

CITY OF ESCONDIDO
September 19, 2018
3:30 P.M. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, September 19, 2018 in the City Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Deputy Mayor John Masson, Councilmember Michael Morasco, and Mayor Sam Abed. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to recess to Closed Session. Motion carried unanimously.

- I. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**
- a. **Case Name:** City of Escondido v. Pacific Harmony Grove Development et al.
 Case No: 37-2016-00010237-CU-EI-NC
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
- a. **Property:** 16625 Sun Energy Road, Valley Center, CA 92082, APNs 189-060-42 and 189-060-44
 City Negotiator: Jeffrey Epp, City Manager
 Negotiating Parties: Lianne C. Thompson Mueller and Harlan L. Thompson
 Under Negotiation: Price and Terms of Agreement

ITEM I. a. WAS REMOVED AND NOT DISCUSSED.

ADJOURNMENT

Mayor Abed adjourned the meeting at 3:45 p.m.

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Sam Abed

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MAYOR

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Diane Halverson

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CITY CLERK

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Jennifer Ekblad

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DEPUTY CITY CLERK

CITY OF ESCONDIDO
September 19, 2018
4:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, September 19, 2018 in the City Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

Vicki Stone led the Moment of Reflection.

FLAG SALUTE

Jordan Campbell and Nathan Walker from Troop 655 led the flag salute.

ATTENDANCE:

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Deputy Mayor John Masson, Councilmember Michael Morasco, and Mayor Sam Abed. Quorum present.

Also present were: Jeffrey Epp, City Manager; Michael R. McGuinness, City Attorney; Bill Martin, Director of Community Development; Julie Procopio, Director of Engineering Services; Diane Halverson, City Clerk; and Jennifer Ekblad, Deputy City Clerk.

PROCLAMATIONS

Jeff Murdock, Disaster and Emergency Preparedness Manager, accepted the proclamation for National Preparedness Month.

PRESENTATIONS

Badge Presentation to Captain Edward Varso

ORAL COMMUNICATIONS

Thomas Lopez, representative for Justice in Equity Coalition, invited the City Council to attend an event on October 14 at 2:00 p.m. at the Resurrection Catholic Church in Escondido.

Robert O'Sullivan, Escondido, shared an excerpt from a poem about Escondido and provided information regarding a book about poems and art in Escondido.

Gerda Govine Ituarte, Pasadena, shared a poem and invited the City Council to a poetry event.

CONSENT CALENDAR

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve all Consent Calendar items with the exception of item 8 and item 15. Motion carried unanimously.

1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)

2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: A) Regular Meeting of August 15, 2018 B) Regular Meeting of August 22, 2018**

4. **WALMART FOUNDATION GRANT AWARD ACCEPTANCE AND BUDGET ADJUSTMENT -**
Request the City Council approve accepting \$1,900 in grant funding from the Walmart Foundation to purchase six new wildland fire shelters; authorize the Fire Chief or his designee to execute grant documents on behalf of the City; and authorize the necessary budget adjustment to establish a new project tracking number to track these grant funds. (File No. 0480-70)

Staff Recommendation: **Approval (Fire Department: Rick Vogt)**

5. **FISCAL YEAR 2018-19 STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY PEDESTRIAN AND BICYCLE SAFETY PROGRAM GRANT AND BUDGET ADJUSTMENT -**
Request the City Council approve authorizing the Escondido Police Department to accept Fiscal Year 2018-19 California Office of Traffic Safety (OTS) Pedestrian and Bicycle Safety Program Grant in the amount of \$25,000; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

Staff Recommendation: **Approval (Police Department: Craig Carter)**

6. **FISCAL YEAR 2018-19 STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT AND BUDGET ADJUSTMENT -**
Request the City Council approve authorizing the Escondido Police Department to accept a Fiscal Year 2018-19 California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant in the amount of \$410,000; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

Staff Recommendation: **Approval (Police Department: Craig Carter)**

7. **ESCONDIDO TRACT SUB 15-0031 FINAL MAP, LOCATED AT 2319 CRANSTON DRIVE -**
Request the City Council approve the Final Map for Tract SUB 15-0031, a five lot subdivision located at 2319 Cranston Drive consisting of four single family residential lots and a single commercial lot being developed as a self-storage facility. (File No. 0800-10)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

8. **DISPOSITION OF PROPERTY: 137-151 WEST VALLEY PARKWAY -**
Request the City Council approve authorizing the Real Property Manager and City Clerk to execute a purchase agreement and escrow documents necessary to complete the sale of 137-151 West Valley Parkway (APN 229-421-26) to Touchstone MF Fund I, LLC. (File No. 0690-20)

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2018-160

Deputy Mayor Masson abstained from this item and left the dais.

Jay Petrek, Assistant City Manager, presented the staff report utilizing a PowerPoint presentation.

Robert DePhilippis, Chula Vista, spoke in opposition to the proposed project and shared concerns about the impact to his business.

James Crone, Escondido, shared concerns regarding inadequate parking downtown.

Maria Bowman, Escondido, voiced her support for the proposed project.

Dan Forster, representative for the Escondido Downtown Business Association, shared concerns regarding inadequate parking downtown and spoke in opposition to the project unless adequate parking is provided.

David Ferguson, Escondido, representative for Touchstone Communities, shared that the agreement is consistent with other agreements.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve authorizing the Real Property Manager and City Clerk to execute a purchase agreement and escrow documents necessary to complete the sale of 137-151 West Valley Parkway (APN 229-421-26) to Touchstone MF Fund I, LLC and adopt Resolution No. 2018-160. Ayes: Abed, Gallo, and Morasco. Noes: Diaz. Abstain: Masson. Motion carried.

9. AMEND ENGINEERING AND TRAFFIC SURVEY (SPEED ZONE) ON BROADWAY -

Request the City Council approve amending an Engineering and Traffic Survey (Speed Zone) on Broadway between El Norte Parkway and Leslie Lane to be consistent with the existing speed limit on Broadway north of Leslie Lane. (File No. 1050-50)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-144

10. AMEND THE CITY OF ESCONDIDO'S SCHEDULE OF STOP SIGNS AT VARIOUS LOCATIONS CITYWIDE -

Request the City Council approve amending the City's schedule of stop signs adding to the official inventory 30 stop signs that were previously approved and installed as part of five development projects and remove eight stop signs replaced by traffic signals. (File No. 1050-50)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-145

11. ADOPTION OF A RESOLUTION DELEGATING FIDUCIARY DUTIES RELATED TO THE PLAN MANAGEMENT OF THE CITY OF ESCONDIDO EMPLOYEES' 401(K), 457(B), AND RETIREMENT HEALTH SAVINGS PLANS -

Request the City Council approve delegating fiduciary responsibility for plan management associated with the operation and maintenance of the City's deferred compensations plans to the Deputy City Manager/Administrative Services. (File No. 0720-40)

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2018-147

12. NOTICE OF COMPLETION: EMERGENCY REPAIR OF FIVE SECTIONS OF ESCONDIDO SEWER PIPELINE GENERALLY ALONG HALE AVENUE (HALE AVENUE UNDERPASS OF I-15, KIA DEALERSHIP PARKING LOT, SOUTH HALE AVENUE, CASA GRANDE MOBILE ESTATES, AND GREEN TREE MOBILE HOME ESTATES) -

Request the City Council approve authorizing the Director of Utilities to file a Notice of Completion for the Emergency Repair of the Five Sections of Escondido Sewer Pipeline generally along Hale Avenue. (File No. 0600-10 [A-3242])

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

RESOLUTION NO. 2018-148

13. LEASE AGREEMENT WITH GRUPO FUNERARIO SANTANA CORPORATION DBA FUNERARIA LA PAZ AT 240 SOUTH BROADWAY -

Request the City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with Grupo Funerario Santana Corporation dba Funeraria La Paz for property located at 240 South Broadway for funeral services. (File No. 0600-10 [A-3263])

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-149

14. LEASE AGREEMENT WITH ESCONDIDO EDUCATION COMPACT FOR PROPERTY LOCATED AT 220, 228, AND 230 SOUTH BROADWAY -

Request the City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with Escondido Education Compact for property located at 220, 228, and 230 South Broadway. (File No. 0600-10 [A-3264])

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-150

15. SET THE DATE OF OCTOBER 10, 2018 FOR A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION OF NECESSITY AUTHORIZING THE CITY ATTORNEY TO INITIATE A CONDEMNATION PROCEEDING -

Request the City Council approve setting the date of October 10, 2018 for a Public Hearing to consider adoption of a Resolution of Necessity authorizing the City Attorney to initiate condemnation proceedings to acquire the property rights required across portions of San Diego County assessor's parcel numbers 189-060-42 and 189-060-44 for the construction of the San Pasqual Underground Canal Project. (File No. 0690-50)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-152

Deputy Mayor Masson abstained from this item and left the dais.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Gallo to approve setting the date of October 10, 2018 for a Public Hearing to consider adoption of a Resolution of Necessity authorizing the City Attorney to initiate condemnation proceedings to acquire the property rights required across portions of San Diego County assessor's parcel numbers 189-060-42 and 189-060-44 for the construction of the San Pasqual Underground Canal Project and adopt Resolution No. 2018-152. Ayes: Abed, Diaz, Gallo, Morasco. Noes: None. Abstain: Masson. Motion carried.

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

CURRENT BUSINESS

16. RECYCLED WATER EASTERLY MAIN AND TANKS PROJECT: BID AWARD, CONSULTING AGREEMENT, AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Mayor and City Clerk to execute a Public Improvement Agreement with SC Valley Engineering, Inc., the lowest responsive and responsible bidder, in the amount of \$9,652,000 for construction of the Recycled Water Easterly Main and Tanks Project (also known as the Blended RO Line Project - Package 2A & 2B); authorize the Mayor and City Clerk to execute a Consulting Agreement with Valley Construction Management in the amount of \$623,988 for construction management services for the Recycled Water Easterly Main and Tanks Project (also known as the Blended RO Line Project - Package 2A & 2B); and approve a budget adjustment in the amount of \$2,808,038.52. (File No. 0600-10 [A-3248, A-3266])

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

A) RESOLUTION NO. 2018-100 B) RESOLUTION NO. 2018-116

Angela Morrow, Deputy Director of Utilities/Construction & Engineering, presented the staff report utilizing a PowerPoint presentation.

Patricia Borchmann, Escondido, shared concerns regarding budget adjustments, the scope and scale of the project, and the use of state revolving funds not benefitting low income citizens; spoke in opposition to the proposed project.

MOTION: Moved by Councilmember Gallo and seconded by Deputy Mayor Masson to approve authorizing the Mayor and City Clerk to execute a Public Improvement Agreement with SC Valley Engineering, Inc., the lowest responsive and responsible bidder, in the amount of \$9,652,000 for construction of the Recycled Water Easterly Main and Tanks Project (also known as the Blended RO Line Project - Package 2A & 2B); authorize the Mayor and City Clerk to execute a Consulting Agreement with Valley Construction Management in the amount of \$623,988 for construction management services for the Recycled Water Easterly Main and Tanks Project (also known as the Blended RO Line Project - Package 2A & 2B); and approve a budget adjustment in the amount of \$2,808,038.52 and adopt Resolution No. 2018-100 and Resolution No. 2018-116. Motion carried unanimously.

17. BUDGET ADJUSTMENT AND LOAN TO THE CALIFORNIA CENTER FOR THE ARTS, ESCONDIDO -

Request the City Council approve a budget adjustment to facilitate a \$261,500 loan from the City's Public Facilities Fund to the California Center for the Arts, Escondido (CCAEC) for financing a new sound system in the CCAEC Concert Hall. (File No. 0910-10)

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2018-146

Jay Petrek, Assistant City Manager, presented the staff report utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Gallo and seconded by Deputy Mayor Masson to approve a budget adjustment to facilitate a \$261,500 loan from the City's Public Facilities Fund to the California Center for the Arts, Escondido (CCAEC) for financing a new sound system in the CCAEC Concert Hall and adopt Resolution No. 2018-146. Motion carried unanimously.

FUTURE AGENDA

18. FUTURE AGENDA -

The purpose of this item is to identify issues presently known to staff or which members of the City Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: **None (City Clerk's Office: Diane Halverson)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Diaz attended the High School/Elementary School Districts Council Subcommittee meeting and reported discussing partnerships to provide an aquatic center.

Councilmember Morasco attended the High School/Elementary School Districts Subcommittee meeting; shared the California Center for the Arts, Escondido 2018-2019 season program is available; Regional Solid Waste Association is increasing annual donation for city projects to \$7000.

Mayor Abed reported SANDAG hired an Executive Director, Hasan Ikhata; Escondido tied for grant funding for Smart Growth, and shared slides regarding projected growth and existing housing stock.

CITY MANAGER'S WEEKLY ACTIVITY REPORT

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **WEEKLY ACTIVITY REPORT**

ORAL COMMUNICATIONS

Patricia Borchmann, Escondido, shared appreciation for the Future Agenda calendar on the agenda and suggested a public workshop regarding placement of items on the Consent Calendar.

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:16 p.m.

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Sam Abed
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MAYOR

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Diane Halverson
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CITY CLERK

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DEPUTY CITY CLERK