

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

JUNE 27, 2006

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, June 27, 2006, 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 June 13, 2006.

ROLL CALL

Council/Agencymembers present:	McClellan, Kendrick
Council/Agencymembers absent:	Ramos
Mayor Pro Tem/Vice Chair present:	Hanson-Cox
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary
	Foley, City Attorney/General Counsel
	Henry, City Manager/Executive Director
	Turner, 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 June 13, 2006, meetings and the Agenda of the June 27, 2006, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Olaf Wieghorst Museum Presentation

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.15)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Consent Items 1.1 through 1.7 and 1.9 through 1.15, pulling Item 1.8, as requested by Mayor Pro Tem Hanson-Cox.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the June 13, 2006, 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 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 500 – East side of Ballantyne Street between Broadway and Hart Drive – Engineering Job No. 2816 (Report: Director of Public Works)

Grant a one year time extension for TSM 500 and set the new expiration date to be July 22, 2007, in accordance with Municipal Code Section 16.12.110.

CONSENT ITEMS (CONTINUED)

1.5 SUBDIVISION AGREEMENT AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 539 – West side of Ballantyne Street between East Main Street and East Park Avenue - Engineering Job No. 2906 (Report: Director of Public Works)

Approve the Subdivision Agreement and Final Subdivision Map for TSM 539 and execution of Subdivision Agreement for property located on the west side of Ballantyne Street between East Main Street and East Park Avenue.

1.6 REJECTION OF BID NO. 027-06 – KITCHEN RENOVATIONS AND NEW DANCE FLOORING (Report: Purchasing Agent)

Reject the bid for the kitchen renovations and new dance flooring.

1.7 RESOLUTION - AWARD OF BID NO. 003-07 – RESURFACING OF EL CAJON BOULEVARD, JOHNSON AVENUE AND WASHINGTON AVENUE (Report: Purchasing Agent)

Adopt RESOLUTION NO. 87-06 to appropriate the required funds, relieve the low bidder, HAR Construction, Inc., and award the bid to the second low bidder, ABC Construction Co., Inc., in the amount of \$2,250,908.45.

PULLED FOR DISCUSSION BY MAYOR PRO TEM HANSON-COX:

1.8 ENVIRONMENTAL CONSULTING SERVICES FOR THE PUBLIC SAFETY CENTER PROJECT (Report: Assistant to the City Manager)

RECOMMENDATION: That the City Council authorize the City Manager to negotiate and execute a Professional Services Contract with Project Design Consultants for Environmental Services for the Public Safety Center Project.

1.9 RESOLUTION – NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) (Report: City Manager)

Adopt RESOLUTION NO. 88-06 approving the adoption of the National Incident Management System (NIMS) for the City of El Cajon.

CONSENT ITEMS (CONTINUED)

1.10 RESOLUTIONS - RESURFACING EAST MAIN STREET, W. D. HALL DRIVE TO THIRD STREET PROJECT, BID NO. 005-07 – Engineering Job No. 3054 (Report: Director of Public Works)

Adopt RESOLUTION NO. 89-06 to approve Plans and Specifications and RESOLUTION NO. 90-06 to direct a Notice Inviting Sealed Bids to be opened on July 27, 2006 for the Resurfacing East Main Street, W.D. Hall Drive to Third Street Project.

1.11 CHAIN LINK FENCE REPLACEMENT – CHANGE ORDER NO. 1 Engineering Job No. 3072 (Report: Director of Public Works)

Approve contract Change Order No. 1 in the amount of \$22,243 for construction of a decorative iron fence at El Cajon Boulevard and Douglas Avenue, adjacent to the City's storm drain channel and appropriate \$25,000 from the Wastewater Fund to supplement funding for the increased construction costs.

1.12 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 563 – 1491 Peach Avenue, Engineering Job No. 2940 (Report: Director of Public Works)

Approve the Final Subdivision Map for TSM 563 at 1491 Peach Avenue.

1.13 ACCEPTANCE OF PUBLIC IMPROVEMENTS – TENTATIVE SUBDIVISION MAP (TSM) 508 – Lexington Estates PUD 197 - 1160 East Lexington Avenue, Engineering Job No. 2833 (Report: Director of Public Works)

Accept the public improvements and authorize the City Clerk to release the bonds guaranteeing the improvements in accordance with the Subdivision Agreement. Following acceptance, the developer will be required to maintain insurance in force until the release of all bonds for the project.

1.14 SUBDIVISION AGREEMENT FOR TENTATIVE SUBDIVISION MAP (TSM) 583 – 1000 South Mollison Avenue, Engineering Job No. 2974 (Report: Director of Public Works)

Approve the Subdivision Agreement for Tentative Subdivision Map (TSM) 583 for 1000 South Mollison Avenue.

CONSENT ITEMS (CONTINUED)

1.15 SAN DIEGO REGIONAL MORTGAGE CREDIT CERTIFICATE PROGRAM PARTICIPATION (Report: Director of Redevelopment and Housing)

Authorize the Executive Director/City Manager or designee to execute the Supplemental Amendment to the existing Cooperative Agreement Between the County of San Diego and the City of El Cajon.

1.8 ENVIRONMENTAL CONSULTING SERVICES FOR THE PUBLIC SAFETY CENTER PROJECT (Report: Assistant to the City Manager)

RECOMMENDATION: That the City Council authorize the City Manager to negotiate and execute a Professional Services Contract with Project Design Consultants for Environmental Services for the Public Safety Center Project.

DISCUSSION

Bruce McIntyre, representing Project Design Consultants, is here to answer questions.

In response to questions by **Council**, **McIntyre** clarifies that his company will prepare the environmental impact report (EIR) and will not be involved in the design of the facility.

City Manager Henry indicates preparation of the EIR will take 12 to 18 months.

No further comments are offered.

MOTION BY LEWIS, SECOND BY HANSON-COX, to authorize the City Manager to negotiate and execute a Professional Services Contract with Project Design Consultants for Environmental Services for the Public Safety Center Project.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS - ABSENT)

PUBLIC COMMENT:

No one comes forward to speak.

2. WRITTEN COMMUNICATIONS:

2.1 REQUEST FOR WAIVER OF FEES FOR USE OF WELLS SENIOR CENTER – ELDER LAW & ADVOCACY (Report: Recreation Services Manager) – Continued from June 13, 2006

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

DISCUSSION

Carolyn Reilley, representing Elder Law & Advocacy, 3675 Ruffin Road, Suite 315, San Diego, provides a summary of the services they provide and requests waiver of the facility use fees for their event at Wells Senior Center.

MOTION BY LEWIS, SECOND BY KENDRICK, to waive facility use fees for use of a meeting room at Wells Senior Center to provide free legal services to seniors ages sixty (60) and over.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

2.2 DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR 2006 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Letter from League of California Cities requesting the designation of Voting Delegate and alternate for 2006 League Annual Conference September 6 – 9, 2006 in San Diego and requesting Voting Delegate Form be completed and returned to them no later than August 15, 2006.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to designate **Mayor Pro Tem Hanson-Cox** as the Voting Delegate and **City Manager Henry** as the alternate for the 2006 League Annual Conference.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

3. PUBLIC HEARINGS:

3.1 FISCAL YEAR 2006-07 ANNUAL CITY AND REDEVELOPMENT AGENCY BUDGETS (Report: City Manager)

RECOMMENDATION: That the **City Council/Redevelopment Agency** hold a joint public hearing to consider the 2006-07 City/ECRA proposed budget and:

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

As the City Council, adopt the next RESOLUTIONS as follows:

- **RESOLUTION** of the City of El Cajon Adopting the Fiscal Year 2006-07 Annual Budget
- **RESOLUTION** approving and adopting the Annual Appropriations Limit for Fiscal Year 2006-07

As the Redevelopment Agency Board of Directors adopt the next

- **RESOLUTION** of the El Cajon Redevelopment Agency Approving the Fiscal Year 2006-07 Budget

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to close the public hearing.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

In response to the question by **Mayor Pro Tem Hanson-Cox, City Attorney Foley** advises that she may choose to disqualify herself from the decision on funding for the Mother Goose Parade Association Board if she receives compensation for her position on the Board, or if she feels uncomfortable participating in the decision.

Council and **Staff** discuss funding requests for Sister Cities International and San Diego East Visitors Bureau. The consensus of Council agrees not to fund the two requests.

Mayor Pro Tem Hanson-Cox disqualifies herself on the issue of funding for the Mother Goose Parade Association and leaves the Chambers at 3:30 p.m.

3.1 (CONTINUED)

Councilmember McClellan says there is a need to support this event for the benefit of the youth in the City.

MOTION BY LEWIS, SECOND BY KENDRICK, to approve funding of \$30,000 to the Mother Goose Parade Association for the 2006 parade.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (HANSON-COX – ABSTAINED; RAMOS – ABSENT)

Councilmember Hanson-Cox returns to the Chambers at 3:37 p.m.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt Resolution No. 91-06 of the City of El Cajon adopting the Fiscal Year 2006-07 Annual Budget.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY KENDRICK, to adopt Resolution No. 92-06 to approving and adopting the Annual Appropriations Limit for Fiscal Year 2006-07.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt ECRA-376 of the El Cajon Redevelopment Agency Approving the Fiscal Year 2006-07 Budget.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

Councilmember McClellan disqualifies himself from Items #3.2, #3.3 and #3.4 due to a potential financial conflict of interest in accordance with California law, and leaves the Chambers at 3:40 p.m.

3.2 DELINQUENT REFUSE COLLECTION CHARGES (Report: Director of Public Works)

RECOMMENDATION: That the City Council

- **Open the Public Hearing, consider any testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION** in order certifying the list of property owners as delinquent in the payment of their mandatory trash service bills;
- **Authorize the City Clerk** to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

Mayor Lewis advises that a new list of delinquent accounts has been distributed to Council.

MOTION BY LEWIS, SECOND BY KENDRICK, to close the public hearing.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (MCCLELLAN – DISQUALIFIED; RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY Hanson-Cox, to adopt RESOLUTION NO. 93-06 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (MCCLELLAN – DISQUALIFIED; RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY HANSON-COX, to authorize the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (MCCLELLAN – DISQUALIFIED; RAMOS – ABSENT)

As previously stated, **Councilmember McClellan** disqualified himself from Item 3.3 due to a potential financial conflict of interest in accordance with California law.

3.3 DELINQUENT SEWER SERVICE CHARGES (Report: Finance Department Senior Accountant)

RECOMMENDATION: That the City Council

- **Open the Public Hearing, consider any testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION** in order confirming the charges and levying the assessments on the next regular tax bill; and
- **Authorize the City Clerk** to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY Hanson-Cox, to close the public hearing.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (MCCLELLAN – DISQUALIFIED; RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY HANSON-COX, to adopt RESOLUTION NO. 94-06 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (MCCLELLAN – DISQUALIFIED; RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY HANSON-COX, to authorize the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (MCCLELLAN – DISQUALIFIED; RAMOS – ABSENT)

As previously stated, **Councilmember McClellan** disqualified himself from Item 3.4 due to a potential financial conflict of interest in accordance with California law.

3.4 DELINQUENT ACCOUNTS FOR WEED ABATEMENT (Report: Fire Chief)

RECOMMENDATION: That the City Council

- **Open the Public Hearing, consider any testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to authorize the City Clerk to place liens on properties and amounts on the next tax bills for properties with outstanding weed abatement bills for services provided by Fire Prevention Services, Inc. (FPSI), as authorized by the City.**

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

Kenny Osborne, representing Fire Prevention Services, Inc. (FPSI), PO Box 1720, El Cajon, provides an overview of their services relating to weed abatement compliance.

City Attorney Foley summarizes the procedures followed prior to the public hearing for this item.

Tony Luong, property owner of 1854 McDougal Way, El Cajon, indicates, through his interpreter, that the notice he received had not been properly addressed and that it was sent to another street address and was eventually forwarded to his address on McDougal Way.

A discussion ensues among **Council, Staff** and the speaker concerning:

- Attempts made by FPSI to contact the property owner
- County Assessor records
- A suggestion to post notices and letters on the front door at the subject property

Osborne returns to the podium to discuss previous communications between the FPSI staff and the property owner, and submits documentation for this case to the City Clerk.

Paul Paolini, property owner of 749 Hacienda Drive, El Cajon, indicates he cleared the yard of weeds at end of June or 1st week of July 2005. In December 2005, Fire Prevention Services came and cleared the property, however, he never received a second notice or a registered letter advising him of the violation.

Osborne states that the property owner should have contacted FPSI for a re-inspection once the weeds were cleared. The charges on this account were reduced by 30%.

Paolini states he was never told about possible negotiation of fees.

3.4 (CONTINUED)

Harold Cavins, 1096 Stoneridge Road, El Cajon, indicates he never received a bill or notice. His request for a 30-day extension was not granted by the Fire Department. He cleared the property, but not within the timeframe requested, and was subsequently fined \$250.00. He made numerous attempts to speak with someone at FPSI but didn't receive a return call. **Mrs. Cavins** indicates they were notified in April by the Post Office of a certified letter that had been lost for a period of time.

Osborne documents the previous communication attempts with the property owner.

MOTION BY LEWIS, SECOND BY KENDRICK, to close the public hearing.

**MOTION CARRIES BY UNANIMOUS VOTE OF
THOSE PRESENT. (MCCLELLAN – DISQUALIFIED;
RAMOS – ABSENT)**

MOTION BY LEWIS, SECOND BY KENDRICK, to adopt RESOLUTION NO. 95-06 to authorize the City Clerk to place liens on properties and amounts on the next tax bills for properties with outstanding weed abatement bills for services provided by Fire Prevention Services, Inc. (FPSI), as authorized by the City.

**MOTION CARRIES BY UNANIMOUS VOTE OF
THOSE PRESENT. (MCCLELLAN – DISQUALIFIED;
RAMOS – ABSENT)**

Councilmember McClellan returns to the Chambers at 4:46 p.m.

*RECESS CALLED AT 4:47 P.M.
MEETING CALLED BACK TO ORDER AT 4:52 P.M.*

3.5 SUBSTANDARD CONDITIONS AT 550-558 RICHFIELD AVENUE (CONTINUED AT REQUEST OF BUILDING OFFICIAL/FIRE MARSHAL FROM MAY 23, 2006 AND JUNE 27, 2006 TO JULY 25, 2006)

No one comes forward to speak.

ADMINISTRATIVE REPORTS:

3.6 AT&T PROJECT LIGHTSPEED – PROPOSED NETWORK UPGRADE (Report: City Manager)

RECOMMENDATION: That the City Council instruct staff to proceed with discussions with AT&T regarding provision of network upgrades within the City's right-of-way per their request. Discussions should include appropriate safeguards for the City, including complete indemnification from any and all claims arising from these discussions or any agreement reached, remuneration for the use of right-of-way, build-out schedule, specific uses requested by the City, appropriate termination clause should legislation be enacted, etc.

DISCUSSION

Mayor Pro Tem Hanson-Cox reports she attended a recent SANDAG meeting where a majority of cities indicated their opposition to AB 2987.

Council and **Staff** discuss the following:

- The City's desire to negotiate franchise agreements with providers
- Concerns regarding location and installation of new cabinets
- Requirements for undergrounding of cables

Christine Moore, representing AT&T, 101 W. Broadway, San Diego, speaks in favor of the item and submits a letter from AT&T to Council.

City Attorney Foley discusses pending legislation at the State and Federal level.

Joe Gabaldon, representing Cox Communications, 5159 Federal Blvd., San Diego, asks Council support for fair competition among the providers. They feel AT&T should be required to have a franchise agreement, per Govt. Code Section 53066.3. He submits a letter for review by Council.

Sherry Casper, 299 Wisconsin Ave., Apt. N, El Cajon, CA, suggests that Council exercise caution before proceeding with an agreement with AT&T.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to begin discussions with AT&T as recommended by staff, for a period of time not to exceed six months.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

3.7 PROTECTED/PERMISSIVE LEFT TURN (PPLT) INSTALLATIONS (Report: Director of Public Works)

RECOMMENDATION: That the City Council approve Option #1 for action at this time.

DISCUSSION

In response to questions by **Council, Staff** discusses the following:

- The small number of accidents that have occurred at the location of the currently installed system;
- Staff support for unity of sign design, rather than making changes to the current design;
- Efforts to educate the community on this signal system;
- Positive comments received from the public about the new signal system.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Option #1 for action at this time.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

3.8 REQUEST FOR RATE INCREASE FOR POLICE INITIATED TOWS (Report: City Manager)

RECOMMENDATION: That the City Council deny the request for a rate increase from the towing companies associated with Police initiated towing.

DISCUSSION

Simon Terry-Lloyd, representing Rancho Del Oro Towing, 1167 W. Palm Ave., El Cajon, speaks in favor of the request for the rate increase based on the rising cost of doing business. He submits a letter to Council containing a chart to illustrate cost increases.

Discussion ensues among **Council, Staff** and the speaker concerning tow rates paid by other cities and rates charged to private citizens.

Kevin Clancy, representing Clancy's Towing, 1385 Pioneer Way, El Cajon, suggests reviewing the statistics recently approved by the Highway Patrol and nearby cities (National City, Coronado & Chula Vista). He suggests a partial increase in rates or a continuance of the item so that new survey rates can be reviewed by the City.

3.8 (CONTINUED)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to continue Item 3.8 for thirty days.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

4. COMMISSION REPORTS:

4.1 TRAFFIC COMMISSION RECOMMENDATIONS – June 14, 2006 (Report: Secretary to Traffic Commission)

ITEM I. NO PARKING – MERIDIAN ELEMENTARY AT THIRD STREET AND DUMAR AVENUE

RECOMMENDATION: That the City Council adopt RESOLUTION NO. 96-06 to establish the requested No Parking Zones as follows:

Along the west curblineline of Third Street, beginning at a point 37 feet north of the northerly extended curblineline of Dumar Avenue, thence north a distance of 35 feet. This No Parking Zone would be during school hours only, 8:00 a.m. to 4:00 p.m., Monday through Friday.

And

Along the east curblineline of Third Street, beginning at a point 37 feet south of the southerly extended curblineline of Dumar Avenue, thence south a distance of 112 feet. This No Parking Zone would be during school hours only, 8:00 a.m. to 4:00 p.m., Monday through Friday.

(Note: This Zone supercedes and rescinds all previous No Parking Zones within these described limits.)

ITEM II. REMOVAL OF TWO-HOUR PARKING – EL CAJON BOULEVARD AND JOHNSON AVENUE

RECOMMENDATION: That the City Council adopt RESOLUTION NO. 97-06 to approve a Two-Hour Parking reduced area on El Cajon Boulevard and on Johnson Avenue within the described limits as follows:

4.1 (ITEM II – CONTINUED)

Along the north side of El Cajon Boulevard, beginning at Johnson Avenue, thence easterly a distance of 460 feet east of the easterly extended curblineline of Lexington Avenue. Note: The above-Two-Hour Parking Zone supercedes and rescinds all previous Two-Hour Parking Zones on the north side of El Cajon Boulevard between West Main Street/Douglas Avenue and Johnson Avenue.

And

Along the east side of Johnson Avenue, beginning at a point 226 feet south of the southerly extended curblineline of West Main Street, thence southerly a distance of 306 feet. Note: The above Two-Hour Parking Zone supercedes and rescinds all previous Two-Hour Parking Zones on the east side of Johnson Avenue from West Main Street to El Cajon Boulevard.

ITEM IV. SPEED ZONE – PETREE STREET BETWEEN MARSHALL AVENUE AND BUENA TERRACE

RECOMMENDATION: That the City Council retain the existing speed limit as follows:

Petree Street between Marshall Avenue and Buena Terrace – 35 MPH
Noting the following special conditions, residential character of the area and the high residential density of the area.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Items I, II and IV.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

ITEM III. TWO-HOUR PARKING – 315-365 WEST BRADLEY AVENUE

RECOMMENDATION: That the City Council conduct the first reading of an ordinance in order to establish the requested Two-Hour Parking Zone as follows:

Along the entire segment of West Bradley Avenue between Pioneer Way and the easterly City limit located 1167 feet east of the easterly extended curblineline of Pioneer Way, Sundays and holidays included.

And

4.1 (ITEM III – CONTINUED)

Request Council consider the Municipal Code be amended so future requests of this type (including Sundays and holidays) can be accommodated without the more lengthy ordinance procedure.

- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

DISCUSSION

Director of Public Works Turner advises of a change to the proposed ordinance to reflect a no parking zone on the south side of Bradley Avenue.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Item IV.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

5. REPORTS OF MAYOR LEWIS

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 Board) - Alternate.

5.1 Metro Wastewater JPA News Brief – June, 2006

5.2 SANDAG Public Safety Committee Agenda– June 16, 2006

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM JILLIAN HANSON-COX:

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

6.1 Council Activities Report

Mayor Pro Tem Hanson-Cox speaks about the incidence of identify theft suggests that the public discourage the practice of scavenging through trashcans and dumpsters.

6.1 (CONTINUED)

COUNCILMEMBER GARY KENDRICK:

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

Councilmember Kendrick reports he attended the Relay for Life Cancer Walk at Granite Hills High School, which raised about \$30,000.

6.2 PROPOSED AMENDMENT TO “MINOR USE PERMIT” DEFINITION

RECOMMENDATION: That the City Council refer to the Planning Commission the concept of amending the existing definition of “minor use permit” to include the following: tobacco shops newly required to have a CUP, game centers, day care centers for more than six children, accessory buildings that are greater than 800 square feet or which include bathroom facilities, ocean going containers in residential areas, pole signs which exceed the maximum height or area, and flag poles greater than 55 feet.

DISCUSSION

Council and **Staff** discuss issues involving the various types of smoke shops.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve the recommendation of the proposed amendment to the definition of “minor use permit” except with respect to tobacco shops.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

COUNCILMEMBER BOB McCLELLAN:

Council Advisory Meeting Schedule, Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate; LAFCO (Local Agency Formation Commission - Advisory Committee).

6.3 Council Activities Report

6. REPORTS OF COUNCILMEMBERS (CONTINUED)

COUNCILMEMBER DICK RAMOS:

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

No report.

7. LEGISLATIVE REPORT

7.1 League of California Cities Legislative Bulletins dated June 9, 2006, and June 16, 2006 - *Priority Focus*

Director of Community Development Griffin recommends that Council support SB 148, concerning alcoholic beverage licensing restrictions.

MOTION BY LEWIS, SECOND BY KENDRICK, to send a letter in support of SB 148.

8. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

9. ORDINANCES: FIRST READING

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

9.1 SPECIFIC PLAN 509

An Ordinance approving Specific Plan 509 for a 50 foot high wireless communications facility in the C-1 (Neighborhood Commercial) Zone on property located on the north side of East Chase Avenue between Avocado and Lincoln Avenues, and addressed as 450 East Chase Avenue.

ORDINANCES: SECOND READING AND ADOPTION

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

9.2 DELETION OF SPECIFIC PLAN 217

An Ordinance approving deletion of Specific Plan 217 for a proposed office development in the pending R-S-9-H (Residential Suburban 9,000 Sq. Ft. Hillside Overlay) Zone on property located on the northwest corner of West Main Street and Dewane Drive.

9.2 (CONTINUED)

- **MOTION to adopt Ordinance deleting Specific Plan 217.**

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt Ordinance No. 4846 approving deletion of Specific Plan 217 for a proposed office development in the pending R-S-9-H (Residential Suburban 9,000 Sq. Ft. Hillside Overlay) Zone on property located on the northwest corner of West Main Street and Dewane Drive.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS - ABSENT)

(ITEMS 10 AND 11 ARE CONTINUED TO THE 7:00 P.M. MEETING)

10. CLOSED SESSIONS:

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

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

Number of potential cases: 2

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - pursuant to Section 54956.8 of the Government Code:**

<u>Property</u> APN #488-082-10, 11 Agency owned property located at 158 Rea Avenue	<u>Negotiating Parties</u> Pario Green Trust	<u>Agency Negotiator</u> Executive Director Redevelopment Manager City Attorney/General Counsel
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Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential sale and development of Agency owned property.

CLOSED SESSIONS: (Continued)

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - pursuant to Section 54956.8 of the Government Code:**

Property

APN #488-111-30

A portion of City owned property

APN #488-111-28

A portion of Agency owned property

Negotiating Parties

G8 Development

Agency Negotiator

Executive director

Redevelopment Manager

City Attorney/General Counsel

Under negotiation:

For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential sale and development of Agency owned property.

- **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

11. RECONVENE TO OPEN SESSION:

City Attorney or Representative reports on action taken in Closed Session.

Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 27th day of June, 2006, at 6:01 p.m. to Tuesday, June 27, 2006, at 7:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

JUNE 27, 2006

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, June 27, 2006, was called to order by Mayor/Chair Mark Lewis at 7:03 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 June 27, 2006, by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	McClellan, Kendrick
Council/Agencymembers absent:	Ramos
Mayor Pro Tem/Vice Chair present:	Hanson-Cox
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Henry, City Manager/Executive Director 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 RECERTIFICATION OF THE EL CAJON PROPERTY BASED IMPROVEMENT DISTRICT (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the City Council

- **Open the Public Hearing, receive testimony both for and against the recertification of the Property Based Improvement District and accept any hand-delivered ballots.**
- **Close the Public Hearing at the conclusion of the testimony and instruct Staff to commence with tabulation of ballots and report back with results at the conclusion of such tabulation.**

If the majority of ballots cast are in favor of forming a new Property Based Management District, Council should adopt the next RESOLUTION in order establishing a property and business improvement district pursuant to Streets and Highways Code Section 36626.

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

Claire Carpenter, representing the El Cajon Community Development Corporation, speaks in favor of the item, and outlines the upcoming events in the City.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

Mayor Lewis instructs staff to commence tabulation of ballots and notify Council once the ballots have been tabulated.

101 ZONE RECLASSIFICATION 2279, PLANNED UNIT DEVELOPMENT 315 AND TENTATIVE SUBDIVISION MAP 620 (Comana Family Trust) - 1040 Bostonia Street – CONTINUED BY PLANNING COMMISSION TO PLANNING COMMISSION MEETING OF JULY 10, 2006 AND CITY COUNCIL MEETING OF AUGUST 8, 2006

No one comes forward to speak.

102 ZONE RECLASSIFICATION 2280 – 134, 142, 154-156, 160, 206, 214, 228-230, 232, 234, 258-262, 302 and 306 South Johnson Avenue (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Approve, Modify or Disapprove Planning Commission Resolution No. 10316** recommending approval of Zone Reclassification 2280 to rezone properties from the R-P (Residential Professional) Zone to the R-2 (Two Family) Zone, on subject properties addressed as 134, 142, 154-156, 160, 206, 214, 228-230, 232, 234, 258-262, 302 and 306 South Johnson Avenue.
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY HANSON-COX & MCCLELLAN, to close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Planning Commission Resolution No. 10316 recommending approval of Zone Reclassification 2280 to rezone properties from the R-P (Residential Professional) Zone to the R-2 (Two Family) Zone, on subject properties addressed as 134, 142, 154-156, 160, 206, 214, 228-230, 232, 234, 258-262, 302 and 306 South Johnson Avenue.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

Mayor requests the City Clerk to recite the title of the Ordinance for a first reading.

An Ordinance approving Zone Reclassification 2280 to rezone properties addressed as 134, 142, 154-156, 160, 206, 214, 228-230, 232, 234, 258-262, 302 and 306 South Johnson Avenue from the R-P (Residential Professional) Zone to the R-2 (Two Family) Zone.

PUBLIC HEARINGS: (Continued)

103 PLANNED UNIT DEVELOPMENT 316 AND TENTATIVE SUBDIVISION MAP 631 (Comana Family Trust) – 960 East Chase Avenue - CONTINUED BY PLANNING COMMISSION TO PLANNING COMMISSION MEETING OF JULY 10, 2006 AND CITY COUNCIL MEETING OF AUGUST 8, 2006

No one comes forward to speak.

104 PLANNED UNIT DEVELOPMENT 317 AND TENTATIVE PARCEL MAP 630 (Box) – 1230, 1232 and 1234 Naranca Avenue - CONTINUED BY PLANNING COMMISSION TO PLANNING COMMISSION MEETING OF JUNE 19, 2006

No one comes forward to speak.

105 CONDITIONAL USE PERMIT 2025 - Kelly (Red Brick Pizza) for Hill Management – 190 North Magnolia Avenue (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. 10317 to add on-sale beer and wine and outdoor dining to an existing restaurant in the C-R (Regional Commercial) Zone at 190 North Magnolia Avenue.

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt Resolution No. 99-06 to add on-sale beer and wine and outdoor dining to an existing restaurant in the C-R (Regional Commercial) Zone at 190 North Magnolia Avenue.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

106 ITEMS CONTINUED FROM THE 3:00 P.M. MEETING:

10. CLOSED SESSIONS:

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

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

Number of potential cases: 2

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - pursuant to Section 54956.8 of the Government Code:**

<u>Property</u>	<u>Negotiating Parties</u>	<u>Agency Negotiator</u>
APN #488-082-10, 11 Agency owned property located at 158 Rea Avenue	Pario Green Trust	Executive Director Redevelopment Manager City Attorney/General Counsel

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential sale and development of Agency owned property.

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR - pursuant to Section 54956.8 of the Government Code:**

<u>Property</u>	<u>Negotiating Parties</u>	<u>Agency Negotiator</u>
APN #488-111-30 A portion of City owned property	G8 Development	Executive director Redevelopment Manager
APN #488-111-28 A portion of Agency owned property		City Attorney/General Counsel

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential sale and development of Agency owned property.

CLOSED SESSIONS: (Continued)

- **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

Motion by LEWIS, SECOND BY MCCLELLAN, to adjourn to Closed Session at 7:14 p.m.

**MOTION CARRIES BY UNANIMOUS VOTE OF
THOSE PRESENT. (RAMOS – ABSENT)**

11. RECONVENE TO OPEN SESSION AT 7:54 P.M.:

City Attorney or Representative reports on action taken in Closed Session.

City Attorney Foley reports that Council provided direction to the City Attorney on the two Real Property items and provided direction to the Labor Negotiator present regarding the last Closed Session item.

Mayor Pro Tem Hanson-Cox reports that the Mother Goose Parade will be held on Sunday, Nov. 19th.

Claire Carpenter introduces the Board of Directors and staff members of the El Cajon Community Development Corporation.

*RECESS CALLED AT 8:07 P.M.
MEETING CALLED BACK TO ORDER AT 8:19 P.M.*

ITEM 100 (CONTINUED)

Director of Redevelopment and Housing Cooksy reports the ballot tabulations as follows: 51.91% in favor of forming a new Property Based Management District and 8.73% in opposition.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt RESOLUTION NO. 98-06 establishing a property and business improvement district pursuant to Streets and Highways Code Section 36626.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS – ABSENT)

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 27th day of June 2006, at 8:22 p.m. to Tuesday July 11, 2006, at 3:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary