

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

---

**April 14, 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, April 14, 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 March 24, 2015, meeting and the Agenda of the April 14, 2015, meetings in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

## **PRESENTATIONS:**

- **El Cajon Valley High School Basketball Team**
- **SANDAG – San Diego Forward: The Regional Plan**
- **KaBOOM! Playground Grant Award**
- **PROCLAMATION: Administrative Professionals' Day**
- **Dan Pavao, Building Official**
- **Recognition of Interns from Sulzfeld, Germany**

## **AGENDA CHANGES:**

**Item 14.1 was removed by the request of City Manager Williford to be presented to Council at the April 28, 2015, meeting.**

## **CONSENT ITEMS: (1.1 – 1.7)**

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to APPROVE Consent Items 1.1 to 1.7.**

**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 March 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.

**CONSENT ITEMS: (Continued)**

**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.

**1.4 REVISION TO CITY COUNCIL POLICY D-3: INSURANCE  
(Report: City Attorney and Director of Human Resources)**

Approve the proposed revisions to the City Council Policy D-3 relating to insurance.

**1.5 APPROVAL OF CHANGES TO THE ACCOUNTING TECHNICIAN CLASSIFICATION SPECIFICATION  
(Report: Director of Human Resources)**

Approve the proposed revisions to the Accounting Technician classification specification.

**1.6 COMMUNITY EVENT IN THE RIGHT-OF-WAY – AMERICA ON MAIN STREET (Report: Director of Recreation)**

Approve the use of the public right-of-way for America on Main Street.

**1.7 RESOLUTION: AWARD OF TRAFFIC SIGNAL SYSTEM MAINTENANCE, EMERGENCY REPAIRS, AND RELATED CONSTRUCTION SERVICES, BID NO. 001-16  
(Report: Purchasing Agent)**

Adopt RESOLUTION No. 031-15 to award the bid to the lowest responsive, responsible bidder, C.T.E., Inc., in the amount of \$347,379.00. The City of El Cajon's portion of the award is \$150,910.00 which includes \$125,910.00 of scheduled work along with an additional amount of \$25,000 requested for unforeseen work, such as, traffic signal pole and equipment damage caused by vehicle accidents.

## **PUBLIC COMMENT:**

**Hildie Kraus**, Branch Manager of the El Cajon Library, reported on the huge success of their Multi-Cultural Family Fiesta on April 14, 2015 and thanked **Council** for attending.

**Eric Lund**, General Manager of the San Diego East County Chamber of Commerce, provided a hand out for the Council and spoke in support of the deemed approved ordinance. He invited Council on April 30<sup>th</sup>, to the first ever training for off-site alcohol vendors to help them be better trained to prevent alcohol sales to minors.

**Peggy Buffo**, President of ACES Foundation, invited Council to the 3<sup>rd</sup> Annual Barkitecture Auction Event with proceeds to benefit the ACES Foundation.

**Heather Baren**, **Miss El Cajon** and **Casie Gilliam**, **Miss Rancho San Diego**, thanked the **City Council** for the continued support of the El Cajon and Rancho San Diego Scholarship Pageant.

**Gloria Martes** expressed her opinion about the current and previous cases of sexual harassment involving the El Cajon Police Department (ECPD).

**Bonnie Price** praised the many positive events happening in El Cajon and expressed her opinion about the sexual harassment case against Officer Gonsalves. She is concerned about the minimal amount of female officers in ECPD.

**Nicole Coffman** spoke of many cases of sexual harassment in the ECPD over the years.

**Sunshine Horton** spoke about the upcoming events happening in El Cajon, about helping out the community and her upcoming 70<sup>th</sup> birthday. She will celebrate at Hacienda Casa Blanca on August 15, 2015.

**Travis Gorzeman**, Property Manager with Heritage Group, Inc., spoke about a problematic tenant at one of their properties. He asked for help from the Planning Department as he feels the zoning on the property is incorrect for the type of business in the area. They asked the CUP (Conditional Use Permit) for the business be reviewed and possibly revoked.

**City Manager Williford** stated that **Staff** is aware of the situation and it is in code enforcement process. **Staff** will be in touch with **Mr. Gorzeman** of the results.

**Monica Zech** spoke about America on Main Street and invited the public on May 16, 2015, which will feature a petting zoo, ferris wheel, hay rides, arts and crafts, all free to the public. Volunteers are still needed; for more information please call (619) 441-1754 or visit; [www.americanonmainstreet.org](http://www.americanonmainstreet.org).

**2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS:**

**3.1 NOTICE AND ORDER TO DEMOLISH AT 581 S. MARSHALL AVENUE  
(Report: Building Official/Fire Marshal)**

**RECOMMENDATION: That the City Council**

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Deem appropriate the Building Official/Fire Marshal's actions in this case;
- Make a determination regarding civil penalties, staff time, and administrative costs in this case;
- Direct staff to file a lien against the property if fees determined are not paid within 90 days;
- Direct staff to file a release of notice of restriction against the property; and
- Move to adopt the next RESOLUTION in order regarding this case.

### **DISCUSSION**

**Building Official/Fire Marshal Pavao** gave a summary of the Item.

The Public Hearing is now Open.

**Richard Hein**, representing Louis Vismara, read a statement prepared by Mr. Vismara and he stated that they accept the responsibility of the administrative fees incurred but requested that the City Council waive civil penalties pursuant to full compliance with all the requirements imposed by the City.

Discussion ensued among **Council** and **Mr. Hein** concerning the following:

- Clean-up of the property;
- Time table for clean up;
- Foundation will be removed at a later date.

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

**MOTION CARRIES BY UNANIMOUS VOTE.**

**PUBLIC HEARINGS: (Item 3.1 - Continued)**

**Mayor Wells** asked Staff to outline the fiscal penalties.

**Assistant City Manager Al-Ghafry** explained the three options to consider listed in the agenda report.

The **City Council** asked whether a lien would be placed on the property. **City Attorney Foley** confirmed that one would be in place to be released at the end of the period approved by the **City Council**, so long as the property owner met the conditions.

After discussion between the **City Council** and **Staff, Council** decided to select option 2: Assess staff time and administrative costs in the amount of \$2,030.92, keeping the remaining balance of \$58,100.00 in abeyance for one year pending the complete demolition and removal of the foundation system.

**MOTION BY McCLELLAN, SECOND BY BALES, to ADOPT Resolution No. 032-15 to ASSESS staff time and administrative costs in the amount of \$2,030.92, and place a lien on the property while keeping the remaining balance of \$58,100.00 in abeyance for one year pending the complete demolition and removal of the foundation system.**

**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 MAYOR WELLS/COMMENTS: (Continued)

### 6.3 CONSIDERATION OF PLACING A VOTER INITIATIVE ON THE BALLOT REGARDING OFF SALE LIQUOR OUTLETS AND RELATED MATTERS

**RECOMMENDATION:** That the City Council give direction to the City Attorney's Office and the City Manager's Office to investigate a possible ballot initiative for the purposes of addressing inappropriate and illegal activities by liquor outlets, including appropriate and tough ramifications to violators of the law.

#### DISCUSSION

**Mayor Wells** explained the Deemed Approved Ordinance and the purpose of a Conditional Use Permit (CUP), which is to give the City the ability to regulate alcohol sales to people under the legal age. In recent weeks, a few liquor stores sold to minors. **Mayor Wells** requested options from **Staff** of what can and cannot be done to regulate alcohol sales, specifically in regards to minors. Issues to consider are: Fines, compelling of training, suspension of the ability to sell alcohol through the CUP and possibly revocation of the ability to sell alcohol through the CUP. In addition, **Mayor Wells** asked for the possibility of placing a ballot initiative on the 2016 Presidential Election to ask the citizens if it would be their will to put the mentioned concepts in the City Charter to prevent the removal of the Deemed Approved Ordinance with a single vote.

**Mayor Pro Tem McClellan** requested the initiative be placed on the June 2016 Primary ballot.

**Ms. Helen Riffel** submitted a speaker card but left the Chambers before her name was called.

**Lorenzo Higley** from CASA, spoke in support of the proposed ballot initiative.

**Kathleen Lippitt** spoke in support of the adopted ordinance.

**Dana Stevens** thanked the **Council** for their continued efforts, and spoke in support of the proposed initiative.

**Lorraine Gonzalez** submitted card in support but did not wish to speak.

**Sunshine Horton** stated that Hollywood glamorizes alcohol and we need to protect kids against people selling them alcohol while they are minors. She supports the proposed initiative.

## **ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS: (Item 6.3 - Continued)**

**Mayor Pro Tem McClellan** reminded the public that there is an Ordinance in El Cajon, for adults not to make alcohol available for minors.

**City Attorney Foley** pointed out that a letter was submitted to **Council** from the Neighborhood Market Association regarding this issue. **Mayor Wells** acknowledged the receipt of the letter.

**Councilmember Kendrick** stated he fully supports Mayor Wells and encourages the neighboring cities to stand strong and follow El Cajon's lead.

**Councilmember Ambrose** spoke to the alcohol vendors and asked them to be responsible retailers and keep alcohol out of the hands of minors, and he supports the proposed ballot initiative.

**Councilmember Bales** stated that alcohol substance is highly regulated all over the nation, and that sales to minors is a big problem in El Cajon and it needs to be addressed. She fully supports Mayor Wells' efforts.

**Mayor Pro Tem McClellan** asked parents to give fun incentives to their kids to encourage them to not smoke or drink.

**Councilmember Kendrick** shared a story of going on a ride-along with the Police Department and speaking to a homeless citizen who started drinking at a very young age. He would like to see this vicious cycle come to an end.

**MOTION BY WELLS, SECOND BY McCLELLAN, to GIVE DIRECTION to the City Attorney's Office and the City Manager's Office to investigate a possible ballot initiative for the purposes of addressing inappropriate and illegal activities by liquor outlets, including appropriate and tough ramifications to violators of the law.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

## **ACTIVITIES REPORTS OF COUNCILMEMBERS**

**7.**

### **COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

#### **7.1 Council Activities Report/Comments**

**REPORT AS STATED.**



**ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)**

**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**

In addition to the submitted report, **Mayor Pro Tem McClellan** stated he attended the Family Fiesta Event at the El Cajon Library.

**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: None**

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

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

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

**REMOVED FROM AGENDA UNDER AGENDA CHANGES:**

**14.1 Amendment of Specific Plan No. 522 (Camden Yards)**

An Ordinance Amending Specific Plan No. 522 Text Regarding the Exterior Maintenance and Repair of Structures in an Approved Common Interest Residential Development in the Residential, Multi-Family, 2,200 Square Foot (RM-2200) Zone, APN: 488-290-11, General Plan Designation: Medium Density Residential

- **MOTION to adopt Ordinance**

**15. CLOSED SESSION: None**

**Adjournment:** Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 14th day of April, 2015, at 5:13 p.m. to Tuesday, April 14, 2015, at 7:00 p.m.

---

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

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

---

**April 14, 2015**

An Adjourned Regular Joint Meeting of the City Council and Redevelopment Agency of the City of El Cajon, California, held Tuesday, April 14, 2015, was called to order by Mayor Pro Tem/Vice Chair Bob McClellan 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 April 14, 2015, by order of the City Council and Redevelopment Agency.

#### ROLL CALL

Council/Agencymembers present:	Ambrose, Bales and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Kendrick
Mayor/Chair absent:	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 and MOMENT OF SILENCE.**

**AGENDA CHANGES: None**

**PUBLIC COMMENT: None**

**PUBLIC HEARINGS:**

**100 APPEAL OF PLANNING COMMISSION DENIAL OF BALLANTYNE AND PARK SPECIFIC PLAN PROJECT– MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; GENERAL PLAN AMENDMENT NO 2012-02; ZONE RECLASSIFICATION NO. 2311; AND SPECIFIC PLAN NO. 525 (Report: Planning Manager)**

**RECOMMENDATION: That the City Council:**

- Open the public hearing and receive testimony;
- Close the public hearing;
- MOVE to GRANT the appeal;
- MOVE to ADOPT the next RESOLUTION in order APPROVING the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- MOVE to ADOPT the next RESOLUTION in order APPROVING General Plan Amendment No. 2012-02;
- MOVE to INTRODUCE the ORDINANCE for Zone Reclassification No. 2311; and
- MOVE to INTRODUCE the ORDINANCE for Specific Plan No. 525.

**DISCUSSION**

**Mayor Pro Tem McClellan** explained **Mayor Wells** lives within 500 feet of the property, and is therefore disqualified and not present at this meeting.

**Planning Manager Anthony Shute** provided a summary of the Item.

**Mayor Pro Tem McCLELLAN** announced the Public Hearing is now Open.

**Bill Fischbeck**, Attorney for the proposed plan, spoke in support of the approval of the project and he gave detailed information of the future plans for ground leases for the property.

**Tamara Otero** reminds the Council that the district owns the property where the Kia dealership is on Johnson, and a shopping center at Jamacha and Chase, and they have done a good job in leasing to proper business to generate revenue for the City and the County. She indicated the property may be sold if necessary to the appropriate buyers.

**PUBLIC HEARINGS: (Item 100 – Continued)**

**David Miyashiro**, District Superintendent, thanked the City staff for their help with this project.

**Councilmember Ambrose, Councilmember Kendrick and Mayor Pro Tem McClellan** spoke in support of the project.

No further comments were offered.

**MOTION BY AMBROSE, SECOND BY McCLELLAN, to CLOSE the Public Hearing.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(MAYOR WELLS – Disqualified)**

**MOTION BY BALES, SECOND BY AMBROSE, to GRANT the appeal.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(MAYOR WELLS – Disqualified)**

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to ADOPT RESOLUTION No. 033-15 APPROVING the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(MAYOR WELLS – Disqualified)**

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT RESOLUTION No. 034-15 APPROVING General Plan Amendment No. 2012-02.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(MAYOR WELLS – Disqualified)**

**MOTION BY McCLELLAN, SECOND BY BALES, to INTRODUCE the ORDINANCE for Zone Reclassification No. 2311.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(MAYOR WELLS – Disqualified)**

**PUBLIC HEARINGS: (Item 100 – Continued)**

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to INTRODUCE the ORDINANCE for Specific Plan No. 525.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT.  
(MAYOR WELLS – Disqualified)**

**City Clerk** recites the titles of the Ordinances.

An Ordinance Rezoning Property Located at the Northeast Corner of Ballantyne Street and Park Avenue from the RS-6 to the RM-1450 Zone; Portion of APN: 483-310-16-00; Proposed General Plan Designation: High Density Residential (HR).

An Ordinance Adopting Specific Plan No. 525 for the Development and Use of the Property Located at the Northeast Corner of Ballantyne Street and Park Avenue; Portion of APN: 483-310-16-00.

**ADJOURNMENT: Mayor Pro Tem McClellan adjourned the Adjourned Regular Joint Meeting of the City Council and the Redevelopment Agency held this 14th day of April 2015, at 7:25 p.m. to Tuesday, April 28, 2015 at 3:00 p.m.**

---

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