

CITY OF ESCONDIDO
October 23, 2019
5:30 P.M. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on Wednesday, October 23, 2019 in the City Council Chambers at City Hall with Mayor McNamara presiding.

ATTENDANCE:

The following members were present: Deputy Mayor Consuelo Martinez, Councilmember Michael Morasco, Councilmember John Masson, Councilmember Olga Diaz and Mayor Paul McNamara. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/RRB)

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

- a. **Case Name:** Citizens Development Corporation v. County of San Diego, et al., U.S. District Court
Case No: 12-CV-0334 GPC (KSC)

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))

- a. One Case - Claim No. 5156
b. 7th Avenue Flood

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:57 p.m.

DocuSigned by:

Paul McNamara

CAACE20782954D3...
MAYOR

DocuSigned by:

Jack Beck

A58535D08BDC1430...
CITY CLERK

CITY OF ESCONDIDO
October 23, 2019
6:00 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on Wednesday, October 23, 2019 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

Paul McNamara, Mayor, led the flag salute.

ATTENDANCE

The following members were present: Councilmember Olga Diaz, Deputy Mayor Consuelo Martinez, Councilmember John Masson, Councilmember Michael Morasco, and Mayor Paul McNamara. Quorum present.

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

PROCLAMATIONS

Mayor Paul McNamara read a proclamation for Breast Cancer Awareness Month

PRESENTATIONS

Rick Vogt, Fire Chief, provided a presentation regarding the Fire Explorer Program

Jay Petrek, Assistant City Manager, provided a presentation regarding the California Center for the Arts

CLOSED SESSION REPORT

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

- a. **Case Name:** Citizens Development Corporation V. County of San Diego, et al., U.S. District Court
- Case No:** 12-CV-0334 GPC (KSC)

The Council voted unanimously to authorize a settlement with Hollandia Dairy.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))

- b. One Case - Claim No. 5156
- c. 7th Avenue Flood

The Council voted unanimously to give the City Attorney authority to settle claims associated with the 7th Avenue Flood.

ORAL COMMUNICATIONS

Don Greene - Informed the City Council about the upcoming Vet Fest on November 11, 2019.

Ana Marie Velasco - Public Art Commissioner. Expressed gratitude to the City Council for the budget process, moving the City Council meetings to 6:00 p.m., and setting up the Community Advisory Groups.

James Contino - Member of the North County YIMBY Group. Expressed disappointment that the City Council did not approve the Aspire project.

Ravi Gopinathan - Member of the North County YIMBY Group. Requested that the City Council approve more affordable housing near transit in Escondido.

Chris Hodge - Expressed concern about a stop sign on Eucalyptus Avenue.

CONSENT CALENDAR

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:

- 335080 – 335299 dated October 2, 2019
- 335300 – 335509 dated October 9, 2019

Staff Recommendation: **Approval (Finance Department: Joan Ryan)**

3. APPROVAL OF MINUTES: Regular Meeting of October 9, 2019

4. 2020 CENSUS COMPLETE COUNT OUTREACH GRANT -

Request the City Council accept a 2020 Census Complete Count Outreach Grant in the amount of \$77,636.81 from San Diego Association of Governments (SANDAG); authorize the Director of Communications and Community Services, or her designee, to execute the Memorandum of Understanding documents on behalf of the City of Escondido; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

Staff Recommendation: **Approval (Communications and Community Services Department: Joanna Axelrod)**

5. BUDGET ADJUSTMENT TO ADD TWO FULL-TIME POSITIONS TO THE WASTEWATER FUND AND ONE FULL-TIME POSITION TO THE WATER FUND -

Request the City Council approve a budget adjustment to the Wastewater Fund Operating Budget for \$229,200 in order to add two full-time Wastewater Treatment Plant Operator positions, and approve a budget adjustment to the Water Fund Operating Budget for \$146,175 to add one full-time Control System Technician Supervisor position. (File No. 0430-80)

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

6. SALE OF APN 233-022-21 AND APN 233-022-23 (PORTION) TO 555 WEST GRAND AVENUE, LLC -

Request the City Council approve authorizing the Mayor to execute documents necessary for the sale of APN 233-022-21 and APN 233-022-23 (portion) to 555 West Grand, LLC. (File No. 0690-10)

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

RESOLUTION NO. 2019-154

7. BID AWARD FOR THE 2019 STREET REHABILITATION AND MAINTENANCE PROJECT REBID -

Request the City Council approve authorizing the Mayor and City Clerk to execute a Public Improvement Agreement in the amount of \$5,062,218 with Eagle Paving Company Inc., determined to be the lowest responsive and responsible bidder, for the Rebid 2019 Street Rehabilitation and Maintenance Project. (File No. 0600-10 A-3306)

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

RESOLUTION NO. 2019-160

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.)

8. TENTATIVE SUBDIVISION MAP, MASTER AND PRECISE DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT FOR A 32-UNIT MIXED-USE CONDOMINIUM PROJECT AT 555 W. GRAND AVENUE (SUB 18-0008; PHG 18-0021) -

Approved on October 9, 2019 with a vote of 5/0

ORDINANCE NO. 2019-15 (Second Reading and Adoption)

MOTION: Moved by Council Member Diaz and seconded by Council Member Masson to approve all Consent Calendar items. Approved unanimously.

PUBLIC HEARINGS

9. SHORT-FORM RENT INCREASE APPLICATION FOR IMPERIAL ESCONDIDO MOBILE ESTATES MOBILEHOME PARK -

Request the City Council approve granting an increase of 3.00 percent, as agreed upon by the Resident Representative and Park Representative. This is less than the allowable increase of 75 percent of the change in the Consumer Price Index, or 4.926 percent for the period of December 31, 2016 to December 31, 2018. (File No. 0697-20-10216)

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

RRB RESOLUTION NO. 2019-04

Belinda Rojas, Program Administrator, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Jenna Wiemann - Park representative. Expressed gratitude to the Imperial Escondido Mobile Home Estates Mobile Home Park staff and residents for their work on this item.

Christine Damien - Resident representative. Expressed support for the agreement that was established between the park and the residents.

Larry Steneck - Resident of Imperial Mobile Home Park. Expressed support for the agreement.

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Morasco, seconded by Council Member Diaz to approve granting an increase of 3.00 percent, as agreed upon by the Resident Representative and Park Representative. This is less than the allowable increase of 75 percent of the change in the Consumer Price Index, or 4.926 percent for the period of December 31, 2016 to December 31, 2018. Approved unanimously.

10. CONTINUED DISCUSSION OF A DOWNTOWN SPECIFIC PLAN AMENDMENT AND MASTER AND PRECISE DEVELOPMENT PLAN FOR THE QUINCE STREET SENIOR HOUSING PROJECT (PHG 17-0028) -

Request the City Council re-open the Public Hearing continued from September 25, 2019, and introduce Ordinance No. 2019-12 approving an amendment to the Downtown Specific Plan and a new Planned Development for the Quince Street Senior Housing Project located at 220 N. Quince Street (APN 229-331-10-00). (File No. 0800-70)

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

ORDINANCE NO. 2019-12 (First Reading and Introduction)

Adam Finestone, Principal Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Matthew Jumper - Project applicant. Expressed support for the project. Expressed concern about Condition F-14 of the agreement to not maintain the landscaped area.

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Morasco, seconded by Council Member Masson to introduce Ordinance No. 2019-12 approving an amendment to the Downtown Specific Plan and a new Planned Development for the Quince Street Senior Housing Project located at 220 N. Quince Street (APN 229-331-10-00). Including the modification of Condition F-14 to require the City of Escondido to maintain the creek improvements. As well as including three non-restricted units to the project. Motion Failed 2-3 (McNamara, Martinez, Diaz - No).

MOTION: Moved by Council Member Diaz, seconded by Deputy Mayor Martinez to introduce Ordinance No. 2019-12, amend Subsection 6 (B) of Ordinance 2019-12, to require open space reduction up to 50 percent, subject to the Planned Development application process, or Development Agreement process, in exchange for alternative open space benefitting the public, for the Quince Street Senior Housing Project located at 220 N. Quince Street (APN 229-331-10-00). Including the modification of Condition F-14 to require the City of Escondido to maintain the creek improvements. As well as including three unrestricted units to the project. Approved unanimously.

****Council Member Morasco left the meeting at 8:12 P.M.****

11. MASTER AND PRECISE DEVELOPMENT PLAN MODIFICATION FOR CITY PLAZA (CASE NO. PHG 17-0026) -

Request the City Council approve modifying the Master and Precise Development Plan related to residential density and commercial land uses for an existing mixed-use building located at 300 - 328 S. Escondido Boulevard (City Plaza). (File No. 0800-70)

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

ORDINANCE NO. 2019-14 (First Reading and Introduction)

Adam Finestone, Principal Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Masson, seconded by Council Member Diaz to approve modifying the Master and Precise Development Plan related to residential density and commercial land uses for an existing mixed-use building located at 300 - 328 S. Escondido Boulevard (City Plaza). Approved with four yes votes. Council Member Morasco absent.

12. EAST GROVE SPECIFIC PLAN AMENDMENT (PHG 19-0023) -

Request the City Council approve amending the East Grove Specific Plan to modify trail development standards within the planning area to provide for a different construction type and/or conversion to landscaping or open space. (File No. 0800-70)

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

RESOLUTION NO. 2019-157

Mike Strong, Assistant Planning Director, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Charlotte Kutileh - Homeowner in Hidden Trails. Stated concerns with the trails near the project.

Anthony Lynn - Resident of Hidden Trails. Expressed concern about the decomposed granite

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Masson, seconded by Council Member Diaz to approve amending the East Grove Specific Plan to modify trail development standards within the planning area to provide for a different construction type and/or conversion to landscaping or open space. Approved with four yes votes. Council Member Morasco absent.

CURRENT BUSINESS

13. FINANCIAL STATUS REPORT FOR FISCAL YEAR 2018/19 AND BUDGET ADJUSTMENT FOR FISCAL YEAR 2018/19-

Request the City Council receive and file the annual financial status report for Fiscal Year 2018/19; approve the budget adjustment to distribute the General Fund year-end operating results of \$1,499,000 to fund specific operating needs totaling \$751,000; and to transfer the remaining balance of \$748,000 to the Section 115 Irrevocable Pension Trust. (File No. 0430-30, 04430-80)

Staff Recommendation: **Approval (Finance Department: Joan Ryan)**

MOTION: Moved by Council Member Masson, seconded by Deputy Mayor Martinez to receive and file the annual financial status report for Fiscal Year 2018/19; approve the budget adjustment to distribute the General Fund year-end operating results of \$1,499,000 to fund specific operating needs totaling \$751,000; and to transfer the remaining balance of \$748,000 to the Section 115 Irrevocable Pension Trust. Approved with four yes votes. Council Member Morasco absent.

14. FINANCING PLAN AND LEGAL DOCUMENTS FOR THE ISSUANCE OF THE 2019 WATER SYSTEM REVENUE REFUNDING BONDS -

Request the City Council approve the issuance and sale of the Escondido Joint Powers Financing Authority Water System Revenue Refunding Bonds, Series 2019, in an aggregate principal amount not to exceed \$56,000,000 to refund the Water Revenue Certificates of Participation, Series 2007 and to refund the Water Revenue Bonds, Series 2012; delegate authority to the City's Financing Team, as defined herein, to determine whether to refund the 2012 Bonds dependent upon market conditions at the time of bond pricing; authorize the City Manager, or his designee, to execute all documents related to this transaction; and authorize the necessary revenue expenditure budget adjustments for all transactions associated with the issuance of these Refunding Bond issues. (File No. 0440-50)

Staff Recommendation: **Approval (Finance Department: Joan Ryan and Utilities Department: Christopher W. McKinney)**

A) RESOLUTION NO. 2019-150 B) EJPFA 2019-01

MOTION: Moved by Council Member Diaz, Second by Council Member Masson to approve the issuance and sale of the Escondido Joint Powers Financing Authority Water System Revenue Refunding Bonds, Series 2019, in an aggregate principal amount not to exceed \$56,000,000 to refund the Water Revenue Certificates of Participation, Series 2007 and to refund the Water Revenue Bonds, Series 2012; delegate authority to the City's Financing Team, as defined herein, to determine whether to refund the 2012 Bonds dependent upon market conditions at the time of bond pricing; authorize the City Manager, or his designee, to execute all documents related to this transaction; and authorize the necessary revenue expenditure budget adjustments for all transactions associated with the issuance of these Refunding Bond issues. Approved with four yes votes. Council Member Morasco absent.

FUTURE AGENDA

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)**

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. 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 8:58 p.m.

DocuSigned by:

Paul McNamara

CAACE20782954D3...

MAYOR

DocuSigned by:

Jack Beck

A58535D0BDC1430...

CITY CLERK