

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**JUNE 24, 2008**

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, June 24, 2008, 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 3:00 p.m. on June 10, 2008.

#### **ROLL CALL**

Council/Agencymembers present:	Kendrick, McClellan, Ramos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Hanson-Cox
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 Ayres, 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 June 10, 2008, meeting and the Agenda of the June 24, 2008, meetings in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **John Yeakey Commendation**
- **CASA Presentation**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.15)**

**Councilmember Ramos** indicates he will vote No on Item 1.4

**MOTION BY LEWIS, SECOND BY HANSON-COX, to approve Consent Items 1.1 to 1.15, pulling Item 1.4, as requested by MCCLELLAN and 1.11 by the public and Staff.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS**

Approve Minutes of the June 10, 2008, 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.

**PULLED FOR DISCUSSION:**

**1.4 AFFORDABLE HOUSING AGREEMENT THIRD AMENDMENT – EL CAJON COMMUNITY DEVELOPMENT CORPORATION (Report: Director of Redevelopment and Housing)**

**RECOMMENDATION:** That the Redevelopment Agency review and approve the Third Amendment to the Affordable Housing Agreement with the El Cajon Community Development Corporation, substantially in the form as presented, with such changes as approved by the Executive Director.

**CONSENT ITEMS: (Continued)**

**1.5 APPROVAL OF CONTRACT FOR VETERINARIAN SERVICES RFP NO. 003-09 (Report: Purchasing Agent)**

Authorize the City Manager to enter into a professional services agreement between Dr. Jennifer Sipes, DVM and the City of El Cajon for on-site veterinary services at the El Cajon Animal Shelter.

**1.6 RESOLUTION – AWARD OF BID NO. 001-09 – ROAD MAINTENANCE MATERIALS (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 59-08 and award the bid to the low bidder, Superior Ready Mix Concrete, LP, in the amount of \$168,151.25.

**1.7 RESOLUTIONS – INSTALLATION OF TRAFFIC SIGNAL AND SAFETY LIGHTING SYSTEM AND ROAD IMPROVEMENTS AT EAST MAIN STREET/I-8 WB OFF RAMP - THIRD STREET, Bid No. 009-09, Job No. 2929 (Report: Director of Public Works)**

Adopt RESOLUTION NO. 60-08 to approve Plans and Specifications and RESOLUTION NO. 61-08 to direct publication of the Notice Inviting Sealed Bids to be opened on July 24, 2008, for the installation of traffic signal and safety lighting systems at East Main Street/I-8 WB Off Ramp – Third Street intersection.

**1.8 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANT (Report: Chief of Police)**

1. Authorize the City Manager to accept the Governor's Office of Emergency Services (OES) Paul Coverdell Forensic Science Improvement (Coverdell) Grant in the amount of \$6,215.00 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate the OES Coverdell Grant Funds in the amount of \$6,215.00.

**1.9 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 626 – 945 Estes Street, Engineering Job No. 3061 (Report: Director of Public Works)**

Grant a one-year time extension for TSM 626 and set the new expiration date to June 13, 2009, in accordance with Municipal Code Section 16.12.110.

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

### **1.10 U.S. DOJ JUSTICE ASSISTANCE GRANT (JAG) 2008 APPLICATION (Report: Chief of Police)**

This is an informational item only that meets the grant requirement to provide the JAG 2008 Grant Application to the governing body. The grant agreement and expenditure plan will be brought back for City Council approval upon grant award.

#### **PULLED FOR DISCUSSION:**

### **1.11 RELOCATION OF UTILITY EASEMENT (HELIX WATER DISTRICT); ACCEPTANCE OF QUIT CLAIM; GRANT OF EASEMENT; APPROVAL OF AN ENCROACHMENT PERMIT WITH HELIX WATER DISTRICT; AND APPROVAL OF HOLD HARMLESS AGREEMENT BETWEEN WASTE MANAGEMENT OF CALIFORNIA, INC. AND THE CITY OF EL CAJON, FOR CITY-OWNED PROPERTY LOCATED AT 1001 WEST BRADLEY AVENUE (Report: City Attorney)**

**RECOMMENDATION:** That the City Council approve the relocation of a public utility easement in favor of Helix Water District on property located at 1001 West Bradley Avenue, El Cajon, and authorize (1) the acceptance of a quit claim deed from Helix Water District, (2) the execution of a grant of easement to Helix Water District, (3) the execution of an encroachment permit from Helix Water District, and (4) the execution of a hold harmless agreement with Waste Management of California, Inc., in conjunction with the relocation of a public utility easement in favor of Helix Water District, and the encroachment of tenant improvements.

### **1.12 RESOLUTION – ADOPTING RECORDS RETENTION SCHEDULES AND APPROVING UPDATED CITY COUNCIL POLICY A-13 (Report: City Clerk)**

- Adopt RESOLUTION NO. 62-08 rescinding Resolution Nos. 427-89 and 24-97 and approving new Records Retention Schedules for all City Departments;
- Authorize destruction of certain City records;
- Authorize further updates to the retention periods of the Records Retention Schedules without further action by the City Council; and
- Approve updated City Council Records Management Policy A-13.

**CONSENT ITEMS: (Continued)**

**1.13 ACCEPTANCE OF FIRE STATION NO. 6 ROOF AND HVAC REPLACEMENT - Engineering Job No. 3099, Bid No. 007-08 (Report: Director of Public Works)**

Accept the project and authorize the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

**1.14 RESOLUTION – AWARD OF BID NO. 004-09 – EMS SUPPLIES (Report: Purchasing Agent)**

Adopt RESOLUTION NO. 63-08 and award the bid to the low bidder, Tri-Anim Health Services, Inc., in the estimated amount of \$106,381.20.

**1.15 ACCEPTANCE OF SUPER BLOCK AND LINDA WAY DEMOLITION – PHASE II – Engineering Job No. 3151, Bid No. 016-08 (Report: Director of Public Works)**

Accept the project and authorize the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

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**RECOMMENDATION:** That the Redevelopment Agency review and approve the Third Amendment to the Affordable Housing Agreement with the El Cajon Community Development Corporation, substantially in the form as presented, with such changes as approved by the Executive Director.

**DISCUSSION**

**Councilmember McClellan** advises that he will not support giving assistance for building new housing projects. He would prefer that funds be provided for condominium conversion projects.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Item 1.4**

**MOTION CARRIES. (RAMOS – No)**

**CONSENT ITEMS: (Continued)**

**1.11 RELOCATION OF UTILITY EASEMENT (HELIX WATER DISTRICT); ACCEPTANCE OF QUIT CLAIM; GRANT OF EASEMENT; APPROVAL OF AN ENCROACHMENT PERMIT WITH HELIX WATER DISTRICT; AND APPROVAL OF HOLD HARMLESS AGREEMENT BETWEEN WASTE MANAGEMENT OF CALIFORNIA, INC. AND THE CITY OF EL CAJON, FOR CITY-OWNED PROPERTY LOCATED AT 1001 WEST BRADLEY AVENUE (Report: City Attorney)**

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**DISCUSSION**

**City Attorney Foley** indicates a representative for Waste Management submitted a speaker card, and is here to answer any questions. He informs **Council** that since the agenda was posted, modifications have been made to the hold harmless agreement pertaining to notices provided to Waste Management, and the City's liability, in the event that damages occur as a result of the City's own negligence. The attorneys for Waste Management have indicated they will agree to the modifications.

**Council** has no questions for the representative for Waste Management.

No further comments are made.

**MOTION BY LEWIS, SECOND BY RAMOS, to Approve Item 1.11, incorporating the revisions recommended by the City Attorney.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **PUBLIC COMMENT:**

**Nelson Rath** expresses his opinion on raising the sales tax in El Cajon.

**Council** and **Staff** discuss the following:

- The timetable for the sales tax increase if approved in the November election;
- Suggestions for a citizens' oversight committee to oversee sales tax revenues;
- The potential impacts to services such as emergency medical services, and police and fire response times, should the measure fail.

**Olga Reztsova** is the music director for the East County Youth Symphony. She presents Council with a thank you plaque and photograph.

**Sunshine Horton** gives an update on her yellow ribbon project and 21-hour dance-a-thon to raise funds for Rady's Childrens' Hospital.

**Bob McClellan** speaks about the upcoming Fourth of July holiday and the history of our country.

**Dick Ramos** suggests holding public forums or forming groups to help the public understand the City's budget deficit.

**City Attorney Foley** comments on the importance of providing information to help educate the public on the City's financial situation.

## **2. WRITTEN COMMUNICATIONS: None**

## **3. PUBLIC HEARINGS:**

### **3.1 FISCAL YEAR 2008-09 ANNUAL CITY AND REDEVELOPMENT AGENCY BUDGETS (Report: City Manager)**

**RECOMMENDATION:** That the **City Council/Redevelopment Agency** hold a joint public hearing to consider the 2008-09 City/ECRA proposed budget and:

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**

**As the City Council, adopt the next RESOLUTIONS as follows:**

- **RESOLUTION** of the City of El Cajon Adopting the Fiscal Year 2008-09 Annual Budget
- **RESOLUTION** approving and adopting the Annual Appropriations Limit for Fiscal Year 2008-09

**ITEM 3.1 (Continued)**

**As the Redevelopment Agency Board of Directors adopt the next RESOLUTION as follows:**

- **RESOLUTION** of the El Cajon Redevelopment Agency Approving the Fiscal Year 2008-09 Budget

**DISCUSSION**

**Councilmember McClellan** reiterates his position on providing financial support for condominium conversion projects.

The public hearing is now Open.

**Jeannine Moeder** speaks regarding the 211 San Diego program.

No further comments are made.

**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. 64-08: RESOLUTION of the City of El Cajon Adopting the Fiscal Year 2008-09 Annual Budget.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. 65-08: RESOLUTION approving and adopting the Annual Appropriations Limit for Fiscal Year 2008-09.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. ECRA-921: RESOLUTION of the El Cajon Redevelopment Agency Approving the Fiscal Year 2008-09 Budget.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

In response to the question by **City Manager Henry**, **Mayor Lewis** affirms that the City will not fund the requests from Trauma Intervention, 211 San Diego and the East County Visitors Bureau from the \$100,000 contingency budget.



*Recess called at 4:02 p.m.  
Meeting called back to order at 4:07 p.m.*

**Councilmember McClellan** advises he must disqualify himself from Items 3.2, 3.3 and 3.4. He leaves the Chambers at 4:09 p.m. **City Attorney Foley** indicates that the disqualification is based on potential financial income from any person on the lists, and, in an abundance of caution, **Councilmember McClellan** has disqualified himself from the items. This will be the last time he will be disqualified, as his financial interests end as of June 30, 2008.

### **3.2 DELINQUENT REFUSE COLLECTION CHARGES (Report: Director of Public Works)**

#### **RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order** certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and authorizing 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** advises there should be a correction to the Agenda report to reflect that the City collects a 15% franchise fee, rather than 10%.

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. (MCCLELLAN – Disqualify)**

**MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. 66-08 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and authorizing 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. (MCCLELLAN – Disqualify)**

As stated earlier, Councilmember McClellan has disqualified himself from this item due to a potential financial conflict of interest:

**3.3 DELINQUENT SEWER SERVICE CHARGES (Report: Finance Department Senior Accountant)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order**, confirming the charges and levying the assessments on the next regular tax bill and authorizing 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**

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. (MCCLELLAN – Disqualify)**

**MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. 67-08, confirming the charges and levying the assessments on the next regular tax bill and authorizing 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.**

**MOTION CARRIES. (MCCLELLAN – Disqualify)**

As stated earlier, Councilmember McClellan has disqualified himself from this item due to a potential financial conflict of interest:

**3.4 DELINQUENT ACCOUNTS FOR WEED ABATEMENT (Report: Fire Chief)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to authorize the City Clerk to place liens on properties and amounts on the next tax bills for properties with outstanding weed abatement bills for services provided by Fire Prevention Services, Inc. (FPSI), as authorized by the City.**

### ITEM 3.4 (Continued)

#### DISCUSSION

**City Clerk Rutledge** indicates a speaker card has been submitted by a representative for Fire Prevention Services, should **Council** have any questions.

**City Attorney Foley** states that **Council** did have the materials that the gentleman from FPSI was here to discuss. They were on file in the City Clerk's office and it is assumed that **Council** had an opportunity to see them.

**MOTION BY LEWIS, SECOND BY RAMOS, to Close the Public Hearing.**

**MOTION CARRIES. (MCCLELLAN – Abstain)**

**MOTION BY LEWIS, SECOND BY RAMOS, to Adopt RESOLUTION NO. 68-08 to authorize the City Clerk to place liens on properties and amounts on the next tax bills for properties with outstanding weed abatement bills for services provided by Fire Prevention Services, Inc. (FPSI), as authorized by the City.**

**MOTION CARRIES. (MCCLELLAN – Abstain)**

**Councilmember McClellan** returns to the Chambers at 4:12 p.m.

### 3.5 CLOSURE OF GRAPE STREET PEDESTRIAN OVER CROSSING OVER INTERSTATE 8 (Report: Director of Public Works)

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order** to approve the closure of the Grape Street Pedestrian Over Crossing (POC).

