

JOINT MEETING OF THE EL CAJON CITY COUNCIL AND REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

JUNE 28, 2011

An Adjourned Regular Joint Meeting of the El Cajon City Council and Redevelopment Agency of the City of El Cajon, California held Tuesday, June 28, 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 7:00 p.m. on June 14, 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 June 14, 2011, meetings and the Agenda of the June 28, 2011, meeting in accordance to State Law and Council/Agency Policy.

PRESENTATIONS:

Proclamation – “July is Parks and Recreation Month”

Councilmember Hanson-Cox commends the Team Coalition for their participation in the community.

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to approve Consent Items 1.1 to 1.10.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the June 14, 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 RESOLUTION: TENTATIVE AGREEMENTS WITH THE EL CAJON MUNICIPAL EMPLOYEES’ ASSOCIATION (ECMEA) AND THE EL CAJON MID-MANAGEMENT AND PROFESSIONAL EMPLOYEES’ GROUP (MMPEG) (Report: Director of Human Resources)

Approve the tentative agreements reached with the El Cajon Municipal Employees’ Association (ECMEA) and the El Cajon Mid-Management and Professional Employees’ Group (MMPEG) and authorize the City Manager to execute the final Memoranda of Understanding implementing the terms outlined, and adopt RESOLUTION NO. 66-11.

CONSENT ITEMS: (Continued)

1.5 RESOLUTION: AWARD OF BID NO. 002-12 – ROAD MAINTENANCE MATERIALS (Report: Purchasing Agent)

Adopt RESOLUTION NO. 67-11 and award the bid to the lowest responsive bidders, Superior Ready Mix Concrete, L.P., in the amount of \$155,084.98, and C. W. McGrath, Inc., in the amount of \$4,732.97.

1.6 FY 2011/2012 SAN DIEGO SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE) MOTORIST AID AND SAFETY GRANT (Report: Fire Chief)

Authorize the City Manager, or designee, to accept the FY 2011/2012 SAFE Motorist and Safety Grant funds in the amount of \$37,817.00 and to execute any grant documents and agreements necessary for the receipt and use of these funds.

1.7 RESOLUTION: AGREEMENT WITH THE MAYOR, CITY COUNCIL MEMBERS, EXECUTIVE EMPLOYEES, UNREPRESENTED MANAGEMENT EMPLOYEES, CONFIDENTIAL EMPLOYEES, AND PART-TIME EMPLOYEES ENROLLED IN CALPERS (Report: Director of Human Resources)

Approve the revisions to compensation and benefits for the Mayor, City Council Members, Executive Employees, Unrepresented Management Employees, Confidential Employees, and Part-Time Employees Enrolled in CalPERS as outlined in the Agenda Report, and adopt RESOLUTION NO. 68-11.

1.8 REVISIONS TO CITY COUNCIL POLICY A-29: COMPENSATION PLAN FOR EXECUTIVE, UNREPRESENTED MANAGEMENT AND CONFIDENTIAL EMPLOYEES (Report: Director of Human Resources)

Approve the proposed revisions to City Council Policy A-29.

1.9 ACCEPTANCE OF ASPHALT CONCRETE OVERLAY 2010 VARIOUS LOCATIONS, Engineering Job Nos. 3306/3252, Bid No. 009-11 (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)

1.10 SPECIAL OPERATION LICENSE – BENTLY’S RESALE AND MORE 2382 Fletcher Parkway

Approve the application submitted by Darlene Williams for a resale business for household items and clothing located at 2382 Fletcher Parkway.

PUBLIC COMMENT:

Councilmember McClellan speaks about the 1892 Supreme Court decision regarding the Church of Holy Trinity vs. United States.

Jillian Hanson-Cox urges everyone to call their legislators and ask them to not support approval of the State budget as projects utilizing redevelopment funds would be eliminated or drastically reduced.

Mayor Lewis speaks about upcoming events in the City and informs that the population of El Cajon has reached 110,116.

2. WRITTEN COMMUNICATIONS:

2.1 DESIGNATION OF VOTING DELEGATES AND ALTERNATES FOR 2011 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Letter from League of California Cities requesting the designation of Voting Delegates and Alternates for 2011 League Annual Conference September 21-23, 2011, in San Francisco and requesting Voting Delegate Form be completed and returned to them no later than August 26, 2011.

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to DESIGNATE Councilmember Hanson-Cox as the Voting Delegate and City Manager Henry as the Alternate.

MOTION CARRIES BY UNANIMOUS VOTE.

3. PUBLIC HEARINGS:

3.1 RESOLUTIONS: FISCAL YEAR 2011-12 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 2011-12 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 2011-12 Annual Budget; and

Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2011-12.

- **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 2011-12 Budget.

DISCUSSION

The Public Hearing is now Open.

Lorenzo Higley, representing Communities Against Substance Abuse (CASA), requests that **Council** consider giving \$7,000 towards the contract enforcing the reduction of illegal tobacco sales to minors in El Cajon.

Councilmember McClellan supports approval of the request from CASA and suggests that some focus should be placed on deterring the sale of alcohol to minors.

Mayor Lewis and **Councilmember Kendrick** applaud the efforts from CASA.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to CLOSE the Public Hearing.

MOTION CARRIES BY UNANIMOUS VOTE.

ITEM 3.1 (Continued)

MOTION BY LEWIS, SECOND BY MCCLELLAN, to AMEND the Budget and approve the request for \$7,000.00 from CASA, from the Contingency Fund.

Councilmember Wells speaks in support of the request for funding from the East County Economic Development Council, as he feels this would help bring jobs into the City.

Discussion ensues as **Councilmembers** consider the request for funding, and **Councilmember Hanson-Cox** points out that if both the requests from CASA and the East County Economic Development Council are approved, only \$38,000.00 will remain in the Contingency Fund.

No further comments are made.

MOTION RE-STATED BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. 69-11 titled: Resolution of the City of El Cajon Adopting the Fiscal Year 2011-12 Annual Budget and approving the request for \$7,000.00 from Communities Against Substance Abuse and the request for \$5,000.00 from the East County Economic Development Council, from Contingency Funds; and ADOPT RESOLUTION NO. 70-11 titled: *Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2011-12.*

MOTION CARRIES BY UNANIMOUS VOTE.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. ECRA-420 titled: Resolution of the El Cajon Redevelopment Agency Approving the Fiscal Year 2011-12 Budget.

MOTION CARRIES BY UNANIMOUS VOTE.

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**3.2 RESOLUTION: DELINQUENT REFUSE COLLECTION CHARGES
(Report: Deputy City Manager/Director of Public Works)**

RECOMMENDATION: That the City Council:

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION in order certifying the list of property owners as delinquent in the payment of their mandatory trash service bills; and
- Authorize 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.

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 ADOPT RESOLUTION NO. 71-11 certifying the list of property owners as delinquent in the payment of their mandatory trash service bills and AUTHORIZE 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.

MOTION CARRIES BY UNANIMOUS VOTE.

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

RECOMMENDATION: That the City Council:

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Adopt the next RESOLUTION in order certifying the charges and levying the assessments on the next regular tax bill; and
- Authorize 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

ITEM 3.3 (Continued)

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.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO.72-11 certifying the charges and levying the assessments on the next regular tax bill; and AUTHORIZE 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.

*Recess called at 3:56 p.m.
Meeting called back to order at 4:02 p.m.*

3.4 SUBSTANDARD CONDITIONS AT 1351 EMERALD AVENUE (Report: Building Official/Fire Marshal)

RECOMMENDATION: That the City Council:

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Direct staff to file a Notice of Restriction against the property;
- Begin accrual of civil penalties (11 violations at \$50.00 per day per violation) starting June 29, 2011; and
- Direct staff to monitor the progress of clean up and renovation of the property and to bring this case back to Council for final resolution and determination of staff time, administrative fees, and civil penalties at the resolution of this case

DISCUSSION

The Public Hearing is now Open.

