

CITY OF ESCONDIDO
April 9, 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, April 9, 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

None

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to recess to Closed Session. Motion carried unanimously.

I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

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|----|-------------------------------|--|
| a. | Agency Negotiator: | Sheryl Bennett, Clay Phillips |
| | Employee Organization: | Escondido City Employee Association: Supervisory Bargaining Unit |
| b. | Agency Negotiator: | Sheryl Bennett, Clay Phillips |
| | Employee Organization: | Non-Sworn Police Bargaining Unit |
| c. | Agency Negotiator: | Sheryl Bennett, Clay Phillips |
| | Employee Organization: | Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit |
| d. | Agency Negotiator: | Sheryl Bennett, Clay Phillips |
| | Employee Organization: | Maintenance & Operations, Teamsters Local 911 |

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

Case Name: Wlodarczyk/Nowak, et al. V. City of Escondido, et al.
Case No: 37-2012-00057561-CU-PO-NC

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:15 p.m.

Sam Abed
MAYOR

Debra H. ...
CITY CLERK

Liane Uhl
MINUTES CLERK

CITY OF ESCONDIDO
April 9, 2014
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, April 9, 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.

PROCLAMATIONS

Mayor Abed introduced Loretta McKinney, Community Services Director, who proclaimed April 13-19, 2014 as National Library Week.

Mayor Abed introduced Police Chief Craig Carter who indicated that April 26, 2014 was Prescription Take Back Day. Unused and unwanted prescription drugs can be taken to the Police and Fire Headquarters from 10:00 a.m. to 2:00 p.m. on Saturday, April 26, 2014

ORAL COMMUNICATIONS

Julian Nava, Escondido, stated undocumented immigrants should be allowed to come into the country.

Luis Romero, Escondido, stated he was in opposition of Operation Joint Effort.

Carlos Ronquillo, Escondido, stated the Police Department should treat everyone with respect.

Elizabeth Murguia, Escondido, indicated she supported the Police Department's Prescription Drug Take Back Day.

CONSENT CALENDAR

Mayor Abed removed items 4 and 5 and Councilmember Masson removed items 7 and 8 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz that the following Consent Calendar items be approved with the exception of items 4, 5, 7 and 8. 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 March 19, 2014; B) Regular Meeting of March 26, 2014**
4. **FIGTREE AND HERO PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS** - Request Council approve Associate Membership in the California Enterprise Development Authority for the purpose of providing property owners access to the California Figtree PACE Program; and authorize inclusion of properties within the incorporated areas of Escondido in the San Diego County PACE Program; and approve Associate Membership in the Western Riverside Council of Governments Joint Power Authority (WRCOG) for the purpose of providing property owners access to the California HERO PACE Program. (File No. 0600-10)

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

A) RESOLUTION NO. 2014-46; B) RESOLUTION NO. 2014-47; C) RESOLUTION NO. 2014-48

Adam Hammill, Escondido, urged Council to approve the programs.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to approve Associate Membership in the California Enterprise Development Authority for the purpose of providing property owners access to the California Figtree PACE Program; and authorize inclusion of properties within the incorporated areas of Escondido in the San Diego County PACE Program; and approve Associate Membership in the Western Riverside Council of Governments Joint Power Authority (WRCOG) for the purpose of providing property owners access to the California HERO PACE Program and adopt Resolution No. 2014-46, Resolution No. 2014-47 and Resolution No. 2014-48. Motion carried unanimously.

5. **PAVEMENT REHABILITATION PROJECT CHANGE ORDER** - Request Council approve a change order to the purchase order with George Weir Asphalt Construction in the amount of \$210,000. (File No. 0600-10 [A-3098])

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

Councilmember Diaz asked if the pavement plan would be adjusted to stay within the budget as projects were completed.

Julie Procopio, Assistant Public Works Director, indicated that was the case, that the plan would be adjusted to stay within the budget.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve a change order to the purchase order with George Weir Asphalt Construction in the amount of \$210,000. Motion carried unanimously.

6. **THIRD AMENDMENT TO THE BANKING SERVICES AGREEMENT WITH BANK OF AMERICA TO CONTINUE BANKING SERVICES FOR ONE YEAR, THROUGH JULY 31, 2015** - Request Council authorize the Director of Administrative Services (Finance Director) and the City Clerk to execute a third amendment for a one year extension of the Banking Services Agreement with Bank of America, through July 31, 2015. (File No. 0600-10 [A-2249])

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

RESOLUTION NO. 2014-36

7. **AWARD BID FOR ANTI-GRAFFITI COATING AND PRIMER** - Request Council reject Sherwin Williams' bid in the amount of \$20,520, Frazee Paint's bid in the amount of \$43,380.36 and Dunn-Edwards' bid in the amount of \$48,969.36 as non-responsive; and determine the bid submitted by SOTAAII, LLC to be the most responsive and responsible bid in the amount of \$125,685 which includes California sales tax. The coating and primer will be used in high graffiti incident public facilities such as right-of-way walls, park restrooms, signs and poles. (File No. 0600-10 Misc.)

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

RESOLUTION NO. 2014-40

Councilmember Masson asked for clarification in the difference of the bid amounts.

Ed Domingue, Public Works Director, indicated that the coating was very expensive and that only one bidder, SOTAAII, LLC, had followed to the project bidding specifications.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to reject Sherwin Williams' bid in the amount of \$20,520, Frazee Paint's bid in the amount of \$43,380.36 and Dunn-Edwards' bid in the amount of \$48,969.36 as non-responsive; and determine the bid submitted by SOTAAII, LLC to be the most responsive and responsible bid in the amount of \$125,685 which includes California sales tax. The coating and primer will be used in high graffiti incident public facilities such as right-of-way walls, park restrooms, signs and poles and adopt Resolution No. 2014-40. Motion carried unanimously.

8. **AWARD BID FOR THE FLEET REPLACEMENT AND PURCHASE OF ELEVEN TRUCKS/VANS** - Request Council approve bid award to North County Ford for the fleet replacement and purchase of eleven 2014 and 2015 trucks/vans in the amount of \$315,756.90 which includes sales tax, documentation and California State Tire Recycling fees. (File No. 0470-35)

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

RESOLUTION NO. 2014-41

Councilmember Masson asked if newer, 2013 model vehicles were evaluated.

Joseph Goulart, Fleet Services Superintendent, answered that the 2013 models would not meet the City's specifications. They were specialized work trucks, not standard dealership trucks.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve bid award to North County Ford for the fleet replacement and purchase of eleven 2014 and 2015 trucks/vans in the amount of \$315,756.90 which includes sales tax, documentation and California State Tire Recycling fees and adopt Resolution no. 2014-14. Motion carried unanimously.

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.)

9. **LAKE WOHLFORD ROAD ANNEXATION (PHG 14-0001 / PHG 14-0002)** - Approved on April 2, 2014 with a vote of 5/0. (File No. 0850-20)

ORDINANCE NO. 2014-08 (Second Reading and Adoption)

PUBLIC HEARINGS

10. **FISCAL YEAR 2014-2015 ONE-YEAR ACTION PLAN FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) FUNDS -**

Request Council solicit and consider citizen input on the FY 2014-2015 Action Plan for use of CDBG and HOME funds; approve the HOME and CDBG budgets and authorize the Director of Community Development, Director of Public Works and City Clerk to execute contracts as appropriate; and approve the submittal of the FY 2014-2015 Action Plan to the U.S. Department of Housing and Urban Development (HUD). (File No. 0870-11)

Staff Recommendation: **Approval (Public Works Department: Ed Domingue / Community Development Department: Barbara Redlitz)**

RESOLUTION NO. 2014-39

Danielle Lopez, Neighborhood Services Manager, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

Susan Hall, Angels Depot, urged Council to fund the Angels Depot program.

Mayor Abed asked if anyone else wanted to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve the CDBG budget, including \$15,000 to Angels Depot, and adopt Resolution No. 2014-39. Motion carried unanimously.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve the HOME budget and adopt Resolution No. 2014-39. Motion carried unanimously.

11. **TENTATIVE SUBDIVISION MAP AND CONDOMINIUM PERMIT FOR THE DEVELOPMENT OF ELEVEN AFFORDABLE CONDOMINIUM UNITS IN THE R-3-18 ZONE, LOCATED ON THE WESTERN SIDE OF ELM STREET, BETWEEN WASHINGTON AVENUE AND ESCONDIDO CREEK, ADDRESSED AS 537 NORTH ELM STREET (SUB 12-0014)** - Request Council approve the Tentative Subdivision Map and Condominium Permit and certify the environmental determination. (File No. 0875-55)

Staff Recommendation: **Approval (Community Development Department: Barbara Redlitz)**
RESOLUTION NO. 2014-32

Jay Petrek, Planning Department, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the Tentative Subdivision Map and Condominium Permit, certify the environmental determination and adopt Resolution No. 2014-32. Motion carried unanimously.

12. **CHARTER CITY PROPOSAL** - Request Council hold a public hearing on the proposed city charter for the City of Escondido and listen to public comments and suggestions and provide direction on any changes to the proposed city charter. (File No. 0650-40)

Staff Recommendation: **Provide Direction to Staff (City Attorney's Office: Jennifer K. McCain)**

Jennifer McCain, Assistant City Attorney, gave the staff report.

Pamela Stahl, Escondido, suggested that zoning changes be submitted to the voters and that an audit of City growth be added to the Charter.

Nina Deerfield, Escondido, voiced concern with possible government abuse and stated she did not want a Charter for the City.

Tom Cowan, Escondido, indicated he did not support a City Charter.

Pat Mues, Escondido, expressed concern that the proposed Charter gave too much power to the Council and would not benefit the community.

Roy Garrett, Escondido, stated the proposed City Charter appeared to give the Council more power and this may cause the community to lose their trust in them.

Andrea Seavey, Escondido, voiced concern with Escondido becoming a Charter City.

Chris Nava, Escondido, indicated that charter cities were financially troubled and she was opposed to a City Charter.

Patricia Borchmann, Escondido, expressed opposition to the proposed City Charter.

Joanne Tenney, Escondido, stated the proposed Charter gave too much control to the Council and the citizens input should be considered.

Mark Skok, Escondido, asked how the community would benefit by becoming a Charter City and suggested forming a committee to explore becoming a Charter City.

Laura Kohl, San Marcos, urged Council to focus on the needs of the community instead of increasing their power.

Clarke Dailey, Escondido, asked Council why they wished to pursue a Charter City when it had been defeated in the 2012 election.

Unknown Speaker, stated the Charter City had already been defeated by the voters.

Patricia Borchmann, Escondido, deferred to Pat Mues.

Pat Mues, Escondido, addressed three points from the League of California Cities website concerning the General Plan, voting requirements, and competitive bidding which were answered by Jennifer McCain, Assistant City Attorney.

Luis Romero, Escondido, stated the Council should not pursue a City Charter.

Sam Roberson, Escondido, stated this was a productive meeting.

COUNCIL ACTION: DIRECTED STAFF TO PROCEED WITH THE CHARTER CITY PROPOSAL FOR THE NEXT PUBLIC HEARING ON MAY 21, 2014.

FUTURE AGENDA

13. 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 indicated he would like to create a small "risk" fund for new business. He also stated the Metropolitan Water District was raising their rates.

Councilmember Masson attended a League of California Cities Housing Committee and Economic Development Policy meeting where several senate bills were discussed.

Councilmember Morasco attended a Regional Solid Waste Association meeting where having an unwanted prescription drug drop-off was discussed.

Mayor Abed stated that SANDAG was finalizing the General Plan for Move San Diego Forward and encouraged the public to go to the website and make suggestions.

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 –

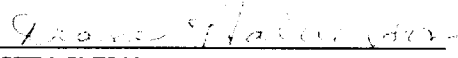
ORAL COMMUNICATIONS

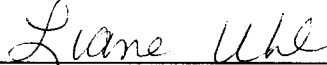
Sam Roberson, Escondido, asked Council to help fund the music at Cruisin' Grand.

ADJOURNMENT

Mayor Abed adjourned the meeting at 7:47 p.m.


MAYOR


CITY CLERK


MINUTES CLERK