

**CITY OF ESCONDIDO**  
**March 21, 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, March 21, 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 Deputy Mayor Masson and seconded by Councilmember Diaz 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:** Maintenance & Operations, Teamsters Local 911
  - II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**
    - a. **Case Name:** Ellen Erwet, et al. v. KB Home California, LLC, et al.
    - Case No:** 37-2017-00025068-CU-PO-NC
  - III. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
    - a. **Property:** 480 North Spruce Street, APN 232-091-28-00;  
455 North Quince Street, APN 232-091-27-00;  
525 North Quince Street, APN 232-091-06-00
    - City Negotiator:** Jeffrey Epp, City Manager
    - Negotiating Parties:** RAF Pacifica
    - Under Negotiation:** Price and Terms of Agreement
- DEPUTY MAYOR MASSON ABSTAINED FROM ITEM III. A. AND LEFT THE CLOSED SESSION ROOM.**
- IV. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))**
    - a. One Case: Claim No. 4870
    - b. One Case: Claim Nos. 4871/4872
    - c. One Case: Claim No. 4962

**ADJOURNMENT**

Mayor Abed adjourned the meeting at 4:30 p.m.

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MAYOR

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CITY CLERK

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DEPUTY CITY CLERK

**CITY OF ESCONDIDO**  
**March 21, 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 4:34 p.m. on Wednesday, March 21, 2018 in the City Council Chambers at City Hall with Mayor Abed presiding.

**MOMENT OF REFLECTION**

Greg Lane led the Moment of Reflection.

**FLAG SALUTE**

Councilmember Gallo 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 McGuinness, City Attorney; Bill Martin, Director of Community Services; Julie Procopio, Director of Engineering Services; Diane Halverson, City Clerk; and Jennifer Ekblad, Deputy City Clerk.

**ORAL COMMUNICATIONS**

**CONSENT CALENDAR**

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve all 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: A) Regular Meeting of February 14, 2018 B) Special Meeting of February 28, 2018 C) Special Meeting of March 7, 2018**
- 4. NOTICE OF COMPLETION FOR SOLUTIONS FOR CHANGE (PHG 15-0009, SUB 15-0008) LOCATED AT 1560 SOUTH ESCONDIDO BOULEVARD -**  
Request the City Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Solutions for Change Project (PHG15-0009, SUB15-0008). (File No. 0800-40)

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

**5. CITY OF ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT - PRELIMINARY ENGINEER'S REPORT FOR ZONES 1-38 FOR FISCAL YEAR 2018/19 -**

Request the City Council approve initiating the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 38 for the 2018/2019 Fiscal Year, approve the preliminary Engineer's Report for LMD Zones 1 through 38, and set a public hearing date of May 2, 2018, for LMD Zones 1 through 38. (File No. 0685-10)

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

A) RESOLUTION NO. 2018-31 B) RESOLUTION NO. 2018-32

**6. ANNUAL PROGRESS REPORT ON THE IMPLEMENTATION OF THE GENERAL PLAN AND ANNUAL HOUSING ELEMENT REPORT (PHG 18-0001) -**

Request the City Council review and receive the General Plan Annual Progress Report and the 2017 Annual Housing Report, documenting the City's progress and compliance with State housing law on implementing the 2013-2020 Housing Element of the General Plan, and authorize submittal of the Reports to the State Office of Planning and Research (OPR), the State Department of Housing and Community Development (HCD), and SANDAG. (File No. 0830-07)

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

**7. REQUEST FOR AUTHORIZATION TO PROCESS A GENERAL PLAN TEXT AMENDMENT TO THE SUBURBAN LAND-USE DESIGNATION RELATED TO A PROPOSED RESIDENTIAL-CARE FACILITY LOCATED AT 1802 NORTH CENTRE CITY PARKWAY (PHG 17-0025) -**

Request the City Council approve authorizing the processing of the proposed text Amendment to the General Plan to allow building height up to three stories for non-residential structures within the residential Suburban land-use designation. (File No. 0830-20)

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

**8. EXTENSION OF TIME FOR A TENTATIVE SUBDIVISION MAP AND MASTER AND PRECISE DEVELOPMENT PLAN - AMANDA ESTATES DEVELOPMENT LOCATED AT 2115 AMANDA LANE (SUB 13-0007 AND PHG 13-0034) -**

Request the City Council approve a three-year extension of time for a 21-lot single-family residential planned development. (File No. 0800-40)

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

RESOLUTION NO. 2018-30

**9. EXTENSION OF TIME (SUB 17-0035) FOR A TENTATIVE SUBDIVISION MAP, CONDITIONAL USE PERMIT AND GRADING EXEMPTIONS LOCATED AT 383 IDAHO AVENUE (CITY FILE NOS.TR 848 AND 2005-56-CUP/GE) -**

Request the City Council approve a three-year extension of time for a nine-lot single-family residential subdivision. (File No. 0800-10)

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

RESOLUTION NO. 2018-34

**10. SANDAG ACTIVE TRANSPORTATION GRANT PROGRAM APPLICATION FOR COMPREHENSIVE ACTIVE TRANSPORTATION STRATEGIES PLAN -**

Request the City Council approve authorizing the Director of Community Development or his designee to complete an application to SANDAG for the Active Transportation Grant Program and to execute agreements if the grant is funded. (File No. 1020-71)

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

RESOLUTION NO. 2018-35

**11. UPDATE OF CHAPTER 22 OF THE ESCONDIDO MUNICIPAL ORDINANCE -**

Request the City Council approve updating Chapter 22 of the Escondido Municipal Code to establish and clarify existing regulations and policies related to wastewater and storm water. (File No. 0680-50)

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

ORDINANCE NO. 2018-01 (First Reading and Introduction)

**12. SIXTH AMENDMENT TO COMMERCIAL PROPERTY PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS: 700 WEST GRAND AVENUE -**

Request the City Council approve authorizing the Real Property Manager and the City Clerk to execute a Sixth Amendment to the Commercial Property Agreement and Joint Escrow Instructions for the sale of 700 West Grand Avenue to Lyon-Integral Escondido Gateway, LLC. (File No. 0690-20)

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

RESOLUTION NO. 2018-41

**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.)

**13. AMENDMENT TO ARTICLE 57 (MISCELLANEOUS USE RESTRICTIONS) OF THE ESCONDIDO ZONING CODE AND AMENDMENT TO ARTICLE 11 OF CHAPTER 17 (OFFENSES - MISCELLANEOUS PROVISIONS) OF THE ESCONDIDO MUNICIPAL CODE (AZ 17-0005) -**

Approved on February 14, 2018 with a vote of 5/0 (File No. 0810-20)

ORDINANCE NO. 2018-03R (Second Reading and Adoption)

**PUBLIC HEARINGS**

**14. REVIEW AND RE-AFFIRM COMMUNITY DEVELOPMENT PRIORITIES OF THE FISCAL YEARS 2015-2019 CONSOLIDATED PLAN AND APPROVE ALLOCATION PROCESS FOR FISCAL YEAR 2018-2019 FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND EMERGENCY SOLUTIONS GRANT (ESG) FUNDING -**

Request City Council review and re-affirm the community development priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for CDBG; approve an allocation process for Fiscal Year 2018-2019 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities of the Consolidated Plan, and the maximum 20 percent allowable for administration of the CDBG program; authorize the release of a Request for Proposals (RFP) for public services and community redevelopment activities; review and re-affirm the homelessness and homelessness prevention priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for ESG; and authorize the release of a Notice of Funding Availability (NOFA) for organizations providing

assistance to persons experiencing homelessness or at risk of homelessness within the City. (File No. 0870-10; 0871-11)

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

Karen Youel, Housing and Neighborhood Services Manager, 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.

**Mirjana Rodriguez**, representative from Education Compact, thanked Council for supporting youth and the pilot program; and shared information regarding pilot program funded by ESG.

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

**MOTION:** Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to re-affirm the community development priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for CDBG; approve an allocation process for Fiscal Year 2018-2019 CDBG funds to utilize the maximum 15 percent allowable for public service activities to address the priorities of the Consolidated Plan, and the maximum 20 percent allowable for administration of the CDBG program; authorize the release of a Request for Proposals (RFP) for public services and community redevelopment activities; re-affirm the homelessness and homelessness prevention priorities adopted in the Amended 2015-2019 Five-Year Consolidated Plan for ESG; and authorize the release of a Notice of Funding Availability (NOFA) for organizations providing assistance to persons experiencing homelessness or at risk of homelessness within the City. Motion carried unanimously.

**15. SERIES OF ACTIONS TO IMPLEMENT THE SOUTH CENTRE CITY SPECIFIC PLAN (PHG 15-0003 / ENV 17-0005) -**

Request the City Council approve an Initial Study/Negative Declaration, and an amendment to the General Plan to change the land use designation of all properties within the planning area to Specific Plan #15 to support the South Centre City Specific Plan proposal; and approve the South Centre City Specific Plan, amending the Citywide Zoning Map, repealing the South Escondido Boulevard Area Plan, and adopting the Zoning Code Amendments to Articles 44 and 65 to support implementation of the South Centre City Specific Plan (File No. 0800-70)

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

A) RESOLUTION NO. 2018-20 B) ORDINANCE NO. 2018-04 (First Reading and Introduction)

Mike Strong, Assistant Director of Planning, and Claudia Tedford, Consultant, 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. No one asked to be heard; therefore, he closed the public hearing.

**MOTION:** Moved by Deputy Mayor Masson and seconded by Councilmember Gallo to approve an Initial Study/Negative Declaration, and an amendment to the General Plan to change the land use designation of all properties within the planning area to Specific Plan #15 to support the South Centre City Specific Plan proposal; and approve the South Centre City Specific Plan, amending the Citywide Zoning Map, repealing the South Escondido Boulevard Area Plan, and adopting the Zoning Code Amendments to Articles 44 and 65 to support implementation of the South Centre City Specific Plan and adopt Resolution No. 2018-20 and introduce Ordinance No. 2018-04. Motion carried unanimously.

**16. AMENDMENT TO ARTICLE 37 (PUBLIC ART) OF THE ESCONDIDO ZONING CODE (AZ 18-0001) -**

Request the City Council approve an amendment to the Escondido Zoning Code pertaining to Article 37 (Public Art) involving: 1) amending the number of Public Art Commissioners from seven (7) to five (5) members; and 2) amend the Public Art Commissioner eligibility requirements to include allowing up to two members being employed by a business in the Escondido Planning Area. (File No. 0810-20)

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

ORDINANCE NO. 2018-05 (First Reading and Introduction)

Jay Petrek, Assistant City Manager, 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. No one asked to be heard; therefore, he closed the public hearing.

**MOTION:** Moved by Councilmember Morasco and seconded by Deputy Mayor Masson to approve an amendment to the Escondido Zoning Code pertaining to Article 37 (Public Art) involving: 1) amending the number of Public Art Commissioners from seven (7) to five (5) members; and 2) amend the Public Art Commissioner eligibility requirements to include allowing up to two members being employed by a business in the Escondido Planning Area and introduce Ordinance No. 2018-05. Motion carried unanimously.

## CURRENT BUSINESS

**17. REQUEST THAT THE CITY COUNCIL CONSIDER AMENDMENTS TO THE CAMPAIGN CONTROL ORDINANCE IN THE ESCONDIDO MUNICIPAL CODE AND PROVIDE DIRECTION FOR FINAL CHANGES AND ADOPTION -**

Request the City Council consider amendments to Chapter 2, Article 7 of the Escondido Municipal Code to modernize and simplify the City's Campaign Control Ordinance by (1) modifying the definitions of "Committee" and "Contribution"; (2) eliminating the restrictions on extensions of credit greater than 30 days and greater than \$500; (3) eliminating section 2-104, which relates to campaign checking accounts; (4) allowing for expenditures by electronic payment; (5) modifying or eliminating the petty cash fund restrictions; and (6) modifying or eliminating the cash and anonymous contribution restrictions; and provide direction and feedback on these suggested changes and any other potential amendments which would be brought back for adoption. (File No. 0680-50)

Staff Recommendation: **Provide Direction (City Attorney's Office: Michael McGuinness)**

Allegra Frost, Deputy City Attorney, presented the staff report utilizing a PowerPoint presentation.

**M. Greg Dean, Escondido,** questioned campaign contributions in Escondido compared to other communities and requested Council reduce the amount.

**Patricia Borchmann, Escondido,** suggested an amendment to the ordinance regarding attachment "A" to the staff report and requested the item be postponed.

**MOTION:** Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to provide direction to staff to amend Chapter 2, Article 7 of the Escondido Municipal Code by modifying the definitions of "Committee" and "Contribution", eliminating the restrictions on extensions of credit greater than 30 days and greater the \$500, eliminating section 2-104 which relates to campaign checking accounts, allow for expenditures by electronic payment, eliminate the petty cash fund restrictions, allow cash contributions over \$100, and raise the contribution limit to \$4300. Motion carried unanimously.

**18. ANNUAL APPOINTMENTS TO BOARDS AND COMMISSIONS -**

Request the City Council ratify the Mayor's appointments to serve on the following Boards and Commissions; terms to expire March 31, 2022 except as noted. (File No. 0120-10)

Staff Recommendation: **Ratify the Mayor's Appointments (City Clerk's Office: Diane Halverson)**

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Diaz to ratify the Mayor's appointment of Chris Christakos, Robert McQuead, and Barry Speer to the Building Advisory and Appeals Board; Frederick Franklin Jr., Miranda Hernandez (Youth Member), Christian Maehler, and Karen Spann to the Community Services Commission; Marc Correll, Errol Cowan, Nicole Purvis, and James Spann to the Historic Preservation Commission; Elmer Cameron to the Library Board of Trustees; Joe Garcia, James McNair, and Mark Watson to the Planning Commission; Matthew Cowell, Patricia Spann, and Ana Marie Velasco to the Public Art Commission; William Durney, Rachel Kassebaum, and Robert Korbecki to the Transportation and Community Safety Commission. Motion carried unanimously.

**19. 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 adopt Resolution No. 2018-37, approving the intention to amend the contract between the City of Escondido (City) 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 Escondido Police Officers' Association/Safety Unit (POA) and Firefighters' Association (FFA) Bargaining Unit CalPERS Classic members, Government Code Section 20516; and introduce the first reading of Ordinance No. 2018-06 amending the contract between the City and CalPERS to provide employees sharing an additional cost of one percent for POA and FFA CalPERS Classic members, Government Code Section 20516. (File No. 0720-40)

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

A) RESOLUTION NO. 2018-37 B) ORDINANCE NO. 2018-06 (First Reading and Introduction)

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

**MOTION:** Moved by Deputy Mayor Masson and seconded by Councilmember Diaz to adopt Resolution No. 2018-37, approving the intention to amend the contract between the City of Escondido (City) 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 Escondido Police Officers' Association/Safety Unit (POA) and Firefighters' Association (FFA) Bargaining Unit CalPERS Classic members, Government Code Section 20516; and introduce the first reading of Ordinance No. 2018-06 amending the contract between the City and CalPERS to provide employees sharing an additional cost of one percent for POA and FFA CalPERS Classic members, Government Code Section 20516 and adopt Resolution No. 2018-37 and introduce Ordinance No. 2018-06. Motion carried unanimously.

**20. PROPOSED CHANGES TO ANNUAL INVENTORY OF CITY FEES -**

Request the City Council approve authorizing new City fees, making changes to certain existing fees for services, and deleting fees for services that are no longer used. (File No. 0480-45)

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

RESOLUTION NO. 2018-29

Christina Holmes, Revenue Manager, presented the staff report utilizing a PowerPoint presentation.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve authorizing new City fees, making changes to certain existing fees for services, and deleting fees for services that are no longer used and adopt Resolution No. 2018-29. Motion carried unanimously.



## **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**

## **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**

**Adeola Ade-Ekisola, Escondido**, expressed concern regarding her missing children and commented that her parenting rights and civil rights have been violated.

## **ADJOURNMENT**

Mayor Abed adjourned the meeting at 7:02 p.m.

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MAYOR

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CITY CLERK

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DEPUTY CITY CLERK