

**CITY OF ESCONDIDO**  
**September 23, 2015**  
**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 23, 2015 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, Deputy Mayor Michael Morasco, and Mayor Sam Abed. Quorum present.

**ORAL COMMUNICATIONS**

**CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)**

**MOTION:** Moved by Councilmember Masson and Seconded by Councilmember Diaz to recess to Closed Session. Motion carried unanimously.

**I. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**

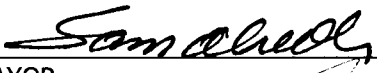
Case Name: Stuck in the Rough, LLC. v. City of Escondido, et al.  
Case No: 37-2013-00074375-CU-WM-NC

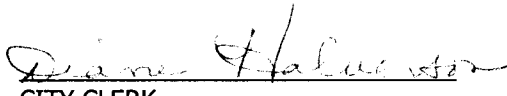
**II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**

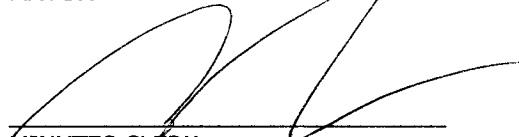
a. Property: 418 East Second Avenue  
City Negotiator: Debra Lundy, Real Property Manager  
Negotiating Parties: Talking Bibles International  
Under Negotiation: Price and Terms of Agreement

## ADJOURNMENT

Mayor Abed adjourned the meeting at 4:23 p.m.

  
MAYOR

  
CITY CLERK

  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**September 23, 2015**  
**4:30 P.M. Meeting Minutes**

**Escondido City Council**  
**and as Successor Agency to the CDC**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, September 23, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION:**

Joan Reed led the Moment of Reflection.

**FLAG SALUTE**

Mayor Abed led the Flag Salute.

**PRESENTATIONS:**

Palomar College Alumnus of the Year presented to Police Chief Craig Carter – Debbie King, Assistant Director of the Palomar College Foundation

Award Presentation to Girl Scout Troop 2034

**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: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

**ORAL COMMUNICATIONS**

**Patsy Dixon, Escondido**, expressed concern about terrorist activities and her safety.

**Kenneth P. Kestner, Escondido**, requested that Police stop disturbing him at his residence.

**Mike Slater, Escondido**, requested information concerning the Stuck in the Rough litigation.

Jeffrey Epp, City Attorney, commented that there is no tangible action to report.

## CONSENT CALENDAR

Deputy Mayor Morasco removed items 11 and 12 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Masson to approve the following Consent Calendar items. 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 26, 2015 B) Regular Meeting of September 2, 2015**

4. **ANNUAL DESTRUCTION OF RECORDS -**

Request Council approve authorizing the destruction of Police Department records, and City records set forth in Exhibit "A" and Exhibit "B," which are attached to the resolution, for the following departments: City Attorney, City Clerk, City Treasurer, Community Development, Community Services, Employee Benefits, Finance, HARRF, Housing, Human Resources, Library, Payroll, Police, Public Works, Risk Management, Utilities, and Workers Compensation. (File No. 0160-35)

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

RESOLUTION NO. 2015-104

5. **ADOPTION OF RESOLUTION NO. 2015-164 APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16B) FOR JANUARY 2016 THRU JUNE 2016 -**

Request Council approve the adoption of the Recognized Obligation Payment Schedule (ROPS 15-16B) so that the Successor Agency may continue to make payments due for enforceable obligations. (File No. 0440-35)

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

RESOLUTION NO. 2015-164

6. **FISCAL YEAR 2014 REGIONAL REALIGNMENT RESPONSE GRANT - ADDITIONAL FUNDS AND BUDGET ADJUSTMENT -**

Request Council approve accepting additional funds in the amount of \$85,000 for the FY 2014 Regional Realignment Response Grant; authorize the Chief of Police or his designee to execute contract 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. **FISCAL YEAR 2015-16 SAN DIEGO COUNTY LAW ENFORCEMENT FOUNDATION LESS LETHAL LIFE SAVING EQUIPMENT GRANT AND BUDGET ADJUSTMENT -**

Request Council approve authorizing the Escondido Police Department to accept a FY 2016 San Diego County Law Enforcement Foundation Grant in the amount of \$2,916; authorize the Chief of Police and Police Department staff to execute contract 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)**

**8. FISCAL YEAR 2016 STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT AND BUDGET ADJUSTMENT -**

Request Council approve authorizing the Escondido Police Department to accept a FY 2016 California Office of Traffic Safety Selective Traffic Enforcement Program Grant in the amount of \$309,726; authorize the Chief of Police or Police Department staff 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)**

**9. SET THE DATE OF OCTOBER 21, 2015 FOR A PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTIONS OF NECESSITY AUTHORIZING THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS -**

Request Council approve setting the date of October 21, 2015 at 4:30 p.m. for a Public Hearing to consider adopting Resolutions of Necessity authorizing the City Attorney to initiate condemnation proceedings to acquire the property rights across portions of Assessor Parcel Numbers: 240-020-23 [Serrato]; 240-011-12/13 [Smith]; 240-011-01 [Toscano]; 240-011-03 [Heath] and 240-301-09 [Jauregui] for construction of the East Valley Parkway/Valley Center Road Project. (File No. 0690-50)

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

RESOLUTION NO. 2015-166

**10. NOTICE OF COMPLETION FOR TRACT 921 CONTEMPO -**

Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for Tract 921 - Contempo. (File No. 0800-10)

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

**11. AMENDING SCHEDULE OF TIME ZONE PARKING TO CONVERT THE EXISTING TWO-HOUR PARKING LIMITATION ON GRAND AVENUE BETWEEN ESCONDIDO BOULEVARD AND JUNIPER STREET TO THREE-HOUR PARKING LIMITATION -**

Request Council approve amending the Schedule of Time Zoned Parking to convert the existing two-hour parking limitation on Grand Avenue between Escondido Boulevard and Juniper Street to three-hour parking limitation. (File No. 1060-10)

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

RESOLUTION NO. 2015-163

Deputy Mayor Morasco questioned how the City would monitor the success of the program.

Abraham Bandegan, Engineering, noted that businesses requested the change and the City will reevaluate the change in 6 months.

**MOTION:** Moved by Councilmember Gallo seconded by Councilmember Diaz to approve amending the Schedule of Time Zoned Parking to convert the existing two-hour parking limitation on Grand Avenue between Escondido Boulevard and Juniper Street to three-hour parking limitation and adopt Resolution No. 2015-163. Motion carried unanimously.

**12. AMEND SCHEDULE OF STOP SIGNS TO ADD NEW STOP SIGNS ON WEST CITRACADO PARKWAY AT SOUTH ESCONDIDO BOULEVARD AND ON WEST CITRACADO AT SOUTH CENTRE CITY PARKWAY -**

Request Council approve amending the City's Schedule of stop signs to add one (1) new stop sign on West Citracado Parkway at South Escondido Boulevard, and one (1) new stop sign on West Citracado Parkway at South Centre City Parkway. (File No.1050-50)

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

RESOLUTION NO. 2015-168

Deputy Mayor Morasco requested a presentation on the proposal.

Ali Shahzad, Engineering, presented the staff report, utilizing a PowerPoint presentation.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve amending the City's Schedule of stop signs to add one (1) new stop sign on West Citracado Parkway at South Escondido Boulevard, and one (1) new stop sign on West Citracado Parkway at South Centre City Parkway and adopt Resolution No. 2015-168. Motion carried unanimously.

**13. CONTINUING EMERGENCY AND NEED TO REPAIR THE ESCONDIDO SEWER OUTFALL IN THE ESCONDIDO CREEK -**

Request Council approve declaring that, pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency action and pass a resolution by four-fifths vote declaring that public interest and necessity demand the expenditure to safeguard life, health, or property. (File No. 1330-45)

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

RESOLUTION NO. 2015-167

**14. CEMETERY AREA WATER PIPELINE REPLACEMENT PROJECT - AWARD OF CONSULTING AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES -**

Request Council approve authorizing the Mayor and City Clerk to execute a Consulting Agreement for \$329,448 with Michael Baker International for construction management services for the Cemetery Area Water Pipeline Replacement Project. (File No. 0600-10 [A-3163])

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

RESOLUTION NO. 2015-160

**15. BUDGET ADJUSTMENT REQUEST AND APPROVAL OF CHANGE ORDERS FOR THE INFLUENT PUMP STATION PROJECT AT THE HALE AVENUE RESOURCE RECOVERY FACILITY -**

Request Council approve a budget adjustment in the amount of \$75,000 to Capital Improvement Program No. 804001 (HARRF Influent Pump Station) from the Wastewater Fund Operating, Debt, and CIP Reserve, and authorize a second amendment to the contract with TC Construction Company, Inc. The value of this amendment is not to exceed \$75,000 (0.1% of the original contract amount of \$8,169,500). (File No. 0600-10 [A-3162])

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

RESOLUTION NO. 2015-162

## **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.)

**16. AMENDMENT TO ESCONDIDO MUNICIPAL CODE SECTION 20-2 -**

Approved on September 2, 2015 with a vote of 5/0 (File No. 0680-50)

ORDINANCE NO. 2015-18R (Second Reading and Adoption)

## **PUBLIC HEARINGS**

**17. 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 Council approve a Resolution of Necessity authorizing initiation of an Eminent Domain Action. (File No. 0690-50)

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

RESOLUTION NO. 2015-165

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

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve a Resolution of Necessity authorizing initiation of an Eminent Domain Action and adopt Resolution No. 2015-165. Ayes: Abed, Gallo, Morasco and Diaz. Noes: None. Abstained: Masson. Motion carried.

## **CURRENT BUSINESS**

**18. AUTHORIZE REPAYMENT OF FUTURE STATE REVOLVING FUND LOANS FOR THREE RECYCLED WATER DISTRIBUTION EXPANSION PROJECTS -**

Request Council approve authorizing the repayment of three State Revolving Fund Loans for Capital Improvement Projects that are part of the recycled water distribution system expansion. This expansion will bring recycled water to agricultural customers in the Cloverdale and Hogback areas of the water distribution system. A separate, future Council action will be required for each project to accept loan funds if loan applications are approved by the Department of Water Resources. (File No. 1340-70)

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

A). RESOLUTION NO. 2015-157 B). RESOLUTION NO. 2015-158

C). RESOLUTION NO. 2015-159

Chris McKinney, Director of Utilities, presented the staff report, utilizing a PowerPoint presentation.

**Scott Graves, Escondido,** questioned if projects can be combined to minimize citizen inconvenience.

**MOTION:** Moved by Deputy Mayor Morasco and seconded by Councilmember Masson to approve authorizing the repayment of three State Revolving Fund Loans for Capital Improvement Projects that are part of the recycled water distribution system expansion. This expansion will bring recycled water to agricultural customers in the Cloverdale and Hogback areas of the water distribution system. A separate, future Council action will be required for each project to accept loan funds if loan applications are approved by the Department of Water Resources and adopt Resolution No. 2015-157, Resolution No. 2015-158, and Resolution No. 2015-159. Motion carried unanimously.

**19. AUTHORIZE AN ENERGY SERVICE CONTRACT FOR ENERGY DEMAND REDUCTION AT MULTIPLE CITY FACILITIES -**

Request Council approve authorizing the Mayor and City Clerk to execute a ten-year Energy Service Contract with Green Charge Networks to install and maintain a battery powered energy storage system to reduce the demand charge at multiple City facilities. Resolution No. 2015-144 also finds that the anticipated costs to the City for services provided under the Agreement will be less than the anticipated marginal cost of electricity that would have been consumed by the City in the absence of the Agreement. **Continued from September 2, 2015.**

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

RESOLUTION NO. 2015-144

**THIS ITEM WAS NOT DISCUSSED.**

## **FUTURE AGENDA**

**20. FUTURE AGENDA -**

The purpose of this item is to identify issues presently known to staff or which members of the 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 Gallo reported on North County Transit District and shared a message regarding train accidents; reported that ridership and revenue is above average; reported on the San Diego County Water Authority's bond refinancing that will save 15.1 million dollars.

Councilmember Masson noted that he will attend the California League of Cities meeting next week.

Deputy Mayor Morasco stated that the Regional Solid Waste Board Meeting is on October 8 and the California Center for the Arts will be holding a Subcommittee meeting on October 21.

Mayor Abed reported that the LAFCO merger between the Fallbrook Water District and the Rainbow Water District was unsuccessful; reported that SANDAG will be advancing with the San Diego Forward Regional Plan; Shared that Jim Rady, a former Mayor, has passed away.

## **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 5:26 p.m.

  
MAYOR

  
CITY CLERK

  
MINUTES CLERK