

**CITY OF ESCONDIDO**  
**June 20, 2018**  
**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, June 20, 2018 in the City Council Chambers at City Hall with Mayor Abed presiding.

**ATTENDANCE:**

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

**ORAL COMMUNICATIONS**

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

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Gallo to recess to Closed Session. Motion carried unanimously.

- I. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
  - a. **Agency Negotiator:** Sheryl Bennett and Jeffrey Epp
  - Employee Organization:** Non-Sworn Police Bargaining Unit
  
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
  - a. **Property:** 613 E. Lincoln Avenue, APNs 229-160-54, 229-160-53
  - City Negotiator:** Jeffrey Epp, City Manager
  - Negotiating Parties:** Escondido Community Child Development Center
  - Under Negotiation:** Price and Terms of Agreement
  
- III. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))**
  - a. One Case

**DEPUTY MAYOR MASSON ABSTAINED FROM ITEM NO. II.a. AND LEFT THE CLOSED SESSION ROOM.**

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 4:10 p.m.

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MAYOR

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CITY CLERK

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ASSISTANT CITY CLERK

**CITY OF ESCONDIDO**  
**June 20, 2018**  
**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, June 20 2018 in the City Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION**

Ed Anderson led the Moment of Reflection.

**FLAG SALUTE**

Deputy Mayor Masson led the Flag Salute.

**ATTENDANCE:**

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

Also present were: Jeffrey Epp, City Manager; Michael R. McGuinness, City Attorney; Bill Martin, Director of Community Development; Julie Procopio, Director of Engineering Services; Diane Halverson, City Clerk; and Eva Heter, Assistant City Clerk.

**PROCLAMATIONS**

Robert Barrientos, President of the Lansing Circle Neighborhood Group, accepted the proclamation for Robert Barrientos Day.

**ORAL COMMUNICATIONS**

**Rene Glotzbach, San Marcos**, shared the story of two women killed by a drunk driver and encouraged citizens not to drink and drive.

**Katherine B. Fromm, Escondido**, shared a history of Latin America.

**CONSENT CALENDAR**

**MOTION:** Moved by Deputy Mayor Masson and seconded by Councilmember Diaz to approve all Consent Calendar items with the exception of Items 10, 14, 15, and 16. 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: Regular Meeting of June 6, 2018**

- 4. APPROVAL OF A LICENSE AGREEMENT, MAINTENANCE AGREEMENT, AND PROFESSIONAL SERVICES AGREEMENT WITH ASSETWORKS TO UPGRADE THE FLEET MANAGEMENT SYSTEM -**  
 Request the City Council approve authorizing the Assistant Director of Public Works to enter into a License Agreement, Maintenance Agreement, and Professional Services Agreement with AssetWORKS for a total amount of \$175,885.52, to upgrade and maintain the fleet management system. (File No. 0600-10 [A-3255])

Staff Recommendation: **Approval (Public Works Department: Joseph Goulart)**  
 RESOLUTION NO. 2018-55
- 5. CITY OF ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT - FINAL ASSESSMENT ENGINEER'S REPORT FOR ZONES 1-38 FOR FISCAL YEAR 2018/2019 -**  
 Request the City Council approve the Assessment Engineer's Report and the annual levy and collection of assessments for the City of Escondido Landscape Maintenance Assessment District for Zones 1-38 for the Fiscal Year 2018/2019. (File No. 0685-10)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**  
 RESOLUTION NO. 2018-73
- 6. ICMA RETIREMENT CORPORATION DEFERRED COMPENSATION CONTRACT RENEWAL -**  
 Request the City Council approve authorizing the Deputy City Manager of Administrative Services to execute an updated Agreement with ICMA Retirement Corporation to administer the City's Deferred Compensation Plans. (File No. 0600-10 [A2184])

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**  
 RESOLUTION NO. 2018-75
- 7. SETTING SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 2006-01 (EUREKA RANCH) -**  
 Request the City Council approve setting the Special Tax Levy for Community Facilities District No. 2006-01 (Eureka Ranch) for Fiscal Year 2018-19. (File No. 0685-20)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**  
 RESOLUTION NO. 2018-87
- 8. SETTING SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 2001-01 (HIDDEN TRAILS) -**  
 Request the City Council approve setting the Special Tax Levy for Community Facilities District No. 2000-01 (Hidden Trails) for Fiscal Year 2018-19. (File No. 0685-20)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**  
 RESOLUTION NO. 2018-88
- 9. AWARD OF CONTRACT FOR LEGAL ADVERTISING FOR FISCAL YEAR 2018-19 -**  
 Request the City Council approve the bid and approve awarding the contract for the City's legal advertising for a one-year period to The Daily Journal. (File No. 0600-10 [A-3250])

Staff Recommendation: **Approval (City Clerk's Office: Diane Halverson)**  
 RESOLUTION NO. 2018-92

**10. PUBLIC SERVICES AGREEMENT WITH STEVEN SMITH LANDSCAPE, INC. FOR LANDSCAPE MAINTENANCE SERVICES FOR THE CITY OF ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT -**

Request the City Council approve authorizing the Mayor and the City Clerk to execute a Public Services Agreement with Steven Smith Landscape, Inc. for Landscape Maintenance Services for the City of Escondido LMD. (File No. 0600-10 [A-3256])

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2018-97

Julie Procopio, Director of Engineering Services, was available to answer questions.

**MOTION:** Moved by Deputy Mayor Masson and seconded by Councilmember Gallo to approve authorizing the Mayor and the City Clerk to execute a Public Services Agreement with Steven Smith Landscape, Inc. for Landscape Maintenance Services for the City of Escondido LMD and adopt Resolution 2018-97. Motion carried unanimously.

**11. AUTHORIZE PURCHASE OF FUELS FOR FISCAL YEAR 2019 -**

Request the City Council approve the purchase of unleaded gasoline in the amount of \$900,000 and diesel fuel in the amount of \$300,000 from The SoCo Group, Inc. (File No. 0470-35)

Staff Recommendation: **Approval (Public Works Department: Joseph Goulart)**

RESOLUTION NO. 2018-98

**12. REJECT ALL BIDS FOR THE RECYCLED WATER EASTERLY MAIN AND TANKS PROJECT AND AUTHORIZE RE-ADVERTISEMENT -**

Request the City Council approve rejecting all bids submitted for the Recycled Water Easterly Main and Tanks Project (also known as Blended RO Line Project - Package 2A & 2B) and authorize staff to re-advertise for bids. (File No. 0600-10 [A-3248])

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

RESOLUTION NO. 2018-99

**13. CONTINUING EMERGENCY REPAIR OF FIVE SECTIONS OF ESCONDIDO SEWER PIPELINE (HALE AVENUE UNDERPASS OF I-15, KIA DEALERSHIP PARKING LOT, SOUTH HALE AVENUE, CASA GRANDE MOBILE ESTATES, AND GREEN TREE MOBILE HOME ESTATES), CHANGE ORDER, AND BUDGET ADJUSTMENT -**

Request the City Council approve declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency repairs of five damaged sewer main sections along Hale Avenue, authorize Change Order No. 1 to the Public Improvement Agreement with Orion Construction Company for an amount not to exceed \$500,000, and approve a budget adjustment in the amount of \$500,000. The resolution, which must be passed by four-fifths vote, also declares that public interest and necessity demand the immediate expenditure to safeguard life, health, or property. (File No. 0600-10 [A-3242])

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

RESOLUTION NO. 2018-102

**14. SAN DIEGO HUMANE SOCIETY AGREEMENT EXTENSION -**

Request the City Council approve a one-year extension of the existing San Diego Humane Society Agreement and authorize the Mayor and City Clerk to execute documents on behalf of the City. (File No. 0600-10 [A-2624])

Staff Recommendation: **Approval (Police Department: Craig Carter)**

RESOLUTION NO. 2018-107

Police Captain Gregory Kogler was available to answer questions.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve a one-year extension of the existing San Diego Humane Society Agreement and authorize the Mayor and City Clerk to execute documents on behalf of the City and adopt Resolution No. 2018-107. Ayes: Diaz, Gallo, Masson, Abed; Noes: Morasco; Motion carried.

**15. FIRST AMENDMENT TO CITY ATTORNEY EMPLOYMENT AGREEMENT -**

Request the City Council approve authorizing the Mayor and City Clerk to execute, on behalf of the City of Escondido, a First Amendment to Employment Agreement with Michael R. McGuinness to continue serving as the City Attorney. (File No. 0600-10 [A-3211])

Staff Recommendation: **Approval (City Manager's Office: Jeffrey Epp)**

RESOLUTION NO. 2018-108

Per California Government Code Section 54953(c)(3), Mayor Abed publicly announced and summarized the recommended changes to the City Attorney contract in open session.

**MOTION:** Moved Councilmember Gallo and seconded by Councilmember Diaz to approve authorizing the Mayor and City Clerk to execute, on behalf of the City of Escondido, a First Amendment to Employment Agreement with Michael R. McGuinness to continue serving as the City Attorney and adopt Resolution No. 2018-108. Motion carried unanimously.

**16. POLICIES FOR CITY PROPERTY SOLD FOR DEVELOPMENT -**

Request the City Council approve the adoption of draft policies which would govern acceptable use and development of real property sold by the City in the Downtown Transit Station Target Area of the Escondido General Plan. (File No. 0690-10)

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

Jay Petrek, Assistant City Manager, presented the staff report utilizing a Power Point presentation.

**Patricia Borchmann, Escondido**, questioned if current uses will be treated as nonconforming uses and noted that public stakeholders need to be informed of any conflicts of interests.

**MOTION:** Moved by Councilmember Gallo and seconded by Deputy Mayor Masson to approve the adoption of draft policies which would govern acceptable use and development of real property sold by the City in the Downtown Transit Station Target Area of the Escondido General Plan and directed staff to return to Council with development strategies. Ayes: Gallo, Masson, Morasco, Abed; Noes: Diaz. Motion carried.

**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.)

## PUBLIC HEARINGS

**17. FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM, FISCAL YEAR 2018/19 CAPITAL IMPROVEMENT PROGRAM BUDGET, AND REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM -**

Request the City Council approve adopting Fiscal Years 2018/19-2022/23 Five-Year Capital Improvement Program, Fiscal Year 2018/19 Capital Improvement Program Budget, and adopt the Regional Transportation Improvement Program for Fiscal Years 2018/19-2022/23. (File No. 0430-30)

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

A) RESOLUTION NO. 2018-85 B) RESOLUTION NO. 2018-86

Sheryl Bennett, Deputy City Manager/Administrative Services, introduced Christina Holmes, Revenue Manager; Matt Soutterre, Associate Engineer; and Angela Morrow, Deputy Director of Utilities/Construction and Engineering, who presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone wanted to speak on this issue in any way.

**Cynthia Weir, Board Chairman of the California Center for the Arts, Escondido**, expressed disappointment that no funding was allocated for deferred maintenance areas that need to be addressed and requested Council fund and repair these areas in time for the 25th anniversary celebration in fall 2019.

Mayor Abed asked if anyone else wanted to speak. No one asked to be heard; therefore, he closed the public hearing.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve adopting Fiscal Years 2018/19-2022/23 Five-Year Capital Improvement Program, Fiscal Year 2018/19 Capital Improvement Program Budget, adopt the Regional Transportation Improvement Program for Fiscal Years 2018/19-2022/23, adopt Resolution No. 2018-85, and Resolution No. 2018-86. Motion carried unanimously.

## CURRENT BUSINESS

**18. ADOPTION OF RESOLUTION OF INTENTION TO AMEND THE CALPERS CONTRACT AND INTRODUCTION OF FIRST READING OF ORDINANCE AMENDING THE CALPERS CONTRACT**

Request the City Council approve the intention to amend the contract between the City of Escondido and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to provide employees sharing an additional cost of one percent for the Teamsters Bargaining Unit CalPERS Classic members, Government Code Section 20516. (File No. 0720-40)

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

A) RESOLUTION NO. 2018-84 B) ORDINANCE NO. 2018-14 (First Reading and Introduction)

Patrice Russell, Human Resources Manager/Benefits, presented the staff report utilizing a PowerPoint presentation.

**MOTION:** Moved by Councilmember Gallo and seconded by Deputy Mayor Masson to approve the intention to amend the contract between the City of Escondido and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to provide employees sharing an additional cost of one percent for the Teamsters Bargaining Unit CalPERS Classic members, Government Code Section 20516, adopt Resolution No. 2018-84, and introduce Ordinance 2018-14. Motion carried unanimously.

**19. REQUEST FOR AUTHORIZATION TO REVIEW ZONING REQUIREMENTS FOR CERTAIN NON-RESIDENTIAL LAND USES -**

Request the City Council provide direction to staff as appropriate and authorize a six (6) month work program to study the City of Escondido's Zoning Code, with a focus on the zoning land use matrix and permitting requirements imposed by non-residential zoning district regulations. Authorization to initiate this land use matrix study would also imply authorization to potentially amend some of the City's specific plans to ensure that desired land use regulations are reviewed and considered consistently Citywide. (File No. 0680-50)

Staff Recommendation: **Approval (Community Development Department: Bill Martin)**

Mike Strong, Assistant Director of Planning, presented the staff report utilizing a PowerPoint presentation.

**Patricia Borchmann, Escondido**, recommended early public feedback to expand the scope of study.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to authorize a six (6) month work program to study the City of Escondido's Zoning Code, with a focus on the zoning land use matrix and permitting requirements imposed by non-residential zoning district regulations. Authorization to initiate this land use matrix study would also imply authorization to potentially amend some of the City's specific plans to ensure that desired land use regulations are reviewed and considered consistently Citywide. Motion carried unanimously.

**20. CLIMATE ACTION PLAN (CAP) UPDATE - INFORMATIONAL REPORT AND STATUS UPDATE**

Request the City Council receive and file the CAP informational report and provide direction to staff as appropriate. (File No. 0800-40)

Staff Recommendation: **Provide Direction (Community Development Department: Bill Martin)**

Mike Strong, Assistant Director of Planning, presented staff report utilizing a PowerPoint presentation.

**Sebastian Sarria, Climate Action Campaign member**, shared support for the Climate Action Plan and provided key recommendations to the City Council.

**Patricia Borchmann, Escondido member of Climate Action Alliance**, voiced support of the Climate Action Plan.

**COUNCIL ACTION:** Council received and filed the CAP information report and provided direction to staff.

## **FUTURE AGENDA**

**21. 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 attended a LOSSAN Rail Corridor Agency Meeting on Monday, June 18 as North County Transit District Alternate.



## **CITY MANAGER'S WEEKLY ACTIVITY REPORT**

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

- **WEEKLY ACTIVITY REPORT**

## **ORAL COMMUNICATIONS**

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 7:26 p.m.

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MAYOR

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CITY CLERK

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ASSISTANT CITY CLERK