

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

January 8, 2019

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, January 8, 2019, 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

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

PLEDGE OF ALLEGIANCE TO FLAG led by Deputy Mayor Goble 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 December 11, 2018, Meeting and the Agenda of the January 8, 2019, Meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- **Presentation: U.S. Census Bureau**
- **Presentation: Forester Creek - San Diego River Park Foundation**
- **Presentation: International Rescue Committee**

To accommodate a request from members of the media, Mayor Wells moved Item 17 up, for discussion.

ORDINANCES: SECOND READING AND ADOPTION

17. Ordinance Amending Titles 1, 9, 10 and 12, and adding a New Chapter 10.26 to the El Cajon Municipal Code addressing Dockless Vehicles

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

DISCUSSION

City Clerk Aguirre recited the title of the ordinance.

An Ordinance Amending Titles 1, 9, 10 and 12 and adding a New Chapter 10.26 to the El Cajon Municipal Code addressing Dockless Vehicles.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to ADOPT Ordinance No. 5076, Amending Titles 1, 9, 10 and 12 and adding Chapter 10.26 to the El Cajon Municipal Code.

MOTION CARRIED BY UNANIMOUS VOTE.

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 7)

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

Approves Minutes of the December 11, 2018, Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

CONSENT ITEMS: (Continued)

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. U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Award for 2017 and 2018

1. Authorizes the City Manager or designee to accept the 2017 United States Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$27,424 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
2. Authorizes the City Manager or designee to accept the 2018 JAG in the amount of \$26,964 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
3. Appropriates \$27,424 for the 2017 JAG to purchase six 40mm Less than Lethal Launchers and six WRAP Safe Restraint Systems for the Patrol Division.
4. Appropriates \$26,964 for the 2018 JAG to purchase a TRUAIR Ductless Fume Hood and a Crime-Lite 82S UV-VIS-IR Camera for the Forensic lab and four 40mm Less than Lethal Launchers for the Patrol Division.

5. Street Light - Transit Facility Improvements Project Acceptance

1. Accepts the Street Light - Transit Facility Improvements 2018 Project, PW3632 (Bid No. 024-18); and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

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CONSENT ITEMS: (Continued)

6. CalRecycle Beverage Container Recycling Program

1. Adopts the Resolution No. 001-19, and authorizes the City Manager to apply for Beverage Container Recycling City/County Payment Program funds in the amount of \$26,286 from the State of California Department of Resources Recycling and Recovery;
2. Appropriates Beverage Container Recycling City/County Payment Program funds in the amount of \$26,286 for Recycled Beverage Container diversion; and
3. Authorizes the City Manager, or such person designated by the City Manager, to execute the Payment Program agreement and all such other documents necessary to obtain the Beverage Container Recycling funds, in such form as approved by the City Manager with approval of the City Attorney.

7. Purchase of Fire Engine

That the City Council adopts the next resolution in order and authorizes the Purchasing Agent, in accordance with Municipal Code 3.20.010(C)(5), to execute an agreement with Pierce Manufacturing, Inc. for the purchase of a Pierce Triple Combination Pumper in the amount of \$758,566.37.

DISCUSSION

Fire Chief, Steve Swaney, provided a summary of the item.

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

- Being conservative in spending without sacrificing public service;
- Additional clarification is requested on the needs, and how this purchase may effect emergency response;
- Age of current fire truck;
- Reserve engines being used as front line apparatuses;
- Front line apparatuses continually being used to assist other agencies during emergency wild fires;
- Purchased at the same time, if we wait for it to break, we'll have to need to replace two other engines in the near future.

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CONSENT ITEMS: (Item 7 - Continued)

MOTION BY WELLS, SECOND BY KENDRICK to ADOPT Resolution No. 002-19, and AUTHORIZE the Purchasing Agent, in accordance with Municipal Code 3.20.010 (C)(5), to execute an agreement with Pierce Manufacturing, Inc. for the purchase of a Pierce Triple Combination Pumper in the amount of \$758,566.37.

**MOTION CARRIED BY 4-0 VOTE
(KALASHO – Abstained).**

MOTION BY WELLS, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 6.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Dolores Landers spoke in reference to a violation of Title 17.115, in her neighborhood, concerning non-operational vehicles in a private property. Ms. Landers provided pictures of the property to the Council on the situation.

Julio Molina representing Walgreen's on Second Street, spoke about the homeless situation in the area. **Mayor Wells** invited Mr. Molina to an upcoming Town Hall Meeting to discuss the problem.

In response to Mr. Molina's concerns, **Deputy Mayor Goble** advised Mr. Molina to lock the dumpster doors to deter additional activities in the area.

Jim Cirigliano provided an update on the rent mediation process. He thanked **Deputy Mayor Goble** for working on the Southwest Keys case, and is looking forward to updates on the situation. Mr. Cirigliano indicated he was pleased to see a change in the Board of Supervisors and quoted a statement from County Supervisor, Nathan Fletcher regarding goals of public office.

Brenda Hammond wished everyone a Happy New Year.

Bonnie Price commended Council for bringing in a representative from the US Census Bureau. She advised of a court case involving citizenship responses on the census. Mrs. Price requested an update on a contract with the East County Transitional Living Center (ECTLC) for labor performed by residents of the center.

In response to Ms. Price's question, **City Manager Mitchell** clarified that the city does not have a contract with ECTLC.

PUBLIC COMMENT: (Continued)

Mayor Wells added that the ECTLC is an effective and prolific program in the county.

Councilmember McClellan added that the ECTCL is a very successful program.

Deputy Mayor Goble provided an update on Southwest Keys and advised that the city will need permission from the federal government to be allowed on the property.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS:

8. Notice to Vacate and Summary Abatement at 743 El Cajon Boulevard

RECOMMENDATION:

That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing;
3. Deems appropriate the Building Official/Fire Marshal's actions in this case;
4. Directs staff to monitor the condition of the property and release power when code violations have been corrected;
5. Invoices the property owner of record for administrative costs and staff time totaling \$6,616.95 to be paid within 90 days; and
6. Places a tax lien if City costs are not paid.

DISCUSSION

Deputy Director of Community Development, Dan Pavao provided a summary of the Item.

Mayor Wells opened the public hearing.

James McCormack, property owner, indicated that he received 4 (four) different citations in a 4 (four) day span, and asked Council to reconsider them. He advised that he entered into a rent to own agreement until escrow process was finished before he realized an illegal dispensary was being set up.

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

- Excessive amount of payment for two-month rent;
- Code compliance staff visually witnessed illegal marijuana activity;
- Several Employees made ill with carbon monoxide poisoning; and
- City should not absorb the administrative costs, while the property owner is able to keep rent collected.

PUBLIC HEARINGS: (Item 8 – Continued)

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY KENDRICK to COLLECT \$6,616.95, for administrative costs and staff time within 90 days.

**MOTION CARRIED BY 3-2 VOTE
(Wells and Kalasho – No).**

ADMINISTRATIVE REPORTS:

9. City of El Cajon Complete Streets Policy

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish a Complete Streets Policy. The Complete Streets Policy will establish guiding principles and practices so that transportation improvements are planned, designed, constructed, operated, and maintained, in order to encourage walking, bicycling, and transit use while promoting safe operations for all users.

DISCUSSION

Director of Public Works, Dirk Epperson, provided detailed information of the Item.

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

- All modes of transportation taken into consideration;
- 90% of mobility is through the use of a personal automobile, narrowing lanes will cause congestion and more traffic problems; and
- Request for streets to be analyzed on a case by case basis.

MOTION BY KENDRICK, SECOND BY GOBLE, to ADOPT Resolution NO. 003-19, to establish a Complete Streets Policy.

**MOTION CARRIED BY 4-1 VOTE
(McClellan – No).**

ADMINISTRATIVE REPORTS: (Continued)

10. Amended and Restated Wastewater Disposal Agreement

RECOMMENDATION:

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

1. Approve the Amended and Restated Wastewater Disposal Agreement; and
2. Authorize the Mayor to Sign the Agreement.

DISCUSSION

Director of Public Works, Dirk Epperson, provided detailed information of the Item.

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

- Charges associated with services by the Metropolitan Sewerage System;
- No 'opt-out' option out of the Pure Water program because sewage treatment is required.

Councilmember Kendrick thanked Lemon Grove's Councilmember Jerry Jones for his help explaining the complicated program.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT Resolution No. 004-19, to approve the amended and restated Waste Water Disposal Agreement; and authorize the Mayor to sign the Agreement.

MOTION CARRIED BY UNANIMOUS VOTE.

11. Proposed Changes to City Council Procedures Ordinance

RECOMMENDATION:

That the City Council review the proposed amendments to Chapter 2.12 of the El Cajon Municipal Code related to City Council Procedures and provide direction to the City Attorney.

DISCUSSION

City Attorney Foley provided detailed information of the Item.

Mayor Wells opened the public hearing.

Paul Kruze representing East County Magazine, requested that photographers who are a member of the press with accreditation have permission to photograph from the restricted area.

ADMINISTRATIVE REPORTS: (Item 11 - Continued)

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

- Speakers are to address the entire Council and not an individual or turn back to speak to the audience;
- If actions disrupt or stop business of government, city has the right to stop and remove the individual from the Chamber; and
- Request that during public comment, a speaker should be allowed to address a district councilmember, if they have a matter pertaining to their district.

In response to Mr. Kruze's request, **Mayor Wells** recommended that staff look into the standard allowances and provide a recommendation.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

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

12. Council Activities Report/Comments

Report as stated.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

13. COUNCILMEMBER GARY KENDRICK METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

Council Activities Report/Comments.

Report as stated.

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

Council Activities Report/Comments.

Report as stated.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

15. COUNCILMEMBER BEN KALASHO

Council Activities Report/Comments.

Report as stated.

16. DEPUTY MAYOR 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.

Council Activities Report/Comments.

In addition to the report stated, **Deputy Mayor Goble** advised of a street resurfacing project on Ballantyne, where traffic was reduced to one lane. He praised the incredible service and response time by staff.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING – None

CLOSED SESSIONS: None

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 8th day of January, 2019, at 5:45 p.m., to Tuesday, January 22, 2019, at 3:00 p.m.

Angela Aguirre
City Clerk/Secretary