



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 26, 2021, 3:00 p.m.

Bill Wells, Mayor

Gary Kendrick, Mayor Pro Tem

Michelle Metschel, Councilmember

Steve Goble, 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 12, 2021, Meeting and the Agenda of the October 26, 2021, Meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

- **HauntFest on Main**

**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 Meeting

RECOMMENDATION:

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the October 12, 2021, Meeting 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 waives the reading in full of all Ordinances on the Agenda.

4. Agreement for Construction Management Services

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to enter into a Professional Services Agreement with Schneider CM, Inc., to perform construction management services for the Broadway Creek Restoration Project in the not-to-exceed amount of \$111,456 for a term effective through December 31, 2022.

5. Travel Expenses for the League of California Cities Annual Conference - Ortiz

RECOMMENDATION:

That the City Council reviews and approves the attached claims for advance/reimbursement of travel expense form for City Councilmember Phil Ortiz submitted in accordance with City Council Policy G-1.

6. Reject and Re-Bid of Bid No. 009-22 – Fire Admin Offices at Public Safety Center

**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, to reject all bids and authorize re-bidding of the project with revised plans and specifications.

7. 2021-2022 Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant

**RECOMMENDATION:**

That the City Council:

1. Authorizes the City Manager or designee to accept the California Office of Traffic Safety STEP Grant in the amount of \$133,000 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
2. Appropriates the California Office of Traffic Safety STEP Grant funds in the amount of \$89,873 for overtime, \$2,105 for training and travel, \$1,022 for supplies, and \$40,000 for equipment including motorcycle, for a total grant award of \$133,000.

8. FY 2021 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Award

**RECOMMENDATION:**

That the City Council takes the following actions:

1. Authorize the City Manager, or designee, to accept the FY 2021 U.S. Department of Justice Edward Byrne Memorial JAG Grant in the amount of \$37,472 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
2. Appropriate \$36,596 of the FY 2021 U.S. Department of Justice JAG Grant to retrofit the Police Department's Command Vehicle Monitors and Legacy technology and to fund \$876 for 20 hours of National Incident Based Reporting System (NIBRS) compliance research, which is a requirement of the grant award.

**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:**

**ADMINISTRATIVE REPORTS:**

9. Update on El Cajon 2.0 Request for Innovation Process

**RECOMMENDATION:**

That the City Council provides direction to staff regarding City priorities for proposed innovation solutions.

10. Legislative Update

11. Redistricting Process and Census Update

**RECOMMENDATION:**

That the City Council:

1. Receives a report about:
  - a. The City's redistricting process,
  - b. A summary of the second Redistricting Hearing, and
  - c. A summary of the State's adjusted U.S. Census data.
2. Provides direction to staff whether to:
  - a. Proceed with the existing district map, or
  - b. Draft and accept alternative election district maps for consideration, and
  - c. Purchase Maptitude, an online redistricting software.

**COMMISSION REPORTS:**

**ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS**

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

12. Council Activity Report

**ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:**

13. **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.
  
14. **MAYOR PRO TEM GARY KENDRICK**  
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.
  
15. **COUNCILMEMBER MICHELLE METSCHEL**  
Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate.
  
16. **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.

**JOINT COUNCILMEMBER REPORTS:**

17. State and Federal Redistricting Mapping Process  
  
RECOMMENDATION:  
That the City Council directs staff to monitor the 2020 California Citizens Redistricting Commission draft maps and recommends that the City Council take an active role in advocating for El Cajon's and the region's interests by promoting fair maps that comply with district boundary guidelines and are sensitive to communities of interest.

**GENERAL INFORMATION ITEMS FOR DISCUSSION:**

**ORDINANCES: FIRST READING**

**ORDINANCES: SECOND READING AND ADOPTION**

## **CLOSED SESSIONS:**

18. Closed Session - Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9: One potential case
  
19. 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: Todd Abbott, Esq., representing 1034 N. Magnolia, LLC, has delivered to the City of El Cajon (the "City") a demand letter alleging losses suffered by his client in the purchase of the commercial property located at 1034 North Magnolia Avenue, El Cajon. The claim alleges that the losses are due to the failure of the City and Commercial Properties Group to make all necessary disclosures on or before September 4, 2020, to allow his client to make an informed decision within the due diligence period to decide whether to purchase the property.

**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 26th day of October 2021, is adjourned to Tuesday, November 9, 2021, at 3:00 p.m.**



City Council  
Agenda Report

Agenda Item 1.

**DATE:** October 26, 2021

**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 Meeting

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**RECOMMENDATION:**

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the October 12, 2021, Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

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Attachments

10-12-21DRAFT minutes - 3PM

# 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 12, 2021**

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 12, 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:  
Council/Agencymembers absent:  
Deputy Mayor/Vice Chair present:  
Mayor/Chair present:  
Other Officers present:

Goble, Metschel, and Ortiz  
None  
Kendrick  
Wells  
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 28, 2021, meetings and the Agenda of the October 12, 2021, meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.



**AGENDA CHANGES:** City Manager Mitchell praised and thanked the El Cajon Fire Department for their assistance in the fatal airplane accident in the City of Santee.

City Manager Mitchell called on Director of Parks & Recreation, Frank Carson who announced that Council Member Metschel was the winner of the Cookie Challenge at the Foodie Fest Event of October 9, 2021.

**PRESENTATIONS:**

- **Proclamation: National Community Planning Month**
- **Proclamation: German American Month**

**CONSENT ITEMS: (1 – 11)**

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

Approves Minutes of the September 28, 2021, 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.

4. 2022 Calendar of Meetings for the City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency

Reviews the proposed 2022 calendar of meetings for the City Council/Housing Authority and Successor Agency to the Former Redevelopment Agency, makes appropriate modifications, or accepts as presented.

## CONSENT ITEMS: (Continued)

5. Award of Bid No. 004-22 – Broadway Creek Restoration Project Phase A

1. Adopts Resolution No. 077-21 to Approve Plans and Specifications for Broadway Creek Restoration Project Phase A, Bid No. 004-22;
2. Finds the first low bidder, Palm Engineering Construction Company, Inc. (PECC), non-responsive for the reasons set forth in the agenda report; and
3. Adopts Resolution No. 078-21 to Award the bid to the second lowest responsive, responsible bidder, Whillock Contracting, Inc., in the amount of \$2,755,479.24.

6. Reject and Re-Bid of Bid No. 008-22 – Recreation Center HVAC Improvements

Adopts Resolution No. 079-21 to reject all bids and authorize re-bidding of the project with revised specifications.

7. 2020 Operation Stonegarden Grant (OPSG) - Funded by the Office of Homeland Security

1. Authorizes the City Manager or designee to accept the 2020 Operation Stonegarden Grant (OPSG) in the amount of \$50,000, and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriates funding in the amount of \$50,000 to reimburse the El Cajon Police Department for overtime (\$47,095), fringe benefits (\$1,973), and mileage costs (\$932) while participating in OPSG coordinated operations.

8. Authorization for the Execution of a Master Agreement and a Program Supplement Agreement with the California Department of Transportation (Caltrans)

Adopts Resolution No. 080-21 approving Program Supplement Agreement No. 000000X82 for the Pedestrian Safety Improvements project HSIPL-5211(042); and Resolution No. 081-21 for the General Master Agreement No. 11-5211S21 for Federal and State Funded Transportation projects.

9. Award of RFP No. 007-22 – Urban Design & Housing Strategies

Adopts Resolution No. 082-21 to enter into an agreement with Dudek, for an amount not to exceed \$199,757 for a term effective through December 31, 2023.

**CONSENT ITEMS: (Continued)**

10. Fiscal Year 2021-22 First Quarter Budget Adjustment Report

**RECOMMENDATION:**

That the City Council:

1. Appropriates carry-over funding of \$8,025,820 from previously approved Capital Improvement Projects, capital outlay requests, and programs, to be expended in Fiscal Year 2021-22;
2. Authorizes the proposed personnel changes detailed in the report;
3. Authorizes the proposed capital expenditures and related funding transfers detailed in the report; and
4. Increases or modifies Fiscal Year 2021-22 appropriations in the amount of \$12,760,389 for additional needs as detailed in the report.

**DISCUSSION**

Councilmember Goble requested clarification on Workers' Compensation Self Insurance; State COPS Grant; and Solar PV and Battery Storage Improvements.

11. American Rescue Plan Act Projects

Adopts Resolution No. 083-21 repealing Resolution No. 053-21 and approving American Rescue Plan Act projects with their respective expense category identification.

**MOTION BY GOBLE, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 11.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**PUBLIC COMMENT:**

Peggy Bailey Jezsu spoke of speeding issues on Chase Avenue.

**WRITTEN COMMUNICATIONS:** None

**PUBLIC HEARINGS:** None

## ADMINISTRATIVE REPORTS:

### 12. Microenterprise Home Kitchen Operations - MEHKO

#### RECOMMENDATION:

It is recommended that the City Council reviews the information provided in the report and directs staff to send a letter to the County recommending that the County Board of Supervisors “opt out” of the Microenterprise Home Kitchen Operations (MEHKO) program.

## DISCUSSION

Director of Community Development, Anthony Shute, provided an overview of the Item.

County of San Diego’s Heather Buonomo, Director of Environmental Health and Quality, provided detailed information of the Item.

Discussion ensued among Council, Staff and Ms. Buonomo concerning the following:

- Cities do not have the option to decide if they will participate in the MEHKO program, the decision is made by the County of San Diego;
- Yearly health inspection visits;
- Meals served and income earned limitations;
- Concerns for fire code violations, public nuisance, signage options and noise levels;
- MEHKO’s allowed in rental units;
- Concern for grease traps not being required;
- Audits of sales tax regulations;
- Concern for children and/or pets in food preparation areas; and
- Obtaining an alcohol-serving permit.

Karen Melvin, Beverly Ringgold and Roya Bagheri, representing San Diego MEHKO Coalition, spoke in support of the proposed program.

May Husan, representing the International Rescue Committee, spoke in support of the proposed program.

Anthony Sottile spoke to oppose the proposed program.

Discussion continued among Council, Staff and Ms. Buonomo regarding the following:

- Overreach by local and state government;
- Supporting the free market in these types of endeavors;
- Concern over alcohol sales and potential disruptions in neighborhoods; and
- Opposing the dine-in option of the program.

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

**MOTION BY GOBLE** that the City Council reviews the information and directs staff to **SUBMIT** a letter recommending that the County Board of Supervisors Opt Out of the program, unless concerns by the City of El Cajon are addressed.

After continued conversation amongst Council Members, Councilmember Goble **RESCINDED** his previous motion.

**MOTION BY KENDRICK** that the City **SUBMIT** a letter to the County of San Diego supporting the proposed pilot program.

City Manager Mitchell stated that the City Council has given staff a list of points to clarify with the County of San Diego, and other cities that have participated in the pilot program. City Manager recommends allowing staff to gather more information and present it to Council.

**MOTION BY WELLS, SECOND BY KENDRICK, to DIRECT** staff to obtain more information from cities currently in the pilot program of the proposed MEHKO operations.

