

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**NOVEMBER 14, 2006**

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, November 14, 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 October 24, 2006.

#### **ROLL CALL**

Council/Agencymembers present:	McClellan, Kendrick, Ramos
Council/Agencymembers absent:	None
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 October 24, 2006, meetings and the Agenda of the November 14, 2006, meetings in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **The Salvation Army Community Needs Assessment Presentation**
- **2006 Fire Safety Poster Winners: 1st Place - Mariana Lopez, Madison Elementary, 2nd Place - Allison Simpkins, St. Kieran's School and 3rd Place - Jamie Fryberger, St. Kieran's School.**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.10)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Consent Items 1.1 to 1.10, pulling Item 1.5 as requested by HANSON-COX and LEWIS, Items 1.6 – 1.7 as requested by RAMOS, and Item 1.10 as requested by a member of the public.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

Approve Minutes of the October 24, 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 SPECIAL OPERATION LICENSE – WRM SECURITY, INC.**

Approve the application as submitted by Mousa R. Murad for a Special Operation License for a security service business at 152 West Park Avenue, Suite 160.

**CONSENT ITEMS: (CONTINUED)**

**PULLED FOR DISCUSSION:**

**1.5 AWARD OF BID NO. 013-07 – MAINTENANCE OF PUBLIC FACILITIES IN THE PUBLIC RIGHT-OF-WAY (Report: Purchasing Agent)**

**RECOMMENDATION:** That the City Council adopt the next RESOLUTION in order and award the bid to the low bidder, St. Madeleine Sophie's Center, in the amount of \$33,984.00.

**PULLED FOR DISCUSSION:**

**1.6 SPECIAL OPERATION LICENSE FOR EL CHUBASCO – 533 E. Main Street (Report: Chief of Police)**

**RECOMMENDATION:** That the City Council approve the Special Operation License for El Chubasco located at 533 East Main Street to allow entertainment under the conditions proposed in the Agenda Report.

**PULLED FOR DISCUSSION:**

**1.7 ENGINEERING CONSULTING SERVICES FOR JAMACHA/SECOND STREET (SR 54) TRAFFIC CIRCULATION STUDY (Report: Director of Public Works)**

**RECOMMENDATION:** That the City Council authorize the City Manager to negotiate and execute a Professional Services Contract with the top ranked firm, for Engineering Consulting Services for the Jamacha/Second Street (SR 54) Traffic Circulation Study. If negotiations with the top ranked firm are unsuccessful, negotiations will continue with the next firm in order of ranking.

**1.8 AMENDMENT TO CONTRACT WITH SUNGARD PENTAMATION, INC. (Report: Purchasing Agent)**

Appropriate funds and authorize the City Manager to amend the agreement with SunGard Pentamation, Inc. to purchase additional software modules for Code Enforcement, Service Requests and Building Permits and Inspections, with necessary upgrades to the Cash Receipts and Miscellaneous Billing modules.

**1.9 JULY – SEPTEMBER 2006 – QUARTERLY TREASURER'S REPORT (Report: Assistant City Manager/Director of Finance and Treasurer)**

Receive the latest Quarterly Treasurer's Report.

**CONSENT ITEMS: (CONTINUED)**

**PULLED FOR DISCUSSION:**

**1.10 COMMUNITY TOY DRIVE (Report: City Manager)**

**RECOMMENDATION:** That the City Council agree to co-sponsor the Community Toy Drive proposed by Priest Development Corporation and other local businesses.

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**1.5 AWARD OF BID NO. 013-07 – MAINTENANCE OF PUBLIC FACILITIES IN THE PUBLIC RIGHT-OF-WAY (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 172-06 and award the bid to the low bidder, St. Madeleine Sophie's Center, in the amount of \$33,984.00.

**DISCUSSION**

**Mayor Pro Tem Hanson-Cox** commends St. Madeleine Sophie's Center for their work in the community and for stepping forward to participate on this project.

**MOTION BY LEWIS, SECOND BY KENDRICK, to Adopt RESOLUTION NO. 172-06 and award the bid to the low bidder, St. Madeleine Sophie's Center, in the amount of \$33,984.00.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.6 SPECIAL OPERATION LICENSE FOR EL CHUBASCO – 533 E. Main Street (Report: Chief of Police)**

Approve the Special Operation License for El Chubasco located at 533 East Main Street to allow entertainment under the conditions proposed in the Agenda Report.

**DISCUSSION**

**Councilmember Ramos** suggests that the six-month review of the license be placed on the City Council agenda.

**MOTION BY LEWIS, SECOND BY KENDRICK, to approve the Special Operation License, with a six-month review by the City Council on May 22, 2007.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## CONSENT ITEMS: (CONTINUED)

### 1.7 ENGINEERING CONSULTING SERVICES FOR JAMACHA/SECOND STREET (SR 54) TRAFFIC CIRCULATION STUDY (Report: Director of Public Works)

Authorize the City Manager to negotiate and execute a Professional Services Contract with the top ranked firm, for Engineering Consulting Services for the Jamacha/Second Street (SR 54) Traffic Circulation Study. If negotiations with the top ranked firm are unsuccessful, negotiations will continue with the next firm in order of ranking.

#### DISCUSSION

**Council** and **Staff** discuss the following:

- The need to engage in discussions with Caltrans & SANDAG;
- Anticipated problems with Jamacha & State Route 54 corridor;
- Future sale of the right-of-way.

**MOTION BY LEWIS, SECOND BY KENDRICK, to Approve Item 1.7**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### 1.10 COMMUNITY TOY DRIVE (Report: City Manager)

Agree to co-sponsor the Community Toy Drive proposed by Priest Development Corporation and other local businesses.

#### DISCUSSION

**Councilmember Ramos** speaks in opposition to the proposal, and suggests a joint effort by the sponsors of the toy drives.

**Stoney Stone**, 301 N. Magnolia Avenue, El Cajon, speaks about the Stoney's Kids annual toy drive, the processes involved with screening recipients and the importance of benefiting the children of El Cajon.

**Daryl Priest**, 124 West Main Street, Suite 240, El Cajon, provides details about the proposed Toys for Tots toy drive to benefit the families of the Marine Corps.

Discussion ensues among **Council**, **Staff** and the speaker concerning:

- Pooling efforts and resources for a joint toy drive to benefit the children of El Cajon;
- Support for military families;
- A suggestion to make the Stoney's Kids toy drive an official event in the City.

## ITEM 1.10 (CONTINUED)

**MOTION BY LEWIS, SECOND BY HANSON-COX to approve Item 1.10.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### **PUBLIC COMMENT:**

**James Kelly**, homeless, congratulates the Mayor on his re-election and speaks about the homeless.

**Marty Martinez** and **Hoagy Carmichael**, representing ECAN - AARP speak about the Inter-Generational Games, and thank the City for their support of the event. Informational brochures are distributed to the Council.

**Sunshine Horton**, 1525 Granite Hills Drive, El Cajon, CA, indicates she is willing to help with advertising for the Mother Goose Parade, is continuing her yellow-ribbon program and voices her opinion about the recent elections and the toy drives.

*Recess called at 3:57 p.m.  
Meeting called back to order at 4:02 p.m.*

## **2. WRITTEN COMMUNICATIONS:**

### **2.1 LETTERS FROM FRANK GIARRATANO**

Letter from Frank Giarratano dated September 25, 2006, requesting consideration of Public Works requirement to replace a portion of street, and letter dated October 10, 2006, appealing the decision of the City Manager denying his request to waive undergrounding of utilities in connection with BP2006-409 at 2694 Navajo Road.

### **DISCUSSION**

**Director of Community Development Griffin** provides the history of the request.

**Director of Public Works Turner** speaks about the required public improvements.

**Frank Giarratano**, 2694 Navajo Road, El Cajon, indicates his agreement to the requirement for undergrounding utilities from the power source to the building. He provides a handout to the Council, and indicates he did not understand the requirement to underground the power lines. He indicates they will be meeting with the Department of Public Works tomorrow, to address the issues.

## **ITEM 2.1 (CONTINUED)**

Discussion ensues among **Council, Staff** and the speaker concerning:

- Grade elevation requirements along Littleton Road
- A suggestion for a lien contract on the subject property to ensure future completion of the street improvements.

No further comments are offered.

**MOTION BY LEWIS, SECOND BY RAMOS, to deny the appeal.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **2.2 LETTER FROM JOSEPH SCARLATTI, WESTONE MANAGEMENT CONSULTANTS**

Letter from Joseph Scarlatti, Westone Management Consultants, regarding parking requirements when bedrooms are added in condo conversions.

### **DISCUSSION**

**Joseph Scarlatti**, Westone Management Consultants, 8799 Balboa Avenue, San Diego, CA, requests that Council consider relaxing the policy on parking requirements for certain condo conversion projects.

Discussion ensues among **Council, Staff** and the speaker concerning:

- A suggestion to require a minimum of 1,000 sq. ft. of living space for a three-bedroom unit;
- The possibility that some condominium units may be rented out to tenants owning more than one or two cars;
- Conducting a study to determine the ratio of automobiles to size of condominium units (two or three bedroom units).

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY RAMOS, to file the letter.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3. PUBLIC HEARINGS:**

**3.1 RESOLUTION OF NECESSITY – 133 EAST PARK AVENUE  
(APN 488-072-33-00) (Report: Director of Redevelopment and Housing)**

**RECOMMENDATION: That the Redevelopment Agency**

- **Open the Public Hearing**
- **Accept and review testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order** approving the Resolution of Necessity regarding the property located at 133 East Park Avenue (APN 488-072-33-00).

**DISCUSSION**

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

**Ronald Wade**, 636 South Third Street, El Cajon, CA, Pastor and CEO of the Church of Compassion, indicates they currently lease the subject property. He indicates they have had difficulty in finding a suitable piece of property to accommodate the church's daycare needs, and requests a reasonable amount of time in order to locate another property.

**City Attorney Foley** speaks about the City's right to exercise the power of eminent domain and Federal laws that require the City to provide relocation assistance to the tenants.

No further comments are offered.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. ECRA-379 approving the Resolution of Necessity regarding the property located at 133 East Park Avenue (APN 488-072-33-00).**

**MOTION CARRIES BY UNANIMOUS VOTE.**



**3.2 STATUS REPORT SECTION 108 LOAN – PROJECT DESTINATION  
(Report: Director of Redevelopment and Housing)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing**
- **Accept testimony**
- **Close the Public Hearing**
- **Authorize the City Manager or designee to execute appropriate documents; and**
- **Adopt the next RESOLUTION in order.**

**DISCUSSION**

**Director of Redevelopment and Housing Cooksy** provides a summary of the Item.

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

- Federal regulations that require relocation assistance to the tenants;
- The lack of payments and the amount of indebtedness.

**Councilmember Kendrick** and **Mayor Pro Tem Hanson-Cox** leave the Chambers at 4:56 p.m.

*Recess called at 4:59 p.m.*

**Mayor Pro Tem Hanson-Cox** returns to the Chambers.

*Meeting called back to order at 5:03 p.m.*

**Mayor Lewis** advises Mr. Hanson of the option to request a Continuance of the public hearing.

**Mark Hanson**, representing the Heartland Foundation, indicates he would like to proceed with the public hearing.

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

Mr. Hanson informs that his organization has served over 2,000 people in the community and that they have submitted monthly reports to the City as required. He indicates the building is now fully rented, and he discusses an offer to purchase the building, as outlined in the handout provided to the Council.

**Ramiro Sandoval** is a volunteer with Heartland Foundation. He describes the organization's efforts to assist the public.

### **ITEM 3.2 (CONTINUED)**

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

- The offer to purchase the building;
- The 60-day notice provision and foreclosure procedures;
- A suggestion to move forward with foreclosure proceedings and to look into collecting the rent currently being paid by tenants.

**Charles Brands** submitted a speaker card but declines to come forward to speak.

**Jack Shu**, representing the Center for Social Advocacy, is a tenant at the subject property. He suggests that Council consider the services provided to the community by the organizations.

No further comments are offered.

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

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – Absent)**

In response to questions by **Council**, **City Attorney Foley** indicates the City will move forward to proceed as quickly as possible, and he will research regulations concerning collection of market rents.

**MOTION BY LEWIS, SECOND BY RAMOS, to direct Staff to proceed with Option Number 2, as outlined in the Staff Report and to Adopt RESOLUTION NO. 173-06.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – Absent))**

**3. ADMINISTRATIVE REPORTS: None**

**3. ADMINISTRATIVE HEARING:**

**3.3 CADDYSHACK APPEAL OF DENIAL OF SPECIAL OPERATION LICENSE**

#### **DISCUSSION**

City Attorney Foley provides an introduction to the Item, and advises the applicant of the option to Continue the administrative hearing.

### **ITEM 3.3 (CONTINUED)**

**Alan Neff**, 351 West Main Street, is the appellant. He indicates that two witnesses are not present to give testimony at today's hearing. He requests a continuance of the Item so the full Council will be available for consideration of the item.

No further comments are offered.

**MOTION BY LEWIS, SECOND BY RAMOS, to Continue Item 3.3 to the 3:00 P.M. meeting on November 28, 2006.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – Absent)**

#### **4. COMMISSION REPORTS:**

##### **4.1 AMENDMENT TO SITE DEVELOPMENT PLAN 820 (Hendrix for Hendrix & Pavel) – 150 West Madison Avenue (Report: City Clerk)**

#### **RECOMMENDATION: That the City Council**

- **Approve, Modify or Disapprove** the action taken by the Planning Commission to approve Amendment to Site Development Plan 820 to expand and renovate an existing dental office in the O-P Zone at 150 West Madison Avenue.

#### **DISCUSSION**

No one comes forward to speak.

In response to questions by **Councilmember Ramos, Director of Community Development Griffin** indicates that access to the property is from West Madison and access to the building is from the parking lot.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve the action taken by the Planning Commission to approve the Amendment to Site Development Plan 820 to expand and renovate an existing dental office in the O-P Zone at 150 West Madison Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – 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 SANDAG Public Safety Committee – October 20, 2006**
- 5.2 SANDAG Board of Directors Meeting – October 27, 2006**
- 5.3 SANDAG Board Actions – October 27, 2006**
- 5.4 Metro Commission and Metro Wastewater JPA – November 2, 2006**
- 5.5 Metro Commission and Metro Wastewater JPA Meeting – October 5, 2006 – Draft Minutes**
- 5.6 Metro Commission and Metro Wastewater JPA Meeting – November 2, 2006 – Draft Minutes**

## **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**

Report as stated.

### **COUNCILMEMBER GARY KENDRICK:**

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

### **6.2 No Report**

### **COUNCILMEMBER BOB McCLELLAN:**

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

## REPORTS OF COUNCILMEMBERS (CONTINUED)

### 6.3 Council Activities Report

**Councilmember McClellan** speaks about an article that appeared in November 11, 2006 edition of the Union Tribune concerning the clinic in El Cajon that provides healthcare to residents without insurance coverage.

### COUNCILMEMBER DICK RAMOS:

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

### 6.4 No Report

## 7. LEGISLATIVE REPORT

### 7.1 League of California Cities Legislative Bulletin - *Priority Focus* - dated October 20 and 27 and November 3, 2006 - *Priority Focus*

No recommended action.

## 8. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

## 9. ORDINANCES: FIRST READING – None

### ORDINANCE: SECOND READING AND ADOPTION

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

### 9.1 HISTORIC PRESERVATION ORDINANCE

An Ordinance adding a new Chapter 17.92 to the El Cajon Municipal Code establishing the historic preservation of buildings in the City of El Cajon.

- **MOTION to adopt Ordinance adding a new Chapter 17.92 to the El Cajon Municipal Code.**

**MOTION BY LEWIS, SECOND BY RAMOS, to adopt Ordinance No. 4860.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – Absent)**

**ORDINANCE: SECOND READING AND ADOPTION (CONTINUED)**

**9.2 ZONE RECLASSIFICATION 2283**

An Ordinance approving Zone Reclassification 2283 to rezone properties from the R-P (Residential Professional) Zone to the O-P (Office Professional) Zone, R-3 (Multiple-Family) Zone, R-2 (Two-Family Residential) Zone or P (Parking) Zone, on properties addressed as 131, 225, 237 and 320 Avocado Avenue, 405, 615 and 670 East Lexington Avenue, 553 South Magnolia Avenue and vacant properties on Lincoln and Taft Avenues.

- **MOTION to adopt Ordinance approving Zone Reclassification 2283.**

**MOTION BY LEWIS, SECOND BY RAMOS, to adopt Ordinance No. 4861.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – Absent)**

**9.3 ZONE RECLASSIFICATION 2282**

An Ordinance approving Zone Reclassification 2282 to rezone properties from the R-P (Residential Professional) Zone to the O-P (Office Professional) Zone, R-3 (Multiple-Family) Zone or R-2 (Two-Family Residential) Zone, on properties addressed as 236 Jamacha Road, 1320 and 1406 East Madison Avenue, 1475 Oakdale Avenue, 1260 and 1276 East Washington Avenue.

- **MOTION to adopt Ordinance approving Zone Reclassification 2282.**

**MOTION BY LEWIS, SECOND BY RAMOS, to adopt Ordinance No. 4862.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (Kendrick – Absent)**

**10. CLOSED SESSION**

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

- **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:**

**Number of potential cases: 1**

**Claim of Barbara V. Gaskin**

**10. CLOSED SESSION (CONTINUED)**

- **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 #488-111-28 A portion of City owned property	G8 Development	Executive Director/City Manager Director of Redevelopment and Housing
APN #488-111-30 A portion of Agency owned property		General Counsel/City Attorney

**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 Party</u>	<u>Agency Negotiators</u>
APN #487-171-09	El Cajon Community Development Corp.	Executive Director/City Manager Director of Redevelopment and Housing General Counsel/City Attorney

**Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for acquisition of affordability covenants.**

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Section 45956.8 of the Government Code:**

<u>Property</u>	<u>Negotiating Party</u>	<u>Agency Negotiators</u>
APN #488-082-07 180 Rea Avenue	Errol Cowen	Executive Director/City Manager Director of Redevelopment and Housing General Counsel/City Attorney

<u>Property</u>	<u>Negotiating Party</u>	<u>Agency Negotiators</u>
APN #488-082-08 176 Rea Avenue	Pario Green Trust	Executive Director/City Manager Director of Redevelopment and Housing General Counsel/City Attorney

**10. CLOSED SESSION (CONTINUED)**

**Property**

**APN #488-082-09  
162 Rea Avenue**

**Negotiating Party**

**Pario Green Trust**

**Agency Negotiators**

**Executive Director/City  
Manager  
Director of Redevelopment and  
Housing  
General Counsel/City Attorney**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 5:44 p.m.**

**MOTION CARRIES. (KENDRICK – Absent,  
RAMOS - No)**

**11. RECONVENE TO OPEN SESSION AT 6:05 P.M.**

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

**City Attorney Foley** reports the following action concerning the anticipated litigation:

**MOTION BY LEWIS, SECOND BY RAMOS, to deny the claim by Barbara V. Gaskin.**

**MOTION CARRIES BY UNANIMOUS VOTE OF  
THOSE PRESENT. (Kendrick – Absent)**

**FOLEY** indicates that **Council** provided direction to the Agency Negotiators regarding the Real Property items.

**Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 14th day of November 2006 at 6:06 p.m. to Tuesday, November 14, 2006, at 7:00 p.m.**

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**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

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**NOVEMBER 14, 2006**

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, November 14, 2006, 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 November 14, 2006, by order of the City Council and Redevelopment Agency.

#### **ROLL CALL**

Council/Agencymembers present:	McClellan, Kendrick, Ramos
Council/Agencymembers absent:	None
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 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:**

**Mike McCoy**, 398 Nothomb Street, El Cajon, speaks about a ticket he received for parking an over-sized vehicle on residential streets. He suggests the City's ordinance be revised to allow a 72-hour limit for unloading a vehicle.

Discussion ensues among **Council**, **Staff** and the speaker concerning:

- Parking regulations for over-sized vehicles;
- A suggestion for **Staff** to come back with clarification or a definition of a "reasonable amount of time".

**Robert Schillinger**, 1576 Markerry Avenue, El Cajon, speaks about the time limit for unloading trailers and other over-sized vehicles. He submits to **Council** a sample courtesy notice from the City of Santee.

**Chuck Huskey**, 6018 Dehesa Road, El Cajon, speaks about the upcoming Mother Goose Parade.

## **PUBLIC HEARINGS:**

**100**                    **CONDITIONAL USE PERMIT 2031 (Morello) 226 Avocado Avenue**  
**(Report: City Clerk) (Continued from September 12, 2006)**

### **RECOMMENDATION: That the City Council**

- **Continue 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. 10351 to expand an existing office building with a reduction in parking in the O-P Zone at 226 Avocado Avenue.**

## **DISCUSSION**

**Director of Community Development Griffin** provides an update on the Item.

**Councilmember Ramos** expresses concern about the request to reduce the parking requirement for this project.

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

**Laurel Morello**, 15166 Lazy Creek Road, El Cajon, is the applicant. She speaks about revisions made to the plan and the possibility of renting out space to new dental practitioners.

No one else comes forward to speak.

**ITEM 100 (CONTINUED)**

**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. 174-06 to Approve Planning Commission Resolution No. 10351, to expand an existing office building with a reduction in parking in the O-P Zone at 226 Avocado Avenue, with removal of condition 5a.**

**MOTION CARRIES. (RAMOS - No)**

**101 AMENDMENT OF ZONING ORDINANCE PROHIBITING OFF-SITE MOTOR VEHICLE SALES (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. 10382, recommending approval of an Amendment of the Zoning Ordinance prohibiting offsite motor vehicle sales in accordance with Exhibit "A" attached to the Planning Commission Resolution.**
  
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

An Ordinance of the City Council of the City of El Cajon repealing Sections 17.38.040 of Chapter 17.38, 17.40.050 of Chapter 17.40 and 17.42.050 of Chapter 17.42 of the El Cajon Municipal Code and adopting new Sections 17.38.040 to Chapter 17.38, 17.40.050 to Chapter 17.40 and 17.42.050 to Chapter 17.42 of the El Cajon Municipal Code prohibiting off-site motor vehicle sales.

**DISCUSSION**

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

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

- Use of temporary signs;
- Designation of sales tax credits for the City;
- The lack of vehicle servicing facilities and local dealer representation by the temporary vendors;
- The land use issues.

## **ITEM 101 (CONTINUED)**

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

The following spoke in support to the proposed ordinance:

**Loren Campbell**, representing the Bob Baker Chevrolet, Subaru and Lexus dealerships;

**Jon Erickson**, representing Cunningham BMW;

**Greg Kaminsky**, representing Toyota of El Cajon.

**Mike Medrano**, 1901 First Avenue, San Diego, indicates he was hired by Shawn Sagart to report on the number of banners and signs at various car dealerships located in the City.

The following spoke in opposition to the proposed ordinance:

**Mohammad Aftahi**, representing Pacific Car Company;

**Harold Fleig**, representing the Price is Right Car Dealership;

**Michael Cavender**, representing Westfield Parkway Plaza.

The following spoke in favor of limiting the number of used-car sales:

**Rich Urban**, representing Budget Car Sales;

**Shawn Sagart**, representing Suzuki of El Cajon.

No one else comes forward to speak on this item.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Mayor Lewis** supports a total of two, three-day used car sales events per month and suggests referring the matter to staff for further consideration in light of possible litigation, and to obtain input from the local dealerships.

**Councilmember Ramos** speaks in support of the ordinance.

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

- The appropriateness of holding used car sales at the regional shopping mall;
- Limiting the sales events to once or twice per month;
- A suggestion to enable Parkway Plaza to determine which dealerships would participate in the events.

**ITEM 101 (CONTINUED)**

**MOTION BY RAMOS, SECOND BY MCCLELLAN, to Approve the Planning Commission Resolution No. 10382, recommending approval of an Amendment of the Zoning Ordinance prohibiting offsite motor vehicle sales in accordance with Exhibit "A" attached to the Planning Commission Resolution.**

**MOTION FAILS. (KENDRICK, LEWIS & HANSON-COX – NO)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN to Continue the item to December 19<sup>th</sup> and request that staff determine the possible financial impact and considerations concerning future litigation, to obtain input from other dealerships and have the City Attorney return with a draft ordinance.**

**MOTION WITHDRAWN.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to re-open the public hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Continue the item to December 19<sup>th</sup> and request that staff determine the possible financial impact and considerations concerning future litigation, to obtain input from other dealerships and have the City Attorney return with a draft ordinance.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

*Recess called at 8:45 p.m.  
Meeting called back to order at 8:51 p.m.*

**102            ZONE RECLASSIFICATION 2284 – 855 and 892 East Madison Avenue, 505 North Mollison Avenue, and a parking lot on Wisconsin Avenue  
(Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

## ITEM 102 (CONTINUED)

### ZONE RECLASSIFICATION 2284

- **Approve, Modify or Disapprove Planning Commission Resolution No. 10378**, recommending approval of Zone Reclassification 2284 to rezone properties from the R-P Zone to the O-P Zone, on properties addressed as 855 and 892 East Madison Avenue, 505 North Mollison Avenue, and a parking lot on Wisconsin Avenue.
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

An Ordinance approving Zone Reclassification 2284 to rezone properties addressed as 855 and 892 East Madison Avenue, 505 North Mollison Avenue, and a parking lot on Wisconsin Avenue, from the R-P (Residential Professional) Zone to the O-P (Office Professional) Zone.

