



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

SEPTEMBER 10, 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 August 13, 2024, Meetings and the Agenda of the September 10, 2024, Meetings in accordance to State Law and City Council/Housing Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- Proclamation: National Preparedness Month

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 August 13, 2024, Meetings 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. El Cajon Housing Authority Annual Report (Fiscal Year 2023-2024)

RECOMMENDATION:

That the City Council, acting as the El Cajon Housing Authority:

1. Approves the attached 2023-2024 Annual Report; and
2. Authorizes the Executive Director or designee to transmit it, in a form substantially as presented, to the California Department of Housing and Community Development as required by State Law.

7. American Rescue Plan Act (ARPA) Vehicle Purchases

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to authorize the replacement of vehicles and capital purchases of new vehicles for Public Works and Public Safety utilizing American Rescue Plan Act Funds (ARP23).

8. CalRecycle Beverage Container Recycling Grant

RECOMMENDATION:

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

1. Authorize the City Manager or such person designated by the City Manager, to apply for, and if awarded, accept the CalRecycle Beverage Container Recycling City/County Grant for FY2024-25 (CALCCPP25); and
2. Authorize the City Manager or such person designated by the City Manager, to execute any documents and agreements necessary to apply for and receive the grant funds.

9. Revision of Classification Specification for Building Inspector

RECOMMENDATION:

That the City Council approves and authorizes the proposed changes to the Building Inspector classification specification.

10. Service Agreement to Participate in the County of San Diego Roadway Resurfacing Project

RECOMMENDATION:

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

1. Authorize the City Manager to execute the County of San Diego Service Agreement for El Cajon Roadway Resurfacing;
2. Appropriate \$258,000.00 of available TransNet EL03 Overlay/Resurfacing funds to increase the budget for the Overlay 2023 (233786PWCP) project and expend these funds for the County Roadway Resurfacing Project, which includes five City streets; and
3. Determine that the project is exempt, pursuant to sections 15301, of the California Environmental Quality Act (CEQA) State Guidelines.

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:

11. Public Hearing for the Consideration to Vacate a Utility Easement at 330-340 North First Street

RECOMMENDATION:

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, to approve the summary vacation of a utility easement at 330-340 North First Street, established by Council Resolution No. 161-81, April 14, 1981.

ADMINISTRATIVE REPORTS:

12. Report on City Infrastructure and Deferred Maintenance

RECOMMENDATION:

That the City Council receives the Report on City Infrastructure and Deferred Maintenance.

13. Addressing the Rising 911 Call Volume from Congregate Care Facilities

RECOMMENDATION:

That the City Council provides feedback on the options presented or considers alternative options. Additionally, staff recommends that the City Council directs staff to meet with operators of congregate care facilities to share potential policy options, gather their input and suggestions, and return to the City Council with a policy proposal for consideration.

14. Annual Review of Automated License Plate Reader (ALPR) Program

RECOMMENDATION:

That the City Council receives the report as an information item and provides feedback to staff.

15. 2024 Annual Pension Status Report

RECOMMENDATION:

That the City Council receives the Annual Pension Status report.

16. All-Way Stop Sign Request on Greenfield Drive at Souvenir Drive

RECOMMENDATION:

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

COMMISSION REPORTS:

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS

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

17. Council Activity Report

ACTIVITIES REPORTS/COMMENTS OF COUNCILMEMBERS:

18. **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.

19. **COUNCILMEMBER GARY KENDRICK**

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

20. **COUNCILMEMBER MICHELLE METSCHEL**

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

21. **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

22. Introduction of Ordinance to Amend ECMC Chapter 8.32 – Regulation of Smoking and Secondhand Smoke in Certain Public Areas and Places of Employment

RECOMMENDATION:

That the City Council:

1. Moves to introduce the next Ordinance, in order;
2. Directs the City Clerk to read the Ordinance by title only; and
3. Directs the second reading of the Ordinance to be placed on the September 24, 2024 City Council agenda.

ORDINANCES: SECOND READING AND ADOPTION

CLOSED SESSIONS:

23. Closed Session - Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - On August 9, 2024, the Attorney General for the State of California, through Chief Deputy Attorney General, Venus D. Johnson, notified Police Chief Mike Moulton of its belief that the El Cajon Police Department maintains a practice of sharing information captured by its automated license plate recognition system with out-of-state and/or federal law enforcement agencies in violation of state laws (i.e., California Civil Code §1798,90,55 (b)).

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 10th day of September 2024, is adjourned to Tuesday, September 10, 2024, at 7:00 p.m.



City Council
Agenda Report

Agenda Item 1.

DATE: September 10, 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 August 13, 2024, Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

Attachments

08-13-24DRAFTminutes - 3PM

08-13-24DRAFTminutes - 7PM

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

August 13, 2024

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, August 13, 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: Goble, Kendrick, and Metschel
Council/Agencymembers absent: None
Deputy Mayor/Vice Chair present: Ortiz
Mayor/Chair present: Wells
Other Officers present: Mitchell, City Manager/Executive Director
DiMaggio, Assistant City Manager
Foley, City Attorney/General Counsel
Cortez, City Clerk/Secretary

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

POSTINGS: The City Clerk posted Orders of Adjournment of the July 23, 2024, meetings, and the Joint Special Meeting of August 6, 2024, and the Agenda of the August 13, 2024, meetings in accordance with State Law and El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency Policy.

PRESENTATIONS:

- 2024 National Night Out Recap and Sponsor Recognition

AGENDA CHANGES: None

CONSENT ITEMS: (1 – 12)

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

MOTION CARRIED BY UNANIMOUS VOTE.

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

Approve Minutes of the 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

Approve payment of Warrants as submitted by the Finance Department.

3. Approval of Reading Ordinances by Title Only

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

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

Adopt Resolution No. 117-24 proclaiming the Continuation of Emergency for Storm Damage Repairs to Public Facilities.

5. Continuation of Emergency for Sewer System Repairs

Adopt Resolution No. 118-24 proclaiming the Continuation of Emergency for Sewer System Repairs.

CONSENT ITEMS: (Continued)

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

1. Adopt Resolution No. 119-24 to 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 Adopt Resolution No. 120-24 to 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

1. Adopt Resolution No. 121-24 to 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. Adopt Resolution No. 122-24 to 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

1. Adopt Resolution No. 123-24 to 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

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

CONSENT ITEMS: (Continued)

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

Adopt Resolution No. 124-24 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

Adopt Resolution No. 125-24 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.

12. Acceptance of ADA Concrete Improvements Project

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

PUBLIC COMMENT:

Brenda Hammond spoke about the concept of 'see something, say something'.

Maryann Ostermeyer, City of El Cajon resident, spoke of the dangers for school aged children going to Naranca Elementary School, as they walk pass homeless encampments.

Conversation ensued amongst Ms. Ostermeyer, the City Council and staff regarding the homeless encampments on Evilo Street.

WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS: None

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.

DISCUSSION

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

No public comment was received for the Item.

Discussion ensued among Council and Staff concerning the following:

- Speed surveys;
- The need for a four-way stop signs; and
- Street being used as a short cut for neighboring streets.

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 126-24, to establish permanent all-way stop signs on Gina Avenue at the intersection of Joliet Street, in order to enhance pedestrian and traffic safety.

MOTION CARRIED BY UNANIMOUS VOTE.

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.

DISCUSSION

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

No public comment was received for the Item.

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 127-24, to establish permanent all-way stop signs on Lexington Avenue at the intersection of Claydelle Avenue, in order to enhance pedestrian and traffic safety.

MOTION CARRIED BY UNANIMOUS VOTE.

ADMINISTRATIVE REPORTS: (Continued)

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.

DISCUSSION

Deputy Director of Community Development, Noah Alvey, provided detailed information of the Item.

No public comment was received for the Item.

Discussion ensued among Council and Staff concerning the following:

- Information for number of service calls received by the City's Fire and Police Departments;
- Request for information on serious crimes in the city; and
- Praise that the program seems to be operating well.

MOTION BY ORTIZ, SECOND BY KENDRICK, to RECEIVE the Service Provider Program update.

MOTION CARRIED BY UNANIMOUS VOTE.

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.

DISCUSSION

Engineering Services Director, Yazmin Arellano, provided detailed information of the Item.

No public comment was received for the Item.

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ADMINISTRATIVE REPORTS: (Item 16 - Continued)

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 128-24, 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.

MOTION CARRIED BY UNANIMOUS VOTE.

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").

DISCUSSION

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

No public comment was received for the Item.

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 129-24, to support Proposition 36 – The Homeless, Drug Addition, and Theft Reduction Act.

MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSION REPORTS: None

ACTIVITIES REPORTS/COMMENTS OF MAYOR WELLS:

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

18. Council Activities Report/Comments

Report as submitted.

ACTIVITIES REPORTS 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.

Council Activities Report/Comments.

In addition to the submitted report, Councilmember Goble spoke about State mandated new electric vehicles.

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

Council Activities Report/Comments.

Report as submitted.

21. 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.

In addition to the submitted report, Councilmember Metschel stated she attended the East County Economic Development Council meeting.

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.

Council Activities Report/Comments.

In addition to the submitted report, Deputy Mayor Ortiz stated that he did not attend the East County Economic Development Council meeting.

JOINT COUNCILMEMBER REPORTS: None

GENERAL INFORMATION ITEMS FOR DISCUSSION: None

ORDINANCES: FIRST READING - None

ORDINANCES: SECOND READING AND ADOPTION - None

CLOSED SESSIONS:

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

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

MOTION BY WELLS, SECOND BY METSCHEL, to ADJOURN to Closed Session at 3:54 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

RECONVENED to Open Session at 4:18 p.m.

City Attorney Foley reported the following actions:

- Direction was given to City negotiators.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency held this 13th day of August, 2024, at 4:18 p.m., to Tuesday, September 10, 2024, at 3:00 p.m.

ANGELA L. CORTEZ, CMC
City Clerk/Secretary

D R A F T

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

August 13, 2024

An Adjourned Regular Joint Meeting of the El Cajon City Council/Housing Authority/ Successor Agency to the El Cajon Redevelopment Agency, held Tuesday, August 13, 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, August 13, 2024, by order of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

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 Janzer, Deputy City Clerk/Secretary

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

AGENDA CHANGES: None

PUBLIC COMMENTS: 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 considers public 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.

Discussion ensued among Council and Staff concerning the following:

- Roofing materials;
- No changes were recommended by the Planning Commission;
- Outward appearance of the condos;
- Parking options and enforcement;
- Access for emergency vehicles;
- Setbacks from the mobile home park to the west;
- Gated entrance;
- Current market for purchasing condos; and
- Drainage for the project.

Mayor Wells opened the Public Hearing.

David Shephard, representing Lennar, thanked the Mayor and staff for welcoming the Lennar Company. Mr. Shephard provided information about the project.

Rob Tendick, representing PRN Physical Therapy, stated he likes the opportunity for new housing, and homeownership.

PUBLIC HEARING: (Item 100 - Continued)

Kathleen Short, inquired about how the new condos would affect nearby home values, and stated there is not much parking in the area because of big rigs parking on the street.

Discussion ensued among Council and Staff concerning the following:

- Economic impact;
- Possibility for future redevelopment projects in the area;
- The positive impact of redevelopment on home values;
- Safety concerns regarding big rigs parking on the street; and
- Utilizing the “My El Cajon” app to report parking concerns.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY ORTIZ, SECOND BY WELLS, to ADOPT Resolution No. 130-24 to approve the CEQA Determination; ADOPT Resolution No. 131-24 to approve the Planned Unit Development No. 2023-0004, subject to conditions; and ADOPT Resolution No. 132-24 to approve the Tentative Subdivision Map No. 2023-0011, subject to conditions.

MOTION CARRIED BY UNANIMOUS VOTE.

101. Cajon View Five-lot Subdivision

RECOMMENDATION: That the City Council:

1. Conducts the public hearing;
2. **MOVES** to adopt the next Resolution, in order, **ADOPTING** the Mitigated Negative Declaration; and;
3. **MOVES** to adopt the next Resolutions, in order, **APPROVING** SP-2023-0003 and TSM-2022-0008, subject to conditions.

DISCUSSION

Associate Planner, Spencer Hayes, provided a summary of the Item.

Mayor Wells opened the Public Hearing.

No public comment was received.

PUBLIC HEARING: (Item 101 - Continued)

Discussion ensued among Council and Staff concerning the following:

- Access to the development site;
- Ownership and maintenance of Cajon View Drive; and
- Erosion prevention.

MOTION BY ORTIZ, SECOND BY KENDRICK, to ADOPT Resolution No. 133-24, to adopt the Mitigated Negative Declaration; ADOPT Resolution No. 134-24, to approve SP-2023-0003; and ADOPT Resolution No. 135-24, to approve TSM-2022-0008, 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 13th of August, 2024, at 7:47 p.m., to Tuesday, September 10, 2024, at 3:00 p.m.

D R A F T

ANGELA L. CORTEZ, CMC
City Clerk/Secretary



City Council Agenda Report

Agenda Item 4.

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Engineering Services
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 was \$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 was \$262,656. Kleinfelder performed 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 allowed 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. Kleinfelder completed the design of the catchment structure, and Montano Pipeline will provide the installation of the catchment structure at an approximate cost of \$607,360.

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 - COMPLETED

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 were pushed out to avoid new conflicts with an existing water line. The cost to replace both structures at the new location was \$53,687.

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 submitted the reimbursement request for the dugouts on August 28, 2024. Staff will submit the pending reimbursement request after the slope 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) and Wastewater NPDES (650740) for the remaining anticipated repair costs of \$900,000. The expected total cost for this emergency is approximately \$1,325,000.

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, the repairs to the channel bottom of Forester Creek, and the Wells Park baseball dugouts have been completed, 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; on July 23, 2024, by Resolution No. 107-24; and on August 13, 2024 by Resolution No. 117-24.

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.

09/10/24 CC Agenda

Reso - Proclaiming Emergency Continuation #12 for Storm Damage Repairs 082924



City Council Agenda Report

Agenda Item 5.

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Engineering Services
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 included 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 September 2024. Staff coordinated with 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; on July 23, 2024 by Resolution No. 108-24, and on August 13, 2024 by Resolution No. 118-24.

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.

09/10/24 CC Agenda

Reso - Proclaiming Emergency Continuation #5 for Sewer System Repairs 082924



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Jose Dorado, Housing Manager
SUBJECT: El Cajon Housing Authority Annual Report (Fiscal Year 2023-2024)

RECOMMENDATION:

That the City Council, acting as the El Cajon Housing Authority:

1. Approves the attached 2023-2024 Annual Report; and
2. Authorizes the Executive Director or designee to transmit it, in a form substantially as presented, to the California Department of Housing and Community Development as required by State Law.

BACKGROUND:

On March 9, 2011, the City Council adopted Resolution No. 32-11 establishing the El Cajon Housing Authority (Housing Authority). In accordance with Health and Safety Code sections 34328 and 34328.1, the Housing Authority must prepare and submit a report of activities during the previous fiscal year by October 1 of each year. The annual report must be filed with the City Clerk and submitted to the California Department of Housing and Community Development Department (HCD). The Annual Report provides a background of the Housing Authority's formation, assets, budget, and activities from July 1, 2023 through June 30, 2024.

Over the past year, the Housing Authority has continued to focus on supporting efforts to provide affordable housing for low-income households through the following activities:

- Provide Project Based Rental Assistance ("PBRA") to 40 of the units at Lexington Square in accordance with the terms of the fifteen-year agreement (2021-2036) with Lexington ECJ Housing, LP (Thomas Safron and Associates);
- Provision of rapid re-housing programs and services relative to homelessness, and
- Continue to work with developers to identify resources and possible sites for construction and/or rehabilitation of affordable housing.

The Annual Report demonstrates compliance with the requirements of Health and Safety Code section 34312.3, which includes:

- Providing the minimum number of housing units affordable for lower income households in housing projects assisted by the Housing Authority;

- Establishing base rents pursuant to Federal Section 8 requirements for lower income households;
- Establishing maximum rental payments for lower income households pursuant to State and Federal requirements; and
- Report on activities related to the development or transaction of land for the purpose of increasing the supply of affordable housing for lower income households.

Annual Report Summary

- Deed restricted properties meet all requirements of California Community Redevelopment Law regarding affordable housing including those properties that were assisted by Low- and Moderate-Income Housing Funds of the former redevelopment agency.
- Table 3 of the Annual Report includes the actual unaudited budget for 2023-24 and the Proposed Budget for 2024-25 that was approved by the City Council in June 2024, reflecting revenues and expenditures for various Housing Authority activities and projects.
- The Administration line item reflects anticipated costs for overall administration of Housing Authority funds for activities unrelated to a specific project. This includes internal staff costs, records management and external costs, such as legal and consultant services.
- Materials, Services and Supplies line item represents similar expenditures as those above, but in relation to a particular Housing Authority project (represented as an aggregate). The major costs in this category for FY 2023-24 reflect the City's participation in the Lexington Square Apartment project subsidies and for homeless services.
- The Capital Outlay line item includes costs for anticipated projects such as land acquisition and construction. A proposed future project to be identified represents the majority of the projected expenditures. Once one or more specific projects are identified, they will be brought to the El Cajon Housing Authority and City Council for approval.

Please refer to the attached Annual Report for detailed information about Housing Authority activities including housing unit compliance with affordability requirements, activities concerning existing debt obligations, as well as land transactions and development.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This action is exempt from the California Environmental Quality Act ("CEQA"). Pursuant to State CEQA Guidelines section 15378(b)(5) this report is an administrative action that does not result in any change in the environment and is therefore exempt.

FISCAL IMPACT:

There is no impact to the General Fund. In accordance with Health and Safety Code Section 34328.1(b), the Housing Authority may be required to reimburse HCD for the cost of processing the report. If these were to occur, the cost would be covered by the Low and Moderate Income Housing Asset Fund (290200).

Prepared By: Jose Dorado, Housing Manager

Reviewed By: Anthony Shute, Director of Community Development

Approved By: Graham Mitchell, City Manager

Attachments

FY 2023-2024 Annual Housing Authority Report



El Cajon Housing Authority

Annual Report

FY 2023-24

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INTRODUCTION

Pursuant to California Health & Safety Code (“HSC”) section 34328, all housing authorities must annually file a report by October 1st of their activities for the preceding year (“Annual Report”) with their respective City or County Clerk and with the California Department of Housing and Community Development (“HCD”). This Annual Report covers all activities of the El Cajon Housing Authority that occurred during the Fiscal Year (“FY”) 2023-24, including housing unit compliance with affordability requirements, activities concerning existing debt obligations, as well as land transactions and development.

LEGAL AUTHORITY

The State legislature allows housing authorities to function as local entities with the primary responsibility of providing housing for very low- and low-income households. Housing authorities are distinct, autonomous, legal entities that derive their power from State legislature. Under HSC section 34200, the law provides the functioning of a local housing authority through a resolution of the local governing body.

AUTHORITY BACKGROUND

In the case of the City of El Cajon (“City”), the City Council adopted Resolution No. 32-11 on March 9, 2011, to establish the El Cajon Housing Authority (“Housing Authority”) by confirming and finding: (1) that unsanitary or unsafe inhabited dwellings exist in the City; or (2) that there is a shortage of safe and sanitary dwellings accommodations in the City available to persons of low income at affordable rents.

On January 24, 2012, the El Cajon Redevelopment Agency (“Agency”) adopted Resolution No. ECRA-427 to transfer title of the Agency’s housing real property assets and loans receivable before February 1, 2012, to the Housing Authority and transfer all remaining housing assets to same entity, including, but not limited to: recorded or unrecorded leases, Deeds of Trust, intangible assets, fixtures and equipment, agreements, contracts, promises to pay, receivables and any/all other unspecified assets. The Housing Authority then adopted Resolution No. ECHA-1 to appoint the officers of the Housing Authority; to accept the Agency’s housing real property assets and loans receivable before February 1, 2012; to accept transfer of all remaining housing assets, including, but not limited to: recorded or unrecorded leases, Deeds of Trust, intangible assets, fixtures and equipment, agreements, contracts, promises to pay, receivables and any/all other unspecified assets; and to authorize the Executive Director to pay enforceable obligations, and conduct day to day operations of the Housing Authority.

OBJECTIVES OF THE HOUSING AUTHORITY

Historically, the primary role of housing authorities has been to interact with the Department of Housing and Urban Development (“HUD”) on behalf of their communities, and to function as the administrator of “Section 8” funds, as defined by Section 8 of the United States Housing Act of 1937. A housing authority’s function under Section 8 entails determining applicants’ eligibility to receive Section 8 assistance, maintaining a waiting list of eligible participants, contracting with property owners, and ensuring that contracted rent prices are reasonable. The County of San Diego conducts this function on the behalf of the Housing Authority.

However, a housing authority also serves to meet the affordable housing needs of a wider range of residents than Section 8 alone. Unlike the former Agency, the Housing Authority can own and operate housing developments, subject to Article XXXIV of the California Constitution (“Article 34”) limitations, which alleviates the need to find prospective owners or operators for the units created. If political support permits, the Housing Authority can utilize eminent domain as a tool by which to assemble land for housing developments without the need to document blighting conditions.

The Housing Authority’s future goals and objectives are to:

- Increase, improve or preserve housing stock available to low and very low income residents;
- Rehabilitate multi-family properties that exhibit unsafe or unhealthy characteristics;
- Increase the affordability of housing for low and very low income residents;
- Reduce overcrowding conditions in multi-family units;
- Fulfill obligations to produce and maintain affordable housing units pursuant to HSC section 33000 *et. seq.*, with housing assets transferred from the Agency; and
- Generate ongoing revenues to achieve Housing Authority self-sustainability.

CONTENTS OF THE HOUSING AUTHORITY’S ANNUAL REPORT

This Annual Report has been developed to address the following requirements:

- Provide a complete report of activities during FY 2023-24, including any bond issuances, and loans or finance agreements that the Authority has entered into;
- Compliance with the requirements of HSC section 34312.3 such as providing the minimum amount of housing units affordable to lower income households in projects assisted by the Authority with bonds and documenting established base rents and/or maximum rental payments for lower income households; and
- Information on any tenancy or Housing Choice Voucher terminations of domestic violence victims required by HSC section 34328.1.

HOUSING AUTHORITY DEBT OBLIGATIONS

Pursuant to HSC section 34312.3, the Housing Authority must provide a complete report of its activities taken during the prior fiscal year, which includes bonds, loans, and financing agreements for multifamily rental projects. Although no agreements were executed in 2023-24, the Housing Authority has an ongoing 15-year agreement with Lexington ECJ LP., as described in **Table 1-A** below.

El Cajon Housing Authority Land Transactions and Development				Table 1-A
Parcel #	Site Address	Type	Purpose	Status
488-212-21-00	250 E. Lexington	Project Based Vouchers	The Housing Authority committed \$3.95 million (from the sale proceeds) to provide Project Based Rental Assistance ("PBRA") to 40 units at or below extremely low income over a period of 15 years.	Ongoing

LAND TRANSACTIONS AND DEVELOPMENT ACTIVITIES

No land transactions or development activities occurred in fiscal year 2023-2024. Any future financing for the acquisition, construction, rehabilitation, or development of multi-family housing through the issuance of bonds, construction loans, mortgage loans, and/or financing agreements will be documented and provided in subsequent Annual Reports.

HOUSING AUTHORITY ASSETS

The Housing Authority assets include but are not limited to real property, recorded or unrecorded leases, Deeds of Trust, intangible assets, fixtures and equipment, agreements, contracts, promises to pay, receivables, transfers, and any/all other unspecified assets. All Real Property Assets owned and transferred to the Housing Authority are shown on **Table 1-B** and a summary of all Loans Receivable are shown on **Table 1-C**.

El Cajon Housing Authority Real Property Assets (Properties owned and transferred to the Housing Authority)				Table 1-B
Parcel #	Site Address	Date Acquired	Current Use	
487-180-09-00	151 Chambers Street	07/26/2007	DDA - Solterra Sr. Residences	
487-191-14-00	131 Chambers Street	07/25/2008	DDA - Solterra Sr. Residences	
488-111-35-00	Lot Adjacent to 146 Ballantyne Street	08/24/1973	Vacant - disposition of property in process	
488-212-21-00	250 E. Lexington Avenue	07/01/1994	Lease - Lexington Senior Apartments	
488-212-22-00	Prescott Promenade- Parking Lot	06/27/2014	Parking Lot-Lease to Lexington Apartments	

El Cajon Housing Authority Loans Receivable (Loans transferred to the Housing Authority) ¹		Table 1-C
Loan Receivable Type	# Of Outstanding Loans	Value of 6/30/2024 ²
Multi-Family Projects	3	\$ 7,822,153
Single Family Units	55	\$ 4,063,581
Total	58	\$ 11,885,734

1. The figures in Table 1-C are provided for information purposes only and are unaudited.
2. The final audited figures will be made available as part of the City of El Cajon’s Annual Comprehensive Financial Reports at <https://www.elcajon.gov/your-government/departments/finance/financial-reports>

HOUSING UNIT COMPLIANCE

As set forth by HSC sections 34328 and 34328.1, housing authorities are required to:

- Prove compliance with the requirements of HSC section 34312.3 such as the minimum number of housing units affordable to lower income households in projects assisted by the Housing Authority and establish base rents and/or maximum rental payments for lower income households;
- Lower-income households are defined as a household with income not greater than 80% of AMI established by HUD, and
- To document any domestic violence tenancy terminations or Section 8 voucher terminations as required by HSC section 34328.1.

The following subsections provide a summary of the Housing Authority’s progress toward the requirements listed above.

HOUSING UNIT AFFORDABILITY REQUIREMENT

Pursuant to HSC section 34312.3, not less than 20 percent of the units assisted by the Housing Authority, or 15 percent in targeted areas¹, as defined by section 103(b) (12) (A) of Title 26 of the United States Code, must be affordable to persons of low income. Of that percentage, not less than one-half must be available to persons of very-low income, if the housing development is financed by bonds². Nevertheless, the power to finance, own, build, and/or operate a housing development allows the Housing Authority to take on a more active role in the creation and maintenance of housing for low-income families.

Table 1-D provides a summary of the multi-family of deed restricted units, real estate assets owned or managed by the Housing Authority, and the breakdown of the current income levels that the units fall within, where known. **Table 1-D** shows how the current affordability mix of the Housing Authority’s projects meet established requirements within HSC section 34312.3, or the requirements of the funding sources at the time the assistance was provided.

¹ CA Health & Safety Code Section 34312.3 (c)(1)(A)
² CA Health & Safety Code Section 34312.3 (2)(A)

El Cajon Housing Authority
Multi-Family Residential Real Estate Assets-Deed Restricted Units by the Housing
Authority & other funding sources

Table 1-D

Project Name/Location	Project Type	ELI	VL	Low	Mod	Manager Unit (Exempt)	Total No. Units
Solterra Sr. Residences			48	---	1	---	49*
131 & 151 Chambers Street	Senior Rental Units (Ground Lease and Deed Restriction)						
Cornerstone Place Apts.			26	43	---	1	70**
230 S Sunshine Ave	Family and Veteran (Deed Restriction)						
Lexington Senior Apts.		40		59	---	1	100***
250 E. Lexington Avenue	Senior Rental Units (Ground Lease & Deed Restriction)						
El Cajon Senior Towers, L. P			87	---	---	1	88****
180 Ballantyne Street	Senior Rental Units (Deed Restriction)						
Total		40	161	102	1	3	307

* All units deed restricted by the ECHA with the exception of the manager's unit.
 ** All units deed restricted with the exception of the manager's unit. ECHA deed restricted 49% of the units.
 *** All units deed restricted by the ECHA with the exception of the manager's unit
 **** All units deed restricted with the exception of the manager's unit. ECHA deed restricted 13 of the units.

BASE & MAXIMUM RENTS

HSC section 34312.3 establishes a set of guidelines to determine the base and maximum rents that a housing authority can charge for units reserved for lower income households. According to HSC section 34312.3, "rental payments shall not exceed the amount derived by multiplying 30 percent times 50 percent of the median adjusted gross income for the area, adjusted for family size, as determined pursuant to Section 8 of the United States Housing Act of 1937 (42 U. S. C. Sec. 1437f)." The Housing Authority does not have an adopted schedule of base rental payments; however, the following table provides a calculation of the maximum rental payments that the Housing Authority can charge for affordable rental housing units. The Housing Authority monitors to ensure compliance of rental payments charged for its housing units and based on the last monitoring period all units across all three properties were found to be in compliance with their respective affordable housing agreement and the rents listed in **Table 2**.

As part of the monitoring process for the three properties, the Housing Authority compiles reports on each property's unit compliance in accordance with each property's affordable housing agreement, loan agreement, funding source, and/or covenant. The properties received funding that requires compliance with either HCD, HOME, or MTSP rent limits, or some combination thereof.

EL CAJON HOUSING AUTHORITY - 2023											Table 2
Affordable Rental Housing Limits											
San Diego County											
Area Median Income		\$116,800	2023		Very Low Income		Low Income		Moderate Income		
Change from 2022		9.26%									
Median Income	Utility Allowance	HUD FMR ¹	Number of Persons	Bedrooms	Qualifying Income Limit	Max Rent 30% X 50%*	Qualifying Income Limit	Max Rent 30% X 60%**	Qualifying Income Limit	Max Rent 30% X 110%***	
					<i>H&S Code 50053(b)(2)</i>		<i>H&S Code 50053(b)(3)</i>		<i>H&S Code 50053(b)(4)</i>		
\$81,750	\$43	\$1,714	1	Studio	\$48,250	\$1,022	\$77,200	\$1,226	\$98,100	\$2,248	
\$93,450	\$61	\$1,885	2	One	\$55,150	\$1,168	\$88,200	\$1,402	\$112,100	\$2,570	
\$105,100	\$79	\$2,399	3	Two	\$62,050	\$1,314	\$99,250	\$1,577	\$126,150	\$2,890	
\$116,800	\$96	\$3,279	4	Three	\$68,900	\$1,460	\$110,250	\$1,752	\$140,150	\$3,212	
\$126,150	\$122	\$3,988	5	Four	\$74,450	\$1,577	\$119,100	\$1,892	\$151,350	\$3,469	
\$135,500	\$139	N/A	6	Five	\$79,950	\$1,694	\$127,900	\$2,033	\$162,550	\$3,726	

¹Fair Market Rents

*Affordable Housing Cost for Very Low-Income Households is the product of 30 percent times 50 percent of the area median income adjusted for family size appropriate to the unit. Health and Safety Code section 50053(b)(2), minus the applicable utility allowance.

**Affordable Housing Cost for Lower Income Households is the product of 30 percent times 60 percent of the area median income adjusted for family size appropriate to the unit. Health and Safety Code section 50053(b)(3), minus the applicable utility allowance.

***Affordable Housing Cost for Moderate Income Households is not more than the product of 30 percent times 110 percent of the area median income adjusted for family size appropriate to the unit. Health and Safety Code section 50053(b)(4), minus the applicable utility allowance.

Utility Allowance reflects the gas heating, gas cooking, other electric, and Air Conditioning in accordance with the County of San Diego Section 8 Rental Assistance Program, effective 12/1/2022.

DOMESTIC VIOLENCE

State law requires that a housing authority annually report data related to domestic violence incidents in units owned or operated by the housing authority. Specifically, the report must include data on the following:

- Data on termination of tenancy and/or Section 8 vouchers of victims of domestic violence in Housing Authority units.
- Summary of steps taken by the Housing Authority to address any termination of tenancies and/or Section 8 vouchers of victims of domestic violence.

The Housing Authority does not own or operate any multifamily projects. Hence, there is no reportable activity between July 1, 2023, and the end of the reporting year on June 30, 2024. The County of San Diego administers the Housing Choice Voucher Program (Section 8) rental assistance in the City of El Cajon, as the local Public Housing Agency. The County of San Diego reported no terminations of Section 8 vouchers of victims of domestic violence during this reporting period. Any information on any terminations of this kind are always limited to a summary of the number(s) and may include non-specific information to protect the privacy of the parties involved.

FINANCIAL STATEMENT/BUDGET

Table 3 presents the revenues and expenditures within the Housing Authority’s actual budget for FY 2023-24 as well as the proposed budget for FY 2024-25.

Table 3		
El Cajon Housing Authority Schedule of Revenues, Expenditures and Fund Balance		
	Actual (Unaudited) 2023-24	Proposed Budget 2024-25
Beginning Fund Balance	\$17,086,291	\$16,814,412
Revenues/Sources:		
Contracted Services	-	-
Investment Earnings	\$73,926	-
Sale of Property	-	-
Rental Income	-	\$1
Other Revenues	\$358	\$100
Loan Repayments & Equity Share	\$48,064	\$200,000
Transfers in -In-Lieu Funds	-	\$303,000
Total Revenues	\$122,348	\$503,101
Expenditures/Uses:		
Administration	\$149,116	\$271,858
Materials, Services, and Supplies	\$245,111	\$984,270
Loan Disbursements	-	\$2,200,000
Total Expenditures	\$394,227	\$3,456,128
Excess (deficiency) of revenues over (under) expenditures/uses	\$(271,879)	\$(2,953,027)
Ending Fund Balance	\$16,814,412	\$13,861,385

Source: City of El Cajon Finance Department

FUTURE HOUSING AUTHORITY ACTIVITIES

Future Housing Authority activities to meet goals and objectives will be directed to undertaking activities that meet HSC and supplementary/leveraged funding regulatory requirements, maximize existing and new financial resources for the continued production of affordable housing for low-income households, generate ongoing revenues through affordable housing production to ensure Housing Authority self-sustainability, improve the quality of affordable housing stock, and eliminate conditions that lead to blight in affordable housing developments.

Specific activities that are anticipated or may be contemplated during 2024-2025 include:

- **Ongoing Compliance:** Continue to monitor existing affordable housing projects as show in Table 1-D and collect residual receipts and monitoring fees, if applicable.

- **Production of Affordable Housing:** Continue to seek opportunities that increase the production of affordable units that is consistent with the requirements of HSC section 34176 and 34176.1.

Specific Obligations for 2024-2025 includes:

- **250 E. Lexington Avenue (Lexington Avenue Senior Apartments):** On February 11, 2019, the El Cajon Housing Authority committed \$3.95 million in rental assistance to the Lexington Avenue Senior Apartments for a term of no less than 15 years through a project-based rental assistance (PBRA) Agreement between ECHA and Lexington ECJ Housing, LP. The Agreement provides PBRA for 40 households at or below extremely low-income levels for a 15-year period. The annual contribution for 2024-25 is estimated at \$250,000 using LMIHAF.

Specific activities related to Homeless Prevention and Rapid Re-housing programs are:

- **El Cajon Housing Connections:** The Housing Authority is currently reviewing project balances to determine if additional funding is needed to provide emergency housing placements when shelter beds are full.
- **A Way Back Home:** In October 2017, the City partnered with The Salvation Army to fund the “A Way Back Home” program, reunites homeless individuals in the City with their families by providing assistance with transportation, food and if needed an overnight stay while in route. During Fiscal Year 2023-2024, 11 individuals (6 households) were placed into permanent housing through this program. A total of \$5218 was expended using LMIHAF for this program, for an average of \$870 per household housed. This program will continue in 2024-2025.

Conclusion:

Current revenue and asset limitations will be the greatest challenge for the Housing Authority’s goal of increasing the production of affordable housing units and achieving self-sustainability. As federal, state, and local programs are being eliminated or reduced, there are fewer subsidies and financial resources available to make affordable projects economically feasible. This trend requires the Housing Authority to be strategic and deliberate in the types of projects for which it chooses to participate, or it must seek other viable alternatives to preserve or build housing that is affordable.



City Council Agenda Report

Agenda Item 7.

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Dave Richards, Director of Public Works - Operations
SUBJECT: American Rescue Plan Act (ARPA) Vehicle Purchases

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to authorize the replacement of vehicles and capital purchases of new vehicles for Public Works and Public Safety utilizing American Rescue Plan Act Funds (ARP23).

BACKGROUND:

On May 11, 2021, the City Council adopted a resolution allocating the City's approximately \$30 million in American Rescue Plan Act (ARPA) funds. Since then, the City Council has adopted several re-allocation amendments as projects have concluded, and the deadline to spend the grant funds is approaching. Furthermore, on July 9, 2024, the City Council approved the appropriation of \$3 million from the ARPA funds to purchase Public Safety and Public Works vehicles.

Replacing vehicles ensures that the City maintains a reliable and effective fleet to serve the El Cajon Community. If approved, the purchases are in accordance with the City's Vehicle Replacement Administrative Policy (E-13) and comply with recent California Air Resources Board requirements to replace medium and heavy-duty trucks with electric versions.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This action is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15378(b)(2). It will not result in any direct or indirect physical change in the environment because it solely provides authorization for the purchase of equipment.

FISCAL IMPACT:

This action will utilize ARPA Grant funds (ARP23) of \$3 million to procure vehicles. These purchases will not impact the General Fund.

Prepared By: Monica Martinez, Sr. Management Analyst
Reviewed By: Dave Richards, Director of Public Works - Operations
Approved By: Graham Mitchell, City Manager

Attachments

Resolution
VEHICLE LIST

RESOLUTION NO. ____-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON
APPROVING THE PURCHASE OF VEHICLES USING
AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, on May 11, 2021, the City Council of the City of El Cajon (the "City") adopted Resolution 042-21 allocating the City's approximately \$30 million in American Rescue Plan Act ("ARPA") funds, and has since adopted several re-allocation amendments as projects have concluded; and

WHEREAS, on July 9, 2024, the City Council approved the appropriation of \$3,000,000 from ARPA funds to purchase new and replacement vehicles (the "Vehicles") for the Public Works and Public Safety departments to ensure that the City maintains a reliable and effective fleet to serve the El Cajon community; and

WHEREAS, the purchases would be in accordance with the City's E-13 Vehicle Replacement Administrative Policy and comply with recent California Air Resources Board requirements to replace medium and heavy-duty trucks with electric versions; and

WHEREAS, there will be no impact to the General Fund as ARPA funds will be used to purchase the Vehicles; and

WHEREAS, this action is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15378(b)(2) as it will not result in any direct or indirect physical change in the environment because it solely provides authorization for the purchase of equipment; and

WHEREAS, the City Council believes it to be in the City's best interest to authorize purchases of the Vehicles utilizing ARPA funds.

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 purchase of the Vehicles is determined to be exempt from further CEQA analysis under section 15378(b)(2) of the CEQA Guidelines.
3. The City Council hereby authorizes the replacement of vehicles and capital purchases of new vehicles for the City's Public Works and Public Safety departments utilizing American Rescue Plan Act Funds.
4. The City Council hereby authorizes the City Manager, or such person as is designated by the City Manager, to execute the necessary purchase orders for the Vehicles, 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 purchase orders, or other documents necessary, as may be approved by the City Manager, on behalf of the City of El Cajon.

09/10/24 CC Agenda
Reso – Approve ARPA Funding for New & Replacement Vehicles 082824

Vehicles FY 2024-2025 (ARPA Funding)

Replacement Vehicles								
Vehicle to be Replaced				Replacement Vehicle Make	Base Cost 9040	Accessories 9041	Contracts 8584	Total Cost
Unit#	Mileage	Year	Make					
30295	N/A	2000	Texas Trailer	Air-Tow T12-7 Flatbed Drop Deck Trailer	\$ 22,500	\$ 2,000	\$ -	\$ 24,500
30290	39,841	2008	Ford F-150 Pickup	F-250 Utility Bed w/ Liftgate	\$ 65,000	\$ 39,500	\$ 3,500	\$ 108,000
30291	71,230	2008	Ford F-150 Utility Truck	F-250 Utility Bed w/ Liftgate	\$ 65,000	\$ 39,500	\$ 3,500	\$ 108,000
30302	74,288	2002	Ford F-350 Service Truck <D>	F-350 Service Body w/ Liftgate	\$ 90,000	\$ 50,000	\$ 4,000	\$ 144,000
70286	N/A	2002	Texas Trailer	Felling FT-10 T Tilt Trailer	\$ 13,500	\$ 2,000	\$ -	\$ 15,500
40001	95,819	2013	Ford Explorer Utility	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40051	84,649	2008	Chevrolet Impala	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40307	96,118	2007	Ford 500	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40369	123,152	2002	Tahoe	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40379	109,290	2013	Impala	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40387	96,163	2015	Taurus	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40392	132,375	2016	Taurus	Ford Explorer Civilian	\$ 49,000	\$ 12,500	\$ 3,000	\$ 64,500
40042	54,850	2008	Ford Crown Vic	Ford Explorer Utility	\$ 55,000	\$ 47,000	\$ 3,500	\$ 105,500
41722	119,888	2017	Ford Explorer Utility	Ford Explorer Utility	\$ 55,000	\$ 47,000	\$ 3,500	\$ 105,500
40322	77,461	2006	Ford 500	Ford Explorer Utility	\$ 55,000	\$ 47,000	\$ 3,500	\$ 105,500
40102	118,146	2015	Ford Explorer Utility	Ford Explorer Utility	\$ 55,000	\$ 47,000	\$ 3,500	\$ 105,500
41776	138,124	2017	Ford Explorer Utility	Ford Explorer Utility	\$ 55,000	\$ 47,000	\$ 3,500	\$ 105,500
41796	149,712	2017	Ford Explorer Utility	Ford Explorer Utility	\$ 55,000	\$ 47,000	\$ 3,500	\$ 105,500
40376	102,079	2007	Impala	Ford Explorer Utility K9	\$ 55,000	\$ 54,000	\$ 3,500	\$ 112,500
40061	151,399	2014	Ford Explorer Utility	Ford Explorer Utility Traffic Radar	\$ 55,000	\$ 48,500	\$ 3,500	\$ 107,000
60013	74,226	1999	Chevrolet One Ton Full Size Van	Ford Lightning Pro	\$ 75,000	\$ 8,500	\$ 3,000	\$ 86,500
40305	86,184	2008	Impala	Ford Maverick	\$ 39,000	\$ 19,500	\$ 3,200	\$ 61,700
40090	88,742	2012	Impala	Ford Maverick	\$ 39,000	\$ 19,500	\$ 3,200	\$ 61,700
40098	148,839	2013	Ford Explorer Utility	Ford Maverick	\$ 39,000	\$ 19,500	\$ 3,200	\$ 61,700
20010	72,934	2008	Hybrid Escape	Ford Maverick	\$ 39,000	\$ 8,500	\$ 3,200	\$ 50,700
60017	84,806	2014	Ford Escape	Ford Maverick	\$ 39,000	\$ 8,500	\$ 3,200	\$ 50,700
60464	48,528	2003	Ford F-450 Stake Bed w/ Liftgate <D>	GreenPower Transport Evolved Stake Bed	\$ 142,450	\$ 7,500	N/A	\$ 149,950
60285	22,408	2008	Ford F-350 Spray Truck <D>	Legend/Paint Truck	\$ 161,835	\$ 7,500	\$ 4,000	\$ 173,335
70190	N/A	2009	Toro Mower Walk-Behind 38494	Toro Grandstand 48" Mower 72518	\$ 17,110	-	-	\$ 17,110
70291	N/A	2013	Toro Z Riding Mower	Toro Z-Master 72961	\$ 24,800	-	-	\$ 24,800
Replacement Vehicle Subtotal					\$ 1,655,195	\$ 704,000	\$ 83,000	\$ 2,442,195

New Vehicles							
New Vehicle				Base Cost 9040	Accessories 9041	Contracts 8584	Total Cost
Ford Lightning Pro				\$ 75,000	\$ 8,500	\$ 3,000	\$ 86,500
Ford Lightning Pro				\$ 75,000	\$ 8,500	\$ 3,000	\$ 86,500
Ford Maverick				\$ 39,000	\$ 8,500	\$ 3,200	\$ 50,700
Petersen TR3 Route Assistant Side Trough				\$ 319,105	\$ 7,500	\$ 7,500	\$ 334,105
New Vehicle Subtotal				\$ 508,105	\$ 33,000	\$ 16,700	\$ 557,805
Total				\$ 2,163,300	\$ 737,000	\$ 99,700	\$ 3,000,000



City Council Agenda Report

Agenda Item 8.

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Dave Richards, Director of Public Works - Operations
SUBJECT: CalRecycle Beverage Container Recycling Grant

RECOMMENDATION:

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

1. Authorize the City Manager or such person designated by the City Manager, to apply for, and if awarded, accept the CalRecycle Beverage Container Recycling City/County Grant for FY2024-25 (CALCCPP25); and
2. Authorize the City Manager or such person designated by the City Manager, to execute any documents and agreements necessary to apply for and receive the grant funds.

BACKGROUND:

The State of California Department of Resources Recycling and Recovery (CalRecycle) distributes funds for specific grants and payment programs to assist jurisdictions with recycling and litter reduction efforts. The City is eligible to receive \$26,245 from the CalRecycle Beverage Container Recycling City/County Grant for FY2024-25. If funding is awarded, staff recommends utilizing the grant funds to purchase water bottle refill stations and multi-material recycling and refuse bins that will be placed in several locations throughout the City.

In order to apply and receive the grant funds, staff recommends that the City Council adopts a resolution to authorize the City Manager or designee to apply for the CalRecycle Beverage Container Recycling City/County grant for FY2024-25. Further, if the grant is awarded, the resolution would authorize the City Manager to accept the award and execute any agreements and documents necessary to receive the funds.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This proposed action is exempt from the California Environmental Quality Act ("CEQA"). Pursuant to State CEQA Guidelines section 15378(b)(4-5), it does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and, constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT:

If awarded, the CalRecycle Beverage Container Recycling City/County FY2024-25 Grant (CALCCPP25) will provide \$26,245 for various functions related to the City's regulations. These functions will not impact the General Fund, and no matching funds are required for this grant.

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 CITY TO APPLY FOR, AND
IF AWARDED, ACCEPT THE CALRECYCLE BEVERAGE
CONTAINER RECYCLING CITY/COUNTY GRANT FOR FY 2024-2025

WHEREAS, the State of California Department of Resources Recycling and Recovery ("CalRecycle") distributes funds for specific grants and payment programs to, among other things, assist local agencies with recycling and litter reduction efforts; and

WHEREAS, City staff was notified that the City was eligible to receive \$26,245 from the CalRecycle Beverage Container Recycling City/County Grant for FY2024-25; and

WHEREAS, if funding is awarded, staff recommends utilizing the grant funds to purchase water bottle refill stations and multi-material recycling and refuse bins that will be placed in several locations throughout the City; and

WHEREAS, in order to apply for and receive the grant funds, staff recommends that the City Council adopts a resolution that authorizes the City Manager or such person designated by the City Manager to apply for the CalRecycle Beverage Container Recycling City/County Grant for FY2024-25, and if the grant is awarded, also authorize the City Manager or such person designated by the City Manager to accept the award and execute such agreements and other documents necessary to receive the funds; and

WHEREAS, the proposed project is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines section 15378(b)(5), because it is not defined as a project and will not result in a direct or reasonably foreseeable indirect physical change in the environment; and

WHEREAS, City Council finds that it is in the City's best interest to authorize the City Manager, or such person designated by the City Manager, to apply for, and if awarded, accept the award and execute such agreements and other documents necessary to receive the Grant Funds.

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

1. The City Council finds that authorization to apply for, and if awarded, accept, the CalRecycle funds is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines section 15378(b)(5), because it is not defined as a project and will not result in a direct or reasonably foreseeable indirect physical change in the environment.

2. The City Manager, or such person designated by the City Manager, is authorized to apply for and, if awarded, to accept the CalRecycle Beverage Container Recycling City/County Grant for FY2024-25 (CALCCPP25) funds in the amount of

\$26,245 to purchase water bottle refill stations and multi-material recycling and refuse bins that will be placed in several locations throughout the City.

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

4. The City Council hereby commits to using the funds to purchase water bottle refill stations and multi-material recycling and refuse bins that will be placed in several locations throughout the City.

5. The authorizations set forth herein are effective for fiscal year 2024-2025.

09/10/24 CC Agenda
Reso - CalRecycle Grant Program FY2024-25 082924



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Marisol Thorn, Director of Human Resources
SUBJECT: Revision of Classification Specification for Building Inspector

RECOMMENDATION:

That the City Council approves and authorizes the proposed changes to the Building Inspector classification specification.

BACKGROUND:

The City periodically conducts analysis of job classification requirements, along with industry standards, and the sample pool of available applicants. Historically, the City has allowed candidates to apply and retain employment without the International Code Council (ICC) certification, with the expectation that the new hire is to obtain the certification within twelve months of employment. This flexibility in qualifications has created new hire turnover due to the fact that new hires have been unsuccessful obtaining the ICC certification. Consequently, the City is then tasked with having to restart the recruitment process after only one year has passed. As a result, staff recommends clean-up language as attached and changes to the current Special Requirements section as described in the aforementioned section.

