

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



MINUTES

CITY OF EL CAJON EL CAJON, CALIFORNIA

March 8, 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, March 8, 2016, 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, 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 February 23, 2016, meetings and the Agenda of the March 8, 2016, meetings in accordance with State Law and Council/Authority/Successor Agency to the Redevelopment Agency Policy.

PRESENTATIONS:

- **RECOGNITION: Toyota of El Cajon**

AGENDA CHANGES: None

CONSENT ITEMS: (1.1 – 1.10)

City Clerk Hawley advised that Item 1.1 has a revision to page 48, correcting an address under the Discussion Section.

1.1 MINUTES OF CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS

Approve Minutes of the February 23, 2016 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.

1.4 PROGRESS REPORT – DECLARATION OF EMERGENCY – STORM DAMAGE 2016 (Report: Majed Al-Ghafry, Assistant City Manager)

- Determine that there continues to be a state of emergency to facilitate repairs at various locations throughout the City; and
- Waive bid requirements for emergency repairs in accordance with El Cajon Municipal Code section 3.20.010 (C).

1.5 RETIREMENT/RELINQUISHMENT OF POLICE DEPARTMENT SERVICE DOG “FRITZ” (Report: Jeff Davis, Chief of Police)

Transfer sole ownership of El Cajon Police Service Dog “Fritz” to Officer Darrow, his experienced handler.

CONSENT ITEMS: (Continued)

**1.6 COMMUNITY EVENT – DINNER AND A CONCERT
(Sara Ramirez, Director of Recreation)**

Approve the 2016 “Dinner and a Concert” series, subject to conditions.

1.7 PULLED FOR DISCUSSION

**1.8 REJECTION OF REQUEST FOR PROPOSAL (RFP) 1410-16A AND
BIDDING PROCESS FOR DISTRICT ELECTION CONSULTANTS (Report:
Douglas Williford, City Manager)**

- Reject RFP 1410-16A;
- In accordance with Municipal Code 3.20.010(C)(5), waive the bidding procedures for the selection of District Election Consultants.

**1.9 SUBDIVISION AGREEMENT (PUBLIC IMPROVEMENTS) AND FINAL MAP
FOR TENTATIVE SUBDIVISION MAP (TSM) 604, LEGACY TOWNHOMES,
ENGINEERING JOB NO. 3020 (Report: Dennis Davies, Deputy Director of
Public Works)**

Approve the Subdivision Agreement and Final Map for Tentative Subdivision Map (TSM) 604 on South Anza Street, south of East Washington Avenue, and authorize execution of the Agreement.

**1.10 SUBDIVISION AGREEMENT (PUBLIC IMPROVEMENTS) AND FINAL MAP
FOR TENTATIVE SUBDIVISION MAP (TSM) 660, BELLA TERRAZZA
HOMES, L.P., ENGINEERING JOB NO. 3539
(Report: Dennis Davies, Deputy Director of Public Works)**

Approve the Subdivision Agreement and Final Map for Tentative Subdivision Map (TSM) 660 at 1950 East Main Street, and authorize execution of the Agreement.

CONSENT ITEMS: (Continued)

CONSENT ITEMS PULLED FOR DISCUSSION:

**1.7 COMMUNITY EVENT IN THE RIGHT-OF-WAY, CAJON CLASSIC CRUISE
(Sara Ramirez, Director of Recreation)**

RECOMMENDATION: That the City Council approve the use of the public right-of-way for the 2016 “Cajon Classic Cruise” series, subject to conditions.

DISCUSSION

Alexis Frost spoke about the upcoming season of the El Cajon Classic Cruise and Dinner and a Concert series.

**MOTION BY McCLELLAN, SECOND BY AMBROSE, to APPROVE
Consent Items 1.1 to 1.10, including the revision to Item 1.1.**

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC COMMENT:

Stephanie Harper stated that she finds City Council Policy A-28 confusing, as it lists the positions currently held by **Assistant City Manager Al-Ghafry** separately.

City Manager Williford clarified that as **Assistant City Manager, Mr. Al-Ghafry**, was assigned the responsibilities of directing the Community Development and the Public Works Department.

Chris Leeper shared a prayer with the audience.

Hildie Krause, Branch Manager of the El Cajon Library, invited the community to upcoming events at the library, including Persian New Year and a Multicultural Family Fiesta. She mentioned that the San Diego Law Library branch at the East County Court House closed and they are now partners with San Diego County Library to provide some of the services previously offered at the Court House. Ms. Krause stated the upcoming KaBoom Project, that will be built adjacent to the Library, will make it a more family friendly environment.

Councilmembers thanked Ms. Krause for all her hard work for the community.

PUBLIC COMMENT: (Continued)

Jason Jackson, from San Diego County Gun Owners (SDCGO), announced he is leaving the state and introduced **Meghan Spicer**, who will be the new SDCGO Representative.

Robert Clark spoke about an article published in the San Diego Union Tribune on October 10, 2007, which stated that councilmembers should approach the podium when making comments not related to the jurisdiction of the City of El Cajon.

Michael Stowers spoke about the upcoming St. Patrick's Day Half Marathon, and thanked the City Council and Staff and sponsors for their continued support.

Monica Zech introduced the 2016 Spring Edition of the El Cajon Gateway Magazine. The magazine has information about new housing coming in, events and new businesses in the City and Recreation guide programs.

2. WRITTEN COMMUNICATIONS: None

3. PUBLIC HEARINGS:

3.1 SUBSTANDARD CONDITIONS AT 771 EL CAJON BOULEVARD – VILLA SERENA MOTEL (Report: Dan Pavao, Building Official/ Fire Marshal)

RECOMMENDATION: That the City Council:

- Open the public hearing and receive testimony;
- Close the public hearing; and,
- Authorize staff to pursue legal action in this case to abate a public nuisance due to illegal drug activities and excessive police calls for service;
- Direct staff to post a Notice to Vacate for all current tenants of the motel so that proper temporary motel occupancy can be established by the owner;
- Direct staff to monitor the cleanup and renovation of the motel with civil penalties to begin accruing for any violation not resolved within a 30 day time period;
- Direct staff to file a Notice of Restriction against the property; and,
- Direct staff to bring this case back for final resolution and assessment of civil penalties, staff time, and administrative costs when the property has been brought into compliance.

PUBLIC HEARINGS: (Item 3.1 – Continued)

DISCUSSION

Building Official/ Fire Marshal, Dan Pavao provided a summary and a power point presentation of the Item.

Discussion amongst **Councilmembers, Building Official/Fire Marshal Pavao** and **Police Captain Moulton** regarding:

- Police raid executed on February 18, 2016;
- Councilmember questioned if this is a cash only establishment;
- Consideration of a 30 day grace period before civil penalties begin accruing;
- Findings during the raid included: drugs, drug paraphernalia, guns, identity theft instruments such as passports, checks, false identifications;
- Several arrests were made during the raid.

Mayor Wells opened the public hearing.

Ajay Patel, owner of the Villa Serena Motel, asked for time to bring the motel up to code and correct all the violations on the property. He has already made some improvements such as fixing the smoke alarms, hiring a contractor, ordering new furniture and he is considering changing the name of hotel. **Mr. Patel** stated he did not have knowledge of the existing problems, and added that he fired the Hotel Manager.

In answer to a question by **Mayor Wells** regarding the availability of funds to bring the hotel into compliance, **Mr. Patel**, stated that in addition to funds available he has applied for a line of credit to complete the renovations.

In answer to questions by **Councilmembers, Mr. Patel** stated he had purchased the hotel site unseen, and even after the purchase, he did not inspect the rooms as they were occupied.

Conversation between **Councilmembers** and **Mr. Patel** regarding:

- The expectation of Council to have this resolved as soon as possible;
- Recommendation to join the Crime Free Motel/Hotel Program;
- Council recommends **Mr. Patel** to pay close attention to the list of violations as to avoid mistakes and possible assessment of civil penalties.

Mr. Patel submitted documentation to **Council** as proof that he has started the improvement on the motel.

PUBLIC HEARINGS: (Item 3.1 – Continued)

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

MOTION CARRIED BY UNANIMOUS VOTE.

Comments were made from **Council** to reiterate to Mr. Patel that a 30-day period would be granted to bring motel into compliance but after the grace period, if violations have not been cleared the civil penalties could potentially be several thousand dollars.

MOTION BY AMBROSE, SECOND BY KENDRICK, to AUTHORIZE staff to pursue legal action in this case to abate a public nuisance due to illegal drug activities and excessive police calls for service; Direct staff to post a Notice to Vacate for all current tenants of the motel so that proper temporary motel occupancy can be established by the owner; Direct staff to monitor the cleanup and renovation of the motel with civil penalties to begin accruing for any violation not resolved within a 30 day time period; Direct staff to file a Notice of Restriction against the property; and, Direct staff to bring this case back for final resolution and assessment of civil penalties, staff time, and administrative costs when the property has been brought into compliance.

MOTION CARRIED BY UNANIMOUS VOTE.

City Attorney Foley stated that copies would be made of the documents submitted, and **Mr. Patel** could pick up the originals for his records.

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.

ACTIVITIES REPORTS OF MAYOR WELLS/COMMENTS (Continued)

6.1 Council Activities Report/Comments

REPORT AS STATED.

6.2 LEGISLATIVE REPORT - No Report.

ACTIVITIES REPORTS OF COUNCILMEMBERS

7.

COUNCILMEMBER GARY KENDRICK

Heartland Communications JPA; Heartland Fire Training JPA.

7.1 Council Activities Report/Comments

In addition to the submitted report, **Councilmember Kendrick** stated that the State Legislature is considering a Bill that would raise the legal age to buy tobacco to 21 years of age.

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.

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.

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** acknowledged International Women's Day, and wished every woman happiness and success.

11. JOINT COUNCILMEMBER REPORTS:

11.1 DISTRICT ELECTION CONSULTANTS (Report: Mayor Wells and Councilmember Kendrick)

RECOMMENDATION: That the City Council:

- Approve the firm of National Demographics Corporation to provide mapping/demographic services to the City and that the City Council direct the City Manager to return to the City Council with a draft agreement between the City of El Cajon and National Demographics Corporation that will include a specific scope of work, time frame and a cost, for City Council consideration and approval.
- Direct the City Manager to seek additional potential candidates for public relations/public outreach, for the interview board to consider.

DISCUSSION

City Manager Williford gave a summary of the Item.

Mayor Wells and **Councilmember Kendrick** spoke in support of National Demographics Corporation.

Stephanie Harper expressed she does not agree with the need for district elections as this was a request on behalf of the **Mayor**, not from the citizens. She stated her concern about half of the population of the City not being registered voters, and she would rather consider efforts made setting term limits for Councilmembers.

DISTRICT ELECTION CONSULTANTS: (Continued)

Mayor Wells clarified that the intention to bring district elections is to comply with a State Legislative movement. He stated that other cities opposing district elections have been taken to court, spent hundreds of thousands of dollars and lost the cases, and were imposed the district election method. The City is simply preemptively taking steps in the State Legislative requirements. **Mayor Wells** also added that the reason for half of the population not being registered to vote, is that they are minors and are not of voting age.

Councilmember McClellan, although in agreement with the speaker, stated the City must comply with the State Legislation.

Councilmember Kendrick stated the City must comply to avoid costly legal fees.

MOTION BY AMBROSE, SECOND BY BALES, to APPROVE the firm of National Demographics Corporation to provide mapping/demographic services to the City and that the City Council direct the City Manager to return to the City Council with a draft agreement between the City of El Cajon and National Demographics Corporation that will include a specific scope of work, time frame and a cost, for City Council consideration and approval; and Direct the City Manager to seek additional potential candidates for public relations/public outreach, for the interview board to consider.

MOTION CARRIED BY UNANIMOUS VOTE.

12. GENERAL INFORMATION ITEMS FOR DISCUSSION: None

13. ORDINANCES: FIRST READING - None

14. ORDINANCES: SECOND READING AND ADOPTION

14.1 REPEAL SPECIFIC PLAN NO. 337 FOR SHARED PARKING

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 Specific Plan No. 337 for Shared Parking at a Site Located on the west side of Front Street, at the Western Terminus of Palm Avenue, in the Manufacturing (M) Zone; APN: 487-274-09; General Plan Designation: Light Industrial (LI)

ORDINANCES: SECOND READING AND ADOPTION – (Item 14.1 – Continued)

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT Ordinance No. 5039.

MOTION CARRIED BY UNANIMOUS VOTE.

15. CLOSED SESSION

RECOMMENDATION: That the City Council/Housing Authority/Successor Agency to the Redevelopment Agency adjourns to Closed Session as follows:

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

Name of Case: Hejran Alnikel v. City of El Cajon, et al.
San Diego Superior Court
Case No. 37-2015-00030929-CU-PA-CTL

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADJOURN to Closed Session at 4:10 P.M.

MOTION CARRIED BY UNANIMOUS VOTE.

16. RECONVENE TO OPEN SESSION AT 4:14 P.M.

City Attorney Foley reported the following action:

15.1 City Council gave direction to Legal Counsel.

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 March 2016, at 4:15 p.m. to Tuesday, March 8, 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

March 8, 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, March 8, 2016, 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 3:00 p.m., Tuesday March 8, 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 QUICK TRIP – APPEAL OF PLANNING COMMISSION DECISION
(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 ADOPT the next RESOLUTION in order DENYING the appeal and APPROVING Quick Trip's Amendment to Conditional Use Permit (CUP) No. 1805.

DISCUSSION

Deputy Director of Community Development, Anthony Shute provided a summary of the Item and clarified that CUP No. 18039, condition 1A should be modified to read 13 pumps instead of 16.

Discussion between Council and Staff members regarding:

- Appeal made by **Mr. Patel**, owner of the Motel adjacent to the gas station;
- No complaints have been received regarding 'stacking' of vehicles on the property;
- Placement of the additional pumps;
- Nature of the hotel's owner concern.

Mayor Wells opened the Public Hearing.

City Attorney Foley stated that a video submitted by **Mr. Cobb**, will be shown but sound will not be allowed due to profanity.

Richard Cobb, co-owner of the property at 584 N. Mollison, LLC, spoke to protest the additional placement of gas pumps because vehicular traffic for Quick Trip currently travels through the taco shop property. He added that customers of Quick Trip frequently infringe on the other 2 businesses on the property. **Mr. Cobb** showed several pictures to show there is not enough room for the additional pumps.

PUBLIC HEARINGS: (Item 100 – Continued)

Councilmember McClellan asked if the Fire Department reviewed this proposed plan. He is concerned if a car were to catch on fire, the others vehicles would be trapped with the additional pumps.

Deputy Director of Community Development Shute stated the Fire Marshal reviewed the plans and found no safety issues.

Chetan Patel, owner of Econo Lodge Inn & Suites adjacent to Quick Trip gas station, stated the current set up leaves car wash customers in front of his hotel entrance while patrons clean their vehicles after going through the car wash, and that delivery trucks often block the entrance to his hotel.

Mr. Patel submitted a letter of a recent hotel customer complaining about the parking situation because of the customers at the Quick Trip. He added that the noise from the car wash compressor disturbs the hotel guests and the senior housing has younger people living on the property.

Mr. Patel wanted to bring up other issues not related to the fuel pumps but **Mayor Wells** explained that only items/issues stated in the agenda report could be addressed.

Eddie Hamana, owner of Quick Trip gas station, stated that the delivery trucks coming into his business are in proportion to the amount of business he does on a daily basis, and he does not believe they interfere with the surrounding businesses.

Mayor Wells once again stated that he sees a personal feud between owners and advises to be cordial to fix the other issues at hand, but reminded **Mr. Hamana** that they could only focus on the request for additional pumps at the gas station. He also added there are other issues that exist between him and his neighboring businesses.

Mayor Pro Tem Ambrose suggested compromising between neighbors to come to a resolution regarding the issues not pertaining to the addition of gasoline pumps.

Mr. Patel returned to the podium but once again, and **Mayor Wells** had to remind him that **Council** could only deal with issues related to the pending CUP.

No further comments were offered.

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

MOTION CARRIED BY UNANIMOUS VOTE.

PUBLIC HEARINGS: (Item 100 – Continued)

Councilmember McClellan stated that as a customer, he does not have a problem with the current wait time at the gas station; however he is concerned with the amount of cars that would be ‘stacked’ with no way to get out if the additional pumps are installed.

Discussion amongst the **Councilmembers** and **Staff** regarding:

- The size of the space where the proposed lane of pumps would be installed;
- Concerns of the potential hazards if a fire occurred;
- Wait time for other vehicles at other gas stations;
- Circulation patterns need to be reviewed to assure CUP violations are not occurring;
- Considerations for compromising and reducing the amount of pumps added;
- Confirmation that the Traffic Engineer and the Fire Marshal both reviewed and approved the plans for the additional pumps.

Mayor Wells re-opened the Public Hearing.

Mayor Wells reiterates to **Mr. Hamana** the idea of only adding 1 pump, but omitting the request to put the 3 additional pumps on the wall of the car wash.

Eddie Hamana returned to the podium, and stated he is willing to accept the suggestions from the **City Council**.

Mr. Patel returned to the podium and suggested to limit the hours of the car wash to allow for **Mr. Hamana’s** delivery trucks to not create congestion around the hotel grounds.

Council reassured **Mr. Patel** that if the conditions of approval are met, it shall be satisfactory for all parties.

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

MOTION CARRIED BY UNANIMOUS VOTE

PUBLIC HEARINGS: (Item 100 – Continued)

MOTION BY McCLELLAN, SECOND BY AMBROSE, to ADOPT RESOLUTION NO. 026-16 GRANTING the appeal and APPROVING Quick Trip's Modified Amendment to Conditional Use Permit (CUP) No. 1805, eliminating three (3) proposed single pumps and allowing one-double pump to the West of the existing island; and amending Planning Commission Resolution No. 10839 to allow a maximum of 10 fueling pumps.

MOTION CARRIED BY UNANIMOUS VOTE.

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 March 2016, at 8:06 p.m. to Tuesday, March 22, 2016, at 3:00 p.m.

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