

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

May 22, 2018

An Adjourned 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, May 22, 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, Assistant City Manager Williford, City Manager/Executive Director

PLEDGE OF ALLEGIANCE TO FLAG led by Mayor Wells and MOMENT OF SILENCE. (The Courts have concluded that sectarian prayer, as part of City Council Meetings, is not permitted under the Constitution).

POSTINGS: The City Clerk posted Orders of Adjournment of the May 8, 2018, meetings and the Agenda of the May 22, 2018, meeting in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

Presentation: America on Main Street - Sponsor Recognition

Presentation: America on Main Street - Poster Contest Winner

Proclamation: National Public Works Week

Proclamation: Building Safety Month - May 2018

Commendation: Retirement of City Manager Douglas Williford

*Recess called at 4:17 p.m.
Meeting called back to order at 4:59 p.m.*

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 14)

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

Approve Minutes of the May 8, 2018 Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

Approve payment of Warrants as submitted by the Finance Department.

3. Approval of reading by title and waiver of reading in full of Ordinances on agenda

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

4. Acceptance of Installation of Exhaust Recovery Systems at Fire Stations 8 and 9, PS0070

Accepts the Installation of Exhaust Recovery Systems at Fire Stations 8 and 9 project, PS0070, and authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

CONSENT ITEMS: (Continued)

5. Award of Bid No. 001-19, Car Wash Services

Adopts Resolution No. 041-18 awarding the bid to the lowest responsive, responsible bidders, Happy Investments, LP dba Happy Car Wash & Oil Change in the annual amount of not-to-exceed \$15,000 and Crystal Clean Car Wash in the annual amount of not-to-exceed \$15,000.

6. Second Amendment to the Heartland Communications Facility Authority's Joint Exercise of Powers Agreement Adding Viejas Band of the Kumeyaay Nation as a JPA Member Agency

Approves the attached Second Amendment to the Heartland Communications Facility Authority's Joint Exercise of Powers Agreement adding Viejas Band of the Kumeyaay Nation as a JPA member agency and authorizes the City Manager or designee to execute said Amendment.

7. Acceptance of Public Improvements, Tentative Subdivision Map (TSM) 655, 1300 Lorna Avenue (Everly Subdivision), APN: 493-391-10, Engineering Job No. 3445

Accepts the improvements and authorizes the City Clerk to release the security guaranteeing the improvements in accordance with the Subdivision Agreement and requires the developer to maintain insurance in force until the release of all bonds for the project.

8. Hazard Mitigation Plan

Adopts Resolution No. 042-18 for the Multi-Jurisdictional Hazard Mitigation Plan.

9. 2017 State Homeland Security Grant Program Funding

1. Authorizes the City Manager or designee to accept the FY 2017 State Homeland Security Grant funds in the amount of \$78,392 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and

2. Appropriates the State Homeland Security Grant Program funds in the amount of \$78,392.

CONSENT ITEMS: (Continued)

10. Time Extension of Tentative Subdivision Map (TSM) 665; 411 Emerald Avenue, Engineering Job No. 3572

Grants a one-year time extension for TSM 665 (411 Emerald Avenue) and sets the new expiration date to be October 18, 2019, in accordance with Municipal Code Section 16.12.110.

11. Subdivision Agreement and Final Map Approval for Tentative Subdivision Map (TSM) 669, 585 Ballantyne Street, Engineering Job No. 3600

Approves the Subdivision Agreement and Final Map for Tentative Subdivision Map (TSM) 669, 585 Ballantyne Street, City of El Cajon, PUD 348, Engineering Job No. 3600.

12. PULLED FOR DISCUSSION:

13. Revisions to the Fiscal Year 2017-18 Budget Appropriation for the use of Low and Moderate Income Housing Asset Funds (LMIHAF)

Adopts revisions to the Fiscal Year 2017-18 budget appropriation for the use of Low and Moderate Income Housing Asset Funds (LMIHAF) for rapid re-housing activities, and authorizes the City Manager or designee to execute all affiliated documents.

14. Donation of an Automated External Defibrillator (AED) from San Diego Project Heartbeat

Authorizes the City Manager to accept the donation of an AED to the City of El Cajon Police Department from San Diego Project Heartbeat.

DISCUSSION

Loralee Olejnik, representing San Diego Project HeartBeat, spoke of the importance of having AED equipment in every police vehicle. She shared information on the cost, and possible training opportunities for staff.

MOTION BY KENDRICK SECOND BY McCLELLAN, to APPROVE Consent Items 1 to 11, and 13 to 14, pulling item 1.12, as requested by Councilmember McClellan.

MOTION CARRIED BY UNANIMOUS VOTE.

CONSENT ITEMS: (Continued)

12. License Agreement with Tesla, Inc. for Use of City Public Parking Lot for Electrical Vehicle Charging Station.

RECOMMENDATION:

That the City Council adopts the next resolution in order authorizing a License Agreement for electrical vehicle charging station installation and use in a City public parking lot with Tesla Motor.

DISCUSSION

Councilmember McClellan stated that although Tesla is a great vehicle, it is a limited market at the time, and perhaps universal chargers should be installed in the City instead.

Discussion ensued among Council and staff regarding:

- Demographics for Tesla customers are upscale apartment dwellers, and the City is trying to promote construction of such apartment units;
- Concern for manufacturing problems with the Tesla product;
- Tesla is a growing market, and the proposed charging stations may be well utilized in the near future;
- Concern that the local dealerships were not approached for their opinion.

MOTION BY GOBLE SECOND BY McCLELLAN, to DIRECT Staff to provide more information to Council, including discussions with local dealerships.

**MOTION CARRIED BY 3 – 2 VOTE,
(Kalasho, Wells – NO).**

PUBLIC COMMENT:

Jayne Pla, Villa Novia resident, spoke in support of rent control, as seniors are not able to pay their rent on their limited income.

Jim Cirigliano invited Mayor and Council to their next meeting on, Saturday June 16, 2018. He stated that an initiative will be on the November Ballot to protect renters.

Sunshine Horton welcomed Graham Mitchell as the new City Manager. She spoke about her upcoming birthday party, where she will raise funds for Rady's Children Hospital.

Brenda Hammond spoke about people using bug spray as a drug.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

1. Adoption of New Fees; Modification and Elimination of Existing Fees; and Amendment of Schedule of Miscellaneous Fees

RECOMMENDATION:

That the City Council:

- Opens the Public Hearing and receives testimony;
- Closes the Public Hearing; and
- 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.

DISCUSSION

City Attorney Foley provided a summary of the Item.

Discussion among Council and staff regarding:

- Increase amount not showing, only the current fees;
- Request to show increases by line item, rather than by department;
- Concern that if Item is not approved, it will affect the adoption of the budget;
- It is recommended that track changes are shown in the future, with the date of the last adjustment.

MOTION BY McClellan to APPROVE the Adoption of New Fees, failed by lack of a Second.

MOTION BY WELLS, SECOND BY GOBLE, to CONTINUE the Public Hearing to request staff to prepare a comprehensive report to show current and proposed fees for the Schedule of Miscellaneous Fees.

MOTION CARRIED BY UNANIMOUS VOTE.

2. Continuation of a Public Hearing for: Consideration of a Fee Adjustment for the Regional Transportation Congestion Improvement Program (RTCIP)

RECOMMENDATION:

The Public Hearing for Consideration of a Fee Adjustment for the Regional Transportation Congestion Improvement Program (RTCIP), has been postponed to the June 12, 2018 Meeting, at 3:00 p.m.

PUBLIC HEARINGS: (Item 2 – Continued)

MOTION BY WELLS, SECOND BY KENDRICK, to CONTINUE the Public Hearing for Consideration of a Fee Adjustment for the Regional Transportation Improvement Program.

