

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

March 10, 2020

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, March 10, 2020, 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:	Goble, Kendrick, and McClellan
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Ortiz
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 February 25, 2020, meetings and the Agenda of the March 10, 2020, meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 6)

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

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 February 25, 2020, Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

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.

PULLED FOR DISCUSSION:

4. Updates to City Council Policy A-29

RECOMMENDATION: That the City Council approves the modifications to City Council Policy A-29.

DISCUSSION

In answer to a question by Stephanie Harper, City Manager Mitchell clarified the updates to City Council Policy A-29 are not for salary increases but rather to move certain positions to a confidential status.

5. Termination of Emergency Storm Damage Repairs

1. Adopts Resolution No. 021-20, proclaiming the termination of emergency storm damage repairs in the City of El Cajon; and
2. Approves an additional \$23,177.29 for repairs in Capital Improvement Program Project Sewer & Storm Drain Repair and Replacement 2015 (WW3519) to cover the cost of the emergency work.

CONSENT ITEMS: (Continued)

6. Contract Amendment for Slurry (Various Locations) Multi-year Contract

Adopts Resolution No. 022-20 to:

1. Exercise the City's option to renew the contract with American Asphalt South, Inc., for one (1) additional year;
2. Increase the slurry multi-year contract in the not-to-exceed amounts of \$600,912.28 for Option Period 1; and
3. Authorize the City Manager to approve options to renew the contract in the amounts of \$814,951.53 for Option Period 2, \$805,250.56 for Option Period 3, and \$795,355.57 for Option Period 4.

PUBLIC COMMENT:

Miss El Cajon 2019, Brianna Quemuel, and Miss Jamul 2019, Vanessa Hanna, introduced themselves to Council and spoke about the upcoming Miss El Cajon Pageant to be held at The Magnolia.

Stephanie Harper spoke about homeless items and how unclaimed or abandoned items are disposed by City personnel.

Mayor Wells encouraged Ms. Harper to leave her contact information to have a staff member contact her to clarify the difference between unclaimed and abandoned property.

PUBLIC HEARINGS:

7. Public Hearing to Consider Placing Sewer Charges on the San Diego County Tax Roll

RECOMMENDATION: That the City Council:

1. Opens the Public Hearing and receives testimony related to this report;
2. Closes the Public Hearing;
3. Adopts the next Resolution, in order, to (1) determine the lack of a majority protest, (2) overrule objections to the report, and (3) authorize the collection of sewer service charges as a fixed special assessment on the county property tax bill beginning Fiscal Year 2021; and
4. Awards a sole source contract to NV5, Inc., for sewer billing support and tax roll charges preparation in the not-to-exceed amount of \$194,251 for FY21.

PUBLIC HEARINGS: (Item 7 - Continued)

DISCUSSION

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

Discussion ensued among Council and Staff concerning the following:

- Saving considerations by using the County Tax Role v. other options;
- Consider using the possible savings for pipe failure emergencies; and
- Rates not increased for many years in the past.

Mayor Wells opened the public hearing.

The following speakers spoke against placing sewer charges on the tax roll:

Dolores Landers

William McNichols

Frank Kalinoski

Janet Saal

Mary H. King

Steve Renaldi

Richard Dascoli

Rebecca Pollack-Rude

Tracy Hollingworth

Diedre Kruse

The following speakers expressed concern and requested more information on the item:

Edward Rodden

Jo Doreen Moreland

The following speakers spoke in support of placing the sewer charges on the tax roll:

Janice Wakefield

Marisela Vela submitted a card in support of placing the sewer charges on the tax roll, but left before she was called to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 7 - Continued)

Discussion ensued among Council and Staff concerning the following:

- Praise from Council regarding the community outreach to provide information;
- Bi-annual bill versus bi-monthly billing cost savings;
- Property tax bill increase causing a reduction in home buying;
- Consideration of the impact of tax roll billing on properties with HOA's; and
- Consideration of 'hand-billing' certain accounts, HOA's included.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT the next Resolution to authorize the collection of sewer service charges as a fixed special assessment on the county property tax bill beginning Fiscal Year 2021 with the exception of HOA accounts; and Award a sole source contract to NV5, Inc., for sewer billing support and tax roll charges preparation in the not-to-exceed amount of \$194,251 for FY21.

**MOTION FAILED BY A 3 TO 2 VOTE
(GOBLE, ORTIZ, WELLS – NO).**

*Recess called at 5:15 p.m.
Meeting called back to order at 5:25 p.m.*

ADMINISTRATIVE REPORTS:

City Manager Mitchell stated that staff overlooked to remove Item 8 under AGENDA CHANGES.

8. Subsidy Request for Use of The Magnolia

RECOMMENDATION:

That the City Council authorizes up to \$6,000 in assistance for Christian Youth Theater to access The Magnolia for the annual *Traditions of Christmas* shows between December 7 and 13, 2020.

9. Project Assistance Center Online

RECOMMENDATION:

That the City Council accepts the report.

ADMINISTRATIVE REPORTS: (Item 9 - Continued)

DISCUSSION

Sara Diaz, Information Technology Director, provided detailed information on the Item, and introduced the team working on the Project Assistance Center Online.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ACCEPT the report.

MOTION CARRIED BY UNANIMOUS VOTE.

10. Opportunity Zones and Enhanced Infrastructure Financing Districts

RECOMMENDATION:

That the City Council receives a report about Opportunity Zones and Enhanced Infrastructure Financing Districts, and provides direction.

DISCUSSION

City Manager Mitchell introduced Larry Kosmont, President and CEO of Kosmont Companies, who provided a detailed report on the Item. Mr. Brian Moncrief, Senior Vice President, was present to answer questions from Council.

Discussion ensued among Council and Staff concerning opportunity zones in the City of El Cajon and timelines for a second phase of due diligence and marketing activities.

No one came forward to speak on this Item.

MOTION BY WELLS, SECOND BY KENDRICK, to ACCEPT the report and move forward to the second phase of the program.

MOTION CARRIED BY UNANIMOUS VOTE.

11. Legislative Report

RECOMMENDATION:

This is an information item only. No City Council action is required at this time.

Assistant City Manager DiMaggio spoke about upcoming legislation concerning prohibition of sales of all flavored tobacco products, penalties for violators of these sales, and software for age verification. He also spoke about upcoming legislation concerning payment on public work contracts.

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.

12. Council Activity Report

Report as stated.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

13. 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.

14. COUNCILMEMBER BOB MCCLELLAN

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

Council Activities Report/Comments.

Report as stated.

15. COUNCILMEMBER 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.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item 15 – Continued)

In addition to the submitted report, Councilmember Goble requested an annual report of merchant fees that the City has paid to credit card companies, and asked if the City would consider charging customers for the credit card convenience fee. City Manager Mitchell will provide a report, and ask Council for direction in order to add this item to the FY20/21 fee schedule.

16. DEPUTY MAYOR PHIL ORTIZ
East County Economic Development Council; League of California Cities, San Diego Division.

Council Activities Report/Comments.

Report as stated.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING

17. Introduce Ordinance Amending Chapter 9.30 of the El Cajon Municipal Code – Social Host of Parties

RECOMMENDATION:

That the City Council considers approving the attached Ordinance amending Chapter 9.30 of the El Cajon Municipal Code ("ECMC") related to Social Host of Parties and, if approved, take the following actions:

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

DISCUSSION

City Attorney Foley provided information about the Item.

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

MOTION CARRIED BY UNANIMOUS VOTE.

ORDINANCES: FIRST READING (Continued)

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

An ordinance of the City Council of the City of El Cajon, California, amending Chapter 9.30 of the El Cajon Municipal Code ("ECMC") related to Social Host of parties.

CLOSED SESSIONS:

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

- 18. Closed Session - Conference with Real Property Negotiator - pursuant to Section 54956.8 of the Government Code:

<u>Property</u>	<u>Negotiating Parties</u>	<u>Agency Negotiator</u>
1034 N. Magnolia Avenue	Crisis House	City Manager Assistant City Manager City Attorney/General Counsel

Under negotiation: Price and terms for lease of all or part of the property.

- 19. Closed Session - Conference with Legal Counsel - Existing Litigation - pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9: Climate Action Campaign v. City of El Cajon, et al. San Diego Superior Court Case No. 37-2019-00041565-CU-TT-CTL

MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 6:35 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 7:04 PM.

City Attorney Foley reported the following actions:

- Item 18: City Council gave direction to the City’s negotiators.
- Item 19: City Council gave direction to the City’s legal counsel.

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 March 2020, at 7:05 p.m., to Tuesday, March 24, 2020, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary