



CITY COUNCIL  
HOUSING AUTHORITY  
SUCCESSOR AGENCY  
TO THE  
REDEVELOPMENT AGENCY

Council Chamber  
200 Civic Center Way  
El Cajon, CA 92020

## Agenda

JUNE 26, 2018, 3:00 p.m.

Bill Wells, Mayor  
Gary Kendrick, Mayor Pro Tem  
Steve Goble, Councilmember  
Ben Kalasho, Councilmember  
Bob McClellan, Councilmember

Graham Mitchell, City Manager  
Morgan Foley, City Attorney  
Angela Aguirre, City Clerk

**CALL TO ORDER: Mayor Bill Wells**

**ROLL CALL: City Clerk Angela Aguirre**

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

**POSTINGS:** The City Clerk posted Orders of Adjournment of the June 12, 2018, Meetings and the Agenda of the June 26, 2018, Meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

Waste Management's Recycling Champions

Animal Shelter

**AGENDA CHANGES:**

## CONSENT ITEMS:

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. Minutes of the 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 June 12, 2018 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

RECOMMENDATION:

That the City Council approves payment of Warrants a submitted by the Finance Department.

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.

4. Subdivision Agreement for Private Improvements for Tentative Subdivision Map (TSM) 660 - Main Ranch (formerly Bella Terrazza)

RECOMMENDATION:

That the City Council:

1. Approves Subdivision Agreement for Private Improvements between the City of El Cajon and CWC El Cajon 139, LLC;
2. Authorizes the City Manager to execute agreement and related documentation;  
and
3. Authorizes the City Clerk to release bonds after improvement completion.

5. First Amendment to County of San Diego Contract No.553087 – County Service Area 115

RECOMMENDATION:

That the City Council approves the First Amendment to the County of San Diego – Department of Purchasing and Contracting Contract No.553087 Amendment No 1; and authorizes the City Manager to execute said Amendment on behalf of the City of El Cajon.

6. Revision to Public Works Inspector Class Specification

RECOMMENDATION:

That the City Council approves the changes to the class specification described below and included on the attachment.

7. Time Extension of Tentative Subdivision Map (TSM) 666; 1044 South Mollison Avenue; Engineering Job No. 3574

RECOMMENDATION:

That the City Council grants a one-year time extension for TSM 666 (1044 South Mollison Avenue) and sets the new expiration date to be July 26, 2019, in accordance with Municipal Code Section 16.12.110.

8. Establishment of New Underground Utility District #28 – North Magnolia Avenue

RECOMMENDATION:

That the City Council adopts the next RESOLUTION, in order, to establish a new Underground Utility District (UUD) #28 on North Magnolia Avenue from Fletcher Parkway to Vernon Way.

9. Modification of Bid Award No. 032-18 – Computer Equipment

RECOMMENDATION:

That the City Council adopts the next resolutions in order to:

1. Modify the bid to remove Line Item Nos. 1 and 2, resulting in a revised award amount of \$25,703.09 to Kambrian Corporation; and
2. Authorize the re-bid of Line Item Nos. 1 and 2.

**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.

**WRITTEN COMMUNICATIONS:**

## **PUBLIC HEARINGS:**

10. Fiscal Year 2018-19 Annual City, Housing Authority, and Successor Agency Budgets

### **RECOMMENDATION:**

That the City Council, Housing Authority, and the City of El Cajon as Successor Agency to the former Redevelopment Agency hold a joint public hearing to consider the Fiscal Year 2018-19 Proposed Budgets. After closing the public hearing, staff recommends the following:

1. Acting as the City Council, individually adopt the following:
  - a. Resolution of the City of El Cajon Adopting the Fiscal Year 2018-19 Annual Budget.
  - b. Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2018-19.
  - c. Resolution Approving Designation of General Fund Balances.
  - d. Approved proposed changes to City Council Policy B-1 Budget Adjustments and Capital Expenditures.
2. Acting as the Housing Authority Board of Directors, adopt resolution titled: Resolution of the El Cajon Housing Authority Adopting the Fiscal Year 2018-19 Budget.
3. Acting as the Successor Agency to the former Redevelopment Agency Board of Directors, adopt resolution titled: Resolution of the City Council of the City Of El Cajon as the Successor Agency to the former El Cajon Redevelopment Agency Adopting the Fiscal Year 2018-19 Budget.

## **ADMINISTRATIVE REPORTS:**

11. El Cajon Animal Shelter Project Acceptance, PS0020, RFP No. 014-16

### **RECOMMENDATION:**

That the City Council:

1. Accepts the El Cajon Animal Shelter Project, PS0020, RFP No. 014-16; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

12. First Amendment to the Disposition and Development Agreement with Brixton Fletcher, LLC

### **RECOMMENDATION:**

That the City Council adopts a resolution approving 1) the First Amendment to the Disposition and Development Agreement between the City of El Cajon and Brixton Fletcher, LLC, and 2) the First Amendment to the Purchase and Sale Agreement between the City of El Cajon and Brixton Fletcher, LLC.

13. City Council Policy A-29, Compensation Plan for Executive and Unrepresented Employees and the City Attorney

**RECOMMENDATION:**

That the Mayor provides an oral report summarizing recommended changes in compensation for the City's "local agency executives." Following the report, staff recommends that the City Council:

1. Approves the changes to City Council Policy A-29 described below and reflected on the attachment; and
2. Acknowledges the adjustment to the City Manager's compensation in accordance with the terms of his contract.

**COMMISSION REPORTS:**

**ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:**

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

14. Council Activity Report
15. Legislative Update

**ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS**

16. **MAYOR PRO TEM GARY KENDRICK**  
Heartland Communications JPA; Heartland Fire Training JPA.
17. **COUNCILMEMBER BOB MCCLELLAN**  
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate.
18. **COUNCILMEMBER BEN KALASHO**  
East County Economic Development Council – Alternate; METRO Commission/Wastewater JPA; Indian Gaming Local Community Benefit Committee – Alternate.
19. Mission Trails Regional Park Citizens Advisory Committee Compensation

**RECOMMENDATION:**

That the City Council considers directing the City Manager to bring this item back to the City Council for formal discussion and decision-making.

20. **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.

**JOINT COUNCILMEMBER REPORTS:**

**GENERAL INFORMATION ITEMS FOR DISCUSSION:**

**ORDINANCES: FIRST READING**

**ORDINANCES: SECOND READING AND ADOPTION**

21. Bostonia Greens - Common interest development of seven new residences

**RECOMMENDATION:**

That Mayor Wells request the City Clerk to recite the title.

An Ordinance Rezoning Property located on the East side of Bostonia Street between Broadway and Coker Way, APN: 484-240-19, from the RS-6 (Single-Family Residential, minimum 6,000 square feet) to the RM-2200 (Multi-Family Residential, minimum 2,200 square feet; pending General Plan Designation: Low Medium Density Residential (LMR)).

**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 26th day of June 2018, is adjourned to Tuesday, July 10, 2018, at 3:00 p.m.**



City Council  
Agenda Report

Agenda Item 1.

**DATE:** June 26, 2018

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Angela Aguirre, City Clerk

**SUBJECT:** Minutes of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meetings

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**RECOMMENDATION:**

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the June 12, 2018 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

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Attachments

06-12-18 Draft Minutes

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# DRAFT MINUTES

## JOINT SPECIAL 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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**June 12, 2018**

A Joint Special Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency held Tuesday, June 12, 2018, was called to order by Mayor Bill Wells at 2:01 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:	Aguirre, City Clerk/Secretary Foley, City Attorney/General Counsel Mitchell, City Manager/Executive Director

**Mayor Wells invited Police Chief, Jeff Davis, to lead the PLEDGE OF ALLEGIANCE TO THE FLAG 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 Secretary posted the Agenda of the June 12, 2018, meeting in accordance to State Law and Authority Policy.

#### 1 FISCAL YEAR 2018 - 2019 PRELIMINARY ANNUAL BUDGET



# DRAFT MINUTES

**City Manager Mitchell** presented an overview of the Fiscal 2018-2019 Preliminary Annual Budget, and stated that action for the Item would be taken during the June 26, 2018, 3:00 p.m. meeting.

**City Manager Mitchell** presented three (3) basic goals that the City is following:

1. Being conservative;
2. Meeting Community needs;
3. Demonstrating progressive approaches to basic municipal services.

He also shared information on the following topics:

- Fiscal Stability – 20% Operating Reserve maintained;
- Materials, Services and Supplies Expenditures increase 1.3%;
- Economic Development Funds;
- Public Safety – Squad Six Concept, hiring Park Rangers, Special Enforcement Unit;
- Public Infrastructure – El Cajon Performing Arts Center opens 01/2019;
- Community Events – Wells Park; America on Main Street, Haunt Fest and etc.;
- Innovation – Street sweeping, Advanced Pure Water analysis;
- Recreation, Culture, and Public Events.

**Director of Finance, Clay Schoen**, presented an overview of the comprehensive FY 2018-2019 Preliminary Annual Budget.

**City Manager Mitchell** returned to the podium and offered additional remarks about the future of the City.

No further comments were offered.

Adjournment: The Joint Special Meeting of the El Cajon City Council/El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 12th day of June 2018 was adjourned at 2:56 p.m.

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Angela Aguirre  
City Clerk/Secretary

# DRAFT MINUTES

## 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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**JUNE 12, 2018**

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, June 12, 2018, was called to order by Mayor/Chair Bill Wells at 3:05 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### ROLL CALL

Council/Agencymembers present:	Goble, Kalasho and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Wells
Other Officers present:	Aguirre, City Clerk/Secretary Foley, City Attorney/General Counsel Mitchell, City Manager/Executive Director

**PLEDGE OF ALLEGIANCE TO FLAG led by Police Chief Davis 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 May 22, 2018, meeting and the Agenda of the June 12, 2018, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:** None

**AGENDA CHANGES:** None

**CONSENT ITEMS: (1 - 13)**

**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.**

**MOTION BY WELLS, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 13.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

1. Minutes of City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency

Approves Minutes of the May 22, 2018 Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

Approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

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

4. Reimbursement of Sewer Improvement Costs to the City of La Mesa

Authorizes reimbursement of \$850,000 to the City of La Mesa for sewer improvement construction costs for facilities that convey sewer flows from the City of El Cajon.

**CONSENT ITEMS: (Continued)**

5. Donation of a Motorola XLT 5000 Portable Radio to Grossmont Academy

Approves a request from the Grossmont College Department of Administrative Justice for the donation of a Motorola XTL 5000 portable radio to use for the training academy students.

6. Award of Bid No. 028-18, Street Light System Maintenance, Emergency Repairs, and Related Construction Services for the Cities of El Cajon, La Mesa, Lemon Grove, and Santee

1. Adopts RESOLUTION NO. 044-18, to approve Plans and Specifications for the Street Light System Maintenance, Emergency Repairs, and Related Construction Services for the Cities of El Cajon, La Mesa, Lemon Grove, and Santee, Bid No. 028-18; and

2. Adopts RESOLUTION NO. 045-18, to award the bid to the lowest responsive, responsible bidder, C.T.E., Inc. in the amount of \$239,657.50 for the base bid and the sole Additive Alternate No. 1. The City of El Cajon's portion of the award is \$119,555.

7. Award of Bid No. 035-18, Networking Equipment Re-Bid

1. Adopts RESOLUTION NO. 046-18, to approve the acquisition of capital equipment in the subject bid; and

2. Award the bid to the lowest responsive, responsible bidder, VPLS Solutions, Inc. in the amount of \$119,251.04.

8. Award of Bid No. 004-19, Traffic Signal Upgrades 2018

1. Adopts RESOLUTION NO. 047-18, to approve the Plans and Specifications for the Traffic Signal Upgrades 2018 (PW3616), Bid No. 004-19; and

2. Adopts RESOLUTION NO. 048-18, awarding the bid to the lowest responsive, responsible bidder, Siemens Industry, Inc., in the amount of \$89,995.

**CONSENT ITEMS: (Continued)**

9. Award of Bid No. 003-19, Publication of Legal Notices

Adopts RESOLUTION NO. 049-18, awarding the bid for Publication of Legal Notices to the lowest responsive, responsible bidder, East County Gazette, in the estimated amount of \$7,200.

10. Award of Bid No. 002-19, Vehicle Outfitting Services

Adopts RESOLUTION NO. 050-18, awarding the bid to the sole responsive, responsible bidder, AEP-California, LLC, in the amount of \$148,500 for the initial one-year term, with four optional one-year terms.

11. Accept ADA Pedestrian Curb Ramps and Sidewalks 2017 Re-Bid, PW3575, Bid No. 018-18

1. Accepts the ADA Pedestrian Curb Ramps and Sidewalk 2017 Re-Bid, PW3575, Bid No. 018-18; and

2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

12. Annual Report from Downtown El Cajon Business Partners, Inc. for the El Cajon Property and Business Improvement District (PBID)

1. Approves the Annual Report prepared by the Downtown El Cajon Business Partners, Inc. (DECBP)

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**CONSENT ITEMS: (Continued)**

13. General Municipal Election (November 6, 2018)

Adopts the following Resolutions in connection with the November 6, 2018, General Municipal Election:

1. RESOLUTION NO. 051-18, Calling and Giving notice of the November 6, 2018, General Municipal Election for the election of Mayor, and one Member of the City Council of the City of El Cajon, for full four-year terms to expire December 2022;
2. RESOLUTION NO. 052-18, requesting the Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election on November 6, 2018;
3. RESOLUTION NO. 053-18, adopting regulations for candidates calling for prepayment for a 200 word Candidate's Statement; and
4. RESOLUTION NO. 054-18, adopting regulations to resolve a tie vote for the City Council Election by lot.

2. **WRITTEN COMMUNICATIONS: None**

**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.**

**Paul Johnson** Villa Novia resident, spoke in support of rent control. He stated high rent is, difficult for seniors with limited income. Requested speakers/support at their upcoming meeting (June 16<sup>th</sup>). He added that their case is in processing with rent mediation.

**Councilmember McClellan** reiterated that no more than 2 Councilmembers may attend a meeting at once, due to the Brown Act Regulations, and stated that he is aware of the situation and what is happening out in the economy.

## **PUBLIC COMMENT: (Continued)**

**Councilmember Kendrick** advised of a Mobile Home Park Co-Op program and will provide additional information to the group.

**Romiana Khoury**, a Crime Prevention Specialist with the District Attorney's Office, introduced herself to Council and stated she is willing to build a partnership and work on issues related to crime.

**City Manager Mitchell** advised Ms. Khoury to introduce herself to Police Chief, Davis.

**Sunshine Horton** spoke about lifting people's spirit. She encouraged people to do volunteer work in the community.

**Brenda Hammond** spoke about anger and harassment.

**Mark Egan**, a Solterra Senior resident, he thanked the City for their visit in 2017, which helped in getting the apartment complex to correct code violations. He spoke of rent increase happening 30 days earlier and receiving late notices from the property management.

**Jim Cirigliano**, resident of Villa Novia Senior Home Park, he showed a Costa Hawkins banner, which will be on the November ballot in reference to rent control/rent stabilization. He also advised that owners of the park have not responded to the arbitration petition letter sent.

In response to Mr. Cirigliano's concern, **Councilmember Kendrick** spoke about a State program, which allows Senior Home Park renters to be property owners instead of tenants.

**Bonnie Price** supports Sunshine Horton's presentation about caring for people of different color and she also spoke about the asylum situation at the border. She discussed HUD funded housing in El Cajon and felt that Council should be helpful to people that live in renter units.

## **PUBLIC HEARINGS:**

### **14. PUBLIC HEARINGS:**

#### **1. Delinquent Refuse Collection Charges**

**PUBLIC HEARINGS: (Item 14 - Continued)**

**RECOMMENDATION:** That the City Council:

1. Opens the Public Hearing and considers public testimony;
2. Closes the Public Hearing;
3. Adopts the next RESOLUTIONS in order confirming the list of property owners as delinquent in the payment of their mandatory trash service bills; and
4. Authorizes the City Clerk to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.

**DISCUSSION**

**Director of Public Works, Dirk Epperson**, provided a summary of the Item.

**Mayor Wells** opened the public hearing.

No speakers came forward to speak.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 055-18, confirming the list of property owners as delinquent in the payment of their mandatory trash service bills; and authorizes the City Clerk to record the to record the amount owed as a lien on the property and forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

15. **Delinquent Sewer Service Charges**

**RECOMMENDATION:** That the City Council:

1. Opens the Public Hearing and considers public testimony;
2. Closes the Public Hearing;
3. Adopts the next RESOLUTION in order confirming the charges and levying the assessments on the next regular tax bill; and
4. Authorizes the City Clerk to place a lien on delinquent properties and to forward a list to the County Tax Assessor for billing on the next property tax bill.



**PUBLIC HEARINGS: (Item 15 - Continued)**

**DISCUSSION**

**Director of Public Works, Dirk Epperson**, provided a summary of the Item.

**Mayor Wells** opened the public hearing.

No speaker came forward to speak.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 056-18, in order confirming the charges and levying the assessments on the next regular tax bill; and authorizes the City Clerk to place a lien on delinquent properties and to forward a list to the County Tax Assessor for billing on the next property tax bill.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

16. Public Hearing for Consideration of a Fee Adjustment for the Transportation Uniform mitigation Fee Program

**RECOMMENDATION:** That the City Council;

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next RESOLUTION in order, approving an adjustment to the Regional Transportation Congestion Improvement Program Fee to the new amount of \$2,483.48, for each newly-constructed residential unit. The new fee amount will take effect on July 1, 2018.

**City Traffic Engineer, Mario Sanchez**, provided a summary of the Item.

**Mayor Wells** opened the public hearing.

No speakers came forward to speak.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**PUBLIC HEARINGS: (Item 16 - Continued)**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION NO. 057-18, approving an adjustment to the Regional Transportation Congestion Improvement Program Fee to the new amount of \$2,483.48, for each newly-constructed residential unit. The new fee amount will take effect on July 1, 2018.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

17. Public Hearing for Underground Utility District #28 – North Magnolia Avenue

**RECOMMENDATION:**

That the City Council adopts the next RESOLUTION, in order, to consider a new Underground Utility District ("UUD") #28 on North Magnolia Avenue from Fletcher Parkway to Vernon Way.

**DISCUSSION**

**Director of Public Works, Dirk Epperson,** provided a summary of the Item.

**Mayor Wells** opened the public hearing.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**MOTION BY GOBLE, SECOND BY McCLELLAN, to ADOPT RESOLUTION NO. 058-18, to consider a new Underground Utility District ("UUD") #28 on North Magnolia Avenue from Fletcher Parkway to Vernon Way.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

18. Amendment of Schedule of Miscellaneous Fees

**RECOMMENDATION:** That the City Council:

1. Opens the Continued Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next RESOLUTION, in order, to modify certain existing fees, add or delete certain fees, and amend the City's Schedule of Miscellaneous Fees.

**PUBLIC HEARINGS: (Item 18 - Continued)**

**DISCUSSION**

**City Attorney, Morgan Foley,** provided a summary of the Item.

**Mayor Wells** opened the public hearing.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**MOTION BY KALASHO, SECOND BY McCLELLAN, to ADOPT RESOLUTION NO. 059-18, to modify certain existing fees, add or delete certain fees, and amend the City's Schedule of Miscellaneous Fees.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**ADMINISTRATIVE REPORTS:**

19. Award of RFP No. 005-19, Street Sweeping Services for the cities of El Cajon and La Mesa

**RECOMMENDATION:**

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

1. Approve Plans and Specifications for Street Sweeping Services for the Cities of El Cajon and La Mesa, RFP No. 005-19; and
2. Award the contract to Cannon Pacific Services, Inc. dba Pacific Sweeping in the amount of \$240,000

**MOTION BY KALASHO, SECOND BY GOBLE, to ADOPT RESOLUTION NO. 060-18, to approve Plans and Specifications for Street Sweeping Services for the Cities of El Cajon and La Mesa, RFP No. 005-19; and to award the contract to Cannon Pacific Services, Inc. dba Pacific Sweeping in the amount of \$240,000.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**ADMINISTRATIVE REPORTS: (Continued)**

20. Solid Waste Franchise Agreement

**RECOMMENDATION:**

That the City Council considers commencing a solicitation process for a franchise agreement for solid waste and recycling services and include the lease option for the City-owned property at 1001 West Bradley.

**DISCUSSION**

**Kristine Costa**, representing Waste Management, thanked the city for the opportunity to be an exclusive solid waste disposal and recycling provider. She made herself available to answer any questions on the two lease agreements.

**City Manager Mitchell**, advised that staff will take a thorough look at the item, which will be brought back again before going out for a bid.

**MOTION BY GOBLE, SECOND BY KENDRICK, to CONSIDER a recommendation for a solicitation process for a franchise agreement for solid waste and recycling services and include the lease option for the property at 1001 West Bradley.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**COMMISSION REPORTS: None**

**ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS**

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

21. COUNCIL ACTIVITIES REPORT/COMMENTS

Report as stated.

22. LEGISLATIVE REPORT

Report: Bill Wells, Mayor

**ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS (Continued)**

**Mayor Wells** provided information on SB-946, a proposal that would limit the City's ability to regulate sidewalk vendors and vendors in city parks. He added that despite beneficial amendments to the bill, the bill is a significant threat to local control and recommend sending a letter to express the City's concerns.

**MOTION BY WELLS, SECOND BY McCLELLAN to send a letter to state concerns by the city.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**ACTIVITIES REPORTS OF COUNCILMEMBERS**

24. MAYOR PRO TEM GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

Council Activities Report/Comments

Report as stated.

25. COUNCILMEMBER BOB MCCLELLAN

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

Council Activities Report/Comments

Report as stated.

26. COUNCILMEMBER BEN KALASHO

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

Council Activities Report/Comments

Report as stated.

27. 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 Activities Report/Comments

Councilmember GOBLE corrected his submitted report to remove the meeting on 6/8/18 – Habitat for Humanity.

**JOINT COUNCILMEMBER REPORTS: None**

**GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

**ORDINANCES: FIRST READING - None**

**ORDINANCES: SECOND READING AND ADOPTION - None**

**CLOSED SESSION**

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

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

Name of Case: Mike Murphy and Joshua Pittsley, et al.  
v.  
City of El Cajon, et al.

United States District Court  
Southern District of California  
Case No. 18CV0698 JM NLS

**MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 4:26 p.m.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**RECONVENE TO OPEN SESSION AT 4:33 P.M.**

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

- No reportable action taken.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 12<sup>th</sup> day of June 2018, at 4:34 p.m. to Tuesday, June 12, 2018, at 7:00 p.m.

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Angela Aguirre  
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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**JUNE 12, 2018**

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, June 12, 2018, was called to order by Mayor/Chair Bill Wells at 7:05 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 June 12, 2018, by order of the City Council and Redevelopment Agency.

#### ROLL CALL

Council/Agencymembers present:	Goble, Kalasho and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair present:	Wells
Other Officers present:	Aguirre, City Clerk/Secretary Foley, City Attorney/General Counsel Mitchell, City Manager/Executive Director

#### 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:**

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.

**PUBLIC HEARINGS:**

100 Interviews for the Appointment to Mission Trails Regional Park Citizen Advisory Committee

**RECOMMENDATION:**

That the City Council conducts an interview for one (1) vacancy on the Mission Trails Regional Park Citizen Advisory Committee, and consider appointment for the vacancy. Applicant: Richard Gadler (Incumbent)

**DISCUSSION**

**Mr. Gadler** gave an introduction and summary of his 30 years of experience with the park.

**Councilmember Kalasho** suggested that the Mission Trails Park Citizen Advisory Committee member should possibly be compensated for his time.

**Mayor Wells** advised that this subject be placed on a future agenda for discussion.

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to APPOINT Richard Gadler to the Mission Trails Regional Park Citizen Advisory Committee.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

*Remainder of page intentionally left blank.*

## **PUBLIC HEARINGS: (Continued)**

**101** Bostonia Greens – Common interest development of seven new residences

**RECOMMENDATION:** That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing;
3. Moves to ADOPT the next RESOLUTION in order APPROVING the Mitigated Negative Declaration & Mitigation, Monitoring and Reporting Program;
4. Moves to ADOPT the next RESOLUTION in order APPROVING General Plan Amendment No. 2016-02;
5. Moves to INTRODUCE the next ORDINANCE in order APPROVING Zone Reclassification No. 2324;
6. Moves to ADOPT the next RESOLUTION in order APPROVING Planned Unit Development No. 346; and
7. Moves to ADOPT the next RESOLUTION in order APPROVING Tentative Subdivision Map No. 667.

### **DISCUSSION**

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

**Mayor Wells** opened the Public Hearing.

**Andre Zeehandelaar** stated that his property is within the affected zone, and that he and others were not notified of the proposed project. He stated he has owned his property since 1960 and felt there was a misnomer with the presentation.

No further comments were offered.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

- Misnomer with the slide presentation, impacting schools due to problems with multi-housing and breaking up single family units;
- Maintaining current character, restoring properties to keep integrity;
- Privacy issues.

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

**MOTION BY KENDRICK, SECONDED BY KALASHO to ADOPT RESOLUTION NO. 062-18, APPROVING the Mitigated Negative Declaration & Mitigation, Monitoring and Reporting Program; to ADOPT RESOLUTION NO. 063-18, APPROVING General Plan Amendment No. 2016-02; INTRODUCE the next ORDINANCE in order APPROVING Zone Reclassification No. 2324; ADOPT RESOLUTION NO. 065-18, APPROVING Planned Unit Development No. 346; and to ADOPT RESOLUTION NO. 066-18, APPROVING Tentative Subdivision Map No. 667.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**102 Appeal of Planning Commission Denial of Appeal of an Adult Day Health Care Center**

**RECOMMENDATION:** That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing; and
3. Moves to ADOPT the next RESOLUTION in order that either GRANTS or DENIES the APPEAL

**DISCUSSION**

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

**Mayor Wells** opened the Public Hearing.

**Carmen Guerrero** spoke in support of proposed project.

**Bill Fishbeck**, attorney for Mr. Terzibachian, spoke in support of Babylon Palace.

**Mike Terzibachian** Babylon Palace applicant; spoke in favor of project.

**Hilal Mansour** spoke against proposed project at Babylon Palace.

**Dany Raheem**, Manager of Crystal Ballroom. Stated he is a neutral party and spoke of activities and traffic flow in the area.

**Lula Shamoun** spoke against proposed project at Babylon Palace.

**Lynn McDougal** spoke in support of the Babylon Palace project.

**PUBLIC HEARINGS: (Item 102 - Continued)**

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

- Concern that the project is not in line with the Downtown Specific Plan;
- Oversaturation of adult centers in the area;
- Supports the idea of another health care facility, but not in the SP182 area.

**MOTION BY KENDRICK, SECOND BY GOBLE, to ADOPT RESOLUTION NO. 067-18, to DENY the APPEAL of a Planning Commission decision regarding an Adult Day Health Care Center.**

**MOTION CARRIED BY 3-2 VOTE (KALASHO AND McCLELLAN - NO).**

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 12<sup>th</sup> day of June, 2018, at 8:59 p.m. to Tuesday, June 26, 2018, at 3:00 p.m.

**DRAFT**

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Angela Aguirre  
City Clerk/Secretary



City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** Subdivision Agreement for Private Improvements for Tentative Subdivision Map (TSM) 660 - Main Ranch (formerly Bella Terrazza)

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**RECOMMENDATION:**

That the City Council:

1. Approves Subdivision Agreement for Private Improvements between the City of El Cajon and CWC El Cajon 139, LLC;
2. Authorizes the City Manager to execute agreement and related documentation; and
3. Authorizes the City Clerk to release bonds after improvement completion.

**BACKGROUND:**

On July 28, 2015, the City Council approved TSM 660 for a 140 lot subdivision with 139 residential lots and common lots, by Resolution No. 077-15, subject to conditions. The subdivision, known as Bella Terrazza, is located on the east side of East Main Street between Pepper Drive and Lavala Lane (APNs: 400-250-07, -08, -09, and -28).

The proposed agreement provides security for the completion of private improvements following a Subdivision Construction Phasing Plan, as requested by the Developer.

**FISCAL IMPACT:**

None. The property owner has paid all fees.

Prepared By: Jaime Campos

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

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Attachments

Planning Commission Resolution No. 10811  
Tentative Subdivision Map 660  
Planning Commission Resolution No. 10810  
Private Improvement Agreement  
Bonds

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PLANNING COMMISSION RESOLUTION NO. 10811

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE SUBDIVISION MAP NO. 660 FOR A 140-LOT SUBDIVISION ON THE EAST SIDE OF EAST MAIN STREET, BETWEEN PEPPER DRIVE AND LAVALA LANE, APNs: 400-250-07, -08,-09, AND -28; GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (GC) AND SPECIAL DEVELOPMENT AREA 7 (SDA7).

WHEREAS, the El Cajon Planning Commission duly advertised and held a public hearing on July 7, 2015, to consider Tentative Subdivision Map (TSM) No. 660, as submitted by Priest Development Corporation, requesting a 140-lot residential subdivision in the General Commercial (C-G) zone; and

WHEREAS, the El Cajon Planning Commission adopted the next resolution in order, recommending to the El Cajon City Council the approval of the proposed project Mitigated Negative Declaration, including attachments, and Mitigation Monitoring and Reporting Program; and

WHEREAS, the El Cajon Planning Commission adopted the next resolution in order, recommending to the El Cajon City Council the approval of proposed Conditional Use Permit No. 2220 for a 139-unit common-interest residential development; and

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

- A. The proposed map is consistent with the General Plan and the General Plan goals related to housing that seek to provide a variety of residential development opportunities in the City to fulfill regional housing needs. The proposed project would result in a density of 8.9 dwelling units per acre, consistent with SDA 7 and SP No. 438.
- B. The proposed subdivision map design results in 139 residential lots and one common lot for a 139-unit residential project, which is consistent with the goals and objectives of the General Plan SDA 7 and the Housing Element. Furthermore, the site is physically suited for the type of development as well as the proposed density of the development.
- C. Other than a few large trees which could be used as nesting sites, the proposed project site has no habitat value and is completely surrounded by urban

development. Furthermore, the subject property is in a disturbed condition, and is not environmentally sensitive. The Mitigated Negative Declaration for the project provides mitigation measures to avoid or mitigate potential environmental impacts to nesting birds.

- D. The design of the subdivision and type of improvements are required to incorporate storm water management improvements that will contribute to healthier streams, rivers, bays and the ocean. Furthermore, the design of the proposed subdivision will accommodate passive heating and cooling opportunities because the proposed homes are designed with windows that open and would allow occupants to take advantage of the prevailing west winds. The units are separated to allow air flow through and around the units.
- E. The proposed map will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of property within the proposed map, and there are no existing easements that will be affected by the proposed construction because the map will establish new easements for public utilities, private road access, the private storm drain, and landscape maintenance, and abandon other existing easements that are no longer pertinent.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact stated above, the El Cajon Planning Commission hereby RECOMMENDS that the City Council APPROVES Tentative Subdivision Map No. 660 for a 140-lot subdivision in the C-G zone on the above described property, subject to the following conditions:

1. The applicant shall comply with all requirements of the Public Works Department as indicated in the comments attached to the resolution recommending City Council approval of Conditional Use Permit No. 2220 as "Exhibit B" and dated 03.04.2015.
2. Prior to the issuance of building permits for CUP No. 2220, or as otherwise determined by the Planning Manager, the final map for TSM No. 660 shall be recorded and the appropriate number of copies returned to the City.
3. The final map shall be in substantial conformance with the approved site plan for PRD No. 68 and TSM No. 659, except as modified by this resolution.
4. Prior to acceptance of the final map by the City Council, a landscape maintenance easement shall be depicted on the map. The landscape maintenance easement shall be depicted over all of the landscaped areas at the site that are outside the private rear yards for the individual units.

5. Prior to acceptance of the final map by the City Council, Conditions, Covenants, and Restrictions (CC&Rs) shall be recorded.
6. Prior to acceptance of the final map by the City Council, the remainder parcel located on the west side of East Main Street shall either be transferred to adjacent property owners, or it shall be included in the Landscape Documentation Package and its maintenance included in the covenants, codes, and restrictions as the responsibility of the homeowner's association.
7. The final map shall be accepted by the City Council and prepared for recordation in accordance with El Cajon Municipal Code Chapter 16.20.
8. The recordation of the final map shall be in accordance with the time limits permitted in Government Code §66452.6 et seq.

[The remainder of this page is intentionally left blank.]



Planning Commission Resolution No. 10811

PASSED AND ADOPTED by the El Cajon Planning Commission at a regular meeting held July 7, 2015 by the following vote:


AYES:	CIRCO, HERNANDEZ, SOTTILE, TURCHIN
ABSTAIN:	MROZ
ABSENT:	NONE



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Darrin MROZ, Chairman

ATTEST:



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Anthony SHUTE, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 10810

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT NO. 2220 FOR A 139-UNIT COMMON-INTEREST RESIDENTIAL DEVELOPMENT IN THE C-G (GENERAL COMMERCIAL) ZONE, APNs: 400-250-07,-08,-09, AND -28, GENERAL PLAN DESIGNATION: GENERAL COMMERCIAL (GC) AND SPECIAL DEVELOPMENT AREA 7 (SDA 7).

WHEREAS, the El Cajon Planning Commission duly advertised and held a public hearing on July 07, 2015, to consider Conditional Use Permit (CUP) No. 2220, as submitted by Priest Development Corporation, requesting a 139-unit common-interest residential development in the General Commercial (C-G) zone; and

WHEREAS, the El Cajon Planning Commission adopted the next resolution in order, recommending to the El Cajon City Council the approval of the proposed project Mitigated Negative Declaration, including attachments, and Mitigation Monitoring and Reporting Program; and

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

- A. The proposed common-interest residential development with a density of 8.9 dwelling units per acre is consistent with the provisions of General Plan SDA 7 and SP No. 438, which allow the site to be developed with residential uses consistent with the provision of the PRD-Low zone. Moreover, the General Plan Housing Element designates the property as a vacant residential site that would allow a maximum density of 10 dwelling units per acre, and the proposed development would provide new residential units in conformance with Housing Element policies to increase the number of housing units available to all income levels.
- B. SP No. 438 authorizes residential development of the subject property consistent with the standards of the PRD-Low zone. The proposed site plan is consistent with all applicable use and development standards for SP No. 438 and the PRD-Low zone. The project is a comprehensively planned design that specifically relates to the topography of the site as well as the development in the surrounding area. The proposed building elevations meet the intent of the PRD ordinance and the architectural guidelines contained within the Zoning Code with surface relief and variation of the proposed structures through the use of building materials that are balanced and emphasized on all elevations. There are

variations in the proposed color schemes, variations in the decorative building materials, and variations in the external form of the proposed units. The quality of the proposed project architecture is consistent with other recently built projects and is compatible with the surrounding neighborhood.

- C. The proposed use will be operated in a manner that is compatible with existing and planned land uses in the vicinity of the proposed use. The proposal to develop the subject property with residential uses is compatible with existing residential uses in the project vicinity. Moreover, project conditions of approval will require compliance with the mitigation measures recommended in the Mitigated Negative Declaration, which are intended to avoid potentially significant environmental effects, including traffic impacts to the intersection of East Main Street and Sydney Terrace.
- D. Such impacts are not anticipated with the normal conduct of a residential development. Construction activities will generate some dust and noise. However, those impacts are temporary and will be mitigated by best management practices during construction phases. Additional mitigation will be provided in the form of a traffic signal at East Main and Sydney Terrace, a sound wall adjacent I-8, and enclosures around outdoor HVAC compressors.
- E. The proposed use is in the best interest of public convenience and necessity. The proposed residential project would provide additional housing options on an infill development site and would provide new residential units in conformance with Housing Element policies to increase the number of housing units available to all income levels. As such, the project is in the best interest of public convenience and necessity.

NOW, THEREFORE, BE IT RESOLVED that based upon said findings of fact, the El Cajon Planning Commission hereby RECOMMENDS CITY COUNCIL APPROVAL of Conditional Use Permit No. 2220 for a 139-unit common-interest residential development, in the General Commercial (C-G) zone, on the above described property subject to the following conditions:

1. Prior to the issuance of building permits, or as otherwise determined by the Planning Manager, the applicant shall submit and obtain approval of a revised, one-page, 24" by 36" mylar site plan that reflects the following specific notes and changes:
  - a. Include the following note: "Separate utility connections shall be provided for each unit in the approved development."

- b. Include the following note: "Trash bins shall not be permitted to obstruct the approved private street and driveways."
  - c. Include the following note: "This project shall comply with the Standard Conditions of Development from Planning Commission Resolution No. 10649, as applicable, which are incorporated herein by reference."
  - d. Include the following note: "Due to lot coverage limitations, future patio covers and/or residential accessory structures in private rear yards shall not exceed an area of 41 sf per unit."
  - e. Indicate that there will be gates in the rear yard privacy fences to allow trash receptacles to be moved for collection day from the storage areas on the side of each unit.
  - f. Indicate all easements, including landscape and common area maintenance easements.
  - g. Indicate the areas of the four phases of project construction.
  - h. The revised site plan shall reflect the applicable comments and include all of the required notes from the Public Works Dept. attached to this resolution as "Exhibit B" and dated 03.04.2015.
  - i. The revised site plan shall reflect the applicable comments listed in the Building comments from the Building and Fire Safety Division attached to this resolution as "Exhibit C" and dated 01.21.2015.
  - j. The revised site plan shall reflect the applicable comments listed in the Fire Safety comments from the Building and Fire Safety Division attached to this resolution as "Exhibit D" and dated 01.21.2015.
  - k. The revised site plan shall reflect the applicable comments from the Helix Water District attached to this resolution as "Exhibit E" and dated 02.09.2015.
  - l. Remove the billboard sign from the site plan.
2. Prior to the issuance of building permits, or as otherwise determined by the Planning Manager, the applicant shall complete the following:
- a. Submit the required copies of the recorded final subdivision map. The map shall be in conformance with the approved CUP No. 2220 Site Plan.
  - b. The property owner/developer shall enter into an agreement with the city to guarantee the installation and completion of all private improvements and any other private work required by the city in accordance with the final site plan. The agreement shall be in the form of either a bond guaranteeing faithful performance of the agreement and guaranteeing payment for labor and materials; or a trust agreement evidencing that the estimated cost of the work or improvements has been deposited with an approved trustee.
  - c. The approved building material types and colors of all exterior elevations shall be shown on the construction drawings submitted for building

- permits and shall be in substantial conformance with the materials approved by the City Council.
- d. Architectural details for the required sound enclosures around external HVAC units shall be included in the building permit plans.
  - e. Architectural details for all required walls shall be included in the building permit plans.
  - f. Submit a letter indicating proof of trash and recycling collection services from the City's solid waste collection contractor (Waste Management, Inc.)
  - g. Comply with the Public Works Department comments attached to this resolution as "Exhibit B" and dated 03.04.2015 to the satisfaction of the Deputy Director of Public Works and the Planning Manager.
  - h. Comply with the building comments from the Building and Fire Safety Division attached to this resolution as "Exhibit C" and dated 01.21.2015.
  - i. Comply with the fire safety comments from the Building and Fire Safety Division attached to this resolution as "Exhibit D" and dated 01.21.2015.
  - j. Comply with the comments from the Helix Water District attached to this resolution as "Exhibit E" and dated 02.09.2015.
  - k. Obtain approval of a Landscape Documentation Package (LDP) in conformance with the requirements of Chapter 17.195 of the Zoning Code, and consistent with the guidelines provided in the City of El Cajon Landscape Design Manual. The LDP shall indicate landscaping in all areas excluding the dwelling units and the private rear yards for the dwelling units.
  - l. Satisfy all pre-construction mitigation measures in the Mitigation Monitoring and Reporting Program attached to this resolution as "Exhibit F".
  - m. Remove the billboard from the subject property.
3. Submit one electronic copy of the draft Covenants, Conditions and Restrictions (CC&Rs) for the common ownership and maintenance of the project for approval by the Planning Division, Storm Water Division, and City Attorney. Prior to the granting of a certificate of occupancy for any units the applicant shall record the CC&Rs and submit one electronic copy (PDF format) of the recorded document to the Planning Division on a compact disc. The CC&Rs shall include the maintenance of the private streets, sidewalks, driveways, common lighting, common fencing, stormwater facilities, and required landscape areas including street yards and the common lot, and shall contain the following language:
- "A. This entire project and property shall be subject to all of the conditions and restrictions contained within the resolution adopted by the City of El Cajon which approved the tentative subdivision map for the project, as well as being subject to all the conditions and restrictions contained in any permits issued for the project which were approved by the City of El

Cajon, along with accompanying site plans, elevations and landscape plans.”

- "B. The City of El Cajon is hereby given supervisory jurisdiction over the enforcement of the provisions of this Declaration dealing with maintenance, cleanliness and repair of the landscape and pavement maintenance easement and exterior appearance of the project. In the event of breach of any duty pertaining to such maintenance, cleanliness, repair or exterior appearance, the City of El Cajon may give written notice of such breach to the Association or Owners, together with a demand upon them to remedy such breach. If they refuse to do so, or fail to take appropriate action within 30 days of the receipt of such notice, the City of El Cajon shall have the standing and the right (but not the obligation) to both bring an action in a court of proper jurisdiction to enforce the provisions of this Declaration and/or initiate abatement proceedings pursuant to the ordinances of the City of El Cajon. Nothing contained herein shall limit any other right or remedy which the City may exercise by virtue of authority contained in ordinance or state law."
  
- "C. The City Attorney of El Cajon must give prior approval to any amendments to this Declaration of Covenants, Conditions and Restrictions which deal with any of the following topics:
  - 1. Amendments with regard to the fundamental purpose for which the project was created (such as a change from residential use to a different use), and amendments which would affect the ability of the City of El Cajon to approve or disapprove external modifications to the project.
  - 2. Amendments with regard to the supervisory jurisdiction for enforcement granted to the City of El Cajon by this Declaration.
  - 3. Property maintenance obligations, including maintenance of landscaping, sidewalks, and driveways, and cleanliness or repair of the project."
  
- "D. No alteration or modification shall be made to the landscape and pavement maintenance easement which is contrary to the development plan approved by and on file with the City of El Cajon without the approval of the City."
  
- "E. Parking shall only occur in the approved parking spaces and individual private driveways depicted on the final approved CUP No. 2220 site plan. No parking is permitted along the private street except that which is identified on the site plan."

"F. A minimum of two garage parking spaces at each unit shall be maintained and available for parking."

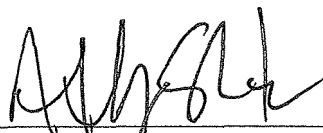
4. Prior to the granting of occupancy for any unit, or as otherwise determined by the Planning Manager, all on-site improvements shall be completed or guaranteed in accordance with the approved CUP No. 2220 site plan. In addition, the following items shall be completed and/or inspected:
  - a. Record the CC&Rs, and submit one electronic copy of the recorded document (PDF format) to the Planning Division on compact disc.
  - b. Complete the installation of the approved landscaping and irrigation system and obtain approval of a Certificate of Completion.
  - c. Satisfy all remaining mitigation measures in the Mitigation Monitoring and Reporting Program attached to this resolution as "Exhibit F".
  - d. Satisfy all requirements of the Public Works Department, Building Division, Fire Safety Division, & Helix Water District as indicated in the attached comments dated and labeled 03.04.2015 (Exhibit B), 01.21.2015 (Exhibit C), 01.21.2015 (Exhibit D), & 02.09.2015 (Exhibit E) respectively.
5. Individual phases of the project must be completed prior to the occupancy of any units within those phases. Unobstructed access to previous phases must be maintained during later phases of construction. All environmental mitigation measures, and all required public and private improvements, including but not limited to: private streets, parking facilities, landscaping, lighting, walkways, walls, fences, common areas, and other aspects of the individual phases, must be completed and maintained prior to and during subsequent phases of construction.
6. The Planning Commission may at any time during the life of this use permit, after holding a properly noticed public hearing, at which time the applicant may appear and object under applicable law to any potential revocation or modification of the conditions of approval, and after considering testimony as to the operation of the approved use, revoke the permit, or modify the permit with any additional conditions as it deems necessary, to ensure that the approved use continues to be compatible with surrounding properties and continues to be operated in a manner that is in the best interest of public convenience and necessity and will not be contrary to the public health, safety or welfare.
7. The existence of this conditional use permit shall be recorded with the County Recorder.
8. The proposed use shall be developed and operated in substantial conformance as presented in the Planning Commission agenda report for Conditional Use Permit No. 2220, dated July 7, 2015, except as modified by this resolution. Operation of the

PASSED AND ADOPTED by the El Cajon Planning Commission at a regular meeting held July 7, 2015 by the following vote:

AYES:	CIRCO, HERNANDEZ, SOTTILE, TURCHIN
ABSTAIN:	MROZ
ABSENT:	NONE

  
\_\_\_\_\_  
Darrin MROZ, Chairman

ATTEST:

  
\_\_\_\_\_  
Anthony SHUTE, AICP, Secretary



## **STANDARD CONDITIONS OF DEVELOPMENT**

(Planning Commission Resolution No. 10649)

All projects approved by the Planning Commission shall comply with the following standard conditions, unless specifically exempted by the Commission or Council.

### **A. GENERAL**

1. The applicant shall comply with the school impact fee requirements of the Grossmont Union High School Districts, Cajon Valley, and La Mesa-Spring Valley School Districts when applicable.
2. For projects that require a grading permit and excavate more than three feet into native soils, and prior to the issuance of a Building Permit, the applicant shall submit a letter to the Planning Manager agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Planning Manager.

### **B. PROJECT SITE**

1. The applicant shall comply with all regulations and code requirements of the Building and Fire Safety Division, Public Works Department, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.
2. All landscape areas that adjoin parking spaces, driveways, vehicular circulation areas, or the public right-of-way shall be protected from encroachment by vehicles in a manner that also complies with state storm water regulations, which require storm water to be discharged to landscaped areas in order to reduce or eliminate the discharge of pollutants. The method of protection shall be determined by the Deputy Director of Public Works. The approved method may include six-inch high curb segments, wheel stops, decorative rock bands, or other methods determined to be acceptable by the Deputy Director of Public Works.
3. Environmental and engineering studies, as directed by the Planning Manager, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.
4. Developer shall underground existing and required on and off-site utilities as specified in Chapter 15 of the Municipal Code, or as deemed necessary by the City Engineer.

5. All development projects shall comply with Title 12 (Streets and Sidewalks), and Title 13 (Water, Sewers, Grading, Erosion and Storm Water) of the El Cajon Municipal Code as determined by the City Engineer.
6. All retaining walls visible from public right-of-ways shall include decorative elements, subject to approval by the Planning Division.
7. The design of any masonry sound wall shall be approved by the Planning Division. Such walls shall match or be architecturally compatible with existing sound walls of neighboring projects along that street. All masonry walls shall have a trim cap.

**C. ARCHITECTURE**

1. All exterior materials and colors used in this project shall be in conformance with the materials and color samples approved as a part of this application.
2. All mechanical, and/or roof mounted equipment shall be architecturally screened from public view.
3. All trash/recycling enclosures shall be constructed of masonry material with view-obscuring doors. The enclosure shall include materials and colors consistent with the primary building and meet appropriate Storm Water Division requirements. Required roofs shall match elements of the primary building and shall include a fascia trim.
4. All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface, unless otherwise directed by the Planning Commission.
5. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a manner that is architecturally compatible with the exterior of the building.
6. Finish quality of approved exterior design elements shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.
7. Any decorative elements around the base of a building (stone veneer or tile, etc.) shall be finished with a decorative cap or trim piece.

**D. LANDSCAPING**

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to the issuance of a Certificate of Occupancy.
2. All existing trees to remain shall be shown on the grading plan.

3. The area under the drip line of all existing trees that are to remain shall be protected during construction by a fence or other acceptable means. Grading shall be restricted under the trees to prevent soil compaction and to prevent root damage.
4. All sloped banks greater than three (3) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: deep-rooting grasses, ground cover and shrubs. Shrubbery shall be a minimum one-gallon size and shall have a minimum separation of one (1) times the mature width and on slopes of 10 feet or more in vertical height shall include, a minimum of one (1) tree for every 600 square feet of the total slope area. Trees shall be a minimum five-gallon size and shall be spaced a minimum of 30 feet apart. Trees and shrubs shall be planted in staggered clusters to soften and vary the slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.
5. All landscaping shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, dead or dying plants shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to ensure continued regular watering of landscape areas, and health and vitality of landscape materials.

**E. MISCELLANEOUS**

1. Final occupancy shall not be granted until all construction and landscaping is complete in accordance with all approved plans. Under certain circumstances, a temporary occupancy may be granted prior to final inspection.
2. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.
3. All signs shall be submitted to the Planning Division for review and approval per Section 17.190.060 of the El Cajon Municipal Code.
4. The site shall be maintained in a neat and clean manner free of trash and debris.
5. Certain outdoor equipment, such as satellite dishes and back-flow prevention devices shall be visually screened or painted to match surroundings upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.
6. Water backflow protection for new residential and modified residential projects shall include a protection device at the fire service point of connection, or an internal passive purge system. Annual testing is required for protection devices. Contact Helix Water District at 619.466.0585 for additional information.

7. All exterior light fixtures shall be shown on a lighting plan and made part of construction drawings subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building, parking, and yard lights shall conform to the City General Development Standards 17.130.150 and Performance Standards 17.115.130 (G) and shall complement the site and building architecture.
8. The removal of trees shall not take place during the bird-nesting (breeding) season (February 1 through August 15), unless written authorization from a qualified biologist to proceed with tree removal is submitted to the Planning Division. If clearing is proposed to take place during the breeding season, a survey shall be conducted by the qualified biologist to determine if nests are present, or nest building or other breeding/nesting behavior is occurring. If nesting is not occurring (which includes nest building or other breeding/nesting behavior) within this area, clearing shall be allowed to proceed. If nesting is occurring (or breeding/nesting behavior is occurring), tree removal shall be postponed until a qualified biologist determines that all nesting (or breeding/nesting behavior) has ceased or until after August 15.
9. The placement of bollards within parking areas and driveways shall only be permitted when no other alternative design (curbs or landscaping) is feasible and accepted by the Building Official.



Incorporated 1912  
City of El Cajon

Bella Terrazza  
Exhibit B - Proposed Resolution  
Public Works Depart. comments

APR 20 2015

COMMUNITY  
DEVELOPMENT

Community Development Department  
Engineering  
MEMO

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To: Planning

From: Engineering

Date: March 4, 2015

Re: TSM 660, PRD 70, 1950 East Main Street (Bella Terrazza)

now COP 2220  
TSM 660

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A Final Map must be prepared by a registered civil engineer or a licensed land surveyor in accordance with Title 16 of the Municipal Code and the Subdivision Map Act. In order to complete the process of subdividing the property, the owner is responsible for having a Final Map recorded with the County Recorder within two (2) years after approval of the Tentative Subdivision Map by the City Council or within the time limits of an extension granted in accordance with Title 16 of the Municipal Code.

The following conditions must be completed prior to recording of the Final Map:

- 
1. Show all existing, proposed and vacated easements (private and public) on the Final Map.
  2. Provide a public sewer easement along the private street centered on the proposed sewer main to provide a public sewer easement of 15-ft wide and 15-ft beyond the sewer termination point.
  3. Improve the street shown on the tentative map as Private Street in accordance with Chapter 17.165 of the City Municipal Code, since the street does not meet City Standards for public streets. Prior to issuance of a Building Permit and an Encroachment Permit (Encroachment Permit is a separate permit that must be obtained for any required improvements in the right-of-way), the applicant or contractor shall prepare an Engineer's scale, detailed drawing showing the plan and profile of the private street, curbs and gutters, drainage features, and typical sections shall be prepared by a Civil Engineer registered in the State of California and shall be submitted to the City for review. **Private Street Improvement Plans must be submitted.**
  4. Install separate gravity sewer services, water services (including meters) and other utilities to each parcel with a building unit in accordance with the Municipal Code. The proposed sewer and water laterals serving the parcel shall be private and shall be approved by the Building Division. A double cleanout is required at the property line for all sewer laterals. Maintenance of the private sewer and water laterals shall be the responsibility of the homeowners. Connections to the City sewer system and payment of connection fees are required with Building Permits.
  5. The proposed sewer main to serve the subdivision shall be public. A detailed, scaled drawing showing the plan and profile of the sewer main, manhole locations, and laterals shall be prepared by a Civil Engineer registered in the State of California. The sewer main shall be designed and built in accordance with the City of El Cajon Improvement Standards for Public Sewer Mains and submitted to the City for review. Maintenance of the public sewer main shall be the responsibility of the City. Maintenance of the sewer laterals shall be the responsibility of the homeowners. Connections to the City sewer system and payment of connection fees are required with Building Permits.

6. The proposed storm drain system to serve the subdivision shall be private. A detailed scaled drawing showing the plan and profile of the private storm drain system and manhole locations shall be prepared by a Civil Engineer registered in the State of California. The storm drain system shall be designed and built in accordance with the City of El Cajon Improvement Standards for Public Drainage Systems and submitted to the City for review. Maintenance of the on-site private storm drain system shall be the responsibility of the homeowners. **Private Storm Drain System Plans may be shown on the separate Private Street Improvement Plan. The Private Storm Drain System may be included with the Grading and Drainage Plans.**
7. Install FS 303 city standard public streetlights on East Main Street. The streetlight locations, SDG&E service point(s), pull-boxes and conduit shall be shown on the Grading and Drainage Plans.
8. Upon the completion of a City approved traffic impact study a new traffic signal at the intersection of East Main Street and Tammy Street / Sydney Terrace maybe required.
9. Improve East Main Street from the centerline to 40-feet easterly and provide full width sidewalk with curb and gutter to the existing right of way line. A detailed scaled drawing showing the plan and profile and typical sections of the public street, curb and gutter, and drainage facilities, as required, shall be prepared by a Civil Engineer registered in the State of California and shall be submitted to the City for approval. Improvements shall include, but not be limited to a full street pavement section to provide 40-feet from face of curb to the centerline, PCC curbs and gutters and full width sidewalks, and adequate pavement transitions. Relocate existing facilities in conflict with construction as necessary.
10. Add the following notes to the PRD Site Plan:

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“All operations must be in compliance with the City’s Storm Water Ordinance (Municipal Code 13.10 and 16.60) to minimize or eliminate pollutant discharges to the storm drain system.

For Public Works requirements on this Planning Action, please refer to the Conditions of Approval. This Site Plan may not clearly show existing or proposed improvements in the public right-of-way and should not be used for public improvement construction purposes.”

11. Comply with the following Storm Water requirements:
  - a. In accordance with the City of El Cajon Municipal Code Section 16.60, this project falls into a priority project category and is subject to the Standard Urban Storm Water Mitigation Plan (SUSMP) requirements. To fulfill SUSMP requirements, a Storm Water Mitigation Plan (SWMitP) needs to be prepared by a Registered Civil Engineer in the State of California. A Storm Water Conceptual Plan must be submitted to the Storm Water Division prior to the approval of any Planning Action (Storm Water Conceptual guidelines can be obtained from Public Works Storm Water Division on the fourth floor of City Hall). Amongst other things, the SWMitP shall include the following:
    - 1) Incorporation of New Development Best Management Practices (BMPs).
    - 2) Runoff calculations for water quality. A specific volume or flow of storm water runoff must be captured and treated with an approved (series of) storm water treatment control device(s); the BMP design size is calculated using either: a) the 85th percentile hourly precipitation (County Hydrology Manual isopluvial map) for volume based BMPs, or b) using a rain fall intensity of 0.2 inches per hour (Storm Water Attachment No. 4) for flow based BMPs.
    - 3) Runoff calculations for water quantity in compliance with the approved Hydromodification

Management Plan (HMP) requirements. Calculate pre- and post-construction peak flow runoff rates (calculated to the nearest 0.1 CFS using % imperviousness). The post-construction flows must not exceed the pre-construction flows. An electronic copy of the County of San Diego HMP can be found online at:

[http://www.projectcleanwater.org/pdf/susmp/hmp\\_final\\_san\\_diego\\_hmp\\_mar2011\\_wapendices.pdf](http://www.projectcleanwater.org/pdf/susmp/hmp_final_san_diego_hmp_mar2011_wapendices.pdf)

- 4) Incorporation of Low Impact Development (LID) BMPs for compliance with the California Regional Water Quality Control Board (San Diego Region) Order No. R9-2007-0001. (See Section D.1.d(4) of Order No. R9-2007-0001, located at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

LID BMPs must be included as a separate section of the SWMitP. The LID section must include a comprehensive review and consideration of LID BMPs and a determination of feasibility and practicality for all mandatory LID BMPs. The LID section must include implementation of Source Control BMPs, Treatment Control BMPs and other LID BMPs where practical and feasible. An electronic copy of the County of San Diego Low Impact Development Handbook can be found online at:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

- 5) A Maintenance Plan per Storm Water Attachment No. 3 to ensure perpetual maintenance of BMPs (Available to the public through Public Works on the fourth floor of City Hall).

- 6) Landscaping Plans that comply with SUSMP requirements (submitted to the Planning Department).
- 7) Details of any proposed and existing trash enclosures. Any and all enclosures must be designed to be secured, constructed with a grade-break or berm across the entire enclosure entrance, and covered with an impervious, fire-resistant roof in accordance with the requirements of Public Works Storm Water Attachment No. 2.

Note: Contact the City of El Cajon Public Works Department to request a sample of the SWMitP document.

- b. The plans shall show that all new roof drains, driveways, parking areas, sidewalks and other impervious areas will drain to sufficiently sized and designed landscaped areas so as to incorporate Low Impact Development (LID) BMPs for compliance with the California Regional Water Quality Control Board (San Diego Region) Order No. R9-2007-0001. See Section D.1.c(2) of Order No. R9-2007-0001, located at:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

LID BMP details must be included as a separate section of the Building Permit Plan Set. The project must include a comprehensive review and consideration of LID BMPs and a determination of feasibility and practicality for all mandatory LID BMPs. The LID section must include implementation of Source Control BMPs, Treatment Control BMPs and other LID BMPs where practical and feasible. Incorporate all cross sections of proposed BMPs on the site plan. An electronic copy of the County of San Diego Low Impact Development Handbook can be

found online at:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

- c. Prepare and submit a Storm Water Maintenance and Operations Plan to ensure compliance with City of El Cajon's storm water regulations.
  - d. Submit a signed and executed Storm Water Facilities Maintenance Agreement with Easement and Covenants. An electronic copy of the Storm Water Facilities Maintenance Agreement with Easement and Covenants can be obtained at the City of El Cajon Public Works Department.
  - e. Submit copies of the Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) from the California Regional Water Quality Control Board.
  - f. Submit a copy of the Conditions, Covenants, and Restrictions (CC&R's) for the property, per Storm Water Attachment No. 3, which address residential compliance with City of El Cajon Municipal Code section 13.10.080. Please refer to the updated Agreement for changes and updates to language that should be incorporated into the CC&Rs.
12. Submit a current Preliminary Title Report and a Subdivision Guarantee, no older than 60 days, at the time the map is ready to record.
  13. Submit a County Tax Certificate valid at the time of map recordation.
  14. Set survey monuments and guarantee setting of any deferred monuments.
- 
15. Submit Will-Serve letters from Water Company, Gas and Electric Company, Phone Company and Cable TV Company.
  16. Submit a preliminary soils report prepared by a Civil or Geotechnical Engineer registered in the State of California, along with adequate test borings.
  17. Submit a Drainage Study and a Grading and Drainage Plan along with an Erosion Control Plan prepared by a Civil Engineer, registered in the State of California. No grading or soil disturbance, including clearing of vegetative matter, shall be done until all necessary environmental clearances are secured and the Grading and Drainage Plan and Erosion Control Plan have been reviewed by the City.

These Plans shall be based on the preliminary soils report and in conformance with the City of El Cajon Jurisdictional Urban Runoff Management Program (JURMP) and Standard Urban Storm Water Mitigation Plan Ordinance (SUSMP) which require additional erosion control measures and future ongoing maintenance even after completion of the project to prevent, treat, or limit the amount of storm water runoff and pollution from the property.

The Erosion Control Plan shall show measures to ensure that pollutants and runoff from the development are reduced to the maximum extent practicable and will not cause or contribute to an exceedance of receiving water quality objectives throughout project construction.

The Drainage Study shall include all related tributary areas and adequately address the impacts to the surrounding properties and to the City drainage system. The developer shall provide any needed public and private drainage facilities, including off site drainage facilities (as determined by the study). If public drainage facilities are required, the required improvements need to be included in improvement plans, prepared by a Civil Engineer, registered in the State of California, and submitted to the City for approval. Note: If the Drainage Study indicates the existing downstream drainage



system is inadequate for the proposed density of the subdivision, a reduction in density and/or hard surface coverage of the subdivision may be required.

18. Underground all new and existing utility distribution facilities adjacent to and within the subdivision boundaries along East Main Street, including services to all new and existing buildings, in accordance with City Municipal Code Sections 16.16.040D and 16.52.010. Evidence of arrangements to underground utilities must be provided.
19. Submit signature omission letters from all public easement holders who do not have a signature block on the map.
20. Submit a letter stating if the required public improvements listed above will be completed prior to recording the Map or deferred by a Subdivision Agreement.
21. The lot without a building unit is to be designated as a non-buildable lot for ingress and egress, water, sewer, and other utility purposes, for the common use and benefit of the other lots.
22. An Encroachment Permit or Subdivision Agreement is required prior to any work within the public right-of-way.

Municipal Code Section 16.16.060 provides that, in lieu of constructing the required improvements prior to recording of the final map, the subdivider may enter into an agreement which guarantees construction within one year. Such agreement shall be accompanied by improvement security in accordance with Municipal Code Section 16.16.080 and a certificate of insurance provided by the subdivider in accordance with City Council Policy D-3.

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The school districts in the City have developer fee assessment policies. These fees are collected at the time of issuance of building permits.

Existing streets shall be kept free of dirt and debris and maintained in good condition. Dust shall be controlled so that it does not become a nuisance. The developer shall be responsible for the repair of any streets or private property damaged as a result of the construction of the subdivision.

Landscaping at the entrance of the driveways shall be kept low to provide adequate sight distance.

**NOTE:**

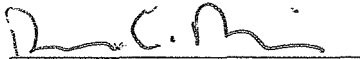
*The following must be submitted to the Private Development Section of the Public Works Department when the final map is submitted for checking (An incomplete submittal will not be accepted. Please make an appointment with the Private Development Section personnel and the Storm Water Section personnel to review requirements and obtain appropriate checklists prior to the first submittal. Appropriate checklists will be sent to the Engineer of Work. The checklists shall be completed by the Engineer of Work and will be required with the first submittal):*

- *Three (3) sets of maps and completed map checklist.*
- *Map closure calculations/data.*
- *Copies of record maps referenced (full size sheets only).*
- *Cost estimate of improvements within public right-of-way.*
- *Cost estimate of public sewer main and private storm drain improvements.*
- *Cost estimate of on-site improvements, excluding buildings, walls, pavement and utilities.*
- *Four (4) sets of Grading and Drainage Plans with Erosion Control Plans for the on-site improvements, with signatures and seals, and completed Grading and Drainage Plan checklist.*

- *Four (4) sets of Private Street, Public Sewer Main, and Private Storm Drain Improvements Plans, with signatures and seals, and completed Private Street and Public Sewer Main checklists. Private Street, Public Sewer Main and Public Storm Drain Improvements may be included with Grading and Drainage Plans.*
- *Soils report.*
- *Drainage study.*
- *Sewer capacity study.*
- *Traffic Impact Report.*
- *Improvement plan check fee for the public sewer main.*
- *Map checking fee.*
- *Grading and Drainage Plan check fee.*
- *Erosion Control Plan check fee.*
- *Drainage Study fee.*
- *Standard Urban Storm Water Mitigation Plan Ordinance (SUSMP) review fee.*
- *Storm Water Pollution Prevention Plan review fee.*
- *Storm Water Facilities Maintenance Plan review fee.*
- *Conditions, Covenants, and Restrictions review fee.*
- *Letter stating if the required Public Improvements will be constructed prior to recording the Map or deferred by a Subdivision Agreement.*
- *Two copies of the Storm Water Mitigation Plan (SWMitP).*
- *Copy of the CC&R's.*
- *Copy of Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP).*
- *When applicable: A copy of the Operating Agreement (for an LLC); Partnership Agreement (for a Partnership); or a Resolution (for a Corporation).*

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Submitted by,



Dennis C. Davies  
Deputy Director of Public Works

DD:MC

cc:

Applicant

Priest Development Corporation  
Daryl R. Priest  
124 W. Main Street, Suite 240  
San Diego, CA 92020

Engineer of Work

Nasland Engineering  
Cory Schrack  
4740 Ruffner St.  
San Diego, CA 92111

Attachments (Engineer of Work and Applicant):

1. Final Map Checklist
2. Public Sewer Main Improvements Plan Checklist and Standard Notes
3. Private Street Improvements Plan Checklist and Standard Notes
4. Grading and Drainage Plan Checklist and Standard Notes
5. City Unit Cost Sheet
6. City Fee Schedule
7. Subdivision Control Sheet
8. Double Cleanout Detail

Storm Water Attachments (Engineer of Work and Applicant):

1. Storm Water Mitigation Plan (SWMitP) Template
  2. Erosion Control Standard Notes for Erosion Control Plans
  3. Storm Water Attachment No. 3 - CC&Rs and Storm Water Maintenance Plan
  4. Storm Water Management/BMP Facilities Agreement Example
-

# CITY OF EI CAJON



## MEMORANDUM

Wednesday, January 21, 2015

**To:** Planning Division  
**From:** Building and Fire Safety Div., Dan Pavao  
**Subject:** Building Comments for PRD 70  
1950 E. Main Street

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Building Comments for this planning application are as follows:

1. Comply with Currently adopted edition of the CBC, CMC, CPC, CEC, and Green Building Standard Code.
2. A Building permit is required for this project.
3. Title 24 energy efficiency compliance and documentation is required.
4. Soils report will be required for this project.
5. An automatic sprinkler system is required by CBC or local ordinance.
6. Undergrounding of all on-site utilities is required.

A handwritten signature in black ink, appearing to read "Dan Pavao".

Dan Pavao

# CITY OF EI CAJON



## MEMORANDUM

Wednesday, January 21, 2015

**To:** Planning Division  
**From:** Building and Fire Safety Div., Dan Pavao  
**Subject:** Fire Comments for PRD 70  
1950 E. Main Street

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Fire Comments for this planning application are as follows:

1. This project must comply with currently adopted edition of the CFC.
2. All weather fire access road shall be available on the job site before start of const.
3. An approved automatic fire sprinkler system is required for this project.
4. Install fire hydrants per approved plan and Fire Department requirements.
5. Verify fire flow of hydrants with modeling from Helix Water.

A handwritten signature in black ink, appearing to read 'Dan Pavao', is written above the printed name.

Dan Pavao



**Helix Water District**

Setting standards of excellence in public service

Bella Terrazza  
Exhibit E – Proposed Resolution  
Helix Water District comments  
(619) 466-0585  
FAX (619) 466-1823  
[www.hwd.com](http://www.hwd.com)

February 9, 2015

Eric Craig  
Project Manager  
City of El Cajon  
200 Civic Center Way  
El Cajon, CA 92020

Subject: Bella Terrazza: Planned Residential Development No.70, Tentative Subdivision Map No. 660,  
APN: 400-250-07, 08, 09, & 400-250-28

Dear Mr. Craig:

Thank you for the opportunity to comment on the subject project. Helix Water District serves the existing site with a 1-inch water services and a .75-inch meter. Fire protection is offered by a fire hydrant with 2.5x2.5x4-inch outlets, located approximately 28-feet SW of the site on East Main Street. The water pressure in the area is approximately 108 psi. An existing 48-inch steel pipe is within the property, which would need to be protected in place.

Each existing and new parcels shall have its own separate water service. Backflow devices will be required for the existing and proposed water services and shall be installed per current Water Agencies' Standards. The new backflow devices shall be tested by a certified backflow tester with a copy of the passing test results forwarded to Helix Water District attention Darrin Teisher by e-mail: [crossconnection@helixwater.org](mailto:crossconnection@helixwater.org). All water laterals designated for the subject parcels that will not be used will need to be abandoned by HWD.

This project will require a water main extension and we will therefore require improvement plans, grading plans and appropriate fees. These items must be submitted to Helix Water District for review, approval and signature. The location of the existing water facilities shall be brought up to current District standards. Looping of proposed water main, and relocation of any existing facilities will be determined upon review of the improvement plans. The project is subject to all Helix Water District requirements, policy, and standards at the time of establishing a work order and submittal of improvement plans with the District.

If landscaping of the parcels exceeds 5,000 sq. ft., a dedicated irrigation meter will be required and the property entered into our Water Conservation Program. Please contact them by e-mail: [conserve@helixwater.org](mailto:conserve@helixwater.org)

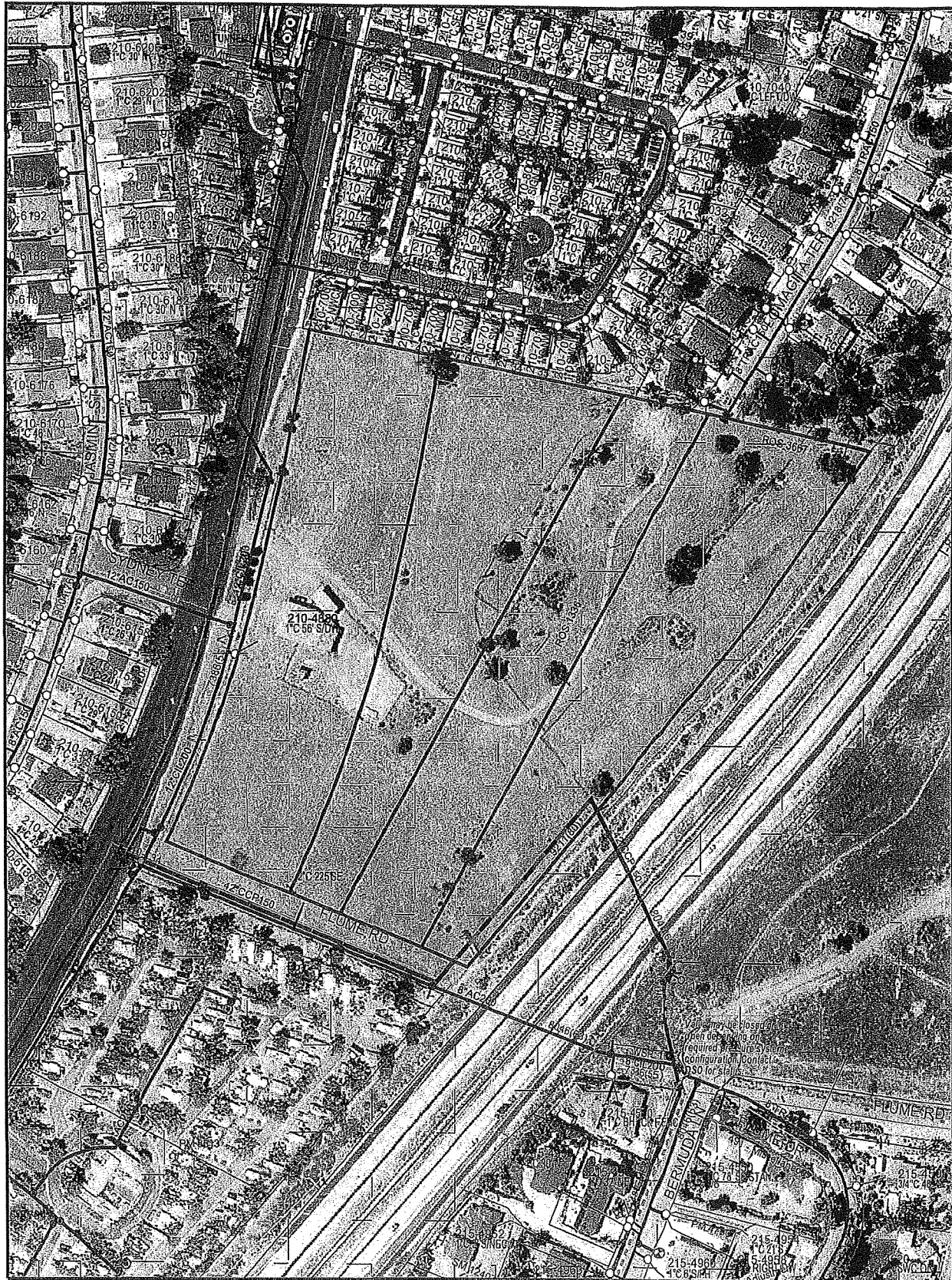
The El Cajon Fire Department may require additional or upgraded fire protection facilities for this project. All costs for new or upgraded fire protection facilities shall be paid by the Owner/Developer. Easements will be required if new or existing facilities cannot be installed and maintained within existing easements or public right of way. All costs for new easements shall be paid by the Owner/Developer.

If you have any questions, please call me at (619) 667-6273.

