

CITY OF ESCONDIDO
April 18, 2012
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 18, 2012 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, and Mayor Sam Abed. Deputy Mayor Marie Waldron absent. Quorum present.

Deputy Mayor Marie Waldron arrived at 3:35 pm

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/CDC/RRB)

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

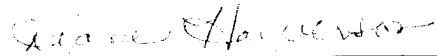
- I. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))**
SANCHEZ-CAMACHO, ET AL. V. JOHN PAUL RUSSO; CITY OF ESCONDIDO
CASE NO. 37-2011-00053506-CU-PA-NC

ADJOURNMENT

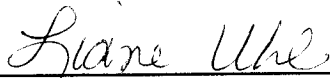
Mayor Abed adjourned the meeting at 3:45 p.m.



MAYOR



CITY CLERK



MINUTES CLERK

CITY OF ESCONDIDO
April 18, 2012
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 18, 2012 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: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember Michael Morasco, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Engineering Services Director; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

PRESENTATIONS

Mayor Abed introduced Lisa Ruder, Escondido Charitable Foundation, who gave a presentation on the Escondido Charitable Foundation.

Mayor Abed introduced Esperanza's Tortillaria, Harborlite Corporation and SCP Distributors who accepted a Recognition Certificate for the Environmental Excellence Award.

PROCLAMATIONS

Mayor Abed introduced Nicole White, Recreation Supervisor, who accepted a Proclamation for Drowning Prevention Month – May 2012.

ORAL COMMUNICATIONS

Jack Bennett, Escondido, voiced support for Police Chief Maher.

Patricia Bennett, Escondido, distributed information and expressed support for Police Chief Maher.

Don Burgett, Escondido, indicated he supported the efforts of the Police Chief.

Mike Henderson, Escondido, expressed support for the Police Chief.

Eleanor Rector, San Diego, stated she supported the Police Chief.

Joan Gardner, Escondido, voiced support for Chief Maher removing impaired drivers from the streets.

Wayne Louth, Escondido, stated he did not agree with the recent pay raises given to top management.

Ann Bessinger, Sullivan Solar Power Company, reported on the opportunities her company could offer the city.

Lisa Prazeau, Escondido, indicated she opposed the pay raises given to the top management.

Sue Flannery, San Marcos, stated she supported law enforcement.

CONSENT CALENDAR

Councilmember Waldron removed items 9 and 10 and Councilmember Gallo removed item 4 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco that the following Consent Calendar items be approved with the exception of items 4, 9 and 10. Motion carried unanimously.

- 1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
- 2. APPROVAL OF WARRANT REGISTER (Council/CDC)**
- 3. APPROVAL OF MINUTES:**
 - Special Meetings of March 7, 2012**
 - Special Meeting of March 14, 2012**
 - Regular Meeting of March 14, 2012**
 - Regular Meeting of March 21, 2012**
- 4. GRANT DEED AND PURCHASE & SALE AGREEMENT: 2196 MONTEMAR AVENUE –**
Request Council authorize the Real Property Manager and City Clerk to execute a Grant Deed and Purchase & Sale Agreement effectuating the sale of residential property 2196 Montemar Avenue.
(File No. 0690-20)

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

RESOLUTION NO. 2012-58

Councilmember Gallo asked what fund the proceeds would go into.

Debra Lundy, Real Property Manager, stated they would go back into the CDBG fund. Jerry Van Leeuwen, Community Services Director, indicated the funds could not be used for the Senior Rent Subsidy.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to authorize the Real Property Manager and City Clerk to execute a Grant Deed and Purchase & Sale Agreement effectuating the sale of residential property 2196 Montemar Avenue and adopt Resolution No. 2012-58. Motion carried unanimously.

5. **FISCAL YEAR 2012-13 COUNTY OF SAN DIEGO CAL-ID GRANT AND BUDGET ADJUSTMENT** – Request Council approve a Fiscal Year 2012-13 Cal-ID Grant from the County of San Diego, 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 which will not exceed \$86, 677 for July 1, 2012 through June 30, 2013. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

6. **ASSET FORFEITURE FUND BUDGET ADJUSTMENT** – Request Council authorize staff to establish a budget in the amount of \$56,825 with Asset Forfeiture Funds to pay for overtime and training costs. (File No. 0430-80)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

7. **FISCAL YEAR 2011 CALIFORNIA GANG REDUCTION, INTERVENTION, PREVENTION PROGRAM GRANT AND BUDGET ADJUSTMENT** – Request Council authorize the Escondido Police Department to accept FY 2011 CalGRIP Program Grant funds in the amount of \$250,000 from the California Emergency Management Agency, authorize the Chief of Police to submit grant documents on behalf of the City; and approve budget adjustments needed for part-time salaries and overtime expenses. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

8. **FISCAL YEAR 2012 UNITED STATES DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND BUDGET ADJUSTMENT** – Request Council approve a FY 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$45,844 from the U.S. Department of Justice, 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 to support front-line law enforcement. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

9. **ENERGY EFFICIENCY - CONSERVATION BLOCK UPDATE, MUSCO LIGHTING SOLE SOURCE PUBLIC SERVICE AGREEMENT** – Update regarding expenditure of the Energy Efficiency - Conservation Block Grant (EE CBG) funds; and request Council authorize the Mayor and City Clerk to execute a Public Services Agreement with MUSCO Lighting to install energy efficient ball field lighting at Kit Carson Girls Softball fields as a part of the EE CBG. (File No. 0600-10 [A-2980])

Staff Recommendation: Approval (**Community Services: Jerry Van Leeuwen**)

RESOLUTION NO. 2012- 64

Councilmember Waldron asked for clarification.

Jerry Van Leeuwen, Community Services Director, answered the adult softball fields were finished and the girls softball field lights would be completed with this project.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Morasco to authorize the Mayor and City Clerk to execute a Public Services Agreement with MUSCO Lighting to install energy efficient ball field lighting at Kit Carson Girls Softball fields as a part of the EE CBG and adopt Resolution No. 2012-64. Motion carried unanimously.

- 10. REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) FEE ADJUSTMENT** – Request Council authorize the RTCIP Traffic Impact Fee be increased from \$2,123 to \$2,165 beginning July 1, 2012. (File No. 0145-60)

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

RESOLUTION NO. 2012-42

Councilmember Waldron requested a separate vote.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to authorize the RTCIP Traffic Impact Fee be increased from \$2,123 to \$2,165 beginning July 1, 2012 and adopt Resolution No. 2012-42. Ayes: Abed, Diaz and Morasco. Noes: Gallo and Waldron. Absent: None. Motion carried.

RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/CDC/RRB at a previous City Council/Community Development Commission/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

- 11. AMENDMENT TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) CONTRACT TO PROVIDE SECTION 20475 (DIFFERENT LEVELS OF BENEFITS), SECTION 21362 (2% AT AGE 50) AND SECTION 20037 (THREE-YEAR FINAL COMPENSATION) FOR LOCAL FIRE SAFETY EMPLOYEES - (APPROVED WITH A VOTE OF 5/0 ON MARCH 21, 2012) (File No. 0720-40)**

ORDINANCE NO. 2012-06 (Adoption and Second Reading)

- 12. ZONING CODE AMENDMENT (AZ 11-0001) - (APPROVED WITH A VOTE OF 5/0 ON MARCH 28, 2012) (File No. 0810-20)**

ORDINANCE NO. 2012-07 (Adoption and Second Reading)

Barry Baker, Escondido, indicated he did not agree with the ordinance and asked the Council to do further research.

NO ACTION WAS TAKEN ON ITEM 12

PUBLIC HEARINGS

- 13. PROPOSED CHARTER CITY** – General background information regarding charter cities, a brief summary of issues raised at the September 28, 2011 public workshop and recent legal developments which affect both the content and the adoption requirements for a charter ballot measure. (File No. 0650-20)

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

Jennifer McCain, Assistant City Attorney, 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.

Don Greene, Escondido, indicated he was in favor of the City Charter and suggested putting district elections in the Charter.

Don Burgett, Escondido, stated he was in favor of a City Charter.

Patricia Borchmann, Escondido, indicated she did not agree with the previous budget cuts.

Rick Moore, Escondido, stated he did not agree with a City Charter or the proposed Voter ID.

Chris Nava, Escondido, voiced concern with the proposed Voter ID in the Charter and stated she was not in favor of a City Charter

Roy Garrett, Escondido, stated the Voter ID was Impractical in elections due to mail-in voters and would be very costly for the city to implement.

Carmen Miranda, Escondido, indicated the Voter ID requirement proposed in the charter would harm the community and she was not in favor of a City Charter.

Margaret Liles, Escondido, stated she did not agree with a City Charter or the Voter ID requirement.

Jim Conway, Contractor Representative, urged Council to not cut local workers pay and to discontinue the Charter City process.

Cherie Cabal, California State Building Trades, requested Council discontinue the Charter proposal.

Tom Lemmon, Building and Contractors Representative, indicated he did not agree with the City Charter proposal.

Austin Miller, Escondido, indicated he was in favor of the City Charter.

Nova Morgan, Escondido, stated she was opposed to the City Charter proposal.

Mark Skok, Escondido, expressed concern with the proposed City Charter.

Lisa Prazeau, Escondido, indicated she was not in favor of a City Charter.

Richard Bova, Escondido, stated he objected to the Voter ID requirement and the City Charter proposal.

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: Gave direction to staff to proceed with the Charter City proposal.

- 14. SIGN CODE AMENDMENT, CASE NO. AZ 2012-0001** – Request Council amend the Zoning Code Article 66 to address temporary portable signs and to establish a two year "sunset" clause. (File No. 0810-20)

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

ORDINANCE NO. 2012- 08

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.

Fred Baranowsky, Escondido Chamber of Commerce, urged Council to adopt the ordinance and allow signs for a longer period of time.

Kevin Niems, Escondido, requested Council allow the flags for longer than the proposed six month period.

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: NO ACTION WAS TAKEN ON THIS ITEM

- 15. SPECIFIC ALIGNMENT PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITRACADO PARKWAY EXTENSION PROJECT (ER 2006-10, ENG 12-0011)** – Request Council approve the Specific Alignment Plan; certify and approve the Final Environmental Report, CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Citracado Parkway Extension Project. (File No. 0800-40 ER-2006-10)

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

RESOLUTION NO. 2012- 40

Bill Martin, 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.

Ron Laurabee, Escondido, voiced concern with increased traffic and indicated he did not support the project.

Donald Uribe, Escondido, expressed concern with the expansion 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.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve the Specific Alignment Plan; certify and approve the Final Environmental Report, CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Citracado Parkway Extension Project and adopt Resolution No. 2012-40. Motion carried unanimously.

CURRENT BUSINESS

- 16. SENIOR RENTAL SUBSIDY PROGRAMS** – Request Council review the plan regarding the continuation of the Senior Rental Subsidy Programs and direct staff regarding the future of these programs. (File No. 0875-14)

Staff Recommendation: Provide direction to staff (**Community Services/ Housing: Jerry Van Leeuwen**)

Jerry Van Leeuwen, Community Services Director, introduced Karen Youel, Housing Department, who gave the staff report and presented a series of slides.

Don Greene, Escondido, urged Council to continue the rent subsidy program.

Wayne Louth, Escondido, requested that the senior rent subsidy be continued.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve continuation of the Senior Rental Subsidy Programs and direct staff to use the First Time Homebuyer HOME funds to continue the senior rent subsidy. Motion carried unanimously.

- 17. STATUS REPORT, BUDGET ADJUSTMENT AND BID AWARD – DALEY RANCH** – Request Council accept the status report; approve a budget adjustment totaling \$725,550 for the road rehabilitation project and other Daley Ranch improvements; and authorize the Mayor and the City Clerk to execute an agreement with Asphalt and Concrete Enterprises, Inc. in the amount of \$165,868 for the Daley Ranch Access Road Rehabilitation Project.
(Continued from March 28, 2012 Council Meeting) (File No. 0600-10 [A-3041])

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

RESOLUTION NO. 2012-33

Barbara Redlitz, Community Development Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Gallo to accept the status report; approve a budget adjustment totaling \$725,550 for the road rehabilitation project and other Daley Ranch improvements; and authorize the Mayor and the City Clerk to execute an agreement with Asphalt and Concrete Enterprises, Inc. in the amount of \$165,868 for the Daley Ranch Access Road Rehabilitation Project and adopt Resolution No. 2012-33. Ayes: Abed, Gallo, Morasco and Waldron. Noes: Diaz. Absent: None. Motion carried.

FUTURE AGENDA

- 18. FUTURE AGENDA ITEMS** - 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

Robroy Fawcett, Escondido, distributed information and gave information on voting districts.

COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

Councilmember Gallo indicated the Regional Planning Committee discussed safe routes to school; the FORE Escondido Golf Tournament would be held on May 8, 2012 and the CCAE was auditioning for a new chorale.

Councilmember Diaz stated she was attending RYLC (Rotary Youth Leadership Camp) in Idyllwild over the weekend.

Mayor Abed indicated that SANDAG was defending a lawsuit and one third of Transnet 2 monies would be used for local roads, one third for highways and one third for local transportation.

ADJOURNMENT

Mayor Abed adjourned the meeting at 10:35 p.m.


MAYOR


CITY CLERK


MINUTES CLERK