ITEM 3.4 (Continued)

Building Official/Fire Marshal Pavao provides a summary of the report and responds to questions from **Mayor Lewis**.

City Manager Henry comments on previous direction from **Council** to work with property owners to get them to clean up the property and to address violations as a whole, rather than piece-meal. She then speaks about the procedure for abandoned vehicles found in front of properties.

Scott Yerebeck indicates his house has been in foreclosure a couple of times in the last few years, and that he is working on cleaning up the property. He advises that he needs to obtain a permit in order to take care of several violations, and requests an additional 30 days in which to submit plans, or have plan checks completed, to get this matter resolved.

Discussion ensues among **Council** and **Staff** concerning the request for additional time from **Mr. Yerebeck**.

No one else comes forward to speak.

MOTION BY KENDRICK, SECOND BY HANSON-COX, to CONTINUE Item 3.4 for 60 days, to the meeting of September 13, 2011, and DIRECT STAFF to provide a progress report in 30 days.

MOTION CARRIES BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS:

4.1 RESOLUTION: NO PARKING ZONE – EAST MAIN STREET (Report: Deputy City Manager/Director of Public Works)

RECOMMENDATION: That the **City Council** adopt the next RESOLUTION in order to establish the following “No Parking” Zone:

East Main Street from Greenfield Drive to Sydney Terrace

Along the westerly curblineline of East Main Street, beginning at a point 35 feet north of the northerly extended curblineline of Greenfield Drive, thence northerly a distance of 2,200 feet (just west of Sydney Terrace intersection).

(Note: This no parking zone supersedes and rescinds all previous zones within these described limits).

ITEM 4.1 (Continued)

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. 73-11 to establish the “No Parking” Zone as recommended by Staff.

MOTION CARRIES BY UNANIMOUS VOTE.

4.2 RESOLUTION: NO PARKING ZONES – BROADWAY AT INTERSECTIONS OF FIRST STREET, GRAPE STREET, MOLLISON AVENUE AND SECOND STREET (Report: Deputy City Manager/Director of Public Works)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to establish the following “No Parking” Zones:

Broadway/First Street

Along the southerly curbline of Broadway, beginning at a point 20 feet west of the westerly extended curbline of First Street, thence westerly a distance of 168 feet; and

Along the northerly curbline of Broadway, beginning at a point 20 feet east of the easterly extended curbline of First Street, thence easterly a distance of 225 feet.

Broadway/Grape Street

Along the southerly curbline of Broadway, beginning at a point 20 feet west of the westerly extended curbline of Grape Street, thence westerly a distance of 116 feet.

Broadway/Mollison Avenue

Along the southerly curbline of Broadway, beginning at a point 20 feet west of the westerly extended curbline of Mollison Avenue, thence westerly a distance of 160 feet.

Broadway/Second Street

Along the southerly curbline of Broadway, beginning at a point 35 feet west of the westerly extended curbline of Second Street, thence westerly a distance of 139 feet;

and

Along the northerly curbline of Broadway, beginning at a point 15 feet east of the easterly extended curbline of Second Street, thence easterly a distance of 155 feet.

ITEM 4.2 (Continued)

(Note: These no parking zones supersede and rescind all previous zones within these described limits.)

DISCUSSION

No one comes forward to speak.

MOTION BY LEWIS, SECOND BY MCCLELLAN, to ADOPT RESOLUTION NO. 74-11 to establish the “No Parking” Zones 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); LAFCO (Local Agency Formation Commission); Indian Gaming Local Community Benefit Committee.

6.1 SANDAG Board of Directors Agenda – June 10, 2011

6.2 SANDAG Public Safety Committee Agenda – June 17, 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.

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 – Verbal Report

8.2 Report on El Cajon Alliance for a Better Community

DISCUSSION

Jillian Hanson-Cox gives a summary about El Cajon’s Alliance for a Better Community, and introduces members of the taskforce.

Police Captain Jim Redman reports on the efforts of the Alliance to address problems with the sale of alcohol to serial inebriates, and forums that were held with business owners to foster the goals of the Alliance.

Jennifer Hill, representing the ABC (Alcohol Beverage Control) gives favorable observations about the actions taken by the Alliance and stakeholders.

Members of the Alliance address **Council**, and **Councilmember Hanson-Cox** thanks them for their efforts and contributions.

Captain Redman concludes that the taskforce does not believe it is necessary for **Council** to enact an ordinance regarding the sale of off-sale alcoholic beverages, given the progress of the Alliance and cooperation from business owners.

Councilmember Hanson-Cox adds the taskforce will also pursue efforts to address problems with the sale of “on-sale” alcoholic beverages.

*Recess called at 5:14 p.m.
Meeting called back to order at 5:21 p.m.*

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 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 amends his report by adding that he attended a meeting this morning with Ed Sprecco, from Senator Joel Anderson’s office.

11. LEGISLATIVE REPORT

11.1 League of California Cities Legislative Bulletins dated June 10, 13, 15, 17, 20 and 21, 2011 – *City Advocate Weekly*

NO RECOMMENDED ACTION.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

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13. ORDINANCES: FIRST READING

13.1 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

- Receive and consider a verbal report from the Director of Community Development pursuant to comments from June 14, 2011, Council Meeting;
- Move to introduce an Ordinance Amending Title 17 (Zoning) of the Municipal Code; and
- If approved, request the City Clerk to recite the title.

An Ordinance of the City Council of the City of El Cajon amending Title 17 of the El Cajon Municipal Code (Zoning) to correct errors and omissions in Chapters 17.15, 17.45, 17.60, 17.105, 17.110, 17.115, 17.130, 17.140, 17.145, 17.150, 17.185, 17.190, 17.195, 17.210, 17.215, 17.225, 17.240 and 17.245 of Title 17; modifying Chapter 17.120 related to non-conforming uses and structures; and adding a new Section 17.130.255 regulating storage spaces, adding a new subsection (E) to Section 17.190.210 of Chapter 17.190 regulating free-standing signs, adding a new Section 17.190.280 of Chapter 17.190 providing for the abatement of non-conforming signs, and adding a new Section 17.225.190 to Chapter 17.225 regulating offsite automobile sales

DISCUSSION

Director of Community Development Ayres reports that at last night's Planning Commission meeting a few changes were recommended, and copies of the revised ordinance have been distributed to **Council**.

Kerry Schimpf, a commercial real estate broker, gives **Council** a flyer he is using to market the lease of the old Toyota of El Cajon property. He expresses concerns about upcoming changes to the downtown specific plan and zoning changes. He requests that **Council**, in moving forward, consider having some flexibility for property owners and to consider options so that vacant properties can be filled.

In response to questions from **Mayor Pro Tem McClellan**, **City Attorney Foley** indicates the speaker is proposing an item that has not been submitted to Planning Commission. He advises that if **Council** wishes to address concerns of the speaker, the issue would need to be referred back to Planning Commission for a public hearing with proper notice.

ITEM 13.1 (Continued)

Councilmember Wells recommends watching the progress of Specific Plan No. 182.

No one else comes forward to speak.

MOTION BY LEWIS, SECOND BY WELLS, to APPROVE the revisions and INTRODUCE the ordinance.

MOTION CARRIES BY UNANIMOUS VOTE.

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

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 Police Officers Association
El Cajon Police Officers Association Management Group

MOTION BY LEWIS, SECOND BY HANSON-COX, to ADJOURN to Closed Session at 5:38 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 5:40 P.M.

City Attorney Foley reports that no action was taken.

Adjournment: Mayor Lewis adjourned the Adjourned Regular Joint Meeting of the City Council/ Redevelopment Agency held this 28th day of June 2011, at 5:41 p.m. to Tuesday, July 12, 2011, at 3:00 p.m.

KATHIE J. RUTLEDGE, CMC
City Clerk/Secretary