



City Council Participation



Time and Location

2nd and 4th Tuesday of each month. 3:00 PM

Council Chambers
200 Civic Center Way
El Cajon, CA 92020



Watch Online

elcajon.gov/videostreaming
or Facebook Live (comments are not monitored)



In-Person Comments

Members of the public may address the City Council/Agency Members on any item listed on the agenda, or on matters which are not listed on the agenda but are within the subject matter jurisdiction of the City Council, Housing Authority and Successor Agency to the El Cajon Redevelopment Agency.

Public comments are limited to three (3) minutes per person, per agenda item.
[CLICK HERE](#) for additional instruction on in-person comments.



Written Comments

Comments must be emailed to acortez@elcajon.gov or mailed to the City Clerk at 200 Civic Center Way, El Cajon, CA 92020 and received by 4:00 pm the day prior to the City Council meeting for prompt distribution. Written public comments will be recorded in the public record and will be provided to the City Council in advance of the meeting for review.



Listening Devices and other Accommodations

ALDs are available from the City Clerk's office. As required by the Americans with Disabilities Act (ADA), requests for reasonable accommodations to facilitate meeting participation will be provided, please contact the City Clerk's office at least two (2) working days prior to the meeting at 619.441.1763.



CITY COUNCIL
HOUSING AUTHORITY AND
SUCCESSOR AGENCY TO THE EL CAJON
REDEVELOPMENT AGENCY

Council Chamber
200 Civic Center Way
El Cajon, CA 92020

Agenda

AUGUST 13, 2024, 3:00 p.m.

Bill Wells, Mayor

Steve Goble, Councilmember

Gary Kendrick, Councilmember

Michelle Metschel, Councilmember

Phil Ortiz, Deputy Mayor

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 July 23, 2024, Meetings and the Joint Special Meeting of August 6, 2024, and the Agenda of the August 13, 2024, Meetings in accordance to State Law and City Council/Housing Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- 2024 National Night Out Recap and Sponsor Recognition

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 July 23, 2024, Meetings and the Joint Special Meeting of August 6, 2024, 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. Continuation of Emergency for Storm Damage Repairs to Public Facilities

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, proclaiming the Continuation of Emergency for Storm Damage Repairs to Public Facilities.

5. Continuation of Emergency for Sewer System Repairs

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, proclaiming the Continuation of Emergency for Sewer System Repairs.

6. Award of Bid No. 015-25 – Jamacha Road Safety Improvements

RECOMMENDATION:

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

1. Approve the Plans and Specifications for Jamacha Road Safety Improvements, Bid No. 015-25;
2. Consent to the withdrawal of the first apparent low bidder's bid submission; and
3. Appropriate \$400,000 of available TransNet Funds (EL03) to increase the budget for the Jamacha Road Safety Improvements project (203688PWCP), and award the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering Construction, Inc. (BPECI) in the not-to-exceed amount of \$3,674,158.75 contingent upon the requirements as set forth in the agenda report. If conditions are not met, award to the next lowest, responsive responsible bidder, Granite Construction Company (GCC) in the not-to-exceed amount of \$3,729,360.

7. Award of Bid No. 012-25 – Citywide Street Beautification

RECOMMENDATION:

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

1. Approve the Plans and Specifications for Citywide Street Beautification, Bid No. 012-25;
2. Find the first and third low bidders non-responsive for the reasons set forth in this agenda report;
3. Reallocate \$400,000 of American Rescue Plan Act (ARPA) funds from Economic Development (ARP08) to Citywide Street Beautification (ARP10);
4. Appropriate \$400,000 of additional ARPA (ARP10) funds for the purpose of increasing the El Cajon Boulevard, Johnson Ave, and Magnolia Beautification project (243833PWCP); and
5. Award the bid to the lowest responsive, responsible bidder, Eagle Paving, LLC, in the not-to-exceed amount of \$2,319,000.

8. Rescission of RFP No. 003-25 – Design-Build Recreation Center Upgrades – Cool Zones & Evacuation Sites – Phase 2

RECOMMENDATION:

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

1. Rescind the Request for Proposals due to the absence of proposal submissions; and
2. Direct the Purchasing Agent to proceed with an open market purchase.

9. Fiscal Year 2024-25 Budget Amendments

RECOMMENDATION:

That the City Council:

1. Increases Fiscal Year 2024-25 Post Employment Benefit Fund appropriations from the estimated revenue by \$9,476,122; and
2. Authorizes the proposed personnel and appropriation changes detailed in this report.

10. Encroachment Agreement with Netly Fiber Holdings (Ubiquity), LLC for the Installation and Operation of Fiber Optic Network in the City's Right-of-Way

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, authorizing an Encroachment Agreement with Netly Fiber Holdings (Ubiquity), LLC for the installation and operation of a fiber optic telecommunications network within the City's right-of-way.

11. Urban and Community Forestry Grant

RECOMMENDATION:

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

1. Authorize the City Manager or designee to accept, appropriate, and expend funds received from the Urban and Community Forestry 2023 Grant (USDAFORS25); and
2. Authorize the City Manager or designee to execute any documents and agreements necessary to receive and use the Urban and Community Forestry 2023 Grant funds.

12. Acceptance of ADA Concrete Improvements Project

RECOMMENDATION:

That the City Council:

1. Accepts the ADA Concrete Improvements 2022 project (213021PWCP), Bid No. 002-23; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

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:

ADMINISTRATIVE REPORTS:

13. All-Way Stop Sign Request on Gina Avenue at Joliet Street

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent all-way stop signs on Gina Avenue at the intersection of Joliet Street, in order to enhance pedestrian and traffic safety.

14. All-Way Stop Sign Request on Lexington Avenue at Claydelle Avenue

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent all-way stop signs on Lexington Avenue at the intersection of Claydelle Avenue, in order to enhance pedestrian and traffic safety.

15. Service Provider Program Update

RECOMMENDATION:

That the City Council receives the Service Provider Program Update and, if desired, provides feedback, recommendations, and direction on implementation of the program.

16. Funding and Purchase of Pierce Type I Fire Engine Outfitting

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to re-appropriate \$25,000 of the Wildfire Early Action Program 2021 grant (WEAP21) from the Wildfire and Forest Resilience Program project (233794PWCP-GEN PRJCT) to the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment (WEAP21.TASK7) budget.

17. Resolution in Support of Proposition 36 ("The Homeless, Drug Addiction, and Theft Reduction Act")

RECOMMENDATION:

That the City Council adopts the next Resolution (attached), in order, supporting Proposition 36 ("The Homeless, Drug Addiction, and Theft Reduction Act").

COMMISSION REPORTS:

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS

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

18. Council Activity Report

ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:

19. **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.

20. **COUNCILMEMBER GARY KENDRICK**
METRO Commission/Wastewater JPA; Heartland Communications; Heartland Fire Training JPA.
21. **COUNCILMEMBER MICHELLE METSCHEL**
Harry Griffen Park Joint Steering Committee; METRO Commission/Wastewater JPA – Alternate; Heartland Communications – Alternate; Heartland Fire Training JPA – Alternate.
22. **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.

JOINT COUNCILMEMBER REPORTS:

GENERAL INFORMATION ITEMS FOR DISCUSSION:

ORDINANCES: FIRST READING

ORDINANCES: SECOND READING AND ADOPTION

CLOSED SESSIONS:

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

Property:

APN 487-331-22-00

ADDRESS 425 West Main Street, El Cajon

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

ADJOURNMENT: The Regular Joint Meeting of the El Cajon City Council/El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 13th day of August 2024, is adjourned to Tuesday, August 13, 2024, at 7:00 p.m.



City Council
Agenda Report

Agenda Item 1.

DATE: August 13, 2024

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 July 23, 2024, Meetings and the Joint Special Meeting of August 6, 2024, of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

Attachments

07-23-24DRAFTminutes - 3PM

07-23-24DRAFTminutes - 7PM

08-06-24DRAFT minutes - Special Joint Meeting - 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

July 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, July 23, 2024, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Kendrick, Metschel, and Goble
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 Mr. Alwin Norman Olstad and MOMENT OF SILENCE.

Mayor Wells, along with the City Council, presented Mr. Olstad a Proclamation to celebrate his 100th birthday. Mr. Olstad turned 100 years old on July 21, 2024.

POSTINGS: The City Clerk posted Orders of Adjournment of the July 9, 2024, meeting and the Agenda of the July 23, 2024, meetings in accordance with State Law and El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- Certificate of Appreciation for Town Hall Attendees
- June Bloom of El Cajon
Mr. Charles Edward Gauss spoke about the changes to the date of the judging for the event.
- Heartland Fire & Rescue's – "Dogs Days of Summer"

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 8)

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

MOTION CARRIED BY UNANIMOUS VOTE.

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

Approve Minutes of the July 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.

CONSENT ITEMS: (Continued)

4. Continuation of Emergency for Storm Damage Repairs to Public Facilities

Adopt Resolution No. 107-24, proclaiming the continuation of Emergency for Storm Damage Repairs to Public Facilities.

5. Continuation of Emergency for Sewer System Repairs

Adopt Resolution No. 108-24, proclaiming the continuation of Emergency for Sewer System Repairs.

6. 2023 State Homeland Security Grant Program Funding

Adopt Resolution No. 109-24, authorizing the City Manager or designee to accept, appropriate, and expend the FY 2023 State Homeland Security Grant (SHSG23) funds in the amount of \$60,910, and to execute any grant documents and agreements necessary for the receipt and use of these funds.

7. 2023 Urban Area Security Initiative Grant Funding

Adopt Resolution No. 110-24, authorizing the City Manager or designee to accept, appropriate, and expend the FY2023 Urban Area Security Initiative Grant (UASI23) funding in the amount of \$52,153, and execute any grant documents and agreements necessary for the receipt and use of these funds.

8. Subdivision Agreement for Public/Private Improvements and Final Map No. 2023-0009 for Tentative Subdivision Map (TSM) No. 2021-0007; 1369 East Main Street; Engineering Job No. 3818

1. Approve the Subdivision Agreements for Public/Private Improvements for Final Map (No. 2023-0009), 1369 East Main Street, Engineering Job No. 3818;
2. Authorize the City Manager to execute the agreements and related documentation; and
3. Authorize the City Clerk to release bonds after completion of improvements.

PUBLIC COMMENT:

Steve Lordigyan, representing Cajon Cruise, requested permission to present a video of the El Cajon Cruise event, and provided other updates about the same.

City Manager Mitchell clarified that presentation about the event should be made through the PBID, who manages the event.

Brenda Hammond, shared concerns about voter fraud, and stated that homeless people are used for political gain.

Michael Maher spoke about the lack of maintenance on sidewalks on Third street, between Madison and Oakdale Avenues.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS: None

ADMINISTRATIVE REPORTS:

9. "No Panhandling" Signs - Re-Design and Locations

RECOMMENDATION:

That the City Council provides direction to staff on re-design options and locations for "No Panhandling" signs.

DISCUSSION

City Manager Mitchell, provided detailed information of the Item.

Discussion ensued among Council and Staff concerning the following:

- Removal of old signs;
- New locations for the signs; and
- Changing the message on the signs to not shame people struggling with addictions.

Brenda Hammond suggested changing the color of the hand shown on the sign.

No Motion was required for the Item.

ADMINISTRATIVE REPORTS:

10. Update on Homeless Programs and Services

RECOMMENDATION:

That the City Council receives the homeless programs and services report and, if desired, provides feedback, recommendations, and direction on homeless-related programming and funding.

DISCUSSION

Senior Management Analyst, Deyanira Pelayo, provided detailed information of the Item.

Discussion ensued among Council and Staff concerning the following:

- Intake screening process for tiny homes; and
- Creating smaller tiny homes communities instead of one large homeless shelter.

MOTION BY ORTIZ, SECOND BY METSCHEL, to ACCEPT the homeless programs and services report.

MOTION CARRIED BY UNANIMOUS VOTE.

11. All-Way Stop Sign Request on Greenfield Drive at Camillo Way

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent all-way stop signs on Greenfield Drive at the intersection with Camillo Way.

DISCUSSION

City Engineer, Mario Sanchez, provided detailed information of the Item.

Discussion ensued among Council and Staff to consider different sign options.

MOTION BY ORTIZ, SECOND BY METSCHEL, to ADOPT Resolution No. 111-24, to establish permanent all-way stop signs on Greenfield Drive at the intersection with Camillo Way.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

12. Sign Ordinance

RECOMMENDATION:

That the City Council discusses the City's Sign Ordinance and either:

- 1. Accepts the information provided in the report and takes no further action; or
- 2. Provides alternative policy direction to staff.

DISCUSSION

Deputy Director of Community Development, Noah Alvey, provided detailed information of the Item, and presented an errata for Item 12.

Discussion ensued among Council and Staff concerning the following:

- LED lighting options;
- Stationary v. flashing lights;
- White v. colored lights; and
- Review what other cities are doing in regards to this topic.

No Motion was required for the Item.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

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

13. Council Activities Report/Comments

Report as submitted.

ACTIVITIES REPORTS OF COUNCILMEMBERS:

14. 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.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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

Council Activities Report/Comments.

Report as submitted.

16. 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.

17. 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.

In addition to the submitted report, Deputy Mayor Ortiz stated that he attended the East County Economic Board meeting, on July 17, 2024.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING - None

ORDINANCES: SECOND READING AND ADOPTION - None

CLOSED SESSIONS: None

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 23rd day of July, 2024, at 4:49 p.m., to Tuesday, July 23, 2024, at 7:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary

DRAFT

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

July 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, July 23, 2024, was called to order by Mayor/Chair Bill Wells at 7:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California. This meeting was adjourned from the Adjourned Regular Joint Meeting held at 3:00 p.m., Tuesday, July 23, 2024, by order of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:

Kendrick, Metschel, and Goble

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

Janzer, Deputy City Clerk/Secretary

PLEDGE OF ALLEGIANCE TO THE FLAG led by Mayor Wells and MOMENT OF SILENCE.

AGENDA CHANGES: None

PUBLIC COMMENT: None

PUBLIC HEARINGS:

100. Approval of Categorical Exemption (Infill Development), Planned Unit Development (PUD) No. 2023-0004, and Tentative Subdivision Map (TSM) No. 2023-0011

RECOMMENDATION:

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing;
3. Moves to adopt the next Resolution, in order, APPROVING the CEQA Determination of Exemption
4. Moves to adopt the next Resolution, in order, APPROVING Planned Unit Development No. 2023-0004, subject to conditions; and
5. Moves to adopt the next Resolution, in order, APPROVING Tentative Subdivision Map No. 2023-0011, subject to conditions.

DISCUSSION

Senior Planner, Michael Viglione, provided a summary of the Item.

Mayor Wells opened the Public Hearing.

Rania Salloom, representing New Vision Building and Design, stated she agrees with all of the conditions listed by City staff and thanked staff for getting the project underway.

MOTION BY WELLS, SECOND BY ORTIZ, to CLOSE the Public Hearing.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY ORTIZ, SECOND BY METSCHEL, to ADOPT Resolution No. 112-24 to approve the CEQA Determination of Exemption; ADOPT Resolution No. 113-24 to approve the Planned Unit Development No. 2023-0004, subject to conditions; and ADOPT Resolution No. 114-24 to approve the Tentative Subdivision Map No. 2023-0011, subject to conditions.

MOTION CARRIED BY UNANIMOUS VOTE.

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 23rd day of July, 2024, at 7:08 p.m., to Tuesday, August 13, 2024, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary

DRAFT

JOINT SPECIAL 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

August 6, 2024

A Joint Special Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, August 6, 2024, was called to order by Mayor/Chair Bill Wells at 3:01 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 FLAG led by Mayor Wells and MOMENT OF SILENCE.

ADMINISTRATIVE REPORTS:

1. Measure J Sales Tax Measure

RECOMMENDATION:

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

1. Call for a general municipal election on Tuesday, November 5, 2024;
2. Submit a proposed ordinance (attached) that continues the current \$0.005 cent sales tax;
3. Consolidate the election with the statewide election;
4. Formally request the County to conduct the election; and
5. Direct the City Attorney to prepare an impartial analysis of the measure.

That the City Council adopts another resolution that expresses the City Council's intent to introduce the draft ordinance and placing Measure J on the November 5, 2024 ballot.

If the resolutions are approved, that (1) the City Council introduces an ordinance for first reading titled: An Ordinance of the City Council Imposing a Transactions and Use Tax to be Administrated by the State Department of Tax and Fee Administration, substantially in the form as presented, then (2) approves a motion for the City Clerk to read the ordinance by title only, and waive further reading.

DISCUSSION

City Manager Mitchell, provided detailed information on the Item.

No public comment was received for the Item.

Discussion ensued among Council and Staff concerning the following:

- Lessons learned from the 2008 measure;
- Plan to engage the business community;
- Homeless population has increased from 2008;
- City runs on less staff than most cities;
- City's share of property taxes are significantly less than other cities;
- Ballot question format;
- County of San Diego has endorsed Measure J;
- Parkway Plaza revitalization plan; and
- City Council support for the extension of Measure J.

ADMINISTRATIVE REPORTS: (Item 1 – Continued)

MOTION BY METSCHEL, SECOND BY ORTIZ, to ADOPT Resolution No. 115-24, to Call for a general municipal election on Tuesday, November 5, 2024; Submit a proposed ordinance that continues the current \$0.005 cent sales tax; Consolidate the election with the statewide election; Formally request the County to conduct the election; and Direct the City Attorney to prepare an impartial analysis of the measure.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY METSCHEL, SECOND BY ORTIZ, to ADOPT Resolution No. 116-24, to express the City Council’s intent to introduce the draft ordinance and placing Measure J on the November 5, 2024 ballot.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY WELLS, SECOND BY ORTIZ, to INTRODUCE the First Reading of an Ordinance that continues the current \$0.005 cent sales tax.

MOTION CARRIED BY UNANIMOUS VOTE.

The City Clerk recited the title of the Ordinance:

**AN ORDINANCE OF THE CITY OF EL CAJON IMPOSING A
TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE
STATE DEPARTMENT OF TAX AND FEE ADMINISTRATION**

Adjournment: The Joint Special Meeting of the El Cajon City Council/El Cajon Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 6th day of August, 2024 was adjourned at 3:22 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary



City Council
Agenda Report

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: Continuation of Emergency for Storm Damage Repairs to Public Facilities

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, proclaiming the Continuation of Emergency for Storm Damage Repairs to Public Facilities.

BACKGROUND:

This report provides an update on the Emergency Storm Damage Repairs to public facilities incurred by our City due to recent storms. On February 15, 2024, the City Manager declared an emergency for immediate repairs to protect surrounding property, maintain the integrity of critical stormwater infrastructure, and preserve life and safety. On February 27, 2024, the City Council ratified the City Manager's Declaration and established a Declaration of Emergency with Resolution No. 021-24. The following is an overview of actions taken and next steps:

Stormwater Channels - COMPLETED

On March 27, 2024, Jimenez Inc. dba MJC Construction (MJC Construction) completed the concrete channel bottom and wall repairs on the County Channel and Forester Creek. The repairs included water diversion and the removal and replacement of steel-reinforced concrete. The initial anticipated cost estimate for repairs was \$200,000. With all the work completed, the final amount was \$150,000.

Collapsed Trees - COMPLETED

West Coast Arborist completed the removal of a collapsed tree on Avocado Avenue and a tree obstructing the natural storm channel along the east side of Avocado Avenue. The estimated cost for removal is \$10,000, with the final cost being \$11,281.25.

Slope Erosion - IN PROCESS

On March 12, 2024, Kleinfelder, a geotechnical engineering company, visited the site to observe the slide area. The geologist completed the geologic mapping of the western slope of Avocado Avenue north of Skywood Drive and provided preliminary recommendations on addressing the slope erosion. The recommendations included methods to mitigate the existing slope erosion, including digging back the upper ten feet of the slope to a shallower gradient, removing overhangs and vertical slope sections, and installing a catchment structure along the slope toe to impede or slow any failed material. Staff coordinated the work to remove immediate hazards with contractors experienced with slope remediation techniques.

Montano Pipeline completed the work associated with the upper slope area (digging back to a shallower gradient) on April 30, 2024. The approximate cost for this work is \$262,656. Kleinfelder is performing the catchment structure design. A sonic core drilling subcontractor performed work on May 15 and 16, 2024. The data generated from the sonic core drilling subcontractor will allow Kleinfelder to specify the type, length, and spacing/layout of the rock anchors for the rock netting mitigation system. Geotechnical engineering work is estimated to cost \$225,000. Once the design of the catchment structure is completed, Montano Pipeline will provide the installation cost for approval. It's estimated that the cost of the catchment structure will exceed \$500,000.

A professional Land Surveying consultant marked the City of El Cajon's slope-and-drainage easement, recorded in 1973, and confirmed the jurisdictional boundaries. The #2 southbound lane of Avocado Avenue remains closed to traffic. Initially, there were some assumptions that several private property owners had liability in the slope failure. However, after further investigation, it is apparent that the City will bear responsibility for repair and mitigation measures. Surveying work is estimated to cost \$15,000.

Wells Park Baseball Dugouts - IN PROCESS

The Wells Park dugout roofs on the baseball fields collapsed during the storm due to heavy rain and moisture. Staff coordinated the structural design and replacement of both structures with MJC Construction. The contractor completed the demolition of both structures. Both structures will be pushed out to avoid new conflicts with an existing water line. The estimated cost to replace both structures at the new location is \$50,000.

On March 12, 2024, City staff attended a mandatory meeting regarding authorized California Disaster Assistance Act (CDAA) funding for San Diego County for the January 2024 Winter Storm to help impacted communities recover from the event. City staff submitted the necessary documentation to apply for reimbursement utilizing the CDAA Program. If it is determined that our emergency expenditures are eligible costs, Cal OES will reimburse the City for up to 75% of eligible repair work costs related to this emergency.

In June 2024, the City received three letters of approval from Cal OES, approving the 75% reimbursement for the completed work on the stormwater channels, collapsed trees, the purchase of sand/sandbags, and an administration allowance. Staff will submit the pending reimbursement requests after the slope and dugout repair work is completed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Emergency repairs to publicly-owned service facilities necessary to maintain service essential to the public health, safety, or general welfare are exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15269(b) (Emergency Projects) of the State CEQA Guidelines.

FISCAL IMPACT:

Sufficient funds are available in the Fiscal Year 2024-25 budget in Wastewater Maintenance (650720) for the remaining anticipated repair costs of \$800,000.

The expected total cost for this emergency is approximately \$1,200,000.

Prepared By: Yazmin Arellano, Engineering Services Department Director

Reviewed By: Vince DiMaggio, Assistant City Manager

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

RESOLUTION NO. ____-24

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL CAJON PROCLAIMING THE
CONTINUATION OF EMERGENCY FOR STORM DAMAGE REPAIRS

WHEREAS, the El Cajon City Council ("City Council") is authorized under section 8630 of the California Government Code to proclaim the existence of a local emergency when conditions exist within the jurisdiction of the City of El Cajon (the "City") which pose an extreme peril to public health, safety and life; and

WHEREAS, section 8.08.060 of the El Cajon Municipal Code empowers the City Council to proclaim a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, after the discovery of storm-caused damage in three (3) locations in Forester Creek and damage at another location of a storm drain channel north of Johnson Avenue (the "County Channel"); fallen and damaged trees on, and erosion on the western slope of, Avocado Avenue, north of Skywood Drive (adjoining City limits to the west); and later discovered collapsed dugout roofs at the Wells Park baseball fields, the City Manager declared an emergency on February 15, 2024; and

WHEREAS, while the repairs to the County Channel, the removal of fallen and damaged trees on Avocado Avenue, and the repairs to the channel bottom of Forester Creek have been completed, replacement of the collapsed dugout roofs at the Wells Park baseball fields and repairs to the slope erosion to the western slope of Avocado Avenue remain ongoing, and it is necessary for the City Council to again ratify the City Manager's proclamation of emergency on February 15, 2024, as ratified by the City Council on February 27, 2024, by Resolution No. 021-24; on March 12, 2024, by Resolution No. 024-24; on March 26, 2024, by Resolution No. 030-24; on April 9, 2024, by Resolution No. 035-24; on April 23, 2024, by Resolution No. 037-24; on May 14, 2024, by Resolution No. 046-24; on May 28, 2024, by Resolution No. 070-24; on June 11, 2024, by Resolution No. 080-24; on June 25, 2024 by Resolution No. 089-24; on July 9, 2024 by Resolution No. 102-24; and on July 23, 2024 by Resolution No. 107-24.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. That the foregoing recitals are true and correct, and are the findings of the City Council.
2. That in adopting Resolution No. 021-24, the City Council approved an exemption from further environmental review under section 15269(b) (Emergency Projects) of California Environmental Quality Act ("CEQA") Guidelines, and authorized staff to file a notice of exemption for this emergency project.
3. That the City Council hereby proclaims the continuation of the local emergency for storm damage repairs.

4. That the City Manager, or such person designated by the City Manager, is authorized and directed to apply for, and execute such documents required to establish eligibility to, reimbursement of storm repair work in accordance with such state and federal disaster relief programs established to assist local governments following the January 2024 Winter Storm, including, but not limited to, the California Disaster Assistance Act through the Governor's Office of Emergency Services.

5. That the local emergency shall be deemed to continue to exist until termination is proclaimed by the City Council of the City of El Cajon.

08/13/24 CC Agenda

Reso - Proclaiming Emergency Continuation #11 for Storm Damage Repairs 072424



City Council Agenda Report

Agenda Item 5.

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: Continuation of Emergency for Sewer System Repairs

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, proclaiming the Continuation of Emergency for Sewer System Repairs.

BACKGROUND:

This report provides an update on the Emergency Sewer System Repairs of the sewer pipe running north up Graves Avenue from Beech Street to Lloyd Street, passing under Interstate 8. On May 29, 2024, the City Manager declared an emergency, recognizing the potential public health and environmental impacts, risks to existing utilities and infrastructure, private property, and potential impacts on freeway travel. On June 11, 2024, the City Council ratified the City Manager's declaration and established a Declaration of Emergency with Resolution No. 087-24. On June 25, 2024, the City Council proclaimed the continuation of emergency repairs to the sewer system with Resolution No. 093-24.

The following is an overview of actions taken and next steps:

City staff immediately contracted with A1 Total Service Plumbing (A1) upon the Declaration of Emergency. The A1's assessment determined that the top portion of the pipe's liner had failed, causing the liner to fold inward and reduce the pipe's capacity by over 80%. The recommended repair method was to use a robotic cutter to remove the failed liner and replace it with a new one. During the liner removal operation, A1's equipment was compromised by a partial collapse of pipe and soil on the northern portion of the pipe closer to Lloyd Street, impeding the rehabilitation of the existing sewer pipeline. A1's approximate cost is \$1,060,000, and it includes around-the-clock sewer bypass operations until June 29, 2024.

Staff coordinated with Caltrans, Ardurra Engineering, and Rove Engineering Construction Company (Rove) the installation of a parallel sewer pipeline across Interstate 8. Ardurra Engineering's support services proposal is \$65,000, and Rove's proposal is \$1,972,491 to bore a steel-encased sewer pipeline within Caltrans' right-of-way and provide 24-hour sewer and stormwater bypass services. The work is estimated to be completed in August 2024. Staff notified residents adjoining the construction areas.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Emergency repairs to publicly-owned service facilities necessary to maintain service essential to the public health, safety, or general welfare are exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15269(b) (Emergency Projects) of the State CEQA Guidelines.

FISCAL IMPACT:

Sufficient funds are available in the Fiscal Year 2024-25 budget in Wastewater Maintenance (650720) for the remaining anticipated repair costs of \$2,550,000. The expected total cost for this emergency is approximately \$3,610,000.

Prepared By: Yazmin Arellano, Director of Public Works

Reviewed By: Vince DiMaggio, Assistant City Manager

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

RESOLUTION NO. __-24

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL CAJON PROCLAIMING THE
CONTINUATION OF EMERGENCY FOR SEWER SYSTEM REPAIRS

WHEREAS, the El Cajon City Council ("City Council") is authorized under section 8630 of the California Government Code to proclaim the continuing existence of a local emergency when conditions exist within the jurisdiction of the City of El Cajon (the "City") which pose an extreme peril to public health, safety and life; and

WHEREAS, section 8.08.060 of the El Cajon Municipal Code empowers the City Council to proclaim a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, in response to a sewer monitoring alarm on Monday, May 27, 2024, City staff immediately contacted A1 Total Service Plumbing ("A1") to assess the damage, and it was determined that the sewer pipe running north up Graves Avenue from Beech Street to Lloyd Street, passing under Interstate 8, had failed; and

WHEREAS, recognizing the potential health and environmental impacts, the City Manager declared an emergency on May 29, 2024; and

WHEREAS, while the sewer system repairs remain ongoing, it is necessary for the City Council to again ratify the City Manager's proclamation of emergency on May 29, 2024, as ratified by the City Council on June 11, 2024, by Resolution No. 087-24; on June 25, 2024, by Resolution No. 093-24; on July 9, 2024 by Resolution No. 103-24; and on July 23, 2024 by Resolution No. 108-24.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. That the foregoing recitals are true and correct, and are the findings of the City Council.
2. That in adopting Resolution No. 087-24, the City Council approved an exemption from further environmental review under section 15269(b) (Emergency Projects) of California Environmental Quality Act Guidelines, and authorized staff to file a notice of exemption for this emergency project.
3. That during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the Disaster Council of this City shall be those prescribed by state law, ordinances, and resolutions of this City and by the City of El Cajon Emergency Plan.
4. That the City Manager, or such person designated by the City Manager, is authorized and directed to apply for, and execute such documents required to establish necessary and continuing repairs of the City's sewer system.

5. That the local emergency shall be deemed to continue to exist until termination is proclaimed by the City Council of the City of El Cajon.

08/13/24 CC Agenda

Reso - Proclaiming Emergency Continuation #4 for Sewer System Repairs 073124



City Council Agenda Report

Agenda Item 6.

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Mara Romano, Purchasing Agent
SUBJECT: Award of Bid No. 015-25 – Jamacha Road Safety Improvements

RECOMMENDATION:

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

1. Approve the Plans and Specifications for Jamacha Road Safety Improvements, Bid No. 015-25;
2. Consent to the withdrawal of the first apparent low bidder's bid submission; and
3. Appropriate \$400,000 of available TransNet Funds (EL03) to increase the budget for the Jamacha Road Safety Improvements project (203688PWCP), and award the bid to the lowest responsive, responsible bidder, Blue Pacific Engineering Construction, Inc. (BPECI) in the not-to-exceed amount of \$3,674,158.75 contingent upon the requirements as set forth in the agenda report. If conditions are not met, award to the next lowest, responsive responsible bidder, Granite Construction Company (GCC) in the not-to-exceed amount of \$3,729,360.

BACKGROUND:

The Jamacha Road Safety Improvements project is partially funded by the Highway Safety Improvement Program grant funds. The project encompasses the installation of raised medians, curb extensions, and high visibility pedestrian crossings/pedestrian crossings at uncontrolled locations along Jamacha Road/2nd Street from Washington Avenue to Broadway.

The bid was advertised on May 9, 2024, and the City received three responses on June 19, 2024; all responses were evaluated. A bid summary is attached, and proposals are on file in the Purchasing Division.

On June 20, 2024, the first apparent low bidder, LC Paving & Sealing, Inc. (LCPSI), submitted a written request to withdraw their bid and a subsequent letter dated June 27, 2024, clarifying their withdrawal request citing a clerical error resulting in a bid amount materially different than intended. The grounds for relief have been established in accordance with California Public Contract Code §5101 and §5103. It is recommended that the Council gives its consent to relieve LCPSI from its bid.

Additionally, the project included Build America, Buy America Act (BABAA) and California Air Resources Board (CARB) Off-Road Diesel Regulation Amendments requirements.

- BABAA - requires contractors and subcontractors to acknowledge that no federal financial assistance funding for infrastructure projects will be provided unless all the iron and steel, manufactured products, and construction materials used in the project are produced in the United States. BABAA, Pub. L. No. 117-58, §§ 70901-52, and certify their compliance with BABAA for the project.
- CARB – requires contractors to submit valid Certificates of Reported Compliance for the fleet listed for the contractor and listed subcontractors involving the operation of self-propelled off-road diesel vehicles 25 horsepower or greater and most two-engine vehicles owned and operated in California, including vehicles that are rented or leased.

Both the second and third low bidders were advised that BABAA and CARB documentation must be submitted prior to award. As of the date this report was prepared, the second low bidder, BPECI, has outstanding items. The third low bidder, GCC, complied.

An increase to the existing project budget in the amount of \$400,000 is requested to cover the award amount and for construction contingencies. The appropriation of the additional funds will increase the total project amount from \$4,022,300 to \$4,422,300.

Staff recommends the City Council adopt resolutions to (1) Approve the plans and specifications for the service (2) Consent to the withdrawal of LCPSI's bid submission, (3) Appropriate \$400,000 of available TransNet Funds (EL03) to the Jamacha Road Safety Improvements project (203688PWCP), and (4) Award the bid to the lowest responsive, responsible bidder, BPECI, in the not-to-exceed amount of \$3,674,158.75 contingent upon requirements cited above. If conditions are not met, award to the next lowest, responsive responsible bidder, GCC in the not-to-exceed amount of \$3,729,360.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed road safety improvements including the installation of raised concrete medians, high visibility crosswalks, ADA curb ramps, sidewalk bulb-outs, streetlights, signage, and signage are exempt from the provisions of the California Environmental Quality Act ("CEQA"). In accordance with State CEQA Guidelines section 15301(c)(3), such improvements are not subject to CEQA.

FISCAL IMPACT:

The fiscal impact is \$3,674,158.75 (if awarded to BPECI)/\$3,729,360 (if awarded to GCC). Sufficient funds are available in the Fiscal Year 2024-25 Jamacha Road Safety Improvements (203688PWCP) and contingent upon approval of additional funding. The appropriation of additional funds will increase the project budget to \$4,422,300.

Prepared By: Mara Romano, Purchasing Agent

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

Attachments

Resolution - Approve Plans & Specs

Resolution - Award of Bid

Bid Summary - 015-25

RESOLUTION NO. __ -24

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR
JAMACHA ROAD SAFETY IMPROVEMENTS
(Bid No. 015-25)

WHEREAS, the Director of Engineering Services has submitted plans and specifications for the Jamacha Road Safety Improvements project (the "Project"); and

WHEREAS, it appears to be in the best interests of the City of El Cajon that the plans and specifications for the Project should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. That the plans and specifications for the Project submitted by the Director of Engineering Services are hereby approved and adopted as the official plans and specifications for said Project.

2. Said plans and specifications are directed to be filed in the office of the Director of Engineering Services of the City of El Cajon.

RESOLUTION NO. __-24

RESOLUTION AWARDING BID FOR
JAMACHA ROAD SAFETY IMPROVEMENTS
(Bid No. 015-25)

WHEREAS, the Jamacha Road Safety Improvements project (the "Project") is partially funded by the Highway Safety Improvement Program grant funds, and encompasses the installation of raised medians, curb extensions, and high visibility pedestrian crossings/pedestrian crossings at uncontrolled locations along Jamacha Road/Second Street from Washington Avenue to Broadway, in the City of El Cajon (the "City"); and

WHEREAS, Bid No. 015-25 was advertised on May 9, 2024, and three (3) responses were received and evaluated by City staff on June 19, 2024; and

WHEREAS, on June 20, 2024, the first apparent low bidder, LC Paving & Sealing, Inc. ("LCPSI"), submitted a written request to withdraw their bid, and a subsequent letter dated June 27, 2024 clarified their withdrawal request, citing a clerical error resulting in a bid amount materially different than intended; and

WHEREAS, the grounds for relief have been established in accordance with California Public Contract Code sections 5101 and 5103, and it is recommended that the City Council gives its consent to relieve LCPSI from its bid; and

WHEREAS, the Project includes Build America, Buy America Act ("BABAA"), which requires contractors and subcontractors to acknowledge that no federal financial assistance funding for infrastructure projects will be provided unless all the iron and steel, manufactured products, and construction materials used in the project are produced in the United States in compliance with BABAA, Pub. L. No. 117-58, sections 70901-52, and certification of bidder's compliance with BABAA for the Project; and

WHEREAS, the Project also includes California Air Resources Board ("CARB") Off-Road Diesel Regulation Amendments, which requires contractors to submit valid Certificates of Reported Compliance for the fleet listed for the contractor and listed subcontractors involving the operation of self-propelled off-road diesel vehicles twenty-five (25) horsepower or greater and most two-engine vehicles owned and operated in California, including vehicles that are rented or leased; and

WHEREAS, both the second and third low bidders were advised that BABAA and CARB documentation must be submitted prior to award, and to date, the second low bidder, Blue Pacific Engineering Construction, Inc. ("BPECI"), has not yet provided the required documentation; and

WHEREAS, the third low bidder, Granite Construction Company ("GCC") has provided all necessary documentation; and

WHEREAS, an increase to the existing budget for the Project in the amount of \$400,000 is requested to cover the award amount and for construction contingencies,

and the appropriation of said additional funds will increase the total project amount from \$4,022,300 to \$4,422,300; and

WHEREAS, the fiscal impact of the Project will be \$3,674,158.75 (if awarded to BPCEI) or \$3,729,360 (if awarded to GCC), and sufficient funds are available in the Fiscal Year 2024-25 Jamacha Road Safety Improvements, contingent upon approval of additional funding, which will increase the Project budget to \$4,422,300; and

WHEREAS, the Project, including the installation of raised concrete medians, high visibility crosswalks, ADA curb ramps, sidewalk bulb-outs, streetlights, signage, and signage, is exempt from the provisions of the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15301(c)(3); and

WHEREAS, the City Council believes it to be in the best interests of the City to award the Project to the lowest responsive, responsible bidder, BPECI, in the not-to-exceed amount of \$3,674,158.75, contingent upon the requirements cited above; however, if the required conditions are not met, the Project should be awarded to the next lowest, responsive responsible bidder, GCC, in the not-to-exceed amount of \$3,729,360.

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 finds that the Project is exempt from CEQA pursuant to State Guidelines section 15301(c).
3. The City Council hereby consents to the withdrawal of the bid of the apparent low bidder, LC Paving & Sealing, Inc., finding that the grounds for relief have been established in accordance with California Public Contract Code sections 5101 and 5103.
4. The City Council hereby authorizes appropriation of \$400,000 of available TransNet Funds (EL03) to increase the budget for the Project.
5. The City Council hereby awards the bid to the lowest responsive, responsible bidder:

Blue Pacific Engineering Construction, Inc.

in the not-to-exceed amount of \$3,674,158.75, contingent upon the requirements as set forth above.

6. If the required conditions listed above are not met, the City Council hereby awards the Project to the next lowest, responsive responsible bidder:

Granite Construction Company

in the not-to-exceed amount of \$3,729,360.

7. The City Manager and City Clerk are authorized and directed to execute a contract for the Project on behalf of the City of El Cajon, with such changes or amendments as maybe approved by the City Manager.

08/13/24 CC Agenda

Reso – Bid 015-25 – Jamacha Rd Safety Imprvmts – Awd (Blue Pacific or Granite) 073024



City of El Cajon – Purchasing Division

BID EVALUATION

(To be included as an attachment to the agenda report.)

Bid No. 015-25	Bid Name: Jamacha Road Safety Improvements
Solicitation Due Date/Time: June 19, 2024/ 2:00 p.m.	Initial Date of Advertisement: May 9, 2024
Number of Responses Received: 3	Bid Estimate: \$3,000,000

SUMMARY OF BIDS (INCLUDE ANY ADD. ALTS.):

Vendor	Vendor Type	Bid Amount	Format	Submit Date
LC Paving and Sealing	CADIR, DBE	\$3,109,242.50	Electronic	06/19/2024 1:41:42 PM
Blue Pacific Engineering		\$3,674,158.75	Electronic	06/19/2024 1:57:06 PM
Granite Construction Co.	CADIR	\$3,729,360.00	Electronic	06/19/2024 1:45:47 PM

BID EVALUATION (TOP THREE LOWEST RESPONSES):

Bidder	Bid Responsiveness	Notes
LC Paving & Sealing, Inc.	Withdrawal Request	
Blue Pacific Engineering Construction, Inc.	Yes	Conditional*
Granite Construction Company	Yes	

* contingent upon receipt of CARB and BABAA documentation prior to award

LEGAL REVIEW REQUIRED: YES NO **IF YES, DATE LEGAL REVIEW COMPLETED:** July 18, 2024

RENEWAL OPTIONS: YES NO **IF YES, SPECIFY TERM W/RENEWAL OPTIONS:** _____

LOWEST, RESPONSIVE, RESPONSIBLE BIDDER NAME AND AMOUNT: BLUE PACIFIC ENGINEERING CONSTRUCTION, INC., \$3,674,158.75*

PURCHASING DIVISION:

Review Completed By: Mara Romano

Date: July 22, 2024



City Council Agenda Report

Agenda Item 7.

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Mara Romano, Purchasing Agent
SUBJECT: Award of Bid No. 012-25 – Citywide Street Beautification

RECOMMENDATION:

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

1. Approve the Plans and Specifications for Citywide Street Beautification, Bid No. 012-25;
2. Find the first and third low bidders non-responsive for the reasons set forth in this agenda report;
3. Reallocate \$400,000 of American Rescue Plan Act (ARPA) funds from Economic Development (ARP08) to Citywide Street Beautification (ARP10);
4. Appropriate \$400,000 of additional ARPA (ARP10) funds for the purpose of increasing the El Cajon Boulevard, Johnson Ave, and Magnolia Beautification project (243833PWCP); and
5. Award the bid to the lowest responsive, responsible bidder, Eagle Paving, LLC, in the not-to-exceed amount of \$2,319,000.

BACKGROUND:

The Citywide Street Beautification project is funded by American Rescue Plan Act grant funds. The project will address aging infrastructure and provide aesthetic improvements to the City's main thoroughfares, which may include striping, signage, traffic medians, street lighting, street trees and vegetation, sidewalks and concrete, street surfacing, etc.

The bid was advertised on May 23, 2024, and the City received six responses on July 1, 2024; the five lowest bid responses were evaluated. A bid summary is attached, and proposals are on file in the Purchasing Division.

The bid specifications state contractors shall have a current Class A – General Engineering Contractor or C-12 Earthwork and Paving Contractors license issued by the Contractors State License Board of the State of California. The first apparent low bidder, San Diego Electric Sign, Inc. (SDESI), does not possess the requisite A or C-12 license.

Furthermore, SDESI, did not submit required documentation to comprise a complete bid. SDESI failed to submit City forms, to include, but not limited to: Non-Collusion Declaration, Designation of Worker Classifications, Designation of Subcontractors, Bidders Statement Regarding Insurance, Certification of Non-Debarred and Non-Suspension Status, Anti-Lobbying Certification, Bidder's Organizational Information, etc. For the reasons set forth above, SDESI is non-responsive to the bid specifications.

Additionally, the third apparent low bidder, Quality Construction & Engineering, Inc. (QCEI), did not have active registration status with the System for Award Management (SAM). Following Federal Acquisition Regulations Section 4.1102, offerors and quoters must be registered in SAM when an offer or quotation is submitted to comply with the annual representations and certification requirements. QCEI was not registered at bid submittal, making its bid non-responsive.

An increase to the existing project budget in the amount of \$400,000 is requested to cover the award amount and for construction contingencies. The appropriation of the additional funds will increase the total project amount from \$2,200,000 to \$2,600,000.

Staff recommends the City Council adopt resolutions to (1) Approve the plans and specifications for the project, (2) Find the first and third low bidders non-responsive for the reasons cited above, (3) Reallocate \$400,000 of available American Rescue Plan Act Funds (ARP08) to the Citywide Street Beautification project (ARP10), (4) Appropriate \$400,000 of additional ARPA (ARP10) funds for the purpose of increasing the El Cajon Boulevard, Johnson Ave, and Magnolia Beautification project (243833PWCP); and (5) Award the bid to the lowest responsive, responsible bidder, Eagle Paving, LLC, in the not-to-exceed amount of \$2,319,000.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed Citywide Street Beautification project includes street resurfacing, striping, signage, installation of traffic control medians, lights, and landscaping on existing public streets. This project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15301(c).

FISCAL IMPACT:

The fiscal impact of award is \$2,319,000. Sufficient funds are available in the Fiscal Year 2024-25 Citywide Street Beautification project (243833PWCP) and contingent upon approval of additional funding. The appropriation of additional funds will increase the project budget to \$2,600,000.

Prepared By: Mara Romano, Purchasing Agent

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

Attachments

Resolution - Approve Plans & Specs

Resolution - Award of Bid

Bid Summary - 012-25

Revised CIP - 012-25

RESOLUTION NO. __ -24

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR
CITYWIDE STREET BEAUTIFICATION
(Bid No. 012-25)

WHEREAS, the Director of Engineering Services has submitted plans and specifications for the Citywide Street Beautification project (the "Project"); and

WHEREAS, it appears to be in the best interests of the City of El Cajon that the plans and specifications for the Project should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. That the plans and specifications for the Project submitted by the Director of Engineering Services are hereby approved and adopted as the official plans and specifications for said Project.

2. Said plans and specifications are directed to be filed in the office of the Director of Engineering Services of the City of El Cajon.

RESOLUTION NO. __-24

RESOLUTION AWARDING BID FOR
CITYWIDE STREET BEAUTIFICATION
(Bid No. 012-25)

WHEREAS, the Citywide Street Beautification project (the "Project") is funded by American Rescue Plan Act ("ARPA") grant funds, and will address aging infrastructure and provide aesthetic improvements to main thoroughfares, which may include striping, signage, traffic medians, street lighting, street trees and vegetation, sidewalks and concrete, street surfacing, in the City of El Cajon (the "City"); and

WHEREAS, Bid No. 012-25 was advertised on May 23, 2024, and six (6) responses were received on July 1, 2024; and

WHEREAS, the five (5) lowest bid responses were evaluated by City staff; and

WHEREAS, the bid specifications requires contractors to have a current Class A – General Engineering Contractor or C-12 Earthwork and Paving Contractors license issued by the Contractors State License Board of the State of California; and

WHEREAS, the first apparent low bidder, San Diego Electric Sign, Inc. ("SDESI"), does not possess the requisite A or C-12 license, and furthermore, SDESI did not submit required documentation, to include, but not limited to: Non-Collusion Declaration, Designation of Worker Classifications, Designation of Subcontractors, Bidders Statement Regarding Insurance, Certification of Non-Debarred and Non-Suspension Status, Anti-Lobbying Certification, Bidder's Organizational Information, etc., to comprise a complete bid, and was therefore deemed non-responsive; and

WHEREAS, the third apparent low bidder, Quality Construction & Engineering, Inc. ("QCEI"), did not have active registration status with the System for Award Management ("SAM"), which is required by Federal Acquisition Regulations 41 CFR section 4.1102, necessitating offerors and quoters to be registered in SAM when an offer or quotation is submitted to comply with the annual representations and certification requirements, and as QCEI was not registered at the time of submittal, its bid was deemed non-responsive; and

WHEREAS, an increase to the existing Project budget in the amount of \$400,000 is requested to cover the award amount and for construction contingencies, and the appropriation of the additional funds will increase the total Project amount from \$2,200,000 to \$2,600,000; and

WHEREAS, the fiscal impact of the Project is \$2,319,000, and sufficient funds are available in the Fiscal Year 2024-25 Citywide Street Beautification fund, contingent upon approval of the increase of the Project budget to \$2,600,000; and

WHEREAS, the Project is exempt from the provisions of the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines (California Code of Regulations, Title 14 section 15301(c)(3)); and

WHEREAS, the City Council believes it to be in the best interests of the City to deem the first and third low bidders non-responsive for the reasons cited above; to appropriate \$400,000 of available ARPA grant funds to the Project; and to award the Project to the lowest responsive, responsible bidder, Eagle Paving, LLC, in the not-to-exceed amount of \$2,319,000.

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 finds that the Project is determined not to have a significant effect on the environment and exempt from the application of CEQA pursuant to California Code of Regulations, Title 14 section 15301(c).
3. The City Council hereby deems the first and third low bidders non-responsive for the reasons cited above.
4. The City Council hereby authorizes appropriation of \$400,000 of available ARPA grant funds to increase the budget for the Project to \$2,600,000.
5. The City Council hereby awards the bid to the lowest responsive, responsible bidder:

Eagle Paving, LLC

in the not-to-exceed amount of \$2,319,000.

6. The City Manager and City Clerk are authorized and directed to execute a contract for the Project on behalf of the City of El Cajon, with such changes or amendments as maybe approved by the City Manager.



City of El Cajon – Purchasing Division

BID EVALUATION

(To be included as an attachment to the agenda report.)

Bid No. 012-25	Bid Name: Citywide Street Beautification
Solicitation Due Date/Time: July 1, 2024/ 2:00 p.m.	Initial Date of Advertisement: May 23, 2024
Number of Responses Received: 6	Bid Estimate: \$2,000,000

SUMMARY OF BIDS (INCLUDE ANY ADD. ALTS.):

Vendor	Vendor Type	Bid Amount	Format	Submit Date
San Diego Electric Sign		\$58,609.61	Electronic	07/01/2024 12:22:16 PM
Eagle Paving		\$2,319,000.00	Electronic	07/01/2024 12:10:04 PM
Quality Construction & Engineering	CADIR	\$2,595,778.84	Electronic	07/01/2024 1:50:22 PM
Hazard Construction Engr LLC	CADIR	\$2,669,101.05	Electronic	07/01/2024 1:53:16 PM
Griffith Company	CADIR	\$2,711,711.00	Electronic	07/01/2024 1:51:47 PM
ATP General Engineering Contractor	CADIR	\$2,747,974.63	Electronic	07/01/2024 1:57:55 PM

BID EVALUATION (TOP THREE LOWEST RESPONSES):

Bidder	Bid Responsiveness	Notes
San Diego Electric Sign, Inc.	No	Prime contractor does not hold the requisite Class A or C-12 license and did not submit City forms.
Eagle Paving, LLC	Yes	
Quality Construction & Engineering, Inc.	No	Not registered with System for Award Management.
Hazard Construction Engr., LLC	Yes	
Griffith Company	Yes	

LEGAL REVIEW REQUIRED: YES NO IF YES, DATE LEGAL REVIEW COMPLETED:

RENEWAL OPTIONS: YES NO IF YES, SPECIFY TERM W/RENEWAL OPTIONS: _____

LOWEST, RESPONSIVE, RESPONSIBLE BIDDER NAME AND AMOUNT: EAGLE PAVING, LLC \$2,319,000

PURCHASING DIVISION:

Review Completed By: Mara Romano

Date: July 22, 2024

CAPITAL IMPROVEMENT PROJECT FISCAL YEAR 2024-2025

Revision 1

PROJECT NAME: Citywide Street Beautification Project

ACTIVITY: 550590

PROJECT #: 243833PWCP

Description:

The project will implement street beautification and safety improvements at gateway entrances into the City. Each project location will focus on beautification efforts that may include the following scope of work: striping, signage, gateway sign, way-finding, City logo, traffic medians, street lighting, street trees and vegetation, sidewalks and concrete, and street surfacing. In addition, art murals will be installed on the Johnson Avenue and 2nd Street underpasses at Interstate 8.

Justification:

The planned improvements will address aging infrastructure and provide aesthetic improvements to the City's main thoroughfares.

Scheduling:

Design is expected to commence in FY23/24 with completion in FY24/25.

Operating Budget Impact:

No impacts to the City's operating budget are expected to result from the project.

	Original Project Budget	Current Project Budget	Proposed Project Amendment	Proposed Project Budget
Architectural Services (8315)	-	-		-
Consulting Services (8325)	150,000	-		-
Engineering Services (8335)	-	-		-
Engineering Services-Internal (8336)	50,000	50,000		50,000
Inspection Services-Internal (8337)	50,000	50,000		50,000
Legal Services (8345)	-	-		-
Other Prof/Tech Services (8395)	-	-		-
Advertising (8522)	-	-		-
Janitorial Services (8544)	-	-		-
Permits & Fees (8560)	300	300		300
Printing & Binding (8570)	-	-		-
Furniture, Machinery & Equipment (9035)	-	-		-
Land Improvements (9055)	-	-		-
Construction-Buildings (9060)	-	-		-
Infrastructure (9065)	1,949,700	2,099,700	400,000	2,499,700
Contingency (9065)	-	-		-
PROJECT COST TOTAL:	2,200,000	2,200,000	400,000	2,600,000

Source(s) of Funds:				
American Rescue Plan Act (ARPA10)	2,200,000	2,200,000	400,000	2,600,000
FUNDING TOTAL:	2,200,000	2,200,000	400,000	2,600,000



City Council Agenda Report

Agenda Item 8.

DATE: August 13, 2024

TO: Honorable Mayor and City Councilmembers

FROM: Mara Romano, Purchasing Agent

SUBJECT: Rescission of RFP No. 003-25 – Design-Build Recreation Center Upgrades – Cool Zones & Evacuation Sites – Phase 2

RECOMMENDATION:

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

1. Rescind the Request for Proposals due to the absence of proposal submissions; and
2. Direct the Purchasing Agent to proceed with an open market purchase.

BACKGROUND:

The Design-Build Recreation Center Upgrades – Cool Zones & Evacuation Sites – Phase 2 project is funded by the Coronavirus State & Local Fiscal Recovery (American Rescue Plan Act) grant funds. The project encompasses the installation of modern heating, ventilation, and air conditioning (HVAC) systems for various City-owned gymnasiums, which may be used as evacuation sites during emergencies. No responses were received before 5:00 p.m. on July 15, 2024.

Pursuant to Public Contract Code section 20166 the legislative body may, in its discretion, reject any bids presented and re-advertise. If two or more bids are the same, the legislative body may accept the one it chooses. If no bids are received, the legislative body may have the project completed without further complying with this chapter.

Staff recommends rescission of the RFP and authorization to proceed with an open market purchase. This will involve the negotiation of scope and price with a qualified design-build contractor, for an amount not-to-exceed \$2,200,000, to be approved by the City Manager.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Rescission of the bid is not subject to the California Environmental Quality Act ("CEQA") since there is no project.

FISCAL IMPACT:

Approval of the open market purchase will authorize the City Manager to approve a negotiated contract in the not-to-exceed amount of \$2,200,000. Funds are available in Recreation Center Upgrades - Cool Zones and Evacuation Sites (223752PWCP) project budget.

Prepared By: Mara Romano, Purchasing Agent
Reviewed By: Yazmin Arellano, Director of Public Works
Approved By: Graham Mitchell, City Manager

Attachments

Resolution

RESOLUTION NO. ____-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON
RESCINDING REQUEST FOR PROPOSAL NO. 003-25 FOR THE
DESIGN-BUILD RECREATION CENTER UPGRADES –
COOL ZONES & EVACUATION SITES – PHASE 2 PROJECT

WHEREAS, the Design-Build Recreation Center Upgrades – Cool Zones & Evacuation Sites – Phase 2 project (the "Project"), funded by the Coronavirus State & Local Fiscal Recovery (American Rescue Plan Act) grant funds, consists of the installation of modern heating, ventilation, and air conditioning systems for various City-owned gymnasiums, which may be used as evacuation sites during emergencies; and

WHEREAS, the City's Request for Proposals No. 003-25 (the "RFP") was advertised on May 9, 2024, and no responses were received before the 5:00 p.m. deadline on July 15, 2024; and

WHEREAS, pursuant to Public Contract Code section 20166, in its discretion, the legislative body may reject any bids presented and re-advertise; if two or more bids are the same and the lowest, the legislative body may accept the one it chooses, and if no bids are received, the legislative body may have the project completed without further complying with this chapter; and

WHEREAS, City staff recommends rescission of the RFP and authorization to proceed with an open market purchase, which will involve the negotiation of scope and price with a qualified design-build contractor, in an amount not-to-exceed \$2,200,000, to be approved by the City Manager; and

WHEREAS, sufficient funds are available in Recreation Center Upgrades - Cool Zones and Evacuation Sites project budget; and

WHEREAS, the City Council concurs with staff that it would be in the City's best interest to rescind the RFP and authorize staff to proceed with an open market purchase, which will involve the negotiation of scope and price with a qualified design-build contractor, in an amount not-to-exceed \$2,200,000, to be approved by the City Manager; and

WHEREAS, the proposed recommendation to rescind the RFP is exempt from CEQA pursuant to CEQA Guidelines as there is no project; and

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. Rescinding and nullifying the RFP is exempt from the CEQA pursuant to CEQA Guidelines as taking such action is not a project.

3. The City Council hereby rescinds the RFP and authorizes City's Purchasing Agent to proceed with an open market purchase, including negotiation of scope and price with a qualified design-build contractor, in an amount not-to-exceed \$2,200,000, to be approved by the City Manager.

08/13/24 CC Agenda

Reso – RFP 003-25 – Rescinding Rec Center Upgrades-Cool Zones & Evac Sites 073124



City Council
Agenda Report

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Clay Schoen, Director of Finance
SUBJECT: Fiscal Year 2024-25 Budget Amendments

RECOMMENDATION:

That the City Council:

1. Increases Fiscal Year 2024-25 Post Employment Benefit Fund appropriations from the estimated revenue by \$9,476,122; and
2. Authorizes the proposed personnel and appropriation changes detailed in this report.

BACKGROUND:

Other Post Employment Benefit Fund

Staff recently evaluated the process of paying CalPERS contributions and determined it would be beneficial to change the method of recording these transactions. The previous method paid these contributions directly from Department's Budgets and were recorded monthly. This evaluation determined that charging Departments as a component of personnel expense through the payroll system more accurately reflected this transaction.

As part of this change, it was necessary to use the Other Post Employment Benefit Fund as an intermediary between City Departments and CalPERS. This has the additional benefit of introducing a mechanism for rate stabilization to accommodate minor fluctuations in transactions. Staff proposed expanding the use of the Other Post Employment Benefit Fund to include this activity, and re-titling the fund Post Employment Benefit Fund to reflect this change. An appropriation increase, in this fund of approximately \$9.5 million, offset by revenue of the same amount from internal charges, is necessary to affect this change.

This action does not increase benefits or amounts paid to CalPERS, and only reflects internal City charges.

Personnel Adjustments

Subsequent to the creation of the Fiscal Year 2024-25 Annual Budget, a number of classification studies were completed. This process assesses if the current job classification correctly characterizes the work being performed. The following positions were evaluated.

- Community Development: Senior Management Analyst (from Management Analyst)
- Finance Department: Principal Fiscal Analyst (from Senior Management Analyst)
- Human Resources: Human Resources Manager (from Senior Human Resources Analyst)
- Public Works: Director of Engineering Services (from Director of Public Works)
- Public Works: Director of Public Works Operations (from Deputy Director of Public Works)
- Public Works: City Engineer/Deputy Director of Engineering Services (from City Engineer/Deputy Director of Public Works)
- Public Works: Parks and Recreation Manager (from Operations Manager)

Additionally, the Finance Department workload was evaluated and it was determined that it would best serve the City to eliminate one vacant Accounting Technician position, and add one Buyer position.

Lastly, it was recently determined that the City's Park Ranger program was more closely associated with the programs and services provided by the Parks & Recreation Department, rather than an extension of Police services. Therefore, staff recommends the transfer of the two vacant positions (Police Services Officer II), and related appropriations, that provide these services in the Police Department to the Parks and Recreation department. Once transferred, staff then recommends the reclassification to one Supervising Park Ranger and one Park Ranger.

Approval of this action amends the positions authorized in the Fiscal Year 2024-2025 Annual Budget to reflect the reclassifications. This change does not represent an addition to staff, it does affect the salaries and wages budget for the remainder of the fiscal year. However, no additional appropriation is required at this time.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

These proposed actions are exempt from review under the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15378(b)(4)(5), because it does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and, constitutes governmental fiscal and organizational activities that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT:

Approval of this action increase Post Employment Benefit Fund (620) appropriations by \$9.5 million for internal City charges, but does not represent an increase in the overall expenditure of funds. Approval of the personnel actions represents a marginal increase in the expenditure of funds; however; no change in appropriation is recommended at this time. However, appropriations of approximately \$210,000 will transfer from the General Fund's Police Department to the Parks & Recreation Department.

Prepared By: Clay Schoen, Director of Finance

Reviewed By:

Approved By: Graham Mitchell, City Manager



City Council Agenda Report

Agenda Item 10.

DATE: August 13, 2024

TO: Honorable Mayor and City Councilmembers

FROM: Yazmin Arellano, Director of Public of Works

SUBJECT: Encroachment Agreement with Netly Fiber Holdings (Ubiquity), LLC for the Installation and Operation of Fiber Optic Network in the City's Right-of-Way

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, authorizing an Encroachment Agreement with Netly Fiber Holdings (Ubiquity), LLC for the installation and operation of a fiber optic telecommunications network within the City's right-of-way.

BACKGROUND:

An increasing demand for advanced broadband technology necessitates new telecommunications infrastructure. Today, residents and businesses seek faster and more reliable services to support their mobile devices, home or office internet, and telephone needs. The 5G telecommunications network requires more connection points and bandwidth than previous technologies. To support this new technology, new fiber optic lines are being installed throughout communities in the United States.

Netly Fiber Holdings, LLC, headquartered in North Carolina, builds affordable and reliable high-speed internet for residents, businesses, carriers, and community/government entities. Netly Fiber Holdings, LLC, obtained a Certificate of Public Convenience and Necessity from the Public Utilities Commission of the State of California, approved by Decision 21-03-030, authorizing Netly Fiber Holdings, LLC, to provide telecommunications services throughout the State of California. According to state regulations, local jurisdictions cannot collect additional fees beyond those stipulated for encroachment permits. Netly Fiber Holdings, LLC has requested an encroachment agreement to place its facilities in the City. The proposed encroachment agreement with Netly Fiber Holdings, LLC would allow new fiber optic lines to be installed in the City's right-of-way. The fiber optic network will be installed through new or existing underground conduits or using overhead utility poles. This agreement does not allow Netly Fiber Holdings, LLC, to install wireless antennas or cell sites.

The agreement's initial term is five years, with options for successive five-year renewal terms. In addition to this encroachment agreement, Netly Fiber Holdings, LLC will be required to apply for project-specific encroachment permits and pay all applicable fees. There are no fees associated directly with this encroachment agreement. Permit fees will be collected for each encroachment/utility permit issued for work on the City's right-of-way. It is estimated that potential revenues will be over several thousand dollars based on the amount of permit applications received by Netly Fiber Holdings, LLC.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed Encroachment Agreement with Netly Fiber Holdings, LLC for the installation and operation of a fiber optic telecommunications network within the City's right-of-way is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15301(c), which provides an exemption for minor alterations to existing public facilities.

FISCAL IMPACT:

There is no fiscal impact associated with this encroachment agreement at this time. Permit fees will be collected for each encroachment/utility permit issued for work conducted in the City's right-of-way. It is estimated that potential revenues will be over several thousand dollars based on the amount of permit applications received by Netly Fiber Holdings, LLC.

Prepared By: Mario Sanchez, City Engineer

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Netly Fiber Holdings, LLC Encroachment Agreement

RESOLUTION NO. ____-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON
APPROVING AN ENCROACHMENT AGREEMENT BETWEEN
THE CITY OF EL CAJON AND NETLY FIBER HOLDINGS, LLC
FOR THE INSTALLATION AND OPERATION AND MAINTENANCE OF
TELECOMMUNICATIONS NETWORK FACILITIES
WITHIN THE PUBLIC RIGHT-OF-WAY

WHEREAS, the increasing demand for advanced technology continues to necessitate new telecommunications infrastructure as residents and businesses in the City of El Cajon (the "City") seek faster and more reliable services to support mobile devices, home and office internet, and telephone needs; and

WHEREAS, the 5G network requires more connection points and bandwidth than previous technologies, and in order to support advancing technology, installation of new fiber optic lines is necessary in communities throughout the United States; and

WHEREAS, Netly Fiber Holdings, LLC, ("Netly") headquartered in North Carolina and managed by Ubiquity SoCal, LLC, is a regulated telecommunications company, authorized to provide services in the State of California, that builds affordable and reliable high-speed internet for residents, businesses, carriers, and community/government entities; and

WHEREAS, Netly has expressed interest in entering into an encroachment agreement (the "Agreement") with the City to place their facilities within City limits, which would allow new fiber optic lines to be installed in the City's right-of-way through new or existing underground conduits or using overhead utility poles; and

WHEREAS, the initial term of the Agreement would be for five (5) years, with the option to renew for successive five-year renewal terms; and

WHEREAS the Agreement with Netly would not permit installation of wireless antennas or cell sites; and

WHEREAS, although there are no fees associated with the Agreement, Netly would be required to apply for project-specific encroachment permits and pay all applicable fees, and permit fees will be collected for each encroachment/utility permit issued for work on the City's right-of-way; and

WHEREAS, anticipated potential revenues are estimated be over several thousand dollars based on the amount of permit applications received by Netly; and

WHEREAS, the Agreement for installation, operation and maintenance of a fiber optic telecommunications network (the "Network") within the City's right-of-way is exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15301 of the CEQA Guidelines, which provides an exemption for minor alterations to existing facilities; and

WHEREAS, the City Council believes it to be in the City's best interest to enter into the Agreement with Netly as recommended by staff.

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 Agreement is exempt from CEQA pursuant to section 15301 of the CEQA Guidelines, which provides an exemption for minor alterations to existing facilities.
3. The City Council hereby approves entering into the Agreement with Netly for the installation, operation and maintenance of the Network within the City's public right-of-way provided, however, that Netly first obtains all necessary encroachment permits related to the Network at those locations where work is to be performed prior to any work in the City's right-of-way at any time, including during the term of the Agreement.
4. 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.
5. 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.

**ENCROACHMENT AGREEMENT
BETWEEN THE CITY OF EL CAJON AND
NETLY FIBER HOLDINGS, LLC FOR THE
INSTALLATION, OPERATION AND MAINTENANCE OF
TELECOMMUNICATIONS NETWORK FACILITIES
WITHIN THE PUBLIC RIGHT-OF-WAY**

This Agreement ("Agreement") is dated for identification this 16 day of July, 2024 by and between the City of El Cajon, a California charter city and municipal corporation (herein termed "City"), and Netly Fiber Holdings, LLC, a Delaware limited liability company, (herein termed "Permittee").

RECITALS

WHEREAS, Permittee desires to construct, install and maintain Telecommunications Network Facilities within the Public Right-of-Way and/or public utility or service easements within City and City is willing to allow such activity to be conducted, subject to compliance by Permittee with all of the terms, conditions and requirements as set forth in this Agreement; and

WHEREAS, City has the authority to regulate the place, time and manner for the use of Public Right-of-Way for the construction, installation, and maintenance of Telecommunications Network Facilities by private telecommunications services providers; and

WHEREAS, Permittee has obtained a Certificate of Public Convenience and Necessity from the Public Utilities Commission of the State of California and approved by Decision 21-03-030 authorizing Permittee to provide telecommunications services throughout the State of California.

NOW, THEREFORE, in consideration of the recitals and the mutual promises contained herein, City and Permittee agree as follows:

"Permittee" means Netly Fiber Holdings, LLC, and includes its lawful successors or assigns.

"City" means the City of El Cajon, a charter city and municipal corporation in the State of California, and includes the duly elected or appointed officers, agents, employees, and volunteers of the City of El Cajon, individually or collectively.

"Agency" means any local, county, state or federal governmental agency or quasi-governmental body other than the City, including, without limitation the Federal Communications Commission and the State of California Public Utilities Commission.

"Agreement" means this "ENCROACHMENT AGREEMENT BETWEEN THE CITY OF EL CAJON AND NETLY FIBER HOLDINGS, LLC FOR THE INSTALLATION,

OPERATION AND MAINTENANCE OF TELECOMMUNICATIONS NETWORK FACILITIES WITHIN THE PUBLIC RIGHT-OF-WAY."

"Business Day" means any calendar day, except a Saturday, Sunday, and any Day observed as a legal holiday by City. For the purposes hereof, if the time in which an act is to be performed falls on a Saturday, Sunday, or any Day observed as an official holiday by City, the time for performance shall be extended to the following Business Day.

"City Manager" means the individual designated as the City Manager as that position is established under the City Municipal Code.

"Council" means those elected officials which are authorized to exercise the legislative powers granted to and vested in City under City's charter and Government Code section 37100 *et seq.*

"Day" means any calendar day, unless a Business Day is specified. For the purposes hereof, the time in which an act is to be performed shall be computed by excluding the first Day and including the last.

"Directors" means the individuals designated as the City Manager or his/her designee, and the Director of Public Works, or any combination of one or more of the named individuals holding such titles and performing such functions as charged under the City's Municipal Code.

"Director of Public Works" means the individual designated as the Director of Public Works by the City Manager, including any individual expressly designated to exercise functions with respect to the rights and obligations of the Director of Public Works under this Agreement, and any other individual, person, division, department, bureau, or agency as may exercise from time to time functions equivalent or similar to those now exercised by the Director of Public Works.

"Fee" means any assessment, license, charge, fee, imposition, tax (excluding any utility users tax), or levy lawfully imposed by any governmental body.

"Telecommunications Network Facilities" or "Facilities" means without limitation, any and all cables (including fiber optics infrastructure and technology), wires, lines, ducts conduits, converters, splice boxes, cabinets, hand-holes, manholes, vaults, equipment, drains, surface location markers, appurtenances and related facilities owned, leased or licensed by Permittee, located or to be located in the Public Right-of-Way of City and used or useful for and in connection with the transmission of telecommunication messages, but does not include antennas or transmitters for providing mobile wireless service.

"LATA" means "local access and transport area."

"Law" or "Laws" means any judicial or administrative decision, statute, constitution, ordinance, resolution, regulation, rule, tariff, certificate, order, or other requirement of any

municipal, county, state, federal, or other Agency having joint or several jurisdiction over the parties to this Agreement, in effect either at the time of execution of this Agreement or at any time during the location of the Facilities in the Public Right-of-Way. A reference to "Laws" shall include the Standard Drawings and Standard Specifications.

"Modify" means work to change existing Facilities provided, however, no modification exceeds the original footprint of the existing Facilities as permitted.

"Person" means an individual, a corporation, a partnership, a limited liability company, a sole proprietorship, a joint venture, a business trust, and any other form of business association.

"Provision" means any agreement, clause, condition, covenant, qualification, restriction, reservation, term, or other stipulation in this Agreement or under any Law that defines or otherwise controls, establishes, or limits the performance required or permitted by any party to this Agreement.

"Public Right-of-Way" means in, upon, along, across, under and over the public streets, roads, lanes, courts, ways, alleys, boulevards, and places, including, without limitation, all public utility easements and public service easements, as the same now or may hereafter exist that are owned, occupied, leased, or otherwise under the jurisdiction and control of City. This term shall not include any property owned by any Person or Agency other than City except as provided by applicable Laws or pursuant to an agreement between City and any Person or Agency.

"Standard Drawings and Standard Specifications" means the general terms and conditions, specifications, and requirements of City which govern the design, construction, installation, and maintenance of any improvement within the Public Right-of-Way. CalTrans Standard Plans and Specifications as periodically updated, shall be used unless City has other standards which shall then prevail. This term shall include any and all documents entitled "General Conditions" or words of similar import, now or hereafter existing, which directly pertain to all aspects of general construction work.

"Telecommunications Services" means the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals by wire, cable, fiber-optic cables, or other wireline conveyances, which are permitted to be offered by Permittee pursuant to Permittee's Certificate of Public Convenience and Necessity from the Public Utilities Commission of the State of California, under the California Public Utilities Code and other applicable municipal, state, and federal Laws. Notwithstanding the foregoing, Telecommunications Services also means all those certain types of communications services and related services that are not presently regulated or otherwise unlawful.

TERM OF AGREEMENT

1. This Agreement shall be binding on the Permittee on the date of its approval by the City ("Effective Date") and shall be for a term of five (5) years. The term shall be

renewed for successive five-year periods of time, unless Permittee otherwise provides at least thirty (30) days prior written notice to the City of its intent not to renew the Agreement and its intent to remove or abandon the Telecommunications Facilities in accordance with Section 15 of this Agreement.

2. Failure on the part of the Permittee to perform any material obligation imposed upon it shall constitute a default and a material breach of this Agreement. In such event, City shall be entitled to exercise all rights and remedies hereby reserved under this Agreement or made available under applicable Laws. For the purposes of this Agreement, a "material obligation" shall include, without limitation, any failure of the Permittee to give any required notice to the City, and the failure to pay, collect or remit any lawful Fee or tax.

LIMITATIONS AND RESTRICTIONS

3. City hereby agrees to permit Permittee, subject to reservations, covenants and conditions herein contained and the issuance by City and any other Agency or Person of all permits and approvals required for performance of the work, to construct, reconstruct, install, reinstall, modify, maintain and operate, replace, relocate and remove Telecommunications Network Facilities used for Telecommunications Services within Public Right-of-Way that is located within the corporate limits of the City, subject to obtaining all required permits and approvals.

4. This Agreement is not a grant by City of any property interest but is made subject and subordinate to the prior and continuing right of City and its assigns to lawfully use any or all of the Public Right-of-Way for City-owned facilities in the performance of its duties, including but not limited to, public use as a street or sidewalk and for the purpose of laying, installing, maintaining, repairing, protecting, replacing and removing sanitary sewers, water mains, storm drains, gas mains, poles, overhead and underground electric and telephone wires, electroliers, cable television and other utility and municipal uses together with appurtenances thereof and with right of ingress and egress, along, over, across and in said Public Right-of-Way. No use of any Public Right-of-Way or other interest or property under this Agreement shall create or vest in Permittee, its successors, or any other public utility any ownership interest in the Public Right-of-Way, streets or other property or interest of City. Nothing in this Agreement shall be deemed to grant, convey, create, or vest a perpetual real property interest in land in Permittee, including any fee or leasehold interest in land, easement, nor shall anything in this Agreement be deemed or construed to grant or create any City franchise rights.

5. This Agreement is made subject to all easements, restrictions, conditions, covenants, encumbrances and claims of title which may affect the Public Right-of-Way, and it is understood that Permittee, at its own cost and expense, shall obtain such permission as may be necessary, consistent with any other existing rights. Subject to the Provisions of this Agreement, City hereby licenses Permittee to construct, install, modify, maintain, locate, move, operate, place, protect, reconstruct, reinstall, relocate, remove, and replace the Facilities underground or on existing poles, to the extent Permittee may gain access to these poles consistent with the rights of third parties under applicable Laws and all

existing and future agreements, within the Public Right-of-Way for the purposes of providing Telecommunications Services to Persons located within the limits of the City. Any work performed pursuant to the rights granted to Permittee under this Agreement shall be subject to the prior review and approval of the Directors.

6. Subject to the approval of City's Director of Public Works, the construction, installation, operation, modification, maintenance and removal of said Telecommunications Network Facilities shall be accomplished without any cost or expense to City and in such a manner as not to endanger persons or property, or unreasonably obstruct travel on any road, walk or other access thereon within said Public Right-of-Way, or interfere in or conflict with any manner with any existing, permitted or proposed public or private utilities or any facilities of City installed or to be installed therein.

COMPLIANCE WITH STANDARDS

7. Permittee agrees to keep said Telecommunications Network Facilities in good and safe condition and free from any nuisance, to the reasonable satisfaction of City's Director of Public Works.

8. Permittee shall construct, install, modify, operate, and maintain all Telecommunications Network Facilities in accordance and in conformity with all applicable City, State, Federal and regulatory agency laws, ordinances, rules, and regulations.

SERVICE CHANGE

9. Permittee provides Telecommunications Services in California pursuant to all laws, including federal law, state law its Certificates of Public Convenience and Necessity received from the California Public Utilities Commission, and regulations and rules promulgated by the California Public Utilities Commission. Permittee represents that the Facilities will be used for the sole purpose of rendering Telecommunication Services consistent with the Certificate of Public Convenience and Necessity issued to Permittee by the PUC and other Telecommunications Services not regulated by the PUC. The type of service Permittee offers to its customers through the Telecommunications Network Facilities in Public Right-of-Way consists of business and residential Telecommunications Services which are presently permitted by law as well as provision of Telecommunications Services to cell sites. If the nature or character of Permittee's service changes to include additional or alternative services that directly affects the regulatory authority of City, including but not limited to, community antenna television systems or cable service (as such term is defined in 47 U.S.C. § 522), Permittee shall give City at least six (6) months written notice, and comply with the City's lawful fee and/or franchise requirements, if any. Notwithstanding the foregoing, Permittee may lease any or all of the capacity and/or bandwidth carried by its Facilities constructed hereunder, to an affiliate or third party organization so long as the Permittee continues to maintain and own said facilities and Permittee remains fully bound by this Agreement and the obligations hereunder, and no access rights are granted or provided to said affiliate or third party organization within the City unless such affiliate or third party has obtained permission from the City to access

such Facilities as required by applicable law. Permittee acknowledges that any expansion or change in the character or nature of the regulated Telecommunications Services may increase City's regulatory authority over such services, and this may require Permittee to enter into a new Agreement consistent with the requirements of a hereinafter-enacted City ordinance regulating such services or the expansion or change in services, if such service changes fall under the lawful regulation, jurisdiction or authority of City.

NO FRANCHISE RIGHTS CREATED

10. Nothing in this Agreement shall be construed as granting or creating any City franchise rights.

RESERVATION OF RIGHTS

11. The City is uncertain as to its legal ability to regulate and to impose taxes, charges and fees on the provision or use of fiber optics infrastructure and technology and related activities and services that may be provided pursuant to the installation subject to this Agreement. Therefore, City reserves any and all rights it may have now or in the future to legally regulate, impose taxes, charges and fees or otherwise condition the use of the fiber optics infrastructure and technology and related activities and services to be provided pursuant to the installation subject to this Agreement.

City's agreement hereto is not a waiver of and is without prejudice to any right City may have under law to regulate, tax, or impose fees or charges on Permittee or any right Permittee may have under the law to provide services through the fiber optic infrastructure pursuant to state or federal laws, rules, or regulations. Permittee shall be subject to any future taxes, fees, or charges that the City lawfully imposes on the fiber optics infrastructure and fiber optic services in the future, including, but not limited to a rental or other charge for use of the public right of way and/or a utility user tax. Nothing herein shall affect in any way City's power or right to impose or collect any tax or fee on users or providers of the services to be provided by Permittee. Nothing herein is intended to impose regulations or conditions on Permittee that City is preempted from imposing by state or federal laws.

REMOVAL AND RELOCATION

12. Permittee shall remove or relocate, without cost or expense to City, any of its Telecommunications Network Facilities installed, used, and maintained under this Agreement if and when made necessary by any change of grade, alignment or width of any street, sidewalk or other public facility, including the construction, maintenance or operation of any underground or aboveground facilities by City. In the event all or any portion of said Public Right-of-Way occupied by said Telecommunications Network Facilities shall be needed by City, or in the event the existence of said Telecommunications Network Facilities shall be considered in physical conflict with governmental activities, including but not limited to, interference with City construction projects, or is in conflict vertically and/or horizontally with any proposed City installation, Permittee shall remove

and relocate said Telecommunications Network Facilities to such other location or locations on said Public Right-of-Way as may be designated by City after consultation with Permittee. Said removal or relocation shall be completed within one hundred twenty (120) days of notification by City unless unforeseen exigencies dictate a shorter period for removal or relocation. Permittee may request to City for an extension of time when 3rd party approvals are required to complete the removal and relocation, and City may grant an extension in its reasonable discretion. In the event said Telecommunications Network Facilities are not removed or relocated within said period of time, and provided Permittee has not been subject to a force majeure or other event beyond its control that delays or prohibits the removal, City may cause the same to be done at the expense of Permittee and Permittee shall reimburse the City any and all reasonable and actual expenses including fully burdened rate of staff. In the event of a force majeure or other event delaying or prohibiting the removal within the required 120 days, Permittee shall remove the Facilities as soon as practical, given the circumstances caused by the event, and in the event Permittee fails to effect such removal it shall be subject to the City causing the same to be done at the Permittee's expense as set forth above. If Permittee shall fail to vacate or otherwise remove the Facilities as required by City, City shall be entitled to vacate or otherwise remove the Facilities at Permittee's sole cost and expense. City shall not be required to salvage, store, or return to Permittee any Facilities, or parts thereof, that it vacates or otherwise removes pursuant to this paragraph. As used in this paragraph only "City" shall include any Agency having a permit or jurisdiction to place Facilities within the Public Right-of-Way. In case of conflict, approval from City to proceed shall be mandatory.

13. Should City intend to authorize or permit installations of a third party (not including any City-owned installations) to Public Right-of-Way jointly used under this Agreement and should the proposed installation of such third party require the rearrangement of any Permittee Telecommunications Network Facilities, City shall condition third party installations to provide such third party pay the reasonable cost of rearranging the Telecommunications Network Facilities before authorizing or permitting the third party installations. Such third party shall be required to ensure that Permittee Telecommunications Facilities are not interrupted during the installation of their Facilities.

14. Permittee shall, at its sole cost and expense, replace its aerial and/or aboveground Telecommunications Network Facilities, if any, with underground facilities in accordance with the same rules promulgated by the California Public Utilities Commission that are applicable to AT&T, San Diego Gas and Electric Company, cable service providers, and other telecommunications or dark fiber providers as now existing or hereinafter amended.

15. If any portions of the Telecommunications Network Facilities covered under this Agreement are no longer used by Permittee, or are abandoned for a continuous period in excess of six (6) months, unless Permittee notifies the city in writing of its intention to maintain the facility, Permittee shall notify City and shall either promptly vacate and remove the Facilities at its own expense or, at City's discretion, may be allowed to abandon some or all of the Facilities in place. If Permittee is permitted by City to abandon its Facilities in place, abandoned Facilities shall be deemed conveyed to City and Permittee shall have no

further obligation to remove, relocate or maintain said Facilities. Unless specifically permitted in writing by City to remain in place, which permission shall be at the City's reasonable discretion, all boxes or other Facilities above grade will be required to be removed and the surface restored.

16. When removal or relocation is required under this Agreement, Permittee shall, after the removal or relocation of the Telecommunications Network Facilities, at its own cost, repair and return the Public Right-of-Way on which the Facilities were located to a safe and satisfactory condition in accordance with the construction-related reasonable conditions and specifications as established by City according to its standard practice. Should Permittee remove the Telecommunications Network Facilities from the Public Right-of-Way, Permittee shall, not less than ten (10) days before such removal, give notice thereof to City specifying the right-of-way affected and the location thereof, as well as the preferred date of removal. Before proceeding with removal or relocation work, Permittee shall obtain an Encroachment Permit from the City, which shall not be unreasonably withheld, conditioned, or delayed. If Permittee does not return the affected site to a safe and satisfactory condition, then City shall have the option to perform or cause to be performed such reasonable and necessary work on behalf of Permittee and charge the actual costs incurred to Permittee. Upon the receipt of a demand for payment by City, Permittee shall reimburse City for such reasonable costs.

ENCROACHMENT PERMIT AND FEES

17. Permittee shall apply for a project specific Encroachment Permit for all work within the Public Right-of-Way and any other regulatory permits. Permittee shall furnish detailed plans of the work prepared by a registered professional engineer licensed in the State of California and other such information as reasonably required by the Director of Public Works, including a detailed map showing the layout of the proposed Facilities and all existing facilities located in or immediately adjacent to the area subject to the Encroachment Permit (i.e., within 10 feet on either side). Prior to issuance of the permit, Permittee shall pay or deposit with City all applicable costs such as processing fees, field marking, plan review, engineering and inspection fees related to the proposed work, and City's actual legal fees in accordance with the rates in effect at the time. All work within the Public Right-of-Way shall be performed by Permittee in accordance with the plans and specifications approved by the City Engineer, and in compliance with all general and specific conditions set forth in the Encroachment Permit and all conditions and requirements contained in this Agreement.

18. The Encroachment Permit shall set forth the description of the Telecommunications Network Facilities to be installed and the Public Right-of-Way in which such Facilities are to be located. In addition to the City's street opening permit general conditions, City shall establish reasonable construction-related conditions and specifications, and these shall also be set forth in the Encroachment Permit. Permittee shall utilize contractors licensed in the State of California to accomplish any work. Permittee and any of its agents working in the City shall obtain a current City business license. Upon the completion of construction work, Permittee promptly shall furnish to City

accurate "as-built" plans and record drawings prepared and certified by a registered professional engineer licensed in the State of California showing in detail, to the reasonable satisfaction of the Director of Public Works, the exact location, depth, and size of the Facilities in the Public Right-of-Way, including, without limitation, the profiles of all street crossings. These plans and drawings shall be incorporated in one (1) set of 11x17 PDF good quality drawings. Permittee shall furnish to City electronic disk or thumb drive which utilize AutoCAD or Geographic Data Systems software containing the full set of plans and record drawings. To the extent directional boring or other similar methods are used to construct or install the Facilities, Permittee also shall pothole all City mains and customer services lines prior to crossing over, under, or between such Underground Facilities. Permittee shall identify the Telecommunications Network Facilities installed in each Public Right-of-Way by means of an identification method mutually agreed upon by City and Permittee, but consistent with applicable law. Such identification shall be detectable from ground level without opening the street.

PERFORMANCE BOND

19. Prior to the issuance of an Encroachment Permit, Permittee shall provide City with a performance bond naming City as obligee in the amount equal to one hundred percent (100%) of the cost of removal of above grade structures by or on behalf of Permittee within and affecting the Public Right-of-Way to guarantee and assure the faithful performance of Permittee's obligations under this Agreement. The performance bond shall be governed under the laws of the State of California and shall be issued by a surety registered and qualified to do business in California. City shall have the right to draw against the surety bond in the event of a default by Permittee or in the event that Permittee fails to meet and fully perform any of its obligations under this Agreement; provided that Permittee is first given thirty (30) days written notice of any intent to draw against the bond and the Licensee's cure period has expired. Following completion of the work by Permittee, and its inspection and acceptance by the Public Works Director, the performance bond shall remain in effect to the extent of ten percent (10%) of the cost of the work to guarantee and assure the faithful performance of Permittee's obligations under this Agreement for a period of one (1) year from the City's acceptance of the work. City shall have the right to draw against the bond in the event of a default by Permittee or in the event that Permittee fails to meet and fully perform any of its obligations. The form and content of the performance bond, and the surety issuing such bond, shall be subject to approval by City.

DAMAGE TO FACILITIES IN PUBLIC RIGHT-OF-WAY OR ON PRIVATE PROPERTY

20. Permittee shall be responsible for any damage to City street pavements, existing utilities, curbs, gutters, sidewalks or to any private property or improvements to the extent caused by its installation, maintenance, repair or removal of its Telecommunications Network Facilities in Public Right-of-Way and shall repair, replace and restore in kind any such damaged facilities at its sole expense and to the reasonable approval of City.

Any premature deterioration of the surface or subsurface improvements, as

reasonably determined by City, shall be the responsibility of Permittee to the extent caused by Permittee's activities. This responsibility shall survive this Agreement or any abandonment of the Facilities for a period of two (2) years from the date of Permittee's most recent installation of or improvements on the Facilities. Permittee shall commence the performance of all necessary repairs immediately upon receipt of written notice from the City to do so and shall cause the same to be completed within a reasonable period of time; however, under no circumstances may such period of time exceed thirty (30) days unless Permittee has commenced work and is diligently pursuing until completion. Permittee may request to City for an extension of time not to exceed an additional sixty (60) days to complete the work, and City may grant an extension in its reasonable discretion. In the event the repairs are not made in the manner and within the time prescribed herein, the City may elect to perform the repair work and charge all reasonable and actual costs incurred by City in connection therewith to Permittee.

21. If the Public Right-of-Way to be used by Permittee has preexisting installation(s), Permittee shall assume the responsibility to verify the location of the preexisting installation and notify City and any third party of Permittee's proposed installation. The cost of any work required of such third party or City to provide adequate space or required clearance to accommodate Permittee's installation shall be borne solely by Permittee.

PARTICIPATION WITH OTHER UTILITIES

22. Permittee agrees to cooperate in the planning, locating and constructing of its Telecommunications Network Facilities in joint utility trenches or common duct banks with other similar utilities and to participate in cost-sharing for the joint trench and ducts, when such joint utility installations are being planned for or such opportunities exist in any area; provided that such activities do not impair or disrupt Telecommunications Services of Permittee.

RECORDS AND FIELD LOCATIONS

23. Permittee shall be a member of the regional notification center for subsurface installations (Underground Services Alert) and shall field mark, at its sole expense, the locations of its underground Telecommunications Network Facilities upon notification in accordance with the requirements of section 4216 of the California Government Code, as it now reads or may hereinafter be amended.

24. Permittee shall maintain accurate maps and improvement plans of said Telecommunications Network Facilities located within the City. The maps and plans are to accurately show in detail the location, size, depth, and description of all facilities as constructed. Prior to City acceptance of the work, Permittee shall deliver to the office of the Public Works Department free of charge, and at any subsequent time, upon reasonable request, to other third parties interested in performing work within Public Right-of-Way for a reasonable charge upon request and within thirty (30) days after such request, such maps and plans of all Telecommunications Network Facilities installed within said Public Right-

of-Way. When required by the City for the purpose of confirming the location of Facilities to accomplish the design or construction of public facilities, Permittee shall, at its sole cost and expense, mark out its subsurface Telecommunications Network Facilities, within thirty (30) days of receipt of a written request from City to do so.

LOCATOR WIRE

25. Permittee shall install a locator wire in conjunction with its construction of the Telecommunications Network Facilities pursuant to this Agreement.

HOLD HARMLESS AND INDEMNIFICATION

26. Permittee, for itself, its successors, agents, contractors and employees, hereby agrees to hold harmless, defend (with counsel reasonably satisfactory to City) and indemnify City, and its elected and appointed officers, officials, volunteers, employees and agents (all of the above hereinafter collectively, known as "Indemnitees"), from and against all claims, cause of actions, proceedings, losses, damages, liability, cost, and expense (including, without limit, any fines, penalties, judgments, litigation costs, reasonable and actual attorney's fees and consulting, engineering and construction costs) for actual loss of or damage to property and for injuries to or death of any person (including, but not limited to, the property and employees of each party) ("Liability") when caused by, arising out of or related to the activities or Facilities described in this Agreement. The duty of Permittee to indemnify and save harmless includes the duties to defend as set forth in section 2778 of the Civil Code. It is the express intent of the parties that Permittee will indemnify and hold harmless Indemnitees from any and all claims, suits or actions arising from any cause whatsoever as set forth above, except for sole gross negligence or willful misconduct on the part of City, Permittee or any subcontractor or employee of any of these, except to the extent the Liability was the result of the negligence, willful misconduct or criminal acts of the City, its directors, officers, officials, employees and agents.

Should any discharge, leakage, spillage, emission, or pollution of any type occur upon or from the Public Right-of-Way caused by Permittee's use or occupancy, Permittee at its expense, shall clean all affected property to the reasonable satisfaction of City and any governmental body having jurisdiction. With respect to the parties to this agreement, removal and disposal of all excavation materials, hazardous, toxic, or not, shall be the sole responsibility of Permittee.

Permittee shall indemnify, hold harmless and defend Indemnitees (with counsel reasonably satisfactory to City) against all claims, courts or administrative proceedings seeking to impose liability on City as a result of Permittee's breach of this section or as a result of any such discharge, leakage, spillage, emission or pollution, regardless of whether such Liability, cost or expense arises during or after the term of this Agreement.

The obligations of Permittee under this Section 26 to indemnify and hold harmless shall survive termination of this Agreement.

27. Except to the extent of City's negligence, willful misconduct or criminal acts, under no circumstances shall the City be liable or otherwise responsible to Permittee or its customers for any loss of service, downtime, lost revenue or profits, third-party damages, or any other damage, loss or liability of any kind occurring by reason of anything done or omitted to be done by City or by any third party, including, without limitation, damages, losses, or liability arising from the issuance or approval by City of a permit to any third party or any interruption in Telecommunications Services.

INSURANCE

28. Any person, firm or corporation Permittee authorizes to work upon the Public Right-of-Way, shall be deemed to be Permittee's agent and shall be subject to all the applicable terms of this Agreement and the Encroachment Permit issued pursuant hereto. Prior to entry upon the Public Right-of-Way, Permittee shall provide City with satisfactory evidence that it is insured (e.g., in the form of a Certificate of Insurance), in accordance with the following, which insurance shall remain in effect throughout the term of this Agreement and shall be at the sole cost and expense of Permittee (or its agents). Permittee's contractors and subcontractors shall provide a certificate of insurance evidencing substantially the same coverage as required by this Agreement. Prior to the start of the work or entry onto the Public Right-of-Way, Permittee agrees to procure and maintain, and to require its contractor(s) to procure and maintain, at its sole cost and expense (and to prove to City's reasonable satisfaction that it remains in effect throughout the work), the kinds of insurance described below:

a. Workers' Compensation and Employers' Liability Insurance.

Permittee shall secure Workers' Compensation coverage in accordance with the provisions of section 3700 of the California Labor Code (and any amendments thereto or successor acts or statutes) and Permittee shall furnish City with a certificate evidencing such coverage together with a verification thereon as follows:

"I am aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against a liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of work under this Agreement."

The Permittee shall also maintain Employer's Liability coverage with minimum limits of \$2,000,000.

Whether FELA or Workers' Compensation applies, Permittee shall furnish the City with the Certificate(s) of Insurance required hereunder prior to the commencement of work. Permittee agrees to provide City thirty (30) days prior written

notice prior to the policy policies referenced in the Certificate(s) being canceled or having their coverage reduced.

b. Commercial General Liability Insurance.

Permittee shall, at its own cost and expense, also procure and maintain Commercial General Liability insurance which shall include as additional insureds the City, and its elected and appointed councilmembers, directors, officers, officials, employees and agents while acting in such capacity, and their successors or assignees, as they now, or as they may hereafter be constituted, singly, jointly or severally. Permittee shall give written notice to the City of any material alteration, or reduction in aggregate limits, if such limits apply, and provide at least thirty (30) days' notice of cancellation of the coverage or policy.

Insurance shall provide bodily injury and property damage coverage with a combined single limit of at least \$2,000,000 each occurrence or claim and a general aggregate limit of at least \$2,000,000. This insurance shall include but not be limited to premises and operations; contractual liability covering the indemnity provisions contained in this Agreement; personal injury; explosion, collapse, and underground coverage, products and completed operations, and broad form property damage.

Prior to commencing work or entering onto the Property, Permittee shall file an endorsement and Certificate(s) of Insurance with the City evidencing coverage, and upon request, provide a certified duplicate original of the policy at Permittee's local office in the City's jurisdiction or Permittee's nearest office to the City located within San Diego County. Each Certificate shall indicate that the insurance policy provides or has been endorsed to provide:

(1) That the policy is Primary Insurance and the insurance company providing such policy shall be liable thereunder for the full amount of any loss or claim which Permittee is liable for under this Section, up to and including the total limit of liability, without right of contribution from any other insurance effected or which may be effected by the City; and

(2) The policy shall also stipulate: Inclusion of the City as an additional insured shall not in any way affect its rights either as respects any claim, demand, suit, or judgment made, brought, or recovered against Permittee. Said policy shall protect Permittee and the City in the same manner as though a separate policy had been issued to each, but nothing in said policy shall operate to increase the insurance company's liability as set forth in its policy beyond the amount or amounts shown or to which the insurance company would have been liable if only one interest had been named as an insured.

c. Automobile Liability Insurance.

Permittee shall, at its own cost and expense, procure and maintain

Automobile Liability insurance providing bodily injury and property damage with a combined single limit of at least \$2,000,000 per occurrence for all owned, non-owned and hired automobiles. This insurance shall provide contractual liability covering all motor vehicles and mobile equipment to the extent coverage may be excluded from general liability insurance. Such insurance shall include as an additional insured the City, and its elected and appointed officers, officials, employees, and agents while acting in such capacity, and their successors or assignees, as they now or as they may hereafter be constituted, singly, jointly, or severally.

d. Property Insurance.

Permittee shall, at its own cost and expense, procure and maintain property insurance to protect its interest in the equipment to be used in performance of this Agreement and the City's interest in materials or property to be installed, covering all risks of physical loss or damage to such equipment. The coverage under such policy shall have limits of liability adequate to protect the value of the equipment and property to be installed. If desired, Permittee may choose to self-insure this exposure, but in no instance shall the City be responsible for such loss or damage, unless caused by its sole negligence.

All insurance specified above shall remain in force until all work to be performed is satisfactorily completed, all of Permittee's personnel and equipment have been removed from the Public Right-of-Way, and the work has been formally accepted by City. The failure to procure or maintain required insurance and/or an adequately funded self-insurance program will constitute a material breach of this Agreement.

If any insurance specified above shall be provided on a claims-made basis, then in addition to coverage requirements above, such policy(ies) shall provide that:

(1) Policy retroactive date coincides with or precedes Permittee's start of work (including subsequent policies purchased as renewals or replacements).

(2) Permittee will make every effort to maintain similar insurance during the term of the Agreement following project completion, including the requirement of adding all additional insureds.

(3) If insurance is terminated for any reason, Permittee agrees to purchase an extended reporting provision of at least two (2) years to report claims arising from work performed in connection with this Agreement.

(4) Policy allows for reporting of circumstances or incidents that might give rise to future claims.

In addition to the requirements described above, Permittee shall comply with any additional coverages required by federal, state, or local laws, rules, and regulations. Permittee and/or its contractors shall obtain all permits, and other forms or

documentation which are required and forward them to the City with the required evidence of insurance.

All policies will be issued by insurers acceptable to City as set forth in Section 29 below. Upon evidence of financial capacity satisfactory to City, Permittee's obligation hereunder may be satisfied in whole or in part by adequately funded self-insurance.

29. Insurance Companies: Insurance companies must be admitted in California, be in good standing with the California Department of Insurance and have an A.M. Best's rating of at least A:VI (or equivalent).

30. Deductible and Self-Insured Retentions and Proof of Insurance: Prior to the commencement of work under this Agreement, any deductibles or self-insured retentions must be stated on Certificate(s) of Insurance, and the Certificate(s) of Insurance must be sent to and approved by City.

NOTIFICATIONS

31. Permittee shall, prior to the issuance of an Encroachment Permit or consistent with other provisions of the Encroachment Permit, certify to City that it has provided or will provide written notification of its intent to perform work to the property owners, residents and business operators of all properties adjacent to streets and/or right(s)-of-way where Permittee will be excavating. Unless otherwise agreed by City, said notice, shall be mailed to the property owner as listed on the most recent assessor's tax roll at least fourteen (14) days and door hangers seven (7) days prior to the commencement of Permittee's work as required by City, and delivered to the residents and business operators.

ASSIGNMENT

32. This Agreement shall not be assignable by Permittee without the explicit written approval of City, which approval shall not be unreasonably withheld, conditioned or delayed, provided, however, that Permittee may assign the rights granted herein to a parent, successor, subsidiary, or affiliate of Permittee now or hereinafter existing, by only providing notice to City of such assignment. However, this Agreement shall be binding on successors and assigns and shall be disclosed to assignee. Assignee shall unconditionally acknowledge Agreement in writing within ninety (90) days of assignment or assignment terminates without further action.

ENTIRE AGREEMENT

33. This Agreement contains the entire understanding between the parties with respect to the subject matter herein. There are no representations, agreement, or understandings (whether oral or written) between or among the parties relating to the subject matter of this Agreement which are not fully expressed herein. This Agreement may not be amended except pursuant to a written instrument signed by all parties.

SEVERABILITY

34. If any one or more of the covenants or agreements or portions thereof provided in this Agreement shall be held by a court of competent jurisdiction in a final judicial action to be void, voidable or unenforceable, such covenant or covenants, such agreement or agreements, or such portions thereof shall be null and void and shall be deemed separable from the remaining covenants or agreements or portions thereof and shall in no way affect the validity or enforceability of the remaining portions of this Agreement, and the parties shall negotiate in good faith to replace any such covenant, agreement or portion found to be null and void.

CHANGES IN LAW

35. This Agreement shall be subject to such changes or modifications as may be required or authorized by any regulatory body or commission in the exercise of its lawful jurisdiction and any modification, revision, renewal, or extension of this Agreement shall so state.

TERMINATION

36. This Agreement may be terminated by City for failure, neglect or refusal by Permittee to fully and promptly comply with any and all of the covenants and conditions of this Agreement, or for nonuse of the Facilities, upon thirty (30) days written notice, unless Permittee confirms within thirty (30) days of receipt of the notice that the cited covenant or condition has been performed until completion or has ceased, been corrected or, subject to City's agreement, and/or is diligently being pursued by Permittee during such period of time allowed in this Agreement for the correction or cure of the breach.

37. This Agreement may be terminated by City upon thirty (30) days written notice to Permittee if City determines that the provisions herein interfere with the use or disposal of said Public Right-of-Way or any part thereof by City. Where only a portion of Permittee's Telecommunications Network Facilities interferes with the use or disposal of said Public Right-of-Way, City, at its reasonable discretion, may elect to require Permittee to relocate the said portion in accordance with this Agreement.

38. Upon termination of this Agreement, and upon written request by City, Permittee, at its own cost and expense, agrees to remove or, at City's discretion, abandon in place some or all of its Telecommunications Network Facilities from the Public Right-of-Way and restore the Public Right-of-Way as set forth in the Removal and Relocation provisions of this Agreement. Should Permittee in such event fail, neglect or refuse to make such removals or restoration within ninety (90) days of City's written request, at the sole option of City, such removal and restoration may be performed by City at the reasonable and actual expense of Permittee, which expense Permittee agrees to pay to City upon demand.

NOTICE

39. Permittee's Network Operations Control Center shall be available to City staff 24 hours a day, 7 days a week, regarding problems or complaints resulting from the facilities installed pursuant to this Agreement and may be contacted by telephone at:

1- 866-438-3884

regarding such problems or complaints.

Permittee shall designate a person in California who is authorized to accept service of process on behalf of Permittee as follows:

Netly Fiber Holdings, LLC
c/o Generate-Ubiquity Management, LLC
Attn: Sonny Nunez, Vice President of External Affairs
740 Lomas Santa Fe
Solana Beach, CA 92075

40. All notices given or which may be given pursuant to this Agreement shall be in writing and transmitted by United States mail, or by private delivery systems, or by facsimile if followed by United States mail, or by private delivery systems as follows:

To CITY at: City of El Cajon
Attn: Yazmin Arellano, Director of Public Works
200 Civic Center Way, 4th Floor
El Cajon, CA 92020
Fax: (619) 441-5254
Phone: (619) 441-1653
Email: yarellano@elcajon.gov

To PERMITTEE at: Netly Fiber Holdings, LLC
c/o Generate-Ubiquity Management, LLC
Attn: Shane Turley, General Counsel
121 W. Trade Street, Suite 1275
Charlotte, NC 28202
Email: legal@ubiquitygp.com

With a Copy to: Netly Fiber Holdings, LLC
c/o Generate-Ubiquity Management, LLC
Attn: Contract Management
740 Lomas Santa Fe
Solana Beach, CA 92075

41. Either Party to this Agreement may designate a different recipient(s) for notices and/or update contact information listed herein by giving at least thirty (30) days'

notice of the change to the other Party.

ATTORNEY'S FEES AND LITIGATION

42. In the event of litigation between the Parties hereto, the prevailing party shall be entitled to reasonable attorney's fees and costs.

43. All actions involving this Agreement shall be brought and pursued in the Superior Court of California in and for the County of San Diego or the United States District Court serving the County of San Diego. Each party hereto agrees to stipulate and execute such documents as may be necessary to carry out the provisions of this Section.

Permittee hereby waives any right to remove any such action from San Diego County as is otherwise permitted by California Code of Civil Procedure section 394.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written.

CITY

PERMITTEE

City of El Cajon,
a California charter city
and municipal corporation

Netly Fiber Holdings, LLC,
a Delaware limited liability company

By: _____
Title: Graham Mitchell, City Manager

By: **Ubiquity SoCal, LLC,**
a Delaware limited liability company,
Managing Member

ATTEST:

By: 
Title: Jaime Earp, Managing Member

Angela L. Cortez, CMC, City Clerk

APPROVED AS TO CONTENT:

Yazmin Arellano, Director of Public Works

APPROVED AS TO FORM:

Morgan L. Foley, City Attorney

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of North Carolina
County of Mecklenburg

On July 16, 2024 before me, Sarah E. Portela, Notary Public
(name and title of officer), personally appeared Jamie Earp, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of North Carolina that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Sarah E. Portela

(Seal)

Print Name Sarah E. Portela

Com. Exp. June 15, 2027



City Council
Agenda Report

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Dave Richards, Interim Director of Public Works - Operations
SUBJECT: Urban and Community Forestry Grant

RECOMMENDATION:

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

1. Authorize the City Manager or designee to accept, appropriate, and expend funds received from the Urban and Community Forestry 2023 Grant (USDAFOR25); and
2. Authorize the City Manager or designee to execute any documents and agreements necessary to receive and use the Urban and Community Forestry 2023 Grant funds.

BACKGROUND:

In September 2023, the City of El Cajon was awarded \$834,965 from the U.S. Department of Agriculture Forest Services as part of its Urban and Community Forestry Grant program. The grant funds will be used to purchase, plant, and maintain 1,500 trees for City parkways within disadvantaged communities. The grant funds will enhance the City's urban canopy, combat urban heating, and improve air quality.

Trees purchased with grant funds will be added to the City's tree inventory, monitored, watered and maintained by City staff and the City's tree maintenance contractor. The new trees will enhance pathways to schools, parks, workplaces, restaurants, and stores for pedestrians and bicyclists within the City's disadvantaged communities. The trees will also create a natural barrier between vehicle and pedestrian traffic and enhance the visual appeal of neighborhoods.

Furthermore, this grant program and its implementation is consistent with the Goals and Policies of the General Plan Safety and Environmental Justice Elements. Increasing the city's tree canopy and prioritizing urban greening in disadvantaged communities will reduce vulnerabilities to extreme heat. Moreover, this program is consistent with El Cajon Sustainability Initiative Strategy Eight to sequestering carbon through increased tree plantings.

As part of the grant program, City staff will conduct community outreach about the importance of trees, including their role in creating oxygen, improving air quality, and supporting wildlife. The City's outreach efforts will also keep residents informed about the grant program through mailers, the City's website, social media, and community events. Additionally, residents will be invited to provide feedback on their preferred tree species through online surveys and at community events.

The Urban and Community Forestry grant is a three-year program beginning in August 2024 and continuing through November 2027. The program contract with the U.S. Department of Agriculture Forest Services is under negotiation and expected to be finalized by December 2024.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The Urban and Community Forestry Grant Program is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15304, Minor Alternations to Land.

FISCAL IMPACT:

The Urban and Community Forestry 2023 Grant (USDAFOR25) will provide \$834,965 to the City which will be used to purchase, install, and maintain trees within City parkways. There are no fund matching requirements and no General Fund impacts associated with receiving the grant funds.

Prepared By: Monica Martinez, Sr. Management Analyst

Reviewed By: Dave Richards, Director of Public Works - Operations

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

RESOLUTION NO. __-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON
AUTHORIZING ACCEPTANCE, APPROPRIATION, AND EXPENDITURE
OF THE URBAN AND COMMUNITY FORESTRY 2023 GRANT

WHEREAS, in September 2023, the City of El Cajon (the "City") was awarded \$834,965 in Urban and Community Forestry 2023 Grant funds from the United States Department of Agriculture Forest Services ("USDA") for the Parkway Tree Installation and Maintenance Project (the "Project"); and

WHEREAS, the Project will consist of purchasing, installing, and maintaining one thousand five hundred (1,500) trees on residential parkways within the City, which will be Geocoded, added to the City's tree inventory, monitored, watered, and maintained by City staff and the City's tree maintenance contractor; and

WHEREAS, City residents and visitors will benefit from expanded equitable tree canopy routes to walk or bike to and from schools, parks, work, restaurants, or stores, and will create a natural barrier between vehicle and pedestrian traffic; and

WHEREAS, the Project will also enhance the appearance of neighborhoods and provide residential education on the importance of trees and their role in providing oxygen, improving air quality, and climate amelioration while supporting wildlife; and

WHEREAS, through the City's annual Arbor Day events, staff found that this type of education sparks interest in our residents and their children, and has encouraged people to contact the City if they see changes in the condition of the trees are observed; and

WHEREAS, the timeline for the Project is five years, and City staff will obtain services from its current contractor for tree installation and monitoring, with the goal to install five hundred (500) trees annually for the first three (3) years, with regular watering and monitoring for five (5) years to establish and record tree growth; and

WHEREAS, the Urban and Community Forestry 2023 Grant will provide \$834,965 and will not impact the City's General Fund as no matching funds are required for this grant; and

WHEREAS, the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guideline section 15304 as it is a minor alteration of an existing public facility involving negligible or no expansion of an existing use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Cajon as follows:

1. The City Council hereby finds that the acceptance and expenditure of funds under the Community Forestry Grant Program is exempt from environmental review

under section 15304 of the Guidelines for Implementing the Environmental Quality Act (California Code of Regulations, Title 14, Division 6, Chapter 3).

2. The City Council hereby authorizes City staff to accept the Urban Community Forestry 2023 Grant in the amount of \$834,965.

3. The City Council hereby authorizes the City Manager to execute any agreement, and amendments thereto, and further authorizes the City Manager, or such person designated by the City Manager to execute such other documents necessary to accept the funds, in such form approved by the City Manager, as approved by the City Attorney.

4. The City Manager is further authorized to appropriate and expend the funds for the Parkway Tree Installation and Maintenance Project.

08/13/24 CC Meeting
Reso – FY23 Urban & Community Forestry Grant 061324



City Council Agenda Report

Agenda Item 12.

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: Acceptance of ADA Concrete Improvements Project

RECOMMENDATION:

That the City Council:

1. Accepts the ADA Concrete Improvements 2022 project (213021PWCP), Bid No. 002-23; and
2. Authorizes the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

BACKGROUND:

On July 12, 2022, the City Council awarded a contract for the ADA Concrete Improvements 2022 project to Portillo Concrete, Inc. The project upgraded 70 pedestrian curb ramps, replaced 13,700 square feet of deteriorated cross gutters, and installed 646 linear feet of new sidewalk at various locations throughout the City. Key project locations included Chase Avenue, Granite Hills Drive, and Heron Avenue. The work was successfully completed on July 17, 2024, and acceptance of the project is recommended.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guideline section 15301(c) as it is maintenance and minor alteration of existing facilities.

FISCAL IMPACT:

This project is budgeted in Capital Projects (550590-213021PWCP) with Community Development Block Grant (CDBG) funds. The total construction contract expenditure is \$958,964.

Prepared By: Senan Kachi, Associate Engineer

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager



City Council
Agenda Report

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: All-Way Stop Sign Request on Gina Avenue at Joliet Street

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent all-way stop signs on Gina Avenue at the intersection of Joliet Street, in order to enhance pedestrian and traffic safety.

BACKGROUND:

Engineering Services periodically receives requests to investigate the need for additional regulatory signs on City streets. Residents have submitted a request to install permanent all-way stop signs on Gina Avenue at Joliet Street. Nearby residents have expressed concern about vehicles traveling at excessive speeds on Gina Avenue, and the safety of pedestrians who cross at this intersection.

Existing Conditions

Gina Avenue is a north-south “residential” street that extends from Melody Lane to its terminus south of Lexington Avenue. Gina Avenue has a residential speed limit of 25 miles per hour per California Vehicle Code Section 22352, "Prima Facie Speed Limits". The intersection of Gina Avenue and Joliet Street is an uncontrolled intersection with no stop signs. Approximately 3,875 vehicles per day travel through this intersection.

The corner sight distance was measured to determine if a vehicle traveling from Gina Avenue has adequate sight distance to safely get onto Joliet Street. The minimum corner sight distance of 275 feet is desirable for a street with a posted speed limit of 25 miles per hour based on the Caltrans Highway Design Manual. The field investigation revealed that the available corner sight distance is less than the desirable requirement. Research of City records revealed that zero (0) collisions have occurred at this intersection during the past five (5) years.

All-Way Stop Sign Analysis on Gina Avenue and Joliet Street

The City of El Cajon follows the California Manual on Uniform Traffic Control (CAMUTCD) guidelines and uses a “point” system developed by the City of San Diego to evaluate the need for the installation of all-way stop signs. Existing site conditions, traffic volumes, site distance obstructions, proximity to schools, and accident history are criteria used in the determination of all-way stops. A minimum of 30 points out of 50 is normally required for the installation of all-way stop signs. The results of the data collected at this intersection revealed that a total of 16 points were tallied at this location.

Conclusion

This intersection does not satisfy the required minimum criteria for the installation of an all-way stop. However, the less than desirable sight distance available coupled with the need to reduce the speed of vehicles traveling in excess of 25 miles per hour to allow the safe passage of pedestrians and vehicles crossing Joliet Street are the justification for this recommended installation.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15301(c) because it involves minor alterations to existing public facilities, including public safety enhancements and stop signs.

FISCAL IMPACT:

Approximately \$15,000.00 for the installation of all-way stops signs, pavement legends, continental crosswalk markings, and four pedestrian curb ramps. This cost is budgeted in the Fiscal Year 2024-25 Traffic Safety Calming Budget (233790PWCP).

Prepared By: Mario Sanchez, City Engineer

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Gina Avenue at Joliet Street

RESOLUTION NO. ____-24

RESOLUTION TO ESTABLISH ALL-WAY STOP SIGNS
ON GINA AVENUE AT JOLIET STREET TO
ENHANCE PEDESTRIAN AND TRAFFIC SAFETY

WHEREAS, the City Council recognizes that the health, safety, and welfare of the residents of the City of El Cajon ("City") is vitally important, and that from time to time vehicular traffic control measures, including additional regulatory signs, are necessary to protect pedestrian traffic along and across public roads; and

WHEREAS, residents have expressed concern about vehicles traveling at excessive speeds on Gina Avenue, and the safety of pedestrians crossing at the intersection of Gina Avenue and Joliet Street, and have submitted a request to install permanent all-way stop signs at that location; and

WHEREAS, Gina Avenue is a north-south "residential" street that extends from Melody Lane to its terminus south of Lexington Avenue, with a residential speed limit of twenty-five (25) miles per hour per California Vehicle Code section 22352, "Prima Facie Speed Limits"; and

WHEREAS, the intersection of Gina Avenue and Joliet Street is an uncontrolled intersection with no stop signs, and approximately three thousand eight hundred seventy-five (3,875) vehicles travel through that intersection per day; and

WHEREAS, based on the Caltrans Highway Design Manual, the minimum corner sight distance of two hundred seventy-five (275) feet is desirable for a street with a posted speed limit of twenty-five (25) miles per hour, and when measured to determine if a vehicle traveling from Gina Avenue has adequate sight distance to safely enter Joliet Street, the field investigation revealed that the available corner sight distance at this location is less than the desirable requirement; and

WHEREAS, the City follows the California Manual on Uniform Traffic Control Devices guidelines and uses a "point" system developed by the City of San Diego to evaluate the need for the installation of all-way stop signs where existing site conditions, traffic volumes, site distance obstructions, proximity to schools, and accident history are criteria used in the determination of all-way stops; and

WHEREAS, a minimum of thirty (30) points out of fifty (50) is typically required for the installation of all-way stop signs, and the results of the data collected at this intersection revealed that a total of sixteen (16) points were tallied at this intersection; and

WHEREAS, research of City records revealed that zero (0) collisions have occurred at this intersection during the past five (5) years, and although this intersection does not satisfy the minimum criteria for the installation of an all-way stop, the less than desirable sight distance available, coupled with the need to reduce the speed of vehicles that are traveling in excess of twenty-five (25) miles per hour, and allow the safe passage of pedestrians and vehicles crossing Joliet Street justifies the recommended installation; and

WHEREAS, the fiscal impact for the installation of all-way stop signs, pavement legends, continental crosswalk markings, and four (4) pedestrian curb ramps is approximately \$15,000.00, and sufficient funds are budgeted in the Fiscal Year 2024-25 Traffic Safety Calming Budget; and

WHEREAS, the project is exempt from environmental review under California Environmental Quality Act ("CEQA") Guidelines section 15301(c), as it involves minor alterations to existing public facilities, including public safety enhancements and stop signs.

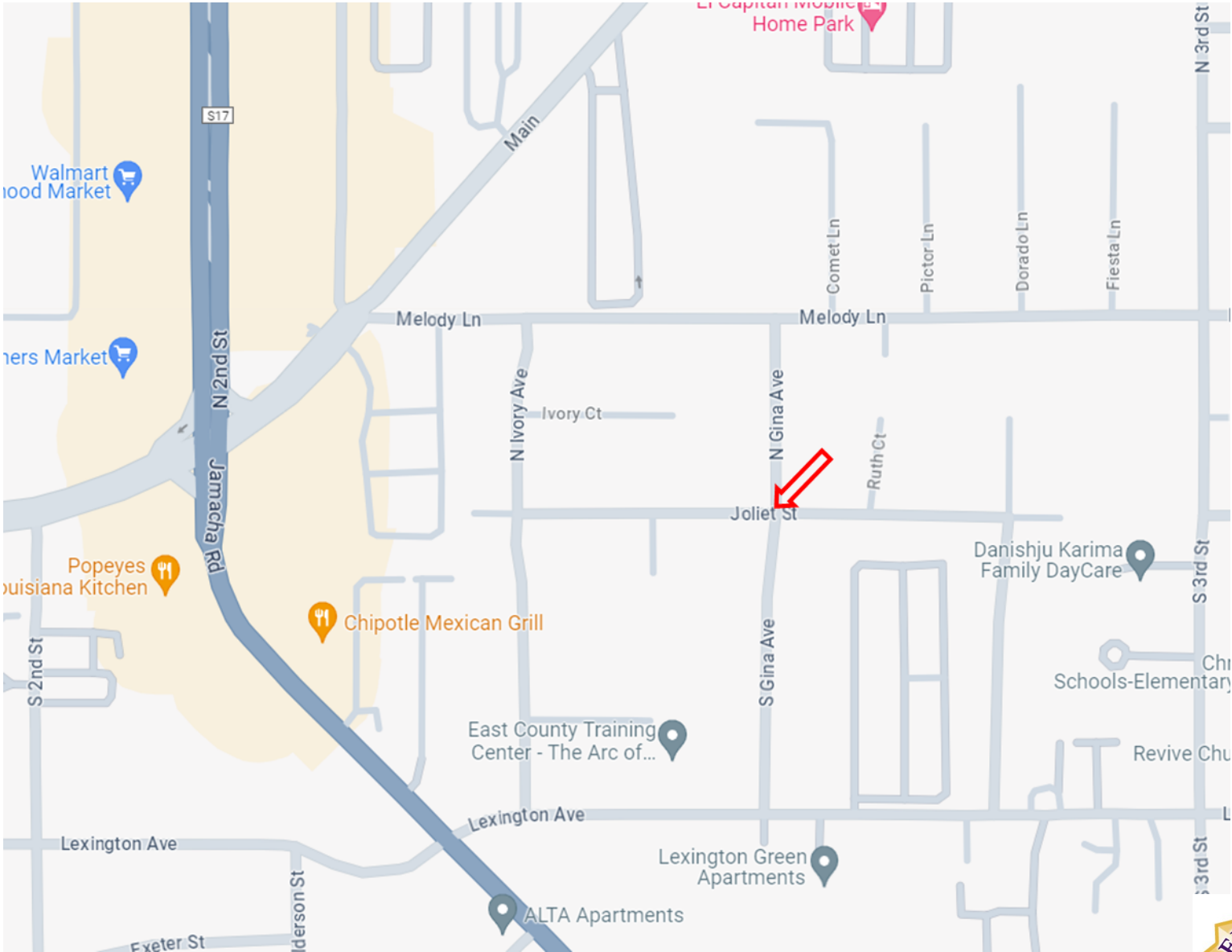
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. The foregoing recitals are true and correct, and are the findings of the City Council.
2. The City Council hereby approves the installation of all-way stop signs on Gina Avenue at Joliet Street as a traffic-calming measure in order to enhance pedestrian and traffic safety, and facilitate pedestrian and traffic flow.
3. The City Council finds that this project is exempt from environmental review under CEQA Guidelines section 15301(c), as it involves minor alterations to existing public facilities, including public safety enhancements and stop signs.
4. The Director of Engineering Services is hereby directed to immediately cause the installation of all-way stop signs, pavement legends, continental crosswalk markings, and four (4) pedestrian curb ramps as soon as is reasonably possible.

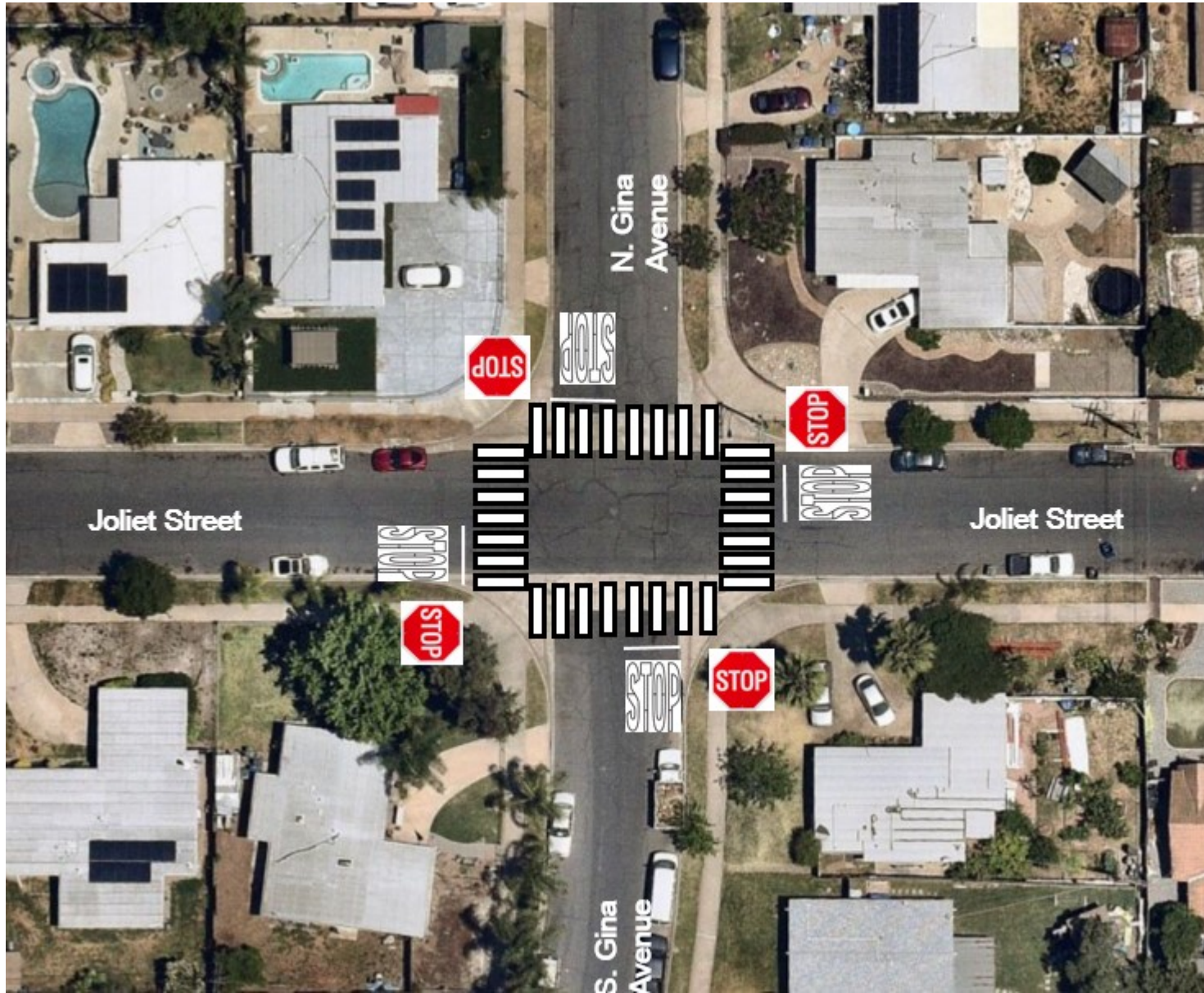
**All-way Stop Sign Request for
Gina Avenue at Joliet Street
(Attachments)**



Project Vicinity Map



Proposed Improvements—Gina Avenue at Joliet Street



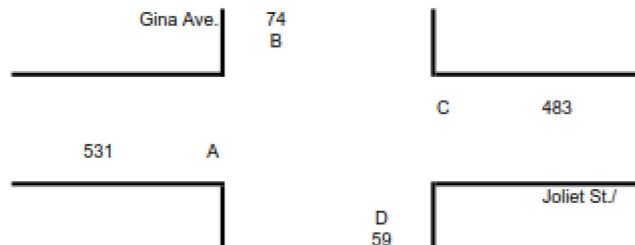
CITY OF EL CAJON
FOUR-WAY STOP EVALUATION

Joliet St./ Gina Ave.



Total Volume for Peak 4-Hour Period

Peak Four-Hour Period: 3:00 P.M. to 7:00 P.M.



LEG	4-HOUR VOLUME ENTERING	# OF LANES
A	531	1
B	74	1
C	483	1
D	59	1
TOTAL 4-HR VOL	1147	

WARRANTS

		POINTS/ ASSIGNED	POSSIBLE
WARRANT NUMBER 1: ACCIDENT HISTORY			
	1/1/2019 to 5/31/2024		
Accidents Correctable by Stops	<u>0</u> X 3	<u>0</u>	15
WARRANT NUMBER 2: SPECIAL CONDITIONS		<u>5</u>	5
(Site Distance Restrictions)			
WARRANT NUMBER 3: TRAFFIC VOLUMES			
Major Street	<u>1014</u>	<u>3</u>	10
Minor Street	<u>133</u>	<u>0</u>	10
WARRANT NUMBER 4: TRAFFIC VOLUME DIFFERENCE			
Split Volume Difference	<u>881</u>	<u>3</u>	5
(Major volumes-Minor volumes)			
WARRANT NUMBER 5: PEDESTRIAN VOLUME		<u>5</u>	5
	TOTAL	16	

Date: 6/5/2024

By: OR

Points Required

30

50

FOUR-WAY STOP IS WARRANTED BASED ON LIMITED SIGHT DISTANCE





City Council
Agenda Report

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: All-Way Stop Sign Request on Lexington Avenue at Claydelle Avenue

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent all-way stop signs on Lexington Avenue at the intersection of Claydelle Avenue, in order to enhance pedestrian and traffic safety.

BACKGROUND:

Engineering Services periodically receives requests to investigate the need for additional regulatory signs on City streets. Residents have submitted a request to install permanent all-way stop signs on Lexington Avenue at Claydelle Avenue. Nearby residents have expressed concern about vehicles traveling at excessive speeds on Lexington Avenue and the safety of pedestrians who cross at this intersection.

Existing Conditions

Lexington Avenue is an east-west “collector” street that extends from El Cajon Boulevard to the eastern City Limits. Lexington Avenue has a posted speed limit of 30 miles per hour based on California Vehicle Code Section 627, “Engineering and Traffic Survey” requirements. Existing “Stop” signs on Claydelle Avenue control the intersection, and there are no stop signs on Lexington Avenue. Approximately 9,530 vehicles per day travel through this intersection.

The corner sight distance was measured to determine if a vehicle traveling from Claydelle Avenue has adequate sight distance to safely enter Lexington Avenue. Based on the Caltrans Highway Design Manual, the minimum corner sight distance of 330 feet is desirable for a street with a posted speed limit of 30 miles per hour. The field investigation revealed that the available corner sight distance is adequate for a vehicle crossing Lexington Avenue at Claydelle Avenue, but drivers must proceed through this intersection cautiously. Research of City records revealed that twelve (12) collisions have occurred at this intersection in the past five (5) years.

All-Way Stop Sign Analysis on Lexington Avenue and Claydelle Avenue

The City of El Cajon follows the California Manual on Uniform Traffic Control (CAMUTCD) guidelines and uses a “point” system developed by the City of San Diego to evaluate the need to install all-way stop signs. Existing site conditions, traffic volumes, site distance obstructions, proximity to schools, and accident history are criteria used to determine the need for all-way stops at intersections. A minimum of 30 points out of 50 is typically required to recommend the installation of all-way stop signs. The data collected at this intersection revealed that a total of

59 points were tallied at this location above the maximum allowed threshold of 50 points; thus, an all-way stop is warranted.

Conclusion

All-way stop signs are a traffic-calming measure that helps reduce speeds and facilitate pedestrian and traffic flow in the vicinity of intersections like Lexington Avenue at Claydelle Avenue. Based on this information, staff recommends that the City Council approve the installation of stop signs on Lexington Avenue at the intersection of Claydelle Avenue.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15301(c) because it involves minor alterations to existing public facilities, including public safety enhancements and stop signs.

FISCAL IMPACT:

Approximately \$5,500 for the installation of all-way stops signs, red flashing beacons, pavement legends, and crosswalks. This cost is budgeted in the Fiscal Year 2024-25 Traffic Safety Calming Budget Activity Account, 233790PWCP 9065.

Prepared By: Mario Sanchez, City Engineer

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Attachments

RESOLUTION NO. ____-24

RESOLUTION TO ESTABLISH ALL-WAY STOP SIGNS
ON LEXINGTON AVENUE AT CLAYDELLE AVENUE TO
ENHANCE PEDESTRIAN AND TRAFFIC SAFETY

WHEREAS, the City Council recognizes that the health, safety, and welfare of the residents of the City of El Cajon ("City") is vitally important, and that from time to time vehicular traffic control measures, including additional regulatory signs, are necessary to protect pedestrian traffic along and across public roads; and

WHEREAS, Residents have expressed concern about vehicles traveling at excessive speeds on Lexington Avenue and the safety of pedestrians who cross at this intersection and have submitted a request to install permanent all-way stop signs on Lexington Avenue at Claydelle Avenue; and

WHEREAS, Lexington Avenue is an east-west "collector" street that extends from El Cajon Boulevard to the eastern city limits and has a posted speed limit of 30 miles per hour based on California Vehicle Code Section 627, "Engineering and Traffic Survey" requirements; and

WHEREAS, existing "Stop" signs on Claydelle Avenue control the intersection, and there are no stop signs on Lexington Avenue; and

WHEREAS, approximately 9,530 vehicles per day travel through this intersection; and

WHEREAS, based on the Caltrans Highway Design Manual, the minimum corner sight distance of 330 feet is desirable for a street with a posted speed limit of 30 miles per hour. The field investigation revealed that the available corner sight distance is adequate for a vehicle crossing Lexington Avenue at Claydelle Avenue, but drivers must proceed through this intersection cautiously; and

WHEREAS, the City follows the California Manual on Uniform Traffic Control Devices guidelines and uses a "point" system developed by the City of San Diego to evaluate the need for the installation of all-way stop signs where existing site conditions, traffic volumes, site distance obstructions, proximity to schools, and accident history are criteria used in the determination of all-way stops; and

WHEREAS, a minimum of thirty (30) points out of fifty (50) is typically required for the installation of all-way stop signs, and the results of the data collected at this intersection revealed that a total of fifty-nine (59) points were tallied at this intersection, which is above the maximum allowed threshold of 50 points, thus an all-way stop is warranted; and

WHEREAS, research of City records revealed that twelve (12) collisions have occurred at this intersection during the past five (5) years; and

WHEREAS, the fiscal impact for the installation of all-way stops signs, red flashing beacons, pavement legends, and crosswalks is approximately \$5,000.00, and sufficient funds are budgeted in the Fiscal Year 2024-25 Traffic Safety Calming Budget Activity Account; and

WHEREAS, the project is exempt from environmental review under California Environmental Quality Act ("CEQA") Guidelines section 15301(c), as it involves minor alterations to existing public facilities, including public safety enhancements and stop signs.

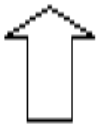
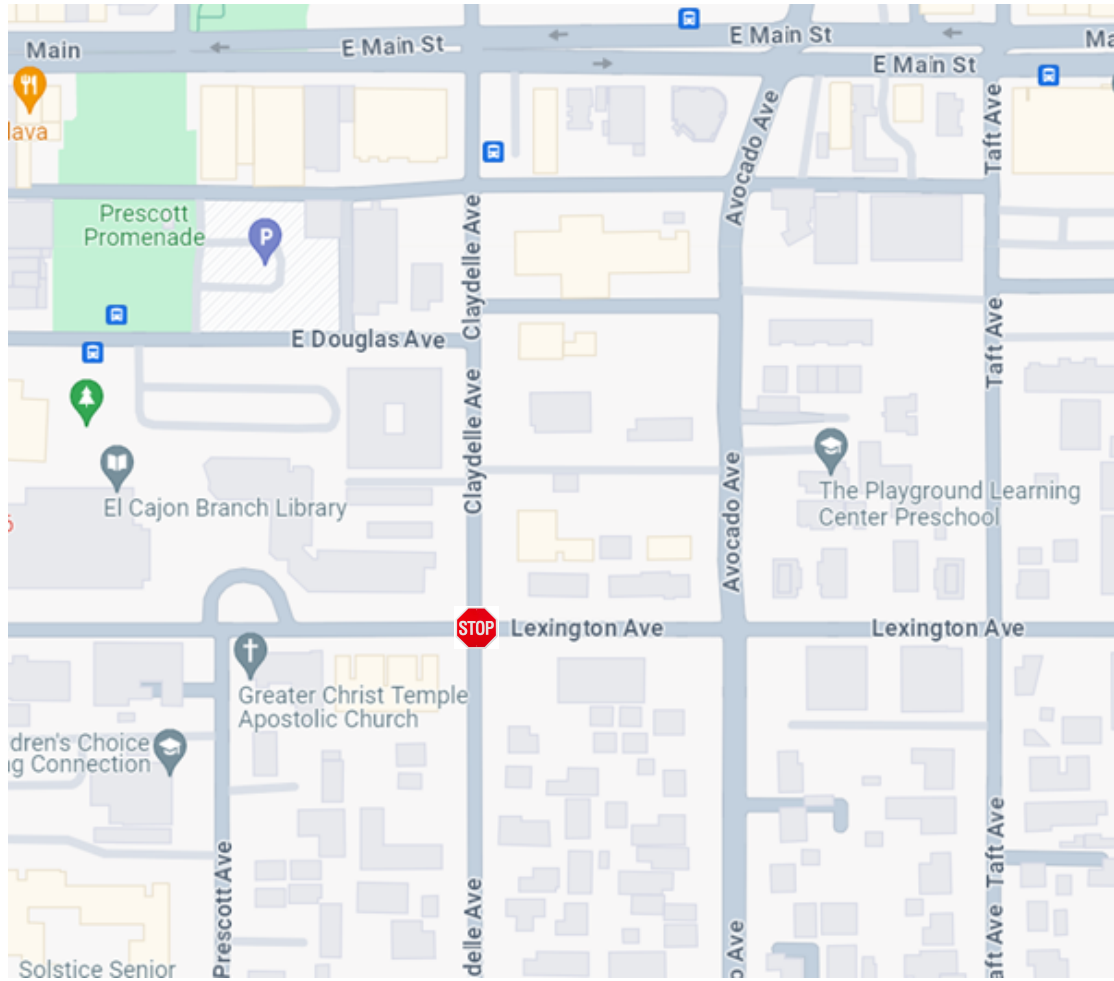
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. The foregoing recitals are true and correct, and are the findings of the City Council.
2. The City Council hereby approves the installation of all-way stop signs on Lexington Avenue at Claydelle Avenue as a traffic-calming measure in order to enhance pedestrian and traffic safety, and facilitate pedestrian and traffic flow.
3. The City Council finds that this project is exempt from environmental review under CEQA Guidelines section 15301(c), as it involves minor alterations to existing public facilities, including public safety enhancements and stop signs.
4. The Director of Engineering Services is hereby directed to immediately cause the installation of all-way stops signs, red flashing beacons, pavement legends, and crosswalks as soon as is reasonably possible.

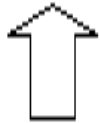
**All-Way Stop Sign Request for
Lexington Avenue at Claydelle Avenue
(Attachments)**



Proposed Improvements - Lexington Avenue at Claydelle Avenue



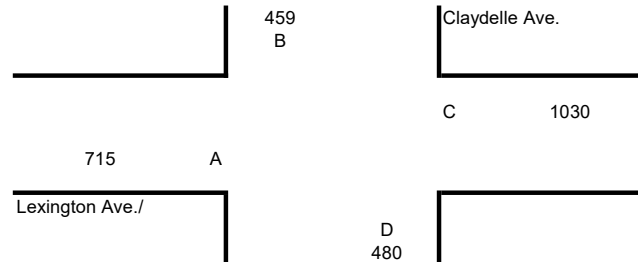
Lexington Avenue at Claydelle Avenue Proposed Installation of All-Way Stop Signs



CITY OF EL CAJON
 FOUR-WAY STOP EVALUATION
 Lexington Ave./ Claydelle Ave.

Total Volume for Peak 4-Hour Period

Peak Four-Hour Period: 3:00 P.M. to 7:00 P.M.



LEG	4-HOUR VOLUME ENTERING	# OF LANES
A	715	1
B	459	1
C	1030	1
D	480	1
TOTAL 4-HR VOL	2684	

WARRANTS

		POINTS/ ASSIGNED	POSSIBLE
WARRANT NUMBER 1: ACCIDENT HISTORY			
	<u>1/1/2019</u> to <u>5/31/2024</u>		
Accidents Correctable by Stops	<u>12</u> X 3	<u>36</u>	15
WARRANT NUMBER 2: SPECIAL CONDITIONS (Site Distance Restrictions)		<u>3</u>	5
WARRANT NUMBER 3: TRAFFIC VOLUMES			
Major Street	<u>1745</u>	<u>7</u>	10
Minor Street	<u>939</u>	<u>7</u>	10
WARRANT NUMBER 4: TRAFFIC VOLUME DIFFERENCE Split Volume Difference (Major volumes-Minor volumes)	<u>806</u>	<u>3</u>	5
WARRANT NUMBER 5: PEDESTRIAN VOLUME		<u>3</u>	5
	TOTAL	<u>59</u>	
	Points Required	30	50

Date: 8/1/2024
 By: OR

FOUR-WAY STOP IS WARRANTED



Lexington Ave./ Claydelle Ave.

Entering Traffic Volume

Time	SB ¹	NB ²	WB ³	EB ⁴	Total	4-Hour Peak
0:00 - 1:00	8	7	11	10	36	
1:00 - 2:00	7	6	6	8	28	
2:00 - 3:00	8	6	8	3	25	
3:00 - 4:00	7	9	2	12	29	118
4:00 - 5:00	12	14	4	13	43	125
5:00 - 6:00	39	30	34	19	122	219
6:00 - 7:00	87	57	52	43	239	433
7:00 - 8:00	139	104	278	88	609	1013
8:00 - 9:00	148	106	360	136	749	1719
9:00 - 10:00	128	100	235	146	609	2207
10:00 - 11:00	126	94	240	166	626	2594
11:00 - 12:00	123	123	256	177	679	2664
12:00 - 13:00	127	107	275	147	656	2571
13:00 - 14:00	139	122	236	152	649	2611
14:00 - 15:00	162	128	277	169	735	2720
15:00 - 16:00	149	142	387	209	887	2927
16:00 - 17:00	124	137	275	215	751	3022
17:00 - 18:00	95	109	210	193	608	2981
18:00 - 19:00	90	92	158	98	438	2684
19:00 - 20:00	92	58	134	78	362	2159
20:00 - 21:00	62	53	96	64	276	1684
21:00 - 22:00	36	36	59	49	180	1256
22:00 - 23:00	29	19	49	22	119	937
23:00 - 24:00	21	13	19	18	71	645
	1959	1672	3661	2235	9527	3022

Notes

- 1 Assumed 1/5 of Count Data obtained in 2023 for Location 119 (Avocado Ave).
- 2 Assumed 1/5 of Count Data obtained in 2023 for Location 5 (Magnolia Ave).
- 3 Assumed Count Data obtained in 2023 for Lexington (Location 120).
- 4 Assumed Count Data obtained in 2023 for Lexington (Location 34).

4 hour Peak 459 480 1030 715 2684

Prepared by: Field Data Services of Arizona/Veracity Traffic Group (520) 316-6745

Volumes for: Wednesday, August 30, 2023

City: El Cajon

Station ID #: 120

Location: Lexington west of Avocado

AM Period	NB	SB	EB	WB	PM Period	NB	SB	EB	WB			
00:00			6	2	12:00			70	68			
00:15			8	1	12:15			63	66			
00:30			2	5	12:30			51	71			
00:45			1	17	3	11	28	60	244	70	275	519
01:00			5	1	13:00			64	59			
01:15			2	2	13:15			47	62			
01:30			0	1	13:30			53	44			
01:45			0	7	2	6	13	61	225	71	236	461
02:00			3	2	14:00			70	58			
02:15			1	3	14:15			60	74			
02:30			3	1	14:30			72	81			
02:45			0	7	2	8	15	81	283	64	277	560
03:00			0	2	15:00			78	84			
03:15			4	0	15:15			90	85			
03:30			2	0	15:30			96	110			
03:45			2	8	0	2	10	100	364	108	387	751
04:00			4	2	16:00			99	82			
04:15			1	0	16:15			85	69			
04:30			2	1	16:30			85	53			
04:45			3	10	1	4	14	62	331	71	275	606
05:00			1	4	17:00			82	53			
05:15			3	5	17:15			71	63			
05:30			4	9	17:30			83	45			
05:45			5	13	16	34	47	80	316	49	210	526
06:00			6	7	18:00			62	44			
06:15			10	10	18:15			51	37			
06:30			12	10	18:30			47	42			
06:45			20	48	25	52	100	40	200	35	158	358
07:00			23	28	19:00			42	34			
07:15			28	51	19:15			40	34			
07:30			47	77	19:30			38	37			
07:45			52	150	122	278	428	38	158	29	134	292
08:00			81	108	20:00			40	28			
08:15			48	80	20:15			24	25			
08:30			48	77	20:30			22	22			
08:45			55	232	95	360	592	28	114	21	96	210
09:00			36	62	21:00			21	22			
09:15			51	60	21:15			21	15			
09:30			48	58	21:30			23	15			
09:45			55	190	55	235	425	18	83	7	59	142
10:00			49	61	22:00			15	13			
10:15			28	66	22:15			17	14			
10:30			39	57	22:30			11	14			
10:45			34	150	56	240	390	7	50	8	49	99
11:00			53	62	23:00			7	6			
11:15			49	63	23:15			9	2			
11:30			48	71	23:30			5	7			
11:45			61	211	60	256	467	9	30	4	19	49

Total Vol. 1043 1486 **2529** 2398 2175 **4573**

GPS Coordinates: 32.792744, -116.958406

Daily Totals

NB	SB	EB	WB	Combined
		3441	3661	7102

AM

PM

Split %	41.2%	58.8%	35.6%	52.4%	47.6%	64.4%
Peak Hour	11:45	07:30	07:45	15:15	15:00	15:15
Volume	245	387	616	385	387	770
P.H.F.	0.88	0.79	0.81	0.96	0.88	0.93

Prepared by: Field Data Services of Arizona/Veracity Traffic Group (520) 316-6745

Volumes for: Thursday, August 31, 2023

City: El Cajon

Station ID #: 34

Location: Lexington east of Orange

AM Period	NB	SB	EB	WB	PM Period	NB	SB	EB	WB			
00:00			4	10	12:00			36	43			
00:15			2	3	12:15			34	44			
00:30			2	1	12:30			41	49			
00:45			2	10	2	16	26	36	147	51	187	334
01:00			5	1	13:00			47	57			
01:15			1	2	13:15			34	40			
01:30			0	1	13:30			33	32			
01:45			2	8	1	5	13	38	152	47	176	328
02:00			0	0	14:00			41	59			
02:15			1	0	14:15			30	57			
02:30			1	1	14:30			44	60			
02:45			1	3	0	1	4	54	169	65	241	410
03:00			6	3	15:00			37	58			
03:15			1	2	15:15			52	61			
03:30			3	2	15:30			60	51			
03:45			2	12	1	8	20	60	209	48	218	427
04:00			1	1	16:00			60	69			
04:15			5	3	16:15			44	59			
04:30			2	2	16:30			57	58			
04:45			5	13	5	11	24	54	215	59	245	460
05:00			2	2	17:00			54	55			
05:15			6	4	17:15			48	54			
05:30			7	1	17:30			55	43			
05:45			4	19	5	12	31	36	193	57	209	402
06:00			8	2	18:00			25	41			
06:15			11	8	18:15			32	33			
06:30			10	17	18:30			13	30			
06:45			14	43	19	46	89	28	98	36	140	238
07:00			18	20	19:00			19	19			
07:15			20	24	19:15			17	38			
07:30			24	36	19:30			24	22			
07:45			26	88	30	110	198	18	78	25	104	182
08:00			33	32	20:00			18	24			
08:15			30	25	20:15			16	15			
08:30			32	29	20:30			12	21			
08:45			41	136	41	127	263	18	64	25	85	149
09:00			42	43	21:00			15	17			
09:15			42	39	21:15			15	15			
09:30			29	30	21:30			11	15			
09:45			33	146	35	147	293	8	49	14	61	110
10:00			30	55	22:00			9	13			
10:15			41	50	22:15			6	12			
10:30			45	41	22:30			5	11			
10:45			50	166	43	189	355	2	22	12	48	70
11:00			54	45	23:00			7	9			
11:15			41	50	23:15			6	10			
11:30			43	59	23:30			3	5			
11:45			39	177	63	217	394	2	18	5	29	47

Total Vol. 821 889 **1710** 1414 1743 **3157**

GPS Coordinates: 32.792700, -116.963100

Daily Totals

NB	SB	EB	WB	Combined
		2235	2632	4867

AM

PM

Split %	48.0%	52.0%	35.1%	44.8%	55.2%	64.9%
Peak Hour	10:15	11:00	11:00	15:15	16:00	15:15
Volume	190	217	394	232	245	461
P.H.F.	0.88	0.86	0.97	0.97	0.89	0.89



City Council
Agenda Report

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Noah Alvey, Deputy Director of Community Development
SUBJECT: Service Provider Program Update

RECOMMENDATION:

That the City Council receives the Service Provider Program Update and, if desired, provides feedback, recommendations, and direction on implementation of the program.

BACKGROUND:

On April 25, 2023, the City Council approved changes to the El Cajon Municipal Code (“ECMC”) Title 5 to require service providers to obtain a Special Operations License when offering homeless services within the City. On May 23, 2023, the City Council approved additional changes to the ECMC Title 17 to strengthen regulations for lodging establishments by adding standards for training and monthly reporting, improving procedures related to the violation of performance standards, and adding additional criminal or nuisance activities that would warrant a review of operations. The changes to Title 17 were intended to address the secondary effects of housing placement in lodging establishments which has resulted in increased calls for service, crime, and a negative public perception of El Cajon.

Service Providers

Service Providers are defined in Title 5 as an agency or organization that provides outreach services, housing navigation, domestic violence services, rapid rehousing, housing placement, housing retention and other support services for individuals experiencing homelessness or who are at risk of homelessness. Other support services may include supportive actions that connect homeless individuals with diversion, treatment for substance abuse, mental health, or healthcare services.

After the changes to Title 5 became effective, staff reached out to known Service Providers that were operating in the City advising them of the new Special Operation License requirement. Staff also utilized monthly reports from lodging establishments to identify additional Service Providers that were not known to be operating within the City. The following list includes the ten Service Providers that have been issued a Special Operation License.

Service Provider	Approval Date
Public Consulting Group	June, 2023
Doors of Change	August, 2023

Home Start	August, 2023
ECTLC	September, 2023
Crisis House	September, 2023
EQUUS	October, 2023
San Diego Youth Services	November, 2023
City of Chula Vista	January, 2024
Pathways Community Services	March, 2024
McAlister Institute	April, 2024

Following approval of a Special Operation License, each Service Provider was required to provide information regarding the number of participants served, the location where an individual was previously homeless, the number of discharged participants, and the average daily rate paid for the housing of each participant. Due to the different program types, not all the Service Providers are currently placing individuals within lodging establishments because some only provide outreach services. Some providers also place clients within lodging outside the City. Additionally, the available data is not complete for comparative purposes due to the wide range of license approval dates, as well as ongoing discussions with service providers regarding the format and level of detail included in their monthly reporting.

Lodging Establishments

In conjunction with the updates to Title 17, several existing lodging establishments were identified as having an elevated level of calls for service. In order to address these issues, the Planning Commission completed several reviews of lodging establishments through updates or approvals of conditional use permits with new conditions of approval. Staff also conducted on-site meetings with lodging establishment operators in order to help improve management procedures. The primary lodging establishments that were addressed are listed below in numerical address order.

Lodging Establishment	Address
Travelodge	425 W. Main St.
Motel 6	550 Montrose Ct.
Relax Inn & Suites	1220 W. Main St.
Best Value Inn	1274 Oakdale Ave.
El Cajon Inn & Suites	1368 E. Main St.

The lodging establishments are now providing monthly reporting and implementing new operational and management plans as applicable. Additionally, staff have been utilizing service provider reports to identify lodging establishments that are not providing the required monthly reports and following up as needed.

DISCUSSION

Over the past year, the increased communication with service providers and lodging establishments has resulted in a reduced level of calls for service and improved conditions at lodging establishments. Staff have calculated the percent reduction in calls for service within the table below utilizing data gathered from 2021-2023 and compared this to the volume of calls for service over the past 12 months.

Lodging Establishment	Address	% Reduction
Travelodge	425 W. Main St.	44%
Motel 6	550 Montrose Ct.	57%
Relax Inn & Suites	1220 W. Main St.	59%
Best Value Inn	1274 Oakdale Ave.	39%
El Cajon Inn & Suites	1368 E. Main St.	25%

In order to address new issues and increased calls for service, staff have implemented a cross-departmental team to address problem properties. The team meets on a monthly basis and continues to discuss the lodging establishments evaluated in this report as well as other lodging establishments as needed. Overall, staff believes that the programs have been successful by allowing staff to better understand the services being offered by non-affiliated city agencies and by improving the public perception of El Cajon's commercial districts. If the City Council would like a more detailed review of data, staff would recommend that the review be scheduled for the first quarter of 2025 to allow for approximately one year of complete data to be analyzed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The action being considered by the City Council is exempt from the California Environmental Quality Act ("CEQA") because it is not a "project" under Section 15378(b)(5) of the State CEQA Guidelines. The action involves an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment.

Prepared By: Noah Alvey, Deputy Director of Community Development

Reviewed By: Anthony Shute, Director of Community Development

Approved By: Graham Mitchell, City Manager



City Council
Agenda Report

Agenda Item 16.

DATE: August 13, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: Funding and Purchase of Pierce Type I Fire Engine Outfitting

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to re-appropriate \$25,000 of the Wildfire Early Action Program 2021 grant (WEAP21) from the Wildfire and Forest Resilience Program project (233794PWCP-GEN PRJCT) to the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment (WEAP21.TASK7) budget.

BACKGROUND:

On April 26, 2022, the City Council approved the purchase of the Fire Engine and authorized the City Manager to execute an agreement with South Coast Fire Equipment, Inc. ("South Coast") for approximately \$770,000, including the authority to approve increases of up to twenty-five percent (25%) if necessary.

The Fire Engine was inspected by staff in June 2024, and they recommended a change order with South Coast of approximately \$10,000 to make the necessary changes to the vehicle. In addition, the Fire Engine needs approximately \$20,000 in outfitting accessories and installation from other suppliers after delivery from South Coast. Funding in the amount of approximately \$5,000 is in the WEAP21 grant operating budget for use towards the Fire Engine costs. Therefore, staff requests approval to transfer \$25,000 from the Wildfire and Forest Resilience Program project (233794PWCP-GEN PRJCT) to the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment (WEAP21.TASK7) budget.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The purchase of a fire engine and outfitting equipment is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15378(b)(2). The purchase and operation of a fire engine does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT:

Approval of this action will reprogram \$25,000 of the Wildfire Early Action Program 2021 grant (WEAP21) funding by decreasing the Wildfire and Forest Resilience Program project (233794PWCP-GEN PRJCT) and increasing the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment (WEAP21.TASK7) budget.

Prepared By: Sara Marshall

Reviewed By: Yazmin Arellano, Director of Public Works

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

233794PWCP Project Sheet

RESOLUTION NO. ____-24

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL CAJON
APPROVING FUNDING AND PURCHASE OF
PIERCE TYPE 1 FIRE ENGINE OUTFITTING

WHEREAS, on April 26, 2022, the City Council approved the purchase of a Pierce Type I, Triple Combination Pumper (the "Fire Engine") and authorized the City Manager to execute an agreement with South Coast Fire Equipment, Inc. ("South Coast") in the approximate amount of \$770,000, including the authority to approve increases of up to twenty-five percent (25%) if necessary; and

WHEREAS, City staff inspected the Fire Engine in June 2024 and recommends a change order of approximately \$10,000 is required in order for South Coast to make necessary changes to the vehicle; and

WHEREAS, in addition, upon delivery of the Fire Engine from South Coast there remains approximately \$20,000 in outfitting accessories and installation from various other vendors; and

WHEREAS, funding in the amount of approximately \$5,000 is in the WEAP21 grant operating budget for use towards the Fire Engine costs, and staff recommends re-appropriation of \$25,000 from the Wildfire and Forest Resilience Program project (251580-233794PWCP-GEN PRJCT) to the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment (251580-WEAP21.TASK7) grant operating budget; and

WHEREAS, the proposed purchase of a fire engine and outfitting equipment is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15378 as it does not meet CEQA's definition of a "project," in that it does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the City Council believes it to be in the City's best interest to approve the additional funding, and the re-appropriate \$25,000 from the Wildfire and Forest Resilience Program project to the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment grant operating budget.

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 finds that this action is exempt from environmental review under section 15378 of the Guidelines for Implementing the Environmental Quality Act (California Code of Regulations, Title 14, Division 6, Chapter 3), as it does not have

the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and does not meet the definition of Project under CEQA.

3. The City Council hereby approves the re-appropriation of \$25,000 from the Wildfire and Forest Resilience Program project to the Wildfire Early Action Program 2021 Fire Hazard Mitigation Equipment grant operating budget as additional funding for the purchase of the Fire Engine.

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 Purchase Orders, or other documents necessary, as may be approved by the City Manager, on behalf of the City of El Cajon.

08/13/24 CC Agenda
Reso – Approve Funding & Purchase of Pierce Type I Fire Engine Outfitting 080124

CAPITAL IMPROVEMENT PROJECT

FISCAL YEAR 2024-2025

PROJECT NAME: WILDFIRE AND FOREST RESILIENCE PROGRAM

ACTIVITY: 551580

PROJECT NO: 233794PWCP

Description:

The project will be responsible for vegetated fuels reduction and wildfire prevention. The project footprint is approximately 85 acres of park and open space, which includes a portion of Hillside Park and undeveloped canyons in the Fletcher Hills area. Restoration efforts will include new irrigation systems, water meters, access roads, native trees, and vegetation.

Justification:

Consistent with the wildfire crisis of 2021 occurring at the state level, El Cajon faces significant challenges related to its open space, canyons, and park areas due to the effects of climate change and limited funding for fuel reduction and vegetation management. Over the past 10 years, 174 vegetation fires occurred in the City of El Cajon alone.

Scheduling:

Planning efforts and study are expected to commence in 2024. Training efforts, vehicle and equipment purchases, project implementation, and monitoring will span from 2022 through 2025.

Operating Budget Impact:

The project is entirely grant funded and anticipated to have no impact on operating budgets.

	Original Project Budget	Current Project Budget	Proposed Project Amendment	Proposed Project Budget
Architectural Services (8315)	-	-	-	-
Consulting Services (8325)	25,000	25,000	-	25,000
Engineering Services (8335)	-	-	-	-
Engineering Services-Internal (8336)	50,000	50,000	-	50,000
Inspection Services-Internal (8337)	30,000	30,000	-	30,000
Legal Services (8345)	-	-	-	-
Other Prof/Tech Services (8395)	25,000	25,000	-	25,000
Advertising (8522)	900	900	-	900
Janitorial (8544)	-	-	-	-
Permits & Fees (8560)	100	100	-	100
Printing & Binding (8570)	-	-	-	-
Furniture, Machinery & Equipment (9035)	-	-	-	-
Land Improvements / Abatement & Demo (9055)	-	-	-	-
Construction-Buildings (9060)	-	-	-	-
Infrastructure (9065)	1,594,000	594,000	(25,000)	569,000
Contingency (9060)	-	-	-	-
PROJECT COST TOTAL:	1,725,000	725,000	(25,000)	700,000

Source(s) of Funds:				
San Diego River Conservancy SB 85 Grant (WEAP21)	1,725,000	725,000	(25,000)	700,000
FUNDING TOTAL:	1,725,000	725,000	(25,000)	700,000



City Council Agenda Report

Agenda Item 17.

DATE: August 13, 2024

TO: Honorable Mayor and City Councilmembers

FROM: Vince DiMaggio, Assistant City Manager

SUBJECT: Resolution in Support of Proposition 36 ("The Homeless, Drug Addiction, and Theft Reduction Act")

RECOMMENDATION:

That the City Council adopts the next Resolution (attached), in order, supporting Proposition 36 ("The Homeless, Drug Addiction, and Theft Reduction Act").

BACKGROUND:

Evidence shows that since the passage of Proposition 47 in 2014, there has been an increase in homelessness, drug addiction, and retail theft throughout California and in the City of El Cajon. The intent of Prop 47 was to reform California's criminal justice system. Whether intended or unintended, impacts on California communities have been devastating. Proposition 36, which has the support of District Attorneys across the State, including San Diego County District Attorney Summer Stephan, gained sufficient signatures to be placed on the November 2024 ballot for voters to consider.

Staff has provided information to the City Council about Proposition 36 as part of the regular legislative report and this has been on the City Council's watch list. As such, given the rampant increase in retail theft, the explosion of homelessness, and the devastating impacts of the fentanyl crisis, staff recommends that the City Council consider adopting a resolution (attached) showing support for Proposition 36.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed City Council direction is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15378(b)(2).

FISCAL IMPACT:

There is no fiscal impact.

Prepared By: Vince DiMaggio, Assistant City Manager

Reviewed By: N/A

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF EL CAJON SUPPORTING
PROPOSITION 36, THE HOMELESSNESS,
DRUG ADDICTION, AND THEFT REDUCTION ACT

WHEREAS, unintended consequences of Proposition 47 include repeat and often organized retail theft, inner-city store closings, and difficulty convincing people to seek drug and mental health treatment, which can only be corrected by the voters at the ballot box with modest amendments to Proposition 47; and

WHEREAS, Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act is a bi-partisan measure that provides common sense, targeted reforms to Proposition 47 that legislative proposals alone are unable to deliver and will hold repeat offenders accountable for the safety of our communities, rather than putting them back on the streets; and

WHEREAS, rampant retail theft is harming businesses and residents in California because those who commit these crimes know they'll get away with it, even if they are caught and breaking the cycle of repeat offenders means addressing the many root causes of retail theft; and

WHEREAS, the fentanyl crisis has reached alarming levels, and is now responsible for 20 percent of youth deaths in California; in response to such dangers, Proposition 36 will define fentanyl as a hard drug, hold individuals convicted of trafficking fentanyl accountable, and grant greater discretion to judges in sentencing drug traffickers; and

WHEREAS, Proposition 36 provides critical mental health, drug treatment services, and job training within our justice system for people who are homeless and suffering from mental illness or struggling with substance abuse; and

WHEREAS, it is time for meaningful reforms to our justice system to ensure our communities are safe.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Cajon, that the City Council formally expressed support for Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act and the benefit that it provides for our community's safety.



City Council
Agenda Report

DATE: August 13, 2024
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. This City Administrative Activity is not a project and therefore not subject to CEQA.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

July 30, 2024 – Measure J Poll Results
August 2, 2024 – Hyundai of El Cajon Grand Opening
August 5, 2024 – Interview with NewsMax
August 5, 2024 – San Diego Rescue Mission Mayors Symposium
August 6, 2024 – Interview with KUSI
August 6, 2024 – Special City Council Meeting
August 6, 2024 – National Night Out
August 13, 2024 – City Council Meeting(s)

I am available to answer questions.

Submitted By: Bill Wells, Mayor



City Council
Agenda Report

DATE: August 13, 2024

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. This City Administrative Activity is not a project and therefore not subject to CEQA.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

- July 20, 2024 - Email to Derek S. re: Stop Sign
- July 22, 2024 - Email to MTS Counsel re: El Cajon Transit Development
- July 24, 2024 - Meeting with Allen Y. from Cox
- July 30, 2024 - Email with East County DA Chief re: Tiny Homes
- July 30, 2024 - Measure J Polling Update
- July 31, 2024 - Heartland Fire Capt. Dozier Retirement
- August 2, 2024 - Chamber First Friday Breakfast
- August 2, 2024 - Hyundai of El Cajon Grand Opening
- August 6, 2024 - Special City Council Meeting
- August 6, 2024 - National Night Out Event
- August 7, 2024 - MTS Budget Committee Meeting
- August 9, 2024 - Meeting with Emily W. from SD Reg Policy Innov Ctr
- August 12, 2024 - Meeting with City Manager
- August 13, 2024 - City Council Meeting(s)

I am available to answer questions.

Submitted By: Steve Goble, Councilmember



City Council
Agenda Report

Agenda Item 20.

DATE: August 13, 2024
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. This City Administrative Activity is not a project and therefore not subject to CEQA.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

July 30, 2024 - Measure J Polling Meeting with Consultant
August 1, 2024 - Metro Wastewater JPA
August 6, 2024 - Special City Council Meeting
August 13, 2024 - City Council Meeting(s)

I am available to answer questions.

Submitted By: Gary Kendrick, Councilmember



City Council
Agenda Report

Agenda Item 21.

DATE: August 13, 2024

TO: Honorable Mayor and City Councilmembers

FROM: Councilmember Metschel

SUBJECT: COUNCILMEMBER MICHELLE METSCHEL

Harry Griffen Park Joint Steering Committee; METRO
Commission/Wastewater JPA – Alternate; Heartland Communications –
Alternate; Heartland Fire Training 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. This City Administrative Activity is not a project and therefore not subject to CEQA.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

July 30, 2024 - Poll results for Measure J
August 2, 2024 - Hyundai of El Cajon Grand Opening
August 6, 2024 - Special meeting regarding Measure J
August 6, 2024 - National Night Out at Parkway Plaza
August 10, 2024 - San Ysidro Health Emerald Ball and Fundraiser
August 13, 2024 - Council Meeting(s)
August 13, 2024 - SD Gun Owners event

I am available to answer questions.

Submitted By: Michelle Metschel, Councilmember



City Council
Agenda Report

Agenda Item 22.

DATE: August 13, 2024

TO: Honorable Mayor and City Councilmembers

FROM: Deputy Mayor Ortiz

SUBJECT: 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.

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. This City Administrative Activity is not a project and therefore not subject to CEQA.

REPORT:

Since the last City Council meeting, I have attended the following events on behalf of the City of El Cajon:

July 30, 2024 - Measure J Polling Update
August 2, 2024 - Hyundai of El Cajon Ribbon Cutting
August 6, 2024 - Special City Council Meeting
August 6, 2024 - National Night Out
August 9, 2024 - BIA Event
August 13, 2024 - ECEDC Gillespie Field Committee
August 13, 2024 - City Council Meeting(s)

I am available to answer questions.

Submitted By: Phil Ortiz, Deputy Mayor



City Council
Agenda Report

DATE: August 13, 2024
TO: City Clerk
FROM: City Attorney/General Legal Counsel
SUBJECT: Closed Session - Conference with Real Property Negotiators - pursuant to Government Code section 54956.8:

Property:
APN 487-331-22-00
ADDRESS 425 West Main Street, El Cajon

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

RECOMMENDATION:

That the following Closed Session be scheduled for the Joint City Council / Housing Authority / Successor Agency to the El Cajon Redevelopment Agency meeting on Tuesday, August 13, 2024, at 3:00 p.m.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS – pursuant to Government Code section 54956.8.

Conference with real property negotiators is not a project subject to the California Environmental Quality Act (CEQA) because it is a procedural, administrative step in the process.

Morgan L. Foley
City Attorney/General Legal Counsel

MLF: ac