

**CITY OF ESCONDIDO**  
**MAY 5, 2010**  
**4:00 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 4:03 p.m. on Wednesday, May 5, 2010 in the Council Chambers at City Hall with Mayor Pfeiler presiding.

**FLAG SALUTE**

Mayor Pfeiler led the flag salute.

**ATTENDANCE**

The following members were present: Councilmember Sam Abed, Mayor Pro Tem Dick Daniels, Councilmember Olga Diaz, Councilmember Marie Waldron, and Mayor Lori Holt-Pfeiler. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Rob Zaino, Engineering Services Deputy Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

**PRESENTATIONS**

Mayor Pfeiler introduced Fire Chief, Mike Lowry, who presented David Foxworth, Volunteer Fire Department, with a Fire Department Volunteer Acknowledgment Certificate.

**PROCLAMATIONS**

Mayor Pfeiler introduced Margaret Miller, American Legion Auxiliary 149, who proclaimed May 9-15, 2010 as Poppy Week.

Mayor Pfeiler introduced Alison Luedtke, Engineering Services, Brad Lesperance, Utilities, and Wayne Thames, Community Services who accepted a proclamation for Public Works Week.

Mayor Pfeiler introduced Kathy Mordock, Public Director of LDS Church, who accepted a proclamation for Mormon Helping Hands to clean up Kit Carson Park and Dixon Lake on Saturday, May 8, 2010.

## ORAL COMMUNICATIONS

**Delores McQuiston, Escondido**, indicated there were a lot of issues at Mobilehome West Mobilehome Park and voiced concerned at the park's request for a rent increase.

**Wayne Louth, Escondido**, stated the mobilehome parks should not be given rent increases at such frequent intervals.

**Greta Kertz, Royal Travel**, indicated she opposes the DBA fees levied on business owners.

**Vivian Doering, Escondido**, stated she opposed the DBA fee increases and questioned why the city needed the BID.

**Carol Rea, Old Escondido Historic District President**, indicated May was National Historic Preservation Month and the Old Escondido Mother's Day Historic Home Tour was this Sunday, May 9, 2010.

## CONSENT CALENDAR

Councilmember Diaz removed items 5, 7 and 8 from the Consent Calendar for discussion.

**MOTION:** Moved by Councilmember Daniels and seconded by Councilmember Abed that the following Consent Calendar items be approved with the exception of items 5, 7 and 8. 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. **ESTABLISH SPEED ZONES ON VALLEY PARKWAY FROM HARDING STREET TO ROSE STREET AND GRAND AVENUE FROM ROSE STREET EXTENDING WEST TO THE BASE OF THE HILL** – Request Council authorize the establishment of speed zones on Valley Parkway from Hardin Street to Rose Street and on Grand Avenue from Rose Street extending west to the base of the hill. (File No. 1050-20)

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

### RESOLUTION NO. 2010-74

5. **IMPLEMENT TWO-HOUR PARKING: SOUTH ESCONDIDO BOULEVARD BETWEEN EIGHTH AVENUE AND NINTH AVENUE** – Request Council authorize the implementation of two hour parking on both sides of South Escondido Boulevard between Eighth and Ninth Avenue. (File No. 1050-50)

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

### RESOLUTION NO. 2010-73

Councilmember Diaz asked if the current parking enforcement staff would be able to patrol this area.

Ron Miller, Traffic Engineering, ensured Councilmember Diaz that parking enforcement staff would include this area in their patrol.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Abed to authorize the implementation of two hour parking on both sides of South Escondido Boulevard between Eighth and Ninth Avenue and adopt Resolution No. 2010-73. Motion carried unanimously.

6. **IMPLEMENT TWO-HOUR PARKING ON THE WEST SIDE OF MAPLE STREET BETWEEN SECOND AND THIRD AVENUE** – Request Council authorize implementing two-hour parking on the west side of Maple Street between Second and Third Avenue. (File No. 1050-50)

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

#### **RESOLUTION NO. 2010-72**

7. **CANCELLATION OF ENFORCEMENT RESPONSIBILITY FOR MOBILEHOME PARKS** – Request Council authorize notification to the California Department of Housing and Community Development for the cancellation of enforcement responsibility for the Mobilehome Parks Act and the Special Occupancy Parks Act. (File No. 0660-35)

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

#### **ORDINANCE NO. 2010-03 Introduction and first reading**

Councilmember Diaz asked if the amount allocated by the state was what the city has always received and could we ask for more.

Brian Gustafson, Code Enforcement Manager, answered that the city had the responsibility for mobilehome park inspections for the short-form application process and the state conducted cyclical inspections every 7 years.

**Don Greene, Escondido**, stated the mobilehome rent review inspections were important to the park residents and asked that the inspectors be the same qualified inspectors as in the past.

**Wayne Louth, Escondido**, indicated the mobilehome park residents need inspections for rent increase hearings.

**Jerry Lenhard, Escondido**, stated he did not agree with the cancellation of the enforcement responsibility for mobile home parks.

#### **THERE WAS NO ACTION ON THIS ITEM**

8. **CHANGE ORDERS FOR POLICE & FIRE HEADQUARTERS:**

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

- a. **GREEN HORIZONS** - Request Council authorize a construction change order with Green Horizons in the amount of \$25,164, for additional landscaping at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2955])
- b. **ARTIMEX IRON, INCORPORATED** - Request Council authorize a construction change order with Artimex Iron, Incorporated in the amount of \$10,584, for additional site miscellaneous metal work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2871])

- c. **HAZARD CONSTRUCTION COMPANY** - Request Council authorize a construction change order with Hazard Construction Company in the amount of \$250,730, for additional site concrete work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2939])
- d. **COMMERCIAL INTERIOR RESOURCES/CIR** - Request Council authorize a construction change order with Commercial Interiors Resources (CIR) in the amount of \$81,505, for additional flooring work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2890])
- e. **BRADY COMPANY** - Request Council authorize a construction change order with Brady Company in the amount of \$10,610, for additional drywall/metal studs/doors, frames and hardware work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2889])
- f. **ISEC, INCORPORATED** - Request Council authorize a construction change order with ISEC Incorporated in the amount of \$18,502, for additional construction specialties work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2892])
- g. **HPS MECHANICAL** - Request Council authorize a construction change order with HPS Mechanical in the amount of \$5,942, for additional plumbing, heating and cooling work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2879])
- h. **GOULD ELECTRIC** - Request Council authorize a construction change order with Gould Electric in the amount of \$25,752, for additional electrical work at the Police and Fire Headquarters, located at 1163 North Centre City Parkway. (File No. 0600-10 [A-2881])

Councilmember Diaz asked for clarification on the amount of change orders. She asked if we have recouped any of the expenses.

Joyce Masterson, Assistant to the City Manager indicated the Construction Manager was in the process of issuing numerous back-charges to many of the contractors.

**MOTION:** Moved by Councilmember Daniels and seconded by Councilmember Waldron to approve change orders for items 8a, 8b, 8c, 8d, 8e 8f, 8g, and 8h. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

## CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

None

## CURRENT BUSINESS

- 9. **MAPLE STREET PEDESTRIAN CORRIDOR MASTER PLAN AND MAPLE STREET PEDESTRIAN PLAZA (ER 2005-45)** – Request Council: (1) Approve the Master Plan for the Maple Street Pedestrian Corridor to provide a framework for future development of pedestrian enhancements along Maple Street from public parking lot #2 through the plaza and Grape Day

Park to Woodward Avenue; and (2) Approve the Maple Street Pedestrian Plaza to reconstruct the block of Maple between Grand Avenue and West Valley Parkway into an enhanced pedestrian plaza with a one-way northbound vehicle lane. (File No. 0820-20)

Staff Recommendation: Approval (**City Manager's Office: Charles Grimm; Community Dev./Planning: Barbara Redlitz; and Engineering Services: Ed Domingue**)

#### **RESOLUTION NO. 2010-71**

Charles Grimm, Assistant City Manager, and Rozanne Cherry, Planning Department, gave the staff report and presented a series of slides.

**Lisa PrazEAU, Escondido**, indicated she did not agree with constructing this project at a time when the City has a budget crisis.

**Wayne Louth, Escondido**, stated this was not the right time for the City to embark on this project.

**MOTION:** Moved by Councilmember Abed and seconded by Councilmember Daniels to approve the Master Plan for the Maple Street Pedestrian Corridor to provide a framework for future development of pedestrian enhancements along Maple Street from public parking lot #2 through the plaza and Grape Day Park to Woodward Avenue; approve the Maple Street Pedestrian Plaza to reconstruct the block of Maple between Grand Avenue and West Valley Parkway into an enhanced pedestrian plaza with a one-way northbound vehicle lane; directed staff to provide design alternatives during the bidding process, and adopt Resolution No. 2010-71. Motion carried unanimously.

#### **10. COUNCIL DISCUSSION RELATED TO VACANT COMMERCIAL PROPERTIES AND ECONOMIC DEVELOPMENT (File No. 0685-40)**

Staff Recommendation: None (**Council Member Marie Waldron**)

Councilmember Marie Waldron gave the report.

**Vivian Doering, Escondido**, indicated the City should clean up abandoned buildings.

**COUNCIL ACTION:** The Council provided some options for the staff to explore and return to Council with their recommendations:

- Update the Municipal Code to include higher standards, and include issues related to vacant, abandoned buildings;
- Phased-in approach, starting with boarded up buildings;
- Provide flexibility to allow larger buildings to be reconfigured to fit uses in downtown area;
- Prohibit boarding up windows with plywood;
- Send property owners a notice that the City is concerned with the way their buildings look;
- Offer incentives such as a one-year free business license;
- Initiate a Top-10 priority list of worst properties;
- City maintenance of landscape; send owners a bill;
- Continue voluntary compliance but establish a process to deal with the problem;
- Empower the business community through the DBA, Chamber of Commerce or other groups who would be interested in working within their districts to develop a public outreach program and approach owners when a building becomes unsightly;
- Create a neighborhood response team for ongoing issues in business sectors who would work with the City whenever necessary;
- Prioritize problem properties and report their progress;
- Create an urban renewal program through CDBG and grants

- 11. APPOINTMENTS TO DESIGN REVIEW BOARD AND HISTORIC PRESERVATION COMMISSION** – Request Council ratify the Mayor’s appointments to the Design Review Board and Historic Preservation Commission. (File No. 0120-10)

Staff Recommendation: Ratify appointments **(City Clerk: Marsha Whalen)**

**MOTION:** Moved by Mayor Pfeiler and seconded by Councilmember Abed to ratify Mayor Pfeiler’s appointments of Carol Rea to the Design Review Board, term to expire March 31, 2012; remove Carol Rea from the Historic Preservation Commission and appoint Bob McQuead to the Historic Preservation Commission, term to expire March 31, 2014. Motion carried unanimously.

- 12. BUDGET SUBCOMMITTEE REPORT ON THE FUNDING TO OUTSIDE AGENCIES POLICY** (File No. 0430-30)

Staff Recommendation: None **(Council Budget Subcommittee)**

Councilmember Diaz and Councilmember Daniels gave the report.

**MOTION:** Moved by Councilmember Abed and seconded by Councilmember Daniels to reduce funding 20% from last year to the following amounts: Education Compact \$32,000; Arts Partnership \$56,000; History Center \$56,000 and San Diego North Convention and Visitor’s Bureau \$64,000. Eliminated funding to the Escondido Charitable Foundation. Approved in-kind service costs for Crusin’ Grand (\$15,600), First Night (\$7,000), and combined funding of direct and in-kind costs for July 4th (\$23,000) and the Christmas Parade (\$41,150). Motion carried unanimously.

- 13. RESOLUTION OF SUPPORT FOR CHELSEA’S LAW** (File No. 0680-20)

Staff Recommendation: Approval **(City Council Member Marie Waldron)**

#### **RESOLUTION NO. 2010-81**

Councilmember Waldron gave the report.

**MOTION:** Moved by Councilmember Daniels and seconded by Councilmember Diaz to approve support for Chelsea’s Law and adopt Resolution No. 2010-81. Motion carried unanimously.

The Resolution was then presented to Lori Carrillo, Assemblyman Nathan Fletcher’s Representative.

- 14. ORAL REPORT: COUNCIL COMMENTS/REGIONAL ISSUES** – This item provides an opportunity for City Council representatives on regional boards, commissions, and committees, to report back to Council on matters being addressed by those respective boards, commissions, and committees. This item is for reports only, and there will be no discussion or action on the reports. Such discussion or action will be calendared for a future agenda

Staff Recommendation: None **(Mayor and City Councilmembers)**

Councilmember Diaz indicated that San Diego was no longer contributing to the San Dieguito River Park and there were discussions on how to cover the shortfall. There was the possibility of layoffs for park rangers and staff.

Councilmember Abed stated the Sprinter project was completed for a total of \$477.6 million.

## BRIEFING (Staff)

None

## FUTURE AGENDA

15. **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: Marsha Whalen)**

Councilmember Diaz requested a Resolution be placed on the agenda denouncing Arizona's immigration law.

## ORAL COMMUNICATIONS

None

## COUNCIL/COMMISSION/ MEMBERS COMMENTS

Councilmember Daniels noted the passing of Dick London, the owner of Major Market.

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

Attorney Jeffrey Epp indicated there was no longer a need to discuss items 16 and 17, suggested the addition of two items, under Government Code Section 54956.8 and recommended recess to Closed Session.

**MOTION:** Moved by Councilmember Daniels seconded by Councilmember Diaz to add the following 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.

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

- |    |                      |   |
|----|----------------------|---|
| a. | Property:            | A parcel on the north side of West Valley Parkway between City Hall and the California Center for the Arts, Escondido, APN#229-372-20 |
|    | Agency Negotiator:   | Charles Grimm   |
|    | Negotiating parties: | City of Escondido and CW Clark  |
|    | Under negotiation:   | Price and terms of payment  |

- b. Property: 340 North Escondido Boulevard
- Agency Negotiators: Clay Phillips and Jerry Van Leeuwen
- Negotiating parties: City and CCAEF
- Under negotiation: Terms of payment

**ITEMS 16 AND 17 WERE NOT DISCUSSED**

**16. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))**

- a. Interinsurance Exchange v. City of Escondido, Case No.: 37-2009-00056524-CU-PO-NC

**17. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**

- a. Agency Negotiator: Sheryl Bennett, Gail Sullivan  
Employee organization: **Escondido City Employees' Association Supervisory Bargaining Unit**
- b. Agency Negotiator: Sheryl Bennett, Gail Sullivan  
Employee organization: **Escondido City Employees' Association Administrative/Clerical/Engineering (ACE) Bargaining Unit**
- c. Agency Negotiator: Sheryl Bennett, Gail Sullivan  
Employee organization: **Maintenance and Operations, Teamsters' Local 911**
- d. Agency Negotiator: Sheryl Bennett, Gail Sullivan  
Employee organization: **Escondido Police Officers' Association Non-sworn Bargaining Unit**

<b>ADJOURNMENT</b>
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Mayor Pfeiler adjourned the meeting at 8:42 p.m.

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MAYOR

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CITY CLERK

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MINUTES CLERK

**CITY OF ESCONDIDO**

**MAY 5, 2010  
7:00 p.m. Meeting**

**NO MEETING**

**Escondido City Council  
Community Development Commission**