

# JOINT MEETING OF THE EL CAJON CITY COUNCIL/ HOUSING AUTHORITY/ SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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#### NOVEMBER 13, 2018

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, November 13, 2018, was called to order by Mayor/Chair Bill Wells at 3:01 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### ROLL CALL

Council/Agencymembers present:	Goble and McClellan
Council/Agencymembers absent:	Kalasho
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Wells
Other Officers present:	Mitchell, City Manager/Executive Director DiMaggio, Assistant City Manager Foley, City Attorney/General Counsel Aguirre, City Clerk/Secretary

**Mayor Wells invited Veteran of the Year, Mark Goodman, to lead the PLEDGE OF ALLEGIANCE TO THE FLAG 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 October 23, 2018, Meeting and the Agenda of the November 13, 2018, Meetings in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

**PRESENTATIONS:**

**Oath of Office: Fire Chief Steve Swaney**

**Poster Winners: Heartland Fire**

**Presentation: Veteran of the Year - Mark Goodman**

**Proclamation: San Diego State University's School of Public Affairs 50th Anniversary**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1 – 9)**

1. Minutes of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency

Approves Minutes of the October 23, 2018, Meeting and the October 29, 2018, Joint Special Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

Approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

Approves the reading by title and waives the reading in full of all Ordinances on the Agenda.

4. All-Way Stop Sign Request on Brockton Street at Katherine Street

Adopts Resolution No. 104-18, to establish permanent All-Way Stop signs on Brockton Street at the intersection of Katherine Street in order to enhance safe and efficient pedestrian and traffic flow.

## **CONSENT ITEMS: (Continued)**

5. Award of Bid No. 015-19 – Wells Park Improvements – Security Gates

Adopts Resolutions No. 105-18 and No. 106-18, to:

1. Approve Plans and Specifications for Wells Park Improvements – Security Gates, Bid No. 015-19;
2. Find the second and third low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Award the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering & Construction, with contingencies, in the amount of \$172,370.

## **DISCUSSION**

**Stephanie Harper** suggested that the City use grant to fix the sewer pipes and lighting at Wells Park. She indicated that a homeless shelter should be built instead of a gate.

6. Award of Bid No. 017-19 – Transit Facility Improvements 2019

Adopts Resolutions No. 107-18 and No. 108-18, to:

1. Approve Plans and Specifications for the Transit Facility Improvements 2019 project, Bid No. 017-19;
2. Find the fifth and sixth low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Award the bid to the lowest responsive, responsible bidder, Fordyce Construction, Inc. in the amount of \$49,820.

7. Notification of Delinquent Loan Payment and Request for Time Extension to Perform - San Diego Habitat for Humanity (812-816 Grossmont Avenue)

Receives the report and authorizes staff to proceed with drafting an amendment and modification to the Promissory Note, dated June 23, 2017, between the El Cajon Housing Authority ("Housing Authority") and San Diego Habitat for Humanity, Inc. ("SDHFH") with terms and conditions recommended by staff and set forth in this report.

8. Boys & Girls Club of East County Donation

Authorizes a donation in the amount of \$6,000 to the Boys & Girls Club of East County.

## **CONSENT ITEMS: (Continued)**

### 9. Extension of As-Needed Plan Check and Review Services

Adopts Resolution No. 109-18, to authorize an amendment to the existing Agreement for Professional Services with Hunsaker & Associates San Diego, Inc. to extend for one-year in the annual amount of \$50,000, with the option to renew for three additional one-year terms to be approved by the City Manager.

### **DISCUSSION**

**Stephanie Harper** indicated the Item was listed as ‘private projects’ and requested the City provides clarification on how money is being spent, to ensure it does not become wasteful spending. Ms. Harper stated that ‘private projects’ should be privately paid.

In response to Ms. Harpers’ question, **City Manager Mitchell** clarified that Hunsaker is not paid by the general fund but rather by the developer. **City Manager Mitchell** advised that private constructions are managed by City inspectors, to supervise and control the work.

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1 – 9.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

### **PUBLIC COMMENT:**

**Stephanie Harper** stated her disagreements with Mayor Well’s comments regarding pan handling. She spoke about police harassing the homeless, and campaign contributions, which she stated could be a conflict of interest.

**Brenda Hammond** spoke about anger, homeless, and pop-up churches.

**Ruth Thornton** praised the Veteran’s Day Ceremony. She inquired about the improvements that will take place at Wells Park, and indicated that the park is now completely unusable.

In response to Ms. Thornton’s concern, **City Manager Mitchell** provided an overview of the various improvement phases taking place at Wells Park.

## **PUBLIC COMMENT: (Continued)**

Due to various concerns involving Wells Park, **Mayor Wells** advised that a town hall meeting will be scheduled.

**Jim Cirigliano** provided an update on the rent mediation process. Mr. Cirigliano spoke about being ashamed by a speaker at the last council meeting and felt that the individual should have been ushered out.

**Councilmember McClellan** agreed with Mr. Cirigliano about the speaker's inappropriate behavior and **City Attorney Foley**, advised that the municipal code allows to usher someone out; however, caution should be used to not violate First Amendment Rights.

## **WRITTEN COMMUNICATIONS: None**

## **PUBLIC HEARINGS:**

### 10. Delinquent Refuse Collection Charges

RECOMMENDATION: That the City Council:

1. Opens the Public Hearing and considers public testimony;
2. Closes the Public Hearing;
3. Adopts the next RESOLUTIONS, in order, confirming the list of property owners as delinquent in the payment of their mandatory trash service bills; and,
4. Authorizes 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**

**Director of Public Works, Dirk Epperson**, provided a summary of the item.

**Mayor Wells** opened the public hearing.

**John Yancey** spoke about the delinquent account on his property, which has been paid in full; however, he was billed with an 8% penalty. Mr. Yancey indicated that he was double charged for 12 years, which the court decided in his favor; however, Waste Management refused to pay back his overcharges. He spoke about pending street repairs. Mr. Yancey requested an audit on Waste Management.

**PUBLIC HEARINGS: (Item 10 – Continued)**

In response to Mr. Yancey's concern, **Mayor Wells** advised that the public is able to participate in the selection process for a refuse company next year, and invited Mr. Yancey to meet with city staff or call him directly.

**City Manager Mitchell** advised that the City cannot get involved in a civil dispute or class action lawsuit between a resident and a corporation.

**MOTION BY WELLS, SECOND BY McCLELLAN, to CLOSE the Public Hearing.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 111-18, confirming the list of property owners as delinquent in the payment of their mandatory trash service bills; and authorizes 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 CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

11. Delinquent Sewer Service Charges

RECOMMENDATION: That the City Council:

1. Opens the Public Hearing and considers public testimony;
2. Closes the Public Hearing;
3. Adopts the next RESOLUTIONS, in order, confirming the list of property owners as delinquent in the payment of their mandatory sewer service bills; and
4. Authorizes 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.

**PUBLIC HEARINGS: (Item 11 - Continued)**

**DISCUSSION**

**Director of Public Works, Dirk Epperson**, provided a summary of the Item.

**Mayor Wells** opened the public hearing.

No one came forward to speak.

Discussion ensued among **Council** and **Staff** concerning a mobile home park that has a large outstanding amount.

**MOTION BY WELLS, SECOND BY McCLELLAN, to CLOSE the Public Hearing.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 112-18, in order confirming the charges and levying the assessments on the next regular tax bill; and authorizes the City Clerk to place a lien on delinquent properties and to forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

**ADMINISTRATIVE REPORTS:**

12. National Recreation & Park Association 10-Minute Walk Grant Progress Update

**RECOMMENDATION:** That the City Council receives an update on the National Recreation & Park Association (NRPA) 10-Minute Walk Grant.

**DISCUSSION**

**Director of Recreation, Frank Carson**, provided detailed information of the Item. No action required.

## **ADMINISTRATIVE REPORTS: (Continued)**

13. San Diego Forward: 2019-2050 Regional Plan - Projects and Transportation Network Concepts

RECOMMENDATION: That the City Council identifies mobility concept priorities it wishes to communicate to SANDAG in preparation for the 2019-2050 San Diego Forward Regional Plan.

### **DISCUSSION**

**City Manager Mitchell** provided detailed information of the Item.

**Eric Lund** stated for the record, that the Chamber has taken a position to support the upkeep of freeways and highways. Mr. Lund added that moving goods and people by road is essential.

Discussion ensued among **Council** and **Staff** concerning the following:

- Mass transit not popular due to long travel time;
- Improvement of freeways;
- Cost of trolley lines are more expensive than adding lanes to a freeway;
- Need for public transportation that is faster and more cost effective;
- Not enough demand for shared mobility;
- Concerns of public evacuation during a critical incident, if corridors are not widened and accessible; and
- Paradigm shift involving innovative autonomy cars in the future.

14. Introduction of Ordinance Amending Section 2.56.030 of Chapter 2.56 and Adding Chapter 12.06 to the El Cajon Municipal Code Regulating Vending on City Sidewalks

RECOMMENDATION: That the City Council considers approving the attached ordinance amending section of Chapter 2.56 and adding Chapter 12.06 to the El Cajon Municipal Code regulating vending on city sidewalks, and, if approved, take the following action:

1. By Motion and Second, move to introduce the ordinance, and
2. Direct the City Clerk to read the title of the ordinance.



**ADMINISTRATIVE REPORTS: (Item 14 - Continued)**

**DISCUSSION**

**City Attorney Foley** provided detailed information of the Item.

No one came forward to speak.

Discussion ensued among **Council** and **Staff** concerning the following:

- Existing businesses can utilize sidewalk to serve patrons through special land use license and changes in the zoning code;
- To utilize the license, vendors must be on improved sidewalks; and
- The City of El Cajon is the first to implement this concept in the County.

**MOTION BY WELLS, SECOND BY McCLELLAN, to CLOSE the Public Hearing.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to MOVE to introduce the ordinance and direct the City Clerk to read the title of the ordinance.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(KALASHO – Absent).**

**City Clerk Aguirre** recited the title of the Ordinance:

An ordinance amending Title 12 of the El Cajon Municipal Code to amend section 2.56.030 of Chapter 2.56 of the El Cajon Municipal Code and to add Chapter 12.06 to the El Cajon Municipal Code regarding vending on City Sidewalks and Pedestrian Pathways.

**COMMISSION REPORTS: None**

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**ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:**

SANDAG (San Diego Association of Governments) – Board of Directors; SANDAG Public Relations Selection Committee; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; LAFCO.

15. Council Activities Report/Comments

Report as stated.

16. Legislative Update – No Report

**ACTIVITIES REPORTS OF COUNCILMEMBERS:**

17. MAYOR PRO TEM GARY KENDRICK  
METRO Commission/Wastewater JPA; Heartland Communications;  
Heartland Fire Training JPA.

Report as stated.

18. Contract with East County Transitional Living Center for Neighborhood Cleanup Services

RECOMMENDATION: That the City Council directs staff to investigate the possibility of contracting with the East County Transitional Living Center to assist in providing neighborhood cleanup services.

**Councilmember Kendrick** provided information of the Item.

Discussion ensued among **Council** and **Staff** concerning the following:

- Request for staff to prepare a report;
- Opportunity for personal growth for those participating in the clean up services program; and
- Suggestion for staff to research and apply for the CalRecycle grant.

No one came forward to speak.

**ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item 18 – Continued)**

**MOTION BY McCLELLAN, SECOND BY KENDRICK to DIRECT staff to investigate and report back on a neighboring cleanup services.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KALASHO – Absent).**

19. COUNCILMEMBER BOB MCCLELLAN  
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate.

Report as stated.

20. COUNCILMEMBER BEN KALASHO

Report as stated.

21. COUNCILMEMBER STEVE GOBLE  
SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate; METRO Commission/Wastewater JPA – Alternate; Chamber of Commerce – Government Affairs Committee; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council.

Report as stated.

**JOINT COUNCILMEMBER REPORTS: None**

**GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

**ORDINANCES: FIRST READING - None**

**ORDINANCES: SECOND READING AND ADOPTION**

**CLOSED SESSIONS: None**

**ADJOURNMENT: Mayor Wells adjourned the Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 13<sup>th</sup> day of November, 2018, at 5:03 p.m., to Tuesday, November 13, 2018, at 7:00 p.m.**

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**Angela Aguirre  
City Clerk/Secretary**