CITY OF ESCONDIDO

March 28, 2012
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, March 28, 2012 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

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

Deputy Mayor Waldron arrived at 3:45 p.m.

ORAL COMMUNICATIONS

Brandon Byler, Escondido, indicated he was accepting a position with another city that paid a higher wage.

Lisa Prazeau, Escondido, stated she disapproved of the pay raises that were given to management staff.

Karen Tatge, Escondido City Employee Association, expressed disappointment that management and regular employees were not treated equally.

Ralph Ginese, Escondido City Employee Association, voiced concern with the management pay raises.

Juliette Barnes, Escondido, stated the Police Department was losing personnel due to low pay wages.

Mike O'Connor, Valley Center, indicated that the management pay raises were wrong.

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: 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)

a. City Manager

b. City Attorney

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

a. Property: 455 N. Quince
City Negotiator: Debra Lundy, Real Property Negotiator
Negotiating parties: Wickline Bedding
Under negotiation: Terms of Lease Agreement

ADJOURNMENT

RECESSED TO 4:30 P. M. MEETING AT 4:38 P.M.

CITY OF ESCONDIDO

March 28, 2012
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 4:40 p.m. on Wednesday, March 28, 2012 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

ATTENDANCE

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

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

PROCLAMATIONS

Mayor Abed introduced Jo Ann Greenberg, City Librarian, who accepted a proclamation for April as National Library Month April 1-30, 2012.

Mayor Abed introduced Bill Stephensen, American Legion Post 149, who accepted a proclamation for Escondido as a Purple Heart City.

PRESENTATION

Mayor Abed introduced Jo Ann Greenberg and Donna Feddern, Escondido Library, who gave a presentation on the LibraryYou Program.

ORAL COMMUNICATIONS

Paul Woodward, Escondido Police Department, asked Council to give pay raises to the police officers.

Julius Turner, Escondido, indicated that all employees needed a pay raise.

Stephen Thompson, Escondido, stated that police officer morale was low and the police department was losing good officers.

Art Stephens, Escondido, urged Council to give police officers pay raises.

Robroy Fawcett, Escondido, distributed information and indicated he did not support voting districts.

Greg Raedel, Escondido, stated he did not agree with the pay raises that were given to top management.

Lisa Prazeau, Escondido, indicated the top management employees should not have received a pay raise.

Mike O'Connor, Valley Center, stated that all employees should receive pay raises.

Carmen Miranda, Escondido, indicated that she did not agree with pay raises to top management.

CONSENT CALENDAR

Councilmember Gallo removed items 4 and 8 and Councilmember Morasco removed items 5, 6 and 10 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 4, 5, 6 8 and 10. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: None Scheduled**

4. **2011 ANNUAL HOUSING REPORT** – Request Council authorize staff to submit the Annual Element Progress Report to the State Office of Planning and Research and the Department of Housing and Community Development. (File No. 0875-70)

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

Councilmember Gallo asked if the rent subsidy was going to be implemented.

Jerry Van Leeuwen, Community Services Director, indicated the rent subsidy would be covered in a later agenda item.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Waldron to authorize staff to submit the Annual Element Progress Report to the State Office of Planning and Research and the Department of Housing and Community Development. Motion carried unanimously.

5. **AGRICULTURAL WATER CONSERVATION AND EFFICIENCY GRANTS** – Request Council authorize the staff to submit an application for funding from the Agricultural Water Conservation and Efficiency Grants Program. (File No. 0840)

Staff Recommendation: Approval **(Utilities Department: Chris McKinney)**

RESOLUTION NO. 2012-51

Councilmember Morasco asked if there were restrictions on the grant.

Chris McKinney, Utilities Director, indicated there were no restrictions.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Gallo to authorize the staff to submit an application for funding from the Agricultural Water Conservation and Efficiency Grants Program and adopt Resolution No. 2012-51. Motion carried unanimously.

6. **BID AWARD FOR THE 2011-2012 STREET MAINTENANCE PROJECT AND BUDGET ADJUSTMENT** – Request Council: 1) Determine the apparent low bid submitted by Construction Testing and Engineering of Escondido to be non-responsive, 2) Accept the request to withdraw the bid submitted by the second apparent low bidder Granite Construction Company of Vista, 3) Authorize the Mayor and City Clerk to execute a Public Improvement Agreement with George Weir Asphalt Construction, Inc. in the amount of $5,020,004 for the 2011-2012 Street Maintenance Project, and 4) Approve a budget adjustment in the amount of $430,000 from the General Plan fund to increase the funding for this project. (File No. 0600-10 [A-3039])

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

RESOLUTION NO. 2012-36

Councilmember Morasco asked for clarification of the bidding process if all of the bidders were non-responsive.

Ed Domingue, Engineering Services Director, answered that Council rejects all bids and the City goes through the bidding process again.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to determine the apparent low bid submitted by Construction Testing and Engineering of Escondido to be non-responsive, accept the request to withdraw the bid submitted by the second apparent low bidder Granite Construction Company of Vista, authorize the Mayor and City Clerk to execute a Public Improvement Agreement with George Weir Asphalt Construction, Inc. in the amount of $5,020,004 for the 2011-2012 Street Maintenance Project, approve a budget adjustment in the amount of $430,000 from the General Plan fund to increase the funding for this project and adopt Resolution No. 2012-36. Motion carried unanimously.

7. **CONSULTING AGREEMENT FOR BUSINESS LICENSE TAX AUDIT SERVICES** – Request Council approve a consulting agreement with MuniServices, LLC to conduct a business license tax audit and compliance program. The program would identify business entities which are operating within the City without valid business licenses, and assist in the licensing and collection of business license revenue. (File No. 0600-10 [A-3045])

Staff Recommendation: Approval **(Community Development Department/ Code Enforcement: Barbara Redlitz)**

RESOLUTION NO. 2012-48

8. **AWARD BID FOR 2012 INTERNATIONAL NAVISTAR TYPE III BRUSH FIRE ENGINE –** Request Council approve the bid award to Kovatch Mobile Equipment Corporation (KME) in the amount of $331,443, excluding sales tax, for a 2012 International Navistar Type III Brush Fire Engine. (File No. 0470-35)

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

RESOLUTION NO. 2012-49

Councilmember Gallo asked how many brush engines the City owned.

Russ Knowles, Fire Division Chief, indicated the City owned 5 engines and they were needed for the unincorporated area.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve the bid award to Kovatch Mobile Equipment Corporation (KME) in the amount of $331,443, excluding sales tax, for a 2012 International Navistar Type III Brush Fire Engine and adopt Resolution No. 2012-49. Motion carried unanimously.

9. **2011 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AND BUDGET ADJUSTMENT –** Request Council authorize the Fire Chief to accept and execute grant documents on behalf of the City for the grant award of $330,353 from the Federal Fiscal Year 2011 Assistance to Firefighters Grant Program. Staff is also requesting Council approve increasing the Fire Department Operating Budget for the grant matching portion of $66,071 and the budget adjustment establishing a capital project for the federal grant portion. (File No. 0480-70)

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

RESOLUTION NO. 2012-50

10. **OVERSIGHT BOARD FORMATION: –** Request Council consider and act upon Mayoral appointments to the Oversight Board. (File No. 0120-10)

Staff Recommendation: Approval **(City Attorney's Office: Jeffrey Epp)**

Councilmember Morasco as what the length of term would be.

Jeffrey Epp, City Attorney, indicated there was a four year term. Mayor Abed appointed Clay Phillips, City Manager, and Gil Rojas, Finance Director, to the Oversight Board.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to ratify Mayor Abed's appointments to the Oversight Board. 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 titles of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

11. SECOND AMENDMENT TO THE HALL LAND CO. DEVELOPMENT AGREEMENT FOR TRACT 932 (2005-47-DA) – APPROVED WITH A VOTE OF 5/0 ON MARCH 21, 2012. (File No. 0800-10 Tract 932)

ORDINANCE NO. 2012-09 (Second Reading and Adoption)

CURRENT BUSINESS

12. REAFFIRM PRIORITIES FOR FISCAL YEAR 2012-2013 HOME FUNDS AND OTHER AFFORDABLE HOUSING FUNDS FOR AFFORDABLE HOUSING ACTIVITIES – Request Council provide direction on the use of HOME funds and other Affordable housing resources for the Fiscal Year 2012-2013. (File No. 0875-55)

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

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

Don Greene, Escondido, indicated the Coalition of Escondido Mobile/Manufactured Home Voters would work with the City to help keep the senior rent subsidy.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Waldron to approve staff recommendations with the recommendation to explore priorities to provide a 30% senior rent subsidy. Motion carried unanimously.

PUBLIC HEARINGS

13. REAFFIRM COMMUNITY DEVELOPMENT PRIORITIES OF THE FISCAL YEAR 2010-2015 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); APPROVE ALLOCATION PROCESS FOR FY 2012-2013 CDBG-FUNDED ACTIVITIES; APPROVE AMENDMENT TO FY 2011-2012 ONE YEAR ACTION PLAN FOR CDBG TO ALLOCATE $60,000 IN UNALLOCATED FUNDS TO PURCHASE COMPUTER EQUIPMENT FOR THE PROPOSED EAST VALLEY COMMUNITY CENTER COMPUTER LAB. – Request Council conduct a public hearing to review and reaffirm the community development priorities adopted in the 2012-2015 Five- Year Consolidated Plan for CDBG. (File No. 0870-11)

Staff Recommendation: Approval **(Neighborhood Services: Rich Buquet)**

Rich Buquet, Neighborhood Services Manager, and Danielle Lopez, Neighborhood Services, 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.

Melinda Brady, Escondido, urged Council to continue funding Meals on Wheels.

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 Gallo to review and reaffirm the community development priorities adopted in the 2012-2015 Five- Year Consolidated Plan for CDBG, removing the AIDS portion. Motion carried unanimously.

14. ZONING CODE AMENDMENT TO ADD CARGO CONTAINER RESTRICTIONS TO THE ZONING CODE (AZ 11-0001) – Request Council approve an amendment to the Escondido Zoning Code cargo containers restrictions. (File No. 0810-20)

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

ORDINANCE NO. 2012-07 (Introduction and First Reading)

Barbara Redlitz, Community Development Director, 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 Morasco and seconded by Councilmember Diaz to approve an amendment to the Escondido Zoning Code cargo containers restrictions and introduce Ordinance No. 2012-07. Motion carried unanimously.

CURRENT BUSINESS

15. ENERGY ROADMAP REPORT AND RECOMMENDATIONS AND BUDGET ADJUSTMENT – Request Council receive a report from the SANDAG Energy Roadmap Program; and request approval of up to $450,000 from the Recycling Fund Balance to install some of the energy conservation improvements recommended by SANDAG, for other improvements associated with the installation of solar photovoltaic panels at certain City facilities and exploration of electric vehicle charging stations. (File No. 0145-60)

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

Jerry Van Leeuwen, Community Services Department, introduced Susan Freedman, SANDAG, and Andy Hoskinson, Eco Tality, who gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Morasco to approve funding $200,000 for the East Valley Community Center and Sports Center Parking Lots. Motion carried unanimously.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve funding of $35,000 for ball park lights. Motion carried unanimously.

16. FISCAL YEAR 2012-2013 BUDGET BRIEFING – Request Council provide direction regarding the Fiscal Year 2012-2013 General Fund Operating Budget. (File No. 0430-30)

Staff Recommendation: Provide direction **(Finance Department: Gilbert Rojas)**

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

Roy Garrett, Escondido, indicated there was space at the East Valley Community Center that could be used for economic development.

COUNCIL ACTION: Gave direction to staff to return with a cost analysis to include staff step increases and other previously cut benefits.

17. **A STATUS REPORT ON THE GENERAL PLAN UPDATE, CLIMATE ACTION PLAN, DOWNTOWN SPECIFIC PLAN, AND DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) (CASE NO.: PHG 09-0020, PHG 10-0016). –** Request Council review comments received to date pertaining to the Draft General Plan Update; 2) Consider modifications to General Plan policies and residential land use designations to address issues raised by the public; 3) Discuss alternatives for locating homeless shelters in concert with the updated General Plan Housing Element; 4) Initiate a private property owner request for a General Plan Amendment involving approximately 2.1 acres from Light Industrial to General Commercial (2120 – 2122 W. Mission Road); 5) Direct staff to further refine the General Plan policies based on comments received; 6) Continue to receive public input upon request for consideration; and 7) Forward the General Plan, Climate Action Plan, Downtown Specific Plan and EIR to the Planning Commission in May for their final recommendation. (File No. 0830-20)

    Staff Recommendation: Review materials, consider staff recommendations and provide direction. **(Community Development Department / Planning: Barbara Redlitz)**

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

M.A. Mareck, Escondido, asked that amenities for residential projects; i.e. sewer, schools, open space be included in the general plan.

Rick Moore, Escondido, voiced concern regarding placing land parcel usage on the ballot and asked that the plan contain language for a series of votes on parcel usage changes.

COUNCIL ACTION: Gave direction to staff to obtain further input from the Chamber of Commerce and School Districts.

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

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

RESOLUTION NO. 2012-33

THIS ITEM WAS CONTINUED TO THE APRIL 18, 2012 MEETING.

WORKSHOP

FUTURE AGENDA

19. FUTURE AGENDA ITEMS - The purpose of this item is to identify issues presently known to staff or which members of the Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

Staff Recommendation: None **(City Clerk's Office: Diane Halverson)**

ORAL COMMUNICATIONS

Ann McDonald, Escondido, stated that the unfinished City Plaza Development on Escondido Blvd. needed repair and asked that the Joslyn Senior Center keep its name.

COUNCIL MEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

Councilmember Gallo stated he went to the new Escondido Gelato Store in Escondido.

Mayor Abed indicated that Women' Week in Escondido was continuing through the end of March.

CLOSED SESSION: (COUNCIL/CDC/RRB)

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to recess back into Closed Session at 9:50 p.m. Motion carried unanimously.

After recessing back into Closed Session to discuss the performance evaluation item for the City Manager and City Attorney, the Council met among themselves. They then called the City Manager and City Attorney back into the room for discussion. Discussion continued until approximately 11:30 p.m., at which time Councilmember Diaz left.

ADJOURNMENT

Mayor Abed adjourned the meeting at 11:38 p.m.

_____ _____

MAYOR CITY CLERK

_____

MINUTES CLERK