

**CITY OF ESCONDIDO  
November 2, 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, November 2, 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 Diaz 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 Firefighters' Association

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

- a. Property: 150 East Valley Parkway  
Agency Negotiator: Debra Lundy  
Negotiating Parties: City and San Diego County Credit Union  
Under Negotiation: Rent Adjustment and Lease Terms

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 4:25 p.m.

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MAYOR

\_\_\_\_\_  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**November 2, 2011**  
**4:30 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 4:30 p.m. on Wednesday, November 2, 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. Quorum present.

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

**PRESENTATIONS**

Mayor Abed presented Gil Rojas, Director of Finance with a Certificate of Achievement for Excellence in Financial Reporting.

**ORAL COMMUNICATIONS**

**Bill Durney, Escondido**, asked Council to consider easing the restrictions on sidewalk signs.

**Roy Garrett, Escondido**, requested the City operate the bookmobile and encouraged them to reopen the branch library.

**Avneet Sidhu, Attorney**, distributed information and stated that one of the tow companies the City had awarded a contract was operating with a suspended business license.

**Ivan Briggs, Newhall, CA**, requested Council not remove prevailing wage from the Charter City draft.

## CONSENT CALENDAR

Councilmember Morasco removed item 6 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz that the following Consent Calendar items be approved with the exception of item 6. 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 September 28, 2011  
Regular Meeting of October 5, 2011
4. **FISCAL YEAR 2010-11 US DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP PROGRAM AND BUDGET ADJUSTMENT** – Request Council authorize the Escondido Police Department to accept FY 2010 Bulletproof Vest Partnership Program funds in the amount of \$8,440 from the United States Department of Justice; and authorize the Chief of Police to execute grant documents; and authorize staff to establish budgets to spend funds to purchase body armor for front-line law enforcement. (File No. 0480-70)

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

5. **NOTICE OF COMPLETION FOR TRACT 839 EUREKA RANCH PUBLIC IMPROVEMENTS, UNIT 3** – Request Council authorize staff to file a Notice of Completion for the Public Improvements associated with Tract 839 Eureka Ranch, Unit 3. (File No. 0800-10 Tract 839)

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

6. **NOTICE OF COMPLETION FOR MERCADO AND GRAND AVENUE LIGHTING PROJECT** – Request Council authorize staff to file a Notice of Completion for Mercado and Grand Avenue Lighting Project. (File No. 0600-10 [A-2992])

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

Ed Domingue, Engineering Services Director, asked to remove this item from the agenda.

Councilmember Morasco indicated the project was beautiful but there were two strands of lights out.

**COUNCIL ACTION:** This item was removed from the agenda and not discussed.

7. **DESTRUCTION OF RECORDS** – Request Council authorize the destruction of the listed Police Department Internal Affairs Investigation records and the Police Department Case files listed in Exhibit "A" attached to Resolution No. 2011-136. (File No. 0160-35)

Staff Recommendation: Approval (**City Clerk's Office: Robert Zornado**)

### RESOLUTION NO. 2011-136

8. **STREET VACATION PORTION OF NORTH BROADWAY** – Request Council set a public hearing date of December 7, 2011 at 4:30 p.m., to consider authorizing the vacation of a portion of North Broadway. (File No. 0690-40)

Staff Recommendation: Approval (**Engineering Services: Debra Lundy**)

### RESOLUTION NO. 2011-134

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

None

## PUBLIC HEARINGS

9. **DISESTABLISHMENT OF THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID)**  
– Request Council approve the disestablishment of the Downtown Business Improvement District (BID) and rescind Escondido Municipal Code Chapter 16C. (File No. 0135-10)

Staff Recommendation: Approval (**City Manager's Office: Joyce Masterson and City Attorney's Office: Corrine Neuffer**)

### ORDINANCE NO. 2011-16 Introduction and First Reading

Councilmember Waldron recused herself from the discussion and vote and left the dais.

Joyce Masterson, Assistant to the City Manager, and Corrine Neuffer, Deputy City Attorney, gave the staff report.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way.

**John Fitzgerald, Escondido Business Owner**, thanked the Council for disestablishing the BID.

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 Mayor Abed to approve disestablishment of the Downtown Business Improvement District (BID), rescind Escondido Municipal Code Chapter 16C and introduce Ordinance No. 2011-16. Ayes: Abed, Diaz, Gallo and Morasco. Noes: None. Abstain: Waldron. Motion carried.

10. **MODIFICATION TO A MASTER AND PRECISE DEVELOPMENT PLAN TO ALLOW A CARWASH FACILITY AT AN EXISTING ARCO AM/PM GASOLINE STATION (PHG 11-0007)** – Request Council approve the proposed modification to the Master and Precise Development for a carwash facility. The 1.34-acre site is located on the northeastern corner of El Norte Parkway and Iris Lane, addressed as 450 W. El Norte Parkway. (File No. 0800-40 PHG-11-0007)

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

### ORDINANCE NO. 2011-15 Introduction and First Reading

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.

**Mike Namou, Applicant**, stated they were trying to upgrade their business.

**Bob Faudoa, Project Engineer**, indicated he was available to answer questions.

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 Waldron to approve the proposed modification to the Master and Precise Development for a carwash facility and introduce Ordinance No. 2011-15. The 1.34-acre site is located on the northeastern corner of El Norte Parkway and Iris Lane, addressed as 450 W. El Norte Parkway. Motion carried unanimously.

## **CURRENT BUSINESS**

- 11. CRW SOFTWARE UPGRADE AND ENHANCEMENT** – Request Council approve an agreement with CRW Systems, Inc., in the amount of \$124,000, for the sole source purchase of services and licensing to upgrade software used by the Community Development and Engineering Services Departments for project tracking. (File No. 0600-10 [A-3036])

Staff Recommendation: Approval (**Community Development: Barbara Redlitz and Information Systems: Mark Becker**)

### **RESOLUTION NO. 2011-135**

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

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve an agreement with CRW Systems, Inc., in the amount of \$124,000, for the sole source purchase of services and licensing to upgrade software used by the Community Development and Engineering Services Departments for project tracking and adopt Resolution No. 2011-135. Motion carried unanimously.

- 12. CALIFORNIA CENTER FOR THE ARTS, ESCONDIDO BUDGET ADJUSTMENT** – Request Council approve a budget adjustment in an amount up to \$432,000 to pay for expenditures that exceeded revenues from program operations. (File No. 0430-80)

Staff Recommendation: Approval (**Community Services: Jerry VanLeeuwen**)

### **RESOLUTION NO. 2011-147**

Jerry VanLeeuwen, Community Services Director, introduced California Center for the Arts, Escondido Board Members, Carina Courtright and Jon Teeuwissen, who gave the staff report and presented a series of slides.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve a budget adjustment in an amount up to \$432,000 to pay for expenditures that exceeded revenues from program operations and adopt Resolution No. 2011-147. Motion carried unanimously.

- 13. AMENDMENT NO. 14, 2010 REGIONAL TRANSPORTATION IMPROVEMENT PLAN (RTIP) EAST VALLEY PARKWAY/VALLEY CENTER ROAD (ESC 02A)** – Request Council approve the amendment to the 2010 RTIP for the Bear Valley Parkway/Valley Center Road. (File No. 0145-60)

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

### **RESOLUTION NO. 2011-132**

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

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve the amendment to the 2010 RTIP for the Bear Valley Parkway/Valley Center Road and adopt Resolution No. 2011-132. Motion carried unanimously.

- 14. FINANCIAL STATUS REPORT FOR FISCAL YEAR 2010-11** – A Summary report regarding Fiscal Year ending June 30, 2011; and request Council approve the modification to the City Council Policy on Fund Balances. (File No. 0430-30)

Staff Recommendation: Receive and file (**Finance Department: Gil Rojas**)

#### **RESOLUTION NO. 2011-140**

Gil Rojas, Finance Manager, gave the staff report and presented a series of slides.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Waldron to receive and file a summary report regarding Fiscal Year ending June 30, 2011; approve the modification to the City Council Policy on Fund Balances and adopt Resolution No. 2011-140. Ayes: Abed, Gallo, Morasco and Waldron. Noes: Diaz. Absent: None. Motion carried.

- 15. DOWNTOWN PARKING** – A report on the relaxation of timed parking limits for downtown parking. (File No. 1060-50)

Staff Recommendation: Provide direction to staff (**City Manager's Office: Charles Grimm and Engineering Division: Ed Domingue**)

Charles Grimm, Assistant City Manager, and Ed Domingue, Engineering Services Director, gave the staff report and presented a series of slides.

**COUNCIL ACTION:** Council consensus to support continuing the relaxed parking restrictions for one more year and initiate time restrictions for one row in Parking Lot 4.

#### **FUTURE AGENDA**

- 16. 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**)

Councilmember Gallo requested an agenda item considering easing the restrictions on the sign ordinance. The City Manager indicated this would be included when the Council Action Plan was discussed.

Councilmember Diaz asked for an update on relocating the public works facility to the Eureka Springs area.

Councilmember Waldron requested the Maple Street Plaza project be placed on a future agenda.

#### **ORAL COMMUNICATIONS**

None

## **COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING**

Councilmember Diaz noted she attended the NCTD meeting in October where they discussed modification to scheduling.

Mayor Abed stated the SANDAG EIR report on the Regional Transportation plan was available for Council review and he had attended the 105<sup>th</sup> birthday party for Joe Meyser.

Councilmember Michael Morasco indicated the Dia de los Muertos event was very well attended and the Wedge Wine, Cheese and Beer Festival was scheduled for Saturday from 1:00 p.m.-9:00 p.m. on Grand Avenue.

Councilmember Gallo stated that the Tribal Chairman's Report and the Otay Mesa Report was received at the Borders Committee and gave a report on his visit to Austin, Texas.

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 7:33 p.m.

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MAYOR

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ASSISTANT CITY CLERK

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MINUTES CLERK



**CITY OF ESCONDIDO  
November 9, 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, November 9, 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.

**ITEMS I. a. AND I. b. WERE NOT DISCUSSED**

**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 Firefighters' Association

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

- a.      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/Robert Green
- Under negotiation:       Price and terms of payment

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 4:25 p.m.

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MAYOR

\_\_\_\_\_  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**November 9, 2011**  
**4:30 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 4:30 p.m. on Wednesday, November 9, 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. Quorum present.

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

**PROCLAMATIONS**

Mayor Abed introduced Mel Vernon who received a proclamation for National Native American Heritage Day, November 25, 2011.

**ORAL COMMUNICATIONS**

**David Pio, Escondido**, indicated traffic was heavy at the crosswalk near the hospital and asked that a signal be put in.

**Roy Garrett, Escondido**, urged the Council not to give the Padres \$50 million for a ballpark.

## CONSENT CALENDAR

Councilmember Diaz removed items 5 and 6 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz that the following Consent Calendar items be approved with the exception of items 5 and 6. 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 and Regular Meetings of October 12, 2011**
4. **AUTHORIZATION TO RE-CHASSIS THREE (3) EXISTING AMBULANCES** – Request Council authorize the purchase of three (3) new 2012 Ford E450 cut-away chassis and refurbish three (3) existing ambulance patient compartments. (File No. 0470-25)

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

5. **CONSULTING AGREEMENT WITH AECOM FOR MITIGATION PLANNING FOR RGP 87 – SEWER OUTFALL AND BUDGET ADJUSTMENT** – Request Council authorize the Mayor and City Clerk to execute an agreement with AECOM for the preparation of the final mitigation plan document, the mitigation construction drawings and related work required by Regional General Permit (RGP) 87 for the Sewer Outfall Operations and Maintenance Project; and approve a budget adjustment in the amount of \$150,000. (File No. 0600-10 [A-3037])

Staff Recommendation: Approval (**Utilities Division: Craig Wittemore**)

### RESOLUTION NO. 2011-137

Councilmember Diaz Olga asked if land for mitigation was available.

Craig Whittemore, Utilities Division, indicated only the land that was needed was being taken and he wasn't aware of how much land was available.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Waldron to authorize the Mayor and City Clerk to execute an agreement with AECOM for the preparation of the final mitigation plan document, the mitigation construction drawings and related work required by Regional General Permit (RGP) 87 for the Sewer Outfall Operations and Maintenance Project; approve a budget adjustment in the amount of \$150,000 and adopt Resolution No. 2011-137. Motion carried unanimously.

6. **AMENDMENT OF RESOLUTION NO. 2011-44 REGARDING THE CITY'S E-VERIFY POLICY** – Request Council approve a modification of the City's current policy regarding the use of the United States Department of Homeland Security's E-Verify Program in accordance with California Assembly Bill No. 1236 and the Employment Acceleration Act of 2011. (File No. 0680-20)

Staff Recommendation: Approval (**Mayor Sam Abed and Deputy Mayor Marie Waldron**)

### RESOLUTION NO. 2011-141

Councilmember Diaz asked for clarification from the City Attorney.

Jeff Epp, City Attorney, indicated the City couldn't reject a contract because they didn't use E-Verify.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Waldron to approve a modification of the City's current policy regarding the use of the United States Department of Homeland Security's E-Verify Program in accordance with California Assembly Bill No. 1236 and the Employment Acceleration Act of 2011 and adopt Resolution No. 2011-141. Ayes: Abed, Gallo, Morasco and Waldron. Noes: None. Abstain: Diaz. Motion carried.

## **CONSENT - 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.)

- 7. DISESTABLISHMENT OF THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID)**  
– Approved on November 2, 2011 with a vote of 4/0/1, Waldron abstaining. (File No. 0135-10)

### **ORDINANCE NO. 2011-16 Second Reading and Adoption**

- 8. MASTER AND PRECISE PLAN MODIFICATION FOR ARCO AM/PM (PHG 11-0007)** –  
Approved on November 2, 2011 with a vote of 5/0. (File No. 0800-40 PHG-11-0007)

### **ORDINANCE NO. 2011-15 Second Reading and Adoption**

## **PUBLIC HEARINGS**

- 9. BERNARDO-YOUNG PREZONE AND ANNEXATION CASE NOS. PHG 09-0021, PHG 09-0022 AND ENV 11-0002** – Request Council approve the prezone and annexation into the City of Escondido three unincorporated properties addressed as 2950 Bernardo Avenue, 1029 Vereda Callada and a third unaddressed lot on Bernardo Avenue. (File No. 0850-20)

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

- a. RESOLUTION NO. 2011-144R**  
**b. ORDINANCE NO. 2011-10 Introduction and First Reading**

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.

**Douglas Key, Escondido**, indicated there was a safety issue and requested Council close the property's access to Vereda Callada.

**Leroy Young, Applicant**, explained his request for annexation and urged Council to approve it.

**Jorge Palacios, Applicant's Engineering Representative**, asked Council to approve the annexation without closing the property's access from Vereda Callada.

**Jeff Rautenberg, Escondido**, voiced concern with changes to Vereda Callada if the property's access was not closed and urged Council to approve street improvements in the area.

**Chris Alspaugh, Escondido**, indicated he did not want his property annexed into the City and asked Council to accept staff's recommendation to block the property's access to Vereda Callada.

**Steve Marnella, Escondido**, stated he supported the staff recommendation to close the property's access to Vereda Callada and urged Council to approve the annexation as presented by the staff.

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 prezone and annexation into the City of Escondido of three unincorporated properties addressed as 2950 Bernardo Avenue, 1029 Vereda Callada and a third unaddressed lot on Bernardo Avenue, without removing the driveway access to Vereda Callada, adopt Resolution No. 2011-144R and introduce Ordinance 2011-10. Motion carried unanimously.

## **CURRENT BUSINESS**

- 10. BUDGET ADJUSTMENT FOR PEG FEES** – Request Council authorize a budget adjustment in the amount of \$37,000 to establish a capital project using monies held in a PEG fees deposit account to fund the purchase of equipment necessary to support the City's Government Access (PEG) Channel facilities. (File No. 0430-80)

Staff Recommendation: Approval (**City Manager's Office: Joyce Masterson and Finance Department: Joan Ryan**)

Joyce Masterson, Assistant to the City Manager, and Joan Ryan, Finance Manager, gave the staff report.

**MOTION:** Moved by Councilmember Waldron and seconded by Councilmember Diaz to authorize a budget adjustment in the amount of \$37,000 to establish a capital project using monies held in a PEG fees deposit account to fund the purchase of equipment necessary to support the City's Government Access (PEG) Channel facilities. Motion carried unanimously.

## **FUTURE AGENDA**

- 11. 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**)

Councilmember Waldron requested that an update on the Maple Street Plaza be placed on a future agenda.

## ORAL COMMUNICATIONS

Ivan Briggs, Newhall, CA, asked Council to consider keeping prevailing wage in the Charter City draft.

## COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

Councilmember Gallo reported that at the Transnet Regional Planning Meeting smart growth was discussed and listed the Veterans Day events scheduled at Grape Day Park on Saturday.

Councilmember Diaz attended the Escondido Creek Watershed Alliance meeting and noted the San Antonio river walk had similarities to what we would like for our City.

Councilmember Waldron stated that at the Regional Solid Waste Association meeting there was a discussion on a program for business to use recycled materials.

Mayor Abed noted that a Town Hall meeting was scheduled on November 15, 2011 at 4:00 p.m. in the Council Chambers and stated that nominations were being accepted for citizens who had made positive contributions to the City. He also reported on the SANDAG Regional Comprehensive Plan where the need more jobs in North County was discussed.

## ADJOURNMENT

Mayor Abed adjourned the meeting at 6:36 p.m.

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MAYOR

\_\_\_\_\_  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**November 16, 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, November 16, 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 Morasco and seconded by Councilmember Waldron 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 Firefighters' Association
- II. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a) -** Name of case: Sampson v. City of Escondido
- III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
  - a. Property: 455 N. Quince St.  
Agency Negotiators: Debra Lundy  
Negotiating parties: City and Wickline Bedding  
Under negotiation: Terms of Lease



## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 4:25 p.m.

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MAYOR

\_\_\_\_\_  
DEPUTY CITY CLERK

\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**November 16, 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, Community Development Commission and Mobilehome Rent Review Board was called to order at 4:30 p.m. on Wednesday, November 16, 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. 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, Deputy City Clerk; and Liane Uhl, Minutes Clerk.

**ORAL COMMUNICATIONS**

**Avneet Sidhu, Attorney**, indicated that Roadway Auto Towing was working without a current motor carrier permit.

**Roy Garrett, Escondido**, stated recreation services were needed to keep kids out of trouble.

**CONSENT CALENDAR**

Councilmember Gallo removed item 4 and Councilmember Morasco removed item 8 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 8. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: None Scheduled**
4. **TREASURER'S INVESTMENT REPORT FOR THE THIRD QUARTER ENDED SEPTEMBER 30, 2011** – Request Council receive and file the Quarterly Investment Report. (File No. 0490-55)

Staff Recommendation: Receive and file (**City Treasurer's Office: Kenneth Hugins**)

Councilmember Gallo noted the change in the investment percentage from 4.2 to 1.98.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to receive and file the Quarterly Investment Report. Motion carried unanimously.

5. **CALPERS INDUSTRIAL DISABILITY RETIREMENT OF DOUGLAS SAMS** – Request Council approve the Industrial Disability Retirement of Police Sergeant Douglas Sams. (File No. 0170-57)

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

#### **RESOLUTION NO. 2011-138**

6. **CALPERS INDUSTRIAL DISABILITY RETIREMENT OF DONALD TULIMERO** – Request Council approve the Industrial Disability Retirement of Police Officer Donald Tulimero. (File No. 0170-57)

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

#### **RESOLUTION NO. 2011-139**

7. **FOURTEENTH AMENDMENT TO FRANCHISE AGREEMENT WITH ESCONDIDO DISPOSAL (EDI) FOR ANNUAL CPI INCREASE TO SOLID WASTE AND RECYCLING RATES AND FEES FOR RESIDENTIAL AND COMMERCIAL COLLECTIONS** – Request Council authorize the Mayor and City Clerk to execute a Fourteenth Amendment to the Franchise Agreement with Escondido Disposal to revise the rates for Residential and Commercial Solid Waste and Recycling Services. Effective January 1, 2012, a 1.29% increase would apply to all residential collection services and a 0.895% increase would apply to all commercial collection services. (File No. 0600-10 [A-2340])

Staff Recommendation: Approval (**Community Services/Recycling: Jerry VanLeeuwen and Kathy Winn**)

#### **RESOLUTION NO. 2011-143**

8. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORM WATER CONSTRUCTION DISCHARGES (ORDER NO. 2009-0009-DWQ) – DESIGNATION OF LEGALLY RESPONSIBLE PERSON (LRPs) FOR THE CITY OF ESCONDIDO** – Request Council designate the Legally Responsible Person(s) (LRP) to certify reports and other submissions required by the 2010 General Construction Permit. (File No. 1350-10)

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

#### **RESOLUTION NO. 2011-145**

Councilmember Morasco asked if this designation streamlined the process.

Ed Domingue, Engineering Services Director, indicated this was to insure that multiple people could submit the reports so that we don't fail in submitting the reports on a timely basis.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Waldron to designate the Legally Responsible Person(s) (LRP) to certify reports and other submissions required by the 2010 General Construction Permit. Motion carried unanimously.

## **CONSENT - 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.)

9. **BERNARDO-YOUNG PREZONE AND ANNEXATION CASE NOS. PHG 09-0021, PHG 09-0022 AND ENV 11-0002** – Approved on November 9, 2011 with a vote of 5/0. (File No. 0850-20)

**ORDINANCE NO. 2011-10 Adoption and 2<sup>nd</sup> Reading**

## **PUBLIC HEARINGS**

10. **GREENCREST MOBILEHOME PARK SHORT-FORM RENT INCREASE APPLICATION** – Request Council approve an increase of 75% of the change in the Consumer Price Index, an average of \$10.10, for the period of June 30, 2010 to June 30, 2011. (File No. 0697-20-9817)

Staff Recommendation: Approval (**Community Services: Jerry VanLeeuwen**)

### **RESOLUTION RRB 2011-08**

Michelle Henderson, 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.

**Jim Younce, Owner's Representative**, explained the trash pick-up and fire lane towing schedules.

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 Waldron to approve an increase of 75% of the change in the Consumer Price Index, an average of \$10.10, for the period of June 30, 2010 to June 30, 2011 and adopt Resolution No. RRB 2011-08. Motion carried unanimously.

## CURRENT BUSINESS

- 11. FAÇADE AND PROPERTY IMPROVEMENT PROGRAM BUDGET ADJUSTMENT** – Request Council modify the Fund Balance Policy and authorize a budget adjustment in the amount of \$500,000 from the General Fund Economic Development Commitment Fund to the Façade and Property Improvement Account to provide matching grants for commercial property façade improvements. (File No. 0430-80)

Staff Recommendation: Approval (**City Manager's Office: Joyce Masterson and Community Development/Planning: Rozanne Cherry**)

### RESOLUTION NO. 2011-146

Joyce Masterson, Assistant to the City Manager, gave the staff report.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to modify the Fund Balance Policy and authorize a budget adjustment in the amount of \$500,000 from the General Fund Economic Development Commitment Fund to the Façade and Property Improvement Account to provide matching grants for commercial property façade improvements. Motion carried unanimously.

- 12. REPORT ON OUTSOURCING** – Report on outsourcing the City of Escondido's Fueling, Street Sweeping and Street Striping services. (File No. 0110-20)

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

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

### ITEM 12 WAS CONTINUED TO THE DECEMBER 7, 2011 MEETING

- 13. MESSAGE ORDINANCE** – Request Council approve the licensing and operational changes to the existing massage ordinance, by recognizing the California Massage Therapy Council as the governing body for state licensing requirements. (File No. 0680-10)

Staff Recommendation: Approval (**Police Department: Cory Moles**)

### ORDINANCE NO. 2011-17 Introduction and First Reading

Assistant Police Chief Cory Moles and Police Lieutenant Chris Wynn gave the staff report and presented a series of slides.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the licensing and operational changes to the existing massage ordinance, by recognizing the California Massage Therapy Council as the governing body for state licensing requirements and introduce Ordinance No. 2011-17. Motion carried unanimously.

## **FUTURE AGENDA**

- 14. 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**

None

## **COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING**

Councilmember Gallo stated that North County Transit District was sponsoring the Santa Coaster on December 3, 2011. Two trains were running at 10:00 a.m. and 1:00 p.m. for \$6 per person. He also asked that the gnat problem in the North County be addressed.

Mayor Abed indicated he had been nominated by the North County Mayors as alternate for the LAFCO Board and read comments regarding the previous evening's town hall meeting.

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 5:56 p.m.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DEPUTY CITY CLERK

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MINUTES CLERK