

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

---

**February 26, 2002**

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, February 26, 2002 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., Tuesday, February 12, 2002, by order of the City Council and Redevelopment Agency.

#### **ROLL CALL**

Council/Agencymembers present:	Ramos, Santos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	McClellan
Mayor/Chair present:	Lewis
Other Officers present:	Linn, City Clerk/Secretary Foley, City Attorney/General Counsel Garrett, City Manager/Executive Director Munzenmaier, Director of Public Works Griffin, Director of Community Development

**PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Lewis and INVOCATION by Priscilla Rettig, Prayer Coordinator for San Diego's Jesus Video Project.**

#### **POSTINGS**

The City Clerk posted Orders of Adjournment of the February 12, 2002 Meeting and the Agenda of the February 26, 2002 Meeting according to State Law and Council/Agency Policy.

## **PRESENTATIONS:**

### **Adopt-A-Pet**

**Mayor Lewis** introduces **Animal Control Officer Cleveland**, who presents "Weasel," a dog available for adoption. Call 619/441-1580 to adopt a pet. In December, 81% of dogs and 78% of cats left the shelter alive.

### **Commendation:**

#### **Willie and Verna Randel**

**Mayor Lewis** presents a commendation to **Willie and Verna Randel** in honor of their 50<sup>th</sup> Wedding Anniversary.

### **Proclamation:**

#### **Strength Team Days**

**Mayor Lewis** proclaims March 6-10, 2002 to be Strength Team Days. Mike Hagen's Strength Team delivers motivational messages at school assemblies. **Jim Landstedt** accepts the proclamation.

## **MINUTES OF MEETINGS:**

**MOTION BY Lewis, SECOND BY McClellan to approve Minutes of the February 12, 2002 Meetings.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **AGENDA CHANGES:**

**City Manager Garrett** requests that Item 1.6 be pulled from the Agenda; since the Item was on a previous Agenda.

**Mayor Lewis** requests an item regarding Secondary Sewage Treatment brought by **Councilmember Ramos** be added as Agenda Item 6.1.

**Councilmember McClellan** suggests the Interviews for the Traffic Commission be conducted before Closed Session.

**MOTION BY Lewis, SECOND BY McClellan to add Item 6.1 – Letter to the Coastal Commission, US Environmental Protection Agency, and California Regional Water Quality Control Board urging waiver renewal to the City of San Diego for Secondary Treatment, finding that the need to take action on this item arose after the preparation of the Agenda and the need to take action is required before the next Council Meeting.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY McClellan to approve the Agenda as amended to remove Consent Item 1.6, add Item 6.1, and move Item 12 to precede Item 10.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**CONSENT ITEMS: (1.1 – 1.8)**

**Councilmember McClellan** requests Item 1.4 be pulled for minor correction.

**Councilmember Ramos** requests Items 1.4 and 1.2 be pulled for discussion.

**MOTION BY Lewis, SECOND BY McClellan to approve Items 1.1-1.8, removing item 1.6 and discussing Items 1.4 as requested by Mayor Pro Tem McClellan and Councilmember Ramos and 1.2 as requested by Councilmember Ramos.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.1 WARRANTS**

Approve payment of Warrants as submitted by the Finance Department.

**1.2 Pulled for Discussion**

**1.3 ACCEPTANCE OF PUBLIC IMPROVEMENTS – TENTATIVE SUBDIVISION MAP 481 AND PLANNED UNIT DEVELOPMENT 47 – FRIENDLY TERRACE – East Side of Main Street between Pepper Drive and Lavala Lane (Report: Director of Public Works)**

Accept the public improvements and authorize the City Clerk to release the bonds guaranteeing the improvements in accordance with the subdivision agreement, requiring the developer to maintain insurance in force until release of all bonds for the project.

**1.4 Pulled for Discussion**

**1.5 CONTRACT FOR INSPECTION SERVICES FOR CAL-PEAK POWER PLANT AT 200 N. JOHNSON AVENUE (SDG&E SUBSTATION) (Report: Building Official)**

Direct staff to prepare a contract with Wildan Corporation for limited inspection services not to exceed \$33,000 for the Cal-Peak Power Plant located at 200 N. Johnson Avenue.

**1.6 (Removed from Agenda) ACCEPTANCE OF MAIN STREET DIAGONAL PARKING – DOUGLAS AVENUE TO CLAYDELLE AVENUE**

**CONSENT ITEMS (Continued)**

**1.7 SUBDIVISION AGREEMENT AND FINAL PARCEL MAP – TENTATIVE PARCEL MAP 601 – 1123 & 1125 PEACH AVENUE (Report: Director of Public Works)**

Approve the Subdivision Agreement and Final Parcel Map for TPM 601 at 1123 and 1125 Peach Avenue.

**1.8 RESOLUTION NO. 29-02: AWARD BID FOR MOTOR VEHICLES (Report: Purchasing Agent)**

Adopt RESOLUTION No. 29-02 and award portions of the bid to Villa Ford in the amount of \$250,306.30; Burch Ford in the amount of \$72,699.04; Pearson Ford in the amount of \$38,850.52; Raceway Ford in the amount of \$31,555.02; City Chevrolet in the amount of \$23,972.06 and Hemborg Ford in the amount of \$23,168.50.

\*\*\*\*\*

**REDEVELOPMENT AGENCY ITEM:**

**1.2 RESOLUTION NO. ECRA-347: AWARD OF CONTRACT FOR ENVIRONMENTAL CONSULTING SERVICES (Report: Purchasing Agent)**

Adopt RESOLUTION No. ECRA-347 and award the contract to Environmental Business Solutions, Inc. in the estimated amount of \$26,682.00.

**DISCUSSION**

**Councilmember Ramos** inquires if continued environmental consulting services are required, since the City is aware of contaminated soil. Is the City eligible for State Cleanup funds?

**Redevelopment Manager Cooksy** advises that the County requires an updated environmental report and the City is negotiating to sell the property and is responsible for clean up. The City will apply for State Super Funds and track the responsibility for the contamination back to the originator.

**MOTION BY Lewis, SECOND BY McClellan to approve Item 1.2.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.4 SINGLE AUDIT REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2001  
(Report: Director of Finance)**

Receive and file the City of El Cajon Single Audit Reports for the fiscal year ended June 30, 2001.

**DISCUSSION**

**Mayor Pro Tem McClellan** points out an error on Page 1 of the report.

**MOTION BY Lewis, SECOND BY Ramos** to approve Item 1.4 as corrected on Page 1, second to last line to say, "...presented in all material respects..."

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC COMMENT**

**Billy Johnson, 311 Ballantyne Street, El Cajon, CA 92020** requests that pit bulls be muzzled when on the City Streets and in public.

**Al Lupenko, 494 Tyrone Street, El Cajon, CA 92020** speaks regarding the condition of his neighbor's property on Tyrone. **Director of Community Development Griffin** advises the City is taking action on the property.

**Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA 92019** recites a poem "Only in America" and urges everyone to vote.

**2. WRITTEN COMMUNICATIONS:**

**2.1 LETTER: JERRY FAZIO – REQUEST FOR CITY CO-SPONSORSHIP OF THE CITIZEN OF THE YEAR EVENT**

Jerry Fazio, Chair of the Citizen of the Year Committee, requests the City co-sponsor the luncheon event to be held at the Community Center on March 12, 2002.

**DISCUSSION**

**PUBLIC SPEAKER**

**Les Hart, 1001 W. Bradley Avenue, El Cajon, CA 92020**, as a previous Citizen of the Year, invites Council to the event. Twenty-one community groups participated in the selection process and **Bill Fischbeck** was selected as this year's recipient. The City is requested to co-sponsor the event by contributing the use of the Community Center.

**MOTION BY Lewis, SECOND BY McClellan** to approve Item 2.1.

**MOTION CARRIES BY UNANIMOUS VOTE.**

### 3. ADMINISTRATIVE REPORTS:

#### 3.1 POLICE CHIEF'S REPORT DATED FEBRUARY 26, 2002

Report on activities of the Department.

#### DISCUSSION

**Chief of Police Davis** provides an overview of the report. In response to **Mayor Lewis**, **Chief Davis** states an aggressive stance is taken towards animal bites and he will speak with the gentleman who spoke under Public Comment. **Councilmember Ramos** states the ARJIS system should be operative County-wide as of the middle of this month.

#### PUBLIC HEARING:

#### 3.2 SUBSTANDARD CONDITIONS AT BELAIR MOTEL – 638 EL CAJON BOULEVARD (Report: Building Official) (Continued from the January 22, 2002 Meeting)

**RECOMMENDATION:** That the City Council take appropriate action as a result of the presentation by the Building Official.

#### DISCUSSION

**Mayor Lewis** announces this is a Continued Public Hearing.

**Building Official Pavao** provides an updated report dated February 26 on the status of the property; the property is in compliance. **Building Official Pavao** recommends to: (1) charge the property owner for reimbursement of costs associated with the abatement in the amount of \$1,847.34; (2) charge the property owner 10% of accumulated civil penalties in the amount of \$9,370.00 and (3) direct the staff to notify the Franchise State Tax Board that the property was in a substandard condition during calendar year 2001 (properties that have been declared substandard cannot deduct loan interest for tax purposes).

**Councilmember Ramos** inquires if the property should be rezoned as an apartment. **Building Official Pavao** informs people are there for an extended period of time.

**City Attorney Foley** advises this may be a non-conforming use. It would have to be determined how long it has been used in this manner.

## **PUBLIC SPEAKER**

**Jawdat Mansour, 638 El Cajon Boulevard, El Cajon, CA 92020** speaks to disagree with the fines being charged on his property; he has complied with the City requirements and it has been expensive. He had bad tenants who caused damages. His records show the property is a motel, not an apartment.

**MOTION BY Lewis, SECOND BY Ramos to close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY Ramos that the City Council adopt Resolution No. 30-02 to (1) charge the property owner for reimbursement costs associated with the abatement in the amount of \$1,847.34; (2) charge the property owner civil penalties in the amount of \$10,000.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **DISCUSSION**

**City Attorney Foley** advises that proper notice was not given to notify the Franchise State Tax Board, therefore staff recommendation No. 3 is not appropriate.

**Mayor Lewis** directs staff to come back before Council if there are further problems.

### **3.3 DELINQUENT REFUSE COLLECTION CHARGES (Report: Assistant City Manager)**

**RECOMMENDATION:** At the conclusion of the Public Hearing process, that the City Council:

- Adopt Resolution No. 31-02, certifying the list of property owners as delinquent in the payment of their mandatory trash service bills; and
- Authorize the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

## **DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now open. No one comes forward to speak.

**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. 31-02, certifying the list of property owners as delinquent in the payment of their mandatory trash service bills, and authorize the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### **3.4 DELINQUENT SEWER SERVICE CHARGES (Report: Director of Finance)**

**RECOMMENDATION:** At the conclusion of the Public Hearing process, that the City Council:

- Adopt Resolution No. 32-02, confirming the charges and levying the assessments on the next regular tax bill; and,
- Authorize the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.

### **DISCUSSION**

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

**Glen Dodd, 2127 Farrington Drive, El Cajon, CA 92020** disputes his sewer bill which has increased significantly.

**Director of Public Works Munzenmaier** advises Mr. Dodd's water meter was replaced due to a faulty meter and it is now correct. The sewer bill is based on the water bill.

**City Manager Garrett** notes that in the past Council has approved the list and instructed staff to work with the resident. If the issue is resolved, the lien is not filed.

**MOTION BY Lewis, SECOND BY McClellan to close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY Lewis, SECOND BY McClellan to adopt Resolution No. 32-02 confirming the charges and levying the assessments on the next regular tax bill and authorize the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill, with staff to work with Glen Dodd on his property at 2127 Farrington Dr.**

**MOTION CARRIES BY UNANIMOUS VOTE.**



**4. COMMISSION REPORTS:**

**4.1 TRAFFIC COMMISSION RECOMMENDATIONS (February 13, 2002 Meeting)  
(Report: Secretary to Traffic Commission)**

**ITEM I. – 2001 SCHOOL REVIEW**

**RECOMMENDATION:** That the City Council accept and file the Annual School Review Report.

**ITEM II. –“ NO PARKING” AND BUS ZONES – NARANCA SCHOOL**

**RECOMMENDATION:** That the City Council approve the requested “No Parking” Zone and adopt Resolution No. 33-02 to establish a “No Parking” Zone along the south curb of Naranca Avenue beginning 527 feet west of the west curb of Latisha Place for a distance of 25 feet to the west.

**ITEM III. – SPEED HUMPS – GARFIELD AVENUE (Continued)**

**RECOMMENDATION:** That the City Council approve the installation of Speed Humps on Garfield Avenue between Chatham and Fletcher Parkway as the City’s guidelines appear to be met in this area.

**DISCUSSION**

In response to **Mayor Lewis, City Clerk Linn** informs there are no speaker cards regarding this Item.

**MOTION BY Lewis, SECOND BY Ramos to approve Items I, II and III.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

Following Item 5.1, **City Clerk Linn** informs there is a speaker regarding Item II who did not submit a speaker card when the item was heard. **Gary Stephens, 1021 Naranca Avenue, El Cajon, CA 92021** comes forward and questions the location of the crosswalk.

**Director of Public Works Munzenmaier** advises Council approved the “No Parking” which is the bus parking and along the speaker’s property, for the crosswalk to provide school and handicapped access.

**5. REPORTS OF MAYOR MARK LEWIS**

**5.1 LETTER: REQUEST FOR CONTRIBUTION FOR IMPROVEMENTS AT HARRY GRIFFEN PARK**

Letter from Frank Graziano requests Council contribute \$1000 for improvements to the dog park known as Canine Corners at Harry Griffen Park.

**PUBLIC SPEAKER**

**Becky Rice, 4851 Margarita Lane, La Mesa, CA 91941** requests \$1,000 for benches, handicap accessible water fountain and resurfacing part of the interior of the park.

**MOTION BY Lewis, SECOND BY Ramos to approve \$1,000 from the Council Contingency Fund for items discussed.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**5.2 LETTER: HELIX WATER DISTRICT – LEGISLATION TO FUND PURCHASE OF TULLOCH RANCH PROPERTY AT LAKE CUYAMACA**

Mark Weston, General Manager for Helix Water District, requests Council support for legislation to fund the purchase of Tulloch Ranch Property at Lake Cuyamaca.

**DISCUSSION**

**PUBLIC SPEAKER**

**Mark Weston, 7811 University, La Mesa, CA, Helix Water District,** states putting the watershed into a protected zone will improve the water quality in Lake Cuyamaca. Through Federal legislation, enough money is being sought to put the property into permanent protected status.

In response to **Councilmember Ramos, Mr. Weston** informs the Nature Conservancy purchased the property through a loan from the State Water Resources Control Board and does not have the money to own it outright.

**MOTION BY Lewis, SECOND BY McClellan to send a letter of support.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**6. REPORTS OF COUNCILMEMBERS**

**MAYOR PRO TEM W.E. "BOB" McCLELLAN:** None

**COUNCILMEMBER CHARLES SANTOS:** None

**COUNCILMEMBER DICK RAMOS:**

**6.1 LETTER TO CA. COASTAL COMMISSION ET AL RE WAIVER RENEWAL TO THE CITY OF SAN DIEGO FOR SECONDARY TREATMENT (Added to Agenda through earlier Council Action)**

**DISCUSSION**

**Councilmember Ramos** advises the City of San Diego has received a tentative order allowing them not to have to go to secondary treatment at the Point Loma Wastewater Treatment Plant. He urges Council to send a letter to the California Coastal Commission in agreement with the waiver renewal. If the City of San Diego has to go to secondary treatment, the cost will be in excess of \$1 billion.

**Director of Public Works Munzenmaier** requests sending the same letter to the EPA and California Regional Water Quality Control Board, who will conduct a hearing on March 13. The Coastal Commission's hearing is scheduled for March 5.

**MOTION BY Ramos, SECOND BY McClellan to send the letter of support for renewal to the waiver for secondary treatment to the California Coastal Commission, U.S. Environmental Protection Agency and California Regional Water Quality Control Board.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**7. LEGISLATIVE REPORT**

**7.1 League of California Cities Legislative Bulletin - *Priority Focus***

**No Action Taken**

**8. GENERAL INFORMATION ITEMS FOR DISCUSSION:** None

**9. ORDINANCE: SECOND READING AND ADOPTION**

**9.1 AMENDMENT OF EL CAJON MUNICIPAL CODE - CHAPTER 12.09 – REGULATING SIDEWALK DINING**

Adopting Ordinance No. 4688 to Add Chapter 12.09 to Title 12 of the El Cajon Municipal Code regulating sidewalk dining.

**MOTION BY Lewis, SECOND BY McClellan to waive second reading of the text and adopt Ordinance No. 4688.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**THROUGH EARLIER ACTION, ITEM 12 WAS MOVED  
FOR CONSIDERATION AT THIS TIME.**

**12. INTERVIEWS AND APPOINTMENT TO FILL VACANCY ON THE TRAFFIC COMMISSION (Report: City Clerk)**

**RECOMMENDATION:** That the City Council conduct interviews with candidates that filed for the vacancy on the Traffic Commission and fill the vacancy by appointment to complete the term to January 31, 2004.

**APPLICANTS**

**Rose B. Aftreth  
Vincent R. Bacino  
Derek D. Bass  
Michael W. Bradburn  
Russell W. Comstock**

**William P. Gaukel  
Howard F. Hawkins  
Eldon T. Lovellette  
Charles T. Martin  
Douglas O. McMurray**

**John E. Mercurio  
M. Lynn Peterman  
Guy R. Regusters  
Elisa S. Sanchez  
Philip J. Tex**

**City Clerk Linn** advises that applicants Russell Comstock, Charles Martin, and Douglas McMurray have informed they will not be present for the interviews.

Applicants are called and interviewed in the order shown. Derek D. Bass, Michael W. Bradburn, Russell Comstock, Eldon T. Lovellette, Charles T. Martin, Douglas O. McMurray, and Guy R. Regusters are not present.

**MOTION BY Lewis, SECOND BY Santos to appoint Howard F. Hawkins to complete the term on the Traffic Commission to January 31, 2004.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**City Clerk Linn** requests that interested applicants contact the City Clerk's Office to be notified of future vacancies.

**10. CLOSED SESSION:**

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

Under Government Code Section 54956.9 (a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: El Cajon Town Center LLC v. City of El Cajon, et al  
Case No. GIC772845-1

**MOTION BY Lewis, SECOND BY Santos that the City Council/Redevelopment Agency adjourn to Closed Session at 5:12 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

11. **RECONVENE TO OPEN SESSION AT 5:21 P.M.:** No announcements made.

**ADJOURNMENT:** Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council and the El Cajon Redevelopment Agency held this 26th day of February, 2002 at 5:22 p.m.

The next meeting of the El Cajon City Council and Redevelopment Agency will be held on Tuesday, March 12, 2002 at 3:00 p.m.

---

City Clerk/Secretary