

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

SEPTEMBER 25, 2007

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, September 25, 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 3:00 p.m. on September 11, 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 September 11, 2007, meeting and the Agenda of the September 25, 2007, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Proclamation - Fire Department Open House – October 6, 2007
“Practice Your Escape Plan”**
- **Proclamation - Rideshare Week 2007 – October 1 – 5, 2007**
- **German American Society “Oktoberfest”**

AGENDA CHANGES:

MOTION BY LEWIS, SECOND BY RAMOS, to Continue Item 4.1 to the meeting of October 9, 2007, as requested by Staff.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.12)

MOTION BY LEWIS, SECOND BY RAMOS, to Continue Items 1.4 and 1.5, as requested by Staff, approve Consent Items 1.1 to 1.12, and pulling 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 September 11, 2007, meeting 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.

CONSENT ITEMS: (Continued)

THROUGH EARLIER ACTION, THIS ITEM WAS CONTINUED TO THE MEETING OF OCTOBER 9, 2007:

- 1.4 RESTRICTIVE COVENANTS AND AGREEMENT FOR PROPERTY MODIFICATIONS AND FINAL PARCEL MAP FOR TENTATIVE PARCEL MAP (TPM) 631 – 878 Garfield Avenue - Engineering Job No. 3081 (Report: Director of Public Works) Continued from September 11, 2007**

RECOMMENDATION: That the City Council approve the Restrictive Covenants and Agreement for Property Modifications and Final Parcel Map for TPM 631 at 878 Garfield Avenue, authorizing execution of the agreement.

THROUGH EARLIER ACTION, THIS ITEM WAS CONTINUED TO THE MEETING OF OCTOBER 9, 2007:

- 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) 606 – 1371 East Washington Avenue – Engineering Job No. 3023 (Report: Director of Public Works) Continued from September 11, 2007**

RECOMMENDATION: That the City Council approve the Lien Contract and Agreement Not to Convey, Covenant Not to Convey Condominium Units, and the Final Map for TSM 606 at 1371 East Washington Avenue, authorizing execution of the agreements.

- 1.6 ACCEPTANCE OF INSTALLATION OF STORM DRAIN WATER FILTERS AT VARIOUS LOCATIONS THROUGHOUT THE CITY OF EL CAJON, Engineering Job No. 3062 - Bid No. 004-08 (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 contract terms.

- 1.7 REQUEST FOR TEMPORARY SIGN TO PROMOTE FIRE PREVENTION WEEK AND FIRE DEPARTMENT OPEN HOUSE (Report: Fire Chief)**

Approve the temporary use of a banner at the southwest corner of Main and Magnolia for the promotion of Fire Prevention Week and the Fire Department Open House.

CONSENT ITEMS: (Continued)

1.8 SUBDIVISION AGREEMENT AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 529 – 1415 Emerald Avenue, Engineering Job No. 2891 (Report: Director of Public Works)

Approve the Subdivision Agreement and Final Map for TSM 529 at 1415 Emerald Avenue, authorizing execution of the agreement.

1.9 SUBDIVISION AGREEMENT AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 547R – 823-841 Ballantyne Street, Engineering Job No. 2916 (Report: Director of Public Works)

Approve the Subdivision Agreement and Final Map for TSM 547R at 823-841 Ballantyne Street, authorizing execution of the agreement.

PULLED FOR DISCUSSION:

1.10 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 600 – 642 South Mollison Avenue, Engineering Job No. 3014 (Report: Director of Public Works)

RECOMMENDATION: That the City Council grant a one year time extension for TSM 600 and set the new expiration date to September 27, 2008, in accordance with Municipal Code Section 16.12.110.

1.11 U. S. DOJ JUSTICE ASSISTANCE GRANT (JAG) 2007 (Report: Chief of Police)

- Authorize the City Manager or her designee to accept the 2007 U. S. Department of Justice, Justice Assistance Grant (JAG) in the amount of \$57,432 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
- Appropriate a total of \$57,432 for the purchase of police vehicle video systems, which is part of the ongoing Officer Safety Enhancement Program.

1.12 HOLD HARMLESS AGREEMENT TO ALLOW THE TEMPORARY PLACEMENT OF A MOTHER GOOSE PARADE ARCH WITHIN THE PUBLIC RIGHT-OF-WAY IN THE 100 BLOCK OF EAST MAIN STREET, Engineering Job No. 3187 (Report: Director of Public Works)

Approve the Hold Harmless Agreement to allow the temporary placement of the Mother Goose Parade Arch within the public right-of-way in the 100 block of East Main Street.

