

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

May 25, 2021

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, May 25, 2021, was called to order by Mayor/Chair Bill Wells at 3:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Goble, Metschel, and Ortiz
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Kendrick
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 May 11, 2021, Meeting and the Agenda of the May 25, 2021, Meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- Youth of the Year Awards
- San Diego County Fair
- America on Your Street

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 6)

MOTION BY WELLS, SECOND BY ORTIZ, 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 Meetings

Approves Minutes of the May 11, 2021, 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.

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CONSENT ITEMS: (Continued)

4. Award of Bid No. 017-21 – Debris Collection Services Re-Bid

Adopts Resolution No.043-21 to:

1. Find the protest submitted by Landscape Maintenance of America timely and without merit regarding Urban Corps of San Diego County’s bid;
2. Find the protest submitted by Landscape Maintenance of America (LMA) timely and with merit regarding East County Transitional Living Center’s (ECTLC) bid;
3. Find the second low bidder non-responsive for the reasons set forth in this agenda report; and
4. Award the bid to the lowest responsive, responsible bidder, Urban Corps of San Diego County (UCSDC), in the amount of \$107,700.

5. Acceptance of Public Improvements for Tentative Subdivision Map (TSM) 669; 585 Ballantyne Street

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.

6. Acceptance of Public Improvements for Tentative Subdivision Map (TSM) 539; 120 Ballantyne Street

Accepts the improvements and authorizes the City Clerk to release the security guaranteeing the public 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.

PUBLIC COMMENT:

Ivan Andujar, representing the East County Transitional Living Center provided an update on upcoming projects at the center.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS:

7. Delinquent Refuse Collection Charges

RECOMMENDATION:

That the City Council:

1. Opens the Public Hearing and receives public testimony;
2. Closes the Public Hearing;
3. Adopts the next Resolutions, in order, confirming the list of property owners as delinquent in the payment of their mandatory trash service bills; and
4. Authorizes the City Clerk to record the amount owed as a lien on the property and forward the list to the County Tax Assessor for billing on the next property tax bill.

DISCUSSION

Deputy Director of Public Works, Dennis Davies, provided detailed information on the Item.

Mayor Wells opened the Public Hearing.

Maxim Moyal stated that his tenant was responsible for the refuse agreement with Waste Manager.

City Attorney Foley stated that the City ordinance makes the legal owner of the property responsible for refuse charges.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY ORTIZ, SECOND BY METSCHEL, to ADOPT Resolution No. 044-21A through 044-21E confirming the list of property owners as delinquent in the payment of their mandatory trash service bills; and Authorizes the City Clerk to record the amount owed as a lien on the property and forward the list to the County Tax Assessor for billing on the next property tax bill.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Continued)

8. Amendment to the 2021 Five-Year Regional Transportation Improvement Program (RTIP No. 21-03)

RECOMMENDATION:

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, approving the amendment to the proposed five-year program of projects for the SANDAG Regional Transportation Improvement Program (RTIP No.21-03).

DISCUSSION

City Traffic Engineer, Mario Sanchez, provided detailed information on the Item.

Mayor Wells opened the Public Hearing.

No comments were received for the Item.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY ORTIZ, SECOND BY GOBLE, to ADOPT Resolution No. 045-21 to approve the amendment to the proposed five-year program of projects for the SANDAG Regional Transportation Improvement Program (RTIP No.21-03).

MOTION CARRIED BY UNANIMOUS VOTE.

9. Remove Conditional Use Permit Requirement for Outdoor Dining on City Sidewalks

RECOMMENDATION:

That the City Council introduces the next Ordinance, in order, removing the requirement for a Conditional Use Permit for outdoor dining and drinking on City sidewalks, and asks the City Clerk to read the ordinance by title only.

PUBLIC HEARINGS: (Item 9 - Continued)

DISCUSSION

Director of Community Development, Anthony Shute, provided detailed information on the Item.

Mayor Wells opened the Public Hearing.

No comments were received for the Item.

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

MOTION CARRIED BY UNANIMOUS VOTE.

Councilmember Goble praised the efforts to streamline and make process easier for businesses.

MOTION BY GOBLE, SECOND BY ORTIZ, to INTRODUCE the next Ordinance, in order, removing the requirement for a Conditional Use Permit for outdoor dining and drinking on City sidewalks.

MOTION CARRIED BY UNANIMOUS VOTE.

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

AN ORDINANCE TO AMEND SECTIONS 12.09.030 AND 12.09.060 OF THE EL CAJON MUNICIPAL CODE TO ELIMINATE THE NEED FOR A CONDITIONAL USE PERMIT FOR SIDEWALK DINING IN THE CITY

10. CDBG CARES Act – Third Amendment to FY 2019-20 One Year Action Plan to Allocate Remaining CDBG-CV3 Funds.

RECOMMENDATION:

Staff recommends that the City Council:

1. Opens the Public Hearing and receives public testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, amending the FY 2019-20 One-Year Action Plan to:
 - a) Allocate and appropriate \$500,000 in CDBG-CV3 funds for continuation and/or expansion of programs for existing emergency shelter and refined emergency motel stays for homeless persons and families to prevent the spread of the coronavirus;

PUBLIC HEARINGS: (Item 10 - Continued)

- b) Allocate and appropriate \$10,000 in CDBG-CV3 funds for a new program to provide home-delivered, medically-tailored meals for critically ill persons and families to prevent the spread of the coronavirus;
- c) Allocate and appropriate \$299,307 in CDBG-CV3 funds for a project to acquire and/or rehabilitate a facility for the provision of shelter for homeless persons and families to prevent, prepare for and respond to the coronavirus; and
- d) Authorize the City Manager, or designee, to make the necessary adjustments or corrections to the One-Year Action Plan, execute all affiliated documents, and submit all required documentation to the U.S. Department of Housing and Urban Development.

DISCUSSION

Housing Manager, Jamie van Ravesteyn, provided detailed information on the Item.

Conversation ensued amongst Council and Staff regarding:

- Housing Navigators;
- Motel voucher program;
- Outreach to citizens regarding housing opportunities; and
- Opportunity for companies who did not previously received funding.

Mayor Wells opened the Public Hearing.

Rick Wilson, President & CEO of the San Diego Regional East County Chamber of Commerce submitted an online comment in support of the Item.

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

MOTION CARRIED BY UNANIMOUS VOTE.

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PUBLIC HEARINGS: (Item 10 - Continued)

MOTION BY GOBLE, SECOND BY KENDRICK, to AMEND the FY 2019-20 One-Year Action Plan to Allocate and appropriate \$500,000 in CDBG-CV3 funds for continuation and/or expansion of programs for existing emergency shelter and refined emergency motel stays for homeless persons and families to prevent the spread of the coronavirus; Allocate and appropriate \$10,000 in CDBG-CV3 funds for a new program to provide home-delivered, medically-tailored meals for critically ill persons and families to prevent the spread of the coronavirus; Allocate and appropriate \$299,307 in CDBG-CV3 funds for a project to acquire and/or rehabilitate a facility for the provision of shelter for homeless persons and families to prevent, prepare for and respond to the coronavirus; and Authorize the City Manager, or designee, to make the necessary adjustments or corrections to the One-Year Action Plan, execute all affiliated documents, and submit all required documentation to the U.S. Department of Housing and Urban Development.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS:

11. City Council Meeting Schedule

RECOMMENDATION:

That the City Council considers canceling its August 24, 2021 meeting.

DISCUSSION

City Manager Mitchell, provided detailed information of the Item.

No comments were received for the Item.

MOTION BY ORTIZ, SECOND BY METSCHEL, to CANCEL the August 24, 2021 meeting.

MOTION CARRIED BY UNANIMOUS VOTE.

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ADMINISTRATIVE REPORTS: (Continued)

12. Fire Station No. 7 Renovation

RECOMMENDATION:

That the City Council:

1. Authorizes the appropriation of up to \$3,500,000 of Proposition O funding for the Fire Station 7 Project (PS0051);
2. Authorizes the de-appropriation of unexpended amounts of Proposition O funding related to the Public Safety Efficiency Improvements Project (PS0071);
3. Authorizes the appropriation and transfer of \$3,235,000 of General Fund Reserves to the City Capital Improvement Program Fund (501); and
4. Authorizes the appropriation of \$3,235,000 to reestablish the Public Safety Efficiency Improvements (IFM3740) project.

DISCUSSION

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

Councilmembers spoke in support of the Item, and encouraged staff to provide before, during and after pictures of the renovation project.

City Manager Mitchell clarified the need to expend Prop O funds for public safety improvements.

No comments were received for the Item.

MOTION BY GOBLE, SECOND BY ORTIZ, to AUTHORIZE the appropriation of up to \$3,500,000 of Proposition O funding for the Fire Station 7 Project (PS0051); Authorize the de-appropriation of unexpended amounts of Proposition O funding related to the Public Safety Efficiency Improvements Project (PS0071); Authorize the appropriation and transfer of \$3,235,000 of General Fund Reserves to the City Capital Improvement Program Fund (501); and Authorize the appropriation of \$3,235,000 to reestablish the Public Safety Efficiency Improvements (IFM3740) project.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

13. Redistricting Process Update

RECOMMENDATION:

That the City Council receives the report.

DISCUSSION

Senior Management Analyst, David Richards, provided detailed information of the Item.

Conversation ensued amongst Council and Staff regarding:

- Intensive outreach efforts for active public participation;
- Results of re-districting efforts to be completed before the 2022 Election; and
- Clarification that the current Councilmembers will remain in their position until the end of their term, even if districts lines are changed by the re-districting process.

No comments were received for the Item.

MOTION BY GOBLE, SECOND BY METSCHEL, to ACCEPT the report.

MOTION CARRIED BY UNANIMOUS VOTE.

14. COVID-19 Status Report

RECOMMENDATION: No action required.

DISCUSSION

City Manager Mitchell provided information on the Item and answered questions by Council Members.

No comments were received for the Item.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

SANDAG (San Diego Association of Governments) Board of Directors; SANDAG – Audit Committee; LAFCO.

15. Council Activities Report/Comments

Report as stated.

16. Legislative Report

Assistant City Manager DiMaggio provided a comprehensive report on the Legislative Bills of interest to the City and highlighted the following bills:

- SB 8 – Housing Crisis Act of 2019
- AB 989 – Housing Accountability Committee
- AB 1401 – Residential and commercial development: Parking requirements
- SB 621 – Conversion of motels and hotels
- AB 816 – Homeless plan
- SB 2 – Peace officers: Certification: Civil rights; and
- SB 556 – Street light poles, traffic signal poles: Small wireless facilities attachments

MOTION BY WELLS, SECOND BY KENDRICK, to SEND letters of opposition on bills that will negatively impact the City of El Cajon.

MOTION CARRIED BY UNANIMOUS VOTE.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

17. COUNCILMEMBER STEVE GOBLE

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

Council Activities Report/Comments.

In addition to the submitted report, Councilmember Goble provided an update on the advanced water purification project.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

18. MAYOR PRO TEM GARY KENDRICK
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

Council Activities Report/Comments.

Report as stated.

19. COUNCILMEMBER MICHELLE METSCHEL
Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate.

Council Activities Report/Comments.

In addition to the submitted report, Councilmember Metschel stated that the meeting scheduled with the East County Homeless Task Force was cancelled.

20. COUNCILMEMBER PHIL ORTIZ
League of California Cities, San Diego Division; East County Economic Development Council; MTS (Metropolitan Transit System Board) – Alternate; East County Advanced Water Purification Joint Powers Authority Board – Alternate; Chamber of Commerce – Government Affairs Committee – Alternate.

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:

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

21. Closed Session - Conference with Legal Counsel - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case: Elia Law Firm, on behalf of Sara Bahnam, has submitted a Claim for Damages alleging losses suffered following a trip and fall on a sidewalk maintained by the City of El Cajon
22. Closed Session - Conference with Legal Counsel - Existing Litigation - pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9: David Homoki v. City of El Cajon, et al.
San Diego Superior Court Case No. 37-2019-00001896-CU-PO-CTL

MOTION BY WELLS, SECOND BY ORTIZ, to ADJOURN to Closed Session at 4:30 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENE TO OPEN SESSION AT 4:52 p.m.

City Attorney Foley reported the following actions:

21. City Council gave direction to the Legal Counsel and the Risk Manager
22. The City settled the case by payment of \$15,000.

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 25th day of May, 2021, at 4:53 p.m., to Tuesday, June 8, 2021, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary