

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

AUGUST 26, 2008

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, August 26, 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 7:00 p.m. on August 12, 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 August 12, 2008, Meetings and the Agenda of the August 26, 2008, Meeting in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **PROCLAMATION – PTA Membership Month**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.12)

Councilmember Hanson-Cox states she will abstain from Item 1.1, as she was not present for the meeting of August 12, 2008.

City Clerk Rutledge indicates a correction should be made to Item 1.1, on the draft Minutes of August 12, 2008, changing the date for the 7:00 p.m. meeting from August 8 to August 12, 2008.

MOTION BY LEWIS, SECOND BY RAMOS, to approve Consent Items 1.1 to 1.12, amending the Minutes from August 12, 2008, and pulling Items 1.9, as requested by HANSON-COX and Councilmember Ramos, and Items 1.4, 1.7 and 1.9, as requested by the public.

**MOTION CARRIES BY UNANIMOUS VOTE.
(HANSON-COX - Abstain on Item 1.1)**

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the August 12, 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.

CONSENT ITEMS: (Continued)

PULLED FOR DISCUSSION:

1.4 FIRE STATION 6 KITCHEN RENOVATION, Engineering Job No. 3229, Bid No. 014-09 (Report: 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 to be opened on September 25, 2008.

1.5 APRIL – JUNE 2008 QUARTERLY TREASURER’S REPORT (Report: Assistant City Manager/Director of Finance and Treasurer)

Receive the latest quarterly Treasurer’s Report for the period ending June 30, 2008.

1.6 NEW CLASSIFICATION SPECIFICATION AND SALARY RECOMMENDATION FOR COMMUNICATIONS CENTER MANAGER (Report: Director of Human Resources)

Approve the new classification of Communications Center Manager and allocate the salary to range 97.4, \$65,770.00 to \$80,142.00.

PULLED FOR DISCUSSION:

1.7 AWARD OF BID NO. 009-09 – INSTALLATION OF TRAFFIC SIGNAL AND SAFETY LIGHTING SYSTEMS AND ROAD IMPROVEMENTS AT EAST MAIN STREET AND I-8 WB OFF-RAMP/THIRD STREET – Job No. PW2929 (Report: Purchasing Agent)

RECOMMENDATION: That the City Council

- Increase the budget for this project from \$188,000.00 to \$263,000.00;
- Authorize the transfer of TransNet funds in the amount of \$75,000 from the remaining balance for Job No. PW3133, Resurfacing of Washington Avenue, Avocado Blvd. to East City Limits, to Job No. PW2929; and
- Adopt the next RESOLUTION in order and award the bid to the low bidder, HMS Construction, Inc., in the amount of \$239,045.00.

CONSENT ITEMS: (Continued)

1.8 DISPOSAL OF SURPLUS PROPERTY (Report: Purchasing Agent)

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

PULLED FOR DISCUSSION:

1.9 RESOLUTION - AWARD OF BID NO. 010-09, CONSTRUCT STREET SWEEPER CLEANING STATION (Report: Purchasing Agent)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order and award the bid to the low bidder, A.B. Hashmi, Inc., in the amount of \$56,000.00.

1.10 PLAZA/AMPHITHEATER USE REQUEST, REQUEST APPROVAL TO SERVE ALCOHOL/EAST COUNTY POSSE (Report: Recreation Services Manager)

Approve the request of the East County Posse to conduct their annual benefit event "East County Night Out – Under the Stars". This event includes use of the East County Performing Arts Center and the City Plaza and Amphitheater, alcohol service, a required signed Hold Harmless Agreement, an ABC license, and required security personnel present at the event. This will be the second year that this group is requesting to hold this event in the Plaza/Amphitheater.

1.11 REALLOCATION OF INDIAN GAMING GRANT FUNDS (Report: Assistant to the City Manager)

- Appropriate the remaining Indian Gaming Grant fund balance of \$52,052.88;
- Establish the expenditure budget for Indian Gaming Grant Activity/Account #254280 at \$52,052.88 for the purchase of another Automated License Plate Recognition Device and additional Vandalism Deterrent Systems with any remaining funds to be allocated to the Washington Avenue Resurfacing Project.

1.12 ACCEPTANCE OF INSTALLATION OF BUS STOP SHELTER IMPROVEMENTS AT VARIOUS LOCATIONS – Engineering Job No. 3179, Bid No. 032-08 (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.

CONSENT ITEMS: (Continued)

1.4 FIRE STATION 6 KITCHEN RENOVATION, Engineering Job No. 3229, Bid No. 014-09 (Report: Director of Public Works)

RECOMMENDATION: That the City Council to adopt RESOLUTION NO. 87-08 to approve Plans and Specifications and RESOLUTION NO. 88-08 to direct a Notice Inviting Sealed Bids to be opened on September 25, 2008.

DISCUSSION

Kristy Mundt, representing Citizens Oversight Projects, speaks in opposition to the project citing the City's budgetary concerns and the possible closure of a fire station.

City Manager Henry clarifies the project is being funded through Proposition O money, which can only be spent for projects of this type. She indicates that there are no plans to close a fire station.

No further comments are made.

MOTION BY LEWIS, SECOND BY RAMOS, to Approve Item 1.4

MOTION CARRIES BY UNANIMOUS VOTE.

1.7 AWARD OF BID NO. 009-09 – INSTALLATION OF TRAFFIC SIGNAL AND SAFETY LIGHTING SYSTEMS AND ROAD IMPROVEMENTS AT EAST MAIN STREET AND I-8 WB OFF-RAMP/THIRD STREET – Job No. PW2929 (Report: Purchasing Agent)

RECOMMENDATION: That the City Council

- Increase the budget for this project from \$188,000.00 to \$263,000.00;
- Authorize the transfer of TransNet funds in the amount of \$75,000 from the remaining balance for Job No. PW3133, Resurfacing of Washington Avenue, Avocado Blvd. to East City Limits, to Job No. PW2929; and
- Adopt RESOLUTION NO. 89-08 and award the bid to the low bidder, HMS Construction, Inc., in the amount of \$239,045.00.

DISCUSSION

Kristy Mundt, representing Citizens Oversight Projects, speaks in opposition to the Item.

ITEM 1.7 (Continued)

Mayor Lewis comments that this project is on a priority list due to accidents and traffic volume in the immediate area.

Director of Public Works Turner concurs with the comments by **Mayor Lewis**, and indicates the project will be paid by TransNet money, which was approved by voters several years ago.

In response to questions by **Councilmember Ramos**, **Director of Public Works Turner** indicates the requested budget increase will cover project management inspection fees.

No further comments are made.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Item 1.7

MOTION CARRIES BY UNANIMOUS VOTE.

1.9 RESOLUTION - AWARD OF BID NO. 010-09, CONSTRUCT STREET SWEEPER CLEANING STATION (Report: Purchasing Agent)

RECOMMENDATION: That the City Council adopt RESOLUTION NO. 90-08 and award the bid to the low bidder, A.B. Hashmi, Inc., in the amount of \$56,000.00.

DISCUSSION

Kristy Mundt, representing Citizens Oversight Projects, questions the necessity for the cleaning station.

In response, **Director of Public Works Turner** states that the facility is needed for treatment of wet debris before the solids can be placed with Waste Management. The clarifier will involve less labor, and allow a quicker turnaround of wet debris. The project will be funded out of the Wastewater account, and not the General Fund.

No further comments are made.

MOTION BY LEWIS, SECOND BY HANSON-COX, to Approve Item 1.9

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Sunshine Horton reports on her yellow-ribbon project and the success of her 21-hour dance-a-thon. She encourages the public not to drink and drive.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

4. ADMINISTRATIVE REPORTS:

4.1 VACANCY ON EL CAJON PLANNING COMMISSION (Report: City Clerk)

RECOMMENDATION: That the Mayor and City Council establish a schedule for applications/interviews of candidates to serve the remainder of the term created by an unexpected vacancy on the El Cajon Planning Commission.

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY RAMOS, to establish the schedule for applications/interviews of candidates, per Staff recommendation, to serve the remainder of the term created by an unexpected vacancy on the El Cajon Planning Commission.

MOTION CARRIES BY UNANIMOUS VOTE.

City Clerk Rutledge informs that a speaker card has just been submitted for public comment. **Mayor Lewis** calls the speaker forward.

Bret Schafer speaks about speeding cars along Eucalyptus Drive. He requests installation of speed bumps to slow the cars down.

Mayor Lewis suggests that the speaker submit a letter to the City Manager describing the problem and his request.

5. COMMISSION REPORTS - None

6. ACTIVITIES REPORTS OF MAYOR LEWIS

6.1 Metro Commission and Metro Wastewater JPA Revised Agenda – August 7, 2008

6.2 Metro Wastewater JPA News Brief – July and August 2008

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).

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 reports on her activities during the last month.

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

Councilmember McClellan has nothing to add to his report, however, he indicates he will be absent for both of the September meetings.

9.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

9.1 Council Activities Report

Report as stated.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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 August 8 and 15, 2008

No recommended action.

Councilmember Ramos expresses his personal opinion on an argument against Proposition J, which was signed by 77th District Assemblyman Joel Anderson.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING

13.1 IMPOSITION OF A TRANSACTION AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION (Report: Assistant City Manager/Director of Finance)

RECOMMENDATION: That the City Council

- **Make a MOTION, and second to introduce the Ordinance imposing a transaction and use tax to be administered by the State Board of Equalization**
- **Discussion**
- **Vote**
- **If approved, the Mayor requests the City Clerk to recite the title**

MOTION BY LEWIS, SECOND BY MCCLELLAN, to introduce the ordinance.

DISCUSSION

No one comes forward to speak.

MOTION CARRIES BY UNANIMOUS VOTE.

ITEM 13.1 (Continued)

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

An Ordinance of the City of El Cajon Imposing a Transactions and Use Tax to be Administered by the State Board of Equalization

14. ORDINANCES: SECOND READING AND ADOPTION - None

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]

MOTION BY LEWIS, SECOND BY HANSON-COX, to Adjourn to Closed Session at 3:46 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 4:04 P.M.

City Attorney Foley reports that direction was given to the City's Legal Counsel.

Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 26th day of August 2008, at 4:05 p.m. to Tuesday, September 9, 2008, at 3:00 p.m.

KATHIE J. RUTLEDGE, CMC
City Clerk/Secretary