Engineer**, clarifies the allowance of \$80,000 includes contingency fees. The total expenditure is estimated to be more in the \$40,000 to \$50,000 range, which includes architectural and engineering fees.

**MOTION BY Lewis, SECOND BY Kendrick, to approve Item 1.4.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC COMMENT: None**

**Mayor Lewis** informs a lawsuit filed by 352 Granite Hills property owners, concerning flood insurance, has been settled in favor of the property owners. Residents who were a party to the Class Action lawsuit may contact law offices Michael A. Conger at 858-759-0211 for further information.

## **2. WRITTEN COMMUNICATIONS:**

### **2.1 BUDGET: DOWNTOWN EL CAJON**

Les Hart, Chair of the Advisory Board for the Downtown El Cajon Property Based Improvement District, provides the 2003-2004 budget for Council approval.

#### **DISCUSSION**

**Claire Carpenter, representing the El Cajon Community Development Corporation (CDC),** provides a summary of the Item.

In answer to **Councilmember Ramos'** question, **Ms Carpenter** indicates the largest purchase for budgeted outside services is \$150,000 for Heritage Security.

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

- The bid process followed by the CDC for outside services and vendors
- A suggestion to have the City review all bids received by the CDC
- Color stamping and pavement life

**MOTION BY Lewis, SECOND BY Santos, to approve Item 2.1.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

#### **PUBLIC HEARINGS:**

**Councilmember McClellan** announces he must disqualify himself from Items 3.1 and 3.2 due to a potential financial conflict of interest, and leave Council Chambers at 3:44 p.m.

### **3.1 DELINQUENT REFUSE COLLECTION FEES (Report: Assistant City Manager)**

**RECOMMENDATION:** That the City Council Open the Public Hearing, consider any testimony, Close the Public Hearing and

- Adopt RESOLUTION NO. 200-03 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills;
- Authorize the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

#### **DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Rhodesa Ruffin-Gay, 699 Emerald Avenue, El Cajon, CA,** speaks concerning the minimal amount of trash generated from her residence, and requests payment arrangements for the balance due on the account.

**PUBLIC HEARINGS: (3.1 Continued)**

**City Manager Garrett** requests the speaker contact **Assistant City Manager Hubert**, in order to work out payment arrangements.

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

**AYES:** Kendrick, Lewis, Ramos, Santos  
**NOES:** None  
**DISQUALIFIED:** McClellan

**MOTION CARRIES. (McClellan – Disqualified)**

**MOTION BY Lewis, SECOND BY Santos, to adopt RESOLUTION NO. 200-03, certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and authorize the City Clerk to record the amount owed as a lien on the property and place the amount on the next tax bill, with staff to work with the renter at 699 Emerald Avenue to pay the bill.**

**AYES:** Kendrick, Lewis, Ramos, Santos  
**NOES:** None  
**DISQUALIFIED:** McClellan

**MOTION CARRIES. (McClellan – Disqualified)**

**3.2 DELINQUENT SEWER SERVICE CHARGES (Report: Director of Finance)**

**RECOMMENDATION:** That the City Council Open the Public Hearing, consider any testimony, Close the Public Hearing and

- Adopt RESOLUTION NO. 201-03 confirming the charges and levying the assessments on the next regular tax bill and
- Authorize the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

No one comes forward to be heard.

**AYES:** Kendrick, Lewis, Ramos, Santos  
**NOES:** None  
**DISQUALIFIED:** McClellan

**MOTION CARRIES. (McClellan – Disqualified)**

**PUBLIC HEARINGS: (3.2 Continued)**

**MOTION BY Lewis, SECOND BY Ramos, to adopt RESOLUTION NO. 201-03, confirming the charges and authorize the City Clerk to place a lien on the delinquent properties and place the amount on the next tax bill.**

**AYES: Kendrick, Lewis, Ramos, Santos**  
**NOES: None**  
**DISQUALIFIED: McClellan**

**MOTION CARRIES. (McClellan – Disqualified)**

**Councilmember McClellan returns to the Council Chambers at 3:54 p.m.**

**3.3 BUILDING PERMIT FEES (Report: City Attorney)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing.**
- **Request City Clerk to recite the title, waive full reading of the text and adopt the Ordinance.**

**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.**

**ORDINANCE: SECOND READING AND ADOPTION:**

**3.3A AMENDMENT OF EL CAJON MUNICIPAL CODE – BUILDING PERMIT FEES**

Adopting Ordinance No. 4753 repealing Section 15.04.220 of the El Cajon Municipal Code and adding new Section 15.04.220 to Chapter 15.04 regulating building permit fees.

**MOTION BY Lewis, SECOND BY Santos, to request the City Clerk to recite the title, waive full reading of the text and adopt ORDINANCE NO. 4753.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC HEARINGS: (Continued)**

### **3.4 SUBSTANDARD CONDITIONS AT 222 RICHFIELD AVENUE (Report: Building Official)**

#### **RECOMMENDATION: That the City Council**

- (1) Conduct a hearing to determine whether the declaration of the City Manager that the building is unsafe and substandard is correct.
- (2) Order that the property be vacated (including the garage and camper shell) and establish a reasonable date by which all violations must be corrected
- (3) Direct staff to have the property boarded to prevent future illegal occupancy,
- (4) Commence accruing civil penalties to begin on November 10, 2003, if all violations are not corrected by that date, and
- (5) Direct staff to bring this matter back to Council for final determination with regard to civil penalties and administrative costs at the resolution of this case.

#### **DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Dan Pavao, Building Official**, provides a summary of the Item.

In answer to questions by **Councilmember Ramos** and **McClellan, City Attorney Foley** indicates the City's Ordinance requires reasonable time to come into compliance, which would be November 10th. The determination has not yet been made that the property is unsafe, so the occupants are not required to vacate immediately. After a final inspection and determination has been made, enforcement procedures may then be followed.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY Ramos, to declare the property unsafe and substandard, order that the property be vacated (including the garage and camper shell) by close of business on October 29, 2003, and the violations to be corrected immediately; to direct staff to have the property boarded to prevent future illegal occupancy; commence accruing civil penalties to begin on November 10, 2003, if all violations are not corrected by that date, and direct staff to bring this matter back to Council for final determination with regard to civil penalties and administrative costs at the resolution of this case.**

**MOTION CARRIES BY UNANIMOUS VOTE.**



### 3. ADMINISTRATIVE REPORTS

#### 3.5 POLICE CHIEF'S QUARTERLY REPORT

Quarterly Report for June, July and August 2003.

#### DISCUSSION

**Police Chief Davis** expresses thanks to Reserve and Mounted Officers, Retired Senior Volunteers, members of the Public Works and Recreation staff, and East County citizens for their efforts in assisting those affected by the fires. He then proceeds with a summary of the Quarterly Report.

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

- Abandoned vehicles
- Impounding of cars for persons involved with solicitation of prostitution
- Speeding tickets and Red Light citations.

#### NO ACTION TAKEN.

#### 3.6 PROPOSED REVISION TO CITY COUNCIL POLICIES E-7, COMMUNITY CENTER USE POLICY, AND E-2, FEES AND GUIDELINES GOVERNING THE USE OF PARKS AND RECREATION FACILITIES – YOUTH ACTIVITIES (Report: Director of Recreation)

#### RECOMMENDATION: That the City Council

- Approve revision of City Council Policies E-7, Community Center Use Policy to include, "Facility use requests for events and activities for ages 12-20 year olds must be hosted by educational institutions and/or must be an official school or educational function, or be a city-sponsored event"
- and E-2, Fees and Guidelines Governing the Use of Parks and Recreation Facilities include, "Dances for ages 12-20 year olds are prohibited unless sponsored by the City."

#### DISCUSSION

**Director of Recreation Beliveau** provides a summary of the Item.

In response to questions by **Councilmember Ramos**, **Director Beliveau** clarifies that Policy E-7 relates to events held at the Community Center.

Discussion ensues among **Council** and **Staff** concerning the range of ages for those attending events.

**City Attorney Foley** recommends a language change to the policy, concerning ages of the participants.

**ADMINISTRATIVE REPORTS: (3.6 Continued)**

**MOTION BY Lewis, SECOND BY Santos, to approve the revisions to E-7 and E-2 with the clarification from the City Attorney that the policies involve participants between the ages of 12 to 20 years of age.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.7 REALLOCATION OF CIP FUNDING (Report: Chief of Police)**

**RECOMMENDATION: That the City Council** authorize reallocation of appropriated funding in the amount of \$24,400 in the Police Department's Capital Improvement Project Budget from the IPD-14 Ergonomic Furniture expenditure category to the IPD-24 Police Facilities Minor Remodeling Project expenditure category.

**MOTION BY Lewis, SECOND BY Kendrick, to approve Item 3.7 per Staff recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.8 MANDATORY TRASH SERVICE FOR COMMERCIAL BUSINESSES (Report: Assistant City Manager)**

**RECOMMENDATION: That the City Council** review and comment on the proposed changes to Section 8.24 of the El Cajon Municipal Code and set the matter to Public Hearing at the next available City Council Meeting.

**DISCUSSION**

**Mayor Lewis** speaks in support of the recommendation.

**Councilmember McClellan** suggests different levels of service be made available to businesses.

**Councilmember Ramos** comments there may be some businesses that share trash service, with a single collection point.

**Mayor Lewis** states in some cases the account may be listed under the property management company, rather than an individual business.

**City Attorney Foley** indicates comments heard today will be taken into consideration when the Item comes back to Council at the Public Hearing.

**MOTION BY Lewis, SECOND BY Ramos, to approve according to Staff Recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4. COMMISSION REPORTS:**

**4.1 TRAFFIC COMMISSION RECOMMENDATIONS**

**ITEM I – 2 HOUR PARKING/NO PARKING – JAMACHA BETWEEN GRANITE HILLS AND WASHINGTON (Continued)**

**RECOMMENDATION:** That the City Council adopt RESOLUTION NO. 202-03 in order to:  
Establish a “2 hour Parking Zone” along the east and west curb of Jamacha Road beginning at the north curb of Granite Hills Drive, continuing north to the south curb of Washington Avenue. **And**

Establish “No Parking” around each of the driveways on both the east and west side of Jamacha between Washington and Granite Hills Drive as follows:

- Along the west curb of Jamacha Road beginning 272 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet
- Along the west curb of Jamacha Road beginning 457 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the west curb of Jamacha Road beginning 671 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the west curb of Jamacha Road beginning 725 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the east curb of Jamacha Road beginning 60 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the east curb of Jamacha Road beginning 114 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the east curb of Jamacha Road beginning 165 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the east curb of Jamacha Road, beginning 289 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the east curb of Jamacha Road, beginning 344 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.
- Along the east curb of Jamacha Road beginning 486 feet north of the north curb of Granite Hills Drive, continuing north for 25 feet.

**ITEM III PULLED FOR DISCUSSION.**

**ITEM IV. – “NO PARKING” DOUGLAS AVENUE – MAGNOLIA TO ORANGE**

**RECOMMENDATION:** That the City Council adopt RESOLUTION NO. 204-03 in order to establish a “No Parking” Zone along the north curb of Douglas Avenue, beginning 103 feet east of the east curb of Orange Avenue, continuing east to the west curb of Magnolia Avenue.

**MOTION BY Lewis, SECOND BY RAMOS, to approve Items I and IV.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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**COMMISSION REPORTS: (4.1 Continued)**

**ITEM III – “NO PARKING” – EAST MAIN AT McDOUGAL TERRACE/COURT**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order to establish a “No Parking” Zone

- along the east curb of E. Main Street, beginning 242 feet south of the south curb of Lavala Lane, continuing south for 25 feet, and
- along the east curb of E. Main Street, beginning 578 feet south of the south curb of Lavala Lane, continuing south for 25 feet.

**DISCUSSION**

**Debra Mc Donald, 1887 McDougal Terrace, El Cajon, CA,** indicates she wishes to speak only if the Item was not approved.

**MOTION BY Lewis, SECOND BY Ramos, to approve Item III, according to Staff recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4.2 TERMS ON CITY COMMISSIONS (Report: City Clerk)**

**RECOMMENDATION:** That the City Council accept with regret, letters of resignation from Ed Waymire on the Traffic Commission, and Sherrill Kelsen on the Parks and Recreation Commission; and

Review the list of City Commissions, establish a schedule for receiving applications and interviewing applicants, and/or reappoint commissioners if appropriate.

**DISCUSSION**

**Mayor Lewis** indicates a Planning Commissioner has also moved out of the area, and requests letters of appreciation be sent out to the resigning Commissioners.

