

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

MARCH 9, 2004

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, March 9, 2004 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, and Santos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Lewis
Other Officers present:	Linn, City Clerk/Secretary Foley, City Attorney/General Counsel Garrett, City Manager/Executive Director Munzenmaier, Director of Public Works Griffin, Director of Community Development

PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Lewis and **MOMENT OF SILENCE.** (The Courts have concluded that sectarian prayer as part of City Council Meetings is not permitted under the Constitution).

POSTINGS: The City Clerk posted Orders of Adjournment of the February 24, 2004 Meetings and the Agenda of the March 9, 2004 Meetings in accordance to State Law and Council/Agency Policy

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.13)

MOTION BY Lewis, SECOND BY Santos, to approve Consent Items 1.1 – 1.13.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS:

Approve Minutes of the February 24, 2004 Meetings of the El Cajon City Council/Redevelopment Agency.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.3 NOTICE OF COMPLETION AND ACCEPTANCE OF POLICE DEPARTMENT ENTRY REMODEL PROJECT (Report: Purchasing Agent)

Accept the Project and authorize the City Clerk to record a Notice of Completion and release the bonds according to the agreement for the project.

1.4 SPECIAL OPERATION LICENSE – MAGNOLIA ENTERTAINMENT, L.L.C. dba MUSIC TRADER – 443 BROADWAY

Approve the application submitted by Darren Fionda in the name of Magnolia Entertainment, L.L.C. dba Music Trader, to buy, sell and trade entertainment media at 443 Broadway, as recommended by the Police and Community Development Departments and the City Manager.

1.5 RESOLUTION NO. 40-04: AWARD BID FOR ORNAMENTAL AND CHAIN LINK FENCING (Report: Purchasing Agent)

Adopt RESOLUTION NO. 40-04 and award the bid to Crown Fence Company in the amount of \$63,720.00.

1.6 RESOLUTION NO. 41-04: AWARD BID – ASPHALT PATCH TRUCK (Report: Purchasing Agent)

Adopt RESOLUTION NO. 41-04 and award the bid to EW Truck and Equipment Company, Inc., in the amount of \$168,707.35.

1.7 RESOLUTION NO. 42-04 : REJECTION OF BID – INSTALLATION OF STORM WATER FILTERS AT VARIOUS LOCATIONS (Report: Purchasing Agent)

Adopt RESOLUTION NO. 42-04 and reject all bids and authorize rebidding with revised specifications.

CONSENT ITEMS: (CONTINUED)

1.8 RESOLUTION NO. 43-04: MODIFICATION OF MOBILE HOME REHABILITATION LOAN PROGRAM (Report: Director of Community Development)

Consider the requested modifications of the Mobile Home Rehabilitation Loan Program and approve RESOLUTION NO. 43-04 in order to effect this change.

1.9 COMMUNITY EVENT AT RENETTE PARK – EASTER EGG HUNT (Report: Recreation Services Manager)

Approve the request from New Life Church to conduct an Easter Egg Hunt for the community at Renette Park, requiring a certificate of insurance naming the City of El Cajon as additionally insured, a signed Hold Harmless Agreement and payment of applicable fees to include cleaning deposit.

1.10 PUBLIC FACILITIES PLAN FOR MARSHALL AVENUE AND VERNON WAY (Report: Director of Public Works)

Authorize staff to proceed with negotiations with RNL Design for a space needs and site study for the city property at the northeast corner of Marshall Avenue and Vernon Way.

DISCUSSION

In answer to **Councilmember Ramos'** questions, **City Manager Garrett** clarifies the process to select the most qualified company, and then to negotiate with the selected company. The new Police Department is not proposed for this site.

City Attorney Foley indicates the law does not allow price to be a determining factor in the selection of the vendor. Proposals are rated and the top rated firm is then recommended. The contract, including a dollar amount, would then come back for Council approval.

1.11 NOTICE OF \$500,000 CALHOME GRANT AWARD (Report: Director of Community Development)

RECOMMENDATION: That the **City Council** accept the CalHome Grant Award of \$500,000 provided by the California Department of Housing and Community Development to be used for homebuyer assistance loans to low-income households and authorize the City Manager to execute all related documents as provided in Resolution No. 133-02.

1.12 LETTER 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 Helen Beccaria expresses appreciation for the funds to upgrade her mobile home and the help of Fred Mason and Elaine Ruff.

CONSENT ITEMS: (CONTINUED)

1.13 REQUEST FOR EXTENSION OF TIME FOR TENTATIVE SUBDIVISION MAP 499 – 1000 ESTES STREET (Report: Director of Public Works)

Grant a one-year extension of time for TSM 499 (current expiration date of April 23, 2004) and set the expiration date to be April 23, 2005, in accordance with Municipal Code Section 16.12.110.

PUBLIC COMMENT

Tamara Contasti, 634 Murray Drive, El Cajon, expresses concern with the construction project at Fletcher Hills Park and requests that it be postponed until after the baseball season for Fletcher Hills Little League.

Mayor Lewis suggests the speaker contact the City Manager's Office to discuss her concerns on the project.

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

- Delaying the project
- Primary users of the field
- Safety plans for the construction site

2. WRITTEN COMMUNICATIONS:

2.1 LETTER: STEPHEN RAY DEVELOPMENT, INC. – REQUEST FOR RECONSIDERATION OF PUD 218 AND CUP 1976 – BALLANTYNE CONDOMINIUM PROJECT

RECOMMENDATION: That the City Council

- Decide whether or not to approve the request to reconsider Planned Unit Development 218 and Conditional Use Permit 1976, Ballantyne Condominium Project.
- If approving reconsideration, upon payment of the fee, the matter will be legally noticed for a Public Hearing.

DISCUSSION

Russ McMillan, representing Ballantyne Developers, LLC, speaks in support of the request for reconsideration.

City Clerk Linn advises the applicant will need to apply for and pay the Public Hearing fee in order to set the Public Hearing.

MOTION BY Kendrick, SECOND BY Santos, to reconsider the project, with the developer to pay the fee for reconsideration.

MOTION CARRIES BY UNANIMOUS VOTE.

WRITTEN COMMUNICATIONS: (Continued)

2.2 LETTER: EMERALD MIDDLE SCHOOL – STUDENT BUSINESS

Dan McGeorge, Teacher at Emerald Middle School, requests to advise Council about the EMCO Enterprises Program at the school, and the benefits to students and the community.

DISCUSSION

Dan McGeorge, Emerald Middle School, discusses the Emerald Career Opportunities Enterprises (EMCO) program, which teaches students about free enterprise and business. The following students describe their positions and experiences at EMCO: Perry Kelly, Jeanna Shaw, David Flickinger, Ralisha Carter, Heveen Toma, Juliana Gonzalez and Ronnie Hannosh.

Consensus of the Council requests a letter of Thank You for the Program be sent to the Principal, Board of Trustees and Superintendent and to encourage continuance of the program.

3. ADMINISTRATIVE REPORTS

3.1 PLANTATION APARTMENTS ON LEXINGTON AVENUE

RECOMMENDATION: That the City Council receive the verbal report from the Building Official, and confirm the schedule for accrual of civil penalties, inspections of the property, and take any further action as appropriate.

DISCUSSION

Dan Pavao, Building Official, indicates the property was inspected yesterday, and 6 outstanding items have not completed been completed. Civil penalties will begin accruing on March 15th.

VERBAL REPORT ONLY – NO ACTION TAKEN.

**Recess called at 4:01 p.m.
Meeting called back to order at 4:05 p.m.**

ADMINISTRATIVE REPORTS: (Continued)

3.2 SATISFACTION OF CONDITIONS OF APPROVAL FOR THE CONVERSION OF APARTMENTS TO COMMON INTEREST DEVELOPMENTS INCLUDING PLANNED UNIT DEVELOPMENT 196/ TENTATIVE SUBDIVISION MAP 507 AT 343 S. MOLLISON AVENUE (Reports: Director of Community Development and Director of Public Works)

RECOMMENDATION: That the **City Council** approve the “template “ of the Agreement Not to Convey and approve the specific Agreement Not To Convey for Planned Unit Development 196 and Tentative Subdivision Map (TSM) 507 at 343 S. Mollison.

RECOMMENDATION: That the **City Council** approve the Subdivision Agreement and Final Map for Tentative Subdivision Map (TSM) 507 for the Mollison Estates Subdivision, only if the Agreement Not to Convey recommended by the Director of Community Development is first approved by the Council.

DISCUSSION

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

City Attorney Foley provides clarification on the intent of the template.

Ron Pennock, Chairman, East County Construction Council, speaks in support of the Item.

MOTION BY Lewis, SECOND BY Kendrick, to approve the template for the Agreement Not to Convey, approve the specific agreement not to convey for Planned Unit Development 196 and approve the final map for TSM 507.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS: None

5. REPORTS OF MAYOR LEWIS: No report.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK: No report.

COUNCILMEMBER BOB McCLELLAN: No report.

REPORTS OF COUNCILMEMBERS: (Continued)

COUNCILMEMBER CHARLES SANTOS: No report.

COUNCILMEMBER DICK RAMOS

6.1 DESIGN REVIEW FOR CONDOMINIUM CONVERSIONS

RECOMMENDATION: That the City Council direct staff to craft a formal design review process for condominium conversion applicants prior to review by the Planning Commission.

DISCUSSION

Councilmember Ramos speaks in support of the request and provides a sample blueprint showing exterior property improvements.

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

- Possible delays for conversion projects
- Possible higher prices and the effect on affordable home ownership
- A suggestion to provide a booklet of ideas for developers

Ron Pennock, East County Construction Council, and **John Gibson, 1000 Pioneer Way, El Cajon, CA**, spoke in opposition to the Item.

MOTION BY Lewis, SECOND BY McClellan, to file the report.

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

MOTION CARRIES.

7. LEGISLATIVE REPORT

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

NO RECOMMENDED ACTION.

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.

9.1 AMENDMENT OF EL CAJON MUNICIPAL CODE – TENANT RELOCATION ASSISTANCE

As a result of action taken at the February 24, 2004 City Council Meeting, First Reading of Ordinance amending the El Cajon Municipal Code to provide for tenant relocation assistance and establish certain procedures therefore.

MOTION BY Lewis, SECOND BY Santos, that the City Council request the City Clerk to recite the title and waive first reading of the text.

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

MOTION CARRIES.

9. ORDINANCES: 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 Ordinances.

9.2 AMEND EL CAJON MUNICIPAL CODE – SPEED LIMIT ON JOHNSON AVENUE

Adopting Ordinance No. 4766 to amend the El Cajon Municipal Code to establish the speed limit on Johnson Avenue from El Cajon Boulevard to W. Main Street to 30 MPH.

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. 4766.

MOTION CARRIES BY UNANIMOUS VOTE.

9.3 SPECIFIC PLAN 495 – VACANT LOT – EAST MAIN STREET BETWEEN GREENFIELD AND PEPPER DRIVE (VELOCITEL for AT&T for RINK)

Adopting Ordinance No. 4767 approving Specific Plan 495 for a 52-foot high unmanned wireless communications facility in the C-2 Zone on vacant property on East Main Street between Greenfield and Pepper Drive.

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. 4767.

MOTION CARRIES BY UNANIMOUS VOTE.

10. CLOSED SESSION:

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

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

Name of Case: THG Enterprises, Inc., dba The Tax and Law Center and Jim Harnsberger
v. City of El Cajon, et al
Case No. 00 CV 1781IEG (AJB)

Under Government Code Section 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR

<u>Property</u>	<u>Negotiating Parties</u>	<u>Agency Negotiator</u>
APN #488-083-02-00	St. Madeline Sophie's Gallery	Executive Director
Agency owned property		Redevelopment Manager
Located at 109 Rea Street		City Attorney/General Counsel

MOTION BY Lewis, SECOND BY Santos, to adjourn to Closed Session at 4:42 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

- 11. RECONVENE TO OPEN SESSION at 5:05 p.m. – Instructions were given to Agency Negotiators.**

ADJOURNMENT: Mayor Lewis adjourned the Regular Joint Meeting of the El Cajon City Council and the El Cajon Redevelopment Agency held this 9th day of March 2004 at 5:06 p.m., to Tuesday, March 9, 2004 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

MARCH 9, 2004

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, March 9, 2004 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, March 9, 2004 by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	McClellan, Ramos, and 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:

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, introduces her mother and husband, who is home from his service in the Gulf. She will replace the yellow ribbons that are torn and keep them up until all service people are home.

PUBLIC COMMENT: (Continued)

Denise Serdah, 1050 Broadway, #5, El Cajon, CA, spoke about the school crossing at Naranca School.

PUBLIC HEARINGS:

100 ZONE RECLASSIFICATION 2242 AND SITE DEVELOPMENT PLAN 1397 (Non-Public Hearing Item) – 569-71 GRAPE STREET – SNYDER (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing on Zone Reclassification 2242 and receive any testimony on the rezoning and Site Development Plan (which is not a Public Hearing item)**
- **Close the Public Hearing on Zone Reclassification 2242.**

ZONE RECLASSIFICATION 2242

- **Approve, Modify or Disapprove Zone Reclassification 2242 according to Planning Commission Resolution No. 9904 recommending approval of rezoning property at 569-71 Grape from the R-1-6 Zone to the R-3 Zone, and refer to the City Attorney for an Ordinance upon completion of conditions.**

SITE DEVELOPMENT PLAN 1397

- **Approve, Modify or Disapprove the Planning Commission recommendation to approve Site Development Plan 1397 subject to conditions contained on Pages 6-7 of the Staff Report.**

DISCUSSION

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

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

- Number of units to be built on the property
- Concern that apartments rather than homes may be built on the site

Mayor Lewis announces the Public Hearing is now Open.

James Snyder, 1003 Rachelle Way, El Cajon, CA, speaks in support of the Item, indicating his plans to remodel the existing home on the property and build 2 additional detached homes, for a total of 3 homes on the property.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (100 – Continued)

MOTION BY Lewis, SECOND BY Santos, to approve Zone Reclassification 2242 according to Planning Commission Resolution No. 9904 for the R-3 Zone and refer to the City Attorney for an Ordinance upon completion of conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY Santos, to approve Site Development Plan for the property at 569-71 Grape Street according to the Planning Commission recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

101 PLANNED UNIT DEVELOPMENT 220 AND TENTATIVE SUBDIVISION MAP 532 – 512 JUNE WAY AND 513 LA RUE WAY (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive any testimony**
- **Close the Public Hearing**

PLANNED UNIT DEVELOPMENT 220:

- **Adopt RESOLUTION NO. 44-04 in order to Approve, Modify or Disapprove Amendment of Planned Unit Development 220 according to Planning Commission Resolution No. 9905 recommending approval to convert an existing 20 unit apartment complex to a common interest development in the R-3 Zone at 512 June Way and 513 La Rue Way.**

TENTATIVE SUBDIVISION MAP 532:

- **Adopt RESOLUTION NO. 45-05 in order to Approve, Modify or Disapprove Tentative Subdivision Map 532 according to Planning Commission Resolution No. 9906 for a one-lot subdivision in the R-3 Zone at 512 June Way and 513 La Rue Way.**

DISCUSSION

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

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

- Inspection of roof and replacement if recommended
- Owner occupancy of units

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, indicates the owner intends to replace the roof, and regarding owner occupancy, suggests that the CC&Rs specify a maximum 5% rental and a maximum 8-months for hardship rentals.

PUBLIC HEARINGS: (101 – Continued)

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

- Hardship rentals
- Percentage of rental units
- A future survey to determine percentage of rentals and/or home owner exemptions

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 adopt RESOLUTION NO. 44-04 in order to approve Planned Unit Development 220 according to Planning Commission Resolution 9905, deleting condition 4E and adding condition 4A19 to require replacement of the roof.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 45-05 in order to approve Tentative Subdivision Map 532 according to Planning Commission Resolution No. 9906.

MOTION CARRIES BY UNANIMOUS VOTE.

102 AMENDMENT OF TENTATIVE SUBDIVISION MAP 499 – 1000 ESTES STREET (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing and**
- **Adopt RESOLUTION NO. 46-04 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9914 to approve Amendment of Tentative Subdivision Map 499 to waive the undergrounding of utilities for a proposed common interest subdivision in the R-3 Zone at 1000 Estes.**

DISCUSSION

Mayor Lewis speaks in support of the recommendation by the Planning Commission.

Mayor Lewis announces the Public Hearing is now Open.

PUBLIC HEARINGS: (102 – Continued)

Charles Degenhardt, 1000 Estes Street, Bldg. 4, Unit 26, El Cajon, CA, speaks in opposition to the project.

Discussion ensues among **Council** and **Staff** concerning notification of the conversion project to existing and future tenants

Ron Pennock, East County Construction Council, speaks in support of the Item.

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 adopt RESOLUTION NO. 46-04 in order to approve Amendment of Tentative Subdivision Map 499 according to Planning Commission Resolution No. 9914, to waive the undergrounding of utilities for a proposed common interest subdivision in the R-3 Zone at 1000 Estes.

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 9th day of March 2004 at 8:02 p.m. to Tuesday, March 23, 2004 at 3:00 p.m.

City Clerk/Secretary