**MOTION CARRIED BY UNANIMOUS VOTE.**

*Recess called at 5:06 p.m.  
Meeting called back to order at 5:14 p.m.*

13. Senate Bill 9 (Atkins)

**RECOMMENDATION:**

This is an informational report only. No action required.

**DISCUSSION**

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

Discussion ensued among Council, and Staff regarding the following:

- Conditions to prevent demolishing market rate buildings to replace with multiple unit housing;
- Sunset date of 2027 for SB9; and
- Parking issues for multiple unit housing.

**ADMINISTRATIVE REPORTS: (Item 13 – Continued)**

Dr. Alan Nordholm spoke to express concern and opposition to SB9, with the possibility of housing over saturation as a result of SB9.

**COMMISSION REPORTS:** None

**ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:**

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

14. Council Activities Report/Comments

Report as stated.

**ACTIVITIES REPORTS OF COUNCILMEMBERS:**

15. 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 shared information of a recently attended SANDAG meeting.

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

Council Activities Report/Comments.

Report as stated.

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

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

Council Activities Report/Comments.

Report as stated.

18. 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.

In addition to the submitted report, Councilmember Ortiz reported attending a tour of the Kidinnu Academy on October 6, 2021, Foodie Fest on October 9, 2021 and the Republican Party Central Committee on October 11, 2021.

**JOINT COUNCILMEMBER REPORTS:** None

**GENERAL INFORMATION ITEMS FOR DISCUSSION:** None

**ORDINANCES: FIRST READING -** None

**ORDINANCES: SECOND READING AND ADOPTION -** None

**CLOSED SESSIONS:** None

**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 12<sup>th</sup> day of October, 2021, at 5:41 p.m., to Tuesday, October 26, 2021, at 3:00 p.m.

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ANGELA L. CORTEZ, CMC  
City Clerk/Secretary



City Council  
Agenda Report

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mara Romano, Purchasing Agent  
**SUBJECT:** Agreement for Construction Management Services

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**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, to enter into a Professional Services Agreement with Schneider CM, Inc., to perform construction management services for the Broadway Creek Restoration Project in the not-to-exceed amount of \$111,456 for a term effective through December 31, 2022.

**BACKGROUND:**

On October 22, 2019, the City Council approved SOQ No. 004-20 – On-call Professional Services. The Statement of Qualifications (SOQ) resulted in a pre-qualified list of firms for on-call professional services covering multiple disciplines such as architectural, building/fire plan check, civil engineering, construction management, electrical/mechanical engineering, geotechnical, land surveying, and storm water management. Contracts greater than \$75,000 require City Council approval.

The resulting list of qualified firms intends to provide “as-needed” professional services when City staff cannot complete them. Selection of pre-qualified firms is on a rotating basis for individual tasks within each discipline. Schneider CM, Inc. is the next firm in the selection process to perform construction management services.

The scope of work includes project reporting, photo documentation, construction progress meetings, shop drawings and submittal reviews, plans and specifications interpretation, construction services, and project closeout.

**FISCAL IMPACT:**

The fiscal impact is \$111,456 for the term. Sufficient funds are available in the Broadway Creek Restoration (WW3586) project.



Prepared By: Mara Romano, Purchasing Agent  
Reviewed By: Yazmin Arellano, Director of Public Works  
Approved By: Graham Mitchell, City Manager

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## Attachments

Resolution

RESOLUTION NO. \_\_-21

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF EL CAJON APPROVING AN AGREEMENT FOR  
CONSTRUCTION MANAGEMENT SERVICES  
WITH SCHNEIDER CM, INC., FOR THE  
BROADWAY CREEK RESTORATION PROJECT

WHEREAS, on October 22, 2019, the City Council approved Statement of Qualifications No. 004-20 – On-call Professional Services (the "SOQ"), which resulted in a pre-qualified list of firms for on-call professional services covering multiple disciplines such as architectural, building/fire plan check, civil engineering, construction management, electrical/mechanical engineering, geotechnical, land surveying, and storm water management to provide professional services on an "as-needed" basis when projects or services cannot be completed by City of El Cajon (the "City") staff, with contracts greater than \$75,000 requiring City Council approval; and

WHEREAS, pre-qualified firms are selected on a rotating basis for individual tasks within each discipline, and Schneider CM, Inc. ("Schneider") is the next pre-qualified firm in the selection process to perform construction management services; and

WHEREAS, the scope of work includes project reporting, photo documentation, construction progress meetings, shop drawings and submittal reviews, plans and specifications interpretation, construction services, and project closeout (the "Project"); and

WHEREAS, City staff recommends that the City enter into an Agreement for Construction Management Services (the "Agreement"), with Schneider to perform construction management services for the Project through and including December 31, 2022, in the not-to-exceed amount of \$111,456; and

WHEREAS, sufficient funds are available in Fiscal Year 2021-22 Annual Budget: Broadway Creek Restoration; and

WHEREAS, the City Council believes it to be in the City's best interests to enter into the Agreement with Schneider for construction management services for the Project through and including December 31, 2022, in the not-to-exceed amount of \$111,456, as recommended by 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 approves the execution of the Agreement, with such changes as may be approved by the City Manager, for construction management services

for the Project through and including December 31, 2022, in the not-to-exceed amount of \$111,456.00.

3. The City Manager and City Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of El Cajon.

4. The City Manager is hereby further authorized to execute, and the City Clerk is hereby authorized to attest the City Manager's signature, such amendments to the Agreement as may be necessary to approve any renewal terms of the Agreement as contemplated therein, and to make such other changes as may be necessary, in the determination of the City Manager, to implement the Agreement in the best interests of the City.

10/26/21 CC Agenda  
Reso - Approve Agmt w-Schneider CM (Construction Mgmt Svcs-Broadway Creek) 101921



City Council  
Agenda Report

Agenda Item 5.

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Graham Mitchell, City Manager  
**SUBJECT:** Travel Expenses for the League of California Cities Annual Conference - Ortiz

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**RECOMMENDATION:**

That the City Council reviews and approves the attached claims for advance/reimbursement of travel expense form for City Councilmember Phil Ortiz submitted in accordance with City Council Policy G-1.

**BACKGROUND:**

City Council Policy G-1 requires the City Council to review the attached travel expenses and approve requests for reimbursement. On September 21, 2021, Councilmember Ortiz attended the League of California Cities Annual Conference, held in Sacramento.

**FISCAL IMPACT:**

The total cost of \$2,147.28 is included in the Fiscal Year 2021-22 Budget under the City Council Account 101000-8594. Vehicle expenses and meals were paid for by Councilmember Ortiz and reimbursement is requested in the amount of \$364.65. Conference registration and travel expenses were paid in advance by City credit card.

Prepared By: Graham Mitchell, City Manager

Reviewed By: N/A

Approved By: Graham Mitchell, City Manager

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Attachments

Claim Form and Supporting Documentation  
City Council Policy G-1

**CITY OF EL CAJON, CALIFORNIA  
CLAIM FOR REIMBURSEMENT OF TRAVEL EXPENSE**

Employee Name: <b>Phil Ortiz</b>	Position: <b>Councilmember</b>	Department: <b>City Council</b>	Date of Claim: <b>9/30/2021</b>
Purpose of Trip: <b>League of California Cities Annual Conference</b>		Authorized By - Date:	

Method of Transportation	Depart From			Arrive At		
	Name of City	Date	Time	Name of City	Date	Time
Air	San Diego	9/21/2021	10:45 AM	Sacramento	9/21/2021	12:20 PM
	Sacramento	9/24/2021	7:15 PM	San Diego	9/24/2021	8:45 PM

**EXPENSE REPORT**

**ATTACH ALL RECEIPTS TO THIS FORM FOR EXPENDITURES REPORTED**

Item Description	Day 1 9/21/21	Day 2 9/22/21	Day 3 9/23/21	Day 4 9/24/21	Day 5 xx/xx/xx	Day 6 xx/xx/xx	Day 7 xx/xx/xx	Total Expense	Prepaid / Reimb / Inv
1. Meals	\$20.53	\$27.73	\$19.58	\$38.75				\$106.59	REIMB
2. Lodging	\$267.89	\$267.89	\$267.89					\$803.67	CC
3. Fare (Air, etc.)	\$86.67			\$217.29				\$303.96	CC
4. Taxi, Limo, Bus								\$0.00	
5. Telephone								\$0.00	
6. Auto Expense	\$64.53	\$64.51	\$64.51	\$64.51				\$258.06	REIMB
7. Registration		\$225.00	\$225.00	\$225.00				\$675.00	CC
8. Airport Shuttle								\$0.00	
9. Personal Mileage								\$0.00	
10.								\$0.00	
<b>Totals</b>	\$439.62	\$585.13	\$576.98	\$545.55	\$0.00	\$0.00	\$0.00	\$2,147.28	

Items 6 through 10 require an explanation below.

**TOTAL ALLOWABLE EXPENSES ABOVE**

Item # & Co.	Explanation / Description	Traveler's Reconciliation	
		Total Allowable Expenses	\$2,147.28
		Adv/Prepaid/Invoiced Expenses	\$1,782.63
		Balance Due to (City)/Employee	\$364.65

THE UNDERSIGNED STATES, UNDER PENALTY OF PERJURY, THAT THE ABOVE CLAIM IS TRUE AND CORRECT:

*Tracy Gale for P. Ortiz*

Account Number	Amount
101000-8594	\$364.65

APPROVAL OF DEPARTMENT HEAD: <i>[Signature]</i>	APPROVAL OF DIRECTOR OF FINANCE:
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9/21/21  
meal



# HYATT REGENCY

Hyatt Regency Sacramento  
Room Service  
1209 L Street  
Sacramento, CA 98514  
916-443-1234  
9/21/2021 8:07 PM

TABLE# 0  
SERVER 1157561/Rau1  
CHECK# 3135  
TYPE PRE AUTH  
ACCOUNT TYPE Visa  
CARD NUMBER \*\*\*\*\*4230  
DATE/TIME 09/21/2021 20:07  
REC 144229  
INV/CHK 3135  
REFERENCE MU0754789245  
SEQUENCE 000434  
AUTH. 44983C  
ENTRY METHOD CONTACTLESS  
TOTAL \$20.53

TIP: \_\_\_\_\_

TOTAL: \_\_\_\_\_  
APPROVED - THANK YOU  
CARDHOLDER/VISA  
IMPORTANT -- retain this copy  
for your records.  
CUSTOMER COPY

MAYAHUEL  
1200 K St  
Sacramento, CA 95814  
(916) 441-7200

9/22/21  
meal

9/22/2021 1:43:06 PM

Card Type: Visa  
Card Number: XXXXXXXXXXXXX4230  
Swipe/Manual: Swipe  
Card Owner: ORTIZ/DAVID  
Server: VICTORG 978  
Check Number: 504452/1  
Table/Tab #: 100  
Approval: 39791C

Amount **27.73**

+Tip -----

=Total -----

I agree to comply with  
the cardholder agreement.

**CUSTOMER COPY**



9/23/21  
meal

Capitol Garage  
1500 K St  
Sacramento, CA 95814

Take Out

Server: Michael S  
Check #17  
Ordered: 09/23/21 9:49 AM

Farmers Omelet	\$14.00
Sourdough	
Add Chorizo	\$4.00
Subtotal	\$18.00
Tax	\$1.58
Total	\$19.58

Input Type C (EMV Chip Read)  
VISA CREDIT xxxxxxxx4230

Transaction Type	Sale
Authorization	Approved
Approval Code	98590C
Payment ID	CsbcrsMzkFmL
Application ID	A0000000031010
Application Label	VISA CREDIT
Terminal ID	
Card Reader	MAGTEK_EDYNAMO

Amount \$19.58

+ Tip: \_\_\_\_\_

= Total: \_\_\_\_\_

X \_\_\_\_\_  
DAVID ORTIZ

Suggested Tip:

15%: (Tip \$2.70 Total \$22.28)

18%: (Tip \$3.24 Total \$22.82)

20%: (Tip \$3.60 Total \$23.18)

25%: (Tip \$4.50 Total \$24.08)

Tip percentages are based on the check price before taxes.

Customer Copy



9/24/21  
meal

ESQUIRE GRILLE  
SACRAMENTO INTL AIRPORT

Merchant ID :  
Terminal ID : 283917  
Check No : 2096  
Table No : 11/1  
Server : 345555 Kimberly  
Name on Card: ORTIZ/DAVID  
Acct Num : XXXXXXXXXXXX4230  
Expiry Date : \*\*/\*\*  
Card Type : VISA  
Trans Type : AUTHORIZE  
Trans Date : 9/24/2021  
Trans Time : 6:47 PM  
Entry Mode : Chip  
Auth Code : 45477C  
Resp Code : 00  
Mode : Issuer  
App Label : VISA CREDIT  
AID : A0000000031010  
ARC : 00  
TVR : 8000008000  
TSI : 6800  
IAD : 0601203602000

00 APPROVED - THANK YOU 000

SUBTOTAL : USD\$ 38.75

TIP: -----

TOTAL: -----

X  
I AGREE TO PAY THE ABOVE AMOUNT  
IN ACCORDANCE WITH THE CARD  
ISSUER'S AGREEMENT



Hyatt Regency Sacramento  
 at Capitol Park  
 1209 L Street  
 Sacramento, CA 95814  
 Tel: 916-443-1234  
 Fax: 916-321-3779

INVOICE

Vince DiMaggio  
 200 Civic Center Way  
 City Manager's Office  
 El Cajon CA 92020  
 United States

Room No. 1303  
 Arrival 09-21-21  
 Departure 09-24-21  
 Page No. 1 of 2  
 Folio Window 2  
 Folio No. 1211534

Guest Ortiz, David Phillip

Confirmation No. 6443801

Group Name

Date	Description	Charges	Credits
09-21-21	Accommodation	209.00	
09-21-21	Occupancy Tax	25.08	
09-21-21	Sacramento Tourism Assessment	6.27	
09-21-21	CA Tourism Assessment	0.45	
09-21-21	STID Assessment	2.09	
09-21-21	Parking Overnight - Self	25.00	
09-22-21	Accommodation	209.00	
09-22-21	Occupancy Tax	25.08	
09-22-21	Sacramento Tourism Assessment	6.27	
09-22-21	CA Tourism Assessment	0.45	
09-22-21	STID Assessment	2.09	
09-22-21	Parking Overnight - Self	25.00	
09-23-21	Accommodation	209.00	
09-23-21	Occupancy Tax	25.08	
09-23-21	Sacramento Tourism Assessment	6.27	
09-23-21	CA Tourism Assessment	0.45	
09-23-21	STID Assessment	2.09	
09-23-21	Parking Overnight - Self	25.00	
09-24-21	Visa	XXXXXXXXXXXX0253 XX/XX	803.67

**Total** 803.67 803.67

Guest Signature **Balance** 0.00

I agree that my liability for this bill is not waived and I agree to be held personally liable in the event that the indicated person, company or association fails to pay for any part or the full amount of these charges.

**WE HOPE YOU ENJOYED YOUR STAY WITH US!**

Thank you for choosing Hyatt Regency Sacramento. We hope that you enjoyed your stay with us. Our goal is to exceed our guests' expectations. If you have any comments regarding your stay please share them with us.

Consumer Affairs: Murtaza Mehdi, 916-321-3565 or murtaza.mehdi@hyatt.com

**World of Hyatt Summary**

No Membership to be credited

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LOST & FOUND: [www.ileftmystuff.com](http://www.ileftmystuff.com)  
 CLICK "Get it back now!"  
 Client Identification Number = 49317



Hyatt Regency Sacramento  
at Capitol Park  
1209 L Street  
Sacramento, CA 95814  
Tel: 916-443-1234  
Fax: 916-321-3779

INVOICE

Vince DiMaggio  
200 Civic Center Way  
City Manager's Office  
El Cajon CA 92020  
United States

Guest Ortiz, David Phillip

Confirmation No. 6443801

Group Name

---

Room No. 1303  
Arrival 09-21-21  
Departure 09-24-21  
Page No. 2 of 2  
Folio Window 2  
Folio No. 1211534

Please remit payment to:  
Hyatt Regency Sacramento  
PO Box 202649  
Dallas, TX 75320-2649

For inquiries concerning your bill please call 888-588-4384



# Thanks for flying with us!

Price ✓ Payment ✓ Confirmation ✓

✔ **Your flight is booked!**

We're sending you a confirmation email to the address below. If the email hasn't arrived in 2 minutes, check your junk or spam folder.  
tyale@elcajon.gov

## Trip summary

[Print](#)

### ✈ Flight

CONFIRMATION #  
**2HQ5BC**

SEP 21 - 24  
**SAN** ✈ **SMF**

FLIGHT TOTAL  
**\$303.96**

[Add a car](#)

[Add a hotel](#)



Book now. Pay later!  
From \$81.74\*/day in  
Sacramento

Resort and Hotel, and Taxes only



[Book now](#)

DESTINATION HOTEL NAME  
**Sacramento**

CHECK-IN: **09/21/2021** CHECK-OUT: **09/24/2021**

[Search](#)



### Earning points on every purchase?

Set your Rapid Rewards® Credit Card as your default card, so you'll make sure to earn points with every purchase.\*

\*Issuer rewards program is subject to the issuer's rewards program terms and conditions.

[Go to My Account >](#)



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[Get the app >](#)

## 9/21 - Sacramento



### Who's coming with me?

Let your friends and family know you're traveling!

[Sign on Facebook!](#)

SEP 21 - 24

## San Diego, CA to Sacramento, CA

Confirmation # **2HQ5BC**

PASSENGERS

EST. POINTS

EXTRAS

FARE

PASSENGERS

**David Phillip Ortiz**  
[Rapid Rewards® number >](#)  
[Add Known Traveler # / Redress # >](#)  
[Special Assistance >](#)

EST. POINTS

+ 1,900 PTS

EXTRAS



FARE

Wanna Get Away®  
Anytime



**Transparency®: Defined**  
Low fares. Nothing to hide.



**Change fees don't fly with us**  
Flexibility for your travel plans.



**Pack with care**  
Guidelines for carryon luggage.

**Departing** 9/21/21 Tuesday



DEPARTS

**10:45 AM**

**SAN**

San Diego, CA - SAN

FLIGHT

**5601**

SCHEDULED AIRCRAFT

Boeing 737-700

Subject to change

Wanna Get Away®  
(Passenger x1)

\$48.91

Nonstop



ARRIVES

**12:20 PM**

**SMF**

Sacramento, CA - SMF

TRAVEL TIME

1hr 35min

EarlyBird Check-In®  
(One-way trip x1)

\$25.00

SUBTOTAL

**\$73.91**

**Returning** 9/24/21 Friday



DEPARTS

**7:15 PM**

**SMF**

Sacramento, CA - SMF

FLIGHT

**4039**

SCHEDULED AIRCRAFT

Boeing 737-700

Subject to change

Anytime  
(Passenger x1)

\$160.54

Nonstop



ARRIVES

**8:45 PM**

**SAN**

San Diego, CA - SAN

TRAVEL TIME

1hr 30min

EarlyBird Check-In®  
(One-way trip x1)

\$25.00

SUBTOTAL

**\$185.54**

Taxes & fees

\$44.51

**Flight total**

**\$303.96**

Icon legend



WiFi available



Live TV available

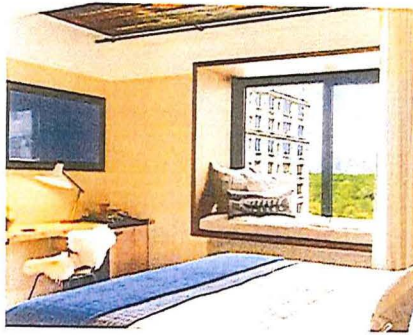


EarlyBird Check-In®

Helpful Information:

- Please read the [fare rules](#) associated with this purchase.
- When booking with Rapid Rewards® points, your points balance may not immediately update in your account..

Book your hotel with us and save up to 10% on your stay.



The perfect stay is moments away

DESTINATION/HOTEL NAME:

Sacramento

CHECK-IN

09/21/2021

CHECK-OUT

09/24/2021

ROOMS ADULTS CHILDREN

1 1 0

Search

### Payment summary

#### PAYMENT INFORMATION



Visa 7871  
XXXXXXXXXXXX7871  
Expiration: 3/25

CARD HOLDER  
Graham Mitchell

BILLING ADDRESS  
200 Civic Center Way  
El Cajon, CA US 92020

#### AMOUNT PAID

\$303.96

### Total charged

You're all set for your upcoming trip.

Get ready to enjoy two bags for the price of none\*, no fees to change your flight\*\*, and some Southwest® love.  
\*First and second checked bags. Weight and size limits apply. \*\*Fare difference may apply.



SUBTOTAL	\$259.45
TAXES & FEES	\$44.51
TOTAL DOLLARS	\$303.96

Show fees breakdown

### Save up to 30% off

Earn up to 2400 Rapid Rewards® points.



Book now



Score! You qualify for up to a 30% discount on points.

Buy now and boost your balance. Don't wait - this offer is only valid while on this page.

Buy points

# Car Rental

RENTAL AGREEMENT NUMBER 361095803  
 Customer Name : ORTIZ, DAVID  
 Drivers Lic Number : USCAXXX7463  
 Budget Corp Disc : COSTCO.COM NEW (D)  
 Methods of Payment : VISA XX4230

RESERVATION NUMBER 45702106-US-2  
 Budget Car # : 96805472  
 Plate Number : CA 8VSP659  
 Veh Description : WHI HYUNDAI ELANTRA SEDAN 4DR  
 Odometer Out : 13671 miles  
 Fuel Gauge Reading: Full

Pickup Date/Time : SEP 21, 2021@12:56 PM  
 Pickup Location : 6420 MCNAIR CIRCLE  
 SACRAMENTO, CA, 95837, US

Return Date/Time : SEP 24, 2021@06:30 PM  
 Return Location : 6420 MCNAIR CIRCLE  
 SACRAMENTO, CA, 95837, US

Additional Fees May Apply If Changes Are Made To Your Return Date, Time And/Or Location.

**YOUR ESTIMATED VEHICLE CHARGES**

Min: 1 Day IF NOT MET DLY RT=58.49 Max: 14 DAY  
 RATE CHART TIME AND MILEAGE  
 HRLY : 43.88  
 AD DY: 58.49  
 Period: 233.96 PR@ 233.96= 233.96  
 MILES:UNLIMITED  
 Less 12.00% Discount= 28.08  
 Adjustment + Coupon (C) - 10.00  
 Your Estimated Time & Mileage 195.88  
 VEH LICENSE RECDUP FEE + 5.60  
 11.1% Concession Recovery Fee + 22.38  
 Estimated Subtotal Charges : 223.86  
 Sales Tax 7.75% + 17.35  
 FACILITY CHARGE 10.00/RNT + 10.00  
 3.5% CALIFORNIA TOURISM FE + 6.85  
 YOUR ESTIMATED TOTAL CHARGES: X\_AGREED : 258.06

**YOUR OPTIONAL PRODUCTS/SERVICES**

Loss Damage Waiver 17.00/Day Declined  
 Personal Accident and Effects 9.95/Day Declined  
 Emergency Sickness Plan 5.00/Day Declined  
 Supplemental Liability Insurance 14.00/Day Declined  
 By my approval I accept or decline optional services/products as shown above. X\_AGREED  
 Please return the vehicle with the same fuel level as you received it. Please provide a receipt for fuel purchased. If you do not, additional fuel fees may apply: 000-074 miles equals a 18.99 flat rate fee. 075 miles and above equals .3222 per mile or 9.930 per Gal. X\_AGREED  
 I understand that important information on cashless toll roads and e-Toll services can be found at budget.com/etoll. X\_AGREED

~~NOTICES BUDGET NOTICES BUDGET NOTICES BUDGET NOTICES~~

I AGREE TO: BE CONTACTED ABOUT THE RENTAL BY CALLS OR TEXTS AT THE PHONE NUMBER(S) PROVIDED; BUDGET'S COLLECTION AND USE OF VEHICLE DATA (INCLUDING DIAGNOSTIC, LOCATION, DAMAGE, PERFORMANCE & OPERATIONAL DATA LIKE MILEAGE, FUEL, CONDITION & OTHER DATA RELATED TO THE VEHICLE & ITS USE) PER OUR PRIVACY NOTICE AT WWW.BUDGET.COM/privacy; AND MANUFACTURERS' COLLECTION AND USE OF DATA FROM THE RENTAL VEHICLE PER THEIR PRIVACY NOTICES.  
 Loss Damage Waiver is optional. An added daily cost of 17.00 covers your responsibility for damage to our car. Check with your insurer as this way be duplicative of your own car insurance. I agree the charges listed above are estimates.  
 I agree to all terms herein and in the separate Rental Terms and Conditions document ("RTC"), including the arbitration/class action waiver provision. I understand the RTC will be provided to me prior to leaving the counter, but I can also request a copy to review at any time as well as review it at WWW.BUDGET.COM/TERMSCA. No additional drivers allowed without prior written consent. Tickets, fines and admin fees to be charged to this rental. XX  
 If you have questions regarding this rental, call us at 916-922-4789. This vehicle was rented to you by PRICILLA.

479932 ~SENT

### Confirmation & Receipt



## 2021 Annual Conference and Expo

Aug 02, 2021 07:54 AM PDT

CONFIRMATION NUMBER: 479932

ATTENDEE  
 PHIL ORTIZ  
 City of El Cajon  
 portiz@elcajon.gov

HOST ADDRESS  
 LEAGUE OF CALIFORNIA CITIES  
 1400 K Street, Suite 400  
 Sacramento, CA 95814

ACTIVITY/ITEM	MISC	QUAN	TOTAL
<b>REGISTRATION</b>			
FULL CONFERENCE		1	\$675.00
Sub-Total			\$675.00
Discount Awarded			(\$0.00)
Adjusted Sub-Total			\$675.00
Processing Fee	0.00% per transaction		\$0.00
Total Due			<u>\$675.00</u>
TRANSACTION DATE	TRANS ID/CHARGING PARTY	METHOD	AMOUNT
08-02-21 07:54 AM	ch_3JK2WmHNCz7zgWLi09oTjFCx Tracy Yale	Stripe	\$675.00
Total Payments Received			\$675.00
Refunds			<u>\$0.00</u>
REFUND DATE	TRANS ID	NOTES	AMOUNT
		No Refunds made	
PAID IN FULL!			\$0.00





**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Travel and Meetings -- Councilmembers and Commissioners		<b>POLICY</b>
		G-1
<b>REFERENCE:</b> Adopted 11/28/72, Revised 11/22/77, Revised 8/5/80, Revised 11/25/80, Revised 3/11/86, Revised 1/24/06	<b>EFFECTIVE</b>	<b>PAGE</b>
	1/24/06	1 of 5

**PURPOSE**

To establish a policy to be followed by Councilmembers and Commissioners when traveling on official City Business.

**BACKGROUND**

Occasionally, it is necessary for Councilmembers and/or Commissioners to attend meetings away from the City or to travel outside the City to conduct City business. The following types of activities generally qualify as approved governmental activities where expenses incurred in the performance of such activities are reimbursable:

- ◇ Communicating with representatives of regional, state and national government on City-adopted policy positions
- ◇ Attending educational seminars designed to improve Councilmembers' skills and information levels, or as required by law
- ◇ Participating in regional, state and national organizations whose activities affect the City's interests
- ◇ Recognizing service to the City (e.g., attending retirement functions for longtime City employees)
- ◇ Attending City events
- ◇ Implementing a City-approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member.

In the performance of such governmental activities various modes of transportation are available and the costs involved vary considerably. In an effort to control costs and to compensate individuals for their reasonable expenses, the City Council has adopted the following policy on travel and meetings.

This policy shall not apply to routine expenses, such as mileage, parking fees or meals, incurred while attending meetings within the County of San Diego in association with membership on Boards or Committees appointed by the City Council. Except as provided for Councilmembers, as described herein, all such routine expenses will be reimbursed through the administrative process and will not require City Council approval.

For Councilmember routine expenses within San Diego County the City Council has determined that the frequent use of adequate and reliable vehicles owned or rented by the

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Travel and Meetings – Councilmembers and Commissioners		<b>POLICY</b>  G-1
<b>REFERENCE:</b> Adopted 11/28/72, Revised 11/22/77, Revised 8/5/80, Revised 11/25/80, Revised 3/11/86, Revised 1/24/06	<b>EFFECTIVE</b>  1/24/06	<b>PAGE</b>  2 of 5

**BACKGROUND (continued)**

official are "actual and necessary" to the conduct of City business, and that it is appropriate for Councilmembers to own or rent their own, private automobile, in the performance of such duties. The City Council, therefore, has determined that, in lieu of City-owned vehicles purchased for the use of the officials, and pursuant to Government Code section 1223, a monthly vehicle allowance should be paid to each Member of the City Council in the amounts established by this policy.

**POLICY**

It is the intent of the City to reimburse individual Councilmembers and Commissioners for reasonable expenses incurred when traveling on City business, including conferences and meetings from which the City will derive benefit.

Reservations for travel shall be made through the City, as far in advanced as possible, in order to take full advantage of any travel discounts and/or early registration rates. Travel arrangements should be made through the Purchasing Division via the City Manager's office. For convenience and centralization, applicable travel forms and all travel information may be obtained by Councilmembers and Commissioners through the City Manager's office.

Individuals applying for reimbursement of transportation, lodging, meals and incidental expenses shall use the following guidelines:

- I. Transportation
  - A. The maximum to be paid for travel to areas outside the County of San Diego shall not exceed an amount equal to "coach fare" airline transportation.
  - B. Carrier services, including taxicabs and vehicle rental – Actual cost.
  - C. Private Car (when appropriate) in the amount established by the Internal Revenue Service as the optional standard mileage rates used to calculate deductible costs for operation of an automobile for business, as amended from time to time. Effective January 1, 2006, that rate is \$.445 cents per mile.

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Travel and Meetings – Councilmembers and Commissioners		<b>POLICY</b>  G-1
<b>REFERENCE:</b> Adopted 11/28/72, Revised 11/22/77, Revised 8/5/80, Revised 11/25/80, Revised 3/11/86, Revised 1/24/06	<b>EFFECTIVE</b>  1/24/06	<b>PAGE</b>  3 of 5

**POLICY (continued)**

II. Lodging

Convention or housing bureau reservations are permissible; however, if convention and housing bureaus are not used, and if more than one place of lodging is available, the prevailing rate for the area for single occupancy lodging shall be the allowed reimbursable amount.

III. Meals

The same "prevailing" rule as it applies to lodging shall apply to the actual cost of meals. Exceptions shall be made for situations where it is necessary, for the business purpose of the trip, to eat at specific places or to attend business luncheons or banquets where rates are above the local average. A statement of justification should be attached for situations in which said prevailing meal rate is exceeded.

IV. Councilmember Vehicle Allowances

Councilmembers are expected to conduct City business within San Diego County through the attendance of meetings of Boards and Commissions, as appointed by the City Council, as well as meetings with City staff, constituents, attendance at events, etc., within San Diego County, during various hours of the day or night, and it is determined by the City Council that their effectiveness, in representing the City, is dependent on the frequent availability of adequate and reliable vehicles. Therefore the City Council has determined that in lieu of vehicles purchased and maintained by the City, and supplied to the Councilmembers, private vehicles owned or rented by the Councilmembers, which are maintained, repaired, fueled, lubricated, and insured by the Councilmembers, are "actual and necessary" to the conduct of the City's business, and that a monthly vehicle allowance should be paid to each of the Councilmembers in the amounts established by resolution of the City Council. As of January 24, 2006, those amounts are as follows:

For the Mayor:	\$550.00
For Councilmembers:	\$450.00

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Travel and Meetings – Councilmembers and Commissioners		<b>POLICY</b>  G-1
<b>REFERENCE:</b> Adopted 11/28/72, Revised 11/22/77, Revised 8/5/80, Revised 11/25/80, Revised 3/11/86, Revised 1/24/06	<b>EFFECTIVE</b>  1/24/06	<b>PAGE</b>  4 of 5

**POLICY (continued)**

The plan for reimbursement for actual and necessary use of private vehicles of the Councilmembers is deemed a "nonaccountable plan" under IRS Regulations and will be reported as taxable income to the Internal Revenue Service.

**Claim for Expenses**

Before any travel expenses are paid, individuals requesting reimbursement shall complete and sign a Claim for Reimbursement of Travel Expense form (SF11-78). All applicable receipts *must* be attached to this form and submitted to the City Manager's office. The City Manager will then place the documentation on the City Council agenda, as a consent item. The City Council will review each request and will either approve and direct payment, or disapprove and return to the claimant for correction or revision and resubmittal.

**Limitations**

All requests for reimbursement of transportation, lodging, meals and incidental expenses shall be at the single rate. Airport parking must utilize long-term lots for travel in excess of 24-hours. Expenses incurred by a spouse or other person accompanying the traveler are not reimbursable. In addition, the following expenditures are not reimbursable: (1) International travel, (2) the personal portion of any trip, including personal valet and laundry services, (3) late check-out fees or non-canceled reservations, in-room pay-per-view movie rentals, personal phone calls, while lodging (provided, however, that internet service not to exceed \$15.00 per day is reimbursable if used for email for City business), (4) political contributions or events, (5) family expenses, including the expenses of a spouse or partner when accompanying the Councilmember or Commissioner on City-related business, as well as child or pet care related expenses, (6) entertainment or exercise expenses, including theater, movies (whether in-room or at a theater), sporting events (including gym, massage and/or golf related expenses), alcoholic beverages or personal bar expenses, (7) non-mileage or vehicle allowance personal automobile expenses, including repairs, traffic or parking citations, insurance or registration, (8) personal losses incurred while on City business, (9) unreasonable gratuities (where "reasonable" gratuities take into account acceptable community standards and the prevailing restaurant costs of the area), and (10) expenses for which Councilmembers or Commissioners receive reimbursement from another agency.

**CITY OF EL CAJON  
CITY COUNCIL POLICY**

<b>SUBJECT:</b> Travel and Meetings – Councilmembers and Commissioners	<b>POLICY</b>  G-1	
<b>REFERENCE:</b> Adopted 11/28/72, Revised 11/22/77, Revised 8/5/80, Revised 11/25/80, Revised 3/11/86, Revised 1/24/06	<b>EFFECTIVE</b>  1/24/06	<b>PAGE</b>  5 of 5

**POLICY (continued)**

**Cash Advances**

Any cash advances shall be submitted to the Finance Department via the City Manager's office, on a Request for Direct Payment form (SF27-78). Cash advances shall normally be used for travel expenses such as meals and fuel for private automobiles (if applicable). In most circumstances, cash advances should not be drawn earlier than three (3) business days prior to the date of departure.

**Report on Attendance of Meetings**

After attending a meeting or conference, for which the Councilmember or Commissioner will receive reimbursement, the official shall provide a brief report at the next Council meeting (for Councilmembers) or committee meeting (for Commissioners) on the substance of the meeting or conference. Such report may be made jointly, if more than one official attended, and may be either oral or in writing.



City Council  
Agenda Report

Agenda Item 6.

**DATE:** October 26, 2021

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Mara Romano, Purchasing Agent

**SUBJECT:** Reject and Re-Bid of Bid No. 009-22 – Fire Admin Offices at Public Safety Center

---

**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, to reject all bids and authorize re-bidding of the project with revised plans and specifications.

**BACKGROUND:**

The Fire Administration Offices at the Public Safety Center Project scope of work includes constructing office improvements to relocate the Heartland Administrative staff to the third floor of the Public Safety Center. The proposed improvements include framing offices, conference rooms, hallways, installing electrical services, fiber optic cable, data connections, HVAC, flooring treatments, and purchasing fixtures, furnishings, and equipment. The City received five bids on September 13, 2021.

City staff determined that due to the configuration of the plans and specifications, it would be in the City's best interest to reject all bids and re-bid the project with revised plans and specifications.

**FISCAL IMPACT:**

None.

Prepared By: Mara Romano, Purchasing Agent

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

---

Attachments

Resolution

RESOLUTION NO. \_\_\_-21

RESOLUTION REJECTING BIDS FOR  
FIRE ADMIN OFFICES AT PUBLIC SAFETY CENTER  
(Bid No. 009-22)

WHEREAS, Bid No. 009-22 for the Fire Admin Offices at Public Safety Center project (the "Project"), for construction improvements to the third floor of the Public Safety Center to house Fire Department administrative offices, was advertised on August 12, 2021; and

WHEREAS, five (5) responses were received and opened at 2:00 p.m. on September 13, 2021; and

WHEREAS, upon review of the bid responses, City staff determined that due to the configuration of the plans and specifications, it would be in the best interest of the City of El Cajon (the "City") to reject all of the bids received and re-bid the Project with revised plans and bid specifications; and

WHEREAS, the City Council believes it to be in the best interest of the City to reject all of the bids received and re-bid the Project with revised plans and bid specifications as recommended by staff.

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 rejects all of the bids received for the reasons stated above, and authorizes re-bidding of the Project with revisions to the plans and bid specifications, as approved by the City Manager.
3. The City Manager is hereby authorized to approve the final plans and revised specifications prior to re-bidding for and on behalf of the City of El Cajon.



City Council  
Agenda Report

Agenda Item 7.

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mike Moulton, Chief of Police  
**SUBJECT:** 2021-2022 Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant

---

**RECOMMENDATION:**

That the City Council:

1. Authorizes the City Manager or designee to accept the California Office of Traffic Safety STEP Grant in the amount of \$133,000 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
2. Appropriates the California Office of Traffic Safety STEP Grant funds in the amount of \$89,873 for overtime, \$2,105 for training and travel, \$1,022 for supplies, and \$40,000 for equipment including motorcycle, for a total grant award of \$133,000.

**BACKGROUND:**

The California Office of Traffic Safety STEP grant provides funding to local law enforcement agencies in the administration of special details aimed at improving traffic safety. The 2021-2022 STEP Grant will provide reimbursement to the El Cajon Police Department in the amount of \$133,000 to be used for overtime, DUI checkpoint supplies, a new patrol motorcycle, and other related equipment. These items will be used to conduct the following details: DUI checkpoints and DUI saturation patrols, bike/pedestrian safety operations, traffic enforcement operations, motorcycle operations, and distracted driving operations. Additionally, the grant will fund staff attendance at conferences and training events supporting goals and objectives for traffic safety.

**FISCAL IMPACT:**

This grant will provide \$133,000 to the Special Revenue Fund 225900 - Police Miscellaneous Grants. No matching funds are required for this grant. These funds will only be used by the Police Department for the projects listed above or as indicated by approved modifications to the grant.

Prepared By: Jennifer Lytle, Management Analyst

Reviewed By: Mike Moulton, Police Chief

Approved By: Graham Mitchell, City Manager

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## City Council Agenda Report

**Agenda Item 8.**

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mike Moulton, Chief of Police  
**SUBJECT:** FY 2021 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Award

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### RECOMMENDATION:

That the City Council takes the following actions:

1. Authorize the City Manager, or designee, to accept the FY 2021 U.S. Department of Justice Edward Byrne Memorial JAG Grant in the amount of \$37,472 and to execute any grant documents and agreements necessary for the receipt and use of these funds.
2. Appropriate \$36,596 of the FY 2021 U.S. Department of Justice JAG Grant to retrofit the Police Department's Command Vehicle Monitors and Legacy technology and to fund \$876 for 20 hours of National Incident Based Reporting System (NIBRS) compliance research, which is a requirement of the grant award.

### BACKGROUND:

FY 2021 marks the 17th year that the City of El Cajon Police Department has participated in the U.S. Department of Justice Edward Byrne Memorial JAG Program. This grant is awarded to state and local government agencies to support a broad range of criminal justice-related activities. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, and information systems for criminal justice programs. Over the years, these grant funds have been used by the Police Department to fund specialized training and equipment. This grant does not require local match-funding or a formal public hearing.

On September 14, 2021, an informational item was presented to Council regarding the FY 2021 JAG application which included a request for \$36,596 to retrofit and modernize the current SWAT Command Vehicle and to fund \$876 for 20 hours of NIBRS compliance research. The proposed retrofit project includes building an exterior weatherized cabinet, adding exterior monitors, and designing a Cradlepoint broadband gateway to allow access to the department's network infrastructure. We received formal notification that our JAG grant application has been approved and council action is now needed to accept and appropriate the grant.

**FISCAL IMPACT:**

The City of El Cajon has been awarded the FY 2021 U.S. Department of Justice JAG grant in the amount of \$37,472. These grant funds will be appropriated to activity 225900 - Police Miscellaneous Grants Fund. There will be no impact to the City's General Fund.

Prepared By: Julie Wiley, Sr. Management Analyst

Reviewed By: Mike Moulton, Police Chief

Approved By: Graham Mitchell, City Manager

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**Attachments**

Award Documents

## ✓ Award Letter

October 8, 2021

Dear Bill Wells,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by EL CAJON, CITY OF for an award under the funding opportunity entitled 2021 BJA FY 21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation. The approved award amount is \$37,472.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

Congratulations, and we look forward to working with you.

Maureen Henneberg  
Deputy Assistant Attorney General

### Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice

(DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c) (5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at [askOCR@ojp.usdoj.gov](mailto:askOCR@ojp.usdoj.gov).

## Memorandum Regarding NEPA

NEPA Letter Type

OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <https://www.bja.gov/Funding/nepa.html>.

Please be sure to carefully review the grant conditions on your award document, as it may contain

NEPA Coordinator

First Name	Middle Name	Last Name
Orbin	—	Terry

- > **Award Information**
- > **Project Information**
- > **Financial Information**
- > **Award Conditions**
- > **Award Acceptance**

- > Award Letter
- ✓ Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

### Recipient Information

#### Recipient Name

EL CAJON, CITY OF

#### DUNS Number

078727393

#### Street 1

200 CIVIC CENTER WAY, 5TH FLR

#### Street 2

\_\_\_\_\_

#### City

EL CAJON

#### State/U.S. Territory

California

#### Zip/Postal Code

92020

#### Country

United States

#### County/Parish

\_\_\_\_\_

#### Province

\_\_\_\_\_

### Award Details

#### Federal Award Date

10/8/21

#### Award Type

Initial

#### Award Number

15PBJA-21-GG-01168-JAGX

#### Supplement Number

00

#### Federal Award Amount

#### Funding Instrument Type

\$37,472.00

Grant

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**Assistance Listing Number    Assistance Listings Program Title**

16.738

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**Statutory Authority**

Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10151-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151-10158); see also 28 U.S.C. 530C(a).

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*I have read and understand the information presented in this section of the Federal Award Instrument.*

- > **Project Information**
- > **Financial Information**
- > **Award Conditions**
- > **Award Acceptance**

- > **Award Letter**
- > **Award Information**
- ✓ **Project Information**

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**

<b>Solicitation Title</b>	<b>Awarding Agency</b>
2021 BJA FY 21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation	OJP <b>Program Office</b> BJA

**Application Number**  
GRANT13428396

**Grant Manager Name** **Phone Number**  
Elaine Smokes 202-598-7139

**E-mail Address**  
Elaine.Smokes@ojp.usdoj.gov

**Project Title**

Retrofit of the Police Departments Command Vehicle monitors and Legacy technology.

<b>Performance Period Start Date</b>	<b>Performance Period End Date</b>
10/01/2020	09/30/2024

<b>Budget Period Start Date</b>	<b>Budget Period End Date</b>
10/01/2020	09/30/2024

**Project Description**



The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

*I have read and understand the information presented in this section of the Federal Award Instrument.*

- > **Financial Information**
- > **Award Conditions**
- > **Award Acceptance**

- > **Award Letter**
- > **Award Information**
- > **Project Information**
- ✓ **Financial Information**

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**



*I have read and understand the information presented in this section of the Federal Award Instrument.*

- > **Award Conditions**
- > **Award Acceptance**

- > Award Letter
- > Award Information
- ✓ Project Information

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**

<b>Solicitation Title</b>	<b>Awarding Agency</b>
2021 BJA FY 21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation	OJP <b>Program Office</b> BJA

**Application Number**  
GRANT13428396

**Grant Manager Name** **Phone Number**  
Elaine Smokes 202-598-7139

**E-mail Address**  
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**Project Title**

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**Project Description**

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*I have read and understand the information presented in this section of the Federal Award Instrument.*

- > **Financial Information**
- > **Award Conditions**
- > **Award Acceptance**

- > **Award Letter**
- > **Award Information**
- > **Project Information**
- > **Financial Information**
- ✓ **Award Conditions**

**This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.**



#### Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2021 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2021 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2021 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.



#### Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) - (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.



#### Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2019, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after January 1, 2019, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.



#### Safe policing and law enforcement subrecipients

If this award is a discretionary award, the recipient agrees that it will not make any subawards to State, local, college, or university law enforcement agencies unless such agencies have been certified by an approved independent credentialing body or have started the certification process. To become certified, law enforcement agencies must meet two mandatory conditions: (1) the agency's use of force policies adhere to all applicable federal, state, and local laws; and (2) the agency's use of force policies prohibit chokeholds except in situations where use of deadly force is allowed by law. For detailed information on this certification requirement, see <https://cops.usdoj.gov/SafePolicingEO>.



#### Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly

address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.



Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" ([ojp.gov/funding/Explore/LegalNotices-AwardReqts.htm](http://ojp.gov/funding/Explore/LegalNotices-AwardReqts.htm)), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

## 8

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

## 9

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

## 10

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

## 11

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable



laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

## 12

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

## 13

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

## 14

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

## 15

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at [OJP.ComplianceReporting@ojp.usdoj.gov](mailto:OJP.ComplianceReporting@ojp.usdoj.gov). For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

## 16

### Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

## 17

### Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

## 18

### Compliance with general appropriations-law restrictions on the use of federal funds (FY 2021)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2021, are set out at <https://ojp.gov/funding/Explore/FY21AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

## 19

### Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this

award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

## 20

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and

use, E-Verify ([www.e-verify.gov](http://www.e-verify.gov)), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov). E-Verify employer agents can email E-Verify at [E-VerifyEmployerAgent@dhs.gov](mailto:E-VerifyEmployerAgent@dhs.gov).

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

## 21

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

## 22

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

## 23

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

## 24

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

## 25

### Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

## 26

### Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to

contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

## 27

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

## 28

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

## 29

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

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*I have read and understand the information presented in this section of the Federal Award Instrument.*

**> Award Acceptance**



- > Award Letter
- > Award Information
- > Project Information
- > Financial Information
- > Award Conditions
- ✓ Award Acceptance

**Declaration and Certification to the U.S. Department of Justice as to Acceptance**

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

<b>Agency Approval</b>		
Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen Henneberg	9/16/21 7:31 PM

## Authorized Representative

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1

### Entity Acceptance

Title of Authorized Entity Official

Mayor

Signed Date And Time

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## City Council Agenda Report

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Sara Diaz, Director of Information Technology  
**SUBJECT:** Update on El Cajon 2.0 Request for Innovation Process

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### RECOMMENDATION:

That the City Council provides direction to staff regarding City priorities for proposed innovation solutions.

### BACKGROUND:

In September 2020, the City Council directed staff to explore public opinion concerning the use of smart city technology in providing municipal services. Staff researched the smart city concept, reviewed case studies of how other jurisdictions implemented innovative technologies to address local concerns, surveyed the El Cajon community, and sought feedback from the City Council before drafting the El Cajon 2.0 Strategic Plan. The City Council adopted this plan on April 27, 2021.

A key component of the El Cajon 2.0 Strategic Plan is the concept of Requests for Innovation (RFI). RFIs provide an opportunity for outside input on potential solutions because anyone can submit a proposal, including citizens, inventors, and vendors. Proposals identify a law enforcement situation to be addressed, a proposed solution, and metrics for measuring success. El Cajon 2.0 projects developed from these RFI proposals are encouraged to start out small, with a low (under \$25,000) or no cost pilot project. Once a concept is piloted, the project is reevaluated for realized value to ensure the City is making a sound investment before proceeding to a full implementation of a new technology.

In March 2021, the El Cajon City Council released its 2021/2022 Council Priorities, which included a goal to implement technologies that could assist in the response and services provided by the City's Fire and Police Departments. To explore new technologies towards this goal, the City released its first RFI titled *Technology as a Public Safety Force Multiplier* (RFI # 005-22) in July 2021. The City received ten proposals, which were evaluated by a committee of City staff.

The following table includes the proposed technologies and their overall weighted score after initial evaluations by staff based on the following criteria:

- Project Overview (30%)
- Stage of Development (10%)
- Deployment Plan (15%)

- Technical Specifications (15%)
- Business Model (10%)
- Self Evaluation (10%)
- Legal Framework (10%)

Weighted scores from each member of the evaluation committee were averaged to get the following relative scores and rankings:

<b>Rank - Score</b>	<b>Company</b>	<b>Technologies Proposed</b>
#1 - 8.73	Motorola Solutions	Multiple: (1) CommandCentral Aware (2) Situational awareness hub to consolidate security data and video from multiple sources (3) Avigilon Video Management System with artificial intelligence and machine learning (4) Cape Telepresence for remote launching of a drone to respond to an incoming call (5) Vigilant solar license plate reader for security applications such as neighborhood entrances, garage or parking log access control.
#2 - 8.23	Qualcomm Smart Cities Team	Multiple: (1) Police Monitoring and Smart Surveillance with artificial intelligence (2) Private LTE/5G to consolidate City network costs and potentially offer paid or free internet access to the public (3) Smart LED Street Lighting (4) Electric Vehicle Charging using the streetlight infrastructure (5) Smart Parking (6) Smart Waste Management (7) Smart Kiosks (8) Smart Traffic Management.
#3 - 7.58	Radix Metasystems, Inc.	Nighthawk LEOVision - Overlay and interlace case data from multiple sources.
#4 - 7.27	Tyler Technologies, Inc.	Multiple: (1) Enterprise Law Enforcement Records (2) Field Based Reporting (3) Brazos Electronic Citation Software (4) New World Scene Collect (5) Arx Alert - Officer accountability software.
#5 - 6.72	MobilePD, Inc.	Atlas One - Geo-fenced smartphone alerts and citizen anonymous tip sharing.
#6 - 6.10	Ubicquia, Inc.	UbiHub, UbiCell, UbiVu - Streetlight edge artificial intelligence, and Wifi Access Point for traffic planning, curb planning, public safety video.
#7 - 5.62	Databuoy Corporation	Shotpoint - Gunfire detection system.
#8 - 5.20	Optimum Technology, Inc.	SWIFTShare/SWIFTAnalytics - Information sharing, data collection, offender threat scoring model.
#9 - 5.12	365 Labs	RealTime - Single platform to display multiple data sources including CAD, cameras, LPR, drones, community tips, etc.
#10 - 2.73	Icon Technical Solutions	Cisco Meraki - wireless camera system with WiFi over a Wide Area Network (WAN)

Based on the weighted scores, staff recommends further exploration of the top four proposals, focusing on these specific technologies:

- Video Management Systems with artificial intelligence and/or machine learning (Qualcomm and Motorola),
- Remote launching of drones for response to calls for service (Motorola),
- Consolidation of electronic data for police investigations (Radix), and
- Electronic citation software (Tyler).

Staff seeks guidance on the above list of new technologies to ensure that one or more of these technologies would meet the intention of the 2021/2022 Council Priorities. If City Council has interest in further exploring one or more of the proposed technologies, staff will work with the vendors to identify requirements and costs to perform a reasonable pilot to assess the technologies proposed.

Prepared By: Sara Diaz, Director of Information Technology

Reviewed By: N/A

Approved By: Graham Mitchell, City Manager

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City Council  
Agenda Report

**Agenda Item 10.**

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Vince DiMaggio, Assistant City Manager  
**SUBJECT:** Legislative Update

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RECOMMENDATION:

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Attachments

Legislative Update

## **CITY COUNCIL MEMORANDUM**

**DATE:** October 26, 2021  
**TO:** City Council  
**FROM:** Vince DiMaggio, Assistant City Manager  
**SUBJECT: FINAL LEGISLATIVE UPDATE – 2021 Term**

**SB 9 (Atkins - D) Housing Development Approvals. Duplexes and Lot Splits.**

Would require a local government to ministerially approve a housing development containing two residential units in single-family zones, and would require local governments to ministerially approve urban lot split. LCC opposed. (Status: Signed by Governor/Chaptered).

**AB 331 (Jones-Sawyer-D)** extends the current July 1, 2021 sunset for organized retail theft punishments indefinitely. (Status: Signed by Governor; Chaptered).

**AB 333 (Kamlager-D)** proposes to remove burglary, looting, felony vandalism, and identify fraud from crimes that define a pattern of criminal gang activity. (Status: Committee on Public Safety). (Status: Signed by the Governor/Chaptered).

**AB 48 (Gonzalez-D)** Prohibits use of kinetic energy projectiles, nor CN or CS gas to disperse as assembly, protest, or demonstration. (Status: Signed by the Governor/Chaptered).

**AB 418 – (Valladares – D)** – Creates a grant program for cities and counties of up to \$300,000 per year to provide “power resiliency” in the event of a forced power outage by a utility company due to environmental conditions. (Status: Vetoed)

**AB 339 – (Lee – D)** – Requires City Councils, until 12/23, to provide telephonic and internet based options for public comment opportunities; develop a system to process requests for translation and interpretation services for public meetings; and require translation of agenda documents into more languages than what is currently required in law. Opposed by LCC. (Status: Vetoed)

**AB 845 – (Rodriguez – D)** - This measure would allow an individual to retire with a disability pension as a result of a COVID-19 illness. Opposed by LCC. (Status: Passed both Assembly and Senate; Signed by Governor; Chaptered).

**SB 8 (Skinner – D)** - This measure would extend the sunset date for the Housing Crisis Act of 2019 from 2025 to 2030. The Housing Crisis Act declared a statewide housing crisis and froze nearly all development-related fees once a developer submits a “preliminary” application, including essential project specific fees. LCC opposed. (Status: Signed by Governor/Chaptered).

**AB 215 – (Chiu – D)** - This measure would require cities to have a mid-cycle housing element consultation with HCD if housing production is below the regional average; require cities to amend their laws so as to attain HCD’s “pro-housing designation” if housing production is substantially below the regional average; and allow the Attorney General to enforce violations of the Housing Crisis Act of 2019. LCC opposed. (Status: Signed by Governor/Chaptered).

**AB 816 (Chiu – D)** - This measure would, on or before January 1, 2023, require each local agency to submit to HCD an actionable county-level plan for meeting specific annual benchmarks, with the goal of reducing homelessness by 90% by 2029. Additionally, this measure would allow the Inspector General to bring an action against the state, a local agency, or a city to compel compliance with the homelessness action plan. LCC opposed (Status: Signed by Governor/Chaptered).

**AB 89 (Jones-Sawyer – D)** - This measure would increase the minimum qualifying age from 18 to 25 years of age, unless the individual has a bachelor’s or advanced degree from an accredited college or university. LCC opposed. (Status: Signed by Governor/Chaptered).

**SB 2 (Bradford – D)** - This measure outlines standards for peace officer decertification and eliminates the “intent” element for qualified immunity for peace officers, or public entities employing peace officers sued under the Act. LCC opposed. (Status: Signed by Governor/Chaptered).

**SB 16 (Skinner – D)** - This measure would:

- Make every incident involving use of force, sustained findings of unlawful arrests and unlawful searches, and incidents where a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes to be subject to disclosure
- Require indefinite retention of all complaints and related reports or findings currently in the possession of a department or agency
- Require records subject to disclosure to be provided no later than 45 days from the date of a request for their disclosure, and would impose a civil fine not to exceed \$1,000



per day for each day beyond 30 days that records subject to disclosure are not disclosed. LCC opposed. (Status: Signed by Governor/Chaptered).



## City Council Agenda Report

**Agenda Item 11.**

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Dave Richards, Assistant to the City Manager  
**SUBJECT:** Redistricting Process and Census Update

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### RECOMMENDATION:

That the City Council:

1. Receives a report about:
  - a. The City's redistricting process,
  - b. A summary of the second Redistricting Hearing, and
  - c. A summary of the State's adjusted U.S. Census data.
2. Provides direction to staff whether to:
  - a. Proceed with the existing district map, or
  - b. Draft and accept alternative election district maps for consideration, and
  - c. Purchase Maptitude, an online redistricting software.

### BACKGROUND:

Redistricting is the process of adjusting City Council voting districts so that each district has substantially the same number of residents. Cities with voting districts are required to update their district election map following the release of the U.S. Census data. Cities that experience little or no change in district populations have the option to maintain existing district boundaries.

El Cajon transitioned from an at-large to a by-district election process for Councilmembers with the passage of Measure S in November 2016. The Mayor remains elected at-large.

Following the passage of Measure S, the City retained National Demographic Corporation (NDC) to develop voting district maps and facilitate public hearings. In June 2017, the City Council approved the current district election map. It is important to note that the map was developed using the 2010 U.S. Census data with 2017 demographic estimates.

The transition to City Council districts means that the City must evaluate its voting districts based on the 2020 state-adjusted Census data. On September 27, 2021, the State of California posted the 2020 U.S. Census data. For California cities, these figures are the final numbers needed to determine if district boundaries need to be adjusted.

NDC processed these numbers for the current El Cajon election districts (Attachment 1). NDC found that the City's current population deviation – the difference between the most populous and least populous districts – is 5.35%. This value is within the 10% threshold where a map is considered “presumptively constitutional,” and thus the districts do not need to be redrawn to comply with the federal equal population requirement. The final election district map must be approved by April 17, 2022, to comply with election laws.

In October 2019, the California legislature approved AB 849, the Fair And Inclusive Redistricting for Municipal and Political Subdivisions (FAIR MAPS) Act, which requires cities to ensure maps comply with set redistricting criteria. The act further outlines the specified steps a jurisdiction must take to encourage public participation of its residents and the deadlines for the adoption of new boundaries by a governing body. If the City Council finds the current districts meet the requirements of the Act, then the election district lines may be retained at the conclusion of the required public hearings and outreach.

Based on the 2020 Census data and California's FAIR MAPS Act requirements, El Cajon's existing election districts remain balanced. Based on this determination, the City Council must determine whether it would like to proceed with only the existing redistricting map and whether to authorize the acquisition of software to develop alternative draft maps.

### ***Redistricting Hearings***

The FAIR MAPS Act requires cities to host four Redistricting Hearings. The first two were held on July 14, 2021 and September 8, 2021. During the first Public Hearing, speakers provided feedback about communities of interest and generally advocated for more public hearings, the ability to provide testimony by phone and online, streaming meetings online, and additional translation services.

During the second hearing, participants geographically identified the middle-eastern community of interest as:

- Broadway to the North,
- Jamacha Road and 2nd Street to the East,
- Washington Avenue to the South, and
- Magnolia Avenue to the West.

NDC also provided a demonstration during the second hearing on how to use DistrictR, an online mapping tool currently available on the City's website. In addition, paper maps with colored pencils were provided during the meeting to allow participants to draw proposed election district maps. To date, only one map has been received online.

The third Redistricting Hearing is scheduled on Thursday, November 4, 2021, at 7 p.m. at the Kennedy Recreation Center. During this hearing, staff will provide a report and update on the status of the redistricting process and potential impacts of the final California-adjusted 2020 census data. Staff will also provide an overview of redistricting criteria and the census data for El Cajon.

The fourth and final hearing is scheduled on Saturday, January 22, 2022, at 10:30 a.m. at El Cajon Valley High School. It is anticipated that during this hearing, the City Council will select a final District Election Map.

**Next Steps:**

Because the census results showed that the existing districts remain balanced, the City Council has the option to simply retain the existing map without preparing and holding hearings on alternative maps. Staff recommends that the City Council continues with the four Redistricting Hearings and continues gathering public input. At the conclusion of the four public hearings, the City Council can take the appropriate action.

Staff asks that the Council provide staff with direction regarding whether to:

- a. Proceed with only the existing district map, or
- b. Draft and accept alternative election district maps for consideration, and
- c. Proceed with the purchase of Maptitude online redistricting software.

Prepared By: David Richards, Assistant to the City Manager

Reviewed By: Vince DiMaggio, Assistant City Manager

Approved By: Graham Mitchell, City Manager

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**Attachments**

2020 Census Data for Current Election District Map

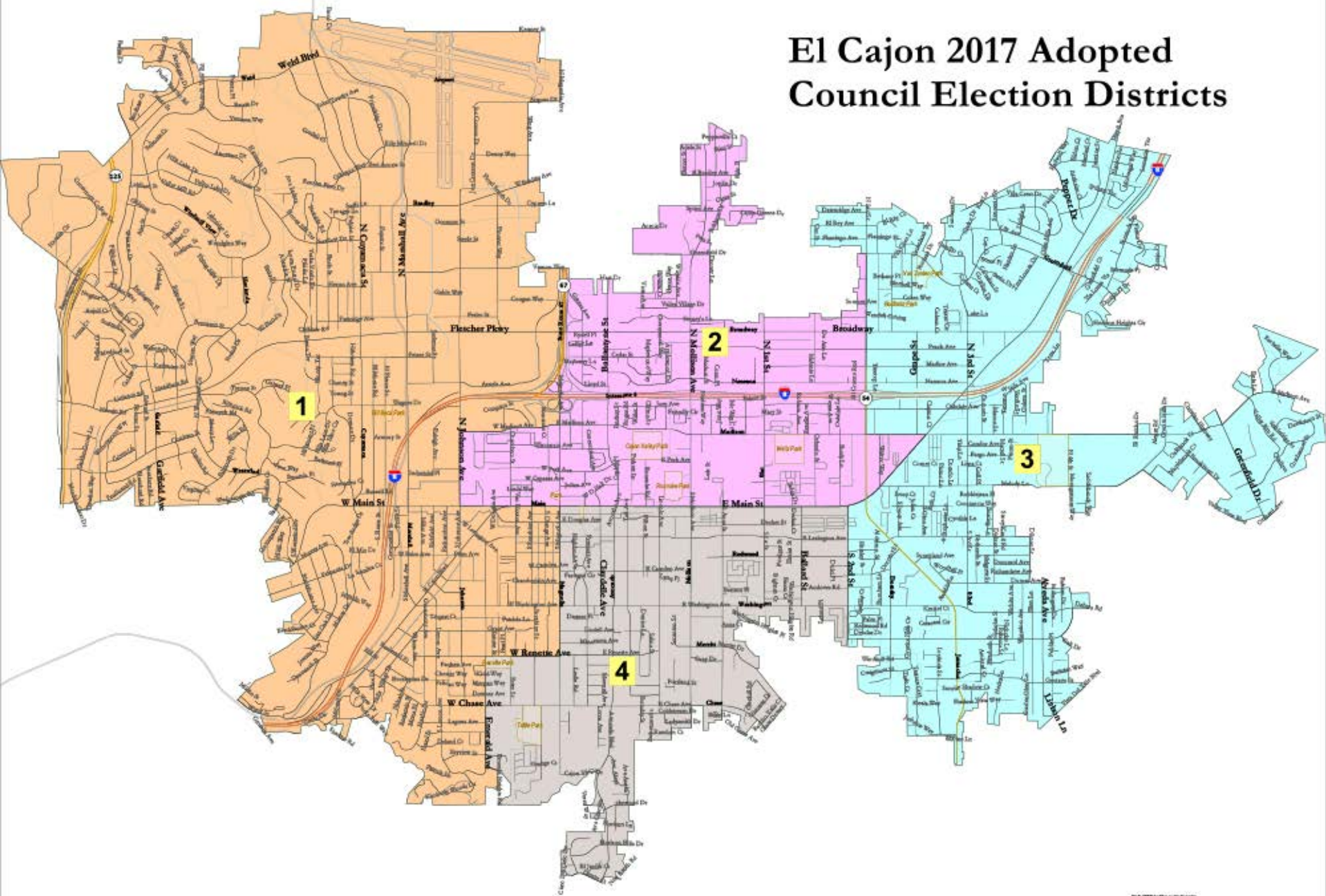
Current Election District Map

***El Cajon - Current Districts***

Category	Field	1	2	3	4	Total
2020 Census	Total Population	27,173	27,150	26,514	25,747	106,584
	Population Deviation	527	504	-132	-899	1,426
	Pct. Deviation	1.98%	1.89%	-0.50%	-3.37%	5.35%
Total Pop.	Hispanic/Latino	30%	34%	26%	28%	29%
	NH White	52%	44%	59%	56%	53%
	NH Black	6%	11%	5%	7%	7%
	NH Asian/Pac.Isl.	8%	9%	7%	7%	8%
	NH Native Amer.	1%	1%	1%	1%	1%
Citizen Voting Age Pop	Total	17,391	14,852	17,453	14,681	64,376
	Hisp	20%	26%	23%	21%	22%
	NH White	67%	56%	66%	66%	64%
	NH Black	4%	12%	4%	7%	7%
	Asian/Pac.Isl.	7%	6%	6%	5%	6%
	Native Amer.	0%	1%	1%	0%	1%
Voter Registration (Nov 2020)	Total	15,905	11,173	14,830	10,614	52,522
	Latino est.	20%	28%	21%	23%	22%
	Spanish-Surnamed	18%	26%	19%	21%	21%
	Asian-Surnamed	2%	3%	3%	5%	3%
	Filipino-Surnamed	1%	2%	1%	2%	1%
	NH White est.	76%	58%	75%	67%	71%
	NH Black	3%	12%	3%	6%	5%
Voter Turnout (Nov 2020)	Total	13,088	8,045	11,735	7,822	40,690
	Latino est.	18%	27%	19%	21%	20%
	Spanish-Surnamed	16%	24%	17%	19%	19%
	Asian-Surnamed	2%	3%	3%	5%	3%
	Filipino-Surnamed	1%	2%	1%	2%	1%
	NH White est.	76%	58%	75%	67%	71%
	NH Black	3%	12%	3%	6%	5%
Voter Turnout (Nov 2018)	Total	9,290	4,573	7,476	4,229	25,568
	Latino est.	14%	24%	16%	21%	17%
	Spanish-Surnamed	13%	23%	15%	20%	16%
	Asian-Surnamed	2%	2%	2%	3%	2%
	Filipino-Surnamed	1%	1%	1%	1%	1%
	NH White est.	81%	62%	79%	70%	75%
Age	age0-19	24%	30%	26%	28%	27%
	age20-60	55%	57%	54%	54%	55%
	age60plus	21%	12%	20%	18%	18%
Immigration	immigrants	23%	32%	21%	36%	28%
	naturalized	44%	39%	62%	49%	47%
Language spoken at home	english	68%	51%	63%	46%	57%
	spanish	18%	26%	20%	18%	20%
	asian-lang	4%	4%	1%	2%	3%
	other lang	10%	20%	16%	34%	20%
Language Fluency	Speaks Eng. "Less than Very Well"	15%	26%	13%	29%	21%
Education (among those age 25+)	hs-grad	51%	59%	56%	54%	55%
	bachelor	18%	13%	16%	11%	14%
	graduatedegree	9%	4%	7%	6%	6%
Child in Household	child-under18	35%	41%	38%	43%	39%
Pct of Pop. Age 16+	employed	64%	65%	64%	58%	63%
Household Income	income 0-25k	12%	29%	17%	27%	21%
	income 25-50k	22%	28%	20%	24%	24%
	income 50-75k	18%	17%	16%	20%	18%
	income 75-200k	40%	23%	40%	26%	32%
	income 200k-plus	8%	2%	7%	2%	5%
Housing Stats	single family	67%	30%	67%	38%	50%
	multi-family	33%	70%	33%	62%	50%
	rented	46%	77%	44%	72%	60%
	owned	54%	23%	56%	28%	40%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).

# El Cajon 2017 Adopted Council Election Districts





City Council  
Agenda Report

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Wells  
**SUBJECT:** Council Activity Report

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**RECOMMENDATION:**

That the City Council accepts and files 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 12, 2021 – Meeting with Supervisor Anderson, East County CMs and Mayors
- October 14, 2021 – ECTLC Grand Opening
- October 18, 2021 – Meeting with St. Pauls PACE Program
- October 20, 2021 – Spoke at Carlsbad Chamber
- October 20, 2021 – South Bay Conservative Caucus
- October 22, 2021 – Rally for First Responders
- October 22, 2021 – SANDAG Board of Directors Meeting
- October 23, 2021 – Skyline Men's Breakfast
- October 26, 2021 – Attend City Council Meeting(s)

I am available to answer questions.

Submitted By: Bill Wells, Mayor

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City Council  
Agenda Report

Agenda Item 13.

**DATE:** October 26, 2021

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Councilmember Goble

**SUBJECT: 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.

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**RECOMMENDATION:**

That the City Council accepts and files 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 4, 2021 - Trash pickup (Broadway/2nd)
- October 6, 2021 - Trash pickup (2nd St Off-ramp area)
- October 7, 2021 - Email to Peggy B re: speed trailer on Chase
- October 10, 2021 - Email to Serena B. re: business grant
- October 14, 2021 - MTS Board Meeting
- October 14, 2021 - Email to Rachel M re: business grant
- October 14, 2021 - Email to Asst City Mgr re: resident issue
- October 14, 2021 - Attend Assoc of Gen'l Contractors Open House
- October 15, 2021 - Attend SANDAG Public Safety Committee meeting
- October 15, 2021 - Email to Bob B: re: business grant
- October 15, 2021 - Email to Peter L re: Luke Lane improvements
- October 16, 2021 - Present certificate at Jazzercise event
- October 16, 2021 - Attend San Diego County Gun Owners annual dinner
- October 18, 2021 - Email to Dale C: re: VMT stance
- October 19, 2021 - Email to Athena G: re: VMT stance
- October 19, 2021 - Attend Home of Guiding Hands event/new CEO



October 21, 2021 - Attend Pregnancy Care Clinic annual dinner  
October 22, 2021 - Attend East County Advanced Water Purification event  
October 22, 2021 - Attend Chamber Women in Leadership Luncheon  
October 25, 2021 - Meeting with City Manager  
October 26, 2021 - Attend City Council Meeting(s)

I am available to answer questions.

Submitted By: Steve Goble, Councilmember

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City Council  
Agenda Report

**DATE:** October 26, 2021  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Mayor Pro Tem Kendrick  
**SUBJECT: MAYOR PRO TEM GARY KENDRICK**  
METRO Commission/Wastewater JPA; Heartland Communications;  
Heartland Fire Training JPA.

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**RECOMMENDATION:**

That the City Council accepts and files 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 14, 2021 – Heartland Fire Training JPA  
October 26, 2021 – Attend City Council Meeting(s)

I am available to answer questions.

Submitted By: Gary Kendrick, Mayor Pro Tem

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City Council  
Agenda Report

**DATE:** October 26, 2021

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Councilmember Metschel

**SUBJECT: COUNCILMEMBER MICHELLE METSCHEL**

Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate.

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**RECOMMENDATION:**

That the City Council accepts and files 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 13, 2021 – Continued attendance at Citizens Police Academy

October 15, 2021 – Attended San Diego County Hispanic Chamber of Commerce - Illuminada Gala

October 18, 2021 – Followed up on graffiti complaint

October 20, 2021 - Continued attendance at Citizens Police Academy

October 22, 2021 – Attended the Women in Leadership Luncheon

October 26, 2021 – Attend City Council Meeting(s)

I am available to answer questions.

Submitted By: Michelle Metschel, Councilmember

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City Council  
Agenda Report

Agenda Item 16.

**DATE:** October 26, 2021

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Councilmember Ortiz

**SUBJECT: 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.

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**RECOMMENDATION:**

That the City Council accepts and files 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 14, 2021 – ECTLC Ribbon Cutting Ceremony  
October 17, 2021 – Meeting with Congresswoman Jacobs  
October 18, 2021 – BSA Troop 951 Meeting  
October 26, 2021 – Attend City Council Meeting(s)

I am available to answer questions.

Submitted By: Phil Ortiz, Councilmember

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City Council  
Agenda Report

DATE: October 26, 2021  
TO: Honorable Mayor and City Councilmembers  
FROM: Bill Wells, Mayor and Phil Ortiz, City Councilmember  
SUBJECT: State and Federal Redistricting Mapping Process

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RECOMMENDATION:

That the City Council directs staff to monitor the 2020 California Citizens Redistricting Commission draft maps and recommends that the City Council take an active role in advocating for El Cajon's and the region's interests by promoting fair maps that comply with district boundary guidelines and are sensitive to communities of interest.

BACKGROUND:

The State is currently updating boundaries for various districts such as congressional, state senate, and state assembly to reflect changes in population since the last census count. The 2020 California Citizens Redistricting Commission (CRC), made up of 14 members, is currently taking public comment and reviewing draft new boundary maps. The CRC recently released several preliminary conceptual maps which cause concern. Even though these are in the early draft stage and the CRC is still asking for public comment, we feel that the draft maps do not recognize communities of interest and ignore some of the principles that guide how district boundaries should be drawn.

Several examples illustrate our concern:

- El Cajon and East County region becomes even more broken up than it is now, ignoring this regional community of interest that shares common water districts and a high school district;
- One conceptual map shows the City of Santee being broken from East County communities and lumped in with San Diego communities such as Hillcrest, San Carlos, and Tierrasanta; and
- Maps do not seem to consider cultural communities of interest such as Middle Eastern communities in East County or Asian communities in the Kearny Mesa area.

We believe that it is important that the City Council monitor the process of how local congressional, state senate, and state assembly maps are drawn. We recommend that the City Council directs staff to monitor map development and provide regular updates to the Council and the public. Also, we recommend that the City Council takes an active role in advocating for El Cajon's and the region's interests by promoting fair maps that comply with district boundary guidelines and are sensitive to communities of interest that are currently being discounted.

Prepared By: Bill Wells, Mayor and Phil Ortiz, City Councilmember

Reviewed By: N/A

Approved By: N/A

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City Council  
Agenda Report

**DATE:** October 26, 2021

**TO:** City Clerk

**FROM:** City Attorney/General Legal Counsel

**SUBJECT:** Closed Session - Conference with Legal Counsel - Anticipated Litigation -  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of  
Government Code section 54956.9: One potential case

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**RECOMMENDATION:**

That the following Closed Session be scheduled for the Joint City Council / Housing Authority / Successor Agency to the El Cajon Redevelopment Agency meeting on Tuesday, October 26, 2021, at 3:00 p.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9:

Number of potential cases: 1

MORGAN L. FOLEY  
City Attorney / General Legal Counsel

MLF:hms

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City Council  
Agenda Report

Agenda Item 19.

**DATE:** October 26, 2021

**TO:** City Clerk

**FROM:** City Attorney/General Legal Counsel

**SUBJECT:** 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: Todd Abbott, Esq., representing 1034 N. Magnolia, LLC, has delivered to the City of El Cajon (the "City") a demand letter alleging losses suffered by his client in the purchase of the commercial property located at 1034 North Magnolia Avenue, El Cajon. The claim alleges that the losses are due to the failure of the City and Commercial Properties Group to make all necessary disclosures on or before September 4, 2020, to allow his client to make an informed decision within the due diligence period to decide whether to purchase the property.

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**RECOMMENDATION:**

That the following Closed Session be scheduled for the Joint City Council / Housing Authority / Successor Agency to the El Cajon Redevelopment Agency meeting on Tuesday, October 26, 2021, at 3:00 p.m.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9

**NAME OF CASE:**

One (1) potential case: Todd Abbott, Esq., representing 1034 N. Magnolia, LLC, has delivered to the City of El Cajon (the "City") a demand letter alleging losses suffered by his client in the purchase of the commercial property located at 1034 North Magnolia Avenue, El Cajon. The claim alleges that the losses are due to the failure of the City and Commercial Properties Group to make all necessary disclosures on or before September 4, 2020, to allow his client to make an informed decision within the due diligence period to decide whether to purchase the property.

Morgan L. Foley  
City Attorney/General Legal Counsel

MLF:hms

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