

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

FEBRUARY 13, 2007

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, February 13, 2007, was called to order by Mayor/Chair Mark Lewis at 3:03 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 7:00 p.m. on January 23, 2007.

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 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 January 23, 2007, meetings and the Agenda of the February 13, 2007, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Communities Against Substance Abuse – Presentation to El Cajon Police Department**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.18)

MOTION BY LEWIS, SECOND BY RAMOS, to approve Consent Items 1.1 to 1.18, pulling Items 1.3 as requested by a member of the public and 1.11 as requested by RAMOS and a member of the public.

MOTION CARRIES. (LEWIS – Disqualified on 1.9)

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the January 23, 2007, meetings of the El Cajon City Council/Redevelopment Agency.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

PULLED FOR DISCUSSION:

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

RECOMMENDATION: That the City Council approve the reading by title and waive the reading in full of all Ordinances on the Agenda.

1.4 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 608 – 1499 Broadway, Engineering Job No. 3028 (Report: Director of Public Works) – Continued from January 23, 2007

Approve the Final Map for TSM 608 at 1499 Broadway.

CONSENT ITEMS: (CONTINUED)

- 1.5 LIEN CONTRACT AND AGREEMENT NOT TO CONVEY AND COVENANT NOT TO CONVEY CONDOMINIUM UNITS AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 582 - 549 Graves Avenue, Engineering Job No. 2973 (Report: Director of Public Works) – Continued from January 23, 2007**

Approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units and the Final Map for TSM 582 at 549 Graves Avenue, authorizing execution of the agreements.

- 1.6 ACCEPTANCE OF THE RESURFACING OF EL CAJON BOULEVARD, BOULEVARD PLACE TO WEST MAIN STREET, JOHNSON AVENUE, WEST MAIN STREET TO EL CAJON BOULEVARD AND WASHINGTON AVENUE, JOHNSON AVENUE TO AVOCADO BOULEVARD, Engineering Job No. 3056, Bid No. 003-07 (Report: Director of Public Works)**

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

- 1.7 HILLSIDE PARK STORM DRAIN REPAIR, Engineering Job No. 3002, Bid No. 020-07 (Report: Director of Public Works)**

- Appropriate \$225,000 from the Wastewater Fund to provide construction funds for the emergency repairs for the Hillside Park Storm Drain.
- Adopt RESOLUTION NO. 7-07 to approve the Plans and Specifications and RESOLUTION NO. 8-07 to direct a Notice Inviting Sealed Bids to be opened on March 6, 2007, for emergency repair of the 42” storm drain in Hillside Park adjacent to Fletcher Parkway.

- 1.8 OCTOBER-DECEMBER, 2006 QUARTERLY TREASURER’S REPORT (Report: Assistant City Manager/Director of Finance and Treasurer)**

Receive the latest quarterly Treasurer’s Report.

CONSENT ITEMS: (CONTINUED)

1.9 COUNCIL REPRESENTATION AT LAFCO (LOCAL AGENCY FORMATION COMMISSION) ALTERNATE (Report: City Clerk)

Approve the appointment of Mayor Mark Lewis as the City of El Cajon alternate representative to LAFCO (Local Agency Formation Commission).

1.10 DISPOSAL OF SURPLUS PROPERTY (Report: Purchasing Agent)

Declare the listed property surplus and authorize disposal in accordance with policy.

PULLED FOR DISCUSSION:

1.11 REDEVELOPMENT AGENCY 2007 TAX ALLOCATION BOND ISSUE (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the City Council/Redevelopment Agency approve the next two RESOLUTIONS in order to authorize the El Cajon Redevelopment Agency Tax Allocation Bond Issue of 2007 to provide new funds to finance redevelopment activities throughout the project area.

1.12 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 570 – 828 South Magnolia Avenue, Engineering Job No. 2952 (Report: Director of Public Works)

Grant a one-year time extension for TSM 570 and set the new expiration date to February 8, 2008, in accordance with Municipal Code Section 16.12.110.

1.13 SALE OF EXCESS CITY PROPERTY FOR REQUIRED PUBLIC IMPROVEMENTS AT HART DRIVE AND BALLANTYNE STREET (Report: City Manager)

Direct staff to sell to the developer, Rick Nestor, the excess property at the project location of Hart Drive and Ballantyne Street so that he may complete the public improvements required for the project.

CONSENT ITEMS: (CONTINUED)

**1.14 DEDICATION OF EASEMENT TO COUNTY OF SAN DIEGO
(Report: City Manager)**

Dedicate to the County of San Diego an easement for right of way purposes, a portion of Lot 20, Magnolia Ranch Tract, in the County of San Diego, as further described in the Easement for County Highway.

**1.15 ACCEPTANCE OF RESURFACING EAST MAIN STREET, W.D. HALL DRIVE TO THIRD STREET, Engineering Job No. 3054/Bid No. 005-07
(Report: Director of Public Works)**

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

1.16 AWARD OF BID NO. 018-07, SEWER PIPE AND CMP LINING AND REPLACEMENT VARIOUS LOCATIONS (Report: Purchasing Agent)

Adopt RESOLUTION NO. 10-07 and award the bid to the low bidder, Hydrotech, Inc., in the amount of \$539,365.25.

1.17 TRANSPORTATION DEVELOPMENT ACT/TRANSNET BICYCLE AND PEDESTRIAN PROJECT GRANT APPLICATION FOR THE CITY OF EL CAJON MASTER BICYCLE PLAN (Report: Director of Public Works)

Adopt RESOLUTION NO. 11-07 to support the grant application in the amount of \$150,000 to update the City of El Cajon's existing Master Bike Plan. The resolution should include the City of El Cajon's belief that bicycling is a viable form of transportation and since the City is also a mass transit center hub for East County, it is in support of updating the El Cajon Master Bicycle Plan.

1.18 AMENDMENT TO THE FIVE (5)-YEAR REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) (Report: Director of Public Works)

Direct the City Clerk to set a public hearing on March 13, 2007 at 3:00 p.m. for approval of the proposed Amendment to the 2006 RTIP.

CONSENT ITEMS: (CONTINUED)

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.

DISCUSSION

Raymond Lutz, representing Citizens Oversight Panel, PO Box 252, El Cajon, indicates that he objects, in general, to many of the items that are not described in detail on the agenda and that he feels should be placed under a different place on the agenda rather than the Consent calendar. He requests certain items be taken off the Consent Calendar, and that the entire agenda and reports be available on the City's website to allow full access to the public.

No further comments are offered.

**1.11 REDEVELOPMENT AGENCY 2007 TAX ALLOCATION BOND ISSUE
(Report: Director of Redevelopment and Housing)**

RECOMMENDATION: That the **City Council/Redevelopment Agency** approve the next two RESOLUTIONS in order to authorize the El Cajon Redevelopment Agency Tax Allocation Bond Issue of 2007 to provide new funds to finance redevelopment activities throughout the project area.

DISCUSSION

Raymond Lutz, representing Citizens Oversight Panel, PO Box 252, El Cajon, does not feel this item should not be on the Consent calendar and should be placed on another area on the agenda. He does not feel that adequate access has been provided to the public for review of the report and the supporting documentation.

Councilmember Ramos indicates he has numerous questions about this item and would like more time to review the attachments to the report.

City Manager Henry indicates the bond issue has been before Council on two previous occasions in a public forum. She indicates questions may be directed to the Director of Redevelopment and Housing or to the representative from Wedbush Morgan Securities.

ITEM 1.11 (CONTINUED)

In response to questions by **RAMOS, Mike Cavanaugh**, representing Wedbush Morgan Securities, speaks regarding the issue of timing, and possible interest rate volatility. He concurs with Staff that it would not present a problem to delay action until the next Council meeting.

MOTION BY LEWIS, SECOND BY RAMOS, TO APPROVE ITEM 1.3 AND CONTINUE ITEM 1.11 TO FEBRUARY 27, 2007.

MOTION CARRIES BY UNANIMOUS VOTE.

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

- Availability of agenda binders and reports for the public;
- A suggestion to have an agenda binder available for viewing over the weekend at a 24-hour facility, such as the Police or Fire Department.

PUBLIC COMMENT:

Tammy Jackson, representing Choice Harvest Worship Center, announces they are hosting a cultural awareness event at their church on February 25, 2007 at 10:00 a.m., 760 West Palm Avenue, El Cajon.

Raymond Lutz, representing CitizensOversight.org, introduces members of the panel and provides an overview of their organization.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, states that she has finished the Yellow Ribbon project and thanks the El Cajon Community Development Corporation for her nomination for Citizen of the Year.

2. WRITTEN COMMUNICATIONS:

2.1 2007 FILM FESTIVAL AT EAST COUNTY PERFORMING ARTS CENTER (Report: Director of Recreation)

RECOMMENDATION: That the City consider the request from the Optimist Club of the Performing Arts for financial support of the 2007 El Cajon Video and Film Festival at the East County Performing Arts Center (ECPAC) on August 10 and 11, as well as use of "City" allotted days for ECPAC.

DISCUSSION

The short film, "Night 2 Night, A Day in El Cajon", is shown, as presented at last year's El Cajon Video and Film Festival.

ITEM 2.1 (CONTINUED)

Tom Black, President of the Optimist Club of the Performing Arts, speaks about the previous year's event and their request for a two-day use of ECPAC.

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

- The proposed two-day event;
- Use of recreation facilities to show films

Raymond Lutz, Citizens Oversight Panel, PO Box 252, El Cajon, feels the requestor should have submitted a business plan for the proposed event.

Ivars Bezdechi, is a film and video producer, and a member of the Citizens Oversight Panel. He feels there is a need for Council to review financial statements and a business plan relative to requests for use of the theater, and that there may be a conflict of interest concerning the request by Mr. Black.

MOTION BY LEWIS to direct Mr. Black to contact the City Manager's office in order to work out the details for use of the East County Performing Arts Center.

Under discussion, **Councilmembers Ramos** and **Hanson-Cox** recommend a one-day use of the facility for the event.

MOTION BY LEWIS, SECOND BY RAMOS, to approve a one-day use of the facility, and to direct Mr. Black to contact the City Manager's office in order to work out the details for this event.

MOTION CARRIES BY UNANIMOUS VOTE.

*Recess called at 4:01 p.m.
Meeting called back to order at 4:05 p.m.*

2.2 REQUEST FROM SAN DIEGO EAST COUNTY CHAMBER OF COMMERCE FOR USE OF THE EAST COUNTY PERFORMING ARTS CENTER (Report: Director of Recreation)

RECOMMENDATION: That the **City Council** consider the request from the San Diego East County Chamber of Commerce for use of one allotted "City" day for the East County Performing Arts Center (ECPAC) on March 7, 2007.

ITEM 2.2 (CONTINUED)

DISCUSSION

Raymond Lutz, representing Citizens Oversight Panel, speaks in opposition to the request. He suggests that the Council review financial information from organizations and companies requesting free use of the facility.

Ivars Bezdechi, representing Citizens Oversight Panel, calls for the need of prudent oversight of CCT (Christian Community Theater) and Art Beat Management, and would like to see a financial report from the Chamber of Commerce, to demonstrate their inability to pay the rental fee.

Terry Saverson, representing the East County Chamber of Commerce, speaks in support of their request and the proposed Disaster Preparedness Planning Program.

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

- Number of available days for City use of the theater;
- The services provided by the Chamber of Commerce.

No further comments are offered.

MOTION BY LEWIS, SECOND BY KENDRICK, to approve Item 2.2.

MOTION CARRIES BY UNANIMOUS VOTE.

2.3 LETTER FROM ASSEMBLYMAN JOEL ANDERSON

Letter from Assemblyman Joel Anderson requesting support for Assembly Bill 4 to increase the hours of operation for San Diego's transportation management center.

DISCUSSION

Mayor Lewis speaks in support of Assembly Bill 4.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to support AB 4.

MOTION CARRIES BY UNANIMOUS VOTE.

3. PUBLIC HEARINGS:

3.1 TAX AND EQUITY FISCAL RESPONSIBILITY ACT ISSUANCE OF BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR LEXINGTON GREEN APARTMENTS (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order authorizing the California Statewide Communities Development Authority issuance of Bonds on behalf of the proposed financing.**

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.

In response to questions by **Councilmember Ramos, City Manager Henry** indicates the bonds will be used for the purchase and refurbishing of the units.

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

MOTION CARRIES BY UNANIMOUS VOTE.

James Hamell, representing the California Statewide Communities Development Authority, provides an overview of the proposed project.

Tim Middleton, representing Steadfast Companies, indicates the rent schedules would be in line with the existing Section 8 contract.

James Hamell returns to the podium and provides information about the structure of the bonds, which are privately placed with an institutional investor. The City of El Cajon would not assume financial responsibility in case of default.

ITEM 3.1 (CONTINUED)

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

- Responsibility in case of default of the bonds;
- Affordable housing;
- Proposed improvements to the property.

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 12-07 authorizing the California Statewide Communities Development Authority issuance of Bonds on behalf of the proposed financing.

MOTION CARRIES BY UNANIMOUS VOTE.

3.2 SUBSTANDARD CONDITIONS AT 146 WEST WASHINGTON AVENUE (Report: Building Official/Fire Marshal)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **(1) Make a determination with regard to staff time and administrative costs, (2) Direct staff to bill the property owner for the total amount determined under item 1, and (3) Direct staff to place the full amount determined under item 1 as a tax lien against the property if not paid in full within 90 days.**
- **Adopt the next RESOLUTION in order pursuant to items 1 – 3 above.**

DISCUSSION

Dan Pavao, Building Official/Fire Marshal, provides an update on the status of the property.

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

ITEM 3.2 (CONTINUED)

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 13-07 to (1) Determine staff time and administrative fees and costs in the amount of \$3,703.90, (2) Direct staff to bill the property owner for the total amount determined under item 1, and (3) Direct staff to place the full amount determined under item 1 as a tax lien against the property if not paid in full within 90 days.

MOTION CARRIES BY UNANIMOUS VOTE.

3. ADMINISTRATIVE REPORTS: None

4. COMMISSION REPORTS:

**4.1 INTERVIEWS FOR RELOCATION APPEALS BOARD (Report: City Clerk)
Continued from January 23, 2007**

RECOMMENDATION: That the City Council conduct interviews for the Relocation Appeals Board and appoint applicants to serve for appropriate terms.

RELOCATION APPEALS BOARD

Two Members – No term limits

Applicants:

**Edward F. Cornett
Robert Richard Lenz
Tricia L. Mattingly
Karen Marie Otter
Bettie L. Wells**

ITEM 4.1 (CONTINUED)

The following applicants were present for the interviews:

Edward F. Cornett
Robert Richard Lenz
Tricia L. Mattingly (withdraws her application)
Karen Marie Otter (withdraws her application)
Bettie L. Wells

MOTION BY LEWIS, SECOND BY KENDRICK, to appoint Robert Lenz and Bettie Wells to the Relocation Appeals Board.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 VACANCY ON THE GILLESPIE FIELD DEVELOPMENT COUNCIL (Report: City Clerk)

RECOMMENDATION: That the Mayor and City Council establish a schedule for applications/interviews of candidates to serve on the Gillespie Field Development Council.

- Filing period February 14, 2007 to March 5, 2007 at 5:00 p.m.
- Interview and Appointment – March 13, 2007 at 3:00 p.m.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve the schedule for applications/interviews of candidates to serve on the Gillespie Field Development Council.

MOTION CARRIES BY UNANIMOUS VOTE.

4.3 NO PARKING ZONE – EAST MAIN STREET NEAR BROADWAY (Report: Secretary to the Traffic Commission) – Continued from January 23, 2007

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to relocate the previously established bus stop to the southwest on Main Street and described as follows:

Along the westerly curbline of East Main Street, beginning at a point 385 feet south of the southerly extended curbline of Broadway, thence southerly a distance of 100 feet.

ITEM 4.3 (CONTINUED)

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY RAMOS, to approve the bus stop location.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 14-07 to relocate the previously established bus stop to the southwest on Main Street.

MOTION CARRIES BY UNANIMOUS VOTE.

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; LAFCO (Local Agency Formation Commission - Alternate.

5.1 SANDAG Public Safety Committee Agenda – January 19, 2007

5.2 SANDAG Board of Directors Agenda – January 26, 2007

5.3 Metro Wastewater JPA News Brief – January, 2007

5.4 SANDAG Board Actions – January 26, 2007

5.5 LAFCO Agenda – February 5, 2007

5.6 “ZERO WASTE AS A GOAL” RESOLUTION

RECOMMENDATION: That the City Council consider adopting a “Zero Waste as a Goal” resolution.

DISCUSSION

Mayor Lewis speaks in support of the Item.

Discussion ensues among **Council** and **Staff** with suggestions for recycling in order to meet the goal of Zero Waste.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 15-07 to support of the goal of Zero Waste.

MOTION CARRIES BY UNANIMOUS VOTE.

5.7 CITY COUNCIL POLICY ON COMMISSION VACANCIES

RECOMMENDATION: That the City Council direct staff to draft a City Council Policy stating that for all City Commission vacancies that have less than two applicants, the application period shall automatically be extended until two or more applications per opening are received.

DISCUSSION

Mayor Lewis speaks in support of the item.

MOTION BY LEWIS, SECOND BY KENDRICK, to direct staff to draft a City Council Policy stating that for all City Commission vacancies that have less than two applicants, the application period shall automatically be extended until two or more applications per opening are received.

MOTION CARRIES BY UNANIMOUS VOTE.

6. REPORTS OF COUNCILMEMBERS

6.1 COUNCIL ACTIVITIES REPORT

MAYOR PRO TEM BOB McCLELLAN

Council Advisory Meeting Schedule, Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate.

Councilmember McClellan indicates he attended three City Council meetings during the reporting period.

6.2 COUNCIL ACTIVITIES REPORT

COUNCILMEMBER 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.

Report as stated.

Councilmember Hanson-Cox congratulates Debbie Comstock on being selected as Citizen of the Year.

6.3 COUNCIL ACTIVITIES REPORT

COUNCILMEMBER GARY KENDRICK

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

Report as stated.

6.3 COUNCIL POLICY ON NOTIFICATION OF DELINQUENT LOAN PAYMENTS

RECOMMENDATION: That the City Council direct staff to draft, for City Council review and approval, a City Council Policy directing that staff notify the City Council whenever a loan previously authorized by the City Council or the City Council acting as the Redevelopment Agency is 90 days delinquent.

DISCUSSION

Councilmember Kendrick speaks in support of the item and modifies his recommendation so that the Council is notified when loans of any amount become delinquent by more than 90 days.

MOTION BY LEWIS, SECOND BY KENDRICK, to direct Staff to draft a City Council Policy directing that Staff notify the City Council whenever a loan of any amount, previously authorized by the City Council or the City Council acting as the Redevelopment Agency, is 90 days delinquent.

6.4 NO REPORT

COUNCILMEMBER DICK RAMOS

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

Councilmember Ramos indicates he attended the Citizen of the Year event and presented a proclamation to Debbie Comstock.

7. LEGISLATIVE REPORT

7.1 League of California Cities Legislative Bulletins dated January 19 and 26, 2007 and February 2, 2007 - *Priority Focus*

No recommended action.

8. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

9. ORDINANCES: FIRST READING

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

9.1 DELETE SPECIFIC PLAN 197

An Ordinance approving Amendment of Specific Plan 197 to delete an existing Specific Plan for sign program criteria for an existing development in the C-M (Heavy Commercial/Light Industrial) Zone on property located on the east side of Cuyamaca Street between Vernon Way and West Bradley Avenue, and addressed as 1277-1591 Cuyamaca Street

The **City Clerk** recites the title of the ordinance for a first reading.

9.2 ZONE RECLASSIFICATION 2251

An Ordinance approving Zone Reclassification 2251 to rezone property from the R-1-6 (Residential One-Family 6,000 Sq. Ft.) Zone to the PRD-Low (Planned Residential Development-Low Density) Zone on property located on the east side of Ballantyne Street between Broadway and Cedar Street, and addressed as 823 and 841 Ballantyne Street.

The **City Clerk** recites the title of the ordinance for the first reading.

9.3 AMENDING THE REDEVELOPMENT PLAN FOR THE EL CAJON REDEVELOPMENT PROJECT AREA PURSUANT TO SENATE BILL 1045 (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the **City Council** adopt an ordinance amending the Redevelopment Plan for the El Cajon Redevelopment Project Area pursuant to Senate Bill 1045 as codified in Health and Safety Code Section 33333.6.

- **If approved, that Mayor Lewis requests the City Clerk to recite the title.**

An Ordinance of the City Council of the City of El Cajon amending the time limits on the effectiveness and time limit to receive tax increment of the El Cajon Downtown Redevelopment Plan, pursuant to Health & Safety Code Section 33333.6

The **City Clerk** recites the title of the ordinance for a first reading.

ORDINANCE: SECOND READING AND ADOPTION

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

9.4 WIRELESS COMMUNICATIONS FACILITIES

An Ordinance Adding Section 17.04.221 to Chapter 17.04 of the El Cajon Municipal Code, Repealing Section 17.60.500 of Chapter 17.60 of the El Cajon Municipal Code and Adding New Section 17.60.500 to Chapter 17.60 of the El Cajon Municipal Code Adding Specific Language Consistent with Changes Made by the State of California Regarding Wireless Communications Facilities.

The **City Clerk** recites the title of the ordinance for the second reading.

- **MOTION to adopt the Ordinance.**

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt Ordinance No. 4867.

MOTION CARRIES BY UNANIMOUS VOTE.

10. CLOSED SESSION

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: 1

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

Name of Case: El Cajon Redevelopment Agency v. Karam, et al.
Case No. GIE 032064-1

Name of Case: El Cajon Redevelopment Agency v. Patel, et al.
Case No. GIE 032066-1

Name of Case: El Cajon Redevelopment Agency v. Security Title
Insurance Company, et al.
Case No. GIE 032067-1

ITEM 10 (CONTINUED)

- **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

Facts or circumstances: Receipt of claim pursuant to the Tort Claims Act filed by Mark Grindley and Diane Fleming on November 1, 2006.

MOTION BY LEWIS, SECOND BY KENDRICK, to Adjourn to Closed Session at 5:07 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

11. RECONVENE TO OPEN SESSION AT 5:25 P.M.

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

City Attorney Foley reports the following:

- Conference with Legal Counsel – Anticipated Litigation: No reportable action;
- Conference with Legal Counsel - Existing Litigation: Council provided direction to the City Attorney concerning the existing litigation;
- Conference with Legal Counsel – Anticipated Litigation: Council gave direction to the City Attorney concerning the claim by Mark Grindley.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/Redevelopment Agency held this 13th day of February 2007, at 5:26 p.m. to Tuesday, February 13, 2007, 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

FEBRUARY 13, 2007

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, February 13, 2007, 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, February 13, 2007, 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 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:

No one comes forward to speak.

PUBLIC HEARINGS:

**100 ZONE RECLASSIFICATION 2286 (Gutierrez for Flores) – 521
 South Mollison Avenue – DENIED BY PLANNING COMMISSION
 ON JANUARY 8, 2007**

No required action.

**101 ZONE RECLASSIFICATION 2287 (Yousif) – 524 Avocado 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. 10403 recommending approval of Zone Reclassification 2287 to rezone property from the R-1-6 Zone to the R-2 Zone on property addressed as 524 Avocado Avenue.**
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

An Ordinance approving Zone Reclassification 2287 to rezone property from the R-1-6 (Residential One-Family 6,000 Sq. Ft.) Zone to the R-2 (Two-Family) Zone on property located on the west side of Avocado Avenue between Camden and East Washington Avenues, and addressed as 524 Avocado Avenue.

DISCUSSION

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

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.

ITEM 101 (CONTINUED)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Planning Commission Resolution No. 10403 recommending approval of Zone Reclassification 2287 to rezone property from the R-1-6 Zone to the R-2 Zone on property addressed as 524 Avocado Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

The **City Clerk** recites the title of the ordinance for a first reading.

102 ZONE RECLASSIFICATION 2288 – 327 and 329 Claydelle 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. 10404** recommending approval of Zone Reclassification 2288 to rezone property from the R-P Zone to the R-2 Zone on properties addressed as 327 and 329 Claydelle Avenue.
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

An Ordinance approving Zone Reclassification 2288 to rezone property from the R-P (Residential Professional) Zone to the R-2 (Two-Family) Zone on property located on the east side of Claydelle Avenue between East Lexington and East Camden Avenues, and addressed as 327 and 329 Claydelle Avenue.

DISCUSSION

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

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.

ITEM 102 (CONTINUED)

MOTION BY LEWIS, SECOND BY KENDRICK, to Approve Planning Commission Resolution No. 10404 recommending approval of Zone Reclassification 2288 to rezone property from the R-P Zone to the R-2 Zone on properties addressed as 327 and 329 Claydelle Avenue.

MOTION CARRIES BY UNANIMOUS VOTE.

The **City Clerk** recites the title of the ordinance for a first reading.

103 PLANNED UNIT DEVELOPMENT 328 AND TENTATIVE SUBDIVISION MAP 640 (CondoConversions.com for S&H Builders and Development) – 653-681 Chamberlain Avenue (Report: City Clerk)

RECOMMENDATION: That the City Council

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

PLANNED UNIT DEVELOPMENT 328

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10405** recommending approval of Planned Unit Development 328 to convert an existing nine-unit apartment complex into a common interest development in the R-3 Zone at 653-681 Chamberlain Avenue.

TENTATIVE SUBDIVISION MAP 640

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10406** recommending approval of Tentative Subdivision Map 640 to create a one-lot subdivision in the R-3 Zone at 653-681 Chamberlain Avenue.

DISCUSSION

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

Discussion follows among Council and Staff concerning:

- Utilization of a lien contract to require undergrounding of utilities at a future point in time;
- Alternative materials for the recommended six-foot masonry wall.

Mayor Lewis announces the Public Hearing is now Open.

ITEM 103 (CONTINUED)

Chris Christensen, 4817 Palm Avenue, Suite I, La Mesa, is the applicant's representative. He requests some latitude concerning the requirement for a new block wall and waiver of the requirement to underground the overhead utilities.

Further discussion continues among **Council, Staff** and the speaker concerning:

- A possible lien contract;
- Costs to underground the utilities;
- A suggestion to obtain a cost estimate from San Diego Gas & Electric Company;

Ron Pennock, representing the East County Construction Council, speaks about the benefits of home ownership and encourages the Council to consider waiver of the undergrounding requirement.

No further comments are offered.

MOTION BY LEWIS, SECOND BY KENDRICK, to Continue the Item to March 27, 2007, to allow the developer to obtain an estimate from San Diego Gas & Electric Company for the cost to underground the utilities, and advising the applicant that the Continued public hearing will not be re-noticed.

MOTION CARRIES BY UNANIMOUS VOTE.

104. 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 13th day of February 2007, at 7:58 p.m. to Tuesday, February 27, 2007, at 3:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary