

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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MAY 24, 2011

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, May 24, 2011, 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 May 10, 2011.

#### **ROLL CALL**

Council/Agencymembers present:	Hanson-Cox, Kendrick and Wells
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	McClellan
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 Ficacci, Redevelopment Manager

**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 May 10, 2011, meeting and the Agenda of the May 24, 2011, meeting in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **Presentation – “2011 San Diego County Fair”**

**Mayor Pro Tem McClellan** acknowledges the presence of Valhalla High School students in the audience, and informs them that volunteers are being accepted to help judge a speech and debate team tournament at Point Loma University from May 31<sup>st</sup> through June 4<sup>th</sup>.

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.11)**

**Mayor Lewis** advises a correction is necessary to the Draft Minutes, Item 1.1, to reflect that **Mayor Pro Tem McClellan** chaired the meeting of May 10, 2011.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Consent Items 1.1 to 1.11, and correcting Item 1.1 to show that Mayor Pro Tem McClellan presided over the Council meeting on May 10, 2011.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

Approve Minutes of the May 10, 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.

**CONSENT ITEMS: (Continued)**

**1.4 JANUARY – MARCH 2011 QUARTERLY TREASURER’S REPORT  
(Report: Deputy City Manager/Director of Finance and Treasurer)**

Receive the quarterly Treasurer’s Report for the period ending March 31, 2011.

**1.5 SPECIAL OPERATION LICENSE – DOLLARSMART MONEY  
CENTERS, LLC – 1103 Broadway**

Approve the application for a Special Operation License as submitted by Mark McDonald to add buying gold to the services being performed at an existing check cashing and pay day loan business located at 1103 Broadway.

**1.6 RESOLUTION: AWARD OF BID NO. 031-11 – INSTALLATION OF BUS  
STOP SHELTER IMPROVEMENTS AT VARIOUS LOCATIONS, Engineering  
Job No. 3378 (Report: Purchasing Agent)**

1. Find the seventh low bidder non-responsive for failure to submit all required bid forms and failure to sign their bid; and
2. Based on the above, **ADOPT RESOLUTION NO. 59-11** and award the bid to the lowest responsive bidder, ND Electrical Construction, Inc., in the amount of \$63,819.00.

**1.7 PURCHASE OF COPIERS (Report: Purchasing Agent)**

Authorize the Purchasing Agent in accordance with Municipal Code 3.20.010.C.5 to execute a purchase agreement with Konica Minolta Business Solutions for the Purchase of copiers in the amount of \$84,736.50.

**1.8 RESOLUTION: AWARD OF BID NO. 030-11 – STREET RESURFACING  
2011 RUBBERIZED SLURRY VARIOUS STREETS, Engineering Job No.  
3345M (Report: Purchasing Agent and Deputy City Manager/Director of  
Public Works)**

1. **ADOPT RESOLUTION NO. 60-11** and award the bid to the lowest responsive bidder, American Asphalt South, Inc., in the amount of \$628,652.62; and
2. Appropriate an additional \$250,000.00 from TransNet (EL21) funds for the Street Resurfacing 2011 Rubberized Slurry Various Streets project.

**CONSENT ITEMS: (Continued)**

**1.9 SPECIAL OPERATION LICENSE – FULL FORCE PROTECTION, INC.  
D/B/A BRAVO THREE – 1632 Pioneer Way**

Approve the application for a Special Operation License as submitted by David D. Garcia for a private security business located at 1632 Pioneer Way.

**1.10 SPECIAL OPERATION LICENSE – PENNIES 4 THE DOLLAR  
1404 East Main Street**

Approve the application for a Special Operation License as submitted by Youssef El Amin for a resale business located at 1404 East Main Street.

**1.11 SPECIAL OPERATION LICENSE – MEZZAH CAFE  
169 East Main Street**

Approve the application for a Special Operation License as submitted by Ammar Khaleel for a restaurant located at 169 East Main Street.

**PUBLIC COMMENT:**

**Terry Lottes** contests an assessment for his property at 321-325 Van Houton, and informs that his neighbors at 335 and 355 Van Houten have not been taxed. He indicates he has called Sacramento about the issue, and has also spoken to Kristin Lowell regarding the property lines and boundaries.

**Mayor Pro Tem McClellan** indicates he told the speaker he may wish to discuss the matter at a City Council meeting as “we are a fair city”.

**Mayor Lewis** suggests that the City Manager’s office contact Kristin Lowell, the consultant working on the proposed business improvement district, for follow up on this issue.

**Brian Hopson** speaks on behalf of his mother, and requests that **Council** take action to support legislation for rent control. He indicates their rent has been raised several times in recent years.

## **PUBLIC COMMENT: (Continued)**

**Mayor Lewis** responds that SANDAG statistics show that El Cajon is one of the lowest rent areas in the County, and that while Council may not take any action today, the City Manager's office will be able to provide them with references to agencies that may assist them in finding affordable housing.

**Councilmember McClellan** reads quotes from a story about Joseph Story, former Chief Justice of the Supreme Court, regarding religion in school and a ruling on polygamy.

**Mayor Lewis** speaks about upcoming events in the City, including car shows and the upcoming Recycling Day event on June 1<sup>st</sup>.

**2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS: None**

**4. ADMINISTRATIVE REPORTS:**

**4.1 RESOLUTION: SALE OF PROPERTY - 100 FLETCHER PARKWAY  
(Report: Director of Community Development)**

**RECOMMENDATION: That the City Council:**

1. Waive City Council Policy B-3 requirements for sale of Surplus Real Property, including notification and bidding;
2. Adopt the next RESOLUTION in order to authorize the sale of 100 Fletcher Parkway to the El Cajon Redevelopment Agency for as-is value of \$4,850,000.00, with financing terms approved by the City Manager; and
3. Authorize the City Manager to execute any documents necessary to implement approved terms and conditions and complete the sale.

## **DISCUSSION**

In response to questions from **Council**, **City Manager Henry** indicates that after considerable discussion, **Staff** feels that if the property were sold from the City to the Redevelopment Agency, the General Fund would have money, and the property could be sold in the future, after rezoning and cleanup, including asbestos removal.

**ITEM 4.1 (Continued)**

No further comments are made.

**MOTION BY LEWIS, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 61-11 and APPROVE Item 4.1 as recommended by Staff.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**4.2 RESOLUTION: PROPERTY ACQUISITION – 100 FLETCHER PARKWAY (Report: Director of Community Development)**

**RECOMMENDATION: That the El Cajon Redevelopment Agency:**

1. Adopt the next RESOLUTION in order to authorize the acquisition of 100 Fletcher Parkway from the City of El Cajon for as-is value of \$4,850,000.00, with financing terms approved by the Executive Director;
2. Authorize the Executive Director to execute any documents necessary to implement approved terms and conditions and complete the sale; and
3. Increase the Project/Activity No. 590900-8395-RD0801 budget by \$1,010,000.00 from RDA capital project savings for FY10-11.

**DISCUSSION**

**City Attorney Foley** indicates this is a companion item to 4.1.

No one comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. ECRA-418 and APPROVE Item 4.2 as recommended by Staff.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**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 Indian Gaming Local Community Benefit Committee County of San Diego – May 4, 2011**

**REPORT AS STATED.**

## **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**

**Mayor Pro Tem McClellan** modifies his report by adding that he attended the Police Officers' Awards Ceremony and the Holy Trinity Catholic Church Jamboree.

### **7.2 Community Judges Needed for Stoa's National Invitational Tournament of Champions Speech and Debate League at Point Loma University.**

## **DISCUSSION**

**Councilmember McClellan** encourages students and adults to volunteer and sign up to be a judge at the event.

**NO ACTION TAKEN.**

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## ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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

**Councilmember Hanson-Cox** modifies her report by adding that she attended an ICSC conference in Las Vegas, along with **Deputy City Manager/Director of Public Works Turner** and **Director of Community Development Ayres**. She states that many retailers from hotel chains and different types of businesses were present at the event.

9.

### COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

#### 9.1 Council Activities Report

**REPORT AS STATED.**

#### 9.2 Economic Stimulus Program

**RECOMMENDATION:** That the **Redevelopment Agency** direct staff to bring back a program similar to the City of Lancaster's Shop & Dine Program, that upon Redevelopment Agency approval, can be implemented throughout the Redevelopment Area.

### DISCUSSION

**Councilmember Kendrick** speaks in support of the request.

Discussion ensues among **Council** and **Staff** regarding the following considerations:

- To offer the gift card program to any person with qualifying purchases, rather than just El Cajon residents;
- To expand the area to include merchants in the entire redevelopment area;
- To identify an end date for the program;
- To limit gift card redemption at downtown restaurants only;
- To determine if there should be an expiration date for the gift cards.



## ITEM 9.2 (Continued)

**Daryl R. Priest** indicates he supports the idea of the program, but feels the use of the gift cards should be in the downtown area and Second Street, rather than Parkway Plaza. He feels that some restaurants may want to offer a coupon, or additional discount, to use along with the gift card, which would result in a better deal for customers.

**Councilmember Kendrick** suggests that **Staff** should report back with guidelines for the program, and to consider including merchants on Second Street as well as the downtown area. He would like to specify that the qualifying purchases exclude receipts for alcohol, groceries and tobacco; however, beverages sold in restaurants could also be included, if appropriate.

**John Gibson** likes the idea, and suggests enlisting the assistance of Scott Alevy from the East County Chamber of Commerce. He prefers the money not get channeled through the El Cajon Community Development Corporation, and makes a suggestion that the City may wish to consider a policy or incentive program to pay brokers a commission when they bring forward a deal for property owned by the City. The policy could be expanded to offer an incentive for properties within the downtown district, and could include privately owned properties.

**City Attorney Foley** informs the speaker that the item on today's agenda is limited to redevelopment project monies and the proposal for the Shop and Dine program, and the City currently has a policy involving use of brokers.

**Councilmembers** further discuss options for the program, and request that **Staff** contact the City of Lancaster to find out details of their program and any problems they encountered.

**City Attorney Foley** indicates that he will look into the nuts and bolts of the program and explore any limitations, and that **Staff** will report back on the proposal.

No further comments are made.

**MOTION BY LEWIS, SECOND BY KENDRICK, to DIRECT STAFF to report back with their findings and guidelines for the Shop and Dine program, and to incorporate the suggestions discussed above, as appropriate.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

### 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** modifies his report by adding that on May 17<sup>th</sup> he represented the City at an event for the Association of Builders and Contractors.

### 11. LEGISLATIVE REPORT

#### 11.1 League of California Cities Legislative Bulletin dated May 6, 9, 11, 13, and 16, 2011 – *City Advocate Weekly*

**NO RECOMMENDED ACTION.**

### 12. GENERAL INFORMATION ITEMS FOR DISCUSSION:

**Councilmember Hanson-Cox** acknowledges donations received for the Animal Shelter, as listed under General Information “A”:

Louissa O’Connor (In loving memory of Matthew O’Connor’s birthday) \$100.00

Mr. & Mrs. Richard Berry (In memory of Matthew O’Connor’s birthday) \$100.00

### 13. ORDINANCES: FIRST READING - None

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

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

**14.1 ORDINANCE ALLOWING BICYCLES AND SCOOTERS IN A CITY OPERATED SKATEPARK FACILITY ON A LIMITED BASIS**

**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**

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

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to Adopt Ordinance No. 4967.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**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 LEWIS, SECOND BY MCCLELLAN, to Adjourn to Closed Session at 4:25 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

**City Attorney Foley** reports that for Item 15.1, direction was given to the City's Labor Negotiators.

**Adjournment: Mayor Lewis** adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 24th day of May 2011, at 4:37 p.m. to Tuesday, June 14, 2011, at 3:00 p.m.

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