

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



## MINUTES

### CITY OF EL CAJON EL CAJON, CALIFORNIA

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April 28, 2015

An Adjourned 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 28, 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. This meeting was adjourned from the Adjourned Regular Joint meeting held at 7:00 p.m. on April 14, 2015.

#### **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 April 14, 2015, meetings and the Agenda of the April 28, 2015, meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

## PRESENTATIONS:

- **Chaldean Chamber of Commerce**
- **PROCLAMATION: Fair Housing Month**
- **PROCLAMATION: Municipal Clerks' Week**
- **PROCLAMATION: California Native Plant Week**
- **RECOGNITION: Crime Free Hotel/Motel Program**

## AGENDA CHANGES:

**City Manager Williford** requested the following changes to the Agenda:

- On Consent Item 1.4, change Bid Number from 003-16 to 007-16;
- Move Administrative items 4.1 and 4.2 before Consent Items;
- Remove Item 15.3 from agenda, to be presented to Council at a future meeting.

### 4. ADMINISTRATIVE REPORTS:

#### 4.1 UPDATE ON CRIME FREE HOTEL/MOTEL PROGRAM (Report: Police Chief)

Verbal report by **Captain Jeff Davis**.

Discussion between **Council, Captain Davis** and **City Manager Williford** regarding the hotel/motels that are not yet participating in the program.

**Eric Lund**, from the East County Chambers congratulated the **Staff, Council** and the **Police Department** on a job well done.

#### 4.2 ABATEMENT SUCCESS STORIES (Report: Building Official/ Fire Marshal)

Verbal report by **Building Official/Fire Marshal Pavao**.

**Mayor Wells** and **Councilmembers** praised **Fire Marshal Pavao** on his compassion and willingness to help the public.

**CONSENT ITEMS: (1.1 – 1.7)**

**MOTION BY McCLELLAN, SECOND BY BALES, to APPROVE Consent Items 1.1 to 1.7, with the change in the Bid Number for Item 1.4 as requested by City Manager Williford.**

**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 April 14, 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.

**1.4 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS AND SOLICITATION OF BIDS FOR THE PEDESTRIAN SAFETY IMPROVEMENTS AT FIRST STREET AND REDWOOD AVENUE PROJECT, PW3509 / BID NO. 007-16 (Report: Deputy Director of Public Works)**

Adopt RESOLUTION No. 035-15 to approve plans and specifications and RESOLUTION No. 036-15 to direct a Notice Inviting Sealed Bids for the Pedestrian Safety Improvements at First Street and Redwood Avenue, to be opened on June 11, 2015.

## CONSENT ITEMS: (Continued)

**1.5 RESOLUTION: AUTHORIZATION FOR THE EXECUTION OF A PROGRAM SUPPLEMENT AGREEMENT WITH CALTRANS FOR AN ACTIVE TRANSPORTATION PROGRAM (ATP) GRANT PROJECT, AND AUTHORIZATION FOR PROFESSIONAL SERVICES AGREEMENT FOR SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS. (Report: Deputy Director of Public Works)**

Adopt RESOLUTION No. 037-15 to approve Program Supplement Agreement No. 0M79 for a State-aid Active Transportation Program (ATP) project and authorize the City Manager to execute a Professional Services Agreement with Rady Children's Hospital.

**1.6 ACCEPTANCE OF THE UPGRADE OF TRAFFIC SIGNALS ON NORTH SECOND STREET AND JAMACHA ROAD, FEDERAL AID PROJECT HSIPL-5211(028), PW3493 / BID NO. 013-15 (Report: Deputy Director of Public Works)**

Accept the project, authorize the City Clerk to record a Notice of Completion and release the bonds in accordance with the contract terms.

**1.7 COMMUNITY EVENT – 2015 JULY 4<sup>TH</sup> PICNIC AT KENNEDY PARK (Report: Director of Recreation)**

- Approve the sale of merchandise by vendors at Kennedy Park associated with the annual July 4<sup>th</sup> picnic and fireworks display; and
- Authorize the City Manager, or designee, to execute the necessary agreements and forms for the annual July 4<sup>th</sup> fireworks display at Granite Hills High School.

### **PUBLIC COMMENT:**

**Richard Graydon** spoke about the homeless population in El Cajon and how some of them are being proselytized by groups as part of the help they offer. He also spoke about El Cajon Performing Art Center (ECPAC), and the potential of revenue being lost by it being closed.

**John Rooks** spokesperson for the Trauma Intervention Programs (TIP), thanked the **Council** for their continued support. **Mayor Pro Tem McClellan** and **Mayor Wells** praised the work done by TIP.

## **PUBLIC COMMENT: (Continued)**

**Ray Lutz** with Citizens Oversight.com, congratulated the City for utilizing the abatement program. He stated that Housing and Urban Development (HUD) should have done a review of the monies to be given to the East County Transitional Living Center (ECTLC) and not relied on the review done by the City.

**Mayor Wells** asked **Staff** to comment on the report received from the Federal Government about the complaint submitted to them by **Ray Lutz**.

**City Attorney Foley** stated that **Mr. Lutz** received thousands of pages of documents and he has been given CDs with information to cover all his requests. HUD contacted the City via email and said they are satisfied with the results received by the City to show that CDBG (Community Development Block Grant) funds are being properly utilized. **City Attorney Foley** stated that if **Mr. Lutz** would like to provide specific names of people who are willing to testify to show that funds are being utilized in an unlawful matter, the City is willing to speak to them.

**Bonnie Price** spoke about the problems happening in Baltimore. She continues to be concerned about the minimal amount of women in the El Cajon Police Department. She encourages the City to hire more police women in El Cajon. **Ms. Price** also recommends that sexual harassment training be done more often to prevent issues.

**Monica Zech** invited the community to America on Main Street on May 16, 2015, and reminded citizens that all entertainment during the event is free of charge. For more information please visit, [www.americanonmainstreet.org](http://www.americanonmainstreet.org).

**Mayor Wells and Mayor Pro Tem McClellan** praised the hard work of the City staff to make this a fun event for the whole community.

## **2. WRITTEN COMMUNICATIONS: None**

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### 3. PUBLIC HEARINGS:

#### 3.1 RESOLUTION: FY 2015-2016 ONE-YEAR ACTION PLAN (Report: City Manager)

##### RECOMMENDATION: That the City Council:

- Open the public hearing and accept public testimony for the One Year Action Plan;
- Close the public hearing;
- Finalize the allocations of CDBG and HOME funds as a part of the FY 2015-2016 One Year Action Plan; and
- Adopt the next RESOLUTION in order approving and adopting the FY 2015-2016 One Year Action Plan in substantially the form presented, with such non-monetary changes as approved by the City Manager, and authorizing the City Manager, or designee, to submit the Plan to HUD and to execute all affiliated documents.

### DISCUSSION

**Assistant City Manager Al-Ghafry** gave a detailed history of the Item.

**Mayor Wells** announced the Public Hearing is now Open.

**Councilmember Kendrick** excused himself from this Item due to a financial conflict of interest and left the Council Chambers at 4:22 p.m. **City Attorney Foley** clarified that **Councilmember Kendrick's** spouse is an employee of one of the entities that applied for funds from CDBG or HOME.

**Robert Clark** spoke against the idea of money being invested in solar panels at the ECTLC older buildings. He praised the work done by the City Clerk's staff.

**Anya Delacruz**, Associate Executive Director for Elderhelp, gave information about the Homeshare program. In answer to a question by **Mayor Wells**, **Ms. Delacruz** stated that participants undergo a background check for safety, and they consider both parties to ensure they are a compatible match to share a home.

**Debra Emerson**, spokesperson for St. Madeleine Sophie's Center, thanked the **Council** and **Staff** for their continued support to their program. **Councilmember Ambrose** and **Mayor Wells** thanked **Ms. Emerson** for the Morning Glory Event, and all the work they do.

**Ray Lutz** with Citizens Oversight, objected to the allocation for ECTLC without previous review by the oversight group.

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

No further comments were made.

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

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

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to FINALIZE the allocations of CDBG and HOME funds as a part of the FY 2015-2016 One Year Action Plan; and ADOPT RESOLUTION No. 038-15 approving and adopting the FY 2015-2016 One Year Action Plan in substantially the form presented, with such non-monetary changes as approved by the City Manager, and authorizing the City Manager, or designee, to submit the Plan to HUD and to execute all affiliated documents.**

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

**Councilmember Kendrick** returned to the Council Chambers at 4:35 p.m.

**4. ADMINISTRATIVE REPORTS:**

**4.1** Moved ahead of Consent Items per the request of **City Manager Williford**.

**4.2** Moved ahead of Consent Items per the request of **City Manager Williford**.

**4.3 RESOLUTION: AWARD OF RFP NO. 025-15, CUSTODIAL SERVICES (Report: Assistant City Manager)**

**RECOMMENDATION:** That the **City Council** adopt the next RESOLUTION in order to approve a not to exceed cost of services of \$354,000 for the first year in custodial and maintenance services for the existing twenty-two (22) City of El Cajon (City) facilities and other as-needed custodial services, with the option to renew for four additional one-year periods.

## **ADMINISTRATIVE REPORTS: (Item 4.3 – Continued)**

### **DISCUSSION**

**City Manager Williford** gave a historical review of the Item.

**Assistant City Manager Al-Ghafry** gave detailed information on the Item.

In answer to a question by **Councilmember Ambrose**, **Assistant City Manager Al-Ghafry** stated that the two employees will stay in the custodial services full time and will have specific areas of work, to not duplicate efforts from the custodial service group to be hired.

The **Council** engaged in conversation about the benefits of hiring an outside company for custodial services such as:

- Reducing the City's pension deficit;
- Maintaining the quality of service for the City;
- Fulfilling future obligations to the current employees;
- Saving benefits to the City.

**MOTION BY BALES, SECOND BY McCLELLAN, to ADOPT RESOLUTION No. 039-15 to approve a not to exceed cost of services of \$354,000 for the first year in custodial and maintenance services for the existing twenty-two (22) City of El Cajon (City) facilities and other as-needed custodial services, with the option to renew for four additional one-year periods.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

#### **4.4 ANNUAL ALCOHOL SALES REGULATORY FEE (Report: City Manager)**

**RECOMMENDATION:** That the **City Council** provide direction as to the future consideration of establishing the annual alcohol sales regulatory fee.

### **DISCUSSION**

**City Manager Williford** gave information about the Item.



## **ADMINISTRATIVE REPORTS: (Item 4.4 – Continued)**

Discussion among **Council** and **Staff** regarding:

- Continued problems of alcohol sales to minors;
- Recovery time for the regulatory fees;
- A recommendation to increase the amount of sting operations;
- Consideration of an annual \$1500 fee.

**Helen Riffel**, spoke in support of the proposed regulatory fee.

In response to a question from **Mayor Pro Tem McClellan**, **City Attorney Foley** stated that the fee assessed to retailers cannot be in excess of what it costs to provide the regulatory function.

**MOTION BY McCLELLAN, SECOND BY KENDRICK, to PROVIDE DIRECTION to Staff as to the future consideration of establishing the annual alcohol sales regulatory fee.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

### **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**

In addition to the submitted report, **Mayor Wells** stated he attended the Grand Opening of the Rock Church Thrift Store.

#### **6.2 LEGISLATIVE REPORT:**

**Mayor Wells**, stated the **Council** remains in favor of bills AB 266, Medical Marijuana – a bill that gives more local control to regulate medical dispensaries, and AB 35 - Income taxes: credits: low-income housing: allocation increase. More information about these two bills will be given in the future. **Mayor Wells** also mentioned two bills being watched: AB 278 – District - based municipal elections, and SB 493 - Elections in cities: by or from districts, these two bills will continue to be monitored.

## ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

### COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

#### 7.1 Council Activities Report/Comments

REPORT AS STATED.

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

In addition to the submitted report, **Councilmember Ambrose** requested a report from Staff on panhandling restrictions within City medians, which endangers the panhandlers and drivers around them.

**City Attorney Foley** stated that this issue has been a concern for years and the legal staff has been working on a legally defensive ordinance that would address the problem as it could potentially be a liability to the City if someone is hurt while panhandling on a City median. He added that the medians should be a place for pedestrians to stop as they are crossing the street, or a place for City crews or contractors who are working.

**Councilmember Ambrose** added that he attended the Crisis House – Project Homeless. In addition, he made a presentation to the Chaldean – American Association entitled “Making El Cajon Safe and a Great Place to Live”. **Councilmember Ambrose** also announced that **Mayor Wells** will be in the upcoming “Cajon Valley’s Got Talent Show” on May 29, 2015.

## ACTIVITIES REPORTS OF COUNCILMEMBERS (Continued)

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 that he attended the El Cajon Scholarship Pageant.

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

In addition to the submitted report, **Councilmember Bales** stated that she attended 'Barkitecture', an event to benefit the El Cajon Animal Shelter.

On behalf of **Sunshine Horton** and herself, **Councilmember Bales** wishes a Happy Mother's day to all, and thanked moms and teachers for teaching kindness to children.

11. **JOINT COUNCILMEMBER REPORTS: None**

12. **GENERAL INFORMATION ITEMS FOR DISCUSSION: None**

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**13. ORDINANCES: FIRST READING**

**13.1 AMENDMENT OF SPECIFIC PLAN NO. 182 – FIRST READING  
(Report: City Clerk)**

**RECOMMENDATION:** That the City Council approve the re-introduction of an Ordinance amending Specific Plan No. 182 to streamline the development permit process.

- **Make a MOTION, and second to introduce the Ordinance**
- Discussion
- Vote
- If approved, the Mayor requests the City Clerk to recite the title.

**DISCUSSION**

**Ray Lutz**, from Citizens Oversight, objected to the idea of not holding a public hearing since in his opinion, it was not properly noticed.

**City Attorney Foley** disagreed with **Mr. Lutz's** interpretation of the law. An attachment to SP 182 was not mentioned during the first publication of SP 182, which forced the City to re-publish to be in compliance. The law allows for a summary of the ordinance to be published since the full publishing of the ordinance would be a great expense to the City.

No one else came forward to speak.

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to  
RE-INTRODUCE the Ordinance.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**City Clerk** recited the title of the ordinance for a first reading.

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

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

**14.1 AMENDMENT OF SPECIFIC PLAN NO. 522**

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

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 to Amend Specific Plan No. 522**

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT Ordinance No. 5023 to Amend 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 CARRIES BY UNANIMOUS VOTE**

**14.2 ZONE RECLASSIFICATION NO. 2311**

**MAYOR WELLS** is excused from Items 14.2 and 14.3 since he resides within 500 ft. of the subject property and leaves the Council Chambers at 5:21 p.m.

**RECOMMENDATION:** That Mayor Pro Tem McCLELLAN requests the City Clerk to recite the title.

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)

- **MOTION to adopt Ordinance for Zone Reclassification No. 2311**

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT Ordinance No. 5024 to Rezone 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).**

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

**ORDINANCES: SECOND READING AND ADOPTION (Continued)**

**\*14.3 SPECIFIC PLAN NO. 525**

**RECOMMENDATION:** That Mayor Pro Tem McCLELLAN requests the City Clerk to recite the title.

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

- **MOTION to adopt Ordinance Amending Specific Plan No. 525**

**MOTION BY McCLELLAN, SECOND BY BALES, to ADOPT Ordinance No. 5025 to Adopt 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.**

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

**Mayor Wells** returned to the Council Chambers 5:24 p.m.

**15. CLOSED SESSION**

**RECOMMENDATION:** That the City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency adjourn to Closed Sessions as follows:

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

Name of Case: Christine Greer v. City of El Cajon, et al.  
San Diego Superior Court  
Case No. 37-2015-00007178-CU-OE-CTL

**15.2 CONFERENCE WITH 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

**CLOSED SESSION (Continued)**

**REMOVED FROM AGENDA** per the request of **City Manager Williford**.

**15.3 CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6.**

Agency Designated: Jim Lynch, Director of Human Resources  
Representatives: Steve Berliner, Esq., Liebert Cassidy Whitmore  
Frances Rogers, Esq., Liebert Cassidy Whitmore

Employee Organizations: El Cajon Mid-Management and Professional Employees Group  
El Cajon Municipal Employees Association  
El Cajon Police Officers Association  
El Cajon Police Officers Association Management Group  
El Cajon Professional Firefighters International Association of Fire Fighters Local 4603 (includes El Cajon Fire Supervisory Unit and El Cajon Firefighters' Association)  
Executive, Unrepresented and Confidential Employees

**DISCUSSION**

**Ray Lutz**, from Citizens Oversight, suggested that an independent review panel be formed to relieve some of the responsibility falling on the City Manager.

**Bonnie Price** spoke about the case regarding Officer Greer. She suggested that the City settle out of court to minimize the expenses to be incurred.

**MOTION BY WELLS, SECOND BY BALES, to ADJOURN to Closed Session at 5:29 p.m.**

**MOTION CARRIES BY UNANIMOUS VOTE.**

**16. RECONVENE TO OPEN SESSION AT 6:08 P.M.**

**City Attorney Foley** reports the following actions:

**15.1** No action taken, Item was for informational purposes only.

**15.2** No action taken, Item was for informational purposes only.

Valhalla High School students attending the City Council Meeting were invited to introduce themselves.

**Adjournment: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 28th day of April, 2015, at 6:10 p.m. to Tuesday, May 12, 2015, at 3:00 p.m.**

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