

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

October 26, 2021

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 26, 2021, was called to order by Mayor/Chair Bill Wells at 3:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

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

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

POSTINGS: The City Clerk posted Orders of Adjournment of the October 12, 2021, Meeting and the Agenda of the October 26, 2021, Meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- HauntFest on Main

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 8)

MOTION BY WELLS, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 8.

MOTION CARRIED BY UNANIMOUS VOTE.

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

Approves Minutes of the October 12, 2020, Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

Approves payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

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

4. Agreement for Construction Management Services

Adopts Resolution No. 084-21 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

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.

CONSENT ITEMS: (Continued)

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

Adopts Resolution No. 085-21 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

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

1. Authorizes 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. Appropriates \$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: None

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS: None

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.

DISCUSSION

City Manager Mitchell introduced Information Technology Administrator, Jay Santos, and Director of Information Technology, Sara Diaz, who provided detailed information of the Item.

Discussion ensued among Council and Staff in regards to the following:

- Cost to do a pilot program;
- Inability to use American Rescue Plan Act (ARPA) funds for the proposed project; and
- Regulations for drone usage.

No comments were received for the Item.

Council directed to proceed with the process as recommended per staff.

10. Legislative Update

DISCUSSION

Assistant City Manager DiMaggio provided detailed information of the current Assembly and Senate bills of interest to the City.

No comments were received for the Item

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.

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.

ADMINISTRATIVE REPORTS: (Item 11 – Continued)

DISCUSSION

Assistant to the City Manager, David Richards, provided detailed information of the Item.

Brief discussion ensued amongst Councilmembers and Staff regarding the current district maps.

Ramah Awad, Program Manager at the Majdal Community Center spoke in support of the full re-districting process, and to adopt a new map for the City of El Cajon, to allow the Middle Eastern citizen to be better represented.

Discussion ensued amongst Council and Ms. Awad regarding the following:

- Using the 'other languages spoken at home' from the U.S. Census data to determine where the Middle Eastern population is in the City;
- Request for clarification of the Middle Eastern population's needs, not met by the current maps;
- Request to keep the Community of Interest (Middle Eastern Population) in one district; and
- Concern for lack of representation for Arabic families that live in other areas of the city and not in the proposed district.

Discussion continued amongst Council and Staff regarding the following:

- Clarification that the City will hold the four (4) required Public Hearings as per the Fair Maps Act;
- The current maps show the majority of the Middle Eastern population living in District Four (4);
- Acknowledgement of other communities of interest and the need to consider all equally;
- Pricing for National Demographics Corporation (NDC) to provide analytical information on each map submitted; and
- Data from the U.S. Census showed a balanced growth in all districts.

MOTION BY GOBLE, SECOND BY METSCHEL, to EMPLOY National Demographics Corporation for detailed information on each map submitted.

To answer a question by Councilmember Ortiz, staff clarified that maps will be accepted through January 22, 2022.

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

ADMINISTRATIVE REPORTS: (Item 11 – Continued)

MOTION BY WELLS, SECOND BY KENDRICK, to DIRECT Staff to Proceed with the existing district map while continue to accept map submittals through January 22, 2022 and DECLINE demographic evaluation by NDC of each submittal.

MOTION CARRIED BY A 4 – 1 VOTE (GOBLE – NO).

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

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

12. Council Activities Report/Comments

Report as submitted.

ACTIVITIES REPORTS 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.

Council Activities Report/Comments.

Report as submitted.

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

Council Activities Report/Comments.

Report as submitted.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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

Council Activities Report/Comments.

Report as submitted.

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.

Council Activities Report/Comments.

Report as submitted.

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.

DISCUSSION

Councilmember Ortiz provided detailed information of the Item.

Discussion ensued amongst Council and Staff regarding the following:

- State of California losing a Congressional Seat;
- Radical boundaries for Congressional seats set by the State of California;
- State should consider the needs of the urban and rural communities; and
- Communities of interest not being represented.

JOINT COUNCILMEMBER REPORTS: (Item 17 – Continued)

Councilmember Goble expressed concerned to a comment made by City Manager Mitchell that some City Council priorities may be postponed to address the State and Federal Redistricting Mapping Process. To be able to notify the City Council of what may be postponed, City Manager Mitchell recommends continuing the Item to a future agenda.

No comments were received for the Item.

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING - None

ORDINANCES: SECOND READING AND ADOPTION - None

CLOSED SESSIONS:

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

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.

Councilmember Metschel recused herself from Item 18 as she lives within 300 feet of the potential case of anticipated litigation.

City Attorney Foley stated that Item 19 will be considered first, then Councilmember Metschel will remove herself from the meeting for Council to consider Item 18.

CLOSED SESSIONS: (Continued)

MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 4:38 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

Councilmember Metschel returned to the Council Chamber at 4:52 p.m.

RECONVENE TO OPEN SESSION AT 4:56 p.m.

City Attorney Foley reported the following actions:

- Item 18: Direction was given to the City Attorney and Staff (Metschel Disqualified)
- Item 19: Direction was given to the City Attorney

Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 26th day of October, 2021, at 4:57 p.m., to Tuesday, November 9, 2021, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary