



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

CLOSED SESSION

4:30 PM

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


1. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (Government Code section 54956(d)(1))**


a. **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

ADJOURNMENT

Mayor McNamara adjourned the meeting at 4:35 p.m.

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MAYOR

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CITY CLERK



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

REGULAR SESSION

5:00 PM Regular Session

September 28, 2022

MOMENT OF REFLECTION

City Council agendas allow an opportunity for a moment of silence and reflection at the beginning of the evening meeting. The City does not participate in the selection of speakers for this portion of the agenda, and does not endorse or sanction any remarks made by individuals during this time. If you wish to be recognized during this portion of the agenda, please notify the City Clerk in advance.

FLAG SALUTE

The City Council conducts the Pledge of Allegiance at the beginning of every City Council meeting.

CALL TO ORDER

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

PROCLAMATIONS

National Fire Prevention Week, October 9-15, 2022

CLOSED SESSION REPORT

ORAL COMMUNICATIONS

Gloria Conejo – Expressed concern about traffic in South/Central Escondido.

CONSENT CALENDAR

Motion: Morasco; Second: Garcia; 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:

366781 – 366905 dated September 14, 2022.

Staff Recommendation: Approval (Finance Department: Christina Holmes)

3. APPROVAL OF MINUTES: Regular Meeting of September 14, 2022

4. APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR FIRE CAPTAIN JUSTIN P. MILLER

Request the City Council to adopt Resolution No. 2022-138, approving the California Public Employees' Retirement System ("CalPERS") Industrial Disability Retirement for Fire Captain Justin P. Miller. (File Number 0170-57)

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

Presenter: Jessica Perpetua, Director of Human Resources

a) Resolution No. 2022-138

5. 2023 HOLIDAY SCHEDULE

Request the City Council adopt Resolution No. 2022-127 to designate the dates that City offices will be closed in the calendar year 2023 for holiday observances. (File Number 0700-80)

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

Presenter: Jessica Perpetua, Director of Human Resources

a) Resolution No. 2022-127

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.)

6. AN AMENDMENT TO THE ESCONDIDO MUNICIPAL AND ZONING CODES TO CREATE OBJECTIVE DEVELOPMENT STANDARDS FOR THE IMPLEMENTATION OF SENATE BILL 9 (PLANNING CASE NO. PL22-0363)

Approved on September 14, 2022 with a vote of 5/0.



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- a) Ordinance No. 2022-18 (Second Reading and Adoption)

PUBLIC HEARINGS

7. APPEAL OF A CONDITION OF APPROVAL APPLIED TO A MAJOR PLOT PLAN REQUIRING FUNDING OF ONGOING MUNICIPAL SERVICES REQUIRED BY THE PROJECT

Request the City Council consider an appeal of a condition of approval requiring funding of ongoing municipal services required for a 54-unit apartment project located at 1401 S. Escondido Boulevard and either a) adopt Resolution No. 2022-139, denying an appeal and upholding a condition of approval; or b) adopt Resolution No 2022-140, granting the appeal and waiving the condition of approval. (File Number 0610-75)

Staff Recommendation: Denial of appeal (Development Services Department: Andrew Firestine)

Planning Commission Recommendation: Granting of appeal (Vote: 4-2-0)

Presenter: Adam Finestone, City Planner

- a) Resolution No. 2022-139

- b) Resolution No. 2022-140

Motion to adopt Resolution No 2022-140, granting the appeal and waiving the condition of approval: Garcia; Second: Morasco; Approved: 5-0

8. APPEAL OF A CONDITION OF APPROVAL APPLIED TO A MAJOR PLOT PLAN REQUIRING FUNDING OF ONGOING MUNICIPAL SERVICES REQUIRED BY THE PROJECT

Request the City Council consider an appeal of a condition of approval requiring funding of ongoing municipal services required for a 48-unit apartment project located at 1600 S. Escondido Boulevard and either a) adopt Resolution No. 2022-141, denying an appeal and upholding a condition of approval; or b) adopt Resolution No 2022-142, granting the appeal and waiving the condition of approval. (File Number 0610-75)

Staff Recommendation: Denial of appeal (Development Services Department: Andrew Firestine)

Planning Commission Recommendation: Granting of appeal (Vote: 4-2-0)

Presenter: Adam Finestone, City Planner

- a) Resolution No. 2022-141



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b) Resolution No. 2022-142

Aaron Bove – Expressed support for the project.

Kamshad Raiszadeh – Expressed support for the project.

Kevin Choquette – Expressed support for the project.

Motion to adopt Resolution No 2022-142, granting the appeal and waiving the condition of approval: Inscoe; Second: Martinez; Approved: 5-0

CURRENT BUSINESS

9. APPROVAL OF A RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH SIFI NETWORKS ESCONDIDO, LLC

Request the City Council approve to adopt Resolution No. 2022-143, awarding the Right-Of-Way Encroachment Agreement to SiFi Networks, Escondido LLC ("SiFi") to allow for the installation of a citywide fiber communications system ("Project"), and authorizing the Mayor to execute the Agreement. (File Number 0600-10;A-3433)

Staff Recommendation: Approval (Economic Development: Jennifer Schoeneck; Information Systems Department: Robert Van De Hey; Engineering Services: Julie Procopio)

Presenters: Jennifer Schoeneck, Deputy Director of Economic Development, Rob Van De Hey, Chief Information Officer, and Julie Procopio, City Engineer

a) Resolution No. 2022-143

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

10. LEGAL UPDATE ON SAFE SIDEWALK VENDING ACT (AB 946) AND CONSIDERATION OF LOCAL REGULATIONS

Request the City Council receive and file a report and give direction to staff on future actions, if any. (File Number 0670-30)

Staff Recommendation: Provide Direction (City Attorney: Michael R. McGuinness)

Presenter: Michael R. McGuinness, City Attorney

Cesar Serrano – Expressed support for sidewalk vendors.

Alexis Villanueva – Expressed support for sidewalk vendors.



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Vanessa Valenzuela – Expressed support for sidewalk vendors.

Council action not required.

FUTURE AGENDA

11. 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)

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 6:47 p.m.

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MAYOR

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CITY CLERK