

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

AUGUST 10, 2004

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, August 10, 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. This meeting was adjourned from the Adjourned Regular meeting held at 3:00 p.m., August 3, 2004.

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 Order of Adjournment of the August 3, 2004 Meeting and the Agenda of the August 10, 2004 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Mayor Lewis acknowledges the Department of the Month, Community Development. Director Griffin gives an overview of the functions of each Division of the Department.

- **Dan McAllister, County Tax Collector - new design of the County's property tax bills.**

Dan McAllister, County Tax Collector discusses design improvements for property tax bills.

AGENDA CHANGES:

MOTION BY Lewis, SECOND BY Santos, to add a resolution supporting proposition 1A under item 6.1, finding that the need to take action arose after the posting of the agenda and requires action before the next meeting.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.15)

MOTION BY Lewis, SECOND BY Santos, to approve Consent Items 1.1 to 1.15, pulling Item 1.6, as requested by the Public.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the July 27 and August 3, 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 LETTERS OF APPRECIATION – WALL OF FAME

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

Letter from Christine Trasher expressing appreciation for the scholarship to her son to play sports.

CONSENT ITEMS: (CONTINUED)

1.4 JPA WITH CAJON VALLEY UNION SCHOOL DISTRICT – PARKS AT GREENFIELD AND EMERALD MIDDLE SCHOOLS (Report: Director of Parks)

Approve the execution of the attached JPA with Cajon Valley Union School District (CVUSD) for Greenfield Middle School and Emerald Middle School sport fields.

1.5 LIEN CONTRACT AND AGREEMENT NOT TO CONVEY; COVENANT NOT TO CONVEY CONDOMINIUM UNITS; AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 509, BALLANTYNE AND MADISON SUBDIVISION (Report: Director of Public Works)

Approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units, and Final Map for TSM 509, Ballantyne and Madison Subdivision, authorizing execution of the agreements.

PULLED FOR DISCUSSION:

1.6 FUND-RAISING EVENT AT RENETTE PLAZA (REPORT: Recreation Services Manager)

Approve the request of Sunshine Horton to conduct a fund-raising Bar-b-que luncheon in Renette Park to benefit the Children's Hospital Health Center, requiring a certificate of insurance from the fun jump company naming the City as additionally insured and a signed Hold Harmless Agreement.

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

Extend the continuation of salary and benefits for regular, full time employees for another year or until released if active duty is less than one year.

1.8 RE-APPROPRIATE ENCUMBRANCES INTO FISCAL YEAR 2004-05 BUDGET (Report: Director of Finance)

Re-appropriate fiscal year 2003-04 year-end encumbrances into the fiscal year 2004-05 budget.

CONSENT ITEMS: (CONTINUED)

1.9 APRIL - JUNE 2004, QUARTERLY TREASURER'S REPORT (Report: Director of Finance/Treasurer)

Receive the June 30, 2004 quarterly Treasurer's Report.

1.10 NOTICE OF COMPLETION AND ACCEPTANCE - WELLS DOG PARK (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.

1.11 LIEN CONTRACT AND AGREEMENT NOT TO CONVEY; COVENANT NOT TO CONVEY CONDOMINIUM UNITS; AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 499, PASEO DEL SOL SUBDIVISION – 1000 ESTES (Report: Director of Public Works)

Approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units, and Final Map for TSM 499, Paseo Del Sol Villas Subdivision, authorizing execution of the agreements.

1.12 RESOLUTION NO. 162-04: REJECTION OF BID 006-05, POLICE PARKING REMODEL (Report: Purchasing Agent)

Adopt **RESOLUTION NO. 162-04** in order and reject all bids.

1.13 RESOLUTION NO. 163-04: SUMMARY VACATION OF A PORTION OF EL CAJON BOULEVARD BETWEEN MURRAY DRIVE AND CHASE AVENUE, 1380 EL CAJON BOULEVARD (Report: Director of Public Works)

Adopt **RESOLUTION NO. 163-04** in order to approve the Summary Vacation of excess portions of El Cajon Boulevard.

1.14 CITY COUNCIL POLICY A-26 – USE OF CITY WEBSITE (Report: City Clerk)

Adopt the policy concerning use of the City's Website.

CONSENT ITEMS: (CONTINUED)

1.15 SPECIAL OPERATION LICENSE – 471 BROADWAY – NINEVEH JEWELRY

Approve the application submitted by Raad M. Jasin for buying and selling jewelry and watches at Nineveh Jewelry at 471 Broadway, which has been recommended for approval by the Police Department, Community Development Department and City Manager.

1.6 FUND-RAISING EVENT AT RENETTE PLAZA (REPORT: Recreation Services Manager)

Approve the request of Sunshine Horton to conduct a fund-raising Bar-b-que luncheon in Renette Park to benefit the Children’s Hospital Health Center, requiring a certificate of insurance from the fun jump company naming the City as additionally insured and a signed Hold Harmless Agreement.

DISCUSSION

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

MOTION BY LEWIS, SECOND BY RAMOS to approve the event.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

John Yuhas, 1022 Coleen Court, El Cajon, CA, speaks concerning his sewer bill and was instructed to contact the Finance Dept.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, speaks concerning security issues, her charity event and submits a letter for Council.

Mayor Lewis informs the Kops 4 Kids Dinner to benefit the Hope for the Holidays Toy Drive, will take place on August 19, 2004 at Las Parillas Restaurant.

2. WRITTEN COMMUNICATIONS: None

3. ADMINISTRATIVE REPORTS:

3.1 POLICE CHIEF'S QUARTERLY REPORT

An update on the activities of the department.

DISCUSSION

Police Chief Davis provides a summary of the report.

Discussion ensues among **Council** and **Staff** concerning Red Light Camera violations and jaywalking.

REPORT ONLY – NO ACTION TAKEN.

*Recess is called at 3:52 p.m.
Meeting called back to order at 4:00 p.m.*

3.2 CHANGE IN OPERATOR OF TRANSITION SERVICE CENTER AT 1527 E. MAIN STREET (Report: Director of Community Development)

RECOMMENDATION: That the City Council determine if the change in operator of this transition service center is a "major" change requiring a formal amendment of Conditional Use Permit (CUP) 1956 or a "minor" change to CUP 1956 and not require a formal amendment.

DISCUSSION

City Manager Garrett provides a summary of the Item.

John Gibson, Hammond Construction, 1000 Pioneer Way, El Cajon, CA, provides an update on the center, indicating the restaurant should be open in a month and will provide funds for operation. Case management and day labor division is available for participants. Day-to-day operations will be the responsibility of the facilities management company (Set Free Ministry) along with Board members, consisting of church representatives, and Hamann Company. The Alpha Project is no longer involved in the project.

Larry Hall, 1538 E. Main Street, El Cajon, CA, speaks concerning the need for community involvement and a new Conditional Use Permit, to define what will be done and who will be in charge of the operation.

Joe Garzanelli, 1776 Naranja Avenue, El Cajon, CA, speaks concerning his experience working with everyone on the project, with John Gibson, and others. He supports a facility to help people and the need for Church involvement, however has concerns about bringing people from other areas.

ADMINISTRATIVE REPORTS: (3.2 – CONTINUED)

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

- Approved uses for the CUP
- The option to amend the CUP
- The CUP revocation process, should violations have occurred
- The option to set the matter to Public Hearing

Councilmember McClellan and **Mayor Pro Tem Kendrick** speak concerning their experiences with participants from the job-training program.

MOTION BY Lewis SECOND BY Ramos, to set a Public Hearing for August 31, 2004 at 7:00 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

3.3 RESOLUTION: AWARD OF BID 010-05 FOR PUBLICATION OF LEGAL NOTICES (Report: City Attorney)

RECOMMENDATION: That the **City Council** adopt the next resolution in order rejecting the bid of the apparent low bidder The Daily Transcript, Inc., as non-responsive, and awarding the bid to San Diego Neighborhood Newspapers, Inc., in the estimated amount of \$12,812.50.

DISCUSSION

City Attorney Foley provides a summary of the item, and outlines the options for Council.

City Manager Garrett recommends awarding the contract to the Californian

Geoffrey Ferber, 525 W. Bradley, El Cajon, CA, representing the publishers of East County – El Cajon Gazette, regarding the status of their adjudication and the fact that they are printed and published in the City of El Cajon. The adjudication will be decided on Aug. 26th and requests that the matter be continued.

In response to questions by Council, **City Attorney Foley** reviews the options available for Council:

- To award the bid to the Californian
- To reject all bids and continue with the Californian at market rates, without a contract, and then wait to do the bid process for FY 2006.

ADMINISTRATIVE REPORTS: (3.3 - CONTINUED)

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 164-04, rejecting the bid of the apparent low bidder The Daily Transcript, Inc., as non-responsive, and awarding the bid to San Diego Neighborhood Newspapers, Inc. (Californian), in the estimated amount of \$12,812.50.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS: None

5. REPORTS OF MAYOR LEWIS

5.1 LIVING WAGE ORDINANCE

RECOMMENDATION: That the City Council consider enacting a Living Wage Ordinance.

DISCUSSION

Mayor Lewis speaks in support of the Item.

Karen Thalhammer, representing the San Diego and Imperial County Labor Council, speaks concerning the proposed Ordinance and its implementation in other cities.

Councilmember McClellan advises of his opposition to the Item.

City Manager Garrett indicates the City's subcontracts would need to be evaluated, and recommends a fiscal analysis be completed.

MOTION BY Lewis, SECOND BY Santos, to direct staff to come back on September 28, 2004 with a report on the fiscal impact to the City, and an Ordinance.

AYES: Kendrick, Lewis, Santos

NOES: McClellan, Ramos

MOTION CARRIES.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK: No report.

COUNCILMEMBER BOB McCLELLAN:

Councilmember McClellan reports on the Harry Griffin Park meeting, indicating that costs have increased to run the park.

COUNCILMEMBER CHARLES SANTOS:

6.1 RESOLUTION SUPPORTING PROPOSITION 1A

Councilmember Santos requests support on the League of California Cities position concerning Proposition 1A, which provides more flexibility concerning State budget emergencies, protects local taxpayers and will not increase taxes.

MOTION BY Santos, SECOND BY Lewis, to adopt RESOLUTION NO. 165-05 in order to support Proposition 1A.

MOTION CARRIES BY UNANIMOUS VOTE.

7. LEGISLATIVE REPORT

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

DISCUSSION

COUNCILMEMBER DICK RAMOS requests Council opposition to Proposition 66, which would lessen the 3 strikes law, and to take a negative position on AB2702, which takes away local housing authority concerning second housing units, if Council has not previously taken action.

Councilmember McClellan suggests more information is needed concerning Proposition 66.

MOTION BY Ramos, SECOND BY Lewis, to direct Staff to come back with information to oppose Proposition 66 (limitations on 3 strikes law) and the City Clerk to further oppose AB 2702 (2nd family units) upon which Council has already taken action.

MOTION CARRIES BY UNANIMOUS VOTE.

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

9. ORDINANCES: FIRST READING

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

9.1 ADOPTION OF NEW MOBILE HOME REGULATIONS (Report: Building Official)

RECOMMENDATION: That the City Council

- (1) Have first reading of the ordinance adopting revised mobile home regulations, and
- (2) Set for public hearing the adoption of the revised Title 25 requirements of §15.80 of the El Cajon Municipal Code.

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.

MOTION BY Lewis, SECOND BY McClellan, to Set for public hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

ORDINANCES: FIRST READING

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

9.2 ZONE RECLASSIFICATION 2250 – 448 AVOCADO AVENUE

As a result of Public Hearing and action taken at the July 27, 2004 Meeting, First Reading of Ordinance to rezone property at 448 Avocado Avenue from the R-1-6 Zone to the R-2 Zone.

MOTION BY Lewis, SECOND BY Santos, 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.

ORDINANCES: FIRST READING (CONTINUED)

9.3 TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

First Reading of Ordinance imposing a transactions and use tax to be administered by the State Board of Equalization. (Pending results of November 2, 2004 Election)

DISCUSSION

Councilmember McClellan indicates he does not support an increase in sales tax, but would support a property tax.

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.

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, finding significant exposure to litigation.

Number of Potential cases: 1

DISCUSSION

City Attorney Foley advises that under the Brown Act requirements, Council will be informed concerning threatened litigation from the California Independent Grocers and Convenience Store Owners.

MOTION BY Lewis, SECOND BY Ramos, to adjourn to Closed Session at 5:17 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

11. RECONVENE TO OPEN SESSION at 5:22 P.M. – Mayor Lewis announces there is nothing to report.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 10th day of August 2004 at 5:23 p.m. to Tuesday, August 10, 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

AUGUST 10, 2004

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, August 10, 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 Adjourned Regular Joint Meeting held at 3:00 p.m., Tuesday, August 10, 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 Munzenmaier, Director of Public Works |

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

AGENDA CHANGES: None

PUBLIC COMMENT: None

PUBLIC HEARINGS:

100 PLANNED UNIT DEVELOPMENT 232 and TENTATIVE SUBDIVISION MAP 546 – 1321 Greenfield Drive (MG Properties) (Report: City Clerk)

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 232

- **Adopt RESOLUTION NO. in order to approve, modify or disapprove Planning Commission Resolution No. 9984** recommending approval of Planned Unit Development 232 to convert an existing 34-unit apartment complex to a common interest development in the R-3 Zone at 1321 Greenfield Drive.

TENTATIVE SUBDIVISION MAP 546

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 9985** recommending approval of Tentative Subdivision Map 546 for a one-lot subdivision map in the R-3 Zone at 1321 Greenfield Drive.

DISCUSSION

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

Councilmember McClellan requests that dual paned windows be required in the units.

Mayor Lewis announces the Public Hearing is now Open.

Edwin Hassebrock. 1321 Greenfield Drive, El Cajon, CA, expresses concerns over the conversion process. He lives in one of the units and will not be able to afford to buy the unit.

Mark Gleiberman, representing the property owners, indicates his agreement to the condition requiring dual paned windows, and advises his company will help current occupants to find housing if they are unable to purchase the unit.

Discussion ensues among **Council** and **Staff** concerning drainage issues at 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 McClellan, to adopt RESOLUTION NO. 166-04 in order to approve Planning Commission Resolution No. 9984 recommending approval of Planned Unit Development 232 to convert an existing 34-unit apartment complex to a common interest development in the R-3 Zone at 1321 Greenfield Drive, including replacement of windows with dual paned windows and replacement of doors as necessary.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to adopt RESOLUTION NO. 167-04 in order to approve Planning Commission Resolution No. 9985 recommending approval of Tentative Subdivision Map 546 for a one-lot subdivision map in the R-3 Zone at 1321 Greenfield Drive.

MOTION CARRIES BY UNANIMOUS VOTE.

**101 AMENDMENT OF SPECIFIC PLAN 325 (CHASE-PRESCOTT ASSOCIATES)
– 250-260 E. Chase Avenue (Report: City Clerk)**

RECOMMENDATION: That the City Council

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

AMENDMENT OF SPECIFIC PLAN 325

- **Approve, Modify or Disapprove Planning Commission Resolution No. 9983 recommending approval of Amendment of Specific Plan 325 to expand an existing office building in the O-P Zone at 250-260 E. Chase Avenue.**
- **If approved, refer to the City Attorney for an Ordinance upon completion of conditions.**

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Bill Fischbeck, P.O. Box 3918, La Mesa, CA, speaks in support of the Item.

No further comments are offered.

PUBLIC HEARINGS: (101 – CONTINUED)

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan, to approve Planning Commission Resolution No. 9983 recommending approval of Amendment of Specific Plan 325 to expand an existing office building in the O-P Zone at 250-260 E. Chase Avenue, and to refer to the City Attorney for an Ordinance upon completion of conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

102 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 10th day of August 2004 at 7:36 p.m. to Tuesday, August 24, 2004 at 3:00 p.m.

City Clerk/Secretary