

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

June 25, 2019

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, June 25, 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:	Kendrick, McClellan and Ortiz
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

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

POSTINGS: The City Clerk posted Orders of Adjournment of the June 11, 2019, meetings and the Agenda of the June 25, 2019, meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS: None

AGENDA CHANGES: None

CONSENT ITEMS: (1 - 5)

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1 to 5.

MOTION CARRIED BY UNANIMOUS VOTE.

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

Approves Minutes of the June 11, 2019, meetings 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 waives the reading in full of all Ordinances on the Agenda.

4. Award of Bid No. 009-20 – Publication of Legal Notices

Adopts Resolution No. 060-19, to award the bid to the lowest responsive, responsible bidder, East County Gazette, in the estimated amount of \$7,800.00.

5. Award of Bid No. 006-20 – Channel Repairs 2019

Adopts Resolution No. 061-19, to approve Plans and Specifications for Channel Repairs 2019, Bid No. 006-20, and Resolution No. 062-19, to award the bid to the lowest responsive, responsible bidder, New Century Construction, Inc., in the amount of \$294,660.00.

PUBLIC COMMENT:

Maleeka Marsden, representing Climate Action Campaign (CAC), requested support from the Council to revise reduction measures that are enforceable and legally defensible.

Bonnie Price requested the City performs unannounced inspections at the local internment camps, due to discoveries that arose from camps in Texas.

Hatem Mohtaseb, representing Partnership for the Advance of New Americans (PANA) Advancement of Partnership, discussed the lack of information on climate changes and requested that the voting date be delayed to engage the community on the issue.

WRITTEN COMMUNICATIONS: None

WRITTEN COMMUNICATIONS:

PUBLIC HEARINGS:

6. Fiscal Year 2019-20 Annual City, Housing Authority, and Successor Agency Budgets

RECOMMENDATION:

That the City Council, Housing Authority, and the City of El Cajon as Successor Agency to the former Redevelopment Agency hold a joint public hearing to consider the Fiscal Year 2019-20 Proposed Budgets. After closing the public hearing, staff recommends the following:

1. Acting as the City Council, individually adopt the following:
 - a) Resolution of the City of El Cajon Adopting the Fiscal Year 2019-20 Annual Budget.
 - b) Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2019-20.
 - c) Resolution Approving Designation of General Fund Balances.
2. Acting as the Housing Authority Board of Directors, adopt Resolution titled: Resolution of the El Cajon Housing Authority Adopting the Fiscal Year 2019-20 Budget.
3. Acting as the Successor Agency to the former Redevelopment Agency Board of Directors, adopt Resolution titled: Resolution of the City Council of the City Of El Cajon as the Successor Agency to the former El Cajon Redevelopment Agency Adopting the Fiscal Year 2019-20 Budget.

PUBLIC HEARINGS: (Item 6 - Continued)

DISCUSSION

City Manager Mitchell, provided a summary of the Item.

Mayor Wells opened the public hearing.

Discussion ensued among Council and Staff concerning the Transient Occupancy Tax (T.O.T) sales tax share expenses. Council commended Staff regarding the City's budget, and labor negotiations for the public safety personnel.

No one came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY GOBLE, to ADOPT Resolution No. 063-19, Adopting the Fiscal Year 2019-20 Annual Budget.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY GOBLE, to ADOPT Resolution No. 064-19, Approving and adopting the Annual Appropriations Limit for Fiscal Year 2019-20.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY GOBLE, to ADOPT Resolution No. 065-19, Approving Designation of General Fund Balances.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY GOBLE, to Acting as the Housing Authority Board of Directors, ADOPT Resolution No. ECHA-28, Adopting the Fiscal Year 2019-20 Budget.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 6 - Continued)

MOTION BY McCLELLAN, SECOND BY ORTIZ, to Acting as the Successor Agency to the former Redevelopment Agency Board of Directors, ADOPT Resolution No. SA-001-19, Adopting the Fiscal Year 2019-20 Budget.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS:

7. East County Advanced Water Purification Program Interim Funding Agreement

RECOMMENDATION:

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

1. Approve the East County Advanced Water Purification Program Interim Funding Agreement (IFA) between City of El Cajon, Padre Dam Municipal Water District, the County of San Diego (through its San Diego County Sanitation District), and Helix Water District;
2. Authorize the City Manager to execute the IFA; and
3. Appropriate \$430,000.00 from the City's Wastewater Fund for the fair share contribution to final program development costs for the East County Advanced Water Purification Program.

DISCUSSION

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

Discussion ensued among Council and Staff concerning the following:

- The importance of providing clean water for residents;
- To provide a reliable local water source;
- Orange County currently using the purifying water system;
- The effectiveness of Santee Lake's mock water purifying facility;
- City's reserve sewer funds to secure the project; and
- Consider the program as a purified water system rather than a recycled water program.

ADMINISTRATIVE REPORTS: (Item 7 – Continued)

MOTION BY GOBLE, SECOND BY ORTIZ, to ADOPT Resolution No. 066-19, to Approve the East County Advanced Water Purification Program Interim Funding Agreement (IFA) between City of El Cajon, Padre Dam Municipal Water District, the County of San Diego (through its San Diego County Sanitation District), and Helix Water District; Authorize the City Manager to execute the IFA; and Appropriate \$430,000.00 from the City's Wastewater Fund for the fair share contribution to final program development costs for the East County Advanced Water Purification Program.

MOTION CARRIED BY UNANIMOUS VOTE.

8. Magnolia Performing Arts Center (MPAC) Project Update

RECOMMENDATION:

That the City Council receives the Magnolia Performing Arts Center (MPAC) Project Update.

DISCUSSION

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

*1st Recess called at 3:42 p.m.
Meeting called back to order at 3:45 p.m.
(at the Magnolia Performing Arts Center)*

*2nd Recess called at 4:13 p.m.
Meeting called back to order at 4:19 p.m.
(at the City Council Chamber)*

Discussion ensued among Council and Staff concerning the following:

- Tour of the Magnolia Performing Arts Center (MPAC);
- Impressive detail and design;
- Tentative dates of scheduled events involving the community and press; and
- Potential growth and opportunities for the vacant property in front of MPAC.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

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

9. Council Activities Report/Comments

Report as stated.

10. Legislative Update: None

ACTIVITIES REPORTS OF COUNCILMEMBERS:

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

Council Activities Report/Comments.

Report as stated.

12. Request for a Report on the City’s Alcohol Sales and Deemed Approved Alcohol Sales Regulations Ordinance

RECOMMENDATION:

That the City Council directs staff to provide a report on the status of the City’s Alcohol Sales and Deemed Approved Alcohol Sales Regulations Ordinance and recommend any modifications to the Ordinance.

DISCUSSION

Councilmember Kendrick provided a summary of the Item.

Discussion ensued among Council and Staff concerning the following:

- Imposing higher fees to those breaking the law;
- Tame illicit activities by conducting sting operations;
- Consider a full cost recovery for damages caused by retailers selling to inebriated customers and minors;
- Installation of cameras at retail stores; and
- Assess the Constitutional Protection law for retail establishments.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item 12 – Continued)

MOTION BY KENDRICK, SECOND BY McCLELLAN to DIRECT City staff to prepare a report of the status of the City’s Alcohol Sales and Deemed Approved Alcohol Sales Regulations Ordinance and recommend any modification to the Ordinance.

MOTION CARRIED BY UNANIMOUS VOTE.

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

Council Activities Report/Comments.

Report as stated.

14. 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.

Council Activities Report/Comments.

Report as stated.

15. COUNCILMEMBER PHIL ORTIZ
East County Economic Development Council; League of California Cities, San Diego Division.

Council Activities Report/Comments.

In addition to the submitted report, Councilmember Ortiz attended the East County Chamber of Commerce Government Affairs Committee meeting on June 25, 2019.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION:

The following item is for informational purposes only:

- 16. El Cajon Animal Shelter Donations for May 2019

RECOMMENDATION:

In accordance with City Council Policy B-2, staff informs the City Council about receiving the following donations for the El Cajon Animal Shelter for the month of May:

Roberta Ann Carmichael	\$110.00
Delaine Scott	\$110.00
Total	\$210.00

ORDINANCES: FIRST READING

- 17. Introduction of an Ordinance Amending Chapter 2.16.020 of the El Cajon Municipal Code Regarding Salaries of Councilmembers and Mayor

RECOMMENDATION:

That the City Council considers approving an Ordinance amending section 2.16.020 of the El Cajon Municipal Code ("ECMC") related to Salaries of Councilmembers and Mayor and, if approved, take the following actions:

1. By Motion, Second and Vote, moves to introduce the Ordinance; and
2. Directs the City Clerk to read the title of the Ordinance.

DISCUSSION

City Manager Mitchell, provided a summary of the Item.

Discussion ensued among Council and Staff concerning the following:

- Concern about public perception and concept of giving oneself a salary increase;
- Consider creating a salaries commission to institute a process; and
- Need to offer a compensation package to attract qualified individuals in the future.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to INTRODUCE the Ordinance.

**MOTION CARRIED BY 4 – 1 VOTE
(GOBLE – NO).**

ORDINANCES: FIRST READING (Item 17 - Continued)

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

AN ORDINANCE REPEALING SECTION 2.16.020 OF
CHAPTER 2.16 AND ADDING A NEW SECTION 2.16.020
OF CHAPTER 2.16 OF THE EL CAJON MUNICIPAL CODE
ADJUSTING SALARIES OF COUNCILMEMBERS
AND MAYOR EFFECTIVE JANUARY 1, 2021

ORDINANCES: SECOND READING AND ADOPTION

18. Amendment of Chapter 3.20 of the El Cajon Municipal Code for Bidding and Written Contracts

RECOMMENDATION:

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

An Ordinance Amending Chapter 3.20 of Title 3 of the El Cajon Municipal Code Addressing Bidding and Written Contracts

DISCUSSION

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

AN ORDINANCE AMENDING CHAPTER 3.20 OF
TITLE 3 OF THE EL CAJON MUNICIPAL CODE
ADDRESSING BIDDING AND WRITTEN CONTRACTS.

MOTION BY McCLELLAN SECOND BY KENDRICK, to ADOPT Ordinance No. 5082, Amending Chapter 3.20 of Title 3 of the El Cajon Municipal Code Addressing Bidding and Written Contracts.

MOTION CARRIED BY UNANIMOUS VOTE.

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ORDINANCES: SECOND READING AND ADOPTION (Continued)

19. Deemed Approved Lodging Establishment Ordinance - Zoning Code Amendment No. 436.

RECOMMENDATION:

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

An Ordinance Adding Chapter 17.212 to Title 17 of the El Cajon Municipal Code to Establish Standards to be Deemed Approved for Existing Lodging Establishments.

DISCUSSION

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

AN ORDINANCE ADDING CHAPTER 17.212 TO TITLE 17 OF
THE EL CAJON MUNICIPAL CODE TO ESTABLISH STANDARDS
TO BE DEEMED APPROVED FOR EXISTING LODGING ESTABLISHMENTS.

MOTION BY WELLS, SECOND BY McCLELLAN, to ADOPT Ordinance No. 5083, Deemed Approving Lodging Establishment Ordinance - Zoning Code Amendment No. 436.

MOTION CARRIED BY UNANIMOUS VOTE.

CLOSED SESSIONS:

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

24. Closed Session - Conference with Legal Counsel - Existing Litigation - pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9:
Edgar Puente vs. City of El Cajon, et al.
San Diego Superior Court
Case No. 37-2018-00040807-CU-PO-CTL

MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 4:49 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 4:53 P.M.

City Attorney Foley reported the following actions:

- Direction given to legal counsel.

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 25 day of June 2019, at 4:53 p.m., to Tuesday, July 9, 2019, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary