CITY OF ESCONDIDO

March 18, 2015
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, March 18, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

Jeffrey Epp, City Attorney, recommended to the City Council that they adopt a motion to add an item to the closed session portion of the City Council agenda pursuant to the authority found in Government Code Section 54954.2(b)(2). That added item is a matter of pending litigation: Stuck in the Rough, LLC v. City of Escondido, Case No. 37-2013-00074375-CU-WM-NC. The closed session would occur pursuant to the authority of Government Code Section 65956.9(a). A trial court ruling impacting the City's position in the litigation was issued subsequent to the posting of the agenda and there is a need for the City to consider a course of action.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to add the above item to the Closed Session pursuant to Government Code Section 54954.2(b)(2); that the need to take immediate action arose subsequent to the posting of the agenda; and 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:	Maintenance & Operations, Teamsters Local 911
b.	**Agency Negotiator:**	Sheryl Bennett & Clay Phillips
	Employee Organization:	Escondido City Employee Association: Supervisory Bargaining Unit
c.	**Agency Negotiator:**	Sheryl Bennett & Clay Phillips
	Employee Organization:	Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit

Items I.a., I.b. and I.c. were not discussed.

II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))

Case Name: Barnes v. City of Escondido; Off. Stowe; Off. Love
Case No: '14-CV-1184-H (RBB)

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:30 p.m.

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MAYOR CITY CLERK

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MINUTES CLERK

CITY OF ESCONDIDO

March 18, 2015
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 was called to order at 4:33 p.m. on Wednesday, March 18, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:
Joan Read led the Moment of Reflection.

FLAG SALUTE
Mayor Abed led the Flag Salute.

ANNOUNCEMENT:
City Attorney Jeffrey Epp made the following announcement following the City Council Closed Session regarding Stuck in the Rough, LLC v. City of Escondido, Case No. 37-2013-00074375-CU-WM-NC:

"The City has determined to continue studying the legal options which are available following Judge Maas's decision from last week."

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

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Patricia Borchmann, Escondido, recommended that no additional staff time be spent regarding the Stuck in the Rough litigation.

CONSENT CALENDAR

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve all Consent Calendar items. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: A) Special Meeting of February 11, 2015; B) Special Meeting of February 25, 2015.**

4. GRANT AWARD FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION AND BUDGET ADJUSTMENT -

Request Council approve accepting $14,175 in grant funding from the Firehouse Subs Public Safety Foundation to purchase a battery operated hydraulic rescue spreading tool; authorize the Fire Chief to execute on behalf of the City all documents required for the management of this grant; and authorize the necessary budget adjustment to establish a new project number to track these grant funds. (File No. 0480-70)

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

5. RELOCATION PLAN FOR THE CROSSINGS AT ESCONDIDO MANOR (CASE NUMBER: 0873-01-23) -

Request Council approve authorizing the adoption of the tenant Relocation Plan (Plan) for the Crossings at Escondido Manor (Project) located at 1150-1166 North Escondido Boulevard; and appoint the Director of Community Development, or her appointed subcommittee to act as the Hearing Officer/Committee to review formal appeals should any disagreements arise in the relocation process for the duration of the Project. (File No. 0873-01)

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

RESOLUTION NO. 2015-28

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.)

CURRENT BUSINESS

6. CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT - PRELIMINARY ENGINEER'S REPORT FOR ZONES 1 THROUGH 36 AND 38 FOR FISCAL YEAR 2015/2016 -

Request Council approve initiating the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 36 and 38 for FY 2015/2016; approve the Preliminary Engineer's Report for LMD Zones 1 through 36 and 38; and set a public hearing date of May 6, 2015 for LMD Zones 1 through 36 and 38. (File No. 0685-10)

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

A) RESOLUTION NO. 2015-32 B) RESOLUTION NO. 2015-33

Julie Procopio, Assistant Director of Public Works, introduced Gabrielle Restivo who presented the report.

Gabrielle Restivo, Engineering Staff, presented the staff report utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve initiating the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 36 and 38 for FY 2015/2016; approve the Preliminary Engineer's Report for LMD Zones 1 through 36 and 38; and set a public hearing date of May 6, 2015 for LMD Zones 1 through 36 and 38 and adopt Resolution No. 2015-32 and Resolution No. 2015-33. Motion carried unanimously.

7. PURCHASE TWO BACKHOE LOADERS AND ONE WHEEL LOADER FROM SONSRAY MACHINERY OF EL CAJON, CALIFORNIA -

Request Council approve authorizing Fleet Services to purchase two Case 590SN backhoe loaders and one Case 621F wheel loader in the amount of $410,856 through a Cooperative Purchase Contract with the National Joint Powers Alliance. (File No. 0470-35)

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

RESOLUTION NO. 2015-35

Joseph Goulart, Fleet Maintenance Superintendent, presented the staff report utilizing a PowerPoint presentation.

Richard O'Donnell, Deputy Director of Public Works/Maintenance, was available to answer questions.

MOTION: Moved by Councilmember Gallo and Seconded by Councilmember Masson to approve authorizing Fleet Services to purchase two Case 590SN backhoe loaders and one Case 621F wheel loader in the amount of $410,856 through a Cooperative Purchase Contract with the National Joint Powers Alliance and adopt Resolution No. 2015-35. Motion carried unanimously.

8. APPOINTMENT TO THE LIBRARY BOARD OF TRUSTEES -

Request Council ratify the Mayor's recommendation to fill a regular vacancy on the Library Board of Trustees for a three-year term to expire March 31, 2018. (File No. 0120-10)

Staff Recommendation: **Ratify Mayor's Appointment (City Clerk's Office: Diane Halverson)**

Mayor Abed nominated Elmer Cameron to the Library Board of Trustees.

MOTION: Moved by Mayor Abed and Seconded by Councilmember Diaz to ratify the Mayor's recommendation to fill a regular vacancy on the Library Board of Trustees for a three-year term to expire March 31, 2018. Motion carried unanimously.

FUTURE AGENDA

9. FUTURE AGENDA -

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)**

Councilmember Diaz and Councilmember Gallo requested an agenda item regarding the discussion of downtown parking be placed on the Future Agenda for Council discussion.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo reported on the County Water Authority's message to save water during the drought.

Councilmember Diaz reported on the Downtown Parking Subcommittee meeting: discussion involved various parking options; reported that the San Dieguito River Park Joint Powers Authority is searching for an Executive Director.

Mayor Abed reported on SANDAG's preliminary budget hearing and stated the total budget is 1.4 billion dollars which includes almost 1 billion dollars for capital improvements; SANDAG has a balanced budget, and predicts a 5 percent sales tax projection; SANDAG adopted a pension reform program in which employees pay their own 8 percent and it will include performance pay raises.

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 5:37 p.m.

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MAYOR CITY CLERK

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MINUTES CLERK