

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

JANUARY 12, 2010

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, January 12, 2010, was called to order by Mayor/Chair Mark Lewis 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 3:00 p.m. on December 15, 2009.

ROLL CALL

Council/Agencymembers present:
Council/Agencymembers absent:
Mayor Pro Tem/Vice Chair present:
Mayor/Chair present:
Other Officers present:

Hanson-Cox and McClellan
Kendrick
Wells
Lewis
Rutledge, City Clerk/Secretary
Foley, City Attorney/General Counsel
Henry, City Manager/Executive Director
Davies, Deputy 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 December 15, 2009, meeting and the Agenda of the January 12, 2010, meeting in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Special Presentation**
- **Recognition – Crime Free Multi-Housing Program Participants**

AGENDA CHANGES:

MOTION BY LEWIS, SECOND BY MCCLELLAN, to (1) Modify the recommendation for Council Appointments for LEWIS and HANSON-COX under Item 6.2, (2) Accept the revised Agenda Report for Item 1.6, (3) Acknowledge receipt of a letter from an attorney regarding Item 3.3, and (4) Add General Information Items A through D to the Agenda under Item 12A.

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

CONSENT ITEMS: (1.1 – 1.17)

MOTION BY LEWIS, SECOND BY WELLS, to approve Consent Items 1.1 to 1.17, pulling Item 1.14, as requested by HANSON-COX and MCCLELLAN.

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

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the December 15, 2009, 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 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)
FOR FY 2008-09 (Report: Deputy City Manager/Director of
Finance)**

Accept and receive the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2009.

**1.5 RESOLUTION: APPOINTING CITY ATTORNEY STAFF OF THE CITY
OF EL CAJON**

Adopt RESOLUTION NO. 1-10 to appoint the staff of the City Attorney's Office as follows:

Morgan L. Foley, City Attorney
Johanna N. Canlas, Assistant City Attorney
Lisa A. Foster, Assistant City Attorney
Kimberly A. Johnson, Assistant City Attorney
Barbara C. Luck, Assistant City Attorney
Jennifer M. Lyon, Assistant City Attorney
Hilda R. Mendoza, Assistant City Attorney
Joshua D. Tucker, Assistant City Attorney
Michael T. Reid, Staff Attorney

**1.6 FY 09 STATE HOMELAND SECURITY GRANT FUNDING
(Report: Fire Chief and Chief of Police)**

1. Authorize the City Manager, or designee, to accept the FY 09 State Homeland Security Grant funds in the amount of \$72,001.00 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate the State Homeland Security Grant Program funds in the amount of \$72,001.00.

**1.7 DONATION OF INTOXIMETER TO THE EL CAJON POLICE
DEPARTMENT HISTORICAL SOCIETY (Report: Chief of Police)**

Approve the donation of an ALCO-SENSOR III Intoximeter to the El Cajon Police Department's Historical Society.

CONSENT ITEMS: (Continued)

1.8 REGIONAL COMPUTER AIDED DISPATCH INTEROPERABILITY PROJECT (Report: Fire Chief and Chief of Police)

Adopt the Memorandum of Understanding for the San Diego Urban Area Regional Computer Aided Dispatch Interoperability Project.

1.9 SOUTHWESTERN COLLEGE AGREEMENT (Report: Fire Chief)

Approve the agreement between Southwestern College and the City of El Cajon for Paramedic Field Training.

1.10 RETIREMENT/RELINQUISHMENT OF POLICE DEPARTMENT SERVICE DOG (Report: Chief of Police)

Transfer sole ownership of El Cajon Police Service Dog "Wilco" to Officer Bray, his experienced handler.

1.11 PROFESSIONAL SERVICES AGREEMENT FOR INFORMATION TECHNOLOGY RELATED CONSULTING SERVICES FOR THE PUBLIC SAFETY CENTER (Report: Chief of Police)

Authorize the City Manager to negotiate and execute a Professional Services Agreement and any necessary amendments with Sharepoint360 to provide technology related consulting services for the Public Safety Center.

1.12 ACCEPTANCE OF RESURFACING MAJOR STREETS (FLETCHER PARKWAY, CUYAMACA STREET AND CHASE AVENUE) Engineering Job No. 3171, Bid No. 005-10 (Report: Deputy City Manager/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)

1.13 RESOLUTION – STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM OF 2008 (Report: Deputy City Manager/Director of Public Works)

Adopt RESOLUTION NO. 2-10 to approve the First Round Application for Statewide Park Program Grant Funds.

PULLED FOR DISCUSSION:

1.14 RESOLUTIONS – PRESCOTT PROMENADE IMPROVEMENTS 2010, Engineering Job No. 3293, Bid No. 020-10 (Report: Deputy City Manager/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 February 10, 2010, for the Prescott Promenade Improvements 2010 project.

1.15 AUTHORIZATION FOR ARCHITECTURAL SERVICES FROM KMA ARCHITECTURE AND ENGINEERING (Report: Deputy City Manager/Director of Public Works)

Approve the expenditure of \$85,000 and authorize the City Manager to negotiate and execute a Professional Services Agreement and any necessary amendments with KMA to provide architectural services for City Hall and Council Chambers ADA upgrades.

1.16 ACCEPTANCE OF INSTALLATION OF PUBLIC STREET LIGHTS ON BROADWAY AND EAST MAIN STREET FROM BOSTONIA STREET AND EAST MAIN STREET AND BROADWAY TO THIRD STREET, Engineering Job No. 3132, Bid No. 008-10 (Report: Deputy City Manager/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)

**1.17 INSTALLATION OF WAYFINDING SIGNS AT VARIOUS LOCATIONS
(Report: Purchasing Agent)**

Adopt RESOLUTION NO. 5-10 and award the bid to the lowest responsive bidder, Fluoresco Lighting-Sign Maintenance Corp. in the amount of \$209,330.00.

THROUGH EARLIER ACTION, THIS ITEM WAS PULLED FOR DISCUSSION:

**1.14 RESOLUTIONS – PRESCOTT PROMENADE IMPROVEMENTS 2010,
Engineering Job No. 3293, Bid No. 020-10 (Report: Deputy City
Manager/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 February 10, 2010, for the Prescott Promenade Improvements 2010 project.

DISCUSSION

In response to questions by **Councilmember Hanson-Cox**, **City Manager Henry** indicates that existing adult palm trees will be used as much as possible, near the Mangia Bene Restaurant, and that oak trees will be replaced on a one-to-one basis.

Councilmember McClellan voices opposition to the project, and states that the funds might be better utilized towards condominium conversions and subsidizing silent second mortgages for qualified first-time homebuyers.

In response to questions by **Mayor Lewis**, **City Manager Henry** indicates the project will correct current safety hazards such as trip-and-fall areas, exposed aggregate, and will make improvements to conserve water and make the park more usable for the public.

Councilmember Hanson-Cox and **Mayor Lewis** express support for the project.

ITEM 1.14 (Continued)

No further comments are offered.

MOTION BY LEWIS, SECOND BY HANSON-COX, to Adopt RESOLUTION NO. 3-10 to approve Plans and Specifications and RESOLUTION NO. 4-10 to direct a Notice Inviting Sealed Bids to be opened on February 10, 2010, for the Prescott Promenade Improvements 2010 project.

MOTION CARRIES. (KENDRICK - Absent, MCCLELLAN – NO)

PUBLIC COMMENT:

Sunshine Horton speaks about the homeless near Prescott Promenade, her daughter's upcoming surgery, and New Year's resolutions involving the importance of voting and not driving drunk. She additionally makes a request to keep the ducks.

Councilmember McClellan reads a statement about Abraham Lincoln's response to receiving a bible.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

3.1 SUBSTANDARD CONDITIONS AT 1299 VISTA CAPITAN DRIVE (Report: Building Official/Fire Marshal) (Continued from July 14, August 25, October 27, 2009, and December 15, 2009)

RECOMMENDATION: That the City Council

- Continue the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Consider the current condition of the property based on a verbal report from the Building Official/Fire Marshal.

DISCUSSION

Dan Pavao, Building Official/Fire Marshal, indicates that new pictures have been submitted to Council, and he estimates that clean up of the property may take until July, given the current pace of clean up efforts.

The Public Hearing is still Open.

ITEM 3.1 (Continued)

Mayor Lewis speaks about the need for the City to recoup staff time and administrative costs.

Pat Roberts, a contractor, reports that repairs have been completed on one bathroom and that drywall repairs and painting should be done within one month's time. In response to questions by **Council**, **Mr. Roberts** indicates that he has the resources and will be responsible for the structural repairs of the home.

Janice Duboise states that she is helping the property owner with the clean up and that no new items are being brought into the house. She advises that the property owner no longer has any resistance to donating or getting rid of items in the home.

Mayor Lewis expresses support for a 90-day continuance of this item.

Marigene Roberts, the property owner, discusses the progress that has been made in the last several months and requests additional time to bring the property into compliance.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Continue the Public Hearing for 90 days, to 3:00 p.m. on April 13, 2010.

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

3.2 SUBSTANDARD CONDITIONS AT 545 BALLANTYNE STREET (Report: Building Official/Fire Marshal) (Continued from December 15, 2009)

RECOMMENDATION: That the City Council

- Continue the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Direct staff to (1) file a Notice of Restriction against the property; (2) begin accrual of civil penalties starting January 13, 2010, (3) direct staff to monitor the progress of repairs/demolition, and (4) direct staff to bring this case back to Council for final resolution and determination of staff time, administrative fees and civil penalties at the resolution of this case.

ITEM 3.2 (Continued)

DISCUSSION

Dan Pavao, Building Official/Fire Marshal, reports the status of the property is unchanged.

Mayor Lewis announces the Public Hearing is still Open.

Ken Miller, the property owner, reports he has found a reputable contractor who specializes in repair of antique houses, and that bids for repair work will be taken next week. In response to questions by **Mayor Lewis**, **Mr. Miller** states that he has the funds to cover the necessary repairs, and that all vehicles on the property are licensed. He is still waiting to hear from his insurance company and to receive the investigative report on the fire that destroyed his motor home and Volkswagen.

Discussion continues with **Council** and **Mr. Miller** concerning removal of dry brush and the burned vehicles from the property.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY HANSON-COX, to Continue Item 3.2 to the 3:00 p.m. meeting on March 9th, with a progress report from Building Inspector/Fire Marshal Pavao in 30 days.

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

3.3 SUBSTANDARD CONDITIONS AT 338 EL MONTE ROAD (Report: Building Official/Fire Marshal) (Continued from December 15, 2009)

RECOMMENDATION: That the City Council

- Continue the Public Hearing and receive testimony;
- Close the Public Hearing;
- Make a determination with regard to administrative costs, staff time and civil penalties;
- Direct staff to bill the property owner for fees and penalties as appropriate with any unpaid balance to be placed on the property as a tax lien if not paid within 90 days;
- Direct staff to record a Release of Notice of Restriction on the property; and
- Adopt the next RESOLUTION in order pursuant to the items listed above.

ITEM 3.3 (Continued)

DISCUSSION

City Attorney Foley advises that a letter was submitted to Council from Attorney John Patrick Murphy, outlining the sequence of events since June of 2008, leading to the completion of repairs after the property owner was able to secure a home rehab loan. They are requesting that the Council waive civil penalties.

Mayor Lewis announces the Public Hearing is still Open.

Dan Pavao, Building Official/Fire Marshal, indicates that the property has been completely renovated and he is happy with the results.

Kathy Winger, the property owner's daughter, indicates her mother has concerns about the accrual of fees.

Mayor Lewis states that certain fees cannot be waived, and that they may make arrangements for payment through the City Manager's office.

No one else comes forward to speak.

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

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

MOTION BY LEWIS, SECOND BY HANSON-COX, to Waive the civil penalties, and assess \$615.00 for Administrative fees and \$415.29 for Staff Time, and allow payments by the property owner if necessary, for a reasonable amount of time.

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

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Direct Staff to record a Release of Notice of Restriction on the property; and Adopt RESOLUTION NO. 6-10 pursuant to the items listed above.

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

4. ADMINISTRATIVE REPORTS: None

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 LAFCO Bulletin – December-January, 2009-2010

THROUGH EARLIER ACTION, CORRECTIONS WERE MADE TO THE PROPOSED ASSIGNMENTS FOR LEWIS AND HANSON-COX AND ARE LISTED BELOW:

6.2 Council Assignments

RECOMMENDATION: That the City Council consider and approve council assignments to the various boards and commissions giving El Cajon input on matters important to this region as follows:

Mayor Mark Lewis: SANDAG (San Diego Association of Governments); SANDAG (Chair, Public Safety Committee); SANDAG (Quality of Life Ad Hoc Steering Committee); LAFCO (Local Agency Formation Commission).

Mayor Pro Tem Bill Wells: METRO Commission/Wastewater JPA; East County Economic Development Council; Heartland Fire Training JPA – Alternate.

Councilmember Jillian Hanson-Cox: SANDAG (San Diego Association of Governments – Alternate); SANDAG (Public Safety Committee – Alternate); MTS (Metropolitan Transit System Board – Alternate); League of California Cities, San Diego Division; East San Diego County Gang Task Force.

Councilmember Gary Kendrick: Heartland Communications JPA; Heartland Fire Training JPA.

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

ITEM 6.2 (Continued)

DISCUSSION

City Attorney Foley clarifies the actions to be taken on this item.

MOTION BY WELLS, SECOND BY MCCLELLAN, to Approve the assignments for Mayor Lewis.

MOTION CARRIES. (KENDRICK – Absent, LEWIS – Abstain)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve the assignments for Mayor Pro Tem Wells.

MOTION CARRIES. (KENDRICK – Absent, WELLS – Abstain)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve the assignments for Councilmember Hanson-Cox.

MOTION CARRIES. (KENDRICK – Absent, HANSON-COX – Abstain)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve the assignments for Councilmember Kendrick.

MOTION CARRIES. (KENDRICK – Absent)

MOTION BY LEWIS, SECOND BY HANSON-COX, to Approve the assignments for Councilmember McClellan.

MOTION CARRIES. (KENDRICK – Absent, MCCLELLAN – Abstain)

6.3 SANDAG Board of Directors Agenda – December 18, 2009

6.4 SANDAG Public Safety Committee Agenda – December 11, 2009

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

MAYOR PRO TEM BILL WELLS

METRO Commission/Wastewater JPA; East County Economic Development Council;
Heartland Fire Training JPA - Alternate.

7.1 Council Activities Report

Report as Stated.

8.

COUNCILMEMBER JILLIAN HANSON-COX

SANDAG (San Diego Association of Governments - Alternate); MTS (Metropolitan
Transit System Board – Alternate); League of California Cities, San Diego Division;
East San Diego County Gang Task Force.

8.1 Council Activities Report

REPORT AS STATED.

9.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

9.1 Council Activities Report

10.

COUNCILMEMBER BOB McCLELLAN

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

10.1 Council Activities Report

REPORT AS STATED.

11. LEGISLATIVE REPORT

11.1 League of California Cities Legislative Bulletin dated December 11 and 18, 2009 – *City Advocate Weekly*

NO RECOMMENDED ACTION.

THROUGH EARLIER ACTION, THIS ITEM WAS ADDED TO THE AGENDA:

12.A GENERAL INFORMATION ITEMS FOR DISCUSSION:

- | | | |
|----|--------------------------|--|
| A. | Diana Cunningham-Rouse | \$110.00 |
| B. | Gordon & Dolores Bell | \$100.00 |
| C. | Lori Cage-Miller | Non-monetary donation of \$100.00 Gift card from PetSmart, towels, blankets, cat and dog treats. |
| D. | Paul and Barbara Slater | \$100.00 and non-monetary donation of dog beds and blankets |
| | William and Margo Piland | \$100.00 |
| | Joanne Wartman | \$300.00 |
| | Bridget Branch | \$100.00 |
| | G. R. Lopes | \$100.00 |
| | Wanda Kuklinski | \$ 50.00 |
| | Susanah Aguilera | \$100.00 and non-monetary donation of 2 boxes of dog biscuits |
| | Lance Onnen | Non-monetary donation of sheets, blankets and pillows |

DISCUSSION

Councilmember Hanson-Cox expresses thanks for donations given to the Animal Shelter, and reads the names of donors.

NO ACTION TAKEN.

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 ZONE RECLASSIFICATION NO. 2300

An Ordinance re-zoning Assessor's Parcel 489-122-27 from R-1-6 (Single-Family Residential) to R-2 (Multi-Family Residential)

City Clerk Rutledge recites the title of the ordinance for the second reading.

MOTION BY LEWIS, SECOND BY HANSON-COX, to Adopt Ordinance No. 4937.

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

14.2 ELIMINATE PARK AND RECREATION COMMISSION

An Ordinance amending Chapter 2.24 of the El Cajon Municipal Code to Eliminate the El Cajon Park and Recreation Commission

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

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt Ordinance No. 4938.

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

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15. CLOSED SESSION

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

15.1

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

<u>Property</u>	Negotiating Parties	Agency Negotiators
APN 488-082-12 120 Rea Avenue	Alfred J. Tortora and Dorothy M. Tortora	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 4:17 p.m.

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

16. RECONVENE TO OPEN SESSION AT 4:25 P.M.

City Attorney Foley reports that the Agency gave direction to the Real Property Negotiators.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 12th day of January, 2010, at 4:26 p.m. to Tuesday, January 26, 2010, at 3:00 p.m.

KATHIE J. RUTLEDGE, CMC
City Clerk/Secretary