CONSENT ITEMS: (Continued)

1.10 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 600 – 642 South Mollison Avenue, Engineering Job No. 3014 (Report: Director of Public Works)

RECOMMENDATION: That the City Council grant a one year time extension for TSM 600 and set the new expiration date to September 27, 2008, in accordance with Municipal Code Section 16.12.110.

DISCUSSION

Kristy Mundt comments about a development project that has been sitting idle and has been subject to graffiti and vandalism. **Director of Community Development Griffin** clarifies that the subject property is not the same property of which the speaker inquired.

MOTION BY LEWIS, SECOND BY RAMOS, to Approve Item 1.10.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Kristy Mundt invites **Council**, and members of the public, to the Downtown Café, to attend weekly meetings in support of John Edwards. The meetings are held each Saturday from 12:00 noon until 2:00 p.m.

Raymond Lutz, representing Citizens Oversight.org, comments about the resignation of Jeff Hurley from the Gillespie Field Development Council and conflicts of interest. He invites **Council** and the public to a Blackwater USA, back-county installation on Oct. 6th and 7th in Potrero.

Tom Black, representing the Optimists Club of Performing Arts, presents a photograph of the 30 award winners of this year's film festival. **Mayor Pro Tem McClellan** suggests that some of the films could be shown on the public access channel. **Mayor Lewis** requests that a short film be shown at the next Council meeting.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, welcomes students from Valhalla High School. She speaks about fundraising efforts for her annual walk for Children's Hospital, and indicates she will replace the yellow ribbons in the downtown area just prior to the Mother Goose Parade.

Councilmember McClellan reports that he participated in a Proposition 22 support group meeting held today at noon. He mentions that the City had supported Proposition 22 in the past.

2. **WRITTEN COMMUNICATIONS: None**

3. **PUBLIC HEARINGS: None**

4. **ADMINISTRATIVE REPORTS:**

THROUGH EARLIER ACTION, THIS ITEM WAS CONTINUED TO THE MEETING OF OCTOBER 9, 2007:

4.1 POLICE OFFICERS' ASSOCIATION IMPASSE (Report: City Manager)

RECOMMENDATION: That the **City Council** consider the information attached to the Agenda Report and any public comment presented and direct staff regarding the declared impasse between the City of El Cajon and the Police Officers' Association (POA).

4.2 THIRD FOLLOW-UP REPORT FOR THE EMERGENCY REPAIRS AT THE EAST COUNTY PERFORMING ARTS CENTER (Report: Assistant to the City Manager)

RECOMMENDATION: That the **City Council** determine, by four-fifths vote, that there continues to be a need for declaring an emergency at the East County Performing Arts Center (ECPAC) in accordance with El Cajon Municipal Code section 2.04.145 and Public Contract Code section 22050 and waiving the bidding requirement for the emergency repairs in accordance with El Cajon Municipal Code section 3.20.010(C)(6).

DISCUSSION

City Manager Henry reports that the repairs are progressing on schedule and should be completed by the first week of October.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to determine, by four-fifths vote, that there continues to be a need for declaring an emergency at the East County Performing Arts Center (ECPAC) in accordance with El Cajon Municipal Code section 2.04.145 and Public Contract Code section 22050 and waiving the bidding requirement for the emergency repairs in accordance with El Cajon Municipal Code section 3.20.010(C)(6).

MOTION CARRIES BY UNANIMOUS VOTE.

5. COMMISSION REPORTS: None

6. 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).

6.1 SANDAG Board of Directors Agenda – September 14, 2007

6.2 Joint Meeting of the Board of Directors for the Metropolitan Transit System, San Diego Transit Corporation and San Diego Trolley, Inc. – September 13, 2007

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

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).

7.1 Bob's Constitutional Moments

DISCUSSION

Raymond Lutz, representing Citizens Oversight.org, formally objects to “preaching” on the dais by **Mayor Pro Tem McClellan**. He requests the Item be removed from the agenda. He feels the public should have input for any telecasts on the public access channel.

In response to questions by **Mayor Lewis**, **City Attorney Foley** clarifies that the purpose of allowing the public to speak on an item is to allow them to express views on the particular item. Other issues or views concerning matters not listed on the agenda, but falling under the City's jurisdiction, rather than another agency's jurisdiction, should be brought up under Public Comment.

Councilmember McClellan reads an excerpt of a reply by Thomas Jefferson dated January 1, 1802 concerning the establishment of national religion.

Councilmember Ramos discusses guidelines for Public Comment as recommended by the League of California Cities, which states that Public Comment should be limited to City business.

ITEM 7.1 (Continued)

Mayor Lewis speaks in support of the item, which he feels helps to educate the public.

MOTION BY RAMOS, to remove Item 7.1 from the agenda.

MOTION DIES FOR LACK OF A SECOND.

7.2 Council Activities Report

Report as stated.

8.

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.

8.1 Council Activities Report

Councilmember Hanson-Cox provides a list of the celebrity line-up for the Mother Goose Parade taking place on November 18th.

9.

COUNCILMEMBER GARY KENDRICK

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

9.1 No Report

Report as stated.

10.

COUNCILMEMBER DICK RAMOS

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

10.1 No Report

11. LEGISLATIVE REPORT

**11.1 League of California Cities Legislative Bulletin dated September 14, 2007 -
*Priority Focus***

**11.2 Request from Senator Christine Kehoe to send a support letter on SB 10
to Governor Schwarzenegger**

DISCUSSION

Councilmember Ramos indicates AB 1430 and SB 10 have been submitted for the Governor's signature. He has already sent a letter to support SB10, and suggests that Council send a letter of support as well. He also recommends sending a letter of opposition to AB 414, which affects local authority on land use and development issues.

**THE CONSENSUS OF COUNCIL AGREES TO SEND A LETTER OF
SUPPORT FOR SB10 AND LETTER OF OPPOSITION TO AB 414.**

MOTION CARRIES BY UNANIMOUS VOTE.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING

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

**13.1 INTRODUCTION OF A GREEN BUILDING DESIGN ORDINANCE FOR USE
WITHIN THE CITY OF EL CAJON (Report: Building Official/Fire Marshal)**

RECOMMENDATION: That the City Council approve the introduction of an ordinance approving Chapter 15.88 of the El Cajon Municipal Code, establishing a "Green Building Design" ordinance. It is further recommended that the Mayor ask the City Clerk to recite the title of the ordinance following its introduction.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON
ADDING CHAPTER 15.88 TO THE EL CAJON MUNICIPAL CODE
ESTABLISHING GREEN BUILDING DESIGN PROVISIONS FOR
CONSTRUCTION WITHIN THE CITY OF EL CAJON**

DISCUSSION

Mayor Lewis speaks in support of the Item.

ITEM 13.1 (Continued)

Councilmember Ramos suggests continuation of the Item in order to obtain additional information from Staff. He feels there may be negative, potentially costly impacts to developers that would fall within this Chapter of the Municipal Code.

City Attorney Foley discusses the option to hold a public hearing before adoption of the ordinance.

Council and **Staff** comment on the current state of the economy and the potential effects on development projects.

MOTION BY LEWIS, SECOND BY HANSON-COX, to approve the introduction of the ordinance.

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

- Potential savings in utility bills by utilizing solar power and other energy-saving measures;
- The current water shortage;
- The potential to draw new homeowners to the City and improve the quality of life for residents.

Joseph Scarlatti, 8799 Balboa Avenue, San Diego, states the proposed ordinance contains good ideas to address conservation, but he feels at this time, the requirements would be cost-prohibitive for the developers.

Kristy Mundt states she believes in a green environment and suggests that homeowners support their own efforts towards a greener environment. She feels the economy is not right for imposing mandatory requirements.

Council and **Staff** discuss:

- Whether to make the requirements mandatory or voluntary;
- Whether to exclude previously approved projects from the new requirements;
- The potential impact to developers on their "return on investments".

City Attorney Foley indicates that if changes are made to the proposed ordinance, the Item would need to come back for a new introduction with a first reading, or **Council** could defer the Item for more dialogue.

MOTION AND SECOND WITHDRAWN BY LEWIS AND HANSON-COX, RESPECTIVELY.

ITEM 13.1 (Continued)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to file the report.

MOTION CARRIES BY UNANIMOUS VOTE.

Recess called at 4:49 p.m.
Meeting called back to order at 4:56 p.m.

