

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

May 14, 2002

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, May 14, 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.

ROLL CALL

Council/Agencymembers present:	Ramos, Santos, Kendrick
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 Guyer, Assistant Director of Planning

PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Lewis and MOMENT OF SILENCE.

POSTINGS: The City Clerk posted Orders of Adjournment of the April 23, 2002 Meetings and the Agenda of the May 14, 2002 Meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Proclamation: National Public Works Week

Mayor Lewis presents a proclamation to **Director of Public Works Munzenmaier**, proclaiming May 19-25,2002 as National Public Works Week. On May 22, an open house will be held at the Public Works Yard at 1050 Vernon Way between 11:30 a.m. and 1:30 p.m. and at the Public Works Office from 2:00 to 4:00 p.m.

MINUTES OF MEETINGS:

MOTION BY Lewis, SECOND BY Ramos that the City Council approve the Minutes of the April 23, 2002 Meetings.

MOTION CARRIES BY UNANIMOUS VOTE.

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.16)

MOTION BY Lewis, SECOND BY Ramos to approve Consent Items 1.1 – 1.16, pulling Item 1.7 for discussion as requested by Councilmember Santos.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.2 DONATION OF CANINE DOG – POLICE DEPARTMENT (Report: Chief of Police)

Accept the donation of a German Shepherd from Robby Storton to the City of El Cajon Police Department's canine unit.

1.3 ACCEPTANCE OF INSTALLATION OF ASPHALT CONCRETE SPEED HUMPS ON SUNSHINE AVENUE, DEWANE DRIVE AND GARFIELD AVENUE (Report: Director of Public Works)

Accept the project and authorize the City Clerk to file a Notice of Completion, release the bonds in accordance with the terms of the contract, and require the contractor to maintain insurance until all bonds have been released.

CONSENT ITEMS (Continued)

1.4 LETTER OF APPRECIATION – WALL OF FAME

Authorize the following letter to be included on the City's *Wall of Fame* and/or letters of appreciation be sent to the appropriate parties.

Letter from George F. Parkinson, 1598 Murray Avenue, expresses appreciation for the outstanding customer service in response to his request to assist with pruning two tall palm trees in the parkway in front of his house. Thanks are expressed to Chris Dixon, Richard Cortez and Craig Caldwell.

1.5 DONATION: CRYSTAL CHESS SET - WELLS PARK SENIOR CENTER (Report: Redevelopment Manager)

Accept the donation from Dorothy Brock to the City of El Cajon.

1.6 RESOLUTION NO. 58-02: AWARD BID FOR AUDIOVISUAL PROJECTION AND VIDEO SYSTEMS (Report: Purchasing Agent)

Adopt Resolution No. 58-02 and award the bid to Audio Associates of San Diego, in the amount of \$96,064.00.

1.7 Pulled for Discussion

1.8 RESOLUTION NO. 60-02: AWARD BID FOR DOCUMENT IMAGING (Report: Purchasing Agent)

Adopt Resolution No. 60-02 to award the bid to Continental Datagraphics in the amount of \$32,712.40.

1.9 RESOLUTION NO. 61-02: REJECTING BIDS FOR DIGITAL PLATEMAKING SYSTEM (Report: Purchasing Agent)

Adopt Resolution No. 61-02 to reject all bids for the Digital Platemaking System.

1.10 PHOTO ENFORCEMENT CONTRACT (Report: Director of Public Works/ Chief of Police)

Defer selection of a seventh Photo Enforcement site for up to six months after completion of the first six installations.

1.11 PURCHASE OF BUSINESS LICENSE AND FALSE ALARM BILLING SOFTWARE (Report: Director of Finance)

Authorize the City to enter into an agreement with *The HdL Companies*, in the amount of \$34,150.00, to purchase business license and false alarm billing software.

CONSENT ITEMS (Continued)

1.12 RESOLUTION NO. 62-02: AWARD BID – PORTABLE BLEACHERS (Report: Purchasing Agent)

Adopt Resolution No. 62-02 and award the bid to Comade in the amount of \$14,128.18.

1.13 RESOLUTION NO. 63-02: AWARD BID - TURF MOWER (Report: Purchasing Agent)

Adopt Resolution No. 63-02 and award the bid to Bob Hicks Turf Equipment Company, Inc. in the amount of \$25,327.72.

1.14 DISPOSAL OF SURPLUS PROPERTY (Report: Purchasing Agent)

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

1.15 SUMMARY VACATION - SEWER EASEMENT AT 1514 VIA ELISA (Report: Director of Public Works)

Adopt Resolution No. 64-02 to approve the Summary Vacation of an existing sewer easement along the westerly line of 1514 Via Elisa, according to Section 8333 of the California Streets and Highways Code.

1.16 NOTICE OF COMPLETION AND ACCEPTANCE – CITY HALL HVAC RENOVATION (Report: Purchasing Agent)

Accept the project and authorize the City Clerk to record a Notice of Completion, release the bonds according to the agreement for the project, and require the contractor to maintain insurance until all bonds have been released.

1.7 RESOLUTION NO. 59-02: AWARD BID FOR MODULAR SYSTEMS FURNITURE (Report: Purchasing Agent)

Adopt Resolution No. 59-02 and award the bid to Office Depot, in the amount of \$461,704.33.

DISCUSSION

In response to **Councilmember Santos**, **City Manager Garrett** confirms the purchase is from the Office Depot located in El Cajon.

MOTION BY Lewis, SECOND BY Ramos to approve Item 1.7.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Sunshine Horton, 1525 Granite Hills Drive, El Cajon, CA 92019, speaks regarding her involvement with helping to find the lost child, Jahi Turner, and encourages others to help. Call 858-682-9679 or 800-608-9625.

Fernando Arreola, 110 East Main Street, El Cajon, CA 92020, provides bags of sand that can be used in connection with a diet program.

2. WRITTEN COMMUNICATIONS:

REDEVELOPMENT AGENCY ITEM:

2.1 LETTER: MOTHER GOOSE PARADE ASSOCIATION – USE OF AGENCY OWNED PROPERTY FOR CARNIVAL (Report: Redevelopment Manager)

RECOMMENDATION: That the El Cajon Redevelopment Agency review the letter from Roy Woodward, Director of the Mother Goose Parade Association, and consider use of the Agency owned property at the northwest corner of Park Boulevard and Ballantyne Street as the site for the 2002 Mother Goose Parade Association Carnival.

DISCUSSION

PUBLIC SPEAKER

Roy Woodward, Mother Goose Parade Association, 1030 Brockton, El Cajon, CA 92020, confirms he is aware the property is to be developed and alternative sites must be found in the future.

Mayor Lewis stresses the importance of obtaining all necessary permits from Environmental Health.

MOTION BY Lewis, SECOND BY McClellan to approve the request subject to securing all appropriate permits, waiving the fees.

MOTION CARRIES BY UNANIMOUS VOTE.

2.2 LETTER: JUDY FAMILY – FIRST-TIME HOMEBUYER LOAN - 957 GRAY DRIVE (Report: Director of Community Development)

RECOMMENDATION: That the City Council deny the request to waive contractual obligations of repayment of a First-Time Homebuyer Loan for 957 Gray Drive.

DISCUSSION

PUBLIC SPEAKER

Reni Williams, 2451 Jamacha Road, El Cajon, CA 92019, realtor for the Judy family, informs that the City will receive 45% of the equity and the borrowers request a more equitable split.

City Manager Garrett states an adjustment would change the program. The program has been working well.

Councilmember Santos points out that equity is sufficient to cover payoff of the City loan and still provide proceeds to the borrowers from the sale of the property.

MOTION BY Lewis, SECOND BY Santos to deny the request.

MOTION CARRIES BY UNANIMOUS VOTE.

2.3 LETTER: PRIEST – REQUEST TO WAIVE UNDERGROUNDING – 990 MOLLISON AVENUE (Report: Director of Public Works)

RECOMMENDATION: That the City Council consider the request to waive the undergrounding for existing overhead utilities on Tentative Subdivision Map (TSM) 493 on Mollison Avenue.

PUBLIC SPEAKER

Daryl R. Priest, 124 W. Main Street, Ste 240, El Cajon, CA 92020, is present to answer questions. There are none.

MOTION BY Lewis, SECOND BY Santos to waive the undergrounding for existing overhead utilities as requested.

MOTION CARRIES BY UNANIMOUS VOTE.

2.4 LETTER: MOTOWORLD OF EL CAJON – REQUEST TO BUY A PORTION OF EL CAJON TOWNE CENTER

Letter from Brian Juhnke, Chief Executive Officer, Motoworld of El Cajon, requests to discuss an opportunity they have to buy a portion of El Cajon Towne Center and become an anchor tenant of the Center.

DISCUSSION

PUBLIC SPEAKER

Victor Mosso, 6185 Blain Place, La Mesa, CA 91942, representing Motoworld of El Cajon, states they wish to replace North Park Produce in half of their position in the Towne Center and requests the process be expedited.

Claire Carpenter, El Cajon Community Development Corporation, 168 East Main Street, El Cajon, CA 92020, speaks in support of the project.

Brian Juhnke, 8135 El Extenso Court, San Diego, CA 92119, Motoworld, describes the products sold by the dealership.

MOTION BY Lewis, SECOND BY McClellan to direct the City Manager and applicant to work together as soon as possible and expedite the Conditional Use Permit and Specific Plan process.

MOTION CARRIES BY UNANIMOUS VOTE.

3. ADMINISTRATIVE REPORTS:

3.1 NONRESIDENT OFF-PREMISES USED CAR SALES (Report: City Attorney)

RECOMMENDATION: That the City Council consider the report and provide direction to staff with respect to any desired changes in the El Cajon Municipal Code.

DISCUSSION

City Attorney Foley presents an overview of the research done on the legality of an ordinance that would restrict used automobile sales. Nothing has been found that will prohibit out-of-town car sales, as requested by the local dealers.

Councilmembers discuss the following:

- Desire to help local businesses.
- Interference with free enterprise.
- In order to tow in the City, towing companies are required to have a facility in the City.
- The research did not include local car dealers.

PUBLIC SPEAKERS

Ronald Blomquist, Credit Union Buyer Direct, 6406 Torreyanna Circle, Carlsbad, CA 92004, urges Council to keep the use as it is.

Loren Campbell, Bob Baker Chevrolet, 900 Arnele Avenue, El Cajon, CA 92020, states that the California Vehicle Code specifies that a California dealer license is required in order to profit from the sale of motor vehicles. The Commerce Clause may not apply to this situation.

Rich Urban, Budget Car Sales, 400 N. Johnson, El Cajon, CA 92019, comments that Riverside and Lake Elsinore have dealt with the problem by requiring a facility within the City limits to hold a sale.

MOTION BY Lewis, SECOND BY Santos that staff work with interested parties and draft an ordinance that is legal and workable.

MOTION CARRIES BY UNANIMOUS VOTE.

*Recess Called at 4:11 p.m.
Meeting Called Back to Order at 4:17 p.m.*

3.2 RELOCATION OF BUSES AT PARKWAY PLAZA (Report: Redevelopment Manager)

RECOMMENDATION: That the City Council approve staff recommendations for the relocation of public transit bus service at Westfield Shoppingtown Parkway, and authorize staff to contact the Metropolitan Transit Development Board for funding to construct required amenities per the Americans With Disabilities Act.

MOTION BY Lewis, SECOND BY McClellan to approve according to the staff recommendation.

MOTION CARRIES BY UNANIMOUS VOTE.

4. COMMISSION REPORTS:

4.1 NON-PUBLIC HEARING ITEM: SITE DEVELOPMENT PLAN 1358 – SNYDER – 575 GRAPE STREET (Report: City Clerk)

RECOMMENDATION: That the City Council approve, modify or disapprove the Planning Commission decision to approve Site Development Plan 1358 for the addition of three single-family residences to an existing single family residence at 575 Grape Street in the R-3 Zone.

DISCUSSION

PUBLIC SPEAKER

Alan Austin, 1622 Pioneer Way, El Cajon, CA, representing James M. Snyder, requests changing the requirement for cement-style roofing material to 25-year laminated dimensional composition roofing.

Assistant Director of Planning Guyer informs the Planning Commission's policy requires a tile roof in a range of materials on new houses.

MOTION BY Lewis, SECOND BY Kendrick to approve Planning Commission approval of Site Development Plan 1358.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 EXPIRATION OF TERMS ON YOUTH COMMISSION (Report: City Clerk)

RECOMMENDATION: That the City Council consider the following schedule for filling the terms on the Youth Commission:

- May 1 – June 17 Filing Period
- June 25 Council Interviews Qualified Candidates
- July 9 3:00 p.m. Council Meeting – Appointment of Commissioners and Oath of Office Administered

MOTION BY Lewis, SECOND BY Ramos to approve the dates as recommended in the report from the City Clerk.

MOTION CARRIES BY UNANIMOUS VOTE.

5. REPORTS OF MAYOR MARK LEWIS

5.1 LETTER: EL CAJON VALLEY HIGH SCHOOL – GRAD NIGHT

Letter from Cindy Woodson, Vice President, PTSA, requests cash donations for Grad Night at El Cajon Valley High School.

DISCUSSION

PUBLIC SPEAKERS

Elaine Onori, 736 S. Anza Street, El Cajon, CA 92020, describes Grad Night activities and requests a donation to help cover the cost; approximately \$3,500 is needed.

Daryl R. Priest, 124 W. Main Street, Ste 240, El Cajon, CA 92020, graduate of El Cajon Valley High School, offers to match the funds raised for the event.

MOTION BY Lewis, SECOND BY McClellan to file the request.

MOTION CARRIES BY UNANIMOUS VOTE.

5.2 LETTER/RESOLUTION: JA CONSULTANTS – AB 1087 ELECTRICIANS: APPRENTICESHIP STANDARDS

Letter from JA Consultants requests Council support AB 1087 that would establish a timeline for the certification of electricians.

DISCUSSION

Mayor Lewis informs this item has been approved and is on the Governor's desk.

NO ACTION TAKEN.

5.3 RESOLUTION: SUPPORTING EXPANSION OF JAMUL INDIAN RESERVATION

Jim Lantry requests Council adopt a Resolution in support of the Jamul Indian Village Fee to Trust Application with the United States Bureau of Indian Affairs to increase the size of the reservation.

DISCUSSION

PUBLIC SPEAKER

Jim Lantry, 12918 Harwick Lane, San Diego, CA 92130, representing the Jamul Indian Village, provides an overview of the proposal. A casino will be involved, but is not part of the resolution because the Indians have the right to build a casino whether or not the expansion occurs. The Village would be increased from 6 acres to 107 acres, 67 acres of which would be open space and additional acres would be set aside for archaeological sites.

Mayor Pro Tem McClellan states there is a proliferation of casinos and he will not support expansion of Indian lands in the area.

Councilmember Kendrick comments this is outside the City limits and not a City issue.

Mr. Lantry informs the Indians have worked with CALTRANS on mitigation measures to improve Highway 94. A plan has been accepted by the state and federal government to preserve the archeological site and there will be better ecological preservation.

MOTION BY Lewis, SECOND BY Santos to approve a resolution of support.

DISCUSSION

Mr. Lantry adds they have committed to working with El Cajon businesses. A local foundation will provide grants to El Cajon and other communities for seniors, youth, and other social organizations. The Bureau of Indian Affairs would like to see that local governments approve of the project.

VOTES ARE NOW CAST ON MOTION BY Lewis, SECOND BY Santos to approve a resolution of support.

**AYES: Santos, Lewis
NOES: McClellan, Ramos, Kendrick**

MOTION FAILS.

5.4 SPRITES OF EAST COUNTY – REQUEST FOR CONTRIBUTION

RECOMMENDATION: That the City Council approve the request from Sprites for a \$1,000 contribution to various El Cajon charities in accordance with City Council Policy B-9.

MOTION BY Lewis, SECOND BY Kendrick to approve the request.

MOTION CARRIES BY UNANIMOUS VOTE.

5.5 REGIONAL HOMELESS SHELTER

RECOMMENDATION: That the City Council instruct staff to contact Supervisor Dianne Jacob and the Mayors of Lemon Grove, Santee, and La Mesa to inquire as to the interest in supporting and participating in a Regional Homeless Shelter.

MOTION BY Lewis, SECOND BY Santos to direct staff to contact the other cities and the County to see if there is interest in a Regional Homeless Shelter.

DISCUSSION

Mayor Pro Tem McClellan comments the voters of El Cajon are giving more than \$6,000,000 to the County to fund the Proposition 172 project. The County can use this money to fund a homeless program.

VOTES ARE NOW CAST ON MOTION BY Lewis, SECOND BY Santos to direct staff to contact the other cities and the County to see if there is interest in a Regional Homeless Shelter.

