

CITY OF ESCONDIDO
March 19, 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, March 19, 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

Patsy Dixon, Escondido, expressed concern for her family.

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to recess to Closed Session. Attorney Jeffrey Epp indicated that item I a, b, and c would not be discussed. Motion carried unanimously.

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

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

Item I. a, b and c were not discussed.

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

Case Name: Escondido City Employees Association v. City of Escondido
Case No: LA-CE-618-M

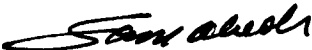
III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

- a. Property: 418 E. Second Ave.
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Grand Dentistry
Under Negotiation: Price and Terms of Agreement
- b. Property: 2005 Harmony Grove Road; 1925 Harmony Grove Road
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Harmony Grove Property Company, LLC; Berghuis Freerk Family Trust (08-08-02)
Under Negotiation: Price and Terms of Agreement

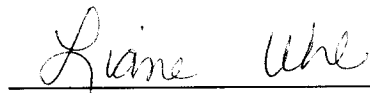
Mayor Abed and Councilmember Masson abstained from participation and left the room for discussion of item III.b.

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:13 p.m.


MAYOR


CITY CLERK


MINUTES CLERK

CITY OF ESCONDIDO
March 19, 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 and Successor Agency to the CDC was called to order on Wednesday, March 19, 2014 at 4:30 p.m. 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 Linda Zweig, Media Relations and Public Information Officer for the Del Mar Fairgrounds, who gave a presentation on the San Diego County Fair.

ORAL COMMUNICATIONS

Tom Cowan, Escondido, stated a meeting to locate a BMX track in the City, other than Kit Carson Park, would be held at Kettle Coffee on March 22, 2014 at 10:00 a.m.

Pat Mues, Escondido, requested that Council meeting videos be available for viewing longer than two years on the City's web site.

Grant Taylor, Escondido, suggested that the Kit Carson Park Master Plan be updated and that the organization "Friends of Kit Carson Park" be consulted whenever a project is proposed for the park.

Nancy Burian, Escondido, expressed concern with nighttime violence in the City and that motorists are talking on cell phones while driving.

Ruth Weber, Escondido, indicated that a majority of residents were opposed to for-profit entities building commercial properties in Kit Carson Park.

CONSENT CALENDAR

Councilmember Masson removed items 6 and 9 and Councilmember Gallo removed item 12 from the Consent Calendar for discussion. Councilmember Diaz abstained from item 13.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco that the following Consent Calendar items be approved with the exception of items 6, 9 and 12. 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 12, 2014; B) Special Meeting of February 26, 2014; C) Special Meeting of March 5, 2014**
4. **NOTICE OF COMPLETION FOR ENCINO/EL DORADO STORM DRAIN REPLACEMENT PROJECT** - Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Encino/El Dorado Storm Drain Replacement Project. (File No. 0600-10 [A-3099])

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

5. **LAND ACQUISITION APN 225-270-54 AND 2512 E. WASHINGTON AVENUE FOR THE RECYCLED WATER EASTERLY MAIN EXTENSION PROJECT AND BUDGET ADJUSTMENT**
Request Council authorize the Real Property Manager and City Clerk to execute documents necessary for the purchase of two properties required for the Recycled Water Easterly Main Extension Project: APN 225-270-54 and 2512 E. Washington Avenue; and approve a Budget Adjustment to increase the Park Development Fund related to the disposition of real property (\$1.06 million). (File No. 0690-10)

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

RESOLUTION NO. 2014-33

6. **AMENDMENT TO ENCROACHMENT REGULATIONS** - Request Council amend Article 1, Chapter 23 of the Escondido Municipal Code to provide for an Annual Encroachment Permit. (File No. 0680-50)

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

ORDINANCE NO. 2014-07 (Introduction and First Reading)

Councilmember Masson praised staff for working with SDG&E to streamline the permit process.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to amend Article 1, Chapter 23 of the Escondido Municipal Code to provide for an Annual Encroachment Permit and introduce Ordinance No. 2014-07. Motion carried unanimously.

7. **CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT - PRELIMINARY ENGINEER'S REPORT FOR ZONES 1 THROUGH 37 FOR FISCAL YEAR 2014/2015 -** Request Council initiate the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 37 for the 2014/2015 FY; approve the preliminary Engineer's report for LMD Zones 1 through 37; and set a public hearing date of May 7, 2014, for LMD Zones 1 through 37. (File No. 0685-10)

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

A) RESOLUTION NO. 2014-03; B) RESOLUTION NO. 2014-04

8. **FINAL ASSESSMENT ENGINEER'S REPORT FOR ZONE 38 OF THE CITY OF ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/2015 -** Request Council approve the assessment ballot tabulation for Zone 38 of the City of Escondido LMD; approve the Assessment Engineer's Report; and approve the annual levy and collection of assessments in Zone 38 of the LMD for FY 2014/2015. (File No. 0685-10)

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

RESOLUTION NO. 2014-02

9. **NOTICE OF COMPLETION FOR THE DIGESTER CLEANING 2013 PROJECT -** Request Council approve the filing of a Notice of Completion for the Digester Cleaning 2013 Project. (File No. 0600-10 [A-3081])

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

RESOLUTION NO. 2014-31

Councilmember Masson congratulated staff on the completion of the project on budget.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve the filing of a Notice of Completion for the Digester Cleaning 2013 Project and adopt Resolution No. 2014-31. Motion carried unanimously.

10. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2013 -** Request Council receive and file the Quarterly Investment Report. (File No. 0490-55)

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

11. **OVERSIGHT BOARD VACANCY -** Request Council approve the Mayoral appointments to the Oversight Board. (File No. 0120-10)

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

12. **CONSULTING AGREEMENT FOR GRAPE DAY PARK MASTER PLAN AND GRAPE DAY PARK PLAY EQUIPMENT DESIGN -** Request Council authorize the Mayor and the City Clerk to execute the Consulting Agreement with RHA Landscape Architects Planners, Inc. in the amount of \$100,000 to complete the Grape Day Park Master Plan and the Grape Day Park Play Equipment Design and Construction project. (File No. 0600-10 [A-3113])

Staff Recommendation: **Approval (Library and Community Services: Loretta McKinney)**

RESOLUTION NO. 2014-34

Councilmember Gallo asked if a conceptual plan was being used.

Loretta McKinney, Community Services Director, indicated that this was a new plan.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to authorize the Mayor and the City Clerk to execute the Consulting Agreement with RHA Landscape Architects Planners, Inc. in the amount of \$100,000 to complete the Grape Day Park Master Plan and the Grape Day Park Play Equipment Design and Construction project and adopt Resolution No. 2014-34. Motion carried unanimously.

- 13. AUTHORIZATION TO APPLY FOR ESCONDIDO CHARITABLE FOUNDATION GRANT -** Request Council authorize a grant application to the Escondido Charitable Foundation for a \$30,000 Science, Technology, Engineering and Mathematics (STEM) Grant for capital costs related to implementing an expanded STEM curriculum at the On-Track After School program. (File No. 0480-70)

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

Councilmember Diaz abstained from item 13.

- 14. FISCAL YEAR 2013 OPERATION STONEGARDEN GRANT AND BUDGET ADJUSTMENT -** Request Council authorize the Police Department to accept FY 2013 Operation Stonegarden Grant funds in the amount of \$50,000 from the California Emergency Management Agency (CALEMA) through San Diego County; authorize the Police Chief to submit grant documents on behalf of the City; and approve budget adjustments needed for overtime expenses related to enforcement in support of Department of Homeland Security goals. (File No. 0480-70)

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

- 15. FISCAL YEAR 2008 CALIFORNIA OFFICE OF TRAFFIC SAFETY "AVOID DUI CAMPAIGN" GRANT MODIFICATION AND BUDGET ADJUSTMENT -** Request Council authorize the Police Department to accept additional grant funds in the amount of \$10,000 from the San Diego Sheriff's Department for the "Avoid DUI Campaign" Grant Program; authorize the Police Chief to submit grant documents on behalf of the City; and approve budget adjustments needed for overtime expenses related to DUI enforcement operations. (File No. 0480-70)

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

- 16. FISCAL YEAR 2014 COLLABORATIVE AGENCY RESOURCES FOR ESCONDIDO (CARE) YOUTH PROJECT GRANT AND BUDGET ADJUSTMENT -** Request Council authorize the Escondido Police Department to accept additional funds in the amount of \$7,788 for the FY 2014 CARE Youth Project Grant from the Escondido Union School District; 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)**

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.)

17. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO REJECTING THE DETERMINATIONS OF THE DIRECTOR OF COMMUNITY DEVELOPMENT AND THE PLANNING COMMISSION AND APPROVING A 99 CENTS ONLY STORE WITHIN THE CENTRE CITY URBAN DISTRICT OF THE DOWNTOWN SPECIFIC PLAN. (CASE NO. ADM 13-0168)** -Approved on February 12, 2014 with a vote of 3/2, Abed and Gallo voting no. (File No. 0800-40 ADM 13-0168)

RESOLUTION NO. 2014-24 (R)

18. **CITY COUNCIL MEETINGS AND PROCEDURES** - Approved on February 12, 2014 with a vote of 4/1, Diaz voting no. (File No. 0610-90)

ORDINANCE NO. 2014-09 (Second Reading and Adoption)

PUBLIC HEARINGS

19. **REAFFIRM COMMUNITY DEVELOPMENT PRIORITIES FOR THE FISCAL YEAR 2010-2015 CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND APPROVE ALLOCATION PROCESS FOR FISCAL YEAR 2014-2015 CDBG-FUNDED ACTIVITIES** - Request Council conduct a public hearing to review and reaffirm the community development priorities adopted in the 2010-2015 Five-Year Consolidated Plan for CDBG; approve an allocation process for FY 2014-2015 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities for the Consolidated Plan and the maximum 20 percent allowable for administration of the CDBG program. (File No. 0870-11)

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

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. No one asked to be heard. Therefore, he closed the public hearing.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to conduct a public hearing to review and reaffirm the community development priorities adopted in the 2010-2015 Five-Year Consolidated Plan for CDBG; approve an allocation process for FY 2014-2015 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities for the Consolidated Plan and the maximum 20 percent allowable for administration of the CDBG program. Motion carried unanimously.

CURRENT BUSINESS

20. **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE CITIES OF CARLSBAD, OCEANSIDE, SAN MARCOS AND VISTA** - Request Council authorize the Mayor to execute a Memorandum of Understanding (MOU) for Business Retention and Attraction Cooperation between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista. (File No. 0600-10 Misc.)

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

Joyce Masterson, Director of Economic Development and Community Relations, gave the staff report.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Gallo to authorize the Mayor to execute a Memorandum of Understanding (MOU) for Business Retention and Attraction Cooperation between the City of Escondido and the cities of Carlsbad, Oceanside, San Marcos and Vista. Motion carried unanimously.

- 21. FINANCIAL REPORT FOR THE QUARTER ENDING DECEMBER 31, 2013** - Request Council receive and file the second quarter financial report for fiscal year 2013/2014. (File No. 0430-30)

Staff Recommendation: **Receive and file (Finance Department: Sheryl Bennett)**

Joan Ryan, Assistant Finance Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Gallo to receive and file the second quarter financial report for fiscal year 2013/2014 and approve the amendments to the fiscal year 2013/2014 Operating Budget. Motion carried unanimously.

WORKSHOP

- 22. CITY COUNCIL WORKSHOP: CHARTER CITY PROPOSAL** - Discussion and input from the public regarding a potential Charter City measure to be placed on the ballot. (File No. 0650-20)

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

Jennifer McCain, Assistant City Attorney, gave the staff report and presented a series of slides.

Katherine Fromm, Escondido, stated there should be a commission to draft a Charter for the City.

Don Greene, Escondido, indicated he was opposed to a Charter for the City.

Rick Moore, Escondido, suggested a commission be appointed to provide input for a City Charter.

Patricia Borchmann, Escondido, stated the citizens should have input in drafting a Charter for the City.

COUNCIL ACTION: Directed staff to proceed with the scheduled public hearings.

FUTURE AGENDA

- 23. 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 Diaz asked that a discussion on the Council Meeting video retention schedule be placed on a future agenda.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Diaz attended a San Dieguito River Park Joint Powers Authority meeting where County Supervisor Dave Roberts was appointed the new Chair and a budget meeting scheduled. The City Council and School Subcommittee met today.

Councilmember Masson indicated the Economic Development Subcommittee meeting was scheduled for the following day.

Mayor Abed stated that SANDAG had passed a preliminary budget, discussed the Highway 78 widening, reduced the pension, based salary increases on performance; and that Move San Diego Forward was receiving input from the public.

Councilmember Gallo indicated that NCTD was improving 10 bus stops and the San Diego County Water Authority had stated that water conservation in San Diego County was excellent.

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**

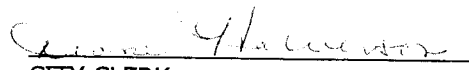
ORAL COMMUNICATIONS

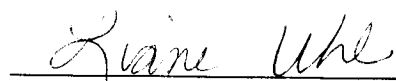
Alejandro Sanchez, Escondido, stated he was pleased that the county was focusing on investigating crimes against senior residents in long-term care facilities.

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:55 p.m.


MAYOR


CITY CLERK


MINUTES CLERK