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# CITY OF EL CAJON

*City Council/Housing Authority/  
Successor Agency to the Redevelopment Agency*

## AGENDA



*January 24, 2017*

**Honoring  
and celebrating  
the people  
who make  
El Cajon**

***The Valley  
of  
Opportunity***

**Bill Wells**  
*Mayor*

**Bob McClellan**  
*Mayor Pro Tem*

**Steve Goble**  
*Councilmember*

**Ben Kalasho**  
*Councilmember*

**Gary Kendrick**  
*Councilmember*

**Douglas Williford**  
*City Manager*

**Morgan Foley**  
*City Attorney*

**Majed Al-Ghafry**  
*Assistant City Manager*

**Belinda Hawley**  
*City Clerk*



# AGENDA



January 24, 2017  
3:00 p.m.

The Agenda contains a brief general description of each item to be considered and most items have a *RECOMMENDATION* from Staff or a Commission, which Council will consider when making a final decision.

Copies of written documentation relating to each item of business on the Agenda are on file in the City Clerk's Office and in the Agenda Book next to the podium in the Council Chambers.

*PLEASE COMPLETE A "REQUEST TO SPEAK" FORM FOR EACH ITEM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE CITY CLERK if you wish to speak about an Item on the Agenda or under Public Comment.*

- **CALL TO ORDER:** Mayor Bill Wells
- **ROLL CALL:** City Clerk Belinda Hawley



## PLEDGE OF ALLEGIANCE TO FLAG AND MOMENT OF SILENCE

- **POSTINGS:** The City Clerk posted Orders of Adjournment of the January 10, 2017, Meetings and the Agenda of the January 24, 2017, Meetings in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.
- **PRESENTATIONS:**
  - **RECOGNITION: Crime Free Multi-Housing Program**
  - **Employee Service Awards**
  - **2016 Special Events –Year in Review**
- **AGENDA CHANGES:**

\*Backup Information Available – Housing Authority and Successor Agency Items are identified.

## **CONSENT ITEMS: (1.1 – 1.5)**

Consent Items are routine matters enacted by one motion according to the RECOMMENDATION listed below. With the concurrence of the City Council, a Council Member or person in attendance may request discussion of a *Consent Item* at this time.

### **\*1.1 MINUTES OF CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY MEETINGS**

**RECOMMENDATION:** That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the January 10, 2017 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

### **1.2 WARRANTS**

**RECOMMENDATION:** That the City Council approves 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**

**RECOMMENDATION:** That the City Council approves the reading by title and waive the reading in full of all Ordinances on the Agenda.

### **\*1.4 RESOLUTION: AUTHORIZATION FOR THE EXECUTION OF A PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR A SYSTEMIC SAFETY ANALYSIS REPORT PROGRAM (SSARP) GRANT PROJECT AND AUTHORIZATION OF LOCAL “IN-KIND” MATCHING FUNDS (Report: Yazmin Arellano, City Engineer)**

**RECOMMENDATION:** That the City Council adopts the next RESOLUTION in order to:

- Approve a Program Supplement Agreement No. OP20, SSARPL-5211 (036), for a federally funded project to develop a Systemic Safety Analysis Report for the City; and
- Appropriate a ten percent (10%) match of local funds in the amount of \$7,500.00.

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

- \*1.5      **RESOLUTIONS DENYING ZONE RECLASSIFICATION NO. 2318, PLANNED RESIDENTIAL DEVELOPMENT NO. 70, AND TENTATIVE SUBDIVISION MAP NO. 664 (BENDER RESIDENCES), 1245 TRES LOMAS DRIVE**

**RECOMMENDATION:** That the City Council adopts the next RESOLUTIONS in order denying Zone Reclassification No. 2318, Planned Residential Development No. 70, and Tentative Subdivision Map No. 664, per action taken by the City Council at the public hearing on January 10, 2017.

## **PUBLIC COMMENT**

At this time, any person may address a matter within the jurisdiction of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency that is not on the Agenda. Comments relating to items on today's agenda are to be taken at the time the item is heard. State law prohibits discussion or action on items not on the Agenda; however, Council, Authority and Agency Members may briefly respond to statements or questions. An item may be placed on a future Agenda.

**2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS: None**

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#### **4. ADMINISTRATIVE REPORTS:**

- \*4.1 MEMORANDUM OF UNDERSTANDING BETWEEN PADRE DAM MUNICIPAL WATER DISTRICT AND THE CITY OF EL CAJON FOR THE EAST COUNTY ADVANCED WATER PURIFICATION PROGRAM (Report: Yazmin Arellano, Deputy Director of Public Works/City Engineer)**

**RECOMMENDATION: That the City Council:**

- Approves the Memorandum of Understanding (MOU) with Padre Dam Municipal Water District (Padre Dam) for the East County Advanced Water Purification Program;
- Authorizes the City Manager to execute the MOU with Padre Dam; and
- Appropriates \$75,896.00 from the City's Wastewater Fund for participation in additional studies to assess feasibility of the East County Advanced Water Purification Program.

#### **5. COMMISSION REPORTS: None**

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

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

**\*6.1 COUNCIL ACTIVITIES REPORT/COMMENTS**

**\*6.2 LEGISLATIVE REPORT**

#### **ACTIVITIES REPORTS OF COUNCILMEMBERS**

#### **7.**

**COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

**\*7.1 COUNCIL ACTIVITIES REPORT/COMMENTS**

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

**8.**

**MAYOR PRO TEM BOB MCCLELLAN**

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

**\*8.1 COUNCIL ACTIVITIES REPORT/COMMENTS**

**9.**

**COUNCILMEMBER BEN KALASHO**

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

**\*9.1 COUNCIL ACTIVITIES REPORT/COMMENTS**

**10.**

**COUNCILMEMBER STEVE GOBLE**

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 - Alternate.

**\*10.1 COUNCIL ACTIVITIES REPORT/COMMENTS**

**11. JOINT COUNCILMEMBER REPORTS: None**

**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/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency adjourns to Closed Sessions 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 November 3, 2016, a claim was filed with the City of El Cajon on behalf of Taina Rozier, Charé Rozier-Olango, and Hasana Collins, for damages suffered as a result of the death of their husband/father, Alfred Olango.

### **15.2 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 October 20, 2016, a claim was filed with the City of El Cajon on behalf of Lucy Olango, for serious emotional distress and economic damages for medical expenses and lost wages suffered as a result of the death of her brother, Alfred Olango.

### **15.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9:**

Name of Case: Richard Olango Abuka  
v.  
El Cajon Police Department; et al.  
United States District Court  
Southern District of California  
Case No. 17CV0089 BAS NLS



**CLOSED SESSIONS: (Continued)**

**15.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9:**

Name of Case: San Diego Branch of NAACP; et al.  
v.  
County of San Diego; City of El Cajon; et al.  
United States District Court  
Southern District of California  
Case No. 16CV2575 JLS BGS

**16. RECONVENE TO OPEN SESSION:**

City Attorney or Representative reports on actions taken in Closed Sessions.

**ADJOURNMENT:** The Adjourned Regular Joint Meeting of the El Cajon City Council/ El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 24th day of January 2017, is adjourned to Tuesday, January 24, 2017, at 7:00 p.m.

**JOINT MEETING**  
**EL CAJON CITY COUNCIL/HOUSING AUTHORITY and**  
**SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY**

Tuesday, January 24, 2017  
7:00 p.m.

**AGENDA**

COUNCIL CHAMBERS  
200 Civic Center Way  
El Cajon, California

- **CALL TO ORDER:** Mayor Bill Wells
- **ROLL CALL:** City Clerk Belinda Hawley

**PLEDGE OF ALLEGIANCE TO FLAG AND MOMENT OF SILENCE**

- **AGENDA CHANGES:**
- **PUBLIC COMMENT:**

At this time, any person may address a matter within the jurisdiction of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency that is not on the Agenda. Comments relating to items on today's docket are to be taken at the time the item is heard. State law prohibits discussion or action on items not on the Agenda; however, Council, Authority and Agency Members may briefly respond to statements or questions. An item may be placed on a future Agenda.

\*Backup Information Available – Housing Authority and Successor Agency Items are identified

## **PUBLIC HEARINGS:**

- \*100 PROPOSED SCHEDULE AND CRITERIA FOR CREATING COUNCIL DISTRICT BOUNDARIES (Report: Brett Channing, Deputy Director of Administrative Services)**

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

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing;
- Adopts the next RESOLUTION in order containing the criteria for creating council district boundaries; and
- Approves the recommended schedule for the implementation phase of Measure S.

- \*101 1890 CALLE DEL CONEJO – APPEAL OF PLANNING COMMISSION DENIAL OF APPEAL OF DIRECTOR’S DECISION REGARDING A DETACHED METAL GARAGE**

**NOTE:** The appeal has been withdrawn by the property owner, and the public hearing has been cancelled.

## **INTERVIEWS:**

- \*102 INTERVIEWS FOR COMMISSION VACANCIES (Report: Belinda Hawley, City Clerk)**

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

- Conducts interviews for one (1) seat on the Personnel Commission and one (1) seat on the Planning Commission, and appoints applicants to serve appropriate terms;
- Conducts interviews for three (3) seats on the Public Safety Facility Financing Oversight Committee, and
  - 1) Appoints one applicant for the available seat to be filled with a resident of the City; and
  - 2) Extends the application period for the two remaining seats, through February 17, 2017 at 5:00 p.m., and conducts interviews on February 28, 2017 at 7:00 p.m., per City Council Policy A-27, as there is not at least one more qualified applicant than the number of existing vacancies;

**OR**

**ITEM 102 (Continued)**

- 3) Waives the requirement of Policy A-27, and proceeds to appoint one committee member at this time (which is consistent with prior actions on the part of the Council), and directs staff to extend the application period through February 17, 2017 at 5:00 p.m., conducting interviews on February 28, 2017 at 7:00 p.m. to fill the remaining available seat.
- Extends the application period through February 17, 2017 at 5:00 p.m. for two (2) seats on the Veterans' Commission, and conducts interviews on February 28, 2017 at 7:00 p.m., as no applications were received.

Personnel Commission Applicants:

|                             |
|-----------------------------|
| 1) Stephanie Harper         |
| 2) Allen Theweny            |
| 3) Mary Thigpen (Incumbent) |

Planning Commission Applicants:

|                              |
|------------------------------|
| 1. Humbert Cabrera           |
| 2. Jibrán Hannaney           |
| 3. Stephanie Harper          |
| 4. Darrin Mroz (Incumbent)   |
| 5. Montgomery Paul Ostrander |
| 6. Allen Theweny             |

Public Safety Facility Financing Oversight Committee Applicants:

One seat to be filled with a resident of the City:

|                                  |
|----------------------------------|
| 1) Katherine Spacone (Incumbent) |
| 2) Montgomery Paul Ostrander     |

Two seats to be filled with either a resident or non-resident, from one or more of the occupations specified on the application:

|                             |
|-----------------------------|
| 1) John Forrest (Incumbent) |
|-----------------------------|

103 ITEMS CONTINUED FROM THE 3:00 P.M. MEETING (IF ANY)

**ADJOURNMENT:** The Adjourned Regular Joint Meeting of the El Cajon City Council/El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 24<sup>th</sup> day of January 2017, is adjourned to Tuesday, February 14, 2017, at 3:00 p.m.



## Upcoming Events in El Cajon City Council Meeting for January 24, 2017



**January 26 - The El Cajon Farmers' Market** continues every Thursday in Downtown El Cajon, from 3:00 p.m. to 6:00 p.m. at the Prescott Promenade, 201 East Main Street. Enjoy fresh fruit, vegetables, bread, vendors, music, and more! Visit: [www.elcajonfarmersmarket.org](http://www.elcajonfarmersmarket.org) for more information.

**January 27 and February 10 - Alternate Friday closures for El Cajon City offices.** Visit [www.cityofelcajon.us](http://www.cityofelcajon.us) for a full calendar of hours for City offices during 2017.

**January 28 - Tea By The Sea benefiting St. Madeleine Sophie's Center** from 11:00 a.m. to 2:30 p.m. at the Marine Room, located at 2000 Spindrift Drive in La Jolla. Delicious seafood & French fare in a chic setting. Proceeds benefitting the new Sophie's Gallery Photography Curriculum. Tickets are \$125 per guest, and \$1,250 for a table of ten, price includes valet parking. To RSVP, please call (619) 442-5129, ext. 115, or purchase tickets online at [www.stmsc.org](http://www.stmsc.org).

**February 7 - The San Diego East County Chamber of Commerce will hold their Annual Citizen of the Year Luncheon** from 12:00 p.m. to 2:30 p.m. at the Elks Lodge, 1400 E. Washington Avenue in El Cajon. The cost is \$20 per person if purchased prior to February 3, otherwise its \$25 at the door. For reservations, please call (619) 440-6161.

**February 14 - Happy Valentine's Day!**

**February 14 and 28 - El Cajon City Council Meetings are at 3:00 p.m. and 7:00 p.m., as needed.** Meetings held in the Council Chamber at 200 Civic Center Way. For more information, and to view the full agenda online, please visit [www.cityofelcajon.us](http://www.cityofelcajon.us).

**February 20 - City offices will be closed in observance of the Presidents' Day holiday.**

**February 24 and March 10 - Alternate Friday closures for El Cajon City offices.** Visit [www.cityofelcajon.us](http://www.cityofelcajon.us) for a full calendar of hours for City offices during 2017.

**March 5 - RUN EC's St. Patrick's Day Half Marathon.** Register now for the St. Patrick's Day Half Marathon, 5K Run/Walk, Green Mile, and Tribes & Clans competition. This event is dedicated to involve the entire family in fun and fitness. The Half Marathon begins at 198 West Main Street, in Downtown El Cajon, next to the El Cajon Arch. Funds raised will benefit several East County charities. Please visit [www.stpatricksdlayhalf.com](http://www.stpatricksdlayhalf.com) for more information, to register, or to volunteer

**March 12 - Daylight Saving Time Begins.** It's time to "spring forward" and turn clocks ahead one hour at 2:00 a.m. Sunday morning. It's also a great opportunity to check and replace the batteries in your smoke and carbon monoxide (CO) alarms in your home and/or business. Visit [www.heartlandfire.org](http://www.heartlandfire.org) for more important safety tips!

**Recreation: The City of El Cajon Recreation Guide for Winter 2016 is now available!** See the guide online or pick up a copy at any of the El Cajon recreation centers, local libraries and in the lobby of City Hall. Register in person at any of the recreation centers or online at [www.elcajonrec.org](http://www.elcajonrec.org). For more information, please call (619) 441-1754.

**Stay Informed on City Events, Services & Meetings - Visit the City of El Cajon's website at [www.cityofelcajon.us](http://www.cityofelcajon.us).** See all the exciting events and a variety of meetings planned throughout the year. Register for the "E-NOTIFICATION" system and select the information you would like to receive email notifications about – including news releases. It's easy and it's free. In addition, find links and information for various City departments and services.

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



MINUTES

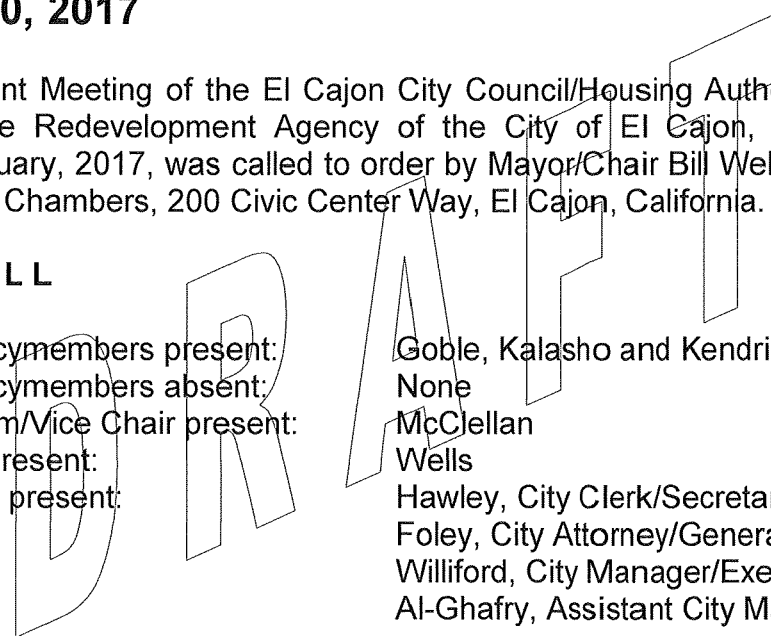
CITY OF EL CAJON  
EL CAJON, CALIFORNIA

January 10, 2017

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, January, 2017, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

|                                   |   |
|-----------------------------------|---|
| Council/Agencymembers present:    | Goble, Kalasho and Kendrick   |
| Council/Agencymembers absent:     | None  |
| Mayor Pro Tem/Vice Chair present: | McClellan   |
| Mayor/Chair present:              | Wells   |
| Other Officers present:           | Hawley, City Clerk/Secretary<br>Foley, City Attorney/General Counsel<br>Williford, City Manager/Executive Director<br>Al-Ghafry, Assistant City Manager |



**PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Wells 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 December 13, 2016, meeting and the Agenda of the January 10, 2017, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

- **RECOGNITION: Mother Goose Parade Association**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.8)**

**City Clerk Hawley** stated that a corrected copy of the December 13, 2016 Minutes was submitted to acknowledge the attendance of former **Mayor Joan Shoemaker** at the meeting.

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1.1 to 1.8, including the changes to the December 13, 2016 Minutes.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

Approve Minutes of the December 13, 2016 Meeting 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.



**CONSENT ITEMS: (Continued)**

**1.4 AWARD OF REQUEST FOR PROPOSAL (RFP) NO. 018-17, PLAN REVIEW AND INSPECTION SERVICES  
(Report: Dan Pavao, Building Official/Fire Marshal)**

Authorizes the City Manager to enter into an Agreement for Professional Services, including any necessary amendments for plan review services with EsGil Corporation, for a one-year term with the option to renew for four (4) additional one-year terms.

**1.5 AWARD OF RFP NO. 019-17, CITYWIDE TRAFFIC COUNT SERVICES  
(Report: Yazmin Arellano, City Engineer)**

Authorizes the City Manager to enter into an Agreement for Professional Services, including any necessary amendments for Traffic Count Services with Field Data Services of Arizona, Incorporated, for a one-year term with the option to renew for four (4) additional one-year terms.

**1.6 RunEC HALF-MARATHON, SPECIAL EVENT REQUEST FOR SUPPORT  
(Report: Sara Ramirez, Director of Recreation)**

Support RunEC by providing a \$20,000.00 donation and in-kind City services for the 2017 St. Patrick's Day Half-Marathon/5K.

**1.7 SUPPORT OF 2017 MISS EL CAJON SCHOLARSHIP PROGRAM  
(Report: Brett Channing, Deputy Director of Administrative Services)**

Designate \$1,500.00 from the City Council contingency Budget for the Miss El Cajon Scholarship Program.

**1.8 COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016, AND OTHER WRITTEN COMMUNICATION FROM THE CITY'S INDEPENDENT AUDITOR (Report: Clay Schoen, Director of Finance)**

Receive and accept the Comprehensive Annual Financial Report and other written communication from the independent accounting firm of Rogers, Anderson, Malody & Scott, LLP, for the fiscal year ended June 30, 2016.

**PUBLIC COMMENT:**

**Stephanie Harper** questioned the \$40 fee charged by the Police Department on a towing incident. **Police Chief, Jeff Davis**, clarified that the \$40 is a clerical fee for processing the paperwork.

**City Manager Williford** asked **Ms. Harper** to contact his office for further clarification.

**Mayor Wells** requested that Staff prepare a comprehensive report on the fees charged for a towing incident, to be presented at a future Council meeting.

**Denice Riddle** shared her concern about the homeless problem in El Cajon, specifically a homeless family in her neighborhood. She reached out to offer help to them, but they refused anything other than a monetary contribution.

**Mayor Wells** acknowledged the growing problem of homeless people in the City, and invited **Ms. Riddle** to meet with him, to further discuss her concerns.

Discussion amongst **Ms. Riddle, Council** and **Staff** ensued, regarding:

- Homeless children not attending school;
- Homeless parents refusing work, as they make more money by panhandling;
- Contacting Child Protective Services

**City Manager Williford** stated that he has noted the details and locations of the speakers concerns. He will contact the Police Department, and bring a report back to Council.

**Councilmember Kalasho** stated that Item 9.3 will address some of the concerns brought forward by the speaker.

**Marie Little** stated that the community will be attending future Council Meetings to discuss the District Attorney's decision to bring no charges against Police Officer Gonzalez, for the deadly shooting of Alfred Olango. She also mentioned she did not approve of the stipend received by City employees.

**Humbert Cabrera**, Citizen of the Year, complimented the employees of the City of El Cajon, and expressed his approval of the stipend given to employees.

**Cheyenne Marie** was not present in the Chambers, when called forward to speak.

2. **WRITTEN COMMUNICATIONS: None**

3. **PUBLIC HEARINGS:**

3.1 **SUBSTANDARD ABATEMENT AT 704 EL MONTE ROAD  
(Report: Dan Pavao, Building Official/Fire Marshal)**

**RECOMMENDATION: That the City Council:**

- Opens the public hearing and receives testimony;
- Closes the public hearing;
- Declares as appropriate the Building Official/Fire Marshal's actions in this case; and
- Takes appropriate action in this case based on recommendations from a verbal report by the Building Official/Fire Marshal on the current condition of the property.

#### **DISCUSSION**

**Building Official/Fire Marshal, Dan Pavao**, gave a summary of the Item, and showed a Power Point presentation of the dwelling.

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

- Standards of Sanitation;
- Unsanitary living conditions that have been removed;
- Health hazards that have been abated;
- Air quality and soil effects.

**Building Official/Fire Marshal, Dan Pavao**, recommended that **Council** directs **Staff** to monitor the renovation work, assess staff time, and administrative costs in the amount of \$1,107.48, and proceed with a final resolution on the case.

**Mayor Wells** opened the public hearing.

**Robert Moses**, owner of 704 El Monte Road, stated he had no knowledge of the condition of the property. He asked **Council** to consider not accessing any penalties as this is a financial hardship for him.

Discussion amongst **Council** and **Mr. Moses** ensued regarding the clean-up efforts on the property. **Mayor Wells** clarified that penalty fees will be considered after the clean-up is completed.

No further comments were offered.

**PUBLIC HEARINGS: (Item 3.1 – Continued)**

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**MOTION BY McCLELLAN, SECOND BY KALASHO, to DEEM APPROPRIATE the Building Official/Fire Marshal's actions in this case; direct Staff to monitor the renovation work, present the Item to Council within 30 days for a final resolution on the case, and assess penalties if appropriate.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**4. ADMINISTRATIVE REPORTS:**

**4.1 REQUEST FOR FUNDING PARTNERSHIP WITH CAJON VALLEY UNION SCHOOL DISTRICT FOR COUNTY OF SAN DIEGO'S NEIGHBORHOOD REINVESTMENT PROGRAM GRANT  
(Report: Brett Channing, Deputy Director of Administrative Services)**

**RECOMMENDATION:** That the City Council appropriate \$35,000.00 as a community partner to the Cajon Valley Union School District for the installment of grass and irrigation at the Montgomery Middle School Field.

**DISCUSSION**

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

**David Miyashiro, Tamara Otero, and Scott Buxbaum** spoke in support of the monetary request to install grass and irrigation at the Montgomery Middle School Field.

Discussion ensued among **Council** and **Mr. Buxbaum** concerning usage and scheduling of the field, and the importance of keeping the local youth involved in sports.

**Edgar Moscoso**, President of the East County Amateur Softball Association, spoke in support of the proposed funding for the Montgomery Middle School Field.

No other comments were offered.

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

**MOTION BY McCLELLAN, SECOND BY KALASHO, to APPROPRIATE \$35,000.00 as a community partner to the Cajon Valley Union School District for the installment of grass and irrigation at the Montgomery Middle School Field.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**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**

**REPORT AS STATED.**

**6.2 LEGISLATIVE REPORT - No Report**

**6.3 COUNCIL ASSIGNMENTS:**

**RECOMMENDATION:** That the City Council consider and approve council assignments to the various boards and commissions giving El Cajon input on matters important to this region as follows:

**Mayor Bill Wells:** 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.

**Mayor Pro Tem Bob McClellan:** MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate.

**Councilmember Steve Goble:** 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 - Alternate.

**COUNCIL ASSIGNMENTS: (Continued)**

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

**Councilmember Gary Kendrick:** Heartland Communications JPA; Heartland Fire Training JPA.

**DISCUSSION**

**Mayor Wells** gave a summary of the Item.

**Councilmember Kalasho** requested information on the SANDAG, Heartland, and Public Safety Commissions, as he will attend those meetings as well.

**MOTION BY WELLS, SECOND BY KENDRICK, to ACCEPT the Council Assignments as presented.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**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 BOB MCCLELLAN**

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 BEN KALASHO

#### 9.1 Council Activities Report/Comments

In addition to the submitted report, **Councilmember Kalasho**, stated he attended an El Cajon Newcomers Collaborative on January 10, 2017.

#### 9.2 SIGNAGE ALLOWANCES FOR NEW BUSINESSES

**RECOMMENDATION:** That the **City Council** direct the City Manager to bring this issue back to the City Council for formal consideration of initiating an amendment to the Municipal Code for the purposes of allowing a longer period of time for additional signage for new businesses.

#### DISCUSSION

**Councilmember Kalasho** gave a summary of the Item.

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

- Considering a change of the Municipal Code to allow a six month period for a new business sign;
- Cost of digital print;
- Past allowances for 'new business' signs have not been successful;
- Types of signs.

**MOTION BY GOBLE, SECOND BY KALASHO, to DIRECT the City Manager to bring this issue back to the City Council for formal consideration of initiating an amendment to the Municipal Code for the purposes of allowing a longer period of time for additional signage for new businesses.**

**MOTION CARRIED BY A 3-2 VOTE  
(McCLELLAN, WELLS – NO).**

## ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

### 9.3 CONSIDERATION OF A COMPREHENSIVE CITY HOMELESS PROGRAM

**RECOMMENDATION:** That the City Council direct the City Manager and City Attorney to address the items outlined in the staff report, conduct research into their viability, cost, administration and related issues and report back to the City Council for possible action.

#### DISCUSSION

**Councilmember Kalasho** gave a summary of the Item.

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

- The lack of desire to work from some in the homeless community;
- Ordinances pertaining to abandoned shopping carts;
- Pan handling on City medians;
- Reaching out to retailers to prevent alcohol sale to the homeless;
- Resources offered by the County to help with seriously mentally ill citizens/homeless;
- Using the services of the El Cajon Transitional Living Center;
- Creation of City jobs to offer to homeless people;
- Creation of a sub-committee to create a plan for a homeless program.

#### DISCUSSION

**Stephanie Harper** thanked **Councilmember Kalasho** for bringing the issue forward, and expressed her concern if shopping carts are taken from the homeless, trash would be left all over the city. She recommends considering a program used by downtown San Diego called Transitional Storage Program, for homeless people to keep their items safe in lockers placed around the city.

**Kevin Miller** thanked the **Council** and **Staff** for their services. He is part of the Homeless Task Force and stated they could be of use in the proposed sub-committee.

No further comments were offered.



**ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item 9.3 - Continued)**

**MOTION BY WELLS, SECOND BY KENDRICK, to DIRECT Staff to present guidelines, to effectively develop a sub-committee for the homeless problem in the City.**

**MOTION CARRIED BY A 4-1 VOTE  
(KALASHO – NO).**

**City Manager Williford** stated that the motion passed was only on one aspect of the Item presented, and that another motion could be entertained if anyone wished to add something else.

**MOTION BY KALASHO, MOTION FAILED DUE TO LACK OF A SECOND, to DIRECT Staff conduct research into their viability, cost, of creating 20 City jobs for the homeless population.**

**MOTION FAILED DUE TO LACK OF A SECOND.**

In answer to a question by **Councilmember Goble**, **Mayor Wells** clarified that the possible creation of new jobs could be considered by the proposed sub-committee.

**Councilmember Kalasho** corrected his vote to “YES” for the previous Motion by **Mayor Wells**.

**10. COUNCILMEMBER STEVE GOBLE**

**10.1 Council Activities Report/Comments**

In addition to the submitted report, **Councilmember Goble**, reported he participated on a Christmas Tree give-a-way on December 23, 2016. He thanked everyone who participated in the successful event.

**11. JOINT COUNCILMEMBER REPORTS: None**

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

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

14. ORDINANCES: SECOND READING AND ADOPTION - None

15. CLOSED SESSION - None

**Adjournment:** Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 10th day of January 2017, at 5:11 p.m. to Tuesday, January 10, 2017, at 7:00 p.m.

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

DRAFT

# 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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**January 10, 2017**

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, January 10, 2017, was called to order by Mayor/Chair Bill Wells at 7:01 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 January 10, 2017, by order of the City Council and Redevelopment Agency.

#### ROLL CALL

|                                   |   |
|-----------------------------------|---|
| Council/Agencymembers present:    | Goble, Kalasho and Kendrick   |
| Council/Agencymembers absent:     | None  |
| Mayor Pro Tem/Vice Chair present: | McClellan   |
| Mayor/Chair present:              | Wells   |
| Other Officers present:           | Hawley, City Clerk/Secretary<br>Foley, City Attorney/General Counsel<br>Williford, City Manager/Executive Director<br>Al-Ghafry, Assistant City Manager |

#### 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: None

**PUBLIC COMMENT: None**

**PUBLIC HEARINGS:**

**100 BENDER RESIDENCES – ZONE RECLASSIFICATION NO. 2318, PLANNED RESIDENTIAL DEVELOPMENT NO. 70 AND TENTATIVE SUBDIVISION MAP NO. 664 (Report: Anthony Shute, Deputy Director of Community Development)**

**RECOMMENDATION: That the City Council:**

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

**THEN**

- Moves to ADOPT the next RESOLUTION in order APPROVING the CEQA exemption;
- Moves to INTRODUCE the next ORDINANCE in order APPROVING Zone Reclassification No. 2318;
- Moves to ADOPT the next RESOLUTION in order APPROVING Planned Residential Development No. 70; and
- Moves to ADOPT the next RESOLUTION in order APPROVING Tentative Subdivision Map No. 664

If approved, the **Mayor** request the **City Clerk** to recite the title of the Ordinance.

An Ordinance Approving Zone Reclassification No. 2318 for the Rezoning of Property Located on the East Side of Tres Lomas Drive Between Greenfield Drive and Savin Drive from RS-14-H to the Planned Residential Development (PRD) Low-H Zone; APN: 507-200-18; General Plan Designation: Low Density Residential (LR)

**DISCUSSION**

**Councilmember Goble** cited a conflict of interest, as his residence is in the neighborhood of the proposed residential development. He left the Chambers at 7:04 p.m.

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

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

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

- Allowance of units per acre;
- Compatibility of development with General Plan.

**Mayor Wells** opened the Public Hearing.

**Jeffrey Bender**, Managing Member of RLM Surf LLC, spoke in support of the proposed development.

The following people spoke in opposition of the proposed development:

**Larry Schulte**  
**Margaret Maschmeier**  
**Michael Maschmeier**  
**John Curtis**  
**Joannis Saridakis**  
**Daniel Rodgers**  
**Lindy Goble**  
**Emmy Rodgers**  
**Pete Saridakis**  
**Kathie Makris**  
**Chris Makris**

The following people submitted speaker cards to state their opposition of the proposed development, but did not wish to speak:

**Manousos Saridakis**  
**Bob Coda**  
**Carly Thomas**  
**Bane Coda**  
**Konstantine Makris**

No further comments were offered.

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

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT. (GOBLE – Disqualified).**

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

**Councilmembers** spoke in opposition of the amount of homes that the developer wants to build. They support the idea of a three (3) home addition.

**MOTION BY KENDRICK, SECOND BY KALASHO, to DENY Zone  
Reclassification No. 2318.**

**MOTION CARRIED BY UNANIMOUS VOTE.  
OF THOSE PRESENT (GOBLE – Disqualified).**

**ADJOURNMENT:** The Adjourned Regular Joint Meeting of the El Cajon City Council/El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 10<sup>th</sup> day of January 2017, is adjourned to Tuesday, January 24, 2017, at 8:10 p.m., in Memory of Robert L. “Bob” Cornett, former Mayor and City Council Member of the City of El Cajon.

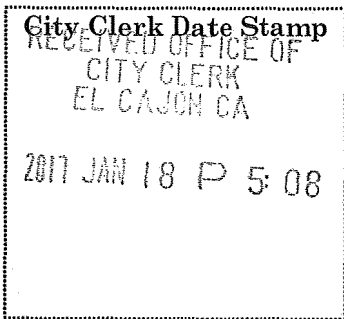
**DRAFT**

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

**APPROVAL OF READING BY TITLE AND WAIVER OF READING  
OF ORDINANCES ON THIS AGENDA**

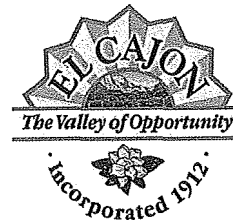
The City Council waives the reading of the full text of every ordinance contained in this agenda and approves the reading of the ordinance title only.



# City of El Cajon Agenda Report

MEETING: Jan. 24, 2017

ITEM NO: 1.4



**TO:** Mayor Wells, Mayor Pro Tem McClellan,  
Councilmembers Goble, Kalasho and Kendrick

**FROM:** Yazmin Arellano, City Engineer

**SUBJECT:** Authorization for the Execution of a Program Supplement Agreement with Caltrans for a Systemic Safety Analysis Report Program (SSARP) Grant Project and Authorization of Local "In-Kind" Matching Funds

**RECOMMENDATION:** That the City Council adopts the next RESOLUTION in order to:

1. Approve a Program Supplement Agreement No. 0P20, SSARPL-5211(036), for a federally funded project to develop a Systemic Safety Analysis Report for the City; and
2. Appropriate a ten percent (10%) match of local funds in the amount of \$7,500.

**BACKGROUND:** The purpose of the Caltrans program Supplement Agreement is to establish terms and conditions the City must meet and comply with in order to receive federal and state funds to implement transportation improvement projects. Program Supplement Agreements are required for the reimbursement of expended costs for these federal and state aid transportation projects.

The City applied for a federally-funded Caltrans Systemic Safety Analysis Report Program grant in April 2016, and was recently awarded \$75,000 to conduct this project. The Program plan is a statewide data-driven traffic safety plan that coordinates the efforts of a wide range of organizations with a goal to reduce traffic accident fatalities and serious injuries on all public roads. In coordination with federal, state, local and private sector safety stakeholders, the plan establishes goals, objectives, and highlights emphasis areas. The way the Program plan works is to assist local agencies in performing detailed vehicle collision analyses, identifying safety issues on the City's roadway network, and developing a list of systemic low-cost countermeasures that can be recommended in preparing for future Highway Safety Improvement Program (HSIP) and other safety related program grant applications. The Program plan report would allow the City a better opportunity to compete for a future call for HSIP grant applications which are expected to be announced in early 2018. The City has



benefitted greatly from past HSIP grants by implementing safety improvements on the City's streets and roadways.

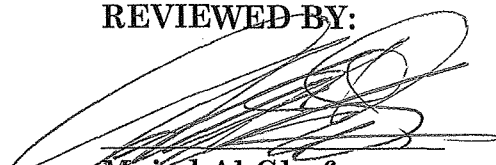
The City will advertise a Request for Proposals (RFP) for professional services for this project in spring 2017. The selected consultant will assist City staff with the preparation of the plan with a goal to leverage future roadway safety related grant opportunities from Caltrans.

**FISCAL IMPACT:** Federal grant funds allocated for this project are \$67,500 with a local ten percent (10%) match of \$7,500 for a total amount of \$75,000. An "in-kind" local match contribution from direct staff time in the amount of \$7,500 is requested from the General Fund to administer the project. This project was not programmed in the current Capital Improvement Project list for FY 2016-2017 since Caltrans made the announcement to grant recipients after the City's Budget was adopted. Staff is requesting that this project be programmed into this fiscal year's budget in the Budget Activity Account (552900).

**PREPARED BY:**

  
\_\_\_\_\_  
**Yazmin Arellano**  
**CITY ENGINEER**

**REVIEWED BY:**

  
\_\_\_\_\_  
**Majed Al-Ghafry**  
**ASSISTANT**  
**CITY MANAGER**

**APPROVED BY:**

  
\_\_\_\_\_  
**Douglas Williford**  
**CITY MANAGER**

RESOLUTION NO.     -17

RESOLUTION OF THE CITY OF EL CAJON  
APPROVING AND AUTHORIZING THE EXECUTION OF A  
PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR  
A SYSTEMATIC SAFETY ANALYSIS REPORT PROGRAM (SSARP)  
GRANT PROJECT, AND AUTHORIZATION OF MATCHING FUNDS  
(SSARPL-5211(036))

WHEREAS, the City of El Cajon (the "City") was recently awarded a federally-funded Systemic Safety Analysis Report Program grant (the "Program Plan") of \$75,000 by the California Department of Transportation ("Caltrans") for a statewide data-driven traffic safety plan that coordinates the efforts of a wide range of organizations with a goal to reduce traffic accident fatalities and serious injuries on all public roads ("Project"); and

WHEREAS, in coordination with federal, state, local and private sector safety stakeholders, the Program Plan establishes goals and objectives; highlights emphasis areas; and assists local agencies in performing detailed vehicle collision analyses, identifying safety issues on the City's roadway network, and developing a list of systemic low-cost countermeasures that can be recommended in preparing for future Highway Safety Improvement Program ("HSIP") and other safety related program grant applications; and

WHEREAS, the Program Plan report would allow the City a better opportunity to compete for future HSIP grant applications, which are expected to be announced in early 2018, and the City has benefitted greatly from past HSIP grants by implementing safety improvements on the City's streets and roadways; and

WHEREAS, a ten percent (10%) "in-kind" match of \$7,500 of local funds is requested to be contributed from the General Fund for staff time to administer the Project; and

WHEREAS, the City will advertise a Request for Proposals for professional services for the Project in the spring of 2017, and the selected consultant will assist City staff with the preparation of the Program Plan with a goal to leverage future roadway safety-related grant opportunities from Caltrans; and

WHEREAS, the parties desire to enter into the Agreement to set forth the terms and conditions for the successful completion of the Project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

Section 1. That certain Program Supplement No. P20 to Administering Agency-State Agreement for State Funded Projects No. 00270S, with Caltrans for a Systematic Safety Analysis Report Program (SSARP) Grant Project (the "Agreement"), presented to

the City Council at this meeting, is hereby approved substantially in the form as presented at this meeting.

Section 2. The City Council hereby authorizes a ten percent (10%) "in-kind" match of local funds to be contributed from the General Fund for staff time to administer the Project.

Section 3. The City Council hereby further authorizes the City Manager to execute the Agreement on behalf of the City of El Cajon, with such changes as may be approved by the City Manager, and to take all actions and to execute all documents, attachments to the Agreement, and other documents necessary or appropriate to carry out the terms of the Agreement.

Section 4. The City Council hereby further authorizes the City Clerk to attest to the signature of the City Manager in executing the Agreement and such documents as authorized in Section 2, above.