Current and Proposed Special Requirement

Current: *Possession of or ability to obtain certification by the International Code Council as a combination Building Inspector or other certification as approved within twelve months of appointment. Ability to complete PC 832 certification within twelve months of appointment. Possession of or ability to obtain, prior to employment, a valid Class C California driver's license with a safe driving record.*

Proposed: *Possession of an International Code Council certification as a combination Building Inspector or other certification as approved. Ability to complete PC 832 certification within twelve months of appointment. Possession of or ability to obtain, prior to employment, a valid Class C California driver's license with a safe driving record.*

The Building Inspector classification is represented by the Municipal Employee Association (MEA) bargaining group. As such, the City had a duty to discuss the changes with the bargaining group. MEA reviewed the proposed changes and subsequently concurred on August 28, 2024.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

City Council approval of the proposed changes to the classification specification is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15378(b)(2) because it is a personnel-related action.

FISCAL IMPACT:

There are no fiscal impacts identified.

Prepared By: Marisol Thorn, Director of Human Resources

Reviewed By:

Approved By: Graham Mitchell, City Manager

Attachments

Proposed Classification Specification

CITY OF EL CAJON
BUILDING INSPECTOR

CLASSIFICATION DESCRIPTION

Function: Under general supervision, performs journey-level and specialized building inspections of single and multi-family dwelling units, substandard buildings and commercial and industrial buildings; determines compliance with approved plans, adopted codes, and State and Federal regulations and/or local ordinances; assists in or performs plans examination work; issues building and fire permits; and performs related work as required.

Representative Duties:

- Inspects building construction in residential, commercial and industrial installations to verify compliance with approved plans and specifications and City codes and State and Federal regulations;
- ~~performs inspections of new residential fire protection systems~~
- performs fire and life safety clearance inspections for new business licenses and State licensed facilities at the request of the State;
- interprets and applies pertinent code requirements;
- investigates complaints;
- prepares and maintains reports and records of construction projects;
- issues permits;
- calculates permit and plan check fees;
- processes plans and permits;
- conducts less complex plan checks;
- coordinates the processing of construction projects.

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Contacts and Relationships: Contacts are varied to include architects, engineers, contractors, job superintendents, property owners/managers, complainants, City staff and others who must comply with building codes. In many cases, the employee exercises a high degree of persuasive ability and tact in gaining voluntary compliance.

Accountability: Employee is accountable for the quality of inspections, including the detection of code violations and the use of proper materials. Employee is accountable for accurate and timely plans examinations when assigned. In addition, employee is expected to keep informed of new construction materials and practices.

Working Conditions: The work involves both office and field work; field work is subject to normal construction hazards.

City of El Cajon
Building Inspector

QUALIFICATIONS GUIDELINES

Physical Condition: Shall possess the physical, mental and emotional ability to perform the essential duties of the position without the threat of hazard to self or others.

Incumbents are required to utilize a computer keyboard; have sufficient vision to read typical business documents and plans and observe code violations; and have sufficient vocal and auditory abilities to communicate with others. Additional essential functions include the ability to stand, sit, walk, lift and carry large sets of plans over short distances, and possibly carry a large set of plans at a worksite inspection.

Pushing/pulling (minimal force) as well as bending, stooping, crouching, kneeling, climbing and balancing (on even and uneven surfaces) are required to be performed daily. Reaching is required above shoulder level, at shoulder level, and primarily below shoulder level, as is twisting, turning, neck flexing, and driving.

The use of hands and fingers and performing tasks requiring fine dexterity is also required.

Experience:

At least three years experience in the construction industries including plan reading and building construction at the journey level involving one or more of the major construction trades, i.e., carpentry, plumbing, electrical, or mechanical. Experience as a building inspector is highly desirable.

Education: Educational achievement equivalent to graduation from high school supplemented by additional training in construction inspection, architecture, civil or structural engineering or code enforcement.

Abilities/Skills/Knowledge:

- Ability to read and interpret building and applicable codes, plans, specifications and blueprints;
- ability to detect deviations from approved plans and codes;
- ability to identify defective construction material and workmanship;
- ability to develop and maintain satisfactory working relationships with members of the construction industry, property owners/managers and the public;
- ability to gain voluntary compliance with code requirements;
- ability to maintain records and prepare reports;
- considerable knowledge of construction practices and materials;
- considerable knowledge of building codes and Federal, State and local laws

City of El Cajon
Building Inspector

relating to building construction;

- considerable knowledge of the State Health and Safety Code and General Safety Orders;
- considerable knowledge of Title 24.

Special Requirements:

- Possession of ~~or ability to obtain certification by the~~ International Code Council certification as a combination Building Inspector or other certification as approved ~~within twelve months of appointment.~~
- Ability to complete PC 832 certification within twelve months of appointment.
- Possession of or ability to obtain, prior to employment, a valid Class C California driver's license with a safe driving record.

Established: 03/1989

Revised: 09/1998; 07/2001; 02/2006; 09/10, 05/2020; 08/28/2024

Approved Personnel Commission: 08/1998; 07/2001; 02/2006; 09/23/10; NA

Approved City Council: 09/1998; 08/2001; 03/2006; 10/12/10



City Council Agenda Report

Agenda Item 10.

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Engineering Services
SUBJECT: Service Agreement to Participate in the County of San Diego Roadway Resurfacing Project

RECOMMENDATION:

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

1. Authorize the City Manager to execute the County of San Diego Service Agreement for El Cajon Roadway Resurfacing;
2. Appropriate \$258,000.00 of available TransNet EL03 Overlay/Resurfacing funds to increase the budget for the Overlay 2023 (233786PWCP) project and expend these funds for the County Roadway Resurfacing Project, which includes five City streets; and
3. Determine that the project is exempt, pursuant to sections 15301, of the California Environmental Quality Act (CEQA) State Guidelines.

BACKGROUND:

The County of San Diego is administering a "Lakeside Roadway Resurfacing Project" comprising segments of North Anza Street, North First Street, Oro Street, Persimmon Avenue, and Sumner Avenue that adjoin the City of El Cajon. The length of the project within the City is approximately 0.3 miles and the existing streets will be milled and overlaid with 2 inches of polymer modified asphalt.

The County will take the lead role in implementing these roadway improvements, coordinating and processing them as one project to reduce overall costs. The County will provide the administrative, managerial, technical, and support services necessary for the implementation of the entire project. The City will provide one hundred percent (100%) of the cost of the project completed on City streets.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed project is exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15301 of the State CEQA guidelines because it involves the maintenance of existing public facilities.

FISCAL IMPACT:

The fiscal impact is \$258,000 from the TransNet EL03 account. Sufficient funds are available in the Fiscal Year 2024-25 Overlay 2023 (233786PWCP) project and contingent upon approval of additional funding. The appropriation of additional funds will increase the project budget to \$6,908,000.

Prepared By: Mario Sanchez, City Engineer

Reviewed By: Yazmin Arellano, Director of Engineering Services

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Exhibit A Cost Estimate

Exhibit B Project Location Map

Exhibit C Lead Agency Agreement

Exhibit D Draft Service Agreement

Exhibit E City Insurance Requirements

RESOLUTION NO. ____-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CAJON
APPROVING A SERVICE AGREEMENT BY AND BETWEEN
THE COUNTY OF SAN DIEGO AND THE CITY OF EL CAJON
FOR EL CAJON ROAD RESURFACING, AND APPROPRIATION OF
AVAILABLE TRANSNET EL03 OVERLAY/RESURFACING FUNDS
FOR THE OVERLAY 2023 PROJECT

WHEREAS, the County of San Diego (the "County") is administering a Lakeside Roadway Resurfacing Project (the "Project") comprising segments of North Anza Street, North First Street, Oro Street, Persimmon Avenue, and Sumner Avenue that adjoin the City of El Cajon (the "City"); and

WHEREAS, the length of the Project within the City is approximately 0.3 miles, and the existing streets will be milled and overlaid with two (2) inches of polymer modified asphalt; and

WHEREAS, the County will take the lead role in implementing the roadway improvements, coordinating and processing them as one project to reduce overall costs, and will provide the administrative, managerial, technical, and support services necessary for the implementation of the entire Project; and

WHEREAS, the City will provide one hundred percent (100%) of the cost of the Project for work done on City streets; and

WHEREAS, staff recommends that the City Council approves the Service Agreement by and between County of San Diego and City of El Cajon for El Cajon Roadway Resurfacing (the "Agreement"), and authorizes the appropriation of available TransNet EL03 Overlay/Resurfacing funds in the sum of \$258,000 to increase the Overlay 2023 budget for this Project; and

WHEREAS, sufficient funds are available in the Fiscal Year 2024-25 Overlay 2023 budget; and

WHEREAS, the Project is exempt from the California Environmental Quality Act ("CEQA") subject to section 15301 of CEQA guidelines, as no new environmental impacts would result. Section 15301, Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

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 finds that the Project is exempt from CEQA under section 15301, Class 1 of the State CEQA Guidelines.

3. The City Council hereby approves the Service Agreement by and between County of San Diego and City of El Cajon for El Cajon Road Resurfacing, substantially in the form as presented at this meeting, with such changes and refinements as may be necessary and approved by the City Manager.

4. The City Council hereby authorizes the appropriation of available TransNet EL03 Overlay/Resurfacing funds in the sum of \$258,000 to increase the Overlay 2023 budget for the Project.

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.

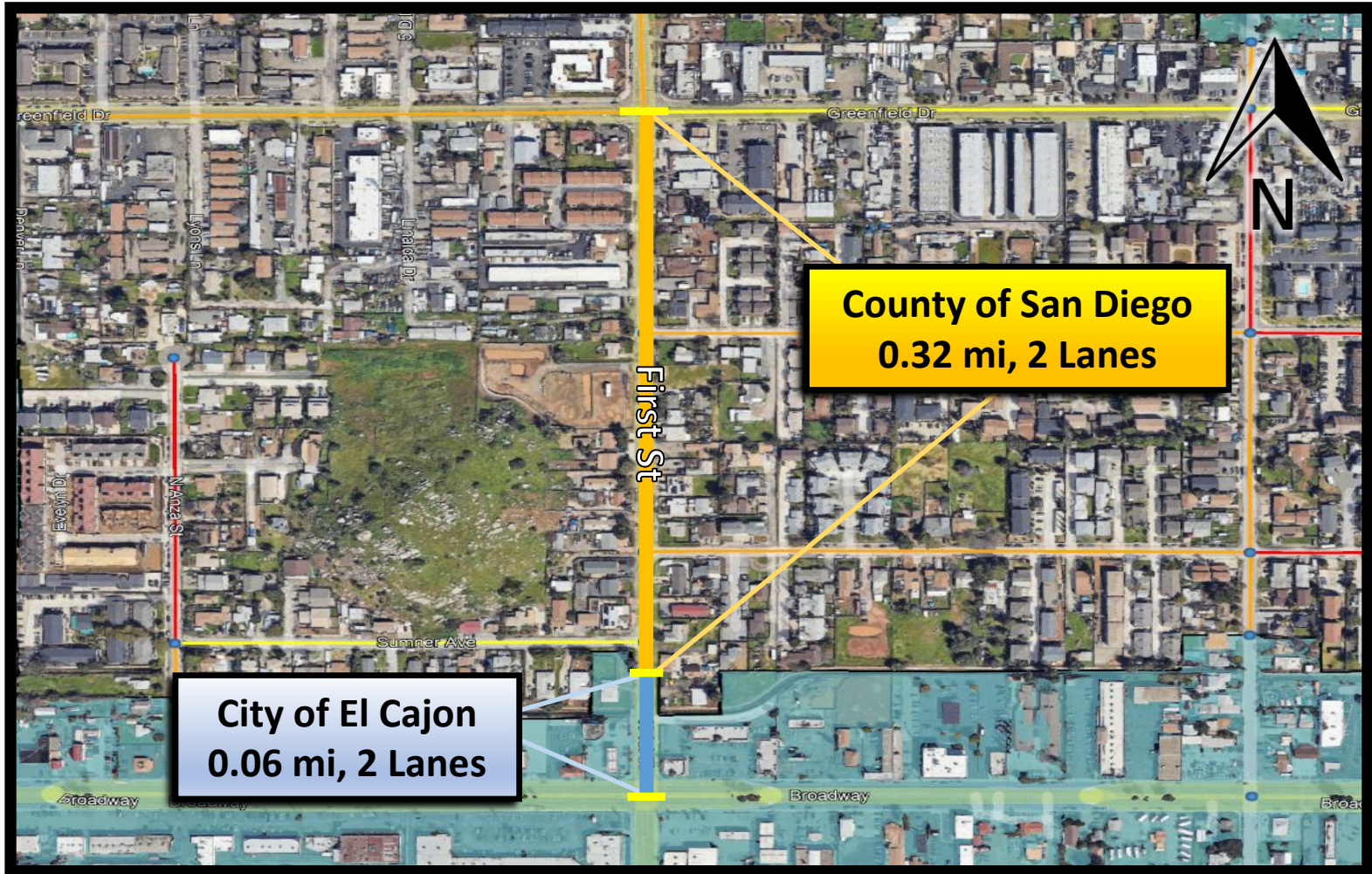
Exhibit A - Cost Estimate for City of El Cajon Portion

SUPERVISORIAL DISTRICT 2										
County Planning Group	Road Name	FROM	TO	# LANES	Area (SY)	Treatment	PCI	Est Construction Cost	Est Total Cost (Const + 28% Soft Cost)	City Length (MI)
LAKESIDE	FIRST ST	EL CAJON CITY LIMIT	BROADWAY	2	1,454	2" Mill/Inlay	29	\$56,860	\$72,780.70	0.06
LAKESIDE	PERSIMMON AV	EL CAJON CITY LIMIT	SECOND ST	2	500	2" Mill/Inlay	28	\$19,553	\$25,027.75	0.03
LAKESIDE	ORO ST	EL CAJON CITY LIMIT	BROADWAY	2	1,154	2" Mill/Inlay	28	\$45,128	\$57,764.05	0.09
LAKESIDE	ORO ST	EL CAJON CITY LIMIT	FLAMINGO AV	2	557	2" Mill/Inlay	28	\$21,782	\$27,880.92	0.03
LAKESIDE	ANZA ST	EL CAJON CITY LIMIT	BROADWAY	2	886	2" Mill/Inlay	24	\$34,648	\$44,349.18	0.05
LAKESIDE	SUMNER AV	EL CAJON CITY LIMIT	SECOND ST	2	603	2" Mill/Inlay	38	\$23,581	\$30,183.47	0.04
				12	5,154			\$201,551.62	\$257,986.07	0.30

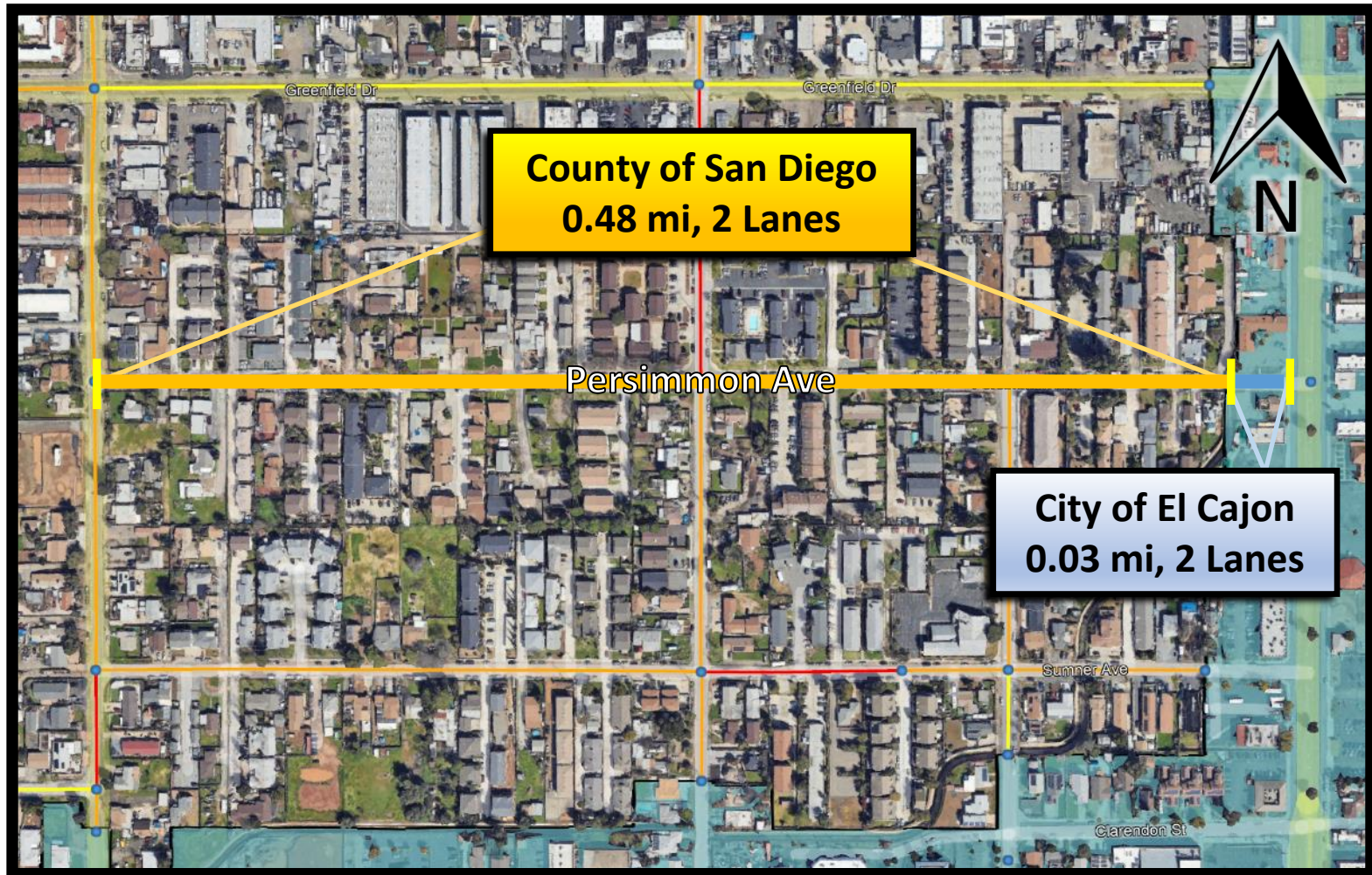
Mill Inlay						
No.	Code	Item Description	Qty	Unit	Cost	Total
1		Prepare Water Pollution Control Program	1	LS	\$2,500	\$2,500
2		Construction Site Management	1	LS	\$21,000	\$21,000
3		Plane Asphalt Concrete Pavement (Full Width)	5,154	SY	\$4.00	\$20,616
4		Replace Asphalt Concrete Surfacing	57	CY	\$225	\$12,885
5		Tack Coat	1.9	TON	\$600	\$1,130
6		HMA Type A	687	TON	\$125	\$85,828
7		Pavement Delineation	1	LS	\$3,000.00	\$3,000
8		Field Orders	1	DLR	\$21,000	\$21,000
Base Subtotal						\$167,960
Contingency (20%)						\$33,592
Base Total						\$201,552

\$39.11

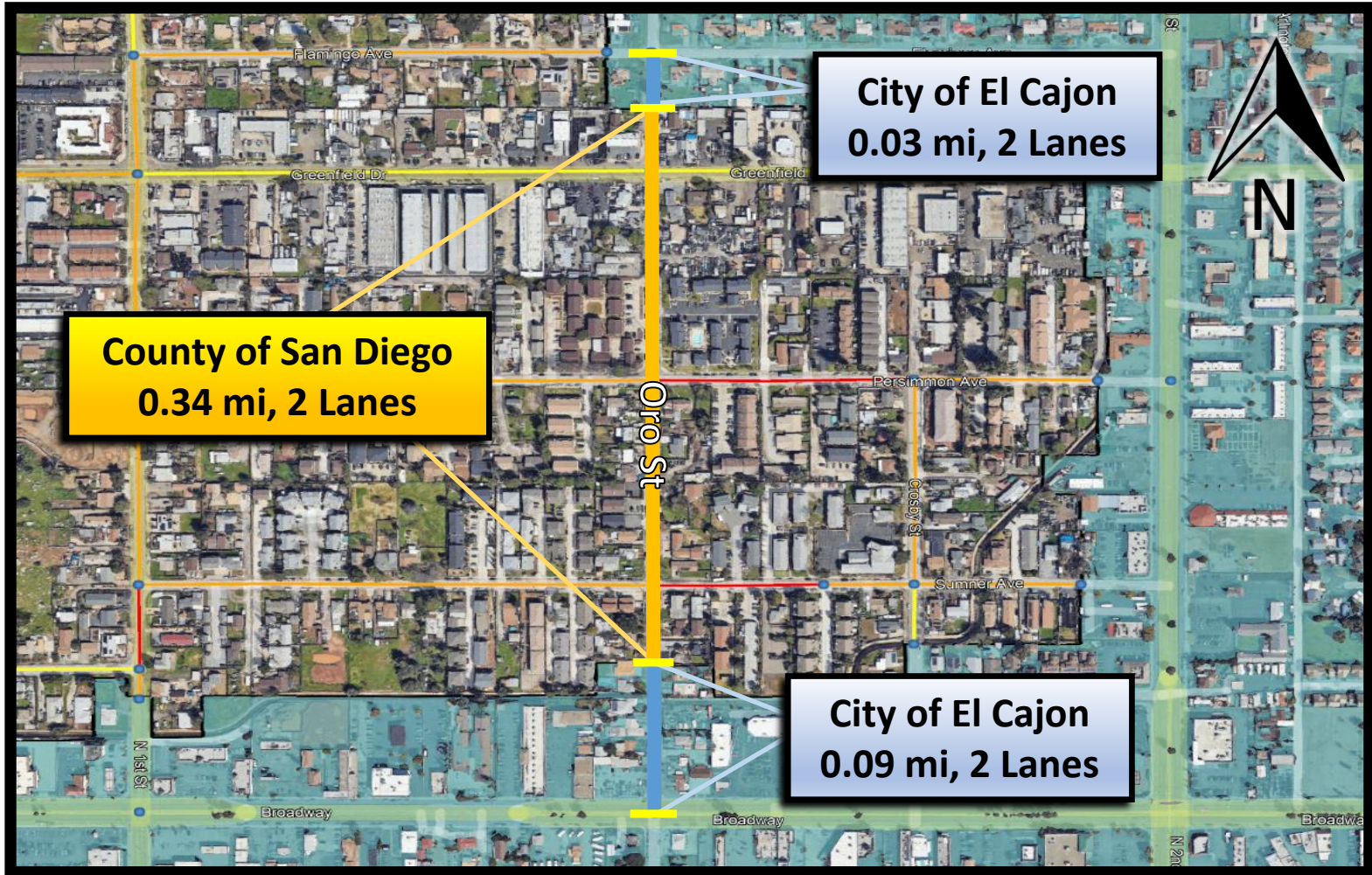
Exhibit B - City of El Cajon Streets County DPW Resurfacing Exhibit First Street



County DPW Resurfacing Exhibit Persimmon Avenue



County DPW Resurfacing Exhibit Oro Street



County DPW Resurfacing Exhibit Anza Street



County DPW Resurfacing Exhibit Sumner Avenue

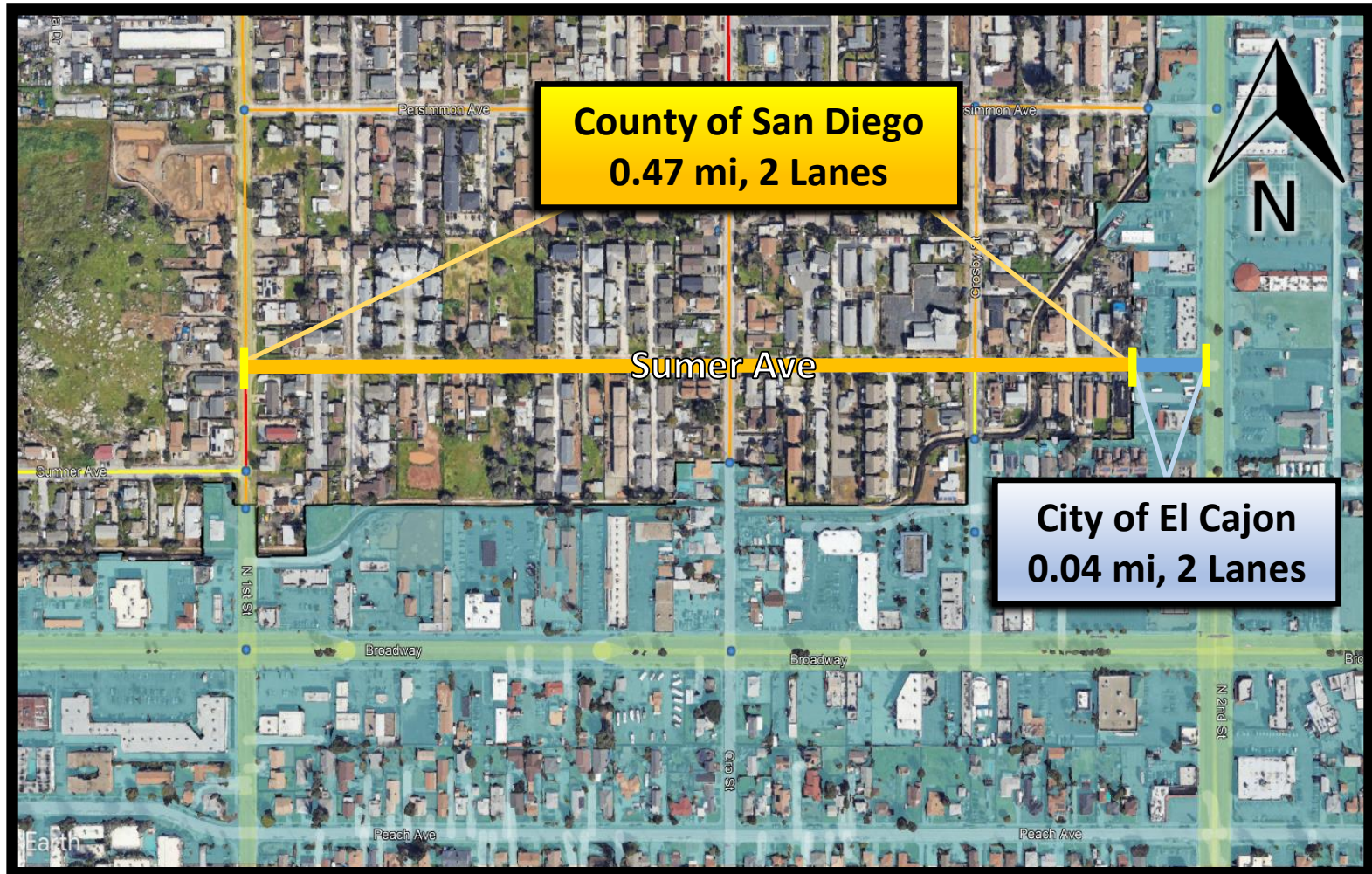


Exhibit C-Lead Agency Agreement

AGREEMENT DESIGNATING THE COUNTY OF SAN DIEGO AS THE LEAD AGENCY FOR PROJECT

This agreement is made between the County of San Diego (County) and City of El Cajon (City) under Title 14 California Code of Regulations 15051(d), designating the County as the lead agency under the California Environmental Quality Act (CEQA) for the City Project.

WHEREAS, the County and City desire the County to carry out the City Project pursuant to El Cajon Roadway Resurfacing project;

WHEREAS, the City currently has jurisdiction over a portion of the roadway where the City Project is located, and the City will fund one hundred percent (100%) of the City Project;

WHEREAS, both parties are public agencies that may each carry out or approve portions of the project, and both may have substantial claim to act as lead agency under CEQA;

NOW THEREFORE, the parties agree that the County will act as the CEQA lead agency for the environmental review of the project and will have all discretion to fulfill the obligations of a CEQA lead agency with respect to the project.

IN WITNESS WHEREOF, this Agreement is executed by the City of El Cajon and the County of San Diego, acting by and through their authorized officers.

COUNTY OF SAN DIEGO

El Cajon

BY: _____
ANDREW POTTER
Executive Officer/ Clerk of the Board of Supervisors
DATE: _____

BY: _____
XXXXXX
Deputy Chief Operating Officer
DATE: _____

Approved as to form this ___ day of _____, 2024.

Approved as to form this ___ day of _____, 2024.

BY: _____
THOMAS BOSWORTH
County Counsel

XXXXXXXX, City Attorney
BY: _____
Deputy City Attorney

Exhibit D- Draft Service Agreement

SERVICE AGREEMENT BY AND BETWEEN

COUNTY OF SAN DIEGO

AND

CITY OF EL CAJON

FOR

EL CAJON ROADWAY RESURFACING

This Service Agreement for the Lakeside Roadway Resurfacing ("Agreement") is entered into this _____ day of _____, 2024, by and between the County of San Diego, a political subdivision of the State of California (hereinafter "COUNTY"), and the City of El Cajon, a municipal corporation, (hereinafter "CITY") for Roadway Resurfacing of roadways, located within the jurisdictional boundaries of CITY. The COUNTY and CITY are sometimes hereinafter referred to individually as the "PARTY" and collectively as the "PARTIES".

- A. Pursuant to Government Code section 54981 the legislative body of the CITY is authorized to contract with the legislative body of the COUNTY for the performance of municipal services within the territory of the CITY.
- B. The COUNTY currently has a Lakeside Roadway Resurfacing project, comprising of segments of First Street, Persimmon Avenue, Oro Street, Anza Street and Sumner Avenue, which total approximately 1.81 miles, which excludes work outside of the COUNTY'S jurisdiction ("COUNTY PROJECT").
- C. The CITY currently has jurisdiction over portions of these segments to County Limit, which total approximately 0.30 miles, adjacent to the COUNTY PROJECT.
- D. COUNTY and CITY have mutually agreed that the following segments within the City of El Cajon are in need of resurfacing:
 - a. First Street from El Cajon City limit to Broadway (0.06 miles)
 - b. Persimmon Avenue from El Cajon City limit to Second Street (0.03 miles)
 - c. Oro Street from El Cajon City limit to Broadway (0.09 miles)
 - d. Oro Street from El Cajon City limit to Flamingo Avenue (0.03 miles)
 - e. Anza Street from El Cajon City limit to Broadway (0.05 miles)
 - f. Sumner Avenue from El Cajon City limit to Second Street (0.04 miles)
- E. The CITY limit is either side of the COUNTY PROJECT "Exhibit A". All improvements being proposed within CITY limits shall be referred to as CITY PROJECT.
- F. The Lakeside Roadway Resurfacing project will consist of asphalt concrete mill and inlay. The existing surface will be milled to a depth of 2 inches to remove surface distresses and irregularities. Two inches of polymer modified asphalt concrete will then be placed within the milled section. Incidental work will include and not be limited to repair of base failures (digouts), dike replacement, utility coordination and striping the roadway.
- G. COUNTY and CITY desire to have one agency take the lead role in the implementation of the roadway improvements in an interest to coordinate the improvements located in the two jurisdictions and to reduce overall costs by processing the two separate jurisdictional improvements as one project.

Exhibit D- Draft Service Agreement

- H. COUNTY will provide the administrative, technical, managerial, and support services necessary for the implementation of the CITY PROJECT. CITY will fund one hundred percent (100%) of the cost of the CITY PROJECT. COUNTY will fund one hundred percent (100%) of the cost of the COUNTY PROJECT.
- I. COUNTY and CITY desire to define herein the terms and conditions under which said CITY PROJECT is to be administered, engineered, coordinated, and constructed.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

SECTION 1 • COUNTY AGREES:

1. To act as the lead agency on behalf of the CITY for the overall development and implementation of the CITY PROJECT. The COUNTY is providing services for which the CITY will reimburse COUNTY as shown on Exhibit "B".
2. To prepare, or cause to be prepared, detailed plans, specifications and estimates documents ("PS&E") for CITY PROJECT and submit to CITY for review and approval at appropriate stages of development. Final plans for improvements shall be prepared to COUNTY standards and signed by a Civil Engineer registered in the State of California. Deviations from standards shall be coordinated with and approved by CITY.
3. To identify and locate all utility facilities within the limits of the CITY PROJECT as part of its design responsibility. If any existing public and/or private utility facilities conflict with CITY PROJECT construction, CITY and COUNTY shall coordinate and cooperate in good faith to make all necessary arrangements with the owners of such facilities for their protection, adjustment, relocation, or removal. CITY and COUNTY shall, in good faith, coordinate and cooperate to require the utility owner and/or its contractors performing the relocation work within CITY's right of way to obtain a CITY encroachment permit prior to the performance of said relocation work. CITY and COUNTY shall, in good faith, coordinate and cooperate in the effort to establish prior rights related to utility encroachments into each jurisdiction's right-of-way. In the case that any utility companies are determined to have prior rights, the cost of relocating utilities shall be borne by the CITY.
4. To make written application to CITY for a Public Right-of-Way Permit authorizing entry into CITY's right of way for the purposes of constructing CITY PROJECT.
5. In accordance with Exhibit "C", Agreement Designating Lead Agency, to act as the Lead Agency under the California Environmental Quality Act ("CEQA") for the CITY PROJECT. To advertise, award and administer a public works contract for the construction of the CITY PROJECT in accordance with all applicable federal, state or County statutes, ordinances, orders, governmental requirements, laws or regulations, including but not limited to the COUNTY public construction codes, California Labor Code, and California Public Contract Code.
6. To furnish a representative to perform the function of Resident Engineer during construction of CITY PROJECT.
7. To furnish qualified support staff to assist the Resident Engineer; such assistance shall include, but not be limited to, construction surveys, soils and compaction tests, measurement and computation of quantities, testing of construction materials, checking submittals, preparation of

Exhibit D- Draft Service Agreement

- estimates and reports, preparation of as-built drawings, and other inspection and staff services necessary to assure that the construction is performed in accordance with the PS&E documents.
8. To construct the CITY PROJECT in accordance with approved PS&E documents.
 9. To submit any contract change order that causes the amount of the CITY PROJECT improvements to exceed \$257,986.07 (as shown in Exhibit B) to CITY for review and approval prior to final authorization by COUNTY.
 10. To furnish CITY as-built plans, within one hundred and eighty (180) days following the completion and acceptance of the CITY PROJECT construction contract.
 11. To furnish CITY a final reconciliation of project expenses within ninety (90) days following the completion and acceptance of the CITY PROJECT construction contract. If final costs associated with the CITY's improvements are in excess of the deposit provided in Section 2, COUNTY shall include a final bill with the financial reconciliation. If final costs associated with the CITY's improvements are less than the deposit provided in Section 2, COUNTY shall reimburse CITY for the difference with the financial reconciliation.

SECTION 2 • CITY AGREES:

1. To fund one hundred percent (100%) of the cost of the CITY PROJECT. CITY agrees that should unforeseen circumstances arise which result in an increase of any costs over those shown in "Exhibit B", CITY will in good faith amend this Agreement to include any such costs under this Agreement, subject to City Council approval if applicable.
2. To deposit with COUNTY, within 30 days of executing this agreement, full value (\$257,986.07) (the "Deposit"), as provided in "Exhibit B".
3. CITY agrees to approve the COUNTY or its contractors Public Right-of-Way Permit application authorizing entry onto CITY's right of way to perform all surveys and other field activities required for preparation of the PS&E, utility coordination, and construction of the CITY PROJECT, if the proposed work meets CITY design and access requirements, within 45 days of the application being deemed complete. CITY agrees to reimburse COUNTY for COUNTY, or its contractor's, cost to obtain such permit and for any requirements of said permit not required by COUNTY's construction contract.
4. Provide a representative to coordinate with the COUNTY's Project Manager during the development and the construction of CITY PROJECT, and to verify facilities are constructed as required by this Agreement, if applicable.
5. To provide oversight of the CITY PROJECT, to provide reviews and approvals, as appropriate, of submittals by COUNTY, and to cooperate in processing of the CITY PROJECT.
6. To pay within 45 days of receipt, the invoice for final reconciled cost in excess of the deposit amount for CITY PROJECT submitted by COUNTY for services rendered in accordance with this Agreement, subject to City Council approval if applicable.
7. CITY agrees that it shall be legally obligated to pay the full cost of the CITY PROJECT, including any costs associated with change orders reasonably necessary to complete the project, and that this liability shall not be reduced, excused or defended on the basis of the failure or refusal of the City Council to approve an amendment to this Agreement or budget necessary funds to pay the liability.
8. CITY agrees that COUNTY shall not be liable to CITY for any cost increases or liabilities resulting from any alleged errors or omissions in site investigation, utility coordination, engineering

Exhibit D- Draft Service Agreement

review, or other activities associated with, use in, and including the PSE for the CITY PROJECT and that COUNTY makes no representations or warranties regarding quality of work or materials for the CITY PROJECT. CITY is a third-party beneficiary of the CITY PROJECT work to be included in the COUNTY contract per Section 1 and COUNTY agrees to assign any warranties or other contractual rights it may have to CITY for the CITY PROJECT portion of the work.

SECTION 3 • IT IS MUTUALLY AGREED AS FOLLOWS:

1. The total cost to CITY to complete PS&E documents, construction, including construction survey, inspection and a material testing for CITY PROJECT, including soft costs and contingency, is estimated to be, **two hundred and fifty-seven thousand, nine hundred and eighty-six dollars and seven cents (\$257,986.07)** as detailed in "Exhibit B".
2. COUNTY shall not be obligated to commence construction of the CITY PROJECT until after receipt of CITY's deposit as required in Section 2.
3. During any portion of the CITY PROJECT, if a cost overrun exceeding ten percent (10%) of the COUNTY Construction Cost Estimate is identified, COUNTY and CITY shall endeavor to agree upon a course of action in a timely manner to avoid construction delay, contractor mobilization or similar costs.
4. Construction by COUNTY of improvements referred to herein which lie within CITY rights of way shall not be commenced until a Public Right-of-Way Permit to COUNTY, or COUNTY's contractor, authorizing such work has been issued by CITY.
5. Parties shall obtain and/or cause any agent, subcontractor or other representative of that Party to maintain insurance at its own cost and expense, and keep in force and effect during the term of this Agreement, including all extensions, policies of insurance or programs of self-insurance with policy limits in sufficient amounts to cover any and all potential liability of such Party hereunder. COUNTY shall ensure that any contractor or subcontractors working on the CITY PROJECT will name **City of El Cajon**, its respective elected officials, officers, employees, agents, and representatives as additional insureds under all policies of insurance, and that additional insured certificates be provided to CITY as specifically set forth in Exhibit D, **City of El Cajon Insurance Requirements**. COUNTY shall also ensure that any contractor or subcontractor working on the CITY PROJECT will agree to defend and indemnify City of Escondido, its respective elected officials, officers, employees, agents, and representatives against any claims arising out of the CITY PROJECT, with the exception of claims arising out of the CITY'S sole negligence or willful misconduct. Ownership and title to all materials, equipment, and appurtenances installed as part of this Agreement will be automatically vested with the jurisdiction in which the improvements reside and no further agreement will be necessary to transfer ownership. COUNTY shall have no liability for any claims within the scope of insurance provided by the COUNTY's contractor, and any insurance or self-insurance maintained by COUNTY shall not be obligated for any such insured claims.
6. CITY shall be responsible for the maintenance of the improvements provided by CITY PROJECT. COUNTY shall be responsible for the maintenance of the improvements provided by COUNTY PROJECT. CITY shall accept responsibility for maintenance of CITY PROJECT upon receipt of a notice of completion from COUNTY.

Exhibit D- Draft Service Agreement

7. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by all parties and no oral understanding or agreement not incorporated herein shall be binding on each party hereto.
8. In the event that either party defaults in the performance of any of its obligations under this Agreement or materially breaches any of the provisions of this Agreement, the other party shall have the option to terminate this Agreement for default. Termination by CITY for default after the award of a construction contract shall not excuse CITY from paying for the CITY PROJECT work completed prior to termination. If COUNTY's contractor has the legal right to complete work per the awarded contract, CITY's termination for default shall not excuse the CITY from liability to the contractor for completion or damages for failure to allow completion of the CITY PROJECT.
9. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the same shall be deemed severable from the remainder of this Agreement, and the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.
10. This Agreement is to be construed in accordance with the laws of the State of California.
11. Neither the CITY nor COUNTY shall assign this Agreement without the written consent of the other party.
12. Any action at law or in equity brought by any of the parties hereto for the purpose of enforcing a right or rights provided by this Agreement shall be tried in a court of competent jurisdiction in the City and County of San Diego, State of California, and the parties hereto waive all provisions of law providing for a change of venue in such proceedings to any other county.
13. This Agreement is the result of negotiations between the parties hereto, and the advice and assistance of their respective counsel. The fact that this Agreement was prepared as a matter of convenience by CITY or COUNTY shall have no importance or significance. Any uncertainty or ambiguity in this Agreement shall not be construed against the party that prepared it in its final form.
14. Any waiver by COUNTY or CITY of any breach by any other party of any provision of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or any other provision hereof. Failure on the part of COUNTY or CITY to require from any other party exact, full and complete compliance with any of the provisions of this Agreement shall not be construed as in any manner changing the terms hereof, or stopping COUNTY or CITY from enforcing this Agreement.
15. This Agreement and the Exhibits herein contain the entire agreement between the Parties, and are intended by the Parties to completely state the Agreement in full. Any agreement or representation respecting the matters dealt with herein or the duties of any party in relation thereto, not expressly set forth in this Agreement, is null and void.
16. Nothing in the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not a party to this Agreement or affect the legal liability of any party to the Agreement by imposing any standard of care with respect to the maintenance of roads different from the standard of care imposed by law.
17. CITY and COUNTY shall retain or cause to be retained for audit, all records and accounts relating to CITY PROJECT for a period of minimum three (3) years from the date of Notice of Completion of the CITY PROJECT.

Exhibit D- Draft Service Agreement

18. The CITY PROJECT shall be awarded and completed in conformity with all applicable federal, State, and COUNTY laws, rules, and regulations, current and hereinafter enacted, including facility and professional licensing and/or certification laws and keep in effect any and all licenses, permits, notices and certificates as are required. The COUNTY as the Party responsible for overseeing the contract work shall ensure compliance with all laws applicable to wages and hours of employment, occupational safety, and to fire safety, health and sanitation. In addition to any applicable federal or State laws, rules, or regulations, COUNTY shall comply with CITY requirements imposed for access to CITY right-of-way and design requirements included in the PSE at the request of the CITY.
19. Any party may propose amendments to this Agreement by providing written notice of such amendments to the other party. This Agreement may only be amended by a written amendment signed by each party's administrator.
20. This Agreement only applies to the CITY PROJECT described herein and does not set forth any additional current or future obligations or agreements between the parties, except that the parties may by written amendment amend the scope of this Agreement.
21. This Agreement shall become effective on the date all of the parties have signed this Agreement and be in force until the latter of two years from the execution date or the completion and final payment by CITY for CITY PROJECT.
22. The COUNTY or CITY may, by written notice stating the extent and effective date, terminate this Agreement for convenience in whole or in part, at any time prior to the award of a construction contract for the CITY PROJECT by COUNTY.
23. This Agreement may be executed in any number of separate counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.
24. All notices, demands, invoices, and other communications required or permitted hereunder shall be in writing and delivered to the following addresses or such other address as the Parties may designate:

COUNTY:

County of San Diego, Department of Public Works
Attn: William P. Morgan, Interim Director of Public Works
5510 Overland Ave, Suite 410
San Diego, CA 92123
Phone: (858) 694-2233

CITY:

El Cajon
Yazmin Arellano, Director of Engineering Services
200 Civic Center Way
El Cajon, CA 92020

Attachments:

1. EXHIBIT A – PROJECT MAP ATTACHED
2. EXHIBIT B – CITY ESTIMATED PROJECT COSTS

Exhibit D- Draft Service Agreement

- 3. EXHIBIT C – AGREEMENT DESIGNATING THE COUNTY OF SAN DIEGO AS THE LEAD AGENCY FOR PROJECT
- 4. EXHIBIT D – CITY OF EL CAJON INSURANCE REQUIREMENTS

IN WITNESS WHEREOF, this Agreement is executed by the City of El Cajon and the County of San Diego, acting by and through their authorized officers.

COUNTY OF SAN DIEGO

CITY OF ESCONDIDO

BY: _____
ANDREW POTTER
Executive Officer/ Clerk of the Board of Supervisors
DATE: _____

BY: _____
XXXXXXXXXX
Deputy Chief Operating Officer
DATE: _____

Approved as to form this ____ day of _____, 2024.

Approved as to form this ____ day of _____, 2024.

BY: _____
THOMAS BOSWORTH
County Counsel

XXXXXXXXXX, City Attorney
BY: _____
Deputy City Attorney

Exhibit E – City of El Cajon Insurance Requirements

The City of El Cajon Insurance Requirements are as follows:

Standard Specifications for Public Works Construction (“The GREENBOOK”) <http://www.greenbookspecs.org/> 2018, Document No. PWPI010119-01, Section 5-4 INSURANCE.

5-4 INSURANCE. To the “GREENBOOK”, DELETE in its entirety and SUBSTITUTE with the following:

5-4 INSURANCE.

1. The insurance provisions herein shall not be construed to limit your indemnity obligations contained in the Contract.

5-4.1 Policies and Procedures.

1. You shall procure the insurance or self-insurance (collectively “insurance”) described below, at its sole cost and expense, to provide coverage against claims for loss including injuries to persons or damage to property, which may arise out of or in connection with the performance of the Work by you, your agents, representatives, officers, employees or Subcontractors.

2. Insurance coverage for property damage resulting from your operations is on a replacement cost valuation. The market value will not be accepted.

3. You shall maintain this insurance for the duration of this Contract and at all times thereafter when you are correcting, removing, or replacing Work in accordance with this Contract. Your liabilities under the Contract, e.g., your indemnity obligations, is not deemed limited to the insurance coverage required by this Contract.

4. The payment for insurance shall be included in the Contract Price as bid by you. Except as specifically agreed to by the City in writing, you are not entitled to any additional payment. Do not begin any Work under this Contract until you have provided and the City has approved all required insurance.

5. Policies of insurance shall provide that the City is entitled to 30 Days (10 Days for cancellation due to non-payment of premium) prior written notice of cancellation or non-renewal of the policy. Maintenance of specified insurance coverage is a material element of the Contract. Your failure to maintain or renew coverage or to provide evidence of renewal during the term of the Contract may be treated by the City as a material breach of the Contract.

5-4.2 Types of Insurance.

5-4.2.1 Commercial General Liability Insurance.

1. Commercial General Liability Insurance shall be written on the current version of the ISO Occurrence form CG 00 01 07 98 or an equivalent form providing coverage at least as broad.

2. The policy shall cover liability arising from premises and operations, XCU (explosions, underground, and collapse), independent contractors, products/completed operations, personal injury and advertising injury, bodily injury, property damage, and liability assumed under an insured’s contract (including the tort liability of another assumed in a business contract).

3. There shall be no endorsement or modification limiting the scope of coverage for either “insured vs. insured” claims or contractual liability. You shall maintain the same or equivalent insurance for at least 10 years following completion of the Work.

4. All costs of defense shall be outside the policy limits. Policy coverage shall be in liability limits of not less than the following:

<u>General Annual Aggregate</u>	<u>Limit Limits of Liability</u>
Other than Products/Completed Operations	\$2,000,000
Products/Completed Operations Aggregate Limit	\$2,000,000
Personal Injury Limit	\$1,000,000
Each Occurrence	\$1,000,000

5-4.2.2 Commercial Automobile Liability Insurance.

1. You shall provide a policy or policies of Commercial Automobile Liability Insurance written on the current version of the ISO form CA 00 01 12 90 or later version or equivalent form providing coverage at least as broad in

the amount of \$1,000,000 combined single limit per accident, covering bodily injury and property damage for owned, non-owned, and hired automobiles (“Any Auto”).

2. All costs of defense shall be outside the limits of the policy.

5-4.3 Rating Requirements. Except for the State Compensation Insurance Fund, all insurance required by this Contract as described herein shall be carried only by responsible insurance companies with a rating of, or equivalent to, at least “A-, VI” by A.M. Best Company, that are authorized by the California Insurance Commissioner to do business in the State, and that have been approved by the City.

5-4.3.1 Non-Admitted Carriers. The City will accept insurance provided by non-admitted, “surplus lines” carriers only if the carrier is authorized to do business in the State and is included on the List of Approved Surplus Lines Insurers (LASLI list). All policies of insurance carried by non-admitted carriers shall be subject to all of the requirements for policies of insurance provided by admitted carriers described herein.

5-4.4 Evidence of Insurance. Furnish to the City documents e.g., certificates of insurance and endorsements evidencing the insurance required herein, and furnish renewal documentation prior to expiration of this insurance. Each required document shall be signed by the insurer or a person authorized by the insurer to bind coverage on its behalf. We reserve the right to require complete, certified copies of all insurance policies required herein.

5-4.5 Policy Endorsements.

5-4.5.1 Commercial General Liability Insurance.

5-4.5.1.1 Additional Insured.

1. You shall provide at your expense policy endorsement written on the current version of the ISO Occurrence form CG 20 10 11 85 or an equivalent form providing coverage at least as broad.

2. To the fullest extent allowed by law e.g., California Insurance Code §11580.04, the policy shall be endorsed to include the City and its respective elected officials, officers, employees, agents, and representatives as additional insured.

3. The additional insured coverage for projects for which the Engineer’s Estimate is \$1,000,000 or more shall include liability arising out of:

- a) Ongoing operations performed by you or on your behalf,
- b) your products,
- c) your Work, e.g., your completed operations performed by you or on your behalf, or
- d) premises owned, leased, controlled, or used by you.

4. The additional insured coverage for projects for which the Engineer’s Estimate is less than \$1,000,000 shall include liability arising out of:

- a) Ongoing operations performed by you or on your behalf,
- b) your products, or
- c) premises owned, leased, controlled, or used by you.

5-4.5.1.2 Primary and Non-Contributory Coverage. The policy shall be endorsed to provide that the coverage with respect to operations, including the completed operations, if appropriate, of the Named Insured is primary to any insurance or self-insurance of the City and its elected officials, officers, employees, agents and representatives. Further, it shall provide that any insurance maintained by the City and its elected officials, officers, employees, agents and representatives shall be in excess of your insurance and shall not contribute to it.

5-4.5.1.3 Project General Aggregate Limit. The policy or policies shall be endorsed to provide a Designated Construction Project General Aggregate Limit that will apply only to the Work. Only claims payments which arise from the Work shall reduce the Designated Construction Project General Aggregate Limit. The Designated Construction Project General Aggregate Limit shall be in addition to the aggregate limit provided for the products-completed operations hazard.

5-4.5.2 Commercial Automobile Liability Insurance.

5-4.5.2.1 Additional Insured. Unless the policy or policies of Commercial Auto Liability Insurance are written on an ISO form CA 00 01 12 90 or a later version of this form or equivalent form providing coverage at least as broad, the policy shall be endorsed to include the City and its respective elected officials, officers, employees, agents, and representatives as additional insured, with respect to liability arising out of automobiles owned, leased, hired or borrowed by you or on your behalf. This endorsement is limited to the obligations permitted by California Insurance Code §11580.04.

5-4.6 Deductibles and Self-Insured Retentions. You shall pay for all deductibles and self-insured retentions. You shall disclose deductibles and self-insured retentions to the City at the time the evidence of insurance is provided.

5-4.7 Reservation of Rights. The City reserves the right, from time to time, to review your insurance coverage, limits, deductibles and self-insured retentions to determine if they are acceptable to the City. The City will reimburse you, without overhead, profit, or any other markup, for the cost of additional premium for any coverage requested by the Engineer but not required by this Contract.

5-4.8 Notice of Changes to Insurance. You shall notify the City 30 Days prior to any material change to the policies of insurance provided under this Contract.

5-4.9 Excess Insurance. Policies providing excess coverage shall follow the form of the primary policy or policies e.g., all endorsements.

5-4.11 Workers' Compensation Insurance and Employers Liability Insurance.

1. In accordance with the provisions of §3700 of the California Labor Code, you shall provide at your expense Workers' Compensation Insurance and Employers Liability Insurance to protect you against all claims under applicable state workers compensation laws. The City, its elected officials, and employees will not be responsible for any claims in law or equity occasioned by your failure to comply with the requirements of this section.

2. Limits for this insurance shall be not less than the following:

Workers' Compensation	Statutory Employers Liability
Bodily Injury by Accident	\$1,000,000 each accident
Bodily Injury by Disease	\$1,000,000 each employee
Bodily Injury by Disease	\$1,000,000 policy limit

3. By signing and returning the Contract you certify that you are aware of the provisions of §3700 of the Labor Code which requires every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code and you shall comply with such provisions before commencing the Work as required by §1861 of the California Labor Code.

5-4.11.1 Waiver of Subrogation. The policy or policies shall be endorsed to provide that the insurer will waive all rights of subrogation against the City and its respective elected officials, officers, employees, agents, and representatives for losses paid under the terms of the policy or policies and which arise from Work performed by the Named Insured for the City.



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Public of Works
SUBJECT: Public Hearing for the Consideration to Vacate a Utility Easement at 330-340 North First Street

RECOMMENDATION:

That the City Council:

1. Opens the Public Hearing and receives testimony;
2. Closes the Public Hearing; and
3. Adopts the next Resolution, in order, to approve the summary vacation of a utility easement at 330-340 North First Street, established by Council Resolution No. 161-81, April 14, 1981.

BACKGROUND:

On April 14, 1981, the City Council approved the vacation of a proposed public alley (24 feet wide by 135 feet long) on the west side of the lot at 330-340 North First Street and also designated that this area be reserved as a utility easement for future utility installations. The proposed alley was never constructed. The property owner, 8 Mendridge LLC, has requested the City to vacate this utility easement in order to consolidate the two existing parcels, APN 489-130-60-00 (privately owned) and APN 489-130-59-00 (City-owned existing utility easement). Please see Exhibit A, which contains the legal description and map.

City staff notified all affected utility owners to determine if this utility easement is still required for any proposed use. All affected utility owners responded that they no longer require this easement. Furthermore, the vacation is consistent with the General Plan.

In accordance with the Public Streets, Highways, and Service Easements Vacation Law of section 8300, et seq., of the Streets and Highways Code, staff recommends that the request for vacation of the easement be approved. Upon vacation of this easement, the affected owner would regain full control of the boundaries of their private property and the City would no longer have responsibility for said easement.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed vacation of the public utility easement is exempt from the California Environmental Quality Act ("CEQA"). In accordance with State CEQA Guidelines section 15305, the project consists of a minor alteration in land use limitations, which does not result in any changes in land use or density.

FISCAL IMPACT:

None.

Prepared By: Mario Sanchez, City Engineer

Reviewed By: Yazmin Arellano, Director of Engineering Services

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Resolution No. 161-81

Exhibit A Legal Description & Map

RESOLUTION NO. ____-24

RESOLUTION ORDERING SUMMARY VACATION
OF UTILITY EASEMENT AT
330-340 NORTH FIRST STREET

WHEREAS, on April 14, 1981, by Resolution No. 161-81, recorded as Document No. 81-118401 on April 17, 1981, in the office of the County Recorder of San Diego County, the El Cajon City Council approved the vacation of a twenty-four (24) foot wide by one hundred thirty-five (135) foot long proposed public alley on the west side of the lot at 330-340 North First Street, reserving and excepting from the vacation the permanent easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment and fixtures for the operation of gas pipe lines, and for the transportation or distribution of electric energy and incidental purposes, including access upon and over the portion of alley proposed to be vacated (the "Utility Easement"); and

WHEREAS, the proposed alley was never constructed, and the property owner, 8 Mendridge LLC (the "Property Owner"), has requested that the City of El Cajon (the "City") vacate the Utility Easement in order to consolidate the two (2) existing parcels, Assessor's Parcel Numbers 489-130-60-00 (privately owned) and 489-130-59-00 (City-owned existing utility easement), as more particularly described and shown in Exhibits "A" and "B," attached hereto; and

WHEREAS, all affected utility owners have been notified of the proposed vacation, and have responded that the Utility Easement is no longer required; and

WHEREAS, in accordance with section 8300, et seq., of the California Streets and Highways Code (the "Public Streets, Highways, and Service Easements Vacation Law"), City staff recommends that the vacation be approved, and upon vacation of the Utility Easement, the Property Owner would regain full control of the boundaries of their private property and the City would no longer have responsibility for said Utility Easement; and

WHEREAS, said vacation is consistent with the General Plan of the City of El Cajon; and

WHEREAS, the City Council believes it to be in the best interests of the City to order the vacation of said Utility Easement; and

WHEREAS, this proposed vacation of the Utility Easement is exempt from the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines section 15305, as the project consists of a minor alteration in land use limitations, which does not result in any changes in land use or density.

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

1. The City Council of El Cajon does hereby find that said Utility Easement is unnecessary for present or future public use, and therefore, the City Council hereby orders the summary vacation of said property pursuant to the provisions of section 8300 of the Public Streets, Highways and Service Easements Vacation Law.

2. The City Council further finds that vacation of the Utility Easement is exempt from CEQA in accordance with State CEQA Guidelines section 15305, as the project consists of a minor alteration in land use limitations, which does not result in any changes in land use or density.

3. Said property is more particularly described in Exhibit "A," and shown on Exhibit "B," both of which are attached hereto and incorporated herein by this reference.

4. The City Council hereby declares that from and after the date this resolution is recorded, the vacated Utility Easement no longer constitutes a public service easement.

5. The City Clerk is directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of San Diego County.

EXHIBIT A
LEGAL DESCRIPTION
330-340 NORTH FIRST STREET

The Northerly 135 feet of the Southerly 664.7 feet of Lot 8 in Block 1 of the Subdivision of the "S" Tract of Rancho El Cajon, in the City of El Cajon, County of San Diego, State of California, according to Map No. 355, filed in the office of the County Recorder of said San Diego County, July 24, 1886, together with that portion of the Westerly 12 feet of First Street which adjoins the above described property on the East, as closed to public use by Resolution of the Board of Supervisors, a copy of said Resolution being recorded in Book 461, Page 297 of Supervisor's Records of San Diego County.

NOTE: A portion of said land being a former public alley now vacated by Resolution No. 161-81, recorded April 17, 1981 as Instrument No. 81-118401 of Official Records.

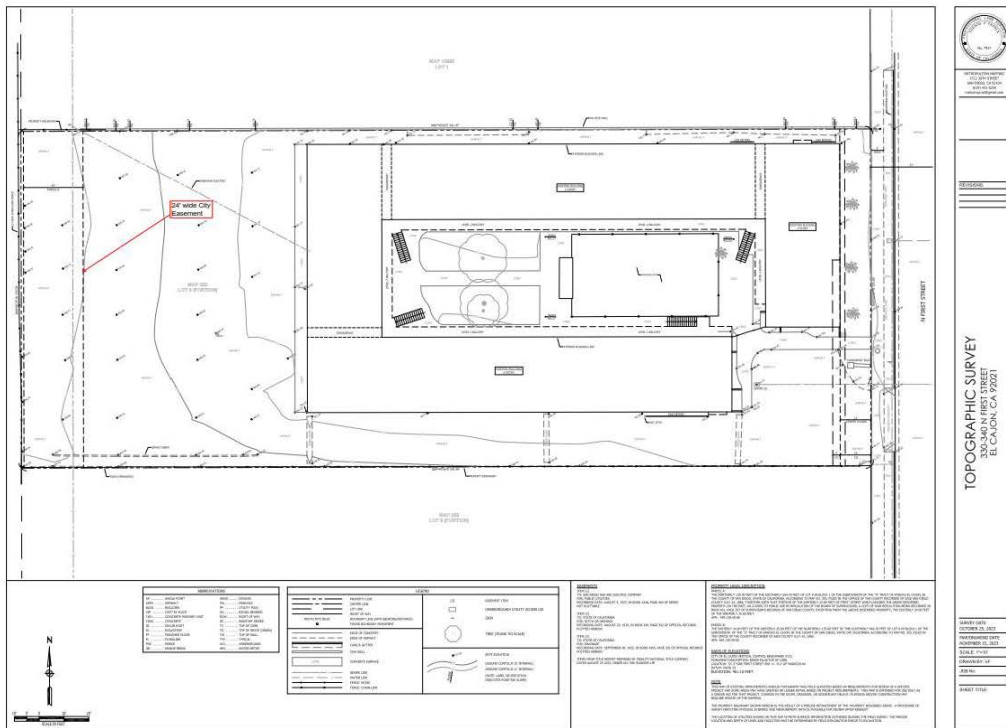
(APNs): 489-130-59-00 and 489-130-60-00

Ms. Yazmin Arellano, PE, PLS 8910
Director of Engineering Services

EXHIBIT "B"



REQUEST TO VACATE UTILITY EASEMENT AT 330-340 NORTH FIRST STREET





REQUEST TO VACATE UTILITY EASEMENT AT 330-340 NORTH FIRST STREET



995

RETURN TO:
CITY CLERK
200 EAST MAIN STREET
EL CAJON, CALIF. 92029

81-118401
81-118401

81-118401
FILE/PAGE NO.
RECORDED REQUEST OF
EL CAJON CITY CLERK
APR 17 11 05 AM '81

RESOLUTION NO. 161-81

RESOLUTION ORDERING VACATION OF PUBLIC ALLEY RIGHT OF WAY WEST OF FIRST STREET BETWEEN MAIN AND MADISON

OFFICIAL RECORDS
SAN DIEGO COUNTY
VERA L. LYLE
RECORDER

WHEREAS, by Resolution No. 116-81, adopted on the 17th day of March, 1981, the City Council did declare its intention to order the vacation of certain public street right of way in the City of El Cajon pursuant to and under the provisions of the Street Vacation Act of 1941, and after a duly held public hearing, the City Council believes it to be to the best interests of the City to order the vacation of said public street right of way; and

WHEREAS, the City Council hereby finds that the property herein described is unnecessary for present or prospective public street purposes.

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

1. That the City Council does hereby order the vacation of the following portion of public alley right of way in the City of El Cajon, County of San Diego, State of California, pursuant to and under the provisions of the Street Vacation Act of 1941 (Section 8300, et seq., of the Streets and Highways Code of the State of California), which property is described as follows:

Parcel 1: The Easterly 24 feet of the Westerly 25 feet of the Northerly 269.32 feet of the Southerly 832.92 feet of Lot 8, Block 1, of the Resurvey of Plat of Tract 1 of the Southwest portion of "S" Tract, in the City of El Cajon, County of San Diego, State of California, according to the Map thereof No. 292, filed in the office of the County Recorder of said San Diego County, February 14, 1833.

Parcel 2. That portion of Lot 8, Block No. 1 of the Subdivision of "S" Tract of Rancho El Cajon in the City of El Cajon, County of San Diego, State of California, according to the Map thereof No. 355, filed in the office of the County Recorder of said San Diego County, July 24, 1886, described as follows:

- A. The Easterly 24 feet of the Westerly 25 feet of the North 82.50 feet of the South 612.20 feet of said Lot 8.
- B. The Easterly 24 feet of the Westerly 25 feet of the North-erly 167.50 feet of the Southerly 529.70 feet of said Lot 8.
- C. The Easterly 24 feet of the Westerly 25 feet of the South-erly 105 feet of the Northerly 355.90 feet of the Southerly 612.20 feet of said Lot 8.
- D. The Easterly 24 feet of the Westerly 25 feet of the South-erly 30.20 feet of said Lot 8.

Parcel 3: That portion of Lot 9, Block No. 1 of the Subdivision of "S" Tract of Rancho El Cajon in the City of El Cajon, County of San Diego, State of California, according to the Map thereof No. 355, filed in the office of the County Recorder of said San Diego County, July 24, 1886, described as follows:

HERE'S OUR VACATION

N. 52.5' OF APN 59

S. 82.5' OF APN 59

No. 118401
81

RETURN TO:
CITY CLERK
200 EAST MAIN STREET
EL CAJON, CALIF. 92020

- A. The Easterly 24 feet of the Westerly 25 feet of the Northerly 163.5 feet of said Lot 9.
- B. The East 24 feet of the West 25 feet of the Northerly 134.5 feet of the Southerly 345 feet of said Lot 9, together with that portion of said Northerly 134.5 feet of said Lot 9 lying Southerly and Westerly of the arc of a 25.00 foot radius curve concave North-easterly which is tangent to a line parallel to and 25.00 feet Easterly of the West line of said Lot 9, and to the South line of said Northerly 134.5 feet.

All as shown on the plat on file in the office of the City Clerk, which is hereby incorporated and made a part hereof as though set forth in full herein.

* → RESERVING AND EXCEPTING from the vacation the permanent easement and right at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment and fixtures for the operation of gas pipe lines, and for the transportation or distribution of electric energy and incidental purposes, including access upon and over the portion of alley proposed to be vacated.

2. Said vacation is subject to the above reservations and exceptions.

3. These proceedings are deemed to be of a minor nature under the provisions of Government Code Section 65402.

4. The City Clerk is hereby directed to cause a certified copy of this resolution to be recorded in the office of the County Recorder of San Diego County, California.

PASSED AND ADOPTED by the City Council of the City of El Cajon, California, at an adjourned regular meeting held this 14th day of April, 1981, by the following vote to wit:

AYES : Hanson, Foster, Stockwell, Reber.
 NOES : None
 ABSENT : Conaway

JOHN REBER

Mayor of the City of El Cajon

ATTEST:

MILDRED R. KENNEL
City Clerk



I hereby certify that the above and foregoing is a full and true copy of Resolution No. 118401-81 of the Resolutions of the City of El Cajon, California, as adopted by the City Council of said City on the 14th day of April, 1981.

Mildred R. Kennel
 City Clerk of the City of El Cajon

No 118401

81-

Utility Easement

EXHIBIT A
LEGAL DESCRIPTION
330-340 NORTH FIRST STREET

The Northerly 135 feet of the Southerly 664.7 feet of Lot 8 in Block 1 of the Subdivision of the "S" Tract of Rancho El Cajon, in the City of El Cajon, County of San Diego, State of California, according to Map No. 355, filed in the office of the County Recorder of said San Diego County, July 24, 1886, together with that portion of the Westerly 12 feet of First Street which adjoins the above described property on the East, as closed to public use by Resolution of the Board of Supervisors, a copy of said Resolution being recorded in Book 461, Page 297 of Supervisor's Records of San Diego County.

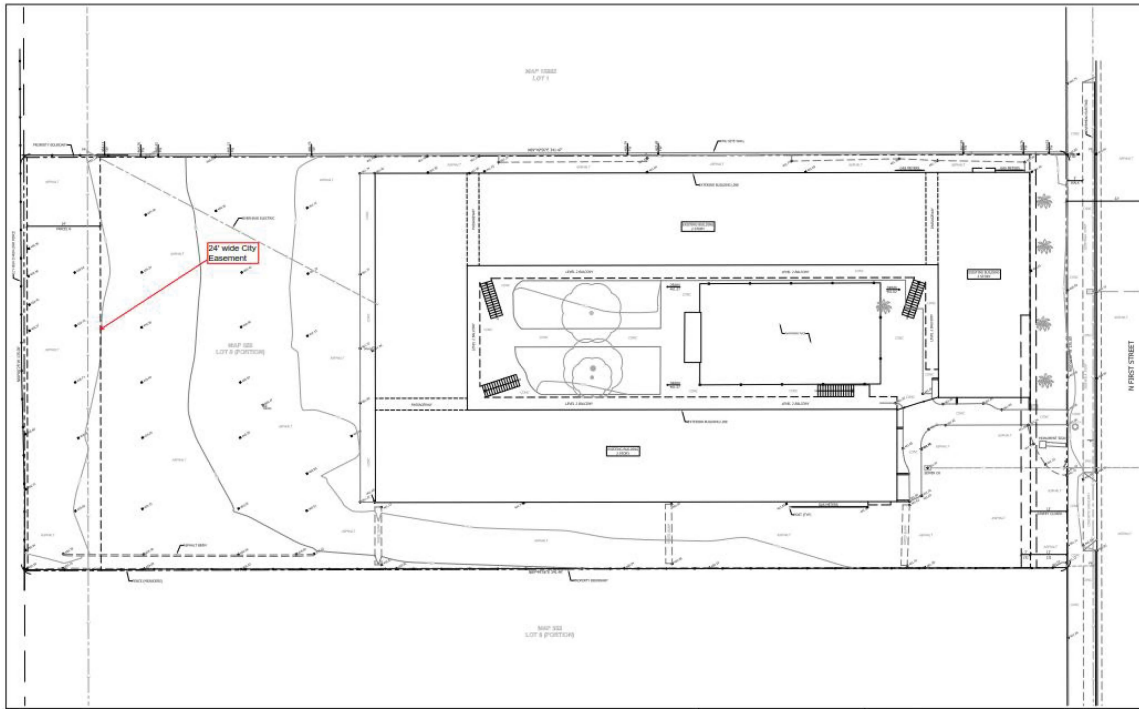
NOTE: A portion of said land being a former public alley now vacated by Resolution No. 161-81, recorded April 17, 1981 as Instrument No. 81-118401 of Official Records.

(APNs): 489-130-59-00 and 489-130-60-00

Ms. Yazmin Arellano, PE, PLS 8910
Director of Engineering Services



REQUEST TO VACATE UTILITY EASEMENT AT 330-340 NORTH FIRST STREET



TOPOGRAPHIC SURVEY
330-340 N FIRST STREET
EL CAJON, CA 92021

REVISIONS:

DATE: OCTOBER 15, 2021

REVISION DATE: NOVEMBER 15, 2021

SCALE: AS SHOWN

DRAWN BY: JF

JOB No.:

SHEET TITLE:

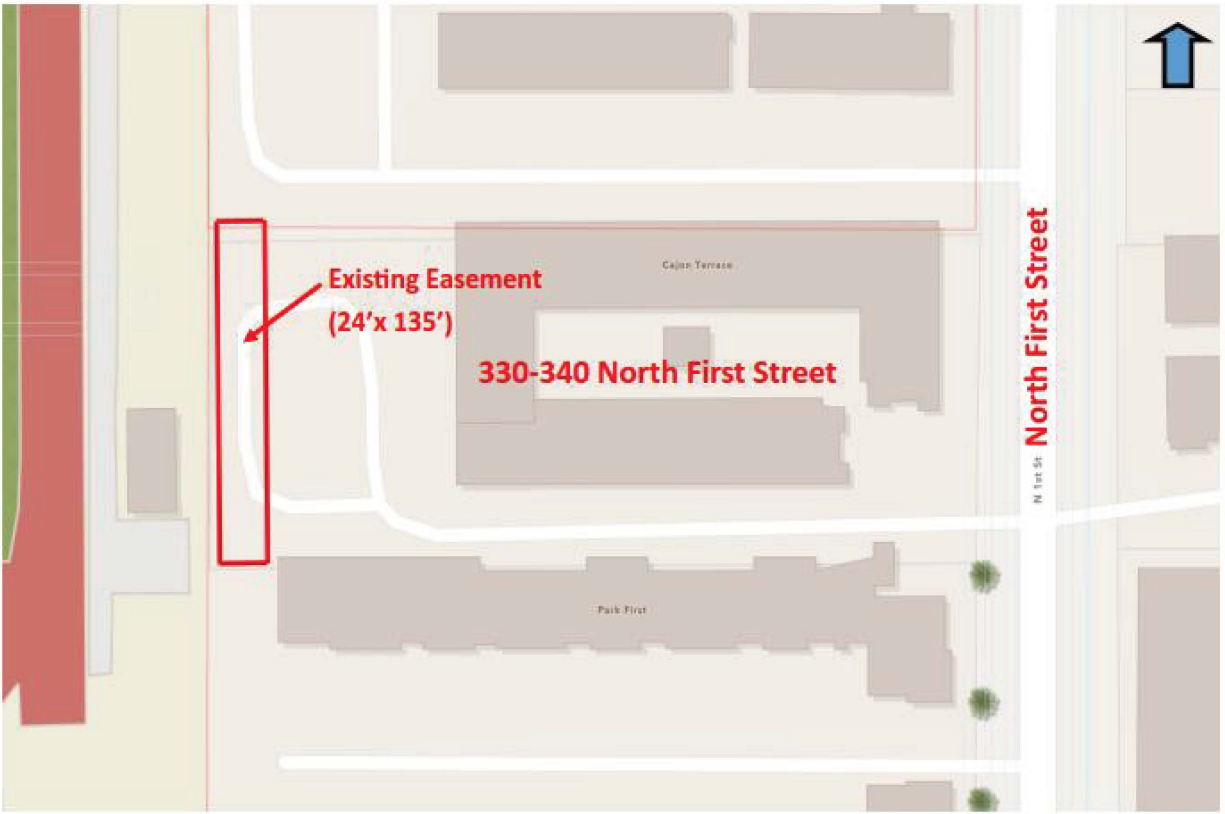
PROPERTY DATA		PROPERTY DATA		PROPERTY DATA	
APN: 0000000000	OWNER: [Redacted]	APN: 0000000000	OWNER: [Redacted]	APN: 0000000000	OWNER: [Redacted]
DATE: 10/15/2021	PROJECT: RTV	DATE: 10/15/2021	PROJECT: RTV	DATE: 10/15/2021	PROJECT: RTV
BY: JF	SCALE: AS SHOWN	BY: JF	SCALE: AS SHOWN	BY: JF	SCALE: AS SHOWN

SYMBOLS		SYMBOLS		SYMBOLS	
[Symbol]	EXISTING LOT	[Symbol]	EXISTING LOT	[Symbol]	EXISTING LOT
[Symbol]	EXISTING LOT	[Symbol]	EXISTING LOT	[Symbol]	EXISTING LOT
[Symbol]	EXISTING LOT	[Symbol]	EXISTING LOT	[Symbol]	EXISTING LOT

NOTES		NOTES		NOTES	
1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1907 AND THE SURVEYING ACT OF 1941.		2. THE PROPERTY IS SHOWN AS BOUND BY THE CITY OF EL CAJON.		3. THE PROPERTY IS SHOWN AS BOUND BY THE CITY OF EL CAJON.	
4. THE PROPERTY IS SHOWN AS BOUND BY THE CITY OF EL CAJON.		5. THE PROPERTY IS SHOWN AS BOUND BY THE CITY OF EL CAJON.		6. THE PROPERTY IS SHOWN AS BOUND BY THE CITY OF EL CAJON.	



REQUEST TO VACATE UTILITY EASEMENT AT 330-340 NORTH FIRST STREET





City Council Agenda Report

Agenda Item 12.

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Clay Schoen, Director of Finance
SUBJECT: Report on City Infrastructure and Deferred Maintenance

RECOMMENDATION:

That the City Council receives the Report on City Infrastructure and Deferred Maintenance.

BACKGROUND:

It is a natural progression when moving down the list of City challenges and threats to eventually land on the topic of City infrastructure and “Deferred Maintenance.” While lacking the immediacy of the expiration of the Proposition J sales tax or the suffocating pressure of the unfunded pension liability, the maintenance of a City’s infrastructure is often a slumbering financial giant.

The use of the term “Deferred Maintenance” has risen in popularity over the years, but is fraught with potential misunderstanding. The term “maintenance” itself is the route of the problem as this term, depending on user, could simply mean replacing lightbulbs, repairing roofs, or replacing carpet. However, within the context of infrastructure, this term may also apply to entire systems and classes of assets. For example, maintenance would mean keeping a street system at not only a specific condition, but also number of usable lane-miles.

Another perspective is demonstrated by the example of recreation centers. The City currently operates six recreation centers which provide hubs for a large number of City services. Keeping these centers clean, painted, and repaired maximizes the life of these centers and is without question a high priority. However, a point comes when these centers have aged to a point where the conversation shifts to replacement via new or significantly upgraded facilities. On a case-by-case basis, this issue is very manageable, but should all the assets reach this point at, or near, the same time, it is unlikely an agency would be in a position to satisfactorily address the compounding needs. As a result, if left to address the issue on a case-by-case issue, individual assets may drop below the level capable of supporting services and thus shrinking the base of viable infrastructure. In this context, maintenance encompasses not just the regular upkeep, but also contemplates eventual replacement.

An additional concern, depending on City goals, may be to view certain classes of assets on a per-capita basis. In staying with the recreation center example, should the City’s population double (hypothetically speaking), the number of centers relative to the population would be halved, and presumably services as well. Should the City endeavor to maintain a certain level of service, it may require an expansion of the relevant asset class. Obviously, this point applies to

some asset classes better than others, such as fire stations and City Halls. If the population doubles, the City may need to double the number of fire stations, but unlikely to require a second City Hall.

The topic of deferred maintenance, or infrastructure broadly, has the potential to expand rapidly once all possible perspectives are taken into consideration. The attached report has not attempted to address these perspectives, but only to address the basic question of whether conclusions could be reached by examining existing asset records. The best use of this report is therefore as a foundation for robust and consistent dialogue regarding City infrastructure.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This is an informational item being considered by the City Council. Therefore, it is exempt from the California Environmental Quality Act ("CEQA"). Pursuant to State CEQA Guidelines section 15378(b)(5) it is an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment.

FISCAL IMPACT:

There is no direct financial impact of this report.

Prepared By: Clay Schoen, Director of Finance

Reviewed By:

Approved By: Graham Mitchell, City Manager

Attachments

Report on City Infrastructure Deferred Maintenance

Report on
City Infrastructure and Deferred Maintenance

City of El Cajon
Department of Finance
September 10, 2024

Objective

The purpose of this analysis is to review the City of El Cajon's historical investment in Capital Assets and evaluate whether current spending is sufficient to maintain the City's asset base.

Conclusions and Recommendations

As information for this report was gathered and analyzed a significant observation was noted. On average, the City added approximately \$9.0 million of capital assets each year over a ten year period. In 2021, the American Rescue Plan Act (ARPA) provided \$30.4 million to the City of El Cajon, with a significant portion of this focused on City infrastructure. While being a nice problem to have, this sudden and large inflow of one-time money appears to have had the unintended effect of displacing routine infrastructure work.

This pause in the routine, may have given City staff the opportunity to reevaluate its capital program while focusing on spending one-time ARPA proceeds. During this period, a number of initiatives were started to facilitate better infrastructure management. Some of this work includes:

- Enterprise Asset Management (EAM) – The City is currently working on the implementation of software to assist in the management of assets. This program is a tool to help monitor and manage the condition and status of various City assets. Additionally, this will help in the scheduling of inspections and maintenance.
- Pavement Management System – This study is a tool to help assess the condition of the City's street system. Via better access to, and quality of, information, the City will be able to more effectively plan street related work and improve the City's overall road conditions.
- Geographic Information System (GIS) – Over the past several years the City has embraced and developed the use of GIS. This information has been extremely useful in understanding the location, distribution, and density of City assets, as well as the relationships of a number of factors such a population demographics and usage/traffic information. This information directly influences, and increases the quality of, master planning.
- Park Master Plan – In February 2024, the City Council adopted the Parks Master Plan. The process of developing this document sought input from community members and stakeholders through survey and interview data regarding how they engage with park services and programs. It provides analysis on community needs and priorities in order to develop an action plan with specific solutions. Items addressed include: safety, amenities, adopt-a-park program, and marketing enhancements. Additionally, the plan identifies areas that are "under parked" and offers strategies for residents to achieve the stated goal of having a park within a

10-minute walk of their households. This will serve to guide future park and facility renovations as well as park acquisition and development.

- Sewer Master Plan – The City is in the process of procuring services to prepare a Sewer Master Plan. This work will include gathering land-use and system use information in order to model future sewer system needs. This work will include future capital needs, a risk-based prioritization, as well as cost estimates.

The combination of this theme and the analysis discussed below, the following conclusions were reached.

1. Sewer and Storm systems represent areas of greatest concern. Both systems are deep into their average estimated useful lives, which suggest increasing rates of failure. Given the risk associated with these assets, in terms of both cost and regulation, it is prudent to prioritize these systems' improvement and maintenance at the highest possible levels. Fortunately, funding is in place and a plan is in development, which leaves the will to maintain focus on these systems as the greatest challenge.
2. It was also observed that for a large number of assets this type of analysis does not suffice. Some assets are consumed by use, and age is not a meaningful indicator of condition. For example, a gymnasium floor may be relatively new, but is worn out through heavy use. To plan maintenance or replacement based on age just doesn't make sense. Alternatively, if a roof leaks, regardless of age, it requires attention. In these situations regular condition assessments are the most valuable tool to inform capital planning. Prioritization should consider those assets that directly support services, as well as those with high costs of failure.
3. For some types of assets age simply doesn't matter, for example, curbs and sidewalks. Concrete structures of this type are virtually permanent and the use of an estimated useful life is only an accounting contrivance. Maintenance, rather than replacement, plays the lead role for these assets. Inspection and periodic condition assessment are the primary management activity for existing assets. What is more meaningful for this class of assets is an understanding of where these assets exist, and where they are still needed. Long-term master planning is the key instrument used to identify this need.
4. Given the resources, any City could be a model community. However, in the absence of resources, sacrifices are made. Should Proposition J expire without a replacement source of revenue being found, resources will shift to maintain services, specifically Police and Fire protection, at the expense of all else. Surely to suffer in this scenario will be the infrastructure supported by the General Fund such as buildings, facilities, and parks.

Based on these conclusions, staff recommends the following.

1. Continue to prioritize the replacement of revenue currently generated by Proposition J sales tax.
2. Conduct condition assessments in order to maximize the effectiveness of EAM, as well as identify those assets in immediate need of attention.
3. Continue with master planning as this gives the City a define objective to progress towards.
4. Improve long-term capital planning to bridge the “now-needs” with the long-term goal. Better long-term planning helps prioritize projects and identify future resource needs.
5. Consider expanding programs maintaining and improving assets funded by secure, restricted sources of funding. While there is high competition for the use of unrestricted general revenues, restricted funding for specific purposes, Wastewater and streets for example, may be available.

The City has made infrastructure improvements on a short-term, or break-fix, basis for many years. It is critical to progress to a model that is goal driven and fully measures City needs, in addition to addressing the “now-needs.” However, the best plans are useless without sufficient resources. Currently, the biggest risk is not a lack of planning, but the availability of resources. Whether the City embraces a move towards more complete, long-term planning or continues on a “pay-as-you-go” basis, a lack of funding will eventually compromise any level of work.

It is foreseeable that if the Proposition J sales expires without a replacement source of revenue being found that the condition of assets relying on general revenues will suffer. At the same time, work will continue to maintain and improve those assets supported by dedicated, restricted revenues. A very possible outcome would be a City with eroding services, decaying facilities, and browning parks and fields, while having top-class road and sewer systems.

Analysis and Discussion

The City defines Capital Assets in *City Council Policy E-6 Capital Asset Management* as real or personal property that has a cost equal to or greater than an established capitalization threshold and has an estimated useful life extending beyond three years. Accounting records are maintained for a variety of Capital Asset classes as summarized in the following table. This analysis focuses on a selection of these records.

Asset Category	Included in Analysis?
Land & Improvements	No
Easements	No
Buildings & Improvements	Yes
Furniture & Equipment	No
Vehicles	No
Property Rights	No
Works of Art	No
Pavement	Yes
Curbs & Gutters	Yes
Sidewalks	Yes
Traffic Control Devices	Yes
Signage	No
Bridges	Yes
Streetlights	Yes
Open Parking Lots	No
Storm System	Yes
Sewer System	Yes
Park Hardscape	No
Other and Miscellaneous Assets	No

The objective of this analysis is tied to the concept that there are tangible objects required in the operation of a City, and that these objects are “consumed” by their use. Therefore, some of the asset classes, such as Land, are excluded because of the asset’s permanent nature. In the case of easements, these assets represent a “right” rather than a tangible, consumable object. Some assets, while tangible and consumable, have been excluded here because of unique or unusual qualities such as the impact changes in technology. Lastly, some are excluded, in the case of Park Hardscape, because of a lack of usable records.

Methodology

The conclusions and recommendations presented in this report are based on conclusions drawn from analyzing accounting asset records. From these records, a number of measures can be prepared. The simplest is a simple measure of spending trends. Once adjusted for inflation, one can determine if current investment is increasing, decreasing, or average.

Another common metric is comparing annual depreciation (the systematic recognition of expense over the period of benefit) to annual investment. Simply, is the City consuming faster than it’s replacing. Given the long lives of these types of assets, the time value of money is considered here as well.

Lastly, assets are evaluated for average age as well as remaining useful lives.

Each asset group is evaluated and discussed separately in order to address the unique nuances of each. All information for this evaluation is based on financial records as of June 30, 2022.

Limitations

This study is limited in a number of ways, most notably that this report is the result of a desk study of accounting records. Significant disconnects are likely to exist between these records and conditions in “the real world.” However, an analysis of this type is useful to highlight areas that may require more focused attention.

Another area that may limit the accuracy of these results is the quality of the information on which they are based. Accounting standards and practices have evolved significantly over the span of some of these assets’ lives, and it is dangerous to assume that a record from 1928 was prepared with the same care as that of today.

Also a potentially distorting factor for some categories is whether all of the assets in the group are relevant. If a group has a significant portion of assets that are no longer needed, or will never be replaced, this may misrepresent the group.

Much of the work presented here includes an adjustment for the time value of money. The tool used for this is a Consumer Price Index (CPI, a common measure of inflation) Calculator available through the Bureau of Labor Statistics. However, this is a generic measure and may not suit specific application well. For example, the generic CPI may be 5.0%, while inflation specific to petroleum products used in asphalt may be 10.0% for the same period. Another area would be for assets involving real estate, where “hot” real estate markets may drive property costs higher than what the generic measure represents.

Also, depreciation is calculated on an estimate of an assets useful life. While this a standard, accepted practice, its accuracy is largely driven by averaging large groups. In the case of buildings for example, a useful life of 50 years may be applied. However, it is very common to observe building exceeding this age. Given enough buildings in the pool though, results should gravitate towards the average. Unavoidably, the useful life assigned (by *City Council Policy E-6 Capital Asset Management*) suits some asset classes better than others, and while not perfect, they are reasonable estimates.

Buildings & Improvements

This group of assets is comprised of two separate categories, Buildings and Improvements. In principle, Buildings represents a primary structure, and Improvements represent subsequent additions to the facility. However, in practice, it is less clear as to how to categorize new assets and this may distort conclusions if viewed separately.

An example of how these categories are used would be the theoretical construction of a new Recreation Center, correctly categorized as a building. A few years later, a new parking lot is constructed and correctly categorized as an improvement. Inconsistencies are introduced because each of these assets is separate from the other. If, in the same

scenario, the parking lot is constructed at the same time as the primary structure, then it would be categorized as part of the building. This leads to an inconsistency between the exact same parking lot in one scenario categorized separately as an improvement, and in the other categorized as part of a building. Both are correct. This issue is relevant to secondary structures (out buildings, sheds, or classrooms), HVAC systems, elevators, playground equipment, gates and doors, and many other facility upgrades over the multi-decadal life of the individual facility.

Two actual examples of how asset records evolve are the City facilities at Fletcher Hills and Hillside Park. The Fletcher Hills facility opened for business in 1965 and currently has nine separate asset records ranging from the original 1965 construction through a 2017 pool renovation. Similarly, Hillside Park was originally dedicated in 1979, and the City also maintains nine separate records spanning from the original construction through a new playground in 2021.

The dilemma is that one cannot easily estimate the overall condition of either of these facilities because components of the facility each have independent useful lives, and are at different stages of those lives. Simply, a facility may have brand new parking lot while the roof is collapsing. For meaningful analysis to occur, one would have to evaluate each asset independently, which underscores the limitations of an analysis of this type which is only relevant to large groups of vaguely homogenous assets. Each building, and its related improvements, are so unique that very little value lies in conclusions drawn from aggregated records in this category.

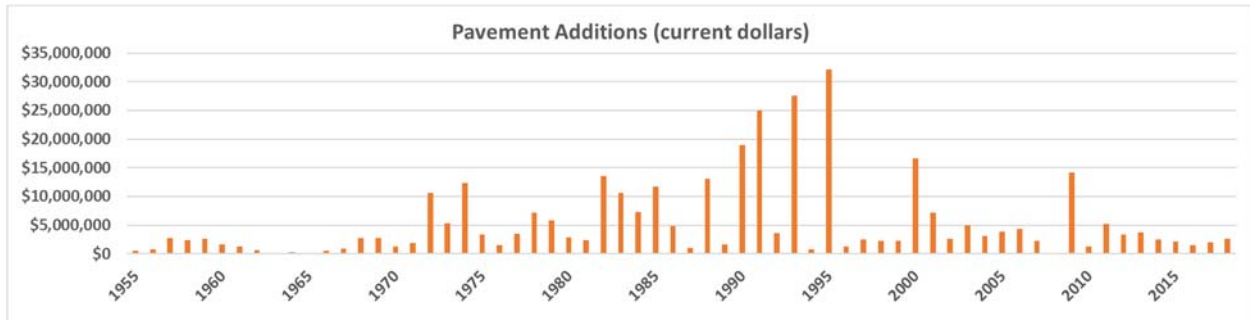
This combined set of assets represent 145 total records valued at \$204.8 million in today's dollars. Of this total value, \$103.6 million has been depreciated or "consumed." Based on this, collectively, these assets are on average 50.6% through their estimated useful lives. For such a large group of valuable assets that are heavily used in the delivery of City services, maintenance or replacement needs simply cannot rely on accounting record analysis and can only be reasonably based on deliberate, focused evaluation of both condition and need on a facility by facility basis.

Pavement

This category represents \$150.1 million of assets with \$92.9 million of accumulated depreciation. The net impact is a total book value of \$57.3 million. Based on these values, the category is 61.9% depreciated, or 61.9% "consumed." Once adjusted for inflation the total cost of these assets are estimated to total \$341.4 million. One year's worth of (theoretical) depreciation at this value would be approximately \$8.5 million. The last addition to this asset pool was in 2019.

Assets in this category have an estimated useful life of 40 years, and the weighted average life is 31 years suggesting these assets are 77.7% through their estimated useful life. If assets were replaced at the same rate, the population would be at 50.0% of their estimated lives. Over 50.0% indicates consumption at a rate higher than replacement, and under the reverse. When evaluating whether the City is adding streets at the rate they are being "consumed," the answer is overwhelming "no."

However, this category is an example of the limitations of studies of this type. For new assets to be added, the City would have to build new streets, or at a minimum add lanes to existing streets. Once the City reached a point of being fully “built out,” and all streets paved, the opportunities for “new” to exist are scarce. The table below shows the annual (at current dollars) investment in new assets in the category and when the City’s street building boom occurred.



Streets are repaired and maintained on an annual basis; however, this activity is generally not considered additional assets. An overlay (of one inch or less) or slurry sealing is typical street maintenance activity and greatly improves street conditions and helps preserve the original investment (asset). Over the past five years the City has invested \$12.2 million in the overlay and slurry sealing of streets. With proper care and maintenance, a street may remain in service far beyond its estimated useful life. For example, humanity still uses roadways originally built by the Romans in many parts of the world.

To answer the question of whether the City is adequately investing in these assets one would be better served by assessing the Pavement Condition Index and through regular inspection. This information can be used to guide the City’s use of dedicated, transportation related funding sources such as TransNet.

Sidewalks / Curbs & Gutters

Assets in this category have many of the same issues as Pavement discussed above. These concrete assets will, in most cases, surpass their 40 year estimated useful lives. Additionally, significant City investment occurred when originally constructed, but once the City was largely sidewalked and guttered, investment dropped significantly.

This group of assets is valued at \$93.5 million, of which \$84.0 million has been depreciated. The average (weighted) age of sidewalks is 47.2 years, and curbs/gutters are on average 50.7 years old. These assets are therefore either mostly fully “consumed” or have already surpassed their estimated useful lives.

One does not have to walk down very many streets in El Cajon to observe sidewalks and curbs/gutters that are in excellent condition and appear to be useable for many more years (if not decades). It is important to acknowledge that in many cases “estimated useful life,” while critical to a systematic recognition of cost in the accounting environment, may have very little connection to conditions in the real world.

However limited accounting records are in evaluating this class of assets, some measure of condition is still necessary. These assets may be damaged during their use, and require maintenance or replacement determined by condition and risk. The topic of risk is discussed more thoroughly later in this report, but specific to this group of assets is the risk associated with injury occurring as a result of the assets' condition. For example, the risk of litigation as a result of a damaged sidewalk. It simply does not make sense to suggest replacing an entire block's worth of sidewalk simply because it's reached the end of its estimated useful life. A more prudent means of guiding repair, maintenance, or replacement is through regular assessment.

Traffic Control Devices

Assets in this category primarily represent traffic signals throughout the City. The oldest record on file dates to 1973, and this category has benefited from regular year-to-year investment since then. Individual records are generally created for all devices at a single intersection and not individual devices. In some cases an asset record may represent either minor, system-wide upgrades or replacement of individual devices throughout the City. The assets total \$23.6 million in current dollars, of which \$18.5 million has been depreciated. This suggests the entire category is 78.7% "consumed". The average weighted life of these assets is 20.6 years, while the estimated useful life is 20 years.

This category has a couple of unique nuances, and both are related to sensitivity to technology. Once a form of technology has been accepted, it has to first be applied Citywide. This may represent significant cumulative investment. However, once applied Citywide, maintenance would represent a reduced expenditure of funds. When there is a dramatic change in technology, if significant, a renewed cycle of investment may begin.

Another way these assets are impacted is that the original asset record included the structure holding the traffic signals. With certain changes, the original structure may be retained and only the individual devices changed. This would effectively extend the useful life, of at least a large component of the original asset, far beyond the estimated useful life.

By reviewing additions to this category over approximately the last ten years, the majority of the additions to this category appear to be "upgrades" or other traffic management (calming) devices, as opposed to the installation of new signals at an intersection. This change signals a category that is evolving, and as a result, it makes an assessment based on estimated useful life somewhat irrelevant. The focus on this category is the conservation of a mature and relatively complete system: fix what is broken and modify as traffic control needs evolve while assessing the benefits and applicability of emerging technology.

Bridges

There are only three assets recorded as bridges in the City's asset records. Because of the small number of records, there is no benefit to discuss the category in aggregate. The oldest record was created in 1979 and is titled Wing Creek: North of West Bradley. At the time, the cost of the bridge was \$151,282, but is now estimated at \$662,615. Of that

amount, \$295,243 has been depreciated. That represents a consumption of 44.6%. Additionally, the 43 year old structure is 71.7% through its 60 year estimated life.

In 1984 the City constructed El Cajon Boulevard: Intersection of El Cajon Boulevard and Murray Ave. Estimated at \$1.0 million today, it is 61.7% depreciated and is 63.3% through its estimated useful life.

Finally, in 2001 the City completed the Marshall Bridge: Intersection of North Marshall and Cuyamaca. In today's dollars the bridge cost an estimated \$560,709 and \$186,903, or 33.3%, has been depreciated. Additionally, it's 35.0% into its 60 year estimated useful life.

Given their few numbers and long lives analytic means of estimated condition seem inappropriate for these assets. Given the potential impact of seismic activity over the course of these assets' lives, in conjunction with the high cost associated with failure, periodic inspection is likely the most effective way to ensure the condition of these structures.

Streetlights

These assets represent street illumination not associated with traffic control. Significant investment in street lights occurred in the early 1980s, and the city is largely illuminated. However, the City regularly invests in new streetlights, as there are areas of the City that remain under-illuminated. Assets total \$19.6 million, adjusted to today's cost, of which \$18.0 million (91.6%) has been depreciated, or "consumed" in an accounting sense.

The estimated useful life of assets in this category is 20 years, but the average age is 31 years.

While the addition of new streetlights continues, most assets in this category are in cycles of repair and maintenance. Additionally, system upgrades regularly occur that renew these assets. Overall, this system is in a stage of life, similar to traffic lights, where the focus is the conservation of a mature system: fix what is broken and modify as needs evolve while assessing the benefits and applicability of emerging technology.

Storm System

These assets are those constructed to channel and discharge surface water runoff. The majority of these are concrete drains and channels that, despite being assigned an estimated useful life, effectively have an indeterminable life similar to curbs and gutters. This category totals \$180.3 million (adjusted), with 73.1% (\$131.9 million) "consumed". Similarly, with an average age of 44 years, they are 73.0% through their estimated useful lives.

The discussion of this category, at least in regards to existing assets, is similar to that of curbs and gutters where, rather than scheduled replacement, repair, maintenance, or replacement should be guided by regular assessment. What may be more meaningful for

this category is the regular assessment of needs and identification of new, unconstructed assets needed to accommodate runoff and meet regulatory needs.

Sewer System

This system represents those assets used in the collection and discharge of the City's wastewater. Assets total \$218.9 million in current dollars, and are 71.1% depreciated, or "consumed." An average age of 46 years, 76.7% of the classes' estimated 60-year useful life. Sewer pipes represent the majority of this category and present characteristics unlike other categories.

As a matter of policy these assets have been assigned an estimated useful life; however, this measure is entirely irrelevant to guiding future investment. The upgrading, replacement, or addition of assets in this category should be guided by the assessment of condition and risk. Unlike other categories of assets where the risk of failure is either slow and progressive or low consequence, failures within this system are often sudden and catastrophic with high associated risk to other public and private assets.

Funding Sources

The maintenance and development of City infrastructure is funded through a number of sources. For the most part, maintenance is funded through operating budgets in a number of City funds. However, larger maintenance expenditures may be included in the discussion of capital funding. For example, the painting of an office would likely be a routine expenditure funded through an operating budget, while the regular slurry seal of a street may be considered capital because of the size of expenditure. The following discussion addresses some of the City's larger infrastructure funding sources.

General Fund

The General Fund serves as the City's primary operating fund. This fund accounts for all financial resources that are not accounted for in another fund. In addition to the General Fund itself, the City also operates the City Capital Improvement Projects Fund. This fund is the conduit for General Fund monies set aside specifically for capital projects. General Fund funding, regardless of which of these two funds, is largely unrestricted and available for any type of capital expenditure. This funding source is typically used for City buildings, facilities, and parks.

As of June 30, 2023, total available General Fund equity was \$62.2million, while the City Capital Improvement Projects Fund had an available balance of approximately \$2.7 million.

Wastewater

The Wastewater Fund is responsible for the management and disposal of wastewater, and is funded primarily by fees charged to external customers. These revenues are restricted for wastewater purposes, both operating and capital. In Fiscal Year 2022-23 Wastewater charges for services totaled \$32.0 million. Capital costs were considered as part of the calculation of fees.

As of June 30, 2023, total available Wastewater equity was \$41.1 million. While some share of this balance needs to be retained to support operations, a significant portion is intended for Wastewater infrastructure.

TransNet

The City of El Cajon shares in the receipt of sales tax revenue for public transit, highways and local road and street improvement in San Diego County. San Diego Association of Governments (SANDAG) administers this program with revenue distributed to highway, transit, and local road projects. For local street and road improvement projects, revenues are allocated by formula on a reimbursement basis.

As of June 30, 2023 the City had approximately \$3.2 million of available TransNet revenues held by SANDAG. The Fiscal Year 2023-24 projected Annual Allocation remains the same as the previous fiscal year at \$3.5 million.

Gas Tax / RMRA

Gas Tax and Road Maintenance and Rehabilitation Act (RMRA) revenue is received from the State each year, with distribution based on both population and a flat distribution amount. Generally, these are limited to street maintenance and related capital improvement purposes.

As of June 30, 2023, total available Gas Tax equity was \$3.1 million, while the RMRA fund had an available balance of approximately \$560,000. Estimated revenue for Fiscal Year 2023-24 is \$3.0 million for the Gas Tax fund, and \$2.1 million for RMRA.

Capital Grants

The City benefits from the award of grants from numerous entities, and the number and amount is highly variable depending of the programming of the granting agencies. However, the City regularly receives transportation related grants from state and federal agencies. Recently, the San Diego River Conservancy had awarded the City a number of grants to assist in the improvement and protection of the San Diego River watershed. While not categorized as a Capital Grant, American Rescue Plan Act funding has supported a number of capital projects.

Community Development Block Grant (CDBG)

The Community Development Block Grant (CDBG) Program is an entitlement grant from the U.S. Department of Housing and Urban Development (HUD). The amount allocated to the City of El Cajon varies based on Congressional allocation to HUD. CDBG funds can be used for a variety of eligible activities, including improvements to public facilities, housing rehabilitation and public and social services. Funding is restricted to providing decent housing, a suitable living environment and/or expanding economic opportunities, principally for persons of low and moderate income.

CDBG revenues are allocated and programmed annually. In Fiscal Year 2023-24, the CDBG entitlement (award) totaled \$1.2 million.

Proposition J Sales Tax

Voters approved this 20-year half-cent sales tax measure in 2008, during the most difficult economic climate since the Great Depression. This measure, along with prudent financial management, has stabilized the City's ability to provide core services. However, the need of this "lifeline" remains critical to the City's financial stability, provision of emergency services, and long-term replacement of much needed infrastructure. Without this source of revenue, remaining General Fund revenues will focus on preserving services. This will negatively impact the funding of infrastructure typically supported by the General Fund such as buildings, facilities, and parks.

This measure is expected to generate \$13.1 million, or 13.8% of General Fund revenues, in Fiscal Year 2023-24.

Proposition J is set to expire in 2029.

The Role of Risk

The assessment of risk is a critical component when considering investment in infrastructure. The nature of some asset categories permit the use of existing assets until failure with little consequence. For example, a fence may remain useful far beyond any estimate of its use. They are generally inexpensive and relatively easy to replace. It would make little sense to replace a fence preemptively and may prove more logical to simply leave the existing fence in place until it collapses.

Some assets have higher level of risk makes failure unacceptable whether measured by cost or impacts to public safety. An example of this would be a bridge. As the bridge ages and wears, it becomes necessary to contemplate its replacement. Construction requires planning, and perhaps financing, both necessitate significant lead-time. Additionally, should the hypothetical bridge collapse, any immediate impact to public safety is unacceptable, but so too is the prolonged impairment of traffic supporting both commerce and citizen's private lives.

Long-term Vision

The City's long-term design of the community is expressed in its General Plan. This guiding document is supported by subsidiary Master Plans, such as the Sewer Master Plan and the Parks Master Plan. These documents influence strategy and can help advance the expansion or completion of the City's various systems. From that work plan, financing needs assessed and developed, and then individual projects established.



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Graham Mitchell, City Manager
SUBJECT: Addressing the Rising 911 Call Volume from Congregate Care Facilities

RECOMMENDATION:

That the City Council provides feedback on the options presented or considers alternative options. Additionally, staff recommends that the City Council directs staff to meet with operators of congregate care facilities to share potential policy options, gather their input and suggestions, and return to the City Council with a policy proposal for consideration.

BACKGROUND:

Congregate care facilities place a significant demand on the City's Fire Department. In FY 2023-24, these facilities accounted for 2,753 calls, representing over 15% of all Fire Department calls. This averages to 7.5 calls per day, requiring responses from the City's six engine, truck, or squad companies. Notably, twelve of the top twenty addresses that the Fire Department responded to last year were congregate care facilities.

Congregate care facilities are defined as licensed facilities, including skilled nursing and psychiatric care facilities. This definition does not extend to senior apartments or smaller, non-licensed group homes.

In 2022, a City-conducted study revealed that approximately 44% of 911 calls from congregate care facilities were non-emergencies, totaling 875 calls. While one operator had less than 10% of their calls classified as non-emergencies, others had significantly higher rates, with two facilities reaching 69% and a third reaching 67% of their 911 calls.

In response to these findings and concerns raised by Fire Department staff, an educational campaign was launched. While staff believe this initiative has had some positive impact on a few care facility operations, the majority have shown little improvement.

Comparing data from 2022 to 2023/2024, only six of the twenty facilities reduced their call volume. Among these, three experienced nominal declines, while three saw significant reductions. However, the remaining fourteen facilities increased their demand for Fire Department services in 2023/24 compared to 2022, with an average increase of 45%.

Staff have also raised concerns about the frequency of lift assist requests. In FY 2023-24, there were 372 lift assists, representing about 2% of total calls for service. The majority of these calls came from private residences. There were two from skilled nursing facilities.

Introductions of Possible Solutions

Staff has analyzed the possibility of implementing fees for lift assistance and found examples from around the United States where these fees have been implemented. However, at this time, given the infrequency of these calls, staff does not recommend pursuing this option at this time.

Instead, staff recommends that the City Council consider several market-driven strategies to address the misuse of the 911 system by congregate care facility operators. Staff presents three options for the Council's discussion.

Operators of congregate care facilities were invited to attend or watch this agenda item. One of the recommendations is that, after reviewing the proposed options and any additional ideas, the City Council direct staff to hold meetings with these operators to gather further input and suggestions.

All three options involve implementing monetary penalties for excessive use of the 911 system. Staff considered possible fees for non-emergency calls. However, defining and consistently distinguishing between emergency and non-emergency calls, which can vary based on the judgment of responding personnel, is challenging. As such, staff suggests considering penalties on facilities that exceed the median level of system usage.

Staff calculated the average response time to a care facility and determined a cost of \$486.83, which reflects the cost of personnel, the 911 call fee, the use of the fire vehicle, and overhead. In the options below, this fee will be referred to as a "response fee."

Option 1

Charge a response fee for every call that exceeds 1.25 times the median number of calls per bed. For FY 2023-24, the median number of calls per bed is 1.35. This means that for every call above 1.6875 per bed, the City would charge the care facility \$486.83 per call.

Impact Analysis:

- Six facilities would incur fees, while fourteen would remain below the threshold,
- The maximum fee would be \$59,150,
- The maximum per bed cost would be \$2,781, and
- The average fee across the penalized facilities would be \$21,431.

Option 2

Charge a response fee for a higher threshold, such as 1.5 times the median number of calls per bed.

Impact Analysis:

- Three facilities would incur fees, while seventeen would remain below the threshold,
- The maximum fee would be \$39,433,
- The maximum per bed cost would be \$2,617, and
- The average fee across the penalized facilities would be \$29,023.

Option 3

Charge a reduced response fee for each call that exceeds the median call threshold, with the fee reduced by half to \$243.42 per call.

Impact Analysis:

- Ten facilities would incur fees, while ten would remain below the threshold,
- The maximum fee would be \$39,434,
- The maximum per bed cost would be \$1,473, and
- The average fee across the penalized facilities would be \$5,411.

Recommendations

Again, staff recommends that the City Council provides feedback on the options presented or considers alternative options. Additionally, staff recommends that the City Council directs staff to meet with operators of congregate care facilities to share potential policy options, gather their input and suggestions, and return to the City Council with a policy proposal for consideration.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This is an informational item being considered by the City Council. Therefore, it 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. City Council feedback or next steps will be reviewed under CEQA prior to project approval.

FISCAL IMPACT:

There is no fiscal impact for this stage of the discussion and direction.

Prepared By: Graham Mitchell, City Manager

Reviewed By: N/A

Approved By: N/A



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Mike Moulton, Chief of Police
SUBJECT: Annual Review of Automated License Plate Reader (ALPR) Program

RECOMMENDATION:

That the City Council receives the report as an information item and provides feedback to staff.

BACKGROUND:

The City Council approved an Automated License Plate Reader (ALPR) program in March 2023. The City contracted with Flock Safety as the provider of the cameras for the program. The fixed license plate reading cameras were installed in late July 2023 and the system became operational on August 6, 2023.

PROGRAM IMPACT

During the first year the program has been in operation, the crime-fighting capability of the technology has proven itself extremely successful. During the first year, the El Cajon Police Department recovered 128 vehicles worth more than \$1.2 million and made 151 arrests related to the stolen vehicles recovered.

Criminals who steal vehicles or drive stolen vehicles are often involved in other serious criminal activity. In addition to arrests related to the stolen vehicles themselves, the Department has arrested individuals and groups of individuals for being in possession of narcotics, possession of burglary tools, possession of illegal firearms, possession of other stolen property, identity theft, fraud, outstanding warrants, and other serious crimes. At least five illegal firearms were recovered and the arrests and recovery of stolen vehicles have resulted in significant seizures of Fentanyl, Methamphetamine, and other illegal narcotics.

What cannot be measured is crime that has been prevented as a result of the ALPR program. It is common for criminals intending to commit serious violent felonies to steal vehicles specifically to commit other more serious crimes. These crimes can include bank and convenience store robberies, shootings, and ATM machine thefts, just to name a few.

MOVING FORWARD

Although the current ALPR system covers much of the City, there are “blind spots” and instances where additional coverage would have greatly benefited significant criminal investigations. ECPD’s Flock Safety ALPR program has proven itself a “force multiplier” and cost-effective approach to enhancing public safety. Flock Safety hardware is an affordable alternative to staffing increases and other crime prevention technologies. The police department

intends to explore the possibility of using the cost savings of “vacant” sworn officer positions to expand the network, enhancing public safety in the City of El Cajon.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This is an informational item being considered by the City Council. Therefore, it 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. It is an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment.

Prepared By: Mike Moulton, Chief of Police

Reviewed By: N/A

Approved By: Graham Mitchell, City Manager



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Clay Schoen, Director of Finance
SUBJECT: 2024 Annual Pension Status Report

RECOMMENDATION:

That the City Council receives the Annual Pension Status report.

BACKGROUND:

In October 2020, the City Council adopted the City of El Cajon Pension Funding Policy. One of the requirements of this policy is a review of the status of the City's retirement benefit plans. Specifically, the policy states:

Addressing retirement costs is a dynamic process. CalPERS makes adjustments annually to a City's Normal Cost and Unfunded Accrued Liability (UAL). These changes require multi-year financial planning and for the City to make corresponding budgetary adjustments. The City shall therefore evaluate its pension liabilities each year.

After the release of the most current CalPERS actuarial report, staff shall present a summary of each plan's funding status. New amortization levels shall be specifically addressed. This information shall be presented during a public City Council meeting, which shall include a summary of funding status, funding progress compared to prior years, as well as any recommended actions and/or budget adjustments to address areas of concern.

The City recently received updated actuarial valuations for each of its benefit plans (Safety and Miscellaneous) administered by CalPERS. As a result, an Annual Pension Status Report was prepared using this updated information, and is attached to this report. These actuarial valuations were completed as of June 30, 2023. As of 06/30/2023 the City's total unfunded liability is \$117.2 million.

The City issued \$147.2 million of pension obligation bonds in the spring of 2021. This had a massive impact on funding status by significantly increasing plan assets. It is imperative that the outstanding bond obligations be taken into consideration when evaluating the funding status of the City's retirement benefit plans. As of June 30, 2023, the outstanding bond principal totaled \$136.8 million. When the outstanding pension obligation bond principal is considered in combination with the CalPERS unfunded liability, the City's total pension related liability is approximately \$253.9 million.

As part of this discussion, the Pension Funding Policy contemplated that action may be required to address any issues raised. Specifically, the Policy states:

The City seeks to maintain adequate levels of reserves in accordance with its stated reserve goals and adopted reserve policies. To the extent that the City has excess reserves, generates an operating surplus, generates savings from other pension related strategies, or receives significant one-time revenues, the City shall endeavor to apply a portion of such monies toward its unfunded retirement costs in the form of either Additional Discretionary Payments to CalPERS directly, or deposit funds in either a designated reserve or in its PARS Sec 115 Trust.

Given the Additional Discretionary Employer Contributions already authorized as part of the Fiscal Year 2024-25 Annual Budget, no additional action is recommended at this time. As work progresses on the City's Five-Year Business Plan and development of the Fiscal Year 2025-26 Annual Budget begins, additional funding opportunities will be evaluated.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

This is an informational item being considered by the City Council. Therefore, it is exempt from the California Environmental Quality Act ("CEQA") because it is not a "project" pursuant to State CEQA Guidelines section 15378(b)(5).

FISCAL IMPACT:

There is no direct fiscal impact as a result of the recommended action. The status of the City's pension plans has been a significant influence on City finances for many years, and maintaining focus on this issue remains critical to the City's continued financial health.

Prepared By: Clay Schoen, Director of Finance

Reviewed By:

Approved By: Graham Mitchell, City Manager

Attachments

2024 Annual Pension Report

City of El Cajon Annual Pension Status Report

(Source: June 30, 2023 CalPERS Plan Actuarial Valuations)

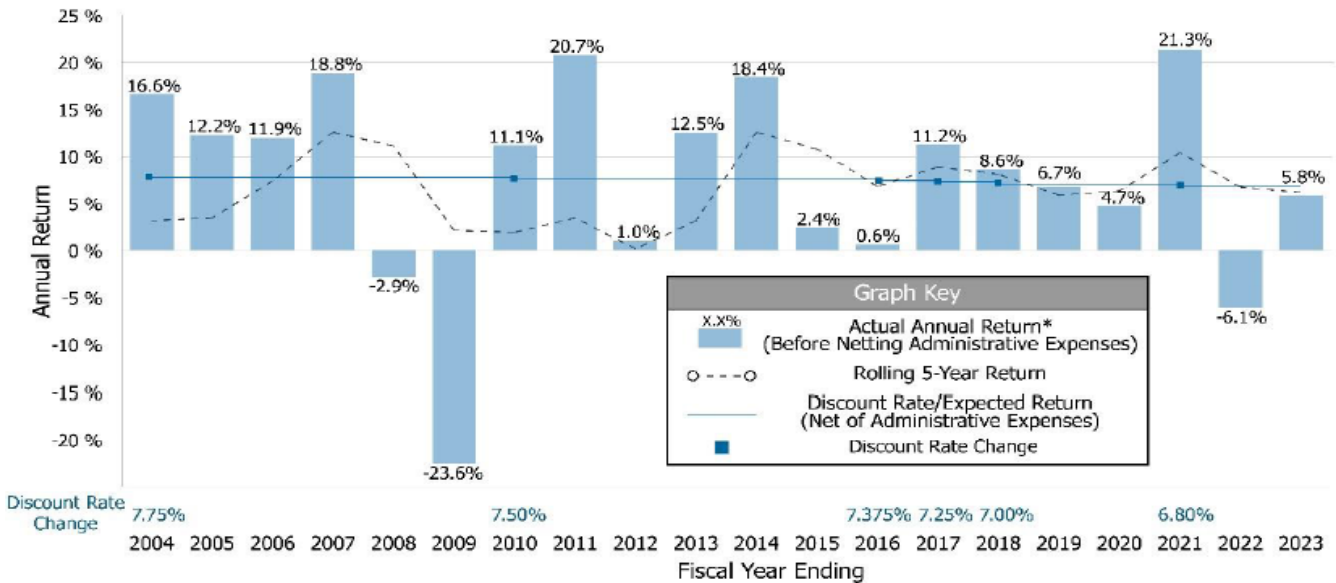
Valuation Date	Safety Plan			Miscellaneous Plan			Combined Plans			
	Plan Liability	Plan Assets	Status	Plan Liability	Plan Assets	Status	Total Liability	Total Assets	Unfunded	Status
June 30, 2023	\$ 413,734,689	\$ 339,807,847	82.1%	\$ 271,046,004	\$ 227,808,625	84.0%	\$ 684,780,693	\$ 567,616,472	\$ 117,164,221	82.9%
June 30, 2022	398,876,465	328,428,277	82.3%	265,040,223	220,294,955	83.1%	663,916,688	548,723,232	115,193,456	82.6%
June 30, 2021	382,112,612	367,560,283	96.2%	256,538,618	247,412,300	96.4%	638,651,230	614,972,583	23,678,647	96.3%
June 30, 2020	357,827,615	214,546,056	60.0%	246,177,687	163,877,244	66.6%	604,005,302	378,423,300	225,582,002	62.7%
June 30, 2019	339,193,406	210,268,697	62.0%	239,685,601	161,538,723	67.4%	578,879,007	371,807,420	207,071,587	64.2%
June 30, 2018	329,637,443	202,843,543	61.5%	233,570,524	156,241,053	66.9%	563,207,967	359,084,596	204,123,371	63.8%
June 30, 2017	309,732,456	193,702,654	62.5%	218,395,632	149,048,480	68.2%	528,128,088	342,751,134	185,376,954	64.9%
June 30, 2016	293,743,734	180,039,340	61.3%	209,950,483	138,220,065	65.8%	503,694,217	318,259,405	185,434,812	63.2%
June 30, 2015	283,472,973	185,930,792	65.6%	201,489,297	141,996,648	70.5%	484,962,270	327,927,440	157,034,830	67.6%
June 30, 2014	273,024,740	188,098,614	68.9%	196,047,087	143,189,938	73.0%	469,071,827	331,288,552	137,783,275	70.6%

New Amortization Bases

Plan	Reason for Base	Date Est.	Amort. Period	Balance 6/30/23	Balance 6/30/24	Balance 6/30/25
Safety	Investment (Gain)/Loss	6/30/2023	20	2,403,644	2,567,092	2,741,654
Safety	Non-Investment (Gain)/Loss	6/30/2023	20	2,498,145	2,668,019	2,849,444
Miscellaneous	Investment (Gain)/Loss	6/30/2023	20	1,633,594	1,744,678	1,863,316
Miscellaneous	Non-Investment (Gain)/Loss	6/30/2023	20	1,567,708	1,674,312	1,788,165

CalPERS Investment Returns

History of Investment Returns (2004 - 2023)



	Required Contribution	Projected Future Employer Contributions			
		2025-26	2026-27	2027-28	2028-29
Safety Plan	Normal Cost %	20.9%	20.5%	20.1%	19.7%
	UAL Payment \$	5,647,093	\$ 6,365,000	\$ 6,960,000	\$ 8,321,000
Miscellaneous Plan	Normal Cost %	12.0%	11.7%	11.4%	11.1%
	UAL Payment \$	2,116,251	\$ 2,915,000	\$ 3,713,000	\$ 4,511,000



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Yazmin Arellano, Director of Engineering Services
SUBJECT: All-Way Stop Sign Request on Greenfield Drive at Souvenir Drive

RECOMMENDATION:

That the City Council adopts the next Resolution, in order, to establish permanent all-way stop signs on Greenfield Drive at the intersection of Souvenir Drive 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. Nearby residents have submitted a request to install permanent all-way stop signs on Greenfield Drive at Souvenir Drive. These residents have expressed concern about vehicles traveling at excessive speeds on Greenfield Drive and the overall safety of this intersection.

Existing Conditions

Greenfield Drive is an east-west “collector” street that extends from the eastern City Limit to the west at Vernon Way. Greenfield Drive has a posted speed limit of 35 miles per hour based on the California Vehicle Code Section 627, "Engineering and Traffic Survey" requirements. An existing “Stop” sign on Souvenir Drive controls the intersection with no stop signs on Greenfield Drive. Approximately 9,800 vehicles per day travel through this intersection.

The corner sight distance was measured to determine if a vehicle traveling from Souvenir Drive has adequate sight distance to safely enter onto Greenfield Drive. Based on the Caltrans Highway Design Manual, the minimum corner sight distance of 385 feet is desirable for a street with a posted speed limit of 35 miles per hour. The field investigation revealed that the available corner sight distance (300 feet) is less than the desirable requirement. Research of City records revealed that three (3) collisions have occurred at this intersection in the past five (5) years.

All-Way Stop Sign Analysis on Greenfield Drive and Souvenir Drive

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 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 30 points were tallied at this location, thus an all-way stop is warranted.

Conclusion

All-way stop signs are a traffic-calming measure that helps reduce speeds and facilitate the movement of pedestrians and traffic flow in the vicinity of intersections like Greenfield Drive at Souvenir Drive. Based on this information, staff recommends that the City Council approve the installation of stop signs on Greenfield Drive at Souvenir Drive.

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 "stop" and "stop ahead" signs, flashing warning beacons, pavement legends, etc. This cost is budgeted, and contracted, in the Fiscal Year 2024-25 Traffic Safety Calming 2023 (233790PWCP) project.

Prepared By: Mario Sanchez, City Engineer

Reviewed By: Yazmin Arellano, Director of Engineering Services

Approved By: Graham Mitchell, City Manager

Attachments

Resolution

Attachments

RESOLUTION NO. ____-24

RESOLUTION TO ESTABLISH ALL-WAY STOP SIGNS
ON GREENFIELD DRIVE AT SOUVENIR DRIVE 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 Greenfield Drive, and have submitted a request to install permanent all-way stop signs at the intersection of Greenfield Drive and Souvenir Drive; and

WHEREAS, Greenfield Drive is an east-west "collector" street that extends from the eastern City limit to the west at Vernon Way, with a posted speed limit of 35 miles per hour in accordance with California Vehicle Code section 627, "Engineering and Traffic Survey" requirements; and

WHEREAS, an existing stop sign on Souvenir Drive controls the intersection, with no stop signs on Greenfield Drive, and approximately nine thousand eight hundred (9,800) vehicles travel through that intersection each day; and

WHEREAS, based on the Caltrans Highway Design Manual, the minimum corner sight distance of 385 feet is desirable for a street with a posted speed limit of 35 miles per hour, and when measured, the field investigation revealed that the available corner sight distance of 300 feet 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 at intersections; and

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

WHEREAS, research of City records revealed that three collisions have occurred at this intersection during the past five years; and

WHEREAS, the fiscal impact for the installation of all-way stop signs, stop ahead signs, flashing warning beacons, pavement legends, etc. is approximately \$5,500.00, 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.

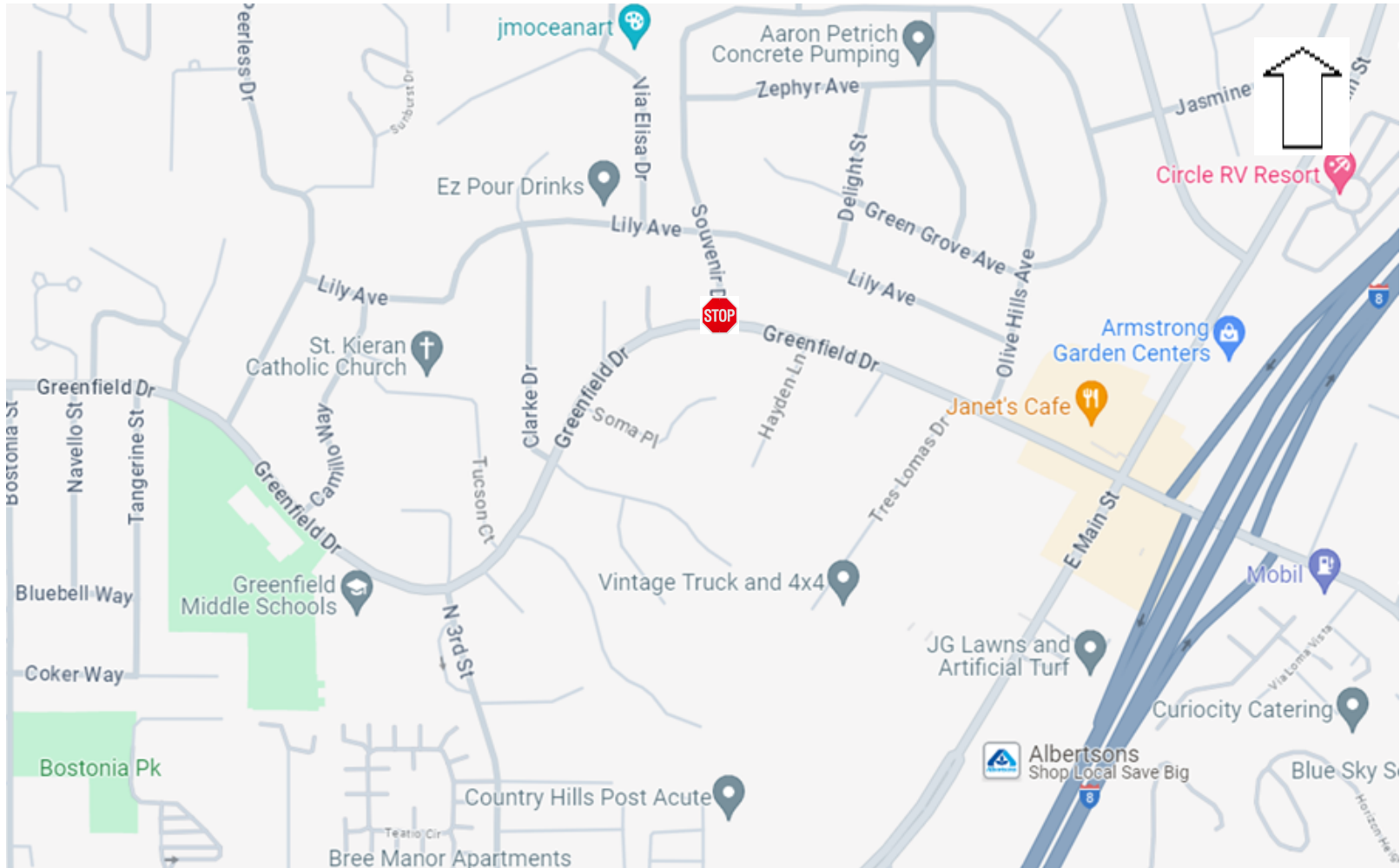
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL CAJON AS FOLLOWS:

1. The foregoing recitals are true and correct, and are the findings of the City Council.
2. The City Council 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.
3. The City Council hereby approves the installation of all-way stop signs on Greenfield Drive at Souvenir Drive as a traffic-calming measure in order to enhance pedestrian and traffic safety, and facilitate pedestrian and traffic flow.
4. The Director of Engineering Services is hereby directed to immediately cause the installation of stop and stop ahead signs, flashing warning beacons, pavement legends, etc. as soon as is reasonably possible.

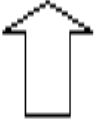
**All-Way Stop Sign Request for
Greenfield Drive at Souvenir Drive
(Attachments)**



Proposed Improvements - Greenfield Drive at Souvenir Drive



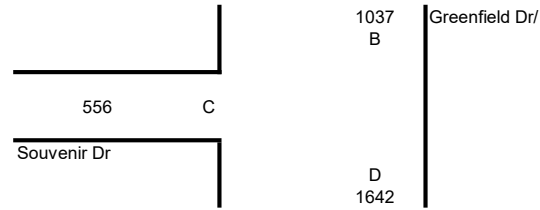
Greenfield Drive at Souvenir Drive Proposed Installation of All-Way Stop Signs



CITY OF EL CAJON
FOUR-WAY STOP EVALUATION
Greenfield Dr/ Souvenir Dr

Total Volume for Peak 4-Hour Period

Peak Four-Hour Period: 2:00 P.M. to 6:00 P.M.



LEG	4-HOUR VOLUME ENTERING	# OF LANES
B	1037	1
C	556	1
D	1642	1
TOTAL 4-HR VOL	3235	

<u>WARRANTS</u>	<u>POINTS/ASSIGNED</u>	Possible
WARRANT NUMBER 1: ACCIDENT HISTORY <u>1/1/2019</u> to <u>3/31/2024</u> Accidents Correctable by Stops	<u>3</u> X 3 <u>9</u>	15
WARRANT NUMBER 2: SPECIAL CONDITIONS (Site Distance Restrictions.)	<u>5</u>	5
WARRANT NUMBER 3: TRAFFIC VOLUMES Major Street <u>2679</u> Minor Street <u>556</u>	<u>10</u> <u>3</u>	10 10
WARRANT NUMBER 4: TRAFFIC VOLUME DIFFERENCE Split Volume Diff. <u>2123</u> (Major volumes-Minor volumes)	<u>0</u>	5
WARRANT NUMBER 5: PEDESTRIAN VOLUME	<u>3</u>	5
Total	<u>30</u>	
Points Required	<u>30</u>	50

Date: 7/9/2024
By: OR

ALL-WAY STOP IS WARRANTED



Greenfield Dr/ Souvenir Dr

Entering Traffic Volume

Time	SB ¹	NB	WB ¹	EB ¹	Total	4-Hour Peak
0:00 - 1:00	14	0	25	6	45	
1:00 - 2:00	12	0	19	4	35	
2:00 - 3:00	9	0	7	8	24	
3:00 - 4:00	11	0	12	20	43	148
4:00 - 5:00	23	0	18	27	68	171
5:00 - 6:00	59	0	47	62	168	304
6:00 - 7:00	108	0	100	160	368	648
7:00 - 8:00	151	0	252	286	689	1294
8:00 - 9:00	156	0	257	348	761	1987
9:00 - 10:00	104	0	186	274	564	2383
10:00 - 11:00	103	0	175	235	513	2528
11:00 - 12:00	110	0	197	258	565	2403
12:00 - 13:00	100	0	209	228	537	2179
13:00 - 14:00	100	0	215	284	599	2214
14:00 - 15:00	132	0	243	332	707	2407
15:00 - 16:00	150	0	283	398	831	2673
16:00 - 17:00	141	0	282	525	948	3084
17:00 - 18:00	134	0	229	387	750	3235
18:00 - 19:00	102	0	200	241	543	3071
19:00 - 20:00	69	0	166	153	388	2628
20:00 - 21:00	48	0	152	94	294	1974
21:00 - 22:00	36	0	84	49	169	1393
22:00 - 23:00	27	0	61	35	123	974
23:00 - 24:00	15	0	38	20	73	659
	1915	0	3457	4434	9806	3235

Notes

1. Used data from Greenfield Dr and Camillo Wy, since Urban SDK shows similar traffic counts.

4 hour Peak 556 0 1037 1642 3235

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

Volumes for: Thursday, August 17, 2023

City: El Cajon

Station ID #: 66

Location: Greenfield west of Main

AM Period	NB	SB	EB	WB	PM Period	NB	SB	EB	WB			
00:00			5	8	12:00			50	48			
00:15			9	7	12:15			48	52			
00:30			1	6	12:30			68	43			
00:45			2	17	4	25	42	52	218	66	209	427
01:00			3	3	13:00			48	55			
01:15			3	8	13:15			51	61			
01:30			1	3	13:30			58	49			
01:45			3	10	5	19	29	46	203	50	215	418
02:00			3	2	14:00			53	50			
02:15			0	2	14:15			46	53			
02:30			1	2	14:30			64	71			
02:45			0	4	1	7	11	54	217	69	243	460
03:00			3	5	15:00			60	64			
03:15			3	2	15:15			58	80			
03:30			2	2	15:30			67	69			
03:45			2	10	3	12	22	84	269	70	283	552
04:00			3	2	16:00			69	68			
04:15			7	3	16:15			62	80			
04:30			9	8	16:30			81	66			
04:45			11	30	5	18	48	77	289	68	282	571
05:00			8	5	17:00			86	57			
05:15			23	8	17:15			75	64			
05:30			26	15	17:30			54	57			
05:45			31	88	19	47	135	54	269	51	229	498
06:00			37	16	18:00			48	51			
06:15			25	20	18:15			45	62			
06:30			35	32	18:30			41	50			
06:45			49	146	32	100	246	33	167	37	200	367
07:00			51	51	19:00			29	32			
07:15			61	43	19:15			35	37			
07:30			61	79	19:30			37	53			
07:45			53	226	79	252	478	38	139	44	166	305
08:00			61	51	20:00			43	42			
08:15			65	66	20:15			43	43			
08:30			59	83	20:30			28	43			
08:45			74	259	57	257	516	23	137	24	152	289
09:00			52	49	21:00			23	26			
09:15			38	61	21:15			15	22			
09:30			34	36	21:30			11	19			
09:45			35	159	40	186	345	15	64	17	84	148
10:00			29	48	22:00			16	13			
10:15			34	44	22:15			12	20			
10:30			38	42	22:30			6	17			
10:45			46	147	41	175	322	9	43	11	61	104
11:00			37	45	23:00			11	13			
11:15			38	38	23:15			7	14			
11:30			37	55	23:30			4	3			
11:45			46	158	59	197	355	4	26	8	38	64

Total Vol. 1254 1295 **2549** 2041 2162 **4203**

GPS Coordinates: 32.812600, -116.919400

Daily Totals

NB	SB	EB	WB	Combined
		3295	3457	6752

AM

PM

Split %	49.2%	50.8%	37.8%	48.6%	51.4%	62.2%
Peak Hour	08:00	07:45	07:45	16:30	15:15	15:45
Volume	259	279	517	319	287	580
P.H.F.	0.88	0.84	0.91	0.93	0.90	0.94

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

Volumes for: Wednesday, October 4, 2023

City: El Cajon

Station ID #: 59

Location: Greenfield east of Second

AM Period	NB	SB	EB	WB	PM Period	NB	SB	EB	WB			
00:00			1	0	12:00			58	49			
00:15			3	0	12:15			57	40			
00:30			2	2	12:30			54	44			
00:45			0	6	1	3	9	59	228	40	173	401
01:00			0	1	13:00			60	41			
01:15			0	1	13:15			65	45			
01:30			1	2	13:30			85	50			
01:45			3	4	0	4	8	74	284	58	194	478
02:00			2	0	14:00			78	54			
02:15			1	0	14:15			80	74			
02:30			4	1	14:30			85	75			
02:45			1	8	3	4	12	89	332	59	262	594
03:00			5	2	15:00			99	60			
03:15			2	5	15:15			90	65			
03:30			5	2	15:30			101	85			
03:45			8	20	7	16	36	108	398	88	298	696
04:00			5	4	16:00			136	80			
04:15			9	9	16:15			133	85			
04:30			6	19	16:30			131	89			
04:45			7	27	19	51	78	125	525	90	344	869
05:00			10	20	17:00			124	96			
05:15			14	25	17:15			104	99			
05:30			18	24	17:30			85	90			
05:45			20	62	41	110	172	74	387	85	370	757
06:00			24	45	18:00			76	74			
06:15			41	50	18:15			60	45			
06:30			45	59	18:30			55	50			
06:45			50	160	66	220	380	50	241	54	223	464
07:00			54	60	19:00			41	33			
07:15			58	58	19:15			43	30			
07:30			85	54	19:30			39	32			
07:45			89	286	74	246	532	30	153	28	123	276
08:00			99	75	20:00			32	21			
08:15			90	59	20:15			25	19			
08:30			85	60	20:30			21	16			
08:45			74	348	65	259	607	16	94	13	69	163
09:00			76	58	21:00			16	9			
09:15			69	88	21:15			13	11			
09:30			63	74	21:30			9	10			
09:45			66	274	76	296	570	11	49	14	44	93
10:00			60	60	22:00			10	15			
10:15			65	65	22:15			14	16			
10:30			58	52	22:30			7	13			
10:45			52	235	46	223	458	4	35	9	53	88
11:00			74	60	23:00			9	6			
11:15			75	65	23:15			6	8			
11:30			50	69	23:30			3	5			
11:45			59	258	63	257	515	2	20	7	26	46

Total Vol. 1688 1689 **3377** 2746 2179 **4925**

GPS Coordinates: 32.813369, -116.934846

Daily Totals

NB	SB	EB	WB	Combined
		4434	3868	8302

AM

PM

Split %	50.0%	50.0%	40.7%	55.8%	44.2%	59.3%
Peak Hour	07:30	09:15	07:45	16:00	16:45	16:15
Volume	363	298	631	525	375	873
P.H.F.	0.92	0.85	0.91	0.97	0.95	0.99



Agenda Item 17.

City Council
Agenda Report

DATE: September 10, 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:

September 10, 2024 - City Council Meetings

I am available to answer questions.

Submitted By: Bill Wells, Mayor



City Council
Agenda Report

DATE: September 10, 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 30, 2024 - Emails w/Lyndsee M re: asst with EDD
August 10, 2024 - SANDAG Military Working Group meeting
August 14, 2024 - Emails with James E re: neighborhood watch
August 15, 2024 - Emails with Karen M re: neighborhood calls for service
August 16, 2024 - Emails with Emily W re: public policy
August 19, 2024 - Meeting at Meridian Church re: tiny homes
August 20, 2024 - Meeting with Dina P re: public policies
August 22, 2024 - Phone Call with Robert Z re: status of permit
August 22, 2024 - Emails with Tom M re: new MTS Copper Line
August 23, 2024 - Meeting with Bobbi P re: Parkway Plaza
August 24, 2024 - Attend Sgt Murphy Navy Retirement ceremony
August 26, 2024 - Letter to Cracker Barrel re: possible site
August 27, 2024 - Lunch w/former mayor/supv Dick Brown
August 30, 2024 - Meeting with Tobias H.
September 5, 2024 - MTS Executive Committee Meeting
September 6, 2024 - Attend Chamber 1st Friday Breakfast

September 9, 2024 - Meeting with City Mgr
September 9, 2024 - SANDAG Military Working Group mtg
September 10, 2024 - City Council Meetings

I am available to answer questions.

Submitted By: Steve Goble, Councilmember



City Council
Agenda Report

Agenda Item 19.

DATE: September 10, 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:

September 10, 2024 - City Council Meetings

I am available to answer questions.

Submitted By: Gary Kendrick, Councilmember



City Council
Agenda Report

Agenda Item 20.

DATE: September 10, 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:

August 28, 2024 - East County Homeless Task Force HEAL Graduation Celebration
September 10, 2024 - City Council Meetings

I am available to answer questions.

Submitted By: Michelle Metschel, Councilmember



City Council
Agenda Report

Agenda Item 21.

DATE: September 10, 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:

ENTER ACTIVITIES HERE

August 19, 2024 - Tiny House Event - Meridian Baptist Church

August 21, 2024 - ECEDC Board Meeting

August 23, 2024 - Lincoln Club Annual Dinner

August 28, 2024 - BIA PAC Event

September 5, 2024 - Homelessness Forum, Meridian Baptist Church

September 10, 2024 - City Council Meetings

I am available to answer questions.

Submitted By: Phil Ortiz, Deputy Mayor



City Council
Agenda Report

DATE: September 10, 2024
TO: Honorable Mayor and City Councilmembers
FROM: Morgan Foley, City Attorney
SUBJECT: Introduction of Ordinance to Amend ECMC Chapter 8.32 – Regulation of Smoking and Secondhand Smoke in Certain Public Areas and Places of Employment

RECOMMENDATION:

That the City Council:

1. Moves to introduce the next Ordinance, in order;
2. Directs the City Clerk to read the Ordinance by title only; and
3. Directs the second reading of the Ordinance to be placed on the September 24, 2024 City Council agenda.

BACKGROUND:

As of December 20, 2019, the federal minimum age of sale for tobacco products was changed from eighteen (18) to twenty-one (21) with no exemptions, including military personnel.

Staff recommends changes to sections 8.32.010, 8.32.020 and 8.32.030 of the El Cajon Municipal Code to reflect the correct age requirement and clarify language.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The proposed ordinance amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) as the activity is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT:

None.

Attachments

Ordinance
Proposed Changes

ORDINANCE NO. ____

AN ORDINANCE TO AMEND SECTIONS 8.32.010, 8.32.020, AND 8.32.030
OF CHAPTER 8.32 OF TITLE 8 OF THE EL CAJON MUNICIPAL CODE
RELATING TO REGULATION OF SMOKING AND SECONDHAND SMOKE
IN CERTAIN PUBLIC AREAS AND PLACES OF EMPLOYMENT

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

SECTION 1. Section 8.32.010 of Chapter 8.32 of Title 8 of the El Cajon Municipal Code is hereby repealed.

SECTION 2. A new section 8.32.010 is hereby added to Chapter 8.32 of Title 8 of the El Cajon Municipal Code to read as follows:

8.32.010 Purpose.

Smoking of any tobacco product or any other weed or plant is a positive danger to health and a cause of material annoyance, inconvenience, discomfort, and a health hazard to those who are present in confined places. Secondhand smoke is harmful to persons with certain respiratory conditions, and has also been determined to cause cancer to nonsmokers exposed to secondhand smoke on a frequent basis. The United States Surgeon General and the United States Department of Health and Human Services found that a majority of the four hundred thirty-four thousand Americans that die each year from tobacco-related illness, and who smoked, became nicotine addicts before their twenty-first (21st) birthday.

In order to serve public health, safety and welfare, to reduce unwanted and unwelcome exposure to secondhand smoke, to assure a cleaner and more hygienic environment for the city, its residents, and visitors, to strike a reasonable balance between the needs of persons who smoke and the needs of nonsmokers, including children and persons with existing respiratory conditions (while recognizing the threat to public health and the environment which smoking causes), and to decrease the accessibility of tobacco, tobacco-related products, and electronic vapor inhalation substances and devices, the declared purposes of this chapter are (1) to prohibit the smoking of tobacco or any other weed or plant or plant product or electronic vapor device in certain areas which are used by or open to the public, and certain areas in places of employment; (2) prohibit self-service sales and self-service displays, racks and shelves of tobacco products, and electronic vapor devices and electronic vapor inhalation substances; (3) require the posting of warning signs at the point of purchase which state the legal age of sale and that identification is required to purchase tobacco and electronic vapor devices and electronic vapor inhalation substances; (4) prohibit vending machine sales of tobacco products; and (5) require all tobacco products and electronic vapor devices and electronic vapor inhalation substances be sold in original packaging with all legally required health warnings.

SECTION 3. 8.32.020 of Chapter 8.32 of Title 8 of the El Cajon Municipal Code is hereby amended by replacing the definitions of "Minor" and "Tobacco Product" to read as follows:

"Minor" means any individual who is less than twenty-one (21) years old.

"Tobacco product" means (1) any product containing tobacco leaf including, but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, shisha, snuff, chewing tobacco, dipping tobacco, bidis, or any other preparation of tobacco; (2) any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human lungs or mouth; (3) any electronic vapor device, electronic vapor inhalation substance, and hookahs; or (4) any plant, weed, or plant product that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human lungs or mouth, but does not include any product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

SECTION 4. Subsections 8.32.030(A) and 8.32.030(B) of section 8.32.030 of Chapter 8.32 of Title 8 of the El Cajon Municipal Code are hereby repealed.

SECTION 5. New subsections 8.32.030(A) and 8.32.030(B) are hereby added to section 8.32.030 of Chapter 8.32 of Title 8 of the El Cajon Municipal Code to read as follows:

- A. No person or business shall offer for sale any tobacco product prior to prominently displaying a sign at the point of purchase of tobacco products that states: "SELLING TOBACCO PRODUCTS TO PERSONS YOUNGER THAN TWENTY-ONE (21) YEARS OF AGE IS ILLEGAL. PHOTO ID IS REQUIRED TO PURCHASE ANY TOBACCO PRODUCT." The letters of the sign shall be at least one-quarter inch high.
- B. No person, business, tobacco retailer, or owner, manager, or operator of any establishment subject to this chapter shall sell, offer to sell, or permit to be sold any tobacco product to an individual without first examining identification that establishes the purchaser's age as at least twenty-one (21) years unless the seller has some reasonable basis for determining the buyer's age.

SECTION 6. This ordinance shall go into effect thirty (30) days following its passage and adoption.

09/10/24 CC Agenda – 1st Reading
09/24/24 CC Agenda – 2nd Reading

Ord - Amend ECMC 8.32 – Regulation of Smoking & 2ndHand Smoke 082924

El Cajon Municipal Code Chapter 8.32

Proposed Strikethrough Changes

TITLE 8 HEALTH AND SAFETY

Chapter 8.32 Regulation of Smoking and Secondhand Smoke in Certain Public Areas and Places of Employment

8.32.010 Purpose.

Smoking of any tobacco product or any other weed or plant is a positive danger to health and a cause of material annoyance, inconvenience, discomfort, and a health hazard to those who are present in confined places. Secondhand smoke is harmful to persons with certain respiratory conditions, and has also been determined to cause cancer to nonsmokers exposed to secondhand smoke on a frequent basis. The United States Surgeon General and the United States Department of Health and Human Services found that a majority of the four hundred thirty-four thousand Americans that die each year from tobacco-related illness, and who smoked, became nicotine addicts before their ~~eighteenth~~ twenty-first (21st) birthday.

In order to serve public health, safety and welfare, to reduce unwanted and unwelcome exposure to secondhand smoke, to assure a cleaner and more hygienic environment for the city, its residents, and visitors, to strike a reasonable balance between the needs of persons who smoke and the needs of nonsmokers, including children and persons with existing respiratory conditions (while recognizing the threat to public health and the environment which smoking causes), and to decrease the accessibility of tobacco, tobacco-related products, and electronic vapor inhalation substances and devices, the declared purposes of this chapter are (1) to prohibit the smoking of tobacco or any other weed or plant or plant product or electronic vapor device in certain areas which are used by or open to the public, and certain areas in places of employment; (2) prohibit self-service sales and self-service displays, racks and shelves of tobacco products, and electronic vapor devices and electronic vapor inhalation substances; (3) require the posting of warning signs at the point of purchase which state the legal age of sale and that identification is required to purchase tobacco and electronic vapor devices and electronic vapor inhalation substances; (4) prohibit vending machine sales of tobacco products; and (5) require all tobacco products and electronic vapor devices and electronic vapor inhalation substances be sold in original packaging with all legally required health warnings.

8.32.020 Definitions.

"Minor" means any individual who is less than ~~eighteen~~ twenty-one (21) years old.

"Tobacco product" means (1) any product containing tobacco leaf including, but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, shisha, snuff, chewing

tobacco, dipping tobacco, bidis, or any other preparation of tobacco; ~~and~~ (2) any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human lungs or mouth; (3) any electronic vapor device, electronic vapor inhalation substance, and hookahs; or (4) any plant, weed, or plant product that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human lungs or mouth, but does not include any product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

8.32.030 Prohibitions.

- A. No person or business shall offer for sale any tobacco product prior to prominently displaying a sign at the point of purchase of tobacco products that states: "SELLING TOBACCO PRODUCTS TO PERSONS YOUNGER THAN ~~EIGHTEEN~~-TWENTY-ONE (21) YEARS OF AGE IS ILLEGAL. PHOTO ID IS REQUIRED TO PURCHASE ANY TOBACCO PRODUCT." The letters of the sign shall be at least one-quarter inch high.
- B. No person, business, tobacco retailer, or owner, manager, or operator of any establishment subject to this chapter shall sell, offer to sell, or permit to be sold any tobacco product to an individual without first examining identification that establishes the purchaser's age as at least ~~eighteen~~-twenty-one (21) years unless the seller has some reasonable basis for determining the buyer's age.



City Council
Agenda Report

Agenda Item 23.

DATE: September 10, 2024

TO: City Clerk

FROM: City Attorney/General Legal Counsel

SUBJECT: Closed Session - Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9: One (1) potential case - On August 9, 2024, the Attorney General for the State of California, through Chief Deputy Attorney General, Venus D. Johnson, notified Police Chief Mike Moulton of its belief that the El Cajon Police Department maintains a practice of sharing information captured by its automated license plate recognition system with out-of-state and/or federal law enforcement agencies in violation of state laws (i.e., California Civil Code §1798,90,55 (b)).

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, September 10, 2024, at 3:00 p.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9

NAME OF CASE:

Existing Facts and Circumstances: On August 9, 2024, the Attorney General for the State of California, through Chief Deputy Attorney General, Venus D. Johnson, notified Police Chief Mike Moulton of its belief that the El Cajon Police Department maintains a practice of sharing information captured by its automated license plate recognition system with out-of-state and/or federal law enforcement agencies in violation of state laws (i.e., California Civil Code §1798,90,55 (b)).

Morgan L. Foley
City Attorney/General Legal Counsel

MLF:hms
