

December 16, 2020
5:00 p.m. Meeting
Mitchell Room
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 5:00 p.m. on December 16, 2020 in the Mitchell Room and in the City Council Chambers at City Hall with Mayor McNamara presiding.

ATTENDANCE

The following members were present: Councilmember Joe Garcia, Councilmember Tina Inscoc, Councilmember Consuelo Martinez, Deputy Mayor Michael Morasco, and Mayor Paul McNamara. Quorum present.

ORAL COMMUNICATIONS


None.

CLOSED SESSION: (COUNCIL/RRB)


- I. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code §54956.8)**
 - a. **Property:** 3400 Burnet Dr., APN 2251414000
City Negotiator: Jeffrey Epp, City Manager, or designee
Negotiating Parties: Association de Charros de El Caballo Park
Under Negotiation: Terms of Agreement
- II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))**
 - a. Daniel Sundquist v. City of Escondido
Case No. 37-2019-00022784-CU-PO-NC
- III. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))**
 - a. 1 matter (Potential litigation regarding Ordinance No. 2020-24)
 - b. 1 matter (Potential litigation regarding ROPS21-22)
- IV. CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6)**
 - a. **Agency representative:** Jeffrey Epp (City Manager) and/or designee
Employee organization: Escondido Police Officers' Association
 - b. **Agency representative:** Jeffrey Epp (City Manager) and/or designee
Employee organization: Escondido Firefighters' Association

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:50 p.m.

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MAYOR

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CITY CLERK

December 16, 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 December 16, 2020 in the Mitchell Room 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

Michael McGuinness, City Attorney, led the Flag Salute

ATTENDANCE

The following members were present: Councilmember Joe Garcia, Councilmember Tina Inscoe, Councilmember Consuelo Martinez, Deputy Mayor 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

COUNCIL ACTION ON ITEMS 3A AND 3B: Approved 5/0

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

MOTION: Moved by Councilmember Martinez and seconded by Deputy Mayor Morasco to approve all consent calendar items. 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:

- 347418 – 347640 dated November 10, 2020
- 347641 – 347896 dated November 18, 2020
- 347897 – 348062 dated November 24, 2020
- 348063 – 348310 dated December 2, 2020

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

3. APPROVAL OF MINUTES: Regular Meeting of November 18, 2020

FEES PER GOVERNMENT CODE SECTION 66006 -

Request the City Council receive and file the Annual Financial Report on Development Impact Fees. (File Code No. 0480-45)

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

5. PUBLIC SERVICES AGREEMENT WITH INVOICE CLOUD, INC. TO PROVIDE ELECTRONIC PAYMENT AND BILLING SERVICES -

Request the City Council approve authorizing the Mayor to execute a five year Public Service Agreement with Invoice Cloud, Inc. (File Code No. 0600-10, A-3229)

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

RESOLUTION NO. 2020-163

6. ADOPTION OF RESOLUTION NO. 2020-166 APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE ("ROPS21-22") FOR JULY 2021 THRU JUNE 2022 -

Request the City Council approve the Recognized Obligation Payment Schedule ("ROPS 21-22") so that the Successor Agency may continue to make payments due for enforceable obligations. (File Code No. 0440-35)

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

RESOLUTION NO. 2020-166

7. FINANCIAL REVIEW OF REIDY CREEK GOLF COURSE AND BUDGET ADJUSTMENT REQUEST-

Request the City Council review the City's financial obligations due to Reidy Creek and approve a budget adjustment for the fiscal year ending June 30, 2020 operating results. (File Code No. 0430-86)

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

8. PROPOSED MILLS ACT AGREEMENT AND CEQA EXEMPTION FOR 153 EAST 6th AVENUE (CASE NO. HP 19-0002) -

Request the City Council approve entering into a Mills Act Contract with the owner of 153 W. 6th Avenue. In addition, it is requested the City Council approve the CEQA exemption. (File Code No. 0880-10)

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

RESOLUTION NO. 2020-168

9. LEASE AGREEMENT WITH JOHN & ANN O'FLYNN dba LAKE WOHLFORD RESORT ON A PORTION OF A CITY OWNED PARCEL (APN:190-110-17), LAKE WOHLFORD ROAD, COUNTY OF SAN DIEGO -

Request the City Council approve authorizing the Mayor to execute a Lease Agreement with John & Ann O'Flynn on a City owned parcel located on Lake Wohlford Road in the County of San Diego (APN 190-110-17). (File Code No. 0600-10, A-3184)

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

RESOLUTION NO. 2020-161

10. FY 2020-21 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT AND BUDGET ADJUSTMENT -

Request the City Council approve and authorize the Escondido Police Department to accept a FY 2020-21 Department of Alcoholic Beverage Control Grant in the amount of \$20,000; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. This grant will fund grant-required training, overtime, and overhead expenses for officers to conduct operations related to alcohol sales to minors and to enhance local efforts to reduce alcohol-related problems in the community. (File Code No. 0480-70)

Staff Recommendation: **Approval (Police Department: Edward Varso)**

RESOLUTION NO. 2020-169

11. FY 2019-20 REGIONAL REALIGNMENT RESPONSE GRANT AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Escondido Police Department to accept \$80,000 of FY 2019-20 Regional Realignment Response Grant funds; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. Funding was provided by the State of California Board of Community Corrections through Assembly Bill 118 and Senate Bill 89, initiatives to reduce state prison overcrowding and support local law enforcement efforts to efficiently manage offenders and parole-violators. Escondido's allocation is used to support regional and local suppression operations. Funds must be used for police officer overtime and associated overhead. (File Code No. 0480-70)

Staff Recommendation: **Approval (Police Department: Edward Varso)**

12. FY 2019 STATE HOMELAND SECURITY GRANT PROGRAM AND BUDGET ADJUSTMENT -

Request the City Council approve authorizing the Escondido Police Department to accept FY 2019 State Homeland Security Grant funds in the amount of \$115,710; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. The County of San Diego Office of Emergency Services authorized the City of Escondido to spend its funds on equipment to support regional, public safety projects. The Fire Department will utilize \$57,440 to purchase VHF portable and mobile radios. The Police Department will utilize \$58,270 to purchase computers, monitors, investigative software, and medical kits. (File Code No. 0480-70)

Staff Recommendation: **Approval (Police Department: Edward Varso, Fire Department: Rick Vogt)**

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.)

13. ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADOPTING A MASTER AND PRECISE DEVELOPMENT PLAN TO SUPPORT THE NUTMEG HOMES PROJECT PROPOSAL ON THE SOUTH PORTION OF THE PROJECT SITE -

Approved on November 18, 2020 with a vote of 4/0

ORDINANCE NO. 2020-30 (Second Reading and Adoption)

PUBLIC HEARINGS

14. ANNUAL CODE CLEAN-UP AND AMENDMENTS TO THE MUNICIPAL CODE AND ZONING CODE (PL20-0636) -

Request the City Clerk approve amending various sections of the Zoning Code. The proposal involves minor amendments to Chapter 32 of the Municipal Code; and Article 1 ("General Provisions and Definitions"), Article 6 ("Residential Zones"), Article 16 ("Commercial Zones"), Article 19 ("Planned Development Zone"), Article 26 ("Industrial Zones"), Article 39 ("Off-Street Parking"), Article 40 ("Historical Resources"), Article 57 ("Miscellaneous Use Restrictions"), and Article 70 ("Accessory Dwelling Units") of the Escondido Zoning Code. The proposal also includes the adoption of the environmental determination prepared for the project. (File Code No. 0810-20)

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

ORDINANCE NO. 2020-31 (First Reading and Introduction)

MOTION: Moved by Councilmember Martinez and seconded by Councilmember Garcia to approve amending various sections of the Zoning Code. The proposal involves minor amendments to Chapter 32 of the Municipal Code; and Article 1 ("General Provisions and Definitions"), Article 6 ("Residential Zones"), Article 16 ("Commercial Zones"), Article 19 ("Planned Development Zone"), Article 26 ("Industrial Zones"), Article 39 ("Off-Street Parking"), Article 40 ("Historical Resources"), Article 57 ("Miscellaneous Use Restrictions"), and Article 70 ("Accessory Dwelling Units") of the Escondido Zoning Code. The proposal also includes the adoption of the environmental determination prepared for the project. Approved unanimously.

15. DENSITY BONUS, TENTATIVE SUBDIVISION MAP, AND CONDOMINIUM PERMIT FOR A TEN-UNIT CONDOMINIUM DEVELOPMENT FOR HABITAT FOR HUMANITY -

Request the City Council approve a Tentative Subdivision Map and Condominium Permit for the development of ten for-sale units on a 0.6-acre site at 245 East El Norte Parkway (APN 229-040-14). The project developer is Habitat for Humanity, and all units would be reserved for low-income households. All units will have three bedrooms and 2.5 bathrooms, a private two car garage, and an enclosed private yard with patio. A common area will include various recreational and social amenities. A density bonus request is included with the project. (File Code No. 0800-10)

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

RESOLUTION NO. 2020-164

MOTION: Moved by Councilmember Martinez and seconded by Councilmember Garcia to approve a Tentative Subdivision Map and Condominium Permit for the development of ten for-sale units on a 0.6-acre site at 245 East El Norte Parkway (APN 229-040-14). The project developer is Habitat for Humanity, and all units would be reserved for low-income households. All units will have three bedrooms and 2.5 bathrooms, a private two car garage, and an enclosed private yard with patio. A common area will include various recreational and social amenities. A density bonus request is included with the project. Approved unanimously.

AMENDMENT") AND BUDGET ADJUSTMENT -

Request the City Council approve amending the FY 2019-2020 HUD Action Plan, accepting the new Coronavirus Aid, Relief, and Economic Security ("CARES") Act funds from the Department of Housing and Urban Development ("HUD") and creating new projects to prevent, prepare for, and respond to COVID-19. (File Code No. 0430-80)

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

RESOLUTION NO. 2020-170

MOTION: Moved by Councilmember Martinez and seconded by Councilmember Inscoe to approve amending the FY 2019-2020 HUD Action Plan, accepting the new Coronavirus Aid, Relief, and Economic Security ("CARES") Act funds from the Department of Housing and Urban Development ("HUD") and creating new projects to prevent, prepare for, and respond to COVID-19. Approved unanimously.

CURRENT BUSINESS

17. REVIEW AND UPDATE OF CURRENT CITY COUNCIL SUBCOMMITTEE MEMBER ASSIGNMENTS -

Request the City Council make determinations and ratify members to serve on the Council/Mayoral appointed subcommittees per the attached listing. (File Code No. 0610-55)

Staff Recommendation: **None (City Clerk's Office: Zack Beck)**

MOTION: Moved by Councilmember Garcia and seconded by Councilmember Inscoe to ratify members to serve on the Council/Mayoral appointed subcommittees. 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)**

Councilmember Morasco – Requested two items be placed on the Future Agenda, 1) Review Council Meeting start times, 2) Review how many Councilmembers are required to place an item on the Future Agenda.

COUNCIL MEMBERS SUBCOMMITTEE REPORTS AND OTHER REPORTS

Councilmember Martinez - Wished everyone Happy Holidays. Attended Boards and Commissions Subcommittee Meetings. Met with Counsel General of Mexico.

Councilmember Inscoe - Wished everyone Happy Holidays. Expressed gratitude to the City Manager's Office and City staff for helping with the transition. Requested people support our local businesses.

Happy Holidays. Expressed gratitude to the City Manager's Office and City staff for helping with the transition. Met with Counsel General of Mexico.

Deputy Mayor Morasco - Wished everyone Happy Holidays. Will provide a presentation regarding organic waste in Escondido at a future time.

Mayor McNamara: Wished everyone Happy Holidays. Attended the Boards and Commissions subcommittee meeting. Met with Counsel General of Mexico.

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 6:45 p.m.

DocuSigned by:

Paul McNamara

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MAYOR

DocuSigned by:

Jack Beck

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CITY CLERK