

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

August 8, 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, August 8, 2017, was called to order by Mayor/Chair Bill Wells at 3:00 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:	Betancur, 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).

POSTINGS: The City Clerk posted Orders of Adjournment of the July 25, 2017, meeting and the Agenda of the August 8, 2017, meeting in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- **COMMENDATION: Ilesha Booker**
- **COMMENDATION: Sara Ramirez**
- **PRESENTATION: 2017 Waste Management Recycling Champions**
- **PRESENTATION: Metropolitan Water District**

AGENDA CHANGES: City Manager Williford announced a change to item 1.5 to include a copy of the draft agreement with National Demographics Corporation.

CONSENT ITEMS: (1.1 – 1.10)

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1.1 to 1.4. and 1.7 to 1.10, excluding item 1.5, which was pulled at the request of Councilmember Goble, and item 1.6 pulled at the request of a member of the public.

MOTION CARRIED BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the July 25, 2017 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 9-1-1 EMERGENCY COMMUNICATIONS RESIDUAL FUNDS (Report: Jeff Davis, Police Chief)

- Authorize the City Manager or designee to accept the 9-1-1 Emergency Communications residual funds in the amount of \$62,543.00 from the California Office of Emergency Services to be used for enhanced 9-1-1 capabilities in the Police Communications Center; and
- Appropriate the \$62,543.00 of the 9-1-1 Emergency Communications residual funds to the 225900 Police Miscellaneous Grants-Special Revenue Fund for FY 17-18.

1.5 PULLED FOR DISCUSSION

1.6 COMMUNITY EVENT IN THE RIGHT-OF-WAY: ALLEY CAT ART WALK (Report: Sara Ramirez, Director of Recreation)

City Council approve the use of the public right-of-way for the Alley Cat Art Walk on September 15, 2017.

DISCUSSION

Wendy Morris, representing St. Madeleine Sophie's, spoke to promote the Alley Cat Art Walk Event.

1.7 PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES, INC. FOR ENGINEERING, DESIGN AND ENVIRONMENTAL SERVICES FOR PHASE I OF THE BROADWAY EARTHEN CHANNEL REPAIRS PROJECT (Report: Yazmin Arrellano, Deputy Director of Public Works/City Engineer)

Authorize the City Manager to negotiate and execute a Professional Services Agreement (PSA) with Harris & Associates, Inc. (Harris) for Engineering, Design and Environmental Services for Phase I of the Broadway Earthen Channel Repair (Project), for an initial one (1) year term with renewable options.

CONSENT ITEMS: (Continued)

**1.8 PROFESSIONAL SERVICES AGREEMENT WITH NCE, FOR PROFESSIONAL ENGINEERING SERVICES TO UPDATE THE CITY'S PAVEMENT MANAGEMENT PROGRAM
(Report: Yazmin Arrellano, Deputy Director of Public Works/City Engineer)**

Authorizes the City Manager to negotiate and execute a Professional Services Agreement with NCE for Professional Engineering Services to update the City's Pavement Management Program.

**1.9 LEXIPOL POLICY MANAGEMENT IMPLEMENTATION PURCHASE
(Report: Jeff Davis, Police Chief)**

Authorizes the City Manager to execute a purchase agreement with Lexipol Inc. for Project Implementation and Subscription fees associated with the implementation of Lexipol's Policy Management System.

**1.10 RESOLUTION: TIME EXTENSION FOR DISPOSITION OR DEVELOPMENT OF HOUSING AUTHORITY PROPERTY
(Report: Anthony Shute, Director of Community Development)**

Adopt Resolution NO. 073-17 extending the time period for disposition or development of Housing Authority properties transferred from the former El Cajon Redevelopment Agency pursuant to California Health & Safety Code ("HSC") Section 34176.1 (e) to August 23, 2022.

PULLED FOR DISCUSSION:

**1.5 RESOLUTION: AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH NATIONAL DEMOGRAPHICS CORPORATION
(Report: Graham Mitchell, Assistant City Manager)**

RECOMMENDATION: That the City Council adopt the next Resolution in order, authorizing the City Manager to execute the attached amendment to the Professional Services Agreement (PSA) with National Demographics Corporation (NDC).

CONSENT ITEMS: (Item 1.5 - Continued)

DISCUSSION

Councilmember Goble praised the work by National Demographics Corporation, and spoke in support of the amendment of the Professional Services Agreement.

MOTION BY GOBLE, SECOND BY McCLELLAN, to ADOPT Resolution NO. 072-17 authorizing the City Manager to execute the attached amendment to the Professional Services Agreement (PSA) with National Demographics Corporation (NDC).

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Dennis Cushman, Assistant General Manager of the San Diego Water Authority, responded to comments made by Metropolitan Water District.

Sunshine Horton spoke about her upcoming birthday celebration, which will raise funds for Children's Hospital, through 'Go-Fund Me'.

Debra Brawner - no longer in the audience when called upon.

Gus Lopez Jr. resident of Solterra asked about findings of investigation performed by the City.

Donna Alberding resident of Solterra, shared feedback about the poor living conditions at the apartment complex.

Mark Egan, Solterra resident asked if the management contract, budget and the operating statements for the apartment complex were public records.

Wayne Bowie Jr., resident of Emerald Avenue, spoke about keeping the city clean, and he asked **Council** to help reach out to apartment complexes to keep streets clean. **Mr. Bowie** also asked for help with the homeless problem in the City.

Mayor Wells asked **Assistant City Manager Mitchell** to get Mr. Bowie's information to find a solution to the problem at hand.

PUBLIC COMMENT: (Continued)

Mayor Wells asked **City Manager Williford** to provide a summary report regarding Solterra Apartments. **City Manager Williford** stated that an inspection team was sent to the complex and the full findings will be mailed to each resident of the property. He added that code violations do exist and were to be fixed immediately. **City Manager Williford** added that the City did not own the property, but loans were made to build the property and that the City expects a certain level of performance.

Mayor Pro Tem McClellan stated that if the current management group was not performing satisfactorily, perhaps, changing the management group should be considered.

In answer to a question by **Councilmember Goble**, **City Manager Williford** explained the involvement of the City in regards to the issue at Solterra Apartments; he also explained that there was a formula to set the low and moderate rent amounts, set by the State of California.

No further comments were offered.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

4. ADMINISTRATIVE REPORTS:

4.1 ACCEPTANCE OF THE UPGRADE TRAFFIC SIGNALS – FLETCHER PARKWAY/BROADWAY PROJECT, FEDERAL-AID GRANT (HSIPL 5211 (031)), PW3516, BID NUMBER 013-17 (Report: Yazmin Arrellano, City Engineer/Deputy Director of Public Works)

RECOMMENDATION: That the City Council:

- Accepts the Upgrade Traffic Signals – Fletcher Parkway/Broadway project, PW3516, Bid Number 013-17; and
- Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms

ADMINISTRATIVE REPORTS: (Item 4.1 – Continued)

DISCUSSION

City Engineer/Deputy Director of Public Works, Yazmin Arrellano, introduced, **Mario Sanchez, City Traffic Engineer**, who gave a summary of the Item.

City Manager Williford acknowledged the efforts of the Public Works Department for securing grants and keeping the City streets in excellent shape.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ACCEPT the Upgrade Traffic Signals – Fletcher Parkway/Broadway project, PW3516, Bid Number 013-17; and Authorize the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

MOTION CARRIED BY UNANIMOUS VOTE.

**4.2 EAST COUNTY PERFORMING ARTS CENTER STATUS REPORT
(Report: Douglas Williford, City Manager)**

RECOMMENDATION: That the City Council note and file the status report on the East County Performing Arts Center (ECPAC).

DISCUSSION

City Manager Williford provided a summary of the Item.

Art Ballantyne requested that the names of the people who originally donated to open the theatre in 1977, be preserved.

Mayor Wells agreed with the idea of honoring the original supporters of the theatre.

MOTION BY WELLS, SECOND BY GOBLE, to ACCEPT and file the status report on the East County Performing Arts Center (ECPAC).

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

4.3 IMPLEMENTATION OF HOMELESS STRATEGIES (Report: Graham Mitchell, Assistant City Manager)

RECOMMENDATION: That the City Council receives a report regarding implementation of homeless strategies, authorizes expenditures recommended in the report, and approves a partnership agreement between the City and the El Cajon Collaborative.

DISCUSSION

Assistant City Manager Mitchell presented a summary of the Item.

In answer to a question by **Councilmember Kalasho**, **Assistant City Manager Mitchell** clarified that City staff will install the signs.

In addition, **Assistant City Manager Mitchell** clarified that the budget for this item was approved at the June 27, 2017 meeting; and that this is for informational purposes only.

Eric Lund stated that expenses for the 'East County app' would be shared by other cities and the County of San Diego. He also explained the process to teach the homeless to use the app for services.

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

Michael Kowalski shared his personal experience of being homeless.

Assistant City Manager Mitchell clarified for Council, that in addition to the signs posters will be displayed in businesses, which will be paid by business owners.

Councilmember Kendrick commended **Mr. Lund** and the Homeless Task Force for their work.

Councilmember Goble spoke in support of the El Cajon Transitional Living Center and the work they do for the community.

MOTION BY GOBLE, SECOND BY KENDRICK, to RECEIVE the report regarding implementation of homeless strategies, authorizes expenditures recommended in the report, and approves a partnership agreement between the City and the El Cajon Collaborative.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

4.4 PROCESS AND SCHEDULE FOR CITY COUNCIL PUBLIC FORUM (Report: Douglas Williford, City Manager)

RECOMMENDATION: That the City Council approve the process and issue form as presented, or provide alternative direction to staff.

DISCUSSION

City Manager Williford gave a summary of the Item. He stated that the forum has been scheduled for October 10, 2017 at 7:00 p.m., no other hearings will be scheduled for that date.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to APPROVE the process and issue form as presented, or provide alternative direction to staff.

MOTION CARRIED BY UNANIMOUS VOTE.

4.5 RESOLUTION: CITY COUNCIL USE OF ELECTRONIC DEVICES (Report: Douglas Williford, City Manager)

RECOMMENDATION: That the City Council consider options presented and adopt the next Resolution in order.

DISCUSSION

City Manager Williford gave a summary of the Item.

Mayor Wells spoke in support of option B.

Councilmembers Kendrick and **McClellan** spoke in support of option B as well.

Councilmember Kalasho cited Municipal Code 2.27.170, and the California Fair Employment Act. He stated that note taking would be burdensome for him, as he would have to transfer his notes to a City permitted device. **Councilmember Kalasho** added that he could possibly pursue a discrimination suit, as he feels the adoption of the item was directed towards him personally.

ADMINISTRATIVE REPORTS: (Item 4.5 - Continued)

City Attorney Foley clarified for **Councilmember Kalasho** that the purpose of the item was to prohibit the use of personal laptops, notepads, or other devices, during the Council meeting. The above mentioned devices can be used during personal time, and notes, or printouts were allowed to assist with decisions to be taken during the Council meeting. **City Attorney Foley** further clarified that nothing in the proposed policy related to **Councilmembers** by age, gender, sexual preference, race or ethnicity, and disagreed with the law analysis provided by **Councilmember Kalasho**.

Councilmember Goble spoke in support of the item and stated that trust, respect, and transparency were important to the public, and by limiting personal devices at the dais, these points were better served.

MOTION BY GOBLE, SECOND BY MCCLELLAN, to CONSIDER options presented and ADOPT RESOLUTION NO. 074-17.

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

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

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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.

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.

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

REPORT AS STATED.

- 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:

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

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

Name of Case: San Diego County Office of Education, et al.
v.
The County of San Diego; et al.
Superior Court of California
Case No. 37-2017-00019775-CU-WM-CTL

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADJOURN to Closed Session at 5:20 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 5: 27 P.M.

City Attorney Foley reported the following actions:

15.1 City Council approved engaging the Law Firm of Colantuono, Highsmith & Whatley, to assist the City in the Litigation process.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 8th day of August 2017, at 5:28 p.m. to Tuesday, September 12, 2017, at 3:00 p.m.

DARYL A. BETANCUR, MPA, MMC
City Clerk/Secretary