

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

December 8, 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, December 8, 2015, was called to order by Mayor/Chair Bill Wells at 2:00 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. (The Courts have concluded that sectarian prayer as part of City Council Meetings is not permitted under the Constitution).

POSTINGS: The City Clerk posted Orders of Adjournment of the November 10, 2015, meetings and the Agenda of the December 8, 2015, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

Mayor Wells delivered the State of the City Address.

*Recess called at 2:31 p.m.
Meeting reconvened at 3:00 p.m.*

PRESENTATIONS:

- **Oath of Office – Police Chief Jeff Davis**
- **SDG&E's Electric Vehicle Grid Integration program**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.17)

MOTION BY WELLS, SECOND BY McCLELLAN, to APPROVE Consent Items 1.1 to 1.17, pulling Item 1.6, as requested by Mayor Wells and Items 1.10, 1.12 and 1.13, as requested by members of the public.

MOTION CARRIED BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the November 10, 2015 Meetings 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 PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR SEWER SYSTEM INSPECTION, REPAIR AND REPLACEMENT PROGRAM, JOB NO. WW3304
(Report: Dennis Davies, Deputy Director of Public Works)**

Authorize the City Manager to negotiate a Professional Services Agreement (PSA) with Michael Baker International, Inc. for the completion of Sewer System Inspection, Repair and Replacement Program, Public Works Job Number WW3304.

1.5 FIFTH AMENDMENT TO HEARTLAND FIRE TRAINING AUTHORITY JOINT POWERS AGREEMENT (Report: Rick Sitta, Fire Chief)

Approve the Fifth Amendment to the Heartland Fire Training Facility Authority Joint Powers Agreement and authorizes the Mayor to execute the 5th Amendment substantially in the form as presented at this meeting.

1.6 PULLED FOR DISCUSSION

1.7 RESOLUTION: AWARD OF BID NO. 020-16, TRAFFIC SIGNAL SYSTEM UPGRADES 2016 (Report: Nahid Razi, Purchasing Agent)

Adopt RESOLUTION NO. 114-15 awarding the bid to the lowest responsive, responsible bidder, Siemens Industry, Inc., in the amount of \$55,737.50.

**1.8 RESOLUTION: AMENDMENT TO THE 2014 Five (5) YEAR REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP No. 14-09)
(Report: Morgan L. Foley, City Attorney)**

Adopt RESOLUTION NO. 115-15 repealing Resolution No. 109-15 and adopting an amendment to the 2015 Five (5) Year Regional Transportation Improvement Program (RTIP No. 14-09) with a corrected attachment.

CONSENT ITEMS: (Continued)

**1.9 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS FOR RENETTE PARK IMPROVEMENTS, PK3564, BID NO. 025-16
(Report: Dennis Davies, Deputy Director of Public Works)**

Adopt RESOLUTION NO. 116-15 to approve Plans and Specifications for Renette Park Improvements, PK3564/Bid No. 025-16, and RESOLUTION NO. 117-15 to direct a Notice Inviting Sealed Bids to be opened on January 21, 2016.

1.10 PULLED FOR DISCUSSION

1.11 AGREEMENT WITH CW DRIVER (RFP 014-16) FOR PRE-CONSTRUCTION PHASE SERVICES EC ANIMAL CARE FACILITY (ECACF) (Report: Dennis Davies, Deputy Director of Public Works)

Adopt RESOLUTION NO. 120-15 to Approve the selection of C.W. Driver as the construction consultant; and Authorize the City Manager and the City Clerk to execute a contract with C.W. Driver for pre-construction services for the EC Animal Care Facility with such changes as may be approved by the City Manager.

1.12 PULLED FOR DISCUSSION

1.13 PULLED FOR DISCUSSION

**1.14 AUTHORIZATION TO AMEND CONTRACT FOR PROFESSIONAL SERVICES FROM FIELD DATA SERVICES OF ARIZONA FOR CITY WIDE TRAFFIC COUNTS
(Report: Dennis Davies, Deputy Director of Public Works)**

Direct the City Manager to renew the multi-year contract for Field Data Services of Arizona and authorize the fourth and final amendment to the Professional Services Agreement. The current contract agreement will expire on January 2, 2016 and the extension will be for the time period from January 3, 2016 to January 2, 2017.

