

**January 13, 2021
6:00 P.M. Meeting**

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on January 13, 2021 in the Mitchell Room and in the City Council Chambers at City Hall with Mayor McNamara presiding.

MOMENT OF REFLECTION

Zack Beck, City Clerk led the Moment of Reflection

FLAG SALUTE

Michael McGuinness, City Attorney, led the Flag Salute

ATTENDANCE

The following members were present: Councilmember Joe Garcia, Councilmember Tina Inscoe, Councilmember Consuelo Martinez, Deputy Mayor Michael Morasco, and Mayor Paul McNamara. Quorum present.

Also present were: Jeffrey Epp, City Manager; Michael McGuinness, City Attorney; Mike Strong, Director of Community Development; Julie Procopio, Director of Engineering Services; and Zack Beck, City Clerk.

ORAL COMMUNICATIONS

Robroy Fawcett – Requested that the public be allowed to read comments via video conference or phone during the Council meetings.

Donica Hart – Requested that the City do more to enforce COVID-19 Health regulations.

Patricia Borchmann – Expressed support for the City of Escondido Police Department "De-Escalation Policy"

Vinh An Le - Requested that the City do more to enforce COVID-19 Health regulations.

Aisha Wallace-Polamares - Requested that the City do more to enforce COVID-19 Health regulations.

Max Espinoza - Requested that the City do more to enforce COVID-19 Health regulations.

Ana Marie Velsaco - Requested that the City do more to enforce COVID-19 Health regulations.

Danielle Polson - Requested that the City do more to enforce COVID-19 Health regulations and that Escondido Police Officers wear face masks.

Donica Hart - Requested that the City do more to enforce COVID-19 Health regulations.

Gloria Conjeo - Requested that the City do more to enforce COVID-19 Health regulations.

Penn Diehl - Requested that the City do more to enforce COVID-19 Health regulations and that Escondido Police Officers wear face masks.

CONSENT CALENDAR

MOTION: Moved by Councilmember Martinez and seconded by Councilmember Inscoe to approve all consent calendar items, except item 4. Approved unanimously.

1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/RRB)

2. APPROVAL OF WARRANT REGISTER (Council)

Request the City Council approve the City Council and Housing Successor Agency warrant numbers:

Staff Recommendation: **Approval (Finance Department: Christina Holmes)**

- 348311 – 348555 dated December 9, 2020
- 348556 – 348749 dated December 16, 2020
- 348750 – 348975 dated December 23, 2020
- 348976 – 349154 dated December 30, 2020

3. APPROVAL OF MINUTES: Regular Meeting of December 16, 2020

4. CALIFORNIA COMMUNITY HOUSING AGENCY ("CALCHA") MIDDLE-INCOME RENTAL HOUSING PROGRAM MEMBERSHIP -

Request the City Council approve a financing model that supports the development of middle-income affordable housing and authorize the City Manager to execute purchase option agreement with CALCHA. (File No. 0875-55)

Staff Recommendation: **Approval (Community Development Department: Mike Strong)**

RESOLUTION NO. 2021-09

MOTION: Moved by Councilmember Martinez and seconded by Councilmember Garcia to approve a financing model that supports the development of middle-income affordable housing and authorize the City Manager to execute purchase option agreement with CALCHA. Approved unanimously.

5. FINAL MAP, ESCONDIDO TRACT SUB13-0002, OAK CREEK PROJECT -

Request the City Council approve the Final Map for Tract SUB13-0002, a 65 single- family lot Residential Subdivision located at the intersection of Miller Avenue and Hamilton Lane. (File No. 0800-10)

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

6. DISPOSITION OF A CITY OWNED PARCEL, LOCATED AT 235 EAST GRAND AVENUE, APN 233-082-09, AS EXEMPT SURPLUS PROPERTY -

Request the City Council approve authorizing the Real Property Manager to execute documents necessary for the sale of a vacant city owned parcel; identified as APN 233-082-09. (File No. 0690-20)

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

RESOLUTION NO. 2021-07

7. LEASE AGREEMENT WITH ASOCIACION DE CHARROS DE EL CABALLO PARK, FMCH, ON A PORTION OF APN 225-141-40, LOCATED AT 3400 VALLEY CENTER ROAD -

Request the City Council approve authorizing the Mayor to execute a Lease Agreement with Asociacion de Charros de El Caballo Park, Federacion Mexicana de Charrera (FMCH), for a portion of the property located at 3400 Valley Center Road. (File No. 0600-10, A-3110)

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

RESOLUTION NO. 2021-06

8. SUMMARY VACATION OF A PORTION OF DONALD WAY PER STREETS AND HIGHWAYS CODE §8334(a) -

Request the City Council approve authorizing the summary vacation of a portion of Donald Way in accordance with Section 8334(a) of the California Streets and Highways Code. (File No. 0690-40)

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

RESOLUTION NO. 2021-03

9. FY 2020-21 STATE OF CALIFORNIA CITIZENS' OPTION FOR PUBLIC SAFETY PROGRAM GRANT AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Escondido Police Department to accept a FY 2020-21 Citizens' Option for Public Safety Program Grant in the amount of \$232,431; approve grant expenditures consistent with guidelines in AB1913; 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: Edward Varso)**

10. DISARMING PROHIBITED PERSONS TEAM GRANT AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Escondido Police Department to accept Disarming Prohibited Persons Team (DPPT) Grant funds in the amount of \$50,000; 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. The California Department of Justice (Cal-DOJ) authorized the Police Department to spend its funds on overtime operations to ensure dangerous persons are not in possession of weapons. The operations will include consensual compliance checks of citizens that have been court-ordered to not own or carry guns. (File No. 0480-70)

Staff Recommendation: **Approval (Police Department: Edward Varso)**

Penn Diehl – Expressed support for the grant.

11. FY 2019-20 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – LOCAL SOLICITATION AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Police Department to accept a \$35,755 FY 2019-20 Edward Byrne Memorial Justice Assistance Grant (JAG); 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. Grant funds will cover salary expenses for part-time patrol technicians and mandated National Incident-based Reporting System (NIBRS) training expenses. (File No. 0480-70)

Staff Recommendation: **Approval (Police Department: Edward Varso)**

12. FY 2019 OPERATION STONEGARDEN GRANT AND BUDGET ADJUSTMENT -

Request the City Council approve accepting FY 2019 Operation Stonegarden Grant Funds in the amount of \$13,900 from the California Office of Emergency Services through the County of San Diego; 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. The Department proposes to use grant funds to pay overtime expenses for multi-disciplinary crime suppression operations related to human trafficking, narcotics trafficking, criminal gang activity, and weapons trafficking. (File No. 0480-70)

Staff Recommendation: **Approval (Police Department: Edward Varso)**

CONSENT RESOLUTIONS AND ORDINANCES (COUNCIL/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/RRB at a previous City Council/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING ARTICLE 1 OF CHAPTER 32 OF THE MUNICIPAL CODE; AND ARTICLE 1 (GENERAL PROVISIONS AND DEFINITIONS), ARTICLE 6 (RESIDENTIAL ZONES), ARTICLE 16 (COMMERCIAL ZONES), ARTICLE 26 (INDUSTRIAL ZONES), ARTICLE 39 (OFF-STREET PARKING), ARTICLE 40 (HISTORICAL RESOURCES), ARTICLE 57 (MISCELLANEOUS USE RESTRICTIONS), AND ARTICLE 70 (ACCESSORY DWELLING UNITS) OF THE ESCONDIDO ZONING CODE -

Approved on December 16, 2020 with a vote of 5/0

ORDINANCE NO. 2020-31R (Second Reading and Adoption)

PUBLIC HEARINGS

14. GENERAL PLAN AMENDMENT, ZONE CHANGE AND CONDITIONAL USE PERMIT (PHG 19-0049 AND ENV 19-0006) -

Request the City Council approve a Zone Change from Light Industrial ("M-1") to Commercial General ("CG") zoning for property located at 900 W. Mission Avenue. In conjunction with this action, it is requested that the City Council adopt Resolution No. 2021-04 approving an Amendment to the General Plan land-use designation from Light Industrial ("LI") to General Commercial ("GC"); and adopt Resolution No. 2021-05 approving a Conditional Use Permit for the development of a proposed gasoline station/convenience store with concurrent sale of alcoholic beverages. (File No. 0830-20)

Staff Recommendation: **Approval (Community Development Department: Mike Strong)**

a) RESOLUTION NO. 2021-04 and 2021-05

b) ORDINANCE NO. 2021-01 (First Reading and Introduction)

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Garcia to approve a Zone Change from Light Industrial ("M-1") to Commercial General ("CG") zoning for property located at 900 W. Mission Avenue. In conjunction with this action, it is requested that the City Council adopt Resolution No. 2021-04 approving an Amendment to the General Plan land-use designation from Light Industrial ("LI") to General Commercial ("GC"); and adopt Resolution No. 2021-05 approving a Conditional Use Permit for the development of a proposed gasoline station/convenience store with concurrent sale of alcoholic beverages. Approved unanimously.

CURRENT BUSINESS

CONTRACT FOR ENGINEERING AND CONSTRUCTION OF THE MEMBRANE FILTRATION/REVERSE OSMOSIS ("MFRO") FACILITY -

Request the City Council approve execution of a loan agreement from the State Water Resources Control Board, Division of Financial Assistance. The loan, in the amount of \$45 Million, will be used for construction costs associated with the Membrane Filtration Reverse Osmosis Facility Project. The original loan amount may be reduced by future award of CA Proposition 1 funds. A portion of the debt service costs of this loan will be paid by funding from the MWD and SDCWA Local Resources. (File No. 1340-70)

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

RESOLUTION NO. 2021-01

B) THIRD AMENDMENT TO THE DESIGN BUILD AGREEMENT FOR THE MEMBRANE FILTRATION REVERSE OSMOSIS FACILITY PROJECT -

Request the City Council approve the execution of a Third Amendment to the Design Build Agreement for the MFRO Facility. Also request a budget adjustment to the Wastewater Enterprise Fund budget to pay engineering and construction costs of the amendment. The cost of the MFRO, product water pipeline, and pump station is \$65.5 million. Sources of funding are a CA Proposition 84 grant, a US Bureau of Reclamation Title XVI grant, an SRF Loan, MWD and SDCWA Local Resources Program funds, and Wastewater Fund CIP Reserves. (File No. 0600-10, A-3292)

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

RESOLUTION NO. 2021-02

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Martinez to Council approve execution of a loan agreement from the State Water Resources Control Board, Division of Financial Assistance. The loan, in the amount of \$45 Million, will be used for construction costs associated with the Membrane Filtration Reverse Osmosis Facility Project. The original loan amount may be reduced by future award of CA Proposition 1 funds. A portion of the debt service costs of this loan will be paid by funding from the MWD and SDCWA Local Resources; and approve the execution of a Third Amendment to the Design Build Agreement for the MFRO Facility. Also request a budget adjustment to the Wastewater Enterprise Fund budget to pay engineering and construction costs of the amendment. The cost of the MFRO, product water pipeline, and pump station is \$65.5 million. Sources of funding are a CA Proposition 84 grant, a US Bureau of Reclamation Title XVI grant, an SRF Loan, MWD and SDCWA Local Resources Program funds, and Wastewater Fund CIP Reserves. Approved unanimously.

16. FUTURE AGENDA ITEM POLICY -

Request the City Council review the policy that allows for Councilmembers to place items on the Future Agenda per Deputy Mayor Morasco's request during the December 16, 2020 City Council Meeting. (File No. 0610-90)

Staff Recommendation: **None (Deputy Mayor Michael Morasco)**

Aisha Wallace-Palomares – Expressed opposition to the item.

Ana Marie Velasco – Expressed opposition to the item.

Danielle Coony – Expressed opposition to the item.

Donica Hart – Expressed opposition to the item.

Gloria Conejo - Expressed opposition to the item.

Laura Hunter – Expressed opposition to the item.

Marisa Allen – Expressed opposition to the item.

Olga Diaz - Expressed opposition to the item.

Pam Albergo – Expressed opposition to the item.

Penn Diehl - Expressed opposition to the item.

Sean Fawley – Expressed opposition to the item.

Elizabeth Castro - Expressed opposition to the item.

Vinh An Le – Expressed opposition to the item.

Danielle Polson – Expressed opposition to the item.

Juan Vargas - Expressed opposition to the item.

Vanessa Valenzuela - Expressed opposition to the item.

Justin Joseph - Expressed opposition to the item.

Patricia Borchmann - Expressed opposition to the item.

NO COUNCIL ACTION ON THIS ITEM.

17. REVIEW OF CITY COUNCIL MEETING START TIME -

Request the City Council review the time that City Council meetings are held per Deputy Mayor Morasco's request during the December 16, 2020 City Council Meeting. (File No. 0610-90)

Staff Recommendation: **None (Deputy Mayor Michael Morasco)**

Ana Marie Velasco – Expressed opposition to the item.

Joe Masso - Expressed opposition to the item.

Kevi Stephenson - Expressed opposition to the item.

Juan Vargas - Expressed opposition to the item.

Vanessa Valenzuela - Expressed opposition to the item.

Elizabeth Castro - Expressed opposition to the item.

Barbara Letsom – Expressed opposition to the item.

Danielle Coony – Expressed opposition to the item.

Danielle Polson - Expressed opposition to the item.

Donica Hart – Expressed opposition to the item.

Gloria Conejo - Expressed opposition to the item.

Katherine Salazar – Expressed opposition to the item.

Laura Hunter – Expressed opposition to the item.

Maria Wallace - Expressed opposition to the item.

Marisa Allen – Expressed opposition to the item.

Pam Albergo – Expressed opposition to the item.

Penn Diehl - Expressed opposition to the item.

Polett Schafer – Expressed opposition to the item.

Sandra Lang – Expressed opposition to the item.

Vinh An Le – Expressed opposition to the item.

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Inscocoe to change the meeting start time for Closed Session to 4:00 p.m. and the Open Session start time to 5:00 p.m. Approved 3-2 (McNamara, Martinez - No)

18. 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: Zack Beck)**

Mayor McNamara - Requests that the City Attorney provide a presentation regarding COVID-19 Public Health Order Enforcement.

Councilmember Inscoc – Requests that an item be placed on the agenda for the exemption on three pipeline projects; campaign finance.

Councilmember Garcia – Requests and item be placed on the agenda to discuss the possibility of having members of the public speak via videoconference during Council meetings.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS AND OTHER REPORTS

Deputy Mayor Morasco - Attended a RSWA meeting.

Councilmember Garcia - Discussed the impacts of COVID-19.

Councilmember Martinez - Attended California League of Cities Meeting.

Councilmember Inscoc - Toured El Carballo Park.

Mayor McNamara - Met with various community organizations. Encouraged the public to follow COVID-19 Health Protocols.

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. This report is also available on the City's website, www.escondido.org.

- **WEEKLY ACTIVITY REPORT -**

ORAL COMMUNICATIONS

None.

ADJOURNMENT

Mayor McNamara adjourned the meeting at 8:11 p.m.

DocuSigned by:
Paul McNamara
CAACE20782954D3...
MAYOR

DocuSigned by:
Zack Beck
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CITY CLERK

