

# JOINT MEETING OF THE EL CAJON CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**August 9, 2016**

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency of the City of El Cajon, California held Tuesday, August 9, 2016, was called to order by Mayor/Chair Bill Wells at 3:01 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### ROLL CALL

Council/Agencymembers present:	Bales and Kendrick McClellan
Council/Agencymembers absent:	McClellan
Mayor Pro Tem/Vice Chair present:	Ambrose
Mayor/Chair present:	Wells
Other Officers present:	Hawley, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Al-Ghafry, Assistant City Manager

**PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Wells and MOMENT OF SILENCE and Remembrance for fallen San Diego Police Officer Jonathan De Guzman.** (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 July 26, 2016, meetings and the Agenda of the August 9, 2016, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

- **PROCLAMATION: Fire Chief Rick Sitta**
- **PROCLAMATION: Prostate Cancer Awareness Month**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.12)**

**MOTION BY WELLS, SECOND BY AMBROSE, to APPROVE  
Consent Items 1.1 to 1.12.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (McCLELLAN – Absent).**

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

Approve Minutes of the July 26, 2016 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon 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 APPROVAL OF FUNDING SOURCE FOR COMMUNITY PARTNERSHIP  
WITH CAJON VALLEY UNION SCHOOL DISTRICT FOR THE  
NEIGHBORHOOD REINVESTMENT PROGRAM GRANT  
(Report: Brett Channing, Deputy Director of Administrative Services)**

Appropriate \$35,000 from the City Council Contingency Budget in order to participate as a community partner with the Cajon Valley Union School District for the installment of grass and irrigation at the Madison Elementary School Field.

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

### **1.5 COMMUNITY EVENT IN THE RIGHT-OF-WAY: HAUNTFEST (Report: Stacy Knight, Recreation Services Manager)**

Approves the use of the public right-of-way for the 5<sup>th</sup> Annual HauntFest.

### **1.6 RESOLUTION: AWARD OF BID NO. 002-17, TRAFFIC SIGNAL SYSTEM MAINTENANCE, EMERGENCY REPAIRS, AND RELATED CONSTRUCTION SERVICES (Report: Nahid Razi, Purchasing Agent)**

- Finds the protest submitted by C.T.E., Inc. to be timely, but without merit; and
- Adopts RESOLUTION NO. 069-16 awarding the bid to the lowest responsive, responsible bidder, Bear Electrical Solutions, Inc., in the amount of \$286,282.00. The City of El Cajon's portion of the award is \$113,095.50, which includes \$91,095.50 of scheduled work along with an additional amount of \$22,000.00 requested for unforeseen work, such as traffic pole and equipment damage caused by vehicle collisions or vandalism; for a total awarded amount not to exceed \$308,282.00.

### **1.7 DISPOSAL OF SURPLUS FIRE AMBULANCES (Report: Nahid Razi, Purchasing Agent)**

- Declares the listed property surplus in accordance with Administrative Policy E-13 and approves the request to sell the fire ambulances to American Medical Response on an "AS-IS, WHERE-IS" basis, without warranties; and
- Based on the above, authorizes the City Manager to execute a Bill of Sale to include a hold harmless clause.

### **1.8 2016 REGIONAL REALIGNMENT RESPONSE GROUP GRANT (R3G) (Report: Jeff Davis, Chief of Police)**

- Authorizes the City Manager or designee to participate in the R3G grant in the amount of \$36,484.00 and execute any grant documents and agreements necessary for the receipt and use of these funds; and
- Appropriates these funds in the amount of \$36,484.00 for overtime and fringe benefits.

**CONSENT ITEMS: (Continued)**

**1.9 RESOLUTION: APPROVAL OF RELEASE OF LIEN CONTRACT FOR PUBLIC IMPROVEMENTS AND RELEASE OF RESTRICTIVE COVENANTS, 878 GARFIELD AVENUE, EL CAJON  
(Report: Dennis Davies, Deputy Director of Public Works)**

Adopts RESOLUTION NO. 070-16 to approve the Release of Lien Contract for Improvements in the Public Right-of-Way and the Release of Restrictive Covenants and Agreement for Property Modifications; Accrual of Civil Penalties; Agreement to Suspend Imposition of Civil Penalties for the property at 878 Garfield Avenue, El Cajon.

