

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

December 2, 2008

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, December 2, 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 November 18, 2008.

ROLL CALL

Council/Agencymembers present:	McClellan, Ramos
Council/Agencymembers absent:	Kendrick
Mayor Pro Tem/Vice Chair present:	Hanson-Cox
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Canlas, Assistant 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 November 18, 2008, meeting and the Agenda of the December 2, 2008, meeting in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Proclamation - Councilmember Dick Ramos**
- **Proclamation from County of San Diego for Councilmember Ramos**

Councilmember Ramos accepts the proclamations and remarks on his years of service to the City and its citizens. He departs from the Council Chambers at 3:25 p.m.

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.6)

MOTION BY LEWIS, SECOND BY HANSON-COX, to approve Consent Items 1.1 to 1.6, pulling Item 1.5, as requested by HANSON-COX.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS and KENDRICK – Absent)

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the November 18, 2008, meeting 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 RESOLUTION – ESTABLISH A NEW PAVEMENT OVERLAY PROJECT AND AUTHORIZE THE USE OF PROP 1B FUNDS, Engineering Job No. 3265 (Report: Director of Public Works)

Adopt RESOLUTION NO. 119-08 to:

1. Establish a new project for pavement overlay of various streets primarily in the Fletcher Hills area; and
2. Allocate and authorize the expenditure of \$1,445,826.09 of Proposition 1B (Prop 1B) funds for the resurfacing of various streets (listed on the attachment to the agenda report) primarily in the Fletcher Hills area.

PULLED FOR DISCUSSION:

**1.5 EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF)
(Report: Director of Redevelopment and Housing)**

RECOMMENDATION: That the Redevelopment Agency:

1. Appropriate Redevelopment Capital tax increment (non-bond proceeds) funds in the amount of \$1,028,128.00 from the Unrestricted Fund Balance (Fund 590); and
2. Establish the expenditure budget in the Redevelopment Capital Projects Fund Activity/Project #590110-8860 for FY 2008-2009.

1.6 ACCEPTANCE OF INSTALLATION OF TRAFFIC MONITORING AND WIRELESS COMMUNICATION SYSTEM, Engineering Job No. 3115, Bid No. 031-08 (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)

**1.5 EDUCATIONAL REVENUE AUGMENTATION FUND (ERAF)
(Report: Director of Redevelopment and Housing)**

RECOMMENDATION: That the Redevelopment Agency:

1. Appropriate Redevelopment Capital tax increment (non-bond proceeds) funds in the amount of \$1,028,128.00 from the Unrestricted Fund Balance (Fund 590); and
2. Establish the expenditure budget in the Redevelopment Capital Projects Fund Activity/Project #590110-8860 for FY 2008-2009.

DISCUSSION

Councilmember Hanson-Cox discusses the following:

- The State's actions to take redevelopment money away from cities;
- Funds from the State lottery that should be allocated to schools;
- Voter approved bond measures for school improvements;
- A suggestion for citizens to become involved and monitor funds that are going towards education.

Mayor Lewis thanks **Councilmember Hanson-Cox** for helping with Mother Goose Parade.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Item 1.5

**MOTION CARRIES BY UNANIMOUS VOTE
OF THOSE PRESENT. (RAMOS and
KENDRICK – Absent)**

PUBLIC COMMENT:

Sunshine Horton relays a holiday message encouraging others to not drink and drive.

Councilmember Hanson-Cox speaks about the success of the Mother Goose Parade. She thanks Staff, Police and Fire Department personnel for their help with the parade. She states that underwriters and sponsors are being sought for next year's parade.

Councilmember McClellan reads historical facts about Benjamin Franklin.

2. WRITTEN COMMUNICATIONS:

2.1 LETTER FROM HOUSE PROPERTIES

A letter from Bob Thompson, of Center Pointe LLC - House Properties, requesting to discuss previous code enforcement at 1300 North Johnson Avenue, Suites 101 and 102.

DISCUSSION

Building Official/Fire Marshal Pavao updates the Council on the status of the property.

Mike Hickman is the attorney speaking on behalf of House Properties. He requests that Council reconsider the matter with regard to the penalties being assessed to the property owner. He submits to Council, a letter written by the tenant's counsel.

Mayor Lewis states that the penalties go along with the property.

Assistant City Attorney Canlas states that it is premature to challenge the matter of civil penalties, since it has not yet been before the Council. Any issues between the landlord and tenant are civil matters. She references Municipal Code section 15.16, which specifies that any action against the property is deemed against the property owner.

Mr. Hickman indicates that his client has been doing everything they have a legal right to do, in order to bring the matter to a successful and safe closure.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to FILE THE LETTER.

**MOTION CARRIES BY UNANIMOUS VOTE
OF THOSE PRESENT. (RAMOS and
KENDRICK – Absent)**

3. PUBLIC HEARINGS: None

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4. ADMINISTRATIVE REPORTS:

4.1 FINAL REPORT FOR EMERGENCY REPAIRS TO THE WASHINGTON CHANNEL NORTH OF CIVIC CENTER WAY (FORMERLY JULIAN) (Report: Director of Public Works)

RECOMMENDATION: That the City Council review the report submitted as information only, to advise that the Emergency Repairs to the Washington Channel north of Civic Center Way have been completed.

DISCUSSION

In response to questions by **Mayor Lewis, Director of Public Works Turner** indicates that they anticipate bringing forward a Notice of Completion for the next Council meeting.

No further comments are made.

(INFORMATION ONLY - NO ACTION REQUIRED)

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 SANDAG Board of Directors Agenda – November 21, 2008

6.2 SANDAG Quality of Life Ad Hoc Steering Committee Agenda – November 21, 2008

6.3 SANDAG Quality of Life Ad Hoc Steering Committee – Quality of Life Stakeholders Workshop – November 24, 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 Verbal Report

Mayor Pro Tem Hanson-Cox gives a verbal report on the Mother Goose Parade.

8.

COUNCILMEMBER BOB McCLELLAN

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

8.1 Council Activities Report

9.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

9.1 No Report

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 Bulletins dated November 14 and 21, 2008 - *Priority Focus*

NO RECOMMENDED ACTION.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING

13.1 ZONE RECLASSIFICATION 2295

RECOMMENDATION: That the City Council

- **Make a MOTION, and second to introduce the Ordinance**
- **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 OF THOSE PRESENT. (RAMOS and KENDRICK – Absent).

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

An Ordinance approving Zone Reclassification 2295 to rezone property from the R-1-6-H (Residential Single-Family 6,000 Sq. Ft., Hillside Overlay) Zone to the O-P (Office Professional) Zone on property located on the north side of Broadway between North Third and East Main Streets, and addressed as 1502 Broadway and 905 North Third Street

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: John Martin Ferreira dba White Dragon Kung Fu and Karate Studios v. City of El Cajon
El Cajon Superior Court Case No. 37-2007-00060761-CU-EI-EC
[Consolidated with Case No. 37-2007-00034386-CL-UD-EC]

CLOSED SESSION: (Continued)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 3:56 p.m.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (RAMOS and KENDRICK – Absent)

16. RECONVENE TO OPEN SESSION AT 4:06 P.M.

Assistant City Attorney Canlas reports that direction was given to the City's Legal Counsel, and there is no reportable action.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 2nd day of December, 2008, at 4:07 p.m. to Tuesday, December 16, 2008, at 2:00 p.m.

KATHIE J. RUTLEDGE, CMC
City Clerk/Secretary