

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

MARCH 10, 2009

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, March 10, 2009, 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 February 24, 2009.

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 Shelton, Asst. City Manager Griffiths, Deputy Director of Public Works Ayes, 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 February 24, 2009, meetings and the Agenda of the March 10, 2009, meetings in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Coalition for a Hate-Free San Diego County

AGENDA CHANGES:

MOTION BY LEWIS, SECOND BY MCCLELLAN, to remove Item 15 from the agenda, as recommended by Council.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.11)

MOTION BY LEWIS, SECOND BY HANSON-COX, to approve Consent Items 1.1 to 1.11, pulling Item 1.5, as requested by the public and Item 1.7, as requested by Mayor Lewis.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the February 24, 2009, 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.

1.4 PROFESSIONAL SERVICES CONTRACT FOR PAVEMENT MANAGEMENT SYSTEM PUBLIC WORKS REQUEST FOR STATEMENT OF QUALIFICATIONS TO PREPARE A PAVEMENT MANAGEMENT SYSTEM, PW3170-08 (Report: Director of Public Works)

Authorize the City Manager to negotiate and execute a Professional Services Contract with Enterprise Information Solutions, Inc. to develop a Pavement Management System.

PULLED FOR DISCUSSION:

**1.5 RESOLUTION: AWARD OF BID NO. 016-09 – PUBLIC SAFETY CENTER
(Report: Purchasing Agent)**

RECOMMENDATION: That the City Council:

1. Find the protest submitted by Soltek Pacific Construction to be timely, but without merit.
2. Reject the bid protest finding that the bid documents and the City's response to Request for Information (RFI) #127 were clear by stating: "The contractor must provide a Detention Specialist to oversee all detention work. Names in the specifications are only suggestions."
3. Based on the above, adopt the next RESOLUTION in order and award the bid to the lowest responsive bidder, Leducor Construction, Inc., in the amount of \$40,000,000.00.

**1.6 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM) 595
– 756 South Magnolia Avenue, Engineering Job No. 2999
(Report: Director of Public Works)**

Approve the Final Map for TSM 595 at 756 South Magnolia Avenue.

PULLED FOR DISCUSSION:

**1.7 RESOLUTION: WEILAND DEVELOPMENT COMPANY - BIRCHWOOD LANE
PROJECT (Report: Director of Redevelopment and Housing)**

RECOMMENDATION: That the Redevelopment Agency:

1. Adopt the next RESOLUTION in order to approve execution of an Affordable Housing Agreement and related loan documents by the Executive Director with Weiland Development Company, or eligible subsidiary, in the amount of \$2,950,000, a copy of which is on file with the City Clerk.
2. Authorize the Executive Director to execute any additional documents pertaining to the transaction necessary to implement the terms and conditions and the use of those funds; and
3. Appropriate additional Low and Moderate Income Housing Funds in the amount of \$950,000 from the Unrestricted Fund Balance (Fund 290) to activity 290900-9050-LM0706, thereby increasing the total expenditure budget in this activity from \$2,050,000 to \$3,000,000.

1.8 RETIREMENT/RELINQUISHMENT OF POLICE DEPARTMENT SERVICE DOG “ROCKY” (Report: Chief of Police)

Transfer sole ownership of El Cajon Police Service Dog “Rocky” to Officer Davenport, his experienced handler.

1.9 CALIFORNIA REDEVELOPMENT ASSOCIATION REQUEST FOR FINANCIAL ASSISTANCE (Report: Director of Redevelopment and Housing)

Approve a request from the California Redevelopment Association for financial assistance to cover legal fees.

1.10 AMENDMENT TO THE FIVE (5)–YEAR REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP) (Report: Director of Public Works)

Direct the City Clerk to set a public hearing on March 24, 2009, at 3:00 p.m. for approval of the proposed Amendment to the 2006 RTIP.

1.11 THE EAST MAIN STREET AND MAGNOLIA AVENUE CORRIDOR IMPROVEMENT PROJECT, Engineering Job No. 3065/Bid No. 019-08 (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.

