

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

September 23, 2014

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, September 23, 2014, was called to order by Mayor/Chair Bill Wells at 3:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California. This meeting was adjourned from the Adjourned Regular Joint meeting held at 7:00 p.m. on September 9, 2014.

ROLL CALL

Council/Agencymembers present:	Ambrose, Bales and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Wells
Other Officers present:	Hawley, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Al-Ghafry, Assistant City Manager

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

POSTINGS: The City Clerk posted Orders of Adjournment of the September 9, 2014, meetings and the Agenda of the September 23, 2014, meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- Recreation Enhances Our Community (R.E.C.) Awards
- Community College League of Calif. and Cuyamaca College – Nomination for 2014 Distinguished Alumni for Outstanding Achievement and Service
- PROCLAMATION: German American Month/Oktoberfest
- El Cajon Housing Element Awards
- PROCLAMATION: National Preparedness Month

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.14)

MOTION BY McCLELLAN, SECOND BY AMBROSE, to APPROVE Consent Items 1.1 to 1.14.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the September 9, 2014, 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)

1.4 2015 CALENDAR OF MEETINGS FOR THE CITY COUNCIL/HOUSING AUTHORITY AND SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY (Report: City Clerk)

Review the proposed 2015 calendar of meetings for the City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency and make appropriate modifications, or accept as presented.

1.5 HOUSING AUTHORITY ANNUAL REPORT - FY 2013-2014 (Report: Assistant City Manager/Director of Community Development)

Approve the Annual Report and authorize the Executive Director to transmit it, in a form substantially as presented, to the California Department of Housing and Community Development as required by State law.

1.6 RESOLUTION: AWARD OF BID NO. 015-15, CITY-OWNED PROPERTY OPEN SPACE WEED ABATEMENT AND DRAINAGE CHANNEL VEGETATION MANAGEMENT (Report: Purchasing Agent)

Adopt RESOLUTION No. 106-14 to award the bid to the lowest responsive, responsible bidder, Natures Image, Inc., in the estimated amount of \$28,206.13 for the first year, with the option to renew for four additional one-year periods.

1.7 FY 2014 SAN DIEGO COUNTY LAW ENFORCEMENT FOUNDATION GRANT (Report: Chief of Police)

- Authorize the City Manager or designee to accept the 2014 San Diego County Law Enforcement Foundation Grant in the total amount of \$1,900.00, and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
- Appropriate \$1,900.00 for the 2014 San Diego County Law Enforcement Foundation Grant to purchase a K-9 Training Bite Suit.

CONSENT ITEMS: (Continued)

1.8 SALE OF SURPLUS PROPERTY (Report: Purchasing Agent)

Declare the listed property as surplus, in accordance with policy.

**1.9 PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT
(Report: Purchasing Agent)**

Authorize the Purchasing Agent in accordance with Municipal Code 3.20.010.C.5 to execute a purchase agreement with Sigmanet, Inc. for the purchase of information technology equipment and installation services in the amount of \$232,325.84.

**1.10 SPECIAL OPERATION LICENSE – BROADWAY THRIFT, 941 BROADWAY,
SUITES M - N**

Approve the application submitted by Soba Yousif to register a change of ownership of an existing thrift store located at 941 Broadway, Suites M – N.

**1.11 RESOLUTION: AWARD OF BID NO. 012-15, INTERSECTION
IMPROVEMENTS AT SECOND STREET AND EAST MADISON AVENUE
(Report: Purchasing Agent)**

Adopt RESOLUTION No. 107-14 to award the bid to the lowest responsive, responsible bidder, Crest Equipment, Inc., in the amount of \$253,989.95.

**1.12 SPECIAL OPERATION LICENSE – LA FIESTA NIGHTCLUB, 533-537 EAST
MAIN STREET**

Approve the application submitted by Edwina and Eloise Foster, to register new ownership of an existing nightclub with live music, dancing and alcohol sales at La Fiesta Nightclub, 533-537 E. Main Street.

CONSENT ITEMS: (Continued)

1.13 STATE OF CALIFORNIA, CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS – ASSEMBLY BILL 109 FUNDING GRANT EXPENDITURE PLAN (Report: Chief of Police)

- Authorize the City Manager or designee to accept additional Assembly Bill 109 realignment funds in the amount of \$62,066.00, and to execute any documents and agreements necessary for the receipt and use of these funds.
- Increase the FY 2014-2015 Assembly Bill 109 realignment funds appropriation by \$62,066.00, including an increase of \$12,066.00 for juvenile diversion, and \$50,000.00 for equipment, to enable front-line law enforcement intervention.

1.14 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS FOR THE UPGRADE OF REGULATORY AND WARNING SIGNS 2014, FEDERAL AID PROJECT HSIPL-5211(029), PW3492 / BID NO. 018-15 (Report: Deputy Director of Public Works)

Adopt RESOLUTION No. 108-14 to approve plans and specifications and RESOLUTION No. 109-14 to direct a Notice Inviting Sealed Bids for the Upgrade of Regulatory and Warning Signs 2014, to be opened on November 5, 2014.

PUBLIC COMMENT:

Bonnie Price, representing Citizens Oversight Projects, provided copies of the letter presented to City Clerk's office on September 4th, 2014, supporting the group's opposition to leasing ECPAC to the Rock Church.

Frank Tsimboukakis, from the East County Democratic Club, and candidate for State Senate, spoke against the potential lease of ECPAC to the Rock Church. Under the Freedom of Information Act, **Mr. Tsimboukakis** requested the supporting documents submitted by the Rock Church as part of their bid to lease ECPAC.

City Attorney Foley stated that the above mentioned documents were delivered as requested by Ray Lutz on a previous occasion. **Mr. Tsimboukakis** stated that he would get a copy of the documents from **Mr. Lutz**.

Sunshine Horton spoke about attending her 50th high school reunion and her recent birthday fundraiser.

Ed Long shared his concerns about leasing ECPAC to the Rock Church, including the traffic and parking issues, and the image the church would bring to El Cajon due to their recent civil lawsuits.

PUBLIC COMMENT: (Continued)

Margaret Carlson inquired about the hospital that was projected for the East County community. She also spoke about the benefits of having ECPAC re-opened, and urged the Council to not lease to the Rock Church.

Monica Zech invites the Council and the public to the Fire Prevention Open House on October 11, 2014, at 100 East Lexington Avenue.

John Gibson spoke against the groups who oppose the leasing of ECPAC to the Rock Church and the credibility of their members. He indicated his support of leasing ECPAC to the Rock Church.

Ray Lutz, from Citizens Oversight, criticized the comments made by John Gibson and clarified some of the 10 conditions his group presented to Council.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

4. ADMINISTRATIVE REPORTS:

4.1 FISCAL YEAR 2014/2015 YOUTH LEAGUE UTILITY SUPPORT RECOMMENDATION (Report: Recreation Services Manager)

RECOMMENDATION: That the City Council approve the Recreation Council recommendation to provide utility support to eight Executive Member youth leagues.

DISCUSSION

Director of Recreation Department Sara Ramirez presented the item to Council.

Lou Tejeda thanked the Mayor and Council for their continued support and the Recreation Department for their help. **Mr. Tejeda** invited Council to a Recreation Council Dinner, on October 25th, to honor volunteers.

Mayor Wells thanked **Mr. Tejeda** for all the work he's done for the local youth.

MOTION BY McCLELLAN, SECOND BY BALES, to APPROVE the Recreation Council recommendation to provide utility support to eight Executive Member youth leagues.

MOTION CARRIES BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS: (Continued)

4.2 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS FOR THE MEDIAN IMPROVEMENTS PW3484 / BID NO. 024-15 (Report: Deputy Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTIONS in order to approve Plans and Specifications, and direct a Notice Inviting Sealed Bids for the Median Improvements, to be opened on November 3, 2014.

DISCUSSION

Deputy Director of Public Works Dennis Davies gave a Powerpoint presentation and detailed information on the project.

No further comments were made.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION No. 110-14 to approve Plans and Specifications, and RESOLUTION No. 111-14 to direct a Notice Inviting Sealed Bids for the Median Improvements, to be opened on November 3, 2014.

MOTION CARRIES BY UNANIMOUS VOTE.

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS

SANDAG (San Diego Association of Governments); SANDAG Public Safety Committee; League of California Cities, San Diego Division; Heartland; Fire Training JPA – Alternate; Indian Gaming Local Community Benefit Committee.

6.1 Council Activities Report/Comments

REPORT AS STATED.

6.2 LEGISLATIVE REPORT

Mayor Wells gave an update on SB 702, a bill that makes it a crime for a person to willfully wear, exhibit, or use any badge, insignia, emblem, to falsely impersonate a police officer, and announced the bill will be law once it is signed by **Governor Brown**.

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

MAYOR PRO TEM GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA; SANDAG (San Diego Association of Governments) - Alternate; SANDAG Public Safety Committee – Alternate.

7.1 Council Activities Report/Comments

REPORT AS STATED.

8.

COUNCILMEMBER TONY AMBROSE

Chamber of Commerce – Government Affairs; MTS (Metropolitan Transit System Board) - Alternate; East County Economic Development Council; METRO Commission/ Wastewater JPA.

8.1 Council Activities Report/Comments

REPORT AS STATED.

9.

COUNCILMEMBER BOB McCLELLAN

MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate.

9.1 Council Activities Report/Comments

In addition to the submitted report, **Councilmember McClellan** thanked the City Manager Staff and the Police Department for providing excellent service.

10.

COUNCILMEMBER STAR BALES

East County Economic Development Council - Alternate; METRO Commission/ Wastewater JPA – Alternate; Indian Gaming Local Community Benefit Committee – Alternate.

10.1 Council Activities Report/Comments

REPORT AS STATED.

Mayor Wells announced that **Duane Swainston**, an active citizen of El Cajon, passed away, and he would like to adjourn today's meeting in memory of **Mr. Swainston**.

11. JOINT COUNCILMEMBER REPORTS: None

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING - None

14. ORDINANCES: SECOND READING AND ADOPTION

**14.1 AMENDMENT TO EL CAJON MUNICIPAL CODE ADDRESSING THEFT
DETERRENT SECURITY FENCING**

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

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT
Ordinance No. 5016 amending Section 17.130.220**

MOTION CARRIES BY UNANIMOUS VOTE.

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

An Ordinance of the City Council of the City of El Cajon Repealing Section 17.130.220 and Adding New Section 17.130.220 to Chapter 17.130 to Title 17 of the El Cajon Municipal Code.

Remainder of page intentionally left blank.

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 paragraph (1) of subdivision (d) of Government Code Section 54956.9:

Name of Case:

Minor Tasia R., etc. v.
Grossmont Union High School District, City of El Cajon, et al.
United States District Court
Case Number: 13CV2874 WQH DHB

15.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –
pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9:

Name of Case:

Miller's Towing, Inc. v. City of El Cajon
San Diego Superior Court
Case Number 37-2014-00026785-CU-WM-CTL

15.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –
Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Government Code Section 54956.9:

Number of potential cases: 1

Facts and Circumstances Known to Potential Plaintiffs: On September 9, 2014, a claim was filed with the City of El Cajon on behalf of Miller's Towing, Inc., a California corporation, Dan Miller, Evelyn Miller, and Richard Andersen, alleging that the claimants were damaged in an amount in excess of \$10,000 as a result of the City's decision to remove Miller's Towing, Inc. from the El Cajon Police Department's list of approved tow operators for City-initiated tows.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADJOURN to Closed Session at 4:23 P.M.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 4:36 P.M.

City Attorney Foley reported that **Council** gave direction to the City's Legal Counsel for the handling of Closed Session Items 15.1, 15.2 and 15.3.

Adjournment: In memory of Duane Swainston, Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 23rd day of September 2014, at 4:37 p.m. to Tuesday, October 14, 2014, at 3:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary