

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

May 14, 2019

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, May 14, 2019, was called to order by Mayor/Chair Bill Wells at 3:04 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	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 Cortez, City Clerk/Secretary

Mayor Wells invited Steve Lachman, Travel Coordinator – East County Chamber of Commerce, 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 April 23, 2019, meeting and the Agenda of the May 14, 2019, meetings in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- America on Main Street
- Grossmont - Cuyamaca Community College District
- Bike to Work Day
- National Public Works Week

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 11)

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

Approves Minutes of the April 23, 2019, meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

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.

PULLED FOR DISCUSSION BY A MEMBER OF THE PUBLIC: (Along with Items #9, and #10)

4. Award of RFP No. 027-19 – Professional Auditing Services

Adopts Resolution No. 041-19, to enter into an agreement for professional auditing services with Rogers, Anderson, Malody & Scott, LLP (RAMS) in the amount of \$145,950 for a three-year term, with the option to renew for one additional two-year period.

CONSENT ITEMS: (Continued)

5. Community Event in the Right-of-Way - July 4th Picnic

Approves the use of the public right-of-way for the July 4th picnic and fireworks display.

6. Award of Bid No. 001-20 – Traffic Signal System Maintenance, Emergency Repairs, and Related Construction Services for the Cities of El Cajon, La Mesa, Lemon Grove, and Santee
 1. Adopts Resolution No. 042-19, to approve Plans and Specifications for the Traffic Signal System Maintenance, Emergency Repairs, and Related Construction Services for the cities of El Cajon, La Mesa, Lemon Grove, and Santee project, Bid No. 001-20;
 2. Find the first low bidder non-responsive for the reason set forth in this agenda report; and
 3. Adopts Resolution No. 043-19, to award the bid to the lowest responsive, responsible bidder, Southwest Traffic Signal Service, Inc. in the total amount of \$462,595, with the option to renew for four additional one-year periods. The City of El Cajon's portion of the award is \$221,515 for the first year.
7. Award of Bid No. 002-20 – HVAC Maintenance and Repair Services
 1. Adopts Resolution No. 044-19, to approve Plans and Specifications for HVAC Maintenance and Repair Services, Bid No. 002-20; and
 2. Adopts Resolution No. 045-19, to award the bid to the lowest responsive, responsible bidder, Countywide Mechanical Systems, Inc. in the total amount of \$65,982, with the option to renew for four additional one-year periods.
8. 2018 State Homeland Security Grant – Urban Area Security Initiative Program Funding (UASI)

That the City Council authorizes the City Manager or designee to accept and appropriate the FY 2018 Urban Area Security Initiative Funding (UASI) in the amount of \$62,940 and to execute any grant documents and agreements necessary for the receipt and use of these funds and equipment.

CONSENT ITEMS: (Continued)

PULLED FOR DISCUSSION BY A MEMBER OF THE PUBLIC: (Along with Items #4, and #10)

9. Contract Amendment for Bid No. 018-19 – Elevator Maintenance and Repair Services

Adopts Resolution No. 046-19, to increase the contract for elevator maintenance and repair services in the amount of \$19,668.16.

PULLED FOR DISCUSSION BY A MEMBER OF THE PUBLIC: (Along with Items #4, and #9)

10. Extension of Professional Services Agreement for Video Production Services

Authorizes the City Manager to extend the existing Professional Services Agreement between the City of El Cajon and Video Technics for a two-year period in the amount of \$53,187.

DISCUSSION

Bonnie Price asked if the two (2) contracts that are to be extended, and one (1) new contract were subjected to competitive bidding.

In response to Ms. Price's question, **City Manager Mitchell** advised that Items #4 and #9, were open to competitive bidding, and Item #10, for Video Production was not, as the City needs to perform an assessment of the infrastructure needed from Video Perspective. This shall be done in the future, and at that time a request for bids will be issued.

11. Self-Insure Workers' Compensation

Adopts Resolution No. 047-19, authorizing staff to submit an application to the Director of Industrial Relations, State of California, for a Certificate of Consent to Self-Insure Workers' Compensation liabilities.

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1 to 11.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT: (Continued)

Joe Mackey, representing the East County Chamber of Commerce, thanked Council for accepting the donation of the Rotary Clock, placed at the Prescott Promenade, and introduced Rick Wilson, new President and CEO of the Chamber of Commerce.

Tim Juengst, expressed concerns over the homeless situation, prostitution, drugs, alcohol, trash and crimes in his neighborhood. Mr. Juengst requested red curbs to be painted in his neighborhood to discourage the criminal activities, as he felt threatened by those individuals.

Mayor Wells suggested Mr. Juengst contact **City Manager Mitchell** and City staff to find a solution.

Jim Cirigliano praised the Presentation by the Grossmont – Cuyamaca Community College. He requested education on the Councilmember vacancy selection process, and spoke about the qualities that should be considered when appointing a new Councilmember.

Harold Brown, representing the East County Transitional Living Center (ECTLC), spoke in support of Grossmont Cuyamaca College, and thanked the City for the opportunity to serve by assisting with the America on Main Street event. Mr. Brown extended an invitation for everyone to come out and support ECTLC, by attending the Comedy Night at Skyline Church on May 18th.

In response to a question by **Councilmember McClellan**, Mr. Brown, stated that ECTLC residents are encouraged to attend Grossmont Cuyamaca College, and that education is part of the services offered at the center.

George Ibarra thanked the City for the process to fill the vacant Councilmember seat, and spoke in support of rent control in the senior mobile home parks.

Mayor Wells acknowledged Karen Clark-Mejia and Jo Alegria, from the Cajon Valley Union School District, who were present in the audience.

WRITTEN COMMUNICATIONS: None

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PUBLIC HEARINGS:

12. Omnibus Zoning Code Update - Amendment to Zoning Code No. 437

RECOMMENDATION: That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing;
3. Moves to INTRODUCE the next ORDINANCE, in order, APPROVING Zoning Code Amendment No. 437; and
4. Requests that the City Clerk read the ORDINANCE by title only.

DISCUSSION

Assistant Planner of Community Development, Spencer Hayes, provided a summary of the Item.

Mayor Wells opened the public hearing.

No speakers came forward to speak.

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

- Regulations on pet allowance in smaller dwellings;
- Updates that involve the on-sale alcohol permit process;
- Occupancy requirements for accessory dwelling;
- State requirements for more affordable housing; and
- Concern for designs that allow view of neighbor's backyard.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to MOVE to introduce the Ordinance.

MOTION CARRIED BY UNANIMOUS VOTE.

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PUBLIC HEARINGS: (Continued)

The **City Clerk** recited the title of the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON IMPLEMENTING THE ZONING CODE OMNIBUS FOR 2019 BY AMENDMENTS TO TITLE 17 OF THE EL CAJON MUNICIPAL CODE AS FOLLOWS: CHAPTER 17.10 - *ADMINISTRATION, INTERPRETATION, AND ENFORCEMENT*, SECTION 17.10.010 (ADMINISTRATION, INTERPRETATION, AND ENFORCEMENT); CHAPTER 17.115 - *GENERAL LAND USE REGULATIONS AND PERFORMANCE STANDARDS*, SECTION 17.115.130 (PERFORMANCE STANDARDS); CHAPTER 17.140 - *RESIDENTIAL ZONES*, SECTIONS 17.140.060 (RESIDENTIAL LOT REQUIREMENTS), 17.140.120 (ACCESSORY STRUCTURES), 17.140.170 (SINGLE-FAMILY DWELLING REVIEW PROCEDURES), 17.140.180 (ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS), AND 17.140.210 (RESIDENTIAL LAND USE TABLE); CHAPTER 17.145 - *COMMERCIAL ZONES*, SECTION 17.145.150 (COMMERCIAL LAND USE TABLE); CHAPTER 17.185 - *PARKING STANDARDS*, SECTIONS 17.185.140 (JOINT USE DRIVEWAYS) AND 17.185.190 (COMMERCIAL ZONE PARKING REQUIREMENTS); CHAPTER 17.205 - *AGRICULTURE AND ANIMALS*, SECTION 17.205.030 (ORDINARY HOUSEHOLD PETS); CHAPTER 17.210 - *ALCOHOL SALES AND DEEMED APPROVED ALCOHOL SALES REGULATIONS*, SECTIONS 17.210.080 (CONDITIONAL USE PERMIT REQUIRED), 17.210.100 (OPERATIONAL STANDARDS), 17.210.130 (NEW AND MODIFIED ON-SALE ESTABLISHMENT STANDARDS), 17.210.140 (DISTANCE REQUIREMENTS – NEW AND MODIFIED ON-SALE ALCOHOL ESTABLISHMENT STANDARDS), AND 17.210.160 (REQUIRED FINDINGS – NEW AND MODIFIED ON-SALE ALCOHOL ESTABLISHMENT STANDARDS); CHAPTER 17.225 - *MISCELLANEOUS SPECIAL USES AND REGULATIONS*, SECTION 17.225.090 (OUTDOOR DINING AREAS); AND CHAPTER 17.245 - *WIRELESS COMMUNICATIONS FACILITIES*, SECTIONS 17.245.080 (PERMIT REQUIRED) AND 17.245.080 (DEVELOPMENT AND DESIGN STANDARDS)

ADMINISTRATIVE REPORTS:

13. City Council Appointment Process

RECOMMENDATION:

That the City Council considers the format to evaluate candidates for the vacant City Council position.

ADMINISTRATIVE REPORTS: (Continued)

DISCUSSION

City Manager Mitchell, provided detailed information of the Item.

Bonnie Price shared a list of criteria compiled by the San Diego Association of Governments (SANDAG) and Registered of Voters (ROV) on recommended characteristics for an appointee.

Discussion ensued among **Council** and **Staff** concerning the nomination process. It was determined that all applicants would give a two (2) minute presentation. Then, each councilmember would nominate one (1) to six (6) applicants, if an applicant received more than one (1) nomination, they would be moved to phase 2 for Councilmembers to interview.

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.

14. Council Activities Report/Comments

Report as stated.

15. Legislative Update - None

Report: Bill Wells, Mayor

Assistant City Manager DiMaggio, provided information on the following bills:

AB 392, sets Statewide conditions for deadly force used by police officers (opposed by League of California Cities). This is an active bill going through hearings.

AB 516, removes Code Enforcement's ability to tow abandoned vehicles, left over 72-hours and vehicles with expired registration. An active bill, opposed by League of California Cities.

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS: (Item # 15 – Continued)

AB 1332, Requires the Department of Justice to publish list of businesses and individuals that comply with federal Immigration policy. Opposed by League of California Cities.

AB 1356 – Retail cannabis sales, currently in suspense file.

SB 635, Eliminates the State taxation from capital gain coming out from Opportunity Zones. Positive for investors if status changes. Currently in the suspense file.

The City will continue to monitor and provide updates in the future.

In response to a question by **Councilmember McClellan, Assistant Manager DiMaggio** clarified that the bill pertains to those entities that have direct interaction with the federal immigration issues.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

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

Council Activities Report/Comments.

In addition to the report submitted, **Councilmember Kendrick**, attended the Advance Water Purification meeting May 13th.

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

Council Activities Report/Comments.

Report as stated.

18. 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.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item #18 – Continued)

Council Activities Report/Comments.

In addition to the report submitted, **Deputy Mayor Goble** advised that he did not attend the Rotary Dedication event; however, attended the Advance Water Purification meeting on May 13th.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING - None

ORDINANCES: SECOND READING AND ADOPTION – None

CLOSED SESSIONS:

19. Closed Session - Conference with Legal Counsel - Existing Litigation - pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9: Mike Murphy and Joshua Pittsley, et al. vs. City of El Cajon, et al.
United States District Court, Southern District of California
Case No. 18-CV-0698-JM-NLS

20. Closed Session - Conference with Labor Negotiators pursuant to Government Code section 54957.6:

Agency Designated Representatives:

Graham Mitchell, City Manager
Vince DiMaggio, Assistant City Manager
Clay Schoen, Director of Finance
Marisol Thorn, Director of Human Resources

Employee Organizations:

El Cajon Mid-Management and Professional Employees Group
El Cajon Municipal Employees Association
El Cajon Police Officers Association
El Cajon Professional Firefighters Association - Local 4603 (ECPFF) El Cajon
Police Officers' Association Management Group
Executive, Unrepresented and Confidential Employees

CLOSED SESSIONS: (Continued)

MOTION BY WELLS, SECOND BY McCLELLAN, to ADJOURN to Closed Session at 4:33 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

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

City Attorney Foley reported the following actions:

Item #19: Direction given to legal counsel.

Item #20: Direction given to labor negotiators on all five employee organizations.

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 14th day of May 2019, at 5:17 p.m., is adjourned to Tuesday, May 14, 2019, at 7:00 p.m.

Angela Cortez
City Clerk/Secretary