1.5 RESOLUTION: AWARD OF BID NO. 016-09 – PUBLIC SAFETY CENTER (Report: Purchasing Agent)

RECOMMENDATION: That the City Council:

1. Find the protest submitted by Soltek Pacific Construction to be timely, but without merit.
2. Reject the bid protest finding that the bid documents and the City’s response to Request for Information (RFI) #127 were clear by stating: “The contractor must provide a Detention Specialist to oversee all detention work. Names in the specifications are only suggestions.”
4. Based on the above, adopt the next RESOLUTION in order and award the bid to the lowest responsive bidder, Ledcor Construction, Inc., in the amount of \$40,000,000.00.

ITEM 1.5 (Continued)

DISCUSSION

Vincent Quintanilla expresses his concern about the sub-contractors being used for the Public Safety Center not being local sub-contractors and feels the City did not follow proper procedures for finding contractors.

Mayor Lewis reassures the City of El Cajon did follow all local and State procedures.

Councilmember Hanson-Cox adds that contractors from El Cajon did not bid for this project.

MOTION BY LEWIS, SECOND BY McCLELLAN, to adopt RESOLUTION NO. 23-09 and award the bid to the lowest responsive bidder, Ledcor Construction, Inc., in the amount of \$40,000,000.00.

MOTION CARRIES BY UNANIMOUS VOTE.

1.7 RESOLUTION: WEILAND DEVELOPMENT COMPANY - BIRCHWOOD LANE PROJECT (Report: Director of Redevelopment and Housing)

RECOMMENDATION: That the Redevelopment Agency:

1. Adopt the next RESOLUTION in order to approve execution of an Affordable Housing Agreement and related loan documents by the Executive Director with Weiland Development Company, or eligible subsidiary, in the amount of \$2,950,000, a copy of which is on file with the City Clerk.
2. Authorize the Executive Director to execute any additional documents pertaining to the transaction necessary to implement the terms and conditions and the use of those funds; and
3. Appropriate additional Low and Moderate Income Housing Funds in the amount of \$950,000 from the Unrestricted Fund Balance (Fund 290) to activity 290900-9050-LM0706, thereby increasing the total expenditure budget in this activity from \$2,050,000 to \$3,000,000.

DISCUSSION

David Cooksy, Director of Redevelopment and Housing gives a brief summary of Weiland Development Company project and answers several questions from **Mayor Lewis** as to how and when the City of El Cajon will be paid for this loan. **Mr. Cooksy** replies that the term of the loan is 18 months or when the 26th unit is sold, whichever occurs first.

Mayor Pro-Tem Wells asks if this money can only be used for housing or can it also be used for commercial projects. **Mr. Cooksy** replies that in fact this portion of housing funds can only be used for housing.

Councilmember McClellan asks if Condo conversion is included in future projects. The answer is yes.

Councilmember Kendrick comments that perhaps some of the money coming back into El Cajon could be used for condo conversions.

Councilmember Hanson-Cox indicates she must abstain from voting as she lives within 500 feet of the project.

MOTION BY LEWIS, SECOND BY WELLS, to Adopt RESOLUTION NO. ECRA-395 approving execution of an Affordable Housing Agreement and related loan documents by the Executive Director with Weiland Development Company, or eligible subsidiary, in the amount of \$2,950,000.

**MOTION CARRIES.
(HANSON-COX Abstains from Vote)**

PUBLIC COMMENT:

Karl Higgins, from Underground Technologies, provides information on the benefits of Plastic Manholes.

Discussion ensues between **Council** and **Mr. Higgins** in regards to materials used and how these are processed in the making of manholes.

John Yeakey invites Citizens to a Mini Relay Rally on Saturday March 14, 9am to 1pm to learn more about the El Cajon 2009 Relay for Life taking place on June 6 & 7th 2009.

PUBLIC COMMENT (Continued)

Bob Smith from Senior Softball El Cajon, speaks of senior softball teams and thanks the City of El Cajon for continuously supporting their efforts.

Sunshine Horton, Goodwill Ambassador for the City of El Cajon, encourages citizens to volunteer and help their City. Sunshine reminds everyone to drink responsibly on St. Patrick's Day.

Councilmember Hanson-Cox, invites citizens to become members of Lions, Tigers and Bears club and join the birthday festivities for the tigers. Also endorses Pernicano's restaurant at the corner of E. Main and Broadway.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

4. ADMINISTRATIVE REPORTS:

4.1 RESOLUTION: REQUEST FOR REMOVAL OF AN EXISTING "NO PARKING" ZONE ON PARK AVENUE (Report: Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to rescind an existing "No Parking" Zone as follows in order to allow additional on-street parking:

Rescind existing "No Parking" Zone along the south curbline of Park Avenue, beginning at a point 218 feet west of the westerly extended curbline of Julian Avenue, thence west a distance of 105 feet

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY WELLS, to Adopt RESOLUTION NO. 24-09 rescinding an existing "No Parking" Zone on Park Avenue west of Julian.

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 SANDAG Public Safety Committee Agenda – February 20, 2009

6.2 LAFCO Bulletin – February, 2009

6.3 SANDAG Board of Directors Agenda – February 27, 2009

6.4 Local Agency Formation Commission Agenda – March 2, 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.

03/06/09 conference call with Buxton Group regarding Economic Plan.

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 February 20 and 27, 2009 – *City Advocate Weekly*

No Recommended Action

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 ZONE RECLASSIFICATION NO. 2294

An Ordinance approving Zone Reclassification No. 2294 rezoning property located at 1335 Greenfield Drive from the R-2-R Zone to the PRD-Low Zone

City Clerk Rutledge recites the title of the ordinance.

MOTION BY LEWIS, SECOND BY McCLELLAN, to Adopt Ordinance No. 4926.

MOTION CARRIES BY UNANIMOUS VOTE.

14.2 ORDINANCE DEFINING VERY HIGH AND HIGH FIRE HAZARD SEVERITY ZONES

An Ordinance of the City Council of the City of El Cajon Amending Chapter 15.86 by adding Section 15.86.060 requiring the designation of Very High Fire Hazard Severity Zones and Wildland Urban Interface Areas

City Clerk Rutledge recites the title of the ordinance.

MOTION BY LEWIS, SECOND BY McCLELLAN, to Adopt Ordinance No. 4927.

MOTION CARRIES BY UNANIMOUS VOTE.

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

15. CLOSED SESSION

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
Mike Shelton
Joan Ward

Employee Organizations:

El Cajon Firefighters Association
El Cajon Fire Supervisory Unit
El Cajon Police Officers Association
El Cajon Police Officers Association Management Group
El Cajon Municipal Employees Association
El Cajon Mid-Management and Professional Employees Group
Executive, Unrepresented and Confidential Employees

Adjournment: Mayor Lewis adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 10th day of March 2009, at 4:12 p.m. to Tuesday, March 10, 2009, 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

March 10, 2009

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, March 10, 2009, 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 March 10, 2009, by order of the City Council and Redevelopment Agency.

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 Shelton, Asst. City Manager Griffiths, Deputy 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: None

PUBLIC HEARINGS:

100 ZONE RECLASSIFICATION 2292, PLANNED UNIT DEVELOPMENT 331 AND TENTATIVE SUBDIVISION MAP 643 (California Investment Bankers) – 301 West Renette Avenue

(CONTINUED BY PLANNING COMMISSION UNTIL FURTHER NOTICE)

101 ZONING ORDINANCE AMENDMENT NO. 414 – PLASMA CENTERS (Report: Director of Community Development)

RECOMMENDATION: That the City Council

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Make a MOTION to introduce the ordinance amending regulations in Title 17 of the Municipal Code pertaining to blood plasma centers;
- Discussion
- Vote
- If approved, request the City Clerk to recite the title.

An Ordinance amending regulations in Title 17 of the El Cajon Municipal Code pertaining to Blood Plasma Centers

DISCUSSION

Mayor Lewis announces the Public Hearing is now Open.

No one comes forward to speak.

No further comments are offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

ITEM 101 (Continued)

MOTION BY LEWIS, SECOND BY KENDRICK, to Introduce the ordinance amending regulations in Title 17 of the Municipal Code pertaining to blood plasma centers.

MOTION CARRIES BY UNANIMOUS VOTE.

The **City Clerk** recites the title of the Ordinance.

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 10th day of March 2009, at 7:04 p.m. to Tuesday, March 24, 2009, at 3:00 p.m.

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