

CITY OF ESCONDIDO
March 23, 2016
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, March 23, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, and Mayor Sam Abed. Deputy Mayor Morasco was absent from the first part of the closed session and arrived at 3:54 p.m. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to recess to Closed Session. Ayes: Diaz, Gallo, Masson, and Abed. Noes: None. Absent: Morasco. Motion carried.

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
- a. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Non-Sworn Police Bargaining Unit
 - b. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Escondido City Employee Association: Supervisory (SUP) Bargaining Unit
 - c. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering (ACE) Bargaining Unit
- II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**
- Case Name:** Southwest Key Programs, Inc. v. City of Escondido
Case No: 15-CV-1115-H (BLM)

III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

- a. **Property:** 272 East Via Rancho Parkway
 City Negotiator: Graham Mitchell, City Manager
 Negotiating Parties: Westfield Shopping Town, Inc.
 Under Negotiation: Price and Terms of Agreement

THIS ITEM WAS NOT DISCUSSED.

- b. **Property:** Municipal Parking Lot #1
 City Negotiator: Graham Mitchell, City Manager
 Negotiating Parties: Touchstone Communities
 Under Negotiation: Price and Terms of Agreement

THE COUNCIL TOOK UP ITEM III(b) AT 4:20 P.M. COUNCILMEMBER MASSON ABSTAINED FROM THIS ITEM AND LEFT THE ROOM DUE TO TOUCHSTONE BEING A SOURCE OF INCOME.

- c. **Property:** 1161 North Centre City Parkway
 City Negotiator: Debra Lundy, Real Property Manager
 Negotiating Parties: Escondido Community Garden
 Escondido Senior Community Garden
 Under Negotiation: Price and Terms of Agreement

IV. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))

- a. One Case: Claim No. 4746

ACTING ON THE RECOMMENDATION OF THE CITY ATTORNEY, THE CITY COUNCIL AGREED TO PAY CLAIM NO. 4746.

ADJOURNMENT

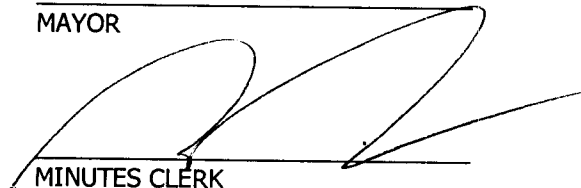
Mayor Abed adjourned the meeting at 4:45 p.m.



MAYOR



CITY CLERK



MINUTES CLERK

CITY OF ESCONDIDO
March 23, 2016
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 4:47 p.m. on Wednesday, March 23, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Kathy Hearn led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the Flag Salute.

PROCLAMATIONS:

Posthumous Certificate of Recognition for Vincent Grumel

PRESENTATIONS:

California Center for the Arts, Escondido – Spring Gala

ATTENDANCE:

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

Also present were: Graham Mitchell, City Manager; Jeffrey Epp, City Attorney; Jay Petrek, Director of Community Development; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Bob Hathrop, Escondido, noted a series of events that will be held in Grape Day Park.

David Salinas, Vista, owner of San Diego Puppy, highlighted the services his business provides.

CONSENT CALENDAR

Deputy Mayor Morasco removed item 4, Councilmember Diaz removed items 14 and 16, and Councilmember Masson removed item 18 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve the following Consent Calendar items with the exception of items 4, 14, 16 and 18. 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 February 3, 2016 B) Regular Meeting of February 10, 2016 C) Special Meeting of February 24, 2016 D) Special Meeting of March 2, 2016**
4. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2015 -**
Request City Council receive and file the Quarterly Investment Report. (File No. 0490-55)

Staff Recommendation: **Receive and File (City Treasurer's Office: Kenneth C. Hugins)**

Deputy Mayor Morasco questioned funding for water and wastewater projects.

Ken Hugins, City Treasurer, stated the funds are expenditures.

NO ACTION, INFORMATION ONLY.

5. **FISCAL YEAR 2015 URBAN AREA SECURITY INITIATIVE GRANT - SITE ASSESSMENT AND BUDGET ADJUSTMENT -**
Request City Council approve accepting FY 2015 Urban Area Security Initiative (UASI) Grant funds in the amount of \$5,000; 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. **FINAL MAP, ESCONDIDO TRACT SUB 13-0010, LOCATED AT 839 STANLEY AVENUE AND 926 LEHNER AVENUE -**
Request City Council approve the Final Map for Tract SUB 13-0010, a 16-lot residential subdivision located at 839 Stanley Avenue and 926 Lehner Avenue. (File No. 0800-10)

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

7. **UNCLASSIFIED SERVICE SCHEDULE AND SALARY PLANS -**
Request City Council approve amending and re-establishing the following salaries and positions: the Salary Bands of the Unclassified Management Group, Salary Plans for positions in the Unclassified Clerical/Technical/Group, the Unclassified Service Schedule list, and the Part-Time Hourly Compensation Plan. (File No. 0720-20)

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

- A) RESOLUTION NO. 2016-15 B) RESOLUTION NO. 2016-16
C) RESOLUTION NO. 2016-17 D) RESOLUTION NO. 2016-24

8. MEMORANDUM OF UNDERSTANDING FOR THE PROPERTY PROGRAM AND THE EXCESS LIABILITY PROGRAM PROVIDED BY THE CALIFORNIA STATE ASSOCIATION OF COUNTIES EXCESS INSURANCE AUTHORITY -

Request City Council approve acknowledging and authorizing the City Manager to execute the Memorandum of Understanding with the CSAC-EIA for the Property Program effective March 31, 2016; and the Memorandum of Understanding for the Excess Liability Program effective July 1, 2016. (File No. 170-20)

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

RESOLUTION NO. 2016-35

9. RENEW AUTHORIZATION TO INVEST MONIES IN THE LOCAL AGENCY INVESTMENT FUND -

Request City Council approve renewal authorization to invest monies not required for immediate cash flow needs in the Local Agency Investment Fund (LAIF) which is administered by the State Treasury in accordance with Section 16429.1 of California Government Code. (File No. 0490-30)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2016-49

10. LEASE AGREEMENT WITH CARE CENTER CREMATION & BURIAL AT 240 SOUTH BROADWAY -

Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with Care Center Cremations & Burial for property located at 240 South Broadway. (File No. 0600-10 [A-3188])

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

RESOLUTION NO. 2016-40

11. LEASE AGREEMENT WITH MIKE'S BBQ, INC. AT 3333 BEAR VALLEY PARKWAY, ADULT SOFTBALL FIELDS CONCESSION STAND IN KIT CARSON PARK -

Request City Council approve authorizing the Real Property manager and the City Clerk to execute a Lease Agreement with Mike's BBQ, Inc. for property located at 3333 Bear Valley Parkway, Adult Softball Fields concession stand. (File No. 0600-10 [A-3189])

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

RESOLUTION NO. 2016-41

12. LEASE AGREEMENT WITH NC GARCIA, INC. AT 3315 BEAR VALLEY PARKWAY, SPORTS CENTER CONCESSION STAND IN KIT CARSON PARK -

Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with NC Garcia, Inc. for property located at 3315 Bear Valley Parkway, Sports Center concession stand. (File No. 0600-10 [A-3190])

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

RESOLUTION NO. 2016-42

13. THIRD AMENDMENT TO LEASE AGREEMENT WITH ESCONDIDO BOYS' AND GIRLS' CLUB AT 115 WEST WOODWARD AVENUE -

Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a Third Amendment to the Lease Agreement with Escondido Boys' and Girls' Club at 115 West Woodward Avenue. (File No. 0600-10 [A-0092-L])

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

RESOLUTION NO. 2016-43

14. 2015 ANNUAL HOUSING ELEMENT REPORT (PHG 16-0001) -

Request City Council review the 2015 Annual Housing Report documenting the City's progress and compliance with State housing law on implementing the 2013-2020 Housing Element of the General Plan, and authorize submittal of the report to the State Office of Planning and Research, the State Department of Housing and Community Development, and SANDAG. (File No. 0875-70)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

Councilmember Diaz questioned the amount of homes that were built in 2015.

Kristina Owens, Planning, explained the table highlighting the number of homes built.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to review the 2015 Annual Housing Report documenting the City's progress and compliance with State housing law on implementing the 2013-2020 Housing Element of the General Plan, and authorize submittal of the report to the State Office of Planning and Research, the State Department of Housing and Community Development, and SANDAG. Motion carried unanimously.

15. ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR AMBER LANE SINGLE-FAMILY RESIDENTIAL LOT DEVELOPMENT (ENV 15-0003) -

Request City Council approve the adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the Amber Lane Residential Development. (File No. 0820-20)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

RESOLUTION NO. 2016-31

16. CONSULTING AGREEMENT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE CITYWIDE SPHERE OF INFLUENCE UPDATE AND THE SAFARI HIGHLANDS RANCH PROJECT AND RELATED BUDGET ADJUSTMENT (ENV 15-0009 & SUB 15-0019) -

Request City Council approve a consulting agreement and scope of services with Michael Baker International to prepare an Environmental Impact Report (EIR) for the proposed Citywide Sphere of Influence Update and the Safari Highlands Ranch project for a not-to-exceed price of \$296,475 and to direct staff to make related budget adjustments. (File No. 0600-10 [A-3191])

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

RESOLUTION NO. 2016-34

Councilmember Diaz stated she does not support the expense of the Environmental Impact Report.

Dolores McQuiston, Escondido, Escondido Chamber of Citizens, quoted the General Plan Annexation Policy.

Ed Swigerski, Escondido, lives adjacent to the project and stated the project is too large.

Karen Greenwood, San Diego, stated she does not support the proposed development.

Neil Greenwood, Escondido, noted chemicals that are found in the area and the negative effect on residents.

Philip Ewing, San Diego, stated the development will create negative impacts during rainstorms.

Scott Graves, Escondido, expressed concern with Michael Baker International performing the EIR for the project

Carl Skaja, Escondido, stated the EIR is necessary to provide information on the project.

Don Greenwood, applicant, was available to answer questions.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve a consulting agreement and scope of services with Michael Baker International to prepare an Environmental Impact Report (EIR) for the proposed Citywide Sphere of Influence Update and the Safari Highlands Ranch project for a not-to-exceed price of \$296,475 and to direct staff to make related budget adjustments and adopt Resolution No. 2016-34. Ayes: Gallo, Masson, Morasco and Abed. Noes: Diaz. Absent: None. Motion carried.

17. CITY RECORDS RETENTION SCHEDULE -

Request City Council approve the revised and updated Records Retention Schedule for the City of Escondido. (File No. 0160-50)

Staff Recommendation: **Approval (City Clerk's Office: Diane Halverson)**

RESOLUTION NO. 2016-32

18. FIRST AMENDMENT TO CONSULTING AGREEMENT FOR THE DESIGN OF A MEMBRANE FILTRATION/REVERSE OSMOSIS FACILITY FOR TREATMENT OF RECYCLED WATER FOR AGRICULTURAL IRRIGATION -

Request City Council approve authorizing the Mayor and City Clerk to execute a First Amendment to the Consulting Agreement with Black & Veatch Corporation in the amount of \$426,645. The Amendment is for additional engineering services to prepare construction drawings and specifications for a membrane filtration and reverse osmosis facility with a capacity of 2 million gallons per day. (File No. 0600-10 [A-3132])

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

RESOLUTION NO. 2016-47

Councilmember Masson questioned costs for the project and requested a cost analysis.

Deputy Mayor Morasco requested the item to be continued to include more information.

NO ACTION, ITEM CONTINUED TO FUTURE MEETING.

19. LEASE AGREEMENT WITH EL CABALLO PARK CONSERVANCY ON LAND ADJACENT TO EAST VALLEY PARKWAY -

Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a Lease Agreement with El Caballo Park Conservancy for land located adjacent to East Valley Parkway (Portions of APNs: 225-141-27, -34, & -40). (File No. 0600-10 [A-3192])

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

RESOLUTION NO. 2016-44

Steve Berrol, Escondido, thanked the Council for assistance with El Caballo Park.

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.)

PUBLIC HEARINGS

20. **CONDUCT A PUBLIC HEARING TO CONSIDER A RESOLUTION OF NECESSITY FOR EMINENT DOMAIN FOR THE CITRACADO PARKWAY EXTENSION PROJECT - ASSESSOR PARCEL NUMBER 235-040-15 (PACIFIC HARMONY GROVE DEVELOPMENT, LLC, ET. AL.) -**
Request City Council approve authorizing the eminent domain proceeding and directing the City Attorney to commence an action in the Superior Court for the purpose of acquiring said real property.
Continued from February 10, 2016 (File No. 0690-50)

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson/Debra Lundy)**

RESOLUTION NO. 2016-25R

Councilmember Masson abstained and left the dais.

Debra Lundy, Real Property Manager, presented the staff report, utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Gallo and seconded by Deputy Mayor Morasco to approve authorizing the eminent domain proceeding and directing the City Attorney to commence an action in the Superior Court for the purpose of acquiring said real property and adopt Resolution No. 2016-25R. Ayes: Diaz, Gallo, Morasco and Abed. Noes: None. Abstained: Masson. Motion carried.

CURRENT BUSINESS

21. **ANNUAL APPOINTMENTS TO BOARDS AND COMMISSIONS -**

Request City Council ratify the Mayor's appointments to serve on the City's Boards and Commissions; terms to expire March 31, 2020 except as noted. (File No. 0120-10)

Staff Recommendation: **Ratify the Mayor's Appointments (City Clerk's Office: Diane Halverson)**

MOTION: Moved by Mayor Abed and seconded by Councilmember Diaz to ratify the Mayor's appointment of Thomas Cherry and Mirek Gorny to the Building Advisory and Appeals Board. Motion carried unanimously.

MOTION: Moved by Mayor Abed and seconded by Councilmember Masson to ratify the Mayor's appointment of Joseph Bologna, Steven Inscoe, Doug Stephens and Helena Lopez (Short Term Vacancy) to the Community Services Commission. Motion carried unanimously.

MOTION: Moved by Mayor Abed and seconded by Deputy Mayor Morasco to ratify the Mayor's appointment of Carol Breitenfeld, Jesse Hanwit and Carol Rea to the Historic Preservation Commission. Motion carried unanimously.

MOTION: Moved by Mayor Abed and seconded by Councilmember Diaz to ratify the Mayor's appointment of Gary Knight and Mayra Salazar to the Library Board of Trustees. Motion carried unanimously.

MOTION: Moved by Mayor Abed and seconded by Deputy Mayor Morasco to ratify the Mayor's appointment of Arcelia Magana, Patricia Nunez and William Salerno to the Personnel Board of Review. Motion carried unanimously.

MOTION: Moved by Mayor Abed and seconded by Councilmember Masson to ratify the Mayor's appointment of Michael Cohen, Don Romo, James Spann and Stan Weiler to the Planning Commission. Ayes: Gallo, Masson, Morasco and Abed. Noes: Diaz. Absent: None. Motion carried.

MOTION: Moved by Mayor Abed and seconded by Councilmember Masson to ratify the Mayor's appointment of Thomas Osvold, Gale Pruitt and Marty Tiedeman to the Public Art Commission. Motion carried unanimously.

MOTION: Moved by Mayor Abed and seconded by Deputy Mayor Morasco to ratify the Mayor's appointment of Michael McManus and Larry Thornburgh to the Transportation and Community Safety Commission. Ayes: Gallo, Masson, Morasco and Abed. Noes: Diaz. Absent: None. Motion carried.

22. DISABLED VETERAN BUSINESS ENTERPRISE PREFERENCE ORDINANCE -

Request City Council approve amending Article 5, Chapter 10 of the Escondido Municipal Code to provide disabled veteran businesses a one percent credit on bids for purchases of supplies and equipment. (File No. 0680-10)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

ORDINANCE NO. 2016-03(R) (Introduction and First Reading)

Sheryl Bennett, Director of Administrative Services, introduced Edid Molina, Finance Manager, who presented the staff report, utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve amending Article 5, Chapter 10 of the Escondido Municipal Code to provide disabled veteran businesses a two percent credit on bids for purchases of supplies and equipment and introduce Ordinance No. 2016-03R. Motion carried unanimously.

23. LIBRARY EXPANSION UPDATE: SURVEY RESULTS -

Request City Council consider the Library expansion survey results and provide direction whether to place a bond measure on the November 2016 ballot or develop an alternative financing public/private partnership plan. (File No. 0110-20)

Staff Recommendation: **Provide Direction (Community Services Department: Loretta McKinney)**

Loretta McKinney, Director of Library and Community Services, presented the staff report, utilizing a PowerPoint presentation.

Kathy Eisler, Escondido, member of the Escondido Library Foundation, stated the current library is not able to serve the community's needs and needs to be improved; supports placing a bond measure on the November 2016 ballot.

Elmer Cameron, Escondido, believes the public should be able to vote on the Library measure.

COUNCIL PROVIDED DIRECTION TO STAFF TO STUDY THE FINANCIAL FEASIBILITY OF PLAN TO BUILD A NEW LIBRARY IN GRAPE DAY PARK, INCLUDING OTHER PARK ENHANCEMENTS.

FUTURE AGENDA

24. 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 reported on the San Dieguito River Park Budget Committee meeting and the provisions that were added; noted a cleanup in Mountain View Park that took place on March 20, 2016.

Councilmember Masson reported on the League of California Cities meeting; attended the SANDAG retreat and reported on the North County cities' discussions.

Councilmember Gallo reported on the San Diego County Water Authority's information regarding the drought; discussed North County Transit District's possible allocation of funds.

Councilmember Morasco stated there is a Regional Solid Waste Board meeting on April 7, 2016.

Mayor Abed reported on the SANDAG retreat and the approved balanced preliminary budget; SANDAG is analyzing a plan to place a half-cent sales tax on the ballot.

CITY MANAGER'S UPDATE/BRIEFING

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

- CITY MANAGER'S UPDATE -

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 7:35 p.m.


MAYOR


CITY CLERK


MINUTES CLERK