

CITY OF ESCONDIDO

**July 15, 2020
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 July 15, 2020 via Video Conference 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

Paul McNamara, Mayor, led the Flag Salute

ATTENDANCE

The following members were present: Councilmember Olga Diaz, Deputy Mayor Consuelo Martinez, Councilmember 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.

CLOSED SESSION REPORT

None.

ORAL COMMUNICATIONS

Stephen Ruffner – President, KB Home Coastal, requested that the City of Escondido follow the Subdivision Map Act and make a choice on how to address a single condition to the Final Map related to an already-existing drainage pipe that drains onto County land.

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve all consent calendar item 14 and 17. 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:

342898 343093 dated June 17, 2020

343094 343367 dated June 24, 2020

343368 343576 dated July 1, 2020

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

3. APPROVAL OF MINUTES: None Scheduled

4. RESOLUTION DECLARING A CITY-OWNED PARCEL (APN 232-082-09) LOCATED AT 235 EAST GRAND AVENUE AS EXEMPT SURPLUS LAND -

Request the City Council approve declaring the City-owned parcel (APN 232-082-09) at 235 East Grand Avenue as exempt surplus land and allow for the disposal of the parcel.

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

RESOLUTION NO. 2020-95

5. RESOLUTION DECLARING A VACANT CITY-OWNED PARCEL (APN 225-270-54) ON EAST WASHINGTON AVENUE AS SURPLUS LAND -

Request City Council approve declaring the vacant City-owned parcel (APN 225-270-54) on East Washington Avenue as surplus land and allow for the disposal of the parcel.

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

RESOLUTION NO. 2020-96

6. ORDINANCE AMENDING CHAPTER 10, ARTICLES 1, 5 AND 6 OF THE ESCONDIDO MUNICIPAL CODE FOR THE PROCUREMENT OF GOODS, SERVICES, AND PUBLIC PROJECTS -

Request City Council approve amending Chapter 10, Articles 1, 5 and 6 of the Escondido Municipal Code for to the procurement of goods, services and public projects to update the City of Escondido's purchasing policies and procedures.

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

ORDINANCE NO. 2020-17 (First Reading and Introduction)

7. APPLICATION FOR THE ACTIVE TRANSPORTATION PROGRAM GRANT FUNDS -

Request the City Council approve authorizing the Director of Community Development or his designee to apply for \$230,000 in Active Transportation Program funds to develop a Comprehensive Active Transportation Strategy plan in the City of Escondido; and if awarded, to accept the grant funds, complete a budget adjustment, and complete grant documents on behalf of the City of Escondido.

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

RESOLUTION NO. 2020-92

8. BID AWARD FOR HALE AVENUE RESOURCE RECOVERY FACILITY PERIMETER SECURITY FENCING AND GATES PROJECT -

Request the City Council approve the bid award and authorize the Mayor and City Clerk to execute a Public Services Agreement with Red Hawk Services, Inc., dba Red Hawk Fence. Red Hawk Fence was the lowest responsive and responsible bidder, in the amount of \$551,256.61 for the Hale Avenue Resource Recovery Facility ("HARRF") Perimeter Security Fencing and Gates Project.

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

RESOLUTION NO. 2020-94

9. APPROVAL OF CALPERS INDUSTRIAL DISABILITY FOR FIRE CAPTAIN KENNETH HEAD -

Request the City Council approve the California Public Employees' Retirement System ("CalPERS") Industrial Disability Retirement for Fire Captain Kenneth Head.

Staff Recommendation: **Approval (Human Resources Department: Jessica Perpetua)**

RESOLUTION NO. 2020-93

10. SAN DIEGO REGIONAL FIRE FOUNDATION \$13,328.00 DONATION TO FUND FIRE DEPARTMENT COVID19 SAFETY SUPPLIES -

Request the City Council accept \$13,328.00 in funding from the San Diego Regional Fire Foundation to purchase COVID19 related supplies and equipment. It is also requested that the City Council authorize the Fire Chief to execute, on behalf of the City of Escondido, all documents required for the management of this grant and that the City Council authorize the necessary budget adjustment to establish a new project number to track these grant funds.

Staff Recommendation: **Approval (Fire Department: Rick Vogt)**

11. STATE REVOLVING FUND INSTALLMENT SALE AGREEMENT FOR THE RECYCLED WATER DISTRIBUTION SYSTEM -

Request the City Council approve authorizing the Director of Utilities to execute an Installment Sale Agreement in the amount of \$4.3 million from the State Water Resources Control Board, Division of Financial Assistance. If approved, the loan issued from the State Revolving Fund will be used for construction costs of the distribution system to bring recycled water from the Hogback Reservoir to individual agricultural customer meters.

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

RESOLUTION NO. 2020-56

12. SETTING SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 2000-01 (HIDDEN TRAILS) -

Request the City Council approve setting the Special Tax Levy for Community Facilities District No. 2000-01 (Hidden Trails) for Fiscal Year 2020-21.

Staff Recommendation: **Adopt and File (Finance Department: Christina Holmes)**

RESOLUTION NO. 2020-78

13. SETTING SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 2006-01 (EUREKA RANCH) -

Request the City Council approve setting the Special Tax Levy for Community Facilities District No. 2006-01 (Eureka Ranch) for Fiscal Year 2020-21.

Staff Recommendation: **Adopt and File (Finance Department: Christina Holmes)**

RESOLUTION NO. 2020-77

14. RENEW SIGNATURE AUTHORIZATIONS FOR INVESTING CITY FUNDS IN THE LOCAL AGENCY INVESTMENT FUND -

Request the City Council approve renewing authorization to invest monies not required for immediate cash flow needs in the Local Agency Investment Fund ("LAIF"), which is administered by the State Treasury in accordance with Section 16429.1 of California Government Code.

Staff Recommendation: **Approval (Finance Department: Christina Holmes, City Treasurer's Office: Douglas Shultz)**

RESOLUTION NO. 2020-86

MOTION: Moved by Deputy Mayor Martinez and seconded by Councilmember Morasco to approve renewing authorization to invest monies not required for immediate cash flow needs in the Local Agency Investment Fund ("LAIF"), which is administered by the State Treasury in accordance with Section 16429.1 of California Government Code. Approved unanimously

- 15. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ECEA - ADMINISTRATIVE, CLERICAL, ENGINEERING ("ACE") BARGAINING UNIT -**
Request the City Council approve a successor ECEA - Administrative, Clerical, Engineering ("ACE") Bargaining Unit contract.

Staff Recommendation: **Approval (Human Resources Department: Jessica Perpetua)**

RESOLUTION NO. 2020-102

- 16. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE ECEA - SUPERVISORY ("SUP") BARGAINING UNIT -**
Request the City Council approve a successor ECEA - Supervisory ("SUP") Bargaining Unit contract.

Staff Recommendation: **Approval (Human Resources Department: Jessica Perpetua)**

RESOLUTION NO. 2020-103

- 17. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ESCONDIDO AND THE POLICE - NON-SWORN ("NSP") BARGAINING UNIT -**
Request the City Council approve a successor Police - Non-Sworn ("NSP") Bargaining Unit contract.

Staff Recommendation: **Approval (Human Resources Department: Jessica Perpetua)**

RESOLUTION NO. 2020-104

Amanda Cormier - Expressed opposition to this item.

Kristen Brown - Expressed opposition to this item.

Jessica Teaster – Expressed opposition to this item.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve a successor Police - Non-Sworn ("NSP") Bargaining Unit contract. Approved unanimously.

- 18. STATE CARES ACT FUNDS BUDGET ADJUSTMENT -**
Request the City Council approve a budget adjustment in the amount of \$1,889,210 to accept Coronavirus Aid, Relief, and Economic Security ("CARES") Act Coronavirus Relief fund from the State of California.

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

- 19. INCREASE OF REQUESTED AMOUNT FOR CLEAN WATER STATE REVOLVING FUND LOAN FOR THE MEMBRANE FILTRATION/REVERSE OSMOSIS FACILITY PROJECT -**
Request the City Council adopt Resolution No. 2020-105, authorizing application for a Clean Water State Revolving Fund loan for the Membrane Filtration/Reverse Osmosis Facility Capital Improvement Project (CIP No. 557-801508). Resolution No. 2020-105 authorizes repayment of that loan if it is awarded to the City of Escondido. The repayment resolution will increase the amount of the loan application for the project from \$29,000,000 to \$45,000,000. Prior to receiving any loan funds or any payment being made, the City Council will be asked at a future meeting to authorize execution of loan documents.

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

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.)

PUBLIC HEARINGS

20. AMENDMENT TO THE DOWNTOWN SPECIFIC PLAN (SPA 9) TO CONDITIONALLY PERMIT WEDDINGS AND RECEPTIONS IN THE SOUTHERN GATEWAY DISTRICT; AND A CONDITIONAL USE PERMIT TO CONDUCT WEDDINGS AND RECEPTIONS IN THE REAR-YARD OF AN HISTORIC PROPERTY LOCATED AT 209 E. 4TH AVENUE (PHG 19-0001 & PHG 19-0002) -

Request the City Council approve amending the Downtown Specific plan to allow weddings and receptions, subject to a Conditional Use Permit ("CUP"), in the Southern Gateway District. It is also requested the City Council approve a CUP to conduct weddings and receptions located at 209 E. 4th Avenue.

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

A) RESOLUTION NO. 2020-83 B) ORDINANCE NO. 2020-15 (First Reading and Introduction)

Dirk Reschly – Expressed opposition to the amendment.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve amending the Downtown Specific plan to allow weddings and receptions, subject to a Conditional Use Permit ("CUP"), in the Southern Gateway District. It is also requested the City Council approve a CUP to conduct weddings and receptions located at 209 E. 4th Avenue. Approved unanimously.

21. ALLOCATION OF SUCCESSOR HOUSING AGENCY FUNDS FOR AFFORDABLE HOUSING -

Request the City Council approve authorizing the Director of Community Development to conditionally commit \$4,000,000 in Low and Moderate Income Housing Funds ("SHA funds") to Ivy Valley Housing Partners, LP for the construction of a 50-unit development at 337 East Valley Parkway; and authorizing the Mayor and City Clerk to execute an Affordable Housing Loan Agreement and all necessary loan and supporting agreements in forms acceptable to the City Attorney when conditions have been met.

Staff Recommendation: **Approval (Community Development Department: Mike Strong, Housing & Neighborhood Services Department: Karen Youel)**

RESOLUTION NO. 2020-74

MOTION: Moved by Deputy Mayor Martinez and seconded by Councilmember Diaz to approve authorizing the Director of Community Development to conditionally commit \$4,000,000 in Low and Moderate Income Housing Funds ("SHA funds") to Ivy Valley Housing Partners, LP for the construction of a 50-unit development at 337 East Valley Parkway; and authorizing the Mayor and City Clerk to execute an Affordable Housing Loan Agreement and all necessary loan and supporting agreements in forms acceptable to the City Attorney when conditions have been met. Approved unanimously.

22. AMENDMENTS TO THE ESCONDIDO ZONING CODE TO ALLOW MENU BOARD SIGNS AND OVERSIZED DIRECTIONAL SIGNAGE AT CAR WASH FACILITIES (AZ 20-0003) -

Request the City Council approve amending Article 61 (Administration & Enforcement) and Article 66 (Sign Ordinance) of the Escondido Zoning Code to enhance land use regulations for signage at carwash facilities.

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

ORDINANCE NO. 2020-14 (First Reading and Introduction)

MOTION: Moved by Councilmember Morasco and seconded by Deputy Mayor Martinez to approve amending Article 61 (Administration & Enforcement) and Article 66 (Sign Ordinance) of the Escondido Zoning Code to enhance land use regulations for signage at carwash facilities. Approved unanimously.

CURRENT BUSINESS

23. COMMUNITY OPINION SURVEY PRESENTATION, INCLUDING UPDATED VOTER SUPPORT FOR A POTENTIAL ONE PERCENT SALES TAX REVENUE MEASURE -

Request the City Council receive and file information pertaining to the community opinion survey.

Staff Recommendation: **Receive and File (City Manager's Office: Jay Petrek)**

Tony Kravaric – Questioned the validity of the community opinion survey.

24. CONSIDERATION OF RESOLUTION AND ORDINANCE PLACING THE ESCONDIDO PUBLIC SAFETY AND ESSENTIAL SERVICES REVENUE BEFORE VOTERS AT MUNICIPAL GENERAL ELECTION ON NOVEMBER 3, 2020 -

Request the City Council approve a) calling for an election submitting a proposed one percent general transactions and use (sales) tax increase to the voters; and b) amending the Escondido Municipal Code to establish a one percent sales tax to be administered by the California Department of Tax and Fee Administration, including provisions for citizens oversight and accountability. While the introduction of additional taxes on people, especially at this time, should never be done casually, staff recommends placing this item on the November 2020 ballot to allow the voters the opportunity to consider an issue which will address the fiscal health of the City for years to come.

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

A) RESOLUTION NO, 2020-97 B) ORDINANCE NO. 2020-19 (First Reading and Introduction)

Austin Miller – Expressed support for the proposed sales tax measure.

Doug Moir – Expressed support for the proposed sales tax measure.

Mary Anne Dijak – Expressed support for the proposed sales tax measure.

Amy Peltekian – Expressed opposition to the proposed sales tax measure.

Victor – Expressed opposition to the proposed sales tax measure.

Matt Foster – Expressed opposition to the proposed sales tax measure.

Maria Gonzalez – Expressed opposition to the proposed sales tax measure.

Tom Pierpoint – Expressed opposition to the proposed sales tax measure.

Michael Luciano – Expressed opposition to the proposed sales tax measure.

Dana Rose – Expressed opposition to the proposed sales tax measure.

Erin Lump– Expressed opposition to the proposed sales tax measure.

Brian Melonakos – Expressed opposition to the proposed sales tax measure.

Tony Kravaric – Expressed opposition to the proposed sales tax measure.

John Proffitt Jr. – Expressed opposition to the proposed sales tax measure.

Nikolas Menotti – Expressed opposition to the proposed sales tax measure.

Justin Domicillo – Expressed opposition to the proposed sales tax measure.

Robert Gold – Expressed opposition to the proposed sales tax measure.

Glen W. Cairns – Expressed opposition to the proposed sales tax measure.

MOTION: Moved by Councilmember Diaz and seconded by Mayor McNamara to approve a) calling for an election submitting a proposed one percent general transactions and use (sales) tax increase to the voters titled the "Escondido Essential Services Measure"; and b) amending the Escondido Municipal Code to establish a one percent sales tax to be administered by the California Department of Tax and Fee Administration, including provisions for citizens oversight and accountability. Failed 3-1 (Morasco - No); required four votes for approval.

25. CONSIDERATION OF RESOLUTION AND ORDINANCE PLACING A BALLOT MEASURE ESTABLISHING TERM LIMIT FOR MAYOR, MEMBERS OF CITY COUNCIL AND CITY TREASURER BEFORE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 -

Request the City Council take public input, discuss and consider the adoption of a resolution and ordinance to place a ballot measure establishing term limits for the Mayor, City Councilmembers, and City Treasurer on the November 3, 2020 general municipal election. If the City Council intends to place the matter on the ballot, it must adopt Resolution No. 2020-99 and introduce and adopt Ordinance No. 2020-20.

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

A) RESOLUTION NO. 2020-99 B) ORDINANCE NO. 2020-20 (First Reading and Introduction)

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to adopt a resolution and ordinance to place a ballot measure establishing term limits for the Mayor, City Councilmembers, and City Treasurer on the November 3, 2020 general municipal election. If the City Council intends to place the matter on the ballot, it must adopt Resolution No. 2020-99 and introduce and adopt Ordinance No. 2020-20. Failed 2-2 (McNamara, Martinez - No)

FUTURE AGENDA

26. 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 – Requested an update on cannabis policies in Escondido.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS AND OTHER REPORTS

Councilmember Morasco - Attended a RSWA meeting.

Councilmember Diaz - Attended a North San Diego Business Chamber Forum regarding race.

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

Kathleen Melonakos – Expressed frustration with the current COVID-10 restrictions in San Diego County.

ADJOURNMENT

Mayor McNamara adjourned the meeting at 9:55 p.m.

DocuSigned by:

Paul McNamara

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MAYOR

DocuSigned by:

Jack Beck

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CITY CLERK