

CITY OF ESCONDIDO
September 24, 2014
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 24, 2014 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

The following members were present: Deputy Mayor Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Councilmember 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 LABOR NEGOTIATOR (Government Code §54957.6)

- a. **Agency Negotiator:** Sheryl Bennett, Clay Phillips
 Employee Organization: Escondido City Employee Association:
 Administrative/Clerical/Engineering Bargaining Unit

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

Case Name: City of Escondido v. Sylvia Clark
 Case No: 37-2013-00074379-CU-MC-NC

Case Name: Kreusser v. City of Escondido
 Case No: 37-2013-00048319-CU-FR-NC

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

- a. **Property:** APN: 229-372-20 Por. (proposed hotel site, Valley Parkway/Escondido Blvd)
City Negotiator: Charles Grimm, Assistant City Manager
Negotiating Parties: CW Clark, Inc.
Pierpoint Management, LLC
Under Negotiation: Price and Terms of Agreement

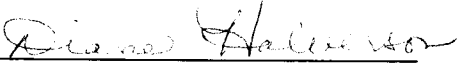
IV. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))

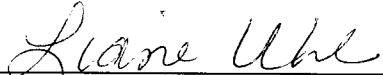
- a. Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9(d)(2): One Case

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:33 p.m.


MAYOR


CITY CLERK


MINUTES CLERK

CITY OF ESCONDIDO
September 24, 2014
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 4:35 p.m. on Wednesday, September 24, 2014 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

ATTENDANCE

The following members were present: Deputy Mayor Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Councilmember 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, Public Works Director; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

PRESENTATIONS

Mayor Abed introduced Jeff Ritchie, Escondido Disposal, who gave a presentation on the Escondido Disposal's New Automated Greens Recycling Program.

PROCLAMATIONS

Mayor Abed introduced the Escondido Extreme Girls Softball team. Proclamations were distributed to all of the team members, who are the Southern California State Champions.

Mayor Abed introduced Jack Raymond and Lisa Ruder, Charitable Foundation Representatives, who presented a series of slides and accepted a proclamation for Escondido Charitable Foundation Week, September 22, 2014 – September 26, 2014.

Mayor Abed introduced Barbara Takahara, Cedar-Cedarbrook Neighborhood Representative, who accepted a proclamation for National Neighborhood Day, September 24, 2014.

Mayor Abed introduced Kristen Aster and Jerry Morgan who accepted a proclamation for Hunger Action Month, September 2014.

ORAL COMMUNICATIONS

Dr. Luis Ibarra, Escondido Middle School Superintendent, urged Council to endorse the Proposition E bond measure.

Zoe Sanchez Richardson, Escondido, requested Council consider her adopt-a-lot request to turn an empty lot into a community garden.

Kallee McCreery, Escondido, stated the fees for maintenance and repairs to the homes in the old historic district were too high.

Carol Rea, Escondido, indicated the fees for maintaining a home in the old historic district were too high.

CONSENT CALENDAR

Mayor Abed removed items 5 and 7, Councilmember Masson removed items 10 and 12 and Councilmember Morasco removed item 13 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Gallo that the following Consent Calendar items be approved with the exception of items 5, 7, 10, 12, and 13. 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: None Scheduled**
4. **LEASE AGREEMENT WITH VERIZON WIRELESS AT JESMOND DENE PARK -**
Request Council approve authorizing the Real Property Manager and City Clerk to execute a Lease Agreement with Verizon Wireless, LLC at Jesmond Dene Park. (File No. 0600-10 [A-3130])

Staff Recommendation: **Approval (City Manager's Office: Charles Grimm)**

RESOLUTION NO. 2014-151

5. **2013-2014 CITY COUNCIL ACTION PLAN UPDATE -** Request Council receive and file the 2013-2014 City Council Action Plan update. (File No. 0610-95)

Staff Recommendation: **Receive and file (City Manager's Office: Joyce Masterson)**

Mayor Abed asked for a progress report on this item.

Joyce Masterson, Economic Development and Community Relations Director, explained how the report was created and the progress that had been achieved.

MOTION: Moved by Mayor Abed and seconded by Councilmember Diaz to receive and file the 2013-2014 City Council Action Plan update. Motion carried unanimously.

6. **ADOPTION OF RESOLUTION NO. 2014-144 APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15B) FOR JANUARY 2015 THRU JUNE 2015** - Request Council approve adopting the Recognized Obligation Payment Schedule (ROPS 14-15B) 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. 2014-144

7. **ESCONDIDO CITY EMPLOYEE ASSOCIATION - ADMINISTRATIVE, CLERICAL & ENGINEERING BARGAINING UNIT MEMORANDUM OF UNDERSTANDING** - Request Council approve executing a successor Escondido City Employee's Association - Administrative, Clerical & Engineering Bargaining Unit Memorandum of Understanding. (File No. 0740-30)

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

RESOLUTION NO. 2014-106

Ken Brown, San Diego, asked Council to grant a July 20, 2014 implementation date for the MOU

Gina Burns, Attorney, asked Council to retroactively implement the salary increases.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson to approve the MOU as it is written and adopt Resolution No. 2014-106. Motion carried unanimously.

8. **FISCAL YEAR 2012-2013 SAN DIEGO CAL-ID GRANT BUDGET ADJUSTMENT** - Request Council approve third through fifth-year funding of the five-year San Diego County Cal-ID Grant from the County of San Diego Remote Access Network (RAN); authorize the Chief of Police and Police Department staff to submit grant documents on behalf of the City; and approve budget adjustments needed to set up and spend grant funds for salary expenses for a Forensic Technician. (File No. 0480-70)

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

9. **FISCAL YEAR 2015 STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT GRANT AND BUDGET ADJUSTMENT** - Request Council approve authorizing the Escondido Police Department to accept a FY 2015 California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program Grant in the amount of \$305,400; 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)**

10. **HARRF COLLECTIONS YARD CONSULTING AGREEMENT FOR DESIGN PROFESSIONALS** - Request Council approve authorizing the Mayor and City Clerk to execute a Consulting Agreement for Design Professionals with RBF Consulting Inc., for design of the Hale Avenue Resource Recovery Facility (HARRF) Collections Yard. (File No. 0600-10 [A-3131])

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

RESOLUTION NO. 2014-137

Councilmember Masson asked for clarification of the project.

Paul Keck, Utilities Department, explained that this project was for the design of the collections yard to house the equipment and maintenance personnel.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve authorizing the Mayor and City Clerk to execute a Consulting Agreement for Design Professionals with RBF Consulting Inc., for design of the Hale Avenue Resource Recovery Facility (HARRF) Collections Yard and adopt Resolution No. 2014-137. Motion carried unanimously.

- 11. ADOPTION OF AMENDMENTS TO THE CONFLICT OF INTEREST CODE FOR THE CITY OF ESCONDIDO** - Request Council approve amending the Conflict of Interest Code for the City of Escondido pursuant to the Political Reform Act to update the list of designated public employees and public officials who are required to file a statement of economic interest and disclosure categories. (File No. 0640-30)

Staff Recommendation: **Approval (City Attorney's Office: Jeffrey Epp)**

RESOLUTION NO. 2014-143

- 12. DECLARATION OF AN EMERGENCY FOR SLOPE REPAIRS AT LAKE WOHLFORD ROAD** - Request Council approve accepting the determination by the Public Works Director/City Engineer and foregoing normal bidding procedures. (File No. 0600-10 Misc.)

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

RESOLUTION NO. 2014-157

Councilmember Masson praised staff for their efforts on this project.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve accepting the determination by the Public Works Director/City Engineer and foregoing normal bidding procedures and adopt Resolution No. 2014-157. Motion carried unanimously.

- 13. ALL WAY STOP CONTROL REQUEST FOR THE INTERSECTION OF CHESTNUT STREET AND 9TH AVENUE AND A CHANGE ORDER AUTHORIZATION REQUEST TO THE CITYWIDE STREET MAINTENANCE CONTRACT** - Request Council approve amending the schedule of stop signs and authorize the Director of Public Works to execute change orders in the amount of \$30,000 to the Citywide Street Maintenance Contract with All American Asphalt. (File No. 1050-50)

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

A) RESOLUTION NO. 2014-153 B) RESOLUTION NO. 2014-159

Councilmember Morasco indicated that many citizens were interested in this project.

Carol Rea, Escondido, thanked staff for their work on this project.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve amending the schedule of stop signs, authorize the Director of Public Works to execute change orders in the amount of \$30,000 to the Citywide Street Maintenance Contract with All American Asphalt and adopt Resolution No. 2014-153 and Resolution No. 2014-159. Motion carried unanimously.

14. **ADOPTION OF A NEGATIVE DECLARATION FOR THE JESMOND DENE LIGHTING PROJECT (ENV 14-0006)** - Request Council approve adopting a Negative Declaration prepared for the Jesmond Dene Park Lighting Project. (File No. 0800-40 ENV 14-0006)

Staff Recommendation: **Approval (Community Development Department/Planning: Barbara Redlitz)**

RESOLUTION NO. 2014-149

The Mayor called for one speaker on item 14, who did not appear for comments.

15. **ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE LINDLEY RESERVOIR TANK REPLACEMENT PROJECT (ENV 14-0004)** - Request Council approve adopting a Mitigated Negative Declaration (MND) prepared for the Lindley Reservoir Tank Replacement Project. (File No. 0800-40 ENV 14-0004)

Staff Recommendation: **Approval (Community Development Department/Planning: Barbara Redlitz)**

RESOLUTION NO. 2014-148

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. **TENTATIVE MAP WITH ONE GRADING EXEMPTION, DEVELOPMENT AGREEMENT AND ANNEXATION (SUB 13-0011, PHG 13-0043, PHG 13-044, ENV 13-0015)** - Approved on September 10, 2014 with a vote of 5/0. (File No. 0800-10 SUB 13-0011)

ORDINANCE 2014-17 (Second Reading and Adoption)

CURRENT BUSINESS

17. **AWARD A PUBLIC IMPROVEMENT AGREEMENT FOR A 24-INCH RECYCLED WATER PIPELINE AND BRINE LINE** - Request Council approve awarding a Public Improvement Agreement to MNR Construction, Inc. for construction of: 1) a 24-inch recycled water (RW) pipeline from the Broadway crossing of Escondido Creek, along the creek to Citrus Avenue; and 2) a Brine Line along the same path as the above described new section of RW pipeline. (File No. 0600-10 [A-3121])

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

RESOLUTION NO. 2014-145

Christopher McKinney, Utilities Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson to approve awarding a Public Improvement Agreement to MNR Construction, Inc. for construction of: 1) a 24-inch recycled water (RW) pipeline from the Broadway crossing of Escondido Creek, along the creek to Citrus Avenue; and 2) a Brine Line along the same path as the above described new section of RW pipeline and adopt Resolution No. 2014-145. Motion carried unanimously.

- 18. AWARD A CONSULTING AGREEMENT FOR THE DESIGN OF A MICRO-FILTRATION AND REVERSE OSMOSIS FACILITY FOR TREATMENT OF RECYCLED WATER FOR AGRICULTURAL IRRIGATION** - Request Council approve awarding a Consulting Agreement to Black and Veatch Corporation for design of a micro-filtration and reverse osmosis (MFRO) facility with a capacity of 2 million gallons per day (MGD) The proposed facility would be located between El Norte Parkway and Washington Avenue, and is part of the larger proposed expansion of Escondido's recycled water (RW) distribution to serve eastern and northern agricultural land. This treatment plant will, in 10 to 15 years, be incorporated into an advanced water treatment (AWT) plant at the same site for treatment of RW for potable reuse. (File No. 0600-10 [A-3132])

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

RESOLUTION NO. 2014-152

Christopher McKinney, Utilities Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve awarding a Consulting Agreement to Black and Veatch Corporation for design of a micro-filtration and reverse osmosis (MFRO) facility with a capacity of 2 million gallons per day (MGD) and adopt Resolution No. 2014-152. The proposed facility would be located between El Norte Parkway and Washington Avenue, and is part of the larger proposed expansion of Escondido's recycled water (RW) distribution to serve eastern and northern agricultural land. This treatment plant will, in 10 to 15 years, be incorporated into an advanced water treatment (AWT) plant at the same site for treatment of RW for potable reuse. Motion carried unanimously.

- 19. DESIGNATION OF AUTHORIZED REPRESENTATIVE FOR CLEAN WATER STATE REVOLVING FUND LOANS FOR THE RECYCLED WATER AND POTABLE REUSE PROGRAM** - Request Council approve authorizing Director of Utilities or his designee to sign on behalf of the City, Financial Assistance Applications for low-interest loans from the Clean Water State Revolving Fund (SRF) for two construction projects: 1) \$7 million for the Easterly Recycled Water Mains and Brine Line; and 2) \$19 million for the Micro Filtration / Reverse Osmosis (MFRO) Facility for Agriculture. These two projects are components of the Agricultural Recycled Water and Potable Use Program. (File No. 1320-55)

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

RESOLUTION NO. 2014-135

Christopher McKinney, Utilities Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Gallo to approve authorizing Director of Utilities or his designee to sign on behalf of the City, Financial Assistance Applications for low-interest loans from the Clean Water State Revolving Fund (SRF) for two construction projects: 1) \$7 million for the Easterly Recycled Water Mains and Brine Line; and 2) \$19 million for the Micro Filtration / Reverse Osmosis (MFRO) Facility for Agriculture and adopt Resolution No. 2014-135. These two projects are components of the Agricultural Recycled Water and Potable Use Program. Motion carried unanimously.

- 20. OPERATION AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF ESCONDIDO AND THE CALIFORNIA CENTER FOR THE ARTS ESCONDIDO FOUNDATION** - Request Council approve authorizing the Mayor and City Clerk to execute the new agreement with the California Center for the Arts Escondido Foundation (CCAEF) for use, operation and management of California Center for the Arts, Escondido (CCA), located at 340 North Broadway Boulevard. (File No. 0600-10 [A-2429])

Staff Recommendation: **Approval (City Manager's Office: Charles Grimm)**

RESOLUTION NO. 2014-139

Charles Grimm, Assistant City Manager, gave the staff report and presented a series of slides.

Cynthia Weir, Escondido, indicated the Center was celebrating a 20th anniversary this week and thanked the City for their past support.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve authorizing the Mayor and City Clerk to execute the new agreement with the California Center for the Arts Escondido Foundation (CCAEF) for use, operation and management of California Center for the Arts, Escondido (CCAEE), located at 340 North Broadway Boulevard and adopt Resolution No. 2014-139. Motion carried unanimously.

21. APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION -

Request Council approve ratifying the Mayor's recommendation to fill an unscheduled vacancy on the Historic Preservation Commission; term to expire March 31, 2016. (File No. 0129-10)

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

THIS ITEM WAS CONTINUED TO A FUTURE AGENDA

FUTURE AGENDA

22. 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)**

Councilmember Morasco suggested moving the youth detention facility item to an earlier meeting, supported by Mayor Abed.

Councilmember Masson asked to have a discussion on the Historic Preservation fees, supported by Councilmember Diaz.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo stated the Operation Life Saver California gave a presentation teaching Californians how to be safe around trains and the North County Transit District's CPA was in the top 40 listings in Mass Transit Magazine.

Councilmember Morasco indicated the California Center for Arts, Escondido Subcommittee and Utilities Subcommittee had met and the items discussed were approved at tonight's Council meeting. The Regional Solid Waste Association meeting will be held next week and the Schools Subcommittee meeting was postponed.

Mayor Abed stated that SANDAG approved spending funds on the I-5, I-15 and Highway 78 Connections. They also approved double tracking for parts of the Sprinter track and the Transportation Committee approved funding the Escondido Creek bike path missing links.

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 -**

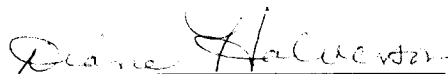
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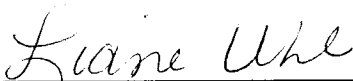
None

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:30 p.m.


MAYOR


CITY CLERK


MINUTES CLERK