MOTION CARRIES BY UNANIMOUS VOTE.

6. REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM BOB McCLELLAN

6.1 POLICY FOR PROGRAMMING ON CITY GOVERNMENT ACCESS CHANNEL

RECOMMENDATION: That the City Council request the City Attorney to draft a Policy for programming on the City's Government Access Channel.

MOTION BY McClellan, SECOND BY Lewis to direct staff to look into a policy for programming on City Government Access Channel.

MOTION CARRIES BY UNANIMOUS VOTE.

COUNCILMEMBER CHARLES SANTOS: No reports

COUNCILMEMBER DICK RAMOS: No reports

COUNCILMEMBER GARY KENDRICK: No reports

7. LEGISLATIVE REPORT

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

MOTION BY Santos, SECOND BY Lewis to oppose SB 1918 – Vehicles, Electric Personal Assistive Mobility Devices; oppose AB 2073 – Annexations, Tax Agreements; support AB 2233 - Firefighting Equipment; and oppose SB 1528 - Shopping Carts.

MOTION CARRIES BY UNANIMOUS VOTE.

8. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

9. ORDINANCES:

RECOMMENDATION: That the City Council introduce the Ordinances and request the City Clerk to recite the title and waive full reading of the text.

9.1 ZONE RECLASSIFICATION 2182 (SWEAT) – 1750, 1754 and 1756 GREENFIELD COURT

As a result of Public Hearing and action taken at the November 25, 1997 meeting, first reading of Ordinance rezoning property at 1750, 1754 and 1756 Greenfield Court from the R-2 Zone to the O-P Zone.

MOTION BY Lewis, SECOND BY Ramos that the City Council request the City Clerk to recite the title and waive first reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

9.2 AMENDMENT OF MUNICIPAL CODE – APPOINTMENT OF MEMBERS OF THE PLANNING COMMISSION

As a result of action taken at the April 23, 2002 Meeting, First Reading of Ordinance repealing Section 2.24.030 of Chapter 2.24 of the El Cajon Municipal Code and adding new Section 2.24.030 to Chapter 2.24 providing for the method of appointment of members of the Planning Commission.

MOTION BY Lewis, SECOND BY Ramos that the City Council request the City Clerk to recite the title and waive first reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

9.3 AMENDMENT OF MUNICIPAL CODE – SIDEWALK DINING

As a result of action taken at the April 23, 2002 Meeting, First Reading of Ordinance repealing subsection L of section 12.09.030 and subsection A of section 12.09.050 of Chapter 12.09 of Title 12 of the El Cajon Municipal Code and adding new subsection L to section 12.09.030 and new subsection A to section 12.09.050 of Chapter 12.09 of Title 12 of the El Cajon Municipal Code regulating sidewalk dining.

MOTION BY Lewis, SECOND BY McClellan that the City Council request the City Clerk to recite the title and waive first reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

City Manager Garrett announces a Public Hearing will be held prior to the Second Reading of Ordinances under Items 9.4 and 9.5.

9.4 AMENDMENT TO 1998 CALIFORNIA FIRE CODE AND EL CAJON MUNICIPAL CODE – ABOVE GROUND FUEL STORAGE TANKS (Report: Fire Chief)

First Reading of Ordinance repealing subsections B and C of section 15.56.040 of Chapter 15.56 of the El Cajon Municipal Code and adding new subsections B and C to section 15.56.040 of Chapter 15.56 of the El Cajon Municipal Code amending the California Fire Code, 1998 Edition, regulating above ground storage tanks.

MOTION BY Lewis, SECOND BY Ramos that the City Council request the City Clerk to recite the title and waive first reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

9.5 AMENDMENT TO 1998 CALIFORNIA FIRE CODE AND EL CAJON MUNICIPAL CODE – SPRINKLER SYSTEMS (Report: Fire Chief)

First Reading of Ordinance repealing subsection E(b)2 of Section 15.56.050 of Chapter 15.56 of the El Cajon Municipal Code and adding new subsection E(b)2 to Section 15.56.050 of Chapter 15.56 of the El Cajon Municipal Code amending the California Fire Code, 1998 Edition, regulating sprinkler requirements.

MOTION BY Lewis, SECOND BY Ramos that the City Council request the City Clerk to recite the title and waive first reading of the text.

MOTION CARRIES BY UNANIMOUS VOTE.

ORDINANCES: SECOND READING AND ADOPTION

RECOMMENDATION: That the City Council request the City Clerk to recite the title, waive full reading of the text and adopt Ordinance Nos. 4690, 4691, 4692, and 4693.

9.6 AMENDMENT OF EL CAJON MUNICIPAL CODE – SALE AND DISPLAY OF GLASS ETCHING CREAM (Report: City Attorney)

Adopting Ordinance No. 4690 adding a new Chapter 9.71 to the El Cajon Municipal Code regulating the sale and display of glass etching cream and restricting accessibility to minors.

MOTION BY Lewis, SECOND BY Ramos to waive second reading and adopt Ordinance No. 4690.

MOTION CARRIES BY UNANIMOUS VOTE.

9.7 AMENDMENT OF SPECIFIC PLAN 9 – DECKER STREET

Adopting Ordinance No. 4691 approving Amendment of Specific Plan 9 to modify the final design of the extension of Decker Street in the R-2 and R-3 Zones – property on the west side of Ballard Street between East Main Street and East Lexington Avenue.

MOTION BY Lewis, SECOND BY Ramos to waive second reading and adopt Ordinance No. 4691.

MOTION CARRIES BY UNANIMOUS VOTE.

9.8 DELETION OF SPECIFIC PLAN 350

Adopting Ordinance No. 4692 to delete Specific Plan 350 used to consolidate properties under different ownership at 388 E. Main Street in the C-R Zone.

MOTION BY Lewis, SECOND BY Ramos to waive second reading and adopt Ordinance No. 4692.

MOTION CARRIES BY UNANIMOUS VOTE.

9.9 AMENDMENT TO AND CLARIFYING SPECIFIC PLAN 485

Adopting Ordinance No. 4693 approving an amendment to and clarifying Specific Plan 485 to construct a natural gas-powered 49.5 MW electrical generation facility with a stack height of 50 feet in the C-M Zone at 200 N. Johnson Avenue.

MOTION BY Lewis, SECOND BY Ramos to waive second reading and adopt Ordinance No. 4693.

MOTION CARRIES BY UNANIMOUS VOTE.

10. CLOSED SESSION:

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

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

Name of Case: Foothills Christian Ministries, Inc. v. City of El Cajon, et al
Case No. 01 CV 1197 JM

2) Under Government Code Section 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR:

Agency Designated Negotiators: Bill Garrett, City Manager
Kathi Hubert, Assistant City Manager
Joan Ward, Director of Human Resources

Employee Organizations: El Cajon Municipal Employees Association
El Cajon Mid-Management Association
El Cajon Professional Engineers Association

MOTION BY Lewis, SECOND BY Santos that the City Council/ Redevelopment Agency adjourn to Closed Session at 5:03 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

Councilmember Ramos leaves the Closed Session at 5:17 p.m.

11. RECONVENE TO OPEN SESSION AT 5:19 P.M.

City Attorney Foley reports the following:

Item 2 – The City Council gave direction to the labor negotiators.

Item 1 – The City Council will return at 6:30 p.m. to cover this matter.

ADJOURNMENT: Mayor Lewis adjourned the Regular Joint Meeting of the El Cajon City Council and El Cajon Redevelopment Agency held this 14th day of May, 2002 at 5:21 p.m. to Tuesday, May 14, 2002 at 6:30 p.m.

City Clerk/Secretary

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

May 14, 2002

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, May 14, 2002, was called to order by Mayor/Chair Mark Lewis at 6:30 p.m., in the Council Chambers, 200 East Main Street, El Cajon, California. This meeting was adjourned from the Regular Joint Meeting held at 3:00 p.m., Tuesday, May 14, 2002, by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	Ramos (arrived at 7:00 p.m.) Santos (arrived at 6:35 p.m.) Kendrick
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, Guyer, Assistant Director of Planning

CLOSED SESSION: (Continued from the 3:00 p.m. Meeting)

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

Name of Case: Foothills Christian Ministries, Inc. v. City of El Cajon, et al
Case No. 01 CV 1197 JM

RECONVENE TO OPEN SESSION at 7:01 p.m.: No reports

Recess Called at 7:02 p.m.
Meeting Called Back to Order at 7:08 p.m.

PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Lewis and MOMENT OF SILENCE

AGENDA CHANGES: None

PUBLIC COMMENT: None

PUBLIC HEARINGS:

100 INCREASE IN BUILDING PERMIT FEE FOR MICROFILMING DOCUMENTS (Report: Building Official)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony
- Close the Public Hearing and
- Adopt Resolution No. 65-02 to approve or modify an increase in the fees charged for microfilming of documents from the current \$.15 for 8-1/2 x 11 sized documents and \$.25 for plan sized documents, to \$.50 and \$2 respectively.

DISCUSSION

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

MOTION BY Lewis, SECOND BY Santos to close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Lewis, SECOND BY McClellan to adopt Resolution No. 65-02 to increase the fees.

MOTION CARRIES BY UNANIMOUS VOTE.

101 APPEAL by LOUIS EDSALL - CONDITIONAL USE PERMIT 1915 –1800½ GILLESPIE WAY – WIRELESS FACILITY (Report: City Clerk)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony.
- Close the Public Hearing.
- Adopt Resolution No. 66-02 to approve, modify or disapprove Planning Commission Resolution No. 9630 granting Conditional Use Permit 1915 to modify the existing wireless facility at 1800½ Gillespie Way.

DISCUSSION

Councilmembers discuss the following:

- Local agencies are precluded by federal law from regulating or denying a request for a wireless communication facility on the basis of health concern from electromagnetic radiation.
- The buffer for residential zones is 30'; the present site is approximately 750' from residential zones.
- Conditional Use Permit period of ten-years is standard to this use.
- There are no other antennas in the immediate vicinity. Additional antennas are being added to an existing facility.
- Some residents were not aware of the facility until they received notice of the Planning Commission Meeting.
- Nearby property experiences methane gas creepage.
- Flight path at Gillespie is under FAA regulation.
- Expansive soil conditions exist in the area.

Mayor Lewis announces the Public Hearing is now open.

PUBLIC SPEAKERS

Lou Edsall, 1826 Swallow Drive, El Cajon, CA 92020, the appellant, states residents are concerned about expanding the 2 antenna sites to 12; approval will encourage AT&T and other companies to request more antennas. He experiences interference with radio, telephone, and television usage. The area is a prime residential area of the City and other industrial or commercial sites are available. He urges Council to deny Conditional Use Permit 1915.

*Recess Called at 7:42 p.m.
Meeting Called Back to Order at 7:45 p.m.*

Michael Sloop, 1525 Falda del Cerro, El Cajon, CA 92019, representing AT&T, outlines the project and responds to Councilmembers' questions as follows:

- A wireless site usually supports three separate cells. This site supports only one cell, which is overtaxed.
- Additional antennas will maximize the use of the site with few increased impacts. Sites on the valley floor would be difficult because antennas would have to be above existing commercial buildings, with commensurate impacts.
- Increasing the number of antennas to 12 would support 3 cells.
- Painting the antennas green will result in less visual impact than using a screen.
- The antennas are 750' to 1200' away from the houses from which they are visible.
- If this site is denied, other sites will be sought in the near vicinity.
- The FAA looks at the frequencies being used and determines whether a cell site is appropriate.

- If requested, an AT&T radio engineer will determine if the AT&T signal is causing interference.
- There are no current problems with methane.
- The site does not operate under high electrical load.
- Normal maintenance is once a month for one hour.

Lloyd Kendall, 1603 Hacienda, El Cajon, CA 92020, speaks in opposition to the project. If this moves forward, it will cause more pollution and noise. The open area should be preserved.

Kurt Beilhart, 1921 Estela Drive, El Cajon, CA 92020, speaks in opposition to the project. More gigahertz will be put into the air and interference will be added.

MOTION BY Lewis, SECOND BY Santos to close the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY Kendrick, SECOND BY Santos to adopt Resolution No. 66-02 to deny the appeal, approving the Planning Commission decision to modify the existing wireless facility at 1800½ Gillespie Way.

AYES:	McClellan, Santos, Kendrick
NOES:	Ramos, Lewis

MOTION CARRIES.

102 ITEMS CONTINUED FROM THE 3:00 P.M. MEETING: None

ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council and the El Cajon Redevelopment Agency held this 14th day of May, 2002 at 8:54 p.m. to Tuesday, May 28, 2002 at 3:00 p.m.

City Clerk/Secretary