

# JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**JUNE 23, 2009**

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, June 23, 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 3:00 p.m. on June 9, 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 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 June 9, 2009, meeting and the Agenda of the June 23, 2009, meeting in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **Presentation – Third Grade Essay Contest initiated by El Cajon Historical Society**
- **Proclamation – “July is Parks and Recreation Month”**

**AGENDA CHANGES:**

**MOTION BY LEWIS, SECOND BY HANSON-COX, to Remove Items 1.12 and 2.1 from the Agenda.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**CONSENT ITEMS: (1.1 – 1.19)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Consent Items 1.1 to 1.19, pulling Items 1.8 and 1.14, as requested by HANSON-COX.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS**

Approve Minutes of the June 9, 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 APPROPRIATION OF REDEVELOPMENT CAPITAL FUNDS FOR THE EQUALIZATION PAYMENT OF PROPERTY ACQUIRED BY PROPOSITION "O" FOR THE PUBLIC SAFETY CENTER (Report: Director of Redevelopment and Housing)**

1. Authorize the use of Redevelopment Capital Funds for the equalization payment of property acquired by Proposition O for the Public Safety Center, for which title will be transferred to the Agency;
2. Appropriate Redevelopment Capital Funds in the amount of \$2,955,856.89 from the Unrestricted Fund Balance (Fund 590); and
3. Establish the expenditure budget in the ECRA Capital Funds Activity #590900-9050-RDR0703 in the amount of \$2,955,856.89 for FY0809.

**1.5 SIDE LETTERS OF AGREEMENT BETWEEN THE CITY AND THE EL CAJON POLICE OFFICERS ASSOCIATION MANAGEMENT GROUP AND THE EL CAJON POLICE OFFICERS ASSOCIATION (Report: Director of Human Resources)**

Approve the extension of the Memoranda of Understanding for one year for the El Cajon Police Officers Association (ECPOA) and the El Cajon Police Officers Association Management Group (ECPOAMG).

**1.6 FY 07 URBAN AREA SECURITY INITIATIVE GRANT FUNDING (Report: Fire Chief)**

1. Authorize the City Manager, or designee, to accept the FY 07 Urban Area Security Initiative Grant Funding in the amount of \$22,225.78 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 \$22,225.78.

**CONSENT ITEMS: (Continued)**

**1.7 RESOLUTION - DISTRICT SALES TAX AUDITING AGREEMENT  
(Report: Assistant City Manager/Director of Finance)**

1. Authorize the City Manager to sign Amendment Number 1 to Agreement for Local District Tax Auditing Services Between the City of El Cajon and MuniServices, LLC, to extend Proposition "O" – Public Safety Facilities Sales and Use District Tax auditing services to the newly formed Proposition "J" Preservation of General Fund Services Sales and Use District Tax.
2. Adopt RESOLUTION NO. 58-09 titled A Resolution of the City of El Cajon Authorizing the Examination of Transactions (Sales) and Use Tax Records.

**PULLED FOR DISCUSSION:**

**1.8 CONSULTING SERVICES TO ASSIST WITH THE IMPLEMENTATION OF THE WATERSHED URBAN RUNOFF MANAGEMENT PROGRAM AND PREPARE THE ANNUAL REPORT FOR THE SAN DIEGO RIVER WATERSHED (Report: Director of Public Works)**

**RECOMMENDATION:** That the City Council authorizes the City Manager to execute a Professional Services Contract with TRC Solutions for \$52,000.00. The contract with TRC Solutions is to assist with the implementation of the Watershed Urban Runoff Management Program (WURMP) and prepare the annual report for the San Diego River Watershed, as required by the California Regional Water Quality Control Board, San Diego Municipal Order No. R9-2007-0001 (municipal permit).

**1.9 AUTHORIZATION TO CONDUCT STORM WATER DRY WEATHER FIELD SCREENING AND ANALYTICAL MONITORING PLUS ADDITIONAL "ON-CALL" SERVICES (Report: Director of Public Works)**

Direct the City Manager to negotiate and execute a multi-year contract to conduct storm water dry weather field screening and analytical monitoring, plus additional "On-Call" services per the conditions in the Agenda Report.

**1.10 PROPOSED COOPERATIVE FIRE SERVICES WITH LEMON GROVE AND LA MESA (Report: City Manager)**

Approve the agreement for shared Fire Department duty coverage with the cities of La Mesa and Lemon Grove.

**CONSENT ITEMS: (Continued)**

**1.11 ACCEPTANCE OF TRAFFIC SIGNAL RED LED REPLACEMENT PROGRAM, Engineering Job No. 3227, Bid No. 023-09 (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.

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

**1.12 REQUEST FOR USE OF "CITY DAY" AT THE EAST COUNTY PERFORMING ARTS CENTER (ECPAC) (Report: Director of Recreation)**

**RECOMMENDATION:** That the City Council consider the request for the use of one "City Day" at ECPAC for a "Rock the Block" Concert Fest 2009.

**1.13 REIMBURSEMENT OF SEWER IMPROVEMENT COST FOR THE CITY OF LA MESA (Report: Director of Public Works)**

1. Appropriate \$581,756.00 of Wastewater Funds for the Reimbursement to the City of La Mesa; and
2. Authorize the payment of \$581,756.00 to the City of La Mesa to reimburse La Mesa for sewer improvement costs for facilities that convey sewer flows from the City of El Cajon.

**PULLED FOR DISCUSSION:**

**1.14 ART BEAT MANAGEMENT AUDIT – FISCAL YEARS 2007 AND 2008 (Report: Director of Recreation)**

**RECOMMENDATION:** That the City Council receive, as information, the fiscal year 2007 and 2008 Annual Audit.

**1.15 RESOLUTION – CONVEYANCE OF UTILITY EASEMENT TO HELIX WATER DISTRICT FOR PUBLIC SAFETY CENTER PROJECT (Report: City Attorney)**

Adopt RESOLUTION NO. 59-09, to grant a utility easement to Helix Water District in order to relocate existing utility facilities and to provide utility services to the City's proposed Public Safety Center.

**CONSENT ITEMS: (Continued)**

**1.16 RESOLUTION – CONVEYANCE OF UTILITY EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR PUBLIC SAFETY CENTER PROJECT (Report: City Attorney)**

Adopt RESOLUTION NO. 60-09, to grant a utility easement to San Diego Gas & Electric Company in order to relocate existing utility facilities and to provide utility services to the City’s proposed Public Safety Center.

**1.17 RESOLUTION – CONVEYANCE OF UTILITY EASEMENT TO PACIFIC BELL TELEPHONE COMPANY, D/B/A AT&T CALIFORNIA, FOR PUBLIC SAFETY CENTER PROJECT (Report: City Attorney)**

Adopt RESOLUTION NO. 61-09, to grant a utility easement to Pacific Bell Telephone Company, d/b/a AT&T California (“Pacific Bell”) in order to relocate existing utility facilities and to provide utility services to the City’s proposed Public Safety Center.

**1.18 AUTHORIZATION FOR EXTENSION OF JUVENILE DIVERSION SERVICES (Report: Chief of Police)**

Direct the City Manager to renew the multi-year contract for juvenile diversion services and authorize a Third Amendment to the Agreement for Professional Services between the City of El Cajon and Harmonium, Incorporated. This action would extend the agreement through June 30, 2010, and increase the contract amount by \$12,000.00.

**1.19 ACCEPTANCE OF GRANT FROM THE SAN DIEGO POLICE FOUNDATION (Report: Chief of Police)**

1. Authorize the City Manager, or designee, to accept the San Diego Police Foundation grant funds in the amount of \$10,440.00; and
2. Appropriate the San Diego Police Foundation grant funds in the amount of \$10,440.00 to pay for the purchase of a replacement canine.

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**CONSENT ITEMS: (Continued)**

**1.8 CONSULTING SERVICES TO ASSIST WITH THE IMPLEMENTATION OF THE WATERSHED URBAN RUNOFF MANAGEMENT PROGRAM AND PREPARE THE ANNUAL REPORT FOR THE SAN DIEGO RIVER WATERSHED (Report: Director of Public Works)**

**RECOMMENDATION:** That the City Council authorizes the City Manager to execute a Professional Services Contract with TRC Solutions for \$52,000.00. The contract with TRC Solutions is to assist with the implementation of the Watershed Urban Runoff Management Program (WURMP) and prepare the annual report for the San Diego River Watershed, as required by the California Regional Water Quality Control Board, San Diego Municipal Order No. R9-2007-0001 (municipal permit).

**DISCUSSION**

In response to questions by **Councilmember Hanson-Cox, Director of Public Works Turner** states that other participants in the program include the Cities of La Mesa, Santee, San Diego and the County. The request for \$20,000.00 includes \$5,000.00 for preparation of the draft Annual Report and \$15,000.00 for on-call services, which includes graphics and additional support.

No further comments are made.

**MOTION BY LEWIS, SECOND BY HANSON-COX, to Approve Item 1.8.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**1.14 ART BEAT MANAGEMENT AUDIT – FISCAL YEARS 2007 AND 2008 (Report: Director of Recreation)**

**RECOMMENDATION:** That the City Council receive, as information, the fiscal year 2007 and 2008 Annual Audit.

**DISCUSSION**

In response to questions by **Councilmember Hanson-Cox, Rick Dent**, representing Art Beat Management, provides clarification about payroll figures and management fees. He remarks that Art Beat's fees are considerably less than that of previous managers, and that local businesses will be impacted if ECPAC (East County Performing Arts Center) were to close.

## **ITEM 1.14 (Continued)**

Discussion ensues among **Councilmembers** comment on the following:

- Payment of utilities by the City;
- The importance of the theater and its benefits to the City and citizens;
- The ratio of operating expenses relative to revenues from ticket sales;
- The need for fundraising by Art Beat Management.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Receive the Audit Report.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### **PUBLIC COMMENT:**

**Ross Provence** reports on the Olaf Wieghorst Western Days event and thanks the City for its support.

**Councilmember McClellan** suggests there should be additional food vendors at the next Western Days event.

**Eric Lund, representing San Diego East Visitors Bureau,** requests support from the **Council**, and distributes copies of the Annual Report.

**Councilmember McClellan** reads a statement on Benjamin Franklin.

## **2. WRITTEN COMMUNICATIONS:**

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

### **2.1 LETTER FROM BARRY WILLIS, LOCAL TEA PARTY ORGANIZER**

Letter from Barry Willis requesting the City declare a TEA Party on July 4, 2009, as a Community Event, and waive City fees.



**WRITTEN COMMUNICATIONS: (continued)**

**2.2 LETTER FROM KAZEM ASLANIAN REGARDING UNDERGROUNDING OF UTILITIES**

Letter from Kazem Aslanian requesting reconsideration of condition requiring underground of utilities at 2389 Fletcher Parkway.

**DISCUSSION**

**Mayor Lewis** asks if the writer of the letter is present. **Mr. Kazem Aslanian** comes to the podium.

**Mayor Lewis** suggests that **Mr. Aslanian** file an appeal with the City Manager's office so that **Council** may consider his request.

In reference to a comment in the letter from **Mr. Aslanian**, **Councilmember McClellan** states that all property owners would need to agree to comply with the undergrounding requirement, at the same time, in order to pursue placement of the fees on property tax bills.

In response to the question by **Mr. Aslanian**, **Mayor Lewis** indicates that the City Attorney's office would be able to answer questions about tenant occupancy.

No further comments are made.

**MOTION BY LEWIS, SECOND BY KENDRICK, to File the letter.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

Recess called at 3:57 p.m.  
Meeting called back to order at 4:01 p.m.

**3. PUBLIC HEARINGS:**

**3.1 RESOLUTIONS: FISCAL YEAR 2009-10 ANNUAL CITY AND REDEVELOPMENT AGENCY BUDGETS (Report: City Manager)**

**RECOMMENDATION:** That the City Council/Redevelopment Agency hold a Joint Public Hearing to consider the Fiscal Year 2009-10 City/ECRA proposed budgets and:

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Acting as the City Council, adopt the next RESOLUTIONS in order titled:

*Resolution of the City of El Cajon Adopting the Fiscal Year 2009-10 Annual Budget; and*

### ITEM 3.1 (Continued)

*Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2009-10*

- Acting as the Redevelopment Agency Board of Directors, adopt the next RESOLUTION in order titled:

*Resolution of the El Cajon Redevelopment Agency Approving the Fiscal Year 2009-10 Budget*

### DISCUSSION

The Public Hearing is now Open.

**City Manager Henry** briefly comments on the proposed budget.

**Ellie Harris**, representing Trauma Intervention Program (TIP), requests continued support for the TIP program.

**Councilmembers** praise the efforts by TIP volunteers.

**Mayor Lewis** requests the City Manager's office look into availability of grants to help support the TIP program.

**Rick Dent**, representing Art Beat Management, requests \$200,000.00 in financial support from the City to assist with operational costs. He states that \$100,000.00 was borrowed to help sustain operation of ECPAC over the past year.

Discussion ensues concerning the following:

- A request for Staff to negotiate additional City days at ECPAC;
- The amount of subsidies provided by the City;
- Renovation and maintenance costs paid by the City;
- Limited availability of Contingency funds.

**MOTION BY LEWIS to refer the matter to the City Manager, to work with Art Beat Management, to either amend the contract or find funds to assist them, and bring the Item back to Council in 30 days.**

**MOTION DIES FOR LACK OF A SECOND.**

**ITEM 3.1 (Continued)**

Under Discussion, **Councilmember Kendrick** supports the request for funding by Art Beat Management.

**City Attorney Foley** advises that a subsidy cannot be approved if the City doesn't have the money to approve it. **Council** may wish to consider meeting with Art Beat Management to come up with another type of arrangement or a contract amendment. **Council** may need to specify budget cuts to be made if the entire contingency funds are to be designated for Art Beat Management.

**MOTION BY LEWIS**, to refer to the matter to the City Manager, and return in 30 days with a revised budget and clarification on the amount and types of subsidies that have been provided by the City.

**MOTION DIES FOR LACK OF A SECOND.**

**Councilmember McClellan** states that the City has an obligation to keep ECPAC in operation.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN**, to adopt RESOLUTION NO. 62-09, Adopting the Fiscal Year 2009-10 Annual Budget.

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY KENDRICK**, to Adopt RESOLUTION NO. 63-09, Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2009-10.

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY KENDRICK**, to Adopt RESOLUTION NO. ECRA-398: Resolution of the El Cajon Redevelopment Agency Approving the Fiscal Year 2009-10 Budget.

**MOTION CARRIES BY UNANIMOUS VOTE.**

Recess called at 4:35 p.m.  
Meeting called back to order at 4:45 p.m.

### **3.2 RESOLUTION - DELINQUENT REFUSE COLLECTION CHARGES (Report: Director of Public Works)**

#### **RECOMMENDATION: That the City Council:**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Adopt the next RESOLUTION in order certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and authorizing the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

#### **DISCUSSION**

The Public Hearing is now Open.

**Adam Friese** discusses the account for 1088 Grouse Street, a property that has been vacant since March 1, 2008. He indicates that he made an attempt to contact Waste Management to cancel service, about a week prior to the March 1<sup>st</sup> vacancy.

**Mayor Lewis** suggests that **Mr. Friese** contact Melinda Mayo, at Waste Management, to resolve the billing issue.

**Councilmember McClellan** advises that the owner of a property on Lily Avenue called him and stated she has not received a senior discount on her account, and that no one at Waste Management has returned her phone calls.

**City Manager Henry** indicates that Waste Management has had discussions with property owner regarding rate increases, and that the owner has failed to pay the rate increases.

**City Attorney Foley** suggests the option to approve the Item today, and having the billing issue worked out before the account goes to the tax assessor.

**Melinda Mayo**, from Waste Management, responds to questions by **Council** concerning the account on Lily Avenue.

**Mayor Lewis** requests that **Ms. Mayo** call the property owner, document the conversation, and send a certified letter outlining the current rates.

**Item 3.2 (Continued):**

No further comments are made.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY KENDRICK, to Adopt RESOLUTION NO. 64-09 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and authorizing the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill, including the two properties in question, unless the accounts have been resolved.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.3 RESOLUTION - DELINQUENT SEWER SERVICE CHARGES  
(Report: Finance Department Senior Accountant)**

**RECOMMENDATION: That the City Council:**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Adopt the next RESOLUTION in order confirming the charges and levying the assessments on the next regular tax bill and authorizing the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.

**DISCUSSION**

The Public Hearing is now Open.

No one comes forward to speak.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ITEM 3.3 (Continued):**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt RESOLUTION NO. 65-09, confirming the charges and levying the assessments on the next regular tax bill and authorizing the City Clerk to place a lien on delinquent properties and forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.4 ADOPTION OF A NEW FIVE-YEAR IMPLEMENTATION PLAN  
(Report: Director of Redevelopment and Housing)**

**RECOMMENDATION: That the Redevelopment Agency:**

1. Open the public hearing and accept testimony;
2. Close the public hearing; and
3. Adopt the Five-Year Implementation Plan

**DISCUSSION**

In response to comments by **Mayor Lewis**, **City Manager Henry** indicates corrections will be made to the errors in the report.

**Councilmember McClellan** recommends the City add a contingency for buying foreclosed properties and to subsidize the purchase by low and moderate-income families.

The Public Hearing is now Open.

No one comes forward to speak.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**MOTION BY LEWIS, SECOND BY WELLS, to Adopt the Five-Year Plan and direct the City Manager to make corrections to the report as discussed by Mayor Lewis.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Councilmember Kendrick** states that the appearance of the Redevelopment Area is much better than it was 15 years ago.

**4. ADMINISTRATIVE REPORTS:**

**4.1 SUBSTANDARD CONDITIONS AT 1007 ORO STREET (Report: Building Official/Fire Marshal) (Continued from May 26, 2009 and June 9, 2009)**

**RECOMMENDATION: That the City Council**

Take action appropriate to the condition of the property based on a verbal report from the Building Official/Fire Marshal, and adopt the next RESOLUTION in order confirming those actions.

**DISCUSSION**

**Dan Pavao, Building Official/Fire Marshal** submits photographs of the property taken yesterday afternoon. He states there is a considerable amount of items that still need to be removed, as they are a public nuisance.

**Carol Luther** speaks about the clean up that has been done and indicates the yard looks a lot better. She insists that a fire hazard does not exist on the property.

**Yvette Woodward**, a friend of Ms. Luther, submits recent photographs to **Council** and requests from **Mr. Pavao** a list of remaining items that should be removed.

Discussion ensues among **Council, Staff** and **Ms. Woodward** concerning:

- Items stored under the patio cover;
- Storage of equipment on the property;
- Use of storage sheds.

No one comes else forward to speak.

**MOTION BY LEWIS, SECOND BY WELLS, to Continue Item 4.1 to the July 14, 2009 meeting.**

**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 Board of Directors Policy Agenda – June 12, 2009**

### **6.2 SANDAG Board Actions – May 22, 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**

**Mayor Pro Tem Wells** states that he continues to meet with businesses to evaluate the amount of business being brought into the City. He informs that the Economic Development Council will meet more often and a report will be presented.

### **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**

**REPORT AS STATED.**



**ACTIVITIES REPORTS OF COUNCILMEMBERS (Continued):**

**10.**

**COUNCILMEMBER BOB McCLELLAN**

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

**10.1 Council Activities Report**

**Councilmember McClellan** states that he attended the Western Heritage Days event and has met with Daryl Priest.

**11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin dated June 5 and 12, 2009 – *City Advocate Weekly***

**NO RECOMMENDED ACTION.**

**11.2 RESOLUTION - LEGISLATIVE REPORT (Report: City Manager)**

**RECOMMENDATION:** That the **City Council** send a letter to the Budget Conference Committee opposing the taking of Redevelopment Funds and adopt the next RESOLUTION in order authorizing the City Attorney to work with other cities to challenge the constitutionality of any seizure by the State government of the City's street maintenance funds.

**DISCUSSION**

**City Manager Henry** speaks in support of the Item.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to send a letter to the Budget Conference Committee opposing the taking of Redevelopment Funds and adopt RESOLUTION NO. 67-09 authorizing the City Attorney to work with other cities to challenge the constitutionality of any seizure by the State government of the City's street maintenance funds.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Councilmember Hanson-Cox** urges citizens to get involved and write to the Governor to say, "No more, enough is enough".

**ITEM 11.2 (Continued);**

**Mayor Pro Tem Wells** states that he will be speaking at a TEA (Taxed Enough Already) party on July 4<sup>th</sup> at Renette Park.

**12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

**13. ORDINANCES: FIRST READING**

**13.1 INTRODUCTION AND FIRST READING OF ORDINANCE REPEALING SECTION 16.12.110 OF CHAPTER 16.12 AND SECTION 16.24.180 OF CHAPTER 16.24 OF TITLE 16 AND ADDING A NEW SECTION 16.12.110 TO CHAPTER 16.12 AND A NEW SECTION 16.24.180 TO CHAPTER 16.24 OF TITLE 16 OF THE EL CAJON MUNICIPAL CODE TO REVISE EXTENSION PERIODS FOR TENTATIVE SUBDIVISION MAPS AND TENTATIVE PARCEL MAPS (Report: City Attorney)**

**RECOMMENDATION: That the City Council**

- Consider the proposed ordinance;
- Make a Motion, and second, to approve the first reading of the ordinance revising the El Cajon Municipal Code regarding extension periods for tentative subdivision maps and tentative parcel maps;
- Discussion;
- Vote; and
- If approved, the Mayor requests the City Clerk to recite the title

**An Ordinance Repealing Section 16.12.110 of Chapter 16.12 and Section 16.24.180 of Chapter 16.24 of Title 16 and adding a new Section 16.12.110 to Chapter 16.12 and a new Section 16.24.180 to Chapter 16.24 of Title 16 of the El Cajon Municipal Code regarding extensions for tentative subdivision maps and tentative parcel maps**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Approve the first reading of the ordinance.**

**DISCUSSION**

No one comes forward to speak.

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

**14. ORDINANCES: SECOND READING AND ADOPTION**

**RECOMMENDATION:** That Mayor Lewis requests the City Clerk to recite the title.

**14.1 AN ORDINANCE FOR THE CONTROL AND MANAGEMENT OF DISCHARGES TO AND FROM THE SANITARY SEWER COLLECTION SYSTEM**

An Ordinance Repealing Chapters 13.16, 13.20, 13.24, and 13.28 of the El Cajon Municipal Code and adding new Chapters 13.16, 13.20, 13.24, 13.28, 13.37, and 13.38 to the El Cajon Municipal Code related to sewers and sewage disposal

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

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt Ordinance No. 4930.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**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  
Mike Shelton  
Joan Ward

Employee Organizations:

El Cajon Professional Firefighters International Association of  
Fire Fighters Local 4603  
El Cajon Municipal Employees Association  
El Cajon Mid-Management and Professional Employees Group  
Executive, Unrepresented and Confidential Employees

**15.2**

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

<b><u>Property</u></b>	<b>Negotiating Parties</b>	<b>Agency Negotiators</b>
APN 482-250-34 572-588 N. Johnson Ave.	Ynez II LLC and K Motors Corp.	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 482-250-32 542 N. Johnson Ave.	Ynez II LLC and K Motors Corp.	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-121-43 440 N. Johnson Ave.	Ynez II LLC and K Motors Corp.	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 482-250-36 531-555 Raleigh Ave.	Ynez II LLC and K Motors Corp.	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City 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 and City.

**15.3**

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

<b><u>Property</u></b>	<b>Negotiating Parties</b>	<b>Agency Negotiators</b>
APN 488-082-18 141 N. Magnolia	141 Magnolia LLC	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City 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.

**CLOSED SESSIONS: (Continued)**

**15.4**

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

<b><u>Property</u></b>	<b>Negotiating Parties</b>	<b>Agency Negotiators</b>
APN 487-180-10-00 382-386 Linda Way	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-180-13-00 360-364 Linda Way	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-180-09-00 151-155 Chambers St.	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-180-11-00 376-380 Linda Way	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-180-12-00 366-370 Linda Way	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-191-14-00 131 Chambers St.	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney
APN 487-191-15-00 Chambers St. adjacent To 131 Chambers St.	Affirmed Housing Group	Executive Director/City Manager Director of Redevelopment & Housing General Counsel/City Attorney

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential sale of the property to the designated negotiating party.

**CLOSED SESSIONS: (Continued)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 5:37 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**16. RECONVENE TO OPEN SESSION AT 6:09 P.M.**

**City Attorney Foley** reports the following actions:

- 15.1** Direction was given to the Labor Negotiators.
- 15.2** Direction was given to the Real Property Negotiators regarding price and terms for possible acquisition of the properties.
- 15.3** Direction was given to the Real Property Negotiators regarding price and terms for possible acquisition of the property.
- 15.4** Direction was given to the Real Property Negotiators regarding price and terms for potential sale of the properties.

**Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 23rd day of June 2009, at 6:10 p.m. to Tuesday, July 14, 2009, at 3:00 p.m.**

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