

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



MINUTES

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

July 26, 2005

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, July 26, 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 Regular Joint meeting held at 7:00 p.m. on July 12, 2005.

ROLL CALL

Council/Agencymembers present:	Hanson-Cox, Kendrick, Ramos
Council/Agencymembers absent:	None
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 July 12, 2005 Meetings and the Agenda of the July 26, 2005 meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **East County Leadership Class of 2005**
- **Service Award Presentations**

FIVE YEARS

Donna Bernard, Engineering Technician
Jennifer Ficacci, Management Analyst
Rodney Geilenfeldt, Paramedic Firefighter
William Guerin, Police Officer
Shawn Webb, Police Officer

TEN YEARS

Richard Gonsalves, Police Officer
Stephen McDaniel, Police Officer
Marcia Robinson, Police Officer
Michael Shelton, Assistant City Manager/Director of Finance

FIFTEEN YEARS

Luis Angulo-Landeros, Assistant Civil Engineer
J'Adore Grobe, Secretary to the Chief of Police
Elizabeth Schofer, Management Analyst
Kevin Wright, Public Works Crew Leader

TWENTY YEARS

John Sunkel, Business License Inspector

TWENTY-FIVE YEARS

Tracey Best, Recreation Services Supervisor
Jon Sanchioli, Paramedic Firefighter

THIRTY YEARS

Fred Morrison II, Police Lieutenant
Michael Sisk, Fire Engineer
Rob Trout, Fire Captain

AGENDA CHANGES: NONE

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY LEWIS, SECOND BY RAMOS, to approve Consent Items 1.1 to 1.4 and 1.8 to 1.10, pulling Items 1.5 and 1.6, as requested by Councilmember Ramos and Item 1.7, as requested by Councilmember Hanson-Cox.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the July 12, 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.

1.4 RESOLUTION - AWARD OF BID NO. 046-05 – BALLANTYNE STREET RESURFACING (Report: Purchasing Agent)

Adopt RESOLUTION NO. 161-05 and award the bid to the low bidder, SRM Contracting & Paving, in the amount of \$735,700.00.

PULLED FOR DISCUSSION BY COUNCILMEMBER RAMOS

1.5 RESOLUTION – FEDERAL PROGRAM SUPPLEMENT AGREEMENT FOR FUNDING FLETCHER PARKWAY/BROADWAY TIMING OF TRAFFIC SIGNALS/SIGNAL SYNCHRONIZATION (Report: Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to authorize the City Manager or designee to execute the agreement for the project.

PULLED FOR DISCUSSION BY COUNCILMEMBER RAMOS

1.6 EMERGENCY SEDIMENT REMOVAL FROM FORRESTER CREEK CHANNEL (Report: Acting Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order declaring an emergency exists that requires the expenditure of funds to protect life, health and property, and authorizing the City Manager to enter into a construction contract to remove sediment from Forrester Creek due to the storms this winter that deposited sediment in the Forrester Creek Channel.

PULLED FOR DISCUSSION BY COUNCILMEMBER HANSON-COX

1.7 PROGRAM/PROJECT MANAGEMENT FOR PUBLIC SAFETY FACILITIES (Report: Assistant to the City Manager)

RECOMMENDATION: That the City Council authorize the City Manager to execute a Professional Services Agreement with Gafcon Construction Consultants for program and project management services.

1.8 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP 512 188 South Lincoln Avenue (Report: Acting Director of Public Works)

Approve the Final Subdivision Map for Tentative Subdivision Map (TSM) 512.

1.9 LIEN CONTRACT AND AGREEMENT NOT TO CONVEY; COVENANT NOT TO CONVEY CONDOMINIUM UNITS; AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 534 800 East Lexington Avenue (Report: Acting Director of Public Works)

Approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units, and Final Map for Tentative Subdivision Map (TSM) 534 at 800 East Lexington Avenue and authorizing execution of the agreements.

1.10 LIEN CONTRACT AND AGREEMENT NOT TO CONVEY; COVENANT NOT TO CONVEY CONDOMINIUM UNITS; AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 535 520 South Mollison Avenue (Report: Acting Director of Public Works)

Approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units, and Final Map for Tentative Subdivision Map (TSM) 535 at 520 South Mollison Avenue and authorizing execution of the agreements.

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PULLED FOR DISCUSSION BY COUNCILMEMBER RAMOS

**1.5 RESOLUTION – FEDERAL PROGRAM SUPPLEMENT AGREEMENT FOR FUNDING FLETCHER PARKWAY/BROADWAY TIMING OF TRAFFIC SIGNALS/SIGNAL SYNCHRONIZATION
(Report: Director of Public Works)**

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to authorize the City Manager or designee to execute the agreement for the project.

DISCUSSION

Discussion ensues between **Council** and **Staff** regarding:

- Funding for the Fletcher Parkway/Broadway intersection as opposed to Main/Washington intersection.
- Funding provided by SANDAG.

MOTION BY LEWIS, SECOND BY RAMOS, to adopt RESOLUTION NO. 162-05 to authorize the City Manager or designee to execute the agreement for the project.

MOTION CARRIES BY UNANIMOUS VOTE.

PULLED FOR DISCUSSION BY COUNCILMEMBER RAMOS

1.6 EMERGENCY SEDIMENT REMOVAL FROM FORRESTER CREEK CHANNEL (Report: Acting Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order declaring an emergency exists that requires the expenditure of funds to protect life, health and property, and authorizing the City Manager to enter into a construction contract to remove sediment from Forrester Creek due to the storms this winter that deposited sediment in the Forrester Creek Channel.

DISCUSSION

Discussion ensues between **Council** and **Staff** regarding:

- Funding by FEMA.
- Need for removal prior to the next rainy season to avoid potential flooding.
- Reasons for this as a non-bid process item.

MOTION BY LEWIS, SECOND BY RAMOS, to adopt RESOLUTION NO. 163-05 declaring an emergency exists that requires the expenditure of funds to protect life, health and property, and authorizing the City Manager to enter into a construction contract to remove sediment from Forrester Creek due to the storms this winter that deposited sediment in the Forrester Creek Channel.

MOTION CARRIES BY UNANIMOUS VOTE.

**PULLED FOR DISCUSSION BY COUNCILMEMBER HANSON-COX
1.7 PROGRAM/PROJECT MANAGEMENT FOR PUBLIC SAFETY FACILITIES
(Report: Assistant to the City Manager)**

RECOMMENDATION: That the City Council authorize the City Manager to execute a Professional Services Agreement with Gafcon Construction Consultants for program and project management services.

DISCUSSION

Discussion ensues between **Council** and **Staff** regarding:

- Previous authorization for hiring of a Construction Project Manager, replacing the Facilities Operation Manager and Administrative Services Director positions.
- Public Safety experts required for space and needs analysis.
- Function of Gafcon (checks and balances).
- City will be doing its own RFP and hiring the architect that the City feels is best.
- City has its own insurance.
- Architects, soil engineers, and design engineers.
- Deciding factor.
- Consulting fees for the first two phases not-to-exceed \$70,000.
- Monies to be provided from Prop O.
- City has final decision.
- City Manager's Office will be monitoring progress with regular reports to the Council.

MOTION BY LEWIS, SECOND BY HANSON-COX, to authorize the City Manager to execute a Professional Services Agreement with Gafcon Construction Consultants for program and project management services.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

James Kelly, homeless, speaks regarding corner of Grape Street and Oakdale, southwest sidewalk does not have a wheelchair ramp; problem of the City prohibiting churches helping the homeless with food or clothing.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, speaks regarding a lady whose grandson has been killed by a driver, decision to form the organization of Grandmothers for Designated Drivers, which will disseminate information about the Designated Drivers Program.

2. WRITTEN COMMUNICATIONS:

2.1 DESIGNATION OF VOTING DELEGATE FOR 2005 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Letter from League of California Cities requesting the designation of Voting Delegate for 2005 League Annual Conference October 6 - 8, 2005 in San Francisco and requesting Voting Delegate Form be completed and returned to them no later than September 6, 2005.

MOTION BY LEWIS, SECOND BY RAMOS, to appoint Councilmember Hanson-Cox as the Designated Delegate and City Manager Henry as Designated Alternate.

MOTION CARRIES BY UNANIMOUS VOTE.

2.2 ELDER LAW AND ADVOCACY – USE OF WELLS SENIOR CENTER; REQUEST WAIVER OF FEES (Report: Recreation Services Manager)

RECOMMENDATION: That the City Council review the request from Elder Law and Advocacy to waive facility use fees for use of a meeting room at Wells Senior Center to provide free legal services to seniors ages 60 and over.

DISCUSSION

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

- Days and hours of services.
- Try program on a bi-weekly basis; and if it is successful, change it to a weekly basis.
- Whether this program is only open to seniors of El Cajon or any senior (open to all seniors).
- City Policy B-9 regarding the eligibility requirements (non-profit organization, takes place within City of El Cajon).

MOTION BY LEWIS, SECOND BY McCLELLAN, to approve the request from Elder Law and Advocacy for use of a meeting room at Wells Senior Center to provide free legal services to seniors ages 60 and over, on a bi-weekly basis and to pay for it from the City's Promotion Account, up to the maximum of \$1,000.00.

MOTION CARRIES BY UNANIMOUS VOTE.

2.3 THE HOME DEPOT REQUEST FOR CITY TO ADOPT RESOLUTION REGARDING ANNEXATION OF HOME DEPOT SITE

Letter from Greg George, Real Estate Manager Western Region, for The Home Depot requesting the City initiate annexation of the East Main Street site and adopt a resolution at the City Council Meeting of August 9, 2005.

DISCUSSION

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

- Whether the City or applicant initiates an annexation.
- Applicant will pay all fees with no cost to the City.

MOTION BY LEWIS, SECOND BY KENDRICK, to approve request and direct City Attorney to return with appropriate resolution for adoption.

MOTION CARRIES BY UNANIMOUS VOTE.

3. PUBLIC HEARING

3.1 DISPOSITION AND DEVELOPMENT AGREEMENT – ST. MADELEINE SOPHIE’S CENTER (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the City Council/Redevelopment Agency

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **As the City Council, adopt the next RESOLUTION** in order approving the Disposition and Development Agreement.
- **As the Redevelopment Agency Board of Directors, adopt the next RESOLUTION** in order approving the Disposition and Development Agreement.

DISCUSSION

City Manager Henry provides a summary of the Item.

Mayor Lewis announces the Public Hearing is now Open.

Alison Cummings chooses not to speak.

Debra Emerson, Executive Director, St. Madeleine Sophie’s Center, 1456 Wagner Drive, El Cajon, states she is available to answer questions; and that the agency is looking forward to becoming a property owner in the downtown area.

Alexander Irving, President, Board of Trustees of St. Madeleine, 5245 Angelina Road, Oceanside, says that St. Madeleine Sophie’s Center is a special agency and everyone is excited about it becoming a property owner; the Center serves over 250 developmentally disabled adults and has gotten good at bringing a diverse population to the gallery; putting up another building on property next door.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

As the City Council:

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION No. 164-05 approving the Disposition and Development Agreement.

MOTION CARRIES BY UNANIMOUS VOTE.

As the Redevelopment Agency Board of Directors:

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. ECRA-368 approving the Disposition and Development Agreement.

MOTION CARRIES BY UNANIMOUS VOTE.

3. ADMINISTRATIVE REPORTS:

THIS ITEM WILL BE CONSIDERED WHEN RECONVENING FROM THE CLOSED SESSION ITEM 10.

**3.2 TENTATIVE AGREEMENT WITH EL CAJON FIRE CAPTAINS' UNIT
(Report: Director of Human Resources)**

RECOMMENDATION: That the City Council approve the tentative agreement reached with the El Cajon Fire Captains' Unit and authorize the City Manager to execute any final Memoranda of Understanding implementing the terms, and adopt the next RESOLUTION in order, if approved.

Following Closed Session (Item #10), MOTION BY LEWIS, SECOND BY HANSON-COX, to approve the tentative agreement reached with the El Cajon Fire Captains' Unit and authorize the City Manager to execute any final Memoranda of Understanding implementing the terms, and adopt RESOLUTION NO. 166-05.

MOTION CARRIES BY UNANIMOUS VOTE.

3.3 EAST COUNTY PERFORMING ARTS CENTER – DRAFT REQUEST FOR QUALIFICATIONS (Report: City Manager)

RECOMMENDATION: That the City Council review and approve the draft Request for Qualifications for management of the East County Performing Arts Center.

DISCUSSION

City Manager Henry explains why the draft RFQ is necessary and history as to what is being done, who will be receiving the RFQ, and how the RFQ will be awarded.

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

- Whether current employees will be retained when the RFQ is awarded.
- Basic additions to be included to address fundraising and “self sufficiency” of the agency awarded the RFQ.
- Deadline for submitting to be 90 days as opposed to 30 days to allow the RFQ to be presented at the agencies’ Board of Directors meeting.
- Allowing the RFQ to be submitted by fax.
- Qualifications of potential applicants.

James Kelly, homeless, was not available for comment.

MOTION BY LEWIS, SECOND BY HANSON-COX, to approve the draft Request for Qualifications for management of the East County Performing Arts Center with the deadline for submittal being 60 days instead of 30 days.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS:

4.1 TRAFFIC COMMISSION RECOMMENDATIONS – JULY 13, 2005 MEETING (Report: Secretary to Traffic Commission)

ITEM I – ALL WAY STOP – FIRST STREET AND REDWOOD AVENUE

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

FIRST STREET SOUTH OF REDWOOD AVENUE

Along the easterly curblin of First Street, beginning at the south curblin of Redwood Avenue, thence southerly a distance of 85 feet. (Note: This no parking zone would only apply when school is in session.)

ORAL COMMUNICATION – TRAFFIC COMMISSION STIPEND

RECOMMENDATION: That the **City Council** reinstate the Traffic Commission stipend of \$50 per meeting.

MOTION BY LEWIS, SECOND BY RAMOS, to adopt RESOLUTION NO. 165-05 to establish the following No Parking Zone:

FIRST STREET SOUTH OF REDWOOD AVENUE

Along the easterly curblineline of First Street, beginning at the south curblineline of Redwood Avenue, thence southerly a distance of 85 feet. (Note: This no parking zone would only apply when school is in session.)

MOTION CARRIES BY UNANIMOUS VOTE.

DISCUSSION

Bill Murphy, 245 Lincoln Street, speaks regarding the increase in cost of gasoline and requests the reinstatement of the stipend for the Commissioners.

MOTION BY LEWIS, SECOND BY RAMOS, to reinstate the Traffic Commission stipend of \$50 per meeting.

MOTION CARRIES BY UNANIMOUS VOTE.

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:

Announces he will not be at August 9 meeting but will be at the August 23 meeting.

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 FREEWAY OVERLAY ZONE

RECOMMENDATION: That the City Council consider amending the General Plan to include a Freeway Overlay Zone up to and including within 600 feet of the freeway right-of-way.

DISCUSSION

Councilmember Kendrick speaks regarding increasing the density along the freeway overlay zones with two- or three-story buildings, possibly including signage.

Director of Community Development Griffin informs Council that signs are already allowed to be higher than 600 feet; study being prepared of the downtown area and perhaps this might be included in the study; analysis of infrastructure; traffic; parking; and environmental in approximately two to four weeks.

Councilmember Kendrick wants the entire area along the freeway to be reviewed in addition to the downtown area.

Director of Community Development Griffin requests 30 days for review.

MOTION BY LEWIS, SECOND BY KENDRICK, to amend the General Plan to include a Freeway Overlay Zone up to and including within 600 feet of the freeway right-of-way; also for the Community Development Staff to return at the August 23 meeting with a review regarding an analysis of the entire area along the freeway.

MOTION CARRIES BY UNANIMOUS VOTE.

COUNCILMEMBER DICK RAMOS: NONE

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

NAF Infield monies should be received within five to ten days of the letter dated July 21, 2005.

COUNCILMEMBER JILLIAN HANSON-COX:

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.

Councilmember Hanson-Cox inquires whether the shopping cart item has had any action taken yet. **City Manager Henry** reports what is currently being done.

Councilmember Hanson-Cox states she goes to the Starbucks located at the Broadway/Mollison intersection, and it appears that cars are being sold along the street. Staff will look into this to see what is happening.

7. LEGISLATIVE REPORT

7.1 League of California Cities Legislative Bulletin - *Priority Focus* – July 8, 2005 and July 15, 2005

8. GENERAL INFORMATION ITEMS FOR DISCUSSION: NONE

9. ORDINANCES: FIRST READING NONE

ORDINANCES: SECOND READING – NONE

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 Firefighters' Association
El Cajon Fire Captains' Unit

- **Under Government Code Section 54956.9 (c) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:

Number of potential cases: 1

- 11. RECONVENE TO OPEN SESSION -** Direction was given to negotiators.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 26th day of July, 2005, at 5:15 p.m. to Tuesday, July 26, 2005, at 7:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary

GENERAL INFORMATION:

- A. Metro Wastewater JPA News Brief – July 2005**
- B. Letter from Senator Dianne Feinstein congratulating the City for receiving the Edward Byrne Memorial Justice Assistance Grant through the Department of Justice.**

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MINUTES

**CITY OF EL CAJON
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July 26, 2005

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, July 26, 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, July 26, 2005 by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	Hanson-Cox, Kendrick, Ramos
Council/Agencymembers absent:	None
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:

John Wood, 6794 Central Avenue, Lemon Grove, speaks regarding a member of Council that owns a business in Lemon Grove who apparently does not understand what a CUP involves; also a sign ordinance is in effect and this individual does not understand he is not suppose to have cold-air balloons, amplified music, etc.

City Attorney Foley informs the Council that it is not responsible for what is allowed or not allowed in another City.

PUBLIC HEARINGS:

**100 ZONE RECLASSIFICATION 2262 and AMENDMENT OF CONDITIONAL USE PERMIT 197 (Swenson for Broadway Animal Hospital, Inc.)
380 Broadway (Report: City Clerk)**

RECOMMENDATION: That the City Council

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

ZONE RECLASSIFICATION 2262

- **Approve, modify or disapprove Planning Commission Resolution No. 10155** recommending approval of Zone Reclassification 2262 to rezone property located at 380 Broadway from the C-2 and R-E-40 Zones to the C-R Zone.
- **If approving the rezoning, refer to the City Attorney for an Ordinance upon completion of conditions.**

AMENDMENT OF CONDITIONAL USE PERMIT 197

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10156** granting Amendment of Conditional Use Permit 197 for an animal hospital in the pending C-R Zone at 380 Broadway.

DISCUSSION

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

City Traffic Engineer Krulikowski explains ingress and egress for the driveways of the site.

City Attorney Foley explains the options before the Council relating to the driveways.

Mayor Lewis announces the Public Hearing is now Open.

No comments are offered.

MOTION BY LEWIS, SECOND BY RAMOS, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

ZONE RECLASSIFICATION 2262

MOTION BY LEWIS, SECOND BY McCLELLAN, to approve Planning Commission Resolution No. 10155 recommending approval of Zone Reclassification 2262 to rezone property located at 380 Broadway from the C-2 and R-E-40 Zones to the C-R Zone.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY RAMOS, to refer to the City Attorney for preparation of an Ordinance upon completion of conditions.

MOTION CARRIES BY UNANIMOUS VOTE.

AMENDMENT OF CONDITIONAL USE PERMIT 197

MOTION BY LEWIS, SECOND BY HANSON-COX, to adopt RESOLUTION NO. 167-05 to approve Planning Commission Resolution No. 10156 granting Amendment of Conditional Use Permit 197 for an animal hospital in the pending C-R Zone at 380 Broadway.

MOTION CARRIES BY UNANIMOUS VOTE.

101 PLANNED UNIT DEVELOPMENT 279 and TENTATIVE PARCEL MAP 623 (Arenson for McLaen) 786, 788 and 790 Grossmont Avenue (Report: City Clerk)

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 279

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10157** recommending approval of Planned Unit Development 279 requesting a three-unit residential common interest development in the R-2 Zone at 786, 788 and 790 Grossmont Avenue.

TENTATIVE PARCEL MAP 623

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10158** recommending approval of Tentative Parcel Map 623 for a four-lot subdivision map in the R-2 Zone at 786, 788 and 790 Grossmont Avenue.

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

No comments are offered.

MOTION BY LEWIS, SECOND BY RAMOS, to Close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

PLANNED UNIT DEVELOPMENT 279

MOTION BY LEWIS, SECOND BY RAMOS, to adopt RESOLUTION NO. 168-05 to approve Planning Commission Resolution No. 10157 recommending approval of Planned Unit Development 279 requesting a three-unit residential common interest development in the R-2 Zone at 786, 788 and 790 Grossmont Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

TENTATIVE PARCEL MAP 623

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 169-05 to approve Planning Commission Resolution No. 10158 recommending approval of Tentative Parcel Map 623 for a four-lot subdivision map in the R-2 Zone at 786, 788 and 790 Grossmont Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

102 PLANNED UNIT DEVELOPMENT 280 and TENTATIVE SUBDIVISION MAP 593 (Westone Management for Jacoba Leslie, LLC) 469 N. First Street (Report: City Clerk)

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 280

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10159** recommending approval of Planned Unit Development 280 to convert an existing seven-unit apartment complex into a common interest development in the R-3 Zone at 469 N. First Street.

TENTATIVE SUBDIVISION MAP 593

- **Adopt RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10160** recommending approval of Tentative Subdivision Map 593 for a one-lot subdivision map in the R-3 Zone at 469 N. First Street.

DISCUSSION

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

Councilmember Ramos voices concerns relating to railing, area inside stucco walls approximately three feet high being used as patios by the tenants to barbecue, feels these patios should be located at the rear of the homes.

Mayor Lewis announces the Public Hearing is now Open.

Joseph Scarlatti states that there is a large back yard and does not understand why the tenants are using the front patios for barbecue and children play areas; item could be addressed under the CC&Rs.

Director of Community Development Griffin suggests that a condition be added under Item 8 as "G" to restrict the use of the front patio to patio furniture only (tables, chairs, etc.).

Councilmember Hanson-Cox states that she suggests that a front be added over the doorway to enhance the looks of the front entry.

Councilmember Kendrick states he had some of the same concerns relating to the front entry that **Councilmember Hanson-Cox** addressed.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PLANNED UNIT DEVELOPMENT 280

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 170-05 to approve Planning Commission Resolution No. 10159 recommending approval of Planned Unit Development 280 to convert an existing seven-unit apartment complex into a common interest development in the R-3 Zone at 469 N. First Street with the following conditions to be added:

- 6.b)18. Work out with Staff the overhang for the front doors.**
- 8.G. CC&Rs shall include a provision that all front patios be restricted to use for patio furniture only.**

MOTION CARRIES BY UNANIMOUS VOTE.

TENTATIVE SUBDIVISION MAP 593

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 171-05 to approve Planning Commission Resolution No. 10160 recommending approval of Tentative Subdivision Map 593 for a one-lot subdivision map in the R-3 Zone at 469 N. First Street.

MOTION CARRIES BY UNANIMOUS VOTE.

103 PLANNED UNIT DEVELOPMENT 282 and TENTATIVE SUBDIVISION MAP 595 (CondoConversions.com for The Deboskey Family Trust) 756 South Magnolia Avenue (Report: City Clerk)

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 282

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10161** recommending approval of Planned Unit Development 282 to convert an existing nine-unit apartment complex into a common interest development in the R-3 Zone at 756 S. Magnolia Avenue.

TENTATIVE SUBDIVISION MAP 595

- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10162** recommending approval of Tentative Subdivision Map 595 for a one-lot subdivision map in the R-3 Zone at 756 S. Magnolia Avenue.

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Chris Christensen, 4817 Palm Avenue, Suite I, La Mesa, responds to the concerns regarding the unlawful addition, which is planned to be removed to comply with the Planning Commission; has paid close attention to details of the units and personal space.

Councilmember Ramos states that he does not see where any changes in the design; would like to see entries more personalized to eliminate the “boxy” look. **Mr. Christensen** responds to **Councilmember Ramos’** concerns.

Discussion ensues between **Council, Staff,** and **Mr. Christensen** regarding:

- Appliances being required versus allowances being given in lieu of appliances.
- Furniture stores bringing furniture into the units to display how the unit may be decorated.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PLANNED UNIT DEVELOPMENT 282

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 172-05 to approve Planning Commission Resolution No. 10161 recommending approval of Planned Unit Development 282 to convert an existing nine-unit apartment complex into a common interest development in the R-3 Zone at 756 S. Magnolia Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

TENTATIVE SUBDIVISION MAP 595

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 173-05 to approve Planning Commission Resolution No. 10162 recommending approval of Tentative Subdivision Map 595 for a one-lot subdivision map in the R-3 Zone at 756 S. Magnolia Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

104 CONDITIONAL USE PERMIT 2005 (International Education Institute, Inc. for Keith R. Anderson 2003 Trust) 905 West Main Street (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to approve, modify or disapprove Planning Commission Resolution No. 10171 for a private school and daycare facility in the C-M and R-3 Zones at 905 West Main Street.**

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Ardeth Kosanke, 425 Emerson St, Chula Vista, responds to **Mayor Pro Tem McClellan** concerns about dropping off and picking up children, stating that State requirements are that parents sign children in and out each day; ages are from 2 years old through 12/13 years old (sixth grade) with the older ones being taught on-site.

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. 174-05 to approve Planning Commission Resolution No. 10171 for a private school and daycare facility in the C-M and R-3 Zones at 905 West Main Street with a maximum of 70 children with a review at six months.

MOTION CARRIES BY UNANIMOUS VOTE.

105 PLANNED UNIT DEVELOPMENT 281 and TENTATIVE SUBDIVISION MAP 594 (Maisel Presley, Inc. for Ma) 1019 Peach Avenue - CONTINUED BY PLANNING COMMISSION TO PLANNING COMMISSION MEETING OF AUGUST 22, 2005, AND CITY COUNCIL MEETING OF SEPTEMBER 27, 2005

106 APPEAL – PLANNING COMMISSION DENIAL OF VARIANCE 946 TO EXCEED THE MAXIMUM BUILDING HEIGHT IN THE R-1-6 ZONE (United Methodist Chapel of the Valley) – 1465 East Madison Avenue (Report: City Clerk) – CONTINUED FROM CITY COUNCIL MEETING OF JUNE 28, 2005

RECOMMENDATION: That the City Council

- **Continue the Public Hearing and receive testimony**
- **Continue the Public Hearing to August 23, 2005, at 7:00 p.m.**

DISCUSSION

No comments are offered.

Continue the Public Hearing to August 23, 2005, at 7:00 p.m.

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 26th day of July, 2005, at 8:06 p.m. to Tuesday, August 9, 2005 at 3:00 p.m.

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