

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

December 10, 2019

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, December 10, 2019, was called to order by Mayor/Chair Bill Wells at 3:01 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 November 12, 2019, meeting and the Agenda of the December 10, 2019, meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

Presentation: R.E.C. Campaign

Presentation: Resident Leadership Academy

Presentation: Design Build Award for the Animal Shelter

AGENDA CHANGES:

City Manager Mitchell announced the retirement of Executive Assistant to the City Manager, Teresa Bussey and Information Technology Technician, Franklin Reed.

City Manager Mitchell requested that Closed Session, Item 28 be moved up on the Agenda to accommodate other commitments by Mr. Beamer.

City Attorney Foley recommended a vote to approve the changes to the Agenda.

MOTION BY WELLS, SECOND BY KENDRICK, to MOVE into Closed Session to consider Item 28 on the Agenda.

MOTION CARRIED BY UNANIMOUS VOTE.

CLOSED SESSIONS:

- 28. Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9: Christine Greer vs. City of El Cajon, et al. San Diego Superior court Case No. 37-2016-00027133-CU-OE-CTL

DISCUSSION

MOTION BY WELLS, SECOND BY McCLELLAN, to ADJOURN to Closed Session at 3:32 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 3:39 p.m.

City Attorney Foley reported the following action:

Item 28: City Council gave direction to Legal Counsel.

CONSENT ITEMS: (1 – 13)

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

Approves Minutes of the November 12, 2019, Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

2. Warrants

Approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

Approves the reading by title and waives the reading in full of all Ordinances on the Agenda.

4. Authorization for the Execution of Program Supplement Agreements with Caltrans for Two (2) Highway Safety Improvement Program (HSIP) Federal Grant Projects.

Adopts Resolution No.114-19, approving Program Supplement Agreement Nos. F055 HSIPL-5211(040) and F056 HSIPL-5211(041) for two (2) Highway Safety Improvement Program (HSIP) Federal Grant Projects.

5. Acceptance of the Channel Repairs 2019 (WW3653) Project

1. Accepts the Channel Repairs 2019 (WW3653) Project, Bid (006-20); and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

6. July - September 2019 Quarterly Treasurer's Report

That the City Council receives the Treasurer's Report for the quarter ending September 30, 2019.

CONSENT ITEMS: (Continued)

7. Fire Station 9 Driveway Project Acceptance
 1. Accepts the Fire Station 9 Driveway Project, PS0061, Bid No. 005-20; and
 2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

8. Agreements for Civil Engineering Services
 1. Adopts Resolution No. 115-19 to enter into an Agreement for Professional Services with Chen Ryan Associates, Inc., to perform civil engineering services for the El Cajon Transit Center Community Improvements for a two-year term in the not-to-exceed amount of \$328,807;
 2. Adopts Resolution No. 116-19 to enter into an Agreement for Professional services with Chen Ryan Associates, Inc., to perform civil engineering services for the Main Street – Green Street Gateway Improvements for a two-year term in the not-to-exceed amount of \$285,154; and
 3. Adopts Resolution No. 117-19 to enter into an Agreement for Professional Services with Chen Ryan Associates, Inc., to perform civil engineering services for the Active Transportation Plan for a two-year term in the not-to-exceed amount of \$206,997.

DISCUSSION

In answer to a question by Bonnie Price, City Manager Mitchell clarified that a current list of competitive vendors was on file and Chen Ryan was selected from that list.

9. Third Amended Heartland Fire Training Facility Lease Agreement

Adopts Resolution No. 118-19 approving and entering into a third amended lease agreement with the Heartland Fire Training Authority for the use of the Heartland Fire Training Facility.

10. Disposal of Retired Property

Declares the listed property retired and authorizes disposal in accordance with policy.

CONSENT ITEMS: (Continued)

11. Fiscal Year 2018-19 El Cajon Housing Authority Annual Report (pursuant to California Health & Safety Code Section 34176.1)

El Cajon Housing Authority reviews and accepts the Annual Report, substantially in the form as presented, for fiscal year ending June 30, 2019.

DISCUSSION

City Council and City Manager Mitchell clarified questions by Stephanie Harper regarding fund allocations, eligible housing funds and affordable housing.

12. Cooperative Purchase – Asphalt Patch Truck

Adopts Resolution No. 119-19 to authorize the Purchasing Agent, in accordance with Municipal Code section 3.20.010(C)(5), to execute an agreement with Municipal Maintenance Equipment for the purchase of an asphalt patch truck in the amount of \$233,321.92.

13. Contract Amendment for Maintenance and Repairs of Mechanical Doors and Gates

Adopts Resolution No. 120-19 to increase the contract for mechanical doors and gates in the not-to-exceed amount of \$20,000.

MOTION BY WELLS, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 13.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Stephanie Harper requested information on what happens to property confiscated from homeless individuals.

City Manager Mitchell stated that property which has identifying information is returned to the rightful owner, however, if no information is found, it is disposed in a timely manner.

PUBLIC COMMENT: (Continued)

Bonnie Price suggested placing lights along crosswalks to provide safer streets.

Jim Cirigliano stated that the problem of homelessness is not discussed enough. He added that FPPC Forms 460 and 700 should be posted on the City's websites.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS:

14. Hall Family House - Proposed Historic Resource Designation No. 3 and Historic Preservation Agreement for 436 Provo Street

RECOMMENDATION:

That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing; and
3. Moves to adopt the next Resolution, in order, approving the proposed Historic Designation No. 3 and Historic Preservation Agreement for the Hall Family House.

DISCUSSION

Director of Community Development, Anthony Shute, provided a summary of the Item.

Mayor Wells opened the public hearing.

No one came forward to speak but the following individuals submitted a speaker card in support of the Item:

Scott Strothers
Sheri Strothers
Paul Johnson
Sarai Johnson

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

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 14 – Continued)

MOTION BY KENDRICK, SECOND BY McCLELLAN, to ADOPT RESOLUTION NO. 121-19 approving the proposed Historic Designation No. 3 and Historic Preservation Agreement for the Hall Family House.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS:

15. Selection of Deputy Mayor

RECOMMENDATION:

That the City Council selects a Deputy Mayor according to the El Cajon Municipal Code.

DISCUSSION

City Manager Mitchell provided a summary of the Item.

Mayor Wells recommended that Councilmember Ortiz serve as Deputy Mayor for the 2020 calendar year.

MOTION BY WELLS, SECOND BY KENDRICK to APPOINT Councilmember ORTIZ as Deputy Mayor according to the El Cajon Municipal Code for the 2020 Calendar Year.

MOTION CARRIED BY UNANIMOUS VOTE.

16. Consideration of a Lease Agreement with USA Waste of California, Inc., (Waste Management) for property located at 1001 West Bradley Avenue

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, approving a lease agreement with USA Waste of California, Inc., for property located at 1001 W. Bradley Avenue.

DISCUSSION

Assistant City Manager DiMaggio provided detailed information on the Item.

City Manager Mitchell provided market analysis information on the Item.

ADMINISTRATIVE REPORTS: (Item 16 – Continued)

Stephanie Harper inquired about options for waste hauler for citizens who do not wish to utilize Waste Management.

Mayor Wells clarified that the City utilizes one waste hauler to minimize the wear and tear on the City streets.

Citi Manager Mitchell clarified that the current Item is not for waste hauler services but rather for the lease of a property. Further clarification was given about Waste Management providing services from the said property to other cities.

Jim Cirigliano requested more information on Republic Services.

Councilmembers spoke in support of the agreement with Waste Management.

MOTION BY McCLELLAN, SECOND BY KENDRICK to ADOPT RESOLUTION No. 122-19 approving a lease agreement with USA Waste of California, Inc., for property located at 1001 W. Bradley Avenue.

MOTION CARRIED BY UNANIMOUS VOTE.

17. 2020 City of El Cajon Public Relations Campaign Proposal

RECOMMENDATION:

That the City Council reviews and provides feedback on the proposed 2020 Public Relations Campaign.

DISCUSSION

City Manager Mitchell stated that the project was led by a group of five interns, and introduced Shaina Tigar who gave detailed information on the Item.

Discussion ensued amongst Council and Staff regarding:

- A slogan representative of El Cajon;
- Ideas to extend beyond the year 2020;
- Publicity that portrays the pride of El Cajon; and
- Publicity for positive events in the City.

No motion required for the Item.

ADMINISTRATIVE REPORTS: (Continued)

18. Key Legislation from the 2019 Legislative Session

RECOMMENDATION:

This is an information only item. No action is required.

DISCUSSION

Assistant City Manager DiMaggio provided detailed information on the 2019 Legislative Session.

19. Award of RFP No. 012-20 – Citizen Reporting Software

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to enter into an agreement for citizen reporting software with Tyler Technologies, Inc., in the amount of \$57,145 for a one-year term, with the option to renew for four additional one-year terms.

DISCUSSION

Information Technology Director Sara Diaz provided detailed information on the Item.

Discussion ensued amongst Council and Staff regarding:

- Integration capability with RGIS for capturing data;
- Graffiti reporting;
- Americans with Disabilities Act (ADA) compliance;
- User friendly for reporting;
- Customizable product; and
- Ability to perform updates to software.

MOTION BY GOBLE, SECOND BY ORTIZ to ADOPT RESOLUTION No. 123-19 to enter into an agreement for citizen reporting software with Tyler Technologies, Inc., in the amount of \$57,145 for a one-year term, with the option to renew for four additional one-year terms.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

20. Compensation for Executive and Unrepresented Employees (A-29)

RECOMMENDATION:

That the Mayor provides an oral report summarizing recommended changes in compensation for the affected City's "local agency executives"; and following the report, that the City Council approves the changes to City Council Policy A-29 described in the report, and reflected on the attachment.

DISCUSSION

Human Resources Director Marisol Thorn provided detailed information on the Item.

Mayor Wells provided an oral report summarizing the recommended changes.

Mayor Wells clarified for Stephanie Harper the requirements from CALPERS to report the status of the local agency executives.

MOTION BY GOBLE, SECOND BY McCLELLAN to APPROVE the changes to City Council Policy A-29.

MOTION CARRIED BY UNANIMOUS VOTE.

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.

21. Council Activities Report/Comments

In addition to the submitted report, Mayor Wells stated that he attended the Police Officer Association Christmas Party on December 7, 2019.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

22. COUNCILMEMBER GARY KENDRICK
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA; East County Advance Water Purification Joint Powers Authority Board.

Council Activities Report/Comments.

Report as stated.

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

Council Activities Report/Comments.

Report as stated.

24. DEPUTY MAYOR STEVE GOBLE
SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate; METRO Commission/Wastewater JPA – Alternate; Chamber of Commerce – Government Affairs Committee; MTS (Metropolitan Transit System Board) – Alternate; East County Advance Water Purification Joint Powers Authority Board – Alternate.

Council Activities Report/Comments.

Report as stated.

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

Council Activities Report/Comments.

In addition to the submitted report, Councilmember Ortiz stated that on December 6, he attended a meeting with Waste Management, and on December 7, he attended the Police Officer Association Christmas Party.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION:

26. El Cajon Animal Shelter Donations for October 2019

RECOMMENDATION:

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

Anonymous	\$281.43
James Stoddard	<u>\$100.00</u>
Total	\$381.43

ORDINANCES: FIRST READING

27. El Cajon Tobacco Retailer's License Ordinance

RECOMMENDATION:

That the City Council considers the proposed modifications to the El Cajon Tobacco Retailer's License Program by:

1. Introducing the Ordinance;
2. Request that the City Clerk recite the title of the Ordinance; and
3. Direct that the second reading of the Ordinance be scheduled for January 14, 2020.

DISCUSSION

City Attorney Foley provided a summary of the Item.

Dana Stevens submitted a speaker card in support of the item.

No further comments were offered.

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

MOTION CARRIED BY UNANIMOUS VOTE.

The City Clerk recited the title of the Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON, CALIFORNIA, AMENDING CHAPTER 8.33 OF THE EL CAJON MUNICIPAL CODE TO REGULATE RETAILERS OF TOBACCO PRODUCTS AND ELECTRONIC VAPOR DEVICES AND ESTABLISHING A LICENSE FOR SUCH ACTIVITIES

ORDINANCES: SECOND READING AND ADOPTION – None

CLOSED SESSIONS:

Item 28 was previously discussed per Action taken under Agenda Changes:

29. Closed Session - CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6.

Agency Designated Representatives: Vince DiMaggio, Assistant City Manager; Marisol Thorn, Director of Human Resources; Clay Schoen, Director of Finance.

Unrepresented Employees: Graham Mitchell, City Manager; Morgan L. Foley, City Attorney

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADJOURN to Closed Session at 5:23 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 5:30 p.m.

Assistant City Manager DiMaggio reported the following action:

Item 29: City Council gave direction to amend the employment agreement for the City Manager and City Attorney to change from annual to bi-weekly compensation. In addition, in the case of the City Manager, he will be eligible to receive the same incentives provided to the Assistant City Manager, including a city paid wellness exam.

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 10th day of December 2019, at 5:31 p.m., to Tuesday, January 14, 2020, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary