

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

OCTOBER 11, 2005

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, October 11, 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 September 27, 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 Krulikowski, Acting Director of Public Works Griffin, Director of Community Development

The Young Artists String Quartet, consisting of Mosa Tsay (cello), Heidi Seifert (violin), Candace Dautel (viola), and Sarah Dautel (violin), performs for the Council and audience.

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).

Kathy Cleveland, Animal Control, introduces “Wheezy” from Louisiana; says Animal Control is starting a “Foster Program” and if the foster animal is not adopted, the foster home will be allowed to adopt the animal; the First Annual Open House will be held on November 12 from 11:00 a.m. until 2:00 p.m. including a low cost microchip clinic.

POSTINGS: The City Clerk posted Orders of Adjournment of the September 27, 2005, meetings and the Agenda of the October 11, 2005, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Proclamation - Red Ribbon Week – The Elks Lodge, Benevolent and Protective Order of Elks #1812 - October 23-29, 2005**
- **Proclamation - United We Paint Day – October 15, 2005**
- **Proclamation - Arts and Humanities Month - October**
- **Arts & Culture Commission – Magnolia Awards**

Mayor Lewis announces a break at 3:35 p.m. to attend the reception in honor of the Magnolia Awards; reconvened at 3:50 p.m.

Mayor Lewis speaks regarding **Teresa Horner**, Executive Assistant to the City Manager, who is featured on the front of the Council’s Agenda and who will be walking in the Breast Cancer 3-Day Walk.

AGENDA CHANGES: NONE

CONSENT ITEMS: (1.1 – 1.11)

MOTION BY LEWIS, SECOND BY RAMOS, to approve Consent Items 1.1 to 1.7 and Items 1.10 and 1.11, pulling Item 1.8 as requested by Councilmember Hanson-Cox and Item 1.9, as requested by Councilmember Hanson-Cox and a member of the public.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the September 27, 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 DONATION OF TREE BY ROBERT AND BONNIE SMITH

Accept the donation of one Canary Island Pine tree in memory of Roy Heilpern in accordance with City Council Policy B-2.

1.5 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 Grossmont-Cuyamaca Community College thanking the Police and Fire Departments for their prompt response to a brush fire on September 16, 2005.

Letter from Frances Molter-Deck on behalf of the East County Leadership Class of 2005 and the East County Animal Shelter praising Ron Valles, Secretary in the City Clerk's office, for his volunteer work in obtaining donations for the "Putt Fore Pets" event.

1.6 REJECTION OF BID 011-06, EL CAJON BOULEVARD AND EAST MAIN STREET CHIP SEAL (Report: Purchasing Agent)

Adopt RESOLUTION NO. 218-05 rejecting Bid No. 011-06 for the El Cajon Boulevard and East Main Street Chip Seal project.

**1.7 HOME DEPOT – NO PARKING ZONE PER RESOLUTION NO. 160-05
(Report: Acting Director of Public Works)**

Adopt RESOLUTION NO. 219-05 to establish the following No Parking Zones as previously approved by Council:

Along the easterly and westerly curblines of East Main Street, beginning at the southerly extended curblines of Sydney Terrace, thence a distance of 390 feet along the easterly curblines and a distance of 385 feet along the westerly curblines. Note: This Zone would not be effective until completion of the Home Depot Store project located on East Main Street between Lavala Lane and Pepper Drive. This area shall also be signed for “No Stopping Any Time.”

And

Along the easterly and westerly curblines of East Main Street, beginning at the northerly extended curblines of Sydney Terrace, thence a distance of 415 feet along the easterly curblines and a distance of 405 feet along the westerly curblines. Note: This Zone would not be effective until completion of the Home Depot Store project located on East Main Street between Lavala Lane and Pepper Drive. This area shall also be signed for “No Stopping Any Time.”

PULLED FOR DISCUSSION BY COUNCILMEMBER HANSON-COX.

1.8 SUMMARY VACATION FOR AN ALLEY LOCATED AT 453 GRAVES AVENUE (Report: Acting Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to approve the Summary Vacation of the alley located within the northerly 60 feet of the easterly 12.00 feet of lot 15, Valley Acres, according to map number 1896, filed in the office of the County Recorder, addressed as 453 Graves Avenue.

PULLED FOR DISCUSSION BY COUNCILMEMBER HANSON-COX AND A MEMBER OF THE PUBLIC.

**1.9 PHOTO ENFORCEMENT CONTRACT WITH REDFLEX TRAFFIC SYSTEMS
(Report: Acting Director of Public Works)**

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to approve an amendment to contract for Photo Enforcement Services, amending these services to reduce the amount paid to the contractor for each intersection from \$6,300 to \$5,370 per month.

1.10 ACCEPTANCE OF WEST MAIN STREET AND FLYING HILLS LANE CANYON EASEMENT SEWER REHABILITATION AND SEWER MANHOLE REPAIR – VARIOUS LOCATIONS (Report: Acting 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.

1.11 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 527 – 605 South Mollison Avenue (Report: Acting Director of Public Works)

Approve Final Subdivision Map for Tentative Subdivision Map (TSM) 527 for 605 South Mollison Avenue.

PULLED FOR DISCUSSION BY COUNCILMEMBER HANSON-COX.

1.8 SUMMARY VACATION FOR AN ALLEY LOCATED AT 453 GRAVES AVENUE (Report: Acting Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to approve the Summary Vacation of the alley located within the northerly 60 feet of the easterly 12.00 feet of lot 15, Valley Acres, according to map number 1896, filed in the office of the County Recorder, addressed as 453 Graves Avenue.

Councilmember Hanson-Cox inquires regarding the definition of Summary Vacation; City Traffic Engineer Krulikowski explains the vacation at 453 Graves;

MOTION BY LEWIS, SECOND BY RAMOS, to adopt RESOLUTION NO. 220-05 to approve the Summary Vacation of the alley located within the northerly 60 feet of the easterly 12.00 feet of lot 15, Valley Acres, according to map number 1896, filed in the office of the County Recorder, addressed as 453 Graves Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

PULLED FOR DISCUSSION BY COUNCILMEMBER HANSON-COX AND A MEMBER OF THE PUBLIC.

**1.9 PHOTO ENFORCEMENT CONTRACT WITH REDFLEX TRAFFIC SYSTEMS
(Report: Acting Director of Public Works)**

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to approve an amendment to contract for Photo Enforcement Services, amending these services to reduce the amount paid to the contractor for each intersection from \$6,300 to \$5,370 per month.

Jim Cox, 1110 Petree Street, El Cajon, speaks regarding the terms of payment must be in absolute compliance with Section 21455.5G1 of the California Vehicle Code; also speaks regarding his particular case; feels the City is not in compliance with the Vehicle Code.

Councilmember Hanson-Cox commends Staff for negotiating a lower contract amount.

Councilmember Ramos explains the City receives reports from each of the cameras; states that accidents decrease when cameras are used at intersections.

MOTION BY LEWIS, SECOND BY HANSON-COX, to adopt RESOLUTION NO. 221-05 to approve an amendment to contract for Photo Enforcement Services, amending these services to reduce the amount paid to the contractor for each intersection from \$6,300 to \$5,370 per month.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Bradley Fields, 8388 Vickers Street, San Diego, representing the appellant in the disciplinary matter under Closed Session; speaks regarding: certain items in the transcript prepared from the Personnel Commission hearing; evidence submitted to the Commission; level of discipline.

Fred Rodriguez, investigator for Brad Fields' office, 8388 Vickers Street, San Diego, advises Council of his qualifications; informs Council of the document by Ms. Chavez and her testimony.

Martin Boyle, 4611 Hillview Drive, La Mesa, states he is well informed on the circumstances and events of this case; Commission report states that this one particular issue alone does not warrant discipline of dismissal but combined with two other issues felt that dismissal was warranted; suggests Council compare this case with past history cases.

Joanne Boyle, 4611 Hillview Drive, La Mesa, states that the appellant is the husband of her step-daughter, speaks regarding conclusion of facts in this matter; informs Council that appellant has received numerous awards during his tenure with the El Cajon Police Department; has reviewed appellant's performance evaluations.

Van Fritzenkotter, 2054 Aspen Lane, El Cajon, advises he has known the appellant for over 25 years and speaks toward the appellant's character; has volunteered for events with the community and his church;

Peter Busalaub, 3811 Vista Grande Drive, San Diego, states the appellant is a wonderful husband, father, and son; speaks toward the appellant's character; feels termination is well above what is warranted in this case.

Karen Laaperi, 1773 Hampton Court, Bonita, Principal of Santa Sophia Academy, states she has known the appellant for the last six years; states the appellant makes a difference in the school; says the appellant has always gone above and beyond what is expected.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA, says the elections are coming soon and encourages everyone to be a voice for the community by voting; says that this is the most wonderful country in the world; wants everyone to come together and help each other.

2. WRITTEN COMMUNICATIONS: NONE

3. PUBLIC HEARINGS: NONE

3. ADMINISTRATIVE REPORTS:

3.1 RESULTS OF THE REQUEST FOR QUALIFICATIONS FOR MANAGEMENT OF THE EAST COUNTY PERFORMING ARTS CENTER (Report: Director of Recreation)

RECOMMENDATION: That the City Council address matters of interest and direct staff to negotiate a contract with Art Beat Management, a business unit of CCT, for the management of the East County Performing Arts Center (ECPAC).

DISCUSSION

City Manager Henry provides a brief overview of the item.

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

- Only 19 Request for Qualifications (RFQ) were mailed to organizations and trade journals.
- Eleven RFQs were downloaded from the City's website.
- Questions as to why only one RFQ was received.
- CCT is the home of the nation's largest children's theater.
- Submitted proposal appears to be requesting a larger subsidy than the previous managers.

Raymond Lutz, 1010 Old Chase Avenue, El Cajon, says some in the community feels that CCT does not have the experience to operate ECPAC; feels Council may be in violation of California State Statute 4527 since there has been only one RFQ submitted instead of three as required by law; rate of subsidies in the proposal; in response to **Councilmember Ramos'** question as to why his organization did not submit an RFQ, says he did not receive the RFQ until it had been out for a month and the GGCA did not feel it would be worthwhile as his organization does not have the experience to run a world class theater.

Fernando Arreola, 110 East Main Street, El Cajon, says he feels that the Council wanted the previous operators out; states he had mentioned that perhaps one of the casinos might be interested.

Tony Sottile, 1473 Whitsett Drive, El Cajon, speaks regarding doing the right thing; says he feels that CCT does have a successful track record.

Paul Russell, representing Art Beat Management and CCT, 433 East Chase Avenue, El Cajon, present to answer any questions regarding the proposal.

Discussion ensues among **Council**, **Staff**, and **Mr. Russell** concerning:

- CCT's experience in running a theater, doing headliner acts, promoters.
- CCT is the largest children's theater in the United States.
- The figure in the RFQ is only a proposed figure and will be negotiated.
- Will be going after grants and doing fundraisers in which case the City's subsidy will be less.
- Would like to meet with the stakeholders to determine what groups and/or headliners are wanted.
- Fees charged to other groups for rental of the facility will be affordable.
- CCT is a non-profit, educational facility.
- Proposal costs of promoting headliners.
- Currently in negotiations with Power Plus to obtain nationally known acts.
- What the City Capital Subsidy includes.

- CCT will act as an “umbrella” company with Art Beat Management as a subsidiary company.
- Plan B to be extremely aggressive in fundraising activities or to cut programming or staffing to make it work.
- Amount of funding from Grossmont College performing under Theater East Productions (TEP).
- Changes made within the last seven years to warrant running a theater.
- Marketing department for CCT will work with the current person.
- Fundraising plans are “penciled out” but need to be presented to the advisory board for input.
- Art Beat Management goals for managing the theater.
- Art Beat Management combining with CCT’s list for large events.
- Whether maintenance/housing services are funded by CCT or the City.
- Would like to partnership with some of the downtown restaurants where theater goers would get discounts.
- Art Beat Management will be a DBA under the umbrella of CCT with CCT being ultimately responsible for any debts.
- One of the differences between the previous operator and this RFQ is that the City was responsible for costs whereas under this RFQ, CCT will be responsible to work within its budget.

David Carney, 9130 Campo Road, Spring Valley, feels it is time to move ahead; feels that there has been ample time for other management companies to put forth an RFQ; ECPAC will be made available to local artists; headliner groups will be paid for if they are wanted.

Claire Carpenter, President/CEO of El Cajon Community Development Corporation, 168 East Main Street, says that ECCDC believes there is a real need for a good theater; believes an active theater revitalizes the downtown area.

Rick Alexander, 2033 Chardon Lane, El Cajon, encourages Council to strike a fair deal for both parties for the RFQ.

MOTION BY COUNCILMEMBER RAMOS failed for lack of a second to revise the RFQ to get help from professionals so that more interested parties are advised; mail out to more trade journals than just the 19 previously notified; return in four months for award of the RFQ.

MOTION BY LEWIS, SECOND BY KENDRICK, to direct Staff to negotiate a contract with Art Beat Management, a business unit of CCT, for the management of the East County Performing Arts Center (ECPAC) and return to Council as soon as possible.

**MOTION CARRIES BY ON A 4 TO 1 VOTE.
COUNCILMEMBER RAMOS VOTING NO.**

Mayor Lewis continues Items 3.2, 4.1, 5, 6, 7.1, 9.1, 9.2, 10, 11, and two existing litigation Closed Session items with the exception of the Closed Session item relating to public employee discipline/dismissal/release, to the evening meeting following the hearings.

3.2 INCLUSIONARY HOUSING POLICY (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the Redevelopment Agency and City Council review the proposed Inclusionary Housing Policy and Guidelines and provide direction for scheduling a Public Hearing for the first reading of an ordinance.

DISCUSSION

City Attorney Foley states the letter received this afternoon from Scott C. Molloy, Public Policy Advocate, is a hard copy of the one faxed this morning.

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

- The proposed ordinance being a legal ordinance.
- Proposed ordinance was developed by City Staff and meets the criteria of the courts.
- Proposed ordinance may be retroactive by the developer to request in lieu fees.
- Senior citizen units built by the City count toward the City's obligation and the continuation required.
- Rehabilitation of apartments made available for senior and/or low-income housing qualify.

Scott Molloy, Building Industry Association (BIA) of San Diego County, 9201 Spectrum Center Blvd, #110, San Diego, speaks regarding the BIA being against inclusionary housing as the BIA feels it is just a tax on homeowners; spoke with Lucy Dunn, State Director of Housing and Community Development, who is very concerned over the cities using inclusionary housing as a way to meet affordable housing requirement needs; encourages Council not to support the proposed ordinance for inclusionary housing.

David Cooksy, Director of Redevelopment and Housing, responds to **Councilmember Ramos'** questions regarding whether inclusionary housing is actually a state law.

Rick Alexander, 2333 Chardon Lane, BIA, El Cajon, opposed to inclusionary housing as it is not a successful tool; requests that if Council does not reject proposed ordinance, continue it until next meeting with consultation with the groups that are affected most by it.

Daryl R. Priest, 124 West Main Street, Suite 240, El Cajon, states that Mr. Black started approximately a year and a half ago; even though he does not like inclusionary housing and is against it, he is willing to pay for it, but feels the City has sufficient affordable housing; feels Council should approve request.

MOTION BY LEWIS, SECOND BY RAMOS, reviews the proposed Inclusionary Housing Policy and Guidelines and provides direction for scheduling a Public Hearing for November 8, 2005, for the first reading of an ordinance.

**MOTION CARRIES BY A 4 TO 1 VOTE.
MAYOR PRO TEM McCLELLAN VOTING NO.**

4. COMMISSION REPORTS:

**4.1 PLANNING COMMISSION RESOLUTION NO. 10207 GRANTING
CONDITIONAL USE PERMIT 2011 – 1810 Gillespie Way**

RECOMMENDATION: That the City Council approve or deny Conditional Use Permit 2011 for a vocational school in the M (Manufacturing) Zone on property located at 1810 Gillespie Way pursuant to condition number 1. of Planning Commission Resolution No. 10207 adopted September 26, 2005.

DISCUSSION

Director of Community Development Griffin provides a summary of item.

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

- Vocational school is privately funded.
- Length of conditional use permit being ten years.

MOTION BY LEWIS, SECOND BY RAMOS, to approve Conditional Use Permit 2011 for a vocational school in the M (Manufacturing) Zone on property located at 1810 Gillespie Way pursuant to condition number 1. of Planning Commission Resolution No. 10207 adopted September 26, 2005.

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: 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: NONE

Heartland Communications JPA; Heartland Fire Training JPA; Chamber of Commerce - Business/Economic Development.

COUNCILMEMBER DICK RAMOS:

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

At the League Conference, it was brought forth to the Committee to have legislature move forward on Proposition 172 to provide a more equitable split of funds; on Saturday, it went before the full League and Supervisor Cox had the item postponed for further study which means it won't be brought back up for a full year; this will not prevent cities from moving forward on their own initiative. No action requested by Council at this time.

City of El Cajon now owns the property on Madison for the new fire station.

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.

The League Conference was worthwhile; she also has some literature from the conference that she will be sharing with the departments.

7. LEGISLATIVE REPORT

7.1 League of California Cities Legislative Bulletin - *Priority Focus* - dated September 23, 2005 and September 30, 2005

8. GENERAL INFORMATION ITEMS FOR DISCUSSION: NONE

9. ORDINANCES: FIRST READING

Mayor Lewis requests the City Clerk to recite the titles.

9.1 ZONE RECLASSIFICATION 2265

An Ordinance approving Zone Reclassification 2265 rezoning the properties located at 2216, 2236 and 2250 Tampa Avenue from the R-P (Residential Professional) Zone to the O-P (Office Professional) Zone.

9.2 ZONE RECLASSIFICATION 2266

An Ordinance approving Zone Reclassification 2266 to rezone property located on the north side of Tyrone Street between North Westwind Drive and Milford Place, and addressed as 689 Tyrone Street from the R-P (Residential Professional) Zone to the R-2 (Two-Family Residential) Zone.

ORDINANCE: SECOND READING AND ADOPTION NONE

10. CLOSED SESSIONS:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - pursuant to subdivision (a) of Government Code Section 54956.9:

Name of Case: County of San Diego v. City of El Cajon;
Home Depot, USA, Inc., Real Party in Interest
Case No. GIC 853366

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - pursuant to subdivision (a) of Government Code Section 54956.9:

Name of Case: County of San Diego v. City of El Cajon;
Mike Raleigh, Real Party in Interest
Case No. GIC 853367

**CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE DISCIPLINE/
DISMISSAL/RELEASE** - pursuant to Government Code Section 54957.

**MOTION BY LEWIS, SECOND BY KENDRICK TO ADJOURN INTO
CLOSED SESSION.**

MOTION CARRIES BY UNANIMOUS VOTE.

11. RECONVENE TO OPEN SESSION -

Ken Lounsbery, City Council's special attorney, announced that Council unanimously supports the findings made by the Personnel Commission and instructed him to prepare final findings. There is nothing else to report.

**MOTION BY LEWIS, SECONDED BY KENDRICK, TO ADJOURN THE
MEETING UNTIL 7:00 P.M.**

MOTION CARRIES BY UNANIMOUS VOTE.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 11th day of October, 2005, at 6:06 p.m. to Tuesday, October 11, 2005, at 7:00 p.m.

Kathie J. Rutledge

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

GENERAL INFORMATION:

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

A. PLANNING COMMISSION RESOLUTIONS

No. 10205 – Granting renewal of Conditional Use Permit 1249 for a hazardous waste transfer station with short-term storage in the M Zone at 1452 North Johnson Avenue.

No. 10206 – Granting Conditional Use Permit 2009 to construct and operate a new fire station in the C-1 Zone on vacant property located on the north side of East Madison Avenue between East Main and North Third Streets.

B. SANDAG BOARD ACTIONS

Newsletter dated September 23, 2005 from SANDAG.

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

OCTOBER 11, 2005

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, October 11, 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, October 11, 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 Krulikowski, Acting 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 CONDITIONAL USE PERMIT 2010 (The Caddy Shack for Cayugan)
351 West Main Street - Continued by Planning Commission to Planning
Commission Meeting of September 26, 2005 and City Council Meeting of
October 25, 2005**

**101 PLANNED UNIT DEVELOPMENT 289 AND TENTATIVE SUBDIVISION MAP
602 (Watson for WGA East Main Street, LP) - 1362 East Main Street
Continued by Planning Commission to Planning Commission Meeting of
October 10, 2005 – City Council Meeting date not yet rescheduled**

**102 PLANNED UNIT DEVELOPMENT 290 AND TENTATIVE SUBDIVISION MAP
603 (Wermers for R.D. Investment Properties LLC) - 267 South Mollison
Avenue (Report: City Clerk)**

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 290

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove
Planning Commission Resolution No. 10200** recommending approval of
Planned Unit Development 290 to convert an existing 15-unit apartment
complex into a common interest development in the R-3 Zone at 267 South
Mollison Avenue.

TENTATIVE SUBDIVISION MAP 603

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove
Planning Commission Resolution No. 10201** recommending approval of
Tentative Subdivision Map 603 for a one-lot subdivision map in the R-3 Zone at
267 South Mollison Avenue.

DISCUSSION

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

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

- Individual laundry facilities will be inside each unit.
- Sliding glass doors, as well as all windows, will be dual glazed.
- Whether the roof was replaced in 2004 or must now be replaced.

Mayor Lewis announces the Public Hearing is now Open.

No comments are offered.

Further discussion ensues among **Council** and **Staff** concerning:

- Replacement of boards on balcony deck.
- Photograph #21 shows a large area with water on the roof.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PLANNED UNIT DEVELOPMENT 290

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 222-05 to approve Planning Commission Resolution No. 10200 recommending approval of Planned Unit Development 290 to convert an existing 15-unit apartment complex into a common interest development in the R-3 (Multiple Family) Zone on property located on the East Side of South Mollison Avenue between East Main Street and East Lexington Avenue, and addressed as 267 South Mollison Avenue adding Condition 3.f) to submit a report on the structural integrity and drainage flow of storm water off the roofs, with repairs, if any, necessary to prevent 'ponding,' and 6.b)11 to upgrade/replace balcony decks to meet building code requirements.

MOTION CARRIES BY UNANIMOUS VOTE.

TENTATIVE SUBDIVISION MAP 603

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 223-05 to approve, Planning Commission Resolution No. 10201 recommending approval of Tentative Subdivision Map 603 for a one-lot subdivision map in the R-3 Zone at 267 South Mollison Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

103 ZONE RECLASSIFICATION 2268, PLANNED RESIDENTIAL DEVELOPMENT 62 AND TENTATIVE SUBDIVISION MAP 604 (Stroman Development, LLC for Carroll) - 960 and 990 East Washington Avenue (Report: City Clerk)

RECOMMENDATION: That the City Council

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

ZONE RECLASSIFICATION 2268

- **Adopt the next RESOLUTION in order to approve the Mitigated Negative Declaration.**
- **Approve, Modify or Disapprove Planning Commission Resolution No. 10202** recommending approval of Zone Reclassification 2268 to rezone property located at 960 and 990 East Washington Avenue from the R-P and R-2 Zones to the PRD Low-Medium Density Zone, rather than the PRD-Medium Density Zone requested.

PLANNED RESIDENTIAL DEVELOPMENT 62

- **Adopt the next RESOLUTION in order to approve the Mitigated Negative Declaration.**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10203** to construct a 41-unit common interest residential development in the pending PRD Low-Medium Density Zone on property located at 960 and 990 East Washington Avenue.

TENTATIVE SUBDIVISION MAP 604

- **Adopt the next RESOLUTION in order to approve the Mitigated Negative Declaration.**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10204** recommending approval of Tentative Subdivision Map 604 for a 42-lot subdivision map in the pending PRD-Low Medium Zone on property located at 960 and 990 East Washington Avenue.

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Bob Bruckart, 8348 Center Drive, Suite G, La Mesa, representing the applicant, feels that any conditions by Council can and will be met; present to answer any questions Council may have.

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

- Very nice exterior.
- Density of project compared to surrounding areas.
- Whether units will be rented as apartments or sold as single-family residences.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

ZONE RECLASSIFICATION 2268

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION 224-05 to approve the Mitigated Negative Declaration.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY McCLELLAN, to approve Planning Commission Resolution No. 10202 recommending approval of Zone Reclassification 2268 to rezone property located at 960 and 990 East Washington Avenue from the R-P and R-2 Zones to the PRD Low-Medium Density Zone, rather than the PRD-Medium Density Zone requested.

MOTION CARRIES BY UNANIMOUS VOTE.

PLANNED RESIDENTIAL DEVELOPMENT 62

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION 225-05 to approve the Mitigated Negative Declaration.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION 226-05 to approve Planning Commission Resolution No. 10203 to construct a 41-unit common interest residential development in the pending PRD Low-Medium Density Zone on property located at 960 and 990 East Washington Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

TENTATIVE SUBDIVISION MAP 604

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 227-05 to approve the Mitigated Negative Declaration.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION 228-05 to approve Planning Commission Resolution No. 10204 recommending approval of Tentative Subdivision Map 604 for a 42-lot subdivision map in the pending PRD-Low Medium Zone on property located at 960 and 990 East Washington Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

104 PLANNED UNIT DEVELOPMENT 281 AND TENTATIVE SUBDIVISION MAP 594 (Maisel Presley, Inc. for Ma) - 1019 Peach Avenue (Report: City Clerk) CONTINUED FROM CITY COUNCIL MEETING OF SEPTEMBER 27, 2005

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 281

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10191 to convert an existing 34-unit apartment complex into a common interest development in the R-3 Zone at 1019 Peach Avenue.**

TENTATIVE SUBDIVISION MAP 594

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10192 recommending approval of Tentative Subdivision Map 594 for a one-lot subdivision map in the R-3 Zone on property located at 1019 Peach Avenue.**

DISCUSSION

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

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

- **Courtyard elevations and stairways of the buildings.**

Mayor Lewis announces the Public Hearing is now Open.

Mark Viguri, 4445 Eastgate Mall, representing Maisel Presley, Inc., answers questions regarding:

- Stairways.
- Balcony areas.
- Wood fence as opposed to a block wall along the north property.
- North units needing a third stairway in the center.
- Upstairs entry looks like a motel/apartment entry.

No further comments are offered.

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

- Additional stairway in the center of the south building so residents do not have to walk by other entry ways.
- Modification to the upstairs entries of the homes.

MOTION BY LEWIS, SECOND BY HANSON-COX, to continue the Public Hearing until October 25, 2005.

MOTION CARRIES BY UNANIMOUS VOTE.

105 PLANNED UNIT DEVELOPMENT 278 and TENTATIVE SUBDIVISION MAP 592 (Westone Management Consultants for Jacoba Taft LLC) – 143 and 145 Taft Avenue (Report: City Clerk) CONTINUED FROM CITY COUNCIL MEETINGS OF AUGUST 9, 2005, AND SEPTEMBER 27, 2005

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 278

- Adopt the next **RESOLUTION** in order to **Approve, Modify or Disapprove Planning Commission Resolution No. 10165** recommending approval of Planned Unit Development 278 to convert an existing 38-unit apartment complex into a common interest development in the R-4 Zone at 143 and 145 Taft Avenue.

TENTATIVE SUBDIVISION MAP 592

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10166** recommending approval of Tentative Subdivision Map 592 for a one-lot subdivision map in the R-4 Zone at 143 and 145 Taft Avenue.

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Joseph Scarlatti, 8799 Balboa Avenue, Suite 240, San Diego, agrees with conditions of approval and is present to answer any questions Council may have.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PLANNED UNIT DEVELOPMENT 278

- **MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 229-05 to approve Planning Commission Resolution No. 10165** recommending approval of Planned Unit Development 278 to convert an existing 38-unit apartment complex into a common interest development in the R-4 Zone at 143 and 145 Taft Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

TENTATIVE SUBDIVISION MAP 592

- **MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 230-05 to approve Planning Commission Resolution No. 10166** recommending approval of Tentative Subdivision Map 592 for a one-lot subdivision map in the R-4 Zone at 143 and 145 Taft Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

106 ITEMS 3.2, 4.1, 5, 6, 7.1, 9.1, 9.2, 10, 11, AND THE TWO CLOSED SESSION ITEMS ON EXISTING LITIGATION WERE CONTINUED FROM THE 3:00 P.M. MEETING AND DISCUSSED FOLLOWING THE PUBLIC HEARINGS.

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 11th day of October, 2005, at 9:10 p.m. to Tuesday October 25, 2005, at 3:00 p.m.

Kathie J. Rutledge

KATHIE J. RUTLEDGE
City Clerk/Secretary