

**Minutes
Santee City Council
Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
November 13, 2019**

This Regular Meeting of the Santee City Council was called to order by Mayor John W. Minto at 7:01 p.m.

ROLL CALL: Present: Mayor John W. Minto, Vice Mayor Stephen Houlahan and Council Members Ronn Hall, Laura Koval and Rob McNelis – 5.

Officers present: City Manager Marlene Best, City Attorney Shawn Hagerty and City Clerk Annette Ortiz.

The **INVOCATION** was given by Todd Tolson of Riverview Community Church and the **PLEDGE OF ALLEGIANCE** was led by Carl Schmitz, Principal Civil Engineer.

PROCLAMATION: Small Business Saturday – November 30, 2019

Council Member Koval presented the Proclamation.

PROCLAMATION: Green Friday – November 29, 2019

Council Member Koval presented the Proclamation to SPARC Members.

ADJOURNMENT IN MEMORY: In Memory of Jayne Stanley Hurley

Vice Mayor Houlahan presented the Adjournment in Memory Certificate to Jayne's husband Patrick Hurley.

CONSENT CALENDAR:

- (1) **Approval of reading by title only and waiver of reading in full of Ordinances and Resolutions on the agenda. (City Clerk – Ortiz)**
- (2) **Approval of Meeting Minutes of the Santee City Council for the Regular Meeting of October 9, 2019. (City Clerk – Ortiz)**
- (3) **Approval of Payment of Demands as presented. (Finance – McDermott)**
- (4) **Approval of the Expenditure of \$71,644.84 for October 2019 Legal Services and Related Costs. (Finance – McDermott)**

- (5) Adoption of a Resolution approving the City of Santee ADA and Title VI Notices to the Public, Grievance Procedures and Grievance Forms. (Human Resources – Hardy) (Reso 105-2019)
- (6) Adoption of a Resolution accepting the Citywide Slurry Seal and Roadway Maintenance Program 2019 Project (CIP 2019-02) as complete. (Development Services – Kush) (Reso 106-2019)

ACTION: Council Member McNelis moved approval of the Consent Calendar.

Vice Mayor Houlahan seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

PUBLIC HEARING:

- (7) Public Hearing for an Ordinance Rescinding Chapters 11.02, 11.04, 11.06, 11.08, 11.10, 11.12, 11.14, 11.16, 11.18, 11.20, 11.22, and 11.26 of Title 11 of the Santee Municipal Code Entitled “Buildings And Construction”, in their entirety and Adopting by reference the 2019 California Building Standards Code, including the 2019 California Administrative Code, the 2019 California Building Code, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Energy Code, the 2019 California Historical Building Code, the 2019 California Fire Code, the 2019 California Existing Building Code, the 2019 California Green Building Standards Code, and the California Referenced Standards Code, together with modifications, additions, and deletions thereto. (Development Services – Kush)

The Public Hearing was opened at 7:15 p.m.

The Director of Development Services introduced the item and Senior Planner conducted a PowerPoint presentation.

PUBLIC SPEAKERS:

- Van Collinsworth

Mayor Minto made brief comments regarding native and non-native vegetation as it pertains to defensible space.

The Fire Chief responded to Council questions.

ACTION: Council Member McNelis moved approval of staff recommendation.

Council Member Hall seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

The Public Hearing was closed at 7:35 p.m.

CONTINUED PUBLIC HEARING:

- (8) **Continued Public Hearing to consider Certification of a Program Environmental Impact Report under the California Environmental Quality Act; Adoption of CEQA Findings of Fact, and a Mitigation Monitoring and Reporting Program; and Adoption of the Sustainable Santee Plan (Climate Action Plan) Applicant: City of Santee. (Development Services – Kush)**

The Continued Public Hearing was opened at 7:35 p.m.

The City Manager requested changing the Climate Action Plan (CAP) Public Hearing to the date certain of January 8, 2020.

PUBLIC SPEAKERS:

- Janet Garvin
- Van Collinsworth, Preserve Wild Santee
- Justin Schlaefli

The City Manager stated that staff has met with San Diego County staff relative to a Community Choice Aggregation (CCA) and are currently working on a report to present to Council at a later date, along with other possible partners for joining a Joint Powers Authority (JPA).

ACTION: Vice Mayor Houlahan moved to continue the item to January 8, 2020.

Council Member McNelis seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

The Continued Public Hearing was continued at 7:50 p.m. to January 8, 2020.

NEW BUSINESS:

- (9) **Resolution amending the Employment Agreement of the City Manager. (Human Resources – Hardy) (Reso 107-2019)**

The Director of Human Resources presented a report on the Third Amendment to the Employment Agreement with Marlene Best, City Manager.

PUBLIC SPEAKERS:

- Justin Schlaefli

ACTION: Council Member Hall moved approval of staff recommendation.

Council Member Koval seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

(10) Second workshop regarding Legislative Policy related to General Council Meeting Procedures. (City Attorney/City Clerk – Hagerty/Ortiz)

The City Attorney introduced the item and the Assistant City Attorney provided a presentation.

Vice Mayor Houlahan stated an 11:00 p.m. curfew for Council Meetings, along with moving the start time to 6:00 p.m., would benefit the citizens.

Council Member Hall concurred with the 6:30 p.m. start time and inquired about the specifics of an 11:00 p.m. curfew.

Council Member Koval expressed her preference for a 6:30 p.m. start time for Council Meetings. She inquired about start times and the duration of meetings in other cities relative to the populations.

Council Member McNelis disagreed with a curfew, but did agree with starting the Council Meetings at 6:00 p.m.

Council Member McNelis stated that the authority to call Special Meetings should rest with the majority of the City Council and not with the Mayor or City Manager.

The City Attorney detailed specifics of the Brown Act pertaining to Special Meetings.

Council Member Hall suggested a compromise to allow for a Special Meeting to be called at any time by the Mayor with the approval of the City Manager or the City Clerk and at least one Council Member.

Mayor Minto, Council Member McNelis and Council Member Koval agreed to the compromise.

The City Attorney clarified the proposed changes to the section of the Policy related to absences.

Council Member McNelis stated there should be clarification regarding excused or unexcused absences.

Mayor Minto expressed concerns with what constitutes an excused or unexcused absence.

The City Attorney stated that additional information regarding what qualifies as an excused absence will be provided.

Vice Mayor Houlahan stated that he supports checking in with the City Clerk regarding absences. He clarified the specific number of absences required to be removed from the Council.

Council Member Koval requested clarification for Point of Personal Privilege.

Vice Mayor Houlahan expressed support of disclosure of ex parte communications.

Under discussion, Council requested clarification on what is allowed, to which the City Attorney responded that revised language will be brought back regarding ex parte communications.

Vice Mayor Houlahan expressed concerns with a possible advantage the title of Vice Mayor might provide to a Council Member running for office.

Council Member Hall expressed support for both options.

Council Member Koval expressed support for a rotation process.

Mayor Minto also supported a rotation process.

Vice Mayor Houlahan expressed support of moving Non-Agenda Public Comment toward the beginning of the Agenda, but also limiting the amount of public comment in the first section.

Council Member Koval stated that Council should not respond during Non-Agenda Public Comment.

Council Member Hall expressed support for placing Non-Agenda Public Comment either before Public Hearing or New Business.

Council Member McNelis expressed support for leaving the section in its current location.

Vice Mayor Houlahan supported placing fifteen minutes of Non-Agenda Public Comment after the Consent Calendar and the remaining comments be heard towards the end of the meeting.

Mayor Minto requested the item be brought back.

Mayor Minto stated he would like no changes to the Council Reports section.

Council Member McNelis stated the section is to report what the Council Member did for

the City, not to report on information that is not relevant to City business, to which Mayor Minto concurred.

Council Member Hall expressed concerns for agenda items that are brought back excessively.

Council Member McNelis inquired whether a majority vote by the Council would be an option to bring back a previous item, to which the City Attorney responded in the affirmative.

Vice Mayor Houlahan requested clarification on the option to bring back an item, to which the City Attorney clarified Council always has the option to bring back an item.

Council requested clarification on Section 8.6 regarding reconsideration.

Council requested that organized groups have at least 5 people present at the Council Meeting to total a fifteen minute presentation.

Council Member McNelis requested language be added to clarify the difference with workshops versus regular meeting items.

Vice Mayor Houlahan stated applicant and appellant time should match speakers for organized presentations and be limited to fifteen minutes.

Mayor Minto suggested there be clarification on what constitutes disruptive behavior.

PUBLIC SPEAKERS:

- Justin Schlaefli
- Eid Fakhouri

Mayor Minto requested Council allow Andrew Hayes to deliver an invitation from Senator Brian W. Jones to his Annual Holiday Open House.

PUBLIC SPEAKERS:

- Andrew Hayes

(11) Authorize the City Manager to execute a Professional Services Agreement for Concession Services at Mast Park with Quality Coast Incorporated per RFP 19/20-40017. (Community Services – Maertz)

The Directory of Community Services provided a report on the Concession Services Agreement and responded to Council questions.

Richard Rosengreen, Quality Coast Incorporated, responded to Council questions.

Mayor Minto inquired whether an 18-month term is sufficient to determine the success of

the concession services and recommended incorporating a possible term extension into the agreement.

Council Member McNelis stated that 18 months is sufficient and inquired whether the disc golf will be monitored.

ACTION: Council Member Hall moved approval of staff recommendation.

Council Member Koval seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

- (12) **Appeal of a Decision of the Director of Development Services granting Sign Permit ZAS2019-14 and Variance V2019-2 for the Lantern Crest Congregate Care Facility digital sign located at 300 Lantern Crest Way in the Neighborhood Commercial/Medium High Density Residential (NC/R-14) Zone. (APN 384-142-36). Applicant: Michael Grant. (Development Services – Kush)**

The Director of Development Services presented a brief staff report.

PUBLIC SPEAKERS:

- Courtney Chase, Altair Homeowners Association
- Michael Grant, Lantern Crest

Mayor Minto inquired about what type of content would be advertised on the proposed sign.

Council Member Koval inquired whether the sign would be used for purposes other than advertising.

Vice Mayor Houlahan inquired whether changing the design was an option. He expressed concerns with the impact to the safety of traffic.

Council Member Hall inquired about other possible locations for the sign on the property.

Council Member McNelis expressed his opposition to digital signs.

Mayor Minto inquired whether a digital sign would cause traffic collisions, to which the Principal Traffic Engineer responded in the negative.

Council Member Koval offered a hard copy rendition of a potential location for the digital sign.

ACTION: Vice Mayor Houlahan moved approval of reversing the Director's Decision, he requested that the applicant take all comments into consideration and return to Council with an amended proposal.

Council Member McNelis seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

NON-AGENDA PUBLIC COMMENT:

- (A) Mike Root, provided a hand out, spoke about the perimeter maintenance to landscaping and brush regarding fire safety around residential homes.
- (B) Justin Schlaefli, SDSU Alumni Board of Advisors, invited alumni to join the SDSU Alumni Association.
- (C) Eid Fakhouri, spoke in opposition to the Carlton Oaks Golf Course project.
- (D) Augie Scalzitti, expressed concerns with Council's fiduciary responsibility to represent the citizens of Santee.

CITY COUNCIL REPORTS:

Mayor Minto presented the Director of Development Services with an award given to the City of Santee for "Public Owner Merit Award" from the Associated General Contractors of America.

CITY MANAGER REPORTS:

The City Manager thanked the Fire and Sheriff's Departments for the Pancake Breakfast with the Community. She also congratulated staff Breanne Humphrey and Annette Ortiz on graduating from the Public Management Academy.

CITY ATTORNEY REPORTS:

None

CLOSED SESSION:

Council Members recessed at 10:30 p.m. and convened in Closed Session at 10:35 p.m.

(13) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Gov. Code section 54956.8)

Property: Parcel 4 of Parcel Map 18857 located in Trolley Square (Library site)

City Negotiator: City Manager

Negotiating Parties: Excel Hotel Group and Vestar Kimco Santee, LP

Under Negotiation: Price and terms of payment

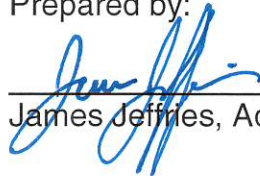
Council Members reconvened in Open Session at 10:42 p.m. with all members present.

Mayor Minto reported that for Item 13, direction was given to staff.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:42 p.m. in memory of Jane Stanley Hurley.

Prepared by:



James Jeffries, Administrative Secretary

Date Approved: January 8, 2020



Annette Ortiz, CMC, City Clerk