

CITY OF ESCONDIDO
August 21, 2019
5:30 P.M. Special Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 5:30 p.m. on Wednesday, August 21, 2019 in the City Council Chambers at City Hall with Mayor McNamara presiding.

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.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/RRB)

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to recess to Closed Session. Motion carried unanimously.

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

- a. **Case Name:** Joseph Leffingwell v. City of Escondido
Case No: WCAB No.: ADJ 11548693

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:35 p.m.

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Paul McNamara
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MAYOR

DocuSigned by:
Jack Beck
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CITY CLERK

CITY OF ESCONDIDO
August 21, 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, August 21, 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

Mayor McNamara 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.

CLOSED SESSION REPORT

Michael McGuinness, City Attorney, reported the City Council unanimously approved a proposed settlement for a worker's compensation claim by retired Police Officer Joseph Leffingwell in the amount of \$108,882.52.

ORAL COMMUNICATIONS

Sean Witkin, Escondido, requested the City Council make changes to the development standards for accessory dwelling units and consider exceptions for disabilities that require live in caregiver services.

Octavio R. Alvarado, Escondido, shared concerns regarding health risks associated with 5G and cellular technology.

Elizabeth Mercurio, Valley Center, shared information regarding the Escondido Community Garden and thanked the City Council for their support.

CONSENT CALENDAR

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve all Consent Calendar items with the exception of item 4 and item 10. Motion carried 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: (File No. 0400-40)

- 333145 – 333384 dated July 31, 2019
- 333385 – 333495 dated August 7, 2019

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

3. APPROVAL OF MINUTES: None Scheduled

4. REPORT AND RECOMMENDATIONS OF THE AD HOC SUBCOMMITTEE ON CITY COUNCIL RULES AND POLICIES -

Request the City Council approve the revised recommendations of the Ad Hoc Subcommittee on City Council Rules and Policies and incorporates further revisions requested by Council during its first hearing on the matter on July 17, 2019. (File No. 0610-90)

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

RESOLUTION NO. 2019-65R

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson to continue this item to September 11, 2019. Motion carried unanimously.

5. ESTABLISHING THE PROPERTY TAX RATE AND FIXED CHARGE ASSESSMENTS FOR GENERAL OBLIGATION BONDED INDEBTEDNESS -

Request the City Council approve establishing the property tax rate and fixed charge assessments for bonded indebtedness for Fiscal Year 2019-20. (File No. 0440-35)

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

RESOLUTION NO. 2019-109

6. NOTICE OF COMPLETION FOR THE MULTI NEIGHBORHOOD STREET LIGHT LED RETROFIT PROJECT -

Request the City Council approve and accept the public improvements and authorize staff to file a Notice of Completion for the Multi Neighborhood Street Light LED Retrofit Project. (File No. 0600-10 [A-3279])

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

RESOLUTION NO. 2019-113

7. REJECT ALL BIDS FOR THE 2019 STREET REHABILITATION AND MAINTENANCE PROJECT

Request the City Council reject all bids for the 2019 Street Rehabilitation and Maintenance Project. (File No. 0600-10 [A-33-06])

Staff Recommendation: **Reject All Bids (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2019-121

8. LEASE AGREEMENT WITH ESCONDIDO FEDERAL CREDIT UNION AT 201 NORTH BROADWAY AND THE EAST VALLEY COMMUNITY CENTER AT 2245 EAST VALLEY PARKWAY

Request the City Council approve authorizing the Mayor to execute a Lease Agreement with the Escondido Federal Credit Union (EFCU) for the leased office space at 201 North Broadway and an Automated Teller Machine (ATM) located in the parking lot at 2245 East Valley Parkway. (File No. 0600-10 [A-3311])

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

RESOLUTION NO. 2019-123

9. CONSULTING SERVICES AGREEMENT FOR THE GRAND AVENUE VISION PLAN - PHASE I -

Request the City Council approve authorizing the Mayor to execute a Consulting Services Agreement with Kimley-Horn and Associates, Inc. in the amount of \$385,630 to continue public outreach and complete environmental clearance for the Vision Plan, and to design for the first phase of the Grand Avenue Streetscape Improvement Project. (File No. 0600-10 [A-3312])

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

RESOLUTION NO. 2019-124

10. CONSULTING SERVICES AGREEMENT FOR THE DESIGN OF THE ESCONDIDO CREEK TRAIL IMPROVEMENTS PROJECT -

Request the City Council approve authorizing the Mayor to execute a Consulting Services Agreement with KOA Corporation in the amount of \$160,960 for the design of the Escondido Creek Trail Improvements Project. (File No. 0600-10 [A-3313])

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

RESOLUTION NO. 2019-125

Julie Procopio, Director of Engineering Services, provided information regarding this item and was available for questions.

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Martinez to approve authorizing the Mayor to execute a Consulting Services Agreement with KOA Corporation in the amount of \$160,960 for the design of the Escondido Creek Trail Improvements Project and adopt Resolution No. 2019-125.

11. LICENSE AGREEMENT WITH NC GARCIA, INC. AT 3315 BEAR VALLEY PARKWAY, SPORTS CENTER CONCESSION STAND IN KIT CARSON PARK -

Request the City Council approve a License Agreement with NC Garcia, Inc. at 3315 Bear Valley Parkway, Sports Center Concession Stand within Kit Carson Park. (File No. 0600-10 [A-3314])

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

RESOLUTION NO. 2019-126

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.)

12. ANNUAL CODE CLEAN-UP AND AMENDMENTS TO THE MUNICIPAL AND ZONING CODES (AZ 19-0003) -

Approved on August 7, 2019 with a vote of 5/0 (File No. 0810-20 and 0680-50)

ORDINANCE NO. 2019-10 (Second Reading and Adoption)

PUBLIC HEARINGS

13. CONTINUED DISCUSSION OF THE ZONING CODE AND LAND USE STUDY (AZ 18-0006) -

Request the City Council approve completing the Zoning Code and Land Use Study and amend portions of the Municipal Code, Zoning Code, and Specific Plans to improve existing regulations. ***This item was continued from August 7, 2019.*** (File No. 0680-50)

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

ORDINANCE NO. 2019-09 (First Reading and Introduction)

Mike Strong, Assistant Director of Planning, 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.

Catherine Ferguson, Escondido, thanked the City Council for modifications made to the ordinance regarding drive thru restaurants and voiced support for this item.

John Baker, Escondido, expressed appreciation to Council and staff for modifications to the ordinance.

Jim Lund, Escondido, thanked the City Council for extending this item for two weeks and complimented staff.

Toni Giffin, Chula Vista, voiced support for this item and was available for questions.

Mayor McNamara asked if anyone else wished to speak on this item in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson to approve completing the Zoning Code and Land Use Study and amend portions of the Municipal Code, Zoning Code, and Specific Plans to improve existing regulations and introduce Ordinance No. 2019-09. Motion carried unanimously.

14. NEW INVENTORY PARKING LOT FOR LEXUS ESCONDIDO (PHG 18-0026) -

Request the City Council approve a modification to a previously approved Master Development Plan and new Precise Development Plan for a new inventory parking lot for Lexus Escondido. (File No. 0800-40)

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

ORDINANCE NO. 2019-11 (First Reading and Introduction)

Mike Strong, Assistant Director of Planning, 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.

John Miller, Escondido, shared comments regarding his experience living near Lexus Escondido and spoke in favor of this item.

Pamela Stahl, Escondido, shared questions and suggestions regarding this item and requested the City Council deny PHG 18-0026.

Samantha Otte, Escondido, expressed concerns regarding noise levels.

Earl Otte, Escondido, shared concerns regarding the ordinance and noise issues.

Jessie Vinje, Escondido, shared concerns regarding noise levels at Vintana and requested the decibel level be reduced below 65.

Drew Davis, General Manager for The Centre, shared information regarding compliance with City noise requirements and was available for questions.

James Rowten, Chief Executive Office for Escondido Chamber of Commerce, voiced support for this item.

Jean Russo, Escondido, voiced support for this item.

Ron Garnett, Escondido, voiced support for this item.

Mayor McNamara asked if anyone else wished to speak on this item in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Deputy Mayor Martinez and seconded by Councilmember Masson to approve a modification to a previously approved Master Development Plan and new Precise Development Plan for a new inventory parking lot for Lexus Escondido and introduce Ordinance No. 2019-11. Motion carried unanimously.

CURRENT BUSINESS

15. NOTICE OF COMPLETION FOR THE 2018 STREET REHABILITATION AND MAINTENANCE PROJECT -

Request the City Council approve authorizing the City Engineer to file a Notice of Completion for the 2018 Street Rehabilitation and Maintenance Project. (File No. 0600-10 [A-3276])

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

RESOLUTION NO. 2019-129

Matthew Souttere, Associate Engineer, presented the staff report.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve authorizing the City Engineer to file a Notice of Completion for the 2018 Street Rehabilitation and Maintenance Project and adopt Resolution No. 2019-129. Motion carried unanimously.

16. CONSULTING AGREEMENT WITH TRUE NORTH RESEARCH, INC. FOR THE PREPARATION OF A COMMUNITY SURVEY AND THE FORMATION OF AN AD HOC CITY COUNCIL SUBCOMMITTEE -

Request the City Council approve authorizing the City Manager execute a Consulting Agreement with True North Research, Inc., for an amount not to exceed \$32,750 to prepare a community survey and establish an Ad Hoc City Council subcommittee of two members to work with staff and the consultant in developing the survey questions. (File No. 0600-10 [A-3315])

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

RESOLUTION NO. 2019-122

Jay Petrek, Assistant City Manager, and Timothy McLarney, President of True North Research, presented the staff report utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Morasco and seconded by Deputy Mayor Martinez to approve authorizing the City Manager execute a Consulting Agreement with True North Research, Inc., for an amount not to exceed \$32,750 to prepare a community survey and establish an Ad Hoc City Council subcommittee of two members to work with staff and the consultant in developing the survey questions and adopt Resolution No. 2019-122. Motion carried unanimously.

MOTION: Moved by Councilmember Morasco and seconded Deputy Mayor Martinez to appoint Councilmember Masson and Councilmember Diaz to the Ad Hoc City Council subcommittee to work with staff and the consultant in developing the survey questions. Motion carried unanimously.

FUTURE AGENDA

17. 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

Deputy Mayor Martinez attended a League of California Cities meeting that discussed unfunded pension liabilities.

Councilmember Masson shared regarding a pipeline break that impacts San Diego County Water Authority.

Mayor McNamara attended a meeting with Congressman Mike Levin and the mayors of Oceanside, Carlsbad, Vista, and San Marcos.

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

ADJOURNMENT

Mayor McNamara adjourned the meeting at 8:14 p.m.

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Paul McNamara
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MAYOR

DocuSigned by:
Jack Beck
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CITY CLERK