**MOTION BY Lewis, SECOND BY Kendrick, according to Staff recommendation, with the understanding a Planning Commission vacancy may be added to the list.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**City Clerk Linn** advises all Commissions have openings and applications will be available in the City Clerk's Office beginning October 29, 2003.

**5. REPORTS OF MAYOR LEWIS**

**5.1 RECOGNITION OF NATIONAL DISABILITY AWARENESS MONTH AND NATIONAL ASSISTANCE DOG MONTH THROUGH SPONSORSHIP OF A “CANINE COMPANIONS FOR INDEPENDENCE” SERVICE DOG IN TRAINING**

**RECOMMENDATION:** That the **City Council**, in recognition of National Disability Awareness Month and National Assistance Dog Month, confirm a commitment to enhancing the lives of disabled citizens by sponsoring “Hudson” the Service Dog in Training owned by the non-profit charitable organization, Canine Companions for Independence, and currently being raised by volunteer puppy raiser and the City’s staff attorney, Leslie Gallagher.

**DISCUSSION**

In response to **Councilmember McClellan’s** concern of setting a precedent, **Mayor Lewis** indicates this is a unique situation, and a way for the City to give back to the community and show support to the Canine Companions program.

**MOTION BY Lewis, SECOND BY Kendrick, to approve the Item, and appropriate the monies from the City’s General Fund Reserves.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**6. REPORTS OF COUNCILMEMBERS**

**MAYOR PRO TEM GARY KENDRICK:**

**MAYOR PRO TEM KENDRICK** indicates the City of Chula Vista intends to pull out of Heartland Communications Authority.

**COUNCILMEMBER BOB McCLELLAN:**

**Councilmember McClellan** expresses appreciation to all the Fire Fighters and Police for their service during the fires.

**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** informs the Legislature will be in recess until Jan. 5, 2004.

**8. GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

**9. ORDINANCE: 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.

**City Attorney Foley** recommends a correction to the language in the Ordinance, deleting the word "water" from the second sentence in paragraph D.

**9.1 AMENDMENT OF EL CAJON MUNICIPAL CODE – ELIMINATING SEPARATE WATER METERS IN THE CONVERSION OF AN EXISTING DEVELOPMENT INTO A COMMON INTEREST SUBDIVISION**

First Reading of Ordinance amending Subdivision D of Section 17.54.290 of Chapter 17.54 of the El Cajon Municipal Code eliminating the requirement for separate water meters in the conversion of an existing development into a common interest subdivision.

**MOTION BY Lewis, SECOND BY Santos, to have First Reading of the Ordinance, incorporating the correction as stated by City Attorney Foley.**

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

**MOTION CARRIES.**

**ORDINANCES: SECOND READING AND ADOPTION**

**RECOMMENDATION:** That the City Council request the City Clerk to recite the titles, waive full reading of the text and adopt the Ordinances.

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

Adopting 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.

**MOTION BY Lewis, SECOND BY Santos, to adopt Ordinance No. 4754.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ORDINANCES: SECOND READING AND ADOPTION (Continued)**

**9.3 AMENDMENT OF MUNICIPAL CODE – ZONING ORDINANCE – PHYSICAL ELEMENTS REPORTS AND PROJECT UPGRADES WITH CONVERSION OF APARTMENTS TO COMMON INTEREST DEVELOPMENTS**

Adopting 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 Santos, to adopt Ordinance No. 4755.**

**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 (b) –CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation.**

Number of potential cases: 1

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

<b>PROPERTY</b>	<b>NEGOTIATING PARTY</b>	<b>CITY NEGOTIATORS</b>
City owned property APN 488-111-28	Dick Zellner, President, CEO, East County	Bill Garrett, City Manager Morgan Foley, City Attorney
Agency owned property APN 488-111-30	Performing Arts Center	David Cooksy, Redevelopment Manager

- **Under Government Code Section 54956.9 (b) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation**

Number of potential cases: 1

**MOTION BY Lewis, SECOND BY Santos, to adjourn to Closed Session at 5:02 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**11. RECONVENE TO OPEN SESSION at 5:34 p.m. - Mayor Lewis announces direction was provided to the City property negotiator.**

**ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 28th day of October 2003 at 5:35 p.m. to Tuesday, October 28, 2003 at 7:00 p.m.**

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City Clerk/Secretary

# JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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OCTOBER 28, 2003

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, October 28, 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 28, 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.



## **100 INTERVIEWS FOR VACANCY ON YOUTH COMMISSION**

**RECOMMENDATION:** That the **City Council** interview qualified applicants and the Mayor with concurrence of Council make an appointment to fill the vacancy on the Youth Commission for a term to expire June 30, 2004.

### **Youth Commission Applicants:**

Paul Cassani  
Raina A. Donovan  
Sarah D. Gerhart  
Brandon A. Linn  
Hayik A. Malkonian

Interviews are conducted in the following order:

Paul Cassani  
Raina A. Donovan - Not present for the interview  
Sarah D. Gerhart  
Brandon A. Linn  
Hayik A. Malkonian - Not present for the interview

**MOTION BY Lewis, SECOND BY Santos, to appoint Paul Cassani to the Youth Commission, for a term to expire June 30, 2004.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**City Clerk Linn** administers the Oath of Office to newly appointed Youth Commissioner, Paul Cassani.

## **100A VACANCY ON COMMISSION ON DISABILITIES**

**RECOMMENDATION:** That the **Mayor and City Council** extend the filing period for the vacancy on the Commission on Disabilities to January 5, 2004 to coincide with the schedule under Item 4.2 of the 3:00 p.m. Agenda. (No applications were received by the filing deadline of October 23, 2003).

**MOTION BY Lewis, SECOND BY Kendrick, to extend the filing period as recommended by staff.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC HEARINGS:**

**101 SPECIFIC PLAN 494 AND CONDITIONAL USE PERMIT 1969 – 474 Raleigh (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

- (1) Open the Public Hearing and receive testimony**
- (2) Close the Public Hearing**
- (3) Approve, Modify or Disapprove Planning Commission Resolution No. 9852** recommending approval of Specific Plan 494 for a 50-foot high Wireless Communications Facility in the M Zone at 474 Raleigh.
- (4) If Approving or Modifying Specific Plan 494, refer to the City Attorney for an Ordinance** upon completion of specified conditions.
- (5) Adopt RESOLUTION 205-03 in order to approve Conditional Use Permit 1969 according to Planning Commission Resolution No. 9854** for a Wireless Communications Facility in the M Zone at 474 Raleigh.

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Ed Gala, 5 Park Plaza, Irvine, CA, representing Verizon Wireless,** speaks in support of the project.

In answer to **Councilmember Ramos'** question, **Mr. Gala** indicates Verizon has plans for one more project at the Granite Hills Convalescent Hospital.

No further comments are offered.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY Santos, to concur with the Planning Commission and approve Specific Plan 494 according to Planning Commission Resolution No. 9852, referring to the City Attorney for an Ordinance upon completion of specified conditions, and to adopt RESOLUTION NO. 205-03 in order to approve Conditional Use Permit 1969 according to Planning Commission Resolution No. 9854.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC HEARINGS: (Continued)**

**102 APPEAL: CONDITIONS IMPOSED BY PLANNING COMMISSION RESOLUTION 9857 GRANTING AMENDMENT TO CONDITIONAL USE PERMIT 1060 – 1110 E. Main Street (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

- (1) Open the Public Hearing and receive testimony**
- (2) Close the Public Hearing**
- (3) Adopt RESOLUTION NO. 206-03 in order to Grant, Partially Grant or Deny the appeal submitted by Hani Toma on conditions imposed by Planning Commission Resolution No. 9857, granting Amendment to Conditional Use Permit 1060 to add take-out food to an existing service station with a convenience store, including off-sale beer and wine in the C-2 Zone at 1110 E. Main Street.**

**DISCUSSION**

**Allen Dueber, Architect for the project, representing Superstar Stations, LLC, presents a proposal to appeal conditions B1 and B4 of the Public Works requirements, and asks to extend the time limits from 5 years to 30 years.**

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

- Corner turn radius and dedication of rights-of-way
- Changes in uses of the property
- Compliance and enforcement of ADA (Americans with Disabilities Act) design standards and Title 24 requirements

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY Ramos, to adopt RESOLUTION NO. 206-03, to deny the appeal.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**103 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 28th day of October 2003 at 7:53 p.m.**

**NOTE: The next meetings of the El Cajon City Council and Redevelopment Agency will be held on Tuesday, November 18, 2003 at 3:00 p.m. and 7:00 p.m.**

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**City Clerk/Secretary**