



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

Council Chamber  
200 Civic Center Way  
El Cajon, CA 92020

## Agenda OCTOBER 22, 2019, 3:00 p.m.

Bill Wells, Mayor  
Steve Goble, Deputy Mayor  
Gary Kendrick, Councilmember  
Bob McClellan, Councilmember  
Phil Ortiz, Councilmember

Graham Mitchell, City Manager  
Vince DiMaggio, Assistant City Manager  
Morgan Foley, City Attorney  
Angela Cortez, City Clerk

**CALL TO ORDER: Mayor Bill Wells**

**ROLL CALL: City Clerk Angela Cortez**

**PLEDGE OF ALLEGIANCE TO FLAG AND MOMENT OF SILENCE**

**POSTINGS:** The City Clerk posted Orders of Adjournment of the October 8, 2019, Meetings and the Agenda of the October 22, 2019, Meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

**Presentation: Highlights of HauntFest**

## 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 8, 2019, Meetings 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. Award of Bid No. 011-20 - As-Needed Weed Abatement and Channel Clearing Services

RECOMMENDATION:

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

1. Approve Plans and Specifications for the As-Needed Weed Abatement and Channel Clearing Services, Bid No. 011-20; and
2. Award the bid to the lowest responsive, responsible bidder, Chambers Group, Inc. in the amount of \$63,601.36 for the initial one-year term, with up to four additional one-year renewal options.

5. San Diego River Conservancy's Proposition 1 Grant Program

RECOMMENDATION:

That the City Council:

1. Adopts the next Resolutions, in order, authorizing the City Manager, or approved designee, to accept grant funding as provided through the San Diego River Conservancy's Proposition 1 Grant Program;
2. Authorizes the City Manager, or approved designee, to execute grant agreements and such other documents necessary, with the San Diego River Conservancy, and other agencies, to accept any awards of grants;
3. Appropriates \$750,000 for the Wastewater Program Capital Improvement Project WW3586 Broadway Creek Improvements - Phase A and adopts the amended CIP Project Budget; and
4. Appropriates \$400,000 for the purpose of establishing Parks Program Capital Improvement Project PK3700 Wells Park Improvements - Storm Water Treatment and Landscaping and adopts the CIP Project Budget.

6. Award of SOQ No. 004-20 – On-Call Professional Services

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to award a pre-qualified list of firms for SOQ No. 004-20 – On-Call Professional Services for a term of two years, with up to three additional one-year renewal options.

7. Environmentally Preferable Purchasing Policy

RECOMMENDATION:

That the City Council adopts City Council Policy B-16, Environmentally Preferable Purchasing Policy.

8. Disposal of Retired Property

RECOMMENDATION:

That the City Council declares the listed property retired and authorizes disposal in accordance with policy.

9. Wells Park Improvements - Parking Lot Lighting Project

RECOMMENDATION:

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

1. Approve plans and specifications for the Wells Park Improvements – Parking Lot Lighting project (PK3610); and
2. Award a public works contract, in accordance with Municipal Code section 3.20.010(C)(6), to Express Energy Services, Inc. in the amount of \$143,325.52.

**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. Second Readings of Ordinances to Adopt by Reference the 2019 California Building Standards and Related Codes (Title 24).

RECOMMENDATION:

That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing;
3. Adopts by reference the 2019 Editions of the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code; and
4. Requests the City Clerk to recite the titles of each ordinance.

**ADMINISTRATIVE HEARING:**

11. Administrative Hearing - Appeal by Alexandra Investments, Inc., dba Angelo's Towing & Recovery

RECOMMENDATION:

That the City Council conducts the Administrative Hearing; reviews the documents submitted; receives testimony from witnesses who have been identified on each party's list; and determines whether the City Manager's denial of a Special Operations License ("SOL") to operate a Police Department towing business should be upheld or overturned.

**ADMINISTRATIVE REPORTS:**

12. Citywide Pavement Condition Report

RECOMMENDATION:

This is an informational report only. No action is required by the City Council.

**COMMISSION REPORTS:**

**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.

- 13. Council Activity Report
- 14. LEGISLATIVE REPORT
- 15. East County Advance Water Purification Joint Powers Authority Board Appointments

**RECOMMENDATION:**

That the City Council ratifies appointments of Councilmember Gary Kendrick as the City's primary representative and Deputy Mayor Steve Goble as the alternate representative on the East County Advance Water Purification Joint Powers Authority Board.

**ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:**

- 16. **COUNCILMEMBER GARY KENDRICK**  
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.
- 17. **COUNCILMEMBER BOB MCCLELLAN**  
MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate.
- 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.
- 19. **COUNCILMEMBER PHIL ORTIZ**  
East County Economic Development Council; League of California Cities, San Diego Division.

**JOINT COUNCILMEMBER REPORTS:**

**GENERAL INFORMATION ITEMS FOR DISCUSSION:**

20. El Cajon Animal Shelter Donations for September 2019

**RECOMMENDATION:**

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

Tierra Del Sol Middle School: Money For Paws	\$307.00
<b>Total</b>	<b>\$307.00</b>

**ORDINANCES: FIRST READING**

**ORDINANCES: SECOND READING AND ADOPTION**

**CLOSED SESSIONS:**

**ADJOURNMENT:** The Adjourned Regular Joint Meeting of the El Cajon City Council/ El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 22nd day of October 2019, is adjourned to Tuesday, November 12, 2019, at 3:00 p.m.



City Council  
Agenda Report

Agenda Item 1.

**DATE:** October 22, 2019

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Angela Cortez, City Clerk

**SUBJECT:** Minutes of the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Meetings

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**RECOMMENDATION:**

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the October 8, 2019, Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

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Attachments

10-08-19 DRAFT Minutes - 3 PM

10-08-19 DRAFT Minutes - 7 PM

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# 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

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**October 8, 2019**

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 8, 2019, was called to order by Mayor/Chair Bill Wells at 3:03 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 September 24, 2019, Meetings and the Agenda of the October 8, 2019, Meetings in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.



**PRESENTATIONS:**

Presentation: KaBOOM! Refresh Grant at Wells Park

Proclamation: National Planning Month

**AGENDA CHANGES:**

City Manager Mitchell requested that Item No. 10 be postponed to October 22, 2019, at 3:00 p.m.

**MOTION BY WELLS, SECOND BY KENDRICK, to POSTPONE Item No. 10, to October 22, 2019, as requested by the City Manager.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**CONSENT ITEMS: (1 – 9)**

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1 to 9.**

**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 September 24, 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.

**CONSENT ITEMS: (Continued)**

4. 2020 Calendar of Meetings for the City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency

Reviews the proposed 2020 calendar of meetings for the City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency, makes appropriate modifications, or accepts as presented.

5. Fire Station 9 Driveway Contract Change Order

Approves Contract Change Order No. 1 for the Fire Station 9 Driveway project, PS0061, Bid No. 005-20, in the amount of \$27,390 to Portillo Concrete, Inc., for additional driveway replacement.

6. CalRecycle's Rubberized Pavement Grant Program

Adopts Resolution No. 093-19, authorizing the City Manager, or approved designee:

1. To submit applications for the CalRecycle Rubberized Pavement Grant Program and appropriate funding if received; and
2. To execute grant agreements with CalRecycle, amendments thereto, and such other documents necessary to accept any awards of grants.

7. Firefighter Wellness Program Services

Adopts Resolution No. 094-19, to authorize the City Manager or designee to execute agreements continuing the Regional Firefighter Wellness Program.

8. FY 2019 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Award

1. Authorizes the City Manager, or designee, to accept the FY 2019 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant in the amount of \$27,733 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
2. Appropriates \$27,733 of the 2019 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant to purchase the SPIDR Tech Integrated Software System for our Communications Center.

**CONSENT ITEMS: (Continued)**

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

Grants a one-year time extension for TSM 665 (411 Emerald Avenue) and sets the new expiration date to October 18, 2020, in accordance with Municipal Code Section 16.12.110.

**PUBLIC COMMENT:**

Arkan Somo, representing the Neighborhood Market Association, requested that the City Council postpone the Tobacco Retailer's Item, to bring stakeholders into the conversation.

Suhail Zavaro, MD., spoke about the epidemic that e-cigarettes and vaping products have become, and stated he supports banning those products.

Liz Vagani, Branch Manager for the El Cajon Library, provided information about the different programs offered to the community.

**WRITTEN COMMUNICATIONS:** None

**PUBLIC HEARINGS:** None

**ADMINISTRATIVE HEARING:**

Per action taken under Agenda Changes, Item #10 was postponed to October 22, 2019, at 3:00 p.m.

- 10. Administrative Hearing - Appeal by Alexandra Investments, Inc., dba Angelo's Towing & Recovery

**RECOMMENDATION:**

That the City Council conducts the Administrative Hearing; reviews the documents submitted; receives testimony from witnesses who have been identified on each party's list; and determines whether the City Manager's denial of a Special Operations License ("SOL") to operate a Police Department towing business should be upheld or overturned.

**ADMINISTRATIVE REPORTS:**

11. Code of Ethics and Conduct for Elected and Appointed Officials

**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order replacing City Council Policies A-23 and A-24 with the "Code of Ethics and Conduct for Elected and Appointed Officials."

**DISCUSSION**

City Manager Mitchell provided detailed information of the Item.

Discussion ensued among Council and Staff in regard to limiting communications amongst Councilmembers on issues on the agenda to comply with Brown Act requirements.

No one came forward to speak.

**MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 095-19, replacing Policies A-23 and A-24 with the Code of Ethics and Conduct for Elected and Appointed Officials.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

12. El Cajon Tobacco Retailer's License Program

**RECOMMENDATION:**

That the City Council considers modifications to the El Cajon Tobacco Retailer's License Program and provides direction to staff.

**DISCUSSION**

City Manager Mitchell provided a comprehensive report of the Item.

Jake Rubenstien, representing Nude Nicotine, provided information on nicotine addictions.

Julie M. Vish spoke in support of vaping products.

Shannon Cozzens spoke in support of vaping products.

Elaine Briggs spoke in opposition of vaping products.

**ADMINISTRATIVE REPORTS: (Item 12 – Continued)**

Chris Gaszak spoke in opposition of banning vaping products.

Francine Hardy spoke in opposition of vaping products.

Nellie Del Rosario spoke in opposition of banning vaping products.

Eliana Mabin spoke in support of vaping products.

Rebekah Ermev spoke in support of vaping products.

Molly Silvester spoke in support of vaping products.

Jill Barto spoke in support of banning vaping products.

Dana Stevens, representing CASA, spoke in support of the proposed changes to the Tobacco Retailer's program.

Elizabeth Martin, representing the American Cancer Society, spoke of vaping companies providing flavors that are attractive to young consumers.

Russell Webb spoke in opposition of vaping products.

Debra Kelley spoke in opposition of vaping products.

*Recess called at 4:34 p.m.  
Meeting called back to order at 4:43 p.m.*

City Manager Mitchell provided information on the Federal Drug Administration (FDA) regulations that include electronic devices, liquids, atomizers, cartridges, and many other vaping products.

Rodger Dougherty, representing the American Heart Association and Kaiser Permanente, spoke in support of the proposed changes to the Tobacco Retailer's program.

Shane Duffy spoke in opposition of vaping products.

Lakeysha Sowunmi, representing the American Lung Association, spoke in support of the proposed changes to the Tobacco Retailer's program.

Lynda Barbour, representing the American Cancer Society, spoke in support of the proposed changes to the Tobacco Retailer's program.

**ADMINISTRATIVE REPORTS: (Item 12 – Continued)**

Linda Webb spoke in support of banning flavored vaping products.

Jim Crittender and Laud Ramadham submitted cards in support of the proposed changes to the Retailer’s Program, but did not wish to speak.

James Mitchell, representing Vaping Invasion, spoke in support of vaping products.

Richard Hobart suggested considering different penalties for retailers not complying with regulations.

Mark Dawood spoke in opposition of vaping products.

Andrew Park stated he agrees with the penalties for retailers not complying with regulations, but not with the banning of vaping products.

Allen Park spoke in support of raising penalties for retailers not complying with current regulations.

Stacey Weaver, representing the American Heart Association, spoke in support of strict fines for retailers not complying with current regulations.

Remon Mansour stated he agrees with the penalties for retailers not complying with regulations, but not with the banning of vaping products.

Mike Sabr stated he agrees with the penalties for retailers not complying with regulations, but not with the banning of vaping products.

Giselle Brambila spoke in opposition of banning vaping products.

Yuhana Brambila spoke in opposition of banning vaping products.

Andrew Weber spoke in opposition of banning vaping products.

Chris Messick suggested imposing fines on store owners and employees who sell to minors.

Niamh Donoghue spoke in support of strict fines for retailers not complying with current regulations.

Cari Conant spoke in opposition of banning vaping products.

Scott Namou spoke in opposition of banning vaping products.

## **ADMINISTRATIVE REPORTS: (Item 12 – Continued)**

Rima Khoury spoke in support of the proposed changes to the Tobacco Retailer's program. Ms. Khoury explained the difference between vaping and hookah products.

George Jonson stated retailers should implement better selling practices, and opposes the ban on flavor products.

Issa Abuaita gave information on how products not authorized by the FDA will be removed from the market in the year 2020.

Carol Green spoke in support of penalties for retailers not complying with regulations, and agrees with banning vaping products.

Thomas Galloway spoke in opposition of banning vaping products.

Tony Sottile spoke in support of the proposed changes to the Tobacco Retailer's program.

James Elia spoke against the adoption of the proposed changes to Tobacco Retailer's License Program.

Jaime Rojas, representing the National Association of Tobacco Outlets, shared data from El Cajon Valley School District regarding alcohol, drug and cigarette use by students.

Edward Lee stated that the use of alcohol is a bigger issue with students than vaping. He added that homelessness continues to be a problem as housing is expensive in San Diego.

John Harris spoke in approval of regulating vaping shops to prevent sales to minors.

Mayor Wells clarified for the public that a decision on vaping products was not to be made on the October 8, 2019 meeting, as the item was not listed on the agenda. He explained that the current item for discussion is to review the Tobacco Retailer's License Program and the possibility of modifications to the same.

Discussion ensued among Council and Staff concerning the following:

- Increase to \$2500 fine for first time offenders;
- Suggestion to retailers to purchase photo identification software;
- Consideration of 30 and 60-day suspension for repeat offenders; and
- Permanent removal of license for those committing a fourth offence.

**ADMINISTRATIVE REPORTS: (Item 12 – Continued)**

Discussion continued among Council and Staff considering:

- License fee reduction for retailers complying with rules for a continued 3-(three) year period;
- \$2500 fine and 2 (two) extra inspection visits within a year of the first violation;
- \$2500 fine, a 30-day sale suspension and 2 (two) extra inspection visits within a year of the second violation;
- \$2500 fine and a 60-day sale suspension; and
- Permanent suspension from the Tobacco Retailer’s License Program.

**MOTION BY KENDRICK, SECOND BY McCLELLAN, to MODIFY the El Cajon Tobacco Retailer's License Program as stated.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

The City Council gave direction to staff to present information on vaping products, with the exemption of hookah products, at the November 12, 2019 meeting.

13. East County Advanced Water Purification Joint Exercise of Powers Agreement

**RECOMMENDATION:**

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

1. Approves the East County Advanced Water Purification Joint Exercise of Powers Agreement between City of El Cajon, Padre Dam Municipal Water District, and the County of San Diego (through its San Diego County Sanitation District); and
2. Authorizes the City Manager to Sign the Agreement.

**DISCUSSION**

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

No one came forward to speak.

**MOTION BY KENDRICK, SECOND BY McCLELLAN, to ADOPT Resolution No. 096-19, to Approve the East County Advanced Water Purification Joint Exercise of Powers Agreement between City of El Cajon, Padre Dam Municipal Water District, and the County of San Diego (through its San Diego County Sanitation District); and to Authorize the City Manager to sign the agreement.**

**MOTION CARRIED BY UNANIMOUS VOTE.**



At the suggestion of City Manager Mitchell, Item 21 was moved ahead of the other reports.

**ORDINANCES: FIRST READING**

- 21. First Readings of Ordinances to Adopt by Reference the 2019 California Building Standards Code (Title 24).

**RECOMMENDATION:**

That the City Council:

- 1. Introduces the Ordinances and holds first readings to adopt the 2019 Editions of the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code;
- 2. Requests the City Clerk to recite the title of each ordinance; and
- 3. Directs the City Clerk to schedule a public hearing on October 22, 2019.

**DISCUSSION**

City Attorney Foley provided information on the Item.

**MOTION BY WELLS, SECOND BY McCLELLAN, to INTRODUCE the Ordinances and hold first readings to adopt the 2019 Editions of the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code. Request the City Clerk to recite the title of each ordinance; and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

**AN ORDINANCE REPEALING CHAPTER 15.04  
OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE;  
ADOPTING THE CALIFORNIA BUILDING CODE, 2019 EDITION,  
AS AMENDED, BY REFERENCE; AND ADOPTING A  
NEW CHAPTER 15.04 TO TITLE 15 OF  
THE EL CAJON MUNICIPAL CODE**

**ORDINANCES: FIRST READING (Continued)**

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Building Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

AN ORDINANCE REPEALING SECTION 15.20.010 OF  
CHAPTER 15.20 OF TITLE 15 OF THE  
EL CAJON MUNICIPAL CODE; ADOPTING THE  
CALIFORNIA ELECTRICAL CODE, 2019 EDITION,  
AS AMENDED, BY REFERENCE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Electrical Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

AN ORDINANCE REPEALING CHAPTER 15.48 OF TITLE 15  
OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE  
CALIFORNIA MECHANICAL CODE, 2019 EDITION,  
AS AMENDED, BY REFERENCE; AND  
ADOPTING A NEW CHAPTER 15.48 TO TITLE 15  
OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Mechanical Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

AN ORDINANCE REPEALING CHAPTER 15.52  
OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE;  
ADOPTING THE CALIFORNIA PLUMBING CODE,  
2019 EDITION, AS AMENDED, BY REFERENCE; AND  
ADDING A NEW CHAPTER 15.52 TO TITLE 15  
OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Plumbing Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**ORDINANCES: FIRST READING (Continued)**

AN ORDINANCE REPEALING CHAPTER 15.54 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION, AS AMENDED BY REFERENCE; AND ADDING A NEW CHAPTER 15.54 TO TITLE 15 OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Residential Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

AN ORDINANCE REPEALING CHAPTER 15.56 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA FIRE CODE, 2019 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW CHAPTER 15.56 TO TITLE 15 OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Fire Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

AN ORDINANCE REPEALING CHAPTER 15.60 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW CHAPTER 15.60 TO TITLE 15 OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Green Building Standards Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**ORDINANCES: FIRST READING (Continued)**

AN ORDINANCE REPEALING SECTIONS 15.84.010 AND 15.84.015 OF CHAPTER 15.84 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION, AS AMENDED, BY REFERENCE; AND ADDING NEW SECTIONS 15.84.010 AND 15.84.015 TO CHAPTER 15.84 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Existing Building Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

AN ORDINANCE REPEALING SECTIONS 15.88.010, 15.88.020 AND 15.88.030 OF CHAPTER 15.88 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA HISTORICAL BUILDING CODE, 2019 EDITION, AS AMENDED, BY REFERENCE; AND ADDING NEW SECTIONS 15.88.010, 15.88.020 AND 15.88.030 OF CHAPTER 15.88 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

**MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE the first reading to adopt the 2019 Edition of the California Historical Building Code and Direct the City Clerk to schedule a public hearing on October 22, 2019.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

*Recess from the 3:00 p.m. meeting called at 7:03 p.m.  
Meeting called back to order at 8:18 p.m.*

**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.

14. Council Activities Report/Comments

Report as stated.

15. Legislative Update: None

**ACTIVITIES REPORTS OF COUNCILMEMBERS:**

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

Council Activities Report/Comments.

Report as stated.

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.

Council Activities Report/Comments.

Report as stated.

**ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)**

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

Council Activities Report/Comments.

Report as stated.

**JOINT COUNCILMEMBER REPORTS:**

20. Public Relations Campaign in 2020

**RECOMMENDATION:**

That the City Council directs staff to present a proposal by the December 9, 2019, City Council meeting for a one-year public relations campaign.

**DISCUSSION**

Deputy Mayor Goble provided detailed information of the Item.

No one came forward to speak.

Discussion ensued among Council and Staff concerning the following:

- Utilizing empty flag poles and vacant real estate to promote opportunities in the City of El Cajon; and
- Suggested using City staff to prepare ideas.

**MOTION BY GOBLE, SECOND BY McCLELLAN, to DIRECT staff to present a proposal at the December 9, 2019, meeting for a one-year public relations campaign.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

**ORDINANCES: SECOND READING AND ADOPTION**

22. Approve Zone Reclassification No. 2327 - Shadow Mountain Residential Subdivision

**RECOMMENDATION:**

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

An Ordinance Rezoning Property Located on the South and North sides of East Madison Avenue between Greenfield and Granite Hills Drives from the RS-20 (Single-Family Residential, Minimum 20,000 Sq. Ft. Lots) to the RS-14 (Single-Family Residential, Minimum 14,000 Sq. Ft. Lots); APNS 508-120-18 and 512-130-35; Pending General Plan Designation: Low Low Density Residential (LLR).

**MOTION BY WELLS, SECOND BY KENDRICK, to Adopt Ordinance No. 5087, Rezoning Property Located on the South and North sides of East Madison Avenue between Greenfield and Granite Hills Drives from the RS-20 (Single-Family Residential, Minimum 20,000 Sq. Ft. Lots) to the RS-14 (Single-Family Residential, Minimum 14,000 Sq. Ft. Lots); APNS 508-120-18 and 512-130-35; Pending General Plan Designation: Low Low Density Residential (LLR).**

**MOTION CARRIED BY UNANIMOUS VOTE.**

23. Amendment of Specific Plan No. 523 - Shadow Mountain Residential Subdivision

**RECOMMENDATION:**

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

An Ordinance Amending Specific Plan No. 523 to Remove Two Excess Properties Located on the South and North Sides of East Madison Avenue Between Greenfield and Granite Hills Drives from The Shadow Mountain Community Church Specific Plan.

**MOTION BY WELLS, SECOND BY KENDRICK, to Adopt Ordinance No. 5088, Amending Specific Plan No. 523 to Remove Two Excess Properties Located on the South and North Sides of East Madison Avenue Between Greenfield and Granite Hills Drives from The Shadow Mountain Community Church Specific Plan.**

**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: Climate Action Campaign vs. City of El Cajon, et al.  
San Diego Superior Court Case No. 37-2019-00041565-CU-TT-CTL
  
- 25. Closed Session - Conference with Real Property Negotiators - pursuant to Government Code Section 54956.8:

Property:  
1001 West Bradley, El Cajon, CA

Agency Negotiators:  
Executive Director  
Assistant Executive Director  
General Legal Counsel

Negotiating Parties:  
Waste Management  
Under negotiation: Price and terms for lease of property.

**MOTION BY WELLS, SECOND BY McCLELLAN, to ADJOURN to Closed Session at 8:24 p.m.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

RECONVENE TO OPEN SESSION AT 8:40 p.m.

City Attorney Foley reported the following actions:  
Item 24: Direction given to Legal Counsel  
Item 25: Direction given to Real Property Negotiator

**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 8<sup>th</sup> day of October, 2019, at 8:40 p.m., to Tuesday, October 22, 2019, at 3:00 p.m.**

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**ANGELA L. CORTEZ, CMC**  
**City Clerk/Secretary**



# 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

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**October 8, 2019**

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 8, 2019, was called to order by Mayor/Chair Bill Wells at 7:18 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California. This meeting was adjourned from the Adjourned Regular Joint Meeting held at 3:00 p.m., Tuesday, October 8, 2019, by order of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

#### **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).

**AGENDA CHANGES: None**

## **PUBLIC COMMENTS:**

Frederick Tamkn spoke in opposition of the proposed Sewer Rate Increase.

## **PUBLIC HEARINGS:**

100. Wastewater Fund Sewer Service Rate Increase

### **RECOMMENDATION:**

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing;
3. Certifies that the written protests received do not make a majority of property owners in accordance with Proposition 218; and
4. Adopts the next Resolution, in order, to approve the new sewer rates to commence on November 22, 2019, with four (4) future modifications effective the first day of Fiscal Years 2021, 2022, 2023, and 2024.

### **DISCUSSION**

Deputy Director of Public Works, Yazmin Arellano, provided detailed information on the Item.

Discussion ensued among Council and Staff concerning the following:

- City's fund balance being affected to cover rates charged by the county for sewer services; and
- Need for reserves to cover sewer related emergencies.

Mayor Wells opened the public hearing.

Dolores Landers stated the rates were previously approved and the public is hearing about it after the fact.

Hilton Vail expressed concern for the high percentage of increase.

Tim Swing stated the rate increase will negatively affect senior and veterans' on a fixed income.

Dan H questioned the high rate increase, and the different rates for single family homes v. multi-unit dwellings.

Donald Jones stated that the proposed increase would be an increase of 89% over a 5-(five) year period.

**PUBLIC HEARINGS: (Continued)**

City Manager Mitchell clarified that the rate increase is driven by the rates charged to the City by the City of San Diego to process the sewage. He added that if in the future the City can figure out a cost-saving method to process the sewage, the City Council would have the authority to lower the fees for the service.

In response to a question by Councilmember Kendrick, Director of Public Works Dirk Epperson stated that there has only been one fee increase in the last 20 years.

Elaine Briggs stated that the fixed winter rates formula increases the price of services.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

At the request by Mayor Wells, City Clerk Cortez reported the number of protest letters received as 24.

Mayor Wells acknowledged the City's responsibility for the current high rates being passed on to the citizens by not having a rate increase in 20 years, and he sympathized with people living on a fixed income.

**MOTION BY WELLS, SECOND BY GOBLE, to CERTIFY that the written protests received do not make a majority of property owners in accordance with Proposition 218; and Adopt Resolution No. 097-19 to approve the new sewer rates to commence on November 22, 2019, with four (4) future modifications effective the first day of Fiscal Years 2021, 2022, 2023, and 2024.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**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 8<sup>th</sup> day of October 8, 2019, at 8:18 p.m., to Tuesday, October 22, 2019, at 3:00 p.m.

\_\_\_\_\_  
ANGELA L. CORTEZ, CMC  
City Clerk/Secretary



## City Council Agenda Report

Agenda Item 4.

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Award of Bid No. 011-20 - As-Needed Weed Abatement and Channel Clearing Services

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### RECOMMENDATION:

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

1. Approve Plans and Specifications for the As-Needed Weed Abatement and Channel Clearing Services, Bid No. 011-20; and
2. Award the bid to the lowest responsive, responsible bidder, Chambers Group, Inc. in the amount of \$63,601.36 for the initial one-year term, with up to four additional one-year renewal options.

### BACKGROUND:

The As-Needed Weed Abatement and Channel Clearing Services contract provides for the abatement of trash, rubbish, debris, and/or combustible material from fuel modification zones within City-owned open-space and vegetation clearing from select drainage channel management zones. The bid includes an opportunity to renew the contract for up to four optional one-year terms. Funds for the renewal terms will be in accordance with the approved budget for each fiscal year.

This project was advertised on August 22, 2019. Two responses were received and opened at 2:00 p.m. on September 23, 2019.

Staff recommends award of the bid to the lowest responsive, responsible bidder, Chambers Group, Inc., in the amount of \$63,601.36. The summary of bids is attached and complete proposals are on file in the Purchasing Division.

### FISCAL IMPACT:

The fiscal impact for the initial one-year term is \$63,601.36. Sufficient funds are available for this service in FY2019-20 Public Works Parks (160000) and Wastewater Maintenance (650720) Annual Budgets. Subsequent 4-year costs are estimated to total \$287,836.

Prepared By: Nahid Razi, Purchasing Agent

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

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#### Attachments

Reso - Plans & Specs

Reso - Award

Bid Summary

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RESOLUTION NO. \_\_-19

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR  
AS-NEEDED WEED ABATEMENT AND CHANNEL CLEARING SERVICES  
(Bid No. 011-20)

WHEREAS, the Director of Public Works has submitted plans and specifications for the As-Needed Weed Abatement and Channel Clearing Services (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. \_\_-19

RESOLUTION AWARDING BID FOR  
AS-NEEDED WEED ABATEMENT AND  
CHANNEL CLEARING SERVICES  
(Bid No. 011-20)

WHEREAS, the As-Needed Weed Abatement and Channel Clearing Services project (the "Project") will provide for the abatement of trash, rubbish, debris, and/or combustible material from fuel modification zones within City-owned open-space, and vegetation clearing from select drainage channel management zones; and

WHEREAS, the bid includes an opportunity to renew the contract for up to four (4) optional one-year terms, and funds for the renewal terms will be in accordance with the approved budget for each fiscal year; and

WHEREAS, the Project was advertised on August 22, 2019, and two (2) responses were received and opened at 2:00 p.m. on September 23, 2019; and

WHEREAS, City staff recommends award of the bid to the lowest responsive, responsible bidder, Chambers Group, Inc., in the amount of \$63,601.36.

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 awards the bid for the As-Needed Weed Abatement and Channel Clearing Services project to:

Chambers Group, Inc.

in an amount not to exceed \$63,601.36 for the initial one-year term, with up to four (4) additional one-year optional renewal terms.

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 of El Cajon Purchasing Division**

**Bid Summary**

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Bid No. 011-20 – As-Needed Weed Abatement and Channel Clearing Services

<b>Bidder</b>	<b>Bid Amount</b>
Chambers Group, Inc. (Santa Ana, CA)	\$63,601.36*
Nature's Image, Inc. (Lake Forest, CA)	\$89,085.27

\*RECOMMEND AWARD

PROJECT MANAGER'S ESTIMATE: \$69,330





## City Council Agenda Report

**Agenda Item 5.**

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** San Diego River Conservancy's Proposition 1 Grant Program

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### RECOMMENDATION:

That the City Council:

1. Adopts the next Resolutions, in order, authorizing the City Manager, or approved designee, to accept grant funding as provided through the San Diego River Conservancy's Proposition 1 Grant Program;
2. Authorizes the City Manager, or approved designee, to execute grant agreements and such other documents necessary, with the San Diego River Conservancy, and other agencies, to accept any awards of grants;
3. Appropriates \$750,000 for the Wastewater Program Capital Improvement Project WW3586 Broadway Creek Improvements - Phase A and adopts the amended CIP Project Budget; and
4. Appropriates \$400,000 for the purpose of establishing Parks Program Capital Improvement Project PK3700 Wells Park Improvements - Storm Water Treatment and Landscaping and adopts the CIP Project Budget.

### BACKGROUND:

In 2014, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1") was approved by voters and allocated \$327 million in set-aside funding for state conservancies. Among the funds allocated, \$17 million has been made available to the San Diego River Conservancy ("Conservancy"), which serves to fund several competitive rounds of grants until fully expended. The grant program, which is currently on its fourth round, intends to fund multi-benefit projects that serve to protect and enhance the San Diego River Watershed and connected resources. Projects selected to receive funding through the grant program are expected to align with the program goals, and also the strategic plan and priorities of the Conservancy.

### FISCAL IMPACT:

Staff desires to accept and appropriate grant funding awarded for both the Broadway Creek Improvements - Phase A Project and the Wells Park Improvements - Storm Water Treatment and Landscaping Project, which will result in the following fiscal impacts:

<b>Grant Application</b>	<b>Requested Grant Amount</b>	<b>Budget Activity</b>	<b>Funding Match Required by City</b>	<b>Funding Source</b>
Broadway Creek Improvement Project, Phase A	\$750,000	CIP Projects Wastewater 650900	\$2,518,000	Prop 68 Grant, Developer Contributions, County of San Diego, Wastewater Funds (Local)
Wells Park Improvements - Storm Water Treatment and Landscaping	\$400,000	CIP Projects Parks 505000	-	-

**REPORT:**

Earlier this year, City staff prepared and submitted two grant applications for the Conservancy's Proposition 1 (Round 4) Grant Program. The projects submitted for consideration were the Broadway Creek Improvements Project, Phase A and Wells Park Improvements - Storm Water Treatment and Landscaping. Both projects conform well to the program goals by providing multi-benefit approaches and serving to significantly improve water quality, flood protection, and conservation efforts. Further, both are located in areas designated as either a disadvantaged community or severely disadvantaged community, and include enriching community outreach and engagement plans to such.

In May 2019, City staff was notified by the Conservancy that the two projects submitted for consideration were selected to receive funding from the program. The total grant awards for Broadway Creek Improvements, Phase A and Wells Park Improvements - Storm Water Treatment and Landscaping total \$750,000 and \$400,000, respectively.

The projects as selected for award are further described as follows:

*Broadway Creek Improvement Project, Phase A*

The project would restore approximately 1,400 linear feet of Broadway Creek from an area directly north of Broadway Avenue to Ballantyne Street. The project footprint is adjacent to existing apartments (Hunter's Run Apartments) and provides restoration to 1.6 acres. Prevalent along the existing creek is a non-uniform cross section, heavy erosion and substantial non-native vegetation overgrowth. Additionally, the City has been continually faced with the risk of surface water overtopping existing channel walls, which is primarily due to capacity issues and the creek's inability to convey storms. Such overtopping poses a health and safety risk to the City as flood damage may occur to residents at adjacent properties.

In an effort to address the identified risks and inadequacies of the existing creekbed, the project will: increase the capacity of the existing creek to better convey storm water and reduce flooding frequency, stabilize slopes, provide native revegetation, improve water quality and downstream effects, and restore natural habitat. The grant award amount as approved is \$750,000, and the City has the following available as matching funds: \$800,000 from anticipated developer contributions; \$250,000 approved through the Conservancy's Proposition 68 Program; \$90,000 anticipated minimum from County of San Diego contributions; and \$1,378,000 in wastewater funds (local).

*Wells Park Improvements Project - Storm Water Treatment and Landscaping*

The project will provide both onsite and frontage improvements to Wells Park along with storm water treatment and trash-capture devices at select locations along East Madison Avenue. Improvements include: turf removal and conversion to drought tolerant planting; two separate, planted bio-retention basins totaling 4,000 square feet in area and expected to treat 30,000 square feet of roadway surface water (along East Madison Avenue) and 20,000 square feet of parking area surface water inside the park boundary; trash capture and inlet filtration devices at several offsite locations; and storm drain infrastructure to support new retention basins and reduce surface water flooding effects. The grant award amount as approved is \$400,000.

*Summary*

The grant applications considered by the (Proposition 1) grant program demonstrate the City's commitment to improving neighborhoods through capital improvement projects, enhancing public spaces with green infrastructure, restoring open spaces with riparian and wetland habitats, improving public health and achieving conservation goals.

Prepared By: Dirk Epperson, Director of Public Works

Reviewed By: Vince DiMaggio, Assistant City Manager

Approved By: Graham Mitchell, City Manager

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Attachments

Reso - Broadway Creek

Reso - Wells Park

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RESOLUTION NO: \_\_-19

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON  
APPROVING THE ACCEPTANCE OF GRANT FUNDS FOR THE  
SAN DIEGO RIVER CONSERVANCY PROPOSITION 1 GRANT PROGRAM  
FOR BROADWAY CREEK IMPROVEMENTS – PHASE A

WHEREAS, the Legislature and Governor of the State of California have provided funds for the San Diego River Conservancy Proposition 1 Grant Program (the "Grant Program"); and

WHEREAS, the San Diego River Conservancy (the "Conservancy") has been delegated the responsibility for the administration of the Grant Program, establishing necessary procedures for the application and award of proceeds of the Grant Program; and

WHEREAS, said procedures established by the Conservancy require a resolution of the governing board of an Applicant of grant proceeds certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the Conservancy; and

WHEREAS, the Applicant, if selected, is required to enter into an agreement with the Conservancy to carry out the project.

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

1. The City of El Cajon's application for a grant from the Grant Program, in the amount of \$750,000, for the Broadway Creek Improvements Project – Phase A (the "Project"), is hereby approved by the City Council.

2. The City Council hereby certifies that the City has reviewed and understands that it must comply with those conditions required from the Grant Program.

3. The City Council hereby further certifies that (1) the City will have sufficient funds to operate and maintain the Project consistent with the Grant Program's land tenure requirements, or will secure the resources to do so; (2) it will comply with all provisions of section 1771.5 of the California Labor Code; (3) if applicable, certifies that the Project will comply with all laws and regulations applicable to the Project including, but not limited to, the California Environmental Quality Act, building codes, health and safety codes, disabled access laws; and (4) will obtain necessary permits necessary for the Project.

4. The City Council further certifies that City will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code section 65041.1.

5. The City Manager, or such person designated by the City Manager, is hereby authorized to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

10/22/19 CC Agenda

Reso – SD River Conservancy Prop 1 Grant Program – Broadway Creek Improv 101619

RESOLUTION NO: \_\_\_-19

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON  
APPROVING THE ACCEPTANCE OF GRANT FUNDS FOR THE  
SAN DIEGO RIVER CONSERVANCY PROPOSITION 1 GRANT PROGRAM  
FOR WELLS PARK IMPROVEMENTS – STORM WATER  
TREATMENT AND LANDSCAPING PROJECT

WHEREAS, the Legislature and Governor of the State of California have provided funds for the San Diego River Conservancy Proposition 1 Grant Program (the "Grant Program"); and

WHEREAS, the San Diego River Conservancy (the "Conservancy") has been delegated the responsibility for the administration of the Grant Program, establishing necessary procedures for the application and award of proceeds of the Grant Program; and

WHEREAS, said procedures established by the Conservancy require a resolution of the governing board of an Applicant of grant proceeds certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the Conservancy; and

WHEREAS, the Applicant, if selected, is required to enter into an agreement with the Conservancy to carry out the project.

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

1. The City of El Cajon's application for a grant from the Grant Program, in the amount of \$400,000, for the Wells Park Improvements – Storm Water Treatment and Landscaping Project (the "Project"), is hereby approved by the City Council.

2. The City Council hereby certifies that the City has reviewed and understands that it must comply with those conditions required from the Grant Program.

3. The City Council hereby further certifies that (1) the City will have sufficient funds to operate and maintain the Project consistent with the Grant Program's land tenure requirements, or will secure the resources to do so; (2) it will comply with all provisions of section 1771.5 of the California Labor Code; (3) if applicable, certifies that the Project will comply with all laws and regulations applicable to the Project including, but not limited to, the California Environmental Quality Act, building codes, health and safety codes, disabled access laws; and (4) will obtain necessary permits necessary for the Project.

4. The City Council further certifies that City will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the

environment, and promote public health and safety as included in Government Code section 65041.1.

5. The City Manager, or such person designated by the City Manager, is hereby authorized to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

10/22/19 CC Agenda

Reso – SD River Conservancy Prop 1 Grant Program – Wells Park Improv 101619



City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Award of SOQ No. 004-20 – On-Call Professional Services

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**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, to award a pre-qualified list of firms for SOQ No. 004-20 – On-Call Professional Services for a term of two years, with up to three additional one-year renewal options.

**BACKGROUND:**

The City of El Cajon's Public Works Department has various upcoming projects which require professional services involving different disciplines. City staff determined that a list of pre-qualified firms shall be created for professional services, including disciplines such as architecture, building/fire plan check, civic engineering, construction management, electrical/mechanical engineering, geotechnical, land surveying, and storm water management.

The intent is to establish a pre-qualification list of qualified firms to provide professional services on an "as-needed" basis when projects or services cannot be completed by City staff. Pre-qualified firms will normally be selected on a rotating basis for individual tasks within each discipline. However, the City, at its sole discretion, reserves the right to select firms out of rotation when deemed to be in the best interest of the City.

A Statement of Qualifications (SOQ No. 004-20) was issued on March 28, 2019. The SOQ solicitation was obtained by 217 firms and 49 responses were received on April 30, 2019. The City received many excellent proposals, and picking the top firms was a challenging and lengthy task. Due to the extensive number of responses received, correspondence was sent to all bidders requesting an extension of proposals and pricing through October 27, 2019.

A three-person evaluation committee comprised of City staff independently reviewed each proposal. Proposals were evaluated for six critical areas utilizing an evaluation matrix and 100 point scale. The evaluation criteria included project organization, technical competence/methodology, familiarity of state and federal procedures, personnel experience, and financial responsibility. The attached memorandum dated September 19, 2019 details the evaluation committee's findings.



Staff recommends the award of the following pre-qualified list for an initial two-year period, with three one-year renewal options:

1. Architectural Services
  - Pape Baldwin Architects, Inc.
  - STK Architecture, Inc.
  - Tucker Sadler Architects, Inc.
2. Building/Fire Plan Check Services
  - Bureau Veritas North America, Inc.
  - CSG Consultants, Inc.
  - Safebuilt, LLC dba EsGil
3. Civil Engineering Services
  - Chen Ryan Associates, Inc.
  - NV5, Inc.
  - Parsons Transportation Group, Inc.
  - Psomas
4. Construction Management Services
  - NV5, Inc.
  - Project Professionals Corporation
  - Schneider CM, Inc.
5. Electrical/Mechanical Engineering Services
  - Dersch Design & Engineering, Inc.
  - Lee & Ro, Inc.
  - NV5, Inc.
6. Geotechnical Services
  - Kleinfelder, Inc.
  - Ninyo & Moore Geotechnical & Environmental Sciences Consultants
  - SCST, LLC
7. Land Surveying Services
  - Aguirre & Associates
  - Alyson Corporation
  - Hunsaker & Associates San Diego, Inc.
8. Storm Water Management Services
  - D-Max Engineering, Inc.
  - Hunsaker & Associates San Diego, Inc.
  - Psomas

**FISCAL IMPACT:**

No fiscal impact at this time. Contracts shall be awarded in accordance with the approved annual budget. Contracts greater than \$75,000 shall be presented before City Council for award authority.

Prepared By: Nahid Razi, Purchasing Agent

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

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Attachments

Reso - On-Call Awd  
Memorandum

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RESOLUTION NO. \_\_-19

RESOLUTION AWARDING STATEMENT OF QUALIFICATIONS  
FOR ON-CALL PROFESSIONAL SERVICES  
(SOQ NO. 004-20)

WHEREAS, the City of El Cajon's (the "City's") Public Works Department has various upcoming projects which require professional services involving different disciplines; and

WHEREAS, City staff determined that a list of pre-qualified firms should be created for professional services, including disciplines such as architecture, building/fire plan check, civic engineering, construction management, electrical/mechanical engineering, geotechnical, land surveying, and storm water management; and

WHEREAS, the intent is to establish a pre-qualification list of qualified firms to provide professional services on an "as-needed" basis when projects or services cannot be completed by City staff with selections from the list to rotate among the firms, provided however, the City, at its sole discretion, reserves the right to select firms out of rotation when deemed to be in the best interest of the City; and

WHEREAS, Statement of Qualifications ("SOQ") No. 004-20 was issued on March 28, 2019, resulting in 49 responses; and

WHEREAS, following an evaluation by City staff it is recommended that the City Council approve the pre-qualified list of consultants, attached hereto as Exhibit "A," for an initial two-year period, with three (3) one-year renewal options; and

WHEREAS, the City Council believes it to be in the best interests of the City to award the pre-qualified list of consultants, attached hereto as Exhibit "A," for an initial two-year period, with three (3) one-year renewal options, as recommended by City staff.

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 awards SOQ No. 004-20 for on-call professional services to the consultants listed in Exhibit "A," for an initial two-year period, with three (3) one-year renewal options.
3. The City Manager and City Clerk are authorized and directed to execute agreements for on-call professional services on behalf of the City of El Cajon, in amounts not to exceed \$75,000 for each assignment, with such changes or amendments as may be approved by the City Manager.

10/22/19 CC Agenda

Reso – Award of SOQ 004-20 – On-Call Prof Svcs (Pre-Qual List) 101519

## EXHIBIT "A"

1. Architectural Services
  - Pape Baldwin Architects, Inc.
  - STK Architecture, Inc.
  - Tucker Sadler Architects, Inc.
2. Building/Fire Plan Check Services
  - Bureau Veritas North America, Inc.
  - CSG Consultants, Inc.
  - Safebuilt, LLC dba EsGil
3. Civil Engineering Services
  - Chen Ryan Associates, Inc.
  - NV5, Inc.
  - Parsons Transportation Group, Inc.
  - Psomas
4. Construction Management Services
  - NV5, Inc.
  - Project Professionals Corporation
  - Schneider CM, Inc.
5. Electrical/Mechanical Engineering Services
  - Dersch Design & Engineering, Inc.
  - Lee & Ro, Inc.
  - NV5, Inc.
6. Geotechnical Services
  - Kleinfelder, Inc.
  - Ninyo & Moore Geotechnical & Environmental Sciences Consultants
  - SCST, LLC
7. Land Surveying Services
  - Aguirre & Associates
  - Alyson Corporation
  - Hunsaker & Associates San Diego, Inc.
8. Storm Water Management Services
  - D-Max Engineering, Inc.
  - Hunsaker & Associates San Diego, Inc.
  - Psomas

# CITY OF EL CAJON



## MEMORANDUM

**DATE:** September 19, 2019

**TO:** Nahid Razi, Purchasing Agent

**FROM:** Dirk Epperson, Director of Public Works

**SUBJECT:** RECOMMENDATION TO AWARD – On-Call Professional Services, SOQ No. 004-20

On March 28, 2019, the City of El Cajon advertised a Request for Statements of Qualifications (SOQ) for On-Call Professional Services with the intent to establish a pre-qualification list of qualified firms. Over 47 firms submitted proposals by the April 30, 2019 deadline.

The selection committee independently reviewed the proposals in conformance with the guidelines in Chapter 10, "Consultant Selection" of the California Department of Transportation (Caltrans) Local Assistance Procedures Manual and the Consultant Procurement Manual of the Caltrans Office of Policy Development and Quality Assurance. The selection committee independently scored each proposal on the evaluation form that was included in SOQ No. 004-20. The proposal evaluation form is based on a weighted scale with criteria including: 1) Consultant's Ability & Experience, 2) Project Organization & Key Personnel, 3) Technical Competence/Proposed Method to Accomplish Work, 4) Familiarity of State & Federal Procedures, and 5) Financial Responsibility of Company/Firm, with a total possible of score of 300 points or (100 points per each evaluator).

The weighted scores from the selection committee resulted in the following rankings for each work discipline:

<u>Architecture</u>	
<u>Company</u>	<u>Weighted Score</u>
FPBA	270.00
STK	239.50
Tucker Sadler	230.00

<b><u>Building/Fire Plan Check Services</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
EsGil	278.50
Bureau Veritas	275.00
CSG Consultants	236.50

<b><u>Civil Engineering</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
Chen Ryan Associates	275.50
NV5	265.00
Psomas	240.00
Parsons	240.00

<b><u>Construction Management</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
NV5	257.50
Schneider CM	249.00
PPC	247.00

<b><u>Electrical/Mechanical Engineering</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
NV5	246.50
Dersch	232.00
Lee & Ro	226.00

<b><u>Geotechnical Services</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
SCST	249.00
Kleinfelder	246.50
Ninyo & Moore	236.50

<b><u>Land Surveying</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
Aguirre	275.00
Alyson	261.50
Hunsaker	245.50

September 19, 2019  
Memorandum  
Page 3

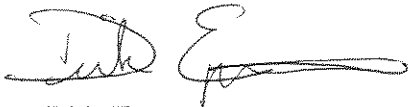
<b><u>Stormwater Management</u></b>	
<b><u>Company</u></b>	<b><u>Weighted Score</u></b>
DMax	263.00
Hunsaker	241.50
Psomas	231.50

Recommendation

We recommend that future contracts for On-Call Professional Services be should solicited to the firms on the above stated list.

Please place this item on the City Council Agenda for October 8, 2019.

Sincerely,



Dirk Epperson  
Director of Public Works



City Council  
Agenda Report

Agenda Item 7.

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Environmentally Preferable Purchasing Policy

---

**RECOMMENDATION:**

That the City Council adopts City Council Policy B-16, Environmentally Preferable Purchasing Policy.

**BACKGROUND:**

Purchasing decisions can affect the environment. This policy is designed to avoid or reduce environmental impacts, where feasible, by requiring City of El Cajon staff to consider environmental impacts when making purchasing decisions, in addition to the traditional factors of price, performance, and availability.

However, it is not the intent of this policy to take any action that conflicts with local, state or federal requirements or to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

The adoption of the attached Environmentally Preferable Purchasing Policy will also enable the City to pursue various grants, such as California's Department of Resources Recycling and Recovery's (CalRecycle) Rubberized Pavement Grant Program.

**FISCAL IMPACT:**

None.

Prepared By: Nahid Razi, Purchasing Agent  
Reviewed By: N/A  
Approved By: Graham Mitchell, City Manager

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Attachments

Reso  
EPPP Policy

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RESOLUTION NO. \_\_-19

RESOLUTION ADOPTING A NEW CITY COUNCIL POLICY B-16  
REGARDING AN ENVIRONMENTALLY PREFERABLE PURCHASING POLICY

WHEREAS, purchasing decisions can affect the environment; and

WHEREAS, this policy is designed to avoid or reduce environmental impacts, where feasible, by requiring City of El Cajon ("City") staff to consider environmental impacts when making purchasing decisions, in addition to the traditional factors of price, performance, and availability; and

WHEREAS, it is not the intent of this policy to take any action that conflicts with local, state or federal requirements or to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time; and

WHEREAS, the adoption of the attached Environmentally Preferable Purchasing Policy will also enable the City to pursue various grants, such as California's Department of Resources Recycling and Recovery's ("CalRecycle") Rubberized Pavement Grant Program; and

WHEREAS, staff hereby recommends that City Council adopt Policy B-16, as hereinafter set forth in Exhibit "A," attached hereto and incorporated by reference herein.

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 hereby adopts Policy B-16 attached hereto as Exhibit "A."
3. This Resolution shall take effect immediately upon adoption.

**EXHIBIT "A"**

<b>CITY OF EL CAJON CITY COUNCIL POLICY</b>		
<b>SUBJECT:</b> Environmentally Preferable Purchasing Policy	<b>POLICY</b>	
<b>REFERENCE :</b>	<b>EFFECTIVE</b>	<b>PAGE</b>
<p><b><u>PURPOSE</u></b></p> <p>To provide information and tools to encourage City of El Cajon departments to actively research and purchase recycled and other environmentally preferable products and services whenever they meet the price and performance requirements of the City and have the lowest lifecycle cost.</p> <p><b><u>BACKGROUND</u></b></p> <p>Purchasing decisions can affect the environment. This policy is designed to avoid or reduce environmental impacts, where feasible, by encouraging City of El Cajon (City) staff to consider environmental impacts when making purchasing decisions, in addition to the traditional factors of price, performance, and availability. However, it is not the intent of this policy to take any action that conflicts with local, state or federal requirements or to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.</p> <p><b><u>POLICY</u></b></p> <p>It is the policy of the City of El Cajon to promote the purchase of products and services that minimize environmental and health impacts, toxics, pollution, and hazards to worker and community safety and to the larger global community to the greatest extent practicable.</p> <p>In support of the City's environmental and sustainability objectives and whenever reasonable, the City will take into account environmental considerations in procurement decisions; along with traditional concerns of price, performance, and availability; selecting environmentally preferable products and services. Nothing in this Policy shall be construed as requiring the City to procure products or services that do not perform adequately for their intended use or are not available at a reasonable price in a reasonable period of time.</p> <p>To achieve this, the City of El Cajon shall make every best effort to purchase and use products that will:</p> <ul style="list-style-type: none"> <li>• Conserve natural resources;</li> <li>• Minimize environmental impacts such as pollution and use of water and energy;</li> <li>• Eliminate or reduce toxics that create hazards to workers and the community;</li> <li>• Support the recycling, refurbishing, and reusing of products;</li> <li>• Reduce materials that are put into landfills;</li> </ul>		

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Environmentally Preferable Purchasing Policy	<b>POLICY</b>	
<b>REFERENCE :</b>	<b>EFFECTIVE</b>	<b>PAGE</b>
<ul style="list-style-type: none"> <li>• Increase the use and availability of environmentally preferable products that protect the environment; and</li> <li>• Encourage manufacturers and vendors to reduce environmental impact in their production and distribution systems.</li> </ul> <p>When making purchasing decisions, City staff shall consider the environmental impacts of alternative products, in addition to price, performance, and availability.</p> <p>A. Procurement Practices: Where feasible, products should meet the following specifications.</p> <ol style="list-style-type: none"> <li>1. Ongoing Consumables             <ol style="list-style-type: none"> <li>a. Printing and writing papers containing a minimum of 30% post-consumer recycled content.</li> <li>b. Recycled content paper products including janitorial supplies, file boxes, hanging file folders and other products composed largely of paper.</li> <li>c. Recycled plastic products such as signs, benches, and posts.</li> </ol> </li> <li>2. Durable Goods             <ol style="list-style-type: none"> <li>a. ENERGY STAR™ labeled or approved electric equipment, including but not limited to computers, monitors, scanners, printers, refrigerators, microwaves, television, and audio-visual equipment.</li> <li>b. LED and low energy use lighting products.</li> </ol> </li> <li>3. Building Materials             <ol style="list-style-type: none"> <li>a. Consider building energy efficiency, building resiliency, and building adaptability in design.</li> <li>b. Consider sustainable material selection and design that allows for a building to adapt to different environments and conditions.</li> <li>c. Consider products that enhance indoor environmental quality (IEQ) and do not impact occupant health, comfort, and productivity.</li> <li>d. Consider design and approach to maximize daylighting, deliver appropriate ventilation and moisture control, optimizes acoustic performance, and avoid the use of materials that emit Volatile Organic Compounds (VOC).</li> </ol> </li> </ol> <p>B. Waste Prevention Practices: Where feasible, City staff is encouraged to reduce consumption of resources by incorporating the following practices into their daily activities.</p>		

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Environmentally Preferable Purchasing Policy		<b>POLICY</b>
<b>REFERENCE :</b>	<b>EFFECTIVE</b>	<b>PAGE</b>

1. Consider durability and repair ability of products prior to purchase.
2. Conduct routine maintenance on products and equipment to increase the useful life.
3. Use duplex features on laser printer and copiers. Specify duplex on print jobs.
4. Create electronic letterhead for use by City staff.
5. Send and store information electronically whenever possible.
6. Any other waste prevention practices that further the goals of this policy.

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

**SUBJECT:** Environmentally Preferable Purchasing Policy

**POLICY**

**REFERENCE:**

**EFFECTIVE**

**PAGE**

**PURPOSE**

To provide information and tools to encourage City of El Cajon departments to actively research and purchase recycled and other environmentally preferable products and services whenever they meet the price and performance requirements of the City and have the lowest lifecycle cost.

**BACKGROUND**

Purchasing decisions can affect the environment. This policy is designed to avoid or reduce environmental impacts, where feasible, by encouraging City of El Cajon (City) staff to consider environmental impacts when making purchasing decisions, in addition to the traditional factors of price, performance, and availability. However, it is not the intent of this policy to take any action that conflicts with local, state or federal requirements or to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

**POLICY**

It is the policy of the City of El Cajon to promote the purchase of products and services that minimize environmental and health impacts, toxics, pollution, and hazards to worker and community safety and to the larger global community to the greatest extent practicable.

In support of the City's environmental and sustainability objectives and whenever reasonable, the City will take into account environmental considerations in procurement decisions; along with traditional concerns of price, performance, and availability; selecting environmentally preferable products and services. Nothing in this Policy shall be construed as requiring the City to procure products or services that do not perform adequately for their intended use or are not available at a reasonable price in a reasonable period of time.

To achieve this, the City of El Cajon shall make every best effort to purchase and use products that will:

- Conserve natural resources;
- Minimize environmental impacts such as pollution and use of water and energy;
- Eliminate or reduce toxics that create hazards to workers and the community;
- Support the recycling, refurbishing, and reusing of products;
- Reduce materials that are put into landfills;

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

**SUBJECT:** Environmentally Preferable Purchasing Policy

**POLICY**

**REFERENCE:**

**EFFECTIVE**

**PAGE**

- Increase the use and availability of environmentally preferable products that protect the environment; and
- Encourage manufacturers and vendors to reduce environmental impact in their production and distribution systems.

When making purchasing decisions, City staff shall consider the environmental impacts of alternative products, in addition to price, performance, and availability.

A. Procurement Practices: Where feasible, products should meet the following specifications.

1. Ongoing Consumables

- a. Printing and writing papers containing a minimum of 30% post-consumer recycled content.
- b. Recycled content paper products including janitorial supplies, file boxes, hanging file folders and other products composed largely of paper.
- c. Recycled plastic products such as signs, benches, and posts.

2. Durable Goods

- a. ENERGY STAR™ labeled or approved electric equipment, including but not limited to computers, monitors, scanners, printers, refrigerators, microwaves, television, and audio-visual equipment.
- b. LED and low energy use lighting products.

3. Building Materials

- a. Consider building energy efficiency, building resiliency, and building adaptability in design.
- b. Consider sustainable material selection and design that allows for a building to adapt to different environments and conditions.
- c. Consider products that enhance indoor environmental quality (IEQ) and do not impact occupant health, comfort, and productivity.
- d. Consider design and approach to maximize daylighting, deliver appropriate ventilation and moisture control, optimizes acoustic performance, and avoid the use of materials that emit Volatile Organic Compounds (VOC).

B. Waste Prevention Practices: Where feasible, City staff is encouraged to reduce consumption of resources by incorporating the following practices into their daily activities.

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

**SUBJECT:** Environmentally Preferable Purchasing Policy

**POLICY**

**REFERENCE:**

**EFFECTIVE**

**PAGE**

1. Consider durability and repair ability of products prior to purchase.
2. Conduct routine maintenance on products and equipment to increase the useful life.
3. Use duplex features on laser printer and copiers. Specify duplex on print jobs.
4. Create electronic letterhead for use by City staff.
5. Send and store information electronically whenever possible.
6. Any other waste prevention practices that further the goals of this policy.



City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Disposal of Retired Property

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**RECOMMENDATION:**

That the City Council declares the listed property retired and authorizes disposal in accordance with policy.

**BACKGROUND:**

In accordance with Municipal Code 3.16.090, departments shall submit to the purchasing agent reports showing supplies and equipment that are no longer used or have become obsolete or worn out.

The attached listed items are recommended for disposal as City retired equipment as they have become unsuitable for City use. Auctionable items will be offered by Fischer Auction Company at their regularly scheduled online auction (<http://www.facauctions.com>).

**FISCAL IMPACT:**

There is a one-time revenue resulting from the sale of auctioned items. Funds will be deposited back to the original funding source used to purchase the equipment.

Prepared By: Nahid Razi, Purchasing Agent  
Reviewed By:  
Approved By: Graham Mitchell, City Manager

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Attachments

Retired Property List

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**Retired Property – Auction List**  
**City Council Meeting: October 22, 2019**

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**Equipment for Auction**

<b><u>Quantity</u></b>	<b><u>Description</u></b>
3	3'x5' Boxed Speakers
2	Power Supplies – Yamaha PW4000
2	Clair Brothers Monitor Speaker
2	Clair Brothers Mid-speaker
2	Clair Brothers Amp QSC CBX12
2	Clair Brothers Amp QSC CBX15
2	Clair Brothers Amp QSC CBX25
2	Clair Brothers Amp QSC CBX8
5	Clair Brothers Amp QSC CBX Series
4	Clair Brothers Large Speakers
3	Ashly Equalizer
1	Yamaha Digital Reverberator
80	Stage Lights Source Four 750
1	Talon Speed Gun
3	Lidar
5	Radar
3	Handheld Phone/Computer
1	Survey Stand
1	Misc. Box: Electrical plug adapters, lights, brackets, etc.



## City Council Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Nahid Razi, Purchasing Agent  
**SUBJECT:** Wells Park Improvements - Parking Lot Lighting Project

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### RECOMMENDATION:

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

1. Approve plans and specifications for the Wells Park Improvements – Parking Lot Lighting project (PK3610); and
2. Award a public works contract, in accordance with Municipal Code section 3.20.010(C)(6), to Express Energy Services, Inc. in the amount of \$143,325.52.

### BACKGROUND:

The Wells Park Parking Lot Lighting project includes furnishing and installing fourteen (14) 25-foot tall light emitting diode (LED) standards, approximately 1,100 linear feet of underground conduit, twenty-one (21) pull boxes, and the demolition of two (2) existing light standards.

The conventional procurement process for public sector construction projects is to solicit a competitive bid for each project based on an already completed design. This “design-bid-build” process is appropriate for larger, more complex projects where extensive design is required and project delivery timelines are much longer. Staff identified job order contracts (JOCs) as an alternative procurement tool that provides a way to complete small, simple, and routine construction projects easily and quickly.

Job order contracting allows a public agency to procure construction services in the same way an agency may procure other cooperatively procured goods and services because the bidding has already been done in accordance with applicable bidding laws. This eliminates the need to bid each project out separately. Instead of having to go through a lengthy qualification and bidding process for every project, agencies have easy access to a pool of pre-qualified, high performing contractors whose services have already been procured on their behalf through an open competitive bidding process that meets the requirements in the applicable state and region.

Because the contractor has been selected and the unit price is fixed (by the construction task catalog and the contractor’s adjustment factor), a job order contract allows contractor input prior to design, which can expedite the work and save money. As a result, this alternative can accelerate the bidding process while still meeting competitive bidding requirements.

Sourcewell is a national public service agency governed by a board of elected directors. It has the legal authority to facilitate cooperative procurement for a variety of services and equipment on behalf of public sector agencies across the country through the joint powers authority law within each state.

On September 15, 2015, Sourcewell awarded Contract No. 070715 – Indefinite Quantity Construction Contracting Systems and Related Services to The Gordian Group, Inc. (Gordian) to administer a job order contracting program in which firms competitively bid against a construction task catalog that has fixed market based prices. The program (ezIQC) is a service developed by Gordian to make these competitively awarded contracts easily available to public agencies through a cooperative purchasing network. Based on the agency's needs and contractor qualifications, Gordian selects the appropriately licensed contractor for the project.

Sourcewell and Gordian are paid through a small administrative fee collected by the Contractor. The fee is a flat percentage that does not change throughout the contract term (it is 7.5% at the time of this report). The fee is added to the contractor's markup and applied to construction costs of the project. The City will pay the awarded contractor for the work performed per the terms of the contract and the contractor then pays Sourcewell and Gordian from the fee they have collected from the City.

Since all Sourcewell contracts are competitively bid nationally and vendors are pre-qualified by knowledgeable committees with expertise in those trades, the City benefits from the reduced pricing made possible by large volume contracts as well as the savings in related administration fees. The attached memorandum provides additional details regarding this process.

#### FISCAL IMPACT:

The fiscal impact of this purchase is \$143,325.52. Sufficient funds are available in the Fiscal Year 2019-20 Annual Budget Wells Park Improvements project (PK3610).

Prepared By: Nahid Razi, Purchasing Agent

Reviewed By: Dirk Epperson, Director of Public Works

Approved By: Graham Mitchell, City Manager

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#### Attachments

Reso - Wells Park Light Approve Plans & Specs

Reso - Awd Bid

Memorandum

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RESOLUTION NO. \_\_-19

RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
FOR THE WELLS PARK IMPROVEMENTS – PARKING LOT LIGHTING PROJECT

WHEREAS, the Director of Public Works has submitted plans and specifications for the Wells Park Improvements – Parking Lot Lighting 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. \_\_-19

RESOLUTION AWARDING BID FOR THE  
WELLS PARK IMPROVEMENTS – PARKING LOT LIGHTING PROJECT

WHEREAS, the Wells Park Parking Lot Lighting Project (the "Project") includes the furnishing and installation of fourteen (14) 25-foot tall light emitting diode standards, approximately 1,100 linear feet of underground conduit, twenty-one (21) pull boxes, and the demolition of two (2) existing light standards; and

WHEREAS, the conventional procurement process for public sector construction projects is to solicit a competitive bid for each project, based on an already completed design; and

WHEREAS, this "design-bid-build" process is appropriate for larger, more complex projects where extensive design is required, and project delivery timelines are much longer; and

WHEREAS, City of El Cajon ("City") staff identified job order contracts ("JOC"s) as an alternative procurement tool that provides a way to complete small, simple, and routine construction projects easily and quickly; and

WHEREAS, JOC's allow a public agency to procure construction services in the same way an agency may procure other cooperatively procured goods and services because the bidding has already been done in accordance with applicable bidding laws, eliminating the need to bid each project out separately allowing selection from a pool of pre-qualified contractors; and

WHEREAS, because the contractor has been selected and the unit price is fixed (by the construction task catalog and the contractor's adjustment factor), a JOC allows contractor input prior to design, which can expedite the work and save money accelerating the bidding process while still meeting competitive bidding requirements; and

WHEREAS, Sourcewell is a national public service agency governed by a board of elected directors having the legal authority to facilitate cooperative procurement for a variety of services and equipment on behalf of public sector agencies across the country through the joint powers authority law within each state; and

WHEREAS, on September 15, 2015, Sourcewell awarded Contract No. 070715 – Indefinite Quantity Construction Contracting Systems and Related Services to The Gordian Group, Inc. ("Gordian") to administer a JOC program in which firms competitively bid against a construction task catalog that has fixed market based prices; and

WHEREAS, the City will pay the awarded contractor for the work performed per the terms of the contract, including an administrative fee of 7.5%, and the contractor will then pay Sourcewell and Gordian from the administrative fee they have collected from the City; and

WHEREAS, City staff recommends award of the bid to the lowest responsive, responsible bidder, Express Energy Services, Inc., in the amount of \$143,325.52.

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 awards the bid for the Wells Park Parking Lot Lighting Project to:

Express Energy Services, Inc.

in an amount not to exceed \$143,325.52.

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.

10/22/2019 CC Agenda

Reso - Wells Park Parking Lot Lighting - Awd (Express Energy) 101619



City of El Cajon

INTERNAL TRANSMITTAL

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**To: Nahid Razi, Purchasing Agent**  
**From: Senan Kachi, Assistant Engineer**  
**Date: October 3, 2019**  
**Subject: PK3610 Wells Park Improvements – Parking Lot Lighting**

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Earlier this year, the City of El Cajon's Public Works Department requested the ability to acquire construction services through the Sourcewell cooperative purchasing agreement, formerly NJPA, for various Capital Improvement Projects. The Department selected the Wells Park Improvements – Parking Lot Lighting project as an ideal candidate to pilot the program, which holds hundreds of competitively solicited cooperative contracts. This project includes fourteen 25-foot LED standards, approximately 1,100 linear feet of underground electrical conduit, 21 pull boxes and the demolition of two existing standards. The engineer's estimate for this project is \$148,000, which is based on recent competitively bid projects. Public Works projects such as Stoney's Neighborhood Park Improvements, Washington Avenue Complete Streets and LED Street Light Retrofit 2019 each included similar items of work which the department received pricing from multiple contractors. The engineer's estimate is also based on pole and LED fixture pricing provided directly from the vendor.

After successfully registering with the Sourcewell program, City staff was contacted by The Gordian Group which coordinates agreements between owners and contractors. The project was advertised on the Sourcewell bid board and ABM Electrical & Lighting Solutions Inc. (ABM) accepted the project. Public Works met with ABM at Wells Park on May 2, 2019 and provided a detailed scope of work with plans. The City received a proposal on June 5, 2019 for \$183,859.31. The proposal was rejected as it exceeded the engineer's estimate by twenty-five percent. ABM elected not to renegotiate the proposal and withdrew from the project.

The project was readvertised on the Sourcewell bid board in June, with Express Energy Services, Inc. accepting the project. The final proposal, which meets all project requirements, was received on September 3, 2019 for \$143,325.52. Express Energy Services, Inc. visited the project site multiple times, submitted RFI's and requested conference calls with Public Works staff to ensure thorough understanding of the project scope of work.

Public Works submitted a purchase requisition to Finance on September 16, 2019 for the Wells Park Improvements – Parking Lot Lighting project in the amount of \$143,325.52.

Senan Kachi  
Assistant Engineer



City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Anthony Shute, Director of Community Development  
**SUBJECT:** Second Readings of Ordinances to Adopt by Reference the 2019 California Building Standards and Related Codes (Title 24).

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**RECOMMENDATION:**

That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing;
3. Adopts by reference the 2019 Editions of the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code; and
4. Requests the City Clerk to recite the titles of each ordinance.

**BACKGROUND:**

The California Building Standards – comprising codes regulating building, fire, electrical, plumbing, and mechanical conditions – are revised on a multi-year cycle. In January 2019, the State adopted and approved the 2019 Edition of the Building Standards Codes, also known as the California Codes. These codes were published July 2019 and become effective January 1, 2020 (known as the 2020 Edition of the California Codes). All local jurisdictions in California are mandated to enforce these new codes and standards by January 1, 2020.

Typically, in accordance with state law, local jurisdictions incorporate additional regulations that address special circumstances in the community or area provided. Such special regulations are based on geographical, topographical, climatic, or environmental findings. City staff developed and incorporated local amendments to the model codes in previous years. These amendments are consistent with past code enactments; staff is not proposing new regulations or changes to the existing amendments.

This legislative action is atypical from the “routine” process of adopting ordinances. In this case, the City Council introduced the proposed ordinances on October 8, 2019, then the City Clerk published notice of a public hearing where the City Council is now being asked to adopt the proposed ordinances. The following include a few highlights from this year’s code cycle update:

1. All new single family dwellings must have a solar photovoltaic system installed.
2. New residential homes must be pre-wired for electric water heaters.



3. New residences must include child tamper resistant electrical outlets.
4. Expanded electrical requirements for meeting rooms for evolving technology.
5. Easier to install solar photovoltaic systems on commercial roofs.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The proposed Ordinances are exempt from environmental review, in accordance with the provisions of Section 15061(b)(3) of the California Environmental Quality Act (“CEQA”), as amended. The proposed Ordinances do not have the potential to cause a significant effect on the environment because the Building Codes ensure that property improvements meet the State of California’s health and safety requirements. New property improvements undergo their own environmental clearance when proposed.

Prepared By: Dan Pavao, Deputy Director of Community Development

Reviewed By: Anthony Shute, Director of Community Development

Approved By: Graham Mitchell, City Manager

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**Attachments**

Ord - Building Code

Ord - Electrical Code

Ord - Mechanical Code

Ord - Plumbing Code

Ord - Residential Code

Ord - Fire Code

Ord - Green Bldg Code

Ord - Historical Bldg Code

Ord - Existing Bldg Code

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ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING CHAPTER 15.04  
OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE;  
ADOPTING THE CALIFORNIA BUILDING CODE, 2019 EDITION,  
AS AMENDED, BY REFERENCE; AND ADOPTING A  
NEW CHAPTER 15.04 TO TITLE 15 OF  
THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon; maintenance of all buildings and structures within the city; and incidental matters relating thereto through the adoption of the California Building Code, 2019 Edition, with such modifications as set forth in Chapter 15.04 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Building Code be modified as set forth herein.

SECTION 3: Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4: A new Chapter 15.04 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.04 CALIFORNIA BUILDING CODE**

**15.04.010 California Building Code, 2019 Edition—Adopted by reference.**

The California Building Code, 2019 Edition, composed of two volumes, excluding sections 103 and 116, as published by the International Code Council, is adopted by reference as the building code of the city (the “building code”), for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all non-residential buildings and structures in the city, providing for the issuance of permits therefore, and each and all such regulations, provisions, penalties, conditions and terms of the California Building Code, 2019 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this

chapter. The California Building Code is referred to in this chapter as the “CBC,” and one copy is on file in the office of the city clerk.

**15.04.020 Requirements generally.**

- A. All materials and assemblies of materials, appliances and installation of appliances, arrangements of occupancies, and segregation of occupancies, all exits, aisles, stairs, doors and appurtenances thereto in buildings or structures in the city shall be so arranged, assembled and of such size and so protected as to be reasonably free from hazards related to fire, seismic activity, obstructed exiting, and health hazards.
- B. The quality of all materials, method of connecting or assembling such materials, stresses allowed, and live and dead loads assumed in the design and construction of all buildings or structures in the city, shall be in accord with nationally recognized standards of quality and with generally recognized and well-established methods of structural design and construction.

**15.04.030 Permits—Fee collection.**

The following permits and tax receipts shall be issued by the Building and Fire Safety Division, and the fees therefor shall be collected by the finance department:

- A. Building permits;
- B. Electrical permits;
- C. Plumbing permits;
- D. Mechanical permits;
- E. Housing permits;
- F. Compliance permits;
- G. Demolition permits;
- H. Relocation permits;
- I. Fire Permits;
- J. Vapor recovery permits;
- K. Dwelling unit construction license tax;
- L. Strong motion instrumentation tax;
- M. Fire Permits;
- N. Mobile home permits;
- O. Mobile home park annual operating permits;
- P. Sewer connection permits;
- Q. Fire alarm permits;
- R. Permit history survey; and
- S. Any other permits or receipts as assigned to the Building and Fire Safety Division.

**15.04.040 Section 105.2 amended—Work exempt from permits.**

- A. Item 1 of Section 105.2 of the CBC is amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty (120) square feet (11.2m<sup>2</sup>) and when erected as accessory to an R-3 occupancy on the same property. The structure shall be at least six (6) feet from any other building on the property, maintain setbacks from property lines as outlined in the zoning code, and not exceed lot coverage limitations as specified by the zoning code.
- B. A new item 14 is added to Section 105.2 of the CBC to read as follows:
14. Satellite dishes three (3) feet in diameter or less when utilizing only low voltage wiring.
- C. A new Section 105.2.4 is added to the CBC to read as follows:

**105.2.4 Compliance with code.** Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**15.04.050 Section 105.5 amended—Expiration.**

Section 105.5 of the CBC is amended to read as follows:

**105.5 Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one (1) year of the date of permit issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one (1) year or more after the time the work is commenced. The maximum life of any permit is three (3) years. If a final inspection is not obtained within the three-year time period the permit will become invalid and a new permit will be required. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty (180) days each. The extension shall be requested in writing and justifiable cause demonstrated. If code violations exist relating to the building or work authorized by the permit, the building official may establish a permit expiration date of less than one hundred eighty (180) days.

**15.04.060 Section 113.1 amended, section 113.3 deleted—Board of Appeals.**

- A. Sections 113.1 of the CBC is amended to read as follows:

113.1 General. In order to hear and decide appeals of order, decisions, or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created an appeals board and housing appeals board. The appeals board and housing appeals

board shall be appointed by the local governing body, or comprised of the local governing body, and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

B. Section 113.3 deleted—Qualifications.

**15.04.070 Section 501.2 amended—Address identification.**

Section 501.2 of the CBC is amended to read as follows:

**Section 501.2 Address Identification.** Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum three inches (3") high with a one-half inch ( $\frac{1}{2}$ ") stroke for individual suites and apartments, minimum four inches (4") high with a one-half inch ( $\frac{1}{2}$ ") stroke for residential buildings, minimum eight inches (8") high with a one-half inch ( $\frac{1}{2}$ ") stroke for commercial, multi-residential buildings, and industrial buildings. Additional numbers shall be required where deemed necessary by the building official or fire code official, such as rear access doors, building corners, and entrances to commercial centers. The building official or fire code official may require larger address numbers based on visibility and the needs of emergency response personnel.

**15.04.080 Section 1505.1.5 of Chapter 15 added—Wood Shake or Shingle Roofs Prohibited.**

Section 1505.1.5 is added to read as follows:

**1505.1.5** Wood shake and shingle roofs are not permitted except for minor repairs no larger than one roofing square in area.

**15.04.090 Section 3202.5 added —Special Provisions for SP 182.**

Section 3202.5 of the CBC is added to read as follows:

**3202.5 Special Provisions for SP 182.** No part of any structure or any appendage thereto, except signs, shall project beyond the property line of the building site, except as specific in this chapter. Structures or appendages regulated by this code shall be constructed of materials as specified in Section 705. The projection of any structure or appendage shall be the distance measured horizontally from the property line to the outermost point of the projection.

Nothing in this code shall prohibit the construction and use of a structure between buildings and over or under a public way, provided the structure complies with all requirements of this code.

Nothing in this code shall prohibit the construction and use of a structure over a public way, provided that the structure is located in the area known as special development area No. 9, regulated by specific plan 182, and is located on Main Street between Ballantyne Street/Avocado Avenue on the east and Chambers Street on the west, and further, where the structure constructed over a public way is the second story of the structure, extends not more than twelve feet, maintains a minimum eight-foot headroom clearance over the public way, except for support elements, which may bear and reside on public property; further provided that the overhanging portion of the structure shall (1) incorporate sprinkler protection of the public way and be in accordance with the provisions of Chapter 9 of this code and the applicable sections of NFPA 13, and (2) incorporate engineering standards consistent with the provisions for essential services as categorized by Section 1604A.5 and Table 1604A.5 of this code; further, provided that any such structure constructed over a public way is first approved by way of conditional use permit granted by the city council of the city of El Cajon, and meets all other requirements under the El Cajon Municipal Code, including this code.

No provisions of this chapter shall be construed to permit the violation of other laws or ordinances regulating the use and occupancy of public property.

**15.04.100 Section 3302 amended—Construction Safeguards and Dust Control.**

- A. Section 3302 is re-titled-Construction Safeguards and Dust Control.
- B. Section 3302 is amended by adding Section 3302.4 to read as follows:

**3302.4 Dust Control.** Dust shall be controlled on construction sites by approved methods so as to protect the health, safety, and welfare of the public.

**15.04.110 Public nuisance.**

A violation of any provision of the California Building Code as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of the El Cajon Municipal Code.

**15.04.120 Violation-Penalty.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy, or maintain any building

or structure, or cause the same to be done, contrary to or in violation of the provisions of this chapter.

Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and subject to the provisions of the general penalty clause as set forth in Section 1.24.010 of this code, or any other penalty adopted by the City.

SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.04 - California Building Code (2016 Ed) 100216

First Reading – 10/25/16 (Item No. 13.1 #A)

Second Reading – 11/15/16 (Item No. 3.1 #A)

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING SECTION 15.20.010 OF  
CHAPTER 15.20 OF TITLE 15 OF THE  
EL CAJON MUNICIPAL CODE; ADOPTING THE  
CALIFORNIA ELECTRICAL CODE, 2019 EDITION,  
AS AMENDED, BY REFERENCE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Electrical Code, 2019 Edition, with such modifications as set forth in Chapter 15.20 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Electrical Code be modified as set forth herein.

SECTION 3: Section 15.20.010 of Chapter 15.20 of Title 15 of the El Cajon Municipal Code is hereby repealed.

SECTION 4: A new section 15.20.010 of Chapter 15.20 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.20 CALIFORNIA ELECTRICAL CODE**

**15.20.010 California Electrical Code, 2019 Edition—Adopted by reference.**

The California Electrical Code, 2019 Edition, as published by the International Code Council, is adopted as the electrical code of the city (the “electrical code”), except as hereinafter modified, amended, repealed or deleted, and is by this reference made a part hereof as though fully set out herein.

The requirements of the electrical code shall apply to all residential, commercial and industrial electrical installations. All electrical installations that are under the jurisdiction of the California Division of Industrial Safety shall also comply with the requirements of the electrical safety orders of the Department of Industrial Relations of the state of California.



SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.20 - California Electrical Code (2019 Ed) 092319

1<sup>st</sup> Reading – 10/08/19  
2<sup>nd</sup> Reading – 10/22/19

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING CHAPTER 15.48 OF TITLE 15  
OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE  
CALIFORNIA MECHANICAL CODE, 2019 EDITION,  
AS AMENDED, BY REFERENCE; AND  
ADOPTING A NEW CHAPTER 15.48 TO TITLE 15  
OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Mechanical Code, 2019 Edition, with such modifications as set forth in Chapter 15.48 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Mechanical Code be modified as set forth herein.

SECTION 3: Chapter 15.48 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4: A new Chapter 15.48 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.48 CALIFORNIA MECHANICAL CODE**

**15.48.010 California Mechanical Code, 2019 Edition—Adopted by reference.**

The California Mechanical Code, 2019 Edition, including Appendix Chapters B, C, and D, as published by the International Code Council, as the mechanical code of the city (the “mechanical code”), regulating the complete installation and maintenance of heating, ventilating, comfort cooling and refrigeration systems in the city, and providing for the issuance of permits and collection of fees therefore. Each and all of such regulations, provisions, penalties, conditions and terms of the California Mechanical Code, 2019 Edition, are referred to, adopted, and made a part of this chapter as though fully set forth in this chapter, excepting such portions as are deleted, modified, added or amended by

this chapter. The mechanical code is hereinafter referred to as the “CMC,” and one copy is on file in the office of the city clerk.

**15.48.020 Interpretation.**

The language used in this chapter and in the California Mechanical Code is intended to convey the common and accepted meaning familiar to the construction industry. The building official is authorized to determine the intent and meanings of any provisions of the mechanical code.

**15.48.030 Liability unaffected by chapter.**

The CMC shall not be construed to relieve from or lessen the responsibility of any party owning, operating, controlling or installing any plumbing, piping, fixtures, appliances or materials for damage to persons or property caused by any defect therein, nor shall the City or any officer or employee thereof enforcing this code be held as assuming any such liability by reason of the inspections authorized herein in accordance with the provisions of this chapter.

**15.48.040 Section 104.3.2 Amended—Plan Review Fees.**

The third and fourth paragraphs of section 104.3.2 of the CMC are amended to read as follows:

The plan review fees specified in this subsection are separate fees from permit fees specified in the City of El Cajon Schedule of Miscellaneous Fees and are in addition to permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate as specified on the City’s fee schedule.

**15.48.050 Section 104.5 Amended, Table 104.5 deleted—Fees.**

Section 104.5 of the CMC is amended to read as follows:

**104.5 Fees.** The permit fees for all Building and Fire Safety Division transactions of the city of El Cajon shall be set by the city council by resolution, and may be amended from time to time, to be listed in the City of El Cajon Schedule of Miscellaneous Fees.

Table 104.5 of the CMC is deleted.

**15.48.060 Division II Section 107 Amended—Board of Appeals**

Division II section 107.1 of the CMC is amended to read as follows:

**107.1 Board of Appeals.** Appeals to the decisions or determinations made by the building official relative to the application and interpretation of the mechanical code as adopted by the city, shall be heard in accordance with the board of appeals procedure as outlined in the California Building Code as amended by Chapter 15.04 of the El Cajon Municipal Code.

**15.48.070 Public nuisance.**

A violation of any provision of the California Mechanical Code as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of the El Cajon Municipal Code.

**15.48.080. Violation-Penalty.**

Any person, firm or corporation violating any of the provisions of this chapter shall be subject to the provisions of the general penalty clause as set forth in section 1.24.010 of this code, or any other penalty adopted by the City.

SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.48 - California Mechanical Code (2019 Ed) 092319

1<sup>st</sup> Reading – 10/08/19  
2<sup>nd</sup> Reading – 10/22/19

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING CHAPTER 15.52  
OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE;  
ADOPTING THE CALIFORNIA PLUMBING CODE,  
2019 EDITION, AS AMENDED, BY REFERENCE; AND  
ADDING A NEW CHAPTER 15.52 TO TITLE 15  
OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Plumbing Code, 2019 Edition, with such modifications as set forth in Chapter 15.52 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Plumbing Code be modified as set forth herein.

SECTION 3: Chapter 15.52 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4: A new Chapter 15.52 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.52 CALIFORNIA PLUMBING CODE**

**15.52.010 California Plumbing Code, 2019 Edition—Adopted by reference.**

The California Plumbing Code, 2019 Edition, including, Appendix A and Appendix B, as published by the International Code Council, is adopted as the plumbing code of the city (the “plumbing code”), establishing requirements, rules and standards for plumbing installations and materials, providing for the issuance of permits and the collection of fees. Each and all of such regulations, provisions, penalties, conditions and terms of the California Plumbing Code, 2019 Edition, are referred to, adopted, and made a part of this chapter as though fully set forth in this chapter, excepting such portions as are deleted, modified, added or amended by this chapter. The California Plumbing Code

is referred to in this chapter as the “CPC,” and one copy is on file in the office of the city clerk.

**15.52.020 Interpretation.**

The language used in this chapter and in the CPC is intended to convey the common and accepted meaning familiar to the plumbing industry. The building official is authorized to determine the intent and meanings of any provisions of the plumbing code.

**15.52.030 Liability unaffected by chapter.**

This chapter shall not be construed to relieve from or lessen the responsibility of any party owning, operating, controlling or installing any plumbing, piping, fixtures, appliances or materials for damage to persons or property caused by any defect therein, nor shall the city or any officer or employee thereof enforcing the plumbing code be held as assuming any such liability by reason of the inspections authorized in this chapter in accordance with the provisions of this chapter.

**15.52.040 Division II, Section 104.3.2 amended—Plan Review Fees.**

The third and fourth paragraphs of section 104.3.2 of the CPC are amended to read as follows:

The plan review fees specified in this subsection are separate fees from permit fees specified in the City of El Cajon Schedule of Miscellaneous Fees and are in addition to permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate as specified on the city’s schedule of fees.

**15.52.050 Division II, Section 104.5 amended—Fees.**

Section 104.5 of the CPC is amended to read as follows:

**104.5 Fees.** The permit fees for all Building and Fire Safety Division transactions of the city of El Cajon shall be set by the city council by resolution, and may be amended from time to time, to be listed in the city of El Cajon Schedule of Miscellaneous Fees.

**15.52.060 Division II, Section 107.1 amended—Board of Appeals.**

Section 107.1 of the CPC is amended to read as follows:

**107.1 Board of Appeals.** Appeals to the decisions or determinations made by the building official relative to the application and interpretation of the plumbing code adopted by the city, shall be heard in accordance with

the board of appeals procedure as outlined in the California Building Code as amended by Chapter 15.04 of the El Cajon Municipal.

**15.52.070 Public nuisance.**

A violation of any provision of the California Plumbing Code as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of the El Cajon Municipal Code.

**15.52.080 Violation-Penalty.**

Any person, firm or corporation violating any of the provisions of this chapter shall be subject to the provisions of the general penalty clause as set forth in section 1.24.010 of this code, or any other penalty adopted by the City.

SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.52 - California Plumbing Code (2019 Ed) 092319

1<sup>st</sup> Reading – 10/08/19

2<sup>nd</sup> Reading – 10/22/19

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING CHAPTER 15.54 OF  
TITLE 15 OF THE EL CAJON MUNICIPAL CODE;  
ADOPTING THE CALIFORNIA RESIDENTIAL CODE,  
2019 EDITION, AS AMENDED BY REFERENCE;  
AND ADDING A NEW CHAPTER 15.54 TO TITLE 15  
OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Residential Code, 2019 Edition, with such modifications as set forth in Chapter 15.54 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Residential Code be amended as set forth herein.

SECTION 3: Chapter 15.54 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4: A new Chapter 15.54 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.54 CALIFORNIA RESIDENTIAL CODE**

**15.54.010 California Residential Code, 2019 Edition—Adopted by reference.**

The California Residential Code, 2019 Edition, as published by the International Code Council, excluding section R103 and including appendix chapters H, K, Q, T and V, is adopted by reference as the residential building code of the city (the “residential building code”), for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all residential buildings and structures in the city, providing for the issuance of permits therefore, and each and all such regulations, provisions, penalties, conditions and terms of the California Residential Code, 2019 Edition, are referred to, adopted and made a part of this chapter as though fully set out in



this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Residential Code is referred to in this chapter as the “CRC,” and one copy is on file in the office of the city clerk.

**15.54.020 Section R112.1 amended and Section R112.3 deleted—General.**

Section R112.1 of the CRC is amended to read as follows:

**R112.1 General.** Appeals to the decisions or determinations made by the building official relative to the application and interpretation of the California Residential Code adopted by the city, shall be heard in accordance with the board of appeals procedure as outlined in the California Building Code as amended by Chapter 15.04 of the El Cajon Municipal Code.

Section R112.3 Qualifications – Deleted.

**15.54.030 Section Table R301.2(1) amended—Climatic and Geographic Design Criteria.**

Table R301.2(1) of the CRC is amended as follows:

Climatic and Geographic Design Criteria													
Ground Snow Load	Wind Design				Seismic design Category	Subject to Damage From			Winter Design Temp.	Ice Barrier Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp.
	Speed mph	Topographic Effects	Special Wind Region	Wind Borne Debris Zone		Weathering	Frost Line Depth	Termite					
Zero	85	No	No	No	D <sub>1</sub> , D <sub>2</sub>	Negligible	12	No	44	No	(a) 9/23/97 (b) 6/19/97 (c) 6/19/97 1634, 1653, 1654, 1660, 1661, 1662, 1666	0	64

Manual J Design Criteria							
Elevation	Latitude	Winter Heating	Summer Cooling	Altitude Correction Factor	Indoor Design Temperature	Design Temperature Cooling	Heating Temperature Difference
387	32	44°	80°	1	70°	75°	26°
Cooling Temperature Difference	Wind Velocity Heating	Wind Velocity Cooling	Coincident Wet Bulb	Daily Range	Winter Humidity	Summer Humidity	
5°	N/A	N/A	69	H	58	68	

**15.54.040 Section R902.2 retitled and amended—Fire-Retardant-Treated Shingles and Shakes Prohibited.**

Section R902.2 of the CRC is retitled as: Wood shake and shingle roofs prohibited

Section R902.2 of the CRC is amended to read as follows:

**R902.2 Wood shake and shingle roofs prohibited.** Wood shake and shingle roofs are not permitted except for minor repairs no larger than one roofing square in area.

**15.54.050 to read as follows: - Public Nuisance**

**15.54.050 Public Nuisance.**

A violation of any provision of the CRC as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of this code.

**15.54.060 to read as follows:**

**15.54.060 Violation-Penalty.**

Any person, firm or corporation violating any of the provisions of this chapter shall be subject to the provisions of the general penalty clause as set forth in section 1.24.010 of this code, or any other penalty adopted by the city.

SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.54 - California Residential Code (2019 Ed) 092319

1st Reading – 10/08/19

2nd Reading – 10/22/19

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING CHAPTER 15.56 OF TITLE 15  
OF THE EL CAJON MUNICIPAL CODE; ADOPTING  
THE CALIFORNIA FIRE CODE, 2019 EDITION, AS  
AMENDED, BY REFERENCE; AND ADDING  
A NEW CHAPTER 15.56 TO TITLE 15 OF  
THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of commercial and residential buildings in the City of El Cajon, and maintenance of all buildings and structures within the city, and incidental matters relating thereto through the adoption of the California Fire Code, 2019 Edition, with such modifications as set forth in Chapter 15.56 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Fire Code be modified as set forth herein.

SECTION 3: Chapter 15.56 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4: A new Chapter 15.56 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.56 CALIFORNIA FIRE CODE**

**15.56.010 California Fire Code, 2019 Edition—Adopted by reference.**

The California Fire Code, 2019 Edition, and including Appendix Chapters 4, B, BB, C, CC, D, H, and O, but excluding section 109 and 112.4, as published by the International Code Council, is adopted by reference as the fire code of the city (the “fire code”), for protecting the interests of health, life, and safety as they relate to the use or occupancy of buildings or premises. All of the regulations, provisions, penalties, conditions and terms of the California Fire Code, 2019 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Fire Code is referred to in this chapter as the “CFC,” and one copy is on file in the office of the city clerk.

**15.56.020 Section 101.1 amended—Title.**

Section 101.1 of the CFC is amended to read as follows:

**101.1 Title.** These regulations will be known as the Fire Code of the City of El Cajon, hereinafter referred to as “this code.”

**15.56.030 Section 105.1.1.1 added—Schedule of Fees.**

Section 105.1.1.1 of the CFC is added to read as follows:

**105.1.1.1 Schedule of fees.** The permit fees for all permits authorized by this code shall be as listed in the City of El Cajon Schedule of Miscellaneous Fees.

**15.56.040 Section 105.3.1 amended—Expiration.**

Section 105.3.1 of the CFC is amended to read as follows:

**105.3.1 Expiration.** An operational permit shall remain in effect until reissued, renewed, or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within one year, or if the work authorized by such permit is suspended or abandoned for a period of one year or more after the time the work is commenced. The maximum life of any construction permit is three years. If a final inspection is not obtained within the three-year time period, the permit will become invalid and a new permit will be required. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy, or ownership shall require that a new permit be issued.

**15.56.050 Section 109 amended—Board of Appeals.**

Section 109 of the CFC is amended to read as follows:

**Appeals Board.** Appeals to the decisions or determinations made by the building official/fire marshal, or fire code official relative to the application and interpretation of the fire code adopted by the City, shall be heard in accordance with the board of appeals procedure as outlined in the California Building Code as amended by Chapter 15.04 of the El Cajon Municipal Code.

**15.56.060 Section 202 amended—Definitions.**

Section 202 of the CFC is amended by adding the following definitions:

**Accessory Structure** is a building or structure used to shelter or support any material, equipment, chattel, or occupancy other than a habitable building. (See “Structure” in Section 202 of the California Building Code.)

**Combustible Vegetation** is material that in its natural state will readily ignite, burn and transmit fire from the vegetative growth to any structure; this includes ground fuels which are any native or landscape vegetation not considered a tree and generally in contact with the ground.

**Fire Authority Having Jurisdiction (FAHJ)** is the designated entity providing enforcement of fire regulations as they relate to planning, construction, and development. This entity may also provide fire suppression and other emergency services.

**Fire Department** is any regularly organized fire department, fire protection district, a legally formed volunteer fire department recorded with the County of San Diego, or fire company regularly charged with the responsibility of providing fire protection to the jurisdiction.

**Fire Hazard** is anything that increases or could create an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or egress of occupants in the event of fire.

**Hazardous Fire Area** is any geographic area mapped by the State or local jurisdiction as a high or very high fire hazard area, or as set forth by the FAHJ that contains the type and condition of vegetation, topography, weather, and structure density to potentially increase the possibility of vegetation conflagration fires shall be considered a hazardous fire area.

**Heavy Timber Construction** as described in the California Building Code.

**Off-site Roadway** is a road, street, public highway, or private road used for fire apparatus access from a publicly maintained road to the boundary of the subject property.

**On-site Roadway** is a road, street, public highway, private road, or driveway used for fire apparatus access within the boundaries of the subject property or land division.

**Planning Authority Having Jurisdiction (PAHJ)** is the identified authority regulating and enforcing planning and/or construction standards.

**Response Time** is the elapsed time from the fire department's receipt of the first alarm to when the first fire unit arrives at the scene.

**Travel Time** is the estimated time it would take for a responding agency to travel from the fire station to the furthest structure in a proposed development project, determined by measuring the safest, most direct, appropriate, and reliable route with consideration given to safe operating speeds for heavy fire apparatus.

**Vegetation Conflagration** is an uncontrolled fire spreading through vegetative fuels, and exposing and consuming structures in the advancing path of fire.

**15.56.070 Section 503.2.1 amended—Dimensions.**

Section 503.2.1 of the CFC is amended to read as follows:

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed improved width of not less than twenty (20) feet, except that single family residential driveways not exceeding 150 feet in length from the public right-of-way and serving no more than two single family dwellings, shall have a minimum of sixteen (16) feet unobstructed improved width. Any of the following, which have separated lanes of one way traffic: gated entrances with card readers; guard stations or center medians, are allowed, provided that each lane is not less than fourteen (14) feet wide. All fire apparatus access roads shall have an unobstructed vertical clearance of not less than thirteen feet six inches (13'6"). Vertical clearance or road widths shall be increased when, in the opinion of the fire code official, vertical clearances or road widths are not adequate to provide fire apparatus access.

**Exception:** Upon approval of the fire code official. Vertical clearance or road width may be reduced as long as the reduction does not impair access by fire apparatus. In cases where the vertical clearance has been reduced, approved signs shall be installed and maintained indicating the amount of vertical clearance.

**15.56.080 Section 503.3.1 added—Fire Lane Designation.**

Section 503.3.1 of the CFC is added to read as follows:

**503.3.1 Fire lane designation.** Where the fire code official determines that it is necessary to ensure adequate fire access, the fire code official may

designate existing roadways as fire access roadways as provided by Vehicle Code section 22500.1 (public) or 22658(a) (private).

**15.56.090 Section 505.1 amended—Premises Identification.**

Section 505.1 of the CFC is amended to read as follows:

**Section 505.1 Address Identification; Address Numbers.** Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum three inches (3") high with a one-half inch ( $\frac{1}{2}$ ") stroke for individual suites and apartments, minimum four inches (4") high with a one-half inch ( $\frac{1}{2}$ ") stroke for residential buildings, minimum eight inches (8") high with a one-half inch ( $\frac{1}{2}$ ") stroke for commercial, multi-residential buildings, and industrial buildings. Additional numbers shall be required where deemed necessary by the fire code official, such as rear access doors, building corners, and entrances to commercial centers. The fire code official may require larger address numbers based on visibility and the needs of emergency response personnel.

**15.56.100 Section 5704.2.9.6.1 amended—Location where above-ground tanks are prohibited.**

Section 5704.2.9.6.1 of the CFC is amended to read as follows:

**Location where above-ground tanks are prohibited.** Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

**15.56.110 Section 5706.2.4.4 amended—Location where above-ground tanks are prohibited.**

Section 5706.2.4.4 of the CFC is amended to read as follows:

**5706.2.4.4 Location where above-ground tanks are prohibited.** Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except for zones classified as commercial or industrial.

**15.56.120 Section 5806.2 amended—Limitations.**

Section 5806.2 of the CFC is amended to read as follows:

**5806.2 Limitations.** Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except for zones classified as commercial or industrial.

**15.56.130 Section 6104.2 amended—Maximum capacity within established limits.**

Section 6104.2 of the CFC is amended to read as follows:

**6104.2 Maximum capacity within established limits.** The geographic limits in which the bulk storage of liquefied petroleum gas is prohibited for the protection of heavily populated and congested areas is hereby established as jurisdiction limits of the City of El Cajon except for areas zoned for industrial use.

**15.56.140 Section 15.56.140 added—Public nuisance.**

Section 15.56.140 is added to read as follows:

A violation of any provision of the California Fire Code as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of the El Cajon Municipal Code.

**15.56.150 Section 15.56.150 added — Violation-Penalty.**

Section 15.56.150 is added to read as follows:

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy, or maintain any building or structure, or cause the same to be done, contrary to or in violation of the provisions of this chapter.

Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and subject to the provisions of the general penalty clause as set forth in Section 1.24.010 of this code, or any other penalty adopted by the City.

SECTION 5: This ordinance shall be effective thirty (30) days following its passage and adoption.



ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING CHAPTER 15.60 OF TITLE 15  
OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE  
CALIFORNIA GREEN BUILDING STANDARDS CODE,  
2019 EDITION, AS AMENDED, BY REFERENCE;  
AND ADDING A NEW CHAPTER 15.60 TO TITLE 15  
OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS  
FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Green Building Standards Code, 2019 Edition, with such modifications as set forth in Chapter 15.60 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City of El Cajon constitute conditions which require that the California Green Building Standards Code be amended as set forth herein.

SECTION 3: Chapter 15.60 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4: A new Chapter 15.60 is hereby added to Title 15 of the El Cajon Municipal Code to read as follows:

**15.60.010 Green Building Standards Code, 2019 Edition—Adopted by reference.**

The California Green Building Standards Code, 2019 Edition, including appendix chapters A4 and A5, as published by the International Code Council, is adopted by reference as the green building code of the city (the “green building code”), for regulating green construction practices in residential and commercial construction. Each and all such regulations, provisions, penalties, conditions and terms of the California Green Building Standards Code, 2019 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Green Building Standards Code is referred to in this chapter as the “CGBSC,” and one copy is on file in the office of the city clerk.

**15.60.020 Board of Appeals.**

Appeals to the decisions or determinations made by the building official relative to the application and interpretation of the California Green Building Standards Code, shall be heard in accordance with the board of appeals procedure as outlined in the California Building Code as amended by Chapter 15.04 of the El Cajon Municipal Code.

**15.60.030 Public nuisance.**

A violation of any provision of the CGBSC as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of this code.

**15.60.040 Violation—Penalty.**

Violation-Penalty. Any person, firm or corporation violating any of the provisions of this chapter shall be subject to the provisions of the general penalty clause as set forth in section 1.24.010 of this code, or any other penalty adopted by the City.

SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.60 - California Green Bldg Standards Code (2019 Ed) 092319

1st Reading – 10/08/19

2nd Reading – 10/22/19

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING SECTIONS 15.88.010, 15.88.020 AND 15.88.030 OF CHAPTER 15.88 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA HISTORICAL BUILDING CODE, 2019 EDITION, AS AMENDED, BY REFERENCE; AND ADDING NEW SECTIONS 15.88.010, 15.88.020 AND 15.88.030 OF CHAPTER 15.88 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of existing buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Existing Building Code, 2019 Edition, with such modifications as set forth in Chapter 15.88 of the El Cajon Municipal Code.

SECTION 2: Sections 15.88.010, 15.88.020 and 15.88.030 of Chapter 15.88 of Title 15 of the El Cajon Municipal Code are hereby repealed.

SECTION 3: New sections 15.88.010, 15.88.020 and 15.88.030 are hereby added to Chapter 15.88 of Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.88 CALIFORNIA HISTORICAL BUILDING CODE**

**15.88.010 California Historical Building Code, 2019 Edition—Adopted by reference.**

The California Historical Building Code, 2019 Edition as published by the International Code Council, is adopted by reference as the historical building code of the city (the “historical building code”), except as hereinafter modified, amended, repealed or deleted, for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all historical buildings and structures in the city, and is by this reference made a part hereof as though fully set out herein. The California Historical Building Code, 2019 Edition, is referred to in this chapter as the “CHBC,” and one copy is on file in the office of the city clerk.

**15.88.020 Public Nuisance**

A violation of any provision of the CHBC as adopted and amended by this chapter is deemed to be a public nuisance and may be abated in accordance with Chapter 1.16 of the El Cajon Municipal Code.

**15.88.030 Violation Penalty**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy, or maintain any building or structure, or cause the same to be done, contrary to or in violation of the provisions of this chapter.

Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and subject to the provisions of the general penalty clause as set forth in section 1.24.010 of this code, or any other penalty adopted by the City.

SECTION 2: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.88 - California Historical Building Code (2019 Ed) 092319

1<sup>st</sup> Reading – 10/08/19  
2<sup>nd</sup> Reading – 10/22/19

ORDINANCE NO. \_\_\_\_

AN ORDINANCE REPEALING SECTIONS 15.84.010 AND 15.84.015 OF CHAPTER 15.84 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION, AS AMENDED, BY REFERENCE; AND ADDING NEW SECTIONS 15.84.010 AND 15.84.015 TO CHAPTER 15.84 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of existing buildings in the City of El Cajon, and maintenance of all buildings and structures within the City, and incidental matters relating thereto through the adoption of the California Existing Building Code, 2019 Edition, with such modifications as set forth in Chapter 15.84 of the El Cajon Municipal Code.

SECTION 2: Sections 15.84.010 and 15.84.015 of Chapter 15.84 of Title 15 of the El Cajon Municipal Code are hereby repealed.

SECTION 3: New sections 15.84.010 and 15.84.015 are hereby added to Chapter 15.84 of Title 15 of the El Cajon Municipal Code to read as follows:

**Chapter 15.84 CALIFORNIA EXISTING BUILDING CODE**

**15.84.010 California Existing Building Code, 2019 Edition—Adopted by reference.**

The California Existing Building Code, 2019 Edition, including appendix chapters A1, A2, A3, and A4, but excluding section 103, and appendix chapter B, as published by the International Code Council, is adopted by reference as the existing building code of the city (the “existing building code”), except as hereinafter modified, amended, repealed or deleted, for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the city, when rebuilding or reconstructing a building or structure damaged by emergencies created by seismic activities, winds, floods, conflagrations, or other such disasters, or for retrofitting of existing buildings for soft story or unreinforced masonry construction, and is by this reference made a part hereof as though fully set out herein. The California Existing Building Code, 2019 Edition, is referred to in this chapter as the “CEBC,” and one copy is on file in the office of the city clerk.

**15.84.015 Section 112 Amended – Board of Appeals**

Section 112 of the CEBC is amended to read as follows:

**112. Board of Appeals.** Appeals to the decisions or determinations made by the building official relative to the application and interpretation of the California Existing Building Code adopted by the city, shall be heard in accordance with the board of appeals procedure as outlined in the California Building Code as amended by Chapter 15.04 of the El Cajon Municipal.

SECTION 5: This ordinance shall be effective thirty days following its passage and adoption.

ECMC 15.84 - California Existing Building Code (2019 Ed) 092319

1<sup>st</sup> Reading – 10/08/19

2<sup>nd</sup> Reading – 10/22/19



City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Morgan Foley, City Attorney  
**SUBJECT:** Administrative Hearing - Appeal by Alexandra Investments, Inc., dba Angelo's Towing & Recovery

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**RECOMMENDATION:**

That the City Council conducts the Administrative Hearing; reviews the documents submitted; receives testimony from witnesses who have been identified on each party's list; and determines whether the City Manager's denial of a Special Operations License ("SOL") to operate a Police Department towing business should be upheld or overturned.

**BACKGROUND:**

On June 12, 2019, Nashwan Habib of Alexandra Investments, Inc. dba Angelo's Towing & Recovery ("Angelo's Towing"), applied for a SOL to operate a Police Department towing business at 501 Front Street in El Cajon. This application was stamped received by the City of El Cajon ("City") on June 20, 2019. On August 19, 2019, El Cajon City Manager, Graham Mitchell, denied the above-referenced application. A letter dated August 26, 2019, sent from the City's Business License Division, confirmed the City Manager's denial.

Angelo's Towing filed an appeal of the City Manager's denial to the City Clerk's Office on September 5, 2019, accompanied by a letter dated September 3, 2019, under Nashwan Habib's signature on behalf of Angelo's Towing. On September 11, 2019, the City Clerk set an Administrative Hearing before the City Council for today's meeting to consider whether the City Manager's denial of inclusion on the police tow rotation list should be upheld or overturned, and sent a copy of that letter to the applicant, Mr. Habib.

The City Manager's decision was made pursuant to the provisions of El Cajon Resolution No. 161-00, which sets out the City's eligibility qualifications for a SOL and inclusion on the police tow rotation list. Two of the provisions of Resolution No. 161-00 required to be met are: section 2(C)(5), which states that a tow company must demonstrate trustworthiness and capacity to deal fairly and effectively with the City and the public; and section 2(A), which states that all tow companies on the tow rotation list shall strictly conform in all aspects to local, state and federal law(s). A copy of Resolution No. 161-00 is attached to this Agenda Report.

The City Manager based his denial of the SOL on information that came to light in a 2015 news article by Liam Dillon of the Voice of San Diego ("VOSD"). The article referenced Nashwan Habib and Angelo's Towing's business practices, including contacts or involvement with persons operating illegal marijuana dispensaries in East County, and Mr. Habib's arrests and

convictions in Michigan that were not disclosed on Mr. Habib's and Angelo's Towing's application. Mr. Habib answered "none" on the line on the SOL application requesting past criminal records of all financially interested persons. The allegations in the article were investigated by Lt. Jason Taub of the El Cajon Police Department, who conducted a search of public records and located documents corroborating statements contained in Mr. Dillon's VOSD report.

These records, along with memos by Lt. Taub and Officer M. Pollard of the El Cajon Police Department, were provided to Community Development personnel and the City Manager to assist in the City Manager's decision. Accordingly, the City Manager determined Angelo's Towing is not eligible for a SOL for inclusion on the police tow list.

A portion of Lt. Taub's memo has been redacted in order to protect information related to an ongoing investigation that would be compromised by premature disclosure to the public.

The appeals process is outlined in El Cajon Municipal Code section 1.36.020. This type of proceeding is known as an administrative hearing. Section 1.36.080 provides that the presenting officer and the party involved are required to file with the City Clerk a list of all witnesses to be presented at the hearing, and ten copies of each document the party intends to offer into evidence. The witness lists of the City's representative and the applicant are attached to this Agenda Report; the documents intended to be offered into evidence by both sides are likewise included with this report, in separate envelopes.

Only a party, the presenting officer, or a person whose name appears on a filed witness list may present oral evidence at the hearing. All oral testimony must be taken either under oath or affirmation. The City Attorney will swear in all witnesses at the time of the hearing.

The procedure to be followed will be explained by the City Attorney at the time of the hearing. In general, the City Council will first receive testimony and evidence from City representatives and witnesses, as the City bears the burden of proving grounds for the action taken to deny Angelo's Towing a SOL for inclusion on the police tow list. Mr. Nashwan Habib, or his representative, is then allowed to present his evidence and witnesses in support of his position. Each party will then be allowed the right to present evidence in explanation or rebuttal. Each party may question the other party, or its witnesses, generally to be conducted through the Mayor, although the Mayor may allow the question to be presented directly.

The hearing is not conducted according to the technical rules of evidence and any relevant evidence, including hearsay, shall be allowed and admitted. The City Council will give the evidence the weight it deserves.

Upon the conclusion of the submission of evidence, only the presenting officer of the City and an authorized representative of the applicant may present arguments to support their respective positions. Thereafter, applying laws, ordinances, rules and regulations to the evidence presented, including Resolution No. 161-00, the City Council shall make an adjudicatory decision regarding the rights, duties and entitlements of Angelo's Towing. The decision may direct that certain action be taken as deemed necessary by the City Council. Such deliberations and discussions will be conducted in the public meeting.



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## Attachments

Resolution No. 161-00

City's Witness List

City's Evidence Documents

Angelo's Towing Witness List

Angelo's Towing Evidence Documents

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RESOLUTION NO. 161-00

RESOLUTION REGULATING POLICE INITIATED  
VEHICLE TOWING AND STORAGE WITHIN  
THE CITY OF EL CAJON, AND RESCINDING  
RESOLUTION NO. 16-72 AND RESOLUTION NO. 67-97.

WHEREAS, the El Cajon Police Department (the "ECPD") enforces state and local laws pertaining to the operation of motor vehicles within the City of El Cajon; and

WHEREAS, during the course of enforcing such laws the ECPD often has need to remove vehicles from traffic circulation pursuant to state or local laws; and

WHEREAS, by Resolution No. 16-72, the El Cajon City Council established basic regulations for the operation of ECPD-initiated vehicle towing services within the City of El Cajon; and

WHEREAS, by Resolution No. 67-97, adopted on May 27, 1997, the City Council amended Resolution 16-72 to incorporate certain changes to said ECPD-initiated towing services, and

WHEREAS, the City Council wishes to adopt new regulations for the operation of ECPD-initiated towing services including certain tow company eligibility requirements; and rescind Resolution 16-72 and Resolution 67-97;

NOW, THEREFORE, THE EL CAJON CITY COUNCIL RESOLVES AS FOLLOWS:

1. Authority

A. Whenever the ECPD requires vehicles or debris to be removed from traffic circulation within the City of El Cajon pursuant to state or local law including, without limitation, El Cajon Municipal Code ("ECMC") Chapter 1.16, ECMC section 10.28.060, or section 15.16.050, it shall use the vehicle towing and storage guidelines established by this Resolution.

B. ECPD shall maintain an authorized list of tow companies (the "Tow List") from which it will select towing companies to perform vehicle towing and debris removal services pursuant to this Resolution.

2. Eligibility

A. All towing companies on the Tow List shall strictly conform in all respects to federal, state, and local law including, without limitation, this Resolution.

B. No person, company, partnership, corporation, or other entity, having a financial or operational interest in any towing company on the Tow List, may have any financial or operational interest in any other towing company included on the Tow List.

C. Prior to being included on the Tow List, a towing company must:

- (1) Obtain a valid business license pursuant to ECMC sections 5.04.010 □ 5.04.350;
- (2) Obtain a valid special operations license pursuant to ECMC sections 5.16.010 □ 5.16.140;
- (3) Have both its business office and a storage lot (sufficient to accommodate all ECPD initiated towed vehicles from within the City) located within the City of El Cajon;
- (4) Have the following equipment:
  - (a) At least two trucks, at least one of which must have twin booms, of a minimum one-ton capacity specifically designed for towing;

(CONTINUED ON PAGE 2)

b) All tow trucks must be equipped in conformance with the California Vehicle Code and have an operational fire extinguisher;

(c) All tow trucks must be equipped with the necessary tools of the trade to accomplish all tasks normally assigned by the ECPD; and

(5) Have demonstrated trustworthiness, financial resources, service experience, completion ability, personnel, and a demonstrated capacity to deal fairly and effectively with the City of El Cajon and public.

3. Minimum Business and Storage Requirements

A. Storage

The business and storage lot must be a reasonable distance from public transportation and must have adequate storage space either under cover or well fenced. Stored vehicles, and contents, must be reasonably safe from theft and vandalism.

B. Business

(1) Hours: Each tow company shall have an employee on duty for towing and the release of vehicles to the public, between 8:00 a.m. and 5:00 p.m. at least six (6) days per week.

(2) Insurance: Each tow company must have adequate public liability and property damage insurance conforming, without limitation, with ECMC section 5.68.050 and the City Council Policy in force at all times and filed with the City Clerk's Office.

(3) Hold Harmless Agreement: Each tow company shall enter into an agreement to hold the City, its elected and appointed officials, officers, employees and agents harmless from any liability incurred as a result of the ECPD requesting towing and storage services.

(4) Records: Each tow company must maintain complete records for all ECPD requested towing and storage transactions. These records shall include license and vehicle identification numbers, time and date of tow or impound, location from where vehicle was towed, and any other records deemed necessary by the ECPD.

(5) Invoices: All invoices for towing and storage shall be itemized indicating minimum charges, plus any additional charges as specified in the rate schedule.

(6) Charges: Tow companies shall base their charges according to the rate schedule adopted by City Council resolution. This schedule shall be reviewed by City Council at least once every two (2) years.

4. Dispatching

A. All requests for ECPD initiated impounds, and removal of traffic hazards, shall be made through the ECPD Communications Center.

B. Requests for towing services shall be made on a rotating basis from firms on the Tow List.

C. When it is reasonably evident that there will be a delay in responding to an ECPD request for towing service, the tow company concerned shall immediately advise the ECPD Communications Center of such delay.

D. In the event a firm selected from the Tow List is unable to respond within a reasonable period of time, the next firm on the Tow List will be selected. The firm not able to respond will revert to the bottom of the eligible Tow List.

E. Towing units will generally be dispatched from the place of business, or a reasonable distance from the place of business.

(CONTINUED ON PAGE 3)

5. General Provisions

A. Removing hazards: After being dispatched by the ECPD, the tow truck operator will cooperate with Peace Officers at the scene to remove hazards and illegally parked vehicles from streets, and in impounding vehicles as requested. The Peace Officer at the scene shall determine whether a vehicle should be impounded or moved, and the tow truck operator shall abide by this decision.

B. Supervision checks: All tow companies' records, equipment, and storage facilities are subject to periodic checks by the City of El Cajon.

C. Fee: There shall be no fee for being placed on the approved Tow List other than the investigation fee provided for in ECMC Chapter 5.16.

D. Independent Contractor: Every tow company on the Tow List, its employees and agents, are independent contractors and not City's agents. Any provision of this Resolution that may appear to give City or the ECPD the right to direct tow truck operators as to the details of doing the work or to exercise a measure of control over the work means that these tow companies shall follow the direction of the City and/or the ECPD as to end results of the work only.

6. Removal or Suspension from Tow List; Reinstatement

A. The requirements and guidelines established by this Resolution do not impart property rights or an expectation of continued inclusion upon the Tow List by any tow company. Any tow company on the ECPD Tow List may be removed or suspended, without notice, under the following circumstances:

- 1) Consistent and repeated failure to respond to ECPD requests for towing services within twenty (20) minutes of receiving such request;
- (2) Failure to abide by any provision of this Resolution; or
- (3) Failure to abide by any requirement of federal, state, or local law.

B. A tow company removed from the Tow List may, with reason satisfactory to the ECPD, apply to the ECPD to be reinstated. The ECPD may, but is not required to, reinstate that towing company on the Tow List.

7. The City Clerk is hereby directed to provide a copy of this Resolution to all City authorized towing and storage operators.

8. This Resolution supersedes Resolution No. 16-72, and Resolution No. 67-97, and said Resolution 16-72 and Resolution 67-97 are hereby rescinded.

(CONTINUED ON PAGE 4)

PASSED AND ADOPTED by the City Council of the City of El Cajon, California at a regular Joint City Council/Redevelopment Agency Meeting held this 10th day of October, 2000, by the following vote to wit:

AYES	:	McClellan, Ramos, Santos, Keegan, Lewis
NOES	:	None
ABSENT	:	None
DISQUALIFY	:	None

MARK LEWIS  
Mayor of the City of El Cajon

ATTEST:

MARILYNN LINN, CMC  
City Clerk

I hereby certify that the above and foregoing is a full and true copy of Resolution No. 161-00 of the Resolutions of the City of El Cajon, California, as adopted by the City Council at the Joint Meeting of the City Council/Redevelopment Agency on the 10th day of October, 2000.

Marilynn Linn, CMC, City Clerk

# CITY OF EL CAJON

## WITNESS LIST

Re: Administrative Hearing – Appeal by Alexandra Investments, Inc., dba Angelo’s Towing & Recovery. Denial of Special Operations Permit for Inclusion on the Police Tow List

- Presenting Officer: Lieutenant Jason Taub, Metropolitan Division

# CITY OF EL CAJON

## EVIDENCE DOCUMENTS

Re: Administrative Hearing – Appeal by Alexandra Investments, Inc., dba Angelo's Towing & Recovery. Denial of Special Operations Permit for Inclusion on the Police Tow List

- Documents to be presented to Councilmembers in separate envelopes.
- Documents are available for review in the City Clerk's Office, 200 Civic Center Way, El Cajon, CA.

**Alexandra Investments, Inc.  
dba Angelo's Towing & Recovery**

WITNESS LIST

Re: Administrative Hearing – Appeal by Alexandra Investments, Inc., dba Angelo's Towing & Recovery. Denial of Special Operations Permit for Inclusion on the Police Tow List

- Nashwan Habib
- Rostom Arshak
- Todd M. Abbott, Esquire



**Alexandra Investments, Inc.  
dba Angelo's Towing & Recovery**

**EVIDENCE DOCUMENTS**

Re: Administrative Hearing – Appeal by Alexandra Investments, Inc., dba Angelo's Towing & Recovery. Denial of Special Operations Permit for Inclusion on the Police Tow List

- Documents to be presented to Councilmembers in separate envelopes.
- Documents are available for review in the City Clerk's Office, 200 Civic Center Way, El Cajon, CA.



## City Council Agenda Report

**Agenda Item 12.**

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dirk Epperson, Director of Public Works  
**SUBJECT:** Citywide Pavement Condition Report

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### RECOMMENDATION:

This is an informational report only. No action is required by the City Council.

### BACKGROUND:

In 2017, the City updated its Pavement Management Program (PMP) to include pavement condition surveys for the entire street network, which consists of approximately 186 centerline miles. The intent of the program was to establish a baseline condition of the street network, track effects on the overall or city-wide condition as projects are completed, and to strategically support decisions related to annual street maintenance programs. Conditions are reported using the Pavement Condition Index (PCI), which is the industry standard for a street condition assessment metric.

Since inception of the PMP, City Staff has awarded several large-scale, multi-year paving contracts to serve both maintenance and capital work needs. Public Works staff desires to update City Council since the last pavement condition report, which was last year in 2018.

Prepared By: Dirk Epperson, Director of Public Works  
Reviewed By: Vince DiMaggio, Assistant City Manager  
Approved By: Graham Mitchell, City Manager

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City Council  
Agenda Report

Agenda Item 13.

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Wells  
**SUBJECT:** Council Activity Report

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**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 11 - SANDAG Audit Committee Meeting  
October 16-18 - League of California Cities Conference in Long Beach  
October 22 - City Council Meeting

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

Submitted By: Bill Wells, Mayor

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**City Council  
Agenda Report**

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Bill Wells, Mayor  
**SUBJECT:** East County Advance Water Purification Joint Powers Authority Board Appointments

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**RECOMMENDATION:**

That the City Council ratifies appointments of Councilmember Gary Kendrick as the City's primary representative and Deputy Mayor Steve Goble as the alternate representative on the East County Advance Water Purification Joint Powers Authority Board.

**BACKGROUND:**

On October 8, 2019, the City Council approved an agreement to join the East County Advance Water Purification Joint Powers Authority (JPA). The JPA board is comprised of an official from each of the three founding agencies—the City of El Cajon, the County of San Diego, and Padre Dam Municipal Water District. I recommend that the City's board representative be elected officials with Councilmember Gary Kendrick being appointed as the City's primary representative and Deputy Mayor Steve Goble as the alternate representative on the JPA.

I seek the City Council's ratification of these appointments.

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City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Councilmember Kendrick  
**SUBJECT: COUNCILMEMBER GARY KENDRICK**  
METRO Commission/Wastewater JPA; Heartland Communications;  
Heartland Fire Training JPA.

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**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 10 - Heartland Fire Training Facility JPA Meeting
- October 10 - Fundraiser for St. Peters Chaldean Church
- October 17 - Heartland Fire Communications Authority JPA Meeting
- October 22 - City Council Meeting

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

Submitted By: Gary Kendrick, Councilmember

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City Council  
Agenda Report

Agenda Item 17.

**DATE:** October 22, 2019

**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.

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**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 10 - MTS Board Meeting
- October 17 - Pregnancy Care Center Dinner
- October 22 - City Council Meeting

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

Submitted By: Bob McClellan, Councilmember

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City Council  
Agenda Report

Agenda Item 18.

**DATE:** October 22, 2019

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Deputy Mayor Goble

**SUBJECT: 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.

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**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 8 - Email to Caryl C re: Vaping
- October 8 - Email to Ruben D re: Homelessness
- October 8 - Email with David Shorey re: Social Host Ordinance
- October 9 - Email with Mike Z re: Adult Daycare Site
- October 9 - Email with Barbara R re: SR 67/Bradley Project
- October 14 - Email with Kristine @ Waste Management re: Invoice Detail
- October 15 - Rotary Grant Night Event
- October 21 - Meeting with City Manager
- October 22 - City Council Meeting

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

Submitted By: Steve Goble, Deputy Mayor

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City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Councilmember Phil Ortiz  
**SUBJECT: COUNCILMEMBER PHIL ORTIZ**  
East County Economic Development Council; League of California Cities,  
San Diego Division.

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**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 10 - Brothers in Faith Dinner - St Peters Church
- October 16-18 - League of California Cities Conference
- October 21 - Meeting with resident Barbara
- October 22 - City Council Meeting

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

Submitted By: Phil Ortiz, Councilmember

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City Council  
Agenda Report

**DATE:** October 22, 2019  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mike Moulton, Chief of Police  
**SUBJECT:** El Cajon Animal Shelter Donations for September 2019

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RECOMMENDATION:

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

Tierra Del Sol Middle School: Money For Paws	\$307.00
<b>Total</b>	<b>\$307.00</b>

Prepared By: Captain Rob Ransweiler  
Reviewed By: Mike Moulton, Police Chief  
Approved By: Graham Mitchell, City Manager

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