

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

OCTOBER 9, 2007

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, October 9, 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 September 25, 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 25, 2007, meetings and the Agenda of the October 9, 2007, meeting in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Proclamation – “National Community Planning Month”**
- **Presentation – El Cajon Main Street Flag Program 5th Anniversary**

Tom Black, representing the El Cajon Video & Film Festival, shows a short film that was entered at the recent film festival.

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY LEWIS, SECOND BY KENDRICK, to approve Consent Items 1.1 to 1.10, Continuing Items 1.4, 1.5 and 1.9 and pulling Item 1.7 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 25, 2007, 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.

CONSENT ITEMS: (Continued)

THROUGH EARLIER ACTION, THIS ITEM WAS CONTINUED TO A FUTURE MEETING DATE:

- 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 and September 25, 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 A FUTURE MEETING DATE. (A speaker card was submitted and the speaker agreed to return when the Item is placed on a future agenda)

- 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 and September 25, 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 RESOLUTION – AWARD OF BID NO. 015-08, RESURFACING PROJECT NO. 57, COLLECTOR AND RESIDENTIAL STREETS, VARIOUS LOCATIONS (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 101-07 and award the bid to the low bidder, SRM Contracting & Paving, in the amount of \$1,567,000.00.

PULLED FOR DISCUSSION:

- 1.7 HOMEOWNERSHIP FAIR – CITYWIDE EVENT (Report: Director of Redevelopment and Housing)**

RECOMMENDATION: That the City Council declare the East County Financial Freedom Day and Homeownership Fair a Citywide Event.

CONSENT ITEMS: (Continued)

1.8 CHANGE ORDER FOR REPLACEMENT OF SIDEWALKS AT VARIOUS LOCATIONS, Engineering Job No. 3119 (Report: Director of Public Works)

Approve contract Change Order No. 1 to add seven (7) additional locations to the contract. The cost of this Change Order is \$49,050.50.

THROUGH EARLIER ACTION, THIS ITEM WAS CONTINUED TO A FUTURE MEETING DATE:

1.9 SUBDIVISION AGREEMENT AND FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 621 – 1338 Naranca Avenue, Engineering Job No. 3060 (Report: Director of Public Works)

RECOMMENDATION: That the City Council approve the Subdivision Agreement and the Final Map for TSM 621 at 1338 Naranca Avenue, authorizing execution of the agreement.

1.10 1068 BROADWAY (Report: Director of Housing and Redevelopment)

1. Appropriate \$186,000 from the Unappropriated City Capital Improvement Program fund balance to the 1068 Broadway Functional Maintenance Program activity;
2. Establish a project budget of \$186,000 in the City Capital Improvement Program to provide for property management and maintenance prior to sale of the property;
3. Authorize the City Manager or designee to execute documents or enter into agreements as necessary to preserve and protect the subject property.

1.7 HOMEOWNERSHIP FAIR – CITYWIDE EVENT (Report: Director of Redevelopment and Housing)

Declare the East County Financial Freedom Day and Homeownership Fair a Citywide Event.

DISCUSSION

Kay LeMenager, representing the El Cajon Community Development Corporation, speaks in support of the event.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Item 1.7.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Monica Zech, Public Information Officer, thanks **Council** for their support, and reports on the successful Open House at the Fire Department on October 6th.

Jim Kelly speaks about the smoking ban and feels that drug tests should be done on police officers.

Raymond Lutz, representing Citizens Oversight.org, thanks the City for following through on eliminating “Bob’s Constitutional Moments” from the agenda. He requests equal time on the Government Access Channel, as the film festival was not open to entries from Citizens Oversight.org. Additionally, he comments on his previous requests to have letters placed on the agenda under Written Communications, which were denied.

Kristy Mundt, representing Citizens Oversight.org, expresses her feelings about **Council** and the need for a non-partisan group, when re-election time comes.

Tony Sottile speaks about the heritage of the Union and recites quotes by previous presidents and from the Constitution of the United States.

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, speaks about having attended City Council meetings in other cities, at which speaking about God is allowed. She reports that on October 20th, she will shave her head to raise donations for Children’s Hospital. She requests permission to advertise the event by hanging banners on trees. **Mayor Lewis** indicates the banners would be permissible, as long as they do not block any views.

Karen Marie Otter is a resident of the City and represents Citizens Oversight.org. She responds to statements made by a previous speaker and comments on separation of church and state, and the Supreme Court’s responsibility for interpretation of the Constitution.

Bob McClellan speaks about the founders of our nation and their views on freedom of religion.

*Recess called at 3:56 p.m.
Meeting called back to order at: 4:04 p.m.*

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

4. ADMINISTRATIVE REPORTS:

4.1 POLICE OFFICERS' ASSOCIATION IMPASSE (Report: City Manager) Continued from September 25, 2007

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).

DISCUSSION

City Manager Henry provides a brief history of the negotiations and outlines the options for consideration by Council, for resolution of the impasse.

Bradley Fields, representing the El Cajon Police Officers Association, discusses the rationale for the POA's last best and final offer. He cites possible problems with retention and recruitment of qualified applicants and feels there is a need for a plan by the City to bring in additional revenue through a tax assessment designated for public safety.

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

- Recruitment efforts and competitive salaries;
- Suggestions for the public to obtain signatures from registered voters in order to place initiatives on the ballot for a special tax assessment or an increase in sales tax;
- A suggestion for a ballot initiative to change distribution of Prop 172 funds.

Bryan Zmijewski, representing the POA, comments on the high turnover in Police Department personnel because of low pay rates, the need for a list of qualified officers, and increased police response times.

Raymond Lutz, representing Citizens Oversight.org. speaks about potential impacts to businesses if sales taxes were to be raised. He suggests that the City's Recreation Department manage the East County Performing Arts Center.

Further discussion ensues among **Council** and **Staff** concerning:

- The City's desire to keep salaries at or above the mean;
- The City's standards concerning quality of recruits;
- Total costs for new employees;
- The need for a plan to address the City's budgetary concerns.

ITEM 4.1 (Continued)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt the City's Last, Best, and Final Offer.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 VACANCIES AND TERM EXPIRATIONS ON CITY COMMISSIONS AND PUBLIC SAFETY FACILITY FINANCING OVERSIGHT COMMITTEE AND 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 Public Safety Facility Financing Oversight Committee, City Commissions and the Gillespie Field Development Council, or reappoint, if appropriate.

DISCUSSION

Mayor Lewis speaks about the upcoming vacancies and mentions that Gillespie Field Development Council has one seat that may be filled by a candidate not residing within the city limits.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to establish the schedule for applications/interviews of candidates to serve on the Public Safety Facility Financing Oversight Committee, City Commissions and the Gillespie Field Development Council, or reappoint, if appropriate.

MOTION CARRIES BY UNANIMOUS VOTE.

4.3 REQUEST FOR QUALIFICATIONS (RFQ)– EAST COUNTY PERFORMING ARTS CENTER (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the City Council approve for distribution the Request for Qualifications submitted with the Agenda Report.

DISCUSSION

In response to questions by **Mayor Lewis**, **City Attorney Foley** provides clarification on requirements concerning financial ability, which would include financial backing and availability of funds to develop the project.

ITEM 4.3 (Continued)

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

- Potential elements for the proposed development, including a hotel, conference center or possible mixed use;
- The committee assigned for review of the RFQs;
- Bond requirements;
- Modifying the time period for submittal of RFQs;
- A suggestion to change the orientation of the development to face Main Street.

Raymond Lutz, representing Citizens Oversight.org, requests that the City not use the same committee members as have been utilized previously on the Blue Ribbon Commission, including John Gibson and representatives from Priest Development, or anyone that may have a conflict of interest.

MOTION BY LEWIS, SECOND BY KENDRICK, to approve distribution of the Request for Qualifications, changing the due date of submittals from Nov. 21, 2007 to Feb. 15, 2008 at 5:00 p.m., and the modifying the project description to include a possible mixed-use, retail, or hotel and conference/performance center.

MOTION CARRIES BY UNANIMOUS VOTE.

4.4 DRAFT CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING ORDINANCE (Report: City Attorney)

RECOMMENDATION: That the **City Council** review the draft Ordinance attached to the Agenda Report to adopt Chapter 8.25 of the El Cajon Municipal Ordinance, establishing a Construction and Demolition Debris Recycling Ordinance in the City of El Cajon, and provide direction to staff whether to return with a final version for introduction at a future meeting, with such changes as the City Council may require.

DISCUSSION

Les Hart, representing Waste Management, comments on the draft ordinance, Waste Management's support for recycling efforts and the need for dual-purpose facilities. He suggests that the City hold a workshop in order to discuss suggestions and available options.

Councilmembers discuss scheduling a future workshop.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to file the report and have Mayor Pro Tem McClellan schedule a workshop in early 2008.

MOTION CARRIES BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

4.5 2008 CALENDAR OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS (Report: City Clerk)

RECOMMENDATION: That the City Council review the calendar and proposed schedule for City Council/Redevelopment Agency Meetings in 2008 and make any appropriate modifications or accept as presented.

DISCUSSION

Councilmembers suggest changes to the 2008 schedule.

MOTION BY LEWIS, SECOND BY RAMOS, to approve the schedule with the following modifications to meeting dates: October 7 & 21, November 18, and December 2 and 16, 2008.

MOTION CARRIES BY UNANIMOUS VOTE.

4.6 RESOLUTION – PROPOSED LOADING ZONE – BROCKTON STREET BETWEEN CENTER PLACE AND CHATHAM STREET (Report: City Traffic Engineer)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order and establish the following Loading zone:

Along the west curbline of Brockton Street, beginning at a point 150 feet north of the north extended curbline of Chatham Street, thence north a distance of 40 feet.

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY KENDRICK, to Adopt RESOLUTION NO. 102-07 to establish the Loading Zone along the west curbline of Brockton Street, beginning at a point 150 feet north of the north extended curbline of Chatham Street, thence north a distance of 40 feet.

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 Metropolitan Transit System (MTS) Agenda – September 27, 2007

6.2 SANDAG Board of Directors Agenda – September 28, 2007

6.3 LAFCO Bulletin – September-October 2007

6.4 LAFCO Agenda – October 1, 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 Council Activities Report

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 speaks about the Open House at the Fire Department. She provides an update on the status of the Mother Goose Parade festivities.

9.

COUNCILMEMBER GARY KENDRICK

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

9.1 No Report

As stated.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

10.

COUNCILMEMBER DICK RAMOS

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

10.1 No Report

As stated.

11. LEGISLATIVE REPORT

11.1 League of California Cities Legislative Bulletin - *Priority Focus* - dated September 21 and 28, 2007 - *Priority Focus*

DISCUSSION

Councilmember Ramos reports on the status of SB 10, which has been signed by the Governor, and AB 1430. No action is recommended at this time.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING

13.1 INTRODUCE ORDINANCE ADOPTING CHAPTER 15.90

RECOMMENDATION: That the City Council

- Make a MOTION, and second to introduce the Ordinance
- Discussion
- Vote
- If approved, the Mayor requests the City Clerk to recite the title

An Ordinance of the City Council of the City of El Cajon adopting Chapter 15.90 of the El Cajon Municipal Code establishing procedures for Post Disaster Safety Assessment

ITEM 13.1 (Continued)

MOTION BY LEWIS, SECOND BY RAMOS, to Introduce the Ordinance Adopting Chapter 15.90.

DISCUSSION

No one comes forward to speak.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.2 INTRODUCE ORDINANCE AMENDING CHAPTER 15.16

RECOMMENDATION: That the City Council

- Make a MOTION, and second to introduce the Ordinance
- Discussion
- Vote
- If approved, the Mayor requests the City Clerk to recite the title

An Ordinance of the City Council of the City of El Cajon amending Chapter 15.16 of the El Cajon Municipal Code to Allow Recovery of Administrative Costs in the Abatement of Unsafe Buildings, Substandard Buildings and Property or Dangerous Conditions

MOTION BY LEWIS, SECOND BY RAMOS, to Introduce the Ordinance Amending Chapter 15.16.

DISCUSSION

No one comes forward to speak.

MOTION CARRIES BY UNANIMOUS VOTE.

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

ORDINANCES: FIRST READING (Continued)

13.3 INTRODUCE ORDINANCE REPEALING CHAPTER 15.72

RECOMMENDATION: That City Council

- Make a MOTION, and second to introduce the Ordinance
- Discussion
- Vote
- If approved, the Mayor requests the City Clerk to recite the title

An Ordinance of the City Council of the City of El Cajon repealing Chapter 15.72 of the El Cajon Municipal Code

MOTION BY LEWIS, SECOND BY RAMOS, to Introduce the Ordinance Repealing Chapter 15.72.

DISCUSSION

No one comes forward to speak.

MOTION CARRIES BY UNANIMOUS VOTE.

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

13.4 INTRODUCE ORDINANCE REPEALING SECTIONS 2.24.400 THROUGH 2.24.430 FROM CHAPTER 2.24 OF THE EL CAJON MUNICIPAL CODE

RECOMMENDATION: That the City Council

- Make a MOTION, and second to introduce the Ordinance
- Discussion
- Vote
- If approved, the Mayor requests the City Clerk to recite the title

An Ordinance of the City Council of the City of El Cajon repealing Sections 2.24.400, 2.24.410, 2.24.420 and 2.24.430 of Chapter 2.24 of the El Cajon Municipal Code eliminating the El Cajon Youth Commission

MOTION BY LEWIS, SECOND BY RAMOS, to Introduce the Ordinance repealing Sections 2.24.400, 2.24.410, 2.24.420 and 2.24.430 of Chapter 2.24 of the El Cajon Municipal Code eliminating the El Cajon Youth Commission.

ITEM 13.4 (Continued)

DISCUSSION

No one comes forward to speak.

MOTION CARRIES BY UNANIMOUS VOTE.

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

14. ORDINANCES: SECOND READING AND ADOPTION - None

15. CLOSED SESSION: None

ADJOURNMENT: The Regular Joint Meeting of the El Cajon City Council and the El Cajon Redevelopment Agency held this 9th day of October 2007 is adjourned in memory of Christopher Pietrzak in tribute and reverence, and with deepest sympathy to his family, to Tuesday, October 23, 2007 at 3:00 p.m.

KATHIE J. RUTLEDGE
City Clerk/Secretary