



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

CLOSED SESSION

4:00 PM

March 2, 2022

CALL TO ORDER

1. Roll Call: Garcia, Inscoe, Martinez, Morasco, McNamara

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. 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. Speakers are limited to only one opportunity to address the Council under Oral Communications.

CLOSED SESSION

- I. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9(d)(2))**
 - a. Matter of Potential Litigation by Rincon Band of Luiseno Indians
- II. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9(d)(4))**
 - a. Matter of Potential Litigation against YMCA
- III. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code section 54956.9(d)(1))**
 - a. Case Name: City of Escondido v. Robin L. Patterson, et. al.
Case No.: San Diego Superior Court Case No. 37-2022-00004144-CU-BC-NC
 - b. Case Name: Citizen's Development Corporation, Inc. v. County of San Diego, et. al.
Case No.: US District Court Case No. 12-CV-00334 GPC (KSC)
 - c. Case Name: Building Industry Association of San Diego County v. City of Escondido
Case No.: San Diego Superior Court Case No. 37-2021-00008423-CU-MC-NC



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- d. Case Name: Touchstone MF Fund I, LLC v. City of Escondido
Case No.: San Diego Superior Court Case No. 37-2020-00020856-CU-BC-NC

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:00 p.m.

DocuSigned by:

Paul McNamara

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MAYOR

DocuSigned by:

Zack Beck

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CITY CLERK



CITY *of* ESCONDIDO

COUNCIL MEETING MINUTES

REGULAR SESSION

5:00 PM Regular Session

March 2, 2022

MOMENT OF REFLECTION

Zack Beck, City Clerk

FLAG SALUTE

Michael McGuinness, City Attorney.

CALL TO ORDER

Roll Call: Garcia, Inscoe, Martinez, Morasco, McNamara

PRESENTATIONS

North County Family Justice Center Presentation

Education Compact: 5 Best Retailers Awards

CLOSED SESSION REPORT

None.

ORAL COMMUNICATIONS

Gloria Conejo – Expressed opposition to Escondido Education Compact.

CONSENT CALENDAR

Motion: Garcia; Second: Martinez; Approved: 5-0

1. AFFIDAVITS OF PUBLICATION, MAILING, AND POSTING (COUNCIL/RRB) -



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2. APPROVAL OF WARRANT REGISTER (COUNCIL)

Request the City Council approve the City Council and Housing Successor Agency warrant numbers:

- a. 360048 – 360150 dated January 26, 2022
- b. 360254 – 360502 dated February 2, 2022
- c. 360503 – 360746 dated February 9, 2022
- d. 360747 – 361016 dated February 16, 2022

Staff Recommendation: Approval (Finance Department: Christina Holmes)

3. APPROVAL OF MINUTES: Regular meetings of January 26, 2022 and February 2, 2022

4. CALIFORNIA LIBRARY LITERACY SERVICES ESL GRANT \$52,000 -

Request the City Council approve Resolution 2022-30, authorizing the Deputy City Manager / Director of Communications & Community Services, or her designee, to receive grant funds and execute on its behalf, grant related documents necessary for the completion of the English as a Second Language Services. (File Number 0480-70)

Staff Recommendation: Approval (Communications & Community Services: Joanna Axelrod)

Presenter: Joanna Axelrod

- a. Resolution No. 2022-30

5. FISCAL YEAR 2020 URBAN AREA SECURITY INITIATIVE (UASI) GRANT PROGRAM AND BUDGET ADJUSTMENT -

Request the City Council approve a Fiscal Year 2020 Urban Area Security Initiative ("UASI") Grant Award Amendment in the amount of \$85,230; authorize the Fire Chief or his designee to execute grant documents on behalf of the City of Escondido ("City"); and approve budget adjustments needed to spend grant funds. (File Number 0480-70)

Staff Recommendation: Approval (Fire Department: Rick Vogt)

Presenter: Rick Vogt



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6. OUT OF AGENCY SERVICE AGREEMENTS FOR 2509 FELICITA ROAD AND 450 BEAR VALLEY PARKWAY -

Request the City Council approve (1) Resolution No. 2022-35, making application to the Local Agency Formation Commission ("LAFCO") for an out-of-agency service agreement and authorizing the mayor to execute said agreement, establishing a pre-zoning designation of RE-20, and authorizing submittal of an annexation application to LAFCO for a property located at 2509 Felicita Road and (2) approve Resolution No. 2022-36, making application to LAFCO for an out of agency service agreement and authorizing the mayor to execute said agreement, and establishing a pre-zoning designation of RE-20 for a property located at 450 Bear Valley Parkway. (File Number 0600-10; A-3400, A-3401)

Staff Recommendation: Approval (Community Development Department: Adam Finestone)

Presenter: Adam Finestone

a. Resolution No. 2022-35

b. Resolution No. 2022-36

7. APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR POLICE SERGEANT FRED CHEATHAM-

Request the City Council approve the California Public Employees' Retirement System ("CalPERS") Industrial Disability Retirement for Police Sergeant Fred Cheatham. (File Number 0170-57)

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

Presenter: Jessica Perpetua

a. Resolution No. 2022-37

8. APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR POLICE OFFICER ROY F. HUSTON JR. -

Request the City Council approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer Roy F. Huston Jr. (File Number 0170-57)

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

Presenter: Jessica Perpetua

a. Resolution No. 2022-38



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9. APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR POLICE CAPTAIN JUSTIN F. MURPHY-

Request the City Council approve the California Public Employees' Retirement System ("CalPERS") Industrial Disability Retirement for Police Captain Justin F. Murphy. (File Number 0170-57)

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

Presenter: Jessica Perpetua

a. Resolution No. 2022-39

10. CITYWIDE FIREWALL REPLACEMENT -

Request the City Council approve to adopt Resolution No. 2022-40 authorizing the Deputy City Manager/ Director of Information Systems, or his designee, to procure and establish a citywide firewall replacement. (File Number 0600-10)

Staff Recommendation: Approval (Information Systems Department: Rob Van De Hey)

Presenter: Ken Conradie

a. Resolution No. 2022-40

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.)

11. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADOPTING AMENDMENTS TO THE ESCONDIDO MUNICIPAL CODE FOR THE SELECTION PROCESS AND TERMS AND COMPOSITION OF VARIOUS CITY AND INTERAGENCY BOARDS AND COMMISSIONS -

Approved on December 15, 2021 with a vote of 5/0.

a. Ordinance No. 2021-14R (Second Reading and Adoption)



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PUBLIC HEARINGS

12. RESOLUTION OF FORMATION FOR COMMUNITY FACILITIES DISTRICT (CFD) 2022-1 (ECLIPSE AND MOUNTAIN HOUSE) -

Request that the City Council hold a public hearing and approve to adopt Resolution No. 2022-10 establishing Community Facilities District ("CFD") 2022-1, and Resolution No. 2022-11 determining the necessity to incur bonded indebtedness for the Eclipse and Mountain House Projects. Further recommendations include adoption of Resolution No. 2022-12 certifying election results, and Resolution No. 2022-14 annexing the project as Zone 2020-6 of the Citywide Services CFD 2020-1. Finally, it is recommended that Ordinance No. 2022-03 be introduced for first reading. (File Number 0685-20)

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

Presenter: Julie Procopio

a. Resolution No. 2022-10

b. Resolution No. 2022-11

c. Resolution No. 2022-12

d. Resolution No. 2022-14

e. Ordinance No. 2022-03 (First Reading and Introduction)

Motion to approve Resolution No. 2022-10, 11, 12, 14: Garcia; Second: Martinez: Approved 5-0

Motion to approve Ordinance No. 2022-03: Inscoe; Second: Garcia: Approved 4-1 (Morasco: No)

13. DEVELOPMENT AGREEMENT AND MAJOR PLOT PLAN FOR THE VIA PORTOFINO APARTMENT PROJECT (ADM 18-0225 AND PL 22-0021) -

Request the City Council (1) adopt Ordinance No. 2022-04, approving a Development Agreement for the Via Portofino apartment project and (2) approve Resolution No. 2022-31, approving a Major Plot Plan for the Via Portofino apartment project. (File Number 0600-15)

Staff Recommendation: Approval (Community Development Department: Adam Finestone)

Presenter: Adam Finestone

a. Resolution No. 2022-31

b. Ordinance No. 2022-04 (First Reading and Introduction)



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Kelly Birkel – Expressed opposition to this item.

Randi Tieken – Expressed opposition to this item.

Randi Tieken – Expressed opposition to this item.

Tobee Jackson – Expressed opposition to this item.

Kelly O'Connor – Expressed opposition to this item.

Motion: Morasco; Second: Inscoe; Approved: 3-2 (McNamara, Martinez: No)

14. RECOMMENDED REDISTRICTING PLAN OF THE ESCONDIDO INDEPENDENT REDISTRICTING COMMISSION -

Request the City Council receive and file a report on the Recommended Redistricting Plan. (File Number 0120-10)

Staff Recommendation: Receive and File (City Clerk's Office: Zack Beck)

Presenter: Zack Beck

Laura Hunter – Expressed support for the Recommended Redistricting Plan.

Pam Albergo – Expressed support for the Recommended Redistricting Plan.

Jenni Crim – Expressed support for the Recommended Redistricting Plan.

Linda Wilkinson – Expressed support for the Recommended Redistricting Plan.

Gloria Conejo – Expressed opposition to the Recommended Redistricting Plan.

Ana Marie Velasco – Expressed support for the Recommended Redistricting Plan.

Angelica Santiago – Expressed support for the Recommended Redistricting Plan.

Council action not required.



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CURRENT BUSINESS

15. BUILDING FORWARD LIBRARY INFRASTRUCTURE PROGRAM GRANT \$10 MILLION -

Request the City Council approve Resolution authorizing the Deputy City Manager/Director of Communications & Community Services to submit an application to the California State Library for \$10 million in funding through the Building Forward Library Infrastructure Program Grant and complete all necessary documentation to receive and spend funds should they be awarded. (File Number 1115-30)

Staff Recommendation: Approval (Communications & Community Services: Joanna Axelrod)

Presenter: Joanna Axelrod

a. Resolution No. 2022-32

Jack Anderson – Expressed support for this item.

Motion: Martinez; Second: McNamara: Approved: 5-0

16. TREASURER'S INVESTMENT STRATEGY CHANGE -

Request the City Council approve to adopt Resolution No. 2022-42 authorizing the City Treasurer to terminate the investment contract with PFM and approve the budget adjustment for investment software in the amount of \$7,000. (File Number 0490-60)

Staff Recommendation: Approval (City Treasurer: Douglas Shultz)

Presenter: Douglas Shultz

a. Resolution No. 2022-42

Motion: Inscoe; Second: Morasco; Approved: 5-0

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)



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

COUNCILMEMBERS 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.

ORAL COMMUNICATIONS

None.

ADJOURNMENT

Mayor McNamara adjourned the meeting at 6:19 p.m.

DocuSigned by:

Paul McNamara

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MAYOR

DocuSigned by:

Jack Beck

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CITY CLERK