

# 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

---

**April 23, 2024**

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, April 23, 2024, was called to order by Mayor/Chair Bill Wells at 3:03 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

#### ROLL CALL

Council/Agencymembers present:	Goble, Kendrick, and Metschel
Council/Agencymembers absent:	None
Deputy Mayor/Vice Chair present:	Ortiz
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 April 9, 2024, meeting and the Agenda of the April 23, 2024, meeting in accordance with State Law and El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

**Mayor Wells changed the order of Items to accommodate the schedule of participants for certain Agenda Items.**

**PUBLIC COMMENT:**

Steven Martin spoke to request assistance from the City Council for speeding issues on Taft Street. Mr. Martin also requested the placement of speed bumps on Taft Street.

Barbie Bates, resident of Taft Street, submitted a petition requesting traffic calming measures for her neighborhood.

Brenda Hammond spoke of the lack of compassion in the younger generations. Ms. Hammond spoke of the free concerts in the City of El Cajon and neighboring cities.

**ADMINISTRATIVE REPORTS:**

10. El Cajon Critical Services Sales Tax Measure

**RECOMMENDATION:**

That the City Council receives the report, which provides an overview of the survey results for a possible sales tax measure and provides feedback on additional steps to consider, regarding the possible measure.

**DISCUSSION**

City Manager Mitchell introduced John Nienstedt, President & CEO of Competitive Edge Research & Communication, who provided detailed information of the Item.

Discussion ensued among Council and Staff concerning the following:

- Polling services for extending Prop J;
- No additional tax requested, just an extension of Prop J;
- Informational sessions with the community; and
- Consequences of Prop J extension not passing.

No public comment was received for the Item.

**MOTION BY WELLS, SECOND BY METSCHEL, to RECEIVE the report and proceed to prepare informational measures for the community, for the continuation of Prop J.**

**MOTION CARRIED BY UNANIMOUS VOTE.**

## **ADMINISTRATIVE REPORTS: (Continued)**

Mayor Wells stated he would recuse himself and not participate on Item 13, due to a conflict of interest due to financial contributions made to his congressional campaign by Dr. Barka.

13. Lease Agreements with the Chaldean Community Council to Operate a Social Service Operation and a Small Business Incubator Program at 405 E. Lexington Avenue

### **RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, approving two lease agreements:

1. Lease Agreement with the Chaldean Community Council for 4,155 square feet at 405 E. Lexington Avenue to provide social services; and
2. Lease Agreement with the Chaldean Community Council for 3,000 square feet at 405 E. Lexington Avenue to operate a small business incubation program.

### **DISCUSSION**

City Manager Mitchell, provided detailed information of the Item.

Jihan Maloney, representing the Chaldean Community Council, spoke against the lease termination clause in the proposed lease agreements.

Kaye Turpin, representing the Chaldean Community Council, spoke against the lease termination clause in the proposed lease agreements.

Discussion ensued among Council, Staff and the Chaldean Community Council representatives, concerning the following:

- City charging the lease amount of \$1 per year;
- Concern for lack of interest for a business incubator;
- Offering incubator services to people outside of the city; and
- Legal requirements to add a termination clause in agreements and contracts.

**MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 042-24 to approve the Lease Agreement with the Chaldean Community Council for 4,155 square feet at 405 E. Lexington Avenue to provide social services, omitting the 6 month termination clause.**

**MOTION CARRIED BY 3 - 1 VOTE,  
METSCHER - No, MAYOR WELLS - Disqualified**

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

**MOTION BY GOBLE, SECOND BY ORTIZ, to DIRECT staff to prepare report on 2<sup>nd</sup> floor lease agreement for the business incubator**

Dr. Noori Barka interrupted the meeting to state the Chaldean Community Council would accept the 6 month termination notice after an initial three (3) year lease period.

**Motion withdrawn by ORTIZ and GOBLE.**

**MOTION BY GOBLE, SECOND BY ORTIZ, to ADOPT Resolution No. 042-24 to approve the Lease Agreement with the Chaldean Community Council for 3,000 square feet at 405 E. Lexington Avenue to operate a small business incubation program with the change to replace the presented lease agreement with a three (3) year lease guarantee and a 6 month termination lease option by either party.**

**MOTION CARRIED BY 4 - 0 VOTE,  
MAYOR WELLS – Disqualified.**

*Recess called at 4:49 p.m.  
Meeting called back to order at 4:56 p.m.*

Mayor Wells returned to the Chamber.

Councilmember Kendrick did not return to the Chamber after recess.

**PRESENTATIONS:**

- Proclamation: International Firefighters' Day

**AGENDA CHANGES:**

City Manager Mitchell requested postponing Item 19 to a meeting where Councilmember Kendrick is present.

**MOTION BY WELLS, SECOND BY ORTIZ, to POSTPONE Item 19 to a future meeting.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (KENDRICK – Absent).**

**CONSENT ITEMS: (1 – 6)**

**MOTION BY WELLS, SECOND BY METSCHEL, to APPROVE Consent Items 1 to 6.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

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

Approve Minutes of the April 9, 2024, 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. Continuation of Emergency for Storm Damage Repairs to Public Facilities

Adopt Resolution No. 037-24 proclaiming the Continuation of Emergency for Storm Damage Repairs to Public Facilities.

5. Amending the Conflict of Interest Code of the City of El Cajon

Adopt Resolution No. 038-24 approving the amendment of the City's Conflict of Interest Code.

6. Reject & Re-Bid of Bid No. 033-24 – Box Culvert Condition Assessment & Repairs

Adopt Resolution No. 039-24 to:

1. Consent to the withdrawal of the first apparent low bidder's bid submission;
2. Find the third low bidder non-responsive for the reasons set forth in the agenda report; and
3. Reject all bids and authorize re-bidding of the project with revised plans and specifications.

**WRITTEN COMMUNICATIONS:** None

**PUBLIC COMMENT:**

Manny Aceves, representing Cast Hope, spoke about services provided and working with the East County Transitional Living Center.

**PUBLIC HEARINGS:**

7. Adoption of the Proposed 2025 Five-Year Program of Projects for the SANDAG Regional Transportation Improvement Program (RTIP)

**RECOMMENDATION:**

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, for the adoption of the Proposed 2025 Five-Year Program of Projects for the SANDAG Regional Transportation Improvement Program (RTIP).

**DISCUSSION**

Deputy Director of Public Works, Mario Sanchez, provided a summary of the Item.

Mayor Wells opened the Public Hearing.

No public comment was received for the Item.

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

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (KENDRICK – Absent).**

**MOTION BY GOBLE, SECOND BY METSCHEL, to ADOPT Resolution No. 040-24, to adopt the Proposed 2025 Five-Year Program of Projects for the SANDAG Regional Transportation Improvement Program (RTIP).**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (KENDRICK – Absent).**

**PUBLIC HEARINGS: (Continued)**

8. 2024-2028 Five-Year Consolidated Plan and FY 2024-2025 One-Year Action Plan

**RECOMMENDATION:**

That the City Council:

1. Opens the public hearing;
2. Accepts public testimony for the draft 2024-2028 Five-Year Consolidated Plan and FY 2024-2025 One-Year Action Plan;
3. Closes the public hearing;
4. Accepts staff recommendations for projects and programs using FY 2024-2025 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) grant funds; and
5. Authorizes staff to release the draft 2024-2028 Five-Year Consolidated Plan and FY 2024-2025 One-Year Action Plan for a thirty-day review period from April 25, 2024 to May 24, 2024.

**DISCUSSION**

Management Analyst, Deyanira Pelayo-Brito, provided a summary of the Item.

Mayor Wells opened the Public Hearing.

In answer to a question by Councilmember Metschel, Ms. Pelayo-Brito stated the service providers submit monthly or quarterly reports for CDBG and HOME funds used.

Tim Ray, representing Meals on Wheels, thanked the City for the continued support.

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

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

**MOTION BY ORTIZ, SECOND BY METSCHEL, to ACCEPT staff recommendations for projects and programs using FY 2024-2025 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) grant funds; and Authorize staff to release the draft 2024-2028 Five-Year Consolidated Plan and FY 2024-2025 One-Year Action Plan for a thirty-day review period from April 25, 2024 to May 24, 2024.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

**PUBLIC HEARINGS: (Continued)**

9. Adoption of New Fees, Modification and Elimination of Existing Fees, and Amendment of Schedule of Miscellaneous Fees

**RECOMMENDATION:**

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, to modify certain existing fees, add and delete certain fees, and amend the City's Schedule of Miscellaneous Fees.

**DISCUSSION**

City Attorney Foley provided a summary of the Item.

Mayor Wells opened the Public Hearing.

No public comment was received for the Item.

**MOTION BY ORTIZ, SECOND BY METSCHEL, to CLOSE the Public Hearing.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

**MOTION BY ORTIZ, SECOND BY METSCHEL, to ADOPT Resolution No. 041-24 to modify certain existing fees, add and delete certain fees, and amend the City's Schedule of Miscellaneous Fees.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

**ADMINISTRATIVE REPORTS:**

*Item 10 was previously discussed by Mayor Wells' discretion.*

10. El Cajon Critical Services Sales Tax Measure

**RECOMMENDATION:**

That the City Council receives the report, which provides an overview of the survey results for a possible sales tax measure and provides feedback on additional steps to consider, regarding the possible measure.



**ADMINISTRATIVE REPORTS: (Continued)**

11. Fiscal Year 2023-24 Mid-Year Report and Five-Year Business Plan Update

**RECOMMENDATION:**

That the City Council:

1. Receives and accepts the Fiscal Year 2023-24 Mid-Year Report and Five-Year Business Plan update;
2. Authorizes the proposed personnel changes detailed in this report; and
3. Authorizes the proposed capital expenditures detailed in this report.

**DISCUSSION**

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

Discussion ensued among Council and Staff concerning the following:

- Prop J extension may not be enough to prevent budget cuts; and
- Need for tax generating businesses in the City.

No public comment was received for the Item.

**MOTION BY ORTIZ, SECOND BY METSCHEL, to RECEIVE and accept the Fiscal Year 2023-24 Mid-Year Report and Five-Year Business Plan update; Authorize the proposed personnel changes detailed in this report; and Authorize the proposed capital expenditures detailed in this report.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

12. Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2023, and Other Written Communication from the City's Independent Auditor

**RECOMMENDATION:**

That the City Council receives and accepts the Annual Comprehensive Financial Report and other written communication from the independent accounting firm of Rogers, Anderson, Malody & Scott, LLP, for the fiscal year ended June 30, 2023.

**DISCUSSION**

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

No public comment was received for the Item.

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

**MOTION BY ORTIZ, SECOND BY METSCHEL, to RECEIVE and accept the Annual Comprehensive Financial Report and other written communication from the independent accounting firm of Rogers, Anderson, Malody & Scott, LLP, for the fiscal year ended June 30, 2023.**

**MOTION CARRIED BY UNANIMOUS VOTE  
OF THOSE PRESENT (KENDRICK – Absent).**

*Item 13 was previously discussed by Mayor Wells' discretion.*

13. Lease Agreements with the Chaldean Community Council to Operate a Social Service Operation and a Small Business Incubator Program at 405 E. Lexington Avenue

**RECOMMENDATION:**

That the City Council adopts the next Resolution, in order, approving two lease agreements:

3. Lease Agreement with the Chaldean Community Council for 4,155 square feet at 405 E. Lexington Avenue to provide social services; and
4. Lease Agreement with the Chaldean Community Council for 3,000 square feet at 405 E. Lexington Avenue to operate a small business incubation program.

**COMMISSION REPORTS:** None

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

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

14. Council Activities Report/Comments

Report as submitted.

*Remainder of page intentionally left blank.*

**ACTIVITIES REPORTS OF COUNCILMEMBERS:**

15. COUNCILMEMBER STEVE GOBLE  
MTS (Metropolitan Transit System Board); East County Advanced Water Purification Joint Powers Authority Board; Chamber of Commerce – Government Affairs Committee; SANDAG – Board of Directors – Alternate; SANDAG Public Safety Committee – Alternate.

Council Activities Report/Comments.

Report as submitted.

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

Council Activities Report/Comments.

Report as submitted.

17. 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.

18. DEPUTY MAYOR 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:**

*Per action taken under Agenda Changes, Item 19 has been postponed to a future meeting.*

19. Panhandling Signs

**RECOMMENDATION:**

That the City Council considers changing the City's panhandling signs with different messaging.

**GENERAL INFORMATION ITEMS FOR DISCUSSION:** None

**ORDINANCES: FIRST READING** - None

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

**CLOSED SESSIONS:**

20. 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

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

Property:

APN 487-331-22-00  
425 W. Main Street

Negotiating Party:

Jala, Inc.  
Hitesh C. Patel, CEO

City Negotiators:

City Manager  
Assistant City Manager  
City Attorney

Under Negotiation:

Price and terms of payment for acquisition of property

**CLOSED SESSIONS: (Continued)**

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

Property:

APN# 482-131-16

1050 Vernon Way, El Cajon, CA 92020

Negotiating Party:

USA Waste of California Inc.

City Negotiators:

City Manager

Assistant City Manager

City Attorney

Under Negotiation:

Price and terms of payment for lease of property

23. Closed Session - Public Employee Performance Evaluation: City Manager

**MOTION BY WELLS, SECOND BY ORTIZ, to ADJOURN to Closed Session at 6:04 p.m.**

**MOTION CARRIED BY UNANIMOUS VOTE OF THOSE PRESENT (KENDRICK – Absent).**

**CLOSED SESSIONS: (Continued)**

RECONVENED to Open Session at 7:47 p.m.

City Attorney Foley reported the following actions:

20. Direction was given to the City Attorney
21. Direction was given to the City's Negotiator
22. Direction was given to the Management Team
23. Evaluation performed and completed

**Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 23<sup>rd</sup> day of April, 2024, at 7:49 p.m., to Tuesday, May 14, 2024, at 3:00 p.m.**



ANGELA L. CORTEZ, CMC  
City Clerk/Secretary