

**Minutes  
Santee City Council  
Council Chamber – Building 2  
10601 Magnolia Avenue  
Santee, California  
July 22, 2020**

This Regular Meeting of the Santee City Council was called to order by Mayor John W. Minto at 6:30 p.m.

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

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

**INVOCATION** was given by Lorraine Wammack – The Church of Jesus Christ of Latter-day Saints.

**PLEDGE OF ALLEGIANCE** was led by Mayor Minto.

**PROCLAMATION:** Santee-Lakeside Rotary Club 60<sup>th</sup> Anniversary

Mayor Minto presented the Proclamation to Bill Pommering of the Santee-Lakeside Rotary Club.

**PROCLAMATION:** Retirement of Deputy Fire Chief Tim Stuber

Mayor Minto presented the Proclamation to Deputy Fire Chief Tim Stuber. Council Members thanked Chief Stuber for his years of service and dedication to the City and wished him well in his future endeavors.

**CONSENT CALENDAR:**

Council Member McNelis registered an abstention on Item 13.

- (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 May 13, and 27, 2020, Regular Meetings and the June 5, 2020, Emergency Meeting. (City Clerk – Ortiz)**
- (3) **Approval of Payment of Demands as presented. (Finance – McDermott)**
- (4) **Approval of the Expenditure of \$109,256.10 for June 2020 Legal**

**Services and Related Costs. (Finance – McDermott)**

- (5) **Adoption of a Resolution Levying Charges for Fire Suppression Service (“Fire Benefit Fee”) for Fiscal Year 2020-21. (Fire/Finance – Garlow/McDermott)**
- (6) **Adoption of a Resolution Levying Special Taxes to be Collected During Fiscal Year 2020-21 to Pay the Annual Cost of Municipal Maintenance Services within Community Facilities District No. 2015-1 (Municipal Maintenance Services) of the City of Santee. (Finance – McDermott)**
- (7) **Adoption of a Resolution Levying Special Taxes to be Collected During Fiscal Year 2020-21 to Pay Costs Related to the Authorized Public Improvements within Community Facilities District No. 2017-1 (Weston Infrastructure) of the City of Santee. (Finance – McDermott)**
- (8) **Adoption of a Resolution Levying Special Taxes to be Collected During Fiscal Year 2020-21 to Pay the Annual Cost of Municipal Services within Community Facilities District No. 2017-2 (Weston Municipal Services) of the City of Santee. (Finance – McDermott)**
- (9) **Adoption of a Resolution Accepting the Citywide Crack Sealing Program 2020 Project (CIP 2020-06) as Complete. (Development Services – Kush)**
- (10) **Adoption of a Resolution Authorizing the Installation of a School Loading Zone on Woodglen Vista Drive. (Development Services – Kush)**
- (11) **Adoption of a Resolution Authorizing the Installation of a Loading Zone (White Zone) on Calico Street for Mail Drop-Off. (Development Services – Kush)**
- (12) **Adoption of a Resolution Accepting the Citywide Concrete Repair and Replacement Program 2020 Project (CIP 2020-07) as Complete. (Development Services – Kush)**
- (13) **Adoption of a Resolution Approving the Final Map for a 6-Lot Residential Subdivision (TM 2005-09) and Authorizing the Director of Development Services to Execute the Associated Subdivision Improvement Agreement. Location: Summit Avenue North of Princess Joann Road. Applicant: Abell Family Trust. (Development Services – Kush)**

- (14) **Adoption of a Resolution Authorizing the Purchase of One New 2020 Ford Super Duty F-450 XL with Loader Body from National Auto Fleet Group per Sourcewell Contract #081716-NAF and Declaring One Vehicle Surplus Property. (Community Services – Maertz)**
- (15) **Adoption of a Resolution Authorizing the City Manager to Execute a Third Amendment to the Disposition and Development Agreement Between the City of Santee and Eneract, LLC, for Development of Real Property Known as Parcel 3 of Parcel Map 20177 Located North of Town Center Parkway Between Cuyamaca Street and Riverview Parkway in Santee, California [Assessor's Parcel No. 381-050-66] (Cinema Parcel). (City Manager – Best)**

**ACTION:** Council Member Houlahan moved approval of staff recommendation.

Council Member Hall seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

Council Member McNelis abstained from Item 13.

**NON-AGENDA PUBLIC COMMENT (15 minutes):**

Mayor Minto stated the City is doing its best to emulate regular City Council meetings with speakers being heard in their own voice; he stated live public comment would be how the City operates moving forward as it is most consistent with the Brown Act; he is aware that written comments have been received for this Council meeting and as a courtesy he would ask the City Clerk to read the comments submitted, however, moving forward written comment will be provided to the Council and placed into the record of the meeting, but would not be read aloud.

- (A) Colleen Cochran spoke about the information on the Fanita Ranch Facebook page.
- (B) Ann Rebuffattee requested the Council oppose the Fanita Ranch Development.
- (C) Mary Hyder thanked the City for the 4<sup>th</sup> of July firework display and urged the Council to allow the Santee voters to approve or reject the Fanita Ranch Development.
- (D) Patti La Bouff commented on the Fanita Ranch Draft Environmental Impact Report and requested the Council oppose the project as currently proposed.
- (E) Janet Garvin commented on the Draft Environmental Impact Report for the Fanita Ranch Development.

**PUBLIC HEARING:**

- (16) **Public Hearing for a Conditional Use Permit (P2020-1) and Variance (V2020-1) to Allow a Wireless Communications Facility at Santana High School, Located at 9915 N. Magnolia Avenue, in the Low-Medium Density Residential (R-2) Zone and Finding the Project Categorically Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15301 and 15303 (APN 381-200-23-00). (Development Services – Kush)**

Council Member Hall registered an abstention, muted his microphone and turned off his camera.

The Public Hearing was opened at 7:14 p.m. The Director of Development Services introduced the Item and the Principal Planner provided a PowerPoint presentation and responded to Council questions.

**ACTION:** Council Member McNelis moved approval of staff recommendation.

Council Member Houlahan seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Abstain; Houlahan: Aye, and McNelis: Aye. Ayes: 4. Noes: 0. Abstains: 1.

The Public Hearing closed at 7:27 p.m.

Council Member Hall rejoined the meeting.

- (17) **Public Hearing for the Fiscal Year (FY) 2020-21 Santee Landscape Maintenance District Annual (SLMD) Levy of Assessments. (Finance – McDermott)**

Council Member McNelis registered an abstention, muted his microphone and turned off his camera.

The Public Hearing was opened at 7:27 p.m. The Director of Finance provided a PowerPoint presentation.

**ACTION:** Council Member Hall moved approval of staff recommendation.

Vice Mayor Koval seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Abstain. Ayes: 4. Noes: 0. Abstains: 1.

The Public Hearing closed at 7:30 p.m.

Council Member McNelis rejoined the meeting.

**(18) Public Hearing for the Fiscal Year (FY) 2020-21 Town Center Landscape Maintenance District (TCLMD) Annual Levy of Assessments. (Finance – McDermott)**

Council Member Hall registered an abstention, muted his microphone and turned off his camera.

The Public Hearing was opened at 7:31 p.m.

**ACTION:** Council Member McNelis moved approval of staff recommendation.

Vice Mayor Koval seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Abstain; Houlahan: Aye, and McNelis: Aye. Ayes: 4. Noes: 0. Abstains: 1

The Public Hearing closed at 7:32 p.m.

Council Member Hall rejoined the meeting.

**(19) Public Hearing for the Fiscal Year (FY) 2020-21 Santee Roadway Lighting District Annual (SRLD) Levy of Assessments. (Finance – McDermott)**

The Public Hearing was opened at 7:32 p.m.

**ACTION:** Council Member Houlahan moved approval of staff recommendation.

Council Member Hall seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

The Public Hearing closed at 7:33 p.m.

**(20) Public Hearing to Amend the Consolidated Fee Schedule to Add Passport Photo Fees. (City Clerk – Ortiz)**

The Public Hearing was opened at 7:33 p.m. The City Clerk presented the staff report.

Council Member Houlahan thanked the City Clerk for her innovation and looking for new ways to serve the community.

**ACTION:** Council Member McNelis moved approval of staff recommendation.

Council Member Houlahan seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

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

**CONTINUED BUSINESS:**

**(21) Update on Local Emergency Related to Large Public Gatherings. (City Manager – Best)**

The City Manager presented the staff report.

Council Member Houlahan thanked the City Manager for her leadership during the Local Emergency.

**ACTION:** Council Member Houlahan moved approval of staff recommendation.

Council Member McNelis seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

**(22) City Council Consideration of an Urgency Ordinance Extending the Temporary Moratorium on Evictions Due to Nonpayment of Rent by Residential and Commercial Tenants Impacted by the Novel Coronavirus (COVID-19) and Setting Forth the Facts Constituting Such Urgency. (City Manager – Best)**

The City Manager presented the staff report and responded to Council questions.

**PUBLIC SPEAKERS:**

- Rob Schick

Mayor Minto inquired whether the State of California had changed its regulations on temporary moratoriums for evictions to match or exceed the current City Ordinance, to which the City Manager responded in the affirmative; he stated the original purpose of this Ordinance was to allow citizen to get assistance if needed and that the City should now rely on the State since the issues are covered.

Vice Mayor Koval concurred with Mayor Minto and added the City has funds available through the CARES Act; she stated that residents are covered for 180 days of forbearance through the CARES Act; she mentioned that the City should step back, since residents are covered at both the State and Federal level.

Council Member McNelis stated the City adopted the Ordinance as a safety net to fill in spaces that State laws were missing; he added that State laws are now more inclusive to the local concerns Council has; he concurred it is time to rely on the State.

Council Member Houlahan stated the Ordinance should be adopted and be continued by City staff; he expressed concerns for relying on the State as residents could fall through

the cracks; he stated the Ordinance is a good safety net and could be automated at the staff level.

Council Member Hall stated rules from the State are in place and that the City could bring the Item back if needed; he expressed concerns for businesses being able to operate.

**FAILED MOTION:** Council Member Houlahan moved to adopt the Ordinance.

The motion failed for lack of a second.

**ACTION:** Mayor Minto moved to not adopt the Ordinance and sunset the temporary moratorium on evictions, effective July 31, 2020.

Council Member McNelis seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: No, and McNelis: Aye. Ayes: 4. Noes: 1.

**NEW BUSINESS:**

- (23) **Resolution Awarding the Design-Build Construction Contract to Implement the Council Chamber A/V Upgrades (CIP 2016-51) Project to Western Audio Visual, Determining a Categorical Exemption Pursuant to Section 15301(a) of the California Environmental Quality Act and Adopting a Revised Project Budget. (City Clerk – Ortiz)**

The City Clerk provided a PowerPoint presentation and responded to Council questions.

Council Member Hall stated he approved of the security updates.

Vice Mayor Koval inquired whether the project would include an update of the aesthetics.

Council Member Houlahan thanked staff for coming forward with a good plan and concurred with Council Member Hall on the safety updates.

**ACTION:** Council Member Hall moved approval of staff recommendation.

Vice Mayor Koval seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

- (24) **Resolution Awarding the Construction Contract for the Backflow Preventers at City Hall Project (CIP 2020-31) to Kay Construction Company, Determining a Categorical Exemption Pursuant to Section 15301(f) of the California Environmental Quality Act and Appropriating Funds from the General Fund Reserve. (Development Services – Kush)**

The Principal Civil Engineer presented the staff report.

**ACTION:** Council Member McNelis moved approval of staff recommendation.

Vice Mayor Koval seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

- (25) **Resolution Awarding the Construction Contract for the Citywide Pavement Repair and Rehabilitation Program 2020 Project (CIP 2020-03) to A.M. Ortega Construction, Inc. and Determining a Categorical Exemption Pursuant to Section 15301(c) of the California Environmental Quality Act. (Development Services – Kush)**

The Principal Civil Engineer presented the staff report.

**ACTION:** Council Member Houlahan moved approval of staff recommendation.

Council Member Hall seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

- (26) **Resolution Awarding the Construction Contract for the Citywide Slurry Seal and Roadway Maintenance Program 2020 Project (CIP 2020-04) to American Asphalt South, Inc. and Determining a Categorical Exemption Pursuant to Section 15301(c) of the California Environmental Quality Act. (Development Services – Kush)**

The Principal Civil Engineer presented the staff report.

**ACTION:** Council Member McNelis moved approval of staff recommendation.

Vice Mayor Koval seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

- (27) **Resolution Authorizing the City Manager to Execute a Letter of Intent to Accept Relinquishment of Property from Caltrans for the SR-67/Woodside Avenue Roundabout CIP 2015-07 Project, Authorizing**



**the City Manager to Execute Caltrans Right-of-Way Certification Documents and Waiving the 90-Day Notice Required per Section 73 of the California Streets and Highways Code. (Development Services – Kush)**

The Principal Civil Engineer presented the staff report and responded to Council questions.

Council Member Houlahan complimented staff for great innovation on the roundabout.

Vice Mayor Koval inquired whether the roundabout would have landscaping or a monumentation, to which the Principal Civil Engineer responding there will be landscaping.

Council Member Hall inquired when the roundabout would be completed.

**ACTION:** Council Member Houlahan moved approval of staff recommendation.

Council Member McNelis seconded the motion, which carried by the following roll call vote: Mayor Minto: Aye; Vice Mayor Koval: Aye, and Council Members Hall: Aye; Houlahan: Aye, and McNelis: Aye. Ayes: 5. Noes: 0.

**NON-AGENDA PUBLIC COMMENT: (Continued)**

- (A) Nora McIntyre expressed concerns related to Fanita Ranch social media advertising and Draft Environmental Impact Report.
- (B) Samm Hurst expressed concerns related to Fanita Ranch advertising and Draft Environment Impact Report.

**CITY COUNCIL REPORTS:**

Vice Mayor Koval reported she attended the East County Economic Development Council meeting; she thanked the City staff for the 4<sup>th</sup> of July fireworks display; she attended the White House phone call related to the pandemic and will provide a full report to the Council at a later date.

Mayor Minto reported attending the San Diego Association of Governments (SANDAG) meeting in which the Regional Housing Needs Assessment was discussed, he stated several appeals by other Cities were turned down and the City of San Diego called for a weighted vote; he stated he is in opposition of weighted votes that cause a lack of representation; he also thanked staff for the 4<sup>th</sup> of July fireworks display.

Council Member Hall stated Coronado may bring litigation against SANDAG in relation to the vote.

**CITY MANAGER REPORTS:**

The City Manager commented on the 4<sup>th</sup> of July fireworks display and thanked the Community Services Department for their efforts; she expressed gratitude to Chief Stuber for his years of service to the City; she stated the City has day camp programs available for youth; she announced the City has created different ways to help businesses during the pandemic, as well as residential support for individuals, and stated the information is available on the City website.

**CITY ATTORNEY REPORTS:**

The City Attorney announced, in relation to the updated Municipal Code, the independent election counsel for the November 3, 2020, election has been selected; he clarified the process in which complaints would be handled.

**CLOSED SESSION:**

Council Members recessed at 8:28 p.m. and convened in Closed Session at 8:31 p.m.

**(28) CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Government 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 9:05 p.m. with all members present. Mayor Minto reported that discussion occurred and direction was given to staff.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:06 p.m.

Date Approved: August 12, 2020



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Annette Ortiz, CMC, City Clerk