**1.10 AWARD PROFESSIONAL SERVICES AGREEMENT FOR TOBACCO RETAIL LICENSE INSPECTIONS TO COMMUNITY, ACTION, SERVICE AND ADVOCACY (CASA)  
(Report: Anthony Shute, Deputy Director, Community Development)**

- Authorizes the City Manager to enter into a Professional Services Agreement between the City of El Cajon and CASA for an amount not to exceed \$38,000.00 per year, for a period of two years with an option for three one-year extensions for Tobacco Retail License compliance inspections; and
- Appropriates \$38,000.00 annually for up to five years from the General Fund and allocates the funds to budget Account No. 170510-8395.

**1.11 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS FOR OVERLAY THOROUGHFARES 2017, PW3576, BID NO. 008-17 (Report: Dennis Davies, Deputy Director of Public Works)**

Adopts RESOLUTION NO. 071-16 to approve Plans and Specifications for Overlay Thoroughfares 2017, PW3576, Bid No. 008-17, and RESOLUTION NO. 072-16 to direct a Notice Inviting Sealed Bids to be opened on September 8, 2016.

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

### **1.12 RESOLUTION: DECLARATION OF EMERGENCY FOR AVOCADO SINK HOLE (Report: Dennis Davies, Deputy Director of Public Works)**

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

- Adopts RESOLUTION NO. 073-16 to make a Declaration of Emergency, and determine that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property per Public Contract Code 22050;
- Authorizes the City Manager, or their designee, to enter into any emergency contract(s) to repair storm drain facilities per El Cajon Municipal Code section 2.04.145, and waive the bidding requirement in accordance with El Cajon Municipal Code Section 3.20.010 (C) (6);
- Appropriates Wastewater Funds from the enterprise fund balance in the amount of \$50,000;
- Establishes a project budget of \$50,000 to make emergency repairs; and
- Authorizes the City Manager, or their designee, to approve an emergency contract with SC Valley Engineering to perform the necessary repairs.

#### **PUBLIC COMMENT:**

**Richard Graydon** suggested that **Councilmembers** visit different areas of El Cajon to reach out and listen to the needs of El Cajon Citizens. He also mentioned the growing pollution due to business located in the City, and the need to open the El Cajon Performing Arts Center.

**Sunshine Horton** announced she will be celebrating her upcoming birthday and funds raised will benefit the Children's Miracle Network. She stated her appreciation for law enforcement.

**David Miyashiro** and **Tamara Otero**, from **El Cajon Valley Unified School District**, thanked the **City Council** for their support in making the local schools a more pleasant place for the children.

## **PUBLIC COMMENT ON DISTRICT ELECTIONS:**

**Mayor Wells** announced that an Item is on the Agenda for the 7:00 pm meeting, if someone cannot return to the meeting, they may speak at this time, action however will be taken at the 7:00 p.m. meeting.

**Robert Clark** spoke against the idea of District Elections and would like clarification on the fees paid to ILG. He suggested that City Staff do the necessary work instead of the consulting firm.

**Mayor Wells** clarified that the reason for the **City** moving forward to District Elections is to prevent the State from suing the **City**, and costing the citizens of El Cajon millions of dollars in the future.

2. **WRITTEN COMMUNICATIONS: None**

3. **PUBLIC HEARINGS: None**

4. **ADMINISTRATIVE REPORTS:**

4.1 **PURCHASE OF BODY WORN CAMERAS AND ASSOCIATED EQUIPMENT/SERVICES (Report: Nahid Razi, Purchasing Agent)**

**RECOMMENDATION:** That the **City Council** authorizes the Purchasing Agent to waive the bidding requirements in accordance with Municipal Code 3.20.010.C.5, and execute a purchase agreement with Taser International, for the purchase of eighty-eight (88) Axon® Body Worn Cameras and associated equipment/services, in the total amount of \$160,032.72.

## **DISCUSSION**

**City Manager Williford** gave a summary of the Item.

**Chief of Police Davis**, in answer to a question by **Mayor Wells**, described the process of the cameras during an enforcement situation. **Chief Davis** also clarified that the data collected by the cameras would not be able to be edited by officers as part of the safety protocol.

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

**ADMINISTRATIVE REPORTS: (Item 4.1 Continued)**

- Start/Stop time of the cameras;
- Statistics of the benefits of the body cameras;
- How the policy was developed;
- Policies consistent with the County of San Diego.

No further comments were offered.

**MOTION BY KENDRICK, SECOND BY BALES, to AUTHORIZE the Purchasing Agent to waive the bidding requirements in accordance with Municipal Code 3.20.010.C.5, and execute a purchase agreement with Taser International, for the purchase of eighty-eight (88) Axon® Body Worn Cameras and associated equipment/services, in the total amount of \$160,032.72.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (McCLELLAN – Absent).**

**4.2 CITY OF EL CAJON RESPONSE TO GRAND JURY REPORT – CITIZEN OVERSIGHT BOARDS ON POLICE BEHAVIOR (Report: Douglas Williford, City Manager)**

**RECOMMENDATION:** That the City Council transmit the response, under the Mayor’s signature, to the Presiding Judge of the Superior Court.

**DISCUSSION**

**City Manager Williford** gave a summary of the Item.

**Councilmembers** spoke in support of the Item.

No further comments were offered.

**MOTION BY AMBROSE, SECOND BY KENDRICK, to TRANSMIT the response, under the Mayor’s signature, to the Presiding Judge of the Superior Court.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (McCLELLAN – Absent).**

**ADMINISTRATIVE REPORTS: (Continued)**

**4.3 CITY OF EL CAJON RESPONSE TO GRAND JURY REPORT –  
EAST COUNTY RESPONSE TO HOMELESSNESS  
(Report: Douglas Williford, City Manager)**

**RECOMMENDATION:** That the **City Council** transmit the response, under the Mayor's signature, to the Presiding Judge of the Superior Court.

**DISCUSSION**

**City Manager Williford** gave a summary of the Item.

**Mayor Wells** spoke in support of the Item.

**Richard Graydon** would like to see more efforts from the **City** to help the homeless community in El Cajon.

**Mayor Pro Tem Ambrose** shared statistics about the homelessness program, and the programs available to them.

**Harold Brown**, CEO for the East County Transitional Living Center (ECTLC), stated that his group will help anyone who needs help, regardless of religious beliefs.

**Councilmember Bales** spoke in support of the ECTLC services.

**Councilmember Kendrick** spoke in support of ECTLC, and the Crisis House and the work they do for the community.

**Mayor Pro Tem Ambrose** thanked ECTLC for their services and the different agencies that help the homeless, and apologized to **Mr. Graydon** for raising his voice earlier.

**Mayor Wells** shared a success story about a man who received help for his son through ECTLC.

No further comments were offered.

**MOTION BY WELLS, SECOND BY BALES, to TRANSMIT the response, under the Mayor's signature, to the Presiding Judge of the Superior Court.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (McCLELLAN – Absent).**



**5. COMMISSION REPORTS: None**

**6. ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS**

SANDAG (San Diego Association of Governments); SANDAG Public Safety Committee – Chair; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; Indian Gaming Local Community Benefit Committee.

**6.1 Council Activities Report/Comments**

In addition to the submitted report, **Mayor Wells** stated he attended funeral services for Officer Jonathan De Guzman.

**6.2 LEGISLATIVE REPORT - No Report**

**ACTIVITIES REPORTS OF COUNCILMEMBERS**

**7.**

**COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

**7.1 Council Activities Report/Comments**

**REPORT AS STATED.**

**8.**

**MAYOR PRO TEM TONY AMBROSE**

SANDAG – Alternate; SANDAG Public Safety Committee – Alternate; Chamber of Commerce – Government Affairs; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council; METRO Commission/Wastewater JPA.

**8.1 Council Activities Report/Comments**

**REPORT AS STATED.**

## ACTIVITIES REPORTS OF COUNCILMEMBERS (Continued)

9.

### COUNCILMEMBER BOB McCLELLAN

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

#### 9.1 Council Activities Report/Comments

**No Report.**

10.

### COUNCILMEMBER STAR BALES

East County Economic Development Council – Alternate; METRO Commission/Wastewater JPA – Alternate; Indian Gaming Local Community Benefit Committee – Alternate.

#### 10.1 Council Activities Report/Comments

In addition to the submitted report, **Councilmember Bales** stated she attended funeral services for Officer Jonathan De Guzman.

11. **JOINT COUNCILMEMBER REPORTS: None**

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

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

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

14.1 **ZONE RECLASSIFICATION NO. 2319**

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

**ORDINANCES: SECOND READING AND ADOPTION (Item 14.1 Continued)**

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

AN ORDINANCE APPROVING ZONE RECLASSIFICATION NO. 2319 FOR THE REZONING OF PROPERTY LOCATED ON THE WEST SIDE OF SOUTH MOLLISON AVENUE BETWEEN PORTLAND STREET AND EAST CHASE AVENUE FROM RS-6 (RESIDENTIAL, SINGLE-FAMILY, 6000 SQ. FT.) ZONE TO RM-2200 (RESIDENTIAL, MULTI-FAMILY, 2200 SQ. FT.) ZONE; APN: 493-225-25-00; GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (MR).

**MOTION BY WELLS, SECOND BY KENDRICK, to ADOPT Ordinance No. 5040.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (McCLELLAN – Absent).**

**15. CLOSED SESSION**

**RECOMMENDATION:** That the **City Council/Housing Authority/Successor Agency to the Redevelopment Agency** adjourns to Closed Session as follows:

**15.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9:**

Number of potential cases: 1

Facts and Circumstances Known to Potential Plaintiffs: On June 13, 2016, a claim was filed with the City of El Cajon on behalf of Duane Mandy, alleging that the claimant suffered personal injuries as a result of a motor vehicle collision involving an El Cajon police officer in a marked patrol vehicle.

**MOTION BY KENDRICK, SECOND BY AMBROSE to ADJOURN to Closed Session at 4:02 P.M.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (McCLELLAN – Absent).**

**16. RECONVENE TO OPEN SESSION AT 4:05 P.M.**

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

**15.1** Direction was given to the City's Legal Counsel.

**Adjournment:** Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 9th day of August 2016, at 4:06 p.m. to Tuesday, August 9, 2016, at 7:00 p.m.

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**BELINDA A. HAWLEY, CMC**  
City Clerk/Secretary

# JOINT MEETING OF THE EL CAJON CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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**August 9, 2016**

An Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency of the City of El Cajon, California, held Tuesday, August 9, 2016, was called to order by Mayor/Chair Bill Wells at 7:04 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 August 9, 2016, by order of the City Council and Redevelopment Agency.

#### ROLL CALL

Council/Agencymembers present:	Bales and Kendrick
Council/Agencymembers absent:	McClellan
Mayor Pro Tem/Vice Chair present:	Ambrose
Mayor/Chair present:	Wells
Other Officers present:	Hawley, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Al-Ghafry, Assistant City Manager

**PLEDGE OF ALLEGIANCE TO FLAG and MOMENT OF SILENCE and Remembrance for fallen San Diego Police Officer Jonathan De Guzman.**  
(The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution)

**AGENDA CHANGES: None**

**PUBLIC COMMENT: None**

**PUBLIC HEARINGS:**

**100 172 WELLS REZONING – ZONE RECLASSIFICATION NO. 2321  
(Report: Anthony Shute, Deputy Director, Community Development)**

**RECOMMENDATION: That the City Council**

- Opens the public hearing and receives testimony;
- Closes the public hearing;

**THEN**

- Moves to INTRODUCE the next ORDINANCE in order APPROVING Zone Reclassification No. 2321.

### **DISCUSSION**

**Deputy Director of Community Development, Anthony Shute**, provided a summary of the Item.

**Mayor Wells** opened the Public Hearing.

No one came forward to speak.

**MOTION BY WELLS, SECOND BY KENDRICK, to CLOSE the Public Hearing.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (McCLELLAN – Absent).**

**MOTION BY AMBROSE SECOND BY BALES, to INTRODUCE the Ordinance to Approve Zone Reclassification No. 2321.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (McCLELLAN – Absent).**

**PUBLIC HEARINGS: (Item 100 – Continued)**

**City Clerk** recited the title of the Ordinance

AN ORDINANCE APPROVING ZONE RECLASSIFICATION NO. 2321 FOR THE REZONING OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF WELLS AND GRAVES AVENUES FROM O-P (OFFICE PROFESSIONAL) ZONE TO RM-1450 (RESIDENTIAL, MULTI-FAMILY, 1450 SQ. FT.) ZONE; APN: 488-010-13-00; GENERAL PLAN DESIGNATION: HIGH DENSITY RESIDENTIAL (HR)

**101 CONSIDER PROPOSED BALLOT MEASURE TO AMEND THE CITY CHARTER TO PROVIDE FOR DISTRICT ELECTIONS  
(Report: Morgan Foley, City Attorney)**

**RECOMMENDATION: That the City Council:**

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing;

THEN

- Adopts the next RESOLUTIONS, in order as follows:
  1. A Resolution of the City Council of the City of El Cajon, California ordering placement of a measure on the ballot for the November 8, 2016 General Municipal Election to submit an amendment to the Charter of the City of El Cajon to the qualified electorate relating to conducting elections of Councilmembers by districts;
  2. A Resolution of the City Council of the City of El Cajon, California to establish priorities for filing a written argument(s) regarding a measure and authorizing any member or members of the City Council to file a written argument for or against the measure and directing the City Attorney to prepare an impartial analysis to a City measure; and
  3. A Resolution of the City Council of the City of El Cajon, California allowing the submittal of rebuttal arguments to a measure.

**PUBLIC HEARINGS: (Item 101 – Continued)**

**DISCUSSION**

**City Attorney Foley** gave information on the Item.

**Mayor Wells** requested that the question to appear on the ballot be recited at this moment.

**City Attorney Foley** read the following statement:

‘Do you approve amending Section 201 of the City of El Cajon Charter to require election of City Council members by geographic districts in which they reside beginning with the general municipal election to be held in 2018?’

In answer to a question by **Mayor Wells**, **City Attorney Foley** stated that the City’s Consultants have reviewed, and are in approval of the previously read ballot question.

**Mayor Wells** opened the Public Hearing.

**Wedad Schlotte**, representing American Iraqi Democratic Current, thanked the Council, City Manager and Staff for allowing the community to participate in the proposed changes to the City Charter, and spoke in support of proposed measure.

**Liz Lavertu**, president of a non profit organization for El Cajon, suggested a citizen oversight committee be formed to form the boundaries for the district elections.

No further comments were offered.

**MOTION BY WELLS, SECOND BY BALES, to CLOSE the Public Hearing.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (McCLELLAN – Absent).**

**Councilmembers** spoke in support of the language suggested for the Charter changes.



**PUBLIC HEARINGS: (Item 101 – Continued)**

**MOTION BY AMBROSE, SECOND BY BALES, to ADOPT RESOLUTION NO. 074-16, ORDERING placement of a measure on the ballot for the November 8, 2016 General Municipal Election to submit an amendment to the Charter of the City of El Cajon to the qualified electorate relating to conducting elections of Councilmembers by districts; ADOPT RESOLUTION NO. 075-16 to establish priorities for filing a written argument(s) regarding a measure and authorizing any member or members of the City Council to file a written argument for or against the measure and directing the City Attorney to prepare an impartial analysis to a City measure; and ADOPT RESOLUTION NO. 076-16 to allow the submittal of rebuttal arguments to a measure.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (McCLELLAN – Absent).**

**ADJOURNMENT: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 9th day of August 2016, at 7:21 p.m. to Tuesday, September 13, 2016, at 3:00 p.m.**

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**BELINDA A. HAWLEY, CMC  
City Clerk/Secretary**