



Agenda Item: No. 3
Date: May 25, 2011

APPROVAL

OF

MINUTES

CITY OF ESCONDIDO
April 13, 2011
3:30 p.m. Meeting Minutes

Escondido City Council
Community Development Commission

CALL TO ORDER

The Regular Meeting of the Escondido City Council and Community Development Commission was called to order at 3:30 p.m. on Wednesday, April 13, 2011 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, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/CDC/RRB)

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz 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: **Escondido City Employee Association
Supervisory Bargaining Unit**
- 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: **Maintenance & Operations, Teamsters Local 911**
- d. Agency Negotiator: Sheryl Bennett, Clay Phillips
Employee organization: **Escondido Police Officers' Association - Sworn**
- e. Agency Negotiator: Sheryl Bennett, Clay Phillips
Employee organization: **Escondido Police Officers' Association – Non-Sworn**
- f. Agency Negotiator: Sheryl Bennett, Clay Phillips
Employee organization: **Escondido Firefighters' Association**

II. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9(b): **One Case**

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

Property:	A parcel on the north side of West Valley Parkway between City Hall and the California Center for the Arts, Escondido, APN#229-372-20
Agency Negotiator:	Charles Grimm
Negotiating parties:	City of Escondido and CW Clark
Under negotiation:	Price and terms of payment

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

Property:	475 & 480 North Spruce Street
Agency Negotiator:	Clay Phillips
Negotiating parties:	City and JMI Sports
Under negotiation:	Price and terms of payment

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:38 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
April 13, 2011
4:30 p.m. Meeting Minutes

Escondido City Council
Community Development Commission
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council and Community Development Commission was called to order at 4:40 p.m. on Wednesday, April 13, 2011 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.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Planning Department; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

PROCLAMATIONS

Mayor Abed introduced Cameron Curry, Classical Academy Chief Executive Officer, who accepted a proclamation for Charter Schools Association's Leader of the Year.

Mayor Abed introduced Kelly Matthews, North County Lifeline, who accepted a proclamation for Fair Housing Month, April 2011.

Mayor Abed introduced David Wilkinson who accepted a proclamation for Mormon Helping Hands 2011 on Serving our Community Day, April 30, 2011.

PRESENTATIONS

Deputy Mayor Waldron introduced Carol Rea and Kevin Grangetto who presented a series of slides and accepted recognition for Beautification/America in Bloom.

ORAL COMMUNICATIONS

Chester Mordasini, Teamsters Local 911, asked Council to be sensitive to the issues of city workers.

Lee Graniero, Escondido, expressed concern over the possibility of closing the branch library and requested Council keep it open.

Nina Deerfield, Escondido, indicated she would like to volunteer and urged Council to keep recreation programs open.

Roy Garrett, Escondido, stated that closing recreation programs would put youth at risk and asked that Council not cut those programs or close facilities.

Patricia Borchmann, Escondido, asked Council to keep recreation programs open so young people don't become police statistics.

Larry Steneck, Escondido, requested that Council not cut recreation programs or close the library.

Jerry Lenhart, Escondido, expressed concern with code enforcement inspections of mobilehome parks.

Lynne Lau, Escondido, voiced concern with the proposed recreation cuts.

CONSENT CALENDAR

Councilmember Gallo removed item 4 and Councilmember Diaz removed item 5 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Diaz that the following Consent Calendar items be approved with the exception of items 4 and 5. 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 March 9, 2011**
4. **BID AWARD FOR SPORTS CENTER OFFICE EXPANSION** – Request Council accept the apparent low bid from MW Construction, Inc. as the lowest responsive and responsible bid; and authorize the Mayor and City Clerk to execute an agreement with MW Construction, Inc. in the amount of \$176,973 for the Sports Center Office Expansion project base bid. (File No. 0600-10 [A-3013])

Staff Recommendation: Approval (**Engineering Services: Robb Zaino**)

RESOLUTION NO. 2011-45

Councilmember Gallo asked for clarification of the cost of the project.

Robb Zaino, Engineering Services Deputy Director, indicated the total that Councilmember Gallo had was correct.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Waldron to accept the apparent low bid from MW Construction, Inc. as the lowest responsive and responsible bid; authorize the Mayor and City Clerk to execute an agreement with MW Construction, Inc. in the amount of \$176,973 for the Sports Center Office Expansion project base bid and adopt Resolution No. 2011-45. Ayes: Diaz, Gallo, Waldron and Abed. Noes: Morasco. Absent: None. Motion carried.

- 5. FISCAL YEAR 2010 URBAN AREA SECURITY INITIATIVE (UASI) GRANT AND BUDGET ADJUSTMENT** – Request Council authorize the Escondido Police Department to accept FY 2010 Urban Area Security Initiative (UASI) Grant funds in the amount of \$246,000; authorize the Chief of Police to submit grant documents on behalf of the City; and authorize staff to establish budgets to spend grant funds. (File No. 0430-80)

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

Councilmember Diaz asked why the vehicle was needed and for a description of it.

Police Captain Bob Benton answered the City had many incidents involving firearms, that the vehicle looked like a large van, and that it was armored.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to authorize the Escondido Police Department to accept FY 2010 Urban Area Security Initiative (UASI) Grant funds in the amount of \$246,000; authorize the Chief of Police to submit grant documents on behalf of the City; and authorize staff to establish budgets to spend grant funds. Motion carried unanimously.

- 6. FISCAL YEAR 2009 PROJECT SAFE NEIGHBORHOOD GUN VIOLENCE AND BUDGET ADJUSTMENT** – Request Council authorize the Escondido Police Department to accept FY 2009 Project Safe Neighborhood Gun Violence Suppression Grant funds in the amount of \$20,000; authorize the Chief of Police to submit grant documents on behalf of the City; and authorize staff to establish budgets to spend grant funds. (File No. 0430-80)

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

- 7. FISCAL YEAR 2010 ASSISTANCE TO FIREFIGHTERS GRANT AND BUDGET ADJUSTMENT** – Request Council authorize the Escondido Fire Department to accept a grant award of \$75,800 from the Federal FY 2010 Assistance to Firefighters Grant (AFG) Program; authorize the Fire Chief to execute grant documents on behalf of the City; and authorize budget adjustments to track spending of these grant funds. (File No. 0430-80)

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

- 8. LEASE AGREEMENT BETWEEN THE CITY OF ESCONDIDO AND GRAND DENTISTRY FOR A PARKING LOT AT 418 EAST SECOND AVENUE IN ESCONDIDO** – Request Council approve a three-year lease agreement for a parking lot at 418 East Second Avenue in the City of Escondido. (File No. 0600-10 [A-3016])

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

RESOLUTION NO. 2011-49

CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

None

PUBLIC HEARINGS

9. **SHORT FORM RENT REVIEW BOARD HEARING FOR LAKE BERNARDO MOBILE ESTATES** – Request Council approve an increase of seventy-five percent of the change in the Consumer Price Index, or an average of \$5.41 per space, per month for the period of June 30, 2009 to June 30, 2010. (File No. 0697-20-9779)

Staff Recommendation: Approval (**Housing Division: Roni Keiser**)

RESOLUTION NO. RRB 2011-02

Michelle Henderson, Housing Division, 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.

Priscilla Cervantes, Park Owners Representative, listed the recent improvements to the park and asked Council to grant the short form rent increase.

Larry Steneck, Escondido, asked that additional data be included in the staff report.

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 grant the short form rent increase and adopt Resolution No. RRB 2011-02. Motion carried unanimously.

CURRENT BUSINESS

10. **DRAFT PROPOSED CHARTER** – Request Council approve the draft proposed Charter and direct staff to return to Council with the appropriate resolutions to place the Charter on the ballot for a future election. (File No. 0650-20)

Staff Recommendation: None: (**Mayor Sam Abed and Deputy Mayor Marie Waldron**)

Chester Mordasini, Teamsters Local 911, voiced concern with the language regarding political contributions in the proposed Charter City and that project labor agreements create jobs.

Ralph Valenzuela, San Bernardo, indicated prevailing wage had allowed him to make a living, take his family to local dentists and doctors, and provided money to spend in the community.

Ken Bertalan, Escondido, stated the issue of prevailing wage was a choice for the Council when a project was proposed.

Tom Lemmon, San Diego, encouraged the Council to get public feedback on the proposed City Charter.

Murtaza Baxamusa, San Diego, stated the Charter would be the constitution of the City and to be careful of what language was in it so as not to restrict future decisions.

Val Macedo, Escondido, asked to meet with Councilmembers to discuss the proposed Charter City language.

James Conway, urged Council to not cut prevailing wages.

Jerome Kern, Oceanside Councilmember, encouraged Council to proceed with the Charter City proposal.

Bill Baber, Associated Builders and Contractors, indicated project labor agreements were unfair to non-union workers.

COUNCIL ACTION: Directed staff to research the requirement of showing identification when voting and determine at a later time when the issue should be placed on the ballot.

WORKSHOP

- 11. OUTSOURCING OF PUBLIC SERVICES** – Presentation of opportunities to outsource a variety of public services. (File No. 0110-20)

Staff Recommendation: Provide direction to staff (**Community Services: Jerry VanLeeuwen**)

Jerry Van Leeuwan, Community Services Director, gave the staff report and presented a series of slides.

Chester Mordasini, Teamsters Local 911, voiced concern with outsourcing Fleet Services.

COUNCIL ACTION: Directed staff to return with a cost analysis.

FUTURE AGENDA

- 12. 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: Marsha Whalen**)

ORAL COMMUNICATIONS

Don Greene, Escondido, thanked Council for placing a Prop K workshop on a future agenda.

COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

Councilmember Morasco asked that a response to Senator Anderson's request for support of SB 1 and SB 120 be sent to him by April 20, 2011.

Councilmember Waldron indicated that April 30, 2011 was National Take-Back Day where any expired or unwanted prescription drugs could be turned in at the Police and Fire Facility from 10:00 to 2:00 p.m.

Mayor Abed stated the Police Department had arrested four sex offenders that had violated their registration compliance.

ADJOURNMENT

Mayor Abed adjourned the meeting at 8:15 p.m.

MAYOR

CITY CLERK

MINUTES CLERK