13.2 INTRODUCTION OF ORDINANCES ADOPTING BY REFERENCE CALIFORNIA BUILDING CODE, 2007 EDITION, CALIFORNIA ELECTRICAL CODE, 2007 EDITION, CALIFORNIA FIRE CODE, 2007 EDITION, CALIFORNIA MECHANICAL CODE, 2007 EDITION, CALIFORNIA PLUMBING CODE, 2007 EDITION, INTERNATIONAL EXISTING BUILDING CODE, 2006 EDITION, AND INTERNATIONAL WILDLAND URBAN INTERFACE CODE, 2006 EDITION, FOR USE WITHIN THE CITY OF EL CAJON (Report: Building Official/Fire Marshal)

RECOMMENDATION: That the City Council approve, *by separate votes*, the introduction of ordinances adopting by reference the following California Building Standards Codes: California Building Code, 2007 Edition, California Electrical Code, 2007 Edition, California Fire Code, 2007 Edition, California Mechanical Code, 2007 Edition, California Plumbing Code, 2007 Edition, International Existing Building Code, 2006 Edition, and International Wildland Urban Interface Code, 2006 Edition, each with modifications as described therein. It is further recommended that the Mayor ask the City Clerk to recite the title of each ordinance following its introduction.

DISCUSSION

City Attorney Foley provides a summary of the report.

Mayor Pro Tem McClellan indicates he will not support the introduction of Items 13.2-F and 13.2-G, because they are international codes and not national codes.

13.2-A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON REPEALING CHAPTER 15.04 OF THE EL CAJON MUNICIPAL CODE AND ADOPTING CHAPTER 15.04 ADOPTING BY REFERENCE THE CALIFORNIA BUILDING CODE, 2007 EDITION, AS AMENDED

MOTION BY LEWIS, SECOND BY RAMOS, to Approve introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.2-B

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON REPEALING CHAPTER 15.20 OF THE EL CAJON MUNICIPAL CODE AND ADOPTING CHAPTER 15.20 ADOPTING BY REFERENCE THE CALIFORNIA ELECTRICAL CODE, 2007 EDITION, AS AMENDED

MOTION BY LEWIS, SECOND BY RAMOS, to Approve introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.2-C

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON REPEALING CHAPTER 15.56 OF THE EL CAJON MUNICIPAL CODE AND ADOPTING CHAPTER 15.56 ADOPTING BY REFERENCE THE CALIFORNIA FIRE CODE, 2007 EDITION, AS AMENDED

MOTION BY LEWIS, SECOND BY HANSON-COX, to approve the introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.2-D

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON REPEALING CHAPTER 15.48 OF THE EL CAJON MUNICIPAL CODE AND ADOPTING CHAPTER 15.48 ADOPTING BY REFERENCE THE CALIFORNIA MECHANICAL CODE, 2007 EDITION, AS AMENDED

MOTION BY LEWIS, SECOND BY HANSON-COX, to Approve introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.2-E

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON REPEALING CHAPTER 15.52 OF THE EL CAJON MUNICIPAL CODE AND ADOPTING CHAPTER 15.52 ADOPTING BY REFERENCE THE CALIFORNIA PLUMBING CODE, 2007 EDITION, AS AMENDED

MOTION BY LEWIS, SECOND BY HANSON-COX, to Approve introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.2-F

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON ADOPTING CHAPTER 15.84 ADOPTING BY REFERENCE THE INTERNATIONAL EXISTING BUILDING CODE, 2006 EDITION

DISCUSSION

In reply to questions by **Mayor Pro Tem McClellan, City Attorney Foley** provides clarification on this Item.

Dan Pavao, Building Official/Fire Marshal, adds that adoption of a local ordinance would allow property owners to seek FEMA funding for rebuilding of properties to current code standards, due to certain types of emergencies.

MOTION BY LEWIS, SECOND BY HANSON-COX, to Approve introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

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13.2-G

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON
ADOPTING CHAPTER 15.86 ADOPTING BY REFERENCE THE
INTERNATIONAL WILDLAND URBAN INTERFACE CODE, 2006 EDITION**

DISCUSSION

In response to questions by **Mayor Pro Tem McClellan, Dan Pavao**, Building Official/Fire Marshal, clarifies that the ordinance pertains to structures built in high-hazard, fire areas.

MOTION BY LEWIS, SECOND BY RAMOS, to Approve introduction of the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

14. ORDINANCES: SECOND READING AND ADOPTION

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

**14.1 ORDINANCE REPEALING ORDINANCE NO. 4796 AND DELETING
CHAPTER 9.34**

An Ordinance repealing Ordinance No. 4796 and deleting Chapter 9.34 of the El Cajon Municipal Code regarding Vehicle Abatement for Nuisance

MOTION BY LEWIS, SECOND BY MCCLELLAN, to adopt Ordinance No. 4890.

MOTION CARRIES BY UNANIMOUS VOTE.

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

15. CLOSED SESSIONS

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

15.1

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

Number of cases: 1

Case No. 1: Bethany Wood v. City of El Cajon, et al.
United States District Court Case No. 07CV0860 J(WMc))

15.2

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

Number of cases: 1

Case No. 1: City of El Cajon v. Heartland Coalition d/b/a Heartland Foundation
Case No. GIE 036582

15.3

- **CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8**

Property

Negotiating Parties Agency Negotiators

APN 492-490-54-10

Melissa A. Mabe

Executive Director/City Manager Director
of Redevelopment & Housing
City Attorney/General Counsel

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms of the existing First-Time Homebuyer Loan Program for the property.

MOTION BY LEWIS, SECOND BY RAMOS, to Adjourn to Closed Session at 5:14 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 5: 39 P.M.

City Attorney reports on action taken in Closed Session:

15.1 Council took no action and there is nothing to report.

15.2 Council provided direction to Legal Counsel regarding the existing litigation.

15.3 Council provided direction to the Real Property Negotiators.

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 25th day of September 2007, at 5:40 p.m. to Tuesday, September 25, 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

SEPTEMBER 25, 2007

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, September 25, 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 September 25, 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.)

John Longhauser states he is the owner of Jamacha Bar & Grille. He speaks about the expansion of his business, his efforts to work cooperatively with the City's requirements, and the denial of an ABC license for the expanded portion of his business.

As recommended by **Council** and **Staff**, **City Manager** indicates she will call the speaker to discuss possible resolution of the issues.

PUBLIC HEARINGS:

100 AMENDMENT OF CONDITIONAL USE PERMIT 1748 (Sagart for Shahin Enterprises, Inc.) – 624 El Cajon Boulevard (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove, Planning Commission Resolution No. 10448 for used car sales with minor auto repair in the C-2 Zone at 624 El Cajon Boulevard.**

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

In response to questions by **Councilmember Ramos**, **Director of Community Development Griffin** indicates that the conditional use permit is for used car sales and detailing, and not for general auto repair.

Sean Sagart, is the owner of the subject property. He states they have met nearly all of the required conditions of approval. He clarifies that minor auto repairs will only be done on cars being prepared for sale.

No further comments are made.

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

MOTION CARRIES BY UNANIMOUS VOTE.

ITEM 100 (Continued)

MOTION BY LEWIS, SECOND BY HANSON-COX, to Adopt RESOLUTION NO. 99-07 to Approve Planning Commission Resolution No. 10448 for used car sales with minor auto repair in the C-2 Zone at 624 El Cajon Boulevard.

MOTION CARRIES BY UNANIMOUS VOTE.

101 CONDITIONAL USE PERMIT (CUP) 2048 (Goward Productions, Inc. dba Channel Twelve 25 for Mike Fenton) – 172 East Main Street (Report: City Clerk)

RECOMMENDATION: That the City Council

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to Approve, Modify or Disapprove Planning Commission Resolution No. 10449 for live entertainment and reduced parking in conjunction with a proposed retail music business in the C-R Zone at 172 East Main Street.**

DISCUSSION

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

Mayor Lewis announces the Public Hearing is now Open.

Steve Goward, representing Goward Productions, summarizes the plans for the business, including measures to address curfew and security issues.

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

- Problems that have surfaced with other teen clubs;
- Dress codes;
- Use of security cameras.

Odie Goward, representing Goward Productions, states their goal is to provide a professional place for youth to perform. She makes a suggestion to hold the San Diego Megastar event at the site of their new business.

ITEM 101 (Continued)

Captain Bruno Cirello, Police Department, comes forward to speak and recommends the following conditions:

- Use of internal and external surveillance devices with a digital recorder;
- A written, posted and enforced dress code prohibiting any persons with gang-type clothing or apparent gang affiliation;
- Provide security personnel wearing clothing clearly marked as "Security". Number of security personnel would be based on type of activity and number of people in attendance.

Council and **Staff** express support for a six-month review of the conditional use permit.

Mr. Goward returns to the podium to answer questions from **Council**. He states they agree to close down at 11:00 p.m., and indicates the venues would be similar to concerts, rather than a nightclub with dancing.

Council and **Staff** discuss concerns about the applicants' objectives for the proposed business, and the differences between a nightclub and a venue for live entertainment.

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. 100-07 to Modify Planning Commission Resolution No. 10449 for live entertainment and reduced parking in conjunction with a proposed retail music business in the C-R Zone at 172 East Main Street, incorporating the conditions as outlined by Captain Cirello and a six-month review of the conditional use permit.

MOTION CARRIES BY UNANIMOUS VOTE.

102 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 25th day of September 2007, at 8:12 p.m. to Tuesday, October 9, 2007, at 3:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary