

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



**MINUTES**

**CITY OF EL CAJON  
EL CAJON, CALIFORNIA**

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**May 24, 2005**

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, May 24, 2005, 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 Joint meeting held at 7:00 p.m. on May 10, 2005.

**ROLL CALL**

Council/Agencymembers present:	Hanson-Cox, Kendrick
Council/Agencymembers absent:	Ramos
Mayor Pro Tem/Vice Chair present:	McClellan
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary
	Foley, City Attorney/General Counsel
	Henry, 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 May 10, 2005 Meetings and the Agenda of the May 24, 2005 Meetings in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **Mindy Braddy and “Huck,” Animal Shelter presented information about senior animals that are available at the El Cajon Animal Shelter.**
- **Proclamation – National Homeownership Month – June, 2005**
- **Proclamation – Foster Family Appreciation Day – May 24, 2005**
- **Commendation – Youth Venture – Continued to June 14, 2005.**

**AGENDA CHANGES: NONE**

**CONSENT ITEMS: (1.1 – 1.14)**

**MOTION BY LEWIS, SECOND BY McCLELLAN, to approve Consent Items 1.1 to 1.3, and Items 1.5 to 1.14, pulling Item 1.4, as requested by a member of the public.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

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

Approve Minutes of the May 10, 2005 Meetings of the El Cajon City Council/Redevelopment Agency.

**1.2 WARRANTS**

Approve payment of Warrants as submitted by the Finance Department.

**1.3 APPROVAL OF READING BY TITLE AND WAIVER OF READING IN FULL OF ORDINANCES ON AGENDA**

Approve the reading by title and waive the reading in full of all Ordinances on the Agenda.

**PULLED FOR DISCUSSION**

**1.4 COMMUNITY EVENT IN THE RIGHT-OF-WAY – THIRD ANNUAL WIEGHORST WESTERN HERITAGE DAYS  
(Report: Assistant to the City Manager)**

**RECOMMENDATION:** That the City Council approve a request for a Community Event in the right-of-way to be held June 4 and June 5 on Rea Avenue with conditions contained in Agenda Report.

**1.5 RESOLUTION: AWARD BID NO. 040-05 - THIRD STREET WIDENING, RESURFACING AND DRAINAGE IMPROVEMENTS, LUKE LANE TO GREENFIELD DRIVE (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 92-05 and award the bid to the low bidder, Scheidel Contracting and Engineering, Inc., in the amount of \$393,293.50.

**1.6 RESOLUTION: AWARD BID NO. 041-05 – WEST MAIN STREET AND FLYING HILLS LANE CANYON EASEMENT SEWER REHABILITATION AND SEWER MANHOLE REPAIRS (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 93-05 and award the bid to the low bidder, Arrieta Construction, Inc., in the amount of \$324,018.80.

**1.7 EXECUTIVE SEARCH FIRM FOR DIRECTOR OF PUBLIC WORKS RECRUITMENT (Report: Director of Human Resources)**

Approve the hiring of CPS Executive Search to assist the City with the recruitment and selection of a new Director of Public Works.

**1.8 RESOLUTION: DECLARATION IN CONJUNCTION WITH FIRE STATION 8 SITE CHANGE AND BROWNFIELD GRANT (Report: City Clerk)**

Adopt RESOLUTION NO. 94-05 to declare property for Fire Station 8 at 1470 East Madison Avenue to be abandoned, idled and underused and authorize the City Manager or her designee to execute certain documents as may be necessary to consummate the acquisition of said property.

**1.9 JOINT SIGNAL CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN SHADOW MOUNTAIN COMMUNITY CHURCH AND THE CITY OF EL CAJON FOR TRAFFIC SIGNAL AND SAFETY LIGHTING ON GREENFIELD DRIVE BETWEEN MADISON AVENUE AND SHADOWBROOK LANE IN EL CAJON (Report: Director of Public Works)**

Approve this agreement subject to concurrence of the City Attorney.

**1.10 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 512 – 188 SOUTH LINCOLN AVENUE (Report: Director of Public Works)**

Grant a one-year extension of time for TSM 512 and set the new expiration date to be May 27, 2006, in accordance with Municipal Code Section 16.12.110.

**1.11 RESOLUTIONS: REHABILITATION OF EXISTING CLEANOUT AT FANITA DRIVE, BID NO. 045-05 (Report: Director of Public Works)**

Adopt RESOLUTIONS NO. 95-05 and 96-05 approving the Plans and Specifications and directing publication of Notice Inviting Sealed Bids to be opened June 21, 2005, at 2:00 p.m. for rehabilitation of existing cleanout at Fanita Drive.

**1.12 RESOLUTION: AWARD OF BID NO. 038-05, EMERGENCY POWER GENERATOR (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 97-05 and award the bid to the low bidder, NEWest Construction Co., Inc., in the amount of \$67,950.00.

**1.13 ACCEPTANCE OF MODIFICATION OF TRAFFIC SIGNAL AND SAFETY LIGHTING SYSTEMS AT MAIN STREET AND MADISON AVENUE AND BROADWAY AND THIRD STREET (Report: Director of Public Works)**

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

**1.14 RESOLUTIONS: BALLANTYNE STREET, EAST MAIN STREET TO BROADWAY AND CUYAMACA STREET, WELD BOULEVARD TO NORTH CITY LIMIT RESURFACING – BID NO. 046-05 (Report: Director of Public Works)**

Adopt RESOLUTIONS NO. 98-05 and 99-05 approving the Plans and Specifications and directing publication of Notice Inviting Sealed Bids to be opened June 21, 2005, at 2:00 p.m. for Ballantyne Street, East Main Street to Broadway and Cuyamaca Street, Weld Boulevard to North City Limit Resurfacing in the City of El Cajon.

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**PULLED FOR DISCUSSION**

**1.4 COMMUNITY EVENT IN THE RIGHT-OF-WAY – THIRD ANNUAL WIEGHORST WESTERN HERITAGE DAYS (Report: Assistant to the City Manager)**

**RECOMMENDATION:** That the City Council approve a request for a Community Event in the right-of-way to be held June 4 and June 5 on Rea Avenue with conditions contained in Agenda Report.

**DISCUSSION**

**Ross Provence**, 480 North Magnolia Avenue, El Cajon, speaks regarding the event, left posters for each of the Councilmembers; invites all to come to the event.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to approve a request for a Community Event in the right-of-way to be held June 4 and June 5 on Rea Avenue with conditions contained in Agenda Report.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**PUBLIC COMMENT: NONE**

**2. WRITTEN COMMUNICATIONS: NONE**

**3. ADMINISTRATIVE REPORTS:**

**3.1 2005 BOND ISSUE (Report: Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the Redevelopment Agency authorize staff to proceed with preparation for refunding the 1997 Bonds and financing to obtain new funds for redevelopment projects.

#### **Discussion**

**City Manager Henry** gave a brief history of this item.

**David Cooksy**, Director of Redevelopment and Housing, gave a brief overview of the project.

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

- The current proposed projects.
- Suggestions for additional projects.
- Request for additional projects which the public may propose.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to authorize staff to proceed with preparation for refunding the 1997 Bonds and financing to obtain new funds for redevelopment projects.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**4. COMMISSION REPORTS:**

**4.1 TRAFFIC COMMISSION RECOMMENDATIONS – MAY 11, 2005  
(Report: Secretary to the Traffic Commission)**

**ITEM I. NO PARKING – PALM AT THE TRANSIT CENTER**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order to establish the requested No Parking zone described as follows:

Along the south curblin e of Palm Avenue, beginning at the westerly extended curblin e of Marshall Avenue, thence northerly a distance of 135 feet.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 100-05 in order to establish the requested No Parking zone described as follows:**

**Along the south curblin e of Palm Avenue, beginning at the westerly extended curblin e of Marshall Avenue, thence northerly a distance of 135 feet.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**ITEM II. BUS STOP RELOCATION – LAVALA LANE**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order to establish the necessary No Parking zone for a relocated bus stop described as follows:

Along the westerly curblin e of East Main Street, beginning at the northerly extended curblin e of Laval a Lane, thence northerly a distance of 70 feet. Note: These described limits include an existing 30 feet of No Parking related to the fire hydrant.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 101-05 to establish the necessary No Parking zone for a relocated bus stop described as follows:**

**Along the westerly curblin e of East Main Street, beginning at the northerly extended curblin e of Laval a Lane, thence northerly a distance of 70 feet. Note: These described limits include an existing 30 feet of No Parking related to the fire hydrant.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**ITEM III. NO PARKING – 1001-1007 SOUTH MAGNOLIA**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order to establish the requested No Parking zone described as follows:

Along the east curblineline of South Magnolia Avenue, beginning at a point 516 feet north of the northerly extended curblineline of Chase Avenue, thence north a distance of 46 feet.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 102-05 to establish the requested No Parking zone described as follows:**

**Along the east curblineline of South Magnolia Avenue, beginning at a point 516 feet north of the northerly extended curblineline of Chase Avenue, thence north a distance of 46 feet.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**ITEM IV. MADISON AT EL RANCHO – NO PARKING AND ALL WAY STOP**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order to establish the following No Parking zone:

Along the north curblineline of Madison Avenue, beginning at the extended easterly curblineline of El Rancho Drive, thence easterly a distance of 125 feet. Note: This would provide sight distance based on the 40 MPH speed limit on Madison and deny the two other requests for an all way stop and crosswalk.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 103-05 to establish the following No Parking zone:**

**Along the north curblineline of Madison Avenue, beginning at the extended easterly curblineline of El Rancho Drive, thence easterly a distance of 125 feet. Note: This would provide sight distance based on the 40 MPH speed limit on Madison and deny the two other requests for an all way stop and crosswalk.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**ITEM V. SPEED ZONE – GARFIELD AVENUE**

**RECOMMENDATION:** This item is presented for information only as no additional Council action is needed at this time.

**ITEM VI. LOADING ZONE – 1025 ESTES STREET**

**RECOMMENDATION:** That the City Council refer the concern of postal loading zones to the Planning Commission for consideration with Condo Conversion projects and adopt the next RESOLUTION in order to establish the following loading zone:

Along the easterly curbline of Estes Street, beginning at a point 545 feet north of the northerly extended curbline of Chase Avenue, thence northerly 25 feet. Note: The Commission also requested that additional information be requested/presented from the Post Office on this requirement to determine the extent of the concern at a future Traffic Commission meeting.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 104-05 to establish the following loading zone:**

**Along the easterly curbline of Estes Street, beginning at a point 545 feet north of the northerly extended curbline of Chase Avenue, thence northerly 25 feet.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**INFORMATION ITEM D – KOA REPORT – TRAFFIC SIGNAL EVALUATION**

**RECOMMENDATION:** This item is presented for information only (originally requested by Council).

**INFORMATION ITEM E – BUS STOP REVIEW – JOINT COMMISSION MEETING (TRAFFIC AND AGING & DISABILITIES) PRESENTATION ON JUNE 13<sup>TH</sup> AT WELLS PARK, 4:00 P.M.**

**RECOMMENDATION:** This item is provided for information only at this time.

**INFORMATION ITEM F – MOBILE PHOTO RADAR ENFORCEMENT SYSTEM DEMONSTRATION**

**RECOMMENDATION:** This item is provided for information only at this time.



**5. REPORTS OF MAYOR LEWIS: NONE**  
SANDAG (San Diego Association of Governments) Regional Transportation;  
SANDAG (Public Safety Committee); METRO Commission (Metropolitan  
Sewerage System) and METRO Wastewater JPA; MTS (Metropolitan Transit  
System).

**6. REPORTS OF COUNCILMEMBERS**

**MAYOR PRO TEM BOB McCLELLAN: NONE**  
Council Advisory Meeting Schedule, Harry Griffen Park Joint Steering  
Committee; Heartland Communications JPA – Alternate; LAFCO (Local Agency  
Formation Commission – Advisory Committee).

**COUNCILMEMBER GARY KENDRICK:**  
Heartland Communications JPA; Heartland Fire Training JPA; Chamber of Commerce –  
Business/Economic Development.

**6.1 TRANSITIONAL FACILITY REVIEW COMMISSION**

**RECOMMENDATION:** That the Mayor, with concurrence of the City Council,  
appoint a five member Transitional Facility Review Commission to review operations at  
the Fabulous 7 and report back to the City Council.

**DISCUSSION**

**Councilmember Kendrick** gave a brief overview of his proposal regarding  
appointments to a Transitional Facility Review Commission to be interviewed and  
appointed in 30 days.

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

- The purpose of the proposed commission and the fact that it will not replace the  
Planning Commission.
- Qualifications of individuals who would be appointed.

**MOTION BY KENDRICK, SECOND BY LEWIS, to create the  
commission, accept applications through June 20, and return to  
Council to conduct interviews on June 28, 2005, and appoint the  
commission.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**6.2 VEHICLE CODE SECTION 22520.5 – SOLICITORS AT FREEWAY ON/OFF RAMPS**

**RECOMMENDATION:** That the City Council direct staff to begin enforcing Vehicle Code Section 22520.5, which prohibits solicitors within 500 feet of a freeway off ramp or on ramp.

**DISCUSSION**

**Councilmember Kendrick** speaks regarding forming a City Policy that the City Police enforcing the Vehicle Code.

**City Manager Henry** informs Council that the City Police do currently enforce the Vehicle Code.

**John Gibson**, 1000 Pioneer Way, El Cajon, feels that rigid enforcement may assist in cleaning up this problem.

Directed letter to be filed and requested City Manager to direct Police Department to crack down on enforcement with respect to solicitors at freeway off- or on-ramps.

**COUNCILMEMBER DICK RAMOS: NONE**

ADAPT (Alcohol and Drug Abuse Prevention Task Force); Heartland Fire Training JPA (Alternate); Legislative Report.

**COUNCILMEMBER JILLIAN HANSON-COX: NONE**

SANDAG (San Diego Association of Governments) (Alternate); MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council; League of California Cities, San Diego Division; East San Diego County Gang Task Force.

**7. LEGISLATIVE REPORT**

**7.1 League of California Cities Legislative Bulletin - *Priority Focus* - dated May 6, 2005 and May 13, 2005 - *Priority Focus***

**GENERAL INFORMATION ITEMS FOR DISCUSSION: NONE**

**9. ORDINANCES: FIRST READING**

**9.1 SPECIFIC PLAN 504**

**RECOMMENDATION:** That Mayor Lewis requests the City Clerk to recite the title.

An ordinance approving Specific Plan 504 to exceed the maximum building height in the R-3-R (Multiple Family Restricted) Zone on property located on the west side of Jamacha Road between Granite Hills Drive and Gustavo Street, and addressed as 930 Jamacha Road.

**9. ORDINANCE: SECOND READING AND ADOPTION**

**RECOMMENDATION:** That the Mayor Lewis request the City Clerk to recite the title.

**9.2 AMENDMENT OF SPECIFIC PLAN 182 – DOWNTOWN AREA**

**RECOMMENDATION:** That Mayor Lewis requests the City Clerk to recite the titles.

An ordinance approving amendment of Specific Plan 182 to add a definition of “mixed-use development.”

**MOTION to adopt the Ordinance approving Amendment of Specific Plan 182.**

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt Ordinance No. 4813 approving Amendment of Specific Plan 182.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**9.3 AMENDING MUNICIPAL CODE UPDATING OFFICERS AND EMPLOYEES EXCEPTED FROM THE PROVISIONS OF THE PERSONNEL SYSTEM**

An ordinance repealing Section 2.64.050 of Chapter 2.64 of the El Cajon Municipal Code and adding new Section 2.64.050 to Chapter 2.64 of the El Cajon Municipal Code adding and deleting officers and employees excepted from the provisions of the personnel system.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt Ordinance No. 4814 amending El Cajon Municipal Code Section 2.64.050 of Chapter 2.64 updating officers and employees excepted from the provisions of the personnel system.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**10. CLOSED SESSION:**

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

- **CONFERENCE WITH LABOR NEGOTIATORS** – Conference with labor negotiators pursuant to Government Code Section 54957.6:

Agency Designated Representatives: Kathi Henry  
Mike Shelton  
Joan Ward

Employee Organizations: El Cajon Police Officers Association  
El Cajon Police Officers Association Management Group  
El Cajon Municipal Employees Association  
El Cajon Mid-Management Association  
El Cajon Professional Engineers Association  
El Cajon Firefighters Association  
El Cajon Fire Captain's Unit

Unrepresented Employees: Executive, Unrepresented and Confidential Employees

**MOTION BY LEWIS, SECOND BY McCLELLAN, to adjourn into Closed Session at 4:08 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**11. RECONVENE TO OPEN SESSION - Instructions were given to the negotiators.**

**Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 24th day of May 2005 at 4:20 p.m. to Tuesday, May 24, 2005 at 7:00 p.m.**

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**KATHIE J. RUTLEDGE**  
**City Clerk/Secretary**

**GENERAL INFORMATION:**

The following items are informational and are not discussed unless the Council/Agency brings the item(s) forward for discussion under Item No. 8 of the agenda.

- A. Metro Wastewater JPA Newsletter – May 2005**
- B. SANDAG - Copy of letter dated May 13, 2005, from SANDAG to Governor Schwarzenegger supporting Proposition 42/Transportation Funding.**

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**MINUTES**

**CITY OF EL CAJON  
EL CAJON, CALIFORNIA**

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**May 24, 2005**

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, May 24, 2005, 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, May 24, 2005 by order of the City Council and Redevelopment Agency.

**ROLL CALL**

Council/Agencymembers present:	Hanson-Cox, Kendrick
Council/Agencymembers absent:	Ramos
Mayor Pro Tem/Vice Chair present:	McClellan
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary
	Foley, City Attorney/General Counsel
	Henry, City Manager/Executive Director
	Munzenmaier, Director of Public Works
	Griffin, Director of Community Development

**PLEDGE OF ALLEGIANCE TO FLAG and MOMENT OF SILENCE.**

(The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution)

**AGENDA CHANGES: NONE**

**PUBLIC COMMENT: NONE**

**PUBLIC HEARINGS:**

**100 APPEAL – PLANNING COMMISSION DENIAL OF TENTATIVE PARCEL MAP 622 FOR THE REMOVAL OF A RESTRICTION THAT PROHIBITS PERMANENT STRUCTURES ON THE EASTERLY PORTION OF THE SUBJECT PROPERTY IN THE R-S-9 (RESIDENTIAL SUBURBAN 9,000 SQ. FT.)/R-S-9-H (RESIDENTIAL SUBURBAN 9,000 SQ. FT. HILLSIDE OVERLAY) ZONES - 1191 Hacienda Drive (Quintana-Reutzel)**

**RECOMMENDATION: That the City Council**

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

**TENTATIVE PARCEL MAP 622**

- **Adopt the next RESOLUTION in order to approve the proposed Mitigated Negative Declaration** indicating that the proposed project will not have a significant adverse effect on the environment if the applicant complies with the proposed mitigation measures.
- **Adopt the next RESOLUTION in order to Approve, Modify or Deny** the appeal of Planning Commission Resolution No. 10130 denying Tentative Parcel Map 622 for the removal of a restriction that prohibits permanent structures on the easterly portion of the subject property in the R-S-9/R-S-9-H Zones at 1191 Hacienda Drive.

## **DISCUSSION**

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

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

**Rozanna Quintana**, 1191 Hacienda Drive, speaks regarding the history of her property and the proposed project.

**Brian Enright**, 4009 Georgia Street #3B, San Diego, designer of buildings proposed on lower lot, speaks regarding the proposed design of those buildings.

**Ron Jenkins**, 1211 Hacienda Drive, speaks regarding the instability of the ground, his concern that buildings on the back lot would not be accessible by emergency vehicles, proposed two buildings, and disappearance of the open space.

**Larry Zolezzi**, 10051 Quail Canyon Road, informs the Council that he is representing the designing/building company which will do the building if the project is approved.



**Ken Shipstead**, 1225 Hacienda Drive, speaks regarding that when he bought his property in 1959 all the land was designated open space with a beautiful view, and voices his opposition of the proposed project.

No further comments are offered.

**MOTION BY LEWIS, SECOND BY McCLELLAN, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

### **DISCUSSION**

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

- Who would be able to live in the “granny flat”;
- Private property rights of not only the applicant/appellant, but of the adjacent property owners;

**MOTION BY LEWIS, SECOND BY HANSON-COX, to adopt RESOLUTION NO. 105-05 to approve the proposed Mitigated Negative Declaration indicating that the proposed project will not have a significant adverse effect on the environment if the applicant complies with the proposed mitigation measures.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**MOTION BY LEWIS, SECOND BY KENDRICK, to adopt RESOLUTION NO. 106-05 denying the appeal of Planning Commission Resolution No. 10130 denying Tentative Parcel Map 622 for the removal of a restriction that prohibits permanent structures on the easterly portion of the subject property in the R-S-9/R-S-9-H Zones at 1191 Hacienda Drive.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**101 PLANNED UNIT DEVELOPMENT 265 AND TENTATIVE SUBDIVISION MAP 578 (Jim Neil, CB Richard Ellis for Deepak Israni, Pacifica Companies) – 453 Graves Avenue - CONTINUED FROM MAY 10, 2005 (Report: City Clerk)**

**RECOMMENDATION:** That the City Council

- Continue the Public Hearing and receive testimony
- Close the Public Hearing

**PLANNED UNIT DEVELOPMENT 265**

- Adopt the next **RESOLUTION** in order to approve, modify or disapprove **Planning Commission Resolution No. 10112** recommending approval of Planned Unit Development 265 to convert an existing 28-unit apartment complex into a common interest development in the R-4 Zone at 453 Graves Avenue.

**TENTATIVE SUBDIVISION MAP 578**

- Adopt the next **RESOLUTION** in order to approve, modify or disapprove **Planning Commission Resolution No. 10113** recommending approval of Tentative Subdivision Map 578 for a one-lot subdivision map in the R-4 Zone at 453 Graves Avenue.

**DISCUSSION**

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

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

**Jim Neil**, 4365 Executive Drive, San Diego, is available to answer any questions the Council might have.

Discussion ensues among **Council** and **Mr. Neil** concerning:

- Reasons for the decision to remove the swimming pool.

No further comments are offered.

**MOTION BY LEWIS, SECOND BY HANSON-COX, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**MOTION BY LEWIS, SECOND BY KENDRICK, to adopt RESOLUTION NO. 107-05 approve Planning Commission Resolution No. 10112 recommending approval of Planned Unit Development 265 to convert an existing 28-unit apartment complex into a common interest development in the R-4 Zone at 453 Graves Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**MOTION BY LEWIS, SECOND BY KENDRICK, to adopt RESOLUTION NO. 108-05 to approve Planning Commission Resolution No. 10113 recommending approval of Tentative Subdivision Map 578 for a one-lot subdivision map in the R-4 Zone at 453 Graves Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.  
(Councilmember Ramos Absent.)**

**103 ITEMS CONTINUED FROM THE 3:00 P.M. MEETING: (IF ANY)**

**ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 24th day of May, 2005 at 7:40 p.m. to Tuesday June 14, 2005 at 3:00 p.m.**

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**KATHIE J. RUTLEDGE  
City Clerk/Secretary**