

CITY OF ESCONDIDO
October 16, 2013
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, October 16, 2013 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 Gallo and seconded by Councilmember Morasco to recess to Closed Session. Motion carried unanimously.

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

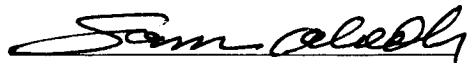
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|----|------------------------|--|
| a. | Agency negotiator: | Sheryl Bennett, Clay Phillips |
| | Employee organization: | Escondido Firefighters' Association |
| b. | Agency negotiator: | Sheryl Bennett, Clay Phillips |
| | Employee organization: | Escondido Police Officers' Association |

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

- | | | |
|----|---------------------|------------------------------------|
| a. | Property: | 2120 Harmony Grove Road |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Koochen Vagner's Brewing Company |
| | Under negotiation | Price and Terms of Agreement |
| b. | Property: | APN 240-230-29, 30 & 31 |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Charles Lypps |
| | Under negotiation | Price and Terms of Agreement |

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:32 p.m.


MAYOR


CITY CLERK


MINUTES CLERK

CITY OF ESCONDIDO
October 16, 2013
4:30 P.M. Meeting Meeting

Escondido City Council
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council and Mobilehome Rent Review Board was called to order at 4:35 p.m. on Wednesday, October 16, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed let 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 Tony Young, American Red Cross, who gave a presentation on Disaster Preparedness.

PROCLAMATIONS

Mayor Abed introduced Rosalia Zamora, GFWC President, who accepted a proclamation for The General Federation of Women's Clubs, recognizing the fourth week of October as GFWC Advocates for Children Week in Escondido.

Mayor Abed read a proclamation regarding Escondido's 125th Anniversary.

ORAL COMMUNICATIONS

Nancy Burian, Escondido, asked for stronger smoking laws, awareness of drug and human trafficking issues, help for the homeless to follow our laws, and more DUI check points.

Wally Gutierrez, Escondido, indicated the Ryan Park restrooms should always be open and the park should not be monopolized by the Soccer Club.

Delores McQuiston, Escondido, gave a report on Walmart's financial distribution.

Roy Garrett, Escondido, stated the city should provide Escondido's young people with recreation programs.

Michael Hunsaker, San Marcos, distributed statistical information on the homeless.

COUNCIL MEMBERS' REPORTS/BRIEFING

Councilmember Diaz attended a political science course at Cal State San Marcos on October 7, 2013, the Union Tribune Latino Advisory Council and the Escondido Bike Walk meeting on October 8, 2013; took a tour of Del Dios Middle School on October 9, 2013. She also attended a 3-day Coastal Commission meeting and a Humane Society event. She indicated that a Domestic Violence Awareness event would be held in Grape Day Park on October 19, 2013 from 10:00 a.m. – 2:00 p.m., the Escondido Democratic Club was hosting a pancake breakfast at Applebee's Restaurant on October 19, 2013 at 8:00 a.m. and the Escondido Street Faire was on October 20, 2013.

Councilmember Masson stated two teachers from Escondido had been recognized by the County as Instructors of the Year. He attended the Mira Costa Leaders event, the Mayors Town Hall meeting, the Caballo Park planning meeting, the California League of Cities meeting, the Stachtober Fire Fighter fund raising event, and a Chamber of Commerce reception.

Councilmember Morasco attended Escondido's 125th birthday event in Grape Day Park, the Bike Walk Coalition, the Town Hall meeting, a Regional Solid Waste Association meeting, a Caballo Park planning meeting, the Wedge Cheese and Wine event, the San Pasqual High School Homecoming event, the Stachtober fund raising event, and the California Center for the Arts, Escondido subcommittee meeting. He stated the Escondido Street Faire was on Sunday, October 20, 2013.

Councilmember Gallo indicated that as a representative of the San Diego County Water Authority he would be taking a Colorado River tour and attending a Bay Delta tour next month.

Mayor Abed stated he met with Post Office representatives to discuss keeping the Post Office on Escondido Blvd. open. He indicated that Escondido had received a lot of coverage in the North County Business Journal and the San Diego Business Journal had featured Stone Brewing Company.

CONSENT CALENDAR

Councilmember Diaz removed items 5, 6 and 7 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz that the following Consent Calendar items be approved with the exception of items 5, 6 and 7. 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:** Regular Meeting of September 11, 2013

4. **APPROVE PURCHASE OF NETWORK EQUIPMENT** - Request Council approve the purchase of consolidated networking equipment from Dell Inc. in the amount of \$291,460. (File No. 0470-35)

Staff Recommendation: **Approval (Information Systems: Mark Becker)**

RESOLUTION NO. 2013-137

5. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR DANIEL GARCIA** - Request Council approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer Daniel Garcia. (File No. 0170-57)

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

RESOLUTION NO. 2013-142

Councilmember Diaz gave a description of an industrial disability retirement.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer Daniel Garcia and adopt Resolution No. 2013-142. Motion carried unanimously.

6. **CONTINUED EMERGENCY CONTRACTING FOR STREET REPAIRS** - Request Council approve by a four-fifths vote determining that there is need to continue emergency street repairs on Washington Avenue required as a result of a water main leak. (File No. 0600-10 Misc.)

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

RESOLUTION NO. 2013-147

Councilmember Diaz stated there was a correction and this was not a \$5 million contract.

MOTON: Moved by Councilmember Diaz and seconded by Councilmember Masson to approve by a four-fifths vote determining that there is need to continue emergency street repairs on Washington Avenue required as a result of a water main leak and adopt Resolution No. 2013-147. Motion carried unanimously.

7. **AWARD BID FOR THE PURCHASE OF TWENTY-THREE POLICE VEHICLES** - Request Council approve awarding the bid for the purchase of twenty-three 2014 Ford Police Interceptor Vehicles to Wonderies Fleet Group in the amount of \$635,639. (File No. 0470-35)

Staff Recommendation: **Approval (Finance Department: Gilbert Rojas)**

RESOLUTION NO. 2013-125

Councilmember Diaz asked the location of the offices of the apparent low bidder.

Joe Goulart, Fleet Superintendent, answered that the apparent low bidder was located in Los Angeles.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve awarding the bid for the purchase of twenty-three 2014 Ford Police Interceptor Vehicles to Wonderies Fleet Group in the amount of \$635,639 and adopt Resolution No. 2013-125. Motion carried unanimously.

8. **NOTICE OF COMPLETION FOR THE 2011 WATER MAIN REPLACEMENT PROJECT PHASE 1** - Request Council authorize the filing of a Notice of Completion for the 2011 Miscellaneous Water Main Replacement Project. (File No. 0600-10 [A-3031])

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

RESOLUTION NO. 2013-129

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

9. **BID AWARD FOR THE GRAPE STREET IMPROVEMENT PROJECT AND BUDGET ADJUSTMENT** - Request Council approve amending the Fiscal Year 2013-2014 One-Year Action Plan for Community Development Block Grant (CDBG); and approve a budget adjustment transferring \$375,000 from the Elm Street/Habitat Project and \$136,332 from the unallocated fund balance to the Grape Street Improvement Project.; and approve rejecting Southland Paving Inc.'s bid in the amount of \$678,297 and Dick Miller Inc.'s bid in the amount of \$729,360 as non-responsive; and determine the bid submitted by LB Civil Construction to be the lowest responsive and responsible bid; and authorize the Mayor and City Clerk to execute a Public Improvement Agreement with LB Civil Construction in the amount of \$741,700 for the Grape Street Improvement Project. (File No. 0600-10 [3095])

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

RESOLUTION NO. 2013-123

Danielle Lopez, Neighborhood Services, gave the staff report.

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 approve amending the Fiscal Year 2013-2014 One-Year Action Plan for Community Development Block Grant (CDBG); and approve a budget adjustment transferring \$375,000 from the Elm Street/Habitat Project and \$136,332 from the unallocated fund balance to the Grape Street Improvement Project.; and approve rejecting Southland Paving Inc.'s bid in the amount of \$678,297 and Dick Miller Inc.'s bid in the amount of \$729,360 as non-responsive; and determine the bid submitted by LB Civil Construction to be the lowest responsive and responsible bid; and authorize the Mayor and City Clerk to execute a Public Improvement Agreement with LB Civil Construction in the amount of \$741,700 for the Grape Street Improvement Project and adopt Resolution No. 2013-123. Motion carried unanimously.

- 10. RENT REVIEW BOARD HEARING FOR RECOVERY OF LEGAL FEES FOR SUNDANCE MOBILEHOME PARK LOCATED AT 2250 N BROADWAY (CASE #: 0697-20-9917) –** Request Council consider amending RRB NO. 2013-07 allowing a temporary \$17.07 increase of the 29 spaces subject to the allowed rent increase in order to recover \$25,000 in legal and professional expenses. (File No. 0697-20-9917)

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

RRB RESOLUTION NO. 2013-10

Karen Youel, Housing 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.

Linda Titcomb, Park Owner, stated the residents who had long-term leases should not be charged the legal fee increase.

Don Greene, Resident Representative, indicated the legal fee should be spread among all the spaces.

James Schmook, Escondido, stated the cost of the legal fees should be absorbed by the park owner.

Bob Wise, Escondido, indicated he objected to any monetary increase.

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 adopt Option 2, allowing a temporary \$17.07 increase for the 29 spaces subject to the rent increase and adopt Resolution No. 2013-10. Ayes: Abed, Gallo, Masson, and Morasco. Noes: Diaz. Absent: None. Motion carried.

- 11. CLARIFICATION OF ZONING CODE AMENDMENT TO IMPLEMENT COTTAGE FOOD OPERATIONS, REVISE THE NONCONFORMING USE CODE AND CLEANUP ITEMS (AZ 13-0004) -** Request Council determine that the CEQA Notice of Exemption is complete and adequate for the project and approve amending the Zoning Code and implementing Cottage Food Operations as a home occupation. (File No. 0810-20)

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

ORDINANCE NO. 2013-07(R) (Introduction and First Reading)

Rozanne Cherry, 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 Mayor Abed and seconded by Councilmember Gallo to continue this item to the November 20, 2013 meeting. Motion carried unanimously.

- 12. LIBRARY EXPANSION CONCEPTUAL DESIGN** - Request Council receive the Library Conceptual Design as presented by Group 4 Architecture, Research + Planning, Inc. as part of the Phase 1 Expansion of the Escondido Public Library and provide direction on the next phase of the project. (File No. 0600-10 [A-3075])

Staff Recommendation: **Receive presentation and provide direction to staff (Library and Community Services: Loretta McKinney)**

Loretta McKinney, Community Services Director, gave the staff report and introduced David Schnay, Architect, who 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.

Jerri Quan, Escondido, urged Council to support the next phase of the library design.

Cassie Lieurance, Escondido, asked Council to support the project.

Jim Rady, Escondido, suggested Council use Capital Improvement Funds for the project.

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.

COUNCIL ACTION: Directed staff to explore funding sources for the project.

WORKSHOP

- 13. PRELIMINARY CITY COUNCIL ACTION PLAN – FISCAL MANAGEMENT** - Request Council provide direction to staff on the proposed content of the Fiscal Management element of the 2013-2014 City Council Action Plan. (File No. 0610-95)

Staff Recommendation: **Provide direction to staff (City Manager's Office: Joyce Masterson)**

Joyce Masterson, Economic Development Director and Community Relations Manager, Gil Rojas, Finance Director, and Tom Lockhard, Bond Consultant, gave the staff report and presented a series of slides.

COUNCIL ACTION: Directed staff to proceed with a Charter City proposal.

FUTURE AGENDA

14. **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.

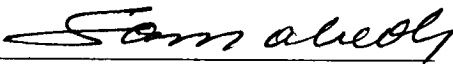
Staff Recommendation: **None (City Clerk's Office: Diane Halverson)**

ORAL COMMUNICATIONS

None

ADJOURNMENT

Mayor Abed adjourned the meeting at 8:20 p.m.


MAYOR


CITY CLERK


MINUTES CLERK