

JOINT MEETING OF THE EL CAJON CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

March 10, 2015

A Regular Joint Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the Redevelopment Agency of the City of El Cajon, California held Tuesday, March 10, 2015, was called to order by Mayor/Chair Bill Wells at 3:00 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Ambrose, Bales and Kendrick
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	McClellan
Mayor/Chair present:	Wells
Other Officers present:	Hawley, City Clerk/Secretary Foley, City Attorney/General Counsel Williford, City Manager/Executive Director Al-Ghafry, Assistant City Manager

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

POSTINGS: The City Clerk posted Orders of Adjournment of the February 24, 2015, meeting and the Agenda of the March 10, 2015, meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS: None

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.10)

City Manager Williford commented on Item 1.4, highlighting the applications submitted for SANDAG's Smart Growth and Active Transportation Grant Programs which would benefit the El Cajon infrastructure-Planning, El Cajon Transit Center, Gillespie Field – Aerotropolis Planning, under-freeway lighting – pedestrian safety and overall City wide public safety.

MOTION BY WELLS, SECOND BY McClellan, to APPROVE Consent Items 1.1 to 1.10, pulling Items 1.9 and 1.10, as requested by a member of the public.

MOTION CARRIES BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE EL CAJON REDEVELOPMENT AGENCY.

Approve Minutes of the February 24, 2015 Meeting of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

1.2 WARRANTS

Approve payment of Warrants as submitted by the Finance Department.

1.3 APPROVAL OF READING BY TITLE AND WAIVER OF READING IN FULL OF ORDINANCES ON AGENDA

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

CONSENT ITEMS: (Continued)

1.4 RESOLUTIONS: SANDAG's SMART GROWTH AND ACTIVE TRANSPORTATION GRANT PROGRAMS (Report: Planning Manager)

Adopt RESOLUTION No. 020-15 – El Cajon Transit Center, RESOLUTION No. 021-15 – Gillespie Field Aerotropolis and RESOLUTION No. 022-15 – Pedestrian Underpass Improvements, authorizing the City Manager, or designee, to make applications for SANDAG's Smart Growth and Active Transportation Grant Programs and execute agreements with SANDAG, and other agencies as necessary, following award of grants.

1.5 FISCAL YEAR 2014 CALHOME GRANT FUNDING (Report: Assistant City Manager/Director of Community Development)

RECOMMENDATION: That the City Council:

Authorize the City Manager, or designee, to accept the Fiscal Year 2014 CalHome Grant in the amount of \$634,000, and to execute all documents and agreements necessary for the receipt and use of these grant funds; and

Appropriate \$634,000 in the CalHome Fund to be used for mortgage assistance loans to low-income first-time homebuyers and for program costs.

1.6 RESOLUTION: JOHNSON AVENUE SEWER RELIEF PROJECT PHASE I (JASRP-I), WW3250-1 AUTHORIZATION FOR THE EXECUTION OF AN AGREEMENT WITH SAN DIEGO GAS AND ELECTRIC COMPANY (SDG&E) FOR REIMBURSEMENT OF CONSTRUCTION COSTS FOR WORK PERFORMED BY THE CITY OF EL CAJON AND BENEFITING SDG&E (Report: Deputy Director of Public Works)

Adopt RESOLUTION No. 024-15 approving a Reimbursement Agreement with SDG&E and authorize the City Manager, or designee, to execute the Agreement.

CONSENT ITEMS: (Continued)

**1.7 KaBOOM! PLAYGROUND GRANT APPLICATION – BILL BECK PARK
(Report: Director of Recreation)**

RECOMMENDATION: That the City Council:

Authorize the City Manager, or designee, to accept the 2015 KaBOOM! Playground Grant for Bill Beck Park, if the City is awarded the Playground Grant by KaBOOM!; and appropriate \$4,250.00, if necessary, as the remaining funding source for the complete installation of the Bill Beck Park playground.

**1.8 JOHNSON AVENUE SEWER RELIEF PROJECT - STATE WATER
RESOURCES CONTROL BOARD FINANCING AGREEMENT -
AMENDMENT NO. 1 (Report: Deputy Director of Public Works)**

Approve Amendment No. 1 of the Loan Agreement, and authorize the City Manager, or designee, to execute an amendment to the Financing Agreement with the State Water Board in the amount of \$11.3 million to fund the construction of Phase I of the Johnson Avenue Sewer Relief Project (JASRP-I).

1.9 PULLED FOR DISCUSSION

1.10 PULLED FOR DISCUSSION

CONSENT ITEMS PULLED FOR DISCUSSION:

**1.9 RESOLUTIONS: APPROVAL OF PLANS AND BID SPECIFICATIONS FOR
EAST COUNTY PERFORMING ARTS CENTER
(ECPAC) IMPROVEMENTS, IFM3471 / Bid No. 035-15
(Report: Assistant City Manager)**

RECOMMENDATION: That the City Council adopt the next RESOLUTIONS in order, to approve Plans and Bid Specifications for the East County Performing Arts Center (ECPAC) Improvements Project, IFM3471 / Bid No. 035-15, and direct a Notice Inviting Sealed Bids to be opened on May 7, 2015.

CONSENT ITEMS PULLED FOR DISCUSSION: (Item 1.9 – Continued)

DISCUSSION

Ray Lutz stated there have been no public reviews regarding the ECPAC negotiations.

Mayor Wells asked **Staff** to list the improvements to be made to ECPAC.

City Manager Williford stated that improvements were discussed at a Council Meeting 18 months ago. At that point, Council gave direction to **Staff** regarding bidding and interior improvements to the building. The item will be brought back to Council for approval and more details will be given at that point. As an additional comment, **City Manager Williford** stated that approval for ECPAC improvements will be requested from Council even if the building is never used again.

Assistant City Manager Al-Ghafry gave information on the items that went out to bid for the work to be performed at ECPAC: roof repair, acoustics, lighting, ADA compliance requirements, floor improvements, other improvements to the stage area and the concession stands.

Discussion between **Council** and **Staff** ensued regarding:

- Changes from the original Item presented 18 months ago;
- Walk-throughs with interested bidding companies;
- Plans for the project are available in the City Clerk's Office.

No further comments were offered.

MOTION BY WELLS, SECOND BY AMBROSE, to ADOPT RESOLUTION No. 025-15 to approve Plans and Bid Specifications for the East County Performing Arts Center (ECPAC) Improvements Project, IFM3471 / Bid No. 035-15, and ADOPT RESOLUTION No. 026-15 to direct a Notice Inviting Sealed Bids to be opened on May 7, 2015.

MOTION CARRIES BY UNANIMOUS VOTE.

CONSENT ITEMS PULLED FOR DISCUSSION: (Continued)

1.10 SINGLE AUDIT REPORT ON FEDERAL AWARDS FOR THE FISCAL YEAR ENDED JUNE 30, 2014 (Report: Director of Finance)

RECOMMENDATION: That the City Council receive and accept the Single Audit Report on Federal Awards for the fiscal year ended June 30, 2014.

DISCUSSION

Ray Lutz opposes the Community Block Grant given by the City to the El Cajon Transitional Living Center (ECTLC) because in his opinion the main mission of ECTLC is to proselytize the people receiving help in the center.

Mayor Wells and **Councilmember Kendrick** spoke to clarify that the support provided by the City to the El Cajon Transitional Living Center is essential to help the homeless citizens. **City Attorney Foley** mentioned the City is satisfied with the audits performed by ECTLC, which show that they are abiding by the rules set by HUD's rules for CDBG funding.

MOTION BY WELLS, SECOND BY BALES, to ACCEPT the Single Audit Report on Federal Awards for the fiscal year ended June 30, 2014.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Robert Germann, representing KHFLA, presented pamphlets to the Council regarding Gillespie Field Sports Village. He spoke in support of building a sporting event center at Gillespie Field. **Mayor Wells** acknowledged the material presented and said it will be reviewed.

Hildie Kraus, Branch Manager of the El Cajon Library at Douglas St., invited the Council and the community to a Multicultural Family Fiesta on April 11, 2015.

Mayor Pro Tem McClellan complimented the work done by the Public Library.

Bonnie Price spoke about Women's 'Herstory' Month. She also spoke about the sexual harassment case against an El Cajon Police Sergeant. She stated the officer should not be allowed to remain on the job.

PUBLIC COMMENT: (Continued)

City Manager Williford stated that all proper procedures were followed on the sexual harassment case and it is a legal matter, so no further comments may be made.

Ray Lutz stated that a stadium is not a feasible idea for El Cajon. He also added that El Cajon could be generating its own power and making money by becoming a Municipal Power District.

Sunshine Horton welcomed the students in the audience. She spoke about her love for America, and she invited everyone to participate in the St. Patrick's Green Mile Run.

Gloria Martes, member of East County Democratic Club, spoke about the sexual harassment case against the El Cajon Police Sergeant.

Council invited the students in the audience to introduce themselves.

Assistant to the City Manager Brett Channing introduced two interns from Sulzfeld, Germany. **Josephine** and **Sara** have worked in the City Manager's Office and will assist in different departments to gain knowledge and experience.

Councilmember Bales remembered **Tom Black** and the work he did for the City. She also mentioned the Recreation Newsletter and recommends people read it and learn more about the City and its programs.

Councilmember Kendrick spoke about the Deemed Approved Ordinance approved in 2013 to regulate alcohol sales. A lawsuit against the City was won as the Ordinance was upheld by the Federal Court.

Councilmember Ambrose spoke about the upcoming ribbon-cutting ceremony for the advanced water purification event at the Padre Dam Municipal Water District.

Mayor Wells announced that El Cajon Valley High School won the Division III-CIF Basketball Championship.

Mayor Pro Tem McClellan added that Foothills also won their basketball Championship.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

**3.1 FIRST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT –
JKC EL CAJON, LLC.
(Report: Assistant City Manager/Director of Community Development)**

RECOMMENDATION: That the City Council, acting as the Successor Agency to the former El Cajon Redevelopment Agency:

- Open the public hearing and receive testimony;
- Close the public hearing;
- Adopt the next resolution in order to approve the proposed First Amendment to the Purchase and Sale Agreement (“Amendment”) between the City of El Cajon (“Successor Agency”), as Successor Agency to the former El Cajon Redevelopment Agency and JKC El Cajon, LLC (“Buyer”) for the sale of Site #10, 572-588 N. Johnson Avenue, APN 482-250-34-00, (“Property”) substantially in the form as it is presented at this meeting to make revisions to the sections relating to the City Acquisition of Sign Area, Conditional Use Permit, Close of Escrow, and Flood Map Revision, and IRS Section 1031 Exchange, with such changes as may be approved by the Executive Director;
- Authorize the Executive Director or designee to execute all documents necessary to implement approved terms and conditions, and complete the sale upon approval by the Oversight Board and California Department of Finance;

THEN

- Acting as the City of El Cajon, appropriate \$36,000 in the General Fund - Other Financing Sources for transfer to the Capital Improvements Project Fund for the City’s acquisition of the Sign Area.

DISCUSSION

Mayor Wells announced the Public Hearing is now open.

Assistant City Manager Al-Ghafry provided a summary of the Item.

No further comments were offered.

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

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 3.1 – Continued)

MOTION BY McCLELLAN, SECOND BY AMBROSE, to, ADOPT RESOLUTION No. SA-002-15 to approve the proposed First Amendment to the Purchase and Sale Agreement (“Amendment”) between the City of El Cajon (“Successor Agency”), as Successor Agency to the former El Cajon Redevelopment Agency and JKC El Cajon, LLC (“Buyer”) for the sale of Site #10, 572-588 N. Johnson Avenue, APN 482-250-34-00, (“Property”) substantially in the form as it is presented at this meeting to make revisions to the sections relating to the City Acquisition of Sign Area, Conditional Use Permit, Close of Escrow, and Flood Map Revision, and IRS Section 1031 Exchange, with such changes as may be approved by the Executive Director; AUTHORIZE the Executive Director or designee to execute all documents necessary to implement approved terms and conditions, and complete the sale upon approval by the Oversight Board and California Department of Finance; and Acting as the City of El Cajon, APPROPRIATE \$36,000 in the General Fund - Other Financing Sources for transfer to the Capital Improvements Project Fund for the City’s acquisition of the Sign Area.

MOTION CARRIES BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS: None

5. COMMISSION REPORTS: None

6. ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS

SANDAG (San Diego Association of Governments); SANDAG Public Safety Committee – Chair; League of California Cities, San Diego Division; Heartland Fire Training JPA – Alternate; Indian Gaming Local Community Benefit Committee.

6.1 Council Activities Report/Comments

REPORT AS STATED.

6.2 LEGISLATIVE REPORT: NONE

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

7.1 Council Activities Report/Comments

In addition to the submitted report, **Councilmember Kendrick** stated he heard a positive comment about Downtown El Cajon. He thanked everyone involved with the revitalization of downtown.

8.

COUNCILMEMBER TONY AMBROSE

SANDAG – Alternate; SANDAG Public Safety Committee – Alternate; Chamber of Commerce – Government Affairs; MTS (Metropolitan Transit System Board) – Alternate; East County Economic Development Council; METRO Commission/Wastewater JPA.

8.1 Council Activities Report/Comments

REPORT AS STATED.

9.

MAYOR PRO TEM BOB McCLELLAN

MTS (Metropolitan Transit System Board); Harry Griffen Park Joint Steering Committee; Heartland Communications JPA – Alternate.

9.1 Council Activities Report/Comments

REPORT AS STATED.

10.

COUNCILMEMBER STAR BALES

East County Economic Development Council – Alternate; METRO Commission/Wastewater JPA – Alternate; Indian Gaming Local Community Benefit Committee – Alternate.

10.1 Council Activities Report/Comments

REPORT AS STATED.

11. **JOINT COUNCILMEMBER REPORTS: None**

12. **GENERAL INFORMATION ITEMS FOR DISCUSSION:**

13. **ORDINANCES: FIRST READING - None**

14. **ORDINANCES: SECOND READING AND ADOPTION**

14.1 **ORDINANCE AMENDING SPECIFIC PLAN NO. 182**

RECOMMENDATION: That Mayor Wells requests the **City Clerk** to recite the title:

An Ordinance Amending Specific Plan No. 182 to Streamline the Development Permit Process

- **MOTION to adopt Ordinance Amending Specific Plan No. 182**

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT Ordinance No. 5021, to Amend Specific Plan No. 182 to Streamline the Development Permit Process.

MOTION CARRIES BY UNANIMOUS VOTE.

14.2 **ORDINANCE ESTABLISHING ALTERNATIVE PROCUREMENT PROCEDURES FOR PUBLIC PROJECTS**

RECOMMENDATION: That Mayor Wells requests the **City Clerk** to recite the title:

An Ordinance of the City Council of the City of El Cajon Amending Title 2 by Adding Chapter 2.80 to the El Cajon Municipal Code to Establish Alternative Procurement Procedures for Public Projects

- **MOTION to adopt Ordinance to Establish Alternative Procurement Procedures for Public Projects**

MOTION BY McCLELLAN, SECOND BY BALES, to ADOPT Ordinance No. 5022, to Establish Alternative Procurement Procedures for Public Projects.

15. CLOSED SESSION

RECOMMENDATION: That the City Council/Redevelopment Agency adjourn to Closed Session as follows:

15.1 CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code Section 54957.6.

Agency Designated Representative: Jim Lynch, Director of Human Resources

Employee Organization: El Cajon Professional Firefighters
International Association of Fire Fighters
Local 4603
(includes El Cajon Fire Supervisory Unit
and El Cajon Firefighters' Association)

15.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9:

Name of Case: Raymond Goodlow v. City of El Cajon, et al.
United States District Court, Southern District of California
Case No. 13CV1524-DMS-NLS

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADJOURN to Closed Session at 4:11 p.m.

MOTION CARRIES BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 4:59 P.M.

City Attorney Foley reports the following actions:

15.1 The **City Council** gave direction to the Labor Negotiator.

15.2 The **City Council** gave direction to the City's Legal Counsel.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 10th day of March 2015, at 5:00 p.m. to Tuesday, March 24, 2015, at 3:00 p.m.

**BELINDA A. HAWLEY, CMC
City Clerk/Secretary**