

Minutes

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

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

**Teleconference Location (Vice Mayor Minto)
Sheraton Grand Hotel – Lobby
1230 J Street
Sacramento, CA 95814**

**November 18, 2015
7:00 p.m.**

This Adjourned 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 7:04 p.m.

Council Members present were: Mayor/Chair Randy Voepel; Council/Authority Members Ronn Hall and Rob McNelis. Council/Authority Member Jack E. Dale entered the meeting at 7:25 p.m. Vice Mayor/Vice Chair John Minto teleconferenced into the meeting at 7:28 p.m. from the Sheraton Grand Hotel – Lobby, 1230 J Street, Sacramento, CA.

Officers present were: Interim City Manager/Authority Secretary Paul Malone, Finance Director/Treasurer Tim McDermott, City/Authority Attorney Shawn Hagerty, and City Clerk Patsy Bell.

(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 Dennis Ottalagano, New Life Assembly of God

PLEDGE OF ALLEGIANCE: Bill Grill, Scout Leader for Boy Scout Troop 347

ADJOURNMENT IN MEMORY: Nancy “Sharon” Popp

Council Member Hall presented the Adjournment in Memory Certificate to Sharon Popp’s husband Jim, son Mike and his wife Kaori, and son Brian.

PRESENTATION: Jack E. Dale Cup

Council Member McNelis presented the trophy to Head Football Coach Casey Ash.

PRESENTATION: Certificates of Appreciation: Boy Scout Troop 347

Council Member Hall presented the Certificates of Appreciation to Boy Scout Troop 347.

Added Item

PROCLAMATION: Fire Chief Richard Mattick

Mayor Voepel presented a Proclamation to Fire Chief Mattick and thanked him for his 37 years of service to the City and congratulated him on impending retirement in December.

ANNOUNCEMENT:

- Michael Botello invited the Council, staff and community members to attend State Senator Joel Anderson's Open House on December 10th.

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

City Clerk Bell requested Item 1(D) be removed from the Consent Calendar due to a public speaker wishing to give comment. Mayor Voepel requested Item 6(C) 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 Payment of Demands as presented.
- (C) Approval of the expenditure of \$59,217.37 for October 2015 Legal Services and related costs, and authorization for the City Manager to approve payment of November 2015 Legal Services invoices subject to subsequent City Council ratification on January 13, 2016.
- (D) Item removed from the Consent Calendar for discussion.
- (E) Adoption of a Resolution approving a categorical exemption pursuant to the California Quality Environmental Act; rejecting the bid protest submitted by Portillo Concrete, Incorporated as being without merit; awarding the construction contract to Crest Equipment, Incorporated for a total amount of \$343,307.00 for the Prospect Avenue Sidewalk Improvements (CIP 2013-06) and authorizing the City Manager to execute the contract; and authorizing the Director of Development Services to approve changes orders in an amount not to exceed \$34,330.07. (Reso 99-2015)

- (F) Adoption of a Resolution approving the Final Map for Mission Trails Collection (TM 2014-1) and authorizing the City Manager to execute the associated Subdivision Improvement Agreement. Location: Southwest Corner of Simeon Drive and Bushy Hill Drive. (Reso 100-2015)
- (G) Authorization for the purchase of structural firefighting clothing (turnouts) from Municipal Emergency Services (MES) for an amount not to exceed \$26,658.76 per NPP Contract #2013-1 and authorization for the City Manager to execute all necessary documents.
- (H) Approval of Fifth Amendment to Heartland Fire Training Authority Joint Powers Agreement revising the contribution required by the County of San Diego and terminating the MOU dated September 1, 2001 among member agencies regarding the County's use of facilities.
- (I) Receipt of annual presentation of Boards, Commissions, and Committees Local Appointments List, and direction to return the item to the January 27, 2015 Regular Meeting for review and any changes.

ACTION: On motion of Council Member Hall, seconded by Council Member McNelis, the Agenda and Consent Calendar were approved as amended with all voting aye.

Item removed from the Consent Calendar for public speaker.

- 1(D) Second Reading and adoption of an Ordinance amending the Zone District Map R2015-2 to change the zone designation from General Commercial (GC) to High Density Residential on a 3.78-acre site at 7927-7941 Mission Gorge Road. APNS: 383-260-75-00 and 383-260-76-00. Related Case Files: GPA2015-2, TM2015-6, DR2015-11, V2015-1, AEIS2015-21. (Applicant: Davisson Enterprises Incorporated) (Ord. 535)

PUBLIC SPEAKERS:

Speaking in support of the project, Robert Reed, Town Hills Home Association, requested the neighborhood be kept apprised of construction activity.

Acting Director of Development Services Kush answered Council's questions regarding citizen notification of construction work.

ACTION: On motion of Council Member McNelis, seconded by Vice Mayor Minto, the Ordinance amending the Zone District Map R2015-2 to change the zone designation from General Commercial (GC) to High Density Residential on a 3.78-acre site at 7917-7941 Mission Gorge Road was approved with all voting aye.

The following item was re-ordered follow the Consent Calendar.

6. NEW BUSINESS:

(C) Third amendment to Sports Park Maintenance and Operations Services Agreement with Sportsplex USA.

Director of Community Services Maertz presented the staff report. He and Interim City Manager Malone answered Council's questions.

ACTION: On motion of Council Member McNelis, seconded by Council Member Hall, the third amendment to the Sports Park Maintenance and Operations Services agreement was approved and the City Manager was authorized to execute the agreement with all voting aye.

2. PUBLIC HEARING:

(A) Request to continue the Public Hearing for a Development Review Permit (DR2015-10), Parking Variance (V2015-2), Town Center Specific Plan Amendment (TCSPA2015) and declaration of a Mitigated Negative Declaration (AEIS2015-17) for a brewery, tasting room, restaurant and warehouse located on undeveloped property at the northeast corner of Town Center Parkway and Cuyamaca Street, within the Riverview Corporate Office Park in Town Center, to an Adjourned Regular meeting on December 17, 2015. Applicant: Ryan Companies U.S. Incorporated for Karl Strauss.

The Public Hearing opened at 7:41 p.m. Acting Director of Development Services Kush presented the staff report and answered Council's questions.

PUBLIC SPEAKERS:

Submitting a speaker slip in Support, but not wishing to speak was Robert Reed, Pepper Hill Town Homes.

Speaking In Opposition was Van Collinsworth, Preserve Wild Santee.

ACTION: On motion of Council Member McNelis, seconded by Council Member Hall, the Public Hearing was continued to an Adjourned Regular meeting on December 17, 2015 at 7:00 p.m. with all voting aye.

- (B) Public Hearing for a Resolution forming and establishing Community Facilities District No. 2015-1 (Municipal Maintenance Services) of the City of Santee (“CFD No. 2015-1”) and authorizing submittal of the Levy of a Special Tax to the qualified elector, a Resolution declaring the results of a Special Election in CFD No. 2015-1 and the introduction of an Ordinance authorizing the Levy of a Special Tax in CFD No. 2015-1. (Reso 101-2015 and 102-2015)**

The Public Hearing opened at 7:47 p.m. Director of Finance McDermott presented the staff report utilizing a PowerPoint presentation and answered Council’s questions.

PUBLIC SPEAKERS:

In Support:

- Greg Brown, legal owner of property located within the proposed district.

The Public Hearing closed at 7:59 p.m. Mayor Voepel requested a report on the protest count. City Clerk Bell reported no written communications or protests against the formation of CFD No. 2015-1 were received and therefore, there is not a majority protest to the formation of CFD No. 2015-1.

ACTION: On motion of Council Member McNelis, seconded by Council Member Dale, the Resolution forming and establishing CFD No. 2015-1 and authorizing the submittal of the Levy of a Special Tax to the qualified elector was approved with all voting aye, except Council Member Hall who voted no.

City Clerk Bell canvassed the ballots and reported that one ballot was received with three votes cast in favor of each proposition and that no votes were cast in opposition. Both ballot propositions were approved.

ACTION: After further discussion, on motion of Mayor Voepel, seconded by Council Member McNelis, the Resolution declaring the results of the Special Election in CFD No. 2015-1 was adopted and the Ordinance authorizing the Levy of a Special Tax in CFD No. 2015-1 was set for Second Reading on January 13, 2016 with all voting aye.

- (C) Public Hearing for a Resolution authorizing the annexation of territory in the future to Community Facilities District No. 2015-1 (Municipal Maintenance Services) of the City of Santee. (Reso 103-2015)**

The Public Hearing was opened at 8:03 p.m. Director of Finance McDermott presented the staff report utilizing a PowerPoint presentation and answered Council’s questions.

The Public Hearing closed at 8:05 p.m. Mayor Voepel requested staff report any protests. City Clerk Bell reported that no protests were received. During further discussion, City Attorney Hagerty and Attorney Warren Diven of Best Best & Krieger answered Council’s questions.

ACTION: On motion of Council Member McNelis, seconded by Council Member Dale, the Resolution authorizing the annexation of territory in the future to Community Facilities District No. 2015-1 was adopted with all voting aye.

- (D) **Public Hearing for a General Plan Amendment (GPA2015-1) and Zone Base District Map Amendment (R2015-1) to change the land use and zone designation from Public and Park/Open Space to Medium Density Residential, Tentative Map (TM2015-1), Development Review Permit (DR2015-1), and Mitigated Negative Declaration (AEIS2015-3) pursuant to the California Environmental Quality Act (CEQA) for a 78 lot subdivision of land on Prospect Avenue, north of Clifford Heights Road. Applicant: Development Contractor Incorporated. (Resos 104-2015, 105-2015 and 106-2015)**

The Public Hearing opened at 8:09 p.m. Council Member Dale announced an abstention due to a conflict of interest and left the dais at 8:09 p.m.

ENTERED INTO THE RECORD: Revised “Comments and Responses” was provided by staff.

Acting Director of Development Services Kush introduced the item and Senior Planner O’Donnell presented the staff report utilizing a PowerPoint presentation and answered Council’s questions. He noted that the applicant had agreed to add rooftop solar panels and if Council chose to have that as part of the project, the Development Review Permit Resolution would be amended. Discussion ensued regarding the project and environment issues. City Attorney Hagerty clarified and answered questions.

Public Speakers:

In Support:

- Michael Grant, applicant

In Opposition:

- Lynda Marrokal
- David Hartwig
- Van Collinsworth, Preserve Wild Santee

During further discussion, Council asked additional questions, some of which were about the availability of recycled water pipes for the project, electric vehicle charging, homeowner and guest parking, a community park, the flood plane and solar panels.

ACTION: On motion of Mayor Voepel, seconded by Vice Mayor Minto, the Public Hearing was closed at 9:15 p.m.; it was determined that General Plan Amendment GPA2015-1, Zone Base District Map Amendment R2015-1 and the approval of the Prospect Estates project would not have a significant effect on the environment with

mitigation; the Mitigated Negative Declaration was approved; a Notice of Determination was authorized for filing; the Resolution approving GPA2015-1 was approved; Zone Base District Map Amendment Ordinance R2015-1 was introduced and Second Reading was set for January 13, 2016; and Resolution TM2015-1 and amended Resolution DR2015-1 were adopted with all voting aye, except Council Member Dale who abstained.

At 9:17 p.m., Council Member Dale returned to the dais and Vice Mayor Minto exited the meeting.

- (E) Public Hearing and Resolution vacating certain right of way easements on a portion of Prospect Avenue between Cuyamaca Street and Magnolia Avenue and reserving easements and rights for existing public utility facilities. (Reso 107-2015)**

The Public Hearing opened at 9:17 p.m. Acting Director of Development Services Kush introduced the item and Principal Civil Engineer Schmitz presented the staff report and answered Council's questions.

ACTION: On motion of Council Member McNelis, seconded by Council Member Hall, the Public Hearing was closed at 9:19 p.m. and the Resolution of vacation was adopted with all voting aye, except Vice Mayor Minto who was absent.

3. ORDINANCES: *See Items 1(D), 2(B) and 2(D).*

4. CITY COUNCIL ITEMS AND REPORTS: None

5. CONTINUED BUSINESS:

- (A) Resolution establishing a Craft Brewery Incentive Program to promote and encourage local expansion of the craft brewing industry, and authorizing the City Manager to implement the program and develop incentive packages pursuant to the program guidelines. (Reso 108-2015)**

Senior Economic Development Coordinator White introduced the item and presented the staff report utilizing a PowerPoint presentation and answered Council's questions. Interim City Manager Malone and City Attorney Hagerty also answered Council's questions.

Public Speakers:

Submitting a speaker slip in Support but not speaking was Robert Reed.

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

6. NEW BUSINESS:

- (A) Resolution approving a Memorandum of Understanding between City of Santee, Santee School District and Santee Pioneer National Little League for Chet Harritt Ball Field Improvements. (Reso 109-2015)**

Director of Community Services Maertz presented the staff report and answered Council's questions.

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

- (B) Acceptance of Firehouse Subs Public Safety Foundation Grant, appropriation of funds to purchase fire equipment and authorization to sign Memorandum of Understanding.**

Fire Chief Mattick presented the staff report and answered Council's questions.

ACTION: On motion of Council Member McNelis, seconded by Council Member Hall, the grant was accepted, the appropriation of funds was approved and the City Manager was authorized to sign the Memorandum of Understanding with all voting aye, except Vice Mayor Minto who was absent.

- (C) This item was re-ordered to be heard after the Consent Calendar.**

7. COMMUNICATION FROM THE PUBLIC:

PUBLIC SPEAKER:

- Andy Lloyd introduced himself and two co-owners of Three Frogs Beer Company, which they hope to open in Santee next year.

8. CITY MANAGER REPORTS: None

9. CDC SUCCESSOR AGENCY: None

10. SANTEE PUBLIC FINANCING AUTHORITY: None

11. CITY ATTORNEY REPORTS: None

Council Members recessed at 9:42 p.m. and convened in Closed Session at 9:50 p.m. with all Members present, except Vice Mayor Minto who was absent.

12. CLOSED SESSION:

(A) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

Significant Exposure to Litigation: 1 case (related to the construction of the Prospect Avenue Project)

Council Members reconvened in Open Session at 10:08 p.m. with all Members present, except Vice Mayor Minto who was absent. Mayor Voepel stated that a report had been received on the item.

13. ADJOURNMENT:

There being no further business, the meeting was Adjourned in Memory of Sharon Popp at 10:08 p.m. to Thursday, December 17th at 7:00 p.m.

Date Approved: February 10, 2016

/s/Patsy Bell
Patsy Bell, City Clerk and for
Interim Authority Secretary Paul Malone