

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

July 14, 2020

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, July 14, 2020, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers via virtual platform: Goble, Kendrick, and McClellan
Council/Agencymembers absent: None
Deputy Mayor/Vice Chair via virtual platform: Ortiz
Mayor/Chair present via virtual platform: Wells
Other Officers present via virtual platform: Mitchell, City Manager/Executive Director
DiMaggio, Assistant City Manager
Foley, City Attorney/General Counsel
Cortez, City Clerk/Secretary

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

POSTINGS: The City Clerk posted Orders of Adjournment of the June 23, 2020, Meeting and the Agenda of the July 14, 2020, Meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

Proclamation: Parks & Recreation Month

Proclamation: Noah Blucher

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 11)

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

MOTION CARRIED BY UNANIMOUS VOTE.

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

Approves Minutes of the June 23, 2020, Meeting 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.

4. Authorizing the Sole Source Purchase of a Replacement Vehicle

Adopts Resolution No. 072-20, to:

1. Authorize the sole source purchase of a replacement vehicle and its contents, which were destroyed by fire on May 30, 2020; and
2. Appropriate \$90,000 from the General Fund for the purchase of a replacement vehicle and the destroyed contents.

CONSENT ITEMS: (Continued)

5. Urban Streams Restoration Program Grant Award

1. Adopts Resolution No. 073-20, to authorize the City Manager, or approved designee, to accept grant funding as provided through the State of California Department of Water Resources for the Urban Streams Restoration Program;
2. Authorize the City Manager, or approved designee, to execute grant agreements and any other such documents necessary, with the State of California Department of Water Resources to accept any awards of grants; and
3. Adopts Resolution No. 074-20, to authorize the City Manager, or approved designee, to execute grant agreements with the City's project co-sponsor, the San Diego River Park Foundation, to support public outreach as required for the project.

6. Termination of Boys and Girls Clubs of East County Teen Center Lease

Adopts Resolution No. 075-20, to:

1. Approve an early lease termination agreement with the Boys and Girls Clubs of East County, Inc., for its use of a portion of buildings located at 1153 East Madison Avenue as a Teen Center, and
2. Authorize the City Manager to execute the agreement.

7. Acceptance of Public Improvements for Tentative Subdivision Map (TSM) 660 – Main Ranch (formerly Bella Terrazza).

Accepts the improvements and authorizes the City Clerk to release the security guaranteeing the improvements in accordance with the subdivision agreement, and requires the developer to maintain insurance in force until the release of all bonds for the project.

8. Reject and Re-Bid of Bid No. 007-21 – Landscape and Facility Maintenance

Adopts Resolution No. 077-20, to reject all bids and authorize re-bidding the project with revised specifications.

Remainder of page intentionally left blank.

CONSENT ITEMS: (Continued)

9. FY 2020-21 California Department of Alcohol Beverage Control (ABC) Grant

Adopts Resolution No. 077-20, and takes the following actions:

1. Authorize the City Manager or his designee to accept a grant in the amount of \$46,519 from the California Department of Alcohol Beverage Control, and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate \$44,019 of Alcoholic Beverage Control (ABC) Grant funds for overtime and operating costs, \$2,500 for a DSLR Camera, and four sets of binoculars.

10. Maintenance and Support Agreement for Computer Aided Dispatch (CAD) System

Authorizes the Purchasing Agent, in accordance with Municipal Code 3.20.010 (C) (5), to execute an agreement with Tyler Technologies, Inc., in the amount of \$105,549.16.

11. Updates to City Council Policy A-29, Compensation Plan for Executive and Unrepresented Employees

Approves the changes to City Council Policy A-29 described in the report and reflected on the attachment.

PUBLIC COMMENT: None

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS:

12. Public Hearing and Resolution to Adopt the City of El Cajon Sewer Tax Roll Fees Report for Fiscal Year 2020-2021

RECOMMENDATION:

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing;
3. Determines if a majority protest has been received; and (if not)

PUBLIC HEARINGS: (Item 12 – Continued)

4. Adopts the next Resolution, in order, to:
 - Determine the lack of majority protest;
 - Overrule objections to the report;
 - Accept the City of El Cajon Sewer Tax Roll Fiscal Year 2020-2021 Fees report, which identifies by parcel number, each parcel of real property receiving sewer services and the amount of sewer charges for each parcel for Fiscal Year 2020-2021, as required by the California Health and Safety Code section 5473, et seq., pertaining to collection of sewer charges on the tax roll;
 - Direct the City Clerk to file the report with the San Diego County Auditor; and
 - Direct the City Finance Department to file a certification of the sewer service charges with the San Diego County Auditor.

DISCUSSION

Acting Director of Public Works, Yazmin Arellano, and Public Works Associate Engineer, Blake Behringer, provided detailed information of the Item.

Mayor Wells opened the public hearing.

City Clerk Cortez advised that two protest letters and nine online comments were received.

Submitted protest letters to object the Item:

Abdulahad Paulos
Michael Oberbauer

Barry Barback submitted an online comment to request the City reviews his July sewer bill for discrepancies and thanked the City Council for ratifying his re-appointment to the Gillespie Field Development Council.

Roberta J. Gimblett submitted an online comment against placing the sewer charges on the tax roll.

Richard Fisher submitted an online comment to oppose the sewer charges on the tax roll.

Rebecca Pollack-Rude, REALTOR and HOA property owner, submitted an online comment against adding the City Sewer Billing to the County Property Tax Roll.

Norma Scantlin, REALTOR and property owner, submitted an online comment to oppose the City Sewer Billing being added to the County Property Tax Roll.

Mike Armstrong, representing Pacific Southwest Association of REALTORS, submitted an online comment to oppose the City Sewer Billing being added to the County Property Tax Roll.

PUBLIC HEARINGS: (Item 12 – Continued)

Robert Cromer, representing Pacific Southwest Association of REALTORS, submitted an online comment to oppose the City Sewer Billing being added to the County Property Tax Roll.

Fabby submitted an online comment to question if adding the City sewer billing to the tax roll method would create an unknown increase in fees.

Mike Oberbauer submitted an online comment to oppose the transition of the City Sewer Billing to the County Property Tax Roll.

Discussion ensued among Council and Staff concerning the following:

- Clarification of the previously approved rate increase; and the cost savings by placing sewer billing on the property tax roll;
- Adding the sewer billings on the tax roll is not considered tax;
- California Tax Data Proposition 218 Hearing procedures; and
- Option to pay a monthly bill on a case by case basis.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT Resolution No. 078-20, determine the lack of majority protest, and accept the City of El Cajon Sewer Tax Roll Fiscal Year 2020-2021 Fees report; direct the City Clerk to file the report with the San Diego County Auditor; and Direct the City Finance Department to file a certification of the sewer service charges with the San Diego County Auditor.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Mayor Wells approved the reading of a Public Comment that was receive online after Public Comment period had ended.

David Chenoweth submitted an online comment in reference to his observation of El Cajon Police Department officers' encounter with citizens without face masks or proper personal protective equipment.

ADMINISTRATIVE REPORTS:

13. CARES Business Grant Program

RECOMMENDATION:

That the City Council:

1. Approves the proposed CARES Business Grant Program and directs staff to open the application period; and
2. Authorizes the acceptance, appropriation, and expenditure of CARES Act funding as detailed in the report.

DISCUSSION

Management Analyst, Ryan Villegas, provided detailed information of the Item.

No comments were received on this Item.

Discussion ensued among Council and Staff concerning the following:

- Public outreach with information about the program;
- Fully completed application will assist committee to determine award levels; and
- City's direct link to the application.

MOTION BY ORTIZ, SECOND BY GOBLE, to APPROVE the proposed CARES Business Grant Program, and direct staff to open the application period; and authorize the acceptance, appropriation, and expenditure of CARES Act funding.

MOTION CARRIED BY UNANIMOUS VOTE.

14. Update on City of El Cajon's Homeless Strategies

RECOMMENDATION:

That the City Council receives a report about homeless programming in the City and directs staff to execute draft agreements with The Salvation Army and Home Start, Inc., for the provision of rapid re-housing services.

DISCUSSION

City Manager Mitchell provided detailed information of the Item.

On behalf of Home Start, Inc., Laura Tancredi-Caese – CEO, Chris Shilling – Director of Programs, and Lauren Pollick – Deputy Director of Housing, submitted an online comment to thank City Council, City Manager Mitchell, and staff for the continued partnership and considering their proposal.

ADMINISTRATIVE REPORTS: (Continued)

Discussion ensued among Council and Staff concerning the similarities between the Crisis House and Home Start.

MOTION BY McCLELLAN, SECOND BY KENDRICK, to ACCEPT a report about homeless programming in the City and direct staff to execute draft agreements with The Salvation Army and Home Start, Inc., for the provision of rapid re-housing services.

MOTION CARRIED BY UNANIMOUS VOTE.

15. Legislative Report

RECOMMENDATION:

This is an informational item only. No action is required at this time.

Assistant City Manager DiMaggio provided a summary to various important and impactful bills and will provide regular updates via email to the City Council.

SB 793: Bill to prohibit the sale of all flavored tobacco, including menthol cigarette. Exempts hookah shisha.

AB 3256: Place of a \$6.9B bond on the November ballot for “economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.”

AB 664: Bill would define “injury,” for certain state and local firefighting personnel, peace officers, certain hospital employees, and certain fire and rescue services coordinators who work for the Office of Emergency Services to include being exposed to or contracting, on or after January 1, 2020, a communicable disease, including coronavirus disease 2019 (COVID-19), that is the subject of a state or local declaration of a state of emergency that is issued on or after January 1, 2020. The bill would create a conclusive presumption, as specified, that the injury arose out of and in the course of the employment.

SB 1173: Requirement of the Public Employment Relations Board (PERB) to levy a penalty of up to \$50,000 against public employers to enforce a union’s right to specified employee contact information.

AB 1279: Requirement for a city to allow, by-right, up to 4-units per parcel in low density, single-family residential zones, provided all units are affordable to those earning 100% of the area’s median income. Requires a city to allow residential development in commercial zones of up to 40 units per quarter acre.

ADMINISTRATIVE REPORTS: (Item 15 - Continued)

AB 1484: Significantly curtails a local agency's ability to impose development impact fees/dedication as a result of a housing development's impact on infrastructure and public facilities.

AB 3107: Requirement for a city to allow residential development in commercial zones if 20% of the housing units are designated as "affordable" with deed restrictions.

AB 3040: Allows cities to claim a RHNA credit of 0.1 unit for every site identified that is suitable for development of housing.

SB 1120: Requirement for cities to ministerially approve duplexes and parcel maps, up to 2 lots.

AB 3300: Establishes a \$2B fund to address homelessness delineated as follows: \$1.1B grants, \$800M to cities' homeless programs, \$100M to non-profits.

SB 795: Provides for the following: Requires the Controller to allocate and deposit \$1.808 billion each year to the following programs over five years:

1. \$500 million each year for five years to the Multifamily Housing Program at the California Department of Housing and Community Development (HCD). Projects funded under this program shall be deemed to be public works.
2. \$300 million each year for five years to the Infill Infrastructure Grant Program at HCD. Projects funded under this program shall be deemed to be public works.
3. \$200 million each year for five years to the Local Housing Trust Fund Matching Grant Program at HCD. Projects funded under this program shall be deemed to be public works.
4. \$75 million each year for five years to the CalHome Program at HCD.
5. \$75 million each year for five years to the Joe Serna Jr. Farmworker Housing Grant Program.
6. \$650 million each year for five years to the Homeless Housing, Assistance, and Prevention Program (HHAPP) at the Business Consumer Services and Housing Agency.
7. \$8 million each year for five years to the California Workforce Development Board for distribution to local agencies to participate in, invest in, or partner with new or existing pre-apprenticeship training programs.

AB 2122: Impose a penalty of \$30,000 for an unlicensed commercial cannabis operation.

AB 66: Ban the use of tear gas, and establishes mandatory standards for the use of "less lethal" force/weapons.

AB 1196: Outlaw the use of the carotid restraint.

ADMINISTRATIVE REPORTS: (Item 15 - Continued)

AB 1314: Require cities to post on their website certain information pertaining to judgments and settlements against the city for use of force incidents.

AB 1506: Establish a new section in the Department of Justice to investigate officer-involved shootings and review “use of force” policies for cities and counties.

SB 731: Bill under certain circumstances, eliminates immunity privileges from public employees convicted of civil rights violations, or convicted of crimes related to threats, coercion, or intimidation. The bill also prohibits individuals who have been convicted of certain specific crimes from becoming police officers.

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.

16. Council Activities Report/Comments – No Report

ACTIVITIES REPORTS OF COUNCILMEMBERS:

17. 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.

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

Council Activities Report/Comments.

Report as stated.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

19. 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.

In addition to the report submitted, Councilmember Goble proposed that the City offers the City's assets such as local parks, mezzanines, promenades, and churches to artists and businesses to use as alternate meeting points to conduct an exercise class or form support groups.

City Manager Mitchell advised that staff will explore, and report back to Council on a similar proposal being considered by the City of Poway.

20. 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 – None

ORDINANCES: SECOND READING AND ADOPTION – None

CLOSED SESSIONS: None

ADJOURNMENT: The Regular Joint Meeting of the El Cajon City Council/ El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 14th day of July 2020, is adjourned to Tuesday, July 28, 2020, at 4:38 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary