

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

March 14, 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, March 14, 2017, was called to order by Mayor/Chair Bill Wells at 3:09 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 Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Mitchell, 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).

City Manager Williford introduced **Assistant City Manager Graham Mitchell**.

POSTINGS: The City Clerk posted Orders of Adjournment of the February 28, 2017, meetings and the Agenda of the March 14, 2017, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

Mayor Wells stated that a Special Meeting was held at 2:00 p.m. today in the Second Floor Conference Room at City Hall. He asked **City Attorney Foley** to report on the actions from that meeting.

1.1 CONFERENCE WITH LABOR NEGOTIATOR – Pursuant to Government Code Section 54957.6.

Agency Designated Representatives:	Jim Lynch, Director of Administrative Services Steve Berliner, Esq., Liebert Cassidy Whitmore Clay Schoen, Director of Finance Brett Channing, Deputy Director of Administrative Services
Employee Organizations:	El Cajon Police Officers' Association Management Group El Cajon Professional Firefighters Association - Local 4603 (ECPFF)

City Attorney Foley reported the **City Council** gave direction to the Labor Negotiators, and the meeting was adjourned at 3:00 p.m.

PRESENTATIONS:

- **PRESENTATION: Dan McAllister – San Diego County Treasurer-Tax Collector**
- **PROCLAMATION: Sunshine Horton**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.9)

MOTION BY WELLS, SECOND BY KALASHO, to APPROVE Consent Items 1.2 to 1.8, pulling Item 1.1 as requested by KAHASHO and Item 1.9 as requested by the public.

MOTION CARRIED BY UNANIMOUS VOTE.

1.1 Pulled for Discussion

CONSENT ITEMS: (Continued)

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 CONTRACT AMENDMENT WITH NATURES IMAGE, INC., FOR WEED ABATEMENT AND DRAINAGE CHANNEL VEGETATION MANAGEMENT ON CITY-OWNED OPEN SPACE PROPERTY (Report: Dennis Davies, Deputy Director of Public Works)

Authorizes the City Manager to negotiate and execute an amendment to the Agreement with Natures Image, Inc., for Weed Abatement and Drainage Channel Vegetation Management on City-Owned Channels and Open Space Property.

1.5 AMENDMENT TO THE HEARTLAND COMMUNICATIONS FACILITY AUTHORITY JOINT POWERS AGREEMENT (Report: Colin Stowell, Fire Chief)

- Approves the Amendment to the Amended and Restated Joint Exercise of Powers Agreement for Heartland Communications Facility Authority; and
- Authorizes the City Manager or designee to execute the Amendment to the Amended and Restated Joint Exercise of Powers Agreement for Heartland Communications Facility Authority on behalf of the City of El Cajon.

1.6 PROGRESS REPORT – DECLARATION OF EMERGENCY FOR STORM DAMAGE (Report: Dennis Davies, Deputy Director of Public Works)

- Determines that there continues to be a State of Emergency to facilitate repairs at various locations throughout the City; and
- Waives bid requirements for emergency repairs in accordance with El Cajon Municipal Code Section 3.20.010 (C).

CONSENT ITEMS: (Continued)

**1.7 2016 GENERAL PLAN ANNUAL REPORT
(Report: Anthony Shute, Deputy Director of Community Development)**

- Accepts the annual progress report required by the State; and
- Directs staff to forward the report to the Governor’s Office of Planning and Research (OPR), the State Department of Housing and Community Development (HCD) and the San Diego Association of Governments (SANDAG).

**1.8 UPGRADE TO EXISTING SOFTWARE SUITE
(Report: Clay Schoen, Director of Finance)**

Authorizes the Purchasing Agent, in accordance with Municipal Code 3.20.010.C.5, to execute a purchase agreement with SunGard® Public Sector for the migration and upgrade to existing software suite in the amount of \$88,887.65.

1.9 Pulled for Discussion

CONSENT ITEMS PULLED FOR DISCUSSION:

1.9 APPROPRIATION OF ADDITIONAL WASTEWATER FUNDS FOR FISCAL YEAR 2014 TREATMENT COST (Report: Dennis Davies, Deputy Director of Public Works)

RECOMMENDATION: That the City Council appropriates \$1,247,639.00 from the Undesignated Fund Balance of the Wastewater Enterprise Fund for Wastewater Treatment expenses for Fiscal Year 2014.

DISCUSSION

Stephanie Harper questioned the reason for appropriating money at this time, and asked if the current approved budget should have included the expense.

City Manager Douglas Williford indicated that the trunkline is owned by the City of San Diego and that the City pays an amount for treatment costs yearly, however, the exact amount is not known until a true-up is completed. The amount requested reflects the actual cost the City owes.

CONSENT ITEMS PULLED FOR DISCUSSION: (Continued)

MOTION BY WELLS, SECOND BY KENDRICK, to APPROVE Item 1.9.

MOTION CARRIED BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

RECOMMENDATION: That the City Council approves the Minutes of the February 28, 2017 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

DISCUSSION

Councilmember Kalasho requested that the Minutes be a little more honed in and focused on the conversation involving **Mayor Wells** and **City Attorney Foley** during Item 6.4 at the last meeting (Discussion of City Council Policy Regarding Placing Items on the Agenda).

Mayor Wells indicated that if **Council** concurs with the request, the Minutes can be amended.

MOTION BY WELLS to AMEND the Minutes.

MOTION FAILS DUE TO LACK OF A SECOND.

Councilmember Goble asked what change is being requested.

Councilmember Kalasho indicated he would like the verbatim dialog by **City Attorney Foley** concerning a possible violation, at the end of the discussion on the Item.

No further comments made.

MOTION BY KALASHO, SECOND BY WELLS, to AMEND the Minutes per the request from KALASHO.

MOTION CARRIED 4-1 (GOBLE – No)

MOTION BY WELLS, SECOND BY KALASHO, to APPROVE Item 1.1.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Hilde Kraus, representing the Library, spoke about programs scheduled during the upcoming months, including the Multi-Cultural Family Play Day on April 1 and the Monarch Butterfly Contest on May 13.

Bonnie Price spoke about social services offered in El Cajon and recommended adding a Help Button to the City's website, on the home page, to refer citizens to available resources.

Councilmember Kendrick added that similar information could be obtained by calling 2-1-1.

Sunshine Horton spoke about being homeless and being involved in the community. She thanked the City for presenting her with a Proclamation.

Stephanie Harper welcomed **Assistant City Manager Graham Mitchell**.

James Elja stated he is involved with helping refugees, and that he is upset with the cost of rent in El Cajon. He asked for a Resolution that would work with developers and a possible task force to focus on affordable housing.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

3.1 SUBSTANDARD CONDITIONS AT 1006 E. MADISON AVENUE #7 (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;
- Directs staff to bill the property owner for staff time and administrative costs in the amount of \$1,185.86; and
- Directs staff to monitor the cleanup and renovation of the apartment unit until fully compliant with regulations concerning habitability.

ITEM 3.1 (Continued)

DISCUSSION

Building Official/Fire Marshal, Dan Pavao gave a summary of the Item.

Mayor Wells opened the public hearing.

Terri Plummer, owner of the subject property, apologized for the conditions at the apartment unit.

Mayor Wells thanked **Ms. Plummer** for taking care of the issues.

Mayor Pro Tem McClellan recommended landlords perform a yearly inspection of the units to limit future substandard properties.

In response to questions by **Ms. Plummer** regarding the administrative fees, **Mayor Wells** replied the City could possibly waive punitive fees, but not administrative fees because of staff time involved.

Councilmember Kendrick stated he appreciated that the owner is investing in El Cajon.

Mayor Pro Tem McClellan commented on the Crime Free Multi-Housing Program.

No one else came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY WELLS, SECOND BY GOBLE, to DECLARE as appropriate the Building Official/Fire Marshal's actions in this case, DIRECT Staff to bill the property owner for staff time and administrative costs in the amount of \$1,185.86, and DIRECT Staff to monitor the cleanup and renovation of the apartment unit until fully compliant with regulations concerning habitability.

MOTION CARRIED BY UNANIMOUS VOTE.

4. **ADMINISTRATIVE REPORTS: None**

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 – Verbal Report

Mayor Wells stated that he attended the St. Patrick's Day Half-Marathon, a SANDAG Board of Directors Meeting, spoke at an Ethics and Business meeting with teenagers, had meetings with Waste Management and Cox, and had interviews on KUSI.

6.2 LEGISLATIVE REPORT – SB 54 is still progressing through the process.

6.3 DISCUSSION REGARDING PRIVATE PHONE AND DEVICE USAGE DURING CITY COUNCIL MEETINGS

RECOMMENDATION: That the **City Council** direct the City Manager to place this item on an upcoming agenda, with legal analysis included, for further discussion and decision-making.

DISCUSSION

Mayor Wells gave a summary of the Item and stated reasons he supports the recommended action pertaining to use of certain electronic devices during City Council meetings. The exception would be in case of emergencies.

Councilmember Goble stated that in January he attended a League of California Cities conference for new councilmembers, and indicated the topic of transparency was brought up twice, in an effort to encourage transparency with the public.

Councilmember Kendrick spoke in support of the Item and commented on the importance of transparency in government. He feels it would be a good policy to not use cell phones or notebooks during meetings.

Councilmember Kalasho commented on the recent ruling in the case of City of San Jose vs. Superior Court of Santa Clara. He advised that any person could make a public request to get all the information on elected officials from their personal devices including cell phones. He stated there are various methods by which notes could be taken, indicating that he uses his laptop to take notes. He agreed that texting from dais is a reasonable thing to stop, and pointed out that the iPads Council uses have the capability to take notes and dial up the internet. He feels it would be illegal to put parameters and barriers on how one can take notes, and there would be no legal standing to prevent notes from being taken on a laptop.

ITEM 6.3 (Continued)

In response to questions from **Councilmember Kalasho**, **Mayor Wells** indicated the City must keep up with the standards of practice and feels it is important to show each other respect.

Councilmember McClellan spoke about an article involving the City Council of San Diego and the use of cell phones. He does not know what was done to correct that, but imagines a policy was made.

Councilmember Goble stated he is not a fan of having internet access during the meetings.

MOTION BY WELLS, SECOND BY KENDRICK, to DIRECT Staff to place this Item on a future agenda.

MOTION CARRIED 4-1 (KALASHO – No)

In response to the question by **Mayor Wells**, **City Clerk Hawley** indicated a speaker card was submitted for this Item.

MOTION BY WELLS, SECOND BY KENDRICK, to RECONSIDER ITEM 6.3.

MOTION CARRIED BY UNANIMOUS VOTE.

Stephanie Harper indicated she has seen **Councilmember Kalasho** do more than one task at a time, and she has never seen him be disrespectful. She feels this Item was a waste of the City's time.

Councilmember Kendrick asked whether outside information should be considered if obtained once the meeting has started, as it would be information the public would not be able to access.

City Attorney Foley stated if one is making a decision based on evidence presented at the hearing and that of one's own personal knowledge, extra-judicial information cannot be used and contact cannot be made with people while the public hearing process is going on. He added that to investigate outside of that would be inappropriate.

No further comments made.

MOTION BY WELLS, SECOND BY MCCLELLAN, to APPROVE ITEM 6.3 and DIRECT Staff to place the Item on the Agenda.

MOTION CARRIED 4-1 (KALASHO – No)

6.4 DISCUSSION OF CITY COUNCIL POLICY REGARDING PLACING ITEMS ON THE AGENDA (Continued from February 28, 2017)

RECOMMENDATION: That the City Council direct the City Manager to place this item on an upcoming agenda for further discussion and decision-making.

DISCUSSION

Mayor Wells gave a summary of the Item and commented on the number of items placed on the agenda by Councilmembers over the last two years. He suggested items need to be prioritized and consideration be given to use of staff time and the best interests of the City.

MOTION BY WELLS, SECOND BY MCCLELLAN, to PROPOSE that each councilmember would have the ability to place one item on the agenda per quarter, and after that, if there was an emergency or something pressing, to get another council member to sign off on the item. Councilmembers are requested to be thoughtful about what they bring to Council that takes up staff time and Council time.

Councilmember Kalasho indicated he feels it is the job of Councilmembers to place items on the agenda, and it is not a bad thing to do so. He has 62 items that he would like to bring to the agenda this year. He mentioned additional First Amendment rights that elected officials have, and referred to several court cases and the letter sent to the Council by the ACLU, indicating they were against this proposal. He added there is nothing he would like more than to have a cohesive Council, and to work with each and every councilmember.

Mayor Wells commented that there are other options for setting Items on the Agenda. Many cities have the Mayor set the agenda, which could be less legally challenging, and provides that any councilmember could go through the Mayor to have the item placed on the agenda.

Barry Bardack expressed that Council has a responsibility for supporting residents of El Cajon and there should not be a limit to the number of items placed on the agenda. He would like to come up with a way to handle the issue without being restrictive, and to let citizens voice their concerns.

Sandra Yeaman stated concerns about possible changes with district elections and said a new council brings new ideas, and it would be beneficial to hear them.

Mayor Pro Tem McClellan indicated people have called him and he advised them they could speak for 3 minutes under Public Comment at Council meetings. The City Manager might then address important issues or an item may be placed on an agenda.

ITEM 6.4 (Continued)

Councilmember Kendrick noted there has been increased activity in the City over the last five years and that prioritizing is needed.

City Manager Williford responded to questions about the potential impact for staff time utilized to address 62 new agenda items.

Elaine Briggs, a 28-year resident of El Cajon, urged **Council** to vote against the proposal.

Bonnie Price encouraged review by legal counsel. She noted that it is difficult for the public to attend the Council Meeting to address items under Public Comment at 3:00 p.m.

Marie Nelson, a resident of El Cajon since 1959, stated that she voted for councilmembers so that they would listen to her ideas and that of the diverse community.

Stephanie Harper applauded the work of **Councilmember Kalasho**, who she feels is listening to citizens and is getting things started. She is opposed to the proposal.

Jennifer Mendoza, Councilmember, City of Lemon Grove, indicated she had worked with **Graham Mitchell** for 10 years. She stated that Lemon Grove did not have a written policy for putting items on the agenda.

Mayor Pro Tem McClellan indicated there is a Written Communications section of the Agenda and that 7:00 p.m. meetings are also available to the public to voice concerns.

Bob Bardack returned to the podium and advised that it cost him \$150.00 in lost wages to come to today's Council meeting.

Councilmember Goble commented this is somewhat a discussion on efficiency, and feels efficiency is not necessarily a goal of government in exchange for transparency and deliberation. A balance is needed between keeping staff on track with the goals and listening to the people. He suggested that twice-yearly workshops could be utilized at which all the new items could be heard and a determination could be made for the items that would go to Council, and staff time could be allocated more efficiently.

Discussion continued among **Council** concerning the need for efficiency and transparency, prioritization, and the accomplishments of the City in the last several years.

ITEM 6.4 (Continued)

MOTION BY WELLS, SECOND BY MCCLELLAN, to SEND the Item to Staff, consider the legal ramifications and all the proposals and ideas presented, and come back with a viable proposal.

MOTION CARRIED 4-1 (KALASHO – No)

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

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

8.1 Council Activities Report/Comments

REPORT AS STATED.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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

REPORT AS STATED.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

9.2 DISCUSSION OF CLEAN EL CAJON DAY

RECOMMENDATION: That the **City Council** direct the City Manager to place this item on an upcoming agenda for further discussion and decision-making.

DISCUSSION

Councilmember Kalasho gave a summary of the Item.

City Clerk Hawley indicated that **Stephanie Harper** had left the meeting but submitted a speaker card in support of the Item.

Councilmembers Kendrick, Goble and **Mayor Pro Tem McClellan** expressed support for the Item.

No further comments made.

MOTION BY KALASHO, SECOND BY KENDRICK, to APPROVE Item 9.2.

MOTION CARRIED BY UNANIMOUS VOTE.

9.3 DISCUSSION REGARDING OFFERING FREE WI-FI DURING CITY EVENTS

RECOMMENDATION: That the **City Council** direct the City Manager to place this item on an upcoming agenda for further discussion and decision-making.

DISCUSSION

Councilmember Kalasho indicated this is just a discussion, as **City Manager Williford** informed him that Cox Communications has offered to provide free Wi-Fi during the City's major events and they have communicated with staff.

City Attorney Foley stated that **Stephanie Harper** indicated support for this Item.

NO ACTION TAKEN.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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

Councilmember Goble added that he attended an event on March 9 at Montgomery Middle School where students presented a project on building new parks for El Cajon. He would like to invite the students to make a presentation to Council at the meeting of March 28.

11. JOINT COUNCILMEMBER REPORTS:

11.1 DISCUSSION OF ADDING A SECOND FULL TIME CODE ENFORCEMENT OFFICER IN UPCOMING BUDGET (Report: Councilmembers Goble and Kendrick)

RECOMMENDATION: That the City Council direct the City Manager to place this item on an upcoming agenda for further discussion and decision-making.

DISCUSSION

Councilmembers Goble and **Kendrick** spoke in support of the Item.

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

- Possible savings to the City if fewer people are transported to the hospital;
- Problems with graffiti and shopping carts;
- Whether another police officer or firefighter should be added rather than a code enforcement officer;
- Salaries and PERS costs for a code enforcement officer versus a public safety officer.

No one came forward to speak.

MOTION BY GOBLE, SECOND BY MCCLELLAN, to APPROVE Item 11.1

MOTION CARRIED BY UNANIMOUS VOTE.

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 14th day of March 2017, at 5:27 p.m. to Tuesday, March 14, 2017, at 7:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

March 14, 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, March 14, 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 March 14, 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 Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Mitchell, 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:

Elizabeth Valles thanked City employees for supporting the book drive benefitting Rady's Children's Hospital.

PUBLIC HEARINGS:

100 KAMINSKY AUTO DEALERSHIP – ZONE RECLASSIFICATION NO. 2322 AND SPECIFIC PLAN NO. 529
(Report: Anthony Shute, Deputy Director, Community Development)

RECOMMENDATION: That the City Council

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing;
- Moves to ADOPT the next RESOLUTION in order APPROVING the proposed CEQA Exemptions;
- Moves to INTRODUCE the next ORDINANCE in order APPROVING Zone Reclassification No. 2322 (If approved, the Mayor requests the City Clerk to recite the title); and
- Moves to ADOPT the next RESOLUTION in order APPROVING Specific Plan No. 529.
-

DISCUSSION

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

Mayor Wells opened the Public Hearing.

Kerry Schimpf and **Gary Kaminsky** spoke in support of the Item.

Lee Crecelius responded to questions on water reclamation.

Bill Fischbeck spoke in support and discussed mitigation measures taken such as a sound wall and lighting so as not to disturb neighbors.

Councilmembers expressed support for the new dealership.

No one else came forward to speak.

ITEM 100: (Continued)

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

MOTION CARRIED BY UNANIMOUS VOTE.

Deputy Director Shute answered questions about the height and type of sign proposed for the dealership.

MOTION BY MCCLELLAN, SECOND BY KALASHO, to ADOPT RESOLUTION NO. 017-17 APPROVING the proposed CEQA Exemptions; INTRODUCE the next Ordinance APPROVING Zone Reclassification No. 2322; and ADOPT RESOLUTION NO. 018-17 APPROVING Specific Plan No. 529.

MOTION CARRIED BY UNANIMOUS VOTE.

City Clerk Hawley recited the title of the Ordinance:

An Ordinance Approving Zone Reclassification No. 2317 For The Rezoning Of Property Located on the Northwest Corner of Oakdale Avenue and Oakdale Lane from the General Commercial (C-G) Zone to the RM-2200 (Residential, Multi-Family, 2200 SQ. FT) Zone; APN: 498-310-20; General Plan Designation: Medium Density Residential (MR)

101 OAKDALE RESIDENCES – GENERAL PLAN AMENDMENT NO. 2015-01, ZONE RECLASSIFICATION NO. 2317, PLANNED UNIT DEVELOPMENT NO. 343, AND TENTATIVE SUBDIVISION MAP NO. 663 (Report: Anthony Shute, Deputy Director, Community Development)

- Opens the public hearing and receives testimony;
- Closes the public hearing;
- Moves to ADOPT the next RESOLUTION in order APPROVING the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- Moves to ADOPT the next RESOLUTION in order APPROVING General Plan Amendment No. 2015-01;
- Moves to INTRODUCE the next ORDINANCE in order APPROVING Zone Reclassification No. 2317 (If approved, the Mayor requests the City Clerk to recite the title);
- Moves to ADOPT the next RESOLUTION in order APPROVING Planned Unit Development No. 343; and
- Moves to ADOPT the next RESOLUTION in order APPROVING Tentative Subdivision Map No. 663.

ITEM 101: (Continued)

DISCUSSION

Deputy Director of Community Development, Anthony Shute provided a summary of the Item and answered questions from **Councilmember Kalasho** concerning size of the windows.

Mayor Wells opened the Public Hearing.

Juan Quemado, Project Designer, indicated he worked with staff and the Planning Commission in order to meet their requested changes, and to address the concerns of neighbors.

Victor Rodriguez, Civil Engineer, stated he was present to answer questions, and commented on the drainage easement issues.

No one else came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

City Clerk Hawley called attention to the revised Recommendations provided to **Council**, requesting approval of General Plan Amendment No. 2015-01.

Councilmembers Kendrick and **Goble** spoke in support of the design and quality of the project.

MOTION BY GOBLE, SECOND BY MCCLELLAN, to ADOPT Resolution No. 019-17 APPROVING the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY GOBLE, SECOND BY MCCLELLAN, to ADOPT Resolution No. 020-17 APPROVING General Plan Amendment No. 2015-01 as recommended by staff.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY GOBLE, SECOND BY MCCLELLAN, to INTRODUCE the Ordinance APPROVING Zone Reclassification No. 2317.

MOTION CARRIED BY UNANIMOUS VOTE.

ITEM 101: (Continued)

The City Clerk recited the title of the ordinance:

An Ordinance Approving Zone Reclassification No. 2317 for the Rezoning of Property Located on the Northwest Corner of Oakdale Avenue and Oakdale Lane from the General Commercial (C-G) Zone to the RM-2200 (Residential, Multi-Family, 2200 SQ. FT) Zone; APN: 498-310-20; General Plan Designation: Medium Density Residential (MR)

MOTION BY GOBLE, SECOND BY MCCLELLAN, to ADOPT Resolution No. 021-17 APPROVING Planned Unit Development No. 343.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY GOBLE, SECOND BY MCCLELLAN, to ADOPT Resolution No. 022-17 APPROVING Tentative Subdivision Map No. 663.

MOTION CARRIED BY UNANIMOUS VOTE.

**102 EAST COUNTY CREMATORIUM – APPEAL OF PLANNING COMMISSION DECISION
(Report: Anthony Shute, Deputy Director, Community Development)**

RECOMMENDATION: That the City Council:

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing;
- Moves to ADOPT the next RESOLUTION in order AFFIRMING the decision of the El Cajon Planning commission and DENYING the application of East County Crematorium for Conditional Use Permit (CUP) No. 2236.

DISCUSSION

Deputy Director of Community Development, Anthony Shute provided a summary of the Item, and responded to questions from **Councilmember Kalasho** concerning potential mercury pollution.

Mayor Wells asked for clarification that the proposed location is not the proper location for a crematorium, but the concept of ruling out a crematorium at another location in the City has not been determined. **Deputy Director Shute** replied in the affirmative.

The Public Hearing was opened.

ITEM 102: (Continued)

Jan Thruston, owner of Crystal Cleaners, attested to **Mr. Zakar** as a business neighbor, and indicated she has never heard any comments about being next door to a mortuary.

John Arrieta and **Don Sarantos** spoke in opposition to the project.

Janis Kelly and **Shawn Kelley**, volunteers for the T.I.P. program, spoke in support of **Mr. Zakar** and the services he has provided to many families in time of need.

Robert Zakar, the appellant, spoke in support of the project and showed a video clip on the equipment he proposes to use at the crematorium. He responded to questions from **Council** concerning transporting the deceased and sale of caskets and urns.

Councilmember Kendrick indicated that **Mr. Zakar** handled cremation services for both of his parents.

Mayor Wells spoke on concerns of the public perception on this type of business, and feels the proposed site is too close to schools.

Alred Atalloh spoke in support of the project and the need for this business. He urged **Council** to look at the project with a clear mind.

Angela Cortez, Cortez Cremations and Funeral Services, commented on the many regulations followed in the operation of crematoriums. She responded to questions from **Council** concerning air quality testing and inspection of chambers within the equipment.

Michael Burwell, manufacturer of the proposed equipment, spoke in support of the project and indicated this type of equipment is the cleanest used in the country. He responded to questions from **Council** concerning materials and smells that might come from the stacks.

Brian Stout, General Manager of East County Mortuary, spoke about the needs of families seeking cremation services.

Angela Cortez returned to the podium to respond to questions from **Council**, indicating her crematorium has been in business for one year and they have not received any complaints from neighboring businesses.

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

MOTION CARRIED BY UNANIMOUS VOTE.

ITEM 102: (Continued)

Councilmember Kendrick suggested a continuation of the Item for 30 days so that **Council** could visit the crematorium in National City.

City Attorney Foley indicated that a special meeting would need to be called, with a posted agenda, and that the public would be allowed to attend in order to avoid a Brown Act violation.

Councilmember Kalasho stated he must recuse himself from the Item as his grandmother was buried yesterday, and **Mr. Zakar's** services were involved.

City Attorney Foley clarified that with an abstention, the vote counts with the majority.

Discussion continued among **Council** concerning:

- The public need and necessity for a crematorium;
- Land use compatibility;
- The importance of not infringing on property rights;
- The public's perception of crematoriums; and
- The potential for identifying a more suitable site for the business.

MOTION BY KENDRICK, SECOND BY GOBLE, to ADOPT RESOLUTION NO. 023-17, AFFIRMING the decision of the El Cajon Planning commission and DENYING the application of East County Crematorium for Conditional Use Permit (CUP) No. 2236.

MOTION CARRIED. (MCCLELLAN – No, KALASHO – Abstained)

ADJOURNMENT: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 14th day of March 2017, at 8:59 p.m. to Tuesday, March 28, 2017, at 3:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary