



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 25, 2022, 3:00 p.m.

Bill Wells, Mayor

Michelle Metschel, Deputy Mayor

Steve Goble, Councilmember

Gary Kendrick, 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 THE FLAG AND MOMENT OF SILENCE

POSTINGS: The City Clerk posted Orders of Adjournment of the October 11, 2022, Meeting and the Agenda of the October 25, 2022, Meeting in accordance to State Law and City Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

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 11, 2022, 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. Purchase of Factory Loaded Ammunition

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to authorize the Purchasing Agent to waive bidding requirements in accordance with El Cajon Municipal Code (ECMC) section 3.20.010(C)(5), to execute a purchase agreement with Dooley Enterprises, Inc., for the purchase of factory loaded ammunition in the amount of \$63,502.69.

5. 2021 Operation Stonegarden Grant (OPSG) - Funded by the Office of Homeland Security

RECOMMENDATION:

That the City Council:

1. Authorizes the City Manager, or designee, to accept the 2021 Operation Stonegarden Grant (OPSG) in the amount of \$109,100, 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 \$109,100 in the Police Grants Fund (226380/STNGRDN21) to reimburse the El Cajon Police Department for overtime (\$47,966), fringe benefits (\$2,034), and equipment costs (\$59,100) while participating in OPSG coordinated operations.

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:

- 6. Authorizing an Application for, and receipt of, Permanent Local Housing Allocation Grant from the State of California Department of Housing and Community Development

RECOMMENDATION:

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

- 1. Approve the proposed housing and homeless services spending plan;
- 2. Authorize the City Manager, or such person designated by the City Manager, to accept the State of California Department of Housing and Community Development ("HCD") Permanent Local Housing Allocation Grant Funds ("PLHA"); and
- 3. Accept, appropriate and expend the State of California Permanent Local Housing Allocation Grant Funds in the amount of \$2,614,790.45 contingent upon award.

ADMINISTRATIVE REPORTS:

- 7. Independent Third-Party Analysis of the City of El Cajon's Budget & Fiscal Practices

RECOMMENDATION:

That the City Council receives the report (attached).

COMMISSION REPORTS:

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS

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

- 8. Council Activity Report

ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:

9. **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.

10. **COUNCILMEMBER GARY KENDRICK**
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.

11. **DEPUTY MAYOR MICHELLE METSCHEL**
Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate; METRO Commission/Wastewater JPA – Alternate.

12. **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:

13. Ad Hoc Committee Update on Safe Motels

RECOMMENDATION:
That the City Council receives the update.

GENERAL INFORMATION ITEMS FOR DISCUSSION:

ORDINANCES: FIRST READING

14. First Reading of Ordinances to Adopt by Reference the 2023 California Building Standards Code (Title 24)

RECOMMENDATION:
That the City Council:
 1. Introduces the Ordinances and holds first readings to adopt the 2022 Editions of the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code;
 2. Requests the City Clerk to recite the title of each ordinance; and
 3. Directs the City Clerk to schedule a public hearing on November 8, 2022

ORDINANCES: SECOND READING AND ADOPTION

CLOSED SESSIONS:

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 25th day of October 2022, is adjourned to Tuesday, November 8, 2022, at 3:00 p.m.



City Council
Agenda Report

Agenda Item 1.

DATE: October 25, 2022

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

RECOMMENDATION:

That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency approves Minutes of the October 11, 2022, Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

Attachments

10-11-22DRAFTminutes - 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

October 11, 2022

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, October 11, 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 THE FLAG led by Mayor Wells and MOMENT OF SILENCE.

POSTINGS: The City Clerk posted Orders of Adjournment of the September 27, 2022, meeting and the Agenda of the October 11, 2022, meeting in accordance with State Law and El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- Proclamation: National Community Planning Month
- HauntFest 2022

AGENDA CHANGES:

CONSENT ITEMS: (1 – 12)

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

Approve Minutes of the September 27, 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. Travel Expenses for the League of California Cities Annual Conference - Metschel

Review and approve the Claim for Advance/Reimbursement of Travel Expense form for Deputy Mayor Michelle Metschel submitted in accordance with City Council Policy G-1.

5. FY 2022 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Award

1. Authorize the City Manager, or designee, to accept the FY 2022 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$40,361 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriates \$40,361 of the FY 2022 U.S. Department of Justice JAG Grant to purchase (50) Red Dot Sight Optics and accessory equipment.

CONSENT ITEMS: (Continued)

6. Award of Bid No. 006-23 – Main Street - Green Street Gateway Improvements
 1. Adopts Resolution No. 095-22 to approve Plans and Specifications for Main Street - Green Street Gateway Improvements, Bid No. 006-23;
 2. Find the second low bidder non-responsive for the reason set forth in the agenda report; and
 3. Adopt Resolution No. 096-22 to award the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering Construction, Inc., in the amount of \$2,878,426.25.

7. Award of Bid No. 011-23 – Neighborhood Street Lights 2022
 1. Adopt Resolution No. 097-22 to approve Plans and Specifications for Neighborhood Street Lights 2022, Bid No. 011-23;
 2. Find the protest submitted by Servitek Electric, Inc., (SEI) timely, but without merit;
 3. Find the third low bidder non-responsive for the reason set forth in the agenda report; and
 4. Adopt Resolution No. 098-22 to award the bid to the lowest responsive, responsible bidder, Select Electric, Inc., in the amount of \$719,865.

8. 2022-23 California Department of Alcoholic Beverage Control - Office of Traffic Safety (ABC-OTS) Grant
 1. Adopt Resolution No. 099-22 to Authorize the City Manager, or such person designated by the City Manager, to accept the California Department of Alcoholic Beverage Control-Office of Traffic Safety Grant in the amount of \$40,000 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
 2. Appropriate the California Department of Alcoholic Beverage Control-Office of Traffic Safety Grant funds in the amount of \$39,600 for overtime and \$400 for training and travel, for a total grant award of \$40,000.

9. Contract Amendment for Main Street – Green Street Gateway Improvements Civil Engineering Services

Adopt Resolution No. 100-22 to amend the term, the scope of work, and to increase the compensation for the Agreement for Professional Services with Chen Ryan Associates, Inc., for Main Street – Green Street Gateway Improvements Civil Engineering services in the not-to-exceed amount of \$37,650.

CONSENT ITEMS: (Continued)

10. 2022-2023 Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant

1. Authorize the City Manager, or his designee, to accept the STEP Grant in the amount of \$130,000 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
2. Appropriate the STEP Grant funds in the amount of \$98,202 for overtime, \$2,369 for training and travel, \$10,429 for supplies, and \$19,000 for equipment, for a total grant award of \$130,000.

PULLED FOR DISCUSSION:

11. Purchase of Aerial Platform Truck

RECOMMENDATION:

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

1. Appropriate \$492,000 from the General Fund Carryover Reserve to Fire Department Administration (101400);
2. Transfer and appropriate \$492,000 from Fire Department Administration (101400) to the American Rescue Plan Act Fund (201200);
3. Authorize the capital outlay of \$1.7 million for the acquisition of a Pierce Aerial Platform (Truck); and
4. Authorize the Purchasing Agent, in accordance with Municipal Code section 3.20.010(C)(5), to execute an agreement with South Coast Fire Equipment (Pierce distributor) for the purchase of a Truck in a not-to-exceed amount of \$1,700,000.

DISCUSSION

Councilmember Goble stated that an Aerial Platform Truck could take up to 3 years to build.

Adopt Resolution No. 101-22 to:

1. Appropriate \$492,000 from the General Fund Carryover Reserve to Fire Department Administration (101400);
2. Transfer and appropriate \$492,000 from Fire Department Administration (101400) to the American Rescue Plan Act Fund (201200);
3. Authorize the capital outlay of \$1.7 million for the acquisition of a Pierce Aerial Platform (Truck); and
4. Authorize the Purchasing Agent, in accordance with Municipal Code section 3.20.010(C)(5), to execute an agreement with South Coast Fire Equipment (Pierce distributor) for the purchase of a Truck in a not-to-exceed amount of \$1,700,000.

CONSENT ITEMS: (Continued)

12. 2023 Calendar of Meetings for the City Council/Housing Authority/Successor Agency to the Former Redevelopment Agency

Review the proposed 2023 calendar of meetings for the City Council/Housing Authority/Successor Agency to the Former Redevelopment Agency, makes appropriate modifications, or accepts as presented.

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

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT: None

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS:

13. General Plan Amendment – Housing Element Update

RECOMMENDATION:

That the City Council:

1. Opens the public hearing and receives testimony;
2. Closes the public hearing; Moves to adopt the next Resolution, in order, REAFFIRMING the Initial Study and Negative Declaration; and
3. Moves to adopt the next Resolution, in order, APPROVING the General Plan Amendment.

DISCUSSION

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

Mayor Wells opened the Public Hearing.

No public comment was received.

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 102-22 Reaffirming the Initial Study and Negative Declaration.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 13 – Continued)

MOTION BY ORTIZ, SECOND BY METSCHEL, to ADOPT Resolution No. 103-22 Approving the General Plan Amendment.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS:

14. Legislative Update

DISCUSSION

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

ADMINISTRATIVE REPORTS: (Continued)

No public comment was received.

No Motion required for the Item.

15. Neighborhood Clean-Up Program

RECOMMENDATION:

That the City Council receives the report and provides feedback regarding the Neighborhood Clean-Up Program.

DISCUSSION

Deputy Director of Public Works, Michael James, provided detailed information of Item.

Discussion ensued among Council and Staff concerning the following:

- Incentives for citizens to clean their own property;
- Power washing areas of the city, as required;
- Pride of neighborhoods; and
- Council willing to participate in clean-up efforts.

No public comment was received.

No Motion required for the Item.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

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

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.

Council Activities Report/Comments.

In addition to the submitted report, Councilmember Goble added that at the SANDAG Public Safety Committee the decision was made to make Public Safety Vehicles for Police and Fire exempt from the Governor’s Executive Order to make all new vehicles electric by 2035.

18. COUNCILMEMBER GARY KENDRICK

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

Council Activities Report/Comments.

Report as submitted.

19. DEPUTY MAYOR MICHELLE METSCHEL

Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate; METRO Commission/Wastewater 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.

In addition to the submitted report, Councilmember Ortiz praised the baseball skills of the San Diego Padres and El Cajon Native, Joe Musgrove.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING - None

ORDINANCES: SECOND READING AND ADOPTION - None

CLOSED SESSIONS:

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

21. Closed Session - Conference with Real Property Negotiators - pursuant to Government Code section 54956.8:

Property: Contract #13683R in Lot 10 Blk 1MM 586 in Gillespie Field, APN 760-232-15-00

Negotiating Party: 1990 Friendship LLC

City Negotiators: City Manager, Assistant City Manager

Under Negotiation: Price and terms for acquisition of leasehold interest

City Attorney Foley stated he would not participate in the closed session because the negotiating party is a client of his firm.

MOTION BY WELLS, SECOND BY KENDRICK, to ADJOURN to Closed Session at 3:59 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

CLOSED SESSIONS: (Continued)

RECONVENED to Open Session at 4:25 p.m.

City Manager Mitchell reported the following actions:

- Direction regarding negotiation was given to Staff.

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 11th day of October, 2022, at 4:25 p.m., to Tuesday, October 25, 2022, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary

D R A F T



City Council Agenda Report

Agenda Item 4.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Mara Romano, Purchasing Agent
SUBJECT: Purchase of Factory Loaded Ammunition

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to authorize the Purchasing Agent to waive bidding requirements in accordance with El Cajon Municipal Code (ECMC) section 3.20.010(C)(5), to execute a purchase agreement with Dooley Enterprises, Inc., for the purchase of factory loaded ammunition in the amount of \$63,502.69.

BACKGROUND:

The Chief of Police submitted the attached memorandum dated September 28, 2022, with sole source justification to purchase the specified ammunition from Dooley Enterprises, Inc., due to bullet and configuration performance, reputation, and availability.

The sole source request from the Chief of Police has been reviewed, and the Purchasing Division has confirmed that Dooley Enterprises, Inc. is the exclusive Winchester Law Enforcement Distributor for Southern California.

Staff's intent is to establish an as-needed purchase order through June 30, 2023. To date, Fiscal Year 2022-2023 purchases of ammunition from Dooley Enterprises equal \$24,497.31; combined with the requested amount, will total \$88,000 for the current fiscal year.

As a result, this purchase is recommended as an exception to the City's competitive bidding requirement pursuant to ECMC section 3.20.010(C)(5), finding that: "The bidding procedures of this chapter may be waived, and an open market purchase pursuant to section 3.20.110 of this chapter may be authorized for all expenditures not involving a public project when the commodity or service can be obtained from only one source." Staff recommends this purchase be made from Dooley Enterprises, Inc., as being in the best interest of the City.

FISCAL IMPACT:

The fiscal impact is \$63,502.69. Sufficient funds are available in Fiscal Year 2022-23 Annual Budget: Police – Inspection, Training & Personnel (101301) and Police – Ancillary & Auxiliary Units (101340).

Prepared By: Mara Romano, Purchasing Agent

Reviewed By: Mike Moulton, Police Chief

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Police Department Memo

RESOLUTION NO. ____-22

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF EL CAJON APPROVING THE
PURCHASE OF FACTORY-LOADED AMMUNITION
AND AUTHORIZING THE EXECUTION OF
A PURCHASE AGREEMENT

WHEREAS, the Police Department (the "Department") of the City of El Cajon (the "City") has considered ballistics performances of factory-loaded ammunition from five (5) companies with long-standing reputations as providers of reliable ammunition; and

WHEREAS, utilizing ammunition from a reputable company reduces liability for the Department and increases safety for officers by minimizing the likelihood of misfires and other ammunition failures; and

WHEREAS, five (5) years ago, due to a surge in demand for ammunition by the general population, the Department began experiencing significant delays in receiving ammunition and continues to experience extended delays; and

WHEREAS, in order to ensure that the Department has timely access to required ammunition for training and duty use, it is critical that the selected supplier be able to fulfill the annual order within three (3) to nine (9) months of order placement, and maintain an adequate inventory supply on hand for immediate purchase if necessary; and

WHEREAS, after thorough review of the preferred companies, staff determined that the ammunition manufactured by Winchester will provide the best and most reliable performance based on the Department's weapons configuration, in addition to the ballistics data, testing, evaluation, and availability; and

WHEREAS, Dooley Enterprises, Inc. ("Dooley") is the exclusive Winchester Law Enforcement Distributor for Southern California, and staff therefore recommends a sole source purchase of ammunition as an exception to the City's competitive bidding requirement pursuant to El Cajon Municipal Code ("ECMC") section 3.20.010(C)(5); and

WHEREAS, to date in Fiscal Year 2022-2023, purchases of ammunition from Dooley have totaled \$24,497.31, and sole source approvals were obtained from the City Manager in accordance with 3.20.010(C)(1)(a) for purchases not exceeding \$88,000; and

WHEREAS, staff recommends that the City Council authorizes the City's Purchasing Agent to waive bidding requirements in accordance with ECMC section 3.20.010(C)(5), and to execute a purchase order with Dooley (the "Agreement") for the purchase of factory loaded ammunition in the not-to-exceed amount of \$63,502.69; and

WHEREAS, sufficient funds are available in Fiscal Year 2022-23 Annual Budget: Police - Inspection Training & Personnel and Police – Ancillary & Auxiliary Units; and

WHEREAS, the City Council believes it to be in the City's best interest to waive the bidding requirements and enter into the Agreement with Dooley for the purchase of factory-loaded ammunition, in a not-to-exceed amount of \$63,502.69.

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 authorizes the City to waive bidding requirements in accordance with ECMC section 3.20.010(C)(5) and approves entering into the Agreement with Dooley Enterprises, Inc. for the not-to-exceed amount of \$63,502.69.
3. The City Council hereby authorizes the City Manager, or such person as is designated by the City Manager, to execute the Agreement, with any such changes and refinements as may be necessary and approved by the City Manager.
4. The City Manager, or such person as is designated by the City Manager, is hereby authorized and directed to execute any subsequent amendments to the Agreement, or other documents necessary, as may be approved by the City Manager, on behalf of the City of El Cajon.

CITY OF EL CAJON



POLICE DEPARTMENT

MEMORANDUM

DATE: SEPTEMBER 28, 2022

TO: Mara Romano, Purchasing Agent

FROM: Michael Moulton, Chief of Police

SUBJECT: Duty Ammunition Sole Source Request – Purchase Requisition 12300337

In conjunction with Purchase Requisition 12300337, the police department is requesting that the procurement of Winchester ammunition in FY2022-23 be sole sourced to Dooley Enterprises.

The police department has a dedicated Range Master/Armorer who is responsible for continuously reviewing and specifying ammunition for use by department personnel while on duty. There are several critical factors used in determining department authorized and provided ammunition, including how the ammunition functions in the weapon, bullet performance, (e.g. muzzle velocity, energy, etc.) how the weapon modifications, (such as armoring and other accessories,) effect bullet performance, and any recalls or issues that are reported concerning ammunition that might affect the department. The Armorer reviews published ballistic tables of various types of ammunition, which are made available to law enforcement agencies. This bullet performance data is then considered in conjunction with testing and evaluation with the firearms that are in department approved configurations, to ensure the ammunition performs at the level required of a law enforcement agency where there is no margin for error.

Although there are many companies that sell ammunition, the police department elects to consider five (5) sources that have a long-standing reputation as providers of reliable ammunition (in function, testing procedures and result reporting). Utilizing ammunition from a reputable company reduces liability for the department and increases safety for officers by minimizing the likelihood of misfires and other ammunition failures. The five companies currently considered are Winchester, Federal, Remington, Black Hills and Hornady.

Based on reviewing the ballistics performance of the five manufacturers, it was determined by the department's range master, Winchester ammunition will provide the best and most reliable performance based on the department's configuration of its weapons. In addition to the ballistics data and testing and evaluation that is done for determination of department-approved ammunition, availability is also a critical factor. Five years ago the department began experiencing significant delays in receiving ammunition that was ordered due to a surge in demand for ammo by the general population. The constricted ammunition market continues, lead times are estimated at 3-9 months. (Experience has shown there are often delays beyond what is initially promised). In order to ensure the police department has timely access to required ammunition for training and duty use, it is critical that the selected supplier be able to supply the annual order within three months of order placement, and maintain an adequate inventory supply on hand for immediate purchase if necessary.

The only ammunition and vendor that satisfies all ballistic and configuration performance, reputation and availability criteria is Winchester, which is solely sourced through Dooley Enterprises. Purchase Order 22300112 for \$24,497.31 was previously approved and processed as sole source purchase for FY2022-23. Including Purchase Requisition 12300337 the total amount of sole sourced ammunition purchased from Dooley may be up to, but not exceeding, \$88,000.

Based on the totality of factors considered and laid out above, the police department requests that ammunition ordered for the remainder of FY2022-23 be purchased on a sole source basis from Dooley Enterprises.



City Council
Agenda Report

Agenda Item 5.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Mike Moulton, Chief of Police
SUBJECT: 2021 Operation Stonegarden Grant (OPSG) - Funded by the Office of Homeland Security

RECOMMENDATION:

That the City Council:

1. Authorizes the City Manager, or designee, to accept the 2021 Operation Stonegarden Grant (OPSG) in the amount of \$109,100, 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 \$109,100 in the Police Grants Fund (226380/STNGRDN21) to reimburse the El Cajon Police Department for overtime (\$47,966), fringe benefits (\$2,034), and equipment costs (\$59,100) while participating in OPSG coordinated operations.

BACKGROUND:

Operation Stonegarden Grant (OPSG) is funded by the U.S. Department of Homeland Security and administered by the San Diego County Sheriff's Department. Through a partnership with the Office of Homeland Security, Customs and Border Protection/Border Patrol, and several local law enforcement agencies, the Stonegarden mission is to:

- disrupt and degrade targeted transnational criminal organizations (TCOs),
- expand opportunities to work cooperatively with several regional agencies on border-related crime, and
- maximize intelligence gathering and enforcement opportunities targeting drug and weapons smuggling, criminal transportation cells, and other border-related crime.

Multi-agency operations, funded through OPSG, will saturate areas known to be used by transnational drug and smuggling groups. The significant law enforcement presence will serve as a criminal deterrent and help to maintain secure borders. These operations promote cooperation in the region and lead to drug and vehicle seizures and arrests. These multi-agency operations include target-based, intelligence-led operations, high-profile saturation patrols, undercover operations, and interdiction details. The primary areas of focus will be the I-8 egress and the surrounding feeder roads and areas. The El Cajon Police Department will utilize the OPSG funding for overtime, fringe benefits, and purchasing a new police vehicle to participate in these coordinated operations.

FISCAL IMPACT:

The 2021 Stonegarden grant will provide \$109,100 in funding to the Police Grants Fund (226380/STNGRDN21) and will not impact the General Fund. No matching funds are required for this grant. These funds will be used by the El Cajon Police Department for the projects listed above or as modified in the grant workbook and approved by the granting agency.

Prepared By: Jennifer Lytle, Management Analyst

Reviewed By: Mike Moulton, Police Chief

Approved By: Graham Mitchell, City Manager



City Council Agenda Report

Agenda Item 6.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Jose Dorado, Housing Manager
SUBJECT: Authorizing an Application for, and receipt of, Permanent Local Housing Allocation Grant from the State of California Department of Housing and Community Development

RECOMMENDATION:

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

1. Approve the proposed housing and homeless services spending plan;
2. Authorize the City Manager, or such person designated by the City Manager, to accept the State of California Department of Housing and Community Development ("HCD") Permanent Local Housing Allocation Grant Funds ("PLHA"); and
3. Accept, appropriate and expend the State of California Permanent Local Housing Allocation Grant Funds in the amount of \$2,614,790.45 contingent upon award.

BACKGROUND:

In 2017, the California Legislature passed Senate Bill 2 Planning Grants Program (SB 2), which established a permanent source of funding intended to increase the affordable housing stock and address homelessness in California. The program is funded by a \$75 fee levied on certain real estate transactions and is expected to generate between \$250 and \$300 million annually to be distributed among local jurisdictions throughout the State via a Notice of Funding Availability (NOFA).

On August 17, 2022, HCD released a NOFA for the PLHA Grant Program (SB2) which provides funding to jurisdictions to further its affordable housing production, and address homelessness. The City of El Cajon is considered an entitlement jurisdiction and will receive this funding for the next five years, though an application process is required. After submittal of the application for funding, the City is eligible to receive funding that may be used on a variety of eligible housing-related programs and activities consistent with its plan for the use of the PLHA funding over a five-year period ("PLHA Plan"), see Attachment 1.

Staff recommends that this funding be used for the following two eligible programs with the remaining 5% for administrative costs:

Funding Priority 1 (65% of the funding): Provide funding for Homeless Services for the unsheltered earning less than 30% of the Area Median Income. The City will solicit proposals from social service organizations who can assist the unsheltered through a variety of homeless services that are consistent with the eligible uses of the funds as stated in the Notice of Funding

Availability from the State of California Department of Community Development. This funding priority is also consistent with the City's recently adopted 2021-2029 certified Housing Element, and will assist the City in the continuation of delivering homeless services to those in need. This will allow the City to continue services as the availability of one-time Community Development Block Grant Coronavirus Relief Funds (CDBG-CV) comes to an end in March 2023.

Funding Priority 2 (30% of the funding): Provide a funding mechanism to increase the production of accessory dwelling units (ADUS) by providing low-interest loans to eligible homeowners who wish to construct an ADU. This funding mechanism will allow the City to meet its Housing Element Goals and to be compliant with AB 671 (Friedman), which became effective January 1, 2020, that requires local jurisdictions to develop a plan that incentivizes and promotes the creation of accessory dwelling units. Consistent with HCD's NOFA, the City's PLHA Plan authorizes affordability levels to go up to 150 percent of the area median income.

It is anticipated that the City can fund three loans each year at an amount not to exceed \$100,000 (per loan). The PLHA funding would be in the form of a deferred low-interest loan with no payments required until the loan term expires (5 years and up to 30 years). Any loan repayments will be used to fund additional loans. The affordability levels would be required for a minimum of five years and vary depending on who the owner/landlord selects as a tenant for the ADU. However, the occupant's total household income and rent will be capped at 150% of the area median income, depending on household size. For example, the annual income maximum limit for a 1 bedroom with a single occupant will be \$112,200 with the rent not to exceed approximately \$3,206, with annual adjustments depending on the State HCD published Area Median Income Limits and the applicable utility allowance. The landlord will be able to set the rents depending on market conditions as long as the published rent and income limits are not exceeded. The ADUs shall be available for occupancy for a term of no less than 30 days.

Public Comment Period:

The City published the draft plan for a 10-day public review period from October 7, 2022 to October 18, 2022 at www.elcajon.gov/housing. Other methods of soliciting public comment included the following:

- Publishing a public notice in the San Diego Daily Transcript on October 7, 2022
- Social media posts
- Posted the notice at the City's Kiosk

The comments received through the comment period have been incorporated into the draft plan (see Attachment A). In addition, any comments presented at the Public Hearing on October 25, 2022 at 3:00 p.m. will also be incorporated into the final plan.

Conclusion:

The use of PLHA funds for these proposed activities allows the City to meet its goals as outlined in the City's 2021-2029 certified Housing Element and HUD-approved 2020-2024 Consolidated Plan. Staff has experience leveraging these funds to achieve housing goals and prioritize the needs of El Cajon residents. The initial funding is estimated at \$2,614,790.45 for years 2019-2021 (2019 is \$645,382, 2020 is \$1,003,123, and 2021 is \$1,103,906). The total Five-Year allocation is estimated at \$3,872,292 and will be based upon annual applicable real estate transactions. These funds are expected to be ongoing; however, future allocation amounts will vary.

FISCAL IMPACT:

The City is eligible to receive these funds as an entitlement in the initial amount of \$2,614,790.45 for years 2019-2021 contingent upon receiving a Standard Agreement from HCD. Approval of this action will increase the Community Development Grants Fund (260280/CALPLHA) appropriations by this amount for the purposes described in this report and Attachment A. There will be no fiscal impact on the City's General Fund.

Prepared By: Jose Dorado, Housing Manager

Reviewed By: Anthony Shute, Director of Community Development

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Permanent Local Housing Allocation 5-Year Plan and Application for Funding

RESOLUTION NO. _____

CITY OF EL CAJON

AUTHORIZING RESOLUTION OF THE CITY OF EI CAJON

AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM

All of the council members of the City of El Cajon, a charter city and municipal corporation, the City of El Cajon hereby consents to, adopts, ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$304 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)).
- B. WHEREAS the State of California (the "State"), Department of Housing and Community Development ("Department") issued a Notice of Funding Availability ("NOFA") dated August 17, 2022 under the Permanent Local Housing Allocation (PLHA) Program;
- C. WHEREAS, the City of El Cajon is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.
- D. WHEREAS the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and PLHA grant recipients;

NOW THEREFORE BE IT RESOLVED THAT:

- 1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department.
- 2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA in the amount of \$3,872,292 in accordance with all applicable rules and laws.

3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department.
4. **Pursuant to Section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines.**
5. **If applicable:** Applicant certifies that it was delegated by [insert name of the delegating local government] to submit an application on its behalf and administer the PLHA grant award for the formula allocation of PLHA funds, pursuant to Guidelines Section 300(c) and 300(d), and the legally binding agreement between the recipient of the PLHA funds and the Applicant is submitted with the PLHA application.
6. **If applicable:** Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), "entity" means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation.
7. **If applicable:** Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.
8. **If applicable:** Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
9. **If applicable:** Applicant certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A),(B) and (C).
10. **If applicable:** Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.
11. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.

12. The City Manager is/are authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the City of El Cajon this 25th day of, October 2022, by the following vote:

AYES: Enter no. ABSTENTIONS: Enter no. NOES: Enter no. ABSENT: Enter no.

Signature of Approving Officer: _____
Bill Wells, Mayor of the City of El Cajon
Printed name and title of Approving Officer

INSTRUCTION: The attesting officer cannot be the person identified in the resolution as the authorized signor

CERTIFICATE OF THE ATTESTING OFFICER

The undersigned, Officer of the City Clerk's Office does hereby attest and certify that the forgoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the City of El Cajon which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST: _____

Signature of Attesting Officer
Angela L. Cortez, City Clerk



City of El Cajon

Permanent Local Housing Allocation 5-Year Plan and Application for Funding

City of El Cajon Community Development
Department
200 Civic Center Way
619-441-1710
housing@elcajon.gov
City of El Cajon Draft PLHA Plan

This document was made available for public review and comment.

The Public Comment Period began October 7, 2022 and concluded on October 18, 2022. Residents were encouraged to submit comments by one of the following methods:

Submit Comments by Mail:

City of El Cajon
Community Development Department
Attn: Housing Division
200 Civic Center Way
El Cajon, CA 92020

Submit Comments by Email:

housing@elcajon.gov

Please include "PLHA" in the subject line

Submit Comments by Phone:

619-441-1710

Submit Comments by TTY:

7-1-1

A copy of this plan is posted for public review outlining the details of the expenditure of PLHA funding on the City's Housing Division website on October 7, 2022 to October 18, 2022.

Residents were also invited to submit comments during the October 25, 2022 City Council Public Hearing at 3:00 P.M. prior to City Council consideration of the Plan. Participation instructions were posted with the agenda at <https://www.elcajon.gov/your-government/city-meetings-with-agendas-and-minutes-all>

Additional accommodations were offered by request to the office of the City Clerk at 619-441-1763 or clerk@elcajon.gov at least three business days prior to the meeting.

All comments and City responses are attached to this document as Appendix A.

Summary

The California Department of Housing and Community Development (California HCD) has issued a Notice of Funding Availability for the Permanent Local Housing Allocation (PLHA). The PLHA provides a fund for eligible housing and homelessness activities to local governments with the intention of providing a permanent, ongoing source of funding for housing-related projects and programs that assist in addressing unmet housing needs.

As an entitlement local government for PLHA funds, the City of El Cajon (City) will receive an annual allocation beginning in calendar year 2020, pursuant to the approval of a five-year plan. The City's available allocations are as follows:

Estimated 5 Year Allocation	Local Admin 5%	Net
\$ 3,872,292.00	\$ 193,614.60	\$3,678,677.40

This document will provide a summary of the City of El Cajon's PLHA application to California HCD.

Eligible activities for the PLHA are limited to the following:

1. The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely-low, Very-Low, Low, or Moderate-income households¹, including necessary operating subsidies.
2. The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI. ADUs shall be available for occupancy for a term of no less than 30 days.
3. Matching portions of funds placed into Local or Regional Housing Trust Funds.
4. Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.
5. Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.
6. Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.
7. Accessibility modifications in Lower-income Owner-occupied housing.

8. Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.
9. Homeownership opportunities, including, but not limited to, down payment assistance.
10. Fiscal incentives made by a county to a city within the county to incentivize approval of one or more affordable housing Projects, or matching funds invested by a county in an affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the affordable housing Project.

Eligible activities must also be consistent and compliant with the City's adopted Housing Element, and at least 20% of the allocation must be used for Affordable Owner-Occupied Workforce Housing (AOWH) defined as housing that is affordable to persons and families of low- or moderate-income. Funds available for administrative expenses are limited to 5% of the allocation.

¹ Extremely low income is household income at or below 30% of Area Median Income (AMI); Very low income is at or below 50% AMI; Low Income is at or below 80% AMI; and Moderate Income is at or below 120% of AMI. Income limits are adjusted for household size.

The City of El Cajon’s 5-year PLHA plan allocates the proposed funding according to the following percentages.

Percentage of Funds Allocated for:	2019²	2020	2021	2022	2023
(6) Assisting persons who are experiencing or at-risk of homelessness	95%	65%	65%	65%	65%
(2) Predevelopment, development, acquisition, rehabilitation of an Accessory Dwelling Unit	0%	30%	30%	30%	30%
Program Administration	5%	5%	5%	5%	5%
Total	100%	100%	100%	100%	100%

² The year, for the purposes of this document, is defined as the year in which a standard agreement is issued.

Permanent Local Housing Allocation Formula Allocation Plan Application

Manner in which allocated funds for all five years will be used for Activities eligible under the PLHA statute and guidelines:

The City plans to use the funds for the following activities:

- 1) Assisting persons who are experiencing or at risk of homelessness in conformance with 24 Code of Federal Regulations (CFR Section 578.3), (up to 30 percent of AMI), including:
 - a. Rapid rehousing in conformance with federal rules contained in 24 CFR Section 576.104, except for legal services;
 - b. Rental assistance with a term of at least six (6) months (rental arrears is not eligible);
 - c. Street outreach, and other supportive/case management services in conformance with federal rules contained in 24 CFR Section 576.101 that allow people to obtain and retain housing;
 - d. Operating and capital costs for navigation centers and emergency shelters.

This Activity may include subawards to administrative entities as defined in HSC Section 50490(a) (1-3) that were awarded California Emergency Solutions and Housing (CESH) Program or Homeless Emergency Aid Program (HEAP) funds for rental assistance to continue assistance to these households.

Applicants must provide rapid rehousing, rental assistance, navigation centers, emergency shelter, and transitional housing activities in a manner consistent with the Housing First practices described in 25 CCR, Section 8409, subdivision (b)(1)-(6) and in compliance with Welfare Institutions Code (WIC) Section 8255(b)(8).

- 2) Predevelopment, development, acquisition, rehabilitation, and preservation of ADUs to be rented to those making up to 120% of the Area Median Income or up 150% of the Area Median Income in high cost areas (San Diego region is a high cost area). ADUs shall be available for occupancy of a term of no less than 30 days. City will enter into a Deed Restriction with each homeowner to ensure that the ADUs are affordable during the loan period.

Description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income, adjusted for household size.

Over 70% of PLHA funding will be used to benefit individuals at or below 60 percent of Area Median Income, including providing services to persons who are experiencing or at risk of homelessness in conformance with 24 Code of Federal Regulations (CFR Section 578.3), (up to 30 percent of AMI).

Description of how the Plan is consistent with the programs set forth in the Local government's Housing Element.

The Plan is consistent with the goals and objectives of the Housing Element.

ADUs

AB 671 (Friedman), which became effective January 1, 2020, requires that local jurisdictions develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rents for very-low, low- or moderate-income households. The City's Housing Element incorporates this requirement.

Homeless Services

As stated in the Housing Element (page 97), the City provides in-kind and financial assistance to local service providers for emergency shelters and transitional housing facilities, as well as supportive services, which serve the City's homeless population and those at risk of homelessness, as part of the City's commitment to the continuum of care approach to ending homelessness. Specifically, the City prioritizes its funding to assist those who have recently become homeless and those who are at risk of becoming homeless due to economic circumstances.

Program Income Reuse

Program income received from activities in this plan will first be utilized to deliver additional activities of the same type. If future amended plans no longer support the allocation of funds to that activity, the program income will be programmed according to the activity allocation in effect at that time.

Certifications

The City will record a deed restriction against ADU units that were developed or rehabbed using PLHA funding for a minimum of five years. Longer terms are available but shall not exceed 30 years. The loan term shall match the affordability period.

The City will make PLHA assistance in the form of a low-interest, deferred loan to the homeowner.

Reporting

The City will provide an annual report of the uses and expenditures of any allocated funds every July 31st to the Department of Housing and Community Development's grant management division according to their specifications.

Describe each proposed activity and the percentage of funding allocated to it for each year of the five-year Plan, including (where applicable):

Activity 1: Homeless Services- Assisting persons who are experiencing or at-risk of homelessness

Activity Description:

It is anticipated that 65% of the PLHA will be allocated towards providing homeless services for persons who are experiencing or at-risk of homelessness. Services may include providing rapid re-housing, rental assistance, supportive/case management that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

Description of Major Steps/Actions and Proposed Schedule for Implementation of the Activity:

The City issues Notice of Funding Availability (NOFAs) for Affordable Housing Development and Substantial Rehabilitation. Projects that meet the requirements set forth in this plan will be considered for PLHA assistance.

Percentage of Funds Allocated for Affordable Owner-Occupied Workforce Housing: 0%

Funding Allocation Year:	2019	2020	2021	2022	2023
Type of Affordable Rental Housing Activity	Homeless Services	Homeless Services	Homeless Services	Homeless Services	Homeless Services
Percentage of Annual Funds Allocated for the Proposed Affordable Rental Housing Activity	95%	65%	65%	65%	65%
Area Median Income Level Served	<30%	<30%	<30%	<30%	<30%
Projected Number of Households Served	50	50	50	50	50
Unmet Share of RHNA at the AMI Level ³	0	0	0	0	0
Period of Affordability for the Proposed Affordable Rental Housing Activity	N/A	N/A	N/A	N/A	N/A

³ Homeless Services does not count towards RHNA.

Activity 2: ADU Predevelopment, Development, Acquisition, Rehabilitation, and Preservation Opportunities

Activity Description:

The PLHA funds will be used for predevelopment, development, acquisition, rehabilitation, and preservation of ADUs to be rented to those making up to 120% of the Area Median Income or up 150% of the Area Median Income in high cost areas. ADUs shall be available for occupancy of a term of no less than 30 days. City will enter into a Deed Restriction with each homeowner to ensure that the ADU is affordable during the loan period.

Description of Major Steps/Actions and Proposed Schedule for Implementation of the Activity:

The City will work with a firm to develop a standard set of building plans ready for permit issuance. These plans will be available to homeowners considering adding an ADU. The City will then provide homeowners with an application to request financial assistance to develop an ADU and the terms and conditions to receive the financial assistance in terms of a low-interest loan. Projects that meet the requirements set forth in this plan will be considered for PLHA assistance.

Percentage of Funds Allocated for predevelopment, development, acquisition, rehabilitation, and preservation of an ADU: 30%


Funding Allocation Year:	2019	2020	2021	2022	2023
Type of Activity	ADU Assistance	ADU Assistance	ADU Assistance	ADU Assistance	ADU Assistance
Percentage of Funds Allocated for the Proposed Activity	0%	30%	30%	30%	30%
Area Median Income Level Served	Up to 120-150% AMI	Up to 120-150% AMI	Up to 120-150% AMI	Up to 120-150% AMI	Up to 120-150% AMI
Projected Number of Households Served	3	3	3	3	3
Unmet Share of RHNA at the AMI Level	1694	1691			
Period of Affordability for the Proposed ADU Activity	5 to 10	5 to 10	5 to 10	5 to 10	5 to 10

³ Calculations of Unmet Share of RHNA provided for 2020 and 2021 (from funding years 2019 and 2020) only per California HCD direction.

Appendix A: Public Comments and City Responses

Public Review Period Written Comments Received – October 7, 2022-October 18, 2022

Public Comments



City of El Cajon

Intro

Page · Government organization

El Cajon, CA, United States, California


(619) 441-1716

sdiacz@cityofelcajon.us


elcajon.gov

Photos

See all photos




1w



City of El Cajon
October 7 at 10:28 AM · 🌐

Residents and Stakeholders are invited to comment during the 10-day review period that begins today and runs through October 18, 2022 on the City's Draft 5-year Plan for the Permanent Local Housing Allocation, a new source of funding from the State of California for housing initiatives. A public hearing will be held during the El Cajon City Council meeting on October 25, 2022 at 3:00 p.m. The plan can be viewed at www.elcajon.gov/housing under "What's New."



City of El Cajon

Permanent Local Housing Allocation 5-Year Plan and Application for Funding

Public Comments

Moline Nelson Schrader

There are so many different "what if programs" to read in the many documents provided. The average person does not know what applies to this program or what order they happen and who does what?

The city may know because you've been there from the beginning, but to say hey here it is to a citizen it's almost impossible to understand.

There needs to be a chart to clarify what's happening. Unless there's small print that's hiding something.

Joe LaVeque

IMHO, the plan is poorly presented to us lay people that are not familiar with this plan. It is not clear, except for occupancy derived from the homeless shall not exceed 80%. Which begs the question, what makes one to believe 20% employed citizen would even want to reside in this facility.

I suggest a video explaining all that gibberish and charts would help, but I suspect this will just be another rammed through approved voting ordeal.

Damon Hy

This all comes down to "giving" someone a house or home. There are so many people who think they don't need to earn anything. And the bigger problem is what are people doing all day when they both have time to be destructive, don't need to be functional and don't value what they never earned. This might work if when you "gave" a person a home if you were also able to require they get up, get dressed and either find a job or be pressed into doing a job, every day for many hours a day until they find their own. Just like what EVERYONE else with a home and food do! Until you reconnect home and security with earing it there is no point to any of this. Even then addicts don't care. They will take a home if given but then won't take care or even active destroy it. And do even worse to any home around them.

I dare you to ask me how I know!

Damon Hy

This is a good start but they tend to skip over the required "enforcement" of many parts to work.

Sunbreakranch.com

SUNBREAKRANCH.COM

Sunbreak Ranch – New Beginnings for Homeless People in Transition

Misty Bray Moga

Joe LaVeque There is actually a fair amount of employed-homeless people nation-wide, believe it or not. Some people just can't make ends meet even if they are working.

- **Victor Papas**

Joe LaVeque what facility?

- 1w
- **Moline Nelson Schrader**

Victor Papas and where ?

Appendix B: Public Notices and Outreach

The following methods were used to communicate the 10-day public comment period and public hearing:

- Public Notice in the Daily Transcript on October 7, 2022
- Public Notice in City offices (Lobby/Kiosk)
- Public Notice posted to the website
- Posting on City Facebook page

Public Notice – Daily Transcript



Public Hearing Notice

Public Review Period and Public Hearing for Permanent Local Housing Allocation 5-Year Plan

The City of El Cajon is the recipient of the State of California entitlement funding through the Permanent Local Housing Allocation (PLHA), created by California Senate Bill 2. The PLHA provides funding to local governments to administer eligible housing activities that benefit low and moderate income persons consistent with the local adopted Housing Element. The State requires the City to prepare a Five-Year Plan (“the Plan”) that describes how the program funds will be allocated to eligible activities over the Plan timeframe. The Plan outlines the median income of beneficiaries, the projected number of beneficiaries, and the period of affordability for the activity if applicable. The City’s five-year allocation is \$3,872,292.

The Plan is available for a 10-day public review period beginning October 7, 2022 and ending October 18, 2022. The draft plan can be viewed at www.elcajon.gov/housing under What’s New! Public input is welcome and encouraged in the development of the Plan and proposed use of these funds. Citizens may participate in written form prior to the public hearing or orally during the hearing. All written comments should be forwarded to the City of El Cajon Community Development - Housing, 200 Civic Center Way, El Cajon, CA 92020.

Comments and requests for additional information about the Plan should be mailed or delivered or emailed to Jose Dorado, Housing Manager, Community Development – Housing, City of El Cajon, 200 Civic Center Way, El Cajon, CA 92020, 619-441-1786 or via email at jdorado@elcajon.gov.

A Public Hearing regarding the Plan will be held at the October 25, 2022 City Council meeting at 3:00 p.m., after which the City Council will consider adoption of the Plan.

Comments received as a result of the 10-day public comment period and this public hearing will be incorporated into the Plan which will be submitted to the State of California Department of Housing and Community Development on or about October 31, 2022.

The City of El Cajon is endeavoring to be in total compliance with the Americans with Disabilities Act. This material is available in alternate formats such as large print or computer disk for individuals with disabilities and will also be made available in Spanish upon request. If you are a non-English speaking resident or a citizen with speech or hearing impairments, and wish to review the documents or comment at the Public Hearing or require any other form of assistance or auxiliary aids in order to participate at Public Hearings, please contact the City Clerk’s Office at 619-441-1763, as far in advance of the meeting as possible.

Published on October 7, 2022

Draft Permanent Local Housing Allocation 5-Year Plan

SD# 3632347

**Public Hearing Notice
Public Review Period and Public Hearing
for Permanent Local Housing Allocation 5-
Year Plan**

The City of El Cajon is the recipient of the State of California entitlement funding through the Permanent Local Housing Allocation (PLHA), created by California Senate Bill 2. The PLHA provides funding to local governments to administer eligible housing activities that benefit low and moderate income persons consistent with the local adopted Housing Element. The State requires the City to prepare a Five-Year Plan ("the Plan") that describes how the program funds will be allocated to eligible activities over the Plan timeframe. The Plan outlines the median income of beneficiaries, the projected number of beneficiaries, and the period of affordability for the activity if applicable. The City's five-year allocation is \$3,872,292.

The Plan is available for a 10 day public review period beginning October 7, 2022 and ending October 18, 2022. The draft plan can be viewed at www.elcajon.gov/housing under What's New!

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Comments received as a result of the 10-day public comment period and this public hearing will be incorporated into the Plan which will be submitted to the State of California Department of Housing and Community Development on or about October 31, 2022.

The City of El Cajon is endeavoring to be in total compliance with the Americans with Disabilities Act. This material is available in alternate formats such as large print or computer disk for individuals with disabilities and will also be made available in Spanish upon request. If you are a non-English speaking resident or a citizen with speech or hearing impairments, and wish to review the documents or comment at the Public Hearing or require any other form of assistance or auxiliary aids in order to participate at Public Hearings, please contact the City Clerk's Office at 619-441-1763, as far in advance of the meeting as possible.

10/7/22

SD-3632347#

Social Media – Facebook

The screenshot shows the Facebook interface for the City of El Cajon. At the top, there are search and login fields. The page header identifies the user as 'City of El Cajon'. The main content area features a post from the City of El Cajon, dated October 7 at 10:28 AM. The post text reads: 'Residents and Stakeholders are invited to comment during the 10-day review period that begins today and runs through October 18, 2022 on the City's Draft 5-year Plan for the Permanent Local Housing Allocation, a new source of funding from the State of California for housing initiatives. A public hearing will be held during the El Cajon City Council meeting on October 25, 2022 at 3:00 p.m. The plan can be viewed at www.elcajon.gov/housing under "What's New."' Below the text is a graphic with the El Cajon logo and the text 'City of El Cajon Permanent Local Housing Allocation 5-Year Plan and Application for Funding'. To the left of the post is an 'Intro' section with contact information: 'Page · Government organization', 'El Cajon, CA, United States, California', '(619) 441-1716', 'sdiaz@cityofelcajon.us', and 'elcajon.gov'. Below the intro is a 'Photos' section with a grid of images. At the bottom of the page, there is a 'Connect with City of El Cajon on Facebook' section with 'Log In' and 'Create new account' buttons.

Appendix C: PLHA Application

The City will be submitting this PLHA 5-year Plan and Application to the State of California Department of Housing and Community Development (California HCD) on October 28, 2022 in accordance with the instruction from California HCD to submit the plan by October 31, 2022. At the time of submission, the resolution and evidence of public comment will be included in the application. On October 25, 2022, the City will conduct its required public hearing, after which the City Council will adopt a Resolution to both adopt the 5-year plan and authorize the submission of the application. The Resolution and evidence of public comment will be submitted to California HCD by October 31, 2022.

Permanent Local Housing Allocation (PLHA) Formula Allocation

2022 Application for New Applicants



**State of California
Governor, Gavin Newsom**

**Lourdes Castro Ramírez, Secretary
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director
Department of Housing and Community Development**

Program Design and Implementation, PLHA Program
2020 West El Camino Avenue, Suite 150, Sacramento, CA 95833
PLHA Program Email: PLHA@hcd.ca.gov

**Final Filing Date: October 31, 2022
at 4:00 P.M. PST**

Instructions

This application form is limited to Applicants who did not apply to the 2020 and 2021 Formula Allocation NOFA

Rev. 2/16/22

When opening this file, a yellow banner at the top may appear with a button that says "Enable Content". It is essential that you click this box so that the macros are enabled. Enabling macros is necessary for full worksheet functionality. Macros do not work with Microsoft's Excel version for Apple Mac.

Applications must be submitted electronically to the Department's website. Requirements for uploading the Application Workbook and required supporting documentation, including naming conventions, are described in the application instructions available at <https://www.hcd.ca.gov/grants-funding/active-funding/plha.shtml>. All applicable information must be received by HCD no later than 4:00 p.m. on:

Monday, October 31, 2022

Applications must be on the Department's forms and cannot be altered or modified by the Applicant. Excel forms must be in Excel format and 'save as' .xls or .xlsx. Do not 'save as' .xlsm or .pdf format. If you encounter problems with the application, please fill out the Application Support worksheet and email the entire workbook to Application Support at AppSupport@hcd.ca.gov and PLHA@hcd.ca.gov

General Instructions Additional instructions and guidance are given throughout the Formula Allocation Application in "red" text and in cell comments.

Guideline references are made with "\$" and the corresponding guideline section number.

"Yellow" cells are for Applicant input. Failure to provide the required attachments and documentation will disqualify your application from consideration.

Required attachments are indicated in "orange" throughout the Supplemental Application. Failure to provide the required attachments and documentation may disqualify your application from consideration. Electronically attached files must use the naming convention in the PLHA Application. For Example: "App1 Payee Data" for Applicant 1 Payee Data Record/STD. 204.

Threshold items are indicated in "blue" cells.

"Red" shaded cells indicate the Sponsor has failed to meet a requirement of the program.

Applicant must complete the following worksheets in the PLHA Formula Allocation Application.

Formula Allocation Application


302(c)(4) Plan

Legislative Contacts

Checklist

Threshold Requirement	Electronic File Name	Document Description	Included?
X	Application and Adopting the PLHA Plan (2019-2023 Allocations) Reso	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2019-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.	Included
	App1 TIN	0	Included
X	Applicant Delegation Agreement	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column AI)	N/A
X	Reuse Plan	Program Income Reuse Plan describing how repaid loans or accrued interest will be used for eligible activities in Section 301.	Included
X	Executed Application	Provide a copy of the signed application. Signature in blue ink preferred.	Included

Disclosure of Application (California Public Records Act Statutes of 1968 Chapter 1473): Information provided in the application will become a public record available for review by the public, pursuant to the California Public Records Act Statutes of 1968 Chapter 1473. As such, any materials provided will be disclosable to any person making a request under this Act. The Department cautions Applicants to use discretion in providing information not specifically requested, including but not limited to, bank accounts, personal phone numbers and home addresses. By providing this information to the Department, the Applicant is waiving any claim of confidentiality and consents to the disclosure of submitted material upon request.

Local Government Formula Allocation for New Applicants				Rev. 2/16/22
Eligible Applicant Type:		Entitlement.		
Local Government Recipient of PLHA Formula Allocation:		El Cajon		
2020 PLHA NOFA Formula Allocation Amount:	\$645,382	2020 NOFA Allowable Local Admin (5%):	\$32,269	
2021 PLHA NOFA Formula Allocation Amount:	\$1,003,123	2021 NOFA Allowable Local Admin (5%):	\$50,156	
2022 PLHA NOFA Formula Allocation Amount:	\$1,103,906	2022 NOFA Allowable Local Admin (5%):	\$55,195	
Instructions: If the Local Government Recipient of the PLHA Formula Allocation delegated its PLHA formula allocation to a Local Housing Trust Fund or to another Local Government, the Applicant (for which information is required below) is the Local Housing Trust Fund or administering Local Government. The PLHA award will be made to the Applicant (upon meeting threshold requirements) and the Applicant is responsible for meeting all program requirements throughout the term of the Standard Agreement.				
The 302(c)(4) Plan template worksheet requires first choosing one or more of the Eligible Activities listed below. If "Yes" is clicked, the 302(c)(4) Plan worksheet opens a series of questions about what precise activities are planned. Some specific activities, such as providing downpayment assistance to lower-income households for acquisition of an affordable home could be included under either Activity 2 or 9. Please only choose one of those Activities; don't list the downpayment assistance under both Activities.				
If the PLHA funds are used for the same Activity but for different Area Median Income (AMI) level, select the same Activity twice (or more times) and the different AMI level the Activity will serve. Please enter the percentage of funds allocated to the Activity in only the first Activity listing to avoid double counting the funding allocation.				
For each year (2019-2023), allocations must equal 100% annually including the allowable administrative costs of up to 5%				
Eligible Applicants §300				
§300(a) and (b) Eligible Applicants for the Entitlement and Non-Entitlement formula component described in Section §100(b)(1) and (2) are limited to the metropolitan cities and urban counties allocated a grant for the federal fiscal year 2017 pursuant to the federal CDBG formula specified in 42 USC, Section §5306 and Non-entitlement local governments.				
Applicant:		City of El Cajon		
Address:		200 Civic Center Way		
City:	El Cajon	State:	CA	Zip:
				92020
County:	San Diego			
Auth Rep Name:	Jose Dorado	Title:	Housing Manager	Auth Rep. Email:
				jdorado@elcajon.gov
Phone:	619-441-1786			
Address:	200 Civic Center Way			
City:	El Cajon			
State:	CA			
Zip Code:	92020			
Contact Name:	Anthony Shute	Title:	Director	
Contact Email:	ashute@elcajon.gov			
Contact Phone:				
Address:	200 Civic Center Way			
City:	El Cajon			
State:	CA			
Zip Code:	92020			
§300(d) Is Applicant delegated by another Local government to administer on its behalf its formula allocation of program funds?				No
§300(d) If Applicant answered "Yes" above, has the Applicant attached the legally binding agreement required by §300 (c) and (d)?				<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
A sample agreement can be found by double clicking on the icon to the right				
File Name:	Application and Adopting the PLHA Plan (2019-2023 Allocations) Reso	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2019-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.	Uploaded to HCD?	Yes
File Name:	App1 TIN		Uploaded to HCD?	Yes
File Name:	Applicant Delegation Agreement	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column A1)	Uploaded to HCD?	N/A
Eligible Activities, §301				
§301(a) Eligible activities are limited to the following:				Included?
§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary operating subsidies.				<input type="checkbox"/> YES
§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.				<input checked="" type="checkbox"/> YES
§301(a)(3) Matching portions of funds placed into Local or Regional Housing Trust Funds.				<input type="checkbox"/> YES
§301(a)(4) Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.				<input type="checkbox"/> YES
§301(a)(5) Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.				<input type="checkbox"/> YES
§301(a)(6) Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.				<input checked="" type="checkbox"/> YES
§301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.				<input type="checkbox"/> YES
§301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.				<input type="checkbox"/> YES
§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.				<input type="checkbox"/> YES
§301(a)(10) Fiscal incentives made by a county to a city within the county to incentivize approval of one or more affordable housing Projects, or matching funds invested by a county in an affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the affordable housing Project.				<input type="checkbox"/> YES
Threshold Requirements, §302				
§302(a) The Applicant's Housing Element and Delegating Local Government's Housing Element (if applicable) was/were adopted by the Local Government's governing body by the application submittal date subsequently determined to be in substantial compliance with state Housing Element Law pursuant to Government Code Section 65585.				Yes
§302(b) Applicant or Delegating Local Government has submitted the current or prior year's Annual Progress Report to the Department of Housing and Community Development pursuant to Government Code Section 65400.				Yes
§302(c)(2) Applicant certified in the Resolution submitted with this application that submission of the application was authorized by the governing board of the Applicant.				Yes
§302(c)(3) Applicant certified in the Resolution submitted with this application that, if the Local Government proposes allocation of funds for any activity to another entity, the Local government's selection process had no conflicts of interest and was accessible to the public.				Yes
§302(c)(4) Applicant certified in the Resolution submitted with this application that the application include a Plan in accordance with §302(c)(4)?				Yes
§302(c)(4)(D) Applicant certified in the Resolution submitted with this application that the Plan was authorized and adopted by resolution by the Local Government and that the public had an adequate opportunity to review and comment on its content.				Yes
§302(c)(5) Applicant certified in the Resolution submitted with this application that the Plan submitted is for a term of five years (2019-2023). Local Governments agree to inform the Department of changes made to the Plan in each succeeding year of the term of the Plan.				Yes
§302(c)(6) Applicant certified in the Resolution submitted with this application that it will ensure compliance with §302(c)(6) if funds are used for the acquisition, construction, or rehabilitation of for-sale housing projects or units within for-sale housing projects.				Yes
§302(c)(7) Applicant certified in the Resolution submitted with this application that it will ensure that the PLHA assistance is in the form of a low-interest, deferred loan to the Sponsor of the Project, if funds are used for the development of an Affordable Rental Housing Development. The loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with the Local government-approved underwriting of the Project for a term of at least 55 years.				Yes
§302(c)(8) Has Applicant attached a program income reuse plan describing how repaid loans or accrued interest will be reused for eligible activities specified in Section 301?				Yes
File Name:	Reuse Plan	Program Income Reuse Plan describing how repaid loans or accrued interest will be used for eligible activities in Section 301.	Narrative uploaded to HCD?	Yes
Administration				

Applicant agrees to adhere to §500 , Accounting Records.	Yes
Applicant agrees to adhere to §501 , Audits/Monitoring of Project Files.	Yes
Applicant agrees to adhere to §502 , Cancellation/Termination.	Yes
Applicant agrees to adhere to §503 , Reporting.	Yes

Certifications

On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I possess the legal authority to submit this application on behalf of the entity identified in the signature block.

Graham Mitchell		City Manager			
Authorized Representative Printed Name		Title		Signature	Date

§302(c)(4) Plan

Rev. 2/16/22

§302(c)(4)(A) Describe the manner in which allocated funds will be used for eligible activities.
 The City of El Cajon ("City") plans to use its PLHA funds for two eligible activities. The first activity is to assist persons who are experiencing homelessness, including rapid re-housing, supportive services/case management services that allows homeless persons or at risk of becoming homeless to obtain housing, operation costs for an Emergency Shelter or Transitional Housing. The City intends to issue a Request for Proposals to sub-allocate funds to homeless service providers. The second activity is to create an Accessory Dwelling Unit (ADU) program that will allow homeowners to build an ADU on their parcel and access funding for acquisition, pre-development, development and other costs in the form of a deferred interest loan.

§302(c)(4)(B) Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).
 The City of El Cajon ("City") will prioritize its homeless services program for households who are experiencing or are at risk of homelessness in conformance with 24 Code of Federal Regulations (CFR Section 578.3), (up to 30 percent of AMI).

§302(c)(4)(C) Provide a description of how the Plan is consistent with the programs set forth in the Local Government's Housing Element.
 The Housing Element provides significant information on the number of homeless persons in the City of El Cajon. The Point-In-Time Count (PITC) conducted on February 24, 2022 included 185 unsheltered homeless persons, 440 persons in transitional housing and 683 in emergency shelter. Although a winter shelter that had been operated by a non-profit for many years, and an Emergency Shelter and Transitional Housing Facility is in operations, these programs are in need of additional funding. The Housing Element includes a program that identifies zones where emergency shelters are allowed as a permitted use without the need for a conditional use permit. In addition, the City has a program that allows tiny homes to be built in the City that serve homeless populations. The Housing Element includes a goal to encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable and accessible to lower income households, persons with disabilities, elderly, large families, female-headed households, and homeless persons. The second activity will fund the development of Accessory Dwelling Units (ADUs). Per AB 671 (Friedman), which became effective January 1, 2020, local jurisdictions must develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rents for very-low, low- or moderate-income households. This proposed program will allow the City to meet one of the goals of the City's Housing Element.

Activities Detail (Activities Detail (Must Make a Selection on Formula Allocation Application worksheet under Eligible Activities, §301))

§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of Affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.

§302(c)(4)(E)(i) Provide a detailed and complete description of how allocated funds will be used for each proposed Affordable Rental and Ownership Housing Activity.

Enter Percentage of Funds Allocated for Affordable Owner-occupied Workforce Housing	0%
--	-----------

The provision of ADUS is consistent with the City's 2021-2019 Certified Housing Element. The use of PLHA funds for the construction of ADUS will increase the City of El Cajon's housing stock and will allow the City to bring new units to the City, thereby bringing the City closer to meeting its RHNA goals. The City will seek to provide loans to homeowners for the construction and provision of accessory dwelling units (ADU) to those households at or below 120% (or up to 150% for high cost area) of the AMI. The City will make funding available to homeowners on a first come first serve basis should they agree through the recordation of covenants on their property for a term of a minimum of 5 to a maximum of 30 years to provide the ADU as affordable to and occupied by households at or below 120% (or up to 150% for a high cost area) of the AMI. The loan term can vary depending on the length of time it takes to repay the City loan and the AMI served. Borrowers who wish to serve lower AMI households can receive a longer loan term (20 to 30 years) and a lower deferred interest rate. The City and homeowner will enter into a Loan Agreement secured by a Deed of Trust and accompanied

Complete the table below for each proposed Affordable Rental and Ownership Housing Activity to be funded with 2019-2023 PLHA allocations if a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019	2020	2021	2022	2023									
Type of Affordable Housing Activity	n/a	ADU	ADU	ADU	ADU									
§302(c)(4)(E)(i) Percentage of Funds Allocated for Each Affordable Housing Activity		30%	30%	30%	30%									
§302(c)(4)(E)(ii) Area Median Income Level Served		150%	150%	150%	150%									TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at AMI Level Note: complete for years 2019, 2020, 2021 only	1694	1691	1864	N/A	N/A									5249
§302(c)(4)(E)(ii) Projected Number of Households Served		3	3	3	3									12

§302(c)(4)(E)(iv) Period of Affordability for the Proposed Activity (55 years required for rental housing projects)	5 to 30	5 to 30	5 to 30	5 to 30	5 to 30										
§302(c)(4)(E)(iii) A description of major steps/actions and a proposed schedule for the implementation and completion of each Affordable Rental and Ownership Housing project.															
Within four months of receipt of the PLHA funds, the City plans to make available the ADU program and have the loan guidelines available on its website.															
§301(a)(6) Assisting persons who are experiencing or At risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.															
§302(c)(4)(E)(i) Provide a detailed and complete description of how allocated funds will be used for the proposed Activity.															
Within three months of receiving the PLHA Standard Agreement, the City will work with its homeless providers to fund one or more of the following activities:															
1) Assisting persons who are experiencing or at risk of homelessness in conformance with 24 Code of Federal Regulations (CFR Section 578.3), (up to 30 percent of AMI), including: a. Rapid rehousing in conformance with federal rules contained in 24 CFR Section 576.104, except for legal services; b. Rental assistance with a term of at least six (6) months (rental arrears is not eligible); c. Street outreach, and other supportive/case management services in conformance with federal rules contained in 24 CFR Section 576.101 that allow people to obtain and retain housing;															
Complete the table below for each proposed Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting)															
Funding Allocation Year	2019	2020	2021	2022	2023										
Type of Activity for Persons Experiencing or At Risk of Homelessness	Supportive/Case Management Services	Supportive/Case Management Services	Supportive/Case Management Services	Supportive/Case Management Services	Supportive/Case Management Services										
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Activity	95.00%	65.00%	65.00%	65.00%	65.00%										
§302(c)(4)(E)(ii) Area Median Income Level Served	30%	30%	30%	30%	30%										TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at AMI Level Note: complete for years 2019, 2020, 2021 only	N/A	N/A	N/A	N/A	N/A										0
§302(c)(4)(E)(ii) Projected Number of Households Served	50	50	50	50	50										250
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Activity (55 years required for rental housing projects)	N/A	N/A	N/A	N/A	N/A										
§302(c)(4)(E)(iii) A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.															
Within three months of receipt of the PLHA funds, the City plans to release a RFQ/RFP from homeless services providers who can carry out activities that are eligible under the PLHA Program. The eligible activities include the following: Assisting persons who are experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing. This activity may include subawards to administrative entities as defined in HSC Section 50490(a)(1-3) that were awarded CESH program or HEAP funds for rental assistance to continue assistance to these households.															



City Council Agenda Report

Agenda Item 7.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Graham Mitchell, City Manager
SUBJECT: Independent Third-Party Analysis of the City of El Cajon's Budget & Fiscal Practices

RECOMMENDATION:

That the City Council receives the report (attached).

BACKGROUND:

On September 13, 2022, the El Cajon City Council directed staff to procure a consultant to provide an independent third-party analysis of the City of El Cajon's budget and fiscal practices. The firm specifically was to answer whether the City could generate up to \$13 million in cost savings and/or new revenue opportunities. A request for qualifications/proposals was issued and Deputy Mayor Metchel and Councilmember Ortiz reviewed the response received through the procurement process--the San Diego County Taxpayers Advocate was hired to perform the independent analysis.

On October 10, 2022, Scott Barnett, President of the San Diego County Taxpayers Advocate, submitted the report to the City, which was then distributed to members of the City Council and to the public through a press release. Key findings of the analysis include:

1. The City has prudent fiscal policies;
2. The City has excellent senior management;
3. The results of this analysis strongly suggest that the City supplies services in an efficient manner;
4. The results of this analysis strongly suggest that there are NOT budget cuts that can be clearly identified to fund new or augmented services without severely cutting existing core services;
5. This analysis finds that there are not significant new, near-term (non-tax) revenues available to add desired new or augmented services; and
6. This analysis finds that new General or Special Tax Revenues are required in order to add significantly new or augmented services.

The analysis also includes another dozen secondary findings regarding long-term opportunities to consider. Mr. Barnett will present the findings of the analysis during the agenda report.

Prepared By: Graham Mitchell, City Manager

Reviewed By: N/A

Approved By: N/A

Attachments

El Cajon Fiscal Analysis



An Analysis of the City of El Cajon's Budget & Fiscal Practices

Can Cost Savings & Near Term New Revenues Preclude the Need to Raise Taxes to Fund New and Augmented Services?

Date: October 10, 2022

To: Graham Mitchell, City Manager, City of El Cajon

From: Scott Barnett, President, San Diego County Taxpayers Advocate

Subject: An Analysis of the City of El Cajon's
Budget & Fiscal Practices

Key Findings

The City of El Cajon has:

- **Prudent Fiscal Policies.**
- **Excellent Senior Management**
- **The results of this analysis strongly suggest that the City supplies services in an efficient manner.**
- **The results of this analysis strongly suggest that there are NOT budget cuts that can be clearly identified to fund new or augmented services without severely cutting existing core services.**

- **This analysis finds that there are not significant new, near-term (non tax) revenues available to add desired new or augmented services.**
- **This analysis finds that new General or Special Tax Revenues are required in order to add significantly new or augmented services.**

While it would be inappropriate in this study for the authors to make a recommendation to the voters to either SUPPORT or OPPOSE the Sales Tax on the November 8th ballot, we feel it is a factual statement that:

Neither cuts nor new revenues are available in the near term to generate the approximately \$13 million in new and additional services desired by the citizens of El Cajon.

The City would have to replicate the top 25 EXISTING sales tax producers (generating approximately \$11 million per year) to approximate the funds anticipated from the proposed sales tax. See Appendix.

Secondary Findings

What are the likely budgetary impacts on the 5-year business plan of anticipated/likely employee contract negotiations?

Finding:

The 5-year business plan takes into account the next year of existing labor agreements and two years for the POA labor agreement. Miscellaneous, Fire, and Police employees are contracted to receive 2.5% next year. Police employees are to receive 2% in the following year and an additional 3% if certain sales tax targets are hit. Unless there is a massive downturn in the economy, the targets will be met.

What are the impacts of anticipated/likely employee contract negotiations?

Finding

*The 5-year business plan takes into account the next year of existing labor agreements and two years for the POA labor agreement.**

**Miscellaneous, Fire, and Police employees are contracted to receive 2.5% next year. Police employees are to receive 2% in the following year and an additional 3% if certain sales tax targets are hit. Unless there is a massive downturn in the economy, the targets will be met.*

Are there any anticipated increased costs to Heartland/fire and EMS contracts?

Finding

The City is not anticipating major increases in these contracts since they are predicated on salary increases and those of Lemon Grove and La Mesa.

Are there any General Fund anticipated increased costs related to solid waste?

Finding

This fee-based program is fully cost recoverable, so the annual indexed increase is not an impact on the General Fund.

Are anticipated pension obligation bond payments reflected under current anticipated revenues?

Finding

Annual pension bond debt service is \$9.1 million and funded in the annual budget and shown in 5-year projections. See Appendix.

How will the city fund unanticipated General Fund health care costs increases?

Finding

No impact. The City, through its labor agreements, pays for a defined amount. Any annual increases in costs are borne directly by employees. In other words, the City has shifted the liability of increases to its employees.

Are there any potential new/ongoing Federal/State revenues as a result of recent/anticipated budgets/legislation?

Finding

No identified new legislation that would have any significant impact on revenue or create unfunded liabilities.

Has the City identified funding for its (vehicle) fleet replacement?

Finding

The fleet replacement fund is budgeted annually and is sufficient to go a few years without additional funding, even in the event there are downturns in the economy.

Has the City identified funding for Capital Improvement Projects?

Finding

While the City does have a Capital Improvement Plan, it does not have identified ongoing funding sources and is funded only periodically on an as needed basis.

Note: This deficiency is all too common with municipal and county governments which are for the most part restricted from issuing debt without a $\frac{2}{3}$ vote of the electorate. Over two decades ago state law was changed to allow school bonds to be issued with only a 55% vote. The City does have the option to apply a portion of the new sales tax revenue-should it be approved-to either pay as you go projects or consider certain short-term financing options funded by these same revenues. The City may need to work in concert with other agencies such as SANDAG, the San Diego County Water Authority, etc.

Other options for generating funds for major maintenance and other needs are discussed under Potential Revenue Sources.

How well funded are the City's reserves?

Finding

The City has various categories of required and other reserves, all of which are well funded:

- reserves for economic downturn
- reserves for disasters or unexpected issues
- reserve to offset a spike in pension costs dictated by CalPERS
- reserves for one-time projects.

What anticipated new residential, commercial and retail development expected to come on line by FY 25/26 and projected revenues?

The City indicated that while there are many new smaller/infill developments occurring, none will generate more revenue than will be offset by the expenditures required to provide service.

Note: While it has been the conventional wisdom since Proposition 13 that new construction, especially residential, does not “pay for itself” we have found that increased property values even in working class communities, can generate property tax revenues exceeding the cost of services. In addition, while new residents require services, these residents are also generating sales tax when shopping locally.

See appendix for full comment by Dr. Richard Parker, PhD, Professor Emeritus, SDSU.

What is the likelihood that new revenues will occur in FY26/27 and beyond from development of civic center parcels?

Finding

This project requires a cooperative & coordinated approach from multi-agencies, the City of El Cajon, the County of San Diego and the State of California. Recommendations for accelerating this process are discussed under Potential New Revenues

Examining of Long-term opportunities (initiating in 2+ years) for the City to pursue which could result in:

- Greater efficiencies and cost savings in the delivery of services.
- Areas of opportunities for increasing revenues

The City of El Cajon has identified the following areas for **possible** cost savings or revenue increases.

Development Impact Fees

\$500,000 annually—The City is the only city in the County without developer impact fees. The City could implement impact fees to pay for Capital Improvements. The City has expressed concern that this could dampen development.

*Response: **SUPPORT.** The market is the primary factor in determining home and commercial values and sales. By not charging these fees the City is adversely impacting its ability to supply capital facilities to current and new residents.*

Eliminate Rent Subsidy for Chamber of Commerce

\$30,000 annually—The City could cease providing a discounted rent for the Chamber of Commerce building.

Response: **No position**

Recreation Fees

\$100,000 annually—The City could no longer partially subsidize recreation and aquatic services to community members.

Response: Study the possibility of recreational fees, including a “means test,” for lower income families and individuals.

Note: if it has not done so recently the city should do a review of all of its fees.

Fire Training Facility

\$50,000 annually—The City could charge other Fire Departments more for the use of the regional Fire Training Facility.

*Response: **SUPPORT.** The City should ensure its full cost recovery for the use of this facility.*

Increase Business License Fee

\$416,500 annually—A 50% increase could generate \$416,500 annually.

The City has not increased business license fees for many years. An increase requires a vote of the electorate.

*Response: **STUDY** the impact of businesses license fee increase on small businesses vs. large employers. While we encourage this to be studied, the recent impact of COVID on (especially small) businesses should be taken into consideration.*

Note: PROPOSITION 218 Mandated that fees can only be charged in the amount to cover the cost of the service delivered, and a majority protest vote process is utilized. Any increase beyond cost recovery requires a vote of the electorate. Like the proposed sales tax, funds used for general (unspecified) purposes require a simple majority vote. Funds earmarked for specific purposes require a $\frac{2}{3}$ vote of the electorate. While this is a policy decision, given the sales tax ballot measure, considering any additional general tax seems ill advised at this time.

Examining of Long-term opportunities (initiating in 2+ years) for the City to pursue which could result in:

- Greater efficiencies and cost savings in the delivery of services.

Solid Waste Franchise

If it has been longer than 10 years the City should consider re-bidding its solid waste contract, especially to ensure the potentially significant impacts of new state recycling mandates, to ensure they will not impact the general fund.

EMS Services

While there are political considerations, and there are complications given the current arrangement involves the Cities of La Mesa and Lemon Grove, bidding out EMS services could result in quality services at a lower cost.

Sheriff v ECPD

While there are pluses and minuses to having one's own police department, the City of El Cajon should consider contracting out its law enforcement services with the SD County Department.

Individual Department "Managed Competition"

While there are many policy and political implications, having a "manage competition" process similar to what the county successfully did in the late 1990s could result in increased efficiencies, budgetary savings and if done properly a percent of the new funds would be reinvested into the individual departments thus encouraging staff members to participate in the process.

If desired we will prepare a detailed memo. This activity would be completed under the current agreement, with no additional compensation sought.

- Areas of opportunities for increasing revenues

Civic Center Development

It's acknowledged that this multi-agency project has many complexities and therefore many political factors

Recommendation: Seek and Hire a Consultant with a variety skills in local government and political contacts to work with your community development staff to lead the effort to put a deal together.

If desired we will prepare a detailed memo. This activity would be completed under the current agreement, with no additional compensation sought.

Excess and underutilized City owned and other properties

There are 12 city-owned vacant/underutilized parcels

- 8 are open space properties in Fletcher Hills
- 2 are parking lots (Magnolia and Douglas)
- 1 is the Housing Authority property on E Main in front of the County Court parking structure
- 1 underutilized could be the PW yard

Any lease Revenues generated from city-owned parcels should be placed in Capital Major Maintenance & CIP funds

Large parcels not owned by the City

- Kaiser Permanente – 20 acres
- Lowes Family – 6 acres
- Parkway Plaza (possible redevelopment)

Recommendation: form an Ad Hoc citizens committee-with planning staff support-primarily of real estate development and construction experts, to examine each property and develop an action plan for each parcel. The committee members would be precluded from participating on any development team. It is understood that there are a myriad of state legislative issues regarding surplus land and local community issues which need to be identified as part of the committee's activities.

If desired we will prepare a detailed memo. This activity would be completed under the current agreement, with no additional compensation sought.

Underutilized and Excess School Site Properties

Recommendation: Form Joint City of El Cajon/Cajon Valley School District Committee

State Education Code allows school districts to develop underutilized and excess property (although not legally declared “excess”) to engage in “Joint Occupancy” projects with developers. This involves a school district maintaining ownership, entering into long term leases with developers who build some sort of “educational use” which is very broadly defined, and the developer constructing private development which serves the needs of the community. A similar effort was led by the author of this study as a Trustee of the San Diego Unified School District. Educational and community services (park, libraries, science labs, pools, etc.) can be built without any taxpayers funding and including funds for M&O.

If desired we will prepare a detailed memo. This activity would be completed under the current agreement, with no additional compensation sought.

Documents Reviewed Included:

- City of El Cajon Five-Year Plan
- Pension Actuarial Documents

City of El Cajon, Budget.

<https://www.elcajon.gov/your-government/departments/finance/budgets-financial-policies>

City of El Cajon, Comprehensive Annual Financial Reports (CAFR).

<https://www.elcajon.gov/your-government/departments/finance/financial-reports>

City of El Cajon, analysis of sales tax revenue

In order to grow the economy by attracting new businesses, the City would need to bring in another top 25+ businesses, assuming the City could support them.

**About Scott Barnett,
President, Taxpayers Advocate**

<https://www.taxpayersadvocate.org/scott-barnett/>

**About Richard Parker, Ph.D., Professor Emeritus
School of Public Affairs at San Diego State University**

<http://www.rea-parker.com/parker.htm>

APPENDIX

Comments by Richard Parker, Ph.D., Professor Emeritus in the School of Public Affairs at San Diego State University:

Conventional fiscal impact thought has held that residential land uses lead to costs to the local community in excess of the revenues generated by residential property. On the other hand, other uses—industrial, retail, and office—have historically been viewed as net revenue generators. Conventional thought is based upon common situations and common averages. It does not take into account the myriad local conditions that might alter conclusions drawn from the “typical.” Dr. Parker has performed a number of studies and has found that single-family, close-in located residential units in the \$600,000 range work quite well from a fiscal impact net benefit perspective in California. His reasons are threefold.

First, studies that show residential land uses as a negative cash flow to the community almost always do so, in large part, because of school costs. School costs are unique to residential land uses. California city and county budgets are generally not responsible for school costs—the state bears much of the cost burden, and there exist separate school districts that receive their own distinct property tax revenue and are responsible for their own expenditures. Therefore, the perception that residential land uses are a negative fiscal impact must be re-evaluated.

Second, many of the negative impact residential projects are outlying and very land consumptive, with not only educational but also higher costs associated with roads, garbage pick-up, utilities, and public safety response times. In fact, higher density, suburban subdivisions tend to subsidize lower-density rural or exurban subdivisions.

Third, besides sprawl, value of the homes also contributes to whether residential development has a positive or negative fiscal impact. Many studies acknowledge the distinction between high and low value homes in terms of their fiscal impact. Higher priced homes help to generate surpluses in revenues that make up for deficits created by other housing types due to higher property tax obligations and lower public service demands.

Existing top sales tax producers.

1	1,283,337
2	1,224,688
3	793,379
4	761,674
5	640,109
6	599,329
7	593,407
8	566,262
9	437,809
10	425,629

Total top 10

7,325,623

11	392,874
12	389,346
13	360,301
14	358,017
15	349,682
16	342,611
17	339,786
18	337,730
19	276,713
20	273,674
21	245,098
22	241,807
23	219,386
24	209,346
25	201,758

Total top 11-25 businesses

\$4,538,129

Total Top 25 Businesses

\$11,863,752

Pension Bond Debt Service

ANNUAL DEBT SERVICE REQUIREMENTS

Table 9 below sets forth scheduled debt service on the Bonds, assuming no optional redemptions prior to maturity.

TABLE 9
City of El Cajon
Debt Service Schedule

<i>Year Ending June 30</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>
2022	\$ 4,885,000.00	\$ 4,233,884.10	\$ 9,118,884.10
2023	5,550,000.00	3,572,873.60	9,122,873.60
2024	5,585,000.00	3,536,854.10	9,121,854.10
2025	5,635,000.00	3,485,081.16	9,120,081.16
2026	5,700,000.00	3,418,644.52	9,118,644.52
2027	5,785,000.00	3,337,191.50	9,122,191.50
2028	5,880,000.00	3,239,077.90	9,119,077.90
2029	5,990,000.00	3,127,593.10	9,117,593.10
2030	6,115,000.00	3,002,402.10	9,117,402.10
2031	6,250,000.00	2,868,483.60	9,118,483.60
2032	6,395,000.00	2,725,358.60	9,120,358.60
2033	6,550,000.00	2,572,518.10	9,122,518.10
2034	6,710,000.00	2,409,423.10	9,119,423.10
2035	6,890,000.00	2,232,279.10	9,122,279.10
2036	7,075,000.00	2,043,493.10	9,118,493.10
2037	7,275,000.00	1,846,100.60	9,121,100.60
2038	7,510,000.00	1,607,189.60	9,117,189.60
2039	7,760,000.00	1,360,561.20	9,120,561.20
2040	8,015,000.00	1,105,722.80	9,120,722.80
2041	8,275,000.00	842,510.20	9,117,510.20
2042	8,550,000.00	570,759.20	9,120,759.20
2043	8,830,000.00	289,977.20	9,119,977.20
Total	<u>\$ 147,210,000.00</u>	<u>\$ 53,427,978.48</u>	<u>\$ 200,637,978.48</u>

Source: The Underwriter. Totals may not add due to rounding.

THE CITY

General

The City is located in southwestern San Diego County (the “**County**”) approximately 17 miles east of downtown San Diego. The City was incorporated in 1912 and became a charter city in 2012. The City encompasses approximately 14.5 square miles and had an estimated 2020 population of approximately 100,000.

Several major freeways run through and nearby the City, providing access to employment centers and recreational opportunities throughout southern California.

The City is a charter city, operating under a Council/Manager form of government. The City is governed by a City Council of five members, four of whom are elected by district, with the Mayor being elected at-large. The City Council selects the City Manager who is responsible for day-to-day administration of the City under the policy direction of the City Council.

www.taxpayersadvocate.org



City Council
Agenda Report

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Mayor Wells
SUBJECT: Council Activity Report

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, 2022 – Save America Now Event Speaker
October 14, 2022 – SANDAG Board of Directors Meeting
October 14, 2022 – Chaldean Gala
October 15, 2022 – Taste El Cajon Event
October 25, 2022 – City Council Meeting(s)

I am available to answer questions.

Submitted By: Bill Wells, Mayor



City Council
Agenda Report

Agenda Item 9.

DATE: October 25, 2022

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.

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 11, 2022 - Attend ECPD Volunteer Appreciation Lunch
October 12, 2022 - Meet with Motel Operators
October 16, 2022 - Attend Heartland Fire Octoberstache event
October 18, 2022 - Community Trash Pickup
October 18, 2022 - Attend AWP Staff Meeting
October 18, 2022 - Host for Town Hall
October 20, 2022 - Attend MTS meeting
October 21, 2022 - Attend Women in Leadership Luncheon
October 21, 2022 - Judge costume contest at Hauntfest
October 22, 2022 - Attend Sup. Anderson's Community Meeting
October 24, 2022 - Meeting with City Manager
October 25, 2022 - City Council Meeting

I am available to answer questions.

Submitted By: Steve Goble, Councilmember



City Council
Agenda Report

Agenda Item 10.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Councilmember Kendrick
SUBJECT: COUNCILMEMBER GARY KENDRICK
METRO Commission/Wastewater JPA; Heartland Communications;
Heartland Fire Training JPA.

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 20, 2022 – Metro Wastewater JPA
October 25, 2022 – City Council Meeting(s)

I am available to answer questions.

Submitted By: Gary Kendrick, Councilmember



City Council
Agenda Report

Agenda Item 11.

DATE: October 25, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Deputy Mayor Metschel

SUBJECT: DEPUTY MAYOR MICHELLE METSCHEL

Harry Griffen Park Joint Steering Committee; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate; METRO Commission/Wastewater JPA – Alternate.

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, 2022 – Attend East County Homeless Task Force, Shelter and Housing Meeting
October 20, 2022 – Attend Pregnancy Care Clinic Fundraiser
October 21, 2022 – Attend Women in Leadership Luncheon
October 21, 2022 – Judge Hauntfest costume contest
October 25, 2022 – City Council Meeting

I am available to answer questions.

Submitted By: Michelle Metschel, Deputy Mayor



City Council
Agenda Report

Agenda Item 12.

DATE: October 25, 2022

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.

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, 2022 – Meeting with Motel Owners
October 18, 2022 – Lincoln Club Board Meeting
October 20, 2022 – Town Hall
October 22, 2022 – Supervisor Anderson Town Hall
October 25, 2022 – City Council Meeting

I am available to answer questions.

Submitted By: Phil Ortiz, Councilmember



City Council
Agenda Report

Agenda Item 13.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Steve Goble, Councilmember & Phil Ortiz, Councilmember
SUBJECT: Ad Hoc Committee Update on Safe Motels

RECOMMENDATION:

That the City Council receives the update.

BACKGROUND:

On September 27, 2022, during an update on the County of San Diego's motel voucher program, the City Council formed a committee of two City Councilmembers (Steve Goble and Phil Ortiz) to work with staff to recommend possible policies regarding safe motel operations in the City. The purpose of this agenda item is to present an update to the entire City Council and to present the proposed name of the committee--the "Ad Hoc Committee on Safe Motels."

Prepared By: Steve Goble, Councilmember & Phil Ortiz, Councilmember

Reviewed By: N/A

Approved By: N/A



City Council
Agenda Report

Agenda Item 14.

DATE: October 25, 2022
TO: Honorable Mayor and City Councilmembers
FROM: Andre Sanchez, Building Official
SUBJECT: First Reading of Ordinances to Adopt by Reference the 2023 California Building Standards Code (Title 24)

RECOMMENDATION:

That the City Council:

1. Introduces the Ordinances and holds first readings to adopt the 2022 Editions of the California Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Residential Code, the California Fire Code, the California Green Building Standards Code, the California Historical Building Code, and the California Existing Building Code;
2. Requests the City Clerk to recite the title of each ordinance; and
3. Directs the City Clerk to schedule a public hearing on November 8, 2022

BACKGROUND:

Adopting the California Building Standards (the California codes listed above) is required in order to implement the codes mandated by the California Building Standards Commission. The adoption process usually occurs every three years with new and updated codes and regulations. In July of 2022, the California Building Standards Commission published the new California Building Standards with an implementation date at the local level of January 1, 2023. Additional local proposed edits include:

- Establishing a one-year expiration time for building plan reviews.
- Allowing permit fee refunds for withdrawn projects.
- Establishing a new construction threshold in determining when remodel, repair or renovation projects are considered as new construction.

FISCAL IMPACT:

None. Implementation of new building codes will be handled by existing budgeted Building and Fire Safety staff.

Prepared By: Andre Sanchez, Building Official

Reviewed By: Anthony Shute, Director of Community Development

Approved By: Graham Mitchell, City Manager

Attachments

Ord - ECMC 15.04

Ord - ECMC 15.20

Ord - ECMC 15.48

Ord - ECMC 15.52

Ord - ECMC 15.54

Ord - ECMC 15.56

Ord - ECMC 15.60

Ord - ECMC 15.84

Ord - ECMC 15.88

Redlined ECMC 15.04 Changes

Redline Changes List

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTIONS 15.04.010, 15.04.030 AND 15.04.050 OF CHAPTER 15.04 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; AND ADOPTING SECTIONS 15.04.010, 15.04.030, 15.04.050, 15.04.055, 15.04.065, AND 15.04.107 TO CHAPTER 15.04 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2022 EDITION, AS AMENDED, BY REFERENCE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the city; and incidental matters relating thereto through the adoption of the California Building Code, 2022 Edition, with such modifications as set forth in Chapter 15.04 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Building Code be modified as set forth herein.

SECTION 3. Sections 15.04.010, 15.04.030, and 15.04.050 of Chapter 15.04 of Title 15 of the El Cajon Municipal Code are hereby repealed in their entirety.

SECTION 4. A new section 15.04.010 to Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.04.010 California Building Code, 2022 Edition—Adopted by reference.

The California Building Code, 2022 Edition, composed of two volumes, excluding sections 103 and 116, as published by the International Code Council, is adopted by reference as the building code of the city (the "building code"), for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all non-residential buildings and structures in the city, providing for the issuance of permits therefore, and each and all such regulations, provisions, penalties, conditions and terms of the California Building Code, 2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Building Code is referred to in this chapter as the "CBC," and one copy is on file in the office of the city clerk.

SECTION 5. A new section 15.04.030 to Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.04.030 Permits—Fee collection.

The following permits and tax receipts shall be issued by the Building Safety Division, and the fees therefor shall be collected by the finance department:

- A. Building permits;
- B. Electrical permits;
- C. Plumbing permits;
- D. Mechanical permits;
- E. Housing permits;
- F. Compliance permits;
- G. Demolition permits;
- H. Relocation permits;
- I. Fire Permits;
- J. Vapor recovery permits;
- K. Dwelling unit construction license tax;
- L. Strong motion instrumentation tax;
- M. Mobile home permits;
- N. Mobile home park annual operating permits;
- Q. Sewer connection permits;
- P. Fire alarm permits;
- Q. Permit history survey; and
- R. Any other permits or receipts as assigned to the Building Safety Division.

SECTION 6. A new section 15.04.050 to Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.04.050 Section 105.5 amended—Expiration.

- A. Section 105.5 of the CBC is amended to read as follows:

105.5 Expiration. Every building permit issued for new housing construction shall become invalid unless the work on the site authorized by such permit is commenced within one year of the date of permit issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one year after the time the work is commenced. The maximum life of any permit is two years. If a final inspection is not obtained within the two-year time period the permit will become invalid and a new permit will be required. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty days each and determines there has not been a significant change in the building code since the date the permit was issued. The

extension shall be requested in writing and justifiable cause demonstrated. If code violations exist relating to the building or work authorized by the permit, the building official may establish a permit expiration date of less than one year. All electrical, plumbing, mechanical, or fire permits associated with a building permit shall expire concurrently with the building permit, and may be extended concurrently with the building permit. All stand-alone electrical, plumbing, mechanical or fire permits shall expire if substantial work authorized by the permit has not been completed and validated by an inspection within one hundred eighty calendar days of the date of permit issuance, unless associated with a building permit.

B. A new Section 105.5.1 is added to the CBC to read as follows:

105.5.1 Expiration of Plan Review. Applications for which no permit is issued within one year following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

SECTION 7. A new section 15.04.055 to Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.04.055 Section 109.6 amended—Refunds.

Section 109.6 of the CBC is amended to read as follows:

Fee Refunds. The building official may authorize refunding of a fee paid or portion of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than eighty percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than eighty percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty days after the date of fee payment.

SECTION 8. A new section 15.04.065 to Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.04.065 Section 202—Definitions—New construction.

Section 202 of the CBC is amended to add a definition of New Construction to be placed in proper alphabetical order and to read as follows:

New Construction: "For the purposes of enforcing the provisions of the California Fire Code, California Building Code, and the California Residential Building Code, any work, addition to, remodel, repair, renovation, or alteration of any building(s) or structure(s) shall be considered "New Construction" when fifty percent or more of the exterior weight/load bearing walls are removed or demolished."

15.04.80 Section 1505.1.5 of Chapter 15 added—Wood Shake or Shingle Roofs Prohibited.

Section 1505.1.5 is added to read as follows:

1505.1.5 Wood shake and shingle roofs are not permitted except for minor repairs no larger than one roofing square in area.

15.04.90 Section 3202.5 added —Special Provisions for SP 182.

Section 3202.5 of the CBC is added to read as follows:

3202.5 Special Provisions for SP 182. No part of any structure or any appendage thereto, except signs, shall project beyond the property line of the building site, except as specific in this chapter. Structures or appendages regulated by this code shall be constructed of materials as specified in Section 705.

The projection of any structure or appendage shall be the distance measured horizontally from the property line to the outermost point of the projection.

Nothing in this code shall prohibit the construction and use of a structure between buildings and over or under a public way, provided the structure complies with all requirements of this code.

Nothing in this code shall prohibit the construction and use of a structure over a public way, provided that the structure is located in the area known as special development area No. 9, regulated by specific plan 182, and is located on Main Street between Ballantyne Street/Avocado Avenue on the east and Chambers Street on the west, and further, where the structure constructed over a public way is the second story of the structure, extends not more than twelve feet,

maintains a minimum eight-foot headroom clearance over the public way, except for support elements, which may bear and reside on public property; further provided that the overhanging portion of the structure shall (1) incorporate sprinkler protection of the public way and be in accordance with the provisions of Chapter 9 of this code and the applicable sections of NFPA 13, and (2) incorporate engineering standards consistent with the provisions for essential services as categorized by Section 1604A.5 and Table 1604A.5 of this code; further, provided that any such structure constructed over a public way is first approved by way of conditional use permit granted by the city council of the city of El Cajon, and meets all other requirements under the El Cajon Municipal Code, including this code.

No provisions of this chapter shall be construed to permit the violation of other laws or ordinances regulating the use and occupancy of public property.

15.04.100 Section 3302 amended—Construction Safeguards and Dust Control.

- A. Section 3302 is re-titled-Construction Safeguards and Dust Control.
- B. Section 3302 is amended by adding Section 3302.4 to read as follows:

3302.4 Dust Control. Dust shall be controlled on construction sites by approved methods so as to protect the health, safety, and welfare of the public.

15.04.105 Appendix O "Emergency Housing" added.

Appendix O of the CBC, "Emergency Housing," including sections O101 through O110 and each and every subsection contained therein, is hereby included in the building code for the city and is hereby adopted by reference as if fully set forth in this chapter. (Ord. 5102 § 3, 2020.)

SECTION 9. A new section 15.04.107 to Chapter 15.04 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.04.107 Appendix I "Patio Cover".

Appendix I of the CBC, "Patio Cover," and each and every subsection contained therein, is hereby included in the building code for the city and is hereby adopted by reference as if fully set forth in this chapter..

SECTION 10. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.04 - CA Building Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTION 15.20.010 OF CHAPTER 15.20 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW SECTION 15.20.010 OF CHAPTER 15.20 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Electrical Code, 2022 Edition, with such modifications as set forth in Chapter 15.20 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Electrical Code be modified as set forth herein.

SECTION 3. Section 15.20.010 of Chapter 15.20 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4. A new section 15.20.010 of Chapter 15.20 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.20.010 California Electrical Code, 2022 Edition—Adopted by reference.

The California Electrical Code, 2022 Edition, as published by the International Code Council, is adopted as the electrical code of the city (the "electrical code"), except as hereinafter modified, amended, repealed or deleted, and is by this reference made a part hereof as though fully set out herein.

The requirements of the electrical code shall apply to all residential, commercial and industrial electrical installations. All electrical installations that are under the jurisdiction of the California Division of Industrial Safety shall also comply with the requirements of the electrical safety orders of the Department of Industrial Relations of the state of California.

SECTION 5. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.20 - CA Electrical Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTIONS 15.48.010 AND 15.48.050 OF CHAPTER 15.48 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING NEW SECTIONS 15.48.010 AND 15.48.050 OF CHAPTER 15.48 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Mechanical Code, 2022 Edition, with such modifications as set forth in Chapter 15.48 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Mechanical Code be modified as set forth herein.

SECTION 3. Sections 15.48.010 and 15.48.050 of Chapter 15.48 of Title 15 of the El Cajon Municipal Code are hereby repealed in their entirety.

SECTION 4. A new section 15.48.010 of Chapter 15.48 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.48.010 California Mechanical Code, 2022 Edition—Adopted by reference.

The California Mechanical Code, 2022 Edition, including Appendix Chapters B, C, and D, as published by the International Code Council, as the mechanical code of the city (the "mechanical code"), regulating the complete installation and maintenance of heating, ventilating, comfort cooling and refrigeration systems in the city, and providing for the issuance of permits and collection of fees therefore. Each and all of such regulations, provisions, penalties, conditions and terms of the California Mechanical Code, 2022 Edition, are referred to, adopted, and made a part of this chapter as though fully set forth in this chapter, excepting such portions as are deleted, modified, added or amended by this chapter. The mechanical code is hereinafter referred to as the "CMC," and one copy is on file in the office of the city clerk.

SECTION 5. A new section 15.48.010 of Chapter 15.48 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.48.050 Section 104.5 Amended, Table 104.5 deleted—Fees.

Section 104.5 of the CMC is amended to read as follows:

104.5 Fees. The permit fees for all Building Safety Division transactions of the city of El Cajon shall be set by the city council by resolution, and may be amended from time to time, to be listed in the City of El Cajon Schedule of Miscellaneous Fees.

Table 104.5 of the CMC is deleted.

SECTION 6. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.48 - CA Mechanical Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTIONS 15.52.010 AND 15.52.050 OF CHAPTER 15.52 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA PLUMBING CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING NEW SECTIONS 15.52.010 AND 15.52.050 OF CHAPTER 15.52 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Plumbing Code, 2022 Edition, with such modifications as set forth in Chapter 15.52 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Plumbing Code be modified as set forth herein.

SECTION 3. Sections 15.52.010 and 15.52.050 of Chapter 15.52 of Title 15 of the El Cajon Municipal Code are hereby repealed in their entirety.

SECTION 4. A new section 15.52.010 of Chapter 15.52 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.52.010 California Plumbing Code, 2022 Edition—Adopted by reference.

The California Plumbing Code, 2022 Edition, including, Appendix A and Appendix B, as published by the International Code Council, is adopted as the plumbing code of the city (the "plumbing code"), establishing requirements, rules and standards for plumbing installations and materials, providing for the issuance of permits and the collection of fees. Each and all of such regulations, provisions, penalties, conditions and terms of the California Plumbing Code, 2022 Edition, are referred to, adopted, and made a part of this chapter as though fully set forth in this chapter, excepting such portions as are deleted, modified, added or amended by this chapter. The California Plumbing Code is referred to in this chapter as the "CPC," and one copy is on file in the office of the city clerk.

SECTION 5. A new section 15.52.050 of Chapter 15.52 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.52.050 Division II, Section 104.5 amended—Fees.

Section 104.5 of the CPC is amended to read as follows:

104.5 Fees. The permit fees for all Building Safety Division transactions of the city of El Cajon shall be set by the city council by resolution, and may be amended from time to time, to be listed in the City of El Cajon Schedule of Miscellaneous Fees.

SECTION 6. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.52 - CA Plumbing Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTION 15.54.010 OF CHAPTER 15.54 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE;
ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADOPTING A NEW SECTION 15.54.010 TO CHAPTER 15.54 TO TITLE 15

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Residential Code, 2022 Edition, with such modifications as set forth in Chapter 15.54 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Residential Code be modified as set forth herein.

SECTION 3. Section 15.54.010 of Chapter 15.54 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4. A new section 15.54.010 to Chapter 15.54 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

Chapter 15.54 CALIFORNIA RESIDENTIAL CODE

15.54.010 California Residential Code, 2022 Edition—Adopted by reference.

The California Residential Code, 2022 Edition, as published by the International Code Council, excluding section R103 and including appendix chapters H, K, Q, T and V, is adopted by reference as the residential building code of the city (the "residential building code"), for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all residential buildings and structures in the city, providing for the issuance of permits therefore, and each and all such regulations, provisions, penalties, conditions and terms of the California Residential Code, 2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter.

The California Residential Code is referred to in this chapter as the “CRC,” and one copy is on file in the office of the city clerk.

SECTION 5. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – California Residential Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTION 15.56.010 OF CHAPTER 15.56 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA FIRE CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW SECTION 15.56.010 OF CHAPTER 15.56 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Fire Code, 2022 Edition, with such modifications as set forth in Chapter 15.56 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Residential Code be modified as set forth herein.

SECTION 3. Section 15.56.010 of Chapter 15.56 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4. A new section 15.56.010 of Chapter 15.56 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.56.010 California Fire Code, 2022 Edition—Adopted by reference.

The California Fire Code, 2022 Edition, and including Appendix Chapters 4, B, BB, C, CC, D, H, and O, but excluding section 109 and 112.4, as published by the International Code Council, is adopted by reference as the fire code of the city (the "fire code"), for protecting the interests of health, life, and safety as they relate to the use or occupancy of buildings or premises. All of the regulations, provisions, penalties, conditions and terms of the California Fire Code, 2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Fire Code is referred to in this chapter as the "CFC," and one copy is on file in the office of the city clerk.

SECTION 5. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.56 - CA Fire Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTION 15.60.010 OF CHAPTER 15.60 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; AND ADOPTING THE CALIFORNIA GREEN BUILDING STANDARDS, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW SECTION 15.60.010 OF CHAPTER 15.60 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Green Building Standards Code, 2022 Edition, with such modifications as set forth in Chapter 15.60 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Green Building Standards Code be modified as set forth herein.

SECTION 3. Section 15.60.010 of Chapter 15.60 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4. A new section 15.60.010 of Chapter 15.60 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

**15.60.010 California Green Building Standards Code, 2022 Edition—
Adopted by reference.**

The California Green Building Standards Code, 2022 Edition, including appendix chapters A4 and A5, as published by the International Code Council, is adopted by reference as the green building code of the city (the "green building code"), for regulating green construction practices in residential and commercial construction. Each and all such regulations, provisions, penalties, conditions and terms of the California Green Building Standards Code, 2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Green Building Standards Code is referred to in this chapter as the "CGBSC," and one copy is on file in the office of the city clerk.

SECTION 5. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.60 - CA Green Bldg Standards Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTION 15.84.010 OF CHAPTER 15.84 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW SECTION 15.84.010 OF CHAPTER 15.84 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Existing Building Code, 2022 Edition, with such modifications as set forth in Chapter 15.84 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Residential Code be modified as set forth herein.

SECTION 3. Section 15.84.010 of Chapter 15.84 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4. A new section 15.84.010 of Chapter 15.84 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.84.010 California Existing Building Code, 2022 Edition—Adopted by reference.

The California Existing Building Code, 2022 Edition, including appendix chapters A1, A2, A3, and A4, but excluding section 103, and appendix chapter B, as published by the International Code Council, is adopted by reference as the existing building code of the city (the "existing building code"), except as hereinafter modified, amended, repealed or deleted, for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the city, when rebuilding or reconstructing a building or structure damaged by emergencies created by seismic activities, winds, floods, conflagrations, or other such disasters, or for retrofitting of existing buildings for soft story or unreinforced masonry construction, and is by this reference made a part hereof as though fully set out herein. The California Existing Building Code, 2022 Edition, is referred to in this chapter as the "CEBC," and one copy is on file in the office of the city clerk.

SECTION 5. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading

11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.84 - CA Existing Building Code (2022 Edition) 102022

ORDINANCE NO. _

AN ORDINANCE REPEALING SECTION 15.88.010 OF CHAPTER 15.88 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE; ADOPTING THE CALIFORNIA HISTORICAL BUILDING CODE, 2022 EDITION, AS AMENDED, BY REFERENCE; AND ADDING A NEW SECTION 15.88.010 OF CHAPTER 15.88 OF TITLE 15 OF THE EL CAJON MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF EL CAJON DOES ORDAIN AS FOLLOWS:

SECTION 1: The purpose of this ordinance is to establish the minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public, and of the owners and occupants of residential buildings in the City of El Cajon (the "City"); maintenance of all buildings and structures within the City; and incidental matters relating thereto through the adoption of the California Historical Building Code, 2022 Edition, with such modifications as set forth in Chapter 15.88 of the El Cajon Municipal Code.

SECTION 2: Pursuant to Health and Safety Code sections 17958.5 and 17958.7, the City Council makes the following finding:

Local climatic, geographical and topographical conditions, specifically the terrain, excessively high temperatures during summer months, and parts of the spring and autumn months, rate of population growth, housing and occupancy conditions and needs, and the environment existing in the City constitute conditions which require that the California Historical Building Code be modified as set forth herein.

SECTION 3. Section 15.88.010 of Chapter 15.88 of Title 15 of the El Cajon Municipal Code is hereby repealed in its entirety.

SECTION 4. A new section 15.88.010 of Chapter 15.88 of Title 15 of the El Cajon Municipal Code is hereby added to read as follows:

15.88.010 California Historical Building Code, 2022 Edition—Adopted by reference.

The California Historical Building Code, 2022 Edition as published by the International Code Council, is adopted by reference as the historical building code of the city (the "historical building code"), except as hereinafter modified, amended, repealed or deleted, for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all historical buildings and structures in the city, and is by this reference made a part hereof as though fully set out herein. The California Historical Building Code, 2022 Edition, is referred to in this chapter as the "CHBC," and one copy is on file in the office of the city clerk.

SECTION 5. This ordinance shall be effective thirty (30) days following its passage and adoption.

10/25/22 CC Agenda – 1st Reading
11/08/22 CC Agenda – 2nd Reading

Ord – ECMC 15.88 - CA Historical Bldg Code (2022 Edition) 102022

REDLINED CHANGES TO:

Chapter 15.04

15.04.010 California Building Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Building Code, ~~2019~~-2022 Edition, composed of two volumes, excluding section 103 and 116, as published by the International Code Council, is adopted by reference as the building code of the city (the “building code”), for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all non residential buildings and structures in the city, providing for the issuance of permits therefore, and each and all such regulations, provisions, penalties, conditions and terms of the California Building Code, ~~2019~~-2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Building Code is referred to in this chapter as the “CBC,” and one copy is on file in the office of the city clerk.

15.04.020 Requirements generally.

- A. All materials and assemblies of materials, appliances and installation of appliances, arrangements of occupancies, and segregation of occupancies, all exits, aisles, stairs, doors and appurtenances thereto in buildings or structures in the City shall be so arranged, assembled and of such size and so protected as to be reasonably free from hazards related to fire, seismic activity, obstructed exiting, and health hazards.
- B. The quality of all materials, method of connecting or assembling such materials, stresses allowed, and live and dead loads assumed in the design and construction of all buildings or structures in the City, shall be in accord with nationally recognized standards of quality and with generally recognized and well-established methods of structural design and construction.

15.04.030 Permits—Fee collection.

The following permits and tax receipts shall be issued by the Building ~~and Fire~~ Safety Division, and the fees therefor shall be collected by the finance department:

- A. Building permits;
- B. Electrical permits;
- C. Plumbing permits;

- D. Mechanical permits;
- E. Housing permits;
- F. Compliance permits;
- G. Demolition permits;
- H. Relocation permits;
- I. Fire Permits;
- J. Vapor recovery permits;
- K. Dwelling unit construction license tax;
- L. Strong motion instrumentation tax;
- ~~M. Fire Permits;~~
- ~~M~~N. Mobile home permits;
- ~~N~~O. Mobile home park annual operating permits;
- ~~O~~P. Sewer connection permits;
- ~~P~~Q. Fire alarm permits;
- ~~Q~~R. Permit history survey; and
- ~~R~~S. Any other permits or receipts as assigned to the Building ~~and Fire~~-Safety Division.

15.04.040 Section 105.2 amended—Work exempt from permits.

- A. Item 1 of Section 105.2 of the CBC is amended to read as follows:
 - 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty square feet (11.2m²) and when erected as accessory to an R-3 occupancy on the same property. The structure shall be at least six feet from any other building on the property, maintain setbacks from property lines as outlined in the zoning ordinance, and not exceed lot coverage limitations as specified by the zoning ordinance.
- B. A new item 14 is added to Section 105.2 of the CBC to read as follows:
 - 14. Satellite dishes three feet in diameter or less when utilizing only low voltage wiring.
- C. A new Section 105.2.4 is added to the CBC to read as follows:

105.2.4 Compliance with code. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

15.04.050 Section 105.5 amended—Expiration.

Section 105.5 of the CBC is amended to read as follows:

105.5 Expiration. Every [building](#) permit issued [for new housing construction](#) shall become invalid unless the work on the site authorized by such permit is commenced within one year of the date of permit issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one year after the time the work is commenced. The maximum life of any permit is ~~three~~ [two](#) years. If a final inspection is not obtained within the ~~three~~ [two](#)-year time period the permit will become invalid and a new permit will be required. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty days each [and determines there has not been a significant change in the building code since the date the permit was issued](#). The extension shall be requested in writing and justifiable cause demonstrated. If code violations exist relating to the building or work authorized by the permit, the building official may establish a permit expiration date of less than one year. [All Electrical, Plumbing, Mechanical, or Fire Permits associated with a Building Permit shall expire concurrently with the Building Permit, and may be extended concurrently with the Building Permit. All stand alone Electrical, Plumbing, Mechanical or Fire permits shall expire if substantial work authorized by the permit has not been completed and validated by an inspection within 180 calendar days of the date of permit issuance, unless associated with a Building Permit.](#)

[Section 105.5.1 Expiration of Plan Review.](#)

[Applications for which no permit is issued within one year following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.](#)

[15.04.060 Section 109.6 amended—Refunds.](#)

Commented [AS1]: This is proposed for plans that have been in review for more than a year to allow staff to require new submittal and fees.

Section 109.6 of the CBC is amended to read as follows. Fee Refunds. The building official may authorize refunding of a fee paid or portion of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

15.04.060 Section 113.1 amended, section 113.3 deleted—Board of Appeals.

A. Sections 113.1 of the CBC is amended to read as follows:

113.1 General. In order to hear and decide appeals of order, decisions, or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created an appeals board and housing appeals board. The appeals board and housing appeals board shall be appointed by the local governing body, or comprised of the local governing body, and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

B. Section 113.3 deleted—Qualifications.

15.04.065 Section 202 – Definitions – New construction.

Sections 202 of the CBC is amended to read as follows: NEW CONSTRUCTION: “For the purposes of enforcing the provisions of the California Fire Code, California Building Code, and the California Residential Building Code, any work, addition to, remodel, repair, renovation, or alteration of any building(s) or structure(s) shall be considered “New Construction” when 50 percent or more of the exterior weight/load bearing walls are removed or demolished.”

15.04.070 Section 501.2 amended—Address identification.

Section 502.1 of the CBC is amended to read as follows:

Section 502.1 Address Identification. Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum three inches (3") high with a one-half inch (½") stroke for individual suites and apartments, minimum four inches (4") high with a one-half inch (½") stroke for residential buildings, minimum eight inches (8") high with a one-half inch (½") stroke for commercial, multi-residential buildings, and industrial buildings. Additional numbers shall be required where deemed necessary by the building official or fire code official, such as rear access doors, building corners, and entrances to commercial centers. The building official or fire code official may require larger address numbers based on visibility and the needs of emergency response personnel.

15.04.80 Section 1505.1.5 of Chapter 15 added—Wood Shake or Shingle Roofs Prohibited.

Section 1505.1.5 is added to read as follows:

1505.1.5 Wood shake and shingle roofs are not permitted except for minor repairs no larger than one roofing square in area.

15.04.90 Section 3202.5 added —Special Provisions for SP 182.

Section 3202.5 of the CBC is added to read as follows:

3202.5 Special Provisions for SP 182. No part of any structure or any appendage thereto, except signs, shall project beyond the property line of the building site, except as specific in this chapter. Structures or appendages regulated by this code shall be constructed of materials as specified in Section 705.

The projection of any structure or appendage shall be the distance measured horizontally from the property line to the outermost point of the projection. Nothing in this code shall prohibit the construction and use of a structure between buildings and over or under a public way, provided the structure complies with all requirements of this code.

Nothing in this code shall prohibit the construction and use of a structure over a public way, provided that the structure is located in the area known as special development area No. 9, regulated by specific plan 182, and is located on Main Street between Ballantyne Street/Avocado Avenue on the east and Chambers Street on the west, and further, where the structure constructed over a public way is the second story of the structure, extends not more than twelve feet,

maintains a minimum eight-foot headroom clearance over the public way, except for support elements, which may bear and reside on public property; further provided that the overhanging portion of the structure shall (1) incorporate sprinkler protection of the public way and be in accordance with the provisions of Chapter 9 of this code and the applicable sections of NFPA 13, and (2) incorporate engineering standards consistent with the provisions for essential services as categorized by Section 1604A.5 and Table 1604A.5 of this code; further, provided that any such structure constructed over a public way is first approved by way of conditional use permit granted by the city council of the city of El Cajon, and meets all other requirements under the El Cajon Municipal Code, including this code.

No provisions of this chapter shall be construed to permit the violation of other laws or ordinances regulating the use and occupancy of public property.

15.04.100 Section 3302 amended—Construction Safeguards and Dust Control.

A. Section 3302 is re-titled-Construction Safeguards and Dust Control.

B. Section 3302 is amended by adding Section 3302.4 to read as follows:

3302.4 Dust Control. Dust shall be controlled on construction sites by approved methods so as to protect the health, safety, and welfare of the public.

15.04.105 Appendix O “Emergency Housing” added.

Appendix O of the CBC, “Emergency Housing,” including sections O101 through O110 and each and every subsection contained therein, is hereby included in the building code for the city and is hereby adopted by reference as if fully set forth in this chapter. (Ord. 5102 § 3, 2020.)

15.04.107 Appendix I "Patio Cover".

Appendix I of the CBC, "Patio Cover," and each and every subsection contained therein, is hereby included in the building code for the city and is hereby adopted by reference as if fully set forth in this chapter..

15.04.110 Section 15.04.110 added—Public nuisance.

Section 15.04.110 is added to read as follows:

15.56.110 Public nuisance. A violation of any provision of the California Building Code as adopted and amended by this chapter is deemed to be a public nuisance

and may be abated in accordance with Chapter 1.16 of the El Cajon Municipal Code.

15.04.120 Section 15.04.120 added — Violation-Penalty.

Section 15.04.120 is added to read as follows:

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, remove, improve, convert or demolish, equip, use, occupy, or maintain any building or structure, or cause the same to be done, contrary to or in violation of the provisions of this chapter.

Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and subject to the provisions of the general penalty clause as set forth in Section 1.24.010 of this code, or any other penalty adopted by the City.

Redlined Proposed Changes to:

Chapter 15.20 CALIFORNIA ELECTRICAL CODE

15.20.010 California Electrical Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Electrical Code, ~~2019~~-2022 Edition, as published by the International Code Council, is adopted as the electrical code of the city (the “electrical code”), except as hereinafter modified, amended, repealed or deleted, and is by this reference made a part hereof as though fully set out herein.

The requirements of the electrical code shall apply to all residential, commercial and industrial electrical installations. All electrical installations that are under the jurisdiction of the California Division of Industrial Safety shall also comply with the requirements of the electrical safety orders of the Department of Industrial Relations of the state of California.

Chapter 15.48 CALIFORNIA MECHANICAL CODE

15.48.010 California Mechanical Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Mechanical Code, ~~2019~~-2022 Edition, including Appendix Chapters B, C, and D, as published by the International Code Council, as the mechanical code of the city (the “mechanical code”), regulating the complete installation and maintenance of heating, ventilating, comfort cooling and refrigeration systems in the city, and providing for the issuance of permits and collection of fees therefore. Each and all of such regulations, provisions, penalties, conditions and terms of the California Mechanical Code, ~~2019~~-2022 Edition, are referred to, adopted, and made a part of this chapter as though fully set forth in this chapter, excepting such portions as are deleted, modified, added or amended by this chapter. The mechanical code is hereinafter referred to as the “CMC,” and one copy is on file in the office of the city clerk.

15.48.050 Section 104.5 Amended, Table 104.5 deleted—Fees.

Section 104.5 of the CMC is amended to read as follows:

104.5 Fees. The permit fees for all Building ~~and Fire~~ Safety Division transactions of the city of El Cajon shall be set by the city council by resolution, and may be amended from time to time, to be listed in the City of El Cajon Schedule of Miscellaneous Fees.

Table 104.5 of the CMC is deleted.

Chapter 15.52 CALIFORNIA PLUMBING CODE

15.52.010 California Plumbing Code, ~~2019~~–2022 Edition—Adopted by reference.

The California Plumbing Code, ~~2019~~–2022 Edition, including, Appendix A and Appendix B, as published by the International Code Council, is adopted as the plumbing code of the city (the “plumbing code”), establishing requirements, rules and standards for plumbing installations and materials, providing for the issuance of permits and the collection of fees. Each and all of such regulations, provisions, penalties, conditions and terms of the California Plumbing Code, ~~2019~~–2022 Edition, are referred to, adopted, and made a part of this chapter as though fully set forth in this chapter, excepting such portions as are deleted, modified, added or amended by this chapter. The California Plumbing Code is referred to in this chapter as the “CPC,” and one copy is on file in the office of the city clerk.

15.52.050 Division II, Section 104.5 amended—Fees.

Section 104.5 of the CPC is amended to read as follows:

104.5 Fees. The permit fees for all Building ~~and Fire~~ Safety Division transactions of the city of El Cajon shall be set by the city council by resolution, and may be amended from time to time, to be listed in the city of El Cajon Schedule of Miscellaneous Fees.

Chapter 15.54 CALIFORNIA RESIDENTIAL CODE

15.54.010 California Residential Code, ~~2019~~–2022 Edition—Adopted by reference.

The California Residential Code, ~~2019~~–2022 Edition, as published by the International Code Council, excluding section R103 and including appendix chapters H, K, Q, T and V, is adopted by reference as the residential building code of the city (the “residential building code”), for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all residential buildings and structures in the city, providing for the issuance of permits therefore, and each and all such regulations, provisions, penalties, conditions and terms of the California Residential Code, ~~2019~~–2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Residential Code is referred to in this chapter as the “CRC,” and one copy is on file in the office of the city clerk.

Chapter 15.56 CALIFORNIA FIRE CODE

15.56.010 California Fire Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Fire Code, ~~2019~~-2022 Edition, and including Appendix Chapters 4, B, BB, C, CC, D, H, and O, but excluding section 109 and 112.4, as published by the International Code Council, is adopted by reference as the fire code of the city (the “fire code”), for protecting the interests of health, life, and safety as they relate to the use or occupancy of buildings or premises. All of the regulations, provisions, penalties, conditions and terms of the California Fire Code, ~~2019~~-2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Fire Code is referred to in this chapter as the “CFC,” and one copy is on file in the office of the city clerk.

Chapter 15.60 CALIFORNIA GREEN BUILDINGS STANDARDS CODE

15.60.010 California Green Building Standards Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Green Building Standards Code, ~~2019~~-2022 Edition, including appendix chapters A4 and A5, as published by the International Code Council, is adopted by reference as the green building code of the city (the “green building code”), for regulating green construction practices in residential and commercial construction. Each and all such regulations, provisions, penalties, conditions and terms of the California Green Building Standards Code, ~~2019~~-2022 Edition, are referred to, adopted and made a part of this chapter as though fully set out in this chapter, excepting such portions as are added, deleted, modified or amended by this chapter. The California Green Building Standards Code is referred to in this chapter as the “CGBSC,” and one copy is on file in the office of the city clerk.

Chapter 15.84 CALIFORNIA EXISTING BUILDING CODE

15.84.010 California Existing Building Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Existing Building Code, ~~2019~~-2022 Edition, including appendix chapters A1, A2, A3, and A4, but excluding section 103, and appendix chapter B, as published by the International Code Council, is adopted by reference as the existing building code of the city (the “existing building code”), except as hereinafter modified, amended, repealed or deleted, for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the city, when rebuilding or reconstructing a building or structure damaged by emergencies created by seismic activities, winds, floods, conflagrations, or other such disasters, or for retrofitting of existing buildings for soft story or unreinforced masonry construction, and is by this reference made a part hereof as though fully set out herein. The California Existing Building Code, ~~2019~~-2022 Edition, is

referred to in this chapter as the “CEBC,” and one copy is on file in the office of the city clerk.

Chapter 15.88 CALIFORNIA HISTORICAL BUILDING CODE

15.88.010 California Historical Building Code, ~~2019~~-2022 Edition—Adopted by reference.

The California Historical Building Code, ~~2019~~-2022 Edition as published by the International Code Council, is adopted by reference as the historical building code of the city (the “historical building code”), except as hereinafter modified, amended, repealed or deleted, for regulating the construction, erection, enlargement, repair, removal, demolition, occupancy, equipment, use, height, area and maintenance of all historical buildings and structures in the city, and is by this reference made a part hereof as though fully set out herein. The California Historical Building Code, ~~2019~~-2022 Edition, is referred to in this chapter as the “CHBC,” and one copy is on file in the office of the city clerk.