MOTION CARRIED BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS:

1. Award of RFP No. 027-18, Construction Manager at Risk (CMAR) East County Performing Arts Center (ECPAC) Improvements

RECOMMENDATION:

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

1. Award a contract for Construction Manager at Risk ("CMAR") services for the East County Performing Arts Center ("ECPAC") Improvements project to Wieland Corporation in the not-to-exceed amount of \$245,786.00 plus five percent (5%) of actual construction costs; and
2. Authorize the City Manager to approve the final plans and specifications for ECPAC construction contracts for improvements; and
3. Authorize the City Manager to approve all ECPAC construction contracts for improvements, up to a total amount of not-to-exceed \$4.8 million.

Director of Public Works, Dirk Epperson provided a summary of the Item, and introduced Project Manager for Wieland Corporation, Jason Buchleitner.

In answer to a question by Councilmember McClellan, Mr. Buchleitner stated that Wieland Corporation had not previously worked with Live Nation but they have experience with other public venues.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to ADOPT Resolution No. 043-18 to Award a contract for Construction Manager at Risk ("CMAR") services for the East County Performing Arts Center ("ECPAC") Improvements project to Wieland Corporation in the not-to-exceed amount of \$245,786.00 plus five percent (5%) of actual construction costs; and Authorize the City Manager to approve all ECPAC construction contracts for improvements, up to a total amount of not-to-exceed \$4.8 million.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

2. City Council Meeting Schedule

RECOMMENDATION:

That the City Council considers cancelling one of its mid-summer meetings, as it has in past years. Staff recommends that the City Council discuss and consider canceling the August 28, 2018 meeting.

Assistant City Manager Mitchell provided a summary of the Item.

MOTION BY WELLS, SECOND BY KENDRICK, to CANCEL the August 28, 2018 meeting.

MOTION CARRIED BY UNANIMOUS VOTE.

5. COMMISSION REPORTS: None

6. 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*

6.1 Council Activities Report/Comments

REPORT AS STATED.

6.2 LEGISLATIVE REPORT – No Report

7. ACTIVITIES REPORTS OF COUNCILMEMBERS

MAYOR PRO TEM GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

7.1 Council Activities Report/Comments

REPORT AS STATED.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

COUNCILMEMBER BOB MCCLELLAN

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

7.2 Council Activities Report/Comments

REPORT AS STATED.

COUNCILMEMBER BEN KALASHO

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

7.3 Council Activities Report/Comments

In addition to the submitted report, Councilmember Kalasho suggested reinstating the word ‘Comment’ to the agenda for Councilmembers reports. Councilmember Kalasho added that clarification needed to be made regarding the security contract as brought forward on the previous Council meeting, he stated the money allocated was not for street fairs and car shows, as suggested. Councilmember Kalasho stated that a fire broke out at the old Police Station, he asked for an explanation of why the building was unsecured.

Assistant City Manager Mitchell stated that the contract for security services was cancelled as it was expected that escrow would close for the sale of the property, sooner than it did. He added that the City is currently utilizing the Public Works Department to keep the building secured. He also stated the approved funds were used to cover services previously rendered, and for the America on Main Street event.

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.

7.4 Council Activities Report/Comments

REPORT AS STATED.

- 8. **JOINT COUNCILMEMBER REPORTS: None**
- 9. **GENERAL INFORMATION ITEMS FOR DISCUSSION: None**
- 10. **ORDINANCES: FIRST READING: None**
- 11. **ORDINANCES: SECOND READING AND ADOPTION**

- 1. Transit District Specific Plan

RECOMMENDATION: That Mayor Wells requests the City Clerk to recite the title.

The **City Clerk** recited the title of the ordinance for a second reading.

An Ordinance Rezoning Property located in the Southwest Area of the City to implement the Planned Land Use in the Transit District Specific Plan.

MOTION BY WELLS, SECOND BY McCLELLAN, to Adopt Ordinance No. 5073.

MOTION CARRIED BY UNANIMOUS VOTE.

12. CLOSED SESSIONS

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

- 1. 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 5:56 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

13. RECONVENE TO OPEN SESSION AT 6:12 P.M.

City Attorney Foley reported the following actions:

1. City Council received the report and gave direction to legal Counsel.

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 22nd day of May 2018, at 6:13 p.m. to Tuesday, June 12, 2018, at 3:00 p.m.

Angela Aguirre
City Clerk/Secretary