

CITY OF ESCONDIDO

July 13, 2011
3:30 p.m. Meeting

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, July 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 Morasco to add the following item to the Closed Session pursuant to Government Code Section 54954.2(b)(2); that the need to take immediate action arose subsequent to the posting of the agenda; and to recess to Closed Session. Motion carried unanimously.

ADDED ONE ITEM:

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Government Code §54956.9(a)
a. Halbert v. County of San Diego, et al, Case No. 07-CV-1607-L(LSP)

- I. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)**
a. City Manager
b. City Attorney

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

- a. Property: 455 N. Spruce St., 480 N. Spruce St., and 525 N. Quince St.
Agency Negotiator: Clay Phillips
Negotiating parties: City and JMI Sports
Under negotiation: Price and terms of payment
- b. 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 Various Parties
Under negotiation: Price and terms of payment

ADJOURNMENT

RECESSED TO THE REGULAR MEETING AT 4:30 P.M.

CITY OF ESCONDIDO

**July 13, 2011
4:30 p.m. Meeting**

Escondido City Council Community Development Commission Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council, Community Development Commission and Mobilehome Rent Review Board was called to order at 4:30 p.m. on Wednesday, July 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; Barbara Redlitz, Community Development Director; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

PRESENTATIONS

Mayor Abed introduced Maria Bowman, Mercado Business Association, who gave a presentation on the renovation of the Mercado District.

PROCLAMATIONS

Mayor Abed introduced Jerry Van Leeuwen, Community Services Director, who accepted a proclamation for Parks and Recreation Month, July 2011.

ORAL COMMUNICATIONS

Melinda Santa Cruz, Escondido, stated there were illegal fireworks in her area during the holiday weekend.

Joe McCoy, Escondido, indicated his mobilehome park had a parade and family activities to celebrate the 4th of July Holiday.

Shari Pence, Riverside, Construction Industry Force Account Council (CIFAC) Representative, distributed information and wanted to present an alternative to the charter city proposal.

Ralph Ginese, Escondido, read a letter from an employee who did not agree with the proposed pension changes and reduction in wages.

CONSENT CALENDAR

Councilmember Gallo removed items 6, 8 and 9 and Councilmember Waldron removed item 4 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Waldron that the following Consent Calendar items be approved with the exception of items 4, 6, 8 and 9. 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 June 8, 2011
Regular Meeting of June 15, 2011**
- 4. AWARD OF BID FOR LEGAL ADVERTISING FISCAL YEAR 2011-12 –** Request Council award the bid for the City's legal advertising for a one-year period to North County Times. (File No. 0600-10 [A-3021])

Staff Recommendation: Approval (**City Clerk's Office: Marsha Whalen**)

RESOLUTION NO. 2011-99

Councilmember Waldron asked if the E-Verify program would be required for this contract.

Attorney Jeffrey Epp indicated that the E-Verify policy was included in every contract but Council could waive the policy for this contract if they desired.

MOTION: Moved by Councilmember Diaz and seconded by Mayor Abed to waive the E-Verify policy for this contract, award the bid for the City's legal advertising for a one-year period to North County Times and adopt Resolution No. 2011-99.

- 5. NOTICE OF COMPLETION FOR TRACT 839 EUREKA RANCH PUBLIC IMPROVEMENTS: UNIT 1, UNIT 4 AND UNIT 5 –** Request Council authorize staff to file a Notice of Completion for the Public Improvements associated with Tract 839 Eureka Ranch, Units 1, 4 and 5. (File No. 0800-10 Tract 839)

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

6. **BUDGET ADJUSTMENT FOR EUREKA RANCH COMMUNITY FACILITIES DISTRICT (CFD 2006-01)** – Request Council approve a budget adjustment to increase funds available for disbursement by including interest earned on CFD 2006-01 funds. (File No. 0430-80)

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

Councilmember Gallo asked if this was accrued interest.

Gil Rojas, Finance Director, indicated this was interest on the bond money.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve a budget adjustment to increase funds available for disbursement by including interest earned on CFD 2006-01 funds. Motion carried unanimously.

7. **SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION FOR THE PREVIOUSLY APPROVED 41-LOT "RINCON ESCONDIDO" RESIDENTIAL DEVELOPMENT (ER 2004-48 AND TR 892, 2004-52-PZ/PD/GE/PZ/DA, 2004-06-AN)** – Request Council adopt a Supplemental Mitigated Negative Declaration for a previously approved 41-lot, clustered residential subdivision; Tentative Subdivision Map; Preliminary, Master and Precise Development Plan; Grading Exemptions; Annexation/Reorganization; and a Development Agreement. (File No. 0800-10 Tract 892)

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

RESOLUTION NO. 2011-89

8. **SETTING SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 2006-01 (EUREKA RANCH)** – Request Council set the Special Tax Levy for the Community Facilities District (CFD) No. 2006-01 (Eureka Ranch). (File No. 0685-20)

Staff Recommendation: Adopt and File (**Finance Department: Gil Rojas and Renee Bojorquez**)

RESOLUTION NO. 2011-94R

Councilmember Gallo asked if the new assessment was more or less than last year's.

Renee Bojorquez indicated that the Eureka Ranch assessment had increased.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to set the Special Tax Levy for the Community Facilities District (CFD) No. 2006-01 (Eureka Ranch) and adopt Resolution No. 2001-94R. Motion carried unanimously.

9. **SETTING SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 2000-01 (HIDDEN TRAILS)** – Request Council set the Special Tax Levy for the Community Facilities District (CFD) No. 2000-01 (Hidden Trails). (File No. 0685-20)

Staff Recommendation: Adopt and File (**Finance Department: Gil Rojas and Renee Bojorquez**)

RESOLUTION NO.: 2011-95R

Councilmember Gallo asked if the new assessment was more or less than last year's.

Renee Bojorquez indicated that the Hidden Trails assessment had decreased.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to set the Special Tax Levy for the Community Facilities District (CFD) No. 2000-01 (Hidden Trails) and adopt Resolution No. 2011-95R. Motion carried unanimously.

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

None

PUBLIC HEARINGS

- 10. SHORT FORM RENT APPLICATION INCREASE FOR TOWN AND COUNTRY CLUB PARK –**
– Request Council consider the short-form rent increase application submitted for Town and Country Club Park, granting an increase of 75% if the change in the Consumer Price Index, an average of \$7.61 per space per month, for the period December 31, 2008 – December 31, 2010. (File No. 0697-20-9799)

Staff Recommendation: Approval (**Housing Division: Jerry VanLeeuwen**)

RESOLUTION NO.: RRB 2011-06

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.

Attorney Ron St. John, Park Owner Representative, indicated the proposed rent increase was reasonable and asked Council to grant the increase.

Don Greene, Resident Representative, gave a presentation and asked Council to grant an increase of 35% of CPI.

Shirley Lasagna, Escondido, stated her rent had increased three times in two years and asked Council to not grant the rent increase.

Joy Roberts, Escondido, indicated she did not want a rent increase and urged Council not to grant it.

Joe McCoy, Escondido, asked Council to consider the Prop K guidelines when making their 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 Morasco and seconded by Councilmember Diaz to grant 50% of the CPI for the short-form rent increase. Public accommodation related to accessing the clubhouse to be completed prior to implementation of the rent increase. Ayes: Abed, Diaz and Morasco. Noes: Gallo and Waldron. Absent: None. Motion carried.

- 11. AMENDMENT TO THE INTERIM DOWNTOWN SPECIFIC PLAN (AZ 09-0006) –** Request Council amend the Interim Downtown Specific Plan consisting of two sub items that would revise the Permitted Use Matrix and eliminate parking requirements in the core downtown area. Sub

item A would refine the land use categories, notations and permitted uses primarily in the Historic Downtown District, but inclusive of all districts within the specific plan. Sub item B would eliminate on-site parking space requirements for existing, new or expanding non-residential uses within Vehicle Parking District No. 1 and the proposed Vehicle Parking District No.2. (File No. 0800-70)

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

RESOLUTION NO. 2011-90

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. No one asked to be heard. Therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Waldron to amend the Interim Downtown Specific Plan consisting of two sub items that would revise the Permitted Use Matrix and eliminate parking requirements in the core downtown area and adopt Resolution No. 2011-90. Sub item A would refine the land use categories, notations and permitted uses primarily in the Historic Downtown District, but inclusive of all districts within the specific plan. Sub item B would eliminate on-site parking space requirements for existing, new or expanding non-residential uses within Vehicle Parking District No. 1 and the proposed Vehicle Parking District No.2. Motion carried unanimously.

- 12. URBAN WATER MANAGEMENT PLAN** – Request Council approve the City's 2010 Urban Water Management Plan. (File No. 1320-85)

Staff Recommendation: Approval (**Utilities Division: Lori Vereker**)

RESOLUTION NO.: 2011-93R

Elisa Marrone, Utilities 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 Councilmember Gallo and seconded by Councilmember Diaz to approve the City's 2010 Urban Water Management Plan and adopt Resolution No. 2011-93R. Motion carried unanimously.

CURRENT BUSINESS

- 13. IMPLEMENT TWO-HOUR AND THREE-HOUR PARKING TIME ZONES AT VARIOUS LOCATIONS CITYWIDE** - Request Council implement two-hour and three-hour parking time zones at various locations Citywide with minor field adjustments per field conditions. (File No. 1050-50)

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

RESOLUTION NO. 2011-46

Ed Domingue, Engineering Services Director, gave the staff report and presented a series of slides.

Anna Voss, Escondido, presented a series of slides and voiced concern for parking limits at their church on Sunday.

Carol Peters, Escondido, indicated the employees at a business parked at one of the proposed time zone areas.

Rani Hermiz, Escondido, stated he supported the parking restrictions.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to implement two-hour and three-hour parking time zones at various locations Citywide with minor field adjustments per field conditions and adopt Resolution No. 2011-46. Motion carried unanimously.

- 14. BID AWARD FOR PHASE 2, REGIONAL GENERAL PERMIT (RGP) -** Request Council authorize the Mayor and City Clerk to execute a Consulting Agreement with the lowest responsive and responsible bidder, AECOM Technology Corporation, in the amount of \$269,990 for the Phase 2, Regional General Permit (RGP) Project. (File No. 0600-10 [A-3017])

Staff Recommendation: Approval (**Utilities Division: Cheryl Filar and Jeff Warner**)

RESOLUTION NO. 2011-97

Cheryl Filar, Utilities Department, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Waldron to authorize the Mayor and City Clerk to execute a Consulting Agreement with the lowest responsive and responsible bidder, AECOM Technology Corporation, in the amount of \$269,990 for the Phase 2, Regional General Permit (RGP) Project and adopt Resolution No. 2011-97. Motion carried unanimously.

- 15. FIRST AMENDMENT TO THE LEXUS DIGITAL SCREEN CONTENT AND OPERATION AGREEMENT (Case No. ADM 11-0104, 1205 Auto Parkway) –** Request Council authorize the Mayor and City Clerk to execute the First Amendment to the Lexus Digital Screen Content and Operation Agreement. (File No. 0600-10 [A-2905])

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

RESOLUTION NO. 2011-88

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

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to authorize the Mayor and City Clerk to execute the First Amendment to the Lexus Digital Screen Content and Operation Agreement. Motion carried unanimously.

- 16. FUNDING FOR CALIFORNIA CENTER FOR THE ARTS, ESCONDIDO –** Request Council approve a budget adjustment in the amount of \$200,000 for additional funding for the California Center for the Arts, Escondido. (File No. 0430-80)

Staff Recommendation: Approval (**Council Subcommittee**)

ITEM 16 WAS REMOVED FROM THE AGENDA AND NOT DISCUSSED

- 17. GENERAL PLAN UPDATE STATUS AND CLIMATE ACTION PLAN (CASE NO. PHG 09-0020, PHG 10-0016) –** Request Council review and endorse draft goals and policies intended for inclusion in the updated General Plan to be analyzed in the Environmental Impact Report; and consider a request to initiate a private General Plan Amendment request involving 22 acres on

Amanda Lane; and review progress on other activities pertaining to the General Plan Update. (File No. 0830-20)

Staff Recommendation: Review goals and policies, initiate the General Plan Amendment for processing and direct staff to proceed with analyzing the Citywide General Plan Update **(Community Development/Planning: Barbara Redlitz)**

Jay Petrek, Planning Department, gave the staff report and presented a series of slides.

Gil Miltenberger, Applicant for the General Plan Amendment Request, requested Council change the designation from Estate 1 to Estate 2 and include it in the City's General Plan.

Jay Sesto, Escondido, voiced concern with high traffic and changing the designation from E1 to E2.

Pamela Stahl, Escondido, indicated she was opposed to the request to change the E1 designation.

Larry Postler, Escondido, stated he wanted the area to stay rural and asked Council to deny the amendment request.

Delores McQuiston, Escondido, asked the Council to deny the request.

Samuel Sullivan, Escondido, distributed information and urged Council not to grant the applicant's request.

Ken Sanford, Escondido, voiced concern with high traffic if the request is granted.

Kathleen Meehan-Pfefferkorn, Escondido, indicated she was opposed to the change and urged Council to keep the area rural.

David Shibley, Escondido, stated he was in favor of the General Plan amendment.

COUNCIL ACTION: By consensus Council endorsed draft goals and policies intended for inclusion in the updated General Plan to be analyzed in the Environmental Impact Report and directed staff to include 22 acres on Amanda Lane in the EIR analysis.

18. NOTICE OF COMPLETION FOR JUNIPER SENIOR HOUSING – 215 E. WASHINGTON AVENUE – Request Council authorize staff to file a Notice of Completion for Juniper Senior Housing. (File No. CDC-658-A)

Staff Recommendation: Approval **(Neighborhood Services: Jerry VanLeeuwen and Rich Buquet)**

Jerry Van Leeuwen, Community Services Director, and Rich Buquet, Neighborhood Services, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Waldron to authorize staff to file a Notice of Completion for Juniper Senior Housing. Motion carried unanimously.

19. APPROVAL AND AUTHORIZATION FOR RELEASE REQUEST FOR PROPOSALS (RFP) FOR AFFORDABLE HOUSING PURPOSES – Request Council authorize staff to release a Request for Proposals (RFP) for the provision of first-time homebuyer or long-term affordable rental housing opportunities through the redevelopment of six vacant parcels in two mobile home

parks. The RFP will include a total of up to \$763,087 in Neighborhood Stabilization Program (NSP) funds. (File No. 0875-55)

Staff Recommendation: Approval (**Housing Division: Jerry VanLeeuwen**)

Karen Youel, Housing Department, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to authorize staff to release a Request for Proposals (RFP) for the provision of first-time homebuyer or long-term affordable rental housing opportunities through the redevelopment of six vacant parcels in two mobile home parks. The RFP will include a total of up to \$763,087 in Neighborhood Stabilization Program (NSP) funds. Motion carried unanimously.

- 20. DESIGNATION OF VOTING DELEGATE TO LEAGUE CONFERENCE** – Request Council designate a voting delegate and up to two alternates to represent the City of Escondido at the business meeting to be held during the League of California Cities Annual Conference September 21-23, 2011 in San Francisco. (File No. 0130-10)

Staff Recommendation: None (**City Clerk's Office: Marsha Whalen**)

MOTION: Moved by Mayor Abed and seconded by Councilmember Gallo to designate Councilmember Morasco as the Delegate to the League Conference and Councilmember Diaz as the alternate delegate.

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: Marsha Whalen**)

ORAL COMMUNICATIONS

Ann McDonald, Escondido, voiced concern that the Craft Shop at the Senior Center was not in the same room.

COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

Councilmember Gallo asked for the new Recreation Fee Schedule, and if the membership card also had a fee.

CLOSED SESSION: (COUNCIL/CDC/RRB)

RECESSED BACK INTO CLOSED SESSION AT 9:57 P.M.

ADJOURNMENT

Mayor Abed adjourned the meeting at 11:31 p.m.

MAYOR

CITY CLERK

MINUTES CLERK