

CITY OF ESCONDIDO
November 4, 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 4, 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 Masson and Seconded by Councilmember Diaz to recess to Closed Session. Motion carried unanimously.

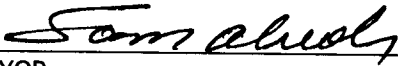
I. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

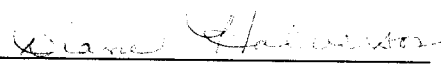
- a. **Property:** A parcel on the north side of West Valley Parkway between City hall and the California Center for the Arts, Escondido, APN 229-372-20
- City Negotiator:** Graham Mitchell, Assistant City Manager
- Negotiating Parties:** The City of Escondido and Craig Clark
- Under Negotiation:** Price and Terms of Agreement

II. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code §54957)

ADJOURNMENT

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


MAYOR


CITY CLERK


MINUTES CLERK

CITY OF ESCONDIDO
November 4, 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 4:30 p.m. on Wednesday, November 4, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Tolu Peters led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the Flag Salute.

PROCLAMATIONS:

Escondido Shines Day

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; Michael McGuinness, Assistant City Attorney; Jay Petrek, Community Development Director; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Kenneth P. Kestner, Escondido, believes his residence is being monitored.

CONSENT CALENDAR

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve the following Consent Calendar items. 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 October 21, 2015**
- 4. APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR MICHAEL DEANDA -**
Request Council approve the California Public Employees' Retirement System Industrial Disability Retirement for Police Officer Michael DeAnda. (File No. 0170-57)

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

RESOLUTION NO. 2015-197

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

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

Request Council approve a Business Enhancement Zone project, involving a Modification to the Master Development Plan and a new Precise Development Plan to construct a multiplex movie theater and outdoor plaza in the former "duck pond" area behind Westfield North County Mall. The project also includes a modification to the mall's master sign program, to replace an existing seven foot tall monument sign at the southwestern corner of Beethoven Drive and East Via Rancho Parkway with a new 28-foot pylon sign to display major tenant names, and to locate signs on the new theater building. (File No. 0800-40)

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

ORDINANCE NO. 2015-20 (First Reading and Introduction)

Bill Martin, Assistant Director of Planning, presented the staff report, utilizing a PowerPoint presentation.

Kim Brewer, Vice President of Westfield Development, shared positive development updates about the center.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve a Business Enhancement Zone project, involving a Modification to the Master Development Plan and a new Precise Development Plan to construct a multiplex movie theater and outdoor plaza in the former "duck pond" area behind Westfield North County Mall. The project also includes a modification to the mall's master sign program, to replace an existing seven foot tall monument sign at the southwestern corner of Beethoven Drive and East Via Rancho Parkway with a new 28-foot pylon sign to display major tenant names, and to locate signs on the new theater building and introduce Ordinance No. 2015-20. Motion carried unanimously.

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

Request Council 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. (File No. 0800-40)

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

ORDINANCE NO. 2015-21 (First Reading and Introduction)

Councilmember Masson abstained and left the dais.

Jay Petrek, Director of Community Development, presented the staff report, utilizing a PowerPoint presentation.

James McCain, Escondido, thanked staff for their assistance and stated his commitment to the City.

Kimberly Pano, Escondido, noted the impact on her family's quality of life due to the development.

MOTION: Moved by Councilmember Gallo and seconded by Deputy Mayor Morasco 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 introduce Ordinance No. 2015-21. Ayes: Abed, Diaz, Gallo, and Morasco. Noes: None. Abstained: Masson. Motion carried.

CURRENT BUSINESS

7. VACATION OF RIGHT-OF-WAY AND AMENDED PURCHASE AGREEMENT FOR THE DISPOSITION OF PROPERTY: 165 EAST LINCOLN AVENUE -

Request Council approve a First Amendment to the Purchase Agreement with Frank Turlo for the sale of 165 East Lincoln Avenue and adjacent right-of-way on Lincoln Parkway; approve to summarily vacate the subject property, 165 East Lincoln Avenue, from the City's right-of-way; and approve to summarily vacate portions of excess right-of-way abutting Frank Turlo's two other properties along Lincoln Parkway. (File No. 0690-20)

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

A) RESOLUTION NO. 2015-186 B) RESOLUTION NO. 2015-187

C) RESOLUTION NO. 2015-188 D) RESOLUTION NO. 2015-189

Debra Lundy, Real Property Manager, presented the staff report.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve a First Amendment to the Purchase Agreement with Frank Turlo for the sale of 165 East Lincoln Avenue and adjacent right-of-way on Lincoln Parkway; approve to summarily vacate the subject property, 165 East Lincoln Avenue, from the City's right-of-way; and approve to summarily vacate portions of excess right-of-way abutting Frank Turlo's two other properties along Lincoln Parkway and adopt Resolution No. 2015-186, Resolution No. 2015-187, Resolution No. 2015-188, and Resolution No. 2015-189. Motion carried unanimously.

8. REALLOCATION OF CAPITAL IMPROVEMENT PROGRAM PARK FUNDS AND BUDGET ADJUSTMENT -

Request Council approve reallocating Capital Improvement Program Park Development Funds in the amount of \$355,001 to address critical capital needs in various City parks. (File No. 0430-80)

Staff Recommendation: **Approval (City Manager's Office: Graham Mitchell & Community Services Department: Loretta McKinney)**

RESOLUTION NO. 2015-195

Loretta McKinney, Director of Library and Community Services, and Graham Mitchell, Assistant City Manager, presented the staff report, utilizing a PowerPoint presentation.

Wally Gutierrez, Escondido, stated the need for a functional concession stand and noted the impacts the revenue has on the National Little League.

Nellie Langston, Escondido, requested support from the City and noted the benefits of youth programs.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve reallocating Capital Improvement Program Park Development Funds in the amount of \$355,001 to address critical capital needs in various City parks and adopt Resolution No. 2015-195. Motion carried unanimously.

FUTURE AGENDA

9. 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 the San Diego Water Authority's visit to the Lake Hodges Pump Station.

CITY MANAGER'S UPDATE/BRIEFING

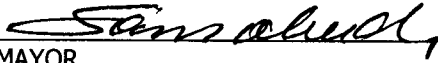
The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.

- **CITY MANAGER'S UPDATE -**

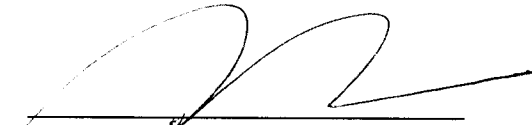
ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:09 p.m.


MAYOR


CITY CLERK


MINUTES CLERK