

# 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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**April 12, 2022**

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, April 12, 2022, 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, Kendrick, and Ortiz
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Metschel
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 March 22, 2022, meeting and the Agenda of the April 12, 2022, meeting in accordance with State Law and El Cajon City/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

**PRESENTATIONS:**

- April Pools Day

**AGENDA CHANGES:** None

**CONSENT ITEMS: (1 – 12)**

**MOTION BY WELLS, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 12.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

Approve Minutes of the March 22, 2022, Meeting of the El Cajon City Council/ Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

2. Warrants

Approve payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title only

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

4. Award of Bid No. 011-22 – Public Safety Center Renewable Energy

1. Adopt Resolution No. 021-22 to Approve Plans and Specifications for the Public Safety Center Renewable Energy project, Bid No. 011-22;
2. Find the protest submitted by Pro-Cal Lighting, Inc. (PLI) without merit and, therefore, overruled;
3. Find the second low bidder non-responsive for the reasons set forth in the agenda report; and
4. Adopt Resolution No. 022-22 to award the bid to the lowest responsive, responsible bidder, California Solar Integrators, Inc., in the amount of \$1,335,868.17 for both the base bid and Additive Alternate No. 1.

## **CONSENT ITEMS: (Continued)**

### 5. Disposal of Retired Property

That the City Council declares the listed property retired and authorizes disposal in accordance with policy.

### 6. Agreement Amendment for Annual Sewer Billing Services

Adopt Resolution No. 023-22 approving the amendment of the existing professional service agreement with NV5, Inc., (the "Agreement") for continuing support with sewer billing services for one (1) additional year, in an amount not-to-exceed \$140,000 and authorizing the City Manager to enter into not more than two (2) future one-year extensions, as needed, each for an amount not-to-exceed \$140,000.

### 7. Community Event – Dinner and a Concert

Approve the 2022 “Dinner and a Concert” series, subject to conditions.

### 8. Event in the Right-of-Way • July 4th Fireworks

Approve the use of the public right-of-way for the July 4<sup>th</sup> fireworks display.

### 9. Kaiser Permanente HauntFest Sponsorship

Accept sponsorship money for HauntFest 2022 in the amount of \$5,000 from Kaiser Permanente.

### 10. Outdoor Access for All Act Grant

Adopt Resolution No. 024-22 approving the submittal of an application to the State of California Department of Parks and Recreation for Funding Under the Outdoor Equity Grants Program, which is funded by the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act (Proposition 68) and was authorized by the California Legislature on July 1, 2020.

**CONSENT ITEMS: (Continued)**

11. Declaration of Emergency for Storm Damage Repairs; Authorization to Waive Bidding
  1. Adopt Resolution No. 025-22 to establish a Declaration of Emergency and determine that the public interest and necessity require the immediate expenditure of public money to safeguard life, health, or property as required by Public Contract Code section 22050; and
  2. Approve \$60,000 for repairs in Wastewater Operations to cover the cost of the emergency work.
  
12. Lease Agreement with DISH Wireless LLC for a Wireless Communication Facility at Renette Park

Adopt Resolution No. 026-22 authorizing the City Manager to execute a Lease Agreement with DISH Wireless LLC.

**PUBLIC COMMENT:** None

**WRITTEN COMMUNICATIONS:** None

**PUBLIC HEARINGS:**

13. Consideration of an Adjustment to the SANDAG Regional Transportation Congestion Improvement Program (RTCIP) Fee.

**RECOMMENDATION:**

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, approving an adjustment to the Regional Transportation Congestion Improvement Program (RTCIP) Fee to the new amount of \$2,688.21 for each newly-constructed residential unit.

**DISCUSSION**

City Engineer, Mario Sanchez, provided a summary of the Item.

**PUBLIC HEARINGS:**

Mayor Wells opened the Public Hearing.

No public comment was received.

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

**MOTION CARRIED BY UNANIMOUS VOTE.**

**MOTION BY ORTIZ, SECOND BY METSCHEL, to ADOPT Resolution No. 027-22, approving an adjustment to the Regional Transportation Congestion Improvement Program (RTCIP) Fee to the new amount of \$2,688.21 for each newly-constructed residential unit.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**ADMINISTRATIVE REPORTS:**

14. Wildfire and Forest Resilience Program Amendment

**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, to:

1. Authorize the City Manager, or approved designee, to execute the grant agreement amendment with the San Diego River Conservancy; and
2. Accept and appropriate additional SB 85 grant funds in the amount of \$2,625,000 for the Wildfire and Forest Resilience Program.

**DISCUSSION**

Associate Engineer Senan Kachi provided detailed information of the Item.

No public comment was received.

Discussion ensued among Council and Staff concerning the following:

- The new fire engine would replace the current apparatus; and
- Thank you letter request to the San Diego River Conservancy.

**ADMINISTRATIVE REPORTS: (Item 14 – Continued)**

**MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 028-22 to Authorize the City Manager, or approved designee, to execute the grant agreement amendment with the San Diego River Conservancy; and accept and appropriate additional SB 85 grant funds in the amount of \$2,625,000 for the Wildfire and Forest Resilience Program.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

15. Consideration of Redesigned "No Panhandling" Street Signage

**RECOMMENDATION:**

That the City Council considers the redesigned "No Panhandling" street signage and provides feedback.

**DISCUSSION**

Management Assistant Hope Gold provided detailed information of the Item.

City Manager Mitchell stated that an email was received and forwarded to the City Council from the East County Homeless Task Force with a few suggestions for changes on the 'No Panhandling' street signage.

Councilmember Kendrick provided a handout with several options to consider, in addition to the recommendations from staff.

No other public comment was received.

Discussion ensued among Council and Staff concerning the following:

- Adding information to the signs for those experiencing drug use;
- Not providing outside agencies' website information on signs;
- Adding '211' to signs; and
- Different wording options to include on signs.

Staff will return in the near future with sign options based on feedback provided by the City Council.

**COMMISSION REPORTS:** None

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

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

16. Council Activities Report/Comments

Report as submitted.

**ACTIVITIES REPORTS OF COUNCILMEMBERS:**

17. COUNCILMEMBER STEVE GOBLE

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

Council Activities Report/Comments.

Councilmember Goble stated he did not attend the East County Homeless Task Force as reported in the submitted report.

18. COUNCILMEMBER GARY KENDRICK

METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

Council Activities Report/Comments.

Report as stated.

19. DEPUTY MAYOR MICHELLE METSCHEL

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

Council Activities Report/Comments.

Report as submitted.

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

20. COUNCILMEMBER PHIL ORTIZ

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

Council Activities Report/Comments.

Report as submitted.

**JOINT COUNCILMEMBER REPORTS:** None

**GENERAL INFORMATION ITEMS FOR DISCUSSION:** None

**ORDINANCES: FIRST READING**

21. Introduction of Ordinance to Adopt a District Map for Council Member Elections in El Cajon

**RECOMMENDATION:**

That the City Council moves to introduce the next Ordinance, in order, and directs the City Clerk to read the Ordinance by title only.

**DISCUSSION**

No comments were received for the Item.

**MOTION BY WELLS, SECOND BY KENDRICK, to INTRODUCE the Ordinance.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CAJON, CALIFORNIA, APPROVING FOUR COUNCIL DISTRICTS FOLLOWING THE 2020 DECENNIAL FEDERAL CENSUS, AND ADOPTING A NEW MAP DESCRIBING THE BOUNDARIES OF EACH OF THE DISTRICTS



**ORDINANCES: FIRST READING (Continued)**

22. Introduction of Ordinance to Amend ECMC Ch. 3.20 – Bidding and Written Contracts

**RECOMMENDATION:**

That the City Council moves to introduce the next Ordinance, in order, and directs the City Clerk to read the Ordinance by title only.

**DISCUSSION**

No comments were received for the Item.

**MOTION BY WELLS, SECOND BY ORTIZ, to INTRODUCE the Ordinance.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

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

AN ORDINANCE TO AMEND SECTIONS 3.20.005 3.20.010, 3.20.020, 3.20.120 AND 3.20.130 OF CHAPTER 3.20 OF TITLE 3 OF THE EL CAJON MUNICIPAL CODE TO RESTRICT THE CITY MANAGER'S POWERS AND DUTIES RELATING TO PURCHASES OF MILITARY EQUIPMENT, SUPPLIES, OR OTHER PROPERTY FOR LAW ENFORCEMENT USE

**ORDINANCES: SECOND READING AND ADOPTION**

23. An Ordinance Approving Zoning Code Amendment No. 2022-0001, and Amending Title 1 and Title 17 - MEHKO

**RECOMMENDATION:**

That Mayor Wells requests the City Clerk to recite the title.

**DISCUSSION**

No comments were received for the Item.

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

AN ORDINANCE AMENDING CHAPTER 1.16 OF TITLE 1, AND CHAPTERS 17.105 AND 17.140 OF TITLE 17, AND ADDING CHAPTER 17.225.250 OF TITLE 17 OF THE EL CAJON MUNICIPAL CODE REGARDING MICROENTERPRISE HOME KITCHEN OPERATIONS

**ORDINANCES: SECOND READING AND ADOPTION (Continued)**

**MOTION BY WELLS, SECOND BY KENDRICK, to ADOPT Ordinance No. 5117, An Ordinance Amending Chapter 1.16 of Title 1, and Chapters 17.105 and 17.140 of Title 17, and Adding Chapter 17.225.250 of Title 17 of the El Cajon Municipal Code Regarding Microenterprise Home Kitchen Operations.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

**CLOSED SESSIONS:**

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

24. Closed Session - Public Employee Performance Evaluation: City Manager
  
25. Closed Session - Conference with Legal Counsel - Existing Litigation – pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9: 1034 N. Magnolia LLC., etc., vs. The City of El Cajon, etc., et al.  
San Diego Superior Court Case No. 37-2022-00006337-CU-BC-CTL

**MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 3:52 p.m.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

RECONVENED to Open Session at 4:29 p.m.

City Attorney Foley reported the following actions:

24. City Manager Mitchell received a satisfactory review
25. No action taken

**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 April, 2022, at 4:30 p.m., to Tuesday, April 26, 2022, at 3:00 p.m.**

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ANGELA L. CORTEZ, CMC  
City Clerk/Secretary