

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

January 12, 2016

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, January 12, 2016, was called to order by Mayor/Chair Bill Wells at 3:02 p.m., in the Council Chambers, 200 Civic Center Way, El Cajon, California.

ROLL CALL

Council/Agencymembers present:	Bales, Kendrick and McClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Ambrose
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 December 8, 2015, meetings and the Agenda of the January 12, 2016, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- **Traffic/Pedestrian Safety Grants**
- **Padre Dam Municipal Water District – East County Regional Advanced Water Purification Project Update**

CITY MANAGER COMMUNICATION:

City Manager Williford introduced **Assistant City Manager Al-Ghafry** to speak about the importance of Storm Water Control, and **Fire Chief Sitta** to share information regarding the weather phenomenon El Niño.

Assistant City Manager Al-Ghafry complimented the City's staff for responding efficiently during emergency situations.

Fire Chief Rick Sitta shared a video presentation to prepare for the impending rains due to El Niño.

AGENDA CHANGES:

City Manager Williford requested Item 13.1 be added to the Consent Agenda to approve a Declaration of Emergency for Storm Damage.

MOTION BY WELLS, SECOND BY KENDRICK, to ADD Item 1.13 to Consent Agenda.

MOTION CARRIED BY UNANIMOUS VOTE.

CONSENT ITEMS: (1.1 – 1.13)

MOTION BY AMBROSE, SECOND BY McCLELLAN, to APPROVE Consent Items 1.1 to 1.13, pulling Item 1.7, as requested by the McCLELLAN.

MOTION CARRIED BY UNANIMOUS VOTE.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the December 8, 2015 Meetings of the El Cajon City Council/Housing Authority/Successor Agency to the El Cajon Redevelopment Agency.

CONSENT ITEMS: (Continued)

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 FOR FLETCHER PARKWAY SEWER, WW3429, BID NO. 026-16 (Report: Dennis Davies, Deputy Director of Public Works)

Adopt RESOLUTION NO. 001-16 to approve plans and specifications for Fletcher Parkway Sewer, WW3429/Bid No. 026-16, and RESOLUTION NO. 002-16 to direct a Notice Inviting Sealed Bids to be opened on February 10, 2016.

1.5 RETIREMENT/RELINQUISHMENT OF PD SERVICE DOG 'RICO' (Report: Jeff Davis, Chief of Police)

Transfer sole ownership of El Cajon Police Service Dog "Rico" to Officer Thomas Winslow, his experienced handler.

1.6 PURCHASE OF TRACTORS (Report: Nahid Razi, Purchasing Agent)

Authorize the Purchasing Agent, in accordance with Municipal Code 3.20.010(C)(5), to execute a purchase agreement with Kubota Tractor Corporation for the purchase of two (2) replacement tractors in the amount of \$35,566.30.

1.7 PULLED FOR DISCUSSION

CONSENT ITEMS: (Continued)

**1.8 ACCEPTANCE OF TRAFFIC SIGNAL HEAD UPGRADES CITYWIDE,
PW 3514, BID NO. 031-15
(Report: Dennis Davies, 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 REQUEST FOR TIME EXTENSION OF TENTATIVE SUBDIVISION MAP
(TSM) 639, 488 GRAVES AVE., ENG. JOB NO. 3107
(Report: Dennis Davies, Deputy Director of Public Works)**

Grant a one-year time extension for TSM 639 and set the new expiration date to be November 14, 2016, in accordance with Municipal Code Section 16.12.110.

**1.10 FY 2015 STATE HOMELAND SECURITY GRANT FUNDING
(Report: Rick Sitta, Fire Chief and Jeff Davis, Police Chief)**

- Authorize the City Manager or designee to accept the FY 2015 State Homeland Security Grant funds in the amount of \$79,418 and to execute any grant documents and agreements necessary for the receipt and use of these funds; and
- Appropriate the State Homeland Security Grant Program funds in the amount of \$79,418.

**1.11 SUBDIVISION AGREEMENT AND FINAL MAP FOR TENTATIVE
SUBDIVISION MAP (TSM) 643, 301 WEST RENETTE AVENUE,
ENGINEERING JOB NO. 3152
(Report: Dennis Davies, Deputy Director of Public Works)**

Approve the Subdivision Agreement and Final Map for Tentative Subdivision Map (TSM) 643 at 301 West Renette Avenue.

CONSENT ITEMS: (Continued)

**1.12 RESOLUTION: TENTATIVE AGREEMENT WITH THE EL CAJON POLICE OFFICERS' ASSOCIATION (ECPOA) For 2015 - 2019 MEMORANDUM OF UNDERSTANDING (MOU)
(Report: Jim Lynch, Director of Human Resources)**

Approve the Tentative Agreement reached with the El Cajon Police Officers' Association (ECPOA) and authorize the City Manager to execute the final Memorandum of Understanding (MOU), and adopt RESOLUTION NO. 003-16.

**1.13 DECLARATION OF EMERGENCY FOR STORM DAMAGE
(Report: Majed Al-Ghafry, Assistant City Manager)**

- Adopt RESOLUTION NO. 004-16 to make a Declaration of Emergency, and determine that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property per Public Contract Code 22050;
- Authorize the City Manager to enter into any emergency contract(s) to repair storm drain facilities per El Cajon Municipal Code section 2.04.145, and waive the bidding requirement in accordance with El Cajon Municipal Code Section 3.20.010 © (6);
- Appropriate Wastewater Funds from the enterprise fund balance in the amount of \$150,000; and
- Establish a project budget of \$150,000 to make emergency repairs.

ITEM PULLED FOR DISCUSSION:

**1.7 ACCEPTANCE OF STREET RESURFACING PAVEMENT PRESERVATION 2015, PW 3513, BID NO. 009-16
(Report: Dennis Davies, Deputy Director of Public Works)**

RECOMMENDATION: That the City Council:

- Accept the project for Street Resurfacing Pavement Preservation 2015;
- Authorize the City Clerk to record a Notice of Completion; and
- Release the bonds in accordance with the contract terms.

ITEM PULLED FOR DISCUSSION: (Item 1.7 – Continued)

DISCUSSION

After clarification from **Assistant City Manager Al-Ghafry** of the work performed, **Councilmember McClellan** complimented the work by the Public Works Department in regards to the Street Resurfacing Project.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ACCEPT the project for Street Resurfacing Pavement Preservation 2015; Authorize the City Clerk to record a Notice of Completion; and Release the bonds in accordance with the contract terms.

MOTION CARRIES BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Steve Goble spoke about the media incorrectly reporting crime as happening in El Cajon when in fact it might be East County, near El Cajon but not within the City limits. He has been reaching out to the media to correct the situation, and improve the image of the City.

Councilmembers and City Manager Williford shared a story about a crime being committed near Alpine, but reported as happening 'near El Cajon'. A letter has been sent to the Union Tribune urging them to confirm where the story they are reporting on is actually happening.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS: None

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 - No Report

6.3 COUNCIL ASSIGNMENTS

RECOMMENDATION: That the **City Council:** consider and approve council assignments to the various boards and commissions giving El Cajon input on matters important to this region as follows:

Mayor Bill Wells: 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.

Mayor Pro Tem 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.

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

Councilmember Gary Kendrick: Heartland Communications JPA; Heartland Fire Training JPA.

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

MOTION BY McCLELLAN, SECOND BY BALES, to APPROVE the Council Assignments as recommended.

MOTION CARRIES BY UNANIMOUS VOTE.

ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS: (Continued)

6.4 CITY OF EL CAJON APPOINTMENT TO MISSION TRAILS REGIONAL PARK CITIZEN ADVISORY COMMITTEE

RECOMMENDATION: That the City Council accept the City's recommended appointment to the Mission Trails Regional Park Citizen Advisory Committee.

MOTION BY McCLELLAN, SECOND BY AMBROSE, to RE-APPOINT Richard Gadler to the Mission Trails Regional Park Citizen Advisory Committee.

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.

8.

MAYOR PRO TEM 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.

ACTIVITIES REPORTS OF COUNCILMEMBERS: (Continued)

9.

COUNCILMEMBER 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

In addition to the submitted report, **Councilmember Bales** stated she met with the Newcomers Collaborative Group, held a meeting with City Manager Williford, and added the January 12, 2016 Council meetings. She also mentioned how many people have approached her, confused about the boundaries and limits of the City.

11. JOINT COUNCILMEMBER REPORTS: None

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING - None

14. ORDINANCES: SECOND READING AND ADOPTION - None

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 12th day of January 2016, at 4:06 p.m. to Tuesday, January 12, 2016, 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

January 12, 2016

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, January 12, 2016, was called to order by Mayor/Chair Bill Wells at 7:02 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 3:02 p.m., Tuesday January 12, 2016, by order of the City Council and Redevelopment Agency.

ROLL CALL

Council/Agencymembers present:	Bales, Kendrick andMcClellan
Council/Agencymembers absent:	None
Mayor Pro Tem/Vice Chair present:	Ambrose
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: None

PUBLIC HEARINGS:

100 EL CAJON MERCEDES-BENZ - ZONE RECLASSIFICATION NO. 2312 AND SPECIFIC PLAN NO. 528 (Report: Anthony Shute, Deputy Director of 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 APPROVING the proposed CEQA Exemption;
- Move to INTRODUCE the next ORDINANCE in order APPROVING the proposed Zone Reclassification; and
- Move to ADOPT the next RESOLUTION in order APPROVING the proposed Specific Plan.

DISCUSSION

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

Mayor Wells opened the Public Hearing.

Dr. C. Mollie Bigger, spoke against the proposed project. In addition, she mentioned the notification for the Planning Commission meeting was not mailed with sufficient time since the holidays interfered, and that the notice lacked important information, such as the names of the streets. She would like to see the notice published in a newspaper with more circulation.

Kelly Deeg, resident of 520 El Monte Road, spoke against the proposed project due to the traffic issues the business will bring, and the brightness of the sign that will impact the residential neighborhood.

Valerie Romero, Representing the Mercedes-Benz of El Cajon, spoke in support of the project and thanked the City for the cooperation and help with the project

Jim Higgins, resident of 628 N. Pierce, opposes the project due to the big rig trucks that drop vehicles at the dealership, which make an unsafe area for the families in the neighborhood.

PUBLIC HEARINGS: (Item 100 – Continued)

No further comments were offered.

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

MOTION CARRIED BY UNANIMOUS VOTE.

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

- Date when notice was mailed to residents;
- Oversight of Staff in regards to the missing names on the notice;
- Size and brightness of the sign for the dealership;
- Transport trucks (entering/leaving the dealership);
- Prohibiting drive tests on Pierce Street;
- The size and layout of the dealership allowing for transport trucks to load/unload inside the property and not in the public right of way.

City Manager Williford recommends the public hearing be reopened to allow further comments from the public.

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

MOTION CARRIED BY UNANIMOUS VOTE.

Dr. C. Mollie Bigger, returned to the podium and pointed out that information on the report stated the notice would be mailed on December 17, rather than the 23rd when it was actually mailed. She questioned why the map on the report showed it with the name of the streets and the one mailed out did not. Dr. Bigger also expressed concern about the traffic issues in the neighborhood.

Gary Whitfield from Whitfield Associates, Architect for the project stated the site was designed to accommodate the trucks entering/exiting and dropping off inside the dealership.

Valerie Romero stated that the project is being built to allow delivery trucks to unload inside the property, and added that they understand the concerns of the neighbors and that they will be respectful of the neighborhood.

Councilmember McClellan stated it is not possible to control all the delivery trucks and drivers.

PUBLIC HEARINGS: (Item 100 – Continued)

Valerie Romero ensured that staff will be available to address any concerns from the neighborhood if problems arise.

Jim Higgins returned to the podium to suggest that the delivery trucks park on the median on Marshall Avenue to unload as an option if they cannot deliver inside the dealership.

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

MOTION CARRIED BY UNANIMOUS VOTE.

Deputy Director of Community Development, Anthony Shute clarified that test drives are to be conducted on commercial streets and freeways, and added that the current Mercedes-Benz dealership is adjacent to a residential area with no complaints from the neighborhood.

City Attorney Foley stated the East County Gazette was awarded the bid for publication rights and they must be used for any publications related to City business.

Mayor Pro Tem Ambrose made the comment that the previous business occupying the site for the new project was a manufacturing plant, and in his opinion, a commercial business is a better option for the adjacent residential zone.

Councilmember Kendrick stated his concerns about delivery trucks and the sign for the business were resolved, and is positive the new dealership is a good business to have in El Cajon.

Mayor Wells spoke in support of dealership, but agreed with the concerns that noticing for the project should have been handled in a better matter.

MOTION BY McCLELLAN, SECOND BY BALES, to ADOPT RESOLUTION NO. 005-16 APPROVING the proposed CEQA Exemption.

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 100 – Continued)

MOTION BY McCLELLAN, SECOND BY BALES, to INTRODUCE the ORDINANCE APPROVING the proposed Zone Reclassification; and ADOPT RESOLUTION NO. 006-16 APPROVING the proposed Specific Plan.

MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Wells requests the City Clerk to recite the title.

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

An Ordinance Approving Zone Reclassification No. 2312 for the Rezoning of Property Located at the Southwest Corner of North Marshall Avenue and Wagner Drive From M (Manufacturing) To C-M (Heavy Commercial/Light Industrial) Zone; Apn: 482-190-51-00; General Plan Designation: Light Industrial (Li).

101 PROPOSED AMENDMENTS TO TITLES 9 AND 17 ADDRESSING MARIJUANA (CANNABIS) DISPENSARIES, CULTIVATION, MANUFACTURING, STORAGE, AND DELIVERY (Report: Anthony Shute, Deputy Director of Community Development)

RECOMMENDATION: That the City Council:

- Open the Public Hearing and receive testimony;
- Close the Public Hearing; and
- Move to INTRODUCE the next ORDINANCES in order APPROVING the proposed Municipal Code Amendments.

DISCUSSION

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

Mayor Wells opened the Public Hearing.

Santos Muñoz, El Cajon Transitional Living Center (ECTLC) expressed concern about the outcome of the decision made to bring legal marijuana dispensaries to the City.

PUBLIC HEARINGS: (Item 101 – Continued)

Deputy Director of Community Development, Anthony Shute, clarified that the proposed amendment is to prohibit the sales of illegal substances.

Anthony Nelson, from ECTLC, spoke against permitting the sales of drugs in El Cajon and said he understood the proposed amendment is to prohibit such activity.

Michael Petschlag, from ECTLC, shared his history with drug abuse, and supports the prohibition of cannabis dispensaries in the City.

Dana Stevens, representing C.A.S.A., spoke in support of the prohibition, and stated that no medical institutions endorse the use of marijuana for health purposes.

Dr. Gary Woods thanked the speakers for sharing their stories, and read from numerous publications which show that anxiety and other neurotic issues become worst by the use of cannabis.

No further comments were offered.

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

MOTION CARRIED BY UNANIMOUS VOTE.

Councilmembers spoke in support of proposed amendments.

MOTION BY KENDRICK, SECOND BY McCLELLAN, to INTRODUCE the ORDINANCES APPROVING the proposed Municipal Code Amendments.

MOTION CARRIES BY UNANIMOUS VOTE.

Councilmembers discussed with Staff the penalties for code enforcement issues, including a suggestion to increase fines to \$1,000.00 per day.

City Attorney Foley stated that the City is prosecuting property owners and business owners who have had infractions against the municipal code.

City Manager Williford stated an item will be placed in a future agenda to propose fines allowed by law against stores involved in the illegal drug sales.

PUBLIC HEARINGS: (Item 101 – Continued)

Mayor Wells requests the City Clerk to recite the title.

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

An Ordinance of the City Council of the City of El Cajon Adding New Chapter 9.47 to Title 9 of the El Cajon Municipal Code Regulating Mobile Dispensaries of Medical Marijuana.

An Ordinance of the City Council of the City Of El Cajon Amending Title 17 of the El Cajon Municipal Code to Specifically Prohibit Marijuana (Cannabis) Dispensaries, Marijuana Cultivation, Manufacture of Marijuana Products, Marijuana Storage, And Transportation of Marijuana

ADJOURNMENT: Mayor Wells adjourned the Adjourned Regular Joint Meeting of the City Council/Housing Authority/Successor Agency to the Redevelopment Agency held this 12th day of January 2016, at 8:12 p.m. to Tuesday, January 26, 2016, at 3:00 p.m.

BELINDA A. HAWLEY, CMC
City Clerk/Secretary