

Minutes

**Santee City Council
CDC Successor Agency
Santee Public Financing Authority**

**Council Chambers
10601 Magnolia Avenue
Santee, California**

January 23, 2013

This Regular Meeting of the Santee City Council, the CDC Successor Agency, and the Santee Public Financing Authority was called to order by Mayor/Chair Randy Voepel at 7:06 p.m.

Council Members present were: Mayor/Chair Randy Voepel; Vice Mayor/Vice Chair John W. Minto; and Council/Authority Members Jack E. Dale and Rob McNelis. Council/Authority Member John Ryan was absent.

Staff present were: City Manager/Authority Secretary Keith Till, City/Authority Attorney Shawn Hagerty, Deputy City Manager/Director of Development Services Pedro Orso-Delgado, Director of Community Services Bill Maertz, Finance Director/Treasurer Tim McDermott, Director of Fire and Life Safety Bob Leigh, Director of Human Resources Jodene Dunphy, Director of Planning Melanie Kush, Assistant to the City Manager Kathy Valverde, Senior Management Analyst Pamela White, Santee Sheriff's Captain Lisa Miller, City Clerk Patsy Bell, and Office Aide Rowena Parravano.

LEGISLATIVE INVOCATION: Reverend Sandy Olewine, Santee United Methodist Church

PLEDGE OF ALLEGIANCE: Jim Montague

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

Mayor Voepel requested that Item 6(A) be reordered to follow the Consent Calendar.

1. CONSENT CALENDAR:

- (A) Approval of reading by title only and waiver of reading in full of Ordinances on agenda.**
- (B) Approval of Meeting Minutes:**
 - **Santee City Council 01-09-13 Regular Meeting**
 - **CDC Successor Agency 01-09-13 Regular Meeting**
 - **Public Financing Authority 01-09-13 Regular Meeting**

- (C) Approval of Payment of Demands as presented.
- (D) Second Reading and adoption of an Ordinance amending various sections of Title 17 “Zoning” of the Santee Municipal Code to address compliance with state laws governing supportive residential uses, as defined in Chapter 17.04 “Administration,” and found in Chapter 17.06 “Permits,” Chapter 17.08 “Development Review,” Chapter 17.10 “Residential Districts,” and Chapter 17.14 “Industrial Districts.” (Case File: ZA2012-1) (ORD 517)
- (E) Second Reading and adoption of an Ordinance amending the Zone District Map R2012-01 to reclassify Assessor Parcel Numbers 384-042-22, 384-042-23, 383-021-03, 383-021-04, 383-021-06, 383-021-07 to the R-14 (Medium-High Residential) District and to reclassify Assessor Parcel Numbers 383-061-01, 383-061-02, 383-061-03 to the R-22 (High Density Residential) District in conjunction with the 2013-2020 Housing Element of the General Plan. (Case Files: GPA2012-1 and TCSPA2012-1) (ORD 518)
- (F) Adoption of a Resolution to award the construction contract for the internally-illuminated Street Name Sign Replacement Project (CIP 2012-010) to T&M Electric, Incorporated, DBA Perry Electric, in the amount of \$64,782; authorization for the City Manager to execute the contract; and authorization for the Director of Development Services to execute change orders up to a total of \$9,700. (Reso 6-2013)
- (G) Rejection of two claims against the City by Dorindia Yost and Dorindia Reyes per Government Code Section 913.

ACTION: On motion of Council Member McNelis, seconded by Vice Mayor Minto, the Agenda and Consent calendar were approved as amended with all voting aye, except Council Member Ryan who was absent.

The following item was re-ordered to follow the Consent Calendar:

6. NEW BUSINESS:

- (A) Authorize the advertising of a Request for Proposals for project design and California Environmental Quality Act review for a water well at Town Center Community Park.

Community Services Director Maertz presented the staff report utilizing a PowerPoint presentation. He, Development Services Director/Deputy City Manager Orso-Delgado and City Attorney Hagerty answered Council’s questions.

ACTION: After lengthy discussion, on motion of Council Member McNelis, seconded by Vice Mayor Minto, the advertising of a Request for Proposals for the design and compliance with the California Environmental Quality Act of a water well at Town Center Community Park was authorized with all voting aye, except Council Member Ryan who was absent.

2. PUBLIC HEARINGS:

- (A) **Continued Public Hearing and Second Reading of an Ordinance amending Title 8, "Health and Safety" of Santee Municipal Code, Chapter 8.36 Article V, entitled "Food Vending Vehicles" to incorporate the County's letter grade system for mobile food vending vehicles. (ZA2012-2) (Continued from 1/9/13) (ORD 519)**

The Public Hearing opened at 7:37 p.m.

PUBLIC SPEAKERS: None

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, the Public Hearing was closed at 7:38 p.m., the amendment was found to be exempt from the provisions of CEQA and the Ordinance was adopted with all voting aye, except Council Member Ryan who was absent.

3. ORDINANCES (First Reading):

- (A) **An Ordinance amending Section 1.08.010 of the Municipal Code to allow prosecution of Municipal Code violations as misdemeanors or infractions.**

City Attorney Shawn Hagerty presented a brief overview of the Ordinance.

ACTION: On motion of Council Member McNelis, seconded by Vice Mayor Minto, the Ordinance was approved for First Reading and the Second Reading was set for February 13, 2013 with all voting aye, except Council Member Ryan who was absent.

4. CITY COUNCIL ITEMS AND REPORTS:

- (A) **Extension of excused absences for Council Member. (Voepel)**

ACTION: On motion of Mayor Voepel, seconded by Council Member McNelis, Council Member Ryan was formally excused from attendance at the last four City Council meetings and was further excused for the next two months if needed with all voting aye, except Council Member Ryan who was absent.

(B) Annual Presentation of Local Appointments List – Boards, Commissions & Committees

Mayor Voepel discussed his recommendations and asked for Council input.

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, the continuance of all representation as listed for the Santee Citizen Appointed Committees was reaffirmed with all voting aye, except Council Member Ryan who was absent.

Mayor Voepel noted that there are five possible committees on which the Council Members sit that the Representative position receives a stipend. Therefore, those appointments need to be approved separately with the City Representative abstaining from the vote. The following actions took place:

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Minto, Council Member McNelis was appointed as Representative and Council Member Ryan as the Alternate on the Heartland Fire Training Facility Authority Commission with all voting aye, except Council Member McNelis who abstained and Council Member Ryan who was absent.

ACTION: On motion of Council Member Dale, seconded by Council Member McNelis, Vice Mayor Minto was re-appointed as the Representative and Council Member McNelis as Alternate to the Metropolitan Transit Services Committee with all voting aye, except Vice Mayor Minto who abstained and Council Member Ryan who was absent.

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Minto, Council Member McNelis was re-appointed as the Representative and Council Member Ryan as the Alternate to the Mission Trails Regional Park Task Force with all voting aye, except Council Member McNelis who abstained and Council Member Ryan who was absent.

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, Council Member Dale was re-appointed as the Representative, Vice Mayor Minto as the 1st Alternate and Council Member McNelis as the 2nd Alternate to the San Diego Association of Governments Board (SANDAG) with all voting aye, except Council Member Dale who abstained and Council Member Ryan who was absent.

Mayor Voepel noted that Council Member Dale will be serving as SANDAG Board Chair this year. Vice Mayor Minto conducted the meeting for the following action:

ACTION: On motion of Council Member Dale, seconded by Council Member McNelis, Mayor Voepel was re-appointed as the Representative and Vice Mayor Minto as the Alternate to the Heartland Communications Facility Commission with all voting aye, except Mayor Voepel who abstained and Council Member Ryan who was absent.

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, the Local Appointments List was approved as presented with the following changes with all voting aye, except Council Member Ryan who was absent.

- ◆ San Diego SAFE (Service Authority for Freeway Emergencies) was eliminated.
- ◆ Lemon Grove Mayor Mary Sessom will serve as the East County Representative on the San Diego Airport Authority Board.

Vice Mayor Minto noted that the Abandoned Vehicles Abatement Service Authority has not met recently and will most likely be eliminated or taken over by another committee.

5. CONTINUED BUSINESS: None

6. NEW BUSINESS:

(A) Item was reordered to follow the Consent Calendar.

(B) Request for consideration of General Plan and Zone Code Amendments to change the land use designations of property in Town Center (Site 1) and in the Low-Medium Residential (R-2) District on Via De Christina (Site 2) for Park/Open Space use. (City Initiated)

Planning Director Kush and City Manager Till answered Council's questions. Planning Director Kush requested that a 3rd Site, a triangular 10-acre parcel north of Riverview Parkway, also be considered for a change in land use designation to remove the Office Park Overlay.

PUBLIC SPEAKERS: Speaking in Support was Paul Ague, San Diego Christian College.

ACTION: On motion of Council Member McNelis, seconded by Vice Mayor Minto, staff was directed to proceed with processing the Town Center Specific Plan Amendment for Site 1, a General Plan Amendment and Rezone for Site 2, and change in land use designation to remove the Office Park Overlay for Site 3 with all voting aye, except Council Member Ryan who was absent.

(C) Five-Year agreement with San Diego County Sheriff's Department for Law Enforcement services.

City Manager Keith Till presented the staff report and answered Council's questions.

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Minto, the agreement with the County of San Diego and the San Diego County Sheriff for general and specialized law enforcement and traffic services was approved and the Mayor was authorized to execute the agreement with all voting aye, except Council Member Ryan who was absent.

- (D) **Resolution approving a five-year agreement with the County of San Diego for Animal Control Services for the period July 1, 2013 through June 30, 2018 and authorizing the City Manager to execute the agreement. (Reso 7-2013)**

Assistant to the City Manager Valverde presented a brief staff report and answered Council's questions.

ACTION: On motion of Council Member McNelis, seconded by Vice Mayor Minto, the agreement with the County of San Diego for Animal Control Services for the period July 1, 2013 through June 30, 2018 was approved and the City Manager was authorized to execute the agreement with all voting aye, except Council Member Ryan who was absent.

- (E) **Adopt Resolutions authorizing the purchase of one new Vector Model 2100 Plus Series Jet Rodder mounted on a 2014 Freightliner chassis and authorizing the use of lease-purchase financing with Caterpillar Financial Services Corporation, and approve declaration of surplus for Vehicle #59. (Resos 8-2013 & 9-2013)**

Director of Community Services Maertz answered Council's questions.

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, the two Resolutions were adopted with all voting aye, except Council Member Ryan who was absent.

- (F) **Adopt Resolutions authorizing the purchase of one new Caterpillar Model 430F Backhoe and authorizing the use of lease-purchase financing with Caterpillar Financial Services Corporation, and approval of declaration of surplus for Vehicle #86. (Resos 10-2013 & 11-2013)**

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, the two Resolutions were adopted with all voting aye, except Council Member Ryan who was absent.

7. COMMUNICATION FROM THE PUBLIC:

- (A) Dave Arce expressed concerns about homeless people in Santee.
- (B) John Olson, Executive Director Santee Chamber of Commerce, discussed upcoming Chamber events.

8. CITY MANAGER REPORTS: None

9. **CDC SUCCESSOR AGENCY:**
(Note: Minutes appear as Item 1B)
10. **SANTEE PUBLIC FINANCING AUTHORITY:**
(Note: Minutes appear as Item 1B)
11. **CITY ATTORNEY REPORTS:** None

Council Members recessed at 8:25 p.m. and convened in Closed Session at 8:30 p.m. with all Members present, except Council Member Ryan who was absent.

12. **CLOSED SESSION:**
- (A) **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**
Gov. Code section 54956.9
Name of Case: Equity Lifestyle Properties, Inc. and MHC Financing Limited Partnership Two v. City of Santee, SDSC Case No. 37-2012-00065477.
- (B) **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**
Gov. Code section 54956.9
Name of Case: MHC Financing Limited Partnership Two v. City of Santee, USDC Case No. 12 CV 253 W-POR.
- (C) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Government Code Section 54956.9
Name of Case: Cameron's Mobile Estates, LLC v. City of Santee Case No. 37-2012-00069606-CU-WM-EC
- (D) **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**
Government Code Section 54956.9
Name of Cases: Preserve Wild Santee v. City of Santee San Diego Superior Court Case No. 37-2008-00075168
- (E) **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**
Government Code Section 54956.9
Name of Cases: Preserve Wild Santee v. City of Santee San Diego Superior Court Case No. 37-2009-00097042

Council Members reconvened in Open Session at 9:20 p.m. with all Members present, except Council Member Ryan who was absent. Mayor Voepel reported that direction had been given to staff for Items 12(A) through 12(D) and for Item 12(E) the City Attorney was authorized to pursue a dismissal of appeal.

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:21 p.m.

Date Approved: February 13, 2013

/s/Patsy Bell

Patsy Bell, City Clerk and for
Authority Secretary Keith Till