

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

APRIL 13, 2010

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, April 13, 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 7:00 p.m. on March 23, 2010.

ROLL CALL

Council/Agencymembers present:	Hanson-Cox, Kendrick, McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Wells
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary Foley, City Attorney/General Counsel Henry, City Manager/Executive Director Turner, Deputy City Manager/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 March 23, 2010, meetings and the Agenda of the April 13, 2010, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

- **Proclamation: “Administrative Professionals’ Day”**
- **Proclamation: “Parkinson’s Disease Awareness Month”**

AGENDA CHANGES:

MOTION BY LEWIS, SECOND BY MCCLELLAN, to consider the revised resolution for Item 1.4 and remove Item 15.2 from the Agenda, as requested by the City Manager.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY LEWIS, SECOND BY WELLS, to approve Consent Items 1.1 to 1.10, including the revised resolution submitted for Item 1.4.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the March 23, 2010, 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 RESOLUTION: AWARD OF BID NO. 022-10 - JOHN F. KENNEDY PARK PLAYGROUND (Report: Purchasing Agent)

1. Relieve the low bidder, New Century Construction, Inc.;
2. Find the second, third and fourth low bidders non-responsive because one of the products offered in their bids did not meet the minimum requirements of the bid specifications; and find the eleventh low bidder non-responsive for failure to list the amount of work being subcontracted;
3. Establish the project budget in the amount of \$149,000.00 to allow for construction costs and contingencies; and
4. Based on the above, adopt the revised RESOLUTION NO. 37-10 and award the bid to the lowest responsive bidder, Orco, Inc., in the amount of \$134,600.00.

1.5 SPECIAL OPERATION LICENSE – STERLING JEWELERS, INC. D/B/A WEISFIELD JEWELERS #2146 – 371 Parkway Plaza, Space K-7

Approve the application for a Special Operation License as submitted by Sterling Jewelers, Inc. d/b/a Weisfield Jewelers #2146 for a retail jewelry sales business at 371 Parkway Plaza, Space K-7.

1.6 SPECIAL OPERATION LICENSE – STERLING JEWELERS, INC. D/B/A KAY JEWELERS #0551 – 373 Parkway Plaza, Unit M-9

Approve the application for a Special Operation License as submitted by Sterling Jewelers, Inc. d/b/a Kay Jewelers #0551 for a retail jewelry sales business at 373 Parkway Plaza, Unit M-9.

1.7 SPECIAL OPERATION LICENSE – GUITAR AND BASS LAND/SKIN CITY DRUMS – 172 East Main Street

Approve the application for a Special Operation License as submitted by Thomas L. Beebe for Guitar and Bass Land/Skin City Drums for retail sales of musical instruments and related items at 172 East Main Street.

CONSENT ITEMS: (Continued)

**1.8 SPECIAL OPERATION LICENSE – SEDRA JEWELRY –
526 East Main Street**

Approve the application for a Special Operation License as submitted by Mahin Naief for Sedra Jewelry for a jewelry business at 526 East Main Street.

**1.9 RESOLUTIONS: STORM DRAIN PIPE REPLACEMENT AND LINING,
VARIOUS LOCATIONS, Engineering Job No. 3301, Bid No. 031-10
(Report: Deputy City Manager/Director of Public Works)**

Adopt RESOLUTION NO. 38-10 to approve Plans and Specifications and RESOLUTION NO. 39-10 to direct a Notice Inviting Sealed Bids to be opened on May 11, 2010.

**1.10 REVISED CLASSIFICATION SPECIFICATIONS FOR CUSTODIAN,
LEAD CUSTODIAN, UTILITY WORKER, FACILITIES TECHNICIAN,
EQUIPMENT MECHANIC, LEAD EQUIPMENT MECHANIC, PARK
MAINTENANCE WORKER AND SENIOR PARK MAINTENANCE
WORKER (Report: Director of Human Resources)**

Approve the revisions to the above-named classification specifications.

PUBLIC COMMENT:

Don Parent, representing San Diego Gas & Electric Company, invites the public to the annual light bulb exchange event that will take place on Saturday, April 24th from 9:00 a.m. to 2:00 p.m. at the Home Depot on Fletcher Parkway.

Sunshine Horton comments on earthquakes, water fountains, her yellow ribbon project, and Administrative Professionals' Day.

Mayor Lewis discusses upcoming events in the City and conservation efforts at Toyota of El Cajon.

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, and December 15, 2009 and January 12, 2010)

RECOMMENDATION: That the City Council

- Open the continued 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.
- Deem appropriate the actions of the Building Official/Fire Marshal in this case; and
- Direct staff to (1) file a Notice of Restriction against the property; (2) begin accrual of civil penalties starting April 14, 2010; (3) direct staff to monitor the progress of repairs; 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.

DISCUSSION

The Public Hearing is now Open.

Dan Pavao, Building Official/Fire Marshal, distributes recent photographs to **Council**, and speaks about the current condition of the property. He states that the property owner may need a few more months to complete the clean up.

Mayor Lewis requests that **Staff** continue to monitor the progress at the property.

Janice DuBoise indicates that she is now the only volunteer helping with the clean up effort. She estimates they should be done by the first part of July.

Marigene Roberts, the property owner, advises that all the boxes at the back of the property are now gone, but progress is still somewhat slow. She concurs with the previous speaker that the remaining clutter should be gone by July 1st.

Mr. Pavao returns to the podium. Discussion ensues among **Council** and **Staff** concerning the length of time the property owner has been given to bring the property into compliance, and a possible continuance of the Item to July 13th.

No one else comes forward to speak.

ITEM 3.1 (Continued)

MOTION BY LEWIS, SECOND BY KENDRICK, to direct Staff to report back on July 13, 2010, and to begin assessing fines on July 14th, should the property not be in compliance.

In response to comments by **Council**, **City Attorney Foley** suggests continuing the Item at this time and bringing it back on July 13th for final resolution and determination of staff time, administrative fees, and civil penalties.

No further comments are made.

MOTION BY LEWIS, SECOND BY KENDRICK, to Continue the Item to the 3:00 p.m. meeting on July 13, 2010.

MOTION CARRIES BY UNANIMOUS VOTE.

3.2 SUBSTANDARD CONDITIONS AT 921 GRAY DRIVE (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 April 14, 2010, (3) direct staff to monitor the progress of repairs, 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.

DISCUSSION

The Public Hearing is now Open.

Steven Macero indicates he has lived at the subject property for about three months and has been trying to clean up the property since he moved in.

Discussion ensues among **Council** and **Mr. Macero** concerning the lack of electricity at the house and condition of the property when Mr. Macero moved in.

Steven Leyggit indicates he also resides in the house and he concurs with comments made by **Mr. Macero**.

No one else comes forward to speak.

ITEM 3.2 (Continued)

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

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY HANSON-COX, to Direct staff to (1) file a Notice of Restriction against the property, (2) begin accrual of civil penalties starting April 14, 2010, (3) direct staff to monitor the progress of repairs, 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.

MOTION CARRIES BY UNANIMOUS VOTE.

In response to the question by **Mr. Macero**, **Mayor Lewis** clarifies the steps that will occur with the property owner, as a result of the action taken by **Council**.

3.3 **NUISANCE ABATEMENT AT 1140 NARANCA AVENUE** **(Report: Building Official/Fire Marshal)**

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Deem appropriate the actions taken by the code enforcement officer in this case;
- Make a determination regarding Staff time and administrative fees in this case;
- Assess Staff time and administrative costs;
- Direct Staff to bill the property owner for fees and administrative costs as appropriate, with any unpaid balance to be placed on the property as a tax lien if not paid within 90 days; and
- Adopt the next RESOLUTION in order pursuant to the recommendations listed above.

DISCUSSION

Mayor Lewis indicates a letter was received requesting continuance of the Item to May 11, 2010.

Mayor Lewis opens the Public Hearing and asks if anyone in the audience wishing to speak on this Item is unable to return for the hearing on May 11th. No one comes forward to speak.

ITEM 3.3 (Continued)

In response to questions by **Councilmembers McClellan** and **Hanson-Cox**, **Mayor Lewis** indicates the RV camper that was propped up on blocks, has been removed from the property.

No further comments are made.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Continue the Public Hearing to May 11, 2010.

MOTION CARRIES BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS: None

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR 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).

6.1 SANDAG Public Safety Committee Agenda – March 19, 2010

6.2 SANDAG Board of Directors Agenda – March 26, 2010

6.3 The PSC Dispatch – Winter/Spring 2010

6.4 SANDAG Board Actions – March 26, 2010

6.5 LAFCO Bulletin – March-April 2010

6.6 LAFCO Agenda – April 5, 2010

REPORTS AS STATED.

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 Verbal Report

MAYOR PRO TEM WELLS reports his activities for this period.

8.

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.

8.1 Council Activities Report

Councilmember Hanson-Cox states that in addition to her report, she attended the Open House given by Priest Development, as mentioned by **Mayor Pro Tem Wells**, and she encouraged brokers to consider bringing business to El Cajon.

9.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

9.1 Council Activities Report

REPORT AS STATED.

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 March 19 and 26, and April 2, 2010 – *City Advocate Weekly*

NO RECOMMENDED ACTION.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING

13.1 SPECIFIC PLAN 518

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.

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

An Ordinance approving Specific Plan 518 for a panhandle lot within a two lot subdivision in the Residential One-Family (R-1-6) Zone, APN: 514-014-07, General Plan Designation: Low Density Residential

14. ORDINANCES: SECOND READING AND ADOPTION - None

15. CLOSED SESSIONS

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

15.1

- **CONFERENCE WITH LABOR NEGOTIATOR – Pursuant to Government Code Section 54957.6**

Agency Designated Representatives: **Kathi Henry
Nancy Palm
Joan Ward**

Employee Organizations:

**El Cajon Professional Firefighters International Association
of Fire Fighters Local 4603
El Cajon Police Officers Association
El Cajon Police Officers Association Management Group**

THROUGH EARLIER ACTION, THIS ITEM WAS REMOVED FROM THE AGENDA:

15.2

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

<u>Property</u> APN 484-340-14-00 1016 Cajon Greens Drive	<u>Negotiating Parties</u> Philip and Anna Archer	<u>Agency Negotiators</u> Executive Director/City Manager General Counsel/City Attorney/Staff Attorney Redevelopment & Housing Senior Management Analyst
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Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the possible purchase of real property.

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CLOSED SESSIONS: (Continued)

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 Negotiators</u>
APN 488-191-01-00 101 East Main St.	The Salvation Army	Executive Director/City Manager General Counsel/City Attorney/Staff Attorney

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.

15.4

- **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Pursuant to subdivision (c) of Section 54956.9 of the Government Code:**

Number of Potential Cases: 1

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 4:00 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

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

City Attorney Foley reports the following actions:

- 15.1 Direction was given to the City's Labor Negotiators.
- 15.2 (Council removed this Item through earlier action, at request of City Manager)
- 15.3 No action was taken.
- 15.4 No action to report.

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 13th day of April, 2010, at 4:37 p.m. to Tuesday, April 13, 2010, at 7:00 p.m.

**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

APRIL 13, 2010

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, April 13, 2010, was called to order by Mayor/Chair Mark Lewis at 7:00 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., Tuesday, April 13, 2010, by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	Kendrick, McClellan
Council/Agencymembers absent:	Hanson-Cox
Mayor Pro Tem/Vice Chair present:	Wells
Mayor/Chair present:	Lewis
Other Officers present:	Rutledge, City Clerk/Secretary
	Foley, City Attorney/General Counsel
	Henry, City Manager/Executive Director
	Turner, Deputy City Manager/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:

Brad Alt, El Cajon resident, speaks about his plans to start a laser tag, family entertainment facility in El Cajon.

Andrea Breise, representing the Miss El Cajon Scholarship Pageant, introduces the new Miss El Cajon and Miss Teen El Cajon.

PUBLIC HEARINGS:

100 AMENDMENT OF SPECIFIC PLAN NO. 106 – SENIOR HOUSING COMPONENT (Report: Director of Community Development)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Move to approve Amendment of Specific Plan No. 106 to include senior housing, subject to the conditions listed in Planning Commission Resolution No. 10606.

DISCUSSION

In response to the question by **Mayor Lewis, Director of Community Development Ayres** indicates all the requirements have been met pursuant to this application.

The Public Hearing is now Open.

Eddie Hamana, the applicant and property owner, speaks in support of the project, and inquires about the minimum age for occupants of senior housing.

Director of Community Development Ayres indicates that the State requirement is set at age 62, except for large-scale projects.

In response to questions by **Council, City Attorney Foley** clarifies that if the housing project is classified as senior housing, we must abide by State requirements regarding the minimum age for occupants, and there may be additional guidelines pursuant to the ages of other occupants living with the qualifying senior in the same unit.

No further comments are offered.

ITEM 100 (Continued)

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

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (HANSON-COX – ABSENT)

MOTION BY LEWIS, SECOND BY KENDRICK, to Approve Amendment of Specific Plan No. 106 to include senior housing, subject to the conditions listed in Planning Commission Resolution No. 10606.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (HANSON-COX – ABSENT)

**101 SPECIFIC PLAN NO. 519 – DOWNTOWN CAFE
(Report: Director of Community Development)**

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Move to approve Specific Plan No. 519, subject to conditions in Planning Commission Resolution No. 10607.

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

In response to the question by **Mayor Lewis, Gabriel Marrujo**, the applicant, indicates he is unsure if the building occupied by the restaurant, was formerly a Safeway Store.

No further comments are made.

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

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (HANSON-COX – ABSENT)

ITEM 101 (Continued)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve Specific Plan No. 519, subject to conditions in Planning Commission Resolution No. 10607.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (HANSON-COX – ABSENT)

**102 PROPOSED STREET NAME CHANGE – PORTION OF JOHNSON AVENUE TO JIMMIE JOHNSON AVENUE
(Report: Director of Community Development)**

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Provide direction to City staff on how the Council would like to proceed.

DISCUSSION

Mayor Lewis comments on the conflict between Council Policies D-2 (Street Name Changes) and A-22 (Naming Public Facilities), and advises that **Council** has reviewed all the letters and emails received from the public, expressing support or opposition to the street name change, as well as many creative suggestions for honoring Jimmie Johnson.

The Public Hearing is now Open.

Speakers in Support of the Street Name Change:

Linda Valdez (also reads a letter from Junior Seau)
Arturo Cabello
Eric Elson
Georgette Torres
John Valdez
Linda Diane Patterson
Randy Walls
Kathie Upchurch
Matt Pocklington

Speakers in Opposition to the Street Name Change:

Bo Varnado
Chi Varnado
Amy Idano
Kristin Hulbert-Arrivee

ITEM 102 (Continued)

Speakers with ideas and suggestions to honor Jimmie Johnson:

Carl Kingsbury
Eldonna Lay

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. (HANSON-COX – ABSENT)

Discussion ensues among **Council** concerning:

- Renaming an existing City park, such as Wells or Hillside Park;
- Renaming another street, such as Wing Avenue;
- Working with Caltrans to consider special signage along Interstate 8;
- Naming an automotive program at Grossmont or Cuyamaca College;
- Contacting Jimmie Johnson or his Foundation for input on these suggestions or other ways to honor him;
- Modifying Council Policies D-2 and A-22.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to request that Staff revise Policies D-2 and A-22 and report back to Council in 2 weeks, and request that the City Manager contact Jimmie Johnson, or the Foundation, to find out if they would support any of the suggested forms of recognition, and to ask for their suggestions.

MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (HANSON-COX – ABSENT)

Mayor Pro Tem Wells thanks all the speakers for their participation, and also the members of Dr. Johnson's family for coming to the meeting and speaking.

103. 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 13th day of April, 2010, at 8:15 p.m. to Tuesday, April 27, 2010, at 3:00 p.m.

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