

CITY OF ESCONDIDO
November 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, November 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)

MOTION: Moved by Councilmember Gallo and Seconded by Deputy Mayor Morasco to recess to Closed Session. Motion carried unanimously.

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

Case Name: Shannon Dennis v. City of Escondido
Case No: 37-2014-00013400-CU-WT-NC

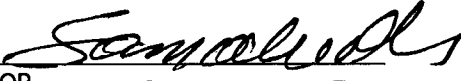
II. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

- a. **Property:** 2269 East Valley Parkway
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: American Heritage Charter Schools
Under Negotiation: Price and Terms of Agreement
- b. **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
City Negotiator: Graham Mitchell, Assistant City Manager
Negotiating Parties: City of Escondido and Craig Clark
City of Escondido and Atwater Infrastructure Partners, LLC
Under Negotiation: Price and Terms of Agreement

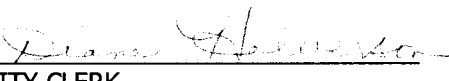
c. **Property:** 3507 East Valley Parkway
 City Negotiator: Debra Lundy, Real Property Manager
 Negotiating Parties: Toscano, Jose J. Sr. Family Trust
 Under Negotiation: Price and Terms of Agreement

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:32 p.m.



MAYOR



CITY CLERK



MINUTES CLERK

CITY OF ESCONDIDO
November 18, 2015
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 4:39 p.m. on Wednesday, November 18, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Sharon Allison led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the Flag Salute.

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.

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

ORAL COMMUNICATIONS

Beverly Sieker, San Marcos, stated that the East Valley Parkway Business Group is focusing improvements on the Jo-Ann fabric shopping center and requested Council aid with a Facade Grant.

Kenneth Kestner, Escondido, noted issues he is having with the City and requested assistance filing paperwork.

CONSENT CALENDAR

Mayor Abed removed items 8, 9, and 13 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve the following Consent Calendar items with the exception of items 8, 9, and 13. 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) Regular Meeting of October 28, 2015 B) Regular Meeting of November 4, 2015**

4. FISCAL YEAR 2013 STATE AND COMMUNITY CORRECTIONS POLICE GRANT - ADDITIONAL FUNDS AND BUDGET ADJUSTMENT -

Request Council approve authorizing the Police Department to accept additional Fiscal Year 2013 State and Community Corrections Police Grant funds in the amount of \$69,400; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

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

5. STATE OF CALIFORNIA 9-1-1 FOR KIDS FUNDING AND BUDGET ADJUSTMENT -

Request Council approve authorizing the Escondido Police Department to accept \$2,601.90 in funds from the State of California 9-1-1 Emergency Communications Office; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

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

6. FISCAL YEAR 2015-16 STATE OF CALIFORNIA CITIZENS' OPTIONS FOR PUBLIC SAFETY (COPS) PROGRAM GRANT AND BUDGET ADJUSTMENT -

Request Council approve authorizing the Escondido Police Department to accept a Fiscal Year 2015-16 Citizens' Options for Public Safety (COPS) Program Grant in the amount of \$230,235; approve grant expenditures consistent with guidelines in AB 1913; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

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

7. FINAL MAP, ESCONDIDO TRACT 934, LOCATED AT 1207 NORTH GAMBLE STREET -

Request Council approve the Final Map for Tract 934, a Five Lot Residential Subdivision located at 1207 North Gamble Street. (File No. 0800-10)

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

8. NOTICE OF COMPLETION FOR FISCAL YEAR 2014-15 STREET MAINTENANCE PROJECT -

Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Fiscal Year 2014-15 Street Maintenance Project. (File No. 0600-10 [A-3152])

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

Matt Souttere, Engineering, presented the staff report, utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve and accept the public improvements and authorize staff to file a Notice of Completion for the Fiscal Year 2014-15 Street Maintenance Project. Motion carried unanimously.

9. EMPLOYMENT AGREEMENTS - CITY MANAGER AND CITY ATTORNEY -

Request Council approve authorizing the Mayor and City Clerk to execute, on behalf of the City, an Employment Agreement with Graham Mitchell to serve as the City Manager, and a First Amendment to the Employment Agreement with Jeffrey Epp to continue serving as the City Attorney. (File No. 0600-10 [A-1997] [A-3168])

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

RESOLUTION NO. 2015-205

Robroy Fawcett, Escondido, stated that the City Manager and City Attorney salaries are too high.

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Diaz to approve authorizing the Mayor and City Clerk to execute, on behalf of the City, an Employment Agreement with Graham Mitchell to serve as the City Manager, and a First Amendment to the Employment Agreement with Jeffrey Epp to continue serving as the City Attorney and adopt Resolution No. 2015-205. Motion carried unanimously.

10. AUTHORIZING A RIGHT-OF-WAY APPLICATION TO THE UNITED STATES DEPARTMENT OF INTERIOR FOR THE SAN PASQUAL UNDERGROUNDING PROJECT -

Request Council approve authorizing the City Manager or Director of Utilities to execute an application and other documents required for the San Pasqual Undergrounding Project. (File No. 0690-40)

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

RESOLUTION NO. 2015-198

11. ACCEPTANCE OF DONATION FOR KIT CARSON PARK HOCKEY ARENA -

Request Council approve a donation of floor tiles for one of the Kit Carson Park hockey arenas. The proposed donation at the estimated cost for materials of \$60,000 will be made by San Diego Sports Foundation. (File No. 0150-20)

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

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.)

12. MODIFICATION TO THE MASTER AND PRECISE DEVELOPMENT PLAN FOR WESTFIELD NORTH COUNTY (PHG 15-0026) -

Approved on November 4, 2015 with a vote of 5/0 (File No. 0800-40)

ORDINANCE NO. 2015-20R (Second Reading and Adoption)

13. EXTENSION OF THE ERTC DEVELOPMENT AGREEMENT (PHG 15-0017) -

Approved on November 4, 2015 with a vote of 4/0/1 (Masson abstained) (File No. 0800-40)

ORDINANCE NO. 2015-21 (Second Reading and Adoption)

Robroy Fawcett, Escondido, noted defects in ERTC grading and that restrictions are causing a lack of development.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve extending the term of the existing Development Agreement (Planning Case No. 2001-01-DA/CZ/GPA/SPA) between JRM-ERTC I, a California limited partnership, and the City of Escondido for an additional ten years for the development of the Escondido Research and Technology Center and public benefits and adopt Ordinance No. 2015-21. Ayes: Abed, Diaz, Gallo, and Morasco. Noes: None. Abstained: Masson. Motion carried.

PUBLIC HEARINGS

14. MASTER AND PRECISE DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP FOR THE DEVELOPMENT OF A MIXED-USE PROJECT IN THE PD-MU ZONE (PHG 15-0009, SUB 15-0008) -

Request Council approve the Master and Precise Development Plan and Tentative Parcel Map; adopt the environmental determination; approve the project as originally conditioned, which would eliminate the one condition requiring installation of an elevator that was added by the Planning Commission; and approve revising the financial details of the project and reaffirm the commitment of Affordable Housing funds. (File No. 0800-40)

Staff Recommendation: **Approval (Community Development Department: Jay Petrek)**

A) RESOLUTION NO. 2015-194 B) RESOLUTION NO. 2015-204

C) ORDINANCE NO. 2015-23 (First Reading and Introduction)

Jay Petrek, Director of Community Development, and Karen Youel, Housing Staff, presented the staff report, utilizing a PowerPoint presentation.

William Leach, Project Manager for Solutions for Change, thanked City staff and the Council for past support and noted the goals of Solutions for Change.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the Master and Precise Development Plan and Tentative Parcel Map; adopt the environmental determination; approve the project as originally conditioned, which would eliminate the one condition requiring installation of an elevator that was added by the Planning Commission; and approve revising the financial details of the project and reaffirm the commitment of Affordable Housing funds and adopt Resolution No. 2015-194, Resolution No. 2015-204 and introduce Ordinance No. 2015-23. Motion carried unanimously.

FUTURE AGENDA

15. 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)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo reported on North County Transit District's renewal of Executive Director and In House Attorney Contracts; San Diego County Water Authority data shows continuous water reductions.

Councilmember Diaz reported she will attend the San Dieguito River Park meeting on Friday, November 20; reported on the success of the Escondido Tamale Festival.

CITY MANAGER'S UPDATE/BRIEFING

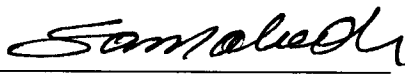
The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 5:37 p.m.


MAYOR


CITY CLERK


MINUTES CLERK