#### DISCUSSION

The public hearing is now Open.

**Director of Public Works Turner** provides a summary of the report.

No one else comes forward to speak.

**ITEM 3.5 (Continued)**

**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. 69-08 to approve the closure of the Grape Street Pedestrian Over Crossing (POC).**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.6 RESOLUTION – ADOPTION OF TRANSNET LOCAL STREET IMPROVEMENT PROGRAM FOR FISCAL YEARS 2009 THROUGH 2013 (Report: Director of Public Works)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order to approve the TransNet Local Street Improvement Program for Fiscal Years 2009 through 2013.**

**DISCUSSION**

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. 70-08 to approve the TransNet Local Street Improvement Program for Fiscal Years 2009 through 2013**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### **3.7 PUBLIC NUISANCE AT 256 WITHERSPOON WAY (Report: Building Official/Fire Marshal)**

#### **RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Direct Staff to** (1) file a Notice of Restriction against the property, (2) begin accrual of civil penalties starting June 25, 2008, and (3) direct Staff to monitor the progress of this case and bring it back before Council for resolution of Staff time, administrative fees and civil penalties at the conclusion of the case.

#### **DISCUSSION**

**Councilmember McClellan** indicates he drove by and viewed the exterior of the property.

The public hearing is now Open.

**Dan Pavao**, Building Official/Fire Marshal, provides a summary of the Item.

**Tony Helms**, representing the property owner, speaks about costs incurred and the efforts they have made to address the structural issues. They have a contractor lined up to make the repairs, and he requests 60 days to complete the repairs to the property.

**Councilmember Ramos** indicates he concurs with the recommendation from **Staff** to file a Notice of Restriction on the property.

No further comments are made.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY RAMOS, to Direct Staff to (1) file a Notice of Restriction against the property, (2) begin accrual of civil penalties starting June 25, 2008, and (3) direct Staff to monitor the progress of this case and bring it back before Council for resolution of Staff time, administrative fees and civil penalties at the conclusion of the case**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### 3.8 SUBSTANDARD CONDITIONS AT 338 EL MONTE ROAD (Report: Building Official/Fire Marshal)

#### **RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Deem appropriate the Building Official/Fire Marshal's actions in this case**
- **Direct Staff to** (1) file a Notice of Restriction against the property, (2) begin accrual of civil penalties starting June 25, 2008, (3) direct Staff to monitor the progress of renovation of the dwelling, and (4) direct Staff to bring this case back to Council for final resolution and determination of Staff time, administrative fees and civil penalties.

#### **DISCUSSION**

The public hearing is now Open.

**Dan Pavao**, Building Official/Fire Marshal, provides an update on the status of the property.

**John Murphy** represents the property owner. He indicates the plumbing repairs have been made and some clean up has taken place to correct the problem. He requests waiver of the administrative fees and delay of the accrual of penalties until July 15, 2008. He indicates some assistance with the clean up may be provided by members of a church.

**Kathy Winger** indicates the piles of materials and clothing are now gone. She estimates that clean up should be completed in about three weeks time.

Discussion ensues among **Council, Staff** and the speaker concerning:

- The need to maintain the property once it is cleaned up;
- Administrative fees and staff time expended for this property;
- The ability for **Council** to waive some of the accrued penalties at a future date.

No further comments are made.

**MOTION BY LEWIS, SECOND BY RAMOS, to Close the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ITEM 3.8 (Continued)**

**MOTION BY LEWIS, SECOND BY RAMOS, to Direct Staff to (1) file a Notice of Restriction against the property, (2) begin accrual of civil penalties starting June 25, 2008, (3) direct Staff to monitor the progress of renovation of the dwelling, and (4) direct Staff to bring this case back to Council for final resolution and determination of Staff time, administrative fees and civil penalties, and to check for rodent or insect infestation after the property is cleaned up.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4. ADMINISTRATIVE REPORTS:**

**4.1 HABITAT FOR HUMANITY – REQUEST FOR FUNDING  
(Report: Director of Redevelopment and Housing)**

**RECOMMENDATION: That the Redevelopment Agency:**

1. Authorize use of Low and Moderate Income Housing funds to participate in development of four single family homes with Habitat for Humanity;
2. Appropriate Low and Moderate Income Housing Funds in the amount of \$210,000 from the Unrestricted Fund Balance (Fund 290); and
3. Establish the expenditure budget in the Low and Moderate Income Housing Fund Program Activity/Project #290900-LM0801 for FY0809.

**DISCUSSION**

In response to questions by **Councilmember Hanson-Cox, City Manager Henry** indicates these four units will be counted in the affordable housing inventory.

No further comments are made.

**MOTION BY LEWIS, SECOND BY HANSON-COX, to 1) Authorize use of Low and Moderate Income Housing funds to participate in development of four single family homes with Habitat for Humanity; 2) Appropriate Low and Moderate Income Housing Funds in the amount of \$210,000 from the Unrestricted Fund Balance (Fund 290); and 3) Establish the expenditure budget in the Low and Moderate Income Housing Fund Program Activity/Project #290900-LM0801 for FY0809.**

**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 Metro Wastewater JPA News Brief – June 2008**

**6.2 SANDAG Board of Directors Agenda – June 13, 2008**

**ACTIVITIES REPORTS OF COUNCILMEMBERS**

**7.**

**MAYOR PRO-TEM 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.

**7.1 Council Activities Report – Verbal Report**

**Mayor Pro-Tem Jillian Hanson-Cox** gives a verbal report. She thanks **Staff** on the idea to distribute door hangers to compliment property owners for the condition of their homes and yards.

**8.**

**COUNCILMEMBER BOB McCLELLAN:**

Council Advisory Meeting Schedule, Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate; LAFCO (Local Agency Formation Commission - Advisory Committee).

**8.1 Council Activities Report**

**Report as stated.**



**ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)**

**9.**

**COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

**9.1 Council Activities Report**

**Report as stated.**

**10.**

**COUNCILMEMBER DICK RAMOS**

Heartland Fire Training JPA (Alternate); Legislative Report.

**10.1 No Report**

**11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin - *Priority Focus* - dated June 6 and June 13, 2008**

**Councilmember Ramos** submits a list of legislative bills and recommends sending letters of opposition for specific bills.

**MOTION BY RAMOS, SECOND BY LEWIS, to send letters of opposition as recommended by Councilmember Ramos.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

**13. ORDINANCES: FIRST READING - None**

**14. ORDINANCES: SECOND READING AND ADOPTION**

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

**14.1 SPECIFIC PLAN 512**

**An Ordinance approving Specific Plan 512 to increase the maximum building height limit permitted on property addressed as 1539 East Main Street from 35 feet to 54 feet**

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

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt Ordinance No. 4917.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**15. CLOSED SESSION**

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

**15.1**

- **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to subdivision (a) of Government Code Section 54956.9:**

Name of Case: Tolbert/Vella, et al. v. City of El Cajon, et al.  
Case No. GIE 028951 [Consolidated with  
Case No. GIE 037309-1]

**15.2**

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Section 54956.8 of the Government Code:**

<b><u>Property</u></b>	<b><u>Negotiating Parties</u></b>	<b><u>Agency Negotiators</u></b>
APN #488-111-30 A portion of City-owned Property	Pacific Realty Advisors, LP Richard C. Dentt	Executive Director/City Manager Director of Redevelopment & Housing
APN #488-111-28 A portion of Agency-owned Property	Jeremy Dentt Ryan Dentt John Gibson	General Counsel/City Attorney

**ITEM 15.2 (Continued)**

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential lease of property owned by the City and Agency.

**15.3**

- **CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Section 54956.8 of the Government Code:**

<u>Property</u>	<u>Negotiating Parties</u>	<u>Agency Negotiator</u>
APN 487-180-10-00 382-386 Linda Way	Paladin Partners	Executive Director/City Manager Director of Redevelopment & Housir
APN 487-180-13-00 360-364 Linda Way		General Counsel/City Attorney
APN 487-180-09-00 151-155 Chambers Street		
APN 487-180-11-00 376-380 Linda Way		
APN 487-180-12-00 366-370 Linda Way		
APN 487-191-14-00 131 Chambers Street		
APN 487-191-15-00 Chambers Street adjacent to 131 Chambers Street		

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential purchase of property by the Agency for redevelopment purposes.

**MOTION BY LEWIS, SECOND BY RAMOS, to Adjourn to Closed Session at 4:51 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**16. RECONVENE TO OPEN SESSION AT 5:23 P.M.**

**City Attorney Foley** reports the following actions:

- 15.1** Direction was given to Legal Counsel.
- 15.2 Councilmember Kendrick** disqualified himself on Item 15.2 due to receipt of income exceeding the amount that would have allowed him to participate on the Item. Direction was given to the Real Property Negotiators.
- 15.3** Direction was given to the Real Property Negotiators.

**Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 24th day of June 2008, at 5:24 p.m. to Tuesday, June 24, 2008, at 7:00 p.m.**

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**KATHIE J. RUTLEDGE, CMC**  
**City Clerk/Secretary**

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**JUNE 24, 2008**

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, June 24, 2008, was called to order by Mayor/Chair Mark Lewis at 7:00 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 3:00 p.m., Tuesday June 24, 2008, by order of the City Council and Redevelopment Agency.

#### **ROLL CALL**

Council/Agencymembers present:	Kendrick, McClellan, Ramos
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Hanson-Cox
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 Ayres, Director of Community Development

#### **PLEDGE OF ALLEGIANCE TO FLAG and MOMENT OF SILENCE.**

(The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution)

**AGENDA CHANGES: None**

## **PUBLIC COMMENT:**

**Mayor Pro-Tem Jillian Hanson-Cox** indicates that several magazines will feature articles about the Mother Goose Parade.

## **PUBLIC HEARINGS:**

**100 AMENDMENT OF SPECIFIC PLAN NO. 56 - Hany Malak (McKently Malak Architects) – 382 North Second Street (Report: Director of Community Development)**

### **RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Move to approve an amendment** to Specific Plan No. 56, subject to the conditions listed in Planning Commission Resolution No. 10500.

## **DISCUSSION**

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

**Hany Malak** summarizes the plans for the project and requests an exception to the condition of approval requiring a dedication of the property along Madison Avenue.

**John Hickman** provides additional details about the remodeling project and the requirement for the irrevocable offer of dedication.

Discussion ensues among **Council**, **Staff** and the speaker concerning possible modifications to the conditions of approval and the prospective tenants for the center.

**John Zebarth** speaks regarding circulation of traffic. He agrees with the nexus for the offer of dedication, but questions the proportionality of costs for the street widening. He offers suggestions, such as decreasing the setback for landscaping.

**John Hickman** returns to the podium to answer questions of **Council** about the kiosk area, and a continuance of the public hearing in order to work with staff on a mutually agreeable solution concerning the dedication.

No further comments are made.

**ITEM 100 (Continued)**

**MOTION BY LEWIS, SECOND BY RAMOS, to Continue the item to the July 8, 2008 meeting.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**101A AMENDMENT OF SITE DEVELOPMENT PLAN NO. 1253 Childs Mascari Warner Architects – 198 West Main Street (Report: Director of Community Development)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order** approving the proposed amendment to Site Development Plan 1253, subject to conditions.

**AND**

**101B CONDITIONAL USE PERMIT NO. 2071 - Childs Mascari Warner Architects – 198 West Main Street (Report: Director of Community Development)**

**RECOMMENDATION: That the City Council**

- **Open the Public Hearing and receive testimony**
- **Close the Public Hearing**
- **Adopt the next RESOLUTION in order** approving Conditional Use Permit Application No. 2071, subject to conditions.

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open for Item 101A.

**Mike Moser**, representing the ownership of the shopping center, speaks in support of the project.

**Council, Staff** and the speaker discuss the following:

- The plans for the fitness center;
- The proposed tenants and suggestions for other tenants, such as a bagel shop or a juice shop;
- Landscaping and security issues.

**ITEM 101A and 101B: (Continued)**

No further comments are made.

**MOTION BY LEWIS, SECOND BY RAMOS, to Close the Public Hearing on Item 101A.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 71-08 approving Conditional Use Permit Application No. 2071, subject to conditions.**

The public hearing on Item 101B is now Open.

No one comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCELLAN, to Close the Public Hearing on Item 101B.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 72-08 approving Conditional Use Permit Application No. 2071, subject to conditions.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

In response to the question by **Mayor Lewis, Mr. Moser** estimates the center may possibly open for business in approximately 12 months.

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

**ADJOURNMENT: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 24th day of June 2008, at 8:21 p.m. to Tuesday, July 8, 2008, at 3:00 p.m.**

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**KATHIE J. RUTLEDGE, CMC  
City Clerk/Secretary**