CITY OF ESCONDIDO

SEPTEMBER 22, 2010
3:00 p.m. Special Meeting Minutes

Escondido City Council
Community Development Commission

CALL TO ORDER

The Special Meeting of the Escondido City Council and Community Development Commission was called to order at 3:00 p.m. on Wednesday, September 22, 2010 in the Council Chambers at City Hall with Mayor Pfeiler presiding.

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.

ORAL COMMUNICATIONS

CLOSED SESSION

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

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

a. Hernandez v. City of Escondido, et al., Case No. 37-2009-00058751-CU-PA-NC

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

a.

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

ADJOURNMENT

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

_____
MAYOR

_____
CITY CLERK

_____
MINUTES CLERK

CITY OF ESCONDIDO

SEPTEMBER 22, 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 4:10 p.m. on Wednesday, September 22, 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.

PROCLAMATIONS

Mayor Pfeiler introduced Elisa Marrone, Utilities Department, who proclaimed September 20-27, 2010 as Pollution Prevention Week.

Mayor Pfeiler introduced Marsha McGaugh, Church Administrator, who accepted a proclamation for the Grace Bible Church's 20th Anniversary.

Mayor Pfeiler introduced Robin Rowland, Fall Prevention Task Force, who proclaimed September 19-25, 2010 as Fall Prevention Awareness Week.

PRESENTATION AND PROCLAMATION

Mayor Pfeiler introduced Rich Buquet, Neighborhood Services, who presented highlights of the major accomplishments in the neighborhoods over the last year. Mary Kullman, Neighborhood Group Representative, accepted a proclamation for National Neighborhood Day on September 19, 2010.

ORAL COMMUNICATIONS

Barry Baker, Escondido, voiced concern with high BID fees and suggested the Business Improvement District be dissolved and that the Chamber of Commerce assume those responsibilities.

Ralph Ginese, Escondido Employees Classified Employee Association, indicated the classified employees were concerned with inconsistencies in the terms of their current contract.

Wendy Wilson, Escondido Arts Partnership, invited the public to visit the Municipal Gallery this month to view work by local artists.

Wally Gutierrez, Escondido, distributed information and voiced concern with city staff communications.

Delores McQuiston, Escondido, stated she had witnessed an accident on East Valley Parkway and voiced concern with speeding traffic.

Robroy Fawcett, Escondido, handed out information and indicated concern with the Mayor's candidate statement.

Jason Everitt, Escondido, distributed information and encouraged the Council to use local workers in construction of the hotel.

CONSENT CALENDAR

Mayor Pfeiler removed item 3a, Councilmember Waldron removed item 5 and Councilmember Diaz removed item 12 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron that the following Consent Calendar items be approved with the exception of items 3a, 5 and 12. Motion carried unanimously.

1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)
2. APPROVAL OF WARRANT REGISTER (Council/CDC)

3. APPROVAL OF MINUTES:
a. Regular Meeting of May 26, 2010, Amended

Rex Little, Escondido, indicated he did not agree with changing the terminology "sound wall" to "separation wall".

Laurie Poole, Attorney for New Traditions Homeowner Association, distributed information and stated the CC&R's put limitations on the homeowners association's ability to consent to the wall being built on the homeowners association's property.

Roger Fannin, New Traditions Homeowners Association Representative, stated he was not aware the homeowners association were to make a decision and asked Council to work with the homeowners.

Lisa Prazeau, Escondido, indicated the minutes should not be amended.

Kimber Allison, Escondido, stated the homeowners had agreed to the block wall being built at the top of the slope.

Gayle Lebedda, Escondido, indicated the homeowners were not benefiting from the project, asked the Council to authorize building the sound wall and not amend the minutes.

COUNCIL ACTION: NO ACTION ON ITEM 3a.

b. Regular Meeting of August 18, 2010

MOTION: Moved by Councilmember Abed and seconded by Councilmember Daniels to approve the Regular Meeting Minutes of August 18, 2010. Motion carried unanimously.

4. CITY HOLIDAY CLOSURE SCHEDULE FOR YEAR 2011 – Request Council adopt the 2011 holiday closure schedule of City offices. (File No. 0740-30)

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

RESOLUTION NO. 2010-146

5. EMERGENCY WINTER WEATHER SHELTER FOR THE HOMELESS– Request Council authorize the City Manager or his designee to approve the emergency use of a vacant tenant space to provide a winter weather shelter at 755 N. Quince, on a 100 day, for 2010/2011. (File No. 0870-11)

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

RESOLUTION NO. 2010-141

Councilmember Waldron asked why the Salvation Army could not have the shelter at the same location this year.

Major Ebel, Salvation Army, indicated there were safety issues with the shelter attendees and the children at the Salvation Army building, so a new location was found to house the shelter participants.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Abed to authorize the City Manager or his designee to approve the emergency use of a vacant tenant space to provide a winter weather shelter at 755 N. Quince, on a 100 day, for 2010/2011 and adopt Resolution No. 2010-141. Motion carried unanimously.

6. REIMBURSEMENT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE EARLY RETIREE REINSURANCE PROGRAM – Request Council authorize staff to apply for reimbursement from the U.S. Department of Health and Human Services for the Early Retiree Reinsurance Program, under the Affordable Care Act. (File No. 0720-40)

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

RESOLUTION NO. 2010-147

7. **NOTICE OF COMPLETION FOR THE ESCONDIDO LIBRARY HEATING, VENTILATION AND AIR CONDITIONING (HVAC) PROJECT –** Request Council authorize the Director of Community Services to file a Notice of Completion for the Escondido Public Library HVAC replacement. (File No. 0600-10 [A-2962)

Staff Recommendation: Approval **(Library: Laura Mitchell)**

8. **CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) EXCESS INSURANCE AUTHORITY (EIA): DESIGNATION OF CITY REPRESENTATIVE -** Request Council authorize the City Manager, or his designee, to act on behalf of and to enter into agreements with the EIA. (File No. 0170-05)

Staff Recommendation: Approval **(Human Resources Department: Jodi Vinson)**

RESOLUTION NO. 2010-144

9. **NOTICE OF COMPLETION FOR EMERGENCY WATER LINE REPLACEMENT ON NINTH AVENUE, BETWEEN JUNIPER STREET AND SOUTH BROADWAY –** Request Council authorize the Director of Utilities to file a Notice of Completion for the emergency water line replacement project on Ninth Avenue, between Juniper Street and South Broadway. (File No. 0600-10 [A-2998])

Staff Recommendation: Approval **(Utilities Department: Lori Vereker)**

10. **AWARD OF CONSTRUCTION CONTRACT FOR THE ROYAL CREST ACCELERATED WATERLINE REPLACEMENT AND BUDGET ADJUSTMENT –** Request Council **(1)** Authorize the Mayor and City Clerk to execute an Agreement with the lowest responsive and responsible in an amount not-to-exceed $500,000, for the Royal Crest Accelerated Waterline Replacement project; and **(2)** Approve a Budget Adjustment in the amount of $500,000. (File No. 0600-10 [A-3001])

Staff Recommendation: Approval **(Utilities Department: Lori Vereker)**

RESOLUTION NO. 2010-142

11. **BID AWARD AND BUDGET ADJUSTMENT FOR THE 2010 UTILITIES PAVING PROJECT** Request Council **(1)** Authorize the Mayor and City Clerk to execute an Agreement with Koch-Armstrong General Engineering, Incorporated, in the amount of $203,200, for the 2010 Utilities Paving Project; and **(2)** Approve a Budget Adjustment in the amount of $250,000 for this project. (File No. 0600-10 [A-2997])

Staff Recommendation: **(Utilities Department: Lori Vereker)**

RESOLUTION NO. 2010-143

12. **AAA BALLPARK CONSULTING AGREEMENTS –** Request the Community Development Commission consider and approve a budget adjustment necessary to evaluate design and construction of a minor league ballpark on the west of Quince Street, north of the flood control channel, and authorize execution of consulting agreements necessary to environmental study. (File No. 0600-10 [A-3003])

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

RESOLUTION NO. CDC 2010-11
RESOLUTION NO. CDC 2010-12

Councilmember Diaz asked for clarification for the public.

Charles Grimm, Assistant City Manager, indicated the consulting agreements were necessary to develop a feasibility study.

Randolph Ortlieb, Escondido, indicated he belonged to a citizen's group that supported the ballpark and urged Council to approve it.

Lisa Prazeau, Escondido, indicated she supported a ball park in Escondido but voiced concern with the cost and the selected location.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron to consider and approve a budget adjustment necessary to evaluate design and construction of a minor league ballpark on the west of Quince Street, north of the flood control channel, and authorize execution of consulting agreements necessary to environmental study and adopt Resolution No. CDC 2010-11 and Resolution No. CDC 2010-12. Motion carried unanimously.

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

None

CURRENT BUSINESS

13. APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION – Request Council ratify the Mayor's appointment to the Historic Preservation Commission, term to expire March 31, 2012. (File No. 0120-10

Staff Recommendation: Designate Appointee **(City Clerk: Marsha Whalen)**

MOTION: Moved by Mayor Pfeiler and seconded by Councilmember Daniels to ratify Mayor Pfeiler's appointment of Carol Rea to the Historic Preservation Commission. Motion carried unanimously.

14. GENERAL PLAN UPDATE AND CLIMATE ACTION PLAN (PHG 09-0020 AND PHG 10-10016) – A progress report on the General Plan Update efforts to date, and consideration of General Plan Land Use alternatives for evaluation in the Environmental Impact Report. (File No. 0830-07)

Staff Recommendation: It is requested that Council **(1)** Provide direction to staff regarding the range of alternatives to be refined in the General Plan Land Use analysis for the Environmental Impact Report (EIR); **(2)** direct staff to work with a consultant to prepare a scope of work for services involving preparation of the General Plan, EIR and Climate Action Plan; **(3)** Consider public comments solicited at two recently conducted public workshops; and, **(4)** Deny two individual

requests to expand General Plan Update study areas. **(Com. Development/Planning: Barbara Redlitz)**

Jay Petrek, Planning Department, gave the staff report and presented a series of slides.

Lisa Prazeau, Escondido, indicated she did not agree with some of the proposed zoning changes to the General Plan.

M.A. Mareck, Escondido, urged Council to include the people who live in the Sphere of Influence and the County in the General Plan vote.

Pamela Stahl, Escondido, asked Council to support staff's recommendation to not expand the General Plan Update study area at Ninth Avenue.

COUNCIL ACTION: Consensus to direct staff to move forward regarding the range of alternatives to be refined in the General Plan Land Use analysis for the Environmental Impact Report (EIR); to work with a consultant to prepare a scope of work for services involving preparation of the General Plan, EIR and Climate Action Plan; and deny two individual requests to expand General Plan Update study areas.

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)**

ORAL COMMUNICATIONS

Delores McQuiston, Escondido, indicated the residents of Mountain Shadows Mobilehome Park did not have water for five days in September due to a water valve break.

COUNCIL/COMMISSION/ MEMBERS COMMENTS

Councilmember Waldron stated that on Saturday, October 2, 2010 from 10:00 a.m. to 2:00 p.m. the Escondido Police Headquarters would be accepting unused or expired prescription drugs.

Councilmember Abed recognized Assemblyman Fletcher who aided the passage of Chelsea's Law.

Councilmember Daniels thanked Fire Chief Mike Lowry, Police Chief Jim Maher, and Assistant Police Chief Corey Moles for hosting members of the Rotary on a tour of the Police and Fire Facility. He stated he would be attending a North County Gang Steering Committee September 23, 2010 in San Marcos.

CLOSED SESSION: (COUNCIL/CDC/RRB)

ADJOURNMENT

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

_____
MAYOR

_____
CITY CLERK

_____
MINUTES CLERK

CITY OF ESCONDIDO
SEPTEMBER 22, 2010
7:00 p.m. Meeting

NO MEETING