

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

December 12, 2023

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, December 12, 2023, 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: | Kendrick, Metschel, and Ortiz |
| Council/Agencymembers absent: | None |
| Deputy Mayor/Vice Chair present: | Goble |
| 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 November 14, 2023, meeting and the Agenda of the December 12, 2023, meetings in accordance with State Law and El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

Mayor Wells' acknowledged the birthday of **Councilmember Metschel.**

PRESENTATIONS:

- Octoberstache

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 7)

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

Approve Minutes of the November 14, 2023, Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

ITEM PULLED BY A MEMBER OF THE PUBLIC:

2. Warrants

Approve payment of Warrants as submitted by the Finance Department.

DISCUSSION

Truth stated she does not approve of payment records not being attached to the full agenda. She stated such information should be made available to the public.

City Manager Mitchell clarified that adding that information would add several hundred pages to the agenda, and shared with Ms. Truth that such information is available at any time to the public.

ITEM PULLED BY A MEMBER OF THE PUBLIC:

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.

DISCUSSION

Truth requested that a short summary be added for each Ordinance introduction to avoid the perception of deception to the public.

CONSENT ITEMS: (Continued)

4. 2023 Investment Policy Update

That the City Council Adopt Resolution No. 105-23, and the El Cajon Housing Authority Adopt Resolution No. ECHA-39, respectively, to Adopt the City of El Cajon Investment Policy and delegating investment authorities to the Director of Finance/Authority Treasurer.

5. Authorization to Accept, Appropriate, and Expend the CalRecycle SB 1383 Grant FY2021-22

Adopt Resolution 106-23 to increase the General Fund appropriations by \$146,529 for the purpose of transferring grant proceeds to the Public Works Operating Grant Fund, authorize the City Manager or designee to accept, appropriate, and expend funds received from the CalRecycle SB 1383 Grant (CALSB1383) for FY 2021-22; and authorize the City Manager or designee to execute any documents and agreements necessary to receive and use these funds.

ITEM PULLED BY A MEMBER OF THE CITY COUNCIL:

6. Award of Bid No. 021-24 – San Diego River Watershed Water Quality Improvement Project

1. Determine that the project is exempt from the California Environmental Quality Act in accordance with sections 15307 and 15308 of the State CEQA Guidelines; and
2. Adopt Resolution 107-23 to approve Plans and Specifications for San Diego River Watershed Water Quality Improvement Project, Bid No. 021-24; and adopt Resolution 108-23 to award the bid to the sole responsive, responsible bidder, Downstream Services, Inc., in the amount of \$347,684.

DISCUSSION

In answer to a question by Councilmember Ortiz, City Manager Mitchell stated that every vendor meeting the minimum qualifications is invited to bid on the project. He further stated that if no one qualifies, it is sometimes necessary to re-bid the job to entice more interested parties, while still maintaining the minimum requirements in place.

CONSENT ITEMS: (Continued)

7. Fiscal Year 2022-23 El Cajon Housing Authority Annual Report (pursuant to California Health and Safety Code §34176.1)

El Cajon Housing Authority reviewed and accepted the Annual Report, substantially in the form as presented, for the fiscal year ending June 30, 2023.

MOTION BY ORTIZ, SECOND BY KENDRICK, to APPROVE Consent Items 1 to 7.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Rebecca Branstetter spoke about the accomplishments of East County Homeless Task Force in 2023.

Truth spoke in opposition of automated license plate reader cameras.

Brenda Hammond spoke about re-vetting programs that are referred to defendants by the County Courthouse.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS: None

ADMINISTRATIVE REPORTS:

8. Selection of Deputy Mayor

RECOMMENDATION: That the City Council selects a Deputy Mayor, for the 2024 calendar year, according to the El Cajon Municipal Code.

DISCUSSION

City Manager, Graham Mitchell, provided detailed information of the Item.

Truth stated she had no preference on the selection of the Deputy Mayor.

MOTION BY WELLS, SECOND BY METSCHEL to APPOINT Councilmember Ortiz as Deputy Mayor according to the El Cajon Municipal Code for the 2024 Calendar Year.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

9. Community Risk Assessment and Standards of Cover Report

RECOMMENDATION: That the City Council receives the report from Emergency Services Consulting International (ESCI) as an informational item.

DISCUSSION

Heartland Fire Chief, Bent Koch, and Jeff Stone, from Emergency Services Consulting International (ESCI), provided detailed information of the Item.

No public comment was received for the Item.

Discussion ensued among Council and Staff concerning the following:

- New fire station proposed location;
- San Miguel providing assistance to the northern central area of the City of El Cajon;
- Potential increase for service calls based on historical change versus by population;
- Information on mutual aid given and mutual aid received;
- Equipment recommendations for the potential new station;
- Recommendation for an additional duty Battalion Chief;
- Adding El Cajon staff to San Miguel's Station 19 instead of building a new fire station in the City of El Cajon;
- Technological advance training at fire stations;
- Partnering with healthcare centers to offer Public Service Announcements;
- Participants from the Nurse Navigation program still utilizing Emergency Room or requesting a 911 response; and
- Possible adjustments to the Nurse Navigator program.

MOTION BY KENDRICK, SECOND BY METSCHEL to RECEIVE the report from Emergency Services Consulting International (ESCI) as an informational item.

MOTION CARRIED BY UNANIMOUS VOTE.

10. Real Estate Sale Agreement (405 East Lexington Avenue)

RECOMMENDATION: That the City Council adopts the next Resolution, in order, approving the Real Estate Sale Agreement with Centro de Salud de la Comunidad de San Ysidro, Inc., for the purchase of 405 East Lexington Avenue.

ADMINISTRATIVE REPORTS: (Item 10 - Continued)

DISCUSSION

City Manager, Graham Mitchell, provided detailed information of the Item.

Truth spoke in opposition of the purchase of 405 East Lexington Avenue.

Discussion ensued among Council and Staff concerning the following:

- The City of El Cajon will own the building if the sale is completed; and
- Saving money by not utilizing the services of a broker.

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 109-23 to approve the Real Estate Sale Agreement with Centro de Salud de la Comunidad de San Ysidro, Inc., for the purchase of 405 East Lexington Avenue.

**MOTION CARRIED BY 4 - 0 VOTE.
(Mayor WELLS – Disqualified)**

11. Award of RFP No. 023-24 – Small Business Incubator Operator

RECOMMENDATION: That the City Council:

1. Determines that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301 of the state CEQA Guidelines; and
2. Adopts the next Resolution, in order, to authorize the City Manager to negotiate a lease agreement for a portion of the building at 405 E. Lexington Avenue with the Chaldean Community Council effective upon the close of escrow and transfer of title of the property to the City.

DISCUSSION

City Manager, Graham Mitchell, provided detailed information of the Item.

Dr. Noori Barka stated he is very excited to get the Small Business Incubator started.

Discussion ensued among Council and Staff concerning the following:

- The selection process for participants of the Small Business Incubator; and
- The benefits this will provide to small business owners.

ADMINISTRATIVE REPORTS: (Item 11 - Continued)

MOTION BY ORTIZ, SECOND BY MITSCHER, to DETERMINE that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301 of the state CEQA Guidelines; and ADOPT Resolution No. 110-23 to authorize the City Manager to negotiate a lease agreement for a portion of the building at 405 E. Lexington Avenue with the Chaldean Community Council effective upon the close of escrow and transfer of title of the property to the City.

MOTION CARRIED BY UNANIMOUS VOTE.

12. 2023 Annual Pension Status Report

RECOMMENDATION: That the City Council receives the Annual Pension Status Report.

DISCUSSION

Director of Finance, Clay Schoen, provided detailed information of the Item.

No public comment was received.

Discussion ensued among Council and Staff concerning the following:

- CalPERS managing the City of El Cajon's pension plan;
- Projected unfunded liability; and
- CalPERS investments.

MOTION BY ORTIZ, SECOND BY KENDRICK, to RECEIVE the Annual Pension Status Report.

MOTION CARRIED BY UNANIMOUS VOTE.

13. The Wall that Heals – Vietnam Veterans Memorial Replica and Mobile Education Center

RECOMMENDATION: That the City Council approves the use of Wells Park to host The Wall that Heals for one week in the Spring of 2024, waiver of facility rental fees, and approval to operate overnight.

ADMINISTRATIVE REPORTS: (Item 13 – Continued)

DISCUSSION

Parks and Recreation Manager, Adam Tronerud, provided detailed information of the Item.

Truth spoke in favor of the City of El Cajon hosting the Wall that Heals.

Discussion ensued among Council and Staff concerning the following:

- Costs associated with hosting The Wall that Heals;
- Council approval needed to host the memorial replica; and
- Security needs for the Wall.

MOTION BY KENDRICK, SECOND BY METSCHEL, to APPROVE the use of Wells Park to host The Wall that Heals for one week in the Spring of 2024, waive facility rental fees, and approve to operate overnight.

MOTION CARRIED BY UNANIMOUS VOTE.

14. Award of RFP No. 027-24 – Measure J Polling & Outreach Services

RECOMMENDATION: That the City Council:

1. Determines that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the state CEQA Guidelines; and
2. Adopts the next Resolution, in order, to enter into an agreement with Competitive Edge Research & Communication, Inc. (CERCI), in an amount not to exceed \$182,000.

DISCUSSION

Assistant City Manager, Vince DiMaggio, provided detailed information of the Item.

Truth spoke in opposition of the Measure J Polling and recommended having conversations with the public about potential impacts if the measure does not pass.

Discussion ensued among Council and Staff concerning the following:

- Benefits of having more time to pursue the measure in 2024;
- Benefit of accurate data; and
- Measure J would be a continuation of the Prop J tax measure rather than imposing a new tax.

ADMINISTRATIVE REPORTS: (Item 14 – Continued)

- Town hall meetings to reach out to the community;
- Consideration of cuts to services if the measure doesn't pass;
- Property taxes funds from the County are less for the City of El Cajon than other cities;
- More City Council involvement with the polling company; and
- Engaging with community organizations.

MOTION BY ORTIZ, SECOND BY METSCHEL, to DETERMINE that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the state CEQA Guidelines; and ADOPT Resolution No. 111-23, to enter into an agreement with Competitive Edge Research & Communication, Inc. (CERCI), in an amount not to exceed \$182,000.

MOTION CARRIED BY UNANIMOUS VOTE.

15. Award of RFP No. 020-24 – Economic Analysis Services (Parkway Plaza Mall)

RECOMMENDATION: That the City Council:

1. Determines that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines section 15262; and
2. Adopts the next Resolution, in order, to enter into an agreement with Hunden Strategic Partners, Inc. dba Hunden Partners (HP), in an amount not to exceed \$248,915 for a one-year term.

DISCUSSION

City Manager, Graham Mitchell, provided detailed information of the Item.

No public comment was received for the Item.

Discussion ensued among Council and Staff concerning the following:

- Participation of the mall owners;
- Communication between the owners at the mall and City Staff;
- HP's experience with private sector and malls;
- Usage of Economic Development funds for proposed project; and
- Parkway Plaza is the main sales tax generating area in the City.

ADMINISTRATIVE REPORTS: (Item 15 – Continued)

MOTION BY ORTIZ, SECOND BY METSCHEL, to DETERMINE that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines section 15262; and ADOPT Resolution No. 112-23, to enter into an agreement with Hunden Strategic Partners, Inc. dba Hunden Partners (HP), in an amount not to exceed \$248,915 for a one-year term.

MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

SANDAG (San Diego Association of Governments) Board of Directors.

16. Council Activities Report/Comments

Report as submitted.

Truth spoke about the SANDAG meeting on December 8, 2023, which the Mayor attended.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

17. DEPUTY MAYOR 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.

Report as submitted.

Truth spoke about safety issues on MTS Trolleys.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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

Council Activities Report/Comments.

Report as submitted.

19. COUNCILMEMBER 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.

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

Council Activities Report/Comments.

Report as submitted.

JOINT COUNCILMEMBER REPORTS:

21. Considering Shade Structures in Residential Front Yards

RECOMMENDATION:

That the City Council directs staff to provide an analysis of the merits of modifying the El Cajon Municipal Code to allow permanent and semi-permanent shade structures in residential front yards.

JOINT COUNCILMEMBER REPORTS: (Item 21 – Continued)

DISCUSSION

Deputy Mayor Goble and Councilmember Ortiz provided detailed information of the Item.

Discussion ensued among Council and Staff concerning the pros and cons of allowing permanent and semi-permanent shade structures in residential front yards.

MOTION BY GOBLE, SECOND BY ORTIZ, to DIRECT staff to spend no more than 3 hours to decide the merits of modifying the code to allow permanent and semi-permeant shade structures.

MOTION CARRIED BY UNANIMOUS VOTE.

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:

22. Closed Session - Conference with Legal Counsel - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - In the course of construction of the City's El Cajon Boulevard Streetscape Project, City's contractor, Tri-Group Construction and Development, Inc., has presented numerous claims against the City for extra days and extra compensation under the contract.
23. Closed Session - Conference with Legal Counsel - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - In the course of construction of the City's El Cajon Boulevard Streetscape Project, City's contractor, Tri-Group Construction and Development, Inc., has presented numerous claims against the City for extra days and extra compensation under the contract.

CLOSED SESSIONS: (Continued)

24. Closed Session - Conference with Legal Counsel - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - In the course of construction of the City's El Cajon Boulevard Streetscape Project, City's contractor, Tri-Group Construction and Development, Inc., has presented numerous claims against the City for extra days and extra compensation under the contract.
25. Closed Session - Conference with Legal Counsel - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - In the course of construction of the City's El Cajon Boulevard Streetscape Project, City's contractor, Tri-Group Construction and Development, Inc., has presented numerous claims against the City for extra days and extra compensation under the contract.
26. Closed Session - Conference with Legal Counsel - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - In the course of construction of the City's El Cajon Boulevard Streetscape Project, City's contractor, Tri-Group Construction and Development, Inc., has presented numerous claims against the City for extra days and extra compensation under the contract.

MOTION BY WELLS, SECOND BY METSCHEL, to ADJOURN to Closed Session at 6:12 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENED to Open Session at 7:00 p.m.

City Attorney Foley reported the following actions:

- No reportable action taken on all Items.

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 12th day of December, 2023, at 7:00 p.m., to Tuesday, December 12, 2023, at 7:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary