

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

APRIL 10, 2007

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, April 10, 2007, 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 March 27, 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 March 27, 2007 Meetings and the Agenda of the April 10, 2007 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Tribal – Plaque Presentation for Funding for Two Emergency Vehicles (not a fire pumper as indicated)**

*Recess called at 3:12 p.m.
Meeting called back to order at 3:25 p.m.*

- **PROCLAMATION: Law Enforcement Officers' Memorial Day**

AGENDA CHANGES:

MOTION BY LEWIS, SECOND BY RAMOS, to add General Information Item B to the Agenda as Item 8A.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.8)

MOTION BY LEWIS, SECOND BY KENDRICK, to approve Consent Items 1.1 to 1.8, pulling Item 1.3, as requested by a member of the public, and Item 1.4 as requested by RAMOS.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the March 27, 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.

CONSENT ITEMS: (CONTINUED)

PULLED FOR DISCUSSION:

1.4 AWARD OF RFP 021-07, PROFESSIONAL AUDITING SERVICES (Report: Purchasing Agent)

RECOMMENDATION: That the City Council and Redevelopment Agency authorize the City Manager/Agency Director to enter into an agreement with the firm Rogers, Anderson, Malody and Scott, LLP, to provide auditing services for a three year period in the amount of \$90,500.00 for the City and \$30,815.00 for the Redevelopment Agency.

1.5 UNDERGROUND DISTRICT NO. 25, JAMACHA ROAD BETWEEN MAIN STREET AND APPROXIMATELY 800 FEET NORTH OF THE SOUTHERLY CITY LIMITS (Report: Director of Public Works)

Adopt RESOLUTION NO. 34-07 to approve the customer ready date of April 20, 2007 and the Pole Down date of May 25, 2007 for Underground District No. 25.

1.6 REPLACEMENT OF SIDEWALKS AT VARIOUS LOCATIONS - ENGINEERING JOB 3119/BID NUMBER 024-07 (Report: Director of Public Works)

Adopt RESOLUTION NO. 35-07 to approve Plans and Specifications and RESOLUTION NO. 36-07 to direct a Notice Inviting Sealed Bids to be opened on June 12, 2007 for the Replacement of Sidewalks at Various Locations.

1.7 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 605 - WISCONSIN AVENUE - ENGINEERING JOB NO. 3022 (Report: Director of Public Works)

Approve the final map for TSM 605 on Wisconsin Avenue.

1.8 LIEN CONTRACT AND AGREEMENT NOT TO CONVEY AND COVENANT NOT TO CONVEY CONDOMINIUM UNITS AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 584 - 1028 LESLIE ROAD - ENGINEERING JOB NO. 2975 (Report: Director of Public Works)

Approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units, and the Final Map for TSM 584 at 1028 Leslie Road, authorizing execution of the agreements.

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.org, suggests the text of the Ordinances be read at the Council meetings and be placed on the City's website for review by the public.

City Attorney Foley briefly discusses the City's compliance with the Brown Act and the Public Records Act.

No further comments are rendered.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Item 1.3

MOTION CARRIES BY UNANIMOUS VOTE.

1.4 AWARD OF RFP 021-07, PROFESSIONAL AUDITING SERVICES (Report: Purchasing Agent)

Authorize the City Manager/Agency Director to enter into an agreement with the firm Rogers, Anderson, Malody and Scott, LLP, to provide auditing services for a three-year period in the amount of \$90,500.00 for the City and \$30,815.00 for the Redevelopment Agency.

DISCUSSION

In response to questions by **Councilmember Ramos**, **City Manager Henry** indicates that the fiscal impact covers a three-year period.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Item 1.4

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Kenneth Johns, 1380 Conejo Court, El Cajon, distributes a handout to Council, and speaks about problems in the Rancho Conejo neighborhood, including crimes and leasing of rooms from one home in the area.

Mayor Lewis requests that **City Manager Henry** review the materials submitted by the speaker, and forward them to the City's Code Compliance Officers.

City Attorney Foley briefly outlines possible courses of action that may be pursued if code violations are identified.

Ruth Ann DeForest, 1362 Conejo Vista Court, El Cajon, speaks about health, safety and fire hazards at a house in her neighborhood.

Bonnie Robertson, 1389 Conejo Court, speaks about safety concerns, late night traffic, blocking of driveways, turtles being raised in a swimming pool and runoff from a property in her neighborhood.

Mayor Lewis asks **City Manager Henry** to relay the concerns of the speaker to staff handling storm water issues.

Claire Carpenter, representing the El Cajon Community Development Corporation, speaks about upcoming events, including the start of the Cajon Classic Cruise, Movies-in-the-Park and Lend-A-Hand programs.

Raymond Lutz, representing Citizens Oversight.org, speaks about compliance with the Brown Act, kiosk and internet posting of Agenda items, and feels that speakers should not have to disclose their name and address when addressing Council.

Mayor Lewis speaks about the E-Watch program and indicates the City is looking into ways to provide more information and promote interaction between members of the public and the City Council.

Councilmember Ramos indicates he is in favor of providing as much information as possible to the public.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, speaks about the upcoming El Cajon Grand Prix and her yellow ribbon program. She requests ideas for decorating a cake for Administrative Professionals Day.

2. WRITTEN COMMUNICATIONS: None

3. ADMINISTRATIVE REPORTS: None

4. COMMISSION REPORTS: None

5. ACTIVITIES REPORTS OF MAYOR LEWIS

SANDAG (San Diego Association of Governments); 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 Board of Directors Agenda and Board Actions – March 23, 2007**
- 5.2 LAFCO Bulletin – March-April, 2007**
- 5.3 LAFCO Agenda – April 2, 2007**
- 5.4 Metro Wastewater JPA Agenda – April 5, 2007**

6. ACTIVITIES 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; LAFCO (Local Agency Formation Commission - Advisory Committee).

Report as stated.

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.

DISCUSSION

Report as stated. **Councilmember Hanson-Cox** speaks about the celebrity appearances in the Mother Goose Parade.

6.3 SACRAMENTO LOBBYISTS

RECOMMENDATION: That the **City Council** direct staff to request proposals for legislative lobbyist firms to act on behalf of the City of El Cajon. City staff should examine the competitiveness of the fee structure and services currently offered.

DISCUSSION

Councilmember Kendrick speaks in support of the Item.

Council and **Staff** discuss possible conflicts of interest and the option to pursue an RFP (Request for Proposal) for a new lobbyist firm.

MOTION BY LEWIS, SECOND BY KENDRICK, to direct staff to request proposals for legislative lobbyist firms to act on behalf of the City of El Cajon.

MOTION CARRIES BY UNANIMOUS VOTE.

COUNCILMEMBER GARY KENDRICK

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

6.4 No Report

COUNCILMEMBER DICK RAMOS

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

7. LEGISLATIVE REPORT

7.1 League of California Cities Legislative Bulletin - *Priority Focus* – March 23 and March 30, 2007.

DISCUSSION

Councilmember Ramos recommends that **Council** send letters to support or oppose several legislative bills, as recommended by the League of California Cities.

MOTION BY LEWIS, SECOND BY RAMOS, to approve the recommendations as indicated by Councilmember Ramos.

MOTION CARRIES BY UNANIMOUS VOTE.

THROUGH EARLIER ACTION, GENERAL INFORMATION ITEM B WAS ADDED TO THE AGENDA UNDER ITEM 8A.

8A. GENERAL INFORMATION ITEMS FOR DISCUSSION:

B. ART BEAT MANAGEMENT AUDIT REPORT - FISCAL YEAR 2006, FOR INFORMATIONAL PURPOSES ONLY. (Report: Director of Recreation)

DISCUSSION

Raymond Lutz, representing CitizensOversight.org, comments on the number of days used by Christian Community Theater (CCT) for their rehearsals, and suggests the City perform its own audit, as he feels there is a discrepancy between what CCT is paying and the actual amounts that should be paid to the City.

Mayor Lewis indicates the City is pleased that Art Beat Management hasn't asked the City for money.

Councilmember Kendrick comments on the number of shows that have been sold out in the past year.

NO RECOMMENDED ACTION.

9. ORDINANCE: FIRST READING - None

ORDINANCE: SECOND READING AND ADOPTION - None

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10. CLOSED SESSIONS

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

- **CONFERENCE WITH LABOR NEGOTIATOR – Pursuant to Government Code Section 54957.6**

Agency Designated Representatives:

Kathi Henry
Mike Shelton
Joan Ward

Employee Organizations:

El Cajon Firefighters Association
El Cajon Fire Supervisory Unit
El Cajon Police Officers Association
El Cajon Police Officers Association Management Group
El Cajon Municipal Employees Association
El Cajon Mid-Management and Professional Engineers Association
Executive, Unrepresented and Confidential Employees

- **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9 (a):**

Name of case: City of El Cajon, a municipal corporation v. The Heartland Coalition, dba The Heartland Foundation
Case No.: San Diego Superior Court Case No. GIE 036582

- **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9 (a):**

Number of cases: 1

Case No. 1: Barbara Gaskin v. City of El Cajon, et al.
Case No.: 07 CV 0470J (AJB)

- **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Pursuant to Government Code Section 54956.9 (c):**

Number of potential cases: 1

10. CLOSED SESSIONS: (CONTINUED)

THE CONSENSUS OF COUNCIL AGREES TO MOVE TO CLOSED SESSION AT 4:24 P.M.

11. RECONVENE TO OPEN SESSION AT 5:10 P.M.

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

City Attorney Foley reports that **Council** provided direction to the Labor Negotiators, and provided direction to Legal Counsel concerning the existing and anticipated litigation cases. There is no action to report.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/Redevelopment Agency held this 10th day of April 2007, at 5:11 p.m. to Tuesday, April 10, 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

APRIL 10, 2007

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, April 10, 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, April 10, 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: (7:00 p.m. meeting)

Brad Pagano, representing the American Cancer Society, speaks about the upcoming El Cajon Relay for Life event, to benefit the American Cancer Society. They are seeking teams and volunteers to participate in the event.

Kathy Wedland, representing the American Cancer Society, indicates the Relay for Life will take place June 23-24, 2007 at Granite Hills High School, and that they wish to post a couple of banners for the event.

Councilmember Hanson-Cox announces that Kimberlyn Brown, star of *Young & The Restless*, and Ricky Ullman, star of Disney's *Phil of the Future*, will be two of the celebrity guests at the Mother Goose Parade to be held on November 18th.

PUBLIC HEARINGS:

100 AMENDMENT OF ZONING ORDINANCE RELATING TO SIGN REGULATIONS (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. 10418**, recommending approval of an Amendment of the Zoning Ordinance relating to Sign Regulations, in accordance with Exhibit "A" attached to Agenda Report.
- **If approved, request the City Clerk to recite the title of the Ordinance for a first reading.**

An Ordinance amending the Zoning Ordinance of the City of El Cajon amending Chapters 17.04, 17.66 and 17.67 of the El Cajon Municipal Code regarding the placement of signs in the City of El Cajon

DISCUSSION

In answer to the question by **Councilmember Ramos, 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.

ITEM 100: (CONTINUED)

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY RAMOS, to Approve Planning Commission Resolution No. 10418, recommending approval of an Amendment of the Zoning Ordinance relating to Sign Regulations, in accordance with Exhibit "A" attached to Agenda Report

MOTION CARRIES BY UNANIMOUS VOTE.

The **City Clerk** recites the title of the ordinance for the First Reading.

Councilmember Hanson-Cox announces she must disqualify herself from Item 101 due to a potential conflict of interest as she resides within a 300-foot radius of the subject property. She leaves the Chambers at 7:14 p.m.

101 PLANNED RESIDENTIAL DEVELOPMENT 60R AND TENTATIVE SUBDIVISION MAP 547R (Ballantyne Development Company, LLC) – East side of Ballantyne Street between Broadway and Cedar Street (Report: City Clerk)

RECOMMENDATION: That the City Council

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

PLANNED RESIDENTIAL DEVELOPMENT 60R

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10416** recommending approval of Planned Residential Development 60R to construct a 26-unit residential development in the PRD-Low Zone on property located on the east side of Ballantyne Street between Broadway and Cedar Street.

TENTATIVE SUBDIVISION MAP 547R

- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10417** recommending approval of Tentative Subdivision Map 547R to create a 29-lot common interest subdivision in the PRD-Low Zone on property located on the east side of Ballantyne Street between Broadway and Cedar Street.

ITEM 101: (CONTINUED)

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

Kirby Molten, 448 Cedar Street, El Cajon, has concerns about placement of windows in the proposed units and the setback distance between properties.

In response to questions by **Council** and the speaker, **Director of Community Development Griffin** speaks about modifications that were accepted by the Planning Commission, including the recommendation for a 15-foot setback and a change in the layout of the units.

Daryl R. Priest, representing Priest Development, 124 West Main Street, El Cajon, speaks in support of the project and indicates that a 15-foot setback would necessitate a reduction in the square footage for each unit.

Chris Dahrling, representing Ballantyne Development Company, speaks in support of the project and discusses recommendations concerning the setback, fencing and impact on adjacent neighbors. He submits a handout for review by **Council**.

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

- Density/number of units that can be allowed on the subject property;
- Undergrounding of utilities;
- The speaker's recommendation to grant an easement to one of the adjacent neighbors;
- An option recommended by staff for the developer to deed a portion of the property to the adjacent neighbor and to reduce the number of units by one;
- Lot coverage and open-space requirements.

Chris Dahrling, returns to the podium, and indicates a representative from the engineering firm is present to respond to questions.

Joel Waymire, representing Polaris Development Construction, is an engineer for the project. He indicates had been working with the Planning Division, concerning density of the project and open-space requirements.

Councilmembers discuss a continuance of the item, to allow the applicant to work with staff for resolution of the issues concerning the setback, fencing, layout and number of units for the project.

No further comments are offered.

ITEM 101: (CONTINUED)

MOTION BY LEWIS, SECOND BY RAMOS, to Continue the Item to the April 24, 2007 meeting.

MOTION CARRIES. (HANSON-COX - Disqualified)

Councilmember Hanson-Cox returns to the Chambers at 7:49 p.m.

102 MODIFY THE REQUIREMENTS FOR TENTATIVE SUBDIVISION MAP (TSM) 640, PLANNED UNIT DEVELOPMENT (PUD) 328 (CondoConversions.com for S&H Builders and Development) 653-681 Chamberlain Avenue - Engineering Job No. 3022 (Report: Director of Public Works) – Continued from February 13, 2007 and March 27, 2007

RECOMMENDATION: That the City Council

- **Continue the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Modify the conditions for TSM 640 and PUD 328 as recommended in the agenda report from the Director of Public Works**

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 Public Works Turner gives an update of the item and recommendations relative to the requirement to underground utilities.

Mayor Lewis announces the Public Hearing is still Open.

ITEM 102: (CONTINUED)

Chris Christensen, representing Condoconversions.com, 4817 Palm Avenue, La Mesa, is the applicant's representative. He thanks the staff for their consideration and cooperation on this project. He speaks in support of the project and indicates they would reluctantly agree to comply with the recommendations by Staff. He indicates, however, that there would be a net gain in the number of utility poles, rather than a decrease.

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

- The objective to reduce the number of utility poles in the City;
- Use of stub/guide poles and height of the poles.

Ron Pennock, representing East County Construction Council, speaks in opposition to the requirement to underground utilities.

Discussion continues with **Council**, **Staff** and the speaker concerning the City's ordinance requiring undergrounding of utilities, and the opportunity of home ownership for citizens.

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. 37-07 to Approve Planning Commission Resolution No. 10405 recommending approval of Planned Unit Development 328, with modifications as indicated in the report dated April 4, 2007, from the Director of Public Works.

MOTION CARRIES. (KENDRICK and MCCLELLAN - NO)

MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. 38-07 to Approve Planning Commission Resolution No. 10406 recommending approval of Tentative Subdivision Map 640, with modifications as indicated in the report dated April 4, 2007, from the Director of Public Works.

MOTION CARRIES. (KENDRICK and MCCLELLAN - NO)

103 ITEMS CONTINUED FROM THE 3:00 P.M. - NONE

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 10th day of April 2007, at 8:12 p.m., to Tuesday, April 24, 2007, at 3:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary