

CITY OF ESCONDIDO
October 23, 2013
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, October 23, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

Attorney Jeffrey Epp recommended recess to Closed Session and requested the addition of one item to the agenda.

MOTION: Moved by Councilmember Diaz, seconded by Councilmember Morasco to add the following item to Closed Session pursuant to Government Code Section 54954.2(b)(2); that the need to take immediate action arose subsequent to the posting of the agenda; and to recess to Closed Session. Ayes: Abed, Diaz, Masson and Morasco. Noes: None. Absent: Gallo. Motion carried

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)

- | | | |
|----|---------------------|------------------------------------|
| a. | Property: | 335 N. Quince |
| | City Negotiator | Debra Lundy, Real Property Manager |
| | Negotiating parties | Current Owner |
| | Under negotiation | Price and Terms of Payment |

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

- a. **Agency negotiator:** Sheryl Bennett, Clay Phillips
 Employee organization: Escondido Firefighters' Association
- b. **Agency negotiator:** Sheryl Bennett, Clay Phillips
 Employee organization: Escondido Police Officers' Association

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

- a. **Case Name:** GONZALEZ V. JUAN ALVA, ET. AL.
 Case No: 11-CV-2846-W (WVG)

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:42 p.m.

Sam Abed
MAYOR

Liane Uhl
CITY CLERK

Liane Uhl
MINUTES CLERK

CITY OF ESCONDIDO
October 23, 2013
4:30 P.M. Meeting Minutes

Escondido City Council
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council and Mobilehome Rent Review Board was called to order at 4:45 p.m. on Wednesday, October 23, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

ATTENDANCE

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

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

PRESENTATIONS

Mayor Abed introduced Dr. Jennifer Walters, Escondido Schools District Superintendent, who gave a presentation on Excellence in Escondido's Public Schools.

Mayor Abed introduced Supervisor Dave Roberts, who presented a \$300,000 check to Lydia Vogt, Director of Education, at the California Center for the Arts Escondido.

ORAL COMMUNICATIONS

Robroy Fawcett, Escondido, voiced concern that there may be many special elections with district voting.

CONSENT CALENDAR

Mayor Abed removed item 5 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson that the following Consent Calendar be approved with the exception of item 5. Ayes: Abed, Diaz, Masson and Morasco. Noes: None. Absent: Gallo. 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 2, 2013
4. **SALE OF 2120 HARMONY GROVE AND LEASE AGREEMENT WITH KOOCHEN VAGNER'S BREWING COMPANY (STONE BREWERY) AND RELATED BUDGET ADJUSTMENT -**
Request Council authorize the Real Property Manager to execute documents necessary for the sale of 2120 Harmony Grove Road to Koochen Vagner's Brewing Company; and approve executing a new lease agreement with the buyer during the escrow period. (File No. 0600-10 [A-3018])

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

RESOLUTION NO. 2013-150

5. **BID AWARD AND BUDGET ADJUSTMENT FOR THE ENCINO AND EL DORADO DRIVE STORM DRAIN REPLACEMENT PROJECT -** Request Council authorize a bid award to the lowest responsive and responsible bidder, authorize the Mayor and City Clerk to execute a Public Improvement Agreement for an amount not to exceed \$460,000; and approve a budget adjustment for the Encino/El Dorado Storm Drain Replacement Project. (File No. 0600-10 [A-3099])

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

RESOLUTION NO. 2013-146

Julie Procopio, Deputy Public Works Director, gave the staff report and presented a series of slides.

Gary VonTungeln, Escondido, asked if a temporary repair could be done while negotiations with the one homeowner continue.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to authorize a bid award to the lowest responsive and responsible bidder, authorize the Mayor and City Clerk to execute a Public Improvement Agreement for an amount not to exceed \$460,000; and approve a budget adjustment for the Encino/El Dorado Storm Drain Replacement Project and adopt Resolution No. 2013-146. Ayes: Abed, Diaz, Masson and Morasco. Noes: None Absent: Gallo. Motion carried.

6. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR MELVIN ARGENT**
- Request Council approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer Melvin Argent. (File No. 0170-57)

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

RESOLUTION NO. 2013-145

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

7. **SHORT-FORM RENT INCREASE APPLICATION FOR CASA DE AMIGOS (CASE #: 0697-20-9961)** - Request Council consider the short-form rent increase application submitted by Casa De Amigos; and if approved, grant an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 1.654% (an average of \$9.73) for the period of December 31, 2011 to June 30, 2013. (File No. 0697-20-9961)

Staff Recommendation: **Approval (Community Development/Housing: Barbara Redlitz)**

RRB RESOLUTION NO. 2013-08

Karen Youel, Housing Department, gave the staff report and presented a series of slides.

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

Heather Woosley, Park Owner Representative, stated the park was well maintained and asked Council to grant the short-form rent increase.

Bill Zeigler, Resident Representative, indicated the residents were not protesting the rent increase and expressed concern with sewer odor in the area.

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

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to grant the short-form rent increase and adopt RRB Resolution No. 2013-08. Ayes: Abed, Diaz, Masson and Morasco. Noes: None. Absent: Gallo. Motion carried.

8. **AMENDMENT TO THE ZONING CODE TO ALLOW EMERGENCY SHELTERS AS A PERMITTED LAND USE IN A PORTION OF THE M-1 ZONE (AZ 13-0006)** - Request Council approve the amendment to the Zoning Code in order to comply with Senate Bill 2 pertaining to emergency shelters. (File No. 08-10-20)

Staff Recommendation: **Approval (Community Development/Planning: Barbara Redlitz)**

ORDINANCE NO. 2013-09 (Introduction and First Reading)

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

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

Barbara Jordan, San Marcos, urged Council to adopt Option 3 and look for other areas for the shelter.

Gary Duncan, Escondido, stated there was a lot of illegal activity on the vacant street near his home and asked for a gate to block vehicle traffic to Cleveland Street.

John Freeberg, Escondido, indicated he was opposed to the zoning code amendment.

Brad Stump, Escondido, stated that an industrial park was not a good place for a homeless shelter.

Kelly Speeg, Escondido, voiced opposition to the zoning code amendment.

Robert Haas, Escondido, stated he objected to a homeless shelter in the industrial park.

Michael Hunsaker, San Marcos, requested Council provide services for the homeless in the city core, not in an industrial park.

Gordon Cloes, San Diego County, urged Council to look at other zones for a homeless shelter.

Mike Erwin, Encinitas, indicated a homeless shelter was not a good fit for an industrial park.

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

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to adopt Ordinance No. 2013-09, approving the Amendment to the zoning code and directing staff to expand the overlay zone to other M-1 zone areas, or a combination of zones, subject to additional public hearings. Ayes: Abed, Diaz, Masson and Morasco. Noes: None. Absent: Gallo. Motion carried.

CURRENT BUSINESS

9. **ANTI-GRAFFITI PROGRAM CAPITAL PROJECTS AND BUDGET ADJUSTMENT** - Request Council approve a budget adjustment augmenting the Anti-Graffiti Program with the remaining unencumbered funds from the Facade Improvement Program and provide direction to staff on the priorities of use. (File No. 0430-80)

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

Ed Domingue, Public Works Director, gave the staff report and presented a series of slides.

Nicole Downey, Escondido, suggested a local artist paint murals in the downtown area and suggested parking be changed to 3 hours.

MOTION: Moved by Mayor Abed and seconded by Councilmember Morasco to allocate the remaining Façade Improvement Funds to augment the graffiti removal program. Ayes: Abed, Masson and Morasco. Noes: Diaz. Absent: Gallo. Motion carried.

FUTURE AGENDA

- 10. 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' REPORTS/BRIEFING

Councilmember Diaz attended a San Dieguito River Park Joint Powers Authority Meeting where they approved funding for an outside interpretive center and discussed wetlands restoration to the fairgrounds.

Mayor Abed indicated that SANDAG was transitioning from the RTP to the San Diego Forward project. The North County Mayors have expressed concern for Highway 78, which has been placed at the top of the list for funding. The Economic Development Subcommittee met to discuss the Westfield sign.

ORAL COMMUNICATIONS

ADJOURNMENT

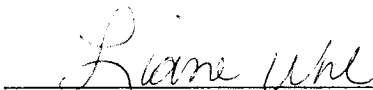
Mayor Abed adjourned the meeting at 8:30 p.m.



MAYOR



CITY CLERK



MINUTES CLERK