CONSENT ITEMS: (Continued)

1.15 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS FOR DOG PARK EXPANSION AND IMPROVEMENTS, PK3531, BID NO. 024-16 (Report: Majed Al-Ghafry, Assistant City Manager)

Adopt RESOLUTION NO. 122-15 to approve Plans and Specifications for the Dog Park Expansion and Improvements project, PK3531 / Bid Number 024-16, and RESOLUTION NO. 123-15 to direct a Notice Inviting Sealed Bids to be opened on January 14, 2016.

1.16 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND OTHER WRITTEN COMMUNICATION FROM THE CITY'S AUDITORS FOR THE FISCAL YEAR ENDED JUNE 30, 2015 (Report: Clay Schoen, Director of Finance)

Receive and accept the Comprehensive Annual Financial Report (CAFR) and other written communication from the independent accounting firm of Rogers, Anderson, Malody & Scott, LLP, for the fiscal year ended June 30, 2015.

1.17 FISCAL YEAR 2014/2015 EL CAJON HOUSING AUTHORITY ANNUAL REPORT (Report: Anthony Shute, Deputy Director, Community Development)

El Cajon Housing Authority review and accept the Annual Report of the El Cajon Housing Authority (Housing Authority), substantially in the form as presented, for Fiscal Year ending June 30, 2015.

CONSENT ITEMS:

ITEMS PULLED FOR DISCUSSION:

1.6 RESOLUTION: REJECTION OF BID NO. 035-15, EAST COUNTY PERFORMING ARTS CENTER (ECPAC) IMPROVEMENTS (Report: Nahid Razi, Purchasing Agent)

RECOMMENDATION: That the City Council adopt the next RESOLUTION in order to:

1. Reject all bids;
2. Authorize re-bidding the project with revised specifications; and Authorize the Assistant City Manager/Director of Public Works to approve the revised final plans and specifications prior to bidding.

DISCUSSION

Art Ballantyne noted the increasing dollar amount required to repair ECPAC. He stated that a requirement of the Rock Church to lease ECPAC was for the City to pay for the needed renovations, and requested a status update on the potential lease to the Rock Church.

Stephanie Harper requested an update on the reopening of ECPAC.

City Manager Williford explained that an authorization was approved months ago by the **City Council** to bid for the interior improvements of ECPAC, the bid is being rejected due to the fact that the bid came back a million dollars higher than anticipated. Regarding the Rock Church, there was a tentative agreement but through a mutual agreement, the Rock Church and the City agreed to hold off on further discussion until this bid process is completed.

MOTION BY McCLELLAN SECOND BY AMBROSE, to ADOPT RESOLUTION NO. 113-15 to REJECT all bids; Authorize re-bidding the project with revised specifications; and Authorize the Assistant City Manager/Director of Public Works to approve the revised final plans and specifications prior to bidding.

MOTION CARRIED BY UNANIMOUS VOTE.

CONSENT ITEMS: (Items Pulled for Discussion - Continued)

**1.10 RESOLUTIONS: APPROVAL OF PLANS AND SPECIFICATIONS FOR PEDESTRIAN CURB RAMPS AND TRAFFIC SAFETY CALMING DEVICES 2016, PW3491, BID NO. 022-16
(Report: Dennis Davies, Deputy Director of Public Works)**

RECOMMENDATION: That the City Council adopt the next RESOLUTIONS in order to:

- Approve plans and specifications, and direct a Notice Inviting Sealed Bids for the Pedestrian Curb Ramps and Traffic Safety Calming Devices 2016 project to be opened on January 13, 2016;
- Increase the appropriation in the Transportation CIP (550000) Pedestrian Curb Ramps and Traffic Safety Calming Devices 2016 (PW3491) project by \$39,000;
- Increase the appropriation in the funding source TransNet (503000) fund by \$39,000; and
- Authorize a transfer of \$39,000 from the 503000 fund to the 550000 fund.

DISCUSSION

Debbie Caudle expressed concern about the need to spend money on ramps and calming devices, and inquired on what type of 'calming devices' can be used to prevent further attacks on U.S. soil.

Assistant City Manager Al-Ghafry stated that the proposed calming devices project is in compliance with the Americans with Disabilities Act (ADA).

MOTION BY McCLELLAN SECOND BY BALES, to ADOPT RESOLUTION NO. 118-15 to Approve plans and specifications, and ADOPT RESOLUTION NO. 119-15 to direct a Notice Inviting Sealed Bids for the Pedestrian Curb Ramps and Traffic Safety Calming Devices 2016 project to be opened on January 13, 2016; Increase the appropriation in the Transportation CIP (550000) Pedestrian Curb Ramps and Traffic Safety Calming Devices 2016 (PW3491) project by \$39,000; Increase the appropriation in the funding source TransNet (503000) fund by \$39,000; and Authorize a transfer of \$39,000 from the 503000 fund to the 550000 fund.

MOTION CARRIED BY UNANIMOUS VOTE.

CONSENT ITEMS: (Items Pulled for Discussion - Continued)

**1.12 RESOLUTION: TRAFFIC CALMING REQUEST ON WESTWIND DRIVE
(Report: Dennis Davies, Deputy Director of Public Works)**

RECOMMENDATION: That the **City Council** adopt the next RESOLUTION in order to establish permanent all-way stop signs on Westwind Drive at the intersections of Cottonpatch Way and Falmouth Drive in order to enhance pedestrian and traffic safety and promote traffic flow.

DISCUSSION

Pat Holden spoke in support of the proposed all-way stop signs at Westwind Drive, and shared a picture with the **City Council** to show the dangerous conditions at the mentioned intersections.

MOTION BY McCLELLAN SECOND BY AMBROSE, to ADOPT RESOLUTION NO. 121-15 to establish permanent all-way stop signs on Westwind Drive at the intersections of Cottonpatch Way and Falmouth Drive in order to enhance pedestrian and traffic safety and promote traffic flow.

MOTION CARRIED BY UNANIMOUS VOTE.

**1.13 PURCHASE OF RADIO EQUIPMENT
(Report: Nahid Razi, Purchasing Agent)**

RECOMMENDATION: That the **City Council** authorize the Purchasing Agent, in accordance with Municipal Code 3.20.010.C.5, to execute a purchase agreement with Motorola Solutions, Inc., utilizing San Diego County RCS Contract No. 550743 for the purchase of 49 replacement radios in the amount of \$250,676.05.

DISCUSSION

Stephanie Harper expressed concern about the dollar amount being spent on radio replacements. She requested a report on the equipment being replaced, and how often it is actually used.

City Manager Williford stated this is part of a county-wide regional cooperative effort to have better communications with other agencies in case of an emergency.

CONSENT ITEMS: (Item 1.13 - Continued)

Police Chief Davis explained that this a part of a Federal Mandate and introduced **Communications Director, Wendy Sue** to provide more information. **Ms. Sue** stated that the current radio system is at its end of life and will not work with the new system, and added that a grant was received to purchase the new system.

In response to questions from **Councilmember Ambrose** and **Mayor Wells**, **Ms. Sue** added that the replacement radios are a Federal Mandate (P25) after the 2001 terrorist attacks, and these radios are able to communicate with other agencies in case of an emergency.

Councilmember Kendrick stressed the importance of first responders to be able to communicate during an emergency.

Chief Davis invited Stephanie Harper to visit the Communications Center at the Police Headquarters to have a better understanding of the purpose of the project.

MOTION BY WELLS SECOND BY AMBROSE, to AUTHORIZE the Purchasing Agent, in accordance with Municipal Code 3.20.010.C.5, to execute a purchase agreement with Motorola Solutions, Inc., utilizing San Diego County RCS Contract No. 550743 for the purchase of 49 replacement radios in the amount of \$250,676.05.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Sunshine Horton encouraged everyone to show respect for each other, and welcomed Chief Davis' wife as the 'first lady in law enforcement' in El Cajon.

Chris Leeper, Pastor of New Beginnings Church, shared a prayer with the audience.

Monica Zech, on behalf of the City of El Cajon employees, invited the public to participate in the Fourth Annual Book Drive, and indicated that collection boxes will be available in City Hall and donations will be accepted through December 11, 2015. Monica made an invitation to an El Niño Readiness Community Forum on December 9th, at the Public Safety Center, 100 Civic Center Way. More information can be found at Heartlandfire.org/el-nino/. Monica invited the community to enjoy the Fire Truck Toy Parade on December 12, 2015, starting at Fire Station 6, 100 E. Lexington Ave., El Cajon, at 11:00 a.m. Money and toy donations will be accepted for the Salvation Army Toy and Food Drive. She concluded by sharing that the Guide to Recreation - Winter 2016 edition is now available for the public to find activities in the City of El Cajon.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

***3.1 PROPERTY ASSESSED CLEAN ENERGY PROGRAM (PACE) (Report: Anthony Shute, Deputy Director, Community Development)**

RECOMMENDATION: That the City Council:

- Open the Public Hearing and receive testimony;
- Close the Public Hearing;
- Move to ADOPT the next RESOLUTIONS in order consenting to the inclusion of properties within the City's jurisdiction in Ygrene Works Program ("Ygrene"), the California Municipal Finance Authorities (CMFA), and the California Statewide Communities Development Authority (CSCDA) Open PACE Program to finance distributed generation renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure; and,
- Move to ADOPT the next RESOLUTIONS in order approving an amendment to Certain Joint Powers Agreements Related to each PACE Program.

PUBLIC HEARINGS: (Item 3.1 – Continued)

DISCUSSION

Deputy Director of Community Development, Anthony Shute gave a summary of the Item.

Councilmembers spoke in support of the proposed program.

Mayor Wells opened the public hearing.

Travis Cooper, California Municipal Finance Authority (CMFA) representative, made himself available to answer questions from the **City Council**.

Lafe Dutton turned in a speaker card but left the Chambers before the item was heard.

No further comments were offered.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to APPROVE Item 3.1 per Staff recommendation, ADOPTING the following Resolutions:

- **RESOLUTION NO. 124-15:** Consenting To Inclusion Of Properties Within The City's Jurisdiction In The California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy) To Finance Renewable Energy Improvements, Energy Efficiency And Water Conservation Improvements And Electric Vehicle Charging Infrastructure And Approving Associate Membership In The Joint Exercise Of Powers Authority Related Thereto;
- **RESOLUTION NO. 125-15:** Consenting To Inclusion Of Properties Within The City's Jurisdiction In The California Home Finance Authority, Program To Finance Renewable Energy Generation, Energy And Water Efficiency Improvements And Electric Vehicle Charging Infrastructure And Approving Associate Membership In The Joint Exercise Of Powers Authority Related Thereto;

PUBLIC HEARINGS: (Item 3.1 – Continued)

- **RESOLUTION NO. 126-15:** Consenting To The Inclusion Of Properties Within The Territory Of The City In The CMFA Pace Program; Authorizing The California Municipal Finance Authority To Accept Applications From Property Owners, Conduct Contractual Assessment Proceedings And Levy Contractual Assessments Within The Territory Of The City; And Authorizing Related Actions; and
- **RESOLUTION NO. 127-15:** Consenting To The Inclusion Of Properties Within The Territory Of The City In The CSCDA Open Pace Programs; Authorizing The California Statewide Communities Development Authority To Accept Applications From Property Owners, Conduct Contractual Assessment Proceedings And Levy Contractual Assessments Within The Territory Of The City; And Authorizing Related Actions.

MOTION CARRIED BY UNANIMOUS VOTE.

**3.2 VACATION OF SEWER EASEMENT AT GILLESPIE FIELD
(Report: Dennis Davies, Deputy Director of Public Works)**

(Continued from November 10, 2015)

RECOMMENDATION: That the City Council:

- Continue the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Adopt the next RESOLUTION in order to vacate the Sewer Easements at Gillespie Field contingent on receipt of a replacement easement from the County of San Diego.

DISCUSSION

Deputy Director of Public Works, Dennis Davies gave a summary of the Item.

Mayor Wells opened the public hearing.

No one came forward to speak.

PUBLIC HEARINGS: (Item 3.2 - Continued)

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT RESOLUTION NO. 128-15 to vacate the Sewer Easements at Gillespie Field contingent on receipt of a replacement easement from the County of San Diego.

MOTION CARRIED BY UNANIMOUS VOTE.

**3.3 SUBSTANDARD ABATEMENT AT 2356 NIELSEN STREET
(Report: Dan Pavao, Building Official/Fire Marshal)**

RECOMMENDATION: That the City Council:

- Open the public hearing and receive testimony;
- Close the public hearing;
- Establish a date to begin accrual of civil penalties. Staff recommends January 18, 2016, if compliance is not reached by that date;
- Direct staff to file a Notice of Restriction against the property; and
- Direct staff to track the process of rehabilitation and bring this case back for final resolution once compliance is reached.

DISCUSSION

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

Assistant City Manager Al-Ghafry suggested than an additional 30 days would be granted to complete the clean-up process as long as progress is being made.

Mayor Wells opened the public hearing.

John Fee, resident of 2356 Nielsen Street, has been working on cleaning up the property. He spoke about the good intentions of Mrs. Brush to take care of the rabbits and agreed with the decision made by the City to clean up the property. He stated they will comply with the clean-up process.

PUBLIC HEARINGS: (Item 3.3 - Continued)

Mayor Pro Tem McClellan recommended Mr. Fee contact the El Cajon Transitional Living Center (ECTLC) to request assistance in cleaning up.

Councilmember Ambrose reminded the speaker that the property is in a single-family zone and they should be considerate with the neighbors who had to put up with the unpleasant smell of the overpopulation of rabbits.

Honor Brush accepted responsibility for the situation and is ready to comply with the City's recommendations. She accepted the two (2) month time frame to complete the clean-up process.

No further comments were offered.

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

MOTION CARRIED BY UNANIMOUS VOTE.

Councilmember Kendrick stated he was comfortable accepting the time frame offered since the property owner is willing to cooperate in accepting the staff recommendations.

City Manager Williford indicated Staff will bring this Item back to **City Council** only if it's not satisfactorily resolved within 60 days.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to APPROVE Item 3.3 per City Manager's recommendation, establishing February 18, 2016 as the date to begin accrual of civil penalties, if compliance is not reached by that date.

MOTION CARRIED BY UNANIMOUS VOTE.

4. ADMINISTRATIVE REPORTS:

4.1 TERM EXPIRATIONS ON CITY COMMISSIONS - SCHEDULE FOR APPLICATIONS AND INTERVIEWS (Report: Belinda Hawley, City Clerk)

RECOMMENDATION: That the **City Council** establish a schedule for applications and interviews of candidates to serve on City Commissions/Committees, or reappoint, if appropriate.

Application Period: December 9, 2015 – January 14, 2016 at 5:30 p.m.

Interview and Appoint Applicants: January 26, 2016 at 7:00 p.m.

DISCUSSION

Mayor Pro Tem inquired about re-appointing a Planning Commissioners who only served part of the term rather than opening the position to a new person.

City Attorney Foley clarified the item on the current agenda is to open up the application period and not to appoint or reappoint someone to the commission. He also added that the Maddy Act must be followed to give the public the opportunity to apply for the positions before the Council makes an appointment.

MOTION BY AMBROSE, SECOND BY BALES, to ESTABLISH the schedule for applications and interviews of candidates to serve on City Commissions/Committees, per Staff recommendation.

MOTION CARRIED BY UNANIMOUS VOTE.

4.2 SELECTION OF MAYOR PRO TEM (Report: Belinda Hawley, City Clerk)

RECOMMENDATION: That the **City Council** selects a Mayor Pro Tem according to the El Cajon Municipal Code.

DISCUSSION

City Clerk Hawley presented the Item to the **City Council**.

No one came forward to speak.

Mayor Wells thanked **Councilmember McClellan** for serving as Mayor Pro Tem during the 2015 calendar year, and recommended **Councilmember Ambrose** to be selected as Mayor Pro Tem for the 2016 calendar year.

ADMINISTRATIVE REPORTS: (Item 4.2 – Continued)

MOTION BY WELLS, SECOND BY KENDRICK, to APPOINT COUNCILMEMBER AMBROSE as Mayor Pro Tem.

MOTION CARRIES BY UNANIMOUS VOTE.

**4.3 TRAFFIC CONCERNS ON ANZA STREET
(Report: Dennis Davies, Deputy Director of Public Works)**

RECOMMENDATION: That the **City Council** review the report relating to information requested by the Council at the September 13, 2015, meeting for traffic concerns in the vicinity of Anza Elementary School. This item is presented for information at this time, although the Council may wish to consider action on the recommendations presented herein.

DISCUSSION

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

No one came forward to speak.

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

- Written notifications sent to the parents about changes regarding pick up/drop of the children;
- Possible reconfiguration of the parking and driveway at the school as a long-term solution;
- The active participation of the Principal and staff at Anza School to control traffic issues.

Recommendations from **Assistant City Manager Al-Ghafry** for a short-term solution included: 1) To prohibit the southbound left-turn movement into both school driveways by installing traffic barriers with 'no-left' signs. 2) All school traffic would be re-routed, and would have to enter the southerly main driveway from Chase Avenue. Anza Street and Chase Avenue would be able to accommodate traffic entering the school site during the peak afternoon dismissal time. 3) A striped right-turn lane could also be installed on Anza Street to route school traffic directly into the school driveway, which would allow northbound through traffic to safely pass on the left.

ADMINISTRATIVE REPORTS: (Item 4.2 – Continued)

MOTION BY AMBROSE, SECOND BY McCLELLAN, to APPROVE the short-term solution recommended by Staff.

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

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

REPORT AS STATED.

7.2 PROPOSED AMENDMENT TO MUNICIPAL CODE REGARDING RESIDENTIAL BEEKEEPING

RECOMMENDATION: That the City Council direct staff to investigate and recommend options for an Amendment to the Municipal Code regarding residential beekeeping.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Item 7.2 – Continued)

DISCUSSION

Councilmember Kendrick gave information on the Item.

Mark Kukucher, President of the Beekeeping Society of San Diego, made himself available to Staff for information and education regarding beekeeping.

Councilmember Bales shared her experience in learning about bees.

Councilmember Ambrose expressed concern about the density of the bee population and recommended that Staff keep this in mind when investigating the possibility of amending the Municipal Code to include residential beekeeping.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to DIRECT staff to investigate and recommend options for an Amendment to the Municipal Code regarding residential beekeeping.

MOTION CARRIED BY UNANIMOUS VOTE.

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.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

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 she attended the State of the City Address, and also mentioned the Warrior Foundation Freedom Station and encouraged citizens to donate time or funds to the group.

11. JOINT COUNCILMEMBER REPORTS: None

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING - None

14. ORDINANCES: SECOND READING AND ADOPTION

14.1 AMENDMENT TO CITY'S STORM WATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE

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

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

An Ordinance Repealing Chapter 16.60 Of Title 16 Of The El Cajon Municipal Code And Adding A New Chapter 16.60 To Title 16 Of The El Cajon Municipal Code Regarding The City Of El Cajon Standard Urban Storm Water Mitigation Plan

MOTION BY AMBROSE, SECOND BY KENDRICK, to ADOPT Ordinance No. 5034.

MOTION CARRIED BY UNANIMOUS VOTE.

ORDINANCES: SECOND READING AND ADOPTION (Continued)

14.2 ZONE RECLASSIFICATION NO. 2314

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

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

An Ordinance Rezoning Twenty-Five Properties To Be Consistent With General Plan Land Use Designations As Part Of The Implementation Of The 2013 Housing Element Including Rezoning The Properties Located At 110, 124, And 136 North Third Street And A Vacant Property On The Southwest Corner Of Melody Lane And North Third Street From The RS-9 Zone To The RS-6 Zone (General Plan Designation: Low Density Residential); Rezoning Property At 303 Hart Drive From RS-9 To PRD-Low-Medium Zone (General Plan Designation: Low Medium Density Residential); Rezoning Properties At 330, 336, And 364 Wisconsin Avenue, 377 Chambers, 728 Ballantyne Street, 805 And 1123 North Mollison, 1160, 1178 And 1174 North Mollison Avenue, 920 And 924 South Magnolia Avenue, 395 North First Street, And 1419 Broadway From Various Zones To The RM-2200 Zone; Rezoning The Properties At 824, 840, 850 Ballantyne Street, And A Vacant Property On The West Side Of Ballantyne Street And Assigned APN 483-222-63 From The RS-6 Zone To The RM-2500 Zone (General Plan Designation: Low Medium Density Residential); And Rezoning Vacant Properties Located West Of 166 South Lincoln Avenue At The Southeast Intersection Of Two Unnamed Alleys South Of East Main Street, North Of East Lexington Avenue, East Of Taft Avenue, And West Of South Lincoln Avenue And Assigned APNS: 488-233-27 And 488-233-54 From P To RM-1450 (General Plan Designation: High Density Residential)

MOTION BY McCLELLAN, SECOND BY BALES, to ADOPT Ordinance No. 5035.

MOTION CARRIED BY UNANIMOUS VOTE.

Adjournment: Mayor Wells adjourned the Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 8th day of December 2015, at 4:56 p.m. to Tuesday, December 8, 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

December 8, 2015

An Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency of the City of El Cajon, California, held Tuesday, December 8, 2015, 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 2:00 p.m., Tuesday December 8, 2015, by order of the City Council and Redevelopment Agency.

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 and MOMENT OF SILENCE.

(The Courts have concluded that sectarian prayer as part of City Council meetings is not permitted under the Constitution)

AGENDA CHANGES: None

PUBLIC COMMENT:

George Ibarra, President of the East County Coalition, spoke about the damaged endured by residents at the Courtyard Villas at 1050 E. Lexington Avenue, when rain ruined their personal belongings when the roof was removed during renovations. In addition to the rain damage, the residents have to endure harassment by the management group, and are exposed to health issues from the mold problem in the building. **Mr. Ibarra**, representing a group of residents present at the meeting, requested the **City Council** ensure habitable and safe living conditions for the citizens of El Cajon.

Discussion ensued between **Councilmembers** and **Mr. Ibarra** regarding the affected tenants, pre-existing conditions in the building, including mold, and the possibility of an action suit against the property owner.

Nancy Moreno resident at 1050 E. Lexington, spoke about the negligence of the owners of the property.

Councilmember Bales expressed concern about the people living at the mentioned property with dangerous mold conditions.

Reverend Shane Harris, President of the National Action Network – San Diego Chapter, spoke about the civil side of the issues at 1050 E. Lexington Ave. apartments.

Discussion between **Councilmembers** and **Mr. Harris** regarding:

- Obtaining a list of the apartment buildings that the group claims to be in distress;
- The request for an Ordinance that would protect tenants from unfair living conditions;
- The process to follow to move forward with the requests being presented.

City Manager Williford expressed his sympathy towards the affected families by this situation, and stated the City has always dealt with apartment units and hotels that have been problematic in the past. He clarified the apartment representatives did pull permits for a re-roof after complaints of leaks were received. When the rain interrupted the work-flow, the City directed the apartment owner to place the affected tenants into hotels and the work of repairing the roof continued. The City will continue to inspect the matters that can be dealt with by the City. He referred the group to the Center for Social Advocacy to deal with harassment, or any other civil issues. He invited a representative for the 1050 E. Lexington apartments to meet with him to review the problem.

PUBLIC COMMENT: (Continued)

Mayor Wells offered to meet with Mr. Ibarra and Mr. Harris to further discuss the issue and the possible solutions after the council meeting.

PUBLIC HEARINGS:

100 CORNERSTONE PLACE - CONDITIONAL USE PERMIT NO. 2227 (Report: Anthony Shute, Deputy Director, Community Development)

RECOMMENDATION: That the City Council:

- Open the public hearing and receive testimony;
- Close the public hearing;
- Move to ADOPT the next RESOLUTION in order ADOPTING the California Environmental Quality Act Class 32 Categorical Exemption; and
- Move to ADOPT the next RESOLUTION in order APPROVING Conditional Use Permit No. 2227.

DISCUSSION

Deputy Director of Community Development, Anthony Shute provided a summary of the Item.

Mayor Pro Tem McClellan expressed his concern about the lack of sufficient parking for the apartment complex. He also would like to see a condominium unit rather than an apartment building.

Deputy Director Shute explained that between the assigned parking spots and the available on-street parking, there is sufficient parking available.

In an answer to **Mayor Wells'** question, **Deputy Director Shute** stated that the City has an obligation to make housing available to all income levels, not only for people who can buy a home, but also for those who can only rent.

City Manager Williford clarified that the majority of the housing projects that have come before the **City Council** have been units for sale. He also added that the City does not have the ability to outlaw rental housing, but staff has only recommended high quality apartment units for the approval of the **City Council**.

City Attorney Foley reinforced that the City, under State law, cannot refuse new apartment units being built, if properly zoned.

PUBLIC HEARINGS: (Item 100 – Continued)

To answer a question from **Mayor Pro Tem McClellan** regarding how many more low income housing projects would be approved in El Cajon, **City Manager Williford** replied that the last project approved was four years ago, and he does not foresee another similar project coming into El Cajon in the near future.

Mayor Pro Tem McClellan suggested using the monies allocated for low housing income projects to buy one of the few apartment buildings that are in need of repairs. **City Manager Williford** explained that the idea has been contemplated but the market pricing for those old apartments is out of the price range for the City.

In closing, **City Manager Williford** stated he fully supports the proposed project because it is a high quality project that will benefit the downtown businesses, and he clarified that the City would get the property tax benefit from the project.

Mayor Wells opened the Public Hearing.

No one came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY WELLS, SECOND BY KENDRICK, to RE-OPEN the Public Hearing.

MOTION CARRIED BY UNANIMOUS VOTE.

Meea Kang, President of DOMUS Development, spoke in support of the opportunity to build the project.

Councilmembers spoke in support of the project and the benefits it will bring to the downtown area.

Lisa Hancock inquired about the 'automatic preference' for Veterans' to occupy the new housing project.

City Manager Williford invited **Mea Kang** to return to the podium to respond to Ms. Hancock's question.

Ms. Kang clarified that a preference can be set because the Federal Government allows it since the project is privately financed.

PUBLIC HEARINGS: (Item 100 – Continued)

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

MOTION CARRIED BY UNANIMOUS VOTE.

Discussion continued amongst the **Councilmembers** regarding:

- Opportunity for changing downtown El Cajon;
- The changing housing market;
- The opportunity for quality housing, and the possibility of future investors.

MOTION BY AMBROSE, SECOND BY BALES, to ADOPT RESOLUTION NO. 129-15 ADOPTING the California Environmental Quality Act Class 32 Categorical Exemption.

MOTION CARRIED BY UNANIMOUS VOTE.

MOTION BY AMBROSE, SECOND BY BALES, to ADOPT RESOLUTION NO. 130-15 APPROVING Conditional Use Permit No. 2227.

MOTION CARRIED BY UNANIMOUS VOTE.

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PUBLIC HEARINGS: (Continued)

**101 REALLOCATE LOW- AND MODERATE- INCOME HOUSING ASSET FUNDS (LMIHAF) AND 2005 LMIHF BONDS (2005 BONDS) TO PROVIDE FINANCING TO SOUTH SUNSHINE ASSOCIATES L.P. FOR PROJECT DEVELOPMENT OF CORNERSTONE PLACE AT 230 S. SUNSHINE AVENUE, EL CAJON, CA
(Report: Majed Al-Ghafry, Assistant City Manager)**

RECOMMENDATION: That the Housing Authority Board

- Open the public hearing and accept public testimony;
- Close the public hearing; and
- Acting as the El Cajon Housing Authority Board of Commissioners adopt the next RESOLUTION, in order to:
 - Reallocate \$1.3 million in LMIHAF reserve funds and 2005 Bonds funds appropriated in the LMIHAF Fund in Fiscal Year 2015-16 Adopted Budget from land acquisition costs to a project development loan to South Sunshine Associates L.P. (“Developer”);
 - Authorize the Executive Director or designee to prepare, execute, and issue an El Cajon Housing Authority (the “Housing Authority”) Loan Commitment Letter (the “Commitment Letter”) in the amount of \$1.3 million between the Housing Authority and the Developer, substantially in the form as presented at this meeting; and
 - Authorize the Executive Director or designee to execute a Deed of Trust, Promissory Note, Loan Agreement, Regulatory Agreement, and an Owner Participation Agreement (the “Loan Documents”), including any supplemental documents or amendments with the Developer at a later date, consistent with terms and conditions as set forth in this report, subject to any other Housing Authority requirements.

DISCUSSION

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

Mayor Wells opened the Public Hearing.

No one came forward to speak.

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

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 101 - Continued)

MOTION BY KENDRICK, SECOND BY AMBROSE, to Acting as the El Cajon Housing Authority Board of Commissioners adopt RESOLUTION NO. ECHA-20 to: Reallocate \$1.3 million in LMIHAF reserve funds and 2005 Bonds funds appropriated in the LMIHAF Fund in Fiscal Year 2015-16 Adopted Budget from land acquisition costs to a project development loan to South Sunshine Associates L.P. (“Developer”); Authorize the Executive Director or designee to prepare, execute, and issue an El Cajon Housing Authority (the “Housing Authority”) Loan Commitment Letter (the “Commitment Letter”) in the amount of \$1.3 million between the Housing Authority and the Developer, substantially in the form as presented at this meeting; and Authorize the Executive Director or designee to execute a Deed of Trust, Promissory Note, Loan Agreement, Regulatory Agreement, and an Owner Participation Agreement (the “Loan Documents”), including any supplemental documents or amendments with the Developer at a later date, consistent with terms and conditions as set forth in this report, subject to any other Housing Authority requirements.

MOTION CARRIES BY UNANIMOUS VOTE.

CLOSED SESSIONS:

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

102.1 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

CLOSED SESSIONS: (Continued)

102.2 CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Pursuant to Section 54956.8 of the Government Code:

<u>Property</u>	<u>Negotiating Parties</u>	<u>Agency Negotiators</u>
Portion of APN 487-274-07-00 283 square feet of a public right-of-way at 390 Front Street	American Ice, Inc. Hani Toma	City Manager Assistant City Manager City Attorney

Under negotiation: For the Agency/Council to provide instructions to its negotiators regarding the price and terms for the potential sale of property owned by the City.

MOTION BY AMBROSE, SECOND BY McCLELLAN, to ADJOURN to Closed Session at 8:26 p.m.

MOTION CARRIED BY UNANIMOUS VOTE.

103. RECONVENE TO OPEN SESSION AT 8:34 P.M.

City Attorney Foley reported the following actions:

102.1 Direction was given to the City Attorney.

102.2 City Council unanimously approved the sale of 283 square feet at 390 Front Street - APN 487-274-07-00 for \$3,500.00 and authorize the City Manager to execute the sale to Mr. Hani Toma.

ADJOURNMENT: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 8th day of December 2015, at 8:35 p.m. to Tuesday, January 12, 2016, at 3:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary