

Minutes

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

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

April 24, 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 7:08 p.m.

Council Members present were: Mayor/Chair Randy Voepel, Vice Mayor/Vice Chair John W. Minto, and Council/Authority Member Jack E. Dale. Council/Authority Members Rob McNelis and John Ryan were 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 Administrative Secretary Pam Coleman.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, and City Attorney shall be used to indicate Mayor/Chair, Vice Mayor/Vice Chair, Council/Authority Member, City Manager/Authority Secretary, and City/Authority Attorney)

LEGISLATIVE INVOCATION: Reverend Dr. Frank Placone-Willey, Summit Unitarian Universalist Fellowship

PLEDGE OF ALLEGIANCE: Warren Savage, Santee Chamber of Commerce

PROCLAMATION: Designating April 27, 2013 as Arbor Day 2013 and Recognizing the City of Santee as a Tree City USA for 2012

City Manager Till presented the Proclamation to Director of Community Services Maertz. Lynette Short, CalFire Urban Forester, presented the City with a Tree City plaque and congratulated the City on being a Tree City USA for 2012.

PROCLAMATION: Bike to Work Month – May 2013

Vice Mayor Minto presented the Proclamation to Community Services Director Maertz and Principal Traffic Engineer Minjie Mei.

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

On Council Member McNelis' behalf, City Manager Till requested that Item 6(A) be continued to a future meeting.

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 4-10-13 Regular Meeting
 - CDC Successor Agency 4-10-13 Regular Meeting
 - Public Financing Authority 4-10-13 Regular Meeting
- (C) Approval of Payment of Demands as presented.
- (D) Second Reading and adoption of an Ordinance of the City of Santee, California, setting aside prior approval for executing a Development Agreement by and among the City Of Santee, Fanita Ranch L.P. and Barratt American Incorporated. (ORD 522)
- (E) Approval of the expenditure of \$59,229.11 for March 2013 Legal Services and related costs.
- (F) Authorization for the City Manager to execute an agreement with San Diego County Water Authority for the use of Proposition 84 Funds to conduct a pilot study for the installation of infiltration strips in concrete flood control channels.
- (G) Adoption of a Resolution accepting the Citywide Pavement Repair and Rehabilitation Program 2011 Project (CIP 2011-01) as complete and authorize the recording of a Notice of Completion. (Reso 27-2013)

- (H) **Award and authorization for the City Manager to execute a professional services agreement to URS in an amount not to exceed \$15,786 for the Town Center Community Park Landscape Irrigation well study and authorization to transfer \$30,000 of Park-in-Lieu funds from General Park Improvements to the Town Center Community Park Landscape Irrigation Well project.**

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

With Council's consent, Communication from the Public was re-ordered to follow the Consent Calendar.

7. COMMUNICATION FROM THE PUBLIC:

- (A) Sylvia Sullivan discussed Immigration Reform Bill 2013.

2. PUBLIC HEARINGS: None

3. ORDINANCES (First Reading):

- (A) **An Ordinance amending Sections 9.68.030 and 9.60.040 of the Santee Municipal Code regulating the consumption of alcohol in Town Center Community Park and defining aggressive soliciting.**

PUBLIC SPEAKER:

Speaking in opposition was Jean Emmons.

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

4. CITY COUNCIL ITEMS AND REPORTS:

Vice Mayor Minto reported on the status of the County Fairgrounds. He also announced that May is National Law Enforcement Memorial Month.

5. **CONTINUED BUSINESS:** None

6. **NEW BUSINESS:**

(A) **Location agreement between the City of Santee and HD Supply Facilities Maintenance, Ltd.**

This item was continued without discussion to a date uncertain under "ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA."

(B) **Resolution approving associate membership by the City of Santee in the California Enterprise Development Authority (CEDA) and authorizing and directing the execution of an associate membership agreement; Resolution authorizing the City of Santee to join the FIGTREE PACE Program; authorizing the California Enterprise Development Authority to conduct contractual assessment proceedings and levy contractual assessments within the territory of the City of Santee; and authorizing related actions. (Reso 28-2013 & 29-2013)**

Assistant to the City Manager Valverde presented a brief overview of the program.

PUBLIC SPEAKER:

Speaking in support was Van Collinsworth, Preserve Wild Santee.

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Minto, the two Resolutions approving Associate Membership in the California Enterprise Development Authority (CEDA) and authorizing and directing the execution of an Associate Membership Agreement with CEDA; and authorizing the City of Santee to join the FIGTREE PACE program, authorizing CEDA to conduct contractual assessment proceedings and levy contractual assessments within the territory of the City of Santee, and authorizing related actions were adopted with all voting aye, except Council Member McNelis and Council Member Ryan who were absent.

7. **COMMUNICATION FROM THE PUBLIC:**

Re-ordered to follow the Consent Calendar.

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 7:39 p.m. and convened in Closed Session at 7:46 p.m. with all Members present, except Council Member McNelis and Council Member Ryan who were absent.

12. **CLOSED SESSION:**
- (A) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Government Code section 54956.8)

PROPERTIES:

The following addresses on Prospect Avenue in Santee, CA: 9860, 9808, 9822, 9840, 9830, 10017, 10023, 10131-10151, 10273, 10273, 10109, 10205, 10049, 10051, 10027-10039, 9915, 9851, 9825, 9833, 9959, 9835, 9855, 9805, 10375, 10527, 10517, 10445, 10555-10559, 10540, 10510, 10580, 10612, 10622, 10618, 10638, 10806, 10658, 10611, 10625, 10631, 10659, 10723, 10809, 10723, 10735, 10250, 10054, 10112, 10320, 10370, 10380, 10352. The following addresses in Santee, CA: 8539 Hubbles Lane, 8565 Paseo Drive, 8540, 8539, 8537 Cora Mae Place, 8629 Tumbleweed Terrace, 8614, 8622 Siesta Road, 8516-8528 N Magnolia Avenue, 8605, 8602 Fiona Way. The following Assessor's Parcel Numbers, which have no assigned street address, in Santee, CA: 384-180-20-00, 384-190-34-00, 384-190-72-00, 384-240-16-00, 384-250-06-00, 384-250-18-00, 384-251-09-00, 384-410-29-00, 384-410-77-00.

AGENCY NEGOTIATORS: Bruce Beach, Best Best & Krieger LLP, and Chip Willett, Dokken Engineering

NEGOTIATING PARTIES: Lawrence A. Hayden and Tina M. Hayden, San Diego Metropolitan Transit District Board, Rodney and Tonya Crossman, Roe Family, Edwards Trust, Robert Bates, HSP Partners, Mary Jude Ltd Partnership, Ronald and Garalyn Snow, Carl and Deborah Freeman, Jonathan D. Urshan, Catarino and Mario Navarro, Bruce R. and Brenda F. Kleege, Bron Development Co., John and Lorna Nickols, Michael and Adele Barrack, Gloria Duff, Ida E. Cunradi, Fiz-Fast, Inc., Tom Hurner, Thomas and Carol Angus, Leann Lardy, Proj. Manager, County Airports Division, Orin and Janette Baertsch, Robert Schnieders, Frankie B. Clemens, Flohr Family Trust; Warczak Family Trust, Mark and Vivian Kroeger, Donna J. McDonnell, TW Cameron, LLC, Cameron Brothers Construction Co. LP, John and Shirley Cameron, Snyder Family Trust, Dennis J. Cushman and Shawna M. Faubel, Ray C. Cadena, James C. Walton, Jesse Cryns - JCMS Landscaping, 10806 Prospect Avenue, LLC, Robert and Kathryn McWay, et al., Robert and Cheryl Eschwege, Michael R. Fernandes, Sueannette Wood Maniscalco, DC Commercial, LLC, Schleuterman Family Trust, Eugene and Florence Warengo, Richard and Linda Hopper and Henry Tietz, Roy A. Woodward, Robert and Brenda Kleege, Charles L. Tatman, Michael and Charlotte Pratko, Franco and Caterina Race, Regina Marahrens, Zack Cirks, Martin Ramirez, Guadalupe Villa, and any other person having an ownership interest in the properties listed above.

UNDER NEGOTIATION: Both price and terms

(B) 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.

(C) 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.

(D) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(a)

Name of Case: Cameron's Mobile Estates, LLC v. City of Santee Case No. 37-2012-00069606-CU-WM-EC

Council Members reconvened in Open Session at 8:00 p.m. with all Members present, except Council Member McNelis and Council Member Ryan who were absent. Mayor Voepel reported that on Item 12(A), Council authorized the appraised values and gave direction to property negotiators; and direction was given to staff on Items 12(B), 12(C), and 12(D).

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:00 p.m.

Date Approved: May 8, 2013

/s/Patsy Bell

Patsy Bell, City Clerk and for
Authority Secretary Keith Till