### DISCUSSION

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

No one comes forward to speak on this item.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Planning Commission Resolution No. 10378, recommending approval of Zone Reclassification 2284 to rezone properties from the R-P Zone to the O-P Zone, on properties addressed as 855 and 892 East Madison Avenue, 505 North Mollison Avenue, and a parking lot on Wisconsin Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**103            ZONE RECLASSIFICATION 2285 – 123 Chamberlain Avenue, 553 South Magnolia Avenue, 237, 255, 905, 933, 961, and 999 West Washington Avenue, 983 and 1109 East Washington Avenue, and 205 and 239 Van Houten Avenue (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

**ZONE RECLASSIFICATION 2285**

- **Approve, Modify or Disapprove Planning Commission Resolution No. 10379** recommending approval of Zone Reclassification 2285 to rezone properties from the R-P Zone to the R-1-6 Zone, R-2 Zone, R-3 Zone, and O-P Zone, on properties addressed as 123 Chamberlain Avenue, 553 South Magnolia Avenue, 237, 255, 905, 933, 961 and 999 West Washington Avenue, 983 and 1109 East Washington Avenue, and 205 and 239 Van Houten Avenue.
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

An Ordinance approving Zone Reclassification 2285 to rezone properties addressed as 123 Chamberlain Avenue, 553 South Magnolia Avenue, 237, 255, 905, 933, 961 and 999 West Washington Avenue, 983 and 1109 East Washington Avenue, and 205 and 239 Van Houten Avenue, from the R-P (Residential Professional) Zone to the R-1-6 (Residential One-Family 6,000 Sq. Ft.)Zone, R-2 (Two-Family Residential) Zone, R-3 (Multiple Family) Zone and O-P (Office Professional) Zone.

### **DISCUSSION**

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

**Stanley Thuyen**, 340 South Orange Avenue, El Cajon, indicates he owns four units on one lot on West Washington Avenue and asks if he can rebuild to its previous state if the current building is destroyed.

**Director of Community Development Griffin** indicates the property can be restored to the previous state, prior to the disaster.

No further comments are offered.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Item 103 (CONTINUED)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Planning Commission Resolution No. 10379 recommending approval of Zone Reclassification 2285 to rezone properties from the R-P Zone to the R-1-6 Zone, R-2 Zone, R-3 Zone, and O-P Zone, on properties addressed as 123 Chamberlain Avenue, 553 South Magnolia Avenue, 237, 255, 905, 933, 961 and 999 West Washington Avenue, 983 and 1109 East Washington Avenue, and 205 and 239 Van Houten Avenue**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**104 PLANNED UNIT DEVELOPMENT 326 AND TENTATIVE PARCEL MAP 633 (Mokou & Zori) – Vacant property on west side of South Orange Avenue between West Washington and West Renette Avenues (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

**PLANNED UNIT DEVELOPMENT 326**

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10380** recommending approval of Planned Unit Development 326 for a three-unit residential common interest development in the R-3 Zone on vacant property on the west side of South Orange Avenue between West Washington and West Renette Avenues.

**TENTATIVE PARCEL MAP 633**

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10381** recommending approval of Tentative Parcel Map 633 for a four-lot parcel map, including one common lot in the R-3 Zone on vacant property on the west side of South Orange Avenue between West Washington and West Renette Avenue.

**DISCUSSION**

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

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

**City Clerk Rutledge** indicates a speaker card was submitted by **Fred Mokou** to answer any questions by **Council**. No questions are posed by **Council**.



**ITEM 104 (CONTINUED)**

**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. 175-06 to Approve Planning Commission Resolution No. 10380 recommending approval of Planned Unit Development 326 for a three-unit residential common interest development in the R-3 Zone on vacant property on the west side of South Orange Avenue between West Washington and West Renette Avenues.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 176-06 to Approve Planning Commission Resolution No. 10381 recommending approval of Tentative Parcel Map 633 for a four-lot parcel map, including one common lot in the R-3 Zone on vacant property on the west side of South Orange Avenue between West Washington and West Renette Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**105 PLANNED UNIT DEVELOPMENT 327 AND TENTATIVE SUBDIVISION MAP 639 (Austin for Snyder) – 488 Graves Avenue (Report: City Clerk)**

**RECOMMENDATION: That the City Council**

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

**PLANNED UNIT DEVELOPMENT 327**

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10385 recommending approval of Planned Unit Development 327 to construct a four-unit common interest development in the R-4 Zone at 488 Graves Avenue.**

**TENTATIVE SUBDIVISION MAP 639**

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10386 recommending approval of Tentative Subdivision Map 639 for a five-lot subdivision in the R-4 Zone at 488 Graves Avenue.**

**ITEM 105 (CONTINUED)**

**DISCUSSION**

**Director of Community Development Griffin** provides a summary of the Item and speaks about the request by the applicant's representative to retain the five-foot tall masonry wall at the rear of the property.

In answer to the question by **Councilmember Kendrick**, **Director Griffin** indicates there is a condition of approval requiring a tile roof.

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

**Alan Austin**, 1622 Pioneer Way, El Cajon, speaks in support of the item. He concurs with the recommendations by staff, with the exception of the requirement for a six-foot high masonry boundary wall, as there is a five-foot wall currently in place.

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. 177-06 to Approve Planning Commission Resolution No. 10385 recommending approval of Planned Unit Development 327 to construct a four-unit common interest development in the R-4 Zone at 488 Graves Avenue, modifying Condition 2i) to read " including a five-foot high solid masonry project boundary wall".**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt the next RESOLUTION NO. 178-06 to Approve Planning Commission Resolution No. 10381 recommending approval of Tentative Parcel Map 633 for a four-lot parcel map, including one common lot in the R-3 Zone on vacant property on the west side of South Orange Avenue between West Washington and West Renette Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

106            **PLANNED UNIT DEVELOPMENT 298 AND TENTATIVE  
SUBDIVISION MAP 612 (Admani for Admani Trustees) - 177 East  
Renette Avenue (Report: City Clerk) (Continued from September  
26, 2006)**

**RECOMMENDATION: That the City Council**

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

**PLANNED UNIT DEVELOPMENT 298**

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10355** recommending approval of Planned Unit Development 298 to convert an existing six-unit apartment complex into a common interest development in the R-3 Zone at 177 East Renette Avenue.

**TENTATIVE SUBDIVISION MAP 612**

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10356** recommending approval of Tentative Subdivision Map 612 for a one-lot subdivision map in the R-3 Zone at 177 East Renette Avenue.

**DISCUSSION**

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

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

- The revised plan submitted by the applicant;
- The condition of the property, including the solar panels;

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

**Richard Speare**, 4455 Lamont, San Diego, represents the property owners. He indicates the block wall will be repaired, and that they propose to install concrete wheel stops in each parking space. A drip irrigation system is proposed, which will be maintained by the homeowners association.

Discussion ensues among **Council, Staff** and the speaker concerning changes to the existing stairwells.

**Bill Langley**, 189 East Renette, indicates his property, which is adjacent to the subject property, will be for sale very soon.

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. 179-06 to Approve Planning Commission Resolution No. 10355 recommending approval of Planned Unit Development 298 to convert an existing six-unit apartment complex into a common interest development in the R-3 Zone at 177 East Renette Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 180-06 to Approve Planning Commission Resolution No. 10356 recommending approval of Tentative Subdivision Map 612 for a one-lot subdivision map in the R-3 Zone at 177 East Renette Avenue.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**107 AMENDMENT OF SPECIFIC PLAN 428 (Bagby) – 1341 East Main Street (Report: City Clerk and Director of Community Development) (Continued from October 24, 2006)**

**RECOMMENDATION: That the City Council**

- **Continue the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Consider the proposed language for a condition to allow restricted access to Melody Lane.**

**AMENDMENT OF SPECIFIC PLAN 428**

- **Approve, Modify or Disapprove Planning Commission Resolution No. 10372 recommending approval of an Amendment of Specific Plan 428 to allow manufactured home sales in the C-2 Zone, with joint interconnecting access between properties at 1341 East Main Street.**

### **DISCUSSION**

**Director of Community Development Griffin** provides an update on the Item, including proposed language for a condition to allow restricted access to Melody Lane, along with a traffic control plan prior to moving the units onto or off of the property.

## ITEM 107 (CONTINUED)

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

- Setting a limit to the number of times per year that model homes can be moved onto or off the property;
- Requiring a bond or lien contract to ensure closing of the wall should be property be sold;
- Traffic and safety issues;
- The need for staff to monitor the deed restriction in the event the property is sold.

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

**Irene Batch**, 164 North Ivory, El Cajon, indicates she is speaking on behalf of neighboring property owners who oppose approval of the project, citing traffic and safety issues.

**Alan Austin**, 1622 Pioneer Way, El Cajon, speaks in support of the item and the language proposed in the staff report dated November 7, 2006.

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 Approve Planning Commission Resolution No. 10372 recommending approval of an Amendment of Specific Plan 428 to allow manufactured home sales in the C-2 Zone, with joint interconnecting access between properties at 1341 East Main Street and that once there is a change in use of the property, the gate shall be replaced by an extension of a block wall along the property.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**108 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 14th day of November 2006, at 9:54 p.m. to Tuesday November 28, 2006, at 3:00 p.m.

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