



# 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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**June 9, 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, June 9, 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:	Bales and Kendrick
Council/Agencymembers absent:	Ambrose
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 May 26, 2015, meeting and the Agenda of the June 9, 2015, meeting in accordance to State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

**PRESENTATIONS:**

- **Fire Department ISO Reclassification Presentation**

**AGENDA CHANGES: None**

**CONSENT ITEMS: (1.1 – 1.11)**

**MOTION BY MCCLELLAN, SECOND BY BALES, to APPROVE Consent Items 1.1 to 1.11, pulling Items 1.4 and 1.9, as requested by members of the public.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (AMBROSE – ABSENT)**

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

Approve Minutes of the May 26, 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 PULLED FOR DISCUSSION**

**CONSENT ITEMS: (Continued)**

**1.5 DESIGNATION OF VOTING DELEGATE AND ALTERNATE TO LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, SEPTEMBER 30 – October 2, 2015 (Report: City Manager)**

Designate Mayor Bill Wells as the Voting Delegate for the City of El Cajon, and City Manager, Douglas Williford, as the Alternate, for the League of California Cities Annual Conference.

**1.6 RESOLUTION: AWARD OF BID NO. 003-16, JANITORIAL SUPPLIES (Report: Purchasing Agent)**

- Reject all bids for Section II (Chemicals), due to the failure to receive any responsive bids (where the only two bids received failed to include the required Safety Data Sheets), and direct the Purchasing Agent to proceed with an open market purchase; and
- Adopt RESOLUTION NO. 046-15 and award the bid to the lowest responsive bidders Mission Janitorial Supplies for Section I (Paper Products) in the amount of \$14,899.26, and D2 Distributors, LLC for Section III (Accessories) in the amount of \$4,118.47.

**1.7 ACCEPTANCE OF SEWER AND STORM DRAIN REPAIRS AND REPLACEMENT 2013, PW 3448 / Bid NO. 004-14 (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.

**1.8 ACCEPTANCE OF THE UPGRADE OF REGULATORY AND WARNING SIGNS 2014, FEDERAL AID PROJECT HSIPL-5211(029), PW3492 / BID NO. 018-15 (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.

**1.9 PULLED FOR DISCUSSION**

**CONSENT ITEMS: (Continued)**

**1.10 RESOLUTION: JOINT EXERCISE OF POWERS OF AGREEMENT FOR THE DEVELOPMENT, MAINTENANCE AND OPERATIONS OF SPORTS FIELDS AT CUYAMACA ELEMENTARY SCHOOL  
(Report: Director of Recreation)**

Adopt RESOLUTION NO. 048-15 approving the execution of the Joint Exercise of Powers of Agreement (JPA) for the development, maintenance and operations of sports fields at Cuyamaca Elementary School.

**1.11 RESOLUTION: REIMBURSEMENT OF PORTAL-TO-PORTAL TIME SPENT BY FIRE EMPLOYEES ASSIGNED TO EMERGENCY INCIDENTS  
(Report: Fire Chief)**

Adopt RESOLUTION NO. 049-15, identifying the terms and conditions for Fire Department response away from their official duty station and assigned to an emergency incident and verifying the Fire Department's compensation practices for the purpose of qualifying for portal-to-portal reimbursement from the State Office of Emergency Services (OES).

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**CONSENT ITEMS PULLED FOR DISCUSSION:**

**1.4 RESOLUTION: AWARD OF BID NO. 034-15, FIRE STATION #6 RENOVATION AND CITY HALL MODERNIZATION RE-BID  
(Report: Purchasing Agent)**

**RECOMMENDATION: That the City Council:**

- Find the protest submitted by Good-Men Roofing and Construction, Inc. to merit revision of prior award recommendation;
- Find the protest submitted by NEI Contracting and Engineering, Inc. to be timely, but without merit; and
- Adopt the next RESOLUTION in order awarding the bid to the lowest responsive, responsible bidder, Good-Men Roofing and Construction, Inc., in the amount of \$1,269,303.00.

## ITEM 1.4 (Continued)

### DISCUSSION

**Amanda Walters**, representing NEI Contracting, Inc., opposed the recommended award of bid, indicating that Good-Men Roofing and Construction did not meet the proper licensing requirements.

**Clay Schoen**, Director of Finance, introduced the Purchasing Agent.

**Nahid Razi**, Purchasing Agent, discussed the bid process performed prior to the award of the bid to Good-Men Roofing and Construction, Inc.

**City Attorney Foley** added that Good-Men Roofing and Construction holds a Class B license and they have the ability to perform any of the specialty, licensed tasks.

**James Morris**, representing Good-Men Roofing and Construction, reiterated that a Class B contractor designation is valid to perform work as outlined in the bid, and his client fully intends to self-perform.

No one else came forward to speak.

**MOTION BY WELLS, SECOND BY MCELLAN, to ADOPT RESOLUTION NO. 045-15 awarding Bid No. 034-15 to the lowest responsive, responsible bidder, Good-Men Roofing and Construction, Inc., in the amount of \$1,269,303.00.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (AMBROSE – ABSENT)**

### **1.9 RESOLUTION: JOINT EXERCISE OF POWERS OF AGREEMENT FOR THE DEVELOPMENT, MAINTENANCE AND OPERATIONS OF SPORTS FIELDS AT ANZA ELEMENTARY SCHOOL (Report: Director of Recreation)**

**RECOMMENDATION:** That the City Council adopts the next RESOLUTION in order approving the execution of the Joint Exercise of Powers of Agreement (JPA) for the development, maintenance and operations of sports fields at Anza Elementary School.

**Ray Lutz** spoke about the submission of written protests to the School District regarding the issue of school staff utilizing street parking, and indicated they have not received any response. There are many concerns about safety and traffic flow in the area of the school. If there are plans to change the playground or fields, he would like the plans to include off-street parking spaces for school employees.

**ITEM 1.9 (Continued)**

**City Manager Williford** commented that the City would continue to address this issue with the School District.

No one else came forward to speak.

**MOTION BY MCCLELLAN, SECOND BY BALES, to ADOPT RESOLUTION NO. 047-15 approving the execution of the Joint Exercise of Powers of Agreement (JPA) for the development, maintenance and operations of sports fields at Anza Elementary School.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (AMBROSE – ABSENT)**

**PUBLIC COMMENT:**

**Michael Colwet** stated that he recently moved into El Cajon and comments about the lack of trees in the City.

**David Miyashiro**, Superintendent of Cajon Valley Union School District, thanked **Council** for their participation at the talent show and TedX-Kids events.

**Ray Lutz** voiced concerns about the trees, which were cut down at the corner of Magnolia and Chase. He invited the public to attend Citizen’s Oversight meetings held every Friday prior to a City Council meeting, at 3:00 p.m. at the library.

**2. WRITTEN COMMUNICATIONS: None**

**3. PUBLIC HEARINGS: None**

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#### 4. ADMINISTRATIVE REPORTS:

##### 4.1 EVALUATION OF DEVELOPMENT PROPOSALS FOR 100 FLETCHER PARKWAY (Report: City Manager)

**RECOMMENDATION:** That the **City Council / Successor Agency Board** appoint two of its members to a sub-committee, in conjunction with the City Manager, City Attorney and City broker, to evaluate and make recommendations for the purpose of choosing a development team to enter into an Exclusive Negotiating Agreement for the development of 100 Fletcher Parkway.

#### DISCUSSION

**City Manager Williford** provided a summary of the Item and requested the appointment of two Council Members to sit on a committee to interview the applicants.

**Ray Lutz** questioned the type of development that will acquire the space. He commented about the difficulty for pedestrians to be able to walk to the mall or to the downtown area from this location, and asked the City to consider including pedestrian access in the development of the project. He felt the location might be a good site for the Rock Church.

**City Manager Williford** indicated there have been proposals for hotels, stores, and restaurants, and that there have been no residential proposals.

No one else came forward to speak.

**MOTION BY WELLS, SECOND BY MCCLELLAN, to APPOINT Councilmembers Kendrick and Ambrose to the sub-committee for evaluation of the proposed development plans.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (AMBROSE – ABSENT)**

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**4.2 AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR THE EAST COUNTY PERFORMING ARTS CENTER – ARCHITECTS MOSHER DREW (Report: Assistant City Manager)**

**RECOMMENDATION:** That the City Council authorize the City Manager to execute a first amendment to increase the contract amount of the existing Professional Services Agreement (PSA) between the City of El Cajon (City) and Architects Mosher Drew (Architect) to \$415,000, authorize up to a maximum of 25 percent contract amendments by the City Manager based on the amended contract amount and to extend the agreement to September 30, 2016.

**DISCUSSION**

**City Manager Williford** provided a summary of the report.

**Ray Lutz** commented there has been not enough public review on this project and felt the 25% contingency increase was a very high slush fund. He recommended the project should be put before the public for review and that **Council** should deny the Item.

**Mayor Wells** indicated that multiple meetings have been held, including sack-lunch meetings, and he feels comfortable proceeding with this action.

**Councilmember Kendrick** felt that the theater should not strictly be for performing arts, in order to be successful. He suggested showing classic movies from a digital projector, four to five times per year, as has been successful at other venues.

No one else came forward to speak.

**MOTION BY KENDRICK, SECOND BY WELLS, to APPROVE Item 4.1 as recommended by Staff.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (AMBROSE – ABSENT)**

**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.**



**ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS: (Continued)**

**6.2 LEGISLATIVE REPORT**

**NO ACTION TAKEN.**

**ACTIVITIES REPORTS OF COUNCILMEMBERS**

**7.**

**COUNCILMEMBER GARY KENDRICK**

Heartland Communications JPA; Heartland Fire Training JPA.

**7.1 Council Activities Report/Comments**

**REPORT AS STATED.**

*The following Item was considered ahead of Item 7.2:*

**11. JOINT COUNCILMEMBER REPORTS**

**11.1 SUPPORT FOR SB 151 – CHANGING TOBACCO SALES AGE LIMITS IN CALIFORNIA (Report: Mayor Pro Tem McClellan and Councilmember Kendrick)**

**RECOMMENDATION:** That the City Council DIRECT Staff to transmit a letter to State Assemblyman Jones and Governor Brown regarding our support for SB 151.

**DISCUSSION**

**Councilmember Kendrick** introduced the Item, commenting on the need to protect the health of citizens.

The following spoke in support of the Item:

**Linda Barbour**

**Barbara Gordon**

**Debra Kelly**

**Lisa Watkins-Bridges**

**Lorraine Gonzalez** (submitted a flyer to Council)

**Phyllis Hanson** (submitted a card in support, but did not speak)

**Lorenzo Higley**

**Katherine Webb**

**Ray Lutz**

## ITEM 11.1 (Continued)

The following spoke in opposition:

**Jason Jackson**  
**Eric Anderson**

**Mayor Pro Tem McClellan** and **Councilmember Kendrick** spoke in support of the Item and discussed how smoking and lung cancer has affected their families.

**Councilmember Bales** spoke in support of the Item.

**Mayor Wells** commented about America losing its freedoms, and felt that adults should be able to make their own decisions.

No one else came forward to speak.

**MOTION BY KENDRICK, SECOND BY MCCLELLAN, to DIRECT STAFF to transmit a letter to State Assemblyman Jones and Governor Brown regarding support for SB 151.**

**MOTION CARRIES.**  
**(WELLS – No, AMBROSE - Absent)**

*Recess called at 4:58 p.m.*  
*Meeting called back to Order at 5:12 p.m.*

## ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

### 7.2 RESPONSIBLE RETAIL STORES PROGRAM

**RECOMMENDATION:** That the City Council DIRECT the City manager to return to the City Council at an appropriate time with a detailed proposed program pertaining to responsible stores selling alcohol, modeled after our existing Crime Free programs.

### DISCUSSION

**Councilmember Kendrick** introduced the Item.

**Mayor Pro Tem McClellan** spoke in support and indicated that sting operations will continue.

**ITEM 7.2 (Continued)**

No further comments made.

**MOTION BY KENDRICK, SECOND BY BALES, to APPROVE Item 7.2**  
as recommended by Staff.

**MOTION CARRIES BY UNANIMOUS VOTE  
OF THOSE PRESENT. (AMBROSE – ABSENT)**

**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**

**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.**

**(NOTE: Item 11.1 was considered ahead of Item 7.2)**

**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:

**14.1 DESIGNATION OF FIRE HAZARD SEVERITY ZONES AND WILDLAND URBAN INTERFACE AREAS**

**City Clerk Hawley** recites the title of the ordinance:

An Ordinance of the City Council of the City of El Cajon Adding A New Chapter 15.86 to the El Cajon Municipal Code, Designating Very High Fire Hazard Severity Zones and Wildland Urban Interface Areas Within Its Jurisdictional Boundaries

**MOTION BY MCCLELLAN, SECOND BY BALES, to ADOPT Ordinance No. 5027.**

**MOTION CARRIES BY UNANIMOUS VOTE OF THOSE PRESENT. (AMBROSE – ABSENT)**

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