

Council Meeting Agenda

SPECIAL MEETING
MARCH 18, 2020
CITY COUNCIL CHAMBERS ~ 3:30 p.m.
201 N. Broadway, Escondido, CA 92025

MAYOR	Paul McNamara
DEPUTY MAYOR	Consuelo Martinez
COUNCIL MEMBERS	Olga Diaz Michael Morasco
CITY MANAGER	Jeffrey Epp
CITY CLERK	Zack Beck
CITY ATTORNEY	Michael McGuinness
DIRECTOR OF COMMUNITY DEVELOPMENT	Bill Martin
DIRECTOR OF ENGINEERING SERVICES	Julie Procopio

COVID-19 PUBLIC SERVICE ANNOUNCEMENT

Per State of California Executive Order N-25-20, and in the interest of public health and safety, at this time we are strongly encouraging members of the public to practice social distancing. As a result, we are providing alternatives to in-person attendance for observing and participating in City Council meetings. In lieu of in-person attendance, members of the public may submit their comments on agenda items and non-agenda items using this public comment form at the following link: <https://www.escondido.org/agenda-position.aspx> or via email at councilcomments@escondido.org.

Public comments submitted will be read into the record at the Council Meeting up to 3 minutes, the comments in whole will be made a part of the record of the meeting, and the public may continue to view the meetings on public television on Cox Communications Channel 19 (Escondido only) or view the meetings in online using live stream at the following link: <https://www.escondido.org/meeting-broadcasts.aspx>

ELECTRONIC MEDIA:

Electronic media which members of the public wish to be used during any public comment period should be submitted to the City Clerk's Office at least 24 hours prior to the Council meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Council during the meeting are part of the public record and may be retained by the Clerk.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.



Council Meeting Agenda

MARCH 18, 2020

3:30 p.m.

**Special Meeting of the
Escondido City Council**

CALL TO ORDER

ROLL CALL: Diaz, Martinez, Morasco, McNamara

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.)

CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. [**AFFIDAVITS OF PUBLICATION, MAILING AND POSTING \(COUNCIL/RRB\)**](#)

CURRENT BUSINESS

2. [**PROCLAMATION OF THE CITY COUNCIL THAT A LOCAL EMERGENCY EXISTS ARISING OUT OF THE COVID-19 VIRUS; AUTHORIZATION TO APPLY FOR AND RECEIVE EMERGENCY RELATED FUNDS -**](#)

Request the City Council approve a Proclamation of the Director of Emergency Services declaring a local emergency exists throughout the City of Escondido.

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

RESOLUTION NO. 2020-38

ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 25	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers
April 1	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers
April 8	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers
April 15	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers

TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. Comments are generally limited to 3 minutes.

If you wish to speak concerning an item *not* on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above.

If members of the public would like to comment on a Council meeting item, but do not wish to attend in person, they may submit comments via the City's website at: <https://www.escondido.org/agenda-position.aspx>, or by e-mail at councilcomments@escondido.org. City Council meetings are live streamed on our website, broadcasted on Channel 19, and archived on www.escondido.org.

Handouts for the City Council should be given to the City Clerk. To address the Council, use the podium in the center of the Chambers, STATE YOUR NAME FOR THE RECORD and speak directly into the microphone.

AGENDA, STAFF REPORTS AND BACK-UP MATERIALS ARE AVAILABLE:

- Online at <http://www.ci.escondido.ca.us/government/agendas/PublishedMeetings.htm>
- In the City Clerk's Office at City Hall
- In the Library (239 S. Kalmia) during regular business hours and
- Placed in the Council Chambers (See: City Clerk/Minutes Clerk) immediately before and during the Council meeting.

AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING: Any supplemental writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

LIVE BROADCAST

Council meetings are broadcast live on Cox Cable Channel 19 and U-verse Channel 99 – Escondido Gov TV. They can also be viewed the following Sunday and Monday evenings at 6:00 p.m. on those same channels. The Council meetings are also available live via the Internet by accessing the City's website at www.escondido.org, and selecting: City Council/broadcasts of City Council Meetings/live video streaming.

Please turn off all cellular phones and pagers while the meeting is in session.

The City Council is scheduled to meet the first four Wednesdays of the month at 5:00 p.m. in Closed Session and 6:00 p.m. in Open Session.

(Verify schedule with City Clerk's Office)

Members of the Council also sit as the Community Development Commission and the Mobilehome Rent Review Board.

**CITY HALL HOURS OF OPERATION
Monday-Friday 8:00 a.m. to 5:00 p.m.**



If you need special assistance to participate in this meeting, please contact our ADA Coordinator at (760) 839-4643. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

Listening devices are available for the hearing impaired – please see the City Clerk.



AFFIDAVITS

OF

ITEM

POSTING

CITY COUNCIL STAFF REPORT

Current Business Item No. 2

March 18, 2020

File No. 0220-05

SUBJECT: Proclamation of the City Council that a Local Emergency exists arising out of the COVID-19 virus; Authorization to apply for and receive emergency related funds.

DEPARTMENT: City Attorney's Office

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 2020-38 and issue Council Proclamation No. 2020-01 which declares a Local Emergency throughout the City arising out of the COVID-19 virus. It is further recommended that the City Council authorize the City Manager or his designee(s) to apply for and receive any emergency funding made available by federal, state or local agencies for reimbursement of expenses incurred by the City related to the COVID-19 pandemic.

FISCAL ANALYSIS:

The issuance of the Council Proclamation itself will have no fiscal impacts. The financial consequences of responding to all issues associated with the emergency are unknown at this point and the Manager's Office will report out the impacts once they are known. City staff will ensure that all available reimbursement funding is pursued to limit the amount of unanticipated costs arising out of this emergency.

BACKGROUND:

A novel coronavirus referred to as COVID-19, which causes infectious disease, was first detected in December 2019, and has now spread throughout the world. The COVID-19 disease is believed to be spread through person-to-person contact between people who are in close proximity with others up to 6 feet and through respiratory droplets when a person coughs or sneezes, even when that person is asymptomatic.

According to the Centers for Disease Control and Prevention (CDC), there have been numerous deaths attributed to COVID-19 in the United States and numerous health agencies throughout the world have recommended various protective measures to reduce the likelihood of transmission of the virus. The World Health Organization, as of March 11, 2020, identified the present circumstances as a pandemic.

The President of the United States, the State of California, and the County of San Diego, as well as some local agencies, have already made formal findings and issued proclamations that an emergency exists related to the COVID-19 virus.

Proclamation of the City Council that a Local Emergency Exists
March 18, 2020
Page 2

On March 12, 2020, Governor Newsom issued Executive Order N-25-20 which, in part, took various actions pursuant to the Emergency Services Act (Government Code Sections 8550, *et seq.*) including an order to all residents “to heed any orders and guidance of state and local public health officials, including the imposition of social distancing measures, to control the spread of COVID-19.”

On March 13, 2020, the County of San Diego Office of Education announced multiple school closures effective March 16, 2020, and school districts and colleges throughout the County of San Diego initiated school closing orders for their schools for durations of approximately one month.

According to various current public health directives, guidelines, and recommendations, gatherings of more than 50 people should be cancelled or postponed and all smaller events should proceed only if a six-foot separation of participants can be observed. Special consideration should also be given by persons over the age of 65 or with underlying health issues in limiting contact in public places.

The COVID-19 virus has the potential to severely impact the necessary services performed by the City of Escondido, including the response times for police and fire department personnel, the holding of public meetings, as well as the regular functioning of City business should city staff and employees be infected or additional orders of quarantine be implemented.

The potential spread of the COVID-19 virus poses an extreme peril to the safety of persons and property within the City of Escondido and such conditions will continue to directly affect the safety of all persons within the City for the near future and are beyond the control of the services, personnel, equipment and facilities of the City.

On March 16, 2020, pursuant to Chapter 7 of the Escondido Municipal Code, the City Manager, in his role as the Director of Emergency Services (“Director”), was authorized to and did in fact issue a proclamation, Proclamation No. 2020-01, of the existence or threatened existence of an emergency given that the City Council was not then in session. EMC Section 7-6(a)(1). Pursuant to the Municipal Code, that proclamation expires in seven (7) days unless ratified by the City Council.

At the time of the Director’s Proclamation No. 2020-01, the City Council had adjourned to their next scheduled session noticed for Wednesday, March 18, 2020. This matter has been brought to the City Council at the earliest opportunity before the Director’s Proclamation expires.

CONCLUSION:

It is recommended that the City Council adopt Resolution No. 2020-38, issue the Proclamation attached as Attachment 3, and authorize the Director or his designee(s) to apply for and receive any funding made available at the national, state and/or local levels to reimburse the City for expenses incurred as a result of the local emergency.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Michael R. McGuinness, City Attorney
3/16/20 4:00 p.m.

ATTACHMENTS:

1. Director's Proclamation No. 2020-01
2. Resolution No. 2020-38
3. Council Proclamation No. 2020-01

PROCLAMATION NO. 2020-01

A PROCLAMATION OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING A
LOCAL EMERGENCY EXISTS
THROUGHOUT THE CITY

WHEREAS, pursuant to Chapter 7 of the Escondido Municipal Code, and specifically Section 7-6(a)(1), the City Manager, in his role as the Director of Emergency Services, is authorized to issue a proclamation of the existence or threatened existence of an emergency when the City Council is not in session; and

WHEREAS, at the time of this Proclamation, the City Council has adjourned to their next scheduled session noticed for Wednesday March 18, 2020; and

WHEREAS, a novel coronavirus referred to as COVID-19, which causes infectious disease, was first detected in December 2019, and has now spread throughout the world; and

WHEREAS, the COVID-19 disease is believed to be spread through person-to-person contact between people who are in close proximity with others up to 6 feet and through respiratory droplets when a person coughs or sneezes, even when that person is asymptomatic; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC) there have been numerous deaths attributed to COVID-19 in the United States; and

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency related to the COVID-19 outbreak pursuant to Section 319 of the Public Health Service Act; and

WHEREAS, on February 19, 2020, the San Diego County Board of Supervisors ratified the Declaration of Local Health Emergency and Proclamation of Local Emergency arising out of the COVID-19 outbreak; and

WHEREAS, various health organizations throughout the world, including the CDC and the World Health Organization (WHO), consider the COVID-19 virus to be a very serious health threat, a “public health emergency of international concern,” and as of March 11, 2020, the WHO identified it as a pandemic; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive order N-25-20 which, in part, took various actions pursuant to the Emergency Services Act (Government Code Sections 8550, *et. seq.*) including an order to all residents “to heed any orders and guidance of state and local public health officials, including the imposition of social distancing measures, to control the spread of COVID-19;” and

WHEREAS, according to various current public health directives, guidelines, and recommendations, gatherings of more than 50 people should be cancelled or postponed and all smaller events should proceed only if a six foot separation of participants can be observed; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 13, 2020, the County of San Diego Office of Education announced multiple school closures effective March 16, 2020, and school districts and colleges throughout the County of San Diego initiated school closing orders for their schools for durations of approximately one month; and

WHEREAS, the COVID-19 virus has the potential to severely impact the necessary services performed by the City of Escondido, including the response times for police and fire department personnel, the holding of public meetings, as well as the regular functioning of City business should city staff and employees be infected or additional orders of quarantine be implemented; and

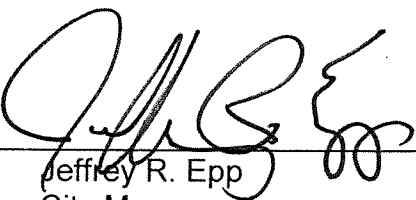
WHEREAS, the potential spread of the COVID-19 virus poses an extreme peril to the safety of persons or property within the City of Escondido and such conditions will continue to directly affect the safety of all persons within the City for the near future and are beyond the control of the services, personnel, equipment and facilities of the City.

NOW, THEREFORE, BE IT PROCLAIMED by the Director of Emergency Services of the City of Escondido, California, as follows:

1. That the above recitations are true and correct.
2. That a local emergency currently exists, and has existed since on or about March 13, 2020, in the City of Escondido due to the continued spread of the COVID-19 virus and the collateral consequences of the virus on residents, businesses, health care providers, social service agencies, and City personnel.
3. That during the existence of this local emergency, the powers, functions and duties of the Disaster Council and Director of Emergency Services established

by Chapter 7 of the Escondido Municipal Code, those of the full City Council, and those of all City employees, including police and fire department personnel, shall be those as prescribed by state law and the ordinances and resolutions of the City of Escondido, and that said emergency proclamation shall expire seven (7) days after issuance unless confirmed and ratified by the City Council of the City of Escondido.

Dated: March 16, 2020

By: 

Jeffrey R. Epp
City Manager
Director of Emergency Services
City of Escondido

RESOLUTION NO. 2020-38

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A PROCLAMATION THAT A
LOCAL EMERGENCY EXISTS;
AUTHORIZATION TO APPLY FOR AND
RECEIVE FUNDS RELATED TO THE
EMERGENCY

WHEREAS, pursuant to Chapter 7 of the Escondido Municipal Code, and specifically Section 7-6(a)(1), the City Manager, in his role as the Director of Emergency Services (“Director”), was authorized to issue and did in fact issue Proclamation No. 2020-01, a proclamation of the existence or threatened existence of an emergency (“emergency”) when the City Council was not in session; and

WHEREAS, at the time of the Director’s Proclamation No. 2020-01, the City Council had adjourned to their next scheduled session noticed for Wednesday, March 18, 2020; and

WHEREAS, the City Council is now in session and has reviewed the record supporting the issuance of the Director’s Proclamation No. 2020-01 and there exists sufficient grounds to support the issuance of a Proclamation on behalf of the City Council regarding the novel coronavirus referred to as COVID-19; and

WHEREAS, the City Council incorporates, as though set forth in full herein, the entirety of Attachment A, A Proclamation of the City Council of the City of Escondido Declaring A Local Emergency Exists Throughout the City; and

WHEREAS, it is anticipated that certain funds may become available to reimburse the City for expenses related to or arising out of the emergency and it is the desire of the City to apply for all such funding as made available related to the emergency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the City Council authorizes the Mayor to execute on behalf of the City of Escondido the Proclamation of the City Council Declaring a Local Emergency Exists Throughout the City, Council Proclamation No. 2020-01, attached as Exhibit A.
3. That Council Proclamation No. 2020-01 shall remain in effect until the City Council rescinds or modifies it pursuant to Resolution, or it expires by operation of law.
4. That the Director/City Manager, or his designee(s), shall be authorized to apply for and receive such funds as may be available from federal, state and/or county agencies for reimbursement or other expenses incurred by the City arising out of or related to the local emergency.

COUNCIL PROCLAMATION NO. 2020-01

A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF ESCONDIDO DECLARING A
LOCAL EMERGENCY EXISTS
THROUGHOUT THE CITY

WHEREAS, on March 16, 2020, pursuant to Chapter 7 of the Escondido Municipal Code, and specifically Section 7-6(a)(1), the City Manager, in his role as the Director of Emergency Services (“Director”), was authorized to and did in fact issue a proclamation, Proclamation No. 2020-01, of the existence or threatened existence of an emergency when the City Council was not in session; and

WHEREAS, at the time of the Director’s Proclamation No. 2020-01, the City Council had adjourned to their next scheduled session noticed for Wednesday, March 18, 2020; and

WHEREAS, a novel coronavirus referred to as COVID-19, which causes infectious disease, was first detected in December 2019, and has now spread throughout the world; and

WHEREAS, the COVID-19 disease is believed to be spread through person-to-person contact between people who are in close proximity with others up to 6 feet and through respiratory droplets when a person coughs or sneezes, even when that person is asymptomatic; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC) there have been numerous deaths attributed to COVID-19 in the United States; and

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency related to the COVID-19 outbreak pursuant to Section 319 of the Public Health Service Act; and

WHEREAS, on February 19, 2020, the San Diego County Board of Supervisors ratified the Declaration of Local Health Emergency and Proclamation of Local Emergency arising out of the COVID-19 outbreak; and

WHEREAS, various health organizations throughout the world, including the CDC and the World Health Organization (WHO), consider the COVID-19 virus to be a very serious health threat, a “public health emergency of international concern,” and as of March 11, 2020, the WHO identified it as a pandemic; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive order N-25-20 which, in part, took various actions pursuant to the Emergency Services Act (Government Code Sections 8550, *et. seq.*) including an order to all residents “to heed any orders and guidance of state and local public health officials, including the imposition of social distancing measures, to control the spread of COVID-19;” and

WHEREAS, according to various current public health directives, guidelines, and recommendations, gatherings of more than 50 people should be cancelled or postponed and all smaller events should proceed only if a six foot separation of participants can be observed; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 13, 2020, the County of San Diego Office of Education announced multiple school closures effective March 16, 2020, and school districts and colleges throughout the County of San Diego initiated school closing orders for their schools for durations of approximately one month; and

WHEREAS, the COVID-19 virus has the potential to severely impact the necessary services performed by the City of Escondido, including the response times for police and fire department personnel, the holding of public meetings, as well as the regular functioning of City business should city staff and employees be infected or additional orders of quarantine be implemented; and

WHEREAS, the potential spread of the COVID-19 virus poses an extreme peril to the safety of persons and property within the City of Escondido and such conditions will continue to directly affect the safety of all persons within the City for the near future and are beyond the control of the services, personnel, equipment and facilities of the City.

NOW, THEREFORE, BE IT PROCLAIMED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true and correct.
2. That the Director of Emergency Services had authority to, and did in fact properly, issue Proclamation No. 2020-01 on March 16, 2020, declaring a local

emergency in the City of Escondido pursuant to Chapter 7 of the Escondido Municipal Code, which such action is hereby ratified.

3. That the City Council hereby finds, declares and proclaims that a local emergency currently exists, has existed since on or about March 13, 2020, and will continue to exist for an unknown period in the City of Escondido due to the continued spread of the COVID-19 virus and the collateral consequences of the virus on residents, businesses, health care providers, social service agencies, and City personnel.
4. That during the existence of this local emergency, the powers, functions and duties of the Disaster Council and Director of Emergency Services established by Chapter 7 of the Escondido Municipal Code, those of the full City Council, and those of all City employees, including police and fire department personnel, shall be those as prescribed by state law and the ordinances and resolutions of the City of Escondido.
5. That this emergency Council Proclamation shall expire upon a Resolution by the City Council of the City of Escondido, or as otherwise required by law.

Dated: _____

By: _____
Paul McNamara, Mayor
City of Escondido