

CITY OF ESCONDIDO
March 21, 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, March 21, 2012 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

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

Councilmember Diaz arrived at 3:35 p.m. and left the meeting at 4:10 p.m.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/CDC/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)

- a. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Police Officers' Association
- b. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Escondido City Employee Association: Administrative/Clerical Engineering (ACE) Bargaining Unit
- c. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Escondido City Employee Association: Supervisory (SUP) Bargaining Unit
- d. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Non-Sworn Police Bargaining Unit

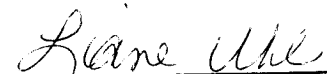
- II. **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))**
Brian Knodel v City of Escondido; Case No. WACB No. ADJ6644368/Claim No. 08232132 and Unassigned Claim Nos. 09255642 and 09255638
- III. **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code §54956.9(b)):** One Case

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:20 p.m.


MAYOR


CITY CLERK


MINUTES CLERK

CITY OF ESCONDIDO
March 21, 2012
4:30 p.m. Meeting Minutes

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 4:30 p.m. on Wednesday, March 21, 2012 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

PRESENTATION

Mayor Abed presented Special Achievement Award Certificates to the Webelos and Boy Scout Pack 659.

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.

ORAL COMMUNICATIONS

Joe McCoy, Escondido City Employee, asked Council to reconsider giving pay raises to the Department Heads.

Kenneth Brown, Escondido City Employee, indicated the Department Heads should not receive pay raises while regular employees were taking pay cuts.

Alex Cruz, Escondido City Employee, did not agree to pay raises to Department Heads while employees were taking pay cuts.

Alex Matautia, Escondido City Employee, expressed concern that upper management received pay raises while his pay had been cut.

Josh Petty, Escondido City Employee, stated he received a pay cut and asked why management had received pay raises.

Richard Studinka, Escondido City Employee, stated management should not receive pay raises while unclassified employees received pay cuts and also pay for their PERS contributions.

Paul Varhol, Escondido City Employee, indicated his pay had been cut and management should not have received pay raises.

Carlos Chavez, Escondido City Employee, stated he did not agree with the management pay raises while his pay had been cut.

Julius Turner, Escondido City Employee, stated that every employee should have a pay raise not just the upper management.

Chester Mordacini, Teamsters 911, indicated top management should not have received pay raises while other employees did not; all employees should receive pay raises.

Robroy Fawcett, Escondido, gave information on the Voting Rights Act.

Mel Takahara, Escondido, asked Council to provide bookmobile service to East Valley residents.

Chuck Tratechaud, Escondido, asked Council to keep the name Joslyn Senior center.

Wayne Louth, Escondido, indicated the American Legion Post 149 was having a flag disposal ceremony on Sunday, March 25th at 1:00 pm and invited the public.

CONSENT CALENDAR

Councilmember Waldron removed items 6 and 9 and Councilmember Morasco removed items 10, 11 and 14 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Waldron that the following Consent Calendar items be approved with the exception of items 6, 9, 10, 11 and 14. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES:** **Regular Meeting of February 1, 2012**
 Special Meeting of February 8, 2012
 Regular Meeting of February 15, 2012
4. **CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT PRELIMINARY ENGINEER'S REPORT FOR ZONES 1-37 FISCAL YEAR 2012/2013** – Request Council initiate the proceedings for the annual levy of assessments for the Landscape Maintenance Assessment District (LMD) for Zones 1-37 for the 2012/2013 fiscal year, approve the Preliminary Engineer's Report and set a public hearing date. (File No. 0685-10)

Staff Recommendation: Approval (**Engineering Department: Frank Schmitz**)

- a. **RESOLUTION NO. 2012-23**
- b. **RESOLUTION NO. 2012-24**

5. TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2011
(File No. 0490-55)

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

6. REVISIONS TO FAÇADE AND PROPERTY IMPROVEMENT PROGRAM POLICIES –
Request Council authorize the following modifications to the Façade and Property Improvement Program (FPIP) policies: 1) Increases maximum grant awards to twice their current amounts; 2) Allows all frontages on identified public ways to be factored into the linear street frontage for purposes of calculating the maximum grant award; 3) Reduces the "statute of limitations" on previous property grantees from ten to seven years; and 4) Provides an additional \$5,000 for businesses in the following pedestrian-oriented areas: Downtown Specific area, Mercado Business District, SANDAG Smart Growth areas and along the Escondido Creek Trail. (File No. 0865-15)

Staff Recommendation: Approval (**City Manager's Office: Michelle Gellar**)

RESOLUTION NO. 2012-28

Councilmember Waldron indicated she supported the project and asked if payments were being made to pay back the fund.

Michelle Geller, City Manager's Office, indicated it was a reimbursable grant, not a loan.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Diaz to authorize the following modifications to the Façade and Property Improvement Program (FPIP) policies: 1) Increases maximum grant awards to twice their current amounts; 2) allow all frontages on identified public ways to be factored into the linear street frontage for purposes of calculating the maximum grant award; 3) reduce the "statute of limitations" on previous property grantees from ten to seven years; and 4) Provides an additional \$5,000 for businesses in the following pedestrian-oriented areas: Downtown Specific area, Mercado Business District, SANDAG Smart Growth areas and along the Escondido Creek Trail and adopt Resolution No. 2012-28. Motion carried unanimously.

7. AWARD PURCHASE OF FUEL – Request Council approve the purchase of fuel for the City of Escondido's fleet through a cooperative purchase agreement with the City of San Diego, pursuant to Escondido's Municipal Code section 10-90. The fuel will be purchased from The SOCO Group Inc. (File No. 0470-35)

Staff Recommendation: Approval (**Maintenance and Operations Department: Richard O'Donnell**)

8. EQUIPMENT CONSIDERED FOR SALE – Request Council approve equipment as surplus property and authorize the Director of Finance to dispose of the surplus property at an auction. (File No. 0470-65_)

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

RESOLUTION NO. 2012-21

9. **STREAMLINING OF TRAFFIC CONTROL PLAN PROCESS FOR DOWNTOWN SPECIAL EVENTS AND BUDGET ADJUSTMENT**– Request Council authorize staff to develop a selection of preapproved traffic control plan templates to simplify the process for downtown Street closures associated with special events, modify the Fund Balance Policy and authorize a budget adjustment in the amount of \$20,000 from the General Fund Economic Development Commitment Fund to the City Manager's Professional Service Account to fund the project. (File No. 0430-80)

Staff Recommendation: Approval (**City Manager's Office: Michelle Geller**)

RESOLUTION NO. 2012-45

Councilmember Waldron suggested there should be a fee for the services.

Michelle Geller, City Manager's Office, indicated there would be a Request for Proposal for a traffic civil engineer to prepare the traffic template.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Gallo to authorize staff to develop a selection of preapproved traffic control plan templates to simplify the process for downtown Street closures associated with special events, modify the Fund Balance Policy and authorize a budget adjustment in the amount of \$20,000 from the General Fund Economic Development Commitment Fund to the City Manager's Professional Service Account to fund the project and adopt Resolution No. 2012-45. Motion carried unanimously.

10. **AUTHORIZE THE PURCHASE OF A WASTEWATER COLLECTION VACTOR TRUCK** – Request Council approve the purchase of one (1) new Wastewater Collection Vactor truck from Haaker Equipment Company as a sole source. (File No. 0470-35)

Staff Recommendation: Approval (**Community Services/Fleet: Richard O'Donnell**)

RESOLUTION NO. 2012-39

Councilmember Morasco asked what causes the trucks to deteriorate.

Bob Blackburn, Fleet Supervisor answered that the environmental use of the trucks creates excessive corrosion and they need to be replaced periodically.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve the purchase of one (1) new Wastewater Collection Vactor truck from Haaker Equipment Company as a sole source and adopt Resolution No. 2012-39. Motion carried unanimously.

11. **QUITCLAIM DEED V.I.S. LTD. - LESLIE LANE PUBLIC UTILITY EASEMENT PROJECT** – Request Council authorize the Real Property Manager and City Clerk to execute a Quitclaim Deed with a public utility easement reservation. (File No. 0690-10)

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

RESOLUTION NO. 2012-32

Councilmember Morasco asked for clarification of the request.

Ed Domingue, Engineering Services Director, explained that the City had a court order to proceed with eminent domain proceedings.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to authorize the Real Property Manager and City Clerk to execute a Quitclaim Deed with a public utility easement reservation and adopt Resolution No. 2012-32. Motion carried unanimously.

- 12. 700 WEST GRAND LEASE AGREEMENT WITH TACTICAL 3RD DIMENSION SYSTEMS –** Request Council authorize the Real Property Manager and City Clerk to execute a Lease Agreement with Tactical 3rd Dimension Systems at 700 W. Grand. (File No. 0600-10 [A-3044])

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

RESOLUTION NO. 2012-44

- 13. 700 WEST GRAND LEASE AGREEMENT WITH IREADY SYSTEMS –** Request Council authorize the Real Property Manager and City Clerk to execute a Lease Agreement with IReady Systems for property located at 700 W. Grand. (File No. 0600-10 [A-3043])

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

RESOLUTION NO. 2012-43

- 14. JOSLYN SENIOR CENTER – PROPOSED NAME CHANGE AND DESIGNATION AS A NON-SMOKING FACILITY –** Request Council authorize changing the name of the Joslyn Senior Center to the Park Avenue Community Center and approve designation as a non-smoking facility. (File No. 0910-10)

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

RESOLUTION NO. 2012-47R

Councilmember Morasco asked for clarification of the request.

Jerry Van Leeuwen, Community Services Director, explained that the Joslyn Foundation had ceased to exist and senior centers had begun dropping the name Joslyn and many were renaming the centers.

Ann McDonald, Escondido, stated she was opposed to changing the name of the senior center.

Chuck Tratechaud, Escondido, indicated he was opposed to changing the name of the senior center and that it was designated for seniors only.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to authorize changing the name of the Joslyn Senior Center to the Park Avenue Community Center, designating a smoking area and naming a room for the Joslyns. Motion carried unanimously.

PUBLIC HEARINGS

- 15. PONDEROSA MOBILEHOME PARK SHORT-FORM RENT INCREASE APPLICATION–** Request Council consider the short-form rent increase application submitted by Ponderosa Mobilehome Park, granting an increase of 75% of the change in the Consumer Price Index (an average of \$20.32), or 3.601% for the period of June 20, 2009, to June 30, 2011. (**Continued from January 11, 2012**) (File No. 0697-20-9818)

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

RESOLUTION NO. RRB 2012-01R

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.

Laura Slobojan, Park Owner Representative, indicated the park owner had complied with the requests from the residents and asked Council to grant the short-form application.

Don Greene, Resident Representative, indicated the repairs have fallen short of expectations and requested that Council grant a 1% rent increase.

Toni Showerman, Resident Representative, indicated there were many repairs still needed to the park and urged Council to deny the rent increase application.

Natalie Costaglio, Park Representative, indicated she was available for questions and stated the park complied with all the needed repairs.

Jose Llamas, Escondido, indicated he did not want a rent increase.

Jerry Lenhard, Escondido, stated he did not agree with a rent increase for the Ponderosa Mobilehome Park.

M.A. Mareck, Escondido, asked Council to have code enforcement check the work that had been done before making a decision.

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 Diaz and seconded by Councilmember Morasco to approve a 1% rent increase after inspections have taken place. Ayes: Diaz and Morasco. Noes: Abed, Gallo and Waldron. Absent: None. Motion failed.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to grant a 1.8% rent increase after all repair inspections have been completed and adopt Resolution No. RRB 2012-01R. Motion carried unanimously.

- 16. FIRST AMENDMENT TO THE HALL LAND CO. DEVELOPMENT AGREEMENT FOR TRACT 932 (2005-47-DA)** – Request Council authorize a First Amendment for 120 day extension for the Development Agreement to August 4, 2012. (File No. 0800-10 Tract 932)

Staff Recommendation: Approval (**City Attorney's Office: Gary McCarthy**)

ORDINANCE NO. 2012-09

Charles Grimm, Assistant City 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 Gallo and seconded by Councilmember Waldron to authorize a First Amendment for 120 day extension for the Development Agreement to August 4, 2012 and adopt Ordinance No. 2012-09. Motion carried unanimously.

CURRENT BUSINESS

- 17. REPORT ON THE DRAFT FEASIBILITY STUDY OF RELOCATING THE WATER DISTRIBUTION YARD TO A SITE NEAR THE MAYFLOWER DOG PARK AT THE CURRENT CHARROS SITE** – A presentation summarizing the draft feasibility study for relocation of the water distribution yard to a site near the Mayflower Dog Park at the current Charros Site. (File No. 0910-10)

Staff Recommendation: Receive and file (**Utilities Department: Christopher McKinney**)

Christopher McKinney, Utilities Director, gave the staff report and presented a series of slides.

Rick Espitia, Northeast Gateway Coalition, presented a series of slides, asked to preserve the natural beauty of the area and requested Council find another site for the water treatment yard.

Rick Mercurio, Escondido, stated the project didn't fit in with the surrounding neighborhood.

Rick Paul, Escondido, asked for restroom facilities at Cougar Pass and indicated he did not agree with placing the project at this site.

Roy Garrett, Escondido, stated the City may have a lawsuit if the plant is placed at this site.

Sally Costello, Escondido Humane Society, indicated she did not want the project in this area.

Delores McQuiston, Escondido, asked Council to consider alternative sites to put the water plant.

Leslie Elmer, Escondido, stated that due to problems with heavy rainfall, she did not want the water plant at that site.

Ann McDonald, Escondido, indicated the Charros should stay at the site and asked that another site be researched.

Chris Nava, Escondido, stated she opposed building the water plant at this site.

Elizabeth Gabrych, Escondido, indicated the location was a cultural site should remain as it is.

Donna Hein, Escondido, stated she opposed the plant project at that site.

Steve Berrol, Escondido, indicated the residents of Eureka Springs did not want the water plant at that site.

Benjamin Cueva, Escondido, asked Council to research other sites for the water plant and let the Charros remain on the site.

Merrilyn Carpenter, Escondido, stated she did not want the power plant at that location.

Matthew Harold, San Marcos, indicated he did not support a water plant at the site.

Dottie Christensen, Escondido, stated the homeowners in Eureka Springs were opposed to the project.

Wayne Louth, Escondido, asked Council to preserve the area and not build a water plant there.

Lori Askew, Valley Center, stated the Charros site should be preserved and requested that Council locate the water plant at another place.

Salvador Faun, Escondido, asked Council to listen to the voice of the community.

Art Motadel, Escondido, indicated he did not want the water plant at that site.

Sergio Contreras, Escondido, stated the Charros should be allowed to keep their tradition alive.

Andy Carey, Escondido, indicated the Eureka Springs residents opposed the project.

Dave Modic, Escondido, stated he did not support the water plant project at that site.

Karen Mandel, Escondido, voiced concern with traffic and the safety of children playing in the area.

Luz Olivares, Escondido, indicated she did not want a water plant in the area.

Abel Villicana, San Marcos, asked Council to let the Charros stay at their arena.

Marcos Bautista, Escondido, urged Council to let the Charros stay at their location.

Carmen Miranda, Escondido, indicated she supported the Charros' request and asked the Council to not build the project.

Aron Gutierrez, Vista, urged Council to let the Charros stay and not build the water plant at that site.

Louis Villalobos, Bonsall, asked Council to let the Charros keep their arena.

Carol Rea, Escondido, asked if there would be gas pumps located at the site.

David Martin, Escondido, indicated he did not support the project.

Lisa Prazeau, Escondido, stated she did not want the project located at this site.

Mark Skok, Escondido, stated the water yard should remain where it is and not be moved to a different part of the city.

Deanne Sanderson, Escondido, indicated she did not support the project at this site and asked Council to leave it where it is.

COUNCIL ACTION: Directed staff to explore the Meyers Street and alternate sites for locating the water plant.

- 18. AMENDMENT TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) CONTRACT TO PROVIDE SECTION 20472 (DIFFERENT LEVELS OF BENEFITS), SECTION 21362 (2% AT AGE 50) AND SECTION 20037 (THREE-YEAR FINAL COMPENSATION) FOR LOCAL FIRE SAFETY EMPLOYEES** - Request Council approve amending the CalPERS contract to provide a second-tier level of benefits for employees hired after adoption of the 2% at 50 retirement benefit calculation and a three-year final compensation calculation for local Fire Safety employees. (File No. 0720-40)

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

- a. **RESOLUTION NO. 2012-30R**
- b. **ORDINANCE NO. 2012-06**

Sheryl Bennett, Human Resources Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve amending the CalPERS contract to provide a second-tier level of benefits for employees hired after adoption of the 2% at 50 retirement benefit calculation and a three-year final compensation calculation for local Fire Safety employees, adopt Resolution No. 2012-30R and introduce Ordinance No. 2012-06. Motion carried unanimously.

- 19. ANNUAL APPOINTMENTS TO BOARDS AND COMMISSIONS** - Request Council ratify the Mayor's appointments to serve on the Boards and Commissions. (File No. 0120-10)

Staff Recommendation: Approval (**City Clerk's Office: Diane Halverson**)

MOTION: Moved by Mayor Abed and seconded by Councilmember Waldron to ratify Mayor Abed's appointment of Thomas Cherry, Sean O'Neill, Frank Shadpour and Michael West to the Building Advisory and Appeals Board; Joseph Bologna, Barbara Dudeck and Marna Farwell to the Community & Older Adult Services Commission; Carol Breitenfeld, Juliana Cherry and Carol Rea to the Historic Preservation Commission; Elmer Cameron, Kathy Eisler and Virginia Loh-Hagan to the Library Board of Trustees; Paul Brown, Orvil Hale, Lynn Graykowski and Gregory Johns to the Personnel Board of Review; Darol Caster, Gregory Johns, James Spann, Merle Watson and Guy Winton, III to the Planning Commission; Selina Hudgins, Natalie Mates, Phyllis Savin, Louise Thurber and Marty Tiedman to the Public Art Commission; and Omar Dayani and Sherri Sarro to the Transportation & Safety Commission. Motion carried unanimously.

WORKSHOP

- 20. WORKSHOP ON CODE ENFORCEMENT ACTIVITIES** — Request Council receive annual report on current Code Enforcement Activities and options to resume proactive code enforcement. (File No. 0110-20)

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

COUNCIL ACTION: This item was continued to a future agenda.

FUTURE AGENDA

- 21. 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**)

Councilmember Diaz asked for a presentation designating the City as a Purple Heart City and a presentation for Roberts Rules of Order.

ORAL COMMUNICATIONS

None

COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

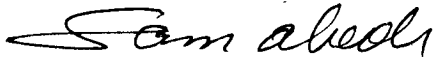
Councilmember Morasco indicated County Board of Supervisors was holding a meeting on Wednesday, March 28, 2012 at 8:00 a.m. to discuss the eye gnat problem.

Councilmember Gallo stated that there had been chimney fires in the City and urged residents to use chimney sweeps to clean their chimneys and that the NCTD was doing well.

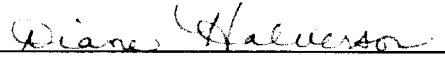
Mayor Abed announced that Woman's Week in Escondido was being held March 26-31, 2012.

ADJOURNMENT

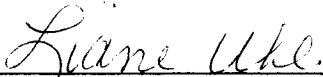
Mayor Abed adjourned the meeting at 10:32 p.m.



MAYOR



CITY CLERK



MINUTES CLERK