01/24/17 (Item 1.4)

Authorize Program Supplement Agreement w-Caltrans for SSARPL-5211(036) Grant 011917

## RESOLUTION NO. \_\_\_-17

A RESOLUTION DENYING ZONE RECLASSIFICATION NO. 2318  
FOR THE REZONING OF PROPERTY LOCATED ON  
THE EAST SIDE OF TRES LOMAS DRIVE BETWEEN  
GREENFIELD DRIVE AND SAVIN DRIVE FROM RS-14-H TO THE  
PLANNED RESIDENTIAL DEVELOPMENT (PRD) LOW-H ZONE;  
APN: 507-200-18; GENERAL PLAN DESIGNATION:  
LOW DENSITY RESIDENTIAL (LR)

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on November 1, 2016, following which the Planning Commission continued the matter to the December 6, 2016 meeting for a final decision, to consider Zone Reclassification No. 2318, for a change in the zoning designation from the Residential, Single-Family, 14,000 square feet (RS-14) Hillside Overlay (H) zone to the PRD-Low-H zone, as submitted by Jeffery Bender on behalf of RLM Surf, LLC, for the property on the east side of Tres Lomas Drive between Greenfield Drive and Savin Drive, and addressed as 1245 Tres Lomas Drive; APN: 507-200-18; and

WHEREAS, in accordance with CEQA Guidelines Section 15061(b)(2), and prior to making a recommendation to the City Council, the Planning Commission reviewed and considered the information contained in the project staff report; and

WHEREAS, the El Cajon Planning Commission adopted Resolution No. 10870 recommending City Council approval of Zone Reclassification No. 2318, for a change in the zoning designation from the RS-14-H to the PRD-Low-H zone for property located on the east side of Tres Lomas Drive between Greenfield Drive and Savin Drive, and addressed as 1245 Tres Lomas Drive; APN: 507-200-18; and

WHEREAS, at the public hearing the City Council received evidence through public testimony and comment, in the form of verbal and written communications and reports prepared and presented to the City Council, including (but not limited to) evidence such as the following:

- A. The proposed PRD-Low zone is inconsistent with the existing character of the neighborhood, which is comprised of single family residences in numbers not greater than three (3) homes for each acre under the existing RS-14-H zone. The current character of the neighborhood is stable and there is no evidence that it is in transition from its current density to a much greater density, as proposed. Therefore, the proposed zone change would adversely affect the static nature of the neighborhood to the extent that it may result in harm to the public welfare in that location. By approving the proposed PRD-Low zone the character of the neighborhood would initially be changed by allowing up to five (5) residential homes on the subject property under the proposed tentative subdivision map and planned residential development application, and therefore, would not be compatible with the surrounding area.

- B. By approving the proposed PRD-Low zone reclassification for the subject property, owners of surrounding properties in the neighborhood could also seek such a reclassification, thereby creating increased traffic and noise, further compromising the existing character to the neighborhood and the public welfare in the neighborhood where the subject property is located.

WHEREAS, after considering such evidence and facts the El Cajon City Council did consider Zone Reclassification No. 2318 as presented at its meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

Section 1. That the foregoing recitals are true and correct, and are findings of fact of the El Cajon City Council in regard to Zone Reclassification No. 2318.

Section 2. That based upon said findings of fact, the El Cajon City Council hereby denies Zone Reclassification No. 2318 to rezone the subject property located on the east side of Tres Lomas Drive between Greenfield Drive and Savin Drive from the RS-14-H zone to the PRD-Low-H zone.

Section 3. The requirements of the California Environmental Quality Act (Public Resources Code sections 21000 *et seq.*) ("CEQA") do not apply to a project that is disapproved by a public agency (Public Resources Code section 21080(b)(5); 14 Cal. Code of Regulations section 15270). Therefore no determination under CEQA has been made for the proposed project.

01/24/17 (Item No. 1.5)

Bender Residences – ZR 2318 Denial 011917

RESOLUTION NO.     -17

A RESOLUTION DENYING PLANNED RESIDENTIAL DEVELOPMENT NO. 70  
FOR A FIVE-UNIT COMMON INTEREST SINGLE-FAMILY RESIDENTIAL  
DEVELOPMENT ON THE EAST SIDE OF TRES LOMAS DRIVE BETWEEN  
GREENFIELD DRIVE AND SAVIN DRIVE IN THE PENDING PRD-LOW-HILLSIDE  
OVERLAY ZONE, APN: 507-200-18; GENERAL PLAN  
DESIGNATION: LR (LOW DENSITY, 3-10)

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on November 1, 2016, to consider Planned Residential Development ("PRD") No. 70, as submitted by Jeffery Bender on behalf of RLM Surf, requesting a five-unit common interest single-family residential development in the pending PRD-Low-Hillside Overlay ("PRD-Low-H") zone and at its regular meeting of December 6, 2016, the Planning Commission adopted Planning Commission Resolution No. 10871 recommending City Council approval of PRD No. 70, subject to conditions; and

WHEREAS, the City Council held a duly advertised public hearing on January 10, 2017, to consider PRD No. 70 and received evidence through public testimony and comment, in the form of verbal and written communications and reports; and

WHEREAS, the City Council denied an ordinance approving Zone Reclassification No. 2318 rezoning the subject site from the RS-14-H zone to the PRD-Low-H zone.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

Section 1. That the recitals above are true and correct and have been incorporated herein by reference.

Section 2. That based upon said findings of fact, the El Cajon City Council has denied Zone Reclassification No. 2318 to rezone the subject property located on the east side of Tres Lomas Drive between Greenfield Drive and Savin Drive from the RS-14-H zone to the PRD-Low-H zone. Without the approval of Zone Reclassification No. 2318 PRD No. 70 cannot be approved.

Section 3. That the El Cajon City Council hereby denies PRD No. 70 for a five-unit common interest single-family residential development in the existing RS-14-H zone.

Section 4. The requirements of the California Environmental Quality Act (Public Resources Code sections 21000 *et seq.*) ("CEQA") do not apply to a project that is disapproved by a public agency (Public Resources Code section 21080(b)(5); 14 Cal. Code of Regulations section 15270). Therefore no determination under CEQA has been made for the proposed project.

RESOLUTION NO.     -17

A RESOLUTION DENYING TENTATIVE SUBDIVISION MAP NO. 664  
FOR A SIX-LOT SUBDIVISION ON THE EAST SIDE OF  
TRES LOMAS DRIVE BETWEEN GREENFIELD DRIVE  
AND SAVIN DRIVE, APN: 507-200-18;  
GENERAL PLAN DESIGNATION:  
LOW DENSITY RESIDENTIAL (LR)

WHEREAS, the El Cajon Planning Commission held a duly advertised public hearing on November 1, 2016, to consider Tentative Subdivision Map ("TSM") No. 664, as submitted by Jeffery Bender on behalf of RLM Surf, LLC, requesting a six-lot residential subdivision in the pending Planned Residential Development ("PRD")-Low-Hillside Overlay (H) zone and at its regular meeting of December 6, 2016, adopted by Planning Commission Resolution No. 10872 recommending City Council approval of TSM No. 664; and

WHEREAS, the City Council held a duly advertised public hearing on January 10, 2017, to consider TSM No. 664 and received evidence through public testimony and comment, in the form of verbal and written communications and reports; and

WHEREAS, the City Council denied an ordinance approving Zone Reclassification No. 2318 rezoning the subject site from the RS-14-H zone to the PRD-Low-H zone.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

Section 1. That the recitals above are true and correct and have been incorporated herein by reference.

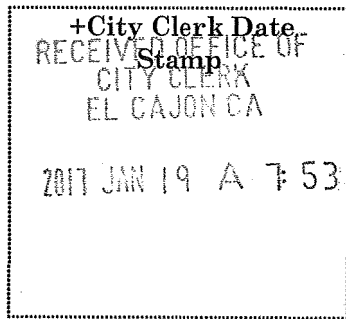
Section 2. That based upon said findings of fact, the El Cajon City Council has denied Zone Reclassification No. 2318 to rezone the subject property located on the east side of Tres Lomas Drive between Greenfield Drive and Savin Drive from the RS-14-H zone to the PRD-Low-H zone. Without the approval of Zone Reclassification No. 2318 TSM No. 664 cannot be approved.

Section 3. That the El Cajon City Council hereby denies TSM No. 664 for a six-lot residential subdivision on the subject property located on the east side of Tres Lomas Drive between Greenfield Drive and Savin Drive.

Section 4. The requirements of the California Environmental Quality Act (Public Resources Code sections 21000 *et seq.*) ("CEQA") do not apply to a project that is disapproved by a public agency (Public Resources Code section 21080(b)(5); 14 Cal. Code of Regulations section 15270). Therefore no determination under CEQA has been made for the proposed project.

01/24/17 (Item No. 1.5)

Bender Residences – TSM 664 Denial 011917



# City of El Cajon Agenda Report

MEETING: Jan. 24, 2017

ITEM NO: 4.1



**TO:** Mayor Wells, Mayor Pro Tem McClellan,  
Councilmembers Goble, Kalasho and Kendrick

**FROM:** Yazmin Arellano, Deputy Director of Public Works/City Engineer

**SUBJECT:** Memorandum of Understanding between Padre Dam Municipal Water District and the City of El Cajon for the East County Advanced Water Purification Program

**RECOMMENDATION:** That the City Council:

1. Approves the Memorandum of Understanding (MOU) with Padre Dam Municipal Water District (Padre Dam) for the East County Advanced Water Purification Program;
2. Authorizes the City Manager to execute the MOU with Padre Dam; and
3. Appropriates \$75,896 from the City's Wastewater Fund for participation in additional studies to assess feasibility of the East County Advanced Water Purification Program.

**BACKGROUND:**

The East County Advanced Water Purification Program (AWP) is a water recycling program that will create a new local, sustainable, and drought proof drinking water supply using state-of-the-art technology to purify up to 17,400 acre feet per year (AFY) of new drinking water supply. For perspective, one (1) AFY is generally enough water to serve the needs of two (2) families for the entire year. This project can provide water to over 35,000 families in one year.

The AWP is a collaborative partnership between Padre Dam Municipal Water District (Padre Dam), Helix Water District (Helix), the San Diego County Sanitation District (County) and the City of El Cajon (City). The AWP originated in November of 2014 when Padre Dam partnered with the previous mentioned agencies to expand the water reuse program beyond its service area. The objectives of the AWP are (1) to treat wastewater generated in East County to create cost-effective new sources of local, reliable and drought proof water supplies for potable and non-potable uses, and (2) to minimize future financial liabilities related to secondary treatment costs associated with the Point Loma Wastewater Treatment Plant.



The City participated in the Advanced Water Purification Planning Study released January 27, 2016 to develop and evaluate alternatives for increasing recycled water availability and use within San Diego East County. The study examined options for using recycled water for various uses, including non-potable reuse such as irrigation and recreation, and potable reuse including a groundwater replenishment and reuse project and surface water augmentation at Lake Jennings. The study also examined the infrastructure upgrades required to implement the program. The study recommended a regional project alternative that would be constructed in three (3) phases and which would include expanding the Ray Stoyer Water Recycling Facility (located north of Santee Lakes) to an ultimate capacity of 21 Million Gallons per Day (MGD) through very advanced water treatment and construction of a 15.5 MGD (approximately 17,400 AFY) capacity Advanced Water Purification Facility by 2040 to convey advanced treated water to Lake Jennings for potable reuse.

Padre Dam requested the City's participation in a Memorandum of Understanding to formalize the previous mentioned parties' desire to conduct additional engineering, environmental, regulatory compliance, financial analysis and project outreach studies and activities that will provide necessary and important information needed for each of the previous mentioned agencies to independently determine the final feasibility of implementing the first or any subsequent phases of the project.

These future engineering, environmental and financial studies will help the City determine the best course of action to provide for long term wastewater treatment alternatives. The City currently generates approximately seven (7) Million Gallons of wastewater per day and contracts with the City of San Diego for wastewater transmission and treatment. The City currently pays the City of San Diego approximately \$9 to \$10 million annually.

The suggested level of participation requested in the MOU is \$75,896 for the City of El Cajon. This includes engineering studies, predesign documents, and financial modeling related to capital costs relating to future wastewater infrastructure needs. By comparison, the County is contributing \$109,577 for the same elements in addition to other environmental studies, while Padre Dam is contributing \$1,391,376 for engineering studies, predesign documents, financial modeling, environmental studies, permitting, management and administration support for the same purpose. A cost breakdown for all participating agencies is attached to this report.


City staff has reviewed and concurs with the Consultant's Scope of Work and Fee Estimate for the additional studies pertaining to items that affect, or are of interest to, the City. The City desires to work together with the previous mentioned agencies to assist in obtaining future grants and other funding mechanisms for the project in order to minimize the cost to ratepayers within our service area.

**FISCAL IMPACT:** The City of El Cajon's portion for participation in additional studies to assess feasibility of the East County Advanced Water Purification Program is \$75,896 from the City Wastewater Enterprise Fund.

**PREPARED BY:**

  
\_\_\_\_\_  
**Yazmin Arellano**  
**CITY ENGINEER**

**REVIEWED BY:**

  
\_\_\_\_\_  
**Majed Al-Ghafry**  
**ASSISTANT**  
**CITY MANAGER**

**APPROVED BY:**

  
\_\_\_\_\_  
**Douglas Williford**  
**CITY MANAGER**

**Attachment:** East County Regional Potable Reuse - Program Cost Breakdown

**PADRE DAM MUNICIPAL WATER DISTRICT  
EAST COUNTY REGIONAL POTABLE REUSE PROGRAM  
(PROJECT NO. 215011)**

| WORK BREAKDOWN STRUCTURE  | FY16-17 FEE ESTIMATE | GOST BREAKDOWN   |                 |                 |                  |
|---|----------------------|------------------|-----------------|-----------------|------------------|
|   |                      | WASTEWATER       |                 |                 | WATER            |
|   |                      | Padre Dam        | County          | El Cajon        |                  |
| <b>Task 1 - Engineering Studies</b>   |                      |                  |                 |                 |                  |
| Task 1.1 - Santee Basin Groundwater Modeling & Hydrogeology Report            |                      |                  |                 |                 |                  |
| Task 1.2 - Surface Water Augmentation Strategy                                |                      |                  |                 |                 |                  |
| Task 1.2.1 - Field Data Evaluation  | \$31,332             |                  |                 |                 | \$31,332         |
| Task 1.2.2 - Hydrodynamic Model Setup and Calibration                         | \$78,971             |                  |                 |                 | \$78,971         |
| Task 1.2.3 - Run 3D Model Scenarios (not including water quality module)      | \$66,321             |                  |                 |                 | \$66,321         |
| Task 1.2.4 - Hydrodynamic Modeling Results Report                             | \$39,209             |                  |                 |                 | \$39,209         |
| Task 1.2.5 - Lake Jennings Sampling and Data Collection (allowance)           | \$50,000             |                  |                 |                 | \$50,000         |
| Task 1.3 - Health Risk Assessment   | \$16,422             |                  |                 |                 | \$16,422         |
| Task 1.4 - Ray Stoyer Phase 1 Treatment Process TM                            | \$353,093            | \$353,093        |                 |                 |                  |
| Task 1.5 - Solids Handling & Energy Recovery Study                            | \$60,081             | \$20,027         | \$20,027        | \$20,027        |                  |
| Task 1.6 - Residuals Handling TM  | \$22,190             | \$22,190         |                 |                 |                  |
| Task 1.7 - Source Control Program Report                                      | \$85,578             | \$85,578         |                 |                 |                  |
| <b>Subtotal:</b>  | <b>\$803,197</b>     | <b>\$480,888</b> | <b>\$20,027</b> | <b>\$20,027</b> | <b>\$282,255</b> |
| <b>Task 2 - Pre-design Documents</b>  |                      |                  |                 |                 |                  |
| Task 2.1 - Ray Stoyer WRF Expansion (BODR/Pre-Design)                         |                      |                  |                 |                 | \$0              |
| Task 2.1.1 - Phase 1 Expansion - BODR/Pre-Design                              | \$342,117            | \$342,117        |                 |                 | \$0              |
| Task 2.1.2 - Phase 2 & 3 Conceptual Phasing Plan                              | \$60,974             |                  | \$30,487        | \$30,487        | \$0              |
| Task 2.2 - Advanced Water Purification Facility (BODR/Pre-Design)             | \$549,270            |                  |                 |                 | \$549,270        |
| Task 2.3 - AWP Pipeline (BODR/Pre-Design)                                     | \$181,125            |                  |                 |                 | \$181,125        |
| Task 2.10 - Control Systems Strategy (BODR/10% Design)                        | \$71,363             | \$35,682         | \$0             | \$0             | \$35,682         |
| <b>Subtotal:</b>  | <b>\$1,204,849</b>   | <b>\$377,799</b> | <b>\$30,487</b> | <b>\$30,487</b> | <b>\$766,077</b> |
| <b>Task 3 - Environmental Assistance (PEIR is not included)</b>               |                      |                  |                 |                 |                  |
| <b>Additional CEQA Work</b>   |                      |                  |                 |                 |                  |
| MND for Plant Expansion   |                      |                  |                 |                 |                  |
| PEIR-Phase 2 and 3  | \$15,000             | \$1,875          | \$3,750         | \$3,750         | \$5,625          |
| Task 3.1 - Technical Studies  |                      |                  |                 |                 |                  |
| Task 3.1.1 - Cultural Resources Report  | \$14,427             | \$3,607          | \$3,607         |                 | \$7,214          |
| Task 3.1.2 - Biological Resources Technical Study                             | \$12,303             | \$3,076          | \$3,076         |                 | \$6,152          |
| Task 3.1.3 - Air Quality/Greenhouse Gas Emissions Technical Report            | \$11,040             | \$2,760          | \$2,760         |                 | \$5,520          |
| Task 3.1.4 - Noise/Vibration Technical Report                                 | \$20,090             | \$5,023          | \$5,023         |                 | \$10,045         |
| Task 3.1.5 - Construction Traffic Analysis                                    | \$19,975             | \$4,994          | \$4,994         |                 | \$9,988          |
| Task 3.2 - CEQA Documentation   | \$50,476             | \$12,619         | \$12,619        |                 | \$25,238         |
| Task 3.3 - Management and Coordination  | \$13,505             |                  |                 |                 | \$13,505         |
| Task 3.4 - Meetings   | \$9,830              |                  |                 |                 | \$9,830          |
| <b>Subtotal:</b>  | <b>\$151,646</b>     | <b>\$32,078</b>  | <b>\$32,078</b> | <b>\$0</b>      | <b>\$87,491</b>  |
| <b>Task 4 - Geotechnical and Surveying</b>                                    |                      |                  |                 |                 |                  |
| Task 4.1 - Geotechnical Services  | \$22,875             |                  |                 |                 | \$22,875         |
| Task 4.2 - Surveying Services - NOT INCLUDED IN FY16-17                       | \$0                  |                  |                 |                 | \$0              |
| <b>Subtotal:</b>  | <b>\$22,875</b>      | <b>\$0</b>       | <b>\$0</b>      | <b>\$0</b>      | <b>\$22,875</b>  |
| <b>Task 5 - Permitting and Regulatory Coordination</b>                        |                      |                  |                 |                 |                  |
| Task 5.1 - DDW Approval Strategy/Independent Advisory Panel                   | \$119,969            |                  |                 |                 | \$119,969        |
| Task 5.2 - Regional Water Quality Control Board Permits                       | \$46,945             | \$23,473         |                 |                 | \$23,473         |
| Task 5.3 - Title 22 Engineering Report  | \$38,709             | \$19,355         |                 |                 | \$19,355         |
| <b>Subtotal:</b>  | <b>\$205,623</b>     | <b>\$42,827</b>  | <b>\$0</b>      | <b>\$0</b>      | <b>\$162,796</b> |
| <b>Task 6 - Financial Management Assistance</b>                               |                      |                  |                 |                 |                  |
| Task 6.1 - Financial Management   |                      |                  |                 |                 |                  |
| Task 6.1.1 - Financial Plan   | \$48,572             | \$24,286         |                 |                 | \$24,286         |
| Task 6.1.2 - Rate Case Assistance   | \$17,662             | \$8,831          |                 |                 | \$8,831          |
| Task 6.2 - Grant Funding Assistance   |                      |                  |                 |                 |                  |
| Task 6.2.1 - Funding Strategy   | \$18,122             | \$9,061          |                 |                 | \$9,061          |
| Task 6.2.2 - SRF Checklist/Submittal Package                                  | \$5,755              | \$2,878          |                 |                 | \$2,878          |
| Task 6.2.3 - Additional As-Needed Financial Assistance                        | \$100,000            | \$50,000         |                 |                 | \$50,000         |
| Task 6.3 - Institutional and Governance Structure Support                     | \$72,785             | \$9,098          | \$18,196        | \$18,196        | \$27,294         |
| <b>Subtotal:</b>  | <b>\$262,896</b>     | <b>\$104,154</b> | <b>\$18,196</b> | <b>\$18,196</b> | <b>\$122,350</b> |
| <b>Task 7 - Project Delivery &amp; Procurement Strategies</b>                 |                      |                  |                 |                 |                  |
| Task 7.3 - Solids Handling/Energy Recover Ownership & Proj. Delivery Strategy | \$28,476             | \$28,476         |                 |                 |                  |
| <b>Subtotal:</b>  | <b>\$28,476</b>      | <b>\$28,476</b>  | <b>\$0</b>      | <b>\$0</b>      | <b>\$0</b>       |
| <b>Task 9 - Mgmt &amp; Admin Support</b>                                      |                      |                  |                 |                 |                  |
| Task 9.1 - Prepare Mgmt. & Admin Support Plan                                 | \$41,256             | \$20,628         |                 |                 | \$20,628         |
| Task 9.2 - Program Schedule (Padre Dam-Led)                                   | \$8,925              | \$4,463          |                 |                 | \$4,463          |
| Task 9.3 - Risk Management Plan and Change Register                           | \$9,488              | \$4,744          |                 |                 | \$4,744          |
| Task 9.4 - Program Cost Projections   | \$18,608             | \$9,304          |                 |                 | \$9,304          |
| Task 9.5 - Monthly Program Status Reports (Padre Dam-Led)                     | \$31,368             | \$15,684         |                 |                 | \$15,684         |
| Task 9.8 - Project Administration   | \$153,567            | \$76,784         |                 |                 | \$76,784         |
| Task 9.9 - Quality Control Reviews  | \$91,842             | \$45,921         |                 |                 | \$45,921         |
| Task 9.10 - Meetings & Workshops (12, 8)                                      | \$143,160            | \$71,580         |                 |                 | \$71,580         |
| <b>Subtotal:</b>  | <b>\$498,214</b>     | <b>\$249,107</b> | <b>\$0</b>      | <b>\$0</b>      | <b>\$249,107</b> |

**PADRE DAM MUNICIPAL WATER DISTRICT  
EAST COUNTY REGIONAL POTABLE REUSE PROGRAM  
(PROJECT NO. 215011)**

| WORK BREAKDOWN STRUCTURE                                    | FY16-17 FEE ESTIMATE | COST BREAKDOWN |            |            |                  |
|---|----------------------|----------------|------------|------------|------------------|
|   |                      | WASTEWATER     |            |            | WATER            |
| <b>Task 10 - Communications and Public Outreach Support</b> |                      |                |            |            |                  |
| Task 10.1 - Padre Dam Support                               |                      |                |            |            |                  |
| Task 10.1.1 - Communication Survey                          | \$5,133              |                |            |            | \$5,133          |
| Task 10.1.2 - Community Outreach Plan                       | \$3,575              |                |            |            | \$3,575          |
| Task 10.1.3 - Stakeholder Meetings                          | \$10,578             |                |            |            | \$10,578         |
| Task 10.1.4 - Perception and Media Monitoring and Reporting | \$7,024              |                |            |            | \$7,024          |
| Task 10.1.5 - Public Officials Briefings                    | \$8,315              |                |            |            | \$8,315          |
| Task 10.1.6 - Construction Relations                        | \$27,665             |                |            |            | \$27,665         |
| Task 10.1.7 - Publicity Materials                           | \$22,187             |                |            |            | \$22,187         |
| Task 10.1.8 - Media Relations                               | \$13,724             |                |            |            | \$13,724         |
| Task 10.1.9 - Government Relations                          | \$14,401             |                |            |            | \$14,401         |
| Task 10.1.10 - Special Events                               | \$30,305             |                |            |            | \$30,305         |
| Task 10.1.11 - Team Meetings, Workshops                     | \$31,771             |                |            |            | \$31,771         |
| Task 10.1.12 - Monthly Activity Reports                     | \$3,392              |                |            |            | \$3,392          |
| Task 10.2 - Helix WD Support                                |                      |                |            |            |                  |
| Task 10.2.1 - Communication Survey                          | \$6,064              |                |            |            | \$6,064          |
| Task 10.2.2 - Community Outreach Plan                       | \$2,561              |                |            |            | \$2,561          |
| Task 10.2.3 - Stakeholder Meetings                          | \$16,522             |                |            |            | \$16,522         |
| Task 10.2.4 - Perception and Media Monitoring and Reporting | \$42,821             |                |            |            | \$42,821         |
| Task 10.2.5 - Speakers Bureau                               | \$9,671              |                |            |            | \$9,671          |
| Task 10.2.6 - Publicity Materials                           | \$9,741              |                |            |            | \$9,741          |
| Task 10.2.7 - Media Relations                               | \$10,835             |                |            |            | \$10,835         |
| Task 10.2.8 - Tour Program                                  | \$5,723              |                |            |            | \$5,723          |
| Task 10.2.9 - Team Meetings, Workshops                      | \$16,520             |                |            |            | \$16,520         |
| Task 10.2.10 - Monthly Activity Reports                     | \$5,188              |                |            |            | \$5,188          |
| <b>Subtotal:</b>  | <b>\$303,716</b>     | <b>\$0</b>     | <b>\$0</b> | <b>\$0</b> | <b>\$303,716</b> |
| <b>Task 11 - Mapping, CAD and GIS Support</b>               |                      |                |            |            |                  |
| Task 10.1 - Mapping, CAD & GIS Support                      | \$16,013             | \$8,007        |            |            | \$8,007          |
| <b>Subtotal:</b>  | <b>\$16,013</b>      | <b>\$8,007</b> | <b>\$0</b> | <b>\$0</b> | <b>\$8,007</b>   |

|                | YEAR 1 FEE ESTIMATE | WASTEWATER         |                  |                 | WATER              |
|----------------|---------------------|--------------------|------------------|-----------------|--------------------|
|                |                     | Padre Dam          | County           | El Cajon        |                    |
| KJ Contract    | \$3,497,505         | \$1,323,334        | \$100,788        | \$68,710        | \$2,004,672        |
| 5% Contingency | \$174,875           | \$66,167           | \$5,039          | \$3,436         | \$100,234          |
| PEIR           | \$15,000            | \$1,875            | \$3,750          | \$3,750         | \$5,625            |
| <b>Total</b>   | <b>\$3,687,380</b>  | <b>\$1,391,376</b> | <b>\$109,577</b> | <b>\$75,896</b> | <b>\$2,110,531</b> |

Total Wastewater Related Tasks | \$1,576,849 | 100%

|           |             |     |
|-----------|-------------|-----|
| Padre Dam | \$1,391,376 | 88% |
| County    | \$109,577   | 7%  |
| El Cajon  | \$75,896    | 5%  |

**DRAFT**  
**MEMORANDUM OF UNDERSTANDING AMONG PADRE DAM MUNICIPAL  
WATER DISTRICT AND THE CITY OF EL CAJON FOR THE EAST COUNTY  
ADVANCED WATER PURIFICATION (AWP) PROGRAM**

**THIS MEMORANDUM OF UNDERSTANDING (“MOU”)** is made and entered into as of \_\_\_\_\_, by the **PADRE DAM MUNICIPAL WATER DISTRICT** (hereinafter referred to as “Padre”), organized and existing under the Municipal Water District Law of 1911, Water Code § 71000 et seq., and the **CITY OF EL CAJON** (hereinafter referred to as “El Cajon”), a charter city and municipal corporation organized and existing under its Charter and the Constitution and the laws of the State of California, with reference to the following facts:

**RECITALS**

**WHEREAS**, Padre and El Cajon (jointly referred to as “the Parties” and individually as “Party”), together with the **SAN DIEGO COUNTY SANITATION DISTRICT** (hereinafter referred to as “Sanitation District”) and the **HELIX WATER DISTRICT** (hereinafter referred to as “Helix”) jointly completed the East County Advanced Water Purification Program Planning Study (the “AWP Planning Study”); and

**WHEREAS**, the AWP Planning Study concluded that at an initial planning level, development of a regional solution to wastewater treatment and potable reuse in the eastern portions of San Diego County appears to be technically feasible and consistent with Padre’s 2012 Strategic Plan which identifies, in part, the goal of producing potable water at a cost less than \$2000 per acre-foot and, while achieving wastewater treatment costs at an amount that is less than projected by the City of San Diego Metro Wastewater System for wastewater treatment and disposal costs and associated projected costs of the City of San Diego Pure Water Program; and

**WHEREAS**, the AWP Planning Study recommends a regional project alternative (hereinafter referred to as “Alternative 3”) that would be constructed in three phases and which would include expanding the Ray Stoyer Water Recycling Facility (hereinafter referred to as “Ray Stoyer WRF”) to an ultimate capacity of 21 Million Gallons per Day or “mgd” (through tertiary treatment) and construction of a 15.5 mgd capacity Advanced Water Purification Facility by 2040 to convey advanced treated water to Lake Jennings for potable reuse (hereinafter referred to as the “the East County AWP Program”). The three phases are further described in Exhibit “A” attached hereto; and

**WHEREAS**, the State of California through the State Water Resources Control Board, Division of Drinking Water, is developing regulations for potable reuse through surface water augmentation with final regulations expected to be completed in December 2016; and

**WHEREAS**, Padre owns and operates wastewater, water recycling and drinking water facilities and El Cajon owns and operates wastewater collection facilities that could be jointly used for the East County AWP Program; and

9/14/2016

**WHEREAS**, Padre has successfully operated an Advanced Water Purification Demonstration Project that has proven its ability to produce advanced purified water capable of meeting regulatory standards for introduction into a groundwater basin and/or surface water reservoir; and

**WHEREAS**, El Cajon owns and operates a wastewater collection system that can be tributary to Padre facilities for wastewater treatment and subsequent advanced water treatment for the purposes of potable reuse as identified in the AWP Planning Study; and

**WHEREAS**, El Cajon provides wastewater collection services only and wants to cooperate with Padre in further exploring the wastewater treatment only related opportunities of the East County AWP Program identified in the AWP Planning Study; and

**WHEREAS**, Padre is the National Pollutant Discharge Elimination System (NPDES) permit holder and wants to further explore the wastewater compliance aspects of the East County AWP Program in cooperation with El Cajon; and

**WHEREAS**, Padre provides both wastewater and water services to its customers and has sole responsibility among the Parties to further explore the water supply aspects of the East County AWP Program and is seeking to do so in cooperation with Helix through a separate MOU to which El Cajon is not a party; and

**WHEREAS**, the Parties desire to conduct additional engineering, environmental, regulatory compliance, financial analysis and project outreach studies and activities (collectively known, and hereinafter referred to, as "Additional Studies") that will provide necessary and important information needed for each Party to independently determine the final feasibility of implementing the first or any subsequent phases of the East County AWP Program; and

**WHEREAS**, Padre has retained the professional technical services of the engineering consulting firms of Kennedy Jenks and its subconsultants (hereinafter collectively referred to as "Consultant") to conduct the Additional Studies and El Cajon has reviewed and concurs with the Consultant scope of work attached hereto as Exhibit "B" (hereinafter referred to as "Consultant Scope of Work") and fee estimate for the Additional Studies as it pertains to items that affect or are of interest to El Cajon; and

**WHEREAS**, the Parties desire to work together in order to obtain future grant, financial incentives and other funding for the East County AWP Program and maintain eligibility for existing grant funding to minimize the cost to ratepayers in Padre and El Cajon service areas; and

**WHEREAS**, the Parties recognize that time is of the essence in determining final feasibility of the East County AWP Program in order to maximize grant and other funding opportunities but acknowledge grant and funding opportunities will not dictate technical, operational and/or regulatory decision making; and

**WHEREAS**, the Parties recognize that due to the expedited time frame of the Additional Studies, tentative agreement on matters of implementation of the East County AWP Program have not commenced; and

**WHEREAS**, the Parties now desire to memorialize the framework under which they will pursue the Additional Studies, funding opportunities and other East County AWP Program analyses.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions herein contained, the Parties hereby agree as follows:

1. **Incorporation of Recitals.** The Recitals set forth above are true, correct, and incorporated herein.
2. **Additional Studies Description.** The Additional Studies will focus on developing necessary information to assess feasibility of the East County AWP Program in three areas: (1) financial feasibility and ratepayer affordability, (2) environmental and regulatory compliance, and (3) stakeholder education and public outreach. The Consultant Scope of Work, set out in Exhibit "B" includes the following tasks summarized as follows:
  - a) Engineering Studies
  - b) Pre-Design Documents
  - c) Environmental Assistance
  - d) Geotechnical and Surveying
  - e) Permitting and Regulatory Coordination
  - f) Financial Management Assistance
  - g) Project Delivery & Procurement Strategies
  - h) Management and Administration Support
  - i) Communications and Stakeholder Outreach Support
3. **Executive Committee.** An Executive Committee will be formed, the members of which shall be the General Manager of Padre, the General Manager of Helix and one executive each from the Sanitation District and El Cajon. The Executive Committee will discuss and review status, details and issues brought forward from the Program Steering Committee (see Section 4 below) regarding the Additional Studies and other related activities and present such issues to the Parties' respective governing boards as necessary. The Executive Committee shall meet on an as needed basis but no less than once every six months, or as otherwise agreed to by the Parties, for the duration of development and finalization of the Additional Studies. Additional representatives from Padre, Helix, the Sanitation District and El Cajon may attend Executive Committee meetings to discuss matters pertaining to wastewater or water legal and regulatory compliance or other subject matters related to the Additional Studies. Padre will be responsible for scheduling Executive Committee meetings.

4. **Program Steering Committee.** A "Program Steering Committee" will be formed from one staff member and an alternate from Padre, Helix, the Sanitation District and El Cajon. The Program Steering Committee will discuss and review program details and issues regarding the Additional Studies, grant applications, and other related activities and present such issues to the Executive Committee, their respective staffs, and governing boards as necessary. The Program Steering Committee shall meet no less than once every other month, or as otherwise agreed to by the Parties. Additional representatives from Padre, Helix, the Sanitation District and El Cajon may attend Program Steering Committee meetings to discuss matters pertaining to wastewater or water legal and regulatory compliance or other subject matters related to the Additional Studies. Padre will be responsible for scheduling Program Steering Committee meetings.
5. **CEQA Compliance.** Padre is the lead agency for environmental review of the East County AWP Program under the California Environmental Quality Act (hereinafter referred to as "CEQA") and Helix, Sanitation District and El Cajon are responsible agencies. Notwithstanding any other provision of this MOU, nothing herein shall commit or otherwise require El Cajon or Padre, or be interpreted as committing or requiring El Cajon or Padre, to proceed with the development of any phase of the East County AWP Program or approve future agreements referenced herein. The Parties acknowledge and agree that each Party retains full discretionary authority with respect to its approval actions and may determine not to proceed with any phase of the East County AWP Program based on the results of the environmental review. Similarly, the Parties retain full authority under CEQA and other environmental laws to impose any and all feasible mitigation measures to reduce potentially significant impacts and to consider and/or adopt alternatives to the East County AWP Program and the three phases contemplated by the Parties.
6. **Financial Obligations.**
  - a. **Administrative Contributions of both Parties.** As the lead agency for the East County AWP Program, Padre shall be responsible for those administrative costs associated with the Additional Studies as described in this paragraph. El Cajon will contribute a fixed amount to fund a portion of the Additional Studies as described in the Consultant's Scope of Work as set forth in Exhibit "B." Administrative costs shall include the costs associated with all activities by Padre in filing grant applications, securing contractors and/or consultants, managing contracts, and monitoring progress of the Additional Studies. Each Party shall be responsible for the cost of its staff activities associated with providing information and data requested by the Consultant, review of Consultant submittals and participation in meetings. Additional Studies costs to be shared by the Parties include the cost of the mutually agreed to wastewater treatment and NPDES permit compliance related items in the Consultant Scope of Work (Exhibit "B") and any administrative costs incurred by Padre. El Cajon will have no responsibility for items in the Consultant Scope of Work that have been identified as related to post-secondary treatment or conveyance of advanced treated water or Drinking Water permit compliance.



- b. **Estimated Costs.** The Parties have agreed that the cost of the wastewater treatment and compliance items in the Consultant Scope of Work will be \$75,000. El Cajon and Padre agree that El Cajon's cost share shall be based on its potential participation in Phases 2 and 3 of the East County AWP Program as described in the AWP Planning Study.
7. **Invoicing.** Padre will invoice El Cajon quarterly in equal amounts up to a total of the amount identified for each agency in Paragraph 6b herein. El Cajon will pay Padre within 45 days of receipt of the quarterly invoice.
8. **Public Information and Outreach.** Padre will take the lead on public outreach matters. However, the Parties will work together, and will provide direction to the Consultant necessary to achieve consistency in public outreach and education and coordinate, to the extent practicable, on public communications to their respective Boards of Directors, ratepayers and the media. Notwithstanding the foregoing, El Cajon will work with Padre to define scope of outreach within El Cajon service area and provide direction to Consultant in carrying out those tasks. The Program Steering Committee will have final approval of joint public education and outreach activities unless the Executive Committee's input is desired by any representative on the Program Steering Committee.
9. **El Cajon Interest in Phase 2 and 3 AWP Program.** El Cajon acknowledges that Phase 1 AWP Program as contemplated in the AWP Planning Study does not divert wastewater flows collected by El Cajon to wastewater treatment facilities owned and operated by Padre. El Cajon has expressed an interest in having its wastewater flows diverted to Padre wastewater treatment facilities in the Phase 2 and 3 or when facilities are constructed capable of diverting El Cajon Wastewater flows to East County AWP program facilities as described in the AWP Planning Study. Padre is interested in treating El Cajon's wastewater flows in Phase 2 and 3 of the East County AWP Program. Nothing in this MOU constitutes a commitment by El Cajon to divert or Padre to treat any of El Cajon wastewater flows or the terms and conditions under which those flows will be treated by Padre.
10. **Subsequent Agreements for East County AWP Program Implementation.** The Parties agree that if following completion of the Additional Studies, the Parties move forward with the East County AWP Program additional agreements will be required of the Parties, which agreements will be identified by the Parties upon completion of the Additional Studies. The Parties agree and recognize that a legal and equitable cost allocation and cost responsibility framework between the water supply and wastewater treatment aspects of the East County AWP Program must be developed in cooperation with all current and future East County AWP Program partners, including but not limited to Sanitation District and Helix. Additionally, either Party may determine in its sole discretion whether to proceed with any phase of the East County AWP Program.
11. **Not a Commitment to Proceed with Project.** Nothing in this MOU shall be construed or interpreted to constitute a commitment by any Party beyond the completion of the Additional Studies or a commitment to proceed to implement the

Project or any phases of the Project or a commitment by Padre to treat or dispose of wastewater owned by El Cajon.

12. **Consultant Reports.** All reports and documents created by the Consultant pursuant to this Agreement shall be shared among and owned equally by all Parties to this Agreement.
  13. **Records.** El Cajon shall have the right to receive from Padre, a copy of all reports, documents, and records created as part of the Additional Studies pursuant to this MOU.
  14. **Term and Termination.** This MOU shall become effective as of the date it is approved by the governing body of El Cajon and Padre and shall continue in full force and effect until the Additional Studies are completed or until terminated by the Parties pursuant to this Paragraph 14. Any Party may terminate this MOU without liability by giving written notice of intent to terminate thirty (30) calendar days prior to the date of termination; provided however, upon termination, the Parties shall pay their share and/or allocation of all Consultant costs incurred prior to termination, consistent with the termination provisions in the contract between Padre and Consultant.
  15. **Notices.** Notices hereunder shall be in writing and shall be sufficient if delivered to the notice address of each Party hereto for legal notices or as otherwise provided by a Party to another Party.
- |   |   |
|---|---|
| <b><u>Padre Dam Municipal Water District</u></b>                                    | <b><u>City of El Cajon</u></b>  |
| Attn:<br>Allen Carlisle, CEO/General Manager<br>P.O. Box 719003<br>Santee, CA 92072 | Attn:<br>Dennis Davies, Deputy Director<br>200 Civic Center Way<br>El Cajon, CA 92020 |
16. **Laws Governing/Venue.** This MOU and all provisions hereof shall be interpreted in accordance with and governed by the laws of the State of California. The Superior Court of San Diego County, State of California shall be deemed to be the sole proper venue for any legal action arising under this MOU.
  17. **Integration.** This MOU constitutes the entire agreement between the Parties pertaining to the subject matter hereof, and all prior and contemporaneous agreements, representations, and understandings of the Parties hereto, oral or written, are hereby superseded.
  18. **Amendments.** This MOU may be amended at any time, or from time to time, by one or more supplemental addenda executed by the Parties to this MOU, without limitation, including the addition of new Parties to pursue the purposes of this MOU.

**19. Reservation of Rights.** Notwithstanding the provisions of this MOU, the Parties reserve all of their legal rights, and do not waive their ability to assert those rights as, in their sole discretion, they deem appropriate. Nothing in this MOU shall impose any obligation on either Party to proceed with any phase of the East County AWP Program in the future. Nothing in this MOU shall be interpreted or construed to be a guaranty, warranty or representation that any phase will be approved or funded by the Padre or El Cajon governing bodies. The Parties acknowledge and agree that the consideration of any phase is subject to the sole and absolute discretion of the Padre and El Cajon governing body and all legally required public hearings, public meetings, notices, factual findings and other determinations required by law.

**20. Indemnification.** The Parties agree to hold each other harmless and to indemnify each other from any and all claims associated with the proposed East County AWP Program and Additional Studies.

**WHEREFORE**, each Party has caused this MOU to be executed on its behalf by the duly authorized individual named and signing for it as indicated below.

DATED: \_\_\_\_\_

**PADRE DAM MUNICIPAL WATER DISTRICT**

By: \_\_\_\_\_  
Augie Scalzitti, Board President

**Approved as to form:**

By: \_\_\_\_\_  
Paula de Sousa Mills, General Counsel

DATED: \_\_\_\_\_

**CITY OF EL CAJON**

By: \_\_\_\_\_  
Douglas Williford, City Manager

**Approved as to form:**

By: \_\_\_\_\_  
City Attorney

## EXHIBIT "A"

### East County Advanced Water Purification Program Planning Study Alternative 3 Phases

- Phase 1 – Expand the Ray Stoyer WRF from 2 mgd to 6 mgd, construct a 3.5 mgd output capacity AWP Facility, and convey advanced treated water to Lake Jennings for potable reuse. This phase would treat all of the wastewater currently generated by Padre Dam and approximately 50% of wastewater generated by the County of San Diego (East County sewersheds).
- Phase 2 – Expand the Ray Stoyer WRF to 15 mgd (through tertiary) and the AWP Facility to 10.4 mgd for potable reuse through surface water augmentation at Lake Jennings. This phase would also produce additional 0.9 mgd of tertiary treated recycled water for non-potable reuse (purple pipe). This phase would treat all of the wastewater currently generated by El Cajon and County of San Diego (East County sewersheds).
- Phase 3 – Expand the Ray Stoyer WRF to 21 mgd (through tertiary) and the AWP Facility to 15.5 mgd for potable reuse through surface water augmentation at Lake Jennings. This expansion would accommodate all future growth related wastewater flow from the project stakeholders.

**EXHIBIT "B"**

**Consultant Scope of Work**

**DRAFT**

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2017 JAN 17 P 12: 51

# City of El Cajon Agenda Report

MEETING: 1/24/17

ITEM NO: 6.1



**TO:** Mayor Pro Tem McClellan, and Councilmembers  
Goble, Kalasho and Kendrick

**FROM:** Mayor Wells

**SUBJECT:** Council Activities Report

**RECOMMENDATION:** That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

**BACKGROUND:**

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

**REPORT:**

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- January 10, 2017 - Meeting w/ City Manager
- January 10, 2017 - Meeting with Keith Anderson.
- January 20, 2017 - SANDAG Public Safety Committee Meeting
- January 24, 2017 - City Council Meetings at 3:00 and 7:00 p.m.

I will be happy to answer any questions you may have.

**SUBMITTED BY,**

A handwritten signature in black ink, appearing to read "Bill Wells", is written over a horizontal line.

**Bill Wells**  
**Mayor**



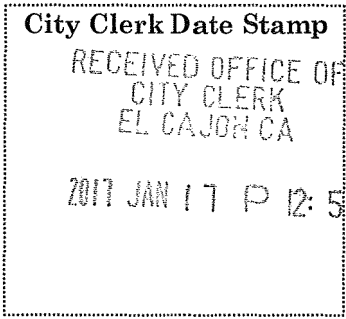
# LEGISLATIVE REPORT 2017-2018



6.2

**NOTHING TO REPORT AS OF THIS DATE**

The Legislative Report tracks bills for the 2017-2018 Session of the California Legislature that the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency has voted to monitor/watch, support or oppose. Updated January 19, 2017 for the January 24, 2017 City Council Meeting.



# City of El Cajon Agenda Report

MEETING: 1/24/17

ITEM NO: 7.1



**TO:** Mayor Wells, Mayor Pro Tem McClellan, and Councilmembers Goble and Kalasho

**FROM:** Councilmember Kendrick

**SUBJECT:** Council Activities Report

**RECOMMENDATION:** That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

**BACKGROUND:**

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

**REPORT:**

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- January 12, 2017 - Heartland Fire Training Meeting
- January 20, 2017 - Meeting w/ the City Manager
- January 24, 2017 - City Council Meetings at 3:00 and 7:00 p.m.

I will be happy to answer any questions you may have.

**SUBMITTED BY,**

*Gary Kendrick*  
 \_\_\_\_\_  
 Gary Kendrick  
 Councilmember



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EL CAJON CA

2017 JAN 18 A 8:35

# City of El Cajon Agenda Report

MEETING: 1/24/17

ITEM NO: 8.1



**TO:** Mayor Wells, and Councilmembers Goble, Kalasho and Kendrick

**FROM:** Mayor Pro Tem McClellan

**SUBJECT:** Council Activities Report

**RECOMMENDATION:** That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

**BACKGROUND:**

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

**REPORT:**

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

January 12, 2017 - MTS Executive Committee Meeting

January 19, 2017 - MTS Board Meeting

January 24, 2017 - City Council Meetings at 3:00 and 7:00 p.m.

I will be happy to answer any questions you may have.

**SUBMITTED BY,**

A handwritten signature in cursive script that reads "Bob McClellan". The signature is written in black ink and is positioned above the printed name.

**Bob McClellan**  
Mayor Pro Tem

A handwritten set of initials, likely "BM", written in black ink. The initials are stylized and appear to be a signature or mark associated with the Mayor Pro Tem.

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2017 JAN 17 P 12: 51

# City of El Cajon Agenda Report

MEETING: 1/24/17

ITEM NO: 9.1



**TO:** Mayor Wells, Mayor Pro Tem McClellan and  
Councilmembers Goble and Kendrick

**FROM:** Councilmember Kalasho

**SUBJECT:** Council Activities Report

**RECOMMENDATION:** That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

**BACKGROUND:**

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

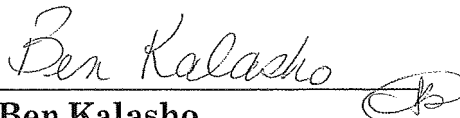
**REPORT:**

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

|                      |  |
|----------------------|--|
| January 12, 2017 -   | League of California Cities Reception              |
| January 18-20 2017 - | League of California Cities New Council Conference |
| January 23, 2017 -   | Lions Club Meeting                                 |
| January 24, 2017 -   | Meeting w/ City Manager                            |
| January 24, 2017 -   | City Council Meetings at 3:00 and 7:00 p.m.        |

I will be happy to answer any questions you may have.

**SUBMITTED BY,**

  
**Ben Kalasho**  
Councilmember

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2017 JAN 17 P 12: 51

# City of El Cajon Agenda Report

MEETING: 1/24/17

ITEM NO: 10.1



**TO:** Mayor Wells, Mayor Pro Tem McClellan, and Councilmembers Kalasho and Kendrick

**FROM:** Councilmember Goble

**SUBJECT:** Council Activities Report

**RECOMMENDATION:** That the City Council accept and file the following report of Council/Mayor activities attended during the current agenda period.

**BACKGROUND:**

Government Code Section 53232.3(d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

**REPORT:**

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- January 11, 2017 - East County Leadership Forum
- January 12, 2017 - Meeting with City Manager
- January 13, 2017 - Jackie Robinson Family YMCA MLK Annual Breakfast
- January 18-19, 2017 - League of CA Cities Conference
- January 24, 2017 - Meeting w/ City Manager
- January 24, 2017 - City Council Meetings at 3:00 and 7:00 p.m.

I will be happy to answer any questions you may have.

**SUBMITTED BY,**

*Steve Goble*

Steve Goble  
Councilmember

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2017 JAN 19 P 1:23

# City of El Cajon Agenda Report

MEETING: Jan. 24, 2017

ITEM NO: 100



**TO:** Mayor Wells, Mayor Pro Tem McClellan,  
Councilmembers Goble, Kalasho and Kendrick

**FROM:** Brett Channing, Deputy Director of Administrative Services

**SUBJECT:** Proposed Schedule and Criteria for Creating Council District Boundaries

**RECOMMENDATION:** That the City Council

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing;
- Adopts the next RESOLUTION in order containing the criteria for creating council district boundaries;
- Approves the recommended schedule for the implementation phase of Measure S.

**BACKGROUND:** At its meeting of July 14, 2015, the City Council, based on a recommendation by Mayor Wells, directed staff to investigate the options involved with creating a City-sponsored ballot measure for the November 2016 general municipal election that would amend the City Charter in order to establish district elections within the City of El Cajon. On November 10, 2015, the City Council approved a Request For Proposal (RFP) for mapping and public outreach consultants to assist the City with the process. Additionally, the City Council appointed Mayor Wells and Councilmember Kendrick to participate on the interview board for respondents to the RFP. This interview board also included City Manager Douglas Williford, City Attorney Morgan Foley, and Deputy Director of Administrative Services, Brett Channing.

On March 8, 2016, the City Council selected National Demographics Corporation (NDC) to provide mapping and demographic services and then on July 12, 2016, the Council selected the Institute for Local Government (ILG) to provide public relations and outreach services. The language for the City-sponsored ballot measure was adopted by the City Council at its August 9, 2016, meeting and it was submitted to the Registrar of Voters, officially becoming Measure S.

Starting in July of 2016, the City began extensive community outreach to inform the public about district elections and how they would affect the selection of City Councilmembers. This included holding small group meetings with community leaders, allowing for public comment on district elections at City Council Meetings, mailing out informational flyers to every home, having a headline article in the City's Fall Newsletter ("The Gateway"), posting information on the City's website, and holding four community workshops in each quadrant of the City.

The community workshops were run by NDC and ILG Staff with the purpose of educating attendees on the California Voting Rights Act (CVRA), district-based elections, and the ballot measure.

On November 7, 2016, the residents of El Cajon voted to approve Measure S with 69% of the vote. This vote officially amended the El Cajon City Charter, changing the City's election method from at-large to by-district for City Councilmembers, starting with the 2018 municipal general election. The Mayor will continue to be elected at-large.

**NEXT STEPS:** The next step in the process is to adopt criteria for drawing the districts and approve the recommended schedule for establishing the new City Council districts. As the City's mapping consultants and experts in this field, NDC will present on this topic and will be able to answer any questions the City Council may have.

### Criteria

Federal law requires that city council election districts must contain essentially equal total populations, comply with the Federal Voting Rights Act, and avoid using race as a predominate factor in defining district borders. However in drawing districts, it is appropriate not to arbitrarily divide up neighborhoods that contain significant numbers of racial or ethnic groups. Therefore, it is important to focus on districts that maintain known communities of interest. The Courts have also allowed small population deviations if such deviations are necessary to achieve what the U.S. Supreme Court has labeled "traditional redistricting principles." But, federal courts have sometimes rejected justifications that appear to be developed to justify districts after they are already drawn. To improve the legal standing of adopted election district maps, staff recommends the adoption of official criteria prior to the drawing of initial draft maps.

NDC has provided staff the below criteria for drawing council districts. The criteria combines the legal requirements for election districts and the "traditional redistricting principles" that state and federal courts have approved as valid justifications for potential small population differences among the council districts. Over ninety percent of NDC client cities and school districts adopt this list of criteria.

The criteria is proposed as follows:

1. Each council district shall contain a nearly equal number of inhabitants;
2. Council district borders shall be drawn in a manner that complies with the Federal Voting Rights Act;
3. Council districts shall consist of contiguous territory in as compact form as possible;
4. Council districts shall respect communities of interest as much as possible;
5. Council district borders shall follow visible natural and man-made geographical and topographical features as much as possible;

6. In adjusting boundaries following their initial establishment, each new council district shall preserve the corresponding existing council district's population and territory as much as possible;
7. Council districts known to be areas of higher-than-average population growth in the two to five years following this boundary line adjustment may be under populated within the population deviation amounts allowed by law; and
8. To the extent it does not conflict with federal or state law an effort should be made to establish boundaries so that at least two council districts include voters in similar numbers residing in the City's central business district (also known as downtown El Cajon, as described by the boundaries of Specific Plan 182) and these council districts should also include comparable geographic area and land uses.

Note that the Mayor and City Council may discuss the specific communities of interest (schools, parks, etc.) and/or types of communities (senior-living communities, master-planned communities, etc.), that they would like NDC to be aware of when drawing the initial draft maps. Additionally, if Council so desires, it may also direct NDC to avoid head-to-head contests between incumbent Councilmembers while maps are being drawn, as long as it does not conflict with the other criteria listed above or federal or state law.

Implementation Schedule

Once the Council adopts the attached resolution with the proposed criteria, the process to create the district boundaries will commence. As seen in the proposed schedule below, this will include significant outreach to the community, including five community workshops and five publicly noticed City Council Public Hearings. The process will culminate with the presentation of draft maps to the City Council and community for review and ultimately a selection of one map by the City Council.

In last year's session, the California State Legislature adopted Assembly Bill (AB) 350, which was authored by Assemblyman Alejo. The bill set forth requirements that government agencies must follow while moving from at-large to district-based elections, including the number of public hearings required before and after draft maps with district boundaries are created. As a result, the below implementation schedule has been created to ensure compliance with AB 350. NDC and the City Attorney has also reviewed this schedule for compliance with all other state and federal laws.

- |    |             |  |
|----|-------------|--|
| 1. | January 24  | City Council Public Hearing #1: Council adopts criteria and receives community input on composition of districts (criteria adoption can be continued to February 14, if desired) |
| 2. | February 14 | City Council Public Hearing #2: Council receives community input on composition of districts   |
| 3. | February 15 | Online portal opens for district map submittals  |
| 4. | February 22 | Community Workshop #1: Flying Hills Elementary School  |
| 5. | February 23 | Community Workshop #2: Greenfield Middle School  |
| 6. | February 28 | Community Workshop #3: Chase Avenue Elementary School  |

7. March 1 Community Workshop #4: Lexington Elementary School
8. March 27 Last day to submit draft maps for initial review
9. April 3 Legally viable draft maps posted to City website for review
10. April 18 Community Workshop #5: Ronald Reagan Community Center
11. April 25 City Council Public Hearing #3: Council reviews draft maps, receives community input on them, and directs NDC on any desired alternatives
12. May 9 City Council Public Hearing #4: Council receives community input on draft maps, selects map and introduces Ordinance
13. May 23 City Council Public Hearing #5: Council adopts Ordinance

**FISCAL IMPACT:** There is no cost associated with the adoption of the criteria or implementation schedule. However, there is a cost for this implementation phase of Measure S.

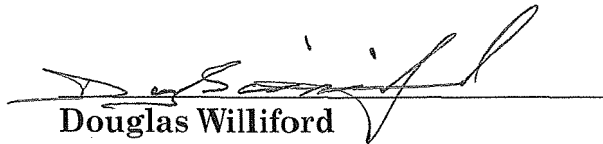
The City's contract with National Demographics Corporation for mapping consultant services is not to exceed amount of \$50,000. To date, no payment has been made. The City's contract with the Institute for Local Government is for public outreach services is \$100,226.40. Thus far, the City has paid \$45,941.65 for their work prior to the adoption of Measure S. These expenditures are budgeted in Activity #110000 for Fiscal Year 2016-2017.

**PREPARED BY:**

**APPROVED BY:**



**Brett Channing**  
Deputy Director of Administrative Services



**Douglas Williford**  
City Manager

RESOLUTION NO.     -17

A RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF EL CAJON  
ADOPTING LINE DRAWING CRITERIA FOR ESTABLISHING  
AND ADJUSTING COUNCIL DISTRICT BOUNDARIES

WHEREAS, the City Council of the City of El Cajon (the "City") was elected under an "at-large" election system where Councilmembers were elected by voters of the entire City; and

WHEREAS, the "at-large" election system was first established by application of the general laws of the State of California, and was continued in Section 201 of the El Cajon Charter when the Charter was first adopted in 2012; and

WHEREAS, the Council has approved an amendment to Section 201 (the "Charter Amendment") and submitted the Charter Amendment to the electors of the City at the November 8, 2016 general municipal election; and

WHEREAS, the Charter Amendment was approved by the City's electors and has been filed with the Secretary of State thereby changing the selection of Councilmembers to "by district" elections; including requiring that each Councilmember must reside within the designated district boundary and is elected only by the voters in that district; and

WHEREAS, the Federal Voting Rights Act (42 U.S.C. section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each district be equal in population to ensure compliance with the "one person, one vote" rule; however, deviations (less than five percent (5%) greater than or less than the ideal, for a total of ten percent (10%) deviation) are presumptively constitutional under the Equal Protection Clause where required to meet an official criteria; and

WHEREAS, the Council has instructed its demographer and City staff to develop draft maps to create district maps that fully comply with legal requirements and wishes to provide official criteria for any needed deviations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

Section 1: The following criteria to guide the establishment of districts for Council elections is hereby adopted:

- A. Each council district shall contain a nearly equal number of inhabitants;



- B. Council district borders shall be drawn in a manner that complies with the Federal Voting Rights Act;
- C. Council districts shall consist of contiguous territory in as compact form as possible;
- D. Council districts shall respect communities of interest as much as possible;
- E. Council district borders shall follow visible natural and man-made geographical and topographical features as much as possible;
- F. In adjusting boundaries following their initial establishment each new council district shall preserve the corresponding existing council district's population and territory as much as possible;
- G. Council districts known to be areas of higher-than-average population growth in the two to five (2-5) years following this boundary line adjustment may be under populated within the population deviation amounts allowed by law; and
- H. To the extent it does not conflict with federal or state law an effort should be made to establish boundaries so that at least two council districts include voters in similar numbers residing in the City's central business district (also known as downtown El Cajon, as described by the boundaries of Specific Plan 182) and these council districts should also include comparable geographic area and land uses.

Section 2. BE IT FURTHER RESOLVED, that the City Manager or his designee shall be authorized to take any additional acts needed to effectuate the purpose and intent of this resolution.

Section 3. BE IT FURTHER RESOLVED, that the City Attorney is hereby directed to prepare an amendment to the El Cajon Municipal Code in order to establish the procedures for conducting district elections of Councilmembers, and to establish the procedures for adopting the criteria for adjusting district boundaries following each decennial census.

01/24/17 (Item No. 100)

Approving Criteria for Establishing and Adjusting Boundaries 011817

101

**1890 CALLE DEL CONEJO – APPEAL OF PLANNING COMMISSION  
DENIAL OF APPEAL OF DIRECTOR’S DECISION REGARDING  
A DETACHED METAL GARAGE**

**NOTE:** The appeal has been withdrawn by the property owner, and the public hearing has been cancelled.

City Clerk Date Stamp  
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CITY CLERK  
EL CAJON CA  
2017 JAN 18 P 5:09

# City of El Cajon Agenda Report

MEETING: Jan. 24, 2017

ITEM NO: 102



**TO:** Mayor Wells, Mayor Pro Tem McClellan,  
Councilmembers Goble, Kalasho and Kendrick

**FROM:** Belinda Hawley, City Clerk

**SUBJECT:** INTERVIEWS FOR COMMISSION VACANCIES

**RECOMMENDATION:** That the City Council

- Conducts interviews for one (1) seat on the Personnel Commission and one (1) seat on the Planning Commission, and appoints applicants to serve appropriate terms;
- Conducts interviews for three (3) seats on the Public Safety Facility Financing Oversight Committee, and
  - 1) Appoints one applicant for the available seat to be filled with a resident of the City; and
  - 2) Extends the application period for the two remaining seats, through February 17, 2017 at 5:00 p.m., and conducts interviews on February 28, 2017 at 7:00 p.m., per City Council Policy A-27, as there is not at least one more qualified applicant than the number of existing vacancies;

OR

- 3) Waives the requirement of Policy A-27, and proceeds to appoint one committee member at this time (which is consistent with prior actions on the part of the Council), and directs staff to extend the application period through February 17, 2017 at 5:00 p.m., conducting interviews on February 28, 2017 at 7:00 p.m. to fill the remaining available seat.
- Extends the application period through February 17, 2017 at 5:00 p.m. for two (2) seats on the Veterans' Commission, and conducts interviews on February 28, 2017 at 7:00 p.m., as no applications were received.

**BACKGROUND:** On December 13, 2016, the City Council approved the application period for seats on various City Commissions and Committees. Applications received by the deadline of January 12, 2017, at 5:30 p.m. were provided to the City Council in their agenda packets for consideration. Press releases were distributed to local media about the vacancies. Additionally, applications were available on the City's website and in the City Clerk's office. Applicants were advised of the opportunity to make a two-minute presentation during the interviews, followed by a question and answer period by Council.

PERSONNEL COMMISSION

One Commissioner: (1) Term expiration – Mary Thigpen

- One (1), four-year term to expire January 31, 2021
- Appoint one (1) member, a resident of the City.

Applicants:

|                             |
|-----------------------------|
| 1. Stephanie Harper         |
| 2. Allen Theweny            |
| 3. Mary Thigpen (Incumbent) |

PLANNING COMMISSION

One Commissioner: (1) Term expiration – Darrin Mroz

- One (1), four-year term to expire January 31, 2021
- Appoint one (1) member, a resident of the City.

Applicants:

|                              |
|------------------------------|
| 1. Humbert Cabrera           |
| 2. Jibrán Hannaney           |
| 3. Stephanie Harper          |
| 4. Darrin Mroz (Incumbent)   |
| 5. Montgomery Paul Ostrander |
| 6. Allen Theweny             |

PUBLIC SAFETY FACILITY FINANCING OVERSIGHT COMMITTEE

Three members: (3) Term Expirations – David De Baca, John Forrest and Katherine Spacone

- Three (3), four-year terms to expire January 31, 2021
- One (1) member, a resident of the City, to be appointed from one or more of the following occupations or categories:
  - A business owner from the El Cajon business community;
  - A member of a bona fide tax payers' association or organization;
  - A public safety employee (i.e., either police or fire personnel) either retired from service or not employed by the City; and
  - A resident elector of the City.

Applicants:

|                                  |
|----------------------------------|
| 1. Katherine Spacone (Incumbent) |
| 2. Montgomery Paul Ostrander     |

- Two (2) members, either residents of the City or non-residents, to be appointed and must be from one or more of the following occupations:
  - A California licensed architect with experience designing and building commercial, industrial and governmental buildings;
  - A California licensed general contractor with experience constructing commercial, industrial and governmental buildings;
  - A California licensed civil engineer with experience in the designing and building of commercial, industrial and governmental buildings;
  - A building/property manager with experience in the management of commercial property;
  - A construction estimator with experience in estimating the construction of large-scale projects; and
  - A California certified public accountant with experience in professional accounting.

Applicant:

|                                |
|--------------------------------|
| 1. John A. Forrest (Incumbent) |
|--------------------------------|

NOTE: As referenced in the Recommendation, Council may elect to waive City Council Policy A-27 and proceed with the appointment of one committee member at this time, and direct staff to extend the application period to seek additional applicants for the remaining vacant seat, or to extend the application period for both seats.

VETERANS' COMMISSION:

Two Commissioners: (2) Term Expirations – Leo Dano and A. Donn Dunlap

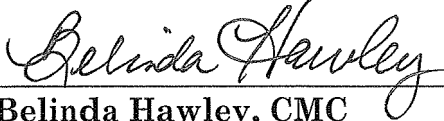
- Two (2), Four-Year Terms will expire January 31, 2021
- One (1) member, a resident of the City, to be appointed and must be an active service member or reservist with the armed forces at any time within the past ten (10) years prior to appointment.
- One (1) member, either a resident of the City or non-resident, to be appointed and must be 1) honorably discharged from the U.S. Armed Forces and 2) a member of a 501(c)19 veterans' organization based in El Cajon, as specified in Municipal Code Section 2.24.420(c).

No applications were received during the application period. Staff recommends extending the application period through February 17, 2017 at 5:00 p.m., and conducting interviews at the meeting of February 28, 2017 at 7:00 p.m.

Members of the above-mentioned Commissions/Committees are required to participate in Ethics Training, and file a Statement of Economic Interests (Form 700) according to the provisions of the Political Reform Act, the Fair Political Practices Commission, and the City's Conflict of Interest Code.

**FISCAL IMPACT:** Members of the Planning and Personnel Commissions are compensated for meetings attended. Members of the Public Safety Facility Financing Oversight Committee and Veterans' Commission serve on a voluntary basis and are not compensated.

**PREPARED BY:**



Belinda Hawley, CMC  
CITY CLERK

**APPROVED BY:**



Douglas Williford  
CITY MANAGER

**Applications on  
file in the City  
Clerk's Office.**