

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

December 13, 2016

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency of the City of El Cajon, California held Tuesday, December 13, 2016, was called to order by Mayor/Chair Bill Wells at 3:03 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Wells and MOMENT OF SILENCE. (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 November 15, 2016, meetings and the Agenda of the December 13, 2016, meeting in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- **PRESENTATION: Veteran of the Year**
- **COMMENDATION: Councilmember Star Bales**
- **COMMENDATION: Councilmember Tony Ambrose**

City Clerk Hawley announced that former Mayor **Joan Shoemaker**, and former Mayor and County Supervisor, **Dick Brown** were present in the audience.

NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION – CERTIFICATE OF RESULTS OF CANVASS – MEASURE S

The City Clerk recites the results of the Canvass of the Election for Measure S and three Council Members.

ITEM A: RESOLUTION: DECLARATION OF ELECTION RESULTS OF MEASURE S, AMENDMENT OF SECTION 201 OF EL CAJON CHARTER (Report: Belinda Hawley, City Clerk)

RECOMMENDATION: That the **City Council** adopts the next RESOLUTION in order declaring the results of the November 8, 2016, General Municipal Election approving an amendment to Section 201 of the El Cajon Charter.

MOTION BY AMBROSE, SECOND BY McCLELLAN, to ADOPT RESOLUTION No. 109-16 declaring the results of the November 8, 2016, General Municipal Election approving an amendment to Section 201 of the El Cajon Charter.

MOTION CARRIED BY UNANIMOUS VOTE.

NOVEMBER 8, 2016 GENERAL MUNICIPAL ELECTION – CERTIFICATE OF RESULTS OF CANVASS – THREE MEMBERS OF CITY COUNCIL

The City Clerk recites the results of the Canvass of the Election for three members of the City Council.

**ITEM B: RESOLUTION: DECLARATION OF ELECTION RESULTS FOR THREE MEMBERS OF THE CITY COUNCIL
(Report: Belinda Hawley, City Clerk)**

RECOMMENDATION: That the City Council adopts the next RESOLUTION in order declaring the results of the November 8, 2016, General Municipal Election for three members of the City Council.

MOTION BY AMBROSE, SECOND BY KENDRICK, to ADOPT RESOLUTION No. 110-16 declaring the results of the November 8, 2016, General Municipal Election for three members of the City Council.

MOTION CARRIED BY UNANIMOUS VOTE.

**OATH OF OFFICE ADMINISTERED TO BOB McCLELLAN
Remarks by Councilmember McClellan**

**OATH OF OFFICE ADMINISTERED TO BEN KALASHO
Remarks by Councilmember Kalasho**

**OATH OF OFFICE ADMINISTERED TO STEVE GOBLE
Remarks by Councilmember Goble**

***Recess called at 4:07 p.m.
Meeting reconvened at 4:58 p.m.***

New Councilmembers Seated.

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.9)

Councilmember Goble announced he will abstain from voting on Item 1.1, as he did not attend the previous meeting.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to APPROVE Consent Items 1.1 to 1.9. with Councilmember Goble Abstaining from Item 1.1.

MOTION CARRIED BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the November 15, 2016 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.3 APPROVAL OF READING BY TITLE AND WAIVER OF READING IN FULL OF ORDINANCES ON AGENDA

Approve the reading by title and waive the reading in full of all Ordinances on the Agenda.

**1.4 PURCHASE OF FACTORY LOADED AMMUNITION
(Report: Nahid Razi, Purchasing Agent)**

Authorizes the Purchasing Agent to waive the bidding requirements in accordance with Municipal Code 3.20.010.C.1A, and execute a purchase agreement with Dooley Enterprises, Inc. for the purchase of factory loaded ammunition in the amount of \$86,418.08.

CONSENT ITEMS: (Continued)

**1.5 ACCEPTANCE OF PORTLAND CEMENT CONCRETE (PCC) CHANNEL REPAIRS, WW3518, BID NO. 030-16
(Report: Dennis Davies, Deputy Director of Public Works)**

- Accepts the Portland Cement Concrete (PCC) Channel Repair, WW3518, Bid No. 030-16; and
- Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

**1.6 ACCEPTANCE OF PUBLIC IMPROVEMENTS, TENTATIVE SUBDIVISION MAP (TSM) 656, 511 SOUTH MAGNOLIA AVENUE, ENGINEERING JOB NO. 3452
(Report: Dennis Davies, Deputy Director of Public Works)**

Accepts the public improvements and authorizes the City Clerk to release the bonds guaranteeing the improvements in accordance with the subdivision agreement, and requires the developer to maintain insurance in force until the release of all bonds for the project.

**1.7 RESOLUTION: AWARD OF BID NO. 013-17, UPGRADE TRAFFIC SIGNALS – FLETCHER PARKWAY/BROADWAY
(Report: Nahid Razi, Purchasing Agent)**

- Finds the third, fourth, and sixth low bidders non-responsive for the reasons set forth in this agenda report; and
- Adopts RESOLUTION NO. 111-16 awarding the bid to the lowest responsive, responsible bidder, S.C. Valley Engineering, Inc., in the amount of \$731,154.00 for the base bid and Additive Alternate: Furnish and Install Traffic Signal Ethernet Cable and Wireless Radio.

CONSENT ITEMS: (Continued)

1.8 FY 2016 STATE HOMELAND SECURITY GRANT – URBAN AREA SECURITY INITIATIVE FUNDING (Report: Jeff Davis, Police Chief)

- Authorizes the City Manager or designee to accept the FY 2016 State Homeland Security – Urban Area Security Initiative (UASI) Grant funds in the amount of \$326,098.00 and to execute any grant documents and agreements necessary for the receipt and use of these funds;
- Appropriates the State Homeland Security – Urban Area Security Initiative (UASI) Grant funds in the amount of \$326,098.00; and
- Authorizes the City Manager or designee to accept FY 2016 State Homeland Security – Urban Area Security Initiative (UASI) Grant funded equipment purchased on behalf of the City of El Cajon.

1.9 FISCAL YEAR 2015/16 EL CAJON HOUSING AUTHORITY ANNUAL REPORT (Report: Anthony Shute, Deputy Director of Community Development)

Review and accept the Annual Report of the El Cajon Housing Authority (Housing Authority), substantially in the form as presented, for fiscal year ending June 30, 2016.

PUBLIC COMMENT:

Bonnie Price, spoke on behalf of the San Diego County Democratic Party, and thanked everyone who has served on the Council. She congratulated the newly elected Councilmembers. **Ms. Price** commended Ben Kalasho for creating the Chaldean – American Chamber of Commerce. She would like to see the El Cajon Performing Arts Center re-opened soon.

Jack Micklos, Assistant Executive Director of Crisis House, spoke about the new KaBOOM playground, and thanked the **City** for the help provided.

Nick Liadis expressed his displeasure about the Police Department.

Nasrin Balagot requested help to clarify where the property line on her lot begins/ends. **City Manager Williford** directed **City Engineer Arellano** to assist **Ms. Balagot**.

Sunshine Horton welcomed the new Councilmembers. She shared memories of her late daughter, and welcomed newcomers to America.

2. **WRITTEN COMMUNICATIONS: None**

3. **PUBLIC HEARINGS:**

3.1 **ORDINANCE: EXTENSION OF URGENCY ORDINANCE TEMPORARILY PROHIBITING THE OUTDOOR CULTIVATION OF MARIJUANA PLANTS GROWN FOR PERSONAL USE**
(Report: Morgan L. Foley, City Attorney)

RECOMMENDATION: That the El Cajon City Council

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing; and
- By not less than a four-fifths affirmative vote, adopts an ORDINANCE extending the previously adopted urgency ordinance to temporarily prohibit the outdoor cultivation of marijuana plants grown by persons in the city of El Cajon for personal use, while staff continues to assess the impacts of the proposition, and to recommend any changes to El Cajon Municipal Code Title 17 allowed or required by Proposition 64.

DISCUSSION

City Attorney Foley gave a summary of the Item.

In response to a question by **Councilmember Goble**, **City Attorney Foley** stated that the intention of the Staff is to bring a study and proposal to the **Planning Commission**, and then a recommendation to the **City Council** with changes to the zoning code within the next five (5) months.

Mayor Wells opened the public hearing.

No one came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 3.1 – Continued)

MOTION BY McCLELLAN, SECOND BY KALASHO, to ADOPT ORDINANCE NO. 5056 extending the previously adopted urgency ordinance to temporarily prohibit the outdoor cultivation of marijuana plants grown by persons in the city of El Cajon for personal use, while staff continues to assess the impacts of the proposition, and to recommend any changes to El Cajon Municipal Code Title 17 allowed or required by Proposition 64.

MOTION CARRIED BY UNANIMOUS VOTE.

The City Clerk recited the title for the ordinance.

AN ORDINANCE TO EXTEND INTERIM URGENCY ORDINANCE NO. 5054 OF THE CITY OF EL CAJON, ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858, TEMPORARILY PROHIBITING THE ESTABLISHMENT OF OUTDOOR CULTIVATION OF MARIJUANA FOR PRIVATE USE, IN ALL ZONES

4. ADMINISTRATIVE REPORTS:

4.1 TERM EXPIRATIONS ON CITY COMMISSIONS - SCHEDULE FOR APPLICATIONS AND INTERVIEWS (Report: Belinda Hawley, City Clerk)

RECOMMENDATION: That the **City Council** approves the timeline for accepting applications and scheduling of interviews for candidates to serve on City Commissions/Committees, or reappoint, if appropriate.

Application Period: December 14, 2016 – January 12, 2017 at 5:30 p.m.

Interview and Appoint Applicants: January 24, 2017 at 7:00 p.m.

DISCUSSION

City Clerk Hawley gave a summary of the Item.

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

- Possible reappointment of current Commissioners;
- Law requirements to start the process by accepting applications.

No further comments were offered.

ADMINISTRATIVE REPORTS: (Item 4.1 – Continued)

MOTION BY KENDRICK, SECOND BY McCLELLAN, to APPROVE the timeline for accepting applications and scheduling of interviews for candidates to serve on City Commissions/Committees, or reappoint, if appropriate.

MOTION CARRIED BY UNANIMOUS VOTE.

**4.2 SELECTION OF MAYOR PRO TEM
(Report: Belinda Hawley, City Clerk)**

RECOMMENDATION: That the City Council selects a Mayor Pro Tem according to the El Cajon Municipal Code.

DISCUSSION

City Clerk Hawley gave a summary of the Item.

Mayor Wells recommended that **Councilmember McClellan** serve as Mayor Pro Tem for the upcoming year.

Councilmember Kalasho suggested choosing **Councilmember Goble** or himself as Mayor Pro Tem.

Mayor Wells stated that a Motion had been made, and should the Motion fail, they would consider **Councilmember Kalasho's** proposal.

MOTION BY WELLS, SECOND BY KENDRICK, to SELECT Councilmember McCLELLAN as Mayor Pro Tem according to the El Cajon Municipal Code.

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

ADMINISTRATIVE REPORTS: (Item 4.3)

**4.3 RESOLUTION: ACCEPTANCE OF THE GUARANTEED MAXIMUM PRICE PROPOSAL, AND AWARD OF A DESIGN-BUILD CONTRACT TO CW DRIVER, INC., FOR THE DESIGN AND CONSTRUCTION OF THE EL CAJON ANIMAL SHELTER, PS0020
(Report: Dennis Davies, Deputy Director of Public Works)**

RECOMMENDATION: That the City Council:

- Adopts the next RESOLUTION in order accepting the Guaranteed Maximum Price (GMP) proposal from CW Driver, Inc. (Contractor) in the amount of \$9,333,807.00, including design, construction services, and site furnishings to construct the El Cajon Animal Shelter; and
- Authorizes the City Manager to negotiate a design-build contract with the Contractor to construct the Animal Shelter.

DISCUSSION

Assistant City Manager Al-Ghafry gave a summary of the Item.

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

- Separate entrance for relinquishing pets from the adoption entrance;
- Generators would be available during a power outage to continue to provide full service;
- Contagious animals would be isolated in a special quarantine area;
- Full Veterinary Services will be available;
- The existing shelter capacity is 101, the new shelter will house 190 plus pets;
- As project is completed, Staff will consider the option of keeping the current facility as an auxiliary facility vs. demolition for the existing facility.

In answer to a question by **Councilmember Goble**, **Assistant City Manager Al-Ghafry**, stated that part of the negotiations is for the City to be able to keep part of the cost savings below the guaranteed maximum price.

MOTION BY McClellan, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 112-16 accepting the Guaranteed Maximum Price (GMP) proposal from CW Driver, Inc. (Contractor) in the amount of \$9,333,807.00, including design, construction services, and site furnishings to construct the El Cajon Animal Shelter; and Authorizes the City Manager to negotiate a design-build contract with the Contractor to construct the Animal Shelter.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT ON DISTRICT ELECTIONS:

Mayor Wells announced that Measure S recently passed, and he invited any interested persons to come forward to speak on the Item.

No one came forward to speak.

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 - None

ACTIVITIES REPORTS OF COUNCILMEMBERS

Mayor Wells stated that reports for former **Councilmembers Ambrose** and **Bales** were reported as stated, and no further action is needed.

7.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

7.1 Council Activities Report/Comments

REPORT AS STATED.

ACTIVITIES REPORTS OF COUNCILMEMBERS (Continued)

8.

MAYOR PRO TEM TONY AMBROSE

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

8.1 Council Activities Report/Comments

9.

COUNCILMEMBER BOB McCLELLAN

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

9.1 Council Activities Report/Comments

REPORT AS STATED.

10.

COUNCILMEMBER STAR BALES

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

10.1 Council Activities Report/Comments

Councilmember Goble praised the **City Manager's Office** and **Staff**, for efficiently responding to citizen's concerns, in the case of an authorized clothing collection bin in the City.

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 13th day of December 2016, at 5:40 p.m. to Tuesday, January 10, 2017, at 3:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary