

CITY OF ESCONDIDO

**December 5, 2018
4:30 P.M. Meeting Minutes**

Escondido City Council Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, December 5, 2018 in the City Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

Juan Todd led the Moment of Reflection.

FLAG SALUTE

Councilmember Diaz led the flag salute.

ATTENDANCE:

The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Deputy Mayor John Masson, Councilmember Michael Morasco, and Mayor Sam Abed. Quorum present.

Also present were: Jeffrey Epp, City Manager; Michael R. McGuinness, City Attorney; Mike Strong, Assistant Director of Planning; Owen Tunnell, Assistant City Engineer; Eva Heter, Interim City Clerk; Jennifer Ekblad, Deputy City Clerk.

ORAL COMMUNICATIONS

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Masson to approve all Consent Calendar items. Ayes: Diaz, Gallo, Masson, Morasco. Noes: None. Abstained: Abed. Motion carried.

- 1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
- 2. APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
- 3. APPROVAL OF MINUTES: None Scheduled**
- 4. ANNUAL FINANCIAL REPORT ON CAPITAL FUNDS FUNDED BY DEVELOPER FEES PER GOVERNMENT CODE SECTION 66006 -**
Request the City Council receive and file the Annual Financial Report on Developer Fees.

Staff Recommendation: **Receive and File (Finance Department: Sheryl Bennett)**

5. NOTICE OF COMPLETION FOR THE ESCONDIDO-VISTA WATER TREATMENT PLANT METAL STORAGE BUILDING PROJECT -

Request the City Council approve authorizing the Director of Utilities to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Metal Storage Building Project.

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

RESOLUTION NO. 2018-174

6. NOTICE OF COMPLETION FOR THE ESCONDIDO-VISTA WATER TREATMENT PLANT DISINFECTION AND ELECTRIC SYSTEM UPGRADES PROJECT -

Request the City approve authorizing the Director of Utilities to file a Notice of Completion for the Escondido-Vista Water Treatment Plant Disinfection and Electrical System Upgrades Project.

Staff Recommendation: **Approval (Utilities Department: Christopher W. McKinney)**

RESOLUTION NO. 2018-183

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

7. TENTATIVE SUBDIVISION MAP MODIFICATION, EXTENSION OF TIME, AND DEVELOPMENT AGREEMENT LOCATED AT 323 LION VALLEY ROAD (TR 878, SUB 16-0012, AND PHG 18-0028) -

Approved on November 28, 2018 with a vote of 4/0/1, Abed absent

ORDINANCE NO. 2018-21 (Second Reading and Adoption)

8. AMENDMENTS TO CHAPTERS 17 AND 23 OF THE ESCONDIDO MUNICIPAL CODE AND ARTICLE 66 (SIGN ORDINANCE) OF THE ESCONDIDO ZONING CODE RELATING TO SIGNS IN THE PUBLIC RIGHT-OF-WAY (AZ 18-0008) -

Approved on November 28, 2018 with a vote of 4/0/1, Abed absent

ORDINANCE NO. 2018-22 (Second Reading and Adoption)

9. REPEAL ESCONDIDO MUNICIPAL CODE CHAPTER 18, ARTICLE 2, COMMUNITY SERVICES COMMISSION -

Approved on November 28, 2018 with a vote of 4/0/1, Abed absent

ORDINANCE NO. 2018-24 (Second Reading and Adoption)

PUBLIC HEARINGS

10. SHORT-FORM RENT REVIEW BOARD HEARING FOR GREENCREST MOBILEHOME PARK -

Request the City Council consider for approval the short-form rent increase application submitted by Greencrest Mobilehome Park, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index (CPI), or 2.268 percent (an average of \$10.44) for the period of June 30, 2017 to June 30, 2018.

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

RRB Resolution No. 2018-11

Belinda Rojas, Program Administrator, and Stephen Jacobson, Code Enforcement Officer, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone wanted to speak on this issue in any way.

Jim Younce, Owner's Representative, was available to answer questions.

Mayor Abed asked if anyone else wished to speak on this issue in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Diaz to approve the short-form rent increase application submitted by Greencrest Mobilehome Park, granting an increase of 75 percent of the change in the Consumer Price Index (CPI), or 2.268 percent (an average of \$10.44) for the period of June 30, 2017 to June 30, 2018 and adopt RRB Resolution No. 2018-11. Motion carried unanimously.

11. SHORT-FORM RENT REVIEW BOARD HEARING FOR SUNDANCE MOBILEHOME PARK -

Request the City Council consider for approval the short-form rent increase application submitted by Sundance Mobilehome Park, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index, or 4.800 percent (an average of \$36.54) for the period of June 30, 2016 to June 30, 2018.

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

RRB RESOLUTION NO. 2018-10

Belinda Rojas, Program Administrator, and Stephen Jacobson, Code Enforcement Officer, presented the staff report utilizing a PowerPoint presentation. Belinda noted 21 spaces were impacted by the application and 11 residents of the affected spaces signed in to protest the rent increase.

Mayor Abed opened the public hearing and asked if anyone wanted to speak on this issue in any way.

Jeff Fisher, Owner's Representative, requested the licenses of residents who signed in to protest be verified and was available to answer questions.

Rob Wise, Residents' Representative, spoke in opposition to the short-form rent increase, shared concerns regarding the mobilehome park owners; and requested an increase of 12.5 percent of the Consumer Price Index.

Susie Clark, Escondido, spoke in opposition to the short-form rent increase.

Mayor Abed asked if anyone else wished to speak on this issue in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to approve the short-form rent increase application submitted by Sundance Mobilehome Park, granting an increase of 75 percent of the change in the Consumer Price Index, or 4.800 percent (an average of \$36.54) for the period of June 30, 2016 to June 30, 2018 and adopt RRB Resolution No. 2018-10. Ayes: Abed, Masson, Morasco. Noes: Diaz, Gallo. Motion carried.

12. ESCONDIDO'S PUBLIC FACILITIES FEE, PARK DEVELOPMENT FEE, TRAFFIC IMPACT FEE, AND DRAINAGE FACILITIES FEE -

Request the City Council approve a 3.3 percent inflationary adjustment to the Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees in order to maintain their purchasing power for completing necessary public improvements to serve new development.

Staff Recommendation: **Approval (City Manager's Office: Jay Petrek)**

RESOLUTION NO. 2018-164

Jay Petrek, Assistant City Manager, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone wanted to speak on this issue in any way.

Patricia Borchmann, Escondido, shared comments regarding annual development impact fees and drainage deficiencies in the North Broadway area.

Mayor Abed asked if anyone else wished to speak on this issue in any way. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve a 3.3 percent inflationary adjustment to the Public Facilities, Park Development, Traffic Impact, and Drainage Facilities Development Impact Fees in order to maintain their purchasing power for completing necessary public improvements to serve new development and adopt Resolution No. 2018-164. Motion carried unanimously.

13. CONDITIONAL USE PERMIT, MASTER AND PRECISE DEVELOPMENT PLAN AND DEMO PERMIT FOR 301 AND 309 EAST GRAND AVENUE (PHG 18-0013 AND ENV 18-0004) -

Request the City Council approve a Master and Precise Development Plan, a Conditional Use Permit, and Demo Permit for "The Grand" project located at 301 and 309 East Grand Avenue.

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

A) RESOLUTION NO. 2018-175R

B) ORDINANCE NO. 2018-23 (First Reading and Introduction)

DEPUTY MAYOR MASSON ABSTAINED AND LEFT THE DAIS.

Jay Paul, Senior Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor Abed opened the public hearing and asked if anyone wanted to speak on this issue in any way.

Tim Spivey, Applicant, thanked staff and Council for their support regarding the proposed project and was available for questions.

Steve Warrik, President of the Board of Directors for Patio Playhouse, stated support for the proposed project.

Laura Whitten, Escondido, stated support for the proposed project.

Don Bunting, Escondido, commented on the benefits of the proposed project to children.

Tony Corley, Escondido, stated support for the proposed project.

Rorie Johnston, President of the Escondido Chamber of Commerce, thanked Mayor Abed and Councilmember Gallo for their service and stated support for the proposed project.

Scott Kolod, Escondido, stated support for the proposed project.

Doug Friedman, Escondido, stated support for the proposed project and local theater groups.

Vicki Johnson, Escondido, stated support for the proposed project.

Katrina DeRoche, representative for Christian Youth Theater – North County Inland, stated support for the proposed project.

Kenneth Winter, Escondido, stated support for the proposed project.

Rich Wang, Escondido, stated support for the proposed project.

Sabrina Covington, Escondido, stated support for the proposed project.

Emily Burroughs, Escondido, stated support for the proposed project.

Patricia Borchmann, Escondido, shared questions regarding expiration of the Business Enhancement Zone (BEZ) policy.

35 people registered their position in favor of the proposed project, but did not wish to speak.

Mayor Abed asked if anyone else wished to speak. No one asked to be heard; therefore, he closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve a Master and Precise Development Plan, a Conditional Use Permit, and Demo Permit for "The Grand" project located at 301 and 309 East Grand Avenue and adopt Resolution No. 2018-175 and introduce Ordinance No. 2018-23. Ayes: Abed, Diaz, Gallo, Morasco. Noes: None. Abstained: Masson. Motion carried.

CURRENT BUSINESS

14. APPOINTMENT TO HISTORIC PRESERVATION COMMISSION -

Request the City Council ratify the Mayor's appointment to the Historic Preservation Commission, term to expire March 31, 2020.

Staff Recommendation: **Ratify the Mayor's Appointment (City Clerk's Office: Eva Heter)**

MOTION: Moved by Mayor Abed and seconded by Councilmember Diaz to ratify the Mayor's appointment of Marion Hanlon to the Historic Preservation Commission, term to expire March 31, 2020. Motion carried unanimously.

15. MARRIOTT HOTEL DEVELOPMENT IMPACT FEE -

Request the City Council consider for approval the following options: 1) Approve the applicant's request to impose the original fees for the development; 2) Deny the applicant's request and impose the updated fees that are currently in effect; or 3) Approve the applicant's request, but also amend the approved Transit Occupancy Tax (T.O.T) sharing agreement allowing the City to potentially recoup additional revenue at an earlier time frame to offset the fee increase. The current developer of the Marriott Springhill Suites Hotel has requested that the City assess Development Impact Fees at the level prior to the increase that became effective earlier this year.

Staff Recommendation: **Consider for Approval (City Manager's Office: Jay Petrek)**

Jay Petrek, Assistant City Manager, presented the staff report utilizing a PowerPoint presentation.

David Ferguson, Applicant's Representative, clarified ownership has not changed during construction, commented regarding address issues for a notice of fee increase, and requested the fee increase not be applied.

Patricia Borchmann, Escondido, clarified option three and voiced support for option three.

MOTION: Moved by Deputy Mayor Masson and seconded by Councilmember Morasco to approve the applicant's request to impose the original Development Impact Fees for the project but amend the approved Economic Incentive Agreement for formal adoption at a future date where the City would (1) reimburse developer 50% of all annual Transit Occupancy Tax (T.O.T.) revenues up to the amount identified in the Keyser Marston projections factored into the hotel's financing plan for each year; (2) retain 100% of all annual T.O.T. revenues that exceed Keyser Marston projections; and (3) retain the original \$1.8 million economic incentive and the agreement's duration provisions for the developer. Motion carried unanimously.

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: Eva Heter)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Gallo reported North County Transit District purchased new Amtrak Surfliner trains and shared a video regarding the new trains.

Mayor Abed will attend last SANDAG meeting as Mayor.

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.

- **WEEKLY ACTIVITY REPORT -**

ORAL COMMUNICATIONS

David Ferguson, Escondido, thanked Mayor Abed and Councilmember Gallo for their service on the City Council.

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:52 p.m.

After the meeting adjourned, **Art Devine, Escondido**, shared comments regarding the oath of office.

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Sam Abed
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MAYOR

DocuSigned by:
Eva Heter
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INTERIM CITY CLERK

DocuSigned by:
Jennifer Ekblad
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DEPUTY CITY CLERK