



CITY COUNCIL  
HOUSING AUTHORITY AND  
SUCCESSOR AGENCY TO THE EL CAJON  
REDEVELOPMENT AGENCY

Council Chamber  
200 Civic Center Way  
El Cajon, CA 92020

## Agenda NOVEMBER 13, 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  
Vince DiMaggio, Assistant 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 Adjournments of the October 23, 2018, Meeting, the October 29, 2018, Joint Special Meeting, and the Agenda of the November 13, 2018, Meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

**Oath of Office: Fire Chief Steve Swaney**

**Poster Winners: Heartland Fire**

**Presentation: Veteran of the Year - Mark Goodman**

**Proclamation: San Diego State University's School of Public Affairs 50th Anniversary**

**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 October 23, 2018, Meeting and the October 29, 2018, Joint Special Meeting 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 as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title Only

RECOMMENDATION:

That the City Council approves the reading by title and waive the reading in full of all Ordinances on the Agenda.

4. All-Way Stop Sign Request on Brockton Street at Katherine Street

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent All-Way Stop signs on Brockton Street at the intersection of Katherine Street in order to enhance safe and efficient pedestrian and traffic flow.

5. Award of Bid No 015-19 – Wells Park Improvements – Security Gates

RECOMMENDATION:

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

1. Approve Plans and Specifications for Wells Park Improvements – Security Gates, Bid No. 015-19;
2. Find the second and third low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Award the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering & Construction, with contingencies, in the amount of \$172,370.

6. Award of Bid No 017-19 – Transit Facility Improvements 2019

RECOMMENDATION:

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

1. Approve Plans and Specifications for the Transit Facility Improvements 2019 project, Bid No. 017-19;
2. Find the fifth and sixth low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Award the bid to the lowest responsive, responsible bidder, Fordyce Construction, Inc. in the amount of \$49,820.

7. Notification of Delinquent Loan Payment and Request for Time Extension to Perform - San Diego Habitat for Humanity (812-816 Grossmont Avenue)

RECOMMENDATION:

That the City Council/EI Cajon Housing Authority receives the report and authorizes staff to proceed with drafting an amendment and modification to the Promissory Note, dated June 23, 2017, between the EI Cajon Housing Authority ("Housing Authority") and San Diego Habitat for Humanity, Inc. ("SDHFH") with terms and conditions recommended by staff and set forth in this report.

8. Boys & Girls Club of East County Donation

RECOMMENDATION:

That the City Council authorizes a donation in the amount of \$6,000 to the Boys & Girls Club of East County.

9. Extension of As-Needed Plan Check and Review Services

RECOMMENDATION:

That the City Council adopts the next resolution in order to authorize an amendment to the existing Agreement for Professional Services with Hunsaker & Associates San Diego, Inc. to extend for one-year in the annual amount of \$50,000, with the option to renew for three additional one-year terms to be approved by the City Manager.

**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. Delinquent Refuse Collection Charges

#### 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.

### 11. 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 RESOLUTIONS, in order, confirming the list of property owners as delinquent in the payment of their mandatory sewer 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.

## **ADMINISTRATIVE REPORTS:**

### 12. National Recreation & Park Association 10-Minute Walk Grant Progress Update

#### RECOMMENDATION:

That the City Council receives an update on the National Recreation & Park Association (NRPA) 10-Minute Walk Grant.

### 13. San Diego Forward: 2019-2050 Regional Plan - Projects and Transportation Network Concepts

#### RECOMMENDATION:

That the City Council identifies mobility concept priorities it wishes to communicate to SANDAG in preparation for the 2019-2050 San Diego Forward Regional Plan.

14. Introduction of Ordinance Amending Section 2.56.030 of Chapter 2.56 and Adding Chapter 12.06 to the El Cajon Municipal Code Regulating Vending on City Sidewalks

**RECOMMENDATION:**

That the City Council considers approving the attached ordinance amending section 2.56.030 of Chapter 2.56 and adding Chapter 12.06 to the El Cajon Municipal Code regulating vending on city sidewalks, and, if approved, take the following action:

1. By Motion and Second, move to introduce the ordinance, and
2. Direct the City Clerk to read the title of the ordinance.

**COMMISSION REPORTS:**

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

SANDAG (San Diego Association of Governments); SANDAG Public Relations Selection Committee; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; LAFCO.

15. Council Activity Report
16. Legislative Report

**ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:**

17. **MAYOR PRO TEM GARY KENDRICK**

METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

18. Contract with East County Transitional Living Center for Neighborhood Cleanup Services

**RECOMMENDATION:**

That the City Council directs staff to investigate the possibility of contracting with the East County Transitional Living Center to assist in providing neighborhood cleanup services.

19. **COUNCILMEMBER BOB MCCLELLAN**

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

20. **COUNCILMEMBER BEN KALASHO**

21. **COUNCILMEMBER STEVE GOBLE**

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

**JOINT COUNCILMEMBER REPORTS:**

**GENERAL INFORMATION ITEMS FOR DISCUSSION:**

**ORDINANCES: FIRST READING**

**ORDINANCES: SECOND READING AND ADOPTION**

**CLOSED SESSIONS:**

**ADJOURNMENT: The Regular Joint Meeting of the El Cajon City Council/El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 13th day of November 2018, is adjourned to Tuesday, November 13, 2018, at 7:00 p.m.**



City Council  
Agenda Report

**Agenda Item 1.**

**DATE:** November 13, 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

---

**RECOMMENDATION:**

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the October 23, 2018, Meeting and the October 29, 2018, Joint Special Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

---

Attachments

10-23-18 draft minutes - 3 pm

10-29-18 draft minutes Special Meeting - 12 Noon

---

# DRAFT

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



### MINUTES

#### CITY OF EL CAJON EL CAJON, CALIFORNIA

---

**October 23, 2018**

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 23, 2018, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### **ROLL CALL**

Councilmembers present:

Councilmembers absent:

Mayor Pro Tem/Vice Chair present:

Mayor/Chair absent:

Other Officers present:

Goble, Kalasho and McClellan

None

Kendrick

Wells

Mitchell, City Manager/Executive Director

DiMaggio, Assistant City Manager

Foley, City Attorney/General Counsel

Aguirre, City Clerk/Secretary

**Mayor Pro Tem Kendrick invited Jamie Freitas, 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 City Clerk posted Orders of Adjournment of the October 9, 2018, Meetings and the Agenda of the October 23, 2018, Meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.



# DRAFT

## PRESENTATIONS:

**Presentation: HauntFest 2018**

## AGENDA CHANGES:

**City Manager Mitchell** requested that Item 7 be pulled from Consent for discussion, to Presentation or pulled Item 21, which will be presented once all conditions are met.

**City Manager Mitchell** introduced two interns from Germany: Anna Laumann and Stephanie Wanner, who will be working at City Hall for two months.

## CONSENT ITEMS: (1 – 11)

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

Approves Minutes of the October 9, 2018, Meetings 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. Award of Bid No. 011-19 - Mobile Lavatory Facilities

Adopts Resolution No. 098-18, awarding the bid to the sole responsive, responsible bidder, United Site Services of California, Inc. in the amount of \$18,500 for the initial one-year term, with four optional one-year terms.

*Remainder of page intentionally left blank.*

# DRAFT

## CONSENT ITEMS: (Continued)

5. San Diego Gas and Electric (SDG&E) Power Your Drive Electric Vehicle Charging Program

1. Adopts Resolution No. 099-18, to approve the Power Your Drive project;
2. Authorizes the City Manager to execute all documents on behalf of the City of El Cajon, substantially in the forms as presented to the City Council, with such changes as may be approved by the City Manager; and
3. Authorizes recording of the easement.

6. Award of RFP No. 016-19 - Veterinarian Services Re-Bid

Adopts Resolution No. 100-18, to enter into an agreement for veterinarian services with Leash Ends, Inc., for a one-year term in the not-to-exceed amount of \$60,000, with options to renew for up to four additional one-year terms.

7. Item pulled for discussion.

8. Award of RFP No 012-19, Cajon Valley Union School District - Safe Routes to school Active Transportation Project - Phase 2

Adopts Resolution No. 101-18, to:

1. Find Walk San Diego dba Circulate Planning non-responsive for the reason set forth in this agenda report; and
2. Enter into an agreement for the preparation of a Safe Routes to School program with Rady Children's Hospital - San Diego in the not-to-exceed amount of \$449,999.83 for a two-year period.

## DISCUSSION

**Jeremiah Perez** spoke in support of safe routes, sidewalks, and streets lamps which lead to walkable and rideable communities.

9. Acceptance of Public Improvements - Tentative Subdivision Map (TSM) 639; 488 Graves Avenue; Engineering Job No. 3107

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

# DRAFT

## CONSENT ITEMS: (Continued)

10. RunEC Half-Marathon - Special Event Request for Support

Supports RunEC by providing a \$20,000 donation and in-kind City services for the 2019 St. Patrick's Day Half-Marathon/5K.

### DISCUSSION

**Meredith Stowers** thanked the city for supporting the St. Patrick's Day Half Marathon.

**MOTION BY McCLELLAN, SECOND BY GOBLE, to APPROVE Consent Items 1 – 6 and 8 – 11, pulling Item 7, as requested by Mitchell.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (WELLS – Absent).**

11. Authorization to Use the Public Right-of-Way for the Holiday Lights on Main Event

That the City Council reviews and approves the submitted road closures and traffic control plan for the Holiday Lights on Main.

Item pulled for discussion.

7. Purchase of Litter and Recycling Receptacles

Adopts Resolution No. 102-18, authorizing the Purchasing Agent, in accordance with Municipal Code 3.20.010(C)(5), to execute a purchase agreement with Canterbury Designs of Ohio, LLC for recycling and trash receptacles in an amount of \$172,334.00.

### DISCUSSION

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

Discussion ensued amongst **Council** and **Staff** regarding:

- Downtown Developmental funds;
  - CALRecycle grant funds to provide consistent receptacles in the downtown area;
  - Suggestion to recycle old bins;
- Request to create a procurement and council policy to aide the distribution of excess inventory; and

# DRAFT

## CONSENT ITEMS: (Continued – Item 7)

- Request the option of a sponsor to prevent incurring additional labor costs.

**MOTION BY McCLELLAN, SECOND BY GOBLE, to ADOPT Resolution No. 102-18, authorizing the Purchasing Agent, in accordance with Municipal Code 3.20.010(C)(5), to execute a purchase agreement with Canterbury Designs of Ohio, LLC for recycling and trash receptacles in an amount of \$172,334.00.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (WELLS – Absent).**

## PUBLIC COMMENT:

**Sunshine Horton** shared a story titled, “The Fight of Two Wolves Within You”. Mrs. Horton discussed donating ashtrays to the downtown businesses in the city, and would like to re-instate Safe Haven locations.

**Pastor Chris Leeper** discussed HauntFest and asked the audience to disconnect with Halloween due to its dark origin.

**Councilmember McClellan** shared about an event called the ‘Reformation Festival’.

**Mark Lane** spoke of the abusive behavior from **Councilmember Kalasho** towards Erica Salem. Mr. Lane read Instagram posts made by **Councilmember Kalasho** towards Ms. Salem.

**Kevin Miller** spoke of comments made by **Councilmember Kalasho** indicating the City is doing nothing about the homeless situation. Mr. Miller added that **Councilmember Kalasho** takes credits for things he has not done.

**Jim Cirigliano** stated he is tired of the **Councilmember Kalasho** bashing. Mr. Cirigliano provided an update to the rent mediation process and meeting. He acknowledged three hard working women in the audience from the Villa Novia Mobile Home Park and spoke about the Police Department being understaffed and underpaid.

**Frank Sherr** spoke of excessive speeding. He requested Stop signs be placed in the area of Ann Street and Mary Street.

**Ruth Thornton** spoke about not having a representative in her neighborhood and stated that the district lines do not make sense. Ms. Thornton asked that the City brings back Community Meetings. She discussed staffing shortage at the Police Department, and the increase in homelessness.

# DRAFT

## PUBLIC COMMENT: (Continued)

In response to Ms. Thornton's concern on homelessness, **Councilmember Goble** shared that the East County Transitional Living Center will submit an application to the Planning Commission on November 6<sup>th</sup>, to add 50 additional dorm style beds. He invited Ms. Thornton to attend the meeting to relay her concerns.

**Linda Lorentz** spoke about people driving through red lights in the areas of Washington and Jamacha, and Washington and Mollison. Ms. Lorentz suggested that the City turn the red light cameras back on to assist with traffic control.

**Brenda Hammond** spoke about anger and hate crimes. Ms. Hammond thanked the City for hosting HauntFest.

**Simona Valanciute** representing San Diego Oasis, an organization that helps senior adults. Ms. Valanciute invited the public to attend the November 12<sup>th</sup>, Technology Fair, geared for adults 50 years and over. She provided Council and Staff a manual of available classes.

**Eric Lund** thanked Council and Staff for their support with the East County Homeless Task Force. He provided a pocket guide, listing services in the East County region. Mr. Lund made an invitation to attend the upcoming meeting on October 24<sup>th</sup>.

**Councilmember McClellan** stated people are enabled, when we give money. He stated we should support organizations such as the East County Homeless Task Force, and East County Transitional Living Center instead.

**Erica Salem** spoke of the harassment received from **Councilmember Kalasho**. Ms. Salem stated for the record that she is afraid of **Councilmember Kalasho**.

**Kilian Colin** spoke of the harassment between **Councilmember Kalasho** and Ms. Salem.

**AnnaMarie Piconi Snyder** representing East County Homeless Task Force, spoke about being respectful and dignified when speaking at council meetings. She indicated that she works with organizations, districts, and people to find solutions and strategies for homelessness.

**Mayor Pro Tem Kendrick** spoke about hosting graduates from the East County Transitional Living Center, and encouraged others to support people who need a second chance.

**James Elia** thanked the City for HauntFest, and law enforcement for keeping the event safe. Mr. Elia spoke against **Councilmember Kalasho's** actions.

# DRAFT

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

**Monica Zech** spoke of the Veteran's Day Ceremony, on November 11<sup>th</sup>, to be held at Centennial Plaza, in front of City Hall.

## **WRITTEN COMMUNICATIONS: None**

## **PUBLIC HEARINGS: None**

## **ADMINISTRATIVE REPORTS:**

12. Resolution to Declare a Shelter Crisis

### **RECOMMENDATION:**

That the City Council adopts a RESOLUTION declaring a shelter crisis as a requirement to apply for Homeless Emergency Aid Program funding.

### **DISCUSSION**

**City Manager Mitchell**, provided a summary of the Item.

No one came forward to speak.

Discussion ensued amongst **Council** and **Staff** regarding:

- Strategy of combining efforts with all East County cities and use grant money for the region;
- Regional approach to justify the need for funds; and
- Money can only be used for new construction.

**MOTION BY GOBLE, SECOND BY McCLELLAN, to ADOPT RESOLUTION NO. 103-18, declaring a shelter crisis as a requirement to apply for Homeless Emergency Aid Program funding.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(WELLS – Absent).**

# DRAFT

## ADMINISTRATIVE REPORTS: (Continued)

13. Term Sheet for the Potential Agreement Implementing the East County Advanced Water Purification Project.

### RECOMMENDATION:

That the City Council approves the Final Term Sheet for the East County Water Purification Project.

### DISCUSSION

**City Manager Mitchell**, provided a summary of the Item.

No one came forward to speak.

Discussion ensued amongst **Council** and **Staff** regarding the physical analysis to measure the short and long term costs.

Staff will present an analysis of both, the cost of water and the cost of waste water treatment as a combined cost, once it is available.

**MOTION BY McCLELLAN, SECOND BY GOBLE, to APPROVE the Final Term Sheet for the East County Water Purification Project.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (WELLS – Absent).**

14. Request for Indemnification – Councilmember Ben Kalasho (Lane v. Kalasho)

### RECOMMENDATION:

Consider whether the City should reimburse Councilmember Kalasho the amount of \$1,500.00, and under what terms and conditions, if any, should apply to the City's commitment of indemnification.

### DISCUSSION

**City Attorney, Morgan Foley**, provided detailed information of the Item.

**Mark Lane** clarified there were no alleged punitive damages. Mr. Lane added he did not sue the City of El Cajon nor its citizens, he sued **Councilmember Kalasho** personally, not in his official capacity, but for violating his freedom of speech. Mr. Lane indicated having the taxpayers of the City pay for **Councilmember Kalasho's** wrong doing is not acceptable.

# DRAFT

## ADMINISTRATIVE REPORTS: (Continued – Item 14)

**Paul Kruze** stated that **Councilmember Kalasho** has attacked him, and the publisher of the East County Magazine numerous times. He urged the Council to remember the actual words of **Councilmember Kalasho** when considering the subject.

**Pastor Chris Leeper** spoke about **Councilmember Kalasho's** bad behavior and encouraged Council to vote against his request for reimbursement because it will cause the City to be an accomplice to his corruption.

**Jaime Freitas** spoke against supporting Councilmember Kalasho's request.

**City Attorney Foley**, clarified that although the lawsuit was in fact against **Councilmember Kalasho's** individual capacity, because the complaint stated **Councilmember Kalasho** violated Mr. Lanes First Amendment Rights under the U.S. Constitution, it lends credibility that **Councilmember Kalasho** is being sued for his public official actions.

**Councilmember Kalasho** stated that court papers indicated that he had in fact denied the allegations made by Mr. Lane and made the business decision to engage in a settlement with Mr. Lane. He stated, he never blocked anyone, but rather and due to the amount of 'friends' limitation, Mr. Lane was not able to see his comments. He added he is not concerned about being reimbursed but he is asking as a matter of principal. **Councilmember Kalasho** stated, he would rather speak about the real issues that concern the City. He added that Mr. Lane is not a resident of El Cajon, a fact that he considered important.

**Councilmembers Goble, Kendrick, and Kalasho** agreed that **Kalasho** was viewed as acting as a public official, **McClellan** disagreed.

**Councilmember Kalasho** disqualified himself as the outcome could be a conflict of interest on his personal finances and left the Chamber at 5:01 PM.

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

- Definition of actual malice;
- Determination that Mr. Lane was in fact blocked by **Kalasho**;
- Statement of facts by Ms. Salem;
- Consideration of reimbursement of legal fees;
- Council decided that actions by **Kalasho** met the legal definition of actual malice, and agreed payment should not be made for reimbursement.



# DRAFT

## ADMINISTRATIVE REPORTS: (Continued – Item 14)

**MOTION BY GOBLE, SECOND BY MCCLELLAN to DENY the request for indemnification by Councilmember Kalasho.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT  
(WELLS – Absent, KALASHO - Disqualified).**

## COMMISSION REPORTS: None

### ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

SANDAG (San Diego Association of Governments); SANDAG Public Relations Selection Committee; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; LAFCO.

#### 15. Council Activities Report/Comments

Report as stated.

#### 16. Legislative Update

**Assistant City Manager DiMaggio**, provided summary of laws signed by Governor Brown that will have an impact on local municipalities.

- SB 1421 requires law enforcement agencies to disclose some essential information about their officers;
- AB 748 effective 7/1/2019, allows a video or audio recordings related to critical incidents to be withheld for 45 calendar days;
- SB 946 prohibits local authority from regulating sidewalk vendors; and
- AB 1968 takes effect fully in 2020, and prohibits a person who has been taken into custody, assessed, and admitted to a designated facility because he/she is a danger to oneself or others, as a result of a mental disorder one or more times within a period of one year from owning a firearm for the remainder of their life.

### ACTIVITIES REPORTS OF COUNCILMEMBERS:

#### 17. **MAYOR PRO TEM GARY KENDRICK**

METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

Report as stated.

# DRAFT

## ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

18. **COUNCILMEMBER BOB MCCLELLAN**

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

Report as stated.

19. **COUNCILMEMBER BEN KALASHO**

Report as stated.

**Councilmember Kalasho** spoke about the media, being featured in the New York Times, being fearless and his growing social media followers.

20. **COUNCILMEMBER STEVE GOBLE**

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

Report as stated.

**JOINT COUNCILMEMBER REPORTS: None**

**GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

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

*Remainder of page intentionally left blank.*

# DRAFT

Item 21 was removed by action taken under Agenda Changes.

## 21. Emerald Zone Reclassification

### RECOMMENDATION:

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

An Ordinance Rezoning Property located on the West side of Emerald Avenue between Chamberlain and West Washington Avenues, from the RM-4300 (Residential, Multi-Family, 4,300 square feet) Zone to the RM-2200 (Residential, Multi-Family, 2,200 square feet) Zone; APN: 487-544-61; General Plan Designation: Medium Density Residential (MR).

### CLOSED SESSIONS: None

**Adjournment:** Mayor Pro Tem Kendrick adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 23rd day of October, 2018, at 5:23 p.m., to Tuesday, November 13, 2018, at 3:00 p.m.

D  
R  
A  
F  
T

---

Angela Aguirre  
City Clerk/Secretary

# DRAFT

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



### MINUTES

#### CITY OF EL CAJON EL CAJON, CALIFORNIA

---

**October 29, 2018**

A Joint Special Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 29, 2018, was called to order by Mayor/Chair Bill Wells at 12:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### **ROLL CALL**

Council/Agencymembers present:  
Council/Agencymembers absent:  
Mayor Pro Tem/Vice Chair present:  
Mayor/Chair present:  
Other Officers present:

Goble and McClellan  
Kalasho  
Kendrick  
Wells  
Mitchell, City Manager/Executive Director  
DiMaggio, Assistant City Manager  
Foley, City Attorney/General Counsel  
Aguirre, City Clerk/Secretary

**Mayor Wells invited Paul Kruze, 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 City Clerk posted Orders of Adjournment of the October 23, 2018, Meeting and the Agenda of the October 29, 2018, Meeting in accordance with State Law, Council and Housing Authority Policy.

**COMMENTS:**

**Mayor Wells** asked if anyone would like to make a comment regarding the Item on the Agenda.

No one came forward to speak.

**CLOSED SESSION:**

1. Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9.

**MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 12:03 p.m.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (Kalasho – Absent).**

**RECONVENE TO OPEN SESSION AT 12:38 PM.**

City Attorney Foley reported the following actions:

**MOTION BY WELLS, SECOND BY McCLELLAN to AUTHORIZE the City Attorney’s Office to file a lawsuit against Councilmember Ben Kalasho regarding the misuse of public resources for personal use during the 2018 election campaign and thereafter.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (Kalasho – Absent).**

**MOTION BY GOBLE, SECOND BY KENDRICK to DIRECT the City Manager to send a letter to the California Public Fair Political Practices Commission (FPPC), to the District Attorney and Attorney General to investigate if campaign violations occurred.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (Kalasho – Absent).**

**Adjournment: Mayor Wells adjourned the Joint Special Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 29th day of October, 2018, at 12:40 p.m., to Tuesday, November 13, 2018, at 3:00 p.m.**

---

Angela Aguirre  
City Clerk/Secretary

D R A F E T



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** All-Way Stop Sign Request on Brockton Street at Katherine Street

---

**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, to establish permanent All-Way Stop signs on Brockton Street at the intersection of Katherine Street in order to enhance safe and efficient pedestrian and traffic flow.

**BACKGROUND:**

This is a request to install permanent All-Way Stop signs on Brockton Street at the intersection of Katherine Street. Residents on Brockton Street requested that Public Works staff study this intersection and determine if a solution to calm traffic on Brockton Street near this intersection is warranted.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The project is exempt from environmental review under CEQA Guideline 15301(c) (Class 1) as it is a minor alteration of an existing public street involving negligible or no expansion of an existing use.

**FISCAL IMPACT:**

Approximately \$1,500.00 for the installation of traffic signs, pavement legends, and routine maintenance costs from the Traffic Maintenance Budget Activity, Account 152320-8160.

**REPORT:**

Brockton Street is classified as a "residential collector" street with a posted speed limit of 30 miles per hour and Katherine Street is classified as a "residential collector" street with a posted speed limit of 25 miles per hour. The average daily two-way traffic volume on Brockton Street is approximately 1,950 vehicles and on Katherine Street is 350 vehicles, respectively. Currently, there is an existing Stop sign on Katherine Street and no Stop sign on Brockton Street at the intersection.

A research of City traffic collision records revealed that there have been three (3) collisions that occurred at the intersection within the past five (5) years. An intersection "corner" sight distance field analysis was performed at the subject intersection to determine if a motorist traveling from Katherine Street onto Brockton Street has adequate sight distance to safely enter the intersection. The minimum intersection corner sight distance of 335 feet is desirable for a

street with a posted speed limit of 30 miles per hour based on the Caltrans Highway Design Manual. The field investigation revealed that the available intersection corner sight distance is less than the desirable requirements for a motorist on Katherine Street to safely enter Brockton Street. The intersection sight distance is obstructed by the crest vertical curve of Brockton Street and two existing wood utility poles located both in the north and southwest corners of the intersection.

The City of El Cajon Public Works Department follows California Manual on Uniform Traffic Control Devices (CAMUTCD) guidelines and City of San Diego "Criteria For The Installation of Stop Signs" to determine the need for the installation of All-Way Stop signs. These guidelines state that a proposed location must satisfy each of the basic warrants to qualify for the installation of All-Way Stop signs. Staff reviewed existing site conditions, traffic volumes, accident history and other engineering factors observed at this location.

Based on this information, staff recommends that the City Council approves the installation of All-Way Stop signs on Brockton Street at Katherine Street.

Prepared By: Mario Sanchez, City Traffic Engineer

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

#### Attachments

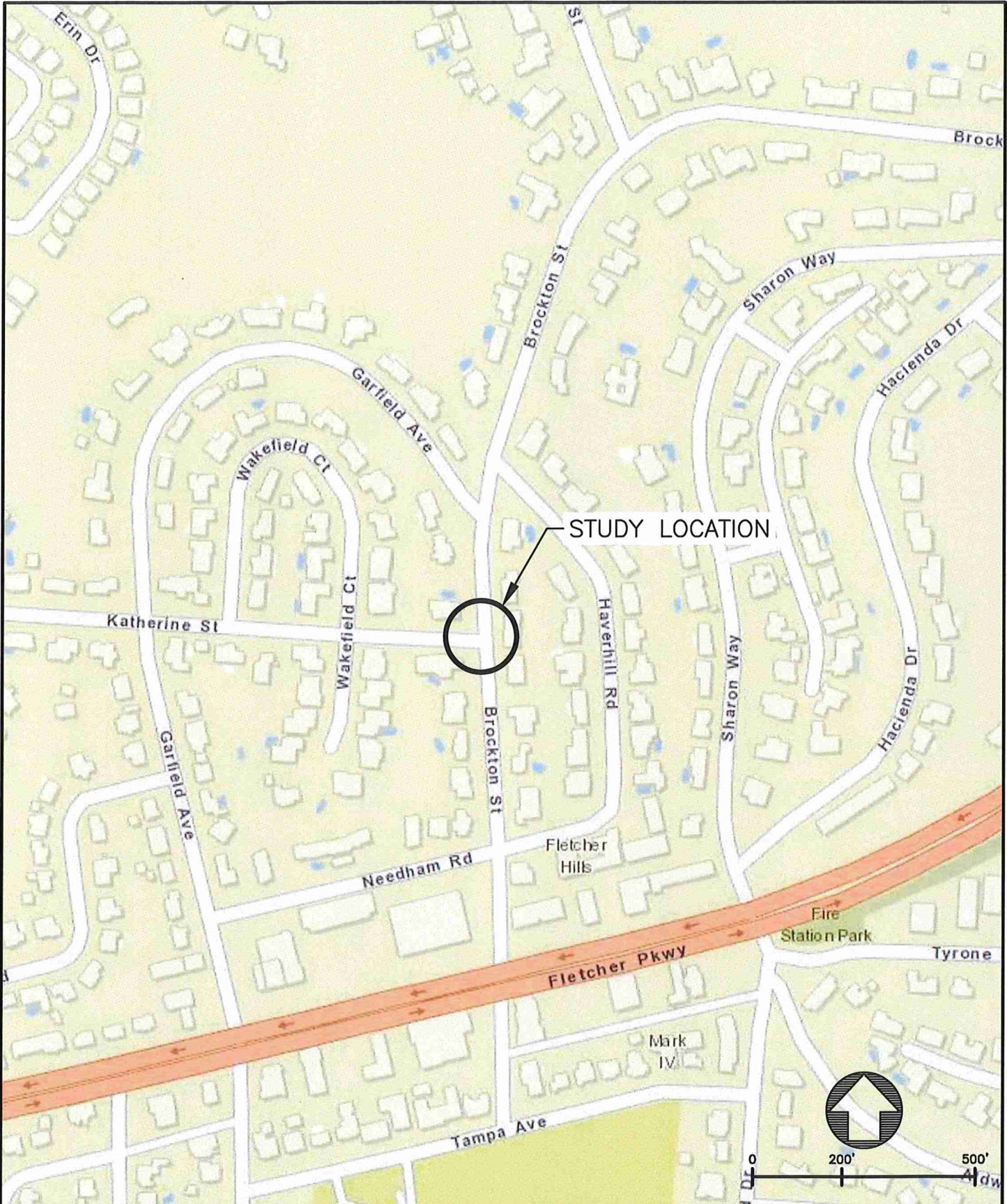
Katherine\_Brockton\_Site\_Map&Photos

All-Way Stop Resolution

---



loc: H:\TRAFFIC\Service Requests - Complaints\2018 Requests\Katherine\_n\_Brockton-All\_Way\_Stop\_Signs-Katherine\_n\_Brockton.dwg plot: 10/18/2018 10:17 AM

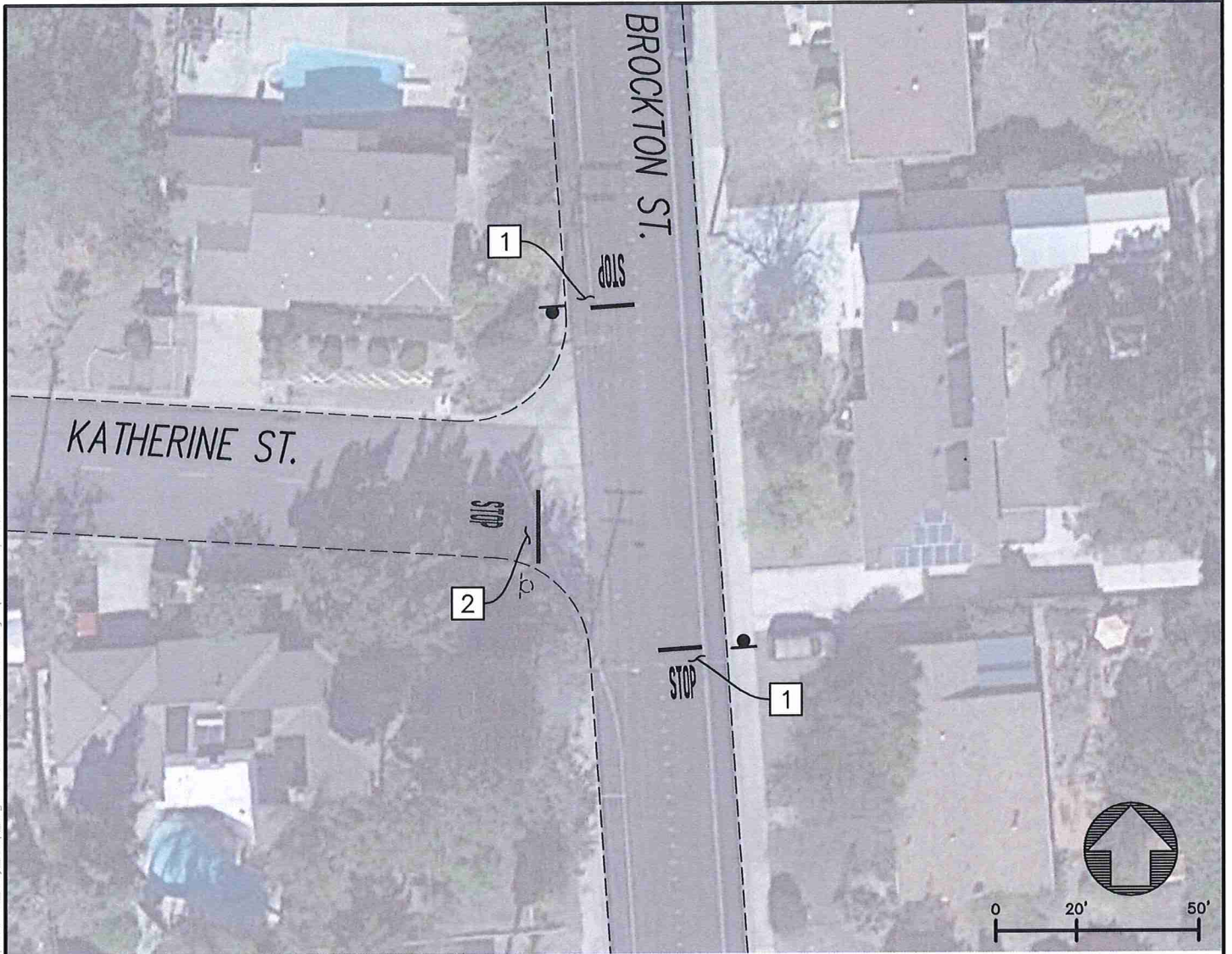


CITY OF EL CAJON TRAFFIC  
ENGINEERING DIVISION

REQUEST FOR ALL-WAY STOP SIGNS  
AT KATHERINE ST. & BROCKTON ST.

SHEET NO. 01  
OF 02 SHEETS

loc: H:\TRAFFIC\Service Requests - Compidin\2018 Request\Katherine\_n\_Brockton-All\_Way\_Stop\_Signs\Katherine\_n\_Brockton.dwg plot: 10/18/2018 10:17 AM



**NOTES:**

- 1** INSTALL NEW:
  - STOP SIGN
  - STOP LEGEND
  - LIMIT LINE

- 2** EXISTING (TO REMAIN):
  - STOP SIGN
  - STOP LEGEND
  - LIMIT LINE

CITY OF EL CAJON TRAFFIC  
ENGINEERING DIVISION

REQUEST FOR ALL-WAY STOP SIGNS  
AT KATHERINE ST. & BROCKTON ST.

SHEET NO. 02  
OF 02 SHEETS

**Katherine Street and Brockton Street**



**Eastbound on Katherine Street looking south on Brockton Street**



**Eastbound on Katherine Street looking north on Brockton Street**

## Katherine Street and Brockton Street



Northbound on Brockton Street south of Katherine Street

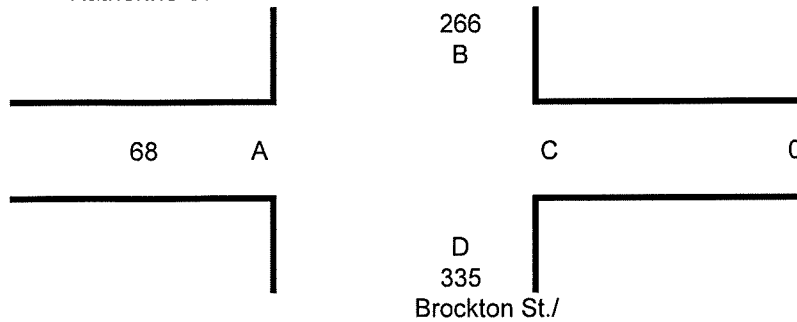


Southbound on Brockton Street north of Katherine Street

CITY OF EL CAJON  
 FOUR-WAY STOP EVALUATION  
 Brockton St./ Katherine St.

Total Volume for Peak Four-Hour Period  
 Katherine St.

Note: Peak Four-Hour Period  
 3:00 P.M. to 7:00 P.M.



LEG	FOUR-HOUR VOLUME ENTERING	NO. OF LANES
A	68	1
B	266	1
C	0	1
D	335	1
Total 4-Hour Vol.	669	

WARRANTS

POINTS/ASSIGNED Possible

WARRANT NUMBER 1: ACCIDENT HISTORY

1/1/2013 to 12/31/2017  
 Accidents Correctable by Stops

3 X 3

9

15

WARRANT NUMBER 2: SPECIAL CONDITIONS

(Limited sight visibility.)

5

5

WARRANT NUMBER 3: TRAFFIC VOLUMES

Major Street 601  
 Minor Street 68

2

5

0

10

WARRANT NUMBER 4: TRAFFIC VOLUME DIFFERENCE

Split Volume Diff. 465

7

10

WARRANT NUMBER 5: PEDESTRIAN VOLUME

1

5

Total 24

Points Required

30

50

Date: 9/26/2018

By: MAS

RESOLUTION NO. \_\_\_-18

RESOLUTION MODIFYING TRAFFIC RESOLUTION NO. 6887 TO  
ESTABLISH ALL-WAY STOPS AT THE INTERSECTION OF  
BROCKTON STREET AND KATHERINE STREET

WHEREAS, the City Council finds it appropriate to adopt the following additional traffic rules and regulations which the City is empowered to adopt by resolution, and to modify Resolution No. 6887, the Traffic Resolution of the City of El Cajon, to incorporate the following provisions as if set forth therein in full; and

WHEREAS, the City Council evaluated the intersection of Brockton Street and Katherine Street, and considered all of the evidence submitted, both oral and documentary, and determined that all-way stops should be installed at the above-referenced location for the health, safety and welfare of the residents.

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

1. The foregoing recitals are true and correct and are the findings of the City Council.
2. The City Council further finds that this project is exempt from environmental review under CEQA Guideline 15301(c) (Class 1) as it is a minor alteration of an existing public street involving negligible or no expansion of an existing use.
3. The intersection of Brockton Street and Katherine Street shall be designated as an "all-way stop."
4. The Director of Public Works is hereby directed to immediately cause the installation of appropriate signs to establish said intersection as an "all-way stop."
6. The above stop controls shall supersede any previously established stop controls at said location.
7. El Cajon City Council Resolution No. 6887 is hereby modified to include the designation of an "all-way stop" at the intersection of Brockton Street and Katherine Street.



## City Council Agenda Report

### Agenda Item 5.

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Award of Bid No 015-19 – Wells Park Improvements – Security Gates

---

#### RECOMMENDATION:

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

1. Approve Plans and Specifications for Wells Park Improvements – Security Gates, Bid No. 015-19;
2. Find the second and third low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Award the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering & Construction, with contingencies, in the amount of \$172,370.

#### BACKGROUND:

The Wells Park Improvements – Security Gates project will furnish and install decorative gates and fencing along the north side of Wells Park. This project was advertised on September 6, 2018. Three responses were received and opened at 2:00 p.m. on October 8, 2018.

The bid specifications required all bidders to submit a bid security in an amount not less than 10% of the bid amount. In accordance with the adopted 2012 edition of the “Standard Specifications for Public Works Construction” (Green Book), each bid bond shall be signed by both the bidder and the surety. The bid bonds submitted by the second and third low bidders failed to have the Principal’s signature notarized.

The Purchasing Division, in concurrence with the Director of Public Works, recommends award of the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering & Construction in the amount of \$172,370, which includes \$153,620 of scheduled work along with an additional amount of \$18,750 for contingencies related to unforeseen replacement of unsuitable materials at the site and/or installation of Type A Concrete Mowing Strip. The summary of bids is attached and complete proposals are on file in the Purchasing Division.

#### FISCAL IMPACT:

The fiscal impact of this project is \$172,370. Sufficient funds are available for this project in Wells Park Improvements (PK3610).

REPORT:

Bid Results:

<b>Bidder</b>	<b>Bid Amount</b>
Blue Pacific Engineering & Construction (San Diego, CA)	\$153,620*
SD Remodeling, Inc. (Rancho Santa Fe, CA)	Non-responsive
Quality Fence Company, Inc. (Paramount, CA)	Non-responsive

\* RECOMMEND AWARD

ENGINEER'S ESTIMATE

\$163,000

Prepared By: Nahid Razi

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

Attachments

Reso-Plans & Specs

Reso-Award

---



RESOLUTION NO.     -18

RESOLUTION APPROVING  
PLANS AND SPECIFICATIONS FOR  
WELLS PARK IMPROVEMENTS – SECURITY GATES  
(Bid No. 015-19)

WHEREAS, the Director of Public Works has submitted plans and specifications for the Wells Park Improvements – Security Gates Project (the "Project"); and

WHEREAS, it appears to be in the best interests of the City of El Cajon that the plans and specifications for said Project should be approved.

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

1. That the plans and specifications submitted for the Project by the Director of Public Works are hereby approved and adopted as the official plans and specifications for said Project.

2. Said plans and specifications are directed to be filed in the office of the Director of Public Works of the City of El Cajon.

RESOLUTION NO.    -18

RESOLUTION AWARDING BID FOR  
WELLS PARK IMPROVEMENTS – SECURITY GATES  
(Bid No. 015-19)

WHEREAS, the Wells Park Improvements – Security Gates to furnish and install decorative gates and fencing along the north side of Wells Park (the "Project"), was advertised on PlanetBids on September 6, 2018; and

WHEREAS, three (3) responses were received and opened at 2:00 p.m. on October 8, 2018; and

WHEREAS, the bid specifications required all bidders to submit a bid security in an amount not less than ten percent (10%) of the bid amount, and in accordance with the adopted 2012 edition of the "Standard Specifications for Public Works Construction" ("Green Book"), each bid bond shall be signed by both the bidder and the surety; and

WHEREAS, the bid bonds submitted by the second and third low bidders failed to have the Principal's signature notarized, and were therefore considered non-responsive; and

WHEREAS, the Purchasing Division, in concurrence with the Director of Public Works, recommends award of the bid to the lowest responsive, responsible bidder; and

WHEREAS, the City Council believes it to be in the best interests of the City to award the contract to the lowest responsive, responsible bidder 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 above recitals are true and correct, and are the findings of the City Council.
2. The City Council hereby finds the second and third low bidders to be non-responsive, and rejects all other bids and proposals except that herein mentioned, and awards the bid for the Wells Park Improvement – Security Gates project to:

Shahram Elihu dba Blue Pacific Engineering & Construction

in the amount of \$172,370, which includes \$153,620 of scheduled work along with an additional amount of \$18,750 for contingencies related to unforeseen replacement of unsuitable materials at the site and/or installation of Type A Concrete Mowing Strip.

3. 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

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Award of Bid No 017-19 – Transit Facility Improvements 2019

---

**RECOMMENDATION:**

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

1. Approve Plans and Specifications for the Transit Facility Improvements 2019 project, Bid No. 017-19;
2. Find the fifth and sixth low bidders non-responsive, each for the reasons set forth in this agenda report; and
3. Award the bid to the lowest responsive, responsible bidder, Fordyce Construction, Inc. in the amount of \$49,820.

**BACKGROUND:**

The Transit Facility Improvements 2019 project will provide and improve bus stops throughout the City according to the Bus Stop Priority Study. Improvements will include: concrete bus pads, new bus shelters, bus benches, and street lighting at or near existing bus stops. In addition, installation of asphalt and concrete pavement will be made to traffic lanes with heavy bus usage. This project was advertised on September 6, 2018. Seven responses were received and opened at 2:00 p.m. on October 4, 2018.

The bid specifications required all bidders to submit a bid security in an amount not less than 10% of the bid amount. In accordance with the adopted 2012 edition of the "Standard Specifications for Public Works Construction" (Green Book), each bid bond shall be signed by both the bidder and the surety. The bid bonds submitted by the fifth and sixth low bidders failed to have the Principal's signature notarized.

The Purchasing Division, in concurrence with the Director of Public Works, recommends award of the bid to the lowest responsive, responsible bidder, Fordyce Construction, Inc. in the amount of \$49,820. The summary of bids is attached and complete proposals are on file in the Purchasing Division.

**FISCAL IMPACT:**

The fiscal impact of this project is \$49,820. Sufficient funds are available for this project in Transportation Development Act Article 4 (213000).

REPORT:

Bid Results:

Bidder	Bid Amount
Fordyce Construction, Inc. (Santee, CA)	\$49,820*
Jeanette Company, Inc. (San Diego, CA)	\$49,995
Tri-Group Construction & Development, Inc. (San Diego, CA)	\$54,500
LNR Construction, Inc. (El Cajon, CA)	\$63,750
Collier Construction (Escondido, CA)	Non-responsive
Noble E&C, Inc. (Artesia, CA)	Non-responsive
DLG Contractors, Inc. (Alpine, CA)	\$75,315

\* RECOMMEND AWARD

ENGINEER'S ESTIMATE

\$66,000

Prepared By: Nahid Razi, Purchasing Agent

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

Attachments

Reso - Plans & Specs

Reso - Award

---

RESOLUTION NO.     -18

RESOLUTION APPROVING  
PLANS AND SPECIFICATIONS FOR  
TRANSIT FACILITY IMPROVEMENTS 2019  
(Bid No. 017-19)

WHEREAS, the Director of Public Works has submitted plans and specifications for the Transit Facility Improvements 2019 Project (the "Project"); and

WHEREAS, it appears to be in the best interests of the City of El Cajon that the plans and specifications for said Project should be approved.

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

1. That the plans and specifications submitted for the Project by the Director of Public Works are hereby approved and adopted as the official plans and specifications for said Project.

2. Said plans and specifications are directed to be filed in the office of the Director of Public Works of the City of El Cajon.

RESOLUTION NO.    -18

RESOLUTION AWARDING BID FOR  
TRANSIT FACILITY IMPROVEMENTS 2019  
(Bid No. 017-19)

WHEREAS, the Transit Facility Improvements 2019 project to provide and improve bus stops throughout the City according to the Bus Stop Priority Study (the "Project"), was advertised on PlanetBids on September 6, 2018; and

WHEREAS, seven (7) responses were received and opened at 2:00 p.m. on October 4, 2018; and

WHEREAS, the bid specifications required all bidders to submit a bid security in an amount not less than ten percent (10%) of the bid amount, and in accordance with the adopted 2012 edition of the "Standard Specifications for Public Works Construction" ("Green Book"), each bid bond shall be signed by both the bidder and the surety; and

WHEREAS, the bid bonds submitted by the fifth and sixth low bidders failed to have the Principal's signature notarized, and were therefore considered non-responsive; and

WHEREAS, the Purchasing Division, in concurrence with the Director of Public Works, recommends award of the bid to the lowest responsive, responsible bidder; and

WHEREAS, the City Council believes it to be in the best interests of the City to award the contract to the lowest responsive, responsible bidder 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 above recitals are true and correct, and are the findings of the City Council.
2. The City Council hereby finds the fifth and sixth low bidders to be non-responsive, and rejects all other bids and proposals except that herein mentioned, and awards the bid for the Transit Facility Improvements 2019 project to:

Fordyce Construction, Inc.

in the amount of \$49,820.00.

3. 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

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Anthony Shute, Director of Community Development  
**SUBJECT:** Notification of Delinquent Loan Payment and Request for Time Extension to Perform - San Diego Habitat for Humanity (812-816 Grossmont Avenue)

---

**RECOMMENDATION:**

That the City Council/El Cajon Housing Authority receives the report and authorizes staff to proceed with drafting an amendment and modification to the Promissory Note, dated June 23, 2017, between the El Cajon Housing Authority ("Housing Authority") and San Diego Habitat for Humanity, Inc. ("SDHFH") with terms and conditions recommended by staff and set forth in this report.

**BACKGROUND:**

On April 25, 2017, the Housing Authority authorized the sale of Housing Authority-owned property at 812-816 Grossmont Avenue to SDHFH for development of homeownership units for lower-income households. The property consisted of a single parcel with two vacant manufactured homes and sufficient space for development of a third, traditional-built home.

On June 23, 2017, the Housing Authority entered into a Disposition and Development Agreement ("DDA") with SDHFH specifying the terms and conditions for development, along with a Promissory Note and Deed of Trust ("Loan Documents"). The DDA required SDHFH to subdivide the property and sell the first two homes, and to then develop and sell the third home. All three homes are to be sold to lower-income first time homebuyers. The DDA was amended on August 23, 2017 to secure affordability covenants for a period of forty-five years. Escrow closed on the sale on August 24, 2017.

The terms of the sale of the property to SDHFH included a \$300,000 cash payment at close of escrow, and the execution of a Note for \$340,000, payable upon sale of the first two units to qualified homebuyers. The Note required the first two sales and full repayment to be completed by June 30, 2018. The Note is interest-free, except in the event of a default.

On June 27, 2018, the Housing Authority received a request for an extension of time from SDHFH to perform the sale of the first two units and to repay the \$340,000 loan (see Attachment 1, letter dated June 27, 2018). Although SDHFH has been actively processing the Subdivision Map required to sell the units individually, it was unable to meet the June 30, 2018 timeframe as outlined in the DDA and Note. SDHFH is seeking an extension of time for repayment until April 30, 2019.

As full repayment of the loan was not received by the due date of June 30, 2018, staff is required to notify the City Council/Housing Authority when a monetary loan issued is 90 days delinquent under City Council Policy B-11. The DDA and the Loan Documents include provisions for declaring a default and calling the Note immediately due and payable in full, with interest, at the option of the Housing Authority. Further, the granting of an extension of time to perform does not waive the Borrower's obligations nor the Housing Authority's right to declare a default in the future.

SDHFH is currently in compliance with all other provisions of the DDA and Loan Documents. Further, SDHFH's request for extension was timely in compliance with the DDA and Loan Documents, and staff has been working with the City Attorney's office since then for determining the form of amendment to the Loan Documents necessary to document the extension.

Staff recommends granting SDHFH an extension of time to April 30, 2019, to perform on the Note and authorizing the City Manager/Executive Director to execute an amendment to Promissory Note in the form attached as approved by the City Attorney (see Attachment 2). If City Council/Housing Authority approves the extension, this will allow SDHFH the additional time necessary to complete the sale of the first two units and to repay the Note in full, without penalty.

**FISCAL IMPACT:**

No impact to the General Fund. This loan relates to the Low and Moderate Income Housing Asset Funds (LMIHAF) promissory note for the sale of the property and repayment received by the Housing Authority will be used to fund ongoing affordable housing programs and projects.

Prepared By: Jamie van Ravesteyn, Sr. Management Analyst

Reviewed By: Anthony Shute, Director of Community Development

Approved By: Graham Mitchell, City Manager

---

Attachments

Attachment 1

Attachment 2

---





8128 Mercury Court  
San Diego, CA 92111  
PI 619-283-4663  
FI 619-516-5264  
license #955336

building strength, stability and self-reliance through shelter

[sandlegohabitat.org](http://sandlegohabitat.org)

June 27, 2018

Jaime van Ravesteyn  
Sr. Management Analyst  
City of El Cajon  
Community Development – Housing, Third Floor  
200 Civic Center Way  
El Cajon, CA 92020

Reference: 812-816 Grossmont Ave., El Cajon

San Diego Habitat for Humanity has purchased the property located on Grossmont Ave for \$640,000. \$300,000 was paid at time of sale and it was expected when the two existing homes were sold, the balance would be paid. That time frame was expected to happen by June 30<sup>th</sup>. It has not happened, we are still processing the Final Map through the city. SD Habitat is requesting an extension of time to pay the note to April 30, 2019. It appears we are close and should be able to sell the homes in the next few months.

We look forward to continuing our partnership with the City of El Cajon.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Holt Pfeiler".

Lori Holt Pfeiler  
President/CEO

## ATTACHMENT "2"

### PROMISSORY NOTE EXTENSION AGREEMENT

\$340,000.00

July 1, 2018

This Promissory Note Extension Agreement, hereinafter referred to as "Extension Agreement," entered into this First day of July, 2018, by and between San Diego Habitat for Humanity, Inc., a California nonprofit public benefit corporation ("Maker"), and El Cajon Housing Authority, a public body, corporate and politic, or its successors or assigns ("Holder"),

WHEREAS, Maker and Holder have entered into a Promissory Note dated June 23, 2017 for the amount of Three Hundred Forty Thousand Dollars (\$340,000), hereinafter referred to as the "Note." The Note is due and payable on a date that is three hundred seventy-two (372) days from the original date of the Note.

WHEREAS, Maker and Holder desire to enter into this Extension Agreement in order to extend the date when all the outstanding principal and accrued and unpaid interest is due and payable to five hundred fifty-six (556) days from the original date of the Note.

NOW, THEREFORE, it is duly agreed by both Maker and Holder to extend the due date of the Note to December 31, 2018.

All other provisions the original Note shall prevail unless otherwise written.

IN WITNESS WHEREOF, the undersigned Maker and Holder have duly executed this Extension Agreement, extending the due date of the Note as of the day and year first written above.

**MAKER:**

**San Diego Habitat for Humanity, Inc.**

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

Name: Lori Holt Pfeiler

Title: President/CEO

**HOLDER:**

**El Cajon Housing Authority**

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

Name: Graham Mitchell

Title: Executive Director



**City Council  
Agenda Report**

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** Boys & Girls Club of East County Donation

---

**RECOMMENDATION:**

That the City Council authorizes a donation in the amount of \$6,000 to the Boys & Girls Club of East County.

**BACKGROUND:**

Since 2014, the City has donated \$6,000 to the Boys & Girls Club of East County (the Club) as part of the previous City Manager's membership on its board of directors. On November 6, 2018, the City received a request from the Club for continued support through a \$6,000 donation. According to its letter, the Club has over 1,300 members at its El Cajon clubhouse and teen center.

**FISCAL IMPACT:**

If the City Council authorizes the donation, staff recommends that the funding be through the City Council's contingency fund. As of October 31, 2018, unexpended contingency appropriations total \$63,050.

Prepared By: Graham Mitchell, City Manager  
Reviewed By: Clay Schoen, Director of Finance  
Approved By: Graham Mitchell, City Manager

---

**Attachments**

Request from Boys & Girls Club of East County

---



**BOYS & GIRLS CLUBS**  
OF EAST COUNTY

Administrative Offices  
8820 Tamberly Way  
Santee, CA 92071  
Tel (619) 440-1600  
Fax (619) 440-2331  
www.bgcec.org

November 6, 2018

Graham Mitchell  
City of El Cajon  
200 Civic Center Way  
El Cajon, CA 92020

Dear Graham,

Thank you, and the City of El Cajon for your generous support of the Boys & Girls Clubs of East County! The support that is provided by the City of El Cajon each year allows us to provide services, programs and scholarships to hundreds of East County children. Annual support of our organization through donations and sponsorships enable us to provide quality afterschool programming and activities at very low cost (\$50 annually) to over 1,300 members at our El Cajon Clubhouse and El Cajon Teen Center.

We cannot provide services and programs to the children without the support and financial backing from strong community leaders like YOU; thank you!

Please consider renewing your annual support of the Clubs as a \$6,000 Educational Sponsor. Your funds will provide the underwriting for the educational aspect of our programming, provide mentor staff to support and supervise our youth during "Power Hour" and provide supplies to run the program. Your donation will provide 98 memberships, programs & staff for a year.

City of El Cajon will receive the following as the Education Sponsor of the Boys & Girls Club:

- Recognition as an Annual Campaign Sponsor (\$4,000) (7/1/18 & 6/1/2019)
- A foursome at Golf Day and tee sign (7/12/19)

Thank you again for your generosity to the children of the Boys & Girls Clubs of East County!  
Please contact me if you have any questions.

Sincerely,

Forrest Higgins III  
CEO

Tax ID#: 95-2088013





City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Extension of As-Needed Plan Check and Review Services

---

**RECOMMENDATION:**

That the City Council adopts the next resolution in order to authorize an amendment to the existing Agreement for Professional Services with Hunsaker & Associates San Diego, Inc. to extend for one-year in the annual amount of \$50,000, with the option to renew for three additional one-year terms to be approved by the City Manager.

**BACKGROUND:**

On March 21, 2017, the City Manager approved a pre-qualified list of professionals for on-call services covering multiple disciplines. The list is intended to provide staff the option to select firms offering professional services for as-needed tasks not exceeding \$50,000.

On December 20, 2017, the City of El Cajon entered into an Agreement for Professional Services with Hunsaker & Associates San Diego, Inc. for as-needed plan check and review services. This service is used for private development projects where plan reviews cannot be completed by staff in a timely manner or when the complexity of the project requires additional expertise. The existing agreement was for a term of one-year in the amount of \$50,000.

The Public Works Department is requesting an extension of one-year with options for up to three additional one-year renewal terms, each in the annual amount of \$50,000, for continued engineering plan submittals for ongoing land development projects.

**FISCAL IMPACT:**

The initial fiscal impact of this project was \$50,000. Sufficient funds are available in NPDES Compliance (650750) and Private Development (151330). Subsequent four-year costs are estimated to total \$200,000.

Prepared By: Nahid Razi, Purchasing Agent  
Reviewed By: Dirk Epperson, Director of Public Works  
Approved By: Graham Mitchell, City Manager

---

Attachments

Resolution

---

RESOLUTION NO.     -18

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON  
AUTHORIZING AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES  
AGREEMENT FOR PLAN CHECK AND REVIEW SERVICES TO EXTEND FOR  
FOUR ADDITIONAL ONE-YEAR OPTIONS

WHEREAS, on December 20, 2017, the City of El Cajon entered into an Agreement for Professional Services (the "Agreement") with Hunsaker & Associates San Diego, Inc., for as-needed plan check and review services; and

WHEREAS, the service is used for private development projects where plan reviews cannot be completed by staff in a timely manner or when the complexity of the project requires additional expertise; and

WHEREAS, the existing Agreement was for a term of one year in the amount of \$50,000; and

WHEREAS, Purchasing, in concurrence with the Director of Public Works, recommends extending the Agreement for continued engineering plan submittals for ongoing land development projects; and

WHEREAS, the City Council believes it to be in the best interests of the City to authorize the City, to extend the Agreement for one (1) additional year with options for three (3) additional renewal terms of one-year each, with each renewal term to be in the annual amount of \$50,000.

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 extension of the Agreement with Hunsaker & Associates San Diego, Inc., for as-needed plan check and review services in the annual amount of \$50,000, for a period of one (1) year, with options for three (3) additional renewal terms of one-year each. Each renewal term shall be in a not to exceed amount of \$50,000.

3. The Mayor and City Clerk are authorized and directed to execute an extension to the Agreement for said engineering plan submittals for ongoing land development projects on behalf of the City of El Cajon. The City Manager is hereby authorized to approve any or all of the three (3) optional renewal terms so long as the compensation paid to Hunsaker & Associates San Diego, Inc. shall not exceed \$50,000 for any of the renewal terms.



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** Delinquent Refuse Collection Charges

---

**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.

**BACKGROUND:**

On January 1, 1996, the City began mandatory trash service for all single-family residences. The City's agreement with its solid-waste hauler, Waste Management, allows Waste Management to bill for regular service with the City assuming responsibility for placing liens on delinquent accounts. This allows the City to use the enforcement power of a property lien, when necessary, to collect past due amounts. Additionally, the lien process is a cost-effective way for the City to ensure payment of delivered services.

Every four months, Waste Management provides the City with a list of properties that are delinquent in payments for refuse and recycling collection services. A customer is considered delinquent when their account is more than 120 days overdue with a minimum balance of \$40. In February, June, and November of each year, the City Council reviews the list of delinquencies and directs staff to record a lien on the delinquent properties. Residents have several opportunities prior to the lien process to reconcile their accounts, including advanced notice of the public hearing. Residents are able to pay their delinquent balance up to the day of the City Council Meeting.

Furthermore, the El Cajon Municipal Code allows for exemption from the mandatory refuse service with sufficient proof of use of a City-approved refuse and recyclables collection alternative. Residents may take their refuse to their private business located within the City limits of El Cajon or they may haul their refuse to the landfill and provide receipts for such service.

On October 10, 2018, 414 customers were sent a Final Notice of Delinquency, asking them to pay a combined total of \$56,974.47. As of November 1, 2018, 163 customers have paid, leaving a balance of 251 delinquent accounts for the City Council to consider totaling \$34,908.09.

**FISCAL IMPACT:**

As the City collects a 15% franchise fee for Waste Management services, the City's financial share of these delinquencies is approximately \$5,236.21. These funds are deposited into the General Fund.

Prepared By: Dennis Davies, Deputy Director of Public Works

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

Attachments

Resolution

Refuse Cover Page

---



RESOLUTION NO. \_\_\_-18

RESOLUTION APPROVING REPORT AND ACCOUNT OF  
DELINQUENT REFUSE COLLECTION SERVICE FEES AND CHARGES;  
AND CONFIRMING ASSESSMENTS AS LIENS PURSUANT TO  
CHAPTER 8.24 OF THE EL CAJON MUNICIPAL CODE

WHEREAS, pursuant to the provisions of Chapter 8.24 of the El Cajon Municipal Code, a public hearing was held on November 13, 2018, for the purpose of hearing objections or protests to a report and account of delinquent refuse collection service fees and charges; and

WHEREAS, protests and objections of the owners of the properties liable to be assessed for said delinquent charges have been heard and considered by said City Council, and said accounts have been approved as submitted.

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

1. In accordance with the provisions of Title 4, Division 3, Chapter 10, section 38791 and Title 3, Division 2, Chapter 8, section 25831 of the Government Code of the State of California, and section 8.24.090 of Chapter 8.24 of the El Cajon Municipal Code, the report and account of delinquent refuse collection service fees and charges (Exhibit "A") considered at the hearing held on November 13, 2018, on file in the office of the City Clerk, is approved, and the unpaid amounts designated in said report and account shall be a charge to the owners of the properties on the next regular tax bill, and shall be liens upon the properties involved.

2. The sums herein assessed remaining unpaid after thirty (30) days from the date of this resolution shall bear interest at the rate of seven percent (7%) per annum, as set forth in section 8.24.100 of Chapter 8.24 of the El Cajon Municipal Code.

3. The designation of said parcels is shown by Assessor's parcel numbers, and the initial amounts plus interest to be assessed and imposed as liens are designated thereafter on Exhibit "A," on file in the Office of the City Clerk.

4. Said liens shall be of no further force or effect upon the confirmation of the Tax Collector that said assessments have been added to the tax rolls.

5. The City Clerk is hereby directed to record a certified copy of this resolution and Exhibit "A" in the office of the County Recorder of San Diego County.

6. The City Clerk is hereby authorized to discharge and release any such lien when the claim under said lien has been fully satisfied.

**7. The decision in your matter is final on this date, and by this notice, you have 90 calendar days from the date of the mailing of this notice to seek judicial**

**review of this decision pursuant to California Code of Civil Procedure sections 1094.5 and 1094.6, and El Cajon Municipal Code Chapter 1.32.**

11/13/18 CC Agenda

Delinquent Refuse Liens (November 2018) 091818

**List of Delinquent Refuse  
Collection Accounts is  
Available for Review in the  
City Clerk's Office, 200  
Civic Center Way, El Cajon,  
CA 92020. (619) 441-1763**



## City Council Agenda Report

Agenda Item 11.

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** 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 RESOLUTIONS, in order, confirming the list of property owners as delinquent in the payment of their mandatory sewer 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.

### BACKGROUND:

In accordance with the requirements of Municipal Code section 13.44, a public hearing has been requested for the delinquent sewer service charges.

In March 2012, the City contracted with Global Water Management, Inc. (Fathom) to bill for sewer services with the City assuming responsibility for placing liens on delinquent accounts. This allows the City to use the enforcement power of a property lien, when necessary, to collect past due accounts. By utilizing a property lien rather than a collection agency or other recoupment procedure, the City is able to ensure the security of the wastewater funding for the operation and maintenance of our wastewater collections system, as well as costs associated with the transportation, treatment, and disposal of our wastewater by the City of San Diego. Additionally, the lien process is a cost effective way for the City to ensure payment of sewer services.

Every four months, Fathom provides the City with a list of properties that are delinquent in payments for sewer services. A customer is considered delinquent when their account is more than 30 days overdue with a minimum balance of \$50 for active accounts and a minimum of \$25 for closed accounts. In February, June, and November of each year, the City Council reviews the list of delinquencies and directs staff to record a lien on the delinquent properties. Residents have several opportunities prior to the lien process to reconcile their accounts, including advanced notice of the public hearing.

On October 11, 2018, 1,113 customers were sent a Final Notice of Delinquency, requesting that they pay a delinquent combined total amount of \$222,161. As of November 5, 2018, 501 customers have paid, leaving a balance of 612 accounts totaling \$170,796.04 for the City Council to consider. Each customer will also pay a 1.5% interest charge and an administrative fee of \$25 for the City's recording processing cost.

**FISCAL IMPACT:**

Failure to pay sewer bills impacts the City's ability to meet wastewater collection, treatment, and maintenance costs. There is no impact to the General Fund.

Prepared By: Monica Martinez, Sr. Management Analyst

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

Attachments

Resolution

Sewer Cover Page

---

RESOLUTION NO. \_\_-18

RESOLUTION APPROVING REPORT AND ACCOUNT OF  
SEWER SERVICE CHARGE DELINQUENCIES; AND  
CONFIRMING ASSESSMENTS AS LIENS PURSUANT TO  
CHAPTER 13.44 OF THE EL CAJON MUNICIPAL CODE

WHEREAS, pursuant to the provisions of Chapter 13.44 of the El Cajon Municipal Code, a public hearing was held on November 13, 2018, for the purpose of hearing objections or protests to a report and account of delinquent sewer service charges; and

WHEREAS, protests and objections of the owners of the property liable to be assessed for said delinquent charges have been heard and considered by said City Council, and said account has been approved as submitted.

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

1. In accordance with the provisions of section 13.44.100 of Chapter 13.44 of the El Cajon Municipal Code, the report and account of delinquent sewer service charges (Exhibit "A") considered at the hearing held on November 13, 2018, on file in the office of the City Clerk, is approved, and the unpaid amounts designated in said report and account shall be a charge to the owners of the property on the next regular tax bill, and shall be a lien upon the property involved.

2. The sums herein assessed remaining unpaid after thirty (30) days from the date of this resolution shall bear interest as set forth in section 13.44.110 of Chapter 13.44 of the El Cajon Municipal Code.

3. The designation of said parcels is shown by Assessor's parcel numbers, and the initial amount plus interest to be assessed and imposed as a lien is designated thereafter on Exhibit "A" on file in the Office of the City Clerk.

4. Said liens shall be of no further force or effect upon the confirmation of the Tax Collector that said assessments have been added to the tax rolls.

5. The City Clerk is hereby directed to record a certified copy of this resolution and Exhibit "A" in the office of the County Recorder of San Diego County.

6. The City Clerk is hereby authorized to discharge and release any such lien when the claim under said lien has been fully satisfied.

**7. The decision in your matter is final on this date, and by this notice, you have 90 calendar days from the date of the mailing of this notice to seek judicial review of this decision pursuant to California Code of Civil Procedure sections 1094.5 and 1094.6, and El Cajon Municipal Code Chapter 1.32.**

**List of Delinquent  
Sewer Collection  
Accounts is Available  
for Review in the  
City Clerk's Office,  
200 Civic Center Way,  
El Cajon, CA 92020  
619-441-1763**



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Frank Carson, Director of Recreation  
**SUBJECT:** National Recreation & Park Association 10-Minute Walk Grant Progress Update

---

**RECOMMENDATION:**

That the City Council receives an update on the National Recreation & Park Association (NRPA) 10-Minute Walk Grant.

**BACKGROUND:**

At its April 10, 2018 meeting, the City Council accepted a \$40,000 NRPA 10-Minute Walk Technical Assistance and Planning Grant. The NRPA, in partnership with the Trust for Public Land (TPL) and the Urban Land Institute (ULI), awarded twelve grants to cities in 2018. The City of El Cajon is the only city in California to be awarded the grant this year.

One way to increase access to parks is to work toward the goal of ensuring more households are within a 10-minute walk of a park. To help achieve this goal, the City was awarded the NRPA grant. An recent analysis shows that 44 percent of the City's households are currently within a 10-minute walk of a park.

City staff completed twelve site visits of pocket parks in the City of Los Angeles that are part of a pocket park network referred to as LA50 park program. The idea of the LA50 program is to create pocket parks in areas of Los Angeles that are "underparked" or do not have parks in the immediate area. City staff was able to observe successful factors and lessons learned from those parks to possibly emulate in El Cajon.

As part of the grant funding, the City is hiring a consultant to assist with community engagement, potential locations for future parks, funding, and maintenance needs. Ultimately, the consultant will assist with the creation of the 10-Minute Walk Plan. Between the months of November and January, staff will conduct stakeholder meetings within different areas of El Cajon that are currently "underparked" in an effort to seek input on how and where residents may want to participate in active recreational opportunities.

As part of this grant, the City will host national experts from the Urban Land Institute in early 2019 to receive their input on funding, maintenance, and connectivity. Staff aims to present to the City Council the final 10-Minute Walk plan in April 2019.



**FISCAL IMPACT:**

Grant funding was approved at the April 10, 2018 City Council meeting.

Prepared By: Frank Carson, Director of Recreation

Reviewed By:

Approved By: Graham Mitchell, City Manager

---



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** San Diego Forward: 2019-2050 Regional Plan - Projects and Transportation Network Concepts

---

**RECOMMENDATION:**

That the City Council identifies mobility concept priorities it wishes to communicate to SANDAG in preparation for the 2019-2050 San Diego Forward Regional Plan.

**BACKGROUND:**

San Diego Forward: The 2019-2050 Regional Plan will establish a vision of how the San Diego region will grow over the next 31 years. The Plan's vision focuses on three primary goals: Innovative Mobility & Planning, a Vibrant Economy, and Healthy Communities & Environment. From SANDAG's website, "Ultimately, the Plan will reflect a strategy for a more sustainable future which includes investing in a transportation network that will provide people more travel choices, protects the environment, creates healthy communities, and stimulates economic growth to benefit all San Diegans."

Policy objectives within the Plan provide a framework for actions required to achieve the Plan's vision. These objectives help policy makers allocate future resources. The Plan's six policy objectives include:

1. Mobility Choices,
2. Habitat & Open Space,
3. Regional Economy,
4. Partnerships & Collaboration,
5. Environmental Stewardship,
6. Healthy & Complete Communities.

SANDAG aims to gather public input on each of these policy objectives. Over the past few months, SANDAG has sought input on Mobility Choices through a series of workshops in various parts of the County—Mayor Wells helped host the workshop held in East County. During the workshops, SANDAG staff asked for feedback on three transportation or mobility concepts—Shared Mobility, Connected Corridors, and Policy Possibilities. The following provides an overview of each mobility concept.

*Shared Mobility* - This concept places an emphasis on mass transit and other shared transit opportunities such as rapid bus routes, increased frequency of trolley and buses, and expanded HOV lanes.

*Connected Corridors* - This concept focuses on highway improvements—increasing lanes, focusing on interchanges, and connecting a system of managed and HOV lanes.

*Policy Possibilities* - This concept emphasizes the use of technologies, policies, and programs to more effectively manage the existing transportation network. Examples include reduced fares for transit, tolled lanes, parking pricing, automated vehicles, and smart intersections.

At the mobility workshops, various groups have lobbied for these concepts and for targeted improvements (i.e. widen SR-125 or improve the I-8/SR-67 interchange). At this time, SANDAG is not focusing on specific projects. Rather, the Board's upcoming focus will be on the appropriate allocation of resources for each of the three concepts described in this report; these priorities will then influence the allocation of specific projects in the future.

The San Diego East County Chamber of Commerce and the San Diego East County Economic Development Council (ECEDC) have provided feedback to SANDAG—each organization's letters are attached. In summary, the letters encourage SANDAG to consider concepts that support the movement of goods, services, and commuter to and through the East County subregion. The ECEDC letter points out the challenge of first/last mile gaps with existing transit hubs. Both organizations call for needed improvements to the subregion's highway system, especially to several of the severely impacted choke points in East County. The organizations encouraged SANDAG to prioritize six specific projects:

- Additional lanes on SR-54 from I-5 to SR-125,
- Improvements to the SR-125/SR-94 Interchange,
- Additional lanes on SR-125 from SR-54 to I-8,
- SR-67 lane expansion from Maplevue Drive to Dye Road,
- Additional lanes on I-8 from 2<sup>nd</sup> Street and Los Coches Road, and
- Additional lanes on SR-94 to Avocado Avenue.

Staff believes that it will be helpful to SANDAG and to those representing the City at SANDAG to understand the Council's priorities related to the three mobility concepts as the San Diego Forward Regional Plan is being drafted.

Prepared By: Graham Mitchell, City Manager

Reviewed By:

Approved By: Graham Mitchell, City Manager

---

#### Attachments

ECEDC Letter (Oct 29, 2018)

Chamber Letter (Oct 17, 2018)

---



## *San Diego East County Economic Development Council*

---

October 29, 2018

Board of Directors  
San Diego Association of Governments (SANDAG)  
401 B Street, Suite 800  
San Diego, California 92101

### **Regarding San Diego Forward: 2019-2050 Regional Plan – Projects and Transportation Network Concepts**

Dear SANDAG Board of Directors:

Given the goals of three Network Concepts put forth in the 2019 Update to the CA Forward Regional Transportation Plan (RTP) -- Shared Mobility, Connected Corridors, and Policy Possibilities – East County EDC is writing you to request consideration for transportation projects that will support the movement of goods and services and improve the quality of life for residents who commute through and to the East County subregion.

San Diego East County has a population of 480,462 people in the urban core areas. Its residents contribute to regional transportation tax revenues that SANDAG manages. The East sub-region includes the cities of La Mesa, Lemon Grove, El Cajon, and Santee and the unincorporated communities of Lakeside, Alpine, Crest, Rancho San Diego, Spring Valley and Jamul. Additionally, many citizens who live further east-- in rural communities like Campo, Boulevard, and Ramona -- require transportation routes to commute daily and escape seasonal fires.

East County has its share of transit and active transportation vectors. The Green Line links Santee to downtown San Diego. The Orange Line connects El Cajon, La Mesa, and Lemon Grove to San Diego's downtown as well. There are MTS Bus Services for the East County Region and a Bus Transit Center located in the City of El Cajon. (There are, however, existing challenges for the first/last mile at all of these transit hubs.) East County boasts many existing bike lanes and trails that crisscross the region. What the East County lacks: effective, efficient, connections by freeway and highway that improve truck and car travel times.

The East County subregion desperately needs improvements to the freeway and highway system, especially at key choke points that make commute times substantially longer and result in reduced productivity. The East County Region is home to some significant employment centers including the first tri-jurisdiction Special Use Center, around the Gillespie Field Airport, ever to be designated on the SANDAG Smart Growth Concept Map. This industrial area, that includes the Cities of El Cajon and Santee and County unincorporated land -- along with other employment centers in Lakeside, Lemon Grove, Spring Valley and La Mesa -- require access for workers as well to support the movement of goods and services.

127 East Lexington Avenue  
El Cajon, CA 92020  
P. (619) 258-3670  
[www.eastcountyedc.org](http://www.eastcountyedc.org)



## San Diego East County Economic Development Council

---

In May 2016, at East County EDC's request, SANDAG conducted a study entitled, *East County: Where We Live, Where We Work*. That study showed that fully 73 percent of East County's working residents leave the East County subregion, each Monday to Friday, to travel elsewhere to work. That jobs-housing imbalance is the worst in San Diego County. East County EDC, under separate cover, intends to request that SANDAG support an effort to understand what types of transportation and other infrastructure investment could spur the growth of employment centers where people already live, thereby reducing Vehicle Miles Traveled (VMTs), increasing economic productivity and goods movement, and vastly improve quality of life.

The San Diego East County Economic Development Council, along with the San Diego East County Chamber of Commerce and our local community Chambers, strongly recommend completing most of the projects currently under consideration in the San Diego Forward Plan for the San Diego East County Region. We are especially concerned about improving the movement of commercial goods and services on our highways and in helping commuters through transit and highways to reach their work locations. East County EDC supports, and recommends, the following projects be completed, in order of priority:

1. SR 54 from I-5 to SR 125 -- Add lanes
2. SR125 – SR94 Connector for South to East interchange
3. SR125 improvement SR54 to I-8 -- Add lanes
4. SR67 Lane expansion from Maplevue Street to Dye Road
5. I-8 add 2 lanes between 2<sup>nd</sup> Street and Los Coches Road
6. SR94 to Avocado add two lanes

We request that SANDAG seriously consider including all these projects in the San Diego Forward Plan. Please consider this request on behalf of the more than 6,000 businesses and 480,462 residents that East County EDC as well as East County's Regional and local Chambers, local government officials, and regional SANDAG Board Members.

If you have any questions or need additional information about our support of this project, please call me at (619) 258-3670 or email [jo-marie.diamond@eastcountyedc.org](mailto:jo-marie.diamond@eastcountyedc.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Marie Diamond".

Jo Marie Diamond  
President and CEO

127 East Lexington Avenue  
El Cajon, CA 92020  
P. (619) 258-3670  
[www.eastcountyedc.org](http://www.eastcountyedc.org)



October 17<sup>th</sup>, 2018

**Regarding San Diego Forward: 2019-2050 Regional Plan – Projects and Transportation Network Concepts**

To the SANDAG Board of Directors:

With the goals of Shared Mobility and Connected Corridors in mind, the San Diego East County Region requests consideration for all transportation projects that will improve the movement of commerce and quality of life for residents who commute through and to the San Diego East County Region.

San Diego East County has a population of 480,462 people in the urban core areas. These are people who contribute to the regional transportation tax revenues benefitting SANDAG. The Region includes the cities of Lemon Grove, La Mesa, El Cajon, Santee and the unincorporated communities of Lakeside, Alpine, Crest, Rancho San Diego, Spring Valley and Jamul. Additionally, there are many citizens who live further east in the rural communities located in the county who need access for their daily commute and to escape seasonal fires.

The Trolley connects our cities, MTS Bus Services are in the East County Region and a major Bus Transit Center is in the City of El Cajon. There are many existing bike lanes and trails in the region. What the East County lacks is effective connections through our freeways, highways and roadways that improves commuter travel times and the movement of goods and services.

As a region we must have improvements to the freeway and highway system especially at key choke points that make commute times substantially longer and results in reduced productivity. The East County Region also includes major work centers that are increasing in employment and businesses particularly around Gillespie Air Field in the Cities of El Cajon and Santee and industrial centers in Lakeside, Lemon Grove, Spring Valley and La Mesa and the growing communities of Rancho San Diego, Alpine, Lakeside, and Ramona.

The San Diego East County Chamber of Commerce, the San Diego East County Economic Development Council, and our local Community Chambers strongly recommend completing the projects recommended in the San Diego Forward Plan for the San Diego East County Region. We are especially concerned about improving the movement of commercial goods and services on our highways and in helping residents effectively commute to their places of work. The projects we strongly recommend being included in the new San Diego Forward Plan are:

1. **SR 52** from I-5 to SR 125 add lanes and all **SR52** Improvements referenced in SD Forward Plan
2. **SR125 – SR94** Connector for South to East interchange and improvements recommended in plan
3. **SR67** Lane expansion from Mapleview St. to Dye Road and all improvements recommended in plan
4. **I-8** add 2 lanes between 2<sup>nd</sup> St. & Los Coches Rd. and all recommended in plan
5. **SR94** All Improvements recommended in plan
6. **SR78** Add lanes & Connectors and improvements recommended in plan

On behalf of the more than 8,000 businesses and 480,462 residents in the East County Region, and from our local Chambers of Commerce, the ECEDC, local government officials and regional SANDAG Board Members we strongly urge SANDAG include all the projects in the San Diego Forward Regional Plan relating to vehicle travel on roads, highways and freeways for the San Diego East County Region.

Sincerely,

Eric J. Lund  
President, CEO

San Diego East County Chamber of Commerce  
201 S. Magnolia Ave., El Cajon, CA 92020 – 619.440.6161 – [www.eastcountychamber.org](http://www.eastcountychamber.org)



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Morgan Foley, City Attorney  
**SUBJECT:** Introduction of Ordinance Amending Section 2.56.030 of Chapter 2.56 and Adding Chapter 12.06 to the El Cajon Municipal Code Regulating Vending on City Sidewalks

---

**RECOMMENDATION:**

That the City Council considers approving the attached ordinance amending section 2.56.030 of Chapter 2.56 and adding Chapter 12.06 to the El Cajon Municipal Code regulating vending on city sidewalks, and, if approved, take the following action:

1. By Motion and Second, move to introduce the ordinance, and
2. Direct the City Clerk to read the title of the ordinance.

**BACKGROUND:**

Recent legislation signed into law by Governor Brown (SB 946) will change the way cities can control the use of their sidewalks and portions of their parks by persons vending products beginning January 1, 2019. SB 946 prohibits the regulation of sidewalk vendors by cities unless the city's regulations are in accordance with that legislation. SB 946 also decriminalizes violations of a city's ordinances that regulate sidewalk vending, instead limiting violations to administrative citations, and further limiting the maximum amount of administrative fines that may be imposed for such violations. Sidewalk vendors are both stationary (i.e., persons who take up space on a city sidewalk or a pedestrian path in a city park, in order to sell merchandise or foodstuff from tables, stationary carts, or spread upon the sidewalk) or roaming (i.e., mobile, using a pushcart, wagon, or carrying the merchandise of foodstuff while traversing the sidewalk or path).

Staff has made a detailed review of SB 946 to determine how the city should best implement legally permissible regulations. Such a review has resulted in the proposed ordinance included with this report.

SB 946 requires that any local regulation of sidewalk vendors must be directly related to objective health, safety, or welfare concerns. Other grounds for regulation can be to ensure the public's use and enjoyment of natural resources and recreational opportunities in parks and to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic natural character of a park. Further, while the city cannot limit the number of sidewalk vendors utilizing the city's sidewalks and pedestrian pathways in parks, the city can impose reasonable time, place, and manner restrictions, but only those that directly relate to objective health, safety, or welfare concerns.

The proposed ordinance adds Chapter 12.06 to the El Cajon Municipal Code to regulate sidewalk vendors based on objective concerns for the unrestricted use of the city's public rights-of-way, parks, and facilities by both stationary and roaming sidewalk vendors. Such threats include the potential of fires with unregulated cooking or heating of food; blocking or otherwise restricting use of sidewalks by pedestrians; blocking or impeding the use of driveways, pedestrian access ramps, doorways, and safe parking of vehicles; interfering with the intended and designated recreational uses of parks and playgrounds; conflicts with those persons with disabilities and traveling on sidewalks and pedestrian paths, and recreating in city parks; noise in residential zones at unreasonable hours. The regulations, established by this chapter, are directly related to addressing such objective health, safety, and welfare concerns.

The ordinance requires certain changes to Chapter 2.56, as well, in order to prevent any conflict with SB 946. These minor changes are necessary to allow activities previously prohibited in the city's parks.

Note that SB 946 does not require the city to allow sidewalk vendors to operate on rights-of-way other than city sidewalks, or designated pedestrian paths in parks. The proposed ordinance makes it clear that other than on sidewalks and pedestrian paths, no vending is allowed. SB 946 also allows the city to regulate vendors by prohibiting them from areas occupied by a certified farmers' market, or those subject to a temporary use permit; and to prohibit them in parks where the city has entered into an exclusive concessionaire agreement. While hours of operations must be consistent with other business activities in a commercial setting, the city can restrict hours of operation in residential zones in order to protect the welfare of residents, including excessive noise.

The proposed ordinance will establish a sidewalk vendor's license, to be implemented by the Public Works Department. This license is in addition to the requirement that the vendors obtain and possess a city business license and, for those selling food, the appropriate permits from the County Department of Environmental Health. Staff will present a resolution to add the sidewalk vendor's license fee to the city's existing fee resolution, once the amount of the fee is determined. That resolution will be on the December 4, 2018 City Council Agenda.

The Public Works Department will also provide information to vendors reflecting the restrictions for vending, including the location of sidewalks and pedestrian paths of sufficient size to allow for the safety of pedestrians and those with disabilities. Staff has determined that in commercial settings, the minimum width of sidewalks should be ten feet (10') in order to allow the least conflict between pedestrians and vendors. For residential areas, where only roaming sidewalk vendors are permitted, the minimum width allowed for vending is recommended to be four feet (4'), which is the typical sidewalk width in those zones.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed project is exempt from CEQA under section 15061(b)(3)(General Rule) of CEQA Guidelines where it can be seen with certainty the project does not have the potential to cause a significant effect on the environment.



**FISCAL IMPACT:**

Unknown. The fee for licensing sidewalk vendors will reduce the impact of costs of implementing the ordinance to some degree.

---

---

**Attachments**

Sidewalk Vending Ordinance

---

---

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 12  
OF THE EL CAJON MUNICIPAL CODE  
TO AMEND SECTION 2.56.030 OF CHAPTER 2.56 OF  
THE EL CAJON MUNICIPAL CODE AND  
TO ADD CHAPTER 12.06 TO THE EL CAJON  
MUNICIPAL CODE REGARDING VENDING  
ON CITY SIDEWALKS AND PEDESTRIAN PATHWAYS

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

Section 1. Subsections (F), (H), and paragraph (2) of subsection (Z), of section 2.56.030 of the El Cajon Municipal Code, are hereby repealed.

Section 2. Subsection (F) is hereby added to section 2.56.030 of Chapter 2.56 of Title 2 of the El Cajon Municipal Code to read as follows:

4. No person shall throw or deposit any commercial or noncommercial handbill circulars, pamphlets, tracts, or advertisements in or upon any sidewalk, street or other public place within the city. Nothing herein shall prevent any person from handing out, distributing, or selling any commercial handbill on any public sidewalk or pedestrian pathway in conformance with Chapter 12.06 of this code provided, however, that no person shall hand out, distribute, or sell any commercial handbill in any other public place not allowed by Chapter 12.06. Further, it is not unlawful on any sidewalk, street, pedestrian pathway, or other public place within the city for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it. No person shall post or affix to any pole, tree, car, fence or structure situated therein any kind of handbill, circular, pamphlet, tract, or advertisement;

Section 3. Subsection (H) is hereby added to section 2.56.030 of Chapter 2.56 of Title 2 of the El Cajon Municipal Code to read as follows:

H. Vend, offer for sale or dispose of goods, wares or merchandise, or conduct any business unless authorized to do so by Chapter 12.06, or by the city council or designee, except that nothing in this provision shall prohibit religious or political solicitations;

Section 4. Paragraph (2) of subsection (Z) is hereby added to section 2.56.030 of Chapter 2.56 of Title 2 of the El Cajon Municipal Code to read as follows:

2. This prohibition does not apply to (a) community events in accordance with Chapter 5.52; (b) to a city council sponsored

community event; (c) sidewalk vendors in accordance with Chapter 12.06; (d) nor to those who have obtained the necessary permit to hold an event at a city recreation center, East County Performing Arts Center, or the Community Center.

Section 5. Subsection (F) is hereby added to section 2.56.030 of Chapter 2.56 of Title 2 of the El Cajon Municipal Code to read as follows:

Section 6. Chapter 12.06 is hereby added to Title 12 of the El Cajon Municipal Code as follows:

Section 12.06.010 Purpose and intent.

The city of El Cajon hereby finds and determines that the unrestricted use of the city's public rights-of-way, parks, and facilities by both stationary and roaming sidewalk vendors poses a serious and objective threat to the health, safety, and welfare of persons utilizing such public facilities for their intended purposes. Such threats include the potential of fires with unregulated cooking or heating of food; blocking or otherwise restricting use of sidewalks by pedestrians; blocking or impeding the use of driveways, pedestrian access ramps, doorways, and safe parking of vehicles; interfering with the intended and designated recreational uses of parks and playgrounds; conflicts with those persons with disabilities and traveling on sidewalks and pedestrian paths, and recreating in city parks; noise in residential zones at unreasonable hours. Accordingly, the city finds that those regulations, established by this chapter, are directly related to addressing such objective health, safety, and welfare concerns.

Section 12.06.020 Definitions.

The following definitions shall be applicable when the following words or phrases are used hereafter in this chapter whether the words or phrases are capitalized or not.

**"Driveway"** means any approved curb cut designed to allow vehicular traffic ingress from or egress to or from a street or alley.

**"Immediate vicinity,"** for the purposes of this chapter, means the public sidewalk or pedestrian path area next to, and having access to an area being used by a properly permitted certified farmers' market, swap meet, parade, or other event having obtained a temporary special use permit for the occupation of an area in a park, on city property, or in a city street or alley.

**"Pedestrian path"** means an improved pathway within a city park designed and constructed to allow pedestrian traffic to circulate within the park from a public sidewalk or parking lot, to other locations within the park.

**"Public sidewalk"** means that portion of public right-of-way improved with an impervious surface to allow pedestrian traffic, including wheelchairs (whether motorized or self-propelled), to traverse adjacent to a street or alley. Public sidewalk does not

include any portion of a street or alley, and (except as otherwise provided in this chapter) does not include improved walkways located on public property used to access public buildings, not otherwise located in a dedicated right-of-way. Notwithstanding the foregoing, a public sidewalk shall include any pedestrian path located in any park owned or operated by the city.

**“Ramp”** means any transition from the street to a public sidewalk designed to allow the safe movement of wheelchairs and pedestrians.

**“Roaming sidewalk vendor”** means a sidewalk vendor who moves from place to place, stopping only to complete a transaction.

**“Sidewalk vendor”** means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path. A sidewalk vendor is either a stationary sidewalk vendor or a roaming sidewalk vendor.

**“Sidewalk vendor’s license,”** or “license” shall mean that certain regulatory license established under subdivision (B) of section 12.06.030. The license shall be in addition to any other licenses or permits required by the city or San Diego County.

**“Stationary sidewalk vendor”** means a sidewalk vendor who vends from a fixed location on a public sidewalk or pedestrian path.

**“Temporary special use permit”** means a community event permit, as defined in Chapter 5.52, and temporary use permit, as defined in Chapter 17.75. Any holder of a temporary special use permit that is required to provide notice, business interruption mitigation, or other rights to affected businesses and property owners must also provide the same notice, business interruption mitigation, or other rights to properly licensed sidewalk vendors.

Section 12.06.030 Licenses required.

- A. It is unlawful for any person to engage in, conduct, carry on, or allow to be engaged in, conducted, or carried on, any business as a stationary sidewalk vendor or a roaming sidewalk vendor without having first obtained a business license pursuant to Chapters 5.04 and 5.08 of this code, a sidewalk vendor’s license from the public works department pursuant to this section 12.06.030 (B); and a seller’s permit issued by the California Department of Tax and Fee Administration. If the sidewalk vendor is selling food, it shall also comply with Chapter 8.12 and obtain the necessary health-related permit from the County of San Diego Department of Environmental Health.

- B. In order to regulate the activities of sidewalk vendors in the city, a sidewalk vendor's license is hereby created.
1. A sidewalk vendor's license shall be issued by the public works department upon application of any person.
  2. The cost of a sidewalk vendor's license shall be set forth by resolution of the city council from time to time, and may be included in the city's list of rates, fees, and charges.
  3. The director of the public works department, or such person designated by the director of public works, shall issue the license to an applicant upon receipt of such fees, information, and copies of such documents required in this chapter.
  4. The license shall at all times be prominently displayed on the person, pushcart, stand, display, pedal-driven cart, wagon, showcase, rack or other non-motorized conveyance.
  5. If a license is lost, stolen, or damaged, the sidewalk vendor shall not conduct business without first obtaining a temporary license from the public works department to be displayed as described in paragraph (4), above. The department may charge a fee for the replacement of a lost, stolen, or damaged license, which fee shall not exceed the costs of the department in processing the temporary and replacement licenses.
  6. Each license shall be valid for a period of twelve (12) months.
- C. In issuing a business license to a sidewalk vendor, the department of finance shall accept either a California driver's license or identification number, or an individual taxpayer number in lieu of a social security number if the department of finance otherwise requires a social security number prior to the issuance of a business license.
- D. This chapter does not relieve any license holder from compliance with any requirement of any ordinance, rule, regulation, or specification of the city.

Section 12.06.040 Sidewalk vending operating requirements.

All stationary sidewalk vendors or roaming sidewalk vendors shall comply with the following requirements:

- A. Except as otherwise provided in this chapter, stationary sidewalk vendors and roaming sidewalk vendors may only conduct transactions on public sidewalks in the public right-of-way, and on pedestrian paths in parks owned or operated by the city.
- B. Stationary sidewalk vendors shall only be located on public sidewalks and pedestrian paths of not less than ten feet (10') in width measured from the street-side edge of the sidewalk or from edge to edge of the path.

- C. Roaming sidewalk vendors may travel on public sidewalks and pedestrian paths of not less than four feet (4') in width measured from the street-side edge of the sidewalk or from edge to edge of the path while moving. Roaming sidewalk vendors stopping to conduct a transaction must do so only where the sidewalk or path is ten feet (10') in width or must yield to pedestrian traffic in conflict with the conduct of their business.
- D. Operations of stationary sidewalk vendors on a public sidewalk shall only occur during the hours of 8:00 a.m. and 12:00 a.m. of the following day.
- E. Operations of stationary sidewalk vendors are prohibited in the O-S, PRD, RS-40, RS-20, RS-14, RS-9, RS-6, RM-6000, RM-4300, RM-2500, RM-2200, RM-1450, and RM-HR zones.
- F. Operations of roaming sidewalk vendors may occur in the O-S, PRD, RS-40, RS-20, RS-14, RS-9, RS-6, RM-6000, RM-4300, RM-2500, RM-2200, RM-1450, and RM-HR zones, but only occur during the hours of 7:00 a.m. and 7:00 p.m.
- G. Operations of sidewalk vendors in public parks shall only occur on the pedestrian path, or a public sidewalk, and only during the period that the park is open. In order to protect the fragile nature of greenspace in parks, sidewalk vendors conduct all activities from a public sidewalk or pedestrian path.
- H. In order to limit obstructions caused by a congregation of customers during periods of operations, and to clearly delineate responsibilities in operation, sidewalk vendors shall be located not closer than twenty feet (20') from another sidewalk vendor.
- I. In order to reduce vector, rodent, and other pest infestations, stationary sidewalk vendors shall be responsible for the cleanliness of the area within ten feet (10') of their operations. Stationary sidewalk vendors shall provide a means to collect and properly dispose of all trash and recycling materials, including owning and making available appropriate trash and recycling receptacles. Roaming sidewalk vendors shall have trash bags attached to their cart or carried by the vendor sufficient to provide for the collection of such trash or recycling materials generated by the type of goods, produce, pre-packaged goods, etc., being sold from the vendor. All sidewalk vendors shall provide the city with an acceptable plan for collection and disposal of wastes at the time that an application for those permits required by this chapter, which plan must be approved by the Director of Public Works or such person designated by the Director of Public Works. Such plans must include the means for avoiding the use of city-owned trash and recycling receptacles.

- J. No sidewalk vending is allowed within the immediate vicinity of any permitted certified farmers' market or permitted swap meet in the city. No sidewalk vending is allowed within the immediate vicinity of any street or alley, park, plaza, parking lot, or city-owned property, in any event that is being used by the city or a third party under a temporary special use permit. No sidewalk vending is allowed in any park where the city has signed an agreement with a concessionaire for the exclusive right to sell food or merchandise in the park.
- K. No sidewalk vendor shall sell any alcohol-related beverage; tobacco or electronic vaping products; cannabis products; weapons, including knives, guns, or explosive devices; pharmaceuticals; items described in the definition of adult entertainment activities in Chapter 17.45 of this code; or such other products identified in a list adopted by resolution or ordinance of the city council as prohibited for sidewalk vending based on public health, safety, or welfare concerns.

Section 12.06.050 Enforcement.

The provisions of this chapter shall be enforced by the fire marshal, any police officer, any code compliance officer, and any other city official authorized to enforce any provision of the Municipal Code.

Section 12.06.060 Violation; penalties.

- A. Notwithstanding any provisions in section 1.24.020 of this code, no person shall be subject to any criminal prosecution as a result of a violation of this chapter.
- B. Except as provided in subsections (C) and (D), in this section, any person violating any provision of this chapter may be issued an administrative citation for each and every violation, in the manner as prescribed in sections 1.14.010 through 1.14.060 of Chapter 1.14 of the El Cajon Municipal Code.
- C. Notwithstanding any provisions in section 1.14.070 of Chapter 1.14, no administrative fine shall exceed \$500.00 for any violation of section 12.06.040.
- D. Notwithstanding any provisions in section 1.14.070 of Chapter 1.14, for any violation of section 12.06.030, the amount of administrative fine, which may be imposed for each separate violation of the same provision of the code, shall be established by resolution of the city council within the following limits:
  - 1. For a first violation, a fine not to exceed two hundred fifty dollars per

day, per violation;

2. For a second violation of the same code section within a twelve-month period, a fine not to exceed five hundred dollars per day, per violation; and
3. For any additional violation of the same code section within a twelve-month period, a fine not to exceed one thousand dollars per day, per violation.

E. Sections 1.14.080 through 1.14.150 shall apply to any administrative citation issued to enforce this chapter.

#### Section 12.06.070 Public Nuisance and Abatement.

The placement of any vending cart on any sidewalk in violation of the provisions of this chapter is declared to be a public nuisance. The Director of Public Works may cause the removal of any vending cart found on a sidewalk in violation of this chapter and is authorized to store such vending cart until the owner thereof shall redeem it by paying the removal and storage charges established by resolution of the city council.

Section 7. That based upon said findings of fact set forth in section 2 of this ordinance, the El Cajon City Council hereby approves the amendments of Chapter 2.56, and to Title 12 of the ECMC to add Chapter 12.06 as set out herein.

Section 8. This ordinance shall become effective thirty (30) days following its passage and adoption.

11/13/18 CC Agenda – 1<sup>st</sup> Reading  
12/11/18 CC Agenda – 2<sup>nd</sup> Reading

Vending on City Sidewalks Ord 110618





City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Wells  
**SUBJECT:** Council Activity Report

---

**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:

- October 25, 2018 - Employee Appreciation Luncheon
- October 25, 2018 - Crosspoint Church
- October 26, 2018 - SANDAG Board Meeting
- October 26, 2018 - El Cajon Valley High School Field Dedication
- October 27, 2018 - Meeting with Boy Scouts
- November 2, 2018 - SANDAG Independent Performance Auditor Meeting
- November 2, 2018 - SANDAG Executive Committee Meeting
- November 3, 2018 - SonShine Haven Dinner
- November 13, 2018 - City Council Meeting(s)

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

Submitted By: Bill Wells, Mayor

---



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Pro Tem Kendrick  
**SUBJECT: MAYOR PRO TEM GARY KENDRICK**  
METRO Commission/Wastewater JPA; Heartland Communications;  
Heartland Fire Training JPA.

---

**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:

October 25, 2018 - Metro JPA Special Meeting  
November 3, 2018 - Recreation Council Dinner  
November 13, 2018 - City Council Meeting(s)

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

Submitted By: Gary Kendrick, Mayor Pro Tem

---



City Council  
Agenda Report

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gary Kendrick, Councilmember  
**SUBJECT:** Contract with East County Transitional Living Center for Neighborhood Cleanup Services

---

**RECOMMENDATION:**

That the City Council directs staff to investigate the possibility of contracting with the East County Transitional Living Center to assist in providing neighborhood cleanup services.

**BACKGROUND:**

City staff currently removes trash and bulky items discarded in alleys, parks, and on sidewalks. There has been a growing demand for additional cleanup. The East County Transitional Living Center (ECTLC) is currently providing cleanup services for the Downtown Partnership. I believe that there is a benefit to explore the possibility of expanding ECTLC's work to provide a cleanup service to other areas of need within the City. This expanded partnership will benefit the City, result in cleaner neighborhoods, and provide employment opportunities for those enrolled with ECTLC.

I recommend that the City Council support this concept and direct staff to bring back an agreement for a pilot program with ECTLC to provide cleanup services and identify the funding for the pilot period.

Prepared By: Gary Kendrick, City Councilmember

Reviewed By:

Approved By: N/A

---



City Council  
Agenda Report

**DATE:** November 13, 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 – Alternate.

---

**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:

- November 8, 2018 - MTS Board Meeting
- November 8, 2018 - East County Transitional Living Center Event
- November 11, 2018 - City of El Cajon Veterans Day Program
- November 13, 2018 - City Council Meeting(s)

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

Submitted By: Bob McClellan, Councilmember

---



City Council  
Agenda Report

Agenda Item 20.

**DATE:** November 13, 2018  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Councilmember Kalasho  
**SUBJECT:** **COUNCILMEMBER BEN KALASHO**

---

**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:

Nothing to report.

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

Submitted By: Ben Kalasho, Councilmember

---



## City Council Agenda Report

Agenda Item 21.

**DATE:** November 13, 2018

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Councilmember Goble

**SUBJECT: COUNCILMEMBER STEVE GOBLE**

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

---

**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:

- October 24, 2018 - Ribbon Cutting iWash Car Wash
- October 25, 2018 - City Employee Appreciation Luncheon
- October 26, 2018 - Lunch w/ N. Riordan/Kroc Institute for Peace
- October 27, 2018 - Community Group Trash Pickup
- October 30, 2018 - Ribbon Cutting Blendees
- November 1, 2018 - Respond to Resident's Concern re: Bus Service
- November 2, 2018 - Chamber First Friday Breakfast
- November 2, 2018 - Ribbon Cutting MI-BOX
- November 2, 2018 - Friends of El Cajon Library Event
- November 3, 2018 - Community Group Trash Pickup
- November 3, 2018 - Mauzy Home Services Flag Dedication
- November 5, 2018 - El Cajon Citizen of the Year Planning Meeting
- November 5, 2018 - Call w/ City Attorney re: Dispensaries
- November 5, 2018 - Respond to Resident's Concern re: Dispensaries
- November 8, 2018 - East County Transitional Living Center Dinner
- November 10, 2018 - Community Group Trash Pickup

November 11, 2018 - Veterans' Day Event  
November 12, 2018 - Meeting w/ City Manager  
November 13, 2018 - City Council Meeting(s)

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

Submitted By: Steve Goble, Councilmember

---