



# CITY of ESCONDIDO

## COUNCIL MEETING MINUTES

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### CLOSED SESSION

4:00 PM

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### CALL TO ORDER

1. Roll Call: C. Garcia, J. Garcia, Martinez, Morasco, White

### 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 LABOR NEGOTIATORS (Government Code § 54957.6)**
  - a. Agency Representative: Sean McGlynn, City Manager, or designee  
Employee Organization: Police Officers' Association Sworn Personnel Bargaining Unit
  - b. Agency Representative: Sean McGlynn, City Manager, or designee  
Employee Organization: Police Officers' Association Non-Sworn Personnel Bargaining Unit
  - c. Agency Representative: Sean McGlynn, City Manager, or designee  
Employee Organization: Firefighters' Association Safety and Non-safety Bargaining Unit
  - d. Agency Representative: Sean McGlynn, City Manager, or designee  
Employee Organization: ECEA Unit (SUP)
  - e. Agency Representative: Sean McGlynn, City Manager, or designee  
Employee Organization: Maintenance and Operations Bargaining Unit (Teamsters Local 911 and ACE)



# CITY *of* ESCONDIDO

## COUNCIL MEETING MINUTES

### II. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8)

- a. Property: 272 Via Rancho Pkwy., Escondido (North County Mall)
- b. Agency Negotiator: Sean McGlynn, City Manager or designee
- c. Negotiating Parties: Steerpoint Capital and affiliates
- d. Under Negotiation: Price and Terms of Ground Lease

### ADJOURNMENT

Mayor White adjourned the meeting at 4:37 p.m.

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MAYOR

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CITY CLERK



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### REGULAR SESSION

5:00 PM Regular Session

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#### 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: C. Garcia, J. Garcia, Martinez, Morasco, White

#### CLOSED SESSION REPORT

#### ORAL COMMUNICATIONS

Nancy Burian – Thanked the City for hosting the Gold Star Families Public Forum with Congressman Issa and expressed concern regarding the homelessness issue in Escondido.

#### CONSENT CALENDAR

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

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:
  - 375634 - 375871 dated July 26, 2023

Staff Recommendation: Approval (Finance Department: Christina Holmes)

3. **APPROVAL OF MINUTES: None**



# CITY of ESCONDIDO

## COUNCIL MEETING MINUTES

**4. WAIVER OF READING OF ORDINANCES AND RESOLUTIONS –**

**5. NOTICE OF COMPLETION FOR THE W 7TH AVENUE AND S BROADWAY WATER MAIN REPLACEMENT PROJECT**

Request the City Council adopt Resolution No. 2023-99, authorizing the Deputy City Manager / Director of Utilities to file a Notice of Completion for the W 7th Avenue and S Broadway Water Main Replacement Project (“Project”). (File Number 0600-95)

Staff Recommendation: Approval (Utilities Department: Christopher W. McKinney, Deputy City Manager/Director of Utilities)

Presenter: Angela Morrow, Deputy Director of Utilities

a) Resolution No. 2023-99

**6. AWARD CONTRACT FOR CONSTRUCTION OF THE WASHINGTON PARK FUTSAL SOCCER COURTS**

Request the City Council adopt Resolution No. 2023-88 awarding a construction contract to Ace Electric, Inc., determined to be the lowest responsible and responsive bidder, approving the budget adjustment request, and authorizing the Mayor on behalf of the City, to execute a Public Improvement Agreement in the amount of \$334,000 for construction of the Washington Park Futsal Soccer Courts (“Project”). (File Number 0600-10; A-3470)

Staff Recommendation: Approval (Development Services Department: Andrew Firestine, Development Services Director, and Julie Procopio, City Engineer)

Presenter: Julie Procopio, City Engineer

a) Resolution No. 2023-88

**7. REJECT ALL BIDS FOR THE 2023 STREET MAINTENANCE PROJECT - PHASE 2**

Request the City Council adopt Resolution No. 2023-106, rejecting all bids for the 2023 Street Rehabilitation and Maintenance Project – Phase 2 (“Project”), and authorizing staff to re-bid the project. (File Number 0470-45)

Staff Recommendation: Approval (Development Services Department: Julie Procopio, City Engineer)

Presenter: Marissa Padilla, Associate Engineer

a) Resolution No. 2023-106



# CITY of ESCONDIDO

## COUNCIL MEETING MINUTES

### **8. ON-CALL BUILDING SERVICES CONTRACT AWARDS**

Request the City Council adopt Resolution No. 2023-108, authorizing the Mayor to execute, on behalf of the City, a Consulting Agreement with Interwest Consulting Group, Inc., a Colorado corporation, for three-years with one (1) option to extend the Consulting Agreement for one (1) year. Request the City Council adopt Resolution No. 2023-109, authorizing the Mayor to execute, on behalf of the City, a Consulting Agreement with NV5, Inc., a California corporation, for three-years with one (1) option to extend the Consulting Agreement for one (1) year; and approve a budget adjustment request in the amount of \$529,430 for professional services for dedicated building inspection services for the Palomar Heights project. (File Number 0600-10; A-3471-A; 0600-10; A-3471-B)

Staff Recommendation: Approval (Development Services Department: Andrew Firestine, Director of Development Services)

Presenter: Andrew Firestine, Director of Development Services

a) Resolution No. 2023-108

b) Resolution No. 2023-109

### **9. TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED June 30, 2023**

Request the City Council approve the Quarterly Investment Report for the quarter ended June 30, 2023. (File Number 0400-85)

Staff Recommendation: Approval (City Treasurer's Office: Douglas Shultz, City Treasurer)

Presenter: Douglas Shultz, City Treasurer

### **10. FISCAL YEAR 2022/23 PAUL COVERDELL FORENSIC IMPROVEMENT PROGRAM GRANT AND BUDGET ADJUSTMENT**

Request the City Council adopt Resolution No. 2023-104 authorizing the Chief of Police or his designee to accept a FY 2022-23 California Office of Emergency Services (CalOES) Paul Coverdell Forensic Science Improvement Program Grant in the amount of \$52,446; execute all documents necessary for the management and completion of the grant scope; and authorize the necessary budget adjustment needed to spend grant funds. (File Number 0480-70)

Staff Recommendation: Approval (Police Department: Edward Varso, Chief of Police)

Presenter: Edward Varso, Chief of Police

a) Resolution No. 2023-104



# CITY of ESCONDIDO

## COUNCIL MEETING MINUTES

### PUBLIC HEARINGS

**11. PHG20-0033/PL22-0216 – AN APPEAL OF THE PLANNING COMMISSION’S DECISION TO DENY A CONDITIONAL USE PERMIT AND GRADING EXEMPTION FOR THE CONSTRUCTION OF A 45-BED LICENSED RESIDENTIAL CARE FACILITY**

Request the City Council adopt Resolution No. 2023-103, granting the appeal of the Planning Commission’s decision to deny the Conditional Use Permit and Grading Exemption for the construction of a 45-bed Licensed Residential Care Facility. (File Number 0120-15)

Staff Recommendation: Approval (Development Services Department: Andrew Firestine, Director of Development Services)

Presenter: Ivan Flores, Associate Planner

a) Resolution No. 2023-103

Kamilah Brown – Expressed opposition to the item.

Chancellor Brown – Expressed opposition to the item.

Josh Vierra – Expressed opposition to the item.

Lisa Duncan – Expressed opposition to the item.

Chad Brittan – Expressed opposition to the item.

Nancy Brittan – Expressed opposition to the item.

Patti Smith – Expressed opposition to the item.

Joseph Porter – Expressed opposition to the item.

Connie Howes – Expressed opposition to the item.

Anthony Manzo – Expressed opposition to the item.

David Woelke – Expressed opposition to the item.

David Woelke Jr. – Expressed opposition to the item.

Alta Woelke – Expressed opposition to the item.

Kiera Murphy – Expressed opposition to the item.



# CITY *of* ESCONDIDO

## COUNCIL MEETING MINUTES

David Ruscetta – Expressed opposition to the item.

Tamara Singler – Expressed opposition to the item.

James Singler – Expressed opposition to the item.

Harry Brittan – Expressed opposition to the item.

Ken Smith – Expressed opposition to the item.

Rick Runnell – Expressed opposition to the item.

Jack Schaefer – Expressed opposition to the item.

Lee Struss – Expressed opposition to the item.

Amare Rivera – Expressed opposition to the item.

Cynthia Jesch – Expressed opposition to the item.

Cherese Brown – Expressed opposition to the item.

Amafe Rivera – Expressed support for the item.

John Beery – Expressed support for the item.

Leslie Wang – Expressed support for the item.

Motion to deny the appeal: J. Garcia; Second: White; Approved: 3-2 (Morasco, C. Garcia – No)

### **12. PL23-0109 – DOWNTOWN SPECIFIC PLAN TEXT AMENDMENT**

Request the City Council adopt Ordinance No. 2023-11 amending the list of permitted uses within the Downtown Specific Plan to allow “All types of eating establishments providing meal service from an on-site operating commercial-grade kitchen, and / or dessert service from an on-site operating commercial-grade freezer/refrigerator facility with, or without, incidental sale of alcohol (including micro-breweries and outdoor dining, but with no drive-through), with no live amplified entertainment or dancing” within the Creekside Neighborhood District. (File Number 0810-20)

Staff Recommendation: Approval (Development Services Department: Andrew Firestine, Director of Development Services)

Presenter: Ivan Flores, Associate Planner



# CITY of ESCONDIDO

## COUNCIL MEETING MINUTES

a) Ordinance No. 2023-11 (First Reading and Introduction)

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

### CURRENT BUSINESS

#### **13. CAMPAIGN CONTRIBUTION UPDATE**

Request the City Council receive and file an update on campaign contribution regulations in the State of California. (File Number 0640-40)

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

Presenter: Zack Beck, City Clerk

Mayor White moved this item to a future date.

#### **14. PUBLIC COMMENT POLICY**

Request the City Council consider and provide direction to staff regarding the City of Escondido's ("City") current public comment policy. (File Number 0610-90)

Staff Recommendation: Provide Direction (City Clerk's Office: Zack Beck)

Presenter: Zack Beck, City Clerk

a) Resolution No. 2023-111R

Maria Wallace – Expressed concern with moving “oral communications” to the end of the meeting.

Chris Nava – Expressed concern with moving “oral communications” to the end of the meeting.

Rosette Garcia – Expressed concern with modifying the current public comment policy.

Georgine Tomasi – Expressed concern with modifying the current public comment policy.

Ana Marie Velasco – Expressed concern with modifying the current public comment policy.

Janet Seeley – Expressed concern with modifying the current public comment policy.

Laura Hunter – Expressed concern with moving “oral communications” to the end of the meeting.





# CITY *of* ESCONDIDO

## COUNCIL MEETING MINUTES

Pam Albergo – Expressed concern with moving “oral communications” to the end of the meeting.

Betsy Byrnes – Expressed concern with moving “oral communications” to the end of the meeting.

Linda Schaefer – Expressed concern with moving “oral communications” to the end of the meeting.

Patricia Borchmann – Expressed concern with moving “oral communications” to the end of the meeting.

Joseph Randolph – Expressed concern with moving “oral communications” to the end of the meeting.

Brian Baxley – Expressed concern with moving “oral communications” to the end of the meeting.

Aisha Wallace-Palomares – Expressed concern with moving “oral communications” to the end of the meeting.

Mark Wallace – Expressed concern with moving “oral communications” to the end of the meeting.

Joanne Tenney – Expressed concern with moving “oral communications” to the end of the meeting.

Barbara Servatka – Expressed concern with moving “oral communications” to the end of the meeting.

Andrew Thomas – Expressed concern with moving “oral communications” to the end of the meeting.

Steve Thorne – Expressed concern with moving “oral communications” to the end of the meeting.

Richard Miller – Expressed concern with moving “oral communications” to the end of the meeting.

Motion to no longer read electronic public comments and not permit audio/visual support for the public comments: White; Second: Morasco; Failed: 2-3 (J. Garcia, C. Garcia, Martinez – No)



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## COUNCIL MEETING MINUTES

Motion to continue reading electronic public comments and not permit audio/visual support for the public comments: Martinez; Second: C. Garica; Approved: 4-1 (White – No)

### **15. DESIGNATION OF VOTING DELEGATE – LEAGUE OF CALIFORNIA CITIES CONFERENCE**

Request the City Council designate the Voting Delegate and up to two alternates for the League of California Cities Annual Conference in Sacramento, California on September 20-22, 2023. (File Number 0130-10)

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

Presenter: Zack Beck, City Clerk

Motion to appoint C. Garcia as the Voting Delegate, Garcia as first alternate and Martinez as second alternate: J. Garcia; Second: Martinez; Approved: 5-0

## **FUTURE AGENDA**

### **16. 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](http://www.escondido.org).

### **ORAL COMMUNICATIONS**

Bryant Rumbaugh – Encouraged the Council to pay attention to an upcoming announcement from Mike Lindell.

### **ADJOURNMENT**



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## COUNCIL MEETING MINUTES

Mayor White adjourned the meeting at 7:18 p.m.

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MAYOR

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CITY CLERK