

Minutes

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

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

July 10, 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 7:05 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/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, Santee Sheriff's Lieutenant Roy Frank, 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: Pastor Cliff Witte, New Heights Community Church

PLEDGE OF ALLEGIANCE: Michael Marinesi

PRESENTATION: San Diego County Regional Airport Authority Board Member Report

Mayor Voepel introduced Lemon Grove Mayor Mary Sessom, San Diego County Regional Airport Authority Board Member. Ms. Sessom presented a brief report on the Airport Authority.

PRESENTATION: Allied Climbers of San Diego Appreciation for Cleaning Climbing Rocks of Graffiti

Council Member McNelis presented an appreciation plaque to Josh Higgins, a member of the Allied Climbers of San Diego.

PROCLAMATION: July is Parks and Recreation Month and July 10, 2013 as "Go Play! Get Fit! Youth Day," and presentation of fund raising proceeds to the City Council by the Santee Park and Recreation Committee (SPARC)

Vice Mayor Minto presented the Proclamation to SPARC Members Alan Tuthill, Anita Bautista, Laqueta Strawn, and Rusty Williams. SPARC Members presented the City with a check for \$29,682.93 from SPARC's fund raising efforts.

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

Council Member McNelis requested that Items 1(C) and 1(D) be removed for discussion.

1. CONSENT CALENDAR:

- (A) Approval of reading by title only and waiver of reading in full of Ordinances on agenda.
- (B) Approval of Payment of Demands as presented.
- (C) Item removed from the Consent Calendar for discussion.
- (D) Item removed from the Consent Calendar for discussion.
- (E) Adoption of a Resolution awarding the construction contract for the Bike Lane Project on Prospect Avenue, Olive Lane and Town Center Parkway (CIP 2013-52) to Safe USA, Inc. for an amount of \$69,196.60; authorization for the City manager to execute the agreement and the Director of Development Services to execute change orders up to a total of \$6,919.00; and acceleration of project appropriation from FY 2014-2015 to FY 2013-2014. **(Reso 61-2013)**

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.

Item removed from the Consent Calendar:

- 1(C) Adoption of a Resolution authorizing termination of the Joint Exercise of Powers Agreement creating the San Diego Area Housing & Finance Agency (SDAHFA). (Reso 59-2013)**

Planning Director Kush answered Council Member McNelis' questions by providing SDAHFA background and history.

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

Item removed from the Consent Calendar:

- 1(D) Adoption of a Resolution awarding the construction contract for the Town Center Community Park Sports Complex Sideline Netting (CIP 2013-35) to Judge Netting, Inc. for a total amount of \$85,047.00, and authorizing the Director of Development Services to approve change orders in an amount not to exceed \$8,504.70. (Reso 60-2013)**

Director of Community Services Maertz answered Council Member McNelis' questions regarding the location and installation of the netting.

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

2. PUBLIC HEARINGS:

- (A) Public Hearing to adopt a Resolution declaring that the acquisition of fee and easement interests in certain real property by eminent domain is necessary for the Prospect Avenue Widening project. (Reso 62-2013)**

The Public Hearing opened at 7:36 p.m. Principal Civil Engineer Carl Schmitz and Special Counsel Bruce Beach presented a staff report utilizing a PowerPoint presentation and answered Council's questions.

Entered Into the Record: Six letters requesting to speak received in the City Clerk's Office by Jonathan Urshan, the County of San Diego, Gloria Duff, D.R. Parisette, Ray and Alice Cadena, and Dennis Cushman and Shawna Faubel. A replacement Exhibit 24 of the proposed Resolution was provided by staff.

PUBLIC SPEAKERS:

Neutral:

- Lee Ann Lardy, County of San Diego Airports
- John Olsen, Santee Chamber of Commerce

In Opposition:

- Havilah Duff
- Robert Teaff representing Jonathan Urshan

ACTION: On motion of Vice Mayor Minto, seconded by Council Member McNelis, the Public Hearing was closed at 8:08 p.m. and the amended Resolution of Necessity was adopted with all voting aye, except Council Member Ryan who was absent.

City Attorney Hagerty announced that as place holders, two items were listed under Closed Session, but the Attorney's Office does not have a report to provide, therefore Council may choose to not conduct the closed session and excuse Special Counsel at this time. By Council concurrence, it was decided to not have the closed session and excused Special Counsel.

**(B) Public Hearing to receive a report and account of unpaid weed abatement invoices and the establishment of special assessments.
(Reso 63-2013)**

The Public Hearing opened at 8:10 p.m. Mayor Voepel announced that one of the properties listed is within 300 feet of his house; therefore, he abstained due to a conflict of interest and left the dais. Planning Director Kush gave a brief staff report and answered Council's questions.

PUBLIC SPEAKERS: None

ACTION: On motion of Council Member McNelis, seconded by Council Member Dale, the Public Hearing was closed at 8:14 p.m., the Cost Report and Account of Unpaid Weed Abatement Invoices was approved, and the Resolution was adopted with all voting aye, except Mayor Voepel who abstained and Council Member Ryan who was absent.

Mayor Voepel returned to the dais at 8:15 p.m.

3. ORDINANCES (First Reading): None

4. CITY COUNCIL ITEMS AND REPORTS: None

5. **CONTINUED BUSINESS:** None

6. **NEW BUSINESS:**

- (A) **Consideration of a General Plan Amendment to change the land use designation of property located at 10775 Rockvill Street, from the “Light Industrial/General Commercial” designation to the “General Industrial/General Commercial” designation, with corresponding amendment to the zoning base district map. (Applicant: Cameron Brothers Corporation)**

Planning Director Kush presented the staff report.

PUBLIC SPEAKERS:

- Jim Moxham, Cameron Brothers Corporation, applicant, answered Council’s questions.

During discussion, Planning Director Kush answered Council’s questions regarding the change in zoning from “Light Industrial” to “General Industrial” and potential noise and traffic issues. With Council consensus, staff was directed to not proceed with the processing of a General Plan/Zone Code Amendment.

7. **COMMUNICATION FROM THE PUBLIC:**

- (A) Harley Wallace, Santee Firefighters Association, distributed a letter to Council announcing that the Santee Firefighters Association concluded a vote of No Confidence in Fire Chief Bob Leigh and asked for his dismissal.

During discussion, City Attorney Hagerty answered Council’s questions regarding how this issue can be addressed, and reminded Council that no action could be taken tonight.

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

As announced earlier by City Attorney Hagerty, there were no reports for these items, therefore, a closed session was not held.

12. CLOSED SESSION:

(A) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: Forty-three cases.

(B) 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

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:56 p.m.

Date Approved: July 24, 2013

/s/Patsy Bell

Patsy Bell, City Clerk and for
Authority Secretary Keith Till