

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**JUNE 14, 2011**

A Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, June 14, 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 24, 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 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 May 24, 2011, meeting and the Agenda of the June 14, 2011, meetings in accordance to State Law and Council/Agency Policy.

**PRESENTATIONS:**

- **Presentation - Navy Sea Cadet Corps Military Color Guard**
- **Presentation – East County Economic Development Council**
- **Recognition – El Cajon Historical Society Essay Contest Winners**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.14)**

**MOTION BY LEWIS, SECOND BY KENDRICK, to approve Consent Items 1.1 to 1.5, 1.7 – 1.9 and 1.11 – 1.13, pulling Item 1.6 as requested by LEWIS and MCCLELLAN, Item 1.10 as requested by LEWIS and the public, and Item 1.4 as requested by LEWIS, MCCLELLAN and the public.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

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

Approve Minutes of the May 24, 2011, 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 HEARTLAND FIRE TRAINING FACILITY PARKING LOT IMPROVEMENTS, Engineering Job No. 3362, Bid No. 005-11 (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.

**CONSENT ITEMS: (Continued)**

**1.5 SPECIAL OPERATION LICENSE – AMERICARE MEDSERVICES, INC. D/B/A AMERICARE AMBULANCE SERVICES**

Consider the Memo from the Fire Chief dated May 23, 2011, and approve the application submitted by Michael Scott Summers for a private ambulance transportation business, subject to the guidelines for private ambulance transportation services in the City of El Cajon.

**PULLED FOR DISCUSSION:**

**1.6 RESOLUTION: TENTATIVE AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 4603 (Report: Director of Human Resources)**

**RECOMMENDATION:** That the City Council approve the tentative agreement reached with the International Association of Firefighters (IAFF) Local 4603 and authorize the City Manager, or designee, to execute the final Memorandum of Understanding implementing the terms outlined and adopt the next RESOLUTION in order, if approved.

**1.7 RESOLUTION: STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM OF 2008 (Report: Deputy City Manager/Director of Public Works)**

Adopt RESOLUTION NO. 63-11 to approve the second round application for Statewide Park Program Grant Funds.

**1.8 BID NO. 004-11 – LIGHTING UPGRADES FOR SELECTED CITY OF EL CAJON FACILITIES (Report: Purchasing Agent)**

- Approve a contract with Socal Cities Electrical, Inc. d/b/a Socal Electric, as a substitute contractor for completion of Bid No. 004-11, Lighting Upgrades at Selected City of El Cajon Facilities; and
- Approve a “takeover” agreement with Contractors Bonding and Insurance Company for reimbursement of the differences in costs between the original low bidder and the substituted contractor.

**CONSENT ITEMS: (Continued)**

**1.9 FINAL SUBDIVISION MAP FOR TENTATIVE SUBDIVISION MAP (TSM)  
600 – 642 South Mollison Avenue, Engineering Job No. 3014  
(Report: Deputy City Manager/Director of Public Works)**

Approve the Final Subdivision Map for Tentative Subdivision Map (TSM) 600 at 642 South Mollison Avenue.

**PULLED FOR DISCUSSION:**

**1.10 COMMUNITY RECYCLE COLLECTION EVENT  
(Report: City Manager)**

**RECOMMENDATION:** That the City Council acknowledge the proposed electronic waste collection event initiated by the East County Chamber of Commerce as a community event so that they may display advertising banners on private property in advance of the event.

**1.11 REQUEST FOR YEAR-END BUDGET ADJUSTMENTS AND  
APPROPRIATIONS FOR FISCAL YEAR 2010-2011  
(Report: Deputy City Manager/Director of Finance)**

Appropriate funding and authorize the City Manager, or designee, to reallocate within the respective funds to facilitate fiscal year-end budget adjustments.

**1.12 NEW CITY COUNCIL POLICY NO. B-12, FUND BALANCE  
(Report: Deputy City Manager/Director of Finance)**

- Adopt City Council Policy No. B-12 classifying the various components of fund balance as defined in Governmental Accounting Standards Board Statement No. 54; and
- Designate the City Manager as the City official to determine and define the amounts of those components of fund balance that are classified as "Assigned Fund Balance."

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**CONSENT ITEMS: (Continued)**

**1.13 PROFESSIONAL SERVICES AGREEMENT FOR DIGITAL TELEPHONE CONNECTIONS FOR NEW VOICE OVER INTERNET PROTOCOL (VoIP) TELEPHONE SYSTEM (Report: Deputy City Manager/Director of Public Works)**

Authorize the City Manager in accordance with Municipal Code 3.20.010(C)(5) to enter into a Professional Services Agreement, including any necessary amendments, with AT&T to provide digital telephone connectivity to City Hall and the Public Safety Center.

**PULLED FOR DISCUSSION:**

**1.14 AGREEMENT FOR PROFESSIONAL SERVICES WITH EL CAJON COMMUNITY DEVELOPMENT CORPORATION (Report: Director of Community Development)**

**RECOMMENDATION:** That the Redevelopment Agency enter into an agreement with the El Cajon Community Development Corporation (CDC) for professional services within the Redevelopment Project Area during Fiscal Year 2011-12 as presented in the proposed scope of services.

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**1.6 RESOLUTION: TENTATIVE AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 4603 (Report: Director of Human Resources)**

**RECOMMENDATION:** That the City Council approve the tentative agreement reached with the International Association of Firefighters (IAFF) Local 4603 and authorize the City Manager, or designee, to execute the final Memorandum of Understanding implementing the terms outlined and adopt the next RESOLUTION in order, if approved.

**DISCUSSION**

**Mayor Pro Tem McClellan** thanks Fire Department employees for their cooperation in helping to balance the City's budget during these difficult financial times.

**Mayor Lewis** states he does not like idea of cutting pay of firefighters and having them give back money. He indicates he will vote "NO" on this item.

**MOTION BY MCCLELLAN, SECOND BY KENDRICK, to APPROVE ITEM 1.6.**

**MOTION CARRIES. (LEWIS – NO)**

## **CONSENT ITEMS (Continued)**

### **1.10 COMMUNITY RECYCLE COLLECTION EVENT (Report: City Manager)**

**RECOMMENDATION:** That the **City Council** acknowledge the proposed electronic waste collection event initiated by the East County Chamber of Commerce as a community event so that they may display advertising banners on private property in advance of the event.

#### **DISCUSSION**

A member of the public submitted a speaker card, but did not come forward when called to speak.

**Mayor Lewis** indicates he noticed that signs for the event have already been posted, without City Council approval. He requests that in the future, the applicant wait for Council approval before posting the signs on public or private property.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to APPROVE Item  
1.10**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### **1.14 AGREEMENT FOR PROFESSIONAL SERVICES WITH EL CAJON COMMUNITY DEVELOPMENT CORPORATION (Report: Director of Community Development)**

**RECOMMENDATION:** That the **Redevelopment Agency** enter into an agreement with the El Cajon Community Development Corporation (CDC) for professional services within the Redevelopment Project Area during Fiscal Year 2011-12 as presented in the proposed scope of services.

#### **DISCUSSION**

**Jerry Turchin** thanks Council for his appointment to the Blue Ribbon Commission. Based on the Commission's review of the grant-funding program, he feels it lacks a business plan approach, and advises that some expenditures should not have been reimbursed with grant funds.

**Mayor Lewis** suggests continuing this item until after tonight's Public Hearing on the recertification of the property and business improvement district.

## **ITEM 1.14 (Continued)**

**Staff** responds to questions by **Council** concerning the scope of services proposed in the professional services agreement.

**Rick Alexander** questions the value of the real estate “hot sheet” provided by the CDC.

As **Mayor Lewis** has suggested a continuance of this Item to the 7:00 p.m. meeting, **City Attorney Foley** asks the remaining speakers if they are able to return at that time. All speakers respond in the affirmative.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to CONTINUE Item 1.14 to the 7:00 p.m. meeting, after the Public Hearing on Item 102.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

*Recess called at 4:37 p.m.  
Meeting called back to order at 4:43 p.m.*

### **PUBLIC COMMENT:**

**Scott McAlevy, President and CEO, East County Chamber of Commerce,** reports the Chamber has sent a letter to legislators regarding proposed redistricting lines that will result in splitting the East County into two areas. He feels East County should be a “community of interest” and remain intact and whole. He urges **Council** to send a letter requesting that the constituency stay intact.

**Chanda Simmons, representing Christ Deliverance Ministries** introduces herself and speaks about the services they can provide, in an effort to give back to the community.

**Sunshine Horton** states that her dance-a-thon will take place in Chula Vista this year, and she would like to re-do some of the yellow ribbons in the downtown area.

**Jillian Hanson-Cox** reports the El Cajon Alliance for a Better Community will be submit a report to **Council** on June 28<sup>th</sup>.

**2. WRITTEN COMMUNICATIONS:**

**2.1 Letter of resignation from Robert R. Lenz from Relocation Appeals Board**

**DISCUSSION**

No one comes forward to speak.

**Mayor Lewis** requests that **Staff** send a thank you to Mr. Lenz.

**3. PUBLIC HEARINGS:**

**3.1 RESOLUTION: FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT - PROMENADE SQUARE, LLC  
(Report: City Attorney/Agency General Counsel)**

**RECOMMENDATION: That the Redevelopment Agency**

- Open the Public Hearing and accept testimony for the proposed First Amendment to the Disposition and Development Agreement Between the El Cajon Redevelopment Agency and Promenade Square, LLC;
- Close the Public Hearing; and
- Adopt the next RESOLUTION in order to approve execution of a First Amendment to the Disposition and Development Agreement and related documents, substantially in a form as presented with such changes approved by the Executive Director.

**DISCUSSION**

**City Attorney Foley** provides background information on this Item.

The Public Hearing is now Open.

**Cindi Fargo, El Cajon Community Development Corporation**, congratulates the property owner, Mr. Priest, on the progress made with the tenant, Wing Tam, to bring Kips Café back to El Cajon.

No further comments are made.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**



**ITEM 3.1 (Continued)**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. ECRA-419 to approve execution of a First Amendment to the Disposition and Development Agreement and related documents, substantially in a form as presented with such changes approved by the Executive Director.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**3.2 REQUEST FOR FOURTH AND FINAL TIME EXTENSION OF TENTATIVE SUBDIVISION MAP (TSM) 500 – Ballantyne Street and Hart Drive, Engineering Job No. 2816  
(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
- Grant a fourth and final one-year time extension for TSM 500 and set the new expiration date to be July 22, 2012, after the Public Hearing required by Municipal Code Section 16.12.110.B.

**DISCUSSION**

**Director of Public Works Turner** provides a summary of the report.

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.**

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to GRANT a fourth and final one-year time extension for TSM 500 and set the new expiration date to be July 22, 2012.**

**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); LAFCO (Local Agency Formation Commission); Indian Gaming Local Community Benefit Committee.

**6.1 SANDAG Board of Directors Agenda – May 27, 2011**

**6.2 SANDAG Public Safety Committee Agenda – May 20, 2011**

**6.3 Local Agency Formation Commission Agenda – June 6, 2011**

**REPORTS 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**

**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 – Verbal Report**

**Councilmember Hanson-Cox** reports on meetings and events attended during this period.

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

9.

**COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

**9.1 Council Activities Report**

**REPORT AS STATED.**

**9.2 Review of City Council Policy B-3**

**RECOMMENDATION:** That the City Council review Policy B-3 attached to the Agenda Report and determine whether or not to expand the policy to include Redevelopment Agency owned property or to craft a new policy for disposition of Redevelopment Agency owned property.

**DISCUSSION**

**City Attorney Foley** discusses the current policy, and the procedures that must be followed in working with redevelopment properties.

**Councilmember Kendrick** speaks in support of the Item and the advantages of using the expertise of a broker for the sale of redevelopment property.

Discussion ensues among **Council** and **Staff** concerning the following:

- Exclusive negotiating agreements and Disposition and Development Agreements;
- Paying commissions to brokers;
- Utilization of the RFP process for sale of certain City properties;
- A suggestion to use brokers on a case-by-case basis.

The following spoke in support of using the services of brokers for the sale of surplus properties:

**John Gibson**  
**Jim Taylor**  
**Bob Patrich**  
**Rick Alexander**  
**Ron Pennock**

**James Renner** indicates he was treated poorly by the City after working for two years with Inland Properties in connection with a property on North Johnson Avenue and receiving no compensation from the City.

## **ITEM 9.2 (Continued)**

**Councilmember Kendrick** suggests that **Staff** check on the policies of other cities, and work with the Commercial Brokers Association and some of the speakers heard today, to come up with alternatives and develop a policy.

No further comments are made.

**MOTION BY KENDRICK, SECOND BY LEWIS, to direct Staff to review policies of other cities and to work with the Commercial Brokers Association and bring back a policy for further consideration at the July 12th meeting.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **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** adds two events to his report..

## **11. LEGISLATIVE REPORT**

**11.1 League of California Cities Legislative Bulletin dated May 20, 23, 24, 26, 27, 31, and June 1, 2, 3, 7 and 8, 2011 – *City Advocate Weekly***

**NO RECOMMENDED ACTION.**

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**11.2 LEGISLATIVE REPORT  
(Report: Councilmember Hanson-Cox)**

**RECOMMENDATION:** That the City Council consider the legislative action proposed in the Agenda Report and take action as appropriate.

**DISCUSSION**

**Councilmember Hanson-Cox** speaks in support of the recommendation.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to SEND LETTERS as recommended in the Agenda Report.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Councilmember Kendrick** requests that letters be sent to support Senate Bill (SB) 332, a bill that would prohibit lawsuits to be filed against property owners that decided to make their buildings all non-smoking.

In response to questions from **Councilmember Kendrick, City Attorney Foley** indicates he feels support would have to come from the State level, and that the action taken by **Council** for this Item includes a letter supporting SB 332.

**City Manager Henry** clarifies that a letter supporting SB 332 will be sent to the City's Assembly member, as the bill has already been through the Senate.

No further comments are made.

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

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

**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  
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  
Executive, Unrepresented and Confidential Employees

**15.2**

**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 488-152-49-00	Promenade Square, LLC Wing and Jane Tam	Executive Director/City Manager General Counsel/City Attorney Director of Community Development

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price or terms, or both, of a loan of Agency funds under a participation agreement with the owner and tenants of the real property.

**MOTION BY LEWIS, SECOND BY KENDRICK, to Adjourn to Closed Session at 5:52 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**16. RECONVENE TO OPEN SESSION AT 6:28 P.M.**

**City Attorney Foley** reports the following:

**15.1 There is no reportable action.**

**15.2 Direction was given to the Agency Negotiators.**

**Adjournment:** **Mayor Lewis** adjourned the Regular Joint Meeting of the City Council/ Redevelopment Agency held this 14<sup>th</sup> day of June 2011, at 6:29 p.m. to Tuesday, June 14, 2011, at 7:00 p.m.

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**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

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**JUNE 14, 2011**

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, June 14, 2011, 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, June 14, 2011, by order of the City Council and Redevelopment Agency.

#### **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 Ayes, 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:**

**MOTION BY LEWIS, SECOND BY KENDRICK, to add Consent Item 1.14 to the Agenda as Item 103A, per the action taken in the 3:00 p.m. meeting.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC COMMENT:**

**Councilmember Hanson-Cox** reminds the public of volunteer opportunities to serve on the committee for the City's 100<sup>th</sup> Anniversary celebration.

**PUBLIC HEARINGS:**

**100 RECERTIFICATION OF THE EL CAJON PROPERTY AND BUSINESS IMPROVEMENT DISTRICT (PBID) (Report: City Manager)**

**RECOMMENDATION: That the City Council/Redevelopment Agency**

- Open the Public Hearing, receive testimony both for and against the recertification of the special assessment Property and Business Improvement District (the "PBID"), including acceptance of hand-delivered ballots;
- Consider the request from property owner Terry Lottes to remove his property addressed as 321-323 Van Houten from the PBID assessment;
- At the conclusion of such testimony, close the Public Hearing and instruct staff to commence with tabulation of ballots and report back with results at the conclusion of such tabulation; and
- If the majority of ballots cast are in favor of recertifying the PBID, adopt the next RESOLUTION in order establishing a PBID pursuant to Streets and Highways Code Section 36626.

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Daryl Priest** indicates he is a Co-Chairman on the re-certification committee. He advises that the committee is already working on bylaws and they hope to make the program beneficial for everyone.

**ITEM 100 (Continued)**

**Terry Lottes** indicates he owns property at 321-325 Van Houten, and feels that his property should not be included in the assessment district, as two other properties in the 300 block of Van Houten are not subject to the assessment.

Discussion ensues among **Council** and **Staff** concerning whether to include properties owned by Mr. Lottes in the assessment district

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY WELLS, to EXCLUDE the property at 321-325 from the assessment district.**

**MOTION CARRIES. (KENDRICK – NO)**

**Mayor Lewis** requests that any remaining ballots be submitted to the City Clerk at this time.

**City Attorney Foley** reminds that the value for Mr. Lottes' property will have to be eliminated from the tabulation of ballots.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**Mayor Lewis** instructs staff to commence tabulation of ballots and to notify **Council** once tabulation is complete.

**101 RESOLUTION: CONDITIONAL USE PERMIT NO. 2145 (MINOR) – SAN DIEGO ELECTRIC SIGN, INC. FOR EL CAJON ELKS LODGE NO. 1812 – 1400 East Washington Avenue (Report: Director of Community Development)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Move to adopt the next RESOLUTION in order approving Conditional Use Permit No. 2145, subject to conditions.

**ITEM 101 (Continued)**

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Cliff Diamond** indicates he is here to answer any questions.

There are no questions for Mr. Diamond.

**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. 64-11 approving Conditional Use Permit No. 2145, subject to conditions.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**102 ZONING ORDINANCE AMENDMENT NO. 416 – CLEANUP AMENDMENTS TO TITLE 17 OF THE EL CAJON MUNICIPAL CODE (Report: Director of Community Development)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Move to introduce an Ordinance Amending Title 17 (Zoning) of the Municipal Code; and
- If approved, request the City Clerk to recite the title.

**DISCUSSION**

**Mayor Lewis** announces the Public Hearing is now Open.

**Director of Community Ayres** provides a summary of the Item.

**Brian Caster** indicates he owns several pieces of commercial and industrial properties. He expresses concerns about proposed changes to Sections 17.120.080 (Removal of Non-Conforming Structure) and 17.120.100 (Discontinuance of Non-Conforming Use), and feels these sections should be re-drafted, and they may have a negative impact on his properties.

## **ITEM 102 (Continued)**

In response to questions by **Council, Director of Community Development Ayres** and **City Attorney Foley** comment on the intent of the previously referenced Sections of the Municipal Code, and its application for non-conforming uses or structures that may become a nuisance.

**City Attorney Foley** advises that the matter of rezoning will be taken up at a future meeting, when the Public Hearing is held for the downtown Specific Plan 182.

**John Gibson** feels the Planning Commission did not consider the interests of the business community while drafting this amendment. He suggests reviewing the zoning ordinance and General Plan updates concurrently, or sending this Item back to the Planning Commission for additional consideration and testimony.

**Mayor Pro Tem McClellan** comments that there may be some problems to consider with the update of Specific Plan 182.

**Jerry Turchin** urges **Council** to send this Item back to the Planning Commission as the proposed changes will put him out of business and it will affect other businesses as well.

In response to questions by **Councilmember Hanson-Cox, John Gibson** clarifies that Mr. Turchin is concerned about the requirement to complete structural retrofit of masonry buildings by the year 2020.

**City Attorney Foley** reiterates to **Council** that the item before them will not change the zoning or allowed uses of any properties.

**Councilmembers** further discuss the matter of moving forward with the proposed Amendment, or sending it back to the Planning Commission for further review, based on testimony from the speakers.

No one else comes forward to speak.

**MOTION BY LEWIS, SECOND BY MCCLELLAN, to REFER the Item back to Planning Commission for additional review.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## ITEM 100 (CONTINUED)

**Mayor Lewis** advises tabulation of ballots for Item 100 is complete.

**City Clerk Rutledge** reports the ballot tabulations as follows:

<b>YES:</b>	85 parcels	\$247,902.00	70.8%
<b>NO:</b>	73 parcels	\$102,028.00	29.2%

**MOTION BY LEWIS, SECOND BY MCCLELLAN to ADOPT RESOLUTION NO. 65-11 establishing a property and business improvement district pursuant to Streets and Highways Code Section 36626.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## 103 ITEMS CONTINUED FROM THE 3:00 P.M.

### 103A. CONTINUATION OF ITEM 1.1.4: AGREEMENT FOR PROFESSIONAL SERVICES WITH EL CAJON COMMUNITY DEVELOPMENT CORPORATION (Report: Director of Community Development)

#### DISCUSSION (Continued)

In response to questions from **Mayor Lewis**, **City Attorney Foley** clarifies there is no new management group, even with the approval recertifying the PBID. He notes that the existing District remains in place until the end of the calendar year, and that the El Cajon Community Development Corporation is still under contract with the City until the end of the calendar year.

**John Gibson** suggests that no action is taken on this Item, or if action is taken, that the City not spend additional money with the CDC. He suggests that shopping cart retrieval could be handled by a subcontractor, that City staff should handle sign permits, and that seismic workshops be given by the East County Chamber of Commerce, in coordination with the Building Department.

**Brian Caster** expresses dissatisfaction with where his dollars have been going. He feels there is a crossover or overlap of services, and he would rather see City staff take over some of these functions.

**Cindi Fargo** addresses comments about the grant program, shopping cart retrieval services, problems with the homeless, the uncertainty of redevelopment funds, and the design review process.

**ITEM 103A (Continued)**

**Mario Tilaro** indicates he contributes money to the PBID fund and he would like to see better utilization of funds. He wonders if there another program that can discourage the taking of shopping carts, and not penalize the businesses.

**Cyndi Fargo** returns to the podium to answer questions from **Councilmember Hanson-Cox** regarding the CDC budget.

**Scott McAlevy, East County Chamber of Commerce** responds to questions from **Councilmembers Hanson-Cox** and **McClellan** about business workshops, recruitment services and classes that are offered to the public.

Discussion ensues among **Council** and **Staff** concerning:

- A suggestion to continue the Item in order to obtain a financial report from the CDC;
- Suggestions for shopping cart retrieval programs;
- Art on utility boxes;

No one else comes forward to speak.

**MOTION BY WELLS, SECOND BY LEWIS, to Deny the request to enter into an agreement with the El Cajon Community Development Corporation.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**ADJOURNMENT:** **Mayor Lewis** adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 14<sup>th</sup> day of June 2011, at 9:36 p.m. to Tuesday, June 28, 2011, at 3:00 p.m.

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