

CITY OF ESCONDIDO
September 12, 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, September 12, 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

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

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

I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

- a. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Escondido City Employee Association: Administrative/Clerical/
Engineering (ACE) Bargaining Unit
- b. Agency negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Escondido City Employee Association: Supervisory (SUP)
Bargaining Unit

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:00 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
September 12, 2012
4:30 p.m. Meeting Minutes

Escondido City Council
and as Successor Agency to the CDC

CALL TO ORDER

The Regular Meeting of the Escondido City Council and Successor Agency to the CDC was called to order at 4:30 p.m. on Wednesday, September 12, 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 Dr. Brenda Morales who accepted a proclamation for Community Wellness Day on September 22, 2012.

Mayor Abed introduced Elisa Marrone, Utilities, who accepted a proclamation for 2012 Pollution Prevention Week, September 17-23, 2012.

Mayor Abed introduced Monty Miani who accepted a proclamation for National Neighborhood Day.

Mayor Abed introduced Don Rawson, Michael Lowry, Randy Licata, Carol Valpreda, Beth Hall, Fred McDavitt, Steve Boyle, and Bob Leon who accepted proclamations for National Preparedness Month, September 2012.

ORAL COMMUNICATIONS

Patricia Mues, Escondido, Escondido 2012 Moderator, reported that a non-partisan, on-line forum sponsored by Escondido's future, was available for City Council candidates and residents to respond to questions regarding quality of life issues. This forum can be accessed at: www.escondido2012.wordpress.com

Mel Takahara, Escondido, indicated that a study showed that students who attended libraries excelled academically.

Delores McQuiston, Escondido, asked what the best way was to navigate the pedestrian plaza.

Scott Davis, Escondido, voiced concern about the traffic on Citrus Avenue and other areas in the city.

Patricia Borchmann, Escondido, expressed appreciation that a presentation was scheduled at a future meeting on the safety of the San Onofre power plant.

Daniel Moriarty, Escondido, voiced concern with the Moment of Reflection at the beginning of each Council meeting.

CONSENT CALENDAR

Mayor Abed removed items 9 and 13, Councilmember Morasco removed items 6, 7 and 10, Councilmember Diaz removed items 14 and 15 and Councilmember Waldron removed item 5 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco that the following Consent Calendar items be approved with the exception of items 5, 6, 7, 9, 10, 13, 14, and 15. 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 July 25, 2012
 - Regular Meeting of August 1, 2012
 - Regular Meeting of August 8, 2012
 - Regular Meeting of August 15, 2012
 - Regular Meeting of August 22, 2012
4. **LIFT STATION CONSOLIDATION DESIGN CONSULTING AGREEMENT** – Request Council authorize the Mayor and City Clerk to execute a Consulting Agreement with Brown and Caldwell Corporation for the Lift Station Consolidation Design in the amount of \$862,759. (File No. 0600-10 [A-3064])

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

RESOLUTION NO. 2012-151

5. **EASTERLY RECYCLED WATER MAIN EXTENSION DESIGN CONSULTING AGREEMENT –** Request Council authorize the Mayor and City Clerk to execute a Consulting Agreement with RMC Corporation for the Easterly Recycled Water Main Extension Design in the amount of \$1,114,843. (File No. 0600-10 [A-3065])

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

RESOLUTION NO. 2012-150

Councilmember Waldron asked when the water lines would be aligned.

Paul Keck, Utilities, answered they were still looking at which alignment would be best for the city.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Morasco to authorize the Mayor and City Clerk to execute a Consulting Agreement with RMC Corporation for the Easterly Recycled Water Main Extension Design in the amount of \$1,114,843 and adopt Resolution No. 2012-150. Motion carried unanimously.

6. **AUTHORIZATION TO APPROVE AND EXECUTE FIRST AMENDMENT FOR CHEMICAL BID AWARD –** Request Council authorize a First Amendment for the Chemical Bid Award to Kemira Water Solutions Inc. for the purchase of ferric sulfate. The amendment increases the contractual authorization for chemical purchases through the end of Fiscal Year 2013 by \$74,250. (File No. 0470-35)

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

RESOLUTION NO. 2012-154

Councilmember Morasco asked for clarification of the request.

Christopher McKinney, Utilities Director, indicated this had been inadvertently omitted from the supporting documentation.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Waldron to authorize a First Amendment for the Chemical Bid Award to Kemira Water Solutions Inc. for the purchase of ferric sulfate and adopt Resolution No. 2012-154. The amendment increases the contractual authorization for chemical purchases through the end of Fiscal Year 2013 by \$74,250. Motion carried unanimously.

7. **SUMMARY STREET VACATION - PORTION OF NORTH ELM STREET –** Request Council authorize the summary street vacation of a 1,633 square foot portion of North Elm Street, located between E. Valley Parkway and E. Pennsylvania Avenue. (File No. 0690-40)

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

RESOLUTION NO. 2012-152

Morasco asked for clarification of a summary street vacation.

Debra Lundy, Real Property Manager, stated this was a way to reduce staff time and streamline the process.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to authorize the summary street vacation of a 1,633 square foot portion of North Elm Street, located between E. Valley Parkway and E. Pennsylvania Avenue and adopt Resolution No. 2012-152. Motion carried unanimously.

8. **LEASE AGREEMENT WITH WICKLINE BEDDING AT 455 N. QUINCE** – Request Council authorize the Real Property Manager and City Clerk to execute a Lease Agreement with Wickline Bedding at 455 N. Quince. (File No. 0600-10 [A-3026])

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

RESOLUTION NO. 2012-153

9. **REIMBURSEMENT AGREEMENT FOR INSTALLATION OF PUBLIC IMPROVEMENTS IN THE CITY OF ESCONDIDO: WAL- MART PROJECT** – Request Council authorize the Director of Utilities to execute a reimbursement agreement with Wal-Mart Stores, Inc., for public improvements. (File No. 0600-75 & 0800-40 Walmart)

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

RESOLUTION NO. 2012-157

Patricia Borchmann, Escondido, voiced concern that fee waivers would be approved for the project.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Morasco to authorize the Director of Utilities to execute a reimbursement agreement with Wal-Mart Stores, Inc., for public improvements and adopt Resolution No. 2012-157. Motion carried unanimously.

10. **WRITE-OFF OF HOUSING LOANS** – Request Council approve the write-off of various housing loans. The total amount of the write off is \$360,793. (File No. 0875-16)

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

Councilmember Morasco asked how many of these loans were from the first time home buyer program.

Jerry VanLeeuwen, Community Services Director, answered the amount represented approximately 1500 loans.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve the write-off of various housing loans. The total amount of the write off is \$360,793. Motion carried unanimously.

11. **YEAR 2013 HOLIDAYS** – Request Council designate the days that City offices will be closed in the year 2013 for holiday observances. (File No. 0740-30)

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

RESOLUTION NO. 2012-147

12. **MAINTENANCE AND OPERATIONS BARGAINING UNIT MEMORANDUM OF UNDERSTANDING** – Request Council amend the Maintenance and Operations Bargaining Unit Memorandum of Understanding. (File No. 0740-30)

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

RESOLUTION NO. 2012-149

- 13. PROPOSAL TO OPERATE AN ESCONDIDO CONVENTION AND VISITORS BUREAU –** Request Council approve a proposal by the Escondido Chamber of Commerce to operate an Escondido Convention and Visitors Bureau. (File No. 0135-10)

Staff Recommendation: Approval (**City Manager's Office: Joyce Masterson**)

Joyce Masterson, Assistant to the City Manager, and Catherine Zimmer, Chamber of Commerce President, gave the staff report.

Nicole Downey, Escondido, stated she was opposed to the Chamber of Commerce running a convention and visitors bureau.

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Morasco to approve a proposal by the Escondido Chamber of Commerce to operate an Escondido Convention and Visitors Bureau without the additional funding of \$21,121. Ayes: Abed, Morasco and Waldron. Noes: Diaz and Gallo. Absent: None. Motion carried.

- 14. FY 2013 CALIFORNIA OFFICE OF TRAFFIC SAFETY SOBRIETY CHECKPOINT GRANT AND BUDGET ADJUSTMENT –** Request Council authorize the Escondido Police Department to accept a Fiscal Year 2013 Sobriety Checkpoint grant from the Office of Traffic Safety in the amount of \$188,100; authorize the Chief of Police to execute contract documents on behalf of the City; and approve a budget adjustment needed to spend grant funds for overtime expenses. (File No. 0480-70)

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

Councilmember Diaz asked if the checkpoints were night check points and voiced concern that the checkpoints were held on the east part of the town

Police Lieutenant Tom Albergo indicated that most of the checkpoints were located on the western part of town.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Waldron to authorize the Escondido Police Department to accept a Fiscal Year 2013 Sobriety Checkpoint grant from the Office of Traffic Safety in the amount of \$188,100; authorize the Chief of Police to execute contract documents on behalf of the City; and approve a budget adjustment needed to spend grant funds for overtime expenses. Motion carried unanimously.

- 15. FY 2013 STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT AND BUDGET ADJUSTMENT –** Request Council authorize the Escondido Police Department to accept a Fiscal Year 2013 State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program Grant in the amount of \$70,000; authorize the Chief of Police to submit grant documents on behalf of the City; and approve a budget adjustment to spend grant funds. (File No. 0480-70)

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

Councilmember Diaz asked for clarification of the programs.

Police Lieutenant Tom Albergo described each of the programs in depth.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Waldron to authorize the Escondido Police Department to accept a Fiscal Year 2013 State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program Grant in the amount of \$70,000; authorize the Chief of Police to submit grant documents on behalf of the City; and approve a budget adjustment to spend grant funds. Motion carried unanimously.

CONSENT RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/ Successor Agency to the CDC /Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

PUBLIC HEARING

- 16. APPROVE AN AMENDMENT TO FY 2012-2013 ONE YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO ALLOCATE \$40,000 IN UNALLOCATED CDBG FUNDS FOR A GRAFFITI REMOVAL PROJECT** – Request Council approve an amendment to the FY 2012-2013 One Year Action Plan to allocate \$40,000 in unallocated CDBG funds to a Graffiti Removal Project. (File No. 0870-11)

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

Rich Buquet, Neighborhood Services Manager, gave the staff report.

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 approve an amendment to the FY 2012-2013 One Year Action Plan to allocate \$40,000 in unallocated CDBG funds to a Graffiti Removal Project. Motion carried unanimously.

- 17. PARKING CODE AMENDMENT, CASE NO. AZ 12-0004** – Request Council approve amendments to the Escondido Zoning Code Article 39 - Off-Street Parking to add provisions allowing administrative adjustments for minor reductions in required parking and other revisions. (File No. 0810-20)

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

ORDINANCE NO. 2012-17 (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. No one asked to be heard. Therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morrasco to approve amendments to the Escondido Zoning Code Article 39 - Off-Street Parking to add provisions allowing administrative adjustments for minor reductions in required parking and other revisions and introduce Ordinance No. 2012-17. Motion carried unanimously.

CURRENT BUSINESS

- 18. SAN DIEGO COUNTY PACE FINANCING** – Request Council authorize the Mayor to send a letter to the County Board of Supervisors expressing support for San Diego County's development of additional Property Assessed Clean Energy (PACE) financing programs. (File No. 0135-10)

Staff Recommendation: None (**Mayor Sam Abed and Councilmember Ed Gallo**)

Mayor Abed led the discussion.

Crystal Crawford, Ygrene Energy Fund, gave the report.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Waldron to send a letter to the County Board of Supervisors expressing support for San Diego County's development of additional Property Assessed Clean Energy (PACE) financing programs. Motion carried unanimously.

- 19. APPOINTMENT TO PUBLIC ART COMMISSION AND COMMUNITY SERVICES COMMISSION** – Request Council ratify the Mayor's recommendation to (1) appoint Steffi Harrison to fill an unscheduled vacancy on the Public Art Commission, term to expire March 31, 2014; and (2) appoint Joseph Garcia as a youth representative to fill an unscheduled vacancy on the Community Services Commission, term to expire March 31, 2014. (File No. 0120-10)

Staff Recommendation: Approval (**City Clerk's Office: Diane Halverson**)

MOTION: Moved by Mayor Abed and seconded by Councilmember Gallo to appoint Steffi Harrison to the Public Art Commission and Joseph Garcia to the Community Services Commission. Motion carried unanimously.

FUTURE AGENDA

- 20. 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 Diaz stated she attended an Escondido Creek Water Shed Alliance meeting and a series of gardening workshops were being offered throughout the county. The Escondido workshop was scheduled for October 27, 2012 at the East Valley Parkway Home Depot.

Councilmember Waldron attended a League of California Cities conference and noted that the League had approved stiffer penalties for internet crimes against children, an Emergency Management Mission for California cities to become more self-sufficient and clarified the fines that public safety was collecting.

Councilmember Morasco attended a City School Subcommittee meeting where the Del Lago High school project was discussed; and indicated the Maple Street Pedestrian Plaza was a beautiful project.

Mayor Abed requested the Council Members' Committee Reports/Comments/Briefing item be moved to the beginning of the meeting after the Oral Communications section. He also stated there would be a presentation on the Del Lago Academy at a future meeting. He displayed pictures of the Maple Street Grand Opening and the Grape Day Festival Wine and Beer Tasting Pavilion.

ADJOURNMENT

Mayor Abed adjourned the meeting at 7:00 p.m.

MAYOR

CITY CLERK

MINUTES CLERK