CITY OF ESCONDIDO

OCTOBER 13, 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 4:00 p.m. on Wednesday, October 13, 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; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

ORAL COMMUNICATIONS

Bruce Sims, Escondido, indicated he did not support a ballpark in Escondido.

Ralph Ginese, Escondido, stated he was upset at the salary discrepancies in Escondido that had been reported by the North County Times.

CONSENT CALENDAR

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Diaz that the following Consent Calendar items be approved. 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. **CALPERS INDUSTRIAL DISABILITY RETIREMENT OF STEVE TAKAJO –** Request Council approve the Industrial Disability Retirement of Fire engineer Steve Takajo. (File No. 0170-57)

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

RESOLUTION NO. 2010-154

5. **NOTICE OF COMPLETION FOR THE SIDEWALK PEDESTRIAN RAMP PROGRAM FOR 2009/2010 –** Request Council authorize staff to file a Notice of Completion for the Sidewalk Pedestrian Ramp Program for 2009/2010. (File No. 0600-10 [A-2977])

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

6. **NOTICE OF COMPLETION FOR TRACT 879, FEENEY PLACE –** Request Council authorize staff to file a Notice of Completion for Tract 879, a seven lot subdivision located at Feeney Place and Alexander Drive. (File No. 0800-10 Tract 879)

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

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

PUBLIC HEARINGS

7. **DISPOSITION OF PROPERTY PURCHASED WITH AFFORDABLE HOUSING SET-ASIDE FUNDS (RECTANGULAR LOT ON NORTH ELM STREET/APN 230-103-2200) –** Conduct a public hearing and receive public input on the grant of ownership of a vacant lot purchased with Affordable Housing Set aside funds to San Diego Habitat for Humanity in exchange for affordability restrictions on the subsequent development of the lot. (File No. 0875-55)

Staff Recommendation: Approval **(Housing Division: Roni Keiser)**

Jerry Van Leeuwen, Community Services Director, gave the staff report and presented a series of slides.

Mayor Pfeiler 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, she closed the public hearing.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Daniels to approve the grant of ownership of a vacant lot purchased with Affordable Housing Set aside funds to San Diego Habitat for Humanity in exchange for affordability restrictions on the subsequent development of the lot. Motion carried unanimously.

CURRENT BUSINESS

8. PUBLIC ART PROJECT FOR THE CALIFORNIA CENTER FOR THE ARTS, ESCONDIDO (CCAE) MUSEUM COURTYARD – Request Council authorize a Budget Adjustment in the amount of $22,000 from the Public Art Fund for a new public art project in the CCAE Museum Courtyard. (File No. 0430-80)

Staff Recommendation: Approval **(Community Services Dept.: Susan Pollack)**

Susan Pollack, Public Art Consultant, and Beth Kwapis, CCAE Museum Coordinator, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Abed to authorize a Budget Adjustment in the amount of $22,000 from the Public Art Fund for a new public art project in the CCAE Museum Courtyard. Motion carried unanimously.

9. ESCONDIDO RECREATION FOUNDATION: ESCONDIDO QUALITY OF LIFE FUND – Request Council authorize the Mayor and City Clerk to execute a Funding Agreement with the San Diego Foundation to initiate a new Escondido Quality of Life Fund, and direct the Finance Director to deposit $10,000 from the Recreation Scholarship fund with the San Diego Foundation to support Recreation, Parks and Older Adult programs and services. (File No. 0600-10 [A-3005])

Staff Recommendation: Approval **(Community Services/Recreation: Robin Bettin)**

RESOLUTION NO. 2010-151

Robin Bettin, Assistant Community Services Director, gave the staff report and presented a slide.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Diaz to authorize the Mayor and City Clerk to execute a Funding Agreement with the San Diego Foundation to initiate a new Escondido Quality of Life Fund, and direct the Finance Director to deposit $10,000 from the Recreation Scholarship fund with the San Diego Foundation to support Recreation, Parks and Older Adult programs and services and adopt Resolution No. 2010-151. Motion carried unanimously.

10. USE OF FUNDS FROM SALE OF CENTER FOR COMMUNITY SOLUTIONS AND BUDGET ADJUSTMENT – Request Council authorize the plan for the distribution of proceeds from the sale of the Center for Community Solutions to fund support for youth and family programs, per the endowment request and be deposited into the Recreation Reserve; and authorize a budget adjustment to accomplish this. (File No. 0870-11)

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

Jerry Van Leeuwen, Community Services Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Diaz to authorize $160,000 to Share a Dream/San Diego Foundation. Motion carried unanimously.

MOTION: Moved by Councilmember Abed and seconded by Councilmember Diaz to return $230,718 to General Fund Reserves. Ayes: Abed, Diaz and Waldron. Noes: Daniels and Pfeiler. Absent: None. Motion carried.

WORKSHOP

11. PRESENTATION: CALIFORNIA HIGH SPEED RAIL WORKSHOP – Informational Presentation from California High Speed Rail Authority representatives on the status of high speed rail services between San Diego and Sacramento including a rail station in Escondido. (File No. 0110-20)

Staff Recommendation: Receive and file **(Community Dev./Planning: Barbara Redlitz)**

Jay Petrek, Planning Department, introduced Jose Martinez, Regional Program Manager for the Los Angeles to San Diego Segment; Mike Zdon, Regional Consultant Project Manager; and Linda Culp, SANDAG Regional Planner; who presented a series of slides and gave an update on the High Speed Rail Project.

COUNCIL ACTION: NO ACTION, INFORMATION ONLY

BRIEFING (Staff)

FUTURE AGENDA

12. 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 asked for updates on Fire Station No. 6 and the progress of the Pension Task Force Committee.

ORAL COMMUNICATIONS

None

COUNCIL/COMMISSION/ MEMBERS COMMENTS

None

CLOSED SESSION: (COUNCIL/CDC/RRB)

Attorney Jeffrey Epp recommended recess to Closed Session to discuss items 13 and 14.

MOTION: Moved by Councilmember Abed and seconded by Councilmember Daniels to recess to Closed Session. Motion carried unanimously.

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

a. Property: 520-540 North Spruce Street
Agency Negotiators: Clay Phillips
Negotiating parties: City and Washington Ventures LLC
Under negotiation: Price and terms of payment

b. Property: 475 N. Spruce
Agency Negotiator: Clay Phillips
Negotiating parties: City of Escondido and JMI Sports
Under negotiation: Price and terms of payment

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

a. Agency Negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Escondido City Employees' Association
Supervisory Bargaining Unit

b. Agency Negotiator: Sheryl Bennett, Clay Phillips
Employee organization: Escondido City Employees' Association
Administrative/Clerical/Engineering (ACE) Bargaining Unit

ADJOURNMENT

RECESSED TO THE 7:00 P.M. MEETING AT 7:20 P.M.

CITY OF ESCONDIDO

OCTOBER 13, 2010
7:00 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 7:20 p.m. on Wednesday, October 13, 2010 in the Council Chambers at City Hall with Mayor Pfeiler presiding.

MOMENT OF REFLECTION

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; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

ORAL COMMUNICATIONS

None

PUBLIC HEARINGS

15. MODIFICATION TO PLANNING CONDITION NO. 24 FOR CONDITIONAL USE PERMIT (2004-66-CUP) – A modification to Planning Condition No. 24 for the Talk of the Town car wash project (2004-66-CUP) to allow the required masonry separation wall to be constructed in one of three potential locations. The zoning code requires the wall to be constructed on the applicant's property line at the bottom of an adjacent slope. The proposed modification would allow two potential alternatives to permit placement of the wall at or near the top of the adjacent slope. One proposed alternative would allow the applicant to enter into an agreement with approximately nine individual homeowners to pay the cost for the homeowners to construct the

wall at the top of the slope on their properties. The other alternative would allow the applicant to enter into an agreement with the New Traditions HOA to pay the cost for the HOA to construct the wall at or near the top of the slope on HOA property. (File No. 0800-40 2004-66-CUP)

Staff Recommendation: Approve the proposed modification to Planning Condition No. 24 for Conditional Use Permit 2004-66-CUP **(Community Dev./Planning: Barbara Redlitz)**

RESOLUTION NO. 2010-156R

Bill Martin, Planning Department, gave the staff report and presented a series of slides.

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

Linda Bailey, Escondido, indicated the developer was willing to pay for the wall and the homeowers would use their own contractor to construct the wall.

Munther Ghazal, Applicant, listed the improvements to be made by the project and indicated he would work with the homeowners' requests.

Mark Lawrence, Escondido, stated the homeowners would like the wall constructed from the applicant's property.

Kimber Allison, Escondido, presented a series of slides and requested the wall be built at the top of the slope.

Roger Fannin, Escondido, asked Council to delete the HOA from the proposal.

Kyle Kruger, Attorney, voiced concern with transient problems and urged Council to require the wall be built at the top of the slope.

Lisa Prazeau, Escondido, presented a series of slides and stated she did not support a car wash at the site.

Laurie Poole, Attorney, requested the HOA not be included in the proposal, and that all agreements would be with the individual property owners.

M.A. Mareck, Escondido, stated that a democratic government should have integrity.

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

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Abed to approve Resolution 2010-156R, removing references to the HOA. Motion carried unanimously.

CURRENT BUSINESS

None

BRIEFING (Staff)

None

ORAL COMMUNICATIONS

Kimber Allison, Escondido, indicated the Sunset Lounge was violating the noise ordinance.

COUNCIL/COMMISSION/ MEMBERS COMMENTS

None

CLOSED SESSION: (COUNCIL/CDC/RRB)

RECESSED BACK INTO CLOSED SESSION AT 8:40 P.M.

ADJOURNMENT

Mayor Pfeiler adjourned the meeting at 9:17 p.m.

_____
MAYOR

_____
CITY CLERK

_____
MINUTES CLERK