

CITY OF ESCONDIDO
April 8, 2020
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, April 8, 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; Bill Martin, Director of Community Development; Julie Procopio, Director of Engineering Services; and Zack Beck, City Clerk.

PROCLAMATIONS: National Census Day

CLOSED SESSION REPORT

None.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve all consent items, except item 12, 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:

- 340255 – 340528 dated March 18, 2020
- 340529 – 340748 dated March 25, 2020

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

3. APPROVAL OF MINUTES: None Scheduled

4. ANNUAL STATE MANDATED INSPECTION COMPLIANCE REPORT -

Request the City Council approve acknowledging receipt of the Annual State Mandated Inspection Compliance Report ("Report"). The Report indicates the Escondido Fire Department has conducted 100 percent of the inspections of certain structures as required by state law. (File No. 0320-10)

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

RESOLUTION NO. 2020-30

5. LEASE AGREEMENT WITH VERIZON WIRELESS, LLC AT A11 RESERVOIR -

Request the City Council approve authorizing the Mayor to execute a Lease Agreement with Verizon Wireless, LLC at A11 Reservoir, located at 1359 West Eleventh Avenue, identified as Assessor Parcel Number 235-201-03. (File No. 0600-10, A-1731)

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

RESOLUTION NO. 2020-32

6. SALE OF A VACANT CITY OWNED PARCEL ON HARMONY GROVE ROAD (APN 232-372-06) TO ADJACENT PROPERTY OWNER -

Request the City Council approve authorizing the Real Property Manager to execute documents necessary for the sale of a vacant parcel, identified as APN 232-372-06, owned by the City of Escondido. (File No. 0690-30)

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

RESOLUTION NO. 2020-36

7. AMENDMENT TO LEASE WITH ESCONDIDO COMMUNITY CHILD DEVELOPMENT CENTER -

Request the City Council approve authorizing the Mayor to execute an amendment to the Lease Agreement with Escondido Community Child Development Center for the City of Escondido owned property located at 613 East Lincoln Avenue, and identified as Assessor Parcel Number 229-160-54 and a portion of 229-160-53. (File No. 0600-10, A-3258)

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

RESOLUTION NO. 2020-37

8. NOTICE OF COMPLETION FOR KB HOMES LEXINGTON (SUB 14-0002) LOCATED AT 615 LEHNER AVENUE (APN 235-20-304) -

Request the City Council approve and accept the Public Improvements and authorize staff to file a Notice of Completion for SUB 14-0002, Lehner Avenue, (APN 235-20-304). (File No. 0600-65)

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

RESOLUTION NO. 2020-35

9. ADOPTION OF THE FISCAL YEAR 2020/21 ROAD MAINTENANCE AND REHABILITATION ACCOUNT PROJECT LIST -

Request the City Council approve the list of streets proposed to be completed with Fiscal year 2020/21 Road Maintenance and Rehabilitation Account funding. (File No. 1020-05)

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

RESOLUTION NO. 2020-39

10. REQUEST TO INITIATE AN ANNEXATION AND THE PREPARATION OF A SPECIFIC PLAN FOR SOLARIS BUSINESS PARK -

Request the City Council review and receive the request to initiate an annexation and the preparation of a specific plan for the Solaris Business Park, and authorize the filing of the application. (File No. 0850-20)

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

11. SB 2 CONTRACT AWARDS AND KICK-OFF OF THE HOUSING AND COMMUNITY INVESTMENT STUDY -

Request the City Council approve authorizing the City Manager to refine the scope of work each respective consultant provided herein to achieve the project goals and provide for coordinated public engagement between the Housing Element Update, Sector Feasibility Study, and East Valley Specific Plan; to enter into an agreement for professional services with Veronica Tam and Associates, Inc. to undertake the Housing Element Update; to enter into an agreement for professional services with Keyser Marston Associates, Inc. to undertake the Sector Feasibility Study; and to enter into agreement for professional services with Rick Engineering to prepare the East Valley Specific Plan. (File No. 0875-70)

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

RESOLUTION NO. 2020-43

12. ANNUAL DESTRUCTION OF POLICE RECORDS AND REVISION OF RECORDS SERIES CODES -

Request the City Council approve authorizing the destruction of City records as set forth in Exhibit "A" and Exhibit "B," which are attached to Resolution No. 2020-42, for the Police Department and modify records series codes: 0400-60, 0410-30, 0675-10 and 0720-30 to comply with Government Code 34090. (File No. 0160-35)

Staff Recommendation: **Approval (City Clerk's Office: Zack Beck)**

RESOLUTION NO. 2020-42

Jennifer Lopez – Requested that the City find alternative methods to store Police Records.

MOTION: Motion by Deputy Mayor Martinez and seconded by Councilmember Diaz to approve authorizing the destruction of City records as set forth in Exhibit "A" and Exhibit "B," which are attached to Resolution No. 2020-42, for the Police Department and modify records series codes: 0400-60, 0410-30, 0675-10 and 0720-30 to comply with Government Code 34090. Approved unanimously.

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

13. **ADOPTION OF PROPOSED CHANGES TO CITY USER FEES -**

Request the City Council approve proposed adjustments to Escondido's User Fees that will become effective commencing the next fiscal year. (File No. 0480-45)

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

RESOLUTION NO. 2020-29

Alexa Clausen - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Beth Jochims - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Carol Rea - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Clayton Brooks - Expressed opposition to the proposed user fees.

Dan Harshman - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Douglas Collier - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Errol Cowan - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Frank Miller - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Joe Britton – Expressed opposition on behalf of SDG&E to the proposed cost for encroachment permits.

Karen Bass - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Kevin and Lynn Hall - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Kevin McLin - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Laura McLin - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Lisa Walker - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Marion Hanlon - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Mike McSweeney - Expressed opposition to the proposed user fees related to housing development.

Sharon Sanders - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

Traci Bass - Expressed opposition to the proposed user fees in the Old Escondido Historic District.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve proposed adjustments to Escondido's User Fees outlined in Option 3 of the staff presentation. Approved unanimously.

14. **ANNUAL CODE CLEAN-UP AND AMENDMENTS TO THE MUNICIPAL AND ZONING CODES (AZ 20-0001) -**

Request the City Council approve amending Article 49 (Air Space Condominium), Article 67 (Density Bonus), Article 70 (Accessory Dwelling Units), and Article 73 (Temporary Uses) of the Escondido Zoning Code; and Article 7 of Chapter 16 (Mobile Food Facilities) of the Municipal Code to address changes in state laws, correct errors, and improve existing regulations. (File No. 0680-50, 0810-20)

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

ORDINANCE NO. 2020-07 (First Reading and Introduction)

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Diaz to approve amending Article 49 (Air Space Condominium), Article 67 (Density Bonus), Article 70 (Accessory Dwelling Units), and Article 73 (Temporary Uses) of the Escondido Zoning Code; and Article 7 of Chapter 16 (Mobile Food Facilities) of the Municipal Code to address changes in state laws, correct errors, and improve existing regulations. Approved unanimously.

CURRENT BUSINESS

15. RESOLUTION OF INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO (SERVICES) AND COMMUNITY FACILITIES DISTRICT NO. 2020-2 (THE VILLAGES) -

Request of City Council approve declaring its intent to establish Community Facilities District ("CFD") No. 2020-1, a Citywide CFD to fund municipal services required for new development, and CFD 2020-2; The Villages Project CFD to fund public facilities; and setting a public hearing date of May 13, 2020. It is further recommended that the City Council approve declaring its intent to incur bond indebtedness, and approve Agreements with Lennar regarding the acquisition and funding of public facilities from CFD 2020-2. (File No. 0685-20)

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

A) RESOLUTION NO. 2020-24 B) RESOLUTION NO. 2020-25 C) RESOLUTION NO. 2020-40

Alex Plishner – Expressed support on behalf of Lennar Homes for the Community Facilities District.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve declaring its intent to establish Community Facilities District ("CFD") No. 2020-1, a Citywide CFD to fund municipal services required for new development, and CFD 2020-2; The Villages Project CFD to fund public facilities; and setting a public hearing date of May 13, 2020. It is further recommended that the City Council approve declaring its intent to incur bond indebtedness, and approve Agreements with Lennar regarding the acquisition and funding of public facilities from CFD 2020-2. Approved unanimously.

16. DESIGNATION OF ENFORCEMENT AUTHORITY FOR THE ESCONDIDO CAMPAIGN CONTROL ORDINANCE -

Request the City Council approve designating Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as the enforcement authority for the Escondido Campaign Control Ordinance for the 2020 Municipal Election, as required by Escondido Municipal Code Section 2-110.5(c). (File No. 0650-40)

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

RESOLUTION NO. 2020-41

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Martinez to approve designating Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as the enforcement authority for the Escondido Campaign Control Ordinance for the 2020 Municipal Election, as required by Escondido Municipal Code Section 2-110.5(c). Approved unanimously.

17. CONSIDERATION OF ADOPTION OF TEMPORARY EVICTION MORATORIUM AND/OR OTHER MEASURES TO ADDRESS ECONOMIC IMPACT OF COVID-19 EMERGENCY; REVIEW OF LOCAL EMERGENCY PROCLAMATION -

Request the City Council take public input, discuss and consider the adoption of Urgency Ordinance No. 2020-09 enacting a temporary moratorium on residential and commercial evictions, and/or take other measures to address housing issues, arising out of the Local Emergency related to the COVID-19 pandemic outbreak. The City Council should further consider the existing Local Emergency Proclamation as required by state law. (File No. 0220-65)

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

ORDINANCE NO. 2020-09 (Urgency Ordinance per Government Code Section 36936)

Cassie Lieurance - Expressed support for a temporary eviction moratorium.

Jennifer Lopez - Expressed support for a temporary eviction moratorium.

Joanne Tenney - Expressed support for a temporary eviction moratorium.

Juan Vargas - Expressed support for a temporary eviction moratorium.

Mike McSweeney - Expressed concern about the notification requirements set forth in the proposed ordinance.

Robroy Fawcett - Requested that the City Council issue a new 45-Day CEQA comment period for the Palomar Medical Center Downtown Campus.

MOTION: Moved by Deputy Mayor Martinez, seconded by Councilmember Diaz to adopt Urgency Ordinance No. 2020-09 enacting a temporary moratorium on residential and commercial evictions, and/or take other measures to address housing issues, arising out of the Local Emergency related to the COVID-19 pandemic outbreak, establishing a three-month time period for when rent will be paid back and not allowing landlords to charge late fees or penalties. The City Council should further consider the existing Local Emergency Proclamation as required by state law. Approved unanimously.

FUTURE AGENDA

18. 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 AND OTHER 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 9:03 p.m.

MAYOR

CITY CLERK