

Minutes

Santee City Council Community Development Commission Santee Public Financing Authority

Council Chambers
10601 Magnolia Avenue
Santee, California

January 27, 2016

This Regular Meeting of the Santee City Council, CDC Successor Agency and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:05 p.m.

Council Members present were: Mayor/Chair Randy Voepel, and Council/Authority Member Ronn Hall, Rob McNelis and John W. Minto. Vice Mayor/Vice Chair Jack E. Dale entered the meeting at 7:25 p.m.

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

The **LEGISLATIVE INVOCATION** was given by Imam Taha Hassane of the Islamic Center of San Diego and the **PLEDGE OF ALLEGIANCE** was led by Virginia Hall.

PRESENTATION: League of CA Cities Recognition of John W. Minto

Council Member Hall introduced Catherine Hill, League of California Cities, and she presented a Certificate of Recognition to Council Member Minto for his service to the League of California Cities.

ADJOURNMENT IN MEMORY: Michael Benoit

Council Member Hall presented a Certificate of Adjournment to Michael Benoit's daughter, Natalie Davis, and other family members in attendance.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA: City Clerk Bell noted that Vice Mayor Dale, who will be arriving at about 7:30 p.m., requested an abstention be registered for him on Item 2(A) due to a conflict of interest.

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 of the Santee City Council, the CDC Successor Agency and the Santee Public Financing Authority for the October 14, 2015 Regular, October 28, 2015 Regular, November 10, 2015 Special and November 11, 2015 Regular Meetings.
- (C) Approval of Payment of Demands as presented.
- (D) Adoption of a Resolution authorizing submittal of applications for the CalRecycle Payment Program and authorizing the City Manager to execute all necessary documents. (Reso 005-2016)
- (E) Approval of the expenditure of \$86,278.97 for December 2015 Legal Services and related costs.
- (F) Adoption of a Resolution authorizing the City Manager to execute a Public Right-of-Way Improvement Agreement for public improvements associated with the Mission Gorge Retail Center (DR2014-06). Location: 9261 Mission Gorge Road (Reso 006-2016)
- (G) Adoption of a Resolution authorizing the City Manager to execute a Public Right-of-Way Improvement Agreement for public improvements associated with the Cameron Commercial Retail Center (P2014-01). Location: 8866 Magnolia Avenue (Reso 007-2016)
- (H) Second Reading and adoption of an Ordinance amending Title 9 of the Santee Municipal Code, adding Chapter 9.74, to prohibit cannabis dispensaries, cannabis manufacturers, cultivation, and cannabis deliveries in the city. (Ord 538)

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

2. PUBLIC HEARING:

- (A) Public Hearing for Tentative Map (TM2015-2), Development Review Permit (DR2015-4) and Mitigated Negative Declaration (AEIS2015-9) pursuant to the California Environmental Quality Act for an 87-lot subdivision of land and construction of 82 single-family residences on Braverman Drive, west of Jeremy Street in the Low-Medium Density (R-2) Zone. Applicant: Watt Communities LLC (Reso 008-2016, 009-2016, 010-2016)

The Public Hearing was opened at 7:25 p.m.

ENTERED INTO THE RECORD:

Staff provided the final Responses to Comments on the Draft Mitigated Negative Declaration (MND) and an Errata Sheet to the MND that details proposed changes to the Mitigation Monitoring and Reporting Program and Initial Study. Correspondence was received from Van Collinsworth, Preserve Wild Santee, after the issuance of the agenda was also distributed.

Director of Development Services Melanie Kush introduced the item and Senior Planner John O'Donnell presented a staff report utilizing a PowerPoint presentation. He and Director of Development Services Melanie Kush answered Council's questions.

Vice Mayor Dale entered the meeting at 7:40 p.m., but because of a conflict of interest on this item was not present on the dais.

PUBLIC SPEAKERS:

In Support:

- Stacey LoMedico
- Erik Wiese
- Efren Joelson, Applicant, Watt Communities
- Jeff Ragland, Applicant, Watt Communities
- Ryan Gardner, Rincon Consultants

In Opposition:

- Van Collinsworth, Preserve Wild Santee, submitted written comments for the record.
- Stephen Houlahan

Neutral

- Mike Elerding

During discussion, staff answered Council's questions regarding the removal of the current radio antennas, a mini-park, the inclusion of rain barrels, the pre-wiring of homes for solar panels on some homes versus all homes, and inclusion of 220 volt vehicle chargers in all the homes. The applicant agreed to add the pre-wiring for electrical vehicle charging stations in all the homes.

ACTION: On motion of Council Member Hall, seconded by Council Member Minto, the Public Hearing was closed at 8:25 p.m., the Resolution approving the Mitigated Negative Declaration as complete and in compliance with the provisions of the California Environmental Quality Act was adopted, and the two Resolutions approving TM2015-2 and DR2015-4 were adopted as amended, to include all homes being pre-wired for electrical vehicle charging stations, with all voting aye, except Vice Mayor Dale who abstained.

Vice Mayor Dale took his seat at the dais at 8:26 p.m.

- (B) **Public Hearing for Tentative Map (TM2015-5), Development Review Permit (DR2015-9), and a Subsequent Mitigated Negative Declaration (AEIS2015-15) for a 10-unit residential condominium project at 8758 Bushy Hill Drive in the Medium-High Density (R-14) Land Use Designation and Zone. Applicant: City Ventures L.P. (Reso 011-2016, 012-2016, 013-2016)**

The Public Hearing was opened at 8:26 p.m.

ENTERED INTO THE RECORD:

Staff provided Responses to Comments on the draft Subsequent Mitigated Negative Declaration (MND) that have been finalized and are to be included in the final Subsequent MND, as well as the Errata Sheet to the Subsequent MND that deletes references to a SANDAG document recently invalidated by the courts and now references an updated SANDAG document. Also provided, is correspondence received from Van Collinsworth, Preserve Wild Santee, that was received after the issuance of the agenda.

Director of Development Services Melanie Kush introduced the item and Senior Planner John O'Donnell presented a staff report utilizing a PowerPoint presentation. He and Director of Development Services Melanie Kush answered Council's questions.

PUBLIC SPEAKERS:

Van Collinsworth, representing Preserve Wild Santee, and Stephen Houlahan spoke in opposition.

ACTION: After brief discussion, on motion of Council Member McNelis, seconded by Council Member Minto, the Public Hearing was closed at 8:40 p.m., the Resolution approving the Subsequent Mitigated Negative Declaration as complete and in compliance with the provisions of the California Environmental Quality Act was adopted, and the two Resolutions approving TM2015-5 and DR2015-9 were adopted with all voting aye.

3. ORDINANCES:

See Item 1(H)

4. CITY COUNCIL ITEMS AND REPORTS:

- (A) **Annual Presentation of Local Appointments List – Boards, Commissions & Committees.**

Mayor Voepel noted that there are four committees on which the Council Members sit where 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 McNelis, seconded by Council Member Minto, Council Member Hall was appointed as Representative and Council Member Minto as Alternate on the **Heartland Communications Facility Commission** with all voting aye, except Council Member Hall who abstained.

ACTION: On motion of Council Member Hall, seconded by Council Member Minto, Council Member McNelis was appointed as Representative and Council Member Hall as Alternate on the **Heartland Fire Training Facility Authority Commission** with all voting aye, except Council Member McNelis who abstained. Council Member McNelis noted that he waived receiving the stipend for this committee.

ACTION: On motion of Council Member Hall, seconded by Council Member McNelis, Council Member Minto was appointed as Representative and Council Member McNelis as Alternate on the **Metropolitan Transit Services Committee** with all voting aye, except Council Member Minto who abstained.

ACTION: On motion of Council Member McNelis, seconded by Council Member Hall, Vice Mayor Dale was appointed as Representative, Council Member Minto as First Alternate and Council Member McNelis as Second Alternate on the **San Diego Association of Governments Board** (SANDAG) with all voting aye, except Vice Mayor Dale who abstained.

ACTION: On motion of Mayor Voepel, seconded by Council Member Minto, the continuance of all remaining positions, standing groups, alternates, and representation as listed in the staff report were reaffirmed, with all voting aye.

Council Member Hall requested that he be considered for appointment as Alternate for the League of California Cities.

ACTION: On motion of Vice Mayor Dale, seconded by Council Member Minto, Council Member Hall was appointed as the Alternate for the League of California Cities with all voting aye, except Council Member Hall who abstained.

5. CONTINUED BUSINESS:

- (A) Request for authorization to consider an application for an amendment to the Town Center Specific Plan to change the Land Use Designation of a 10-acre portion of a 20.4-acre property from Office/Professional to Residential (7-14 Du/Acre) located on the northwest corner of Magnolia Avenue and the San Diego River. (Applicant: Mastercraft Homes Group, SAM-Santee, LLC) (cont. from 9/23/15)

Director of Development Services Melanie Kush introduced the item and Associate Planner Michael Coyne presented the staff report utilizing a PowerPoint presentation. He and Director of Development Services Kush answered Council's questions.

PUBLIC SPEAKERS:

In Support:

- Jeff Barfield, Sam Santee LLC/MasterCraft Homes
- Dan Thompson, MasterCraft Homes
- Rick Walker
- Erik Wiese

In Opposition:

- Stephen Houlahan

During discussion, the 14' trail with split rail fencing, lighting on the trail, electrical vehicle charging stations, solar and consideration of larger lots and 3-car garages were discussed.

ACTION: On motion of Council Member Minto, seconded by Council Member McNelis, staff was directed to proceed with processing an application requesting the proposed change to the Town Center Specific Plan, with all voting aye, except Vice Mayor Dale who voted no.

6. NEW BUSINESS:

(A) Approve Letter of Agreement with KaBOOM for playground grants.

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

ACTION: On motion of Council Member Minto, seconded by Council Member McNelis, the Letter of Intent and the Letter of Agreement/contract were approved and the City Manager was authorized to execute any documents associated with "Build it with KaBOOM" playground grants with all voting aye.

(B) Resolution awarding the construction contract for the Mast Boulevard Traffic Signal and Communication Systems Upgrade Project (CIP 2012-03) and authorizing change orders (Reso 014-2016)

Principal Traffic Engineer Minjie Mei presented the staff report and answered Council's questions.

ACTION: On motion of Council Member Minto, seconded by Council Member McNelis, the Resolution awarding the construction contract to Lekos Electric for a total amount of \$866,255.00, authorizing the City Manager to execute the contract and authorizing the

Director of Development Services to approve change orders up to \$216,564.00 was adopted with all voting aye.

- (C) **Authorize the purchase of one new 2016 Ford Transit Connect Van to support traffic engineering from Downtown Ford Sales per State of California Contract #1-14-23-23A and declare one vehicle surplus property.**

ACTION: On motion of Mayor Voepel, seconded by Vice Mayor Dale, staff was authorized to purchase a new 2016 Ford Transit Connect Van with accessories from Downtown Ford Sales and to declare Vehicle V-095, a 1997 Ford Aerostar Cargo Van, as surplus upon receipt and acceptance of the new vehicle and direct sale of surplus vehicle at public auction, and the City Manager was authorized to execute all necessary documents, with all voting aye.

- (D) **Informational report on the City's Best Management Practices Design Manual pursuant to State and Federal water quality laws.**

Director of Development Services Melanie Kush introduced Storm Water Program Manager Cecilia Tipton who presented the staff report utilizing a PowerPoint presentation. She, Director of Development Services Melanie Kush and Principal Civil Engineer Scott Johnson answered Council's questions.

During discussion, the importance of adequate staffing to address stormwater issues was discussed and Council requested staff provide periodic reports on stormwater compliance.

7. **COMMUNICATION FROM THE PUBLIC:** None

8. **CITY MANAGER REPORTS:** None

9. **CDC SUCCESSOR AGENCY:**
(Note: Minutes appear as Item 1(B))

- (A) **Resolution of the Community Development Commission Successor Agency approving the Recognized Obligation Payment Schedule for the period from July 1, 2016 to June 30, 2017 ("ROPS 16-17") (Reso CDCSA 001-2016)**

ACTION: On motion of Council Member Minto, seconded by Mayor Voepel, the Resolution approving the Recognized Obligation Payment Schedule was adopted with all voting aye.

10. SANTEE PUBLIC FINANCING AUTHORITY:

(Note: Minutes appear as Item 1(B))

11. CITY ATTORNEY REPORTS:

(A) Report on comprehensive Municipal Code update process.

City Attorney Shawn Hagerty provided a brief staff report and noted the process will be happening over this and next fiscal year with items coming back to Council for direction as needed.

12. CLOSED SESSION:

Council Members recessed at 10:06 p.m. and convened in Closed Session at 10:12 p.m. with all Members present.

(A) PUBLIC EMPLOYMENT

Government Code Section 54957

Title: City Manager

(B) CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION

(Government Code Section 54956.9(d)(2))

Significant Exposure to Litigation: One case involving Marathon General, Inc.

(C) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Gov. Code section 54956.9(d)(1))

Name of Case: Whillock Contracting, Inc. v. City of Santee, SDSC
Case No. 37-2015-00011227

Council Members reconvened in Open Session at 10:56 p.m. with all Members present. Mayor Voepel stated that information was received for Item 12(A), direction was given to staff on Item 12(B), and for Item 12(C), terms of settlement were authorized that, when executed, will be made public, and all voted aye, except Council Member Hall who abstained.

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:57 p.m. in Memory of Michael Benoit.

Date Approved: March 23, 2016

/s/ Patsy Bell

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