Sincerely,

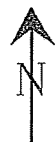
Aneld Anub  
Associate Engineer

cc: Tim Ross  
Carlos Perdomo  
Darrel Williams  
Darren Teisher  
[ecraig@cityofelcajon.us](mailto:ecraig@cityofelcajon.us)



Scale: 1":200'

Printed: 2/9/2015



# MITIGATION MONITORING PROGRAM

PROJECT NAME: Bella Terrazza, CUP No. 2200, and TSM No. 660  
 PROJECT LOCATION: East of the East Main Street and Sydney Terrace intersection, City of El Cajon, California  
 PROJECT DESCRIPTION: 139 single-family residences and a park  
 APPROVAL BODY/DATE: City Council  
 CITY CONTACT: Eric Craig  
 PHONE NUMBER: (619) 441-1782

Impact	Mitigation Measure	Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
<b>Impact BIO-1:</b> Potential direct impact on nesting raptors and migratory birds	<b>BIO-1:</b> Prior to the issuance of a grading permit, the following shall be noted on the grading plans:  Potential impacts to nesting raptors shall be mitigated through either (1) the avoidance of vegetation clearing during the bird breeding season (January 15 – September 15), or (2) the completion of a preconstruction survey by a qualified biologist to identify active nests and, if needed, nest avoidance measures. If an active nest is located, the biologist shall determine the appropriate nest avoidance measures, which may include a construction buffer and/or temporary fencing until the young have fledged. Nest avoidance measures shall be consistent with the MBTA and CDFW code requirements.	Applicant	City	Grading Plan Check	Prior to the issuance of a Grading Permit		



Impact	Mitigation Measure	Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
<p><b>Impact NOS-1:</b> Potential traffic noise impacts to residences</p>	<p><b>NOS-1:</b> Prior to issuance of occupancy permits, barriers ranging in height from 3 to 9 feet shall be constructed as shown in Figure 7 of the Mitigated Negative Declaration. The effectiveness of a barrier is dependent upon the quality of construction and the barrier material mass and acoustical properties. Barriers should be free of cracks and holes. Examples of acceptable barrier materials include, but are not limited to, masonry block, wood frame with stucco 0.5-inch-thick Plexiglas, or 0.25-inch-thick plate glass.</p>	<p>Applicant</p>	<p>City</p>	<p>Planning Inspection</p>	<p>Prior to Certificate of Occupancy</p>		
<p><b>Impact NOS-2:</b> Potential HVAC noise impacts to residences</p>	<p><b>NOS-2:</b> Prior to issuance of occupancy permits, a three foot barrier shall be constructed around the proposed HVAC units as shown in Figure 8 of the Mitigated Negative Declaration. The effectiveness of a barrier is dependent upon the quality of construction and the barrier material mass and acoustical properties. Barriers should be free of cracks and holes. Examples of acceptable barrier materials include, but are not limited to, masonry block, wood frame with stucco 0.5-inch-thick Plexiglas, or 0.25-inch-thick plate glass.</p>	<p>Applicant</p>	<p>City</p>	<p>Planning Inspection</p>	<p>Prior to Certificate of Occupancy</p>		

Impact	Mitigation Measure	Responsible for Mitigation	Responsible for Verification	Method of Verification	Timing of Verification	Verification Date	Comments
<p><b>Impact TRF-1:</b> Direct traffic impact to the Main Street and Sydney Terrace intersection</p>	<p><b>TRF-1:</b> Prior to issuance of occupancy permits, the applicant shall install a traffic signal at the Main Street/Sydney Terrace project access point, as well as restriping a portion of the two-way left-turn lane on Main Street to provide a dedicated southbound turn lane.</p>	<p>Applicant</p>	<p>City</p>	<p>Planning Inspection</p>	<p>Prior to Certificate of Occupancy</p>		
<p><b>Impact TRF-2:</b> Cumulative traffic impacts to Highway 8 Business, between Los Coches Road and Sydney Terrace</p>	<p><b>TRF-1</b> above shall be implemented in addition to TRF-2 below.</p> <p><b>TRF-2:</b> Prior to issuance of occupancy permits, the applicant shall pay the County of San Diego Transportation Impact Fee (TIF) for project traffic generated on the two segments of Highway 8 Business between Los Coches and Sydney Terrace. Based on the site's location near the Lakeside "Village" area and that only 30 percent of project traffic will go on County Roadways, the project shall pay the fee equivalent to 42 single-family detached units at the Lakeside Village TIF rate (\$4,017 per unit, rate effective July 1, 2014); Based on the current rate, the TIF fee payment will be \$168,714.</p>	<p>Applicant</p>	<p>City</p>	<p>Planning Inspection</p>	<p>Prior to Certificate of Occupancy</p>		

Tentative Subdivision Map No. 660  
APNs: 400-250-07-00  
400-250-08-00  
400-250-09-00  
400-250-28-00

SUBDIVISION AGREEMENT  
(Private Improvements)  
(Bella Terrazza Homes)

THIS AGREEMENT entered into by and between the CITY OF EL CAJON, a California charter city and municipal corporation, hereinafter referred to as "City", and CWC EL CAJON 139, LLC, a Delaware limited liability company, hereinafter referred to as "Developer";

WHEREAS, Developer, pursuant to the provisions of the Subdivision Map Act of the State of California and Title 16 of the El Cajon Municipal Code, has filed Tentative Subdivision Map No. 660 ("TSM 660") prior to the completion of certain plans and construction of private improvements as described in El Cajon Planning Commission Resolution No. 10810 (the "Improvements"); and

WHEREAS, the City has estimated the cost of said Improvements to be the sum of TWO MILLION SEVEN HUNDRED SIXTY-FIVE THOUSAND ONE HUNDRED DOLLARS AND NO CENTS (\$2,765,100.00); and

WHEREAS, Developer has or will post a bond or other form of surety (the "Improvement Security") by a surety company admitted in California and acceptable to City (the "Surety Insurer").

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. That in consideration of the approval of said TSM 660 prior to the completion of the Improvements for said project, Developer hereby covenants and agrees to prepare plans, obtain permits, and install and construct the said Improvements in accordance with the approved plans, and that said Improvements shall be completed within one year from the date of the recording of the subdivision map by the County Recorder of the County of San Diego.

2. Should Developer fail to complete said Improvements within the time set forth above, City, at its option, has the right to enter onto the property to complete said Improvements. Should the City exercise such option, it shall be at the expense of Developer, or the City may, in the alternative, hold Developer and the Surety Insurer liable for damages.

3. Developer agrees to furnish and City agrees to release the Improvement Security in accordance with Title 16 of the El Cajon Municipal Code to secure warranty, faithful performance,

and payment of labor and materials for preparation of plans for the Improvements, the cost of all permits for construction of the Improvements, and for the construction and installation of the Improvements. Any surety bonds shall be issued by corporate sureties admitted to do business in California and approved by the City Attorney. The form of said bonds shall be substantially as set forth in Sections 66499.1 and 66499.2 of the Government Code of the State of California.

4. The City or any officer or employee thereof shall not be liable for any injury to persons or property occasioned by reason of the acts or omissions of Developer, its agents or employees in the performance of this Agreement. Developer further agrees to protect and hold harmless City, its elected and appointed officials, officers and employees, from any and all claims, demands, causes of action, liability or loss of any sort because of, or arising out of, acts or omissions of Developer, its agents or employees, in the performance of this Agreement, including claims, demands, causes of action, liability or loss because of, or arising out of, the design or construction of the Improvements, provided, however, that the approved Improvement Security shall not be required to cover the provisions of this paragraph. Said indemnification and agreement to hold harmless shall extend to injuries to persons and damages or taking of property resulting from the design or construction of said subdivision and the Improvements as provided herein, and to adjacent property owners as a consequence of and/or the diversion of waters from the design, construction or maintenance of drainage systems, streets and other improvements. Approval by the City of the Improvements shall not constitute an assumption by the City of any responsibility for such damage or taking.

City shall not be an insurer or surety for the design or construction of the subdivision pursuant to the approved improvement plans, nor shall any officer or employee thereof be liable or responsible for any accident, loss or damage happening or occurring during the construction of the work or Improvements as specified in this Agreement, except as it may be shown that said officers or employees specifically directed that said work or improvement be accomplished in a manner contrary to the wishes and desires of Developer, and Developer has filed a written objection with the City Engineer prior to commencing said work or improvement.

Provisions of this section shall remain in full force and effect for ten (10) years following substantial completion by the Developer of the Improvements.

*[Remainder of page intentionally left blank]*

5. Developer agrees to file with the City Clerk, at the time this executed agreement is submitted, a certificate of insurance by a company approved by the City Attorney in conformance with City Council policy.

IN WITNESS WHEREOF we have this day set our hands and seals.

Date: \_\_\_\_\_

**CITY OF EL CAJON,**  
a California charter city  
and municipal corporation

**CWC EL CAJON 139,**  
a Delaware limited liability company

By \_\_\_\_\_  
Bill Wells, Mayor

By \_\_\_\_\_  
Donald Fontana, Managing Member

**ATTEST:**

By \_\_\_\_\_  
Angela Aguirre, City Clerk

**APPROVED AS TO FORM:**

By \_\_\_\_\_  
Morgan L. Foley, City Attorney

**ALL PURPOSE ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) SS:  
COUNTY OF SAN DIEGO )

On \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

\_\_\_\_\_  
Signature

(SEAL)

Tentative Subdivision Map No. 660  
APNs: 400-250-07-00  
400-250-08-00  
400-250-09-00  
400-250-28-00

SUBDIVISION AGREEMENT  
(Private Improvements)  
(Bella Terrazza Homes)

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WHEREAS, the City has estimated the cost of said Improvements to be the sum of TWO MILLION SEVEN HUNDRED SIXTY-FIVE THOUSAND ONE HUNDRED DOLLARS AND NO CENTS (\$2,765,100.00); and

WHEREAS, Developer has or will post a bond or other form of surety (the "Improvement Security") by a surety company admitted in California and acceptable to City (the "Surety Insurer").

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. That in consideration of the approval of said TSM 660 prior to the completion of the Improvements for said project, Developer hereby covenants and agrees to prepare plans, obtain permits, and install and construct the said Improvements in accordance with the approved plans, and that said Improvements shall be completed within one year from the date of the recording of the subdivision map by the County Recorder of the County of San Diego.

2. Should Developer fail to complete said Improvements within the time set forth above, City, at its option, has the right to enter onto the property to complete said Improvements. Should the City exercise such option, it shall be at the expense of Developer, or the City may, in the alternative, hold Developer and the Surety Insurer liable for damages.

3. Developer agrees to furnish and City agrees to release the Improvement Security in accordance with Title 16 of the El Cajon Municipal Code to secure warranty, faithful performance,

and payment of labor and materials for preparation of plans for the Improvements, the cost of all permits for construction of the Improvements, and for the construction and installation of the Improvements. Any surety bonds shall be issued by corporate sureties admitted to do business in California and approved by the City Attorney. The form of said bonds shall be substantially as set forth in Sections 66499.1 and 66499.2 of the Government Code of the State of California.

4. The City or any officer or employee thereof shall not be liable for any injury to persons or property occasioned by reason of the acts or omissions of Developer, its agents or employees in the performance of this Agreement. Developer further agrees to protect and hold harmless City, its elected and appointed officials, officers and employees, from any and all claims, demands, causes of action, liability or loss of any sort because of, or arising out of, acts or omissions of Developer, its agents or employees, in the performance of this Agreement, including claims, demands, causes of action, liability or loss because of, or arising out of, the design or construction of the Improvements, provided, however, that the approved Improvement Security shall not be required to cover the provisions of this paragraph. Said indemnification and agreement to hold harmless shall extend to injuries to persons and damages or taking of property resulting from the design or construction of said subdivision and the Improvements as provided herein, and to adjacent property owners as a consequence of and/or the diversion of waters from the design, construction or maintenance of drainage systems, streets and other improvements. Approval by the City of the Improvements shall not constitute an assumption by the City of any responsibility for such damage or taking.

City shall not be an insurer or surety for the design or construction of the subdivision pursuant to the approved improvement plans, nor shall any officer or employee thereof be liable or responsible for any accident, loss or damage happening or occurring during the construction of the work or Improvements as specified in this Agreement, except as it may be shown that said officers or employees specifically directed that said work or improvement be accomplished in a manner contrary to the wishes and desires of Developer, and Developer has filed a written objection with the City Engineer prior to commencing said work or improvement.

Provisions of this section shall remain in full force and effect for ten (10) years following substantial completion by the Developer of the Improvements.

*[Remainder of page intentionally left blank]*



5. Developer agrees to file with the City Clerk, at the time this executed agreement is submitted, a certificate of insurance by a company approved by the City Attorney in conformance with City Council policy.

IN WITNESS WHEREOF we have this day set our hands and seals.

Date: \_\_\_\_\_

**CITY OF EL CAJON,**  
a California charter city  
and municipal corporation

**CWC EL CAJON 139,**  
a Delaware limited liability company

By \_\_\_\_\_  
Bill Wells, Mayor

By \_\_\_\_\_  
Donald Fontana, Managing Member

**ATTEST:**

By \_\_\_\_\_  
Angela Aguirre, City Clerk

**APPROVED AS TO FORM:**

By \_\_\_\_\_  
Morgan L. Foley, City Attorney

**ALL PURPOSE ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) SS:  
COUNTY OF SAN DIEGO )

On \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

\_\_\_\_\_  
Signature

(SEAL)



City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Colin Stowell, Fire Chief  
**SUBJECT:** First Amendment to County of San Diego Contract No.553087 – County Service Area 115

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**RECOMMENDATION:**

That the City Council approves the First Amendment to the County of San Diego – Department of Purchasing and Contracting Contract No.553087 Amendment No 1; and authorizes the City Manager to execute said Amendment on behalf of the City of El Cajon.

**BACKGROUND:**

Effective April 1, 2016, the City of El Cajon entered into County of San Diego Contract No.553087 for fire protection and emergency services for County Service Area 115. This contract improved fire protection and emergency response services in the unincorporated area of the City. The contract is effective through March 31, 2021 with the option of five one-year extensions through March 31, 2026.

The County initiated updates to the contract and submits a first amendment to the City for consideration. Significant modifications to the contract include:

1. County will maintain an agreement with Heartland Communications Facility Authority (HCFA) for HCFA to provide all 911 dispatching data to the County.
2. An increase in the County's administrative costs from 5 to 7 percent.
3. Agencies are responsible for reimbursing HCFA the established rate for dispatching in CSA 115 based on each district's allocation of calls.

**FISCAL IMPACT:**

As a result of the amendment to the County of San Diego Contract No.553087, the City will see a decrease in revenue received beginning FY 2018-19.

Prepared By: Colin Stowell, Fire Chief  
Reviewed By: Morgan Foley, City Attorney  
Approved By: Graham Mitchell, City Manager

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Attachments

Reso - 1st amend CSA 115  
Contract

RESOLUTION NO.     -18

A RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF EL CAJON  
APPROVING THE COUNTY OF SAN DIEGO –  
DEPARTMENT OF PURCHASING AND CONTRACTING  
CONTRACT NO. 553087 AMENDMENT NO. 1

WHEREAS, the City of El Cajon (the "City") and the County of San Diego (the "County") entered into County of San Diego – Department of Purchasing and Contracting Contract No. 553087 (the "Agreement") effective April 1, 2016, for fire protection and emergency services for County Service Area 115 ("CSA 115"); and

WHEREAS, the purpose of the Agreement is to improve fire protection and emergency response services in the unincorporated area of the City; and

WHEREAS, the County and the City are empowered by law to provide fire protection services including fire suppression measures, fire protection measures and emergency response services; and

WHEREAS, the County has initiated updates to the existing Agreement and submitted proposed changes to the City for approval, including 1) modifications to Exhibit "A" - Statement of Work; 2) modifications to Exhibit "C" - Payment schedule; and 3) updates to the Contracting Officer's Representative and Agency's Representative; and

WHEREAS, the City and the County each desire to amend the Agreement to reflect the above-described changes; and

WHEREAS, the City Council believes it to be in the City's best interests to enter into an amendment to approve the above-referenced changes to the Agreement.

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

1. The above recitals are true and correct, and are the findings of the City Council.
2. The City Council hereby approves the execution of the County of San Diego – Department of Purchasing and Contracting Contract No. 553087 Amendment No. 1, substantially in the form as presented at this meeting with such changes as may be approved by the City Manager.
3. The City Manager, or such person as is designated by the City Manager, is hereby authorized and directed to execute the Agreement on behalf of the City of El Cajon.

4. The City Manager, or the City Manager's designee, is hereby further authorized to execute such amendments to the Agreement as may be necessary to approve any renewal terms of the Agreement as contemplated therein, and to make such other changes as may be necessary, in the determination of the City Manager, to implement the Agreement in the best interests of the City.

06/26/18 CC Agenda

Approve 1<sup>st</sup> Amend to CSA 115 Contract w-County of San Diego 061118

**COUNTY OF SAN DIEGO – DEPARTMENT OF PURCHASING AND CONTRACTING  
CONTRACT NO. 553087 AMENDMENT NO 1**

City of El Cajon (“Contractor”) and the County of San Diego (“County”) enter into this amendment (“Amendment”) to amend the above-referenced contract (“Contract”) as described herein.

Title of Contract: **Fire Protection Services**

Amendment Effective Date: **July 1, 2018**

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**Description of Contract Change(s) and/or Work to Be Done:**

1. Modify the Exhibit “A” - Statement of Work as follows:
  - 1.1 Under **Agency Services** add paragraph “Agency will complete California Fire Incident Reports (County CFIRS number 37047) as assist to County for all responses within CSA 115.”
  - 1.2 Under **Agency Services** replace “Agency will receive credit for calls as dispatched.” with “Agency will receive reimbursement based on call as dispatched.”
  - 1.3 Under **Agency Services** add paragraph “Agency will participate in automatic aid boundary drop agreement with County Fire/CAL Fire.”
  - 1.4 Under **County Services** replace “County will retain administrative oversight of CSA 115 which will include, but not limited to, record keeping, financing, and payment for services.” with “County remains the authority having jurisdiction of CSA 115, which will include, but not be limited to, record keeping, financing, and payment for services. County will handle all intergovernmental and media relations for CSA 115”.
  - 1.5 Under **County Services** add paragraph “County will establish standard response and shall validate all GIS road layer and parcel data. County Fire will be the owner and repository for all data collected within CSA 115”.
  - 1.6 Under **County Services** add paragraph “County will maintain an agreement with Heartland Communications Facility Authority (HCFA) for HCFA to provide all 911 dispatching data to the County”.
  - 1.7 Replace Exhibit A with the attached, “Revised 01 July 2018 Exhibit A – Statement of Work”.
2. Modify Exhibit “C” - Payment Schedule as follows
  - 2.1 Revise Administrative costs from 5% to 7%.
  - 2.2 Add paragraph “Agencies are responsible for reimbursing HCFA the established rate for dispatching in CSA 115 based on each district’s allocation of calls.”
  - 2.3 Revise example to reflect Fiscal Year 2016-1017 example.
  - 2.4 Replace Exhibit C with the attached “Revised 01 July 2018 Exhibit C – Payment Schedule”.
3. Replace County Contracting Officer’s Representative (COR) as follows:

Julie Benner, Administrative Analyst  
5510 Overland Ave, Suite 100  
San Diego, CA 92123  
Phone (858) 715-2208  
Cell 858-226-1468  
Email [Julie.benner@sdcounty.ca.gov](mailto:Julie.benner@sdcounty.ca.gov)

Replace Agency’s Representative as follows:

Graham Mitchell, City Manager  
200 Civic Center Way  
El Cajon, CA 92020  
(619) 441-1716  
[citymanager@cityofelcajon.us](mailto:citymanager@cityofelcajon.us)

**COUNTY OF SAN DIEGO – DEPARTMENT OF PURCHASING AND CONTRACTING  
CONTRACT NO. 553087 AMENDMENT NO 1**

All other terms and conditions of the Contract shall remain in effect.

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IN WITNESS WHEREOF, County and Contractor have executed this Amendment effective as of the date set forth above. This Amendment is not valid unless signed by Contractor and the County Department of Purchasing and Contracting.

**CONTRACTOR:**

By: \_\_\_\_\_  
GRAHAM MITCHELL, City Manager

City of El Cajon  
200 Civic Center Way  
El Cajon, CA 92020  
Phone: 619-441-17176  
Email: [citymanager@cityofelcajon.us](mailto:citymanager@cityofelcajon.us)

Date: \_\_\_\_\_

**COUNTY:**

Department Review and Recommended Approval:

By: \_\_\_\_\_  
HERMAN REDDICK, Director of Fire Authority

Date: \_\_\_\_\_

**APPROVED:**

By: \_\_\_\_\_  
JOHN M. PELLEGRINO, Director  
Department of Purchasing and Contracting

Date: \_\_\_\_\_

**COUNTY CONTRACT NUMBER 553087**  
**AGREEMENT WITH THE CITY OF EL CAJON FOR FIRE PROTECTION AND EMERGENCY SERVICES FOR**  
**COUNTY SERVICE AREA 115**

**EXHIBIT A – STATEMENT OF WORK**  
**Revised 01 July 2018**

Agency agrees to the following provisions and to provide the following services in exchange for compensation under this Agreement. Services described herein shall commence July 1, 2018.

1. **Agency Services:**

- 1.1 Agency will complete California Fire Incident Reports (County CFIRS number 37047) as assist to County for all responses within CSA 115.
- 1.2 Agency shall provide fire protection and emergency medical services following the State Incident Command System, as dispatched, following the closest resource concept.
- 1.3 Agency shall provide preliminary call data to County, no later than June 1 of each year, for incidents from the preceding July 1 – April 30 of each fiscal year.
- 1.4 Agency will receive reimbursement based on calls as dispatched. When multiple agencies respond to a specific call, all agencies responding to the call will receive reimbursement for that call.
- 1.5 Agency agrees to meet with County during the month of July each year to discuss and agree to the final calls per agency. Final call volume data for the entire fiscal year (July 1 – June 30) shall be provided to the County no later than July 15.
- 1.6 Agency will participate in automatic aid boundary drop agreement with County Fire/CAL FIRE.
- 1.7 County shall confirm the final call volume and response distribution, and County's determination shall be final. Upon County's confirmation of final call volume and response distribution, Agency shall submit invoices to County. In no event, however, shall Agency submit invoices no later than September 1 of each year.

2. **County Services:**

- 2.1 County remains the authority having jurisdiction of CSA 115, which will include, but not be limited to, record keeping, financing, and payment for services. County will handle all intergovernmental and media relations for CSA 115.
- 2.2 County will determine the level of service to be provided in CSA 115 and retain responsibility for fire prevention and fire investigation.
- 2.3 County will establish standard response and shall validate all GIS road layer and parcel data. County Fire will be the owner and repository for all data collected within CSA 115.
- 2.4 County will maintain an agreement with Heartland Communications Facility Authority (HCFA) for HCFA to provide all 911 dispatching data to the County.



**COUNTY CONTRACT NUMBER 553087**  
**AGREEMENT WITH THE CITY OF EL CAJON FOR FIRE PROTECTION AND EMERGENCY SERVICES FOR**  
**COUNTY SERVICE AREA 115**

**EXHIBIT C – PAYMENT SCHEDULE**  
**Revised 01 July 2018**

**1. COMPENSATION**

Reimbursement for services will be based on standby rate and call volume. Call reimbursement will be based on the number of actual calls responded to within CSA 115. The agency filing the report for the incident will qualify for reimbursement for the response.

Reimbursement will be issued each year for the prior Fiscal Years’ response. Each July, Agency and County will meet to discuss call volume and response distribution. Prior to the annual meeting, Agency will provide County preliminary call data (in Excel format) no later than June 1. Agency will include a summary of the data and any ambulance response data will be removed from the final tally. Reimbursement will be based on actual property tax revenue collected for CSA 115.

Distribution Calculation:

Standby Rate \$5,000 (each agency, per year)

Administrative Costs to be paid to the County of San Diego: 7% of actual total property tax revenue

Thereafter, the County will pay Agency a proportionate share of the remaining Pool of Funds, based on actual call volume and incident response, not to exceed actual tax revenue collected for CSA 115 in the given fiscal year.

Agencies are responsible for reimbursing HCFA the established rate for dispatching in CSA 115 based on each district’s allocation of calls.

See example below:

Sample Fiscal Year 2016-17 with 404 total calls in CSA 115:

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Total tax revenue FY 2016-17	\$401,795.00
Less administrative costs (7%)	\$28,125.65
Less standby rate (\$5,000 ea. Agency)	\$20,000.00
<b>Pool of funds remaining</b>	<b>\$353,669.35</b>
Reimbursement to Lakeside <i>145 calls, 35.9% of call total</i> <i>Lakeside to reimburse HCFA for 145 calls</i>	\$126,935.78
Reimbursement to Santee <i>38 calls, 9.4% of call total</i> <i>Santee to reimburse HCFA for 38 calls</i>	\$33,265.93
Reimbursement to El Cajon <i>150 calls, 37.1% of call total</i> <i>El Cajon to reimburse HCFA for 150 calls</i>	\$131,312.88
Reimbursement to San Miguel <i>71 calls, 17.6 of call total</i> <i>San Miguel to reimburse HCFA for 71 calls</i>	\$62,154.76

**2. CLAIM FOR PAYMENT**

Agency will submit an invoice to County, based on response data reviewed and agreed upon at the annual meeting and confirmed by County. Invoices must be received by County no later than September 1.



**City Council  
Agenda Report**

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** Revision to Public Works Inspector Class Specification

---

**RECOMMENDATION:**

That the City Council approves the changes to the class specification described below and included on the attachment.

**BACKGROUND:**

A request was made by the Public Works Department to revise the classification specification for Public Works Inspector in recognition of the flexibility required to better recruit for these positions. Specifically, the changes allow the City to capture a larger pool of applicants by recruiting for skills and abilities that may have been obtained through other professions, including private sector experience. The proposed changes will not result in the elimination or addition of any personnel.

A copy of the revised classification specification was provided to and approved by the El Cajon Municipal Employees' Association (ECMEA), which represents the affected positions. On June 4, 2018, the City's Personnel Commission reviewed the proposed revision to the classification specification for Public Works Inspector. The proposed revision is now submitted to the City Council for approval.

**FISCAL IMPACT:**

There is no fiscal impact. The salaries and benefits were not changed.

Prepared By: Marisol Thorn

Reviewed By: N/A

Approved By: Graham Mitchell, City Manager

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Attachments

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City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** Time Extension of Tentative Subdivision Map (TSM) 666; 1044 South Mollison Avenue; Engineering Job No. 3574

---

**RECOMMENDATION:**

That the City Council grants a one-year time extension for TSM 666 (1044 South Mollison Avenue) and sets the new expiration date to be July 26, 2019, in accordance with Municipal Code Section 16.12.110.

**BACKGROUND:**

Public Works staff received a letter (copy attached) from the property owner dated May 21, 2018, requesting a time extension for TSM 666. Resolution No. 068-16 conditionally approved TSM 666 with an expiration date of July 26, 2018. Section 16.12.110 of the Municipal Code allows for three one-year extensions. This request is the first of three allowable map time extensions.

TSM 666 will create a 20-lot residential subdivision, 19 residential lots and one common lot, located on the west side of South Mollison Avenue between Portland Street and East Chase Avenue; APN: 493-225-25-00; General Plan designation: Medium Density Residential (MR).

**FISCAL IMPACT:**

None. All costs are paid by the developer.

Prepared By: Jaime Campos

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

Attachments

Letter Requesting Map Extension  
Tentative Subdivision Map 666

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# Skyridge Partners LLC

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May 21, 2018

City of El Cajon  
Attn Yazmin Arellano  
200 Civic Center Way  
El Cajon, CA 92020

RE: Skyridge Partners Project – Tentative Map No. 666 Extension

To Whom It May Concern:

This letter requests a one-year tentative map extension be granted for TSM No. 666.

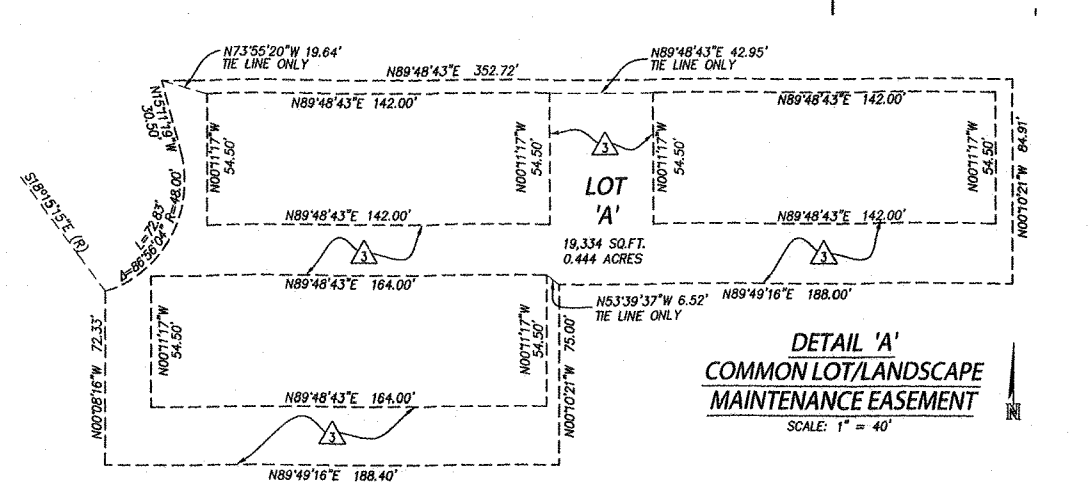
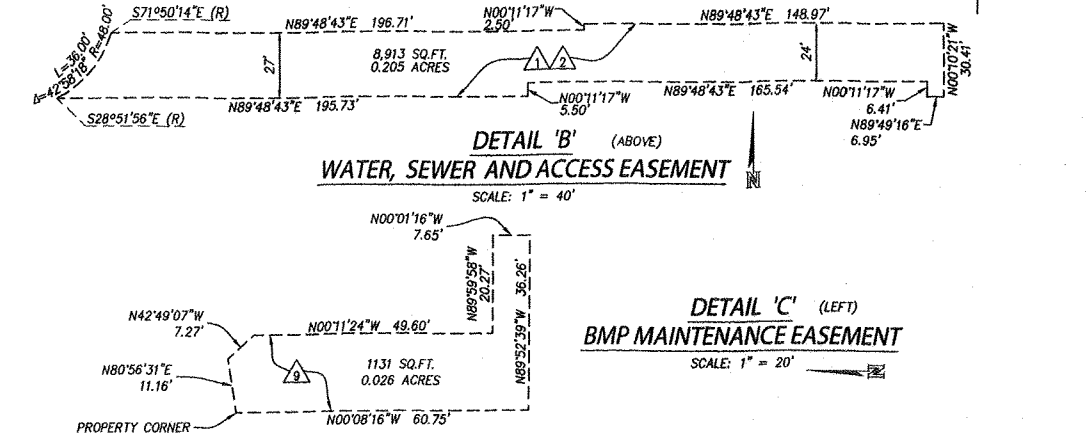
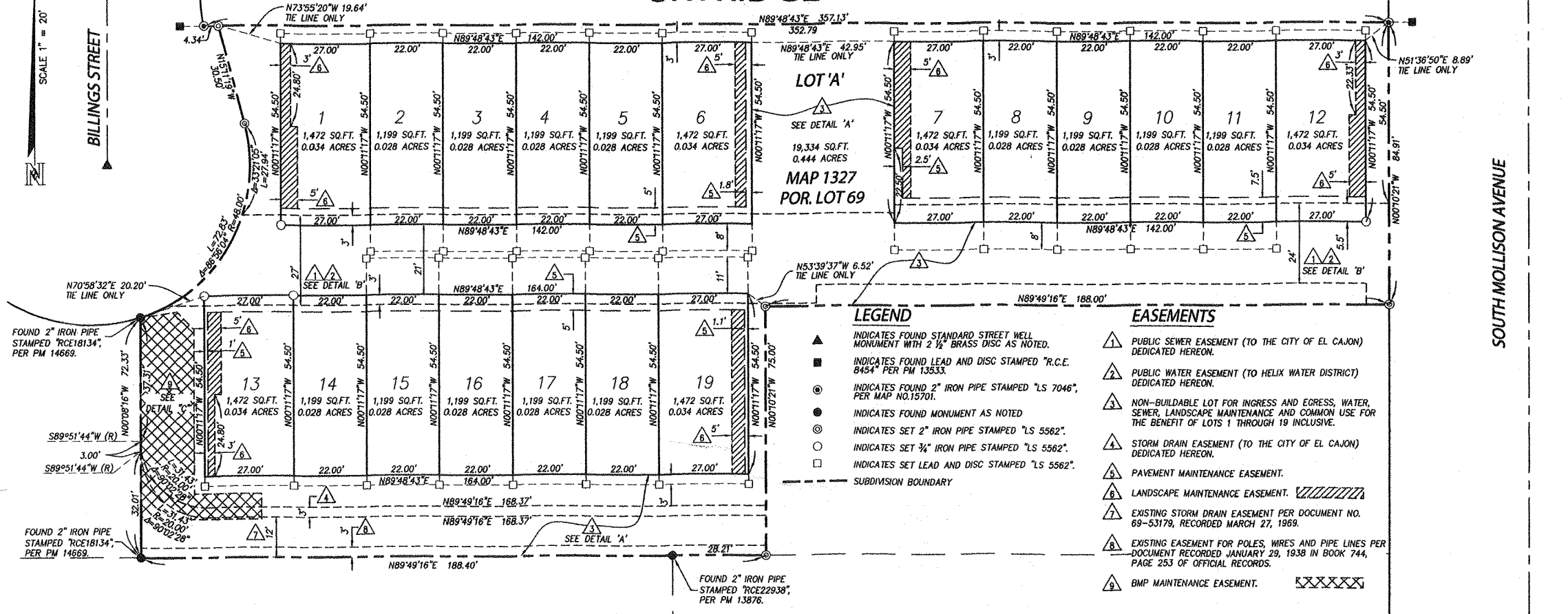
This map extension is requested due to unforeseen additional engineering requirements related to Stormwater and Hydrology reports.

Thanks,

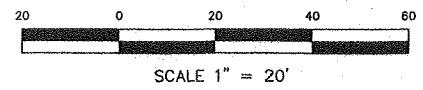
A handwritten signature in black ink, appearing to read 'Asher Burke', with a stylized flourish extending to the right.

Asher Burke  
858-735-8074

# SKYRIDGE



**Nasland** Civil Engineering Surveying Land Planning  
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City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** Establishment of New Underground Utility District #28 – North Magnolia Avenue

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**RECOMMENDATION:**

That the City Council adopts the next RESOLUTION, in order, to establish a new Underground Utility District (UUD) #28 on North Magnolia Avenue from Fletcher Parkway to Vernon Way.

**BACKGROUND:**

Chapter 16.52 of the El Cajon Municipal Code establishes a procedure to create underground utility districts. The Code requires a public hearing be held to ascertain whether the public health, safety or welfare requires the removal of poles, overhead wires, associated overhead structures, and the underground installation of wires and facilities for supplying electric, communication, or similar associated service in any such district. The public hearing required by the Code was held on June 12, 2018.

The proposed district will underground the existing overhead electrical utilities on North Magnolia Avenue from Fletcher Parkway to Vernon Way (approximately 2,400 feet). Staff recommends that underground utility funds be prioritized to the new district, UUD #28. Remaining funds would then be prioritized for UUD #26 (East Main Street between Broadway and the northern City Limits).

Design and construction for UUD #28 is approximately \$1.9 million. Currently, there is approximately \$3.4 million in San Diego Gas & Electric (SDG&E) undergrounding funds allocated for El Cajon projects; these funds are referred to as Rule 20A funds.

Rule 20A funds are collected and administered by SDG&E for underground conversion projects of residential and business properties along major arterial streets. Construction is typically the responsibility of SDG&E for underground service conversion projects, which includes appropriate trench, conduit, secondary cable, and meter changes including the provision of joint trench/conduit for communications facilities. In some cases, local jurisdictions may choose to perform these tasks in order to help expedite the construction schedule.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) according to Section 15032 (Class 2) (d) of the CEQA Guidelines. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to: (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

**FISCAL IMPACT:**

It is estimated that this project will require the expenditure of \$1.9 million of SDG&E Rule 20A funds, administered solely by SDG&E; however, if the City of El Cajon chooses to administer the contract for construction, appropriation of the \$1.9 million will be brought before City Council for consideration. Currently, the City has approximately \$3.4 million in Rule 20A funds that are allocated for undergrounding of existing overhead utilities.

Prepared By: Mario Sanchez, City Traffic Engineer

Reviewed By: Dirk Epperson, Director of Public Works

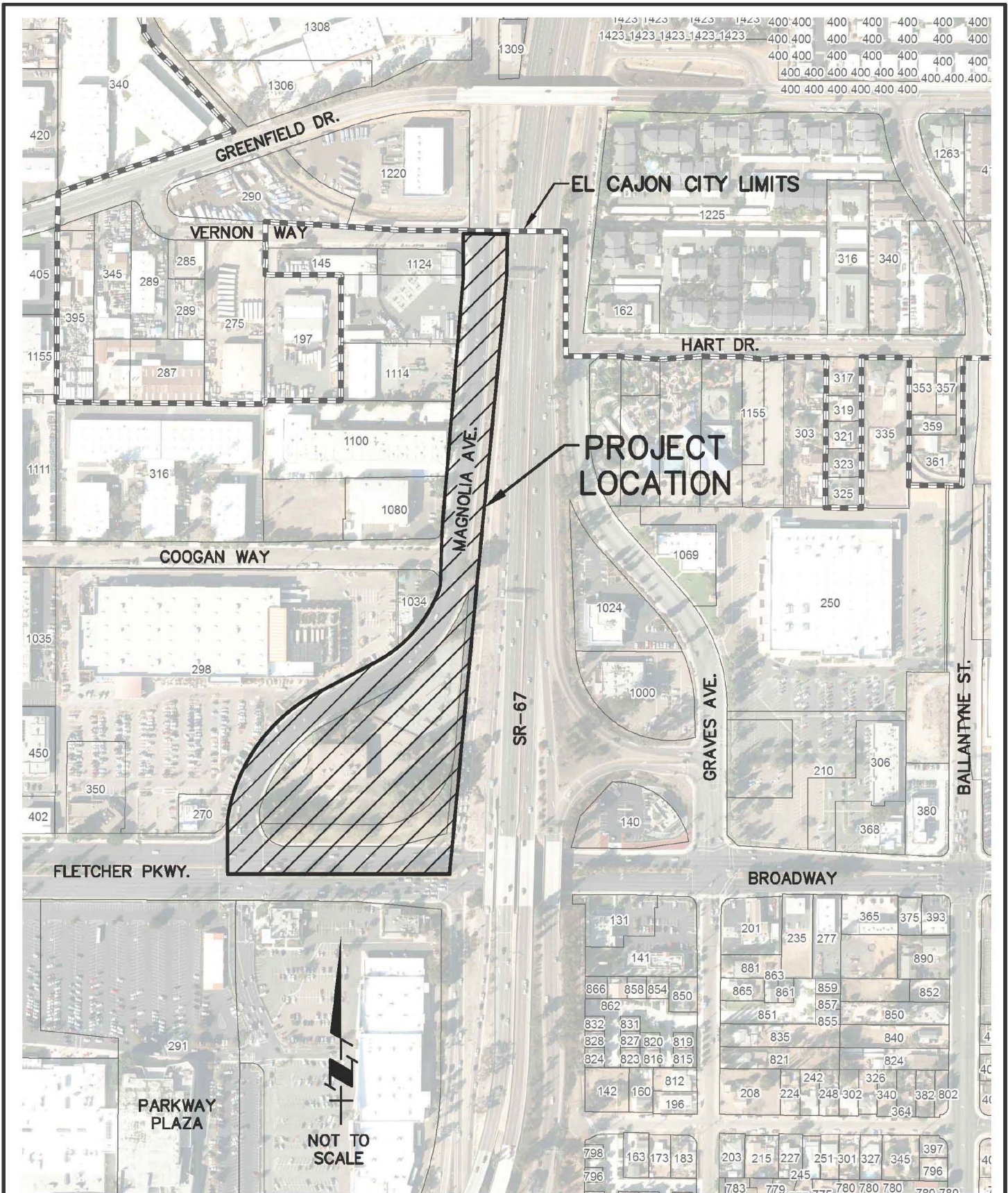
Approved By: Graham Mitchell, City Manager

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**Attachments**

UUD#28 Exhibit A.pdf  
Resolution

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**EXHIBIT "A"**

CITY OF EL CAJON  
 DEPARTMENT OF PUBLIC WORKS  
**UNDERGROUND UTILITY DISTRICT #28**  
 N. MAGNOLIA AVENUE FROM FLETCHER PARKWAY TO VERNON WAY



RESOLUTION NO.     -18

RESOLUTION ESTABLISHING  
UNDERGROUND UTILITY DISTRICT #28 –  
NORTH MAGNOLIA AVENUE FROM  
FLETCHER PARKWAY TO VERNON WAY

WHEREAS, by Resolution No. 058-18 a public hearing was called for June 12, 2018, at the hour of 3:00 o'clock p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California, to ascertain whether the public health, safety, or welfare requires the removal of poles, overhead wires and associated overhead structures, and the underground installation of wires and facilities for supplying electric, communication or similar or associated service within that certain area of the City described as being located on North Magnolia Avenue from Fletcher Parkway to Vernon Way (approximately 2,400 feet) (the "District"); and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and to utilities concerned in the manner and time required by law; and

WHEREAS, such hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard; and

WHEREAS, the proposed project is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") according to section 15032 (Class 2) (d) of the CEQA Guidelines, and Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to: (d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

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

1. The City Council hereby finds the foregoing recitals to be true and correct, and are the findings of the City Council.
2. That the City Council of the City of El Cajon hereby finds and determines that the public health, safety and welfare requires the removal of poles, overhead wires, and associated structures, and the underground installation of wires and facilities for supplying electric, communication or similar or associated service, and that, pursuant to section 16.52.060 of the El Cajon Municipal Code, the above-described area on North Magnolia Avenue from Fletcher Parkway to Vernon Way, in the City of El Cajon, is hereby declared an Underground Utility District ("UUD"), and is designated as Underground Utility District #28 ("UUD #28"). Attached hereto, marked

Exhibit "A," and incorporated herein as a part of this resolution, is a map delineating the boundaries of said District.

BE IT FURTHER RESOLVED that the City Council shall, by subsequent resolution, fix the time within which:

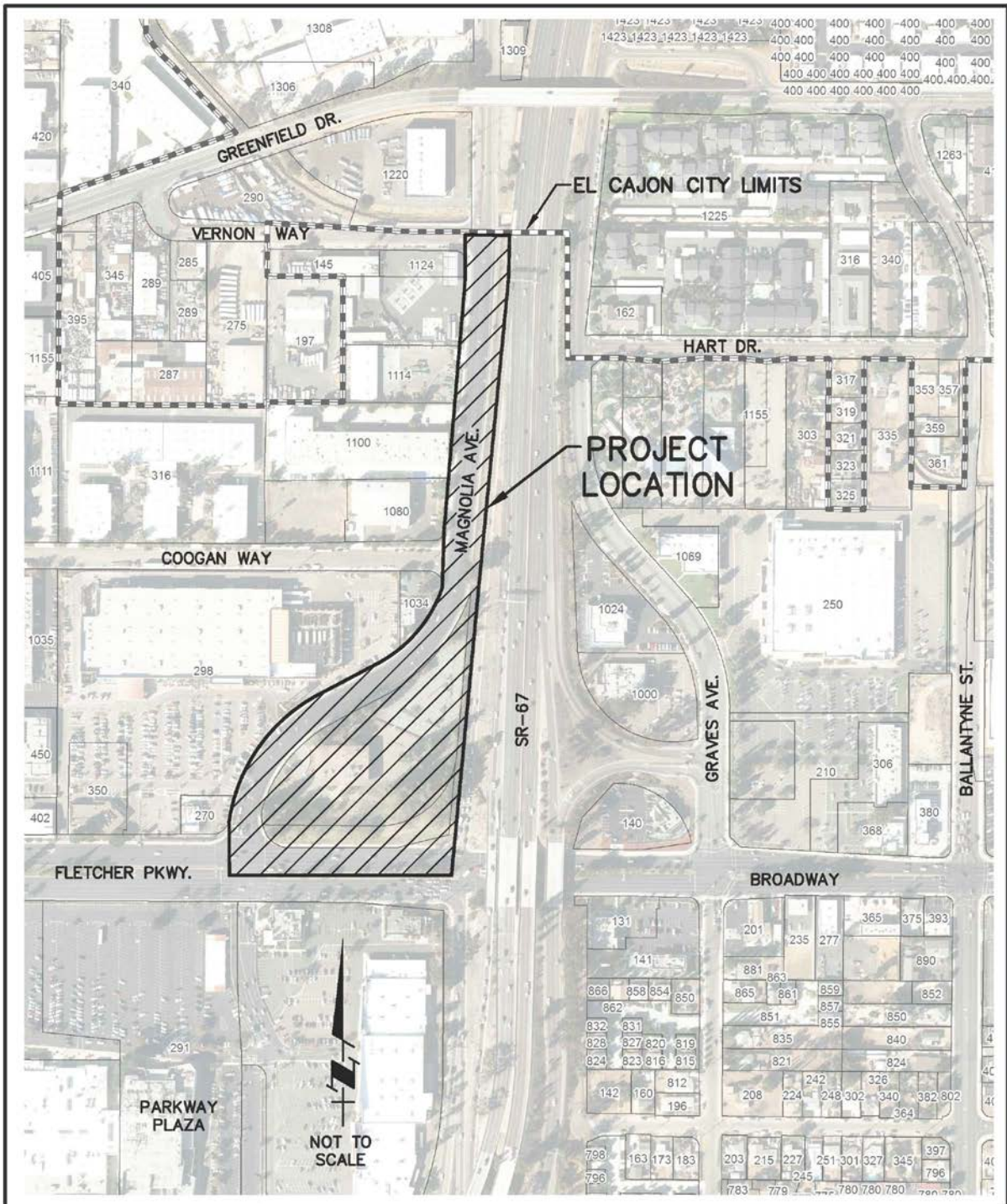
3. The property in the District must be ready to receive underground service; and
4. Poles, overhead wires, and associated overhead structures shall be removed.

A reasonable time shall be allowed for removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby.

BE IT FURTHER RESOLVED that the Council hereby finds that the UUD herein created is in the general public interest for the following reasons:

5. The undergrounding to be accomplished will avoid or eliminate an unusually heavy concentration of overhead distribution facilities.
6. The streets, roads or rights-of-way in the District are extensively used by the general public and carry a heavy volume of vehicular traffic.

The City Clerk is hereby directed to record a certified copy of this Resolution in the Office of the County Recorder of San Diego, County.



<b>EXHIBIT "A"</b>	<p>CITY OF EL CAJON DEPARTMENT OF PUBLIC WORKS</p> <p><b>UNDERGROUND UTILITY DISTRICT #28</b></p> <p><b>N. MAGNOLIA AVENUE FROM FLETCHER PARKWAY TO VERNON WAY</b></p>
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**City Council  
Agenda Report**

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Modification of Bid Award No. 032-18 – Computer Equipment

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**RECOMMENDATION:**

That the City Council adopts the next resolutions in order to:

1. Modify the bid to remove Line Item Nos. 1 and 2, resulting in a revised award amount of \$25,703.09 to Kambrian Corporation; and
2. Authorize the re-bid of Line Item Nos. 1 and 2.

**BACKGROUND:**

On April 24, 2018, the City Council awarded Bid No. 032-18 – Computer Equipment to Kambrian Corporation via Resolution No. 027-18 in the amount of \$110,937.26.

On May 23, 2018, the City received correspondence from Kambrian Corporation stating a misquotation for a portion of the bid (Line Item Nos. 1 and 2) and the inability to provide the respective equipment at the submitted bid pricing.

As a result, City staff recommends removing Line Item Nos. 1 and 2 to reflect a partial award to Kambrian Corporation for the remaining line items (Line Item Nos. 3 – 8), as well as authorizing the re-bid of Line Item Nos. 1 and 2.

**FISCAL IMPACT:**

This modification will result in a deduction of \$85,234.17 from the original award and shall be re-bid. The remaining balance of \$25,703.09 was previously approved by the City Council and funded by IT Services.

Prepared By: Nahid Razi, Purchasing Agent  
Reviewed By: N/A  
Approved By: Graham Mitchell, City Manager

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**Attachments**

Reso - Bid No. 032-18

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RESOLUTION NO.    -18

RESOLUTION MODIFYING BID AND AWARD AMOUNT  
FOR COMPUTER EQUIPMENT, AND  
AUTHORIZING RE-BID OF LINE ITEM NOS. 1 AND 2  
(Bid No. 032-18)

WHEREAS, on June 27, 2017, the City Council approved the purchase of computer equipment, including desktop computers, monitors, laptops, a printer, and maintenance support, as part of the Fiscal Year 2017-2018 budget; and

WHEREAS, on April 24, 2018 the City Council adopted Resolution No. 027-18 to award Bid No. 032-18 for Computer Equipment to Kambrian Corporation in the amount of \$110,937.26; and

WHEREAS, on May 23, 2018, the City of El Cajon (the "City") received correspondence from Kambrian Corporation stating a misquotation for a portion of the bid (Line Item Nos. 1 and 2) and the inability to provide the respective equipment at the submitted bid pricing; and

WHEREAS, as a result, City staff recommends removing Line Item Nos. 1 and 2 to reflect a partial award to Kambrian Corporation for the remaining line items (Line Item Nos. 3 – 8), as well as authorizing the re-bid of Line Item Nos. 1 and 2; and

WHEREAS, the City Council believes it to be in the best interests of the City to remove Line Item Nos. 1 and 2 to reflect a partial award to Kambrian Corporation for the remaining line items (Line Item Nos. 3 – 8), and authorize the re-bidding of Line Item Nos. 1 and 2, as recommended by the Purchasing Division.

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

1. The City Council hereby finds the foregoing recitals to be true and correct, and the findings of the City Council.
2. The City Council does hereby approve the removal of Line Item Nos. 1 and 2 from Bid No. 032-18 for Computer Equipment to reflect a partial award to Kambrian Corporation, and authorizes a deduction of \$85,234.17 from the original awarded amount of 110,937.26 via Resolution No.027-18. The City Council does hereby award a revised amount of \$25,703.09 for the remaining line items (Line Item Nos. 3 – 8) to Kambrian Corporation.
3. The City Council does hereby authorize the re-bidding of Line Item Nos. 1 and 2.
4. The Mayor and City Clerk are authorized and directed to execute a contract for said project on behalf of the City of El Cajon.



## City Council Agenda Report

**Agenda Item 10.**

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** Fiscal Year 2018-19 Annual City, Housing Authority, and Successor Agency Budgets

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### RECOMMENDATION:

That the City Council, Housing Authority, and the City of El Cajon as Successor Agency to the former Redevelopment Agency hold a joint public hearing to consider the Fiscal Year 2018-19 Proposed Budgets. After closing the public hearing, staff recommends the following:

1. Acting as the City Council, individually adopt the following:
  - a. Resolution of the City of El Cajon Adopting the Fiscal Year 2018-19 Annual Budget.
  - b. Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2018-19.
  - c. Resolution Approving Designation of General Fund Balances.
  - d. Approved proposed changes to City Council Policy B-1 Budget Adjustments and Capital Expenditures.
2. Acting as the Housing Authority Board of Directors, adopt resolution titled: Resolution of the El Cajon Housing Authority Adopting the Fiscal Year 2018-19 Budget.
3. Acting as the Successor Agency to the former Redevelopment Agency Board of Directors, adopt resolution titled: Resolution of the City Council of the City Of El Cajon as the Successor Agency to the former El Cajon Redevelopment Agency Adopting the Fiscal Year 2018-19 Budget.

### BACKGROUND:

Presented for adoption are the Fiscal Year 2018-19 Budgets for the City, Housing Authority, and the Successor Agency to the former Redevelopment Agency. Prior to the regular City Council meeting on June 12, 2018, the City Council held an Advisory Meeting to review and discuss the budgets with staff and the community. After today's public hearing, it is recommended that the City Council/Board approve City, Housing Authority, and Successor Agency resolutions to adopt the Fiscal Year 2018-19 Budgets and the City's Annual Appropriations Limit for Fiscal Year 2018-19.

The Successor Agency budget and a Recognized Obligations Payment Schedule (ROPS) must be prepared by the Successor Agency and presented to the Oversight Board and State Department of Finance for approval. The annual budget and ROPS for Fiscal Year 2018-19 was approved by the Oversight Board on January 17, 2018, and subsequently submitted to the State and County Auditor-Controller for allocation of funding.

City Council Policy B-1 Budget Adjustments and Capital Expenditures was last revised in June 1975. It addresses two subjects: the level at which the City's annual budget may be modified and the threshold for when capital expenditures require City Council approval. The proposed language addressing budget modification does not represent a change in practice and seeks to find common language with other City documents. This policy revision proposes increasing the capital expenditure threshold to \$5,000. The current threshold of \$1,000 was adopted in 1961; adjusted for inflation, this is approximately \$8,400 in today's dollars.

**FISCAL IMPACT:**

Appropriations totaling \$167,803,211 will be established for City of El Cajon and Housing Authority funds in addition to \$7,220,040 for the Successor Agency of the former El Cajon Redevelopment Agency.

Prepared By: Clay Schoen, Director of Finance

Reviewed By: Clay Schoen, Director of Finance

Approved By: Graham Mitchell, City Manager

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Attachments

CCP B-1 Budget Adjustment and Capital Expenditure

Adopt City FY18-19 Annual Budget

Adopt FY18-19 ECHA Annual Budget

Adopt FY18-19 Successor Agency Annual Budget

Adopt FY18-19 Appropriation Limit

Adopt Designation of General Fund Balances

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**CITY OF EL CAJON  
CITY COUNCIL POLICY**

SUBJECT:		POLICY #
<b>BUDGET ADJUSTMENTS AND CAPITAL EXPENDITURES</b>		<b>B-1</b>
REFERENCE:	EFFECTIVE	PAGE
Revised 6-75	<b>6-75</b>	<b>1 of 1</b>

**PURPOSE:**

To state City Council policy on budget adjustments and approval of capital expenditures.

**POLICY:**

Budget Adjustments

Any budget modification resulting in a fund appropriation increase requires City Council approval. The City Manager has the authority to transfer appropriations between departments within a fund. The City Manager has the authority to transfer appropriations between capital projects within a fund, with common funding sources. Department Directors, with the concurrence of the City Manager, are authorized to transfer budgeted appropriation amounts within their departments within a fund. Transfers of appropriations between funds may only be made by authority of the City Council.

~~Budget adjustments covering transfer of appropriation amounts between the accounts of a single department to another, and those covering appropriations from Unappropriated Reserve shall be approved by the City Council based on the recommendation of the City Manager. (11-24-58)~~

Capital Expenditures Improvements

Capital expenditures over \$5,000 may only be made by authority of the City Council.

~~Expenditures for capital improvements over \$1,000.00 are to be withheld until approved by City Council. (11-6-61)~~



RESOLUTION NO.     -18

RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF EL CAJON ADOPTING THE  
FISCAL YEAR 2018-2019 ANNUAL BUDGET

WHEREAS, the City Council of the City of El Cajon has held a special meeting on June 26, 2018, to review the proposed 2018-2019 annual budget, and to accept public comments to the proposed budget; and

WHEREAS, the annual budget includes all City grants and annual capital improvement budgets; and

WHEREAS, copies of the budget have been provided on the City's website, at various City Hall locations, and made available to the public.

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

The City Council does hereby approve and adopt the City of El Cajon budget titled *City of El Cajon Annual Budget 2018-2019*, incorporated herein by reference.

RESOLUTION NO. ECHA-\_\_\_

RESOLUTION OF THE EL CAJON HOUSING AUTHORITY  
APPROVING THE FISCAL YEAR 2018-2019 BUDGET

WHEREAS, on March 9, 2011, the City Council for the City of El Cajon (the "City Council") established the El Cajon Housing Authority (the "Housing Authority") in order to transfer the affordable housing functions of the Agency, to the Housing Authority; and

WHEREAS, the Housing Authority anticipates the periodic return of Low- and Moderate-Income Housing Asset Funds through the repayment of outstanding Agency contracts, loans, other receivables, release of unencumbered reserve balances approved by the Oversight Board, or other sources borrowed or generated by the Housing Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE EL CAJON HOUSING AUTHORITY BOARD OF DIRECTORS AS FOLLOWS:

1. The foregoing recitals are true and correct and constitute findings of the Housing Authority Board of Directors.

2. The Housing Authority Board of Directors hereby further finds and determines that the planning and administrative costs paid with Low and Moderate Housing Asset Funds or other funds as may be received, as described in the Low- and Moderate-Income Housing Asset Fund Administration and Capital Improvement Budgets are necessary for the production, improvement or preservation of low- and moderate-income housing as required by subdivision (d) of section 33334.3 or 34200 et seq. of the California Health and Safety Code.

3. The Housing Authority Board of Directors hereby further finds and determines that the acquisition/development of properties to be owned by or assisted by the Authority, assistance to Low- and Moderate-Income Households and improvements to properties, including the California Dream First-Time Homebuyer Program, the Rapid Re-housing and Homelessness Project, the Cornerstone Place project, the 812/816 Grossmont project, and the Housing Development and Revitalization Project, are of benefit to the project area by helping to eliminate both physical and economic blight by producing and/or replacing affordable housing units, renovating facilities with substandard, defective or obsolete design or construction, and stimulating economic activity.

4. The Housing Authority Board of Directors hereby further finds and determines that no other reasonable means of financing the proposed activities are available to the community to fund these projects at this time.

5. The Fiscal Year 2018-2019 Low and Moderate-Income Housing Asset Fund Budget, including the Administration and Capital Improvement Budget included in the City of El Cajon fiscal year 2018-2019 annual budget, incorporated herein by reference, is hereby approved.

RESOLUTION NO. \_\_\_-18

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL CAJON  
AS THE SUCCESSOR AGENCY TO THE  
EL CAJON REDEVELOPMENT AGENCY  
ADOPTING THE FISCAL YEAR 2018-2019 BUDGET

WHEREAS, the City of El Cajon formed the El Cajon Redevelopment Agency (the "Agency"), which has continuously engaged in redevelopment activities under the Community Redevelopment Law (Health and Safety Code sections 33000 *et seq.*) (the "Redevelopment Law"); and

WHEREAS, Assembly Bill 1X 26 (the "Dissolution Act") was enacted on June 28, 2011, to significantly modify the Redevelopment Law; and

WHEREAS, the Dissolution Act dissolved all redevelopment agencies in the state of California, including the El Cajon Redevelopment Agency, effective February 1, 2012; and

WHEREAS, section 34173 of the Redevelopment Law, as amended by the Dissolution Act, provides that the City, as the agency authorizing the creation of the Agency, is the successor entity to the Agency upon its dissolution (the "Successor Agency"), and is responsible for those obligations set forth in section 34177 of the Redevelopment Law, which include collecting obligations to the Agency, disposing of assets, winding down the affairs of the Agency, and otherwise performing such functions as required under the Dissolution Act; and

WHEREAS, the Oversight Board of the Successor Agency to the El Cajon Redevelopment Agency adopted a Recognized Obligation Payment Schedule ("ROPS") for expenditures for the period of July 1, 2018 through June 30, 2019 on January 17, 2018; and

WHEREAS, in order for the Successor Agency to act as contemplated herein the Agency must adopt an operating budget for the Fiscal Year 2018-2019 of \$7,220,040 for the Successor Agency; and

WHEREAS, the proposed budget is based on the anticipated level of responsibilities transferred to the Successor Agency; and

WHEREAS, the absence of any particular contract or other obligation, from a ROPS does not in any way waive the legal rights of the City of El Cajon to challenge the purported validity of such contracts or obligations under the Dissolution Act.

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

Section 1. Recitals. The above recitals are true and correct.

Section 2. Approval of Budget. The City Council, solely in its capacity as the Successor Agency, hereby approves the operating budget of \$7,220,040 for the Fiscal Year 2018-2019.

Section 3. Appropriations. The appropriations listed in Exhibit "A," establishing the operating and project administrative budgets for the City of El Cajon as Successor Agency to the former El Cajon Redevelopment Agency, consistent with the ROPS for the period of July 1, 2018 through June 30, 2019, are to be made.

06/26/18 CC Agenda

Budget – Adopt Successor Agency FY 18-19 Budget 060518

**SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY  
PROPOSED BUDGET  
FISCAL YEAR 2018-19**

Activity/Project	Jul-Dec 2018	Jan-Jun 2019	Total Fiscal Year 2018-19
<b><u>Bond Proceeds</u></b>			
HA1501 Housing Authority Development & Revitalization Projects	\$ 705,000	-	\$ 705,000
RD1504S El Cajon Performing Arts Center Improvements	897,000	-	897,000
	<u>\$ 1,602,000</u>	<u>\$ -</u>	<u>\$ 1,602,000</u>
<b><u>Other Funds</u></b>			
RD0704S Hazardous Materials Testing-Park & Ballantyne	\$ 50,000	\$ 50,000	\$ 100,000
RD0705S Hazardous Materials Testing-Prescott Promenade	5,000	5,000	10,000
0490000 Successor Agency Debt Service	-	4,000	4,000
	<u>\$ 55,000</u>	<u>\$ 59,000</u>	<u>\$ 114,000</u>
<b><u>Reserve Funds</u></b>			
0490000 Successor Agency Debt Service	\$ 14,000	\$ 7,000	\$ 21,000
<b><u>RPTIF - Non Administrative</u></b>			
0490000 Successor Agency Debt Service	\$ 3,782,218	\$ 1,450,822	\$ 5,233,040
<b><u>RPTIF - Administrative</u></b>			
0590110 Successor Agency Administration	\$ 125,000	\$ 125,000	\$ 250,000
	<u>\$ 5,578,218</u>	<u>\$ 1,641,822</u>	<u>\$ 7,220,040</u>

EXHIBIT "A"

RESOLUTION NO.     -18

RESOLUTION APPROVING AND ADOPTING THE  
ANNUAL APPROPRIATIONS LIMIT FOR  
FISCAL YEAR 2018-2019

WHEREAS, Article XIII (B) of the State Constitution places various limitations on the appropriations of the state and local governments; and

WHEREAS, Article XIII (B) provides that the appropriations limit for the fiscal year 2018-2019 is calculated by adjusting the appropriations of the fiscal year 2017-2018 for changes in the price and population; and

WHEREAS, the information necessary for making these adjustments is attached in Exhibit "A," and made a part hereof; and

WHEREAS, the City of El Cajon has complied with all of the provisions of Article XIII (B) in determining the appropriations limit for fiscal year 2018-2019.

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

That the appropriations subject to limitations in fiscal year 2018-2019 shall be \$159,723,127 for the City of El Cajon.

**EXHIBIT "A"**

**DETERMINATION OF 2018-2019 APPROPRIATIONS LIMIT  
CONSTITUTIONAL SPENDING LIMITS**

Article XIII (B) of the California Constitution provides that the City's annual appropriations be subject to certain State limitations. This appropriations limit is often referred to as the Gann Limitation. The City's limitation is calculated each year and is established by a resolution of the City Council as a part of the Annual Operating Budget.

The Article XIII (B) limitation for Fiscal Year 2018-2019 is \$159,723,127. The Gann spending limitation is calculated by taking the prior year's limitation of \$152,755,108 and adjusting it by the growth factor in the California Per Capita Personal Income and change in the population within the County of San Diego.

The Article XIII (B) limitation is not a restricting factor for the City of El Cajon due to the population growth during the past several years.

Basic References:

- (1) City of El Cajon Resolution No. 060-17(established 2017-2018 appropriations limit)
- (2) Article XIII (B), State Constitution, as implemented by SB 1352 of 1980 and amended by Proposition 111 and SB 88 of 1990
- (3) "Price and Population Data for Local Jurisdictions," Department of Finance, State of California, May 2018

Raw Data:

California per Capita Personal Income	Non-Residential New Construction	Population Growth County of San Diego	Population Growth City of El Cajon
3.67%	*	.86%	.27%
CORRECTED APPROPRIATIONS LIMIT 2016-2017			\$152,755,108

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Calculation:

2018-2019     $1.0367 \times 1.0086 = 1.04561562 \times \$152,755,108$                       \$159,723,127

\*        Unavailable at this time.

RESOLUTION NO.   -18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON  
APPROVING DESIGNATION OF GENERAL FUND BALANCES

WHEREAS, maintaining appropriate levels of fund balance, commonly referred to as reserves, is a critical component of sound financial management and fiscal security; and

WHEREAS, the practice of maintaining reserves was formalized by El Cajon City Council adoption of the Fund Balance City Council Policy B-12 ("CCP B-12") on June 14, 2011, and reinforced by the Pension Reform and Fiscal Responsibility Plan Resolution No. 47-13 adopted on April 9, 2013 ("Resolution 47-13"); and

WHEREAS, by implementation of CCP B-12 and Resolution 47-13, as well as subsequent annual budgets, the following reserve accounts have been established and maintained at various levels:

1. Carryover Reserve (Unassigned Fund Balance): Funded by revenues received in excess of expenditures, and available for future appropriation;
2. Designated for Economic Uncertainty (Assigned Fund Balance): Established for the purpose of stabilizing delivery of City services during periods of structural budget deficits and to mitigate the effects of major economic uncertainties resulting from unforeseen changes in revenues and/or expenditures;
3. Designated for Unfunded PERS/Retirement Obligations (Assigned Fund Balance): Due to increasing retirement contribution rates to CalPERS and unfunded pension obligations, the City Council approved the Pension Reform and Fiscal Responsibility Plan, which includes making periodic additional payments to CalPERS, whenever fiscally prudent; and
4. Operating Reserve (Committed Fund Balance): A long-standing reserve established as 20% of annual expenditures for two purposes (1) to provide General Fund cash flow; and (2) to serve as a reserve of last resort against unexpected events or risks outside the City's control; and

WHEREAS, over the past several years the General Fund has outperformed its budget due to conservative stewardship and increased operational efficiencies as shown below:

<b>Fiscal Year</b>	<b>Increase/(Decrease)</b>
2012-13	7,002,050
2013-14	1,507,086
2014-15	2,320,130
2015-16	5,908,183
2016-17	3,540,543
<b>Total Growth</b>	<b>\$20,277,992</b>

WHEREAS, from time to time it becomes necessary to adjust reserve balances to reflect both changing economic conditions, as well as advance the City Council's commitment to sound financial management; and



WHEREAS, at the completion of Fiscal Year 2016-2017 the General Fund had reserves totaling \$39.1 million, as detailed below:

<b>Reserve Account</b>	<b>Balance</b>
Carryover Reserve	\$11,500,369
Designated for Economic Uncertainty	6,500,000
Reserve for Unfunded PERS/Retirement Obligations	8,000,000
Operating Reserve (20% of Expenditures)	13,052,990
<b>Total General Fund Reserve Balance</b>	<b>\$39,053,359</b>

WHEREAS, the General Fund Carryover Reserve is currently 16.9% or approximately two (2) months of expenditures, which exceeds current requirements, and allows the opportunity to redirect funds to meet future City needs.

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

1. The above recitals are true and correct, and are the findings of the City Council.
2. The City Council hereby approves the designation of general fund balances as set forth in the table above, to better prepare the City of El Cajon for future financial challenges.
3. The City Manager and the Director of Finance are hereby authorized to designate general fund balances to balance reserve accounts as herein approved.

06/26/18 CC Agenda

Budget – Approve Designation of General Fund Balances 061418



City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** El Cajon Animal Shelter Project Acceptance, PS0020, RFP No. 014-16

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**RECOMMENDATION:**

That the City Council:

1. Accepts the El Cajon Animal Shelter Project, PS0020, RFP No. 014-16; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

**BACKGROUND:**

On December 13, 2016, the El Cajon Animal Shelter construction contract was awarded by City Council Resolution No. 112-16 to C. W. Driver, LLP. The scope of work included the construction of a 14,700 square foot building with dog kennels, cat condominiums, separate adoption and animal surrender lobbies, a community room, grooming facilities, isolation rooms, behavior evaluation rooms, a full veterinarian clinic, animal control offices, ample storage and play yards. Additional work, directed by the City Manager, included the installation of a 93 kilowatt solar array system that produces 80 percent of the facility's electrical power needs.

**FISCAL IMPACT:**

This project was constructed utilizing Proposition "O" Public Safety funding (502900-PS0020). The original guaranteed maximum construction price was \$9,333,807 and included \$817,800 in allowances for items of work that were not completely defined, such as furnishings and equipment, and \$326,526 in contractor contingencies. The City Manager authorized \$694,765 in change orders that included a solar energy generating system which increased the total maximum price to \$10,028,572. Through the course of construction, the contractor negotiated down the cost of subcontracts, saving the City \$564,567. The final construction cost totaled \$9,464,005.

Prepared By: David Keltner, Principal Civil Engineer  
Reviewed By: Dirk Epperson, Director of Public Works  
Approved By: Graham Mitchell, City Manager

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City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** First Amendment to the Disposition and Development Agreement with Brixton Fletcher, LLC

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**RECOMMENDATION:**

That the City Council adopts a resolution approving 1) the First Amendment to the Disposition and Development Agreement between the City of El Cajon and Brixton Fletcher, LLC, and 2) the First Amendment to the Purchase and Sale Agreement between the City of El Cajon and Brixton Fletcher, LLC.

**BACKGROUND:**

On July 11, 2017, the City Council approved the Hampton Inn by Hilton and related commercial development, along with a Disposition and Development Agreement (DDA) with Brixton Fletcher, LLC. The DDA was executed after an exclusive negotiating period with Brixton Capital and Excel Hotel Group. This joint venture team was selected after a solicitation process that vetted seven proposals, which were evaluated based on the offer amount, financial capability, and performance ability.

The DDA established the terms of the property's sale and committed the development team to construct a Hampton Inn by Hilton (four-story, 61,140 square feet, and approximately 96 rooms), 12,344 square feet of commercial space, and a 3,820 square foot drive through casual restaurant. The DDA also required the City to initiate several offsite public improvements (median improvements on Magnolia Avenue, water main installation, and street lighting improvements). On November 14, 2017, the City Council authorized the execution of a Purchase and Sale Agreement with Brixton Fletcher, LLC for the site.

The purpose of this agenda item is to present a First Amendment to the DDA and a First Amendment to the Purchase and Sale Agreement with Brixton Fletcher, LLC. Due to unexpected increases in construction costs, the project has been delayed for several months. As such, staff recommends that the City Council consider the proposed amendments. The amendments establish a revised closing date of no later than July 13, 2018 and a revised deadline to complete construction of the hotel within 18 months of the close of escrow. The First Amendment to the DDA indicates that the City will initiate undergrounding overhead electrical lines within the Magnolia Avenue right-of-way (which are offsite public improvements). It also provides up to \$225,000 in reimbursements to the Developer for actual costs incurred in constructing certain public improvements at the project.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT:

A Mitigated Negative Declaration (MND) was adopted by the City Council on March 27, 2012 by Resolution No. 33-12. The MND evaluated the land use changes and the potential future development of the property consistent with the regional commercial land uses and zoning. An Addendum to the MND was prepared for this project and approved by the City Council at the time that the DDA was initially approved on June 11, 2017.

## FISCAL IMPACT:

The approval of the First Amendment to the DDA will require the City to allocate SDG&E collected and managed Rule 20A funds to underground utilities within the Magnolia Avenue right-of-way. This Amendment also commits the City to reimburse or contribute an amount not to exceed \$225,000 towards constructing certain public improvements at the development project. The City may fund those reimbursements in any reasonable manner, including with a combination of funding sources including the application of credits on public utility bills, Wastewater Capital funds, Transnet street improvement funds, or reductions in permitting fees. The Capital Improvement Project's budget allocates funds for public improvements related to the former Police Station.

Prepared By: Graham Mitchell, City Manager

Reviewed By: Morgan Foley, City Attorney

Approved By: Graham Mitchell, City Manager

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### Attachments

Resolution- 1st amend -Brixton

1st amend to DDA

1st amend to Dev Reimbursement

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RESOLUTION NO.     -18

A RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF EL CAJON  
APPROVING A FIRST AMENDMENT TO THE  
DISPOSITION AND DEVELOPMENT AGREEMENT  
AND A FIRST AMENDMENT TO THE  
PURCHASE AND SALE AGEEMENT  
BETWEEN THE CITY OF EL CAJON AND  
BRIXTON FLETCHER, LLC

WHEREAS, on July 11, 2017, following an exclusive negotiating period with Brixton Capital and Excel Hotel Group, the City Council authorized the City of El Cajon (the "City") to enter into a Disposition and Development Agreement (the "DDA") with Brixton Fletcher, LLC, a joint venture team selected after a solicitation process that vetted seven (7) proposals, which were evaluated based on the offer amount, financial capability, and performance ability; and

WHEREAS, the DDA established the terms of the sale of the property located at 100 Fletcher Parkway, and committed the development team to construct a Hampton Inn by Hilton (four-story, 61,140 square feet, with approximately 96 rooms), 12,344 square feet of commercial space, and a 3,820 square foot drive through casual restaurant (the "Project"); and

WHEREAS, the DDA also required the City to initiate several public offsite improvements (including median improvements on Magnolia Avenue, water main installation, and street lighting improvements); and

WHEREAS, on November 14, 2017, the City Council authorized the execution of a Purchase and Sale Agreement (the "Agreement") with Brixton Fletcher, LLC for the site; and

WHEREAS, due to unexpected increases in construction costs, the Project has been delayed for several months, and staff now recommends that the City Council consider proposed First Amendments to the DDA and Agreement to establish a revised closing date of no later than July 13, 2018, and a revised deadline to complete construction of the hotel within eighteen (18) months of the close of escrow; and

WHEREAS, a Mitigated Negative Declaration ("MND") was adopted by the City Council on March 27, 2012 by Resolution No. 33-12, and evaluated the land use changes and the potential future development of the property consistent with the regional commercial land uses and zoning; and

WHEREAS, an Addendum to the MND was prepared for this project and approved by the City Council at the time that the DDA was initially approved on June 11, 2017; and

WHEREAS, the proposed First Amendment to the DDA indicates that the City will initiate undergrounding overhead electrical lines within the Magnolia Avenue right-of-way (which are off-site public improvements) and provides up to \$225,000 in reimbursements to the Developer for actual costs incurred in constructing certain public improvements at the project; and

WHEREAS, the City Council believes it to be in the City's best interests to enter into amendments to approve the above-referenced changes to the DDA and the Agreement.

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

1. The above recitals are true and correct, and are the findings of the City Council.

2. The City Manager, or such person as is designated by the City Manager, is hereby authorized and directed to execute the First Amendment to the Disposition and Development Agreement, substantially in the form as presented at this meeting with such changes as may be approved by the City Manager, on behalf of the City of El Cajon.

3. The City Manager, or such person as is designated by the City Manager, is hereby authorized and directed to execute the First Amendment to the Purchase and Sale Agreement, substantially in the form as presented at this meeting with such changes as may be approved by the City Manager, on behalf of the City of El Cajon.

4. The City Manager, or the City Manager's designee, is hereby further authorized to execute such amendments to the Agreement as may be necessary to approve any renewal terms of the Agreement as contemplated therein, and to make such other changes as may be necessary, in the determination of the City Manager, to implement the DDA and the Agreement in the best interests of the City.

06/26/18 CC Agenda

Approve 1<sup>st</sup> Amend to Brixton Fletcher DDA 061918

**FIRST AMENDMENT TO  
DISPOSITION AND DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT (this “**Amendment**”) is entered into as of June \_\_, 2018, by and between the CITY OF EL CAJON, a charter city and municipal corporation (the “**City**”), and BRIXTON FLETCHER, LLC, a Delaware limited liability company (“**Developer**”).

**RECITALS**

A. City and Developer are parties to that certain Disposition and Development Agreement dated as of February 6, 2018 (the “**DDA**”), pursuant to which the City agreed to sell and Developer agreed to purchase the real property described therein (the “**Property**”), and develop the Property as further described in the DDA, on all of the conditions set forth therein.

B. City and Developer desire to amend the DDA as more particularly set forth herein. Capitalized terms used herein and not defined shall have the meanings set forth in the DDA.

**AGREEMENT**

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Developer agree as follows:

1. Schedule of Performance. Attachment “3” to the DDA is hereby deleted and replaced with Attachment “3” to this Amendment. Section 7.7 of the DDA is hereby amended to delete the second and third sentences thereof so that Section 7.7 of the DDA shall read in its entirety as follows:

The Developer shall promptly begin and thereafter diligently prosecute to complete the Project, with all construction commencing and being completed within the times specified therefor in the Schedule of Performance, subject to extensions permitted by Section 9.3 of this Agreement.

2. Additional Improvements. Notwithstanding anything to the contrary contained in the DDA, the City hereby agrees to reimburse or otherwise contribute an amount not to exceed Two Hundred Twenty Five Thousand Dollars (\$225,000) towards the Actual Costs (as defined below) of constructing certain public improvements at the Project. The City may satisfy this obligation, in whole or in part, in any reasonable form, including with the application of credits on public utility bills or reductions in permitting fees that would otherwise be due and payable by Developer. As used herein, “**Actual Cost**” means all costs incurred by Developer to design, construct, and install the Project, including without limitation, costs for planning, design, engineering, supervising, and inspecting services. The obligations set forth herein are in addition to the City’s reimbursement obligations under Section 7.5 of the DDA.

3. SDG&E Undergrounding. Developer acknowledges that the City has initiated a project to underground certain power lines some of which traverse the Property and extend along

Magnolia Street (“**City Undergrounding Project**”). Developer agrees to cooperate with the City in the City’s performance of the City Undergrounding Project, which cooperation shall include, without limitation, coordinating construction schedules between the Project and the City Undergrounding Project, and granting such easements as reasonably required for the undergrounding of the power lines. The City shall use Rule 20A funds from San Diego Gas & Electric Company, provided that the City’s obligations are not conditioned upon the receipt of such funds. The obligations arising from this Agreement are not a debt of the City, nor a legal or equitable pledge, charge, lien or encumbrance, upon any of the City’s property, or upon any of its incoming receipts or revenue. Developer shall not compel the exercise of the City’s taxing power or the forfeiture of any of its property to satisfy any obligations arising from this Agreement.

4. Continuity of DDA. Except as amended by this Amendment, the DDA remains unmodified and in full force and effect and City and Developer do hereby ratify and affirm the same. From and after the date hereof, the term “Agreement” as used in the DDA shall mean the DDA, as amended hereby.

5. Counterparts. This Amendment may be executed and delivered in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Electronically transmitted signatures shall for all purposes be treated as originals.

6. Governing Law. This Amendment shall be governed by, interpreted under, and construed and enforced in accordance with, the laws of the State of California.

[SIGNATURE PAGE FOLLOWS]



**IN WITNESS WHEREOF**, the parties hereto, intending legally to be bound hereby, have executed this Amendment as of the date first above written.

APPROVED AS TO CONTENT:

“City”

**CITY OF EL CAJON**, a charter city and  
municipal corporation

Dated: \_\_\_\_\_, 2018

By: \_\_\_\_\_  
Bill Wells, Mayor

ATTEST:

\_\_\_\_\_  
Angela Aguirre, City Clerk

“Developer”

**BRIXTON FLETCHER, LLC**, a Delaware  
limited liability company

Dated: \_\_\_\_\_, 2018

By: Brixton Manager, LLC, its Manager

By: \_\_\_\_\_  
Name: Marc R. Brutten  
Title: Authorized Signatory

By: \_\_\_\_\_  
Name: Travis King  
Title: Authorized Signatory

APPROVED AS TO FORM:

\_\_\_\_\_  
Morgan L. Foley  
City Attorney

**ATTACHMENT “3”**

**SCHEDULE OF PERFORMANCE**

	Item of Performance	Time for Completion
1.	Escrow opened	Within 5 days after City executes this Agreement.
2.	Approval of Specific Plan of Property	Prior to sale of property.
3.	Submittal of Plans by Developer to City for review	Within 90 days after the City executes this Agreement.
4.	Plan check review by applicable City departments and preparation of any corrections to Developer.	City will use reasonable efforts to cause such review, and to obtain and provide to Developer any corrections, within 45 days of receipt.
5.	Developer to correct and resubmit (as necessary to address City comments) plans.	Within 45 days of receipt of City first round comments provided to Developer or Developer representative in Item 4 above.
6.	Plan check re-review by applicable City departments; Developer obtains issuance of building permits (if Developer entitled to issuance).	City will use reasonable efforts to cause such re-review and the issuance of building permits (if Developer is entitled to issuance) within three (3) weeks of Developer submittal of items listed in Item 5 above.
7.	Developer and City complete the sale of the Project Site	On or before July 13, 2018.
8.	Developer constructs Project	Within eighteen (18) months after acquisition of Property.
9.	Developer of Hotel Component executes Operating Covenant	Concurrent with or prior to sale of Hotel Component to Developer of Hotel Component
10.	City executes and records Operating Covenant	Concurrent with or prior to sale of Hotel Component to Developer of Hotel Component
11.	Developer obtains certificate of occupancy for Project.	Upon completion of the project.

This Schedule of Performance represents the parties’ target dates. However this Schedule of Performance may be adjusted by the City Director so long as Developer moves the Project forward and obtains a certificate of occupancy for the Project by no later than eighteen (18)

months (subject to delays described in Section 9.3 of the Agreement) from the date the building permit is issued or the Property Closing, whichever is later to occur. This Schedule of Performance does not include the time of performance for all obligations arising under the Agreement; rather this schedule focuses only on the development schedule of the Project. The parties are referred to the Agreement for the total description of the parties' obligations and times for performance of matters not identified in this Schedule. The Developer understands that obligations contained in the Agreement may be conditions precedent to the City's obligations under this schedule.

Nothing herein shall be construed to limit the City's legislative authority, which City may exercise, in City's sole and absolute discretion. In all cases where City action is required, City shall use reasonable efforts to cause City to take such action in the time prescribed herein.

## FIRST AMENDMENT TO DEVELOPMENT REIMBURSEMENT AGREEMENT

THIS FIRST AMENDMENT DEVELOPMENT REIMBURSEMENT AGREEMENT (the “**Amendment**”) is entered into this \_\_\_\_ day of June, 2018 by and between BRIXTON FLETCHER, LLC, a Delaware limited liability company (“**Brixton**”), and FLETCHER HOTEL LP, a California limited partnership (“**Fletcher Hotel**”). Brixton and Fletcher Hotel are referred to individually herein as a “**Party**” and collectively as the “**Parties.**”

### RECITALS

A. The Parties have previously entered into that certain Development Reimbursement Agreement dated as of November 15, 2017 (the “**Agreement**”) and that certain Conditional Purchase and Sale Agreement and Joint Escrow Instruction dated as of November 15, 2017 (the “**Hotel Parcel PSA**”).

B. The Parties desire to amend certain provisions of the Agreement as more fully set forth below.

### AGREEMENT

NOW THEREFORE, in consideration of the promises, mutual covenants and agreements contained in this Amendment and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Defined Terms. Capitalized terms used in this Amendment and not otherwise defined herein shall have the meanings given to them in the Agreement.

2. Reimbursement of Onsite/Offsite Improvement Costs. Section 3.4 of the Agreement is hereby deleted in its entirety and replaced with the following:

As of the date of this Amendment, Fletcher Hotel has reimbursed Brixton for the amount of \$47,592.16, which represents Fletcher Hotel’s share of the Pre-Development Costs incurred by Brixton prior to the date of the Agreement. Hereafter, from time to time, but no more often than once per calendar month, Brixton may make a written request to Fletcher Hotel for reimbursement of a Pre-Development Cost or Onsite/Offsite Improvement Cost (“**Reimbursement Request**”) consistent with the Pre-Development Budget or Onsite/Offsite Construction Budget, and Fletcher Hotel’s share thereof, after the pro-rata application of any applicable City credits and Brixton credits shown on Schedule 1 (“**Credits**”). Fletcher Hotel acknowledges that the Pre-Development Budget and the Onsite/Offsite Construction Budget are subject to adjustment pursuant to Section 2.2 of the Agreement; provided that the Credits shall be applied as shown on Schedule 1 to any such updated Onsite/Offsite Construction Budget.

The Reimbursement Request shall set forth the amount of the particular Pre-Development Cost or Onsite/Offsite Improvement Cost incurred by Brixton, the amount of the Credits applied, and shall be accompanied by true copies of invoices, receipts or other evidence reasonably satisfactory to Fletcher Hotel that (i) Brixton has incurred the particular expense, and (ii) the work, service or goods covered by the invoices has been or will be performed or received

in accordance with the applicable budget. Reimbursement to Brixton of Fletcher Hotel's Allocated Share of the requested Pre-Development Cost or Onsite/Offsite Improvement Costs shall be due within fifteen (15) Business Days following delivery of the Reimbursement Request. Should the Fletcher Hotel dispute a Reimbursement Request within ten (10) Business Days following delivery of the Reimbursement Request, the Parties shall promptly meet to attempt to resolve the dispute in good faith in accordance with the terms of Article 7, below. Failure by Fletcher Hotel to dispute a Reimbursement Request within such ten (10) Business Day period shall be deemed consent and approval of the Reimbursement Request. The obligations under this Section 3.4 shall survive the expiration or earlier termination of this Agreement.

3. No Other Modification. Except as expressly provided herein, nothing contained herein shall in any way or manner modify, amend, waive, alter, affect, limit or reduce any of the rights and remedies of the parties hereto under or pursuant to the Agreement.

4. Ratification. The Agreement, as hereby amended, is ratified and confirmed.

5. Successors and Assigns. This Agreement shall be binding upon, and inure to the benefit of, the Parties and their respective successors and permitted assigns.

6. Counterparts. This Amendment may be executed in any number of duplicate originals and each duplicate original shall be deemed to be an original. This Amendment may be executed in several counterparts, each of which counterparts shall be deemed an original instrument and all of which together shall constitute one agreement. Signatures to this Amendment obtained via facsimile or in pdf format via electronic mail shall be deemed original signatures.

[signatures commence on following page]

IN WITNESS WHEREOF, the Parties have entered into this Amendment as of the date first above written.

Brixton:

BRIXTON FLETCHER, LLC, a Delaware limited liability company

By: \_\_\_\_\_

\_\_\_\_\_  
(Print Name and Title)

By: \_\_\_\_\_

\_\_\_\_\_  
(Print Name and Title)

Fletcher Hotel:

FLETCHER HOTEL LP, a California limited partnership

By: Excel Hospitality, Inc., its General Partner

By: \_\_\_\_\_

Suresh Patel, President

Schedule 1

Hotel Share of Budget

**Brixton Fletcher LLC  
Fletcher Parkway Development BUDGET**

**Excel - Summary of Purchase Price and Development Reimbursement  
Date - June 15, 2018**

**Proforma Summary of Hotel (Excel) Obligation**

	Original Hotel Budget Summary	Allocation of \$925k City Credit	Allocation of \$425k Brixton Credit	Updated Hotel Budget Summary
Pre-development Soft Cost	\$ 225,382			\$ 225,382
Hotel Plans	TBD by Excel			TBD by Excel
Site Cost				
Hotel Parcel	\$ 447,769	\$ (368,629)		\$ 79,140
East Drive	\$ 233,124			\$ 233,124
Common Improvements	\$ 628,226		\$ (425,000)	\$ 203,226
SDG&E Underground Fee	\$ 294,000	\$ (294,000)		\$ -
Offsite Work	\$ 262,371	\$ (262,371)		\$ 0
Hotel Cost	TBD by Excel			TBD by Excel
Land Cost	\$ 1,300,000			\$ 1,300,000
<b>Total</b>	<b>\$ 3,390,872</b>	<b>\$ (925,000)</b>	<b>\$ (425,000)</b>	<b>\$ 2,040,872</b>
<b>Hard &amp; Soft Cost Total</b>	<b>\$ 2,090,872</b>			<b>\$ 740,872</b>



City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** City Council Policy A-29, Compensation Plan for Executive and Unrepresented Employees and the City Attorney

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**RECOMMENDATION:**

That the Mayor provides an oral report summarizing recommended changes in compensation for the City's "local agency executives." Following the report, staff recommends that the City Council:

1. Approves the changes to City Council Policy A-29 described below and reflected on the attachment; and
2. Acknowledges the adjustment to the City Manager's compensation in accordance with the terms of his contract.

**BACKGROUND:**

City Council Policy A-29 details the compensation for all employees not represented by any of the City's recognized bargaining groups. These employees include all Department Directors, the City Attorney, confidential and other unrepresented employees, and part-time/seasonal/temporary (PST) employees. It should be noted that the policy includes multiple classifications that are currently not utilized (i.e., filled) and, consequently, are not funded in the FY 2018-19 budget.

SB 1436, adopted in 2016, requires that the City Council provide an oral report with a summary of recommendations for a final action on the salaries or compensation of certain "local agency executives." This oral report must be given by the Mayor during the open meeting in which the final action on compensation, salaries, and benefits is to be taken.

A "local agency executive" is defined as those employees of a local agency not subject to the Meyers-Milias-Brown Act and who is either (1) the chief executive officer, deputy or assistant chief executive officer, (2) the head of a department of a local agency, or (3) is employed under a contract with the local agency. For the City, "local agency executives" subject to SB 1436 include: City Manager, City Attorney, Assistant City Manager, City Clerk, Director of Finance/City Treasurer, Director of Human Resources, Director of Information Technologies, Director of Public Works, Director of Recreation, Fire Chief, and Police Chief.



As recommended, all of the miscellaneous (non-safety) employees in this group will receive a general salary increase of 2.5% effective June 30, 2018, the same increase in pay received by their respective employees. The affected Fire safety employees (i.e., Fire Chief, Deputy Fire Chief, Fire Division Chiefs) and the Police Chief will receive the same general salary increase as their represented Fire and Police safety employees (i.e., general salary increase 0.5% effective June 30, 2018, addition of Step F, 2.5% above current top step, and a non-PERSable stipend equal to approximately 3% of the applicable classification's top step, payable in equal halves in July and December). The personnel costs for the Fire Chief and Fire management staff is proportionately shared by the three member cities of Heartland Fire and Rescue. Additionally, the Fire safety employees and Police Chief will receive a non-PERSable stipend of \$6,000/Police Chief, \$6,000/Fire Chief, \$4,400/Deputy Fire Chief and \$4,200/Fire Division Chief. The stipends will be paid one-half on July 20, 2018 and one-half on December 21, 2018.

Finally, it is recommended that all benefited classifications/positions covered by this policy receive a \$50 per month increase in cafeteria benefits effective January 2019.

Even though changes in the City Manager's compensation for the coming year require no formal action, it is appropriate and consistent with recent legislation (SB 1436, discussed above) that the City Council formally acknowledge this year's adjustment of an increase of 2.5% to his current annual base salary of \$236,000. The new annual base salary would be \$241,900.

**FISCAL IMPACT:**

It is estimated that the cost of the increases identified above will be approximately \$190,000 in FY 2018-19, including ancillary costs, such as CalPERS' contributions.

Prepared By: Graham Mitchell, City Manager

Reviewed By: N/A

Approved By: Graham Mitchell, City Manager

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Attachments

A-29 City Council Plan

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**CITY OF EL CAJON  
CITY COUNCIL POLICY**

**SUBJECT:** Compensation Plan for Executive and Unrepresented Employees, and the City Attorney

**POLICY**  
A-29

**REFERENCE:**

**EFFECTIVE**  
~~07/01/17~~06/30  
/18

**PAGE**  
Page 1 of 16

**PURPOSE**

To outline in one document the salary and benefits of employees who work in positions not represented by a recognized bargaining group.

**A. SALARY** – Effective ~~pay period ending 07/14/2017~~06/30/2018

**\*\*~~Positions not being utilized and therefore are not budgeted~~ — Some positions listed below may not be utilized or budgeted**

**EXECUTIVE MANAGEMENT AND CONTRACT CLASSIFICATIONS ARE AS FOLLOWS:**

<u>CLASSIFICATION</u>	<u>RANGE</u>	<u>ANNUAL SALARY</u>
Assistant City Manager	<del>135.5</del> <u>136.5</u>	<del>\$168,521.60 – \$205,337.60</del> <u>\$172,744.00 - \$210,454.40</u>
Police Chief	<del>132.5</del> <u>132.7</u>	<del>\$156,499.20 – \$194,937.60</del> <u>\$157,268.80 – \$200,824.00</u>
Fire Chief	<del>132.3</del> <u>132.5</u>	<del>\$155,708.80 – \$193,980.80</del> <u>\$156,499.20 - \$199,825.60</u>
<del>**</del> Deputy City Manager / Director of Finance	<del>128.7</del> <u>129.7</u>	<del>\$142,480.00 – \$173,596.80</del> <u>\$146,036.80 - \$177,944.00</u>
Director of Public Works	<del>126.8</del> <u>127.8</u>	<del>\$135,948.80 – \$165,651.20</del> <u>\$139,360.00 - \$169,790.40</u>
Director of Finance/City Treasurer	<del>126.3</del> <u>127.3</u>	<del>\$134,264.00 – \$163,592.00</del> <u>\$137,633.60 - \$167,689.60</u>
<u>Director of Information Technology</u>	<u>126.6</u>	<u>\$135,283.20 - \$164,819.20</u>
Director of Administrative Services	<del>123.8</del> <u>124.8</u>	<del>\$126,256.00 – \$153,816.00</del> <u>\$129,396.80 - \$157,664.00</u>

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

**SUBJECT:** Compensation Plan for Executive and Unrepresented Employees, and the City Attorney

**POLICY**  
A-29

**REFERENCE:**

**EFFECTIVE**  
~~07/01/17~~06/30  
/18

**PAGE**  
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Director of Community Development	<del>123.5</del> <u>124.5</u>	<del>\$125,299.20 - \$152,672.00</del> <u>\$128,440.00 - \$156,499.20</u>
City Attorney (Contract)	N/A	<del>\$151,430.61</del> <u>\$155,216.38</u>
<b>**</b> Director of Human Resources	<del>121.9</del> <u>122.9</u>	<del>\$120,473.60 - \$146,764.80</del> <u>\$123,468.80 - \$150,446.40</u>
Director of Recreation	<del>117.8</del> <u>118.8</u>	<del>\$108,888.00 - \$132,641.60</del> <u>\$111,571.20 - \$135,948.80</u>
City Clerk	<del>115.2</del> <u>116.2</u>	<del>\$102,065.60 - \$124,363.20</del> <u>\$104,644.80 - \$127,483.20</u>

**UNREPRESENTED GENERAL CLASSIFICATIONS ARE AS FOLLOWS:**

<u>CLASSIFICATION</u>	<u>RANGE</u>	<u>ANNUAL SALARY</u>
Deputy Fire Chief	<del>119.4</del> <u>119.6</u>	<del>\$113,235.20 - \$141,065.60</del> <u>\$113,796.80 - \$145,308.80</u>
Fire Division Chief	<del>117.4</del> <u>117.6</u>	<del>\$107,806.40 - \$134,264.00</del> <u>\$108,326.40 - \$138,320.00</u>
Financial Operations Manager	<del>117.2</del> <u>118.2</u>	<del>\$107,265.60 - \$130,665.60</del> <u>\$109,928.00 - \$133,931.20</u>
Deputy Director of Administrative Services	<del>117.0</del> <u>118.0</u>	<del>\$106,724.80 - \$130,020.80</del> <u>\$109,387.20 - \$133,265.60</u>
Principal Human Resources Analyst	<del>111.2</del> <u>112.2</u>	<del>\$92,476.80 - \$112,673.60</del> <u>\$94,785.60 - \$115,481.60</u>
<b>**</b> Assistant to the City Manager	<del>109.0</del> <u>110.0</u>	<del>\$87,588.80 - \$106,724.80</del> <u>\$89,772.80 - \$109,387.20</u>

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

**SUBJECT:** Compensation Plan for Executive and Unrepresented Employees, and the City Attorney

**POLICY**  
A-29

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<del>**Senior Human Resources Analyst</del>	<del>103.2</del> <u>104.2</u>	<del>\$ 75,899.20 - \$ 92,476.80</del> <u>\$ 77,812.80 - \$ 94,785.60</u>
Senior Management Analyst ( <del>Administrative Services</del> <u>City Manager</u> and Finance)	<del>103.2</del> <u>104.2</u>	<del>\$ 75,899.20 - \$ 92,476.80</del> <u>\$ 77,812.80 - \$ 94,785.60</u>
<del>**Senior Risk Management Analyst</del>	<del>103.2</del> <u>104.2</u>	<del>\$ 75,899.20 - \$ 92,476.80</del> <u>\$ 77,812.80 - \$ 94,785.60</u>
Human Resources Analyst	<del>96.0</del> <u>97.0</u>	<del>\$ 63,544.00 - \$ 77,417.60</del> <u>\$ 65,124.80 - \$ 79,352.00</u>
Police Recruit	<del>94.0</del> <u>95.0</u>	<del>\$ 60,486.40 - \$ 73,694.40</del> <u>\$ 61,984.00 - \$ 75,524.80</u>
<u>Administrative Analyst</u>	<u>85.4</u>	<u>\$ 48,900.80 - \$ 59,592.00</u>

**CONFIDENTIAL CLASSIFICATIONS ARE AS FOLLOWS:**

<u>CLASSIFICATION</u>	<u>RANGE</u>	<u>ANNUAL SALARY</u>
Executive Assistant to the City Manager/City Attorney	<del>93.1</del> <u>94.1</u>	<del>\$ 59,155.20 - \$ 72,072.00</del> <u>\$ 60,632.00 - \$ 73,860.80</u>
Administrative Secretary ( <del>Administrative Services and</del> City Manager's Office <u>and Human Resources</u> )	<del>83.0</del> <u>84.0</u>	<del>\$ 46,092.80 - \$ 56,160.00</del> <u>\$ 47,236.80 - \$ 57,553.60</u>

**PART-TIME / SEASONAL TEMPORARY (PST) CLASSIFICATIONS ARE AS FOLLOWS:**

*\*PST classifications do not receive any benefits described in this policy with the exception of the City contribution to the appropriate retirement plan in lieu of CalPERS/Social Security and sick leave benefits required by Labor Code §233.*

<u>CLASSIFICATION</u>	<u>RANGE</u>	<u>HOURLY SALARY</u>
Administrative Intern	<del>68.9</del> <u>69.9</u>	<del>\$15.64 - \$19.06</del>

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<u>Public Safety Aide (formerly titled Maintenance Aide)</u>	<del>57.1</del> <u>58.1</u>	<u>\$16.04 - \$19.54</u> <u>\$11.69 - \$14.24</u> <u>\$11.98 - \$14.60</u>
Recreation Specialist I	<del>51.3</del> <u>52.3</u> (C-E)	<u>\$10.64 - \$12.34</u> <u>\$11.46 - \$12.65</u>
Recreation Specialist II	<del>60.2</del> <u>61.2</u>	<u>\$12.62 - \$15.38</u> <u>\$12.94 - \$15.76</u>
Recreation Specialist III	<del>69.0</del> <u>70.0</u>	<u>\$15.68 - \$19.11</u> <u>\$16.07 - \$19.59</u>
Recreation Specialist IV	<del>78.0</del> <u>79.0</u>	<u>\$19.59 - \$23.86</u> <u>\$20.08 - \$24.46</u>
Recreation Specialist V	<del>86.9</del> <u>87.9</u>	<u>\$24.40 - \$29.73</u> <u>\$25.01 - \$30.47</u>
Weed Abatement Inspector	<del>86.3</del> <u>87.3</u>	<u>\$24.04 - \$29.29</u> <u>\$24.64 - \$30.03</u>

**B. PERQUISITES**

**1. EDUCATIONAL INCENTIVE PROGRAM**

Executive and unrepresented management employees (except the City Attorney) are eligible for five percent (5.0%) additional compensation when they possess any of the following:

- Master's degree directly related to position with the City, but not required by the classification specification applicable to position;
- Current California registration certificate as a Professional Civil or Traffic Engineer; or
- Current California designation as a Certified Public Accountant.

Employees are not eligible to receive more than 5.0% additional compensation where the

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employee possesses more than one Master's degree and/or certification.

The Fire Chief, Deputy Fire Chief and Fire Division Chief are eligible for two and one half percent (2.5%) additional compensation when possessing an Associate's degree in Fire Science or a related field, or five percent (5.0%) additional compensation when possessing a Bachelor's degree in any field. This additional incentive is applicable to the Fire Chief, Deputy Fire Chief and Fire Division Chief only, and is not available to employees hired by the City after July 1, 2001.

The Police Chief is eligible for the following educational incentives (not to exceed 13%):

1. Two and one half percent (2.5%) additional compensation when possessing an Associate's degree in Criminology, Police Science or a related field, or six percent (6.0%) additional compensation when possessing an Advanced P.O.S.T certificate.
2. Two and one half percent (2.5%) additional compensation when possessing a P.O.S.T. Management Certificate and completion of one of the following:
  - (a) FBI Academy;
  - (b) P.O.S.T. Command College;
  - (c) Senior Management Institute for Police; or
  - (d) Other management classes/educational programs as approved by the City Manager.
3. Two and one half percent (2.5%) additional compensation when possessing a Bachelor's degree.
4. Three percent (3.0%) additional compensation when possessing a Master's degree or other advanced degree related to the position.

**C. HEALTH AND WELFARE BENEFITS**

1. Cafeteria Plan

The City's cafeteria plan benefits are primarily designated for enrollment in any of the City's CalPERS' health plans or other eligible benefit programs (e.g., dental, vision, etc.). Any cafeteria plan balances that remain after an employee has paid for his or her health insurance premiums and other eligible benefit programs benefits may be received as taxable cash.

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Any employee who is not enrolled in a City CalPERS health insurance plan, and does not provide proof of enrollment in another group health insurance plan (e.g., coverage under a spouse's employer plan) on or before the closing date of open enrollment period will be automatically enrolled in the lowest cost, "employee only", health plan provided under the CalPERS' health program applicable to San Diego County for the applicable plan year. The cost of the premium for this health plan will then be deducted from the employee's cafeteria plan allocation.

All benefitted employees must enroll in an available City health program unless they opt out. An employee may receive cash in lieu for opting out of the City's health program if he/she:

- (1) Provides proof that the employee and all individuals for whom the employee intends to claim a personal exemption deduction for the taxable year or years that begin or end in or with the City's plan year to which the opt out applies ("tax family"), have or will have minimum essential coverage through another source (other than coverage in the individual market, whether or not obtained through Covered California) for the plan year to which the opt out arrangement applies ("opt out period"); and
- (2) Signs an attestation that the employee and his/her tax family have or will have such minimal essential coverage for the opt out period. An employee must provide the attestation every plan year at open enrollment or within 30 days after the start of the plan year. The opt out payment cannot be made and the City will not in fact make payment if the employer knows or has reason to know that the employee or tax family member doesn't have such alternative coverage, or if the conditions in this paragraph are not otherwise satisfied.

The City may modify health insurance benefits or cafeteria plan (including, as to both, but not limited to, plan benefits or structure, City or employee contributions and/or opt out amount or requirements) in order to avoid penalties or taxes under the ACA or other statutory scheme that may result from an interpretation of the ACA or other statutory scheme by the Internal Revenue Service or other federal agency (including, but not limited to, a revenue ruling, regulation or other guidance) or state agency, or a ruling by a court of competent jurisdiction.

From July 1, ~~2017~~2018 through December 31, ~~2017~~2018, the amount of cafeteria benefit shall be ~~\$1,050~~\$1,100 per month (~~\$12,600~~\$13,200 per calendar year). From January 1,

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~~2018~~2019 through June 30, ~~2018~~2019, the amount of the cafeteria benefit shall be ~~\$1,100~~ \$1,150 per month (~~\$13,200~~ \$13,800 per calendar year).

2. Medical Insurance

The City is continuing the CalPERS' Health Benefits program that was adopted on January 1, 1986. From the total allotted under the cafeteria plan, the City will pay to CalPERS the statutorily required minimum employer contribution per month toward the cost of any CalPERS' health plan that the employee chooses to enroll. The employee agrees to be liable for the difference between the total cost of the health plan chosen and the City's contribution if he/she elects to obtain coverage under the CalPERS' health program. This amount shall be included in the total amount of the City's contribution to the employee's Section 125 Cafeteria Plan.

Employees who elect not to be covered under the City's medical insurance plan must have on file with the City a signed waiver of medical benefits. Employees will be provided an opportunity at least once annually to enroll in the City's medical insurance plan.

3. Retirement Benefits

All executive, unrepresented management, confidential employees and the City Attorney are members of the California Public Employees' Retirement System (CalPERS). Those employees who are "classic members" as defined under the Public Employees' Pension Reform Act of 2013 (PEPRA) pay the employee's share of the retirement cost (8% for Miscellaneous and 9% for Safety Employees), and receive the following contracted benefits:

<b>Miscellaneous Employees</b> <i>("Classic" Members)</i>	<b>Safety Employees</b> <i>("Classic" Members Hired on or before March 10, 2011)</i>
A. 3% at 60 Benefit Formula ( <b>\$21354.3</b> )	A. 3% at 50 Benefit Formula ( <b>\$21362.2</b> )
B. Final Compensation: One Year ( <b>\$20042</b> )	B. Final Compensation: One Year ( <b>\$20042</b> )
C. Prior Service ( <b>\$20055</b> )	C. Prior Service ( <b>\$20055</b> )
D. [Reserved]	D. [Reserved]



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E. Additional Service Credit 2 Years (§20903)	E. [Reserved]
F. Unused Sick Leave Credit (§20965)	F. Unused Sick Leave Credit (§20965)
G. Military Service Credit as Public Service (§21024)	G. Military Service Credit as Public Service (§21024)
H. 2% Annual Cost of Living Allowance Increase (§21329)	H. 2% Annual Cost of Living Allowance Increase (§21329)
I. Pre-Retirement Death Benefits to Continue After Remarriage of Survivor (§21551)	I. Pre-Retirement Death Benefits to Continue After Remarriage of Survivor (§21551)
J. 1959 Survivor Benefit Level Four (§21574)	J. 1959 Survivor Benefit Level Three (§21573)
K. \$5,000 Retired Death Benefit (§21623.5)	K. \$500 Retired Death Benefit (§21620)
L. [Reserved]	L. Post-Retirement Survivor Allowance (§21624/26/28)
M. [Reserved]	M. Post-Retirement Survivor Allowance to Continue After Remarriage (§21635)
	<b>Local Safety Employees</b> (Hired on or after March 11, 2011)
	A. 3% at 55 Benefit Formula (§21362.2)
	B. Final Compensation: Three Years – Career Average (§20042)

Those employees who are “new members” as defined under the Public Employees’ Pension Reform Act of 2013 (PEPRA) pay the employee contributions equal to 50% of normal cost (currently 6.25% for Miscellaneous and 12.25% for Safety Employees), and receive the above listed benefits with the exception of the following:

<b>Miscellaneous Employees</b> (“New” Members Hired on or after January 1, 2013)	<b>Safety Employees</b> (“New” Members Hired on or after January 1,
A. 2% at 62 Benefit Formula (§7522.20)	A. 2.7% at 57 Benefit Formula (§7522.25(d))
B. Final Compensation: Three Years – Career Average (§20037)	B. Final Compensation: Three Years – Career Average (§20037)

PST Employees: In lieu of enrollment in the CalPERS’ retirement program, PST employees will be enrolled in an IRS §457 retirement plan. The City contributes 7.5% of the employee’s salary to the IRS §457 plan in lieu of CalPERS and Social Security. PST

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employees who qualify for membership will be enrolled in the CalPERS retirement program and City contributions to the IRS §457 plan will terminate.

4. Deferred Compensation

All executive, unrepresented management, confidential employees and the City Attorney are eligible to participate in any of the City's Internal Revenue Code Section 457 Deferred Compensation Plans. The City offers two plans: one is administered by the International City/County Managers' Association Retirement Corporation (ICMA-RC) and the other is administered by Nationwide Retirement Solutions. Participation is handled through payroll deductions.

The City shall contribute \$500 per month (\$6,000 per year) in deferred compensation on behalf of the City Attorney to one of the City approved plans as selected by the City Attorney. Amounts contributed by the City shall be to the benefit of the City Attorney in accordance with the Deferred Compensation Plan participation agreement.

The City shall contribute \$300 per month (\$3,600 per year) in deferred compensation on behalf of the Assistant City Manager to one of the City approved plans as selected by the Assistant City Manager. Amounts contributed by the City shall be to the benefit of the Assistant City Manager in accordance with the Deferred Compensation Plan participation agreement.

5. Disability Insurance

The City provides executive management employees, unrepresented management employees, and the City Attorney with fully paid short-term and long-term disability plans.

Exclusion: Confidential employees, PST employees, and Police Recruit(s) participate in the State Disability Insurance (SDI) Program at their expense.

6. Life and Accidental Death & Dismemberment (AD&D) Insurance [Applies to City Attorney]

The City provides fully paid life insurance and AD&D to executive and unrepresented management employees in the amount of one and one half times the employee's annual salary plus \$25,000.

The City provides fully paid life insurance and AD&D to confidential and part-time

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benefitted employees in the amount of \$25,000.

**D. LEAVES**

1. Vacation Accrual

All executive, unrepresented management and confidential employees (excluding the City Attorney) shall accrue vacation in accordance with the following schedule:

- a. 3.07 hours of vacation accrued and credited bi-weekly from the date of hire until completion of the 60<sup>th</sup> month;
- b. 4.60 hours of vacation accrued and credited bi-weekly following completion of the 60<sup>th</sup> month through the 132<sup>nd</sup> month;
- c. 4.91 hours of vacation accrued and credited bi-weekly following completion of the 132<sup>nd</sup> month through the 144<sup>th</sup> month;
- d. 5.21 hours of vacation accrued and credited bi-weekly following completion of the 144<sup>th</sup> month through the 156<sup>th</sup> month;
- d.e. 5.52 hours of vacation accrued and credited bi-weekly following completion of the 156<sup>th</sup> month through the 168<sup>th</sup> month;
- e.f. 5.83 hours of vacation accrued and credited bi-weekly following completion of the 168<sup>th</sup> month through the 180<sup>th</sup> month;
- f.g. 6.14 hours of vacation accrued and credited bi-weekly following completion of the 180<sup>th</sup> month.

5

New hires in executive and unrepresented management classifications (excluding the City Attorney) may accrue vacation leave at a rate greater than the entry rate at the discretion of the City Manager.

Vacation accrual shall be capped at 600 hours for all executive management employees, 540 hours for all unrepresented management employees, and 480 hours for all confidential employees. No employee shall accrue vacation beyond the established cap

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unless specifically authorized by the City Manager.

Employees have the option of 100% cash reimbursement for unused paid vacation at any time provided that they have used at least 80 hours of vacation/administrative leave during the preceding year (26 pay periods).

2. Administrative Leave

Executive management employees (excluding the City Attorney) receive eighty (80) hours administrative leave per year accrued as vacation leave.

Unrepresented management employees receive sixty (60) hours administrative leave per year accrued as vacation leave.

3. Holidays

Executive and unrepresented management and confidential employees (excluding the City Attorney) receive the following paid holidays:

New Years' Day	January 1
Martin Luther King's Birthday	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Admissions Day*	September 9 (floating holiday)
Columbus Day*	Second Monday in October (floating holiday)
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

and every day proclaimed by the City Council as a public holiday.

\*Two (2) floating holidays in lieu of celebrating Columbus Day and Admissions Day. City

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facilities shall remain open on both days. 0.62 hours of vacation shall accrue and be credited bi-weekly to compensate for the two floating holidays.

City Hall will be closed between the observed Christmas Eve holiday in ~~2017~~2018 and the observed New Years' Day holiday in ~~2018~~2019. Use of paid leave will be required for ~~the following dates: Tuesday~~Wednesday, December 26, ~~2017~~2018 (9 hours); ~~Wednesday and Thursday~~, December 27, ~~2017~~2018 (9 hours); ~~and Thursday, December 28, 2017 (9 hours).~~

All EMPLOYEES working the 9/80 schedule will be required to use one hour of vacation leave for all observed holidays falling on nine hour work days. Payroll will automatically deduct the one hour from each employee's vacation leave. An EMPLOYEE working the 9/80 schedule whose day off falls on an observed City holiday (e.g., Friday holiday) will accrue eight hours of vacation leave.

**4. Sick Leave**

Executive, unrepresented management and confidential employees (excluding the City Attorney) accrue sick leave at the rate of 3.68 hours per bi-weekly pay period. Accrual is unlimited. Part-Time/Seasonal/Temporary employees accrue and use sick leave upon commencement of employment at the rate prescribed by Labor Code § 246. PST employees are entitled to no other leave benefits under this policy.

Sick leave with pay shall be granted to all EMPLOYEES covered by this Policy in accordance with this section. Sick leave shall not be considered as a right which an EMPLOYEE may use at his/her discretion, but shall be allowed only in case of necessity and actual personal sickness or disability or (2) to attend to an illness or injury, including time for scheduled doctor or dentist appointment, of a person who is in the relationships to the employee as described in the California Labor Code §233, which currently includes:

Child	Parent	Spouse
Grand Child	Foster Child	Adopted Child
Step Child	Legal Ward	Child of Domestic Partner
Step Parent	Legal Guardian	Adoptive Parent
Foster Parent	Sibling	Parent-in-Law
Grand Parent	Registered	Child of Person Standing in

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	Domestic Partner	Loco Parentis
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a. Sick Leave Conversion Privileges

Any EMPLOYEE who has taken 40 hours sick leave or less during the calendar year ending December 30 of each year shall be entitled to either convert up to 40 hours of unused sick leave to vacation or receive a cash payment for up to 24 hours, based upon the current compensation rate on an hour-for-hour basis.

In no event may an EMPLOYEE select a combination of two options or reduce the accumulated sick leave balance below 192 hours. No prorations shall be made for EMPLOYEES terminating on or before December 30 of the calendar year.

b. Unused Sick Leave at Retirement for Health Insurance

For employees hired before July 1, 2013, upon retirement from City employment within 120 days of separation, for service or disability, an employee may elect to use unused sick leave at its dollar value at retirement (hourly base rate plus any regularly recurring bi-weekly premium pay, i.e., differential pay for Master's Degrees) to pay health insurance premiums in retirement according to the following schedule:

10 through 14 years of service: 25% of the sick leave balance at retirement;

15 through 19 years of service: 50% of the sick leave balance at retirement;

20 + years of service: 75% of the sick leave balance at retirement.

This benefit will be in addition to the monthly contribution the City makes, as determined by PERS, to the Public Employees' Retirement System for retiree health insurance benefits. The supplemental benefits described above shall be used to pay health insurance premiums for the retiree and dependents, if applicable. However, if the employee is deceased before the funds are exhausted, the supplemental benefits shall cease and the remaining funds shall be the City's property.

The City elects to self-administer this plan at this time. The City will pay the annualized dollar equivalent of the Kaiser two-party health insurance premium once per year in January of each year.

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This benefit may be used in combination with service credit for unused sick leave as described in Section C – Health and Welfare Benefits – Retirement Benefits.

5. Bereavement Leave

Up to twenty-four hours special leave with pay may be granted to executive and unrepresented management and confidential employees (excluding the City Attorney) in order to discharge the customary obligations arising from the death of a relative who is a member of employee's household or a parent, step-parent, grandparent, sibling or child of the employee or the employee's spouse/domestic partner (not required to be a member of the household). Sixteen (16) additional hours to be charged to sick leave may be approved at the discretion of the City Manager.

6. Military Leave

Any employee who is or becomes a member of the Armed Services, Militia or Organized Reserves of California or the United States shall be entitled to the leaves of absence and employment rights and privileges provided by the Uniformed Services Employment and Reemployment Rights Act (USERRA) and the Military and Veterans Code of the State of California.

7. Jury and Witness Leave

All executive, unrepresented management and confidential employees (excluding the City Attorney) are entitled to be absent from duty when called to serve as a trial juror or as a witness called by a subpoena before a court of law. Under such circumstances, the EMPLOYEE is paid the difference between full salary and any payment received by them, except travel pay, for such duty.

~~7-8.~~ Stand-by Time

The Fire Chief, Deputy Fire Chief, and Fire Division Chief shall receive eight (8) hours of vacation leave for every week he/she is required to participate in the back-up duty chief rotation for Heartland Fire & Rescue. For each holiday occurring during the assigned week, (Saturdays and Sundays are not considered holidays), an additional four (4) hours of vacation will be credited.

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**E. UNIFORM AND EQUIPMENT ALLOWANCE**

The Police Chief receives an annual uniform and equipment allowance of \$675. The Fire Chief, Deputy Fire Chief and Fire Division Chief receive an annual uniform and equipment allowance of \$500. The allowance is paid in the month of July.

Newly Hired Police Recruits: The annual uniform and equipment allowance for newly hired Police Recruits shall be \$775 per year. The uniform allowance shall be prorated over the twelve month period beginning from the actual hire date to the following July 1st. Yearly distribution will be made during the month of July.

**F. TUITION AND BOOK REIMBURSEMENT**

The City provides an allowance of \$750 per fiscal year for executive and unrepresented management and confidential employees (excluding the City Attorney) to use to defray the cost of attendance at seminars, workshops, conferences and/or classes, which promote professional growth. Executive and unrepresented management employees may use this allowance for lodging, meals, and other travel expenses.

Executive and unrepresented management employees (excluding the City Attorney) may also use the allowance to cover the costs of membership fees for job related professional associations.

**G. OTHER CERTIFICATIONS AND SPECIAL COMPENSATION**

1. Notary Public Pay

The Executive Assistant to the City Attorney shall receive Notary Public Pay in the amount of \$60/month if he/she is a Notary Public in the State of California. The City shall also pay the cost of bonding of this employee while he/she is serving as Notary Public for the benefit of the City.

The Executive Assistant to the City Attorney shall perform notary services only as directed by his/her supervisor.

2. Automobile Allowance

The Assistant City Manager shall be provided a monthly automobile allowance of \$400 in



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exchange for making a vehicle available for his/her own use and for City-related business and/or functions during, before and after normal work hours. By the Assistant City Manager making his/her personal vehicle available for use, he/she is not precluded from using City vehicles for City business, during, before and after the normal workday on occasion, when appropriate.

3. Cellular Telephone Allowance

The Assistant City Manager shall receive as compensation the sum of \$120 per month for use as an allowance for his/her cellular telephone service.

4. Technology Allowance

The Assistant City Manager shall be provided with an amount not to exceed \$2,500 every two years, beginning with the year of his/her initial appointment, for use to purchase technology equipment such as a personal laptop computer, etc. The payment shall be made upon submission of receipts documenting the purchase(s). The equipment purchased shall become the property of the Assistant City Manager.

5. Non-PERSable Stipend

A non-PERSable stipend of ~~\$3,000~~\$6,000/Police Chief, ~~\$3,000~~\$6,000/Fire Chief, ~~\$2,200~~\$4,400/Deputy Fire Chief and ~~\$2,100~~\$4,200/Fire Division Chief ~~effective the first full pay period after the date on which agreement is approved by the El Cajon City Council.~~ Stipend payment to be ~~paid~~paid out one-half on ~~the first full pay period after July 1, 2017~~July 20, 2018 and one-half on ~~the first full pay period after~~ December ~~1, 2017~~21, 2018.

**H. RELOCATION ALLOWANCE**

The City Manager may authorize an allowance up to \$10,000 for relocation expenses to the San Diego area.



City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Wells  
**SUBJECT:** Council Activity Report

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**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:

June 14 - Courtyard Marriott Grand Opening  
June 15 - SANDAG Board and Executive Meetings  
June 16 - Rotary Gala  
June 22 - SANDAG Board Meeting  
June 26 - City Council Meeting(s)

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

Submitted By: Bill Wells, Mayor

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City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Wells  
**SUBJECT:** Legislative Update

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**RECOMMENDATION:**

That the City Council receive the Legislative Update report.

**BACKGROUND:**

The City Council formally took positions on three legislative actions during this legislative cycle. SB 827 (Wiener), which proposed to strip cities of local land use authority for housing projects, did not garner sufficient support by the legislature. AB 3119 (Gonzalez Fletcher) was amended sufficiently that the City withdrew its opposition and was approved by the legislature. SB 946 (Lara), which restricts the City's ability to regulate vendors on sidewalks and in parks, passed the Senate and is now being considered by the Assembly. Although the bill has been amended, the City Council directed continued opposition to the bill at its June 12, 2018 meeting.

Staff recently provided a memo regarding two water-related bills signed by the Governor—AB 1668 and SB 606. AB 1668 (Friedman) authorizes State water agencies to conduct studies and make recommendations for long-term water use standards. Recommendations from the studies must be presented to the State Legislature by October 1, 2021. Based on the recommendations, new long-term water use standards must be adopted by June 30, 2022. Some of the standards being studied include a limits on water usage of between 50 and 55 gallons a day per person. SB 606 (Hertzberg) accompanies AB 1668. The bills clarifies water supplier reporting requirements, expands the authority of the State Water Board to issue emergency conservation orders and violations, and clarifies civil penalties for water customers. The bill authorizes fines of up to \$10,000 for substantial and intentional water use violations.

Because there are no immediate impacts of the water-related legislation, at this time, I recommend that the City Council direct staff to observe the implementation of these bills and to report any notable actions taken by the State water agencies.

**REPORT:**

Submitted By: Bill Wells, Mayor

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City Council  
Agenda Report

Agenda Item 16.

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Pro Tem Kendrick  
**SUBJECT: MAYOR PRO TEM GARY KENDRICK**  
Heartland Communications JPA; Heartland Fire Training JPA.

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**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:

June 14 - Courtyard Marriott Grand Opening  
June 18 - Meeting with El Cajon Police Officers Association  
June 21 - San Diego County Fair Leadership Luncheon  
June 22 - Meeting w/ City Manager  
June 26 - City Council Meeting(s)

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

Submitted By: Gary Kendrick, Mayor Pro Tem

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City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Councilmember McClellan  
**SUBJECT: COUNCILMEMBER BOB MCCLELLAN**  
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate.

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**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:

June 14 - MTS Board Meeting  
June 14 - Courtyard Marriott Grand Opening  
June 21 - San Diego County Fair Leadership Luncheon

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

Submitted By: Bob McClellan, Councilmember

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City Council  
Agenda Report

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Councilmember Kalasho  
**SUBJECT: COUNCILMEMBER BEN KALASHO**  
East County Economic Development Council – Alternate; METRO  
Commission/Wastewater JPA; Indian Gaming Local Community Benefit  
Committee – Alternate.

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**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:

June 22 - Washington, DC  
June 26 - City Council Meeting(s)  
June 30 - Shadow Mountain Celebrate America Event

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

Submitted By: Ben Kalasho, Councilmember

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## City Council Agenda Report

**Agenda Item 19.**

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Ben Kalasho, Councilmember  
**SUBJECT:** Mission Trails Regional Park Citizens Advisory Committee Compensation

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### RECOMMENDATION:

That the City Council considers directing the City Manager to bring this item back to the City Council for formal discussion and decision-making.

### BACKGROUND:

At the June 12, 2018 City Council meeting, Mr. Richard Gadler was appointed to represent the City on the Mission Trails Regional Park Citizens Advisory Committee. Mr. Gadler has represented the City in this capacity for the past 28 years. Mr. Gadler is a valuable asset to our City and acts as the City Council's eyes and ears at the park; therefore, I propose that Mr. Gadler be paid \$150 per meeting in which he attends. It is in the best interest of our City that we retain Mr. Gadler in the future and that we compensate him for his time.

I propose that the City Council directs the City Manager to bring this item back to the City Council for formal discussion and decision-making. There would be minimal staff time required to bring the item back.

### FISCAL IMPACT:

None.

Prepared By: Ben Kalasho, Councilmember

Reviewed By: N/A

Approved By: N/A

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City Council  
Agenda Report

**DATE:** June 26, 2018

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Councilmember Goble

**SUBJECT: 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.

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**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:

- June 14 - Courtyard Marriott Grand Opening
- June 21 - San Diego County Fair Leadership Luncheon
- June 22 - Meeting w/ Republic Services
- June 25 - Meeting w/ City Manager
- June 26 - City Council Meeting(s)

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

Submitted By: Steve Goble, Councilmember

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City Council  
Agenda Report

Agenda Item 21.

**DATE:** June 26, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Angela Aguirre, City Clerk  
**SUBJECT:** Bostonia Greens - Common interest development of seven new residences

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RECOMMENDATION:

That Mayor Wells request the City Clerk to recite the title.

An Ordinance Rezoning Property located on the East side of Bostonia Street between Broadway and Coker Way, APN: 484-240-19, from the RS-6 (Single-Family Residential, minimum 6,000 square feet) to the RM-2200 (Multi-Family Residential, minimum 2,200 square feet; pending General Plan Designation: Low Medium Density Residential (LMR)).

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Attachments

Ordinance 5074

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ORDINANCE NO. 5074

AN ORDINANCE REZONING PROPERTY LOCATED ON THE EAST SIDE OF BOSTONIA STREET BETWEEN BROADWAY AND COKER WAY); APN: 484-240-19, FROM THE RS-6 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 6,000 SQUARE FEET) TO THE RM-2200 (MULTI-FAMILY RESIDENTIAL, MINIMUM 2,200 SQUARE FEET; PENDING GENERAL PLAN DESIGNATION: LOW MEDIUM DENSITY RESIDENTIAL (LMR)

WHEREAS, the Planning Commission held a duly advertised public hearing on May 15, 2018 to consider General Plan Amendment No. 2016-02, to redesignate the subject site from General Commercial to Low Medium Density Residential; Zone Reclassification No. 2324, to change the zoning classification from RS-6 (Residential Single-Family, 6,000 square feet) to RM-2200 (Residential, Multi-Family, 2,200 square feet); Planned Unit Development No. 346, and Tentative Subdivision Map No. 667, requesting a seven-unit residential development on property located on the east side of Bostonia Street between Broadway and Coker Way; and

WHEREAS, the Planning Commission considered the draft Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program and adopted Resolution No. 10950 in order recommending City Council approval of the Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program for the Bostonia Greens project; and

WHEREAS, the Planning Commission adopted Resolution No. 10951 recommending to the City Council approval of General Plan Amendment No. 2016-02 to amend the general plan designation of the property from General Commercial Residential (GC) to Low Medium Density Residential (LMR); and

WHEREAS, the Planning Commission adopted Resolution No. 10952 recommending City Council approval of Zone Reclassification No. 2324 to rezone the subject property from the RS-6 (Residential Single-Family, 6,000 square feet) to RM-2200 (Residential, Multi-Family, 2,200 square feet) zone; and

WHEREAS, the City Council reviewed and considered the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program in accordance with the California Environmental Quality Act (CEQA), and adopted Resolution No. 062-18; and

WHEREAS, the El Cajon City Council considered the proposed General Plan Amendment to change the land use designation from General Commercial (GC) to Low Medium Density Residential (LMR) for the proposed project and adopted Resolution No. 063-18; and

WHEREAS, the El Cajon City Council held a duly advertised public hearing on June 12, 2018, to consider the proposed Zone Reclassification to rezone the subject site

from RS-6 (Residential Single-Family, 6,000 square feet) to RM-2200 (Residential, Multi-Family, 2,200 square feet); and

WHEREAS, at the public hearing the City Council received evidence through public testimony and comment, in the form of both verbal and written communications and reports prepared and presented to the City Council.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

Section 1. Based upon the record as a whole, the City Council hereby makes the following findings:

- A. The rezoning of the property is consistent with the Low Medium Density Residential as indicated in the General Plan Zoning Consistency Chart. Furthermore, the proposed zone would provide for the utilization of this underutilized project site for residential uses and with development standards compatible with the surrounding neighborhood. The rezone would facilitate the development of the site for residential uses in conformance with Housing Element policies to increase the number of housing units available to all income levels.
- B. There are no applicable specific plans governing the subject property.
- C. The proposed zone change will facilitate the development of an underutilized property with additional residential units to create more housing opportunities, which will also assist the City in meeting its share of regional housing needs.

Section 2. The City Council hereby rezones the subject property located on the east side of Bostonia Street between Broadway and Coker Way from the from RS-6 (Residential Single-Family, 6,000 square feet) to RM-2200 (Residential, Multi-Family, 2,200 square feet) in accordance with the attached Exhibit "A."

Section 3. This ordinance shall become effective thirty (30) days following its passage and adoption.

06/12/18 CC Agenda (1<sup>st</sup> Reading)  
06/26/18 CC Agenda (2<sup>nd</sup> Reading)

ZR 2324 – Bostonia Greens TSM 667 061418

**Exhibit "A"**  
**Zone Reclassification No. 2324**

