

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**APRIL 13, 2004**

**A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, April 13, 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, 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 March 23, 2004 Meetings and the Agenda of the April 13, 2004 Meetings in accordance to State Law and Council/Agency Policy.

## **PRESENTATIONS:**

**Mayor Lewis** announces the birth of Christian Patrick Yale at 8:30 pm on Friday April 9, 2004, to Tracy (Secretary, City Manager's Office) and Douglas Yale.

**Mayor Lewis** proclaims April 22, 2004 to be Clean Your Files Day, Les Hart, & Phil Smith receive the proclamation, as well as the committee for the City event, hosted by the City Clerk's Office.

**Councilmember Santos** proclaims April 2004 to be Fair Housing Month, Heartland Human Relations Association representatives Russell Dehnel, Rita Lenore receive the proclamation, Russell informs that Heartland will celebrate its 35<sup>th</sup> Anniversary at their Annual Dinner On May 13, 2004.

**Councilmember Ramos** proclaims April 2004 to be Emergency Preparedness Month Gary Buchholz & Fire Chief Ed Jarrell receive the proclamation and encourages everyone to practice the duck, cover and hold drill. Gary informs that we have CERT teams (Community Emergency Response Teams) from the citizens formed to prepare themselves and others around them as well.

**Councilmember McClellan** proclaims April 18-25, 2004 Days of Remembrance, in memory of the victims of the Holocaust, New Life Club Vice President and Holocaust Survivor, Gussy Zacks receives the proclamation.

**City Manager Garrett** presents Safe Driver Awards for January thru December, 2003 to Ron Smithson, Police Sergeant and John Wilkinson, Fire Engineer, for 30 yrs and Bob Axtman, Evidence Technician, & Mike Moore, Police Lieutenant for 25 yrs.

**City Manager Garrett** presents Pride of El Cajon Outstanding Employee Award to Adrian Van Ravesteyn, Network Administrator.

## **AGENDA CHANGES:**

**MOTION BY Lewis, SECOND BY Santos, to add General Information Item B-SANDAG Board Actions as Item 8a, as requested by Councilmember McClellan, and to hear announcement by City Manager Garrett at the end of the meeting.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**CONSENT ITEMS: (1.1 – 1.19)**

**MOTION BY Lewis, SECOND BY Ramos, to approve Consent Items 1.1 to 1.19, pulling Item 1.17, for discussion as requested by Mayor Lewis and Item 1.9, as requested by public.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

Approve Minutes of the March 23, 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 FISCAL YEAR 2002-2003 ANNUAL CAFR, ENDING JUNE 30, 2003 (Report: Director of Finance)**

Accept and receive the Comprehensive Annual Financial Report (CAFR), Redevelopment Agency Basic Financial Statements, and Single Audit Report ending June 30, 2003, as audited by the independent auditing firm Conrad & Associates, L.L.P.

**1.4 REQUEST FOR USE OF PLAZA AND AMPHITHEATER (Report: Recreation Services Manager)**

Approve the request of the El Cajon Community Development Corporation to conduct a fund-raising event, "A Toast to Music," which includes wine tasting, requiring a signed Hold Harmless Agreement, An ABC License and uniformed security personnel to be present at the event.

**1.5 RESOLUTION NO. 58-04: AWARD BID FOR SKID STEER LOADER (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 58-04 in order and award the bid to D3 Equipment in the amount of \$64,075.07.

**1.6 RESOLUTION NO. 59-04: AWARD BID FOR PROTECTIVE VESTS (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 59-04 in order and award the bid to Adamson Industries, Emergency Equipment Engineering and San Diego Police Equipment Company.

**CONSENT ITEMS: (CONTINUED)**

**1.7 RESCIND LIEN CONTRACT FOR IMPROVEMENTS IN THE PUBLIC RIGHTS-OF-WAY AT 1937 POWELL DRIVE (Report: Director of Public Works)**

Adopt RESOLUTION NO. 60-04 in order to rescind the lien contract adopted on June 14, 1988 by RESOLUTION NO. 217-88.

**1.8 RESOLUTION NO. 61-04: AWARD BID WELLS PARK DOG PARK (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 61-04 in order and award the bid to Hankins Corporation in the amount of \$268,000.00.

**1.9 PULLED FOR DISCUSSION)**

**1.10 EMERALD AVENUE AND JOHNSON AVENUE SIDEWALK IMPROVEMENTS (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 62-04 in order and award the bid to Scheidel Contracting and Engineering, Inc., in the amount of \$84,925.00.

**1.11 FIREMAN'S FUND INSURANCE COMPANY, HERITAGE PROGRAM GRANT (Report: Fire Chief)**

Accept the award of a grant in the amount of \$30,000.00 provided by the Fireman's Fund Insurance Company for the purchase of wild land firefighting protective clothing and equipment.

**1.12 MURRAY DRIVE IMPROVEMENTS - RESOLUTIONS: PLANS AND SPECIFICATIONS AND NOTICE INVITING BIDS (Report: Director of Public Works)**

Adopt RESOLUTION NO. 63-04 in order to adopt Plans and Specifications and RESOLUTION NO. 64-04 To Direct A Notice Inviting Bids to be opened on May 11, 2004 for the project.

**1.13 SPECIAL OPERATION LICENSE – I.Q. BILLIARDS**

Approve the application submitted by Susan Scott for a billiard parlor (poolroom) – New Owner – at 140 E. Main Street as recommended by the Police Department, subject to the *crime prevention* recommendations contained in their report dated March 9, 2004, and also recommended for approval by the Director of Community Development, subject to the Conditional Use Permit conditions, and the City Manager.

## **CONSENT ITEMS (CONTINUED)**

### **1.14 PETCO PARK ADOPTION SUNDAYS (Report: Chief of Police)**

Approve the El Cajon Animal Shelter's participation in two scheduled PETCO Park Adoption Sunday Events.

### **1.15 COMMUNITY EVENTS IN THE RIGHT-OF-WAY – CAJON CLASSIC CRUISE AND CONCERTS ON THE GREEN (Reports: Assistant City Manager)**

Approve the request for Community Events in the Right-of-Way every Wednesday evening from May 19 through September 29, 2004 (Cajon Classic Cruise), with an additional special Halloween event to be held on Wednesday, October 27, 2004; and every Friday evening from June 4 through September 24, 2004 (Concerts on the Green), with the conditions outlined in each report.

### **1.16 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 the City of Escondido Chief of Police thanking Chief Davis and El Cajon's Reserve Officers Lt. Anthony Real, Agents Ricondo, Miranda and Davis and Officers Murillo and Yaeger for assistance with the Escondido Christmas Parade on December 13, 2003.

Letter from The Foreman of the Grand Jury thanking Police Staff and particularly Lieutenant Fred Morrison and Officer T. Caudel for their time and information during the tour of the holding cell facility on January 9, 2004.

Officer of the Month for February 2004 – Agent Vincent Murillo for his professionalism and strong work ethic.

Letter from a resident of Montana, commends Officer Darren Ehlers and Officer Hawell who saved his grandson Michael Allen's life in January.

Letter from the La Mesa Chief of Police expressing thanks for the assistance provided by the Police Department at the January 23 shooting incident at the Farmers' Market on Allison Avenue in La Mesa – Sgt. Hook, Agent Faubel, and Officers Bloemendaal, Sioson, Larson and Sprecco are personally thanked for a job well done.

Letter from the Law Enforcement Liaison with LoJack Corporation for San Diego/Imperial Counties, compliments Officers Rob Craig and Dan Thompson in connection with a stolen 1998 Nissan Sentra and apprehension of a suspect.

Letter from P.E.R.T. (Psychiatric Emergency Response Team) expresses appreciation for the work that PERT Officer Darren Ehlers and PERT Clinician Sharon Wilcox are doing at the Police Department.

**CONSENT ITEMS (CONTINUED)**

**1.17 PULLED FOR DISCUSSION**

**1.18 ACCEPTANCE OF WASHINGTON AVENUE – EL CAJON BOULEVARD TO JOHNSON AVENUE, FLETCHER PARKWAY FROM NAVAJO ROAD TO HACIENDA RESURFACING PROJECT (Report: Director of Public Works)**

Accept the project and authorize the City Clerk to record a Notice of Completion and release the bonds according to the terms of the contract.

**1.19 SAN DIEGO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN (Report: Fire Chief)**

Adopt RESOLUTION NO. 65-04 in order approving the San Diego County Multi-Jurisdictional Hazard Mitigation Plan.

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**1.9 RESOLUTION NO. 66-04: AWARD BID FOR ASPHALT PAVING MACHINE (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 66-04 in order and award the bid to Great West Equipment, Inc. in the amount of \$83,843.15.

**DISCUSSION**

**Steve Passmore of Ingersoll Rand at 601 Front Street, El Cajon, CA** requests reconsideration of the award of bid siting local preference calculations. They are 2<sup>nd</sup> low bidder by \$3.43.

In answer to Mr. Passmore's request, **Purchasing Agent Colin Dawson**, distributes a handout to Mayor, Council and staff, illustrating calculations rendering his recommendation for award to Great West Equipment.

**MOTION BY Lewis, SECOND BY Ramos to approve Item 1.9.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**CONSENT ITEMS (CONTINUED)**

**1.17 JOINT POWERS AGREEMENT (JPA) WITH CAJON VALLEY UNION SCHOOL DISTRICT – SPORTS FIELDS AT MERIDIAN ELEMENTARY SCHOOL (Report: Director of Recreation)**

Approve the execution of the attached JPA with Cajon Valley Union School District (CVUSD) for Meridian Elementary School sports fields Approve the execution of the attached JPA

**Mayor Lewis hands a letter from Parkway Sports Center to staff for the file.**

**MOTION BY Lewis, SECOND BY Kendrick to approve Item 1.17 with the understanding that staff will review the letter provided by the Mayor.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC COMMENT:**

**Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA--speaks about the Mother Goose Parade being mentioned in a military magazine and the community coming together.**

**Damien Wong & Charles Graber, 4525 Twain Avenue, San Diego, CA---speak about Madison Avenue Condo Complex and delays in purchasing condos.**

**Jessie Grygorfan, 542 Tyrone Street. El Cajon. CA--speaks about handicapped parking and in particular 1/3 of the spaces being designated for van parking and enforcement for handicapped parking. -refer to Commission on Disabilities.**

**Recess called at 4:09 p.m.  
Meeting called back to order at 4:12 p.m.**

**WRITTEN COMMUNICATIONS:**

**2.1--LETTER: MOVIE TRADER/MOJO SOUNDS-233 N. MAGNOLIA AVENUE**

Letter from Jeff Clark, proposing use of the property at 233 North Magnolia Avenue for Movie Trader/Mojo Sounds, for buying, selling and trading of new and used CDs and DVDs.

**WRITTEN COMMUNICATIONS: (2.1 CONTINUED)**

**DISCUSSION**

**Jeff & Debbie Clark 223 North Magnolia Avenue, El Cajon, CA 92020**, distributes a handout to the City Clerk for Mayor, Council and staff, illustrating how it would be beneficial to the city to allow Mojo Sounds in SP 182.

**Claire Carpenter of El Cajon Community Development Corporation at 168 E. Main Street**, asks for clarification on the non-permitted uses in SP182 and speaks on the opportunity and value that would be brought to the Community.

Discussion Ensues between **Council** and **Staff**.

- **City Manager Garrett** suggests that the applicant file an Administrative Hearing with the City Clerk
- **Mayor Lewis** mentions the list could be revised.

**MOTION BY Lewis, SECOND BY McClellan, to file the letter.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ADMINISTRATIVE REPORTS:**

**3.1 REDEVELOPMENT AGENCY ITEM:**

**REQUEST FOR PROPOSAL – ECPAC EXPANSION (Report: Executive Director) and LETTER: PRESIDENT & CEO – EAST COUNTY PERFORMING ARTS CENTER**

**RECOMMENDATION:** That the **City Council** authorize staff to proceed with the preparation of a formal Request for Proposal for the expansion of the East County Performing Arts Center (ECPAC).

Letter from Richard Zellner, President & CEO of the East County Performing Arts Center, presents recommendations to enhance the theater's effectiveness and contribute to the theater's economic viability.

**MOTION BY Lewis SECOND BY Santos to approve according to staff recommendation.**

**MOTION CARRIES BY UNANIMOUS VOTE**



## **PUBLIC HEARINGS (CONTINUED)**

### **3.2 2004-05 CDBG, HOME AND ADDI ALLOCATIONS (Report: Director of Community Development)**

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

- Open the Public Hearing to allocate Federal Funds for FY 2004-05
- Accept and review testimony and Close the Public Hearing
- Finalize the allocation of funds to projects and programs for the FY 2004-05 Community Development Block Grant (CDBG) Program, HOME Investment Partnership Program (HOME) and the new American Dream Down payment Initiative (ADDI) Program.
- Consider modification of the FY 2003-04 HOME Program as requested;
- Adopt the next RESOLUTION in order for the allocation of these funds.
- Authorize the City Manager or designee to submit the One-Year Action Plan to the U.S. Housing and Urban Development Department (HUD) and execute affiliated documents.

**Director of Community Development Griffin** provides a summary of the item and recommendation advising funds are anticipated after July 1.

**MOTION BY Lewis, SECOND BY Kendrick, to Accept and Review testimony and Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY Kendrick, to Finalize the allocation of funds to projects and programs, including the downtown management district to receive CHODO funding for the FY 2004-05 CDBG Program, HOME Investment Partnership Program, and the New American Dream Down payment Initiative (ADDI) Program, and also to consider modification of the FY 2003-04 HOME Program as requested.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY Kendrick, to adopt RESOLUTION NO. 67-04 for the allocation of funds with the understanding of the addition of the CHODO funds, as described by Director of Community Development Griffin, and to authorize the City Manager or designee to submit the One Year Action Plan to HUD and execute affiliated documents.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**PUBLIC HEARINGS: (CONTINUED)**

**3.3 FIVE YEAR REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (2004 RTIP) FY 2005-2008 LIST OF PROJECTS (Report: Director of Public Works)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive any testimony
- Close the Public Hearing and adopt the next RESOLUTION in order to approve the 5-year list of proposed projects.

**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. 68-04 to approve the 5-year list of proposed projects.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**4. COMMISSION REPORTS: None**

**5. REPORTS OF MAYOR LEWIS**

**5.1 LETTER: CHAIRWOMAN OF THE BOARD OF SUPERVISORS, DIANNE JACOB – WORKERS’ COMPENSATION ACCOUNTABILITY AND REFORM ACT INITIATIVE**

Supervisor Jacob requests Council adopt a Resolution of support for the ballot initiative currently in circulation for signatures to qualify for the November, 2004 ballot concerning Workers’ Compensation Accountability and Reform Act.

**MOTION BY McClellan, SECOND BY Lewis, to adopt RESOLUTION NO. 69-04, in support of the Act and send a copy to the area legislators.**

**MOTION CARRIES BY UNANIMOUS VOTE**

## **6. REPORTS OF COUNCILMEMBERS**

**MAYOR PRO TEM GARY KENDRICK:**

### **6.1 SMOKE SHOP MORATORIUM IN SPECIFIC PLAN 182**

**RECOMMENDATION:** That the City Council direct staff to prepare an Urgency Ordinance to establish a moratorium on smoke shops as permitted uses in the Specific Plan 182 area, and further direct staff to commence with a study on the impacts that smoke shops might have in the downtown area.

#### **DISCUSSION**

**Councilmember Kendrick speaks in favor of the Urgency Ordinance. According to the 420.COM website, 420 is the code for marijuana, and Council needs to stop the smoke shop business opening in the downtown area.**

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

- The meaning behind the name of the smoke shop, and message that it sends
- Drug paraphernalia being sold as tobacco paraphernalia
- The distance requirements from schools and churches
- Urgency Ordinance specifically for SP 182 or Citywide

**John Byram, Judy Strang of the 9<sup>TH</sup> District PTA & Co Chair of Marijuana Policy Council, Claire Carpenter of ECCDC, Roxy Willham, Lorenzo Higley of Communities Against Substance Abuse, and Dianna Hogson** all spoke in favor of the item.

**MOTION BY Kendrick SECOND BY McClellan to refer to staff for an Urgency Ordinance on the next agenda.**

#### **MOTION CARRIES BY UNANIMOUS VOTE**

**COUNCILMEMBER BOB McCLELLAN:** Councilmember McClellan commented on the Miss El Cajon/Miss Teen El Cajon Scholarship Pageant attended last Saturday at the Performing Arts Center.

**COUNCILMEMBER CHARLES SANTOS:** None

**COUNCILMEMBER DICK RAMOS:** None

## **7. LEGISLATIVE REPORT**

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

**Councilmember Ramos** discusses recommendations for several legislative items.

**MOTION BY Ramos SECOND BY Lewis, to support AB 2980 concerning guidelines for housing elements; to support AB 2707 concerning state regulatory fees; to oppose AB 2702 concerning guidelines for second unit housing; and to oppose AB 3007 concerning the Ralph Brown Act.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Councilmember McClellan** discusses recommendation for AB 2404.

**MOTION BY McClellan SECOND BY Kendrick, to Oppose AB 2404 as it is written today, concerning discrimination within athletic programs.**

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

**MOTION CARRIES**

**Councilmember McClellan** asks City Clerk Linn to find what committee AB 2404 is in and to send a letter stating Council's opposition to Local Legislatures and Committee Members.

## **8A. GENERAL INFORMATION ITEMS FOR DISCUSSION: Item B-SANDAG Board Actions**

Councilmember McClellan opposes the TransNet Extension in the form that it is in now. Spending 33% of our Gas Tax is a tremendous injustice to the public. The demand does not justify the need.

## **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 SPECIFIC PLAN 496 – 1340 E. MADISON AVENUE**

As a result of Public Hearing and unanimous action taken at the February 10, 2004 meeting, First Reading of Ordinance for a 50 foot high stealth wireless communications facility in the R-3 Zone at 1340 E. Madison Avenue.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**City Manager Garrett submits a letter to Council advising that he will retire as of September 15, 2004.**

**Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/Redevelopment Agency held this 13<sup>th</sup> day of April 2004 at 5:24 p.m. to Tuesday, April 13, 2004 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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**APRIL 13, 2004**

**An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, April 13, 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, April 13, 2004 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 Odiorne, City 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:**

**Jillian Hanson-Cox, 770 Catalpa Way, El Cajon, CA 92021,** introduces Holly Lindberg, Miss El Cajon.

**Paul Kerr, 589 N. Johnson Ave, El Cajon, CA 92020,** spoke regarding Sunterra Condos.

**PUBLIC HEARINGS:**

**100 ZONE RECLASSIFICATION 2244 – 1032 BROADWAY (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. 9924 to rezone property at 1032 Broadway from the R-1-6 Zone to the O-P Zone.**
- **If Approved or Modified, refer to the City Attorney for an Ordinance.**

**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 Ramos, to approve the rezoning according to Planning Commission Resolution 9924 for property at 1032 Broadway from the R-1-6 Zone to the O-P Zone and refer to the City Attorney for an Ordinance.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC HEARINGS: (CONTINUED)**

**101 PLANNED UNIT DEVELOPMENT 221 AND TENTATIVE SUBDIVISION MAP 533 – 1398 N. Cuyamaca Street (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

**PLANNED UNIT DEVELOPMENT 221 –**

- **Adopt RESOLUTION NO. 70-04 in order to approve, modify or disapprove Planning Commission Resolution No. 9925** recommending approval to convert an existing 4-unit apartment complex to a 4-unit common interest development in the R-3 Zone at 1398 N. Cuyamaca Street.

**TENTATIVE SUBDIVISION MAP 533 –**

- **Adopt RESOLUTION NO. 71-04 in order to approve, modify or disapprove Planning Commission Resolution No. 9926** recommending approval of a one-lot subdivision map in the R-3 Zone at 1398 N. Cuyamaca Street.

**DISCUSSION**

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

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

- Termite Inspections by a licensed termite inspector.
- Making the tenants aware of their rights and the option to buy.

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

**Domenic Lupo, 1650 Emerald Pt., El Cajon, CA 92019**, speaks in support of the item, indicating that there was a termite inspection done by a licensed professional last July when he purchased the property. He also questions why a Soils Report is needed and if the one that was done when the project was first built will be valid.

Discussion continues among Council and staff concerning:

- The Soils Report being required by the State
- Getting the original Soils Report validated by a Soil Engineer

No further comments are offered.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**



**PUBLIC HEARINGS: (101 CONTINUED)**

**MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 70-04 in order to approve PUD 221 according to Planning Commission Resolution No. 9925, adding condition 6dr on page 3 requiring a licensed inspector to do a structural termite inspection prior to recording the final map.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY Ramos to adopt RESOLUTION NO. 71-04 in order to approve TSM 533 according to Planning Commission Resolution No. 9926.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**102 PLANNED UNIT DEVELOPMENT 222 AND TENTATIVE SUBDIVISION MAP 534 – 800 E. LEXINGTON (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

**PLANNED UNIT DEVELOPMENT 222**

- **Adopt RESOLUTION NO. 72-04 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9927 for the conversion of an existing 79 unit apartment complex to a 79-unit common interest development in the R-4 Zone at 800 E. Lexington Avenue.**

**TENTATIVE SUBDIVISION MAP 534**

- **Adopt RESOLUTION NO. 73-04 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9928 for a one-lot subdivision map in the R-4 Zone at 800 E. Lexington Avenue.**

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

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

**Paul Annas, 3444 Camino Del Rio N., San Diego, CA 92108**, speaks in support of the item, and staff recommendation.

**Gerry Ranglas, 3444 Camino Del Rio N., San Diego, CA 92108** speaks in support of the item, and brings up a timing issue where the termite inspection is concerned, stating that when the units sell, a termite inspection is required for financing, so making it a requirement before the recording of the final map will be a duplication.

**PUBLIC HEARINGS: (102 -CONTINUED)**

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

- When the termite inspections should be done.
- Conveying the garages to the units

**Walter Schwerin, 814 Morena Blvd, #101, San Diego, CA 92110**, speaks in support of the item, and answers Ramos questions about parking.

**Jane Tubman, 800 E. Lexington Ave # 112, El cajon, CA 92020**, thanks Councilmember McClellan for his concern for the tenants. States that she was originally given a 5-6 year timeline for the conversion and is glad that she came to the meeting so she knows what is going on.

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

- Timeline for tenant notification
- First-Time Homebuyers Programs

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 McClellan, to adopt RESOLUTION NO. 72-04 in order to approve PUD 222 according to Planning Commission Resolution No. 9927, adding a condition 4a10 to require a termite inspection by a licensed inspector.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 73-04 in order to approve TSM 534 according to Planning Commission Resolution No. 9928.**

**MOTION CARRIES BY UNANIMOUS VOTE**

## **PUBLIC HEARINGS: (CONTINUED)**

### **103 PLANNED UNIT DEVELOPMENT 223 AND TENTATIVE SUBDIVISION MAP 535 – 520 S. MOLLISON AVENUE (Report: City Clerk)**

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

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

#### **PLANNED UNIT DEVELOPMENT 223 –**

- **Adopt RESOLUTION NO. 74-04 in order to approve, modify or disapprove Planning Commission Resolution No. 9929** recommending approval to convert an existing 68-unit apartment complex to a 68-unit common interest development in the R-3 Zone at 520 S. Mollison Avenue.

#### **TENTATIVE SUBDIVISION MAP 535 –**

- **Adopt RESOLUTION NO. 75-04 in order to approve, modify or disapprove Planning Commission Resolution No. 9930** recommending approval of a one-lot subdivision map in the R-3 Zone at 520 S. Mollison Avenue.

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

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

**Gerry Ranglas, 3444 Camino Del Rio N., San Diego, CA 92108** speaks in support of the item, states his concerns on the duplication of the termite inspection. Answers Councilmember Ramos' question about the box shape design of the project.

**Walter Schwerin, 814 Morena Blvd, #101, San Diego, CA 92110**, makes himself available to answer any questions for **Council**.

**Diana Routhieaux, 520 S. Mollison Ave #27, El Cajon, CA 92020**, states that she has been a resident in these apartments for 12-13 years, and just found out the timeline for the conversion tonight. She can't afford to buy, and she would like Council to keep the tenants in mind when doing so many conversions. She also states that she thinks that it is a good thing that termite inspections will be required.

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

- Affordable and suitable housing in El Cajon
- Incentives and tax breaks for First Time Home Buyers

No further comments are offered.

**PUBLIC HEARINGS: (103 CONTINUED)**

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

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY Ramos, to adopt RESOLUTION NO. 74-04 in order to approve PUD 223 according to Planning Commission Resolution No. 9929 adding condition 6c15 to require a termite inspection by a licensed inspector.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 75-04 in order to approve TSM 535 according to Planning Commission Resolution No. 9930.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**104            ZONE RECLASSIFICATION 2243 – 520-522 E. MAIN STREET;  
                  CONDITIONAL USE PERMIT 1979 AND SPECIFIC PLAN 497 – 518-  
                  550 E. MAIN STREET (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

**ZONE RECLASSIFICATION 2243**

- **Adopt RESOLUTION NO. 76-04 in order to approve the Negative Declaration**
- **Approve, Modify or Disapprove Planning Commission Resolution No. 9921, recommending approval to rezone property at 520-522 E. Main Street from the R-3 Zone to the C-2 Zone.**
- **If approving or modifying the rezoning, refer to the City Attorney for an Ordinance upon completion of conditions.**

**CONDITIONAL USE PERMIT 1979**

- **Adopt RESOLUTION NO. 77-04 in order to approve the Negative Declaration.**
- **Adopt RESOLUTION NO. 78-04 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9922 granting expansion of commercial development including reduced parking, outdoor dining, a building arcade over the public right-of-way and an on-sale alcohol establishment with live entertainment in the C-2 and Pending C-2 Zone at 518-550 E. Main Street.**

## **PUBLIC HEARINGS: (104 - CONTINUED)**

### **SPECIFIC PLAN 497**

- **Adopt RESOLUTION NO. 79-04 in order to approve the Negative Declaration.**
- **Approve, Modify or Disapprove Planning Commission Resolution No. 9923** recommending approval to expand the depth of commercial development and commercial zoning beyond the commercial designation on the General Plan Map.
- **If approving or modifying the specific plan, refer to the City Attorney for an Ordinance upon completion of conditions.**

## **DISCUSSION**

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

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

- The phases of the building upgrades

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

**Allen Graham, 1266 Seacoast Drive, Imperial Beach, CA 91932**, speaks in favor of the item, explains that money is the reason for the phasing of the upgrade.

**Laura Warner, 4311 Coronado Avenue, San Diego, CA**, speaks in favor of the item, indicates the intention to increase the level of pedestrian activity with the sidewalk cafes and speaks in opposition of Planning Commission recommendation for second trash enclosure, suggesting an amendment to increase the number of pickups and maintain the existing capacity of trash enclosures.

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

- Amending Planning Commission Resolution No. 9922, condition 2a
- Ordinance requiring lockable trash containers in SP 182

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

## **MOTION CARRIES BY UNANIMOUS VOTE**

**Director of Community Development Griffin** thanks **Laura Warner** and **Claire Carpenter** for their time and efforts put into this project.

**MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 76-04 in order to approve the Negative Declaration for ZR2243.**

## **MOTION CARRIES BY UNANIMOUS VOTE**

**PUBLIC HEARINGS: (104 - CONTINUED)**

**MOTION BY Lewis, SECOND BY Kendrick, to approve the rezoning from the R-3 to the C-2 Zone according to Planning Commission Resolution No. 9921 and refer to the City Attorney for an Ordinance upon completion of conditions.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan to adopt RESOLUTION NO. 77-04 in order to adopt the Negative Declaration for CUP 1979.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan to adopt RESOLUTION NO. 78-04 in order to approve CUP 1979 according to Planning Commission Resolution No. 9922, adding a condition to require a 2<sup>nd</sup> trash enclosure or provide proof of more frequent service.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan adopt RESOLUTION NO. 79-04 in order to approve the Negative Declaration for SP 497. (Unanimous Vote)**

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan to approve SP 497 according to Planning Commission Resolution 9923 and refer to the City Attorney for an Ordinance upon completion of conditions.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**105 CONDITIONAL USE PERMIT 1980 – GREEK TOWN RESTAURANT BUFFET, INC. – 345 W. MAIN STREET.**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive any testimony.**
- **Close the Public Hearing.**
- **Adopt RESOLUTION NO. 80-04 in order to Approve, Modify or Disapprove Planning Commission Resolution No. 9932 granting Conditional Use Permit 1980 for outdoor eating and drinking and for on premises beer and wine sales in conjunction with an existing restaurant in the C-2 Zone at 345 W. Main Street.**

**DISCUSSION**

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

**PUBLIC HEARINGS: (105 - CONTINUED)**

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

**Steven Elig, 124 W. Main St, Ste 200, El Cajon, CA 92020**, speaks in favor of the item. Requests clarification of time limitations for the sale of alcoholic beverages, and ask why the obligation of the conditions of the trash enclosures are on the tenant and not the owner.

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

- Trash enclosures
- Art and entertainment provided at the restaurant

**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. 80-04 in order to approve CUP 1980 according to Planning Commission Resolution No. 9932.**

**MOTION CARRIES BY UNANIMOUS VOTE**

**106 RECONSIDERATION FOR CUP 1976 AND PUD 218 – BALLANTYNE, LLC - VACANT PROPERTY LOCATED ON THE WEST SIDE OF BALLANTYNE STREET BETWEEN E. MAIN STREET AND EAST PARK AVENUE (Report: Director of Community Development)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing and make any changes to City Council RESOLUTIONS 38-04 and 39-04.**

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

Discussion ensues among Council and staff concerning:

- Owner occupied units

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

**Russ McMillan, 15244 Presilla Dr, Jamul, CA 91935**, speaks in favor of the item, indicates that the electronic gate will be open throughout the day and at night there is a key pad where someone can voice call or use the key pad to gain access. Voices opposition regarding the requirement to have all units owner occupied.

**PUBLIC HEARINGS: (106 - CONTINUED)**

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

- Owner occupied units
- Trash trucks blocking Ballantyne

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

**MOTION CARRIES BY UNANIMOUS VOTE**

**MOTION BY Lewis, SECOND BY McClellan to adopt RESOLUTION NO. 81-04 to rescind Resolution 39-04 to allow the security gate as outlined and not require owner occupied units – the front units to also own the business space below.**

**Ayes: Lewis, Kendrick, Santos, McClellan**

**Noes: Ramos**

**MOTION CARRIES.**

**Councilmember Ramos announces that he will not be in attendance at the next meeting.**

**107 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 13th day of April 2004 at 9:22 p.m.**

**NOTE: The next meetings of the El Cajon City Council and Redevelopment Agency will be held on Tuesday, April 27, 2004 at 3:00 p.m.**

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City Clerk/Secretary