

**CITY OF ESCONDIDO**  
**May 23, 2012**  
**3:30 p.m. Meeting Minutes**  
**Escondido City Council**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, May 23, 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, Deputy Mayor Marie Waldron, and Mayor Sam Abed. Quorum present.

**ORAL COMMUNICATIONS**

**Robroy Fawcett, Escondido**, distributed information and gave information to the Council on voting districts.

**Mike Garcia, Escondido Police Officers Association President**, listed some items to be reviewed in the proposed Association contract.

**CLOSED SESSION: (COUNCIL/CDC/RRB)**

**MOTION:** Moved by Councilmember Waldron and seconded by Councilmember Diaz to recess to Closed Session. Motion carried unanimously.

**ITEM I.e. WAS 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 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
- e. Agency negotiator: Sheryl Bennett, Clay Phillips  
Employee organization: Maintenance & Operations, Teamsters Local 911

**II. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:**

- a. Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9(b): One Case

<b>ADJOURNMENT</b>
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Mayor Abed adjourned the meeting at 4:40 p.m.

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MAYOR

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CITY CLERK

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MINUTES CLERK

**CITY OF ESCONDIDO**  
**May 23, 2012**  
**4:30 p.m. Meeting Minutes**

**Escondido City Council**  
**Mobile Home Rent Review Board**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council and Mobile Home Rent Review Board was called to order at 4:44 p.m. on Wednesday, May 23, 2012 in the Council Chambers 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; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

**PRESENTATIONS**

Mayor Abed presented the Historic Preservation Awards and introduced Carol Rea, Historical Preservation Commissioner, who gave a presentation on the benefits of historic preservation.

**PROCLAMATIONS**

Mayor Abed introduced Dan Higbee, Engineering Department, Christopher McKinney, Utilities Department, and Chris Guenther, Public Works who accepted proclamations for National Public Works Week. Ed Domingue, Engineering Services Director, introduced Frank Casteleneto who presented two plaques to the Mayor for award winning engineering projects.

Mayor Abed introduced Kimberly Israel, Safe Walk, who accepted a proclamation for Pedestrian Safety Month for May 2012.

**ORAL COMMUNICATIONS**

**Fred Tuoad, Escondido**, urged Council to install a crosswalk on El Norte Parkway at the Vons shopping center.

**Jerry Lenhard, Escondido**, voiced concern with past Council decisions.

**Roy Garrett, Escondido**, asked Council to not lease all of the branch library space.

**Wayne Louth, Escondido**, explained flag etiquette and the meaning of the Pledge of Allegiance.

**John Ward, Escondido**, expressed concern with recent Council decisions.

**Carmen Miranda, Escondido**, indicated she was disappointed with the recent town hall meeting.

**Lisa Prazeau, Escondido**, stated she was upset with the outcome of the last town hall meeting.

## **CONSENT CALENDAR**

Mayor Abed removed item 7 and Councilmember Waldron removed item 10 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Gallo that the following Consent Calendar items be approved with the exception of items 7 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: Regular Meeting of April 18, 2012  
Regular Meeting of April 25, 2012**
- 4. UTILITIES DEPARTMENT CAPITAL IMPROVEMENT PROGRAM BUDGET ADJUSTMENT –**  
Request Council approve a budget adjustment in the amount of \$375,000 within the Utilities Department CIP Water budget. (File No. 0430-80)

Staff Recommendation: Approval (**Utilities: Christopher McKinney**)

- 5. DETERMINATION TO CONTINUE WORK UNDER EMERGENCY CONTRACTS ISSUED FOR SODIUM HYDROXIDE CLEANUP AND TANK REPAIRS AT THE WATER TREATMENT PLANT –** Request Council reaffirm the persistence of the public emergency contracts with Daniel Mechanical for tank repair and with NRC Environmental for chemical cleanup. (File No. 0600-10 [3047])

Staff Recommendation: Approval (**Utilities: Christopher McKinney**)

### **RESOLUTION NO. 2012-82**

- 6. AUTHORIZE THE FIRE DEPARTMENT TO PURCHASE PORTABLE AND MOBILE RADIOS DIRECTLY FROM MOTOROLA INC. BY UTILIZING A REGIONAL COMMUNICATIONS SYSTEM ("RCS") COOPERATIVE PURCHASE CONTRACT WITH THE COUNTY OF SAN DIEGO –** Request Council authorize the Fire Department to purchase thirty-seven (37) portable and thirty-five (35) mobile project 25 ("P25") compliant radios from Motorola Inc. by utilizing a RCS cooperative purchasing contract with the County of San Diego. (File No. 0470-25)

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

### **RESOLUTION NO. 2012-73**

7. **FISCAL YEAR 2011 STATE HOMELAND SECURITY GRANT ACCEPTANCE (SHSGP) AND BUDGET ADJUSTMENT** – Request Council accept \$215,462 in funding from the Department of Homeland Security (DHS) for the FY 2011 State Homeland Security Grant Program (SHSGP); authorize the Fire Chief to execute, on behalf of the City, all documents required for the management of this grant; and approve the necessary budget adjustment to establish new projects for the tracking of these grant funds. (File No. 0480-70)

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

Catherine West, Escondido, indicated that a grant was not free money and urged Council to not accept any grants.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Diaz to accept \$215,462 in funding from the Department of Homeland Security (DHS) for the FY 2011 State Homeland Security Grant Program (SHSGP); authorize the Fire Chief to execute, on behalf of the City, all documents required for the management of this grant; and approve the necessary budget adjustment to establish new projects for the tracking of these grant funds. Motion carried unanimously.

8. **RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA AMENDING THE LIST OF POSITIONS SUBJECT TO THE CITY'S CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT AND REPEALING THE CONFLICT OF INTEREST CODE FOR THE COMMUNITY DEVELOPMENT COMMISSION (CDC)** - Request Council amend the list of positions subject to the City's Conflict of Interest Code pursuant to the Political Reform Act, and repeal the CDC Conflict of Interest Code. (File No. 0640-30)

Staff Recommendation: Approval (**City Attorney's Office: Jennifer McCain**)

- a. **RESOLUTION NO. 2012-76**
- b. **RESOLUTION NO. 2012-78**

9. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED MARCH 31, 2012** - Request Council receive and file the January through March 2012 Treasurer's Report. (File No. 0490-55)

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

10. **VECTOR HABITAT REMEDIATION PROGRAM FUNDING GRANT** – Request Council authorize the City Manager or his designee to submit applications to the County of San Diego's Department of Environmental Health (DEH) for a Vector Habitat Remediation Program grant. (File No. 0480-70)

Staff Recommendation: Approval (**Utilities: Christopher McKinney**)

**RESOLUTION NO. 2012-77**

Councilmember Waldron asked if this program was in conjunction with the eye gnat problem.

Karen Youel, Housing Department, stated this grant was just for cleanup of the mosquito problem and did not include the eye gnats.

**MOTION:** Motion by Councilmember Waldron and seconded by Councilmember Diaz to authorize the City Manager or his designee to submit applications to the County of San Diego's Department of Environmental Health (DEH) for a Vector Habitat Remediation Program grant and adopting Resolution No. 2012-77. Motion carried unanimously.

## **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.)

- 11. REVISED FEATHER SIGN ORDINANCE, CASE NO. AZ 12-0001** – (APPROVED WITH A VOTE OF 5/0 ON MAY 9, 2012) (File No. 0810-20)

### **ORDINANCE NO. 2012-08 (Second Reading and Adoption)**

- 12. MODIFICATION TO THE MASTER AND PRECISE DEVELOPMENT PLAN FOR WESTFIELD NORTH COUNTY (PHG 12-0005)** – (APPROVED WITH A VOTE OF 5/0 ON MAY 9, 2012) (File No. 0800-40 PHG 12-0005)

### **ORDINANCE NO. 2012-10 R (Second Reading and Adoption)**

## **PUBLIC HEARINGS**

- 13. SHORT-FORM RENT INCREASE APPLICATION FOR WESTWINDS MOBILEHOME PARK** – Request Council consider the short-form rent increase application submitted by Westwinds Mobilehome Park and if approved, grant an increase of 75% of the change in the Consumer Price Index (an average of \$7.81), or 2.031% for the period of December 31, 2010, through December 31, 2011. (File No. 0697-20-9848)

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

### **RESOLUTION NO. RRB 2012-04**

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

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

**Jim Younce, Park Owner Representative**, indicated he was available for 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 Morasco to approve the short-form application. Motion carried unanimously.

- 14. A COMPREHENSIVE GENERAL PLAN UPDATE (EXCLUDING THE HOUSING ELEMENT) AND FINAL ENVIRONMENTAL IMPACT REPORT (EIR) CASE NO. PHG 09-0020** – Request Council: 1) Certify the Final EIR, Findings, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program; 2) Provide direction regarding the Urban V land use designation, Population build out policy, and Number and potential grouping of General Plan ballot amendments; 3) Approve the General Plan Update with noted modifications; and 4) Approve the General Plan amendments for voter consideration. (File No. 0830-20)

Staff Recommendation: Approve the final EIR and General Plan Update and Amendments; provide direction to staff regarding the Urban V land use designation, Population build out policy, and Number and potential grouping of General Plan ballot amendments **(Community Development/ Planning: Barbara Redlitz)**

- a. **RESOLUTION NO. 2012-52R**
- b. **RESOLUTION NO. 2012-53R**
- c. **RESOLUTION NO. 2012-54R**

Jay Petrek, 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.

**Pam Stahl, Escondido**, distributed information and listed items that she did not agree with the proposed general plan.

**William Stephenson, Escondido**, indicated he believed that standards had been lowered for this general plan.

**Delores McQuiston, Escondido**, voiced concern that the general plan would not include Prop S items.

**Laura Glusha, Escondido**, expressed concern with the density and height of buildings proposed in the general plan.

**Patricia Borchmann, Escondido**, distributed information and indicated new development fees should be implemented on new development.

**Jerry Lenhard, Escondido**, stated he did not agree with the new general plan.

**Griff Peters, Escondido**, presented a slide and expressed concern with the Imperial Oaks Corporate Center section of the general plan.

**Trina McCormick, Escondido**, voiced concern with the proposed density of commercial areas in the general plan.

**Cathrine West, Escondido**, stated she did not agree with the proposed 6-story buildings on South Escondido Blvd.

**Lisa PrazEAU, Escondido**, indicated she opposed the 5-6 story buildings proposed in the general plan for the south Escondido area.

**Alex Galenes, Escondido Chamber of Commerce Director**, stated the general plan update was good for the community and urged Council to adopt it.

**Dave Ferguson, Escondido Attorney**, indicated the general plan included all of the recommendations from the Citizen's Committee and requested Council adopt it.

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.

Barbara Redlitz, Community Development Director, requested that a new policy; 17.7, requiring CEQA review for development that exceeds the 2035 forecasted growth as defined in figure 2-5, be included in the General Plan Amendments.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Morasco to adopt Resolution No. 53R. Motion carried unanimously.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to adopt Resolution 52R. Motion carried unanimously.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Gallo to adopt Resolution No. 54R as amended. Ayes: Abed, Gallo, Morasco and Waldron. Noes: Diaz. Absent: None. Motion carried.

- 15. PROPOSED CHARTER CITY** – Request Council hold a second public hearing on the proposed city charter for the City of Escondido including the method of elections and listen to public comments and suggestions and provide direction to staff to return to the City Council on June 13, 2012 to approve the submission of the proposal to adopt a charter to the voters of Escondido. (File No. 0650-20)

Staff Recommendation: Provide direction to staff (**City Attorney's Office: Jennifer McCain**)

Jennifer McCain, Assistant City Attorney, 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.

**Roy Garrett, Escondido**, urged Council to place cumulative voting for elections in the city charter.

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

**Ivan Briggs, Santa Clarita**, voiced concern that the City of Escondido would become like the City of Bell if the Council adopted a city charter.

**Wayne Louth, Escondido**, expressed concern with voting districts being included in the city charter.

**Lisa Prazneau, Escondido**, presented a slide and stated she did not support a city charter.

**Richard Bova, Escondido**, indicated he supported district voting in the city charter.

**Don Greene, Escondido**, recommended that Council include voting districts in the city charter.

**Alex Galenes, Escondido Chamber of Commerce Director**, indicated the Chamber of Commerce supported a city charter.

**Catherine West, Escondido**, stated she opposed district voting in a city charter.

Mayor Abed asked if anyone else wanted to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Morasco to direct staff to include voting districts, language to revert to an at large election if necessary and to review the City Treasurer election process. Ayes: Diaz and Morasco. Noes: Abed, Gallo and Waldron. Absent: None. Motion failed.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Morasco to direct staff to include voting districts, language to revert to an at large election if necessary and to review the City Treasurer election process. Ayes: Diaz, Gallo and Morasco. Noes: Abed and Waldron. Absent: None. Motion carried.



## **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: Diane Halverson**)

## **ORAL COMMUNICATIONS**

None

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

Councilmember Morasco indicated the California Center for the Arts Escondido subcommittee met and they would be in the black financially this year.

Councilmember Gallo mentioned the passing of Doris Hurd, former Grape Day Queen in the 1920s, June 8, 2012 a memorial was scheduled for Norm Siler who was a past Director of the History Center and on May 28, 2012 there was a Memorial Day observance at Oakhill Cemetery.

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 10:45 p.m.

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MAYOR

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CITY CLERK

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MINUTES CLERK