

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**MAY 10, 2011**

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, May 10, 2011, was called to order by Mayor Pro Tem/Chair Bob McClellan 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 April 26, 2011.

#### **ROLL CALL**

Council/Agencymembers present:	Hanson-Cox, Kendrick and Wells
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	McClellan
Mayor/Chair absent:	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 Pro Tem McClellan 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 April 26, 2011, meeting and the Agenda of the May 10, 2011, meeting in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **“Bike to Work Week” – May 16 – 20, 2011**
- **“National Public Works Week” – May 15 – 21, 2011**
- **“Building Safety Month” – May 2011**

**Councilmember Hanson-Cox** offers the use of her bicycle to **Councilmember Wells**, in observance of Bike to Work Week.

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.8)**

**MOTION BY MCCLELLAN, SECOND BY KENDRICK, to approve Consent Items 1.1 to 1.8.**

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

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

Approve Minutes of the April 26, 2011, 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.

**1.4 RESOLUTION: HAZARD MITIGATION PLAN (Report: Fire Chief)**

Adopt RESOLUTION NO. 55-11 to approve the Multi-Jurisdictional Hazard Mitigation Plan.

## **CONSENT ITEMS: (Continued)**

### **1.5 PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT (Report: Purchasing Agent)**

Authorize the Purchasing Agent in accordance with Municipal Code Section 3.20.010(C)(5) to execute a purchase agreement with Hewlett Packard Company in the amount of \$80,427.59 for the purchase of information technology equipment for the Police Department.

### **1.6 JULY 4<sup>TH</sup> PICNIC AT KENNEDY PARK (Report: Director of Recreation)**

Approve the sale of merchandise by vendors at Kennedy Park associated with the July 4<sup>th</sup> picnic and fireworks.

### **1.7 PURCHASE OF FURNITURE FOR PUBLIC SAFETY CENTER (Report: Purchasing Agent)**

Authorize the Purchasing Agent in accordance with Municipal Code Section 3.20.010(C)(5) to execute a purchase agreement with bkm OfficeWorks in an amount not to exceed \$230,000.00 for the purchase of furniture for the Public Safety Center.

### **1.8 ACCEPTANCE OF CITY OF EL CAJON RE-ROOF PROJECT, Engineering Job No. 3294, Bid No. 003-11 (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.

## **PUBLIC COMMENT:**

**Brian Marlay** asks for the **Council's** opinion on using paid advertising to generate funds to purchase supplies and other items that the school district's budget will not cover.

**Mayor Pro Tem McClellan** and **Councilmember Hanson-Cox** suggest that the speaker may wish to further research the proposal and consider discussing the topic during the Public Comment segment at a School Board meeting.

**PUBLIC COMMENT: (Continued)**

**Edward Espinoza** thanks the City and the Police Department for their support of the Crime Free Multi-Housing Program.

**2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS:**

**3.1 CONSIDERATION OF A FEE ADJUSTMENT FOR THE TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM (Report: Deputy City Manager/ 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 approving an adjustment to the Regional Transportation Improvement Program Fee to the amount of \$2,123.00 for each newly constructed residential unit.

**DISCUSSION**

**Director of Public Works Turner** outlines the necessity for the fee adjustment.

The Public Hearing is now open.

No one comes forward to speak.

**MOTION BY MCCLELLAN, SECOND BY HANSON-COX, to CLOSE the Public Hearing.**

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

**MOTION BY MCCLELLAN, SECOND BY HANSON-COX, to ADOPT RESOLUTION NO. 56-11 approving an adjustment to the Regional Transportation Improvement Program Fee to the amount of \$2,123.00 for each newly constructed residential unit.**

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

## **PUBLIC HEARINGS: (Continued)**

### **3.2 SUBSTANDARD CONDITIONS - 493 Graves Avenue (Report: Building Official/Fire Marshal)**

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

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Make a determination regarding the assessment of staff time, administrative cost, citations, and boarding of the structure;
- Direct staff to: (1) file a notice of restriction against the property, (2) monitor the condition of the property, and (3) place the full amount of assessment as a tax lien on the property, if not paid within 90 days; and
- Adopt the next RESOLUTION in order pursuant to the items listed above.

#### **DISCUSSION**

The Public Hearing is now open.

**Building Official/Fire Marshal Pavao** gives a brief history about the property and recommends assessment of fees as outlined in the Agenda Report.

**Gregory Cocca** indicates he is a real estate agent, and will soon be listing the property for sale. He requests that **Council** not file the Notice of Restriction and consider reducing the assessment of fees, as they had trouble evicting unauthorized tenants from the house, but the property is now cleaned up and under control.

**Mayor Pro Tem McClellan** advises the speaker that administrative costs and staff time fees are usually not reduced as they are direct costs to the City.

**City Attorney Foley** indicates that each and every owner of a substandard property is charged these types of fees to cover out-of-pocket expenses incurred by the City. It has been Council's practice to withhold or reduce any civil penalties if being assessed, however, none is being asked at this time. He adds that once the property is in compliance, the City will release the Notice of Restriction.

No further comments are made.

**THE CONSENSUS OF COUNCIL AGREES to CLOSE the Public Hearing.**

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

**ITEM 3.2 (Continued)**

**MOTION BY KENDRICK, SECOND BY HANSON-COX, to ASSESS fees of \$615.00 for administrative costs, \$460.77 for Staff time, \$800.00 for citations and \$2,645.00 for boarding of the structure, and to 1) file a notice of restriction against the property, (2) monitor the condition of the property, and (3) place the full amount of assessment as a tax lien on the property, if not paid within 90 days.**

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

**MOTION BY MCCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 57-11 pursuant to the items listed above.**

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

**4. ADMINISTRATIVE REPORTS:**

- 4.1 INTRODUCTION AND FIRST READING OF AN ORDINANCE REPEALING SECTION 9.42.045 OF CHAPTER 9.42 OF TITLE 9 OF THE EL CAJON MUNICIPAL CODE, AND ADDING A NEW SECTION 9.42.045 TO CHAPTER 9.42 OF TITLE 9 OF THE EL CAJON MUNICIPAL CODE TO ALLOW BICYCLES AND SCOOTERS AT CITY OPERATED SKATEPARK FACILITIES ON A LIMITED BASIS;  
AND  
ADOPTION OF RESOLUTION APPROVING THE TEMPORARY SUSPENSION OF PROHIBITION OF BICYCLES AND SCOOTERS AT CITY OPERATED SKATEPARK FACILITIES ON A LIMITED BASIS  
(REPORT: City Attorney)**

**RECOMMENDATION: That the City Council**

- Consider the proposed ordinance;
- Make a MOTION, and second to introduce the Ordinance;
- Discussion;
- Vote;
- If approved, the Mayor requests the City Clerk to recite the title; and
- Adopt the next RESOLUTION, in order, approving the temporary suspension of the prohibition of bicycles and scooters at City operated skatepark facilities on a limited basis until the effectiveness of the ordinance.

## **ITEM 4.1 (Continued)**

An Ordinance repealing Section 9.42.045 of Chapter 9.42 of Title 9 of the El Cajon Municipal Code, and adding a new Section 9.42.045 to Chapter 9.42 of Title 9 of the El Cajon Municipal Code to allow bicycles and scooters in a City operated skatepark facility on a limited basis

**MOTION BY MCCLELLAN, SECOND BY WELLS, to INTRODUCE the Ordinance.**

### **DISCUSSION**

In response to questions by **Councilmember Wells, City Attorney Foley** comments that there is a desire to use bicycles and scooters at the skateparks and, as no claims have been filed in the past six to seven years, there should be no changes to the City's insurance rates.

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

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

**MOTION BY MCCLELLAN, SECOND BY WELLS, to ADOPT Resolution No. 58-11, approving the temporary suspension of prohibition of bicycles and scooters at city operated skatepark facilities on a limited basis.**

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

**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 Local Agency Formation Commission Agenda – May 2, 2011**

## **ACTIVITIES REPORTS OF COUNCILMEMBERS**

**7.**

### **MAYOR PRO TEM BOB MCCLELLAN**

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

#### **7.1 Council Activities Report**

**REPORT AS STATED.**

**8.**

### **COUNCILMEMBER JILLIAN HANSON-COX**

SANDAG (San Diego Association of Governments – Alternate); SANDAG (Public Safety Committee – Alternate); MTS (Metropolitan Transit System Board – Alternate); East County Economic Development Council; League of California Cities, San Diego Division; East San Diego County Gang Task Force.

#### **8.1 Council Activities Report**

**REPORT AS STATED.**

[Note: Report distributed to Council prior to the start of the meeting]

**9.**

### **COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

#### **9.1 Council Activities Report**

**REPORT AS STATED.**

**10.**

### **COUNCILMEMBER BILL WELLS**

METRO Commission/Wastewater JPA; East County Economic Development Council; Heartland Fire Training JPA – Alternate; El Cajon Community Development Corporation.

#### **10.1 Council Activities Report**

**Councilmember Wells** indicates a change to his report, as he did not attend the National Day of Prayer event on May 5th.



**11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin dated April 22, 25 and 29 and May 2 and 3, 2011 – *City Advocate Weekly***

**NO RECOMMENDED ACTION.**

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

**13. ORDINANCES: FIRST READING – None**

**14. ORDINANCES: SECOND READING AND ADOPTION - None**

**15. CLOSED SESSION**

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

**15.1**

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

Agency Designated Representatives:

Kathi Henry  
Nancy Palm  
Jim Lynch

Employee Organizations:

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

**MOTION BY MCCLELLAN, SECOND BY HANSON-COX, to Adjourn to Closed Session at 3:41 p.m.**

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

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

**City Attorney Foley** reports that Council gave direction to its Labor Negotiators.

**Adjournment: Mayor Pro Tem McClellan** adjourned the Regular Joint Meeting of the City Council/Redevelopment Agency held this 10th day of May 2011, at 4:07 p.m. to Tuesday, May 24, 2011, at 3:00 p.m.

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