

**CITY OF ESCONDIDO**  
**February 10, 2016**  
**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, February 10, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

**ATTENDANCE:**

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

**ORAL COMMUNICATIONS**

**CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)**

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Masson to recess to Closed Session. Ayes: Gallo, Masson, Morasco and Abed. Noes: None. Absent: Diaz. Motion carried.

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

- a. **Property:** 3333 Bear Valley Parkway (Kit Carson Park/Adult Softball Concession Stand)  
**City Negotiator:** Debra Lundy, Real Property Manager  
**Negotiating Parties:** Mike's BBQ, Inc.  
**Under Negotiation:** Price and Terms of Agreement
- b. **Property:** 3333 Bear Valley Parkway (Kit Carson Park/Sports Center Concession Stand)  
**City Negotiator:** Debra Lundy, Real Property Manager  
**Negotiating Parties:** NC Garcia, Inc.  
**Under Negotiation:** Price and Terms of Agreement

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 3:50 p.m.

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MAYOR

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CITY CLERK

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MINUTES CLERK

**CITY OF ESCONDIDO**  
**February 10, 2016**  
**4:30 P.M. Meeting Minutes**

**Escondido City Council**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, February 10, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION:**

Chris Montgomery led the Moment of Reflection.

**FLAG SALUTE**

Mayor Abed led the Flag Salute.

**PRESENTATIONS:**

Signing Ceremony with Rincon Band of Luiseno Indians  
SANDAG Projects and Programs

**ATTENDANCE:**

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

Also present were: Graham Mitchell, City Manager; Jeffrey Epp, City Attorney; Jay Petrek, Community Development Director; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

**ORAL COMMUNICATIONS**

**Jim Kilby, Escondido**, presented a video regarding puppy mills.

**Leslie Davies, Oceanside**, requested Council consider an Ordinance to ban retail puppy sales from puppy mills.

**Andrea Cunningham, Escondido**, shared information regarding reputable dog breeding standards.

**Laurie Michaels, Encinitas**, requested the City ban the sale of dogs from puppy mills.

**Elly Garner**, Palomar Health Representative, provided information regarding the Downtown Palomar Hospital emergency room closure on March 14, 2016.

**Gary Rotto**, Borrego Health Representative, provided information regarding the Escondido facility and the urgent care services it will provide.

## CONSENT CALENDAR

**MOTION:** Moved by Deputy Mayor Morasco and seconded by Councilmember Masson to approve the following Consent Calendar items. Ayes: Gallo, Masson, Morasco and Abed. Noes: None. Absent: Diaz. Motion carried.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency )**
3. **APPROVAL OF MINUTES: None Scheduled**
4. **ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE SPRUCE STREET DRAINAGE IMPROVEMENT PROJECT (ENV 15-0010) -**  
Request City Council approve the adoption of a Mitigated Negative Declaration prepared for the Spruce Street Drainage Improvement Project. (File No. 0820-20)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

RESOLUTION NO. 2016-07

5. **BID AWARD AND BUDGET ADJUSTMENTS FOR THE GRAPE DAY PLAYGROUND IMPROVEMENT PROJECT -**  
Request City Council approve authorizing the bid award to GEM Industrial Electric, Inc., which was determined to be the lowest responsive and responsible bidder; authorize the Mayor and City Clerk to execute a Public Improvement Agreement in the amount of \$341,870; and approve a Budget Adjustment for the Grape Day Playground Improvement Project. (File No. 0600-10 [A-3179])

Staff Recommendation: **Approval (Public Works Department/Engineering: Ed Domingue)**

RESOLUTION NO. 2016-21

6. **NORTH REGIONAL ZONE MASTER AUTOMATIC AID AGREEMENT FOR FIRE-RESCUE RESPONSE AND SUPPORT ACTIVITIES -**  
Request City Council approve authorizing the Mayor and City Clerk to execute the updated Automatic Aid Agreement between the City of Escondido and other North Regional Zone fire departments. (File No. 0600-10 [MISC])

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

RESOLUTION NO. 2016-26

## 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/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

7. **AMENDMENT TO ESCONDIDO MUNICIPAL CODE SECTION 20-2 -**  
Approved on February 3, 2016 with a vote of 4/1 (Diaz voting no) (File No. 0680-50)  
ORDINANCE NO. 2016-02 (Second Reading and Adoption)

## PUBLIC HEARINGS

8. **CONDUCT A PUBLIC HEARING TO CONSIDER AN AMENDED RESOLUTION OF NECESSITY FOR EMINENT DOMAIN FOR THE CITRACADO PARKWAY EXTENSION PROJECT - ASSESSOR PARCEL NUMBER 235-040-15 (PACIFIC HARMONY GROVE DEVELOPMENT, LLC, ET. AL.) -**  
Request City Council approve the adoption of Resolution No. 2016-25, which will replace the previously adopted Resolution of Necessity, Resolution No. 2015-165, authorizing the eminent domain proceeding and directing the City Attorney to commence an action in the Superior Court for the purpose of acquiring said real property. (File No. 0690-50)

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

RESOLUTION NO. 2016-25

Jeffrey Epp, City Attorney, recommended continuing item to March 23, 2016.

**MOTION:** Moved by Councilmember Gallo and seconded by Mayor Abed to continue item to March 23, 2016.  
Ayes: Gallo, Morasco and Abed. Absent: Diaz. Abstained: Masson. Motion carried.

## CURRENT BUSINESS

9. **FINANCIAL REPORT FOR QUARTER ENDED DECEMBER 31, 2015 AND BUDGET ADJUSTMENTS -**

Request City Council receive and file the second quarter financial report and approve the following budget adjustments to amend the Fiscal Year 2015/16 operating budget: approve an increase to the Maintenance/Streets Department budget in the amount of \$31,325 to cover repair costs to City property from vehicle and other accidents; approve the use of \$100,000 in State mandated cost claim reimbursements to fund the Facade and Property Improvement Program; approve an increase to the City Parks Capital Improvement budget of \$30,000; approve an increase to the Library Department budget in the amount of \$28,615; and approve an increase to the Planning Department budget in the amount of \$53,285 to cover professional services costs for an environmental impact report for the Centerpointe 78 project. (File No. 0430-30)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

Sheryl Bennett, Director of Administrative Services, Joan Ryan, Assistant Director of Finance, Michelle LeFever, Finance, and Scott Peterson, Finance, presented the staff report, utilizing a PowerPoint presentation.

**MOTION:** Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to receive and file the second quarter financial report and approve the following budget adjustments to amend the Fiscal Year 2015/16 operating budget: approve an increase to the Maintenance/Streets Department budget in the amount of \$31,325 to cover repair costs to City property from vehicle and other accidents; approve the use of \$100,000 in State mandated cost claim reimbursements to fund the Facade and Property Improvement Program; approve an increase to the City Parks Capital Improvement budget of \$30,000; approve an increase to the Library Department budget in the amount of \$28,615; and approve an increase to the Planning Department budget in the amount of \$53,285 to cover professional services costs for an environmental impact report for the Centerpointe 78 project. Ayes: Gallo, Masson, Morasco and Abed. Noes: None. Absent: Diaz. Motion carried.

**10. SOUTHWEST SEWER REALIGNMENT PROJECT: BID AWARD FOR CONSTRUCTION, AWARD OF CONSULTING AGREEMENT FOR CONSTRUCTION MANAGEMENT, AND BUDGET ADJUSTMENT -**

Request City Council approve authorizing the Mayor and City Clerk to execute a Public Improvement Agreement with CCL Contracting, Inc., the lowest responsive and responsible bidder, in the amount of \$8,511,050 for construction of the Southwest Sewer Realignment Project; authorize the Mayor and City Clerk to execute a Consulting Agreement with NV5 in the amount of \$386,040 for construction management services; and approve a budget adjustment in the amount of \$3,890,000. (File No. 0600-10 [A-3178] [A-3186])

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

A) RESOLUTION NO. 2016-22 B) RESOLUTION NO. 2016-23

Angela Morrow, Deputy Director of Utilities Construction and Engineering, presented the staff report, utilizing a PowerPoint presentation.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Masson to approve authorizing the Mayor and City Clerk to execute a Public Improvement Agreement with CCL Contracting, Inc., the lowest responsive and responsible bidder, in the amount of \$8,511,050 for construction of the Southwest Sewer Realignment Project; authorize the Mayor and City Clerk to execute a Consulting Agreement with NV5 in the amount of \$386,040 for construction management services; and approve a budget adjustment in the amount of \$3,890,000 and adopt Resolution No. 2016-22 and Resolution No. 2016-23. Ayes: Gallo, Masson, Morasco and Abed. Noes: None. Absent: Diaz. Motion carried.

## **FUTURE AGENDA**

**11. FUTURE AGENDA -**

The purpose of this item is to identify issues presently known to staff or which members of the City 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)**

## **COUNCIL MEMBERS SUBCOMMITTEE REPORTS**

Councilmember Gallo reported on North County Transit District's information regarding transportation budget cuts.

## **CITY MANAGER'S UPDATE/BRIEFING**

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE -**

**ORAL COMMUNICATIONS****ADJOURNMENT**

Mayor Abed adjourned the meeting at 5:53 p.m.

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MAYOR

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CITY CLERK

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MINUTES CLERK