CITY OF ESCONDIDO

March 13, 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, March 13, 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 Morasco and seconded by Councilmember Masson to recess to Closed Session. Motion carried unanimously.

I. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a)

Case Name: DEMETRIO GOMEZ, ET AL. V. CITY OF ESCONDIDO, ET AL.
Case No: 37-2011-00060480-CU-CR-NC

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:05 p.m.

Sam Abed

MAYOR

Diane Halverson

CITY CLERK

Diane Uhl

MINUTES CLERK

CITY OF ESCONDIDO

March 13, 2013
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, March 13, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

PRESENTATIONS

Mayor Abed introduced Matthew Tucker, North County Transit District, who gave a briefing on the Sprinter operational interruption.

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.

ORAL COMMUNICATIONS

Frank Woolridge, Escondido, distributed information and requested a year round shelter for the homeless.

Dave Ciochua, Escondido, stated there were potholes in the City that needed repair.

Roy Garrett, Escondido, voiced concern with the proposed water park in Kit Carson Park and the proposed Chamber of Commerce lease.

Deborah Goodrich, Escondido, distributed information and requested stronger laws on gun control.

Tom Cowan, Escondido, voiced concern for the homeless veterans and requested a year round center for veterans.

Nicole Downey, Escondido, expressed concern with the proposed Chamber of Commerce lease.

COUNCIL MEMBERS' REPORTS/BRIEFING

Councilmember Diaz indicated the Escondido Creek Watershed Alliance made a presentation on water quality which County Supervisor Ron Roberts attended. The San Elijo Lagoon Nature Center was hosting several Easter events on March 30 and 31, 2013 from 1:00 p.m. – 4:00 pm. She also stated that the Paws in the Park fundraiser event for the Escondido Humane Society would take place in Kit Carson Park on March 24, 2013 and that Jimbo's stores were offering a 5% off your purchase on April 13, 2013.

Councilmember Morasco indicated a meeting on gang prevention and awareness was being held at Escondido High School March 14, 2013 from 6:30 p.m. - 8:30 p.m. in the Performing Arts Center.

Mayor Abed read a letter from a citizen praising two park rangers for their assistance to him while fishing. He also indicated the video presented at the State of the City was produced in-house by Genevieve Prentice and Jorge Martinez and the brochure to promote the City was also produced in-house by Ruben Luna.

CONSENT CALENDAR

Mayor Abed removed item 12 from the Consent Calendar for Discussion.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco that the following Consent Calendar items be approved with the exception of item 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:** Regular Meeting of February 13, 2013
   Special Meeting of February 20, 2013
   Amended Minutes of the Regular Meeting of November 14, 2012

4. **BUDGET INCREASE FOR THE OAK HILL - STREET AND MODULAR BUILDING SITE IMPROVEMENT PROJECT AND APPROVAL OF A CHANGE ORDER TO INCREASE THE AMOUNT OF THE PURCHASE ORDER WITH SOUTHLAND PAVING INC. FOR THIS PROJECT -** Request Council approve a budget increase in the amount of $50,000 for the Oak Hill - Street and Modular Building Site Improvement Project; and authorize a change order to increase the amount of the purchase order with Southland Paving Inc., the general contractor on the project. (File No. 0600-10 [A-3074])

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

5. **SUMMARY STREET VACATION: PORTIONS OF SOUTH ORANGE STREET AND A PORTION OF THE ALLEY RUNNING PERPENDICULAR TO SOUTH ORANGE STREET AND CENTRE CITY PARKWAY** - Request Council authorize the summary street vacation of portions of South Orange Street and a portion of the alley running perpendicular to South Orange Street and Centre City Parkway. (File No. 0690-40)

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

RESOLUTION NO. 2013-32

THIS ITEM WAS CONTINUED TO THE MARCH 20, 2013 MEETING.

6. **CALHOME GRANT AUTHORIZATION** - Request Council authorize the Director of Community Development to submit grant documents for CalHOME Grant Funds in the amount of $1,000,000 from the California Department of Housing and Community Development (HCD) and, if awarded, accept the grant funds and complete necessary documents required by HCD for participation in the CalHOME program in order to fund a housing rehabilitation program for low-income homeowners. (File No. 0480-70)

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

RESOLUTION NO. 2013-34

7. **2012 ANNUAL HOUSING ELEMENT REPORT (CASE NO. PHG 13-0001)** - Request Council authorize submittal of the 2012 Annual Housing Element Report involving the 2005-2012 General Plan Housing Element to the State Office of Planning and Research and the State Department of Housing and Community Development. (File No. 0875-70)

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

8. **MOBILEHOME PARK MANAGEMENT BUDGET ADJUSTMENT** - Request Council approve a budget adjustment that increases mobilehome rental income and mobilehome park professional services expenditures by $53,000 in order to receive and expend pass-thru payments from households renting mobilehome lots from the City of Escondido. (File No. 0430-80)

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

9. **COUNTY OF SAN DIEGO OPERATIONAL AREA MUTUAL AID AGREEMENTS** - Request Council accept the Fire Chief's recommendation and authorize the Mayor and City Clerk to execute a Public Works Mutual Aid Agreement and a Building Safety Inspection Mutual Aid Agreement between the City of Escondido and the County of San Diego. (File No. 0600-10 [A3083])

Staff Recommendation: **Approval (Fire Department: Michael Lowry)**

RESOLUTION NO. 2013-31

10. **CONSTRUCTION SUPPORT AGREEMENTS; INFLUENT PUMP STATION PROJECT -** Request Council authorize the Mayor and City Clerk to execute Consulting Agreements and a Public Services Agreement with: 1) Water Synergy, Inc. for services during construction including reviewing technical submittals in the amount of $211,123, 2) West Coast Geotechnical Consultants, Inc. for geotechnical and materials testing services during construction in the amount of $120,000, 3) CPM Construction, Inc. for estimating and scheduling services in the amount of $175,000. (File No. 0600-10 [A-3063])

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

RESOLUTION NO. 2013-30

11. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2012** - 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)**

12. **VISTA VERDE MOBILE ESTATES RENT REVIEW RESOLUTION (CASE #0697-20-9916)** - Request Council authorize granting an increase based on testimony received at a Public Hearing on February 13, 2013. **This item was continued from March 6, 2013.** (File No. 0697-20-9916)

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

RRB RESOLUTION NO. 2013-01RR

Mark Alpert, Park Owner Representative, stated he opposed the Resolution revision.

Don Greene, Resident Representative, requested that Space 63 be excluded from the rent increase.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to authorize granting an increase based on testimony received at a Public Hearing on February 13, 2013 and adopt RRB Resolution No. 2013-01RR. Ayes: Abed, Diaz, Masson and Morasco. Noes: Gallo. Absent: None. Motion carried.

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.)

CURRENT BUSINESS

City Attorney Jeffrey Epp left the Dais and Senior Deputy City Attorney Gary McCarthy took his place.

13. **RESOLUTION TO DOCUMENT INITIATION OF AN OUT-OF-AGENCY SEWER SERVICE AGREEMENT (CASE NO. PHG 13-0002) -** Request Council approve making an application to LAFCO for an Out-of-Agency Sewer Service Agreement for connection to the City's sewer; authorize staff to process an Irrevocable Offer of Annexation; and consider a condition for an

agreement to become part of a future Assessment District for future infrastructure improvements. (File No. 0850-20)

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

RESOLUTION NO. 2013-36

Rozanne Cherry, Planning Department, gave the staff report and presented a series of slides.

Robert Szolomayer, Escondido, urged Council to keep the area rural.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve making an application to LAFCO for an Out-of-Agency Sewer Service Agreement for connection to the City's sewer; authorize staff to process an Irrevocable Offer of Annexation; and consider a condition for an agreement to become part of a future Assessment District for future infrastructure improvements and adopt Resolution No. 2013-36. Motion carried unanimously.

14. **CHANNEL MAINTENANCE PROGRAM AND ADOPTION OF MITIGATED NEGATIVE DECLARATION (ENV 12-0001)** - Request Council approve the proposed Channel Maintenance program, which is the City's Regional General Permit (RGP) Plan that involves channel maintenance activities for 63 flood control facilities throughout the City; and adopt the Mitigated Negative Declaration (MND) issued for the project along with the Mitigation Monitoring Report. (File No. 1350-10)

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

RESOLUTION NO. 2013-24

Jeff Warner, Utilities Department, and Jay Paul, Planning Department, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve the proposed Channel Maintenance program, which is the City's Regional General Permit (RGP) Plan that involves channel maintenance activities for 63 flood control facilities throughout the City; and adopt the Mitigated Negative Declaration (MND) issued for the project along with the Mitigation Monitoring Report and adopt Resolution No. 2013-24. Motion carried unanimously.

WORKSHOP

15. **STREET MAINTENANCE WORKSHOP** - Request Council receive a brief presentation on the City's existing pavement condition and provide direction to staff for the future Street Maintenance Program. (File No. 0110-20)

Staff Recommendation: **Provide direction to staff (Public Works/Engineering: Ed Domingue)**

Julie Procopio, Assistant Public Works Director, gave the staff report and presented a series of slides.

COUNCIL ACTION: Gave direction to staff to make funding for the Street Maintenance Program a priority.

ORAL COMMUNICATIONS

None

FUTURE AGENDA

16. **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 voiced support for the food truck ordinance scheduled on the March 20, 2013 agenda.

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:42 p.m.

Sam Abed

MAYOR

Diane Halverson

CITY CLERK

Diane Uhl

MINUTES CLERK