



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

CLOSED SESSION

4:30 PM

CALL TO ORDER

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

ORAL COMMUNICATIONS

None

CLOSED SESSION

- I. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION (Government Code § 54956.9(d)(1))**
 - a. *Thomas Pugh v. City of Escondido*
Workers Compensation Appeals Board Case No. ADJ15407550
 - b. *Thomas Pugh v. City of Escondido*
Workers Compensation Appeals Board Case No. ADJ10571443
 - c. *John Taylor v. City of Escondido*
Workers Compensation Claim Nos. 10-292234, 12-480157, 19-145332
 - d. *Julio Lopez v. City of Escondido; AdminSure, Inc.*
Workers Compensation Appeals Board Case No. ADJ11392033

ADJOURNMENT

Mayor White adjourned the meeting at 4:55 p.m.

DocuSigned by:

Dane White

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DocuSigned by:

Jack Beck

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MAYOR

CITY CLERK

August 28, 2024

Escondido City Council Minutes

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COUNCIL MEETING MINUTES

REGULAR SESSION

5:00 PM Regular Session

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

PROCLAMATIONS

National Emergency Preparedness Month

PRESENTATIONS

San Diego County Water Authority - Southern First Aqueduct Facilities Improvement Project

CLOSED SESSION REPORT

a. Thomas Pugh v. City of Escondido

Workers Compensation Appeals Board Case No. ADJ15407550

Council voted 5-0 to approve a settlement in the amount of \$25,000

b. Thomas Pugh v. City of Escondido

Workers Compensation Appeals Board Case No. ADJ10571443

Council voted 5-0 to approve a settlement in the amount of \$25,000



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c. John Taylor v. City of Escondido

Workers Compensation Claim Nos. 10-292234, 12-480157, 19-145332

Council voted 5-0 to approve a settlement in the amount of \$82,455

d. Julio Lopez v. City of Escondido; AdminSure, Inc.

Workers Compensation Appeals Board Case No. ADJ11392033

Council voted 5-0 to approve a settlement in the amount of \$139,562.50

ORAL COMMUNICATIONS

Jim Nelson – Concerned about stop signs on Sheraton Road near Resurrection Church. Request that the traffic pattern should direct drivers on arterial roads, such as Center City Parkway and El Norte.

CONSENT CALENDAR

Motion to approve items 1-7, 10: Morasco; Second: C. Garcia; Approved: 5-0

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

2. **APPROVAL OF WARRANT REGISTERS (COUNCIL)**

Request approval for City Council and Housing Successor Agency warrant numbers:

- 386365 – 386475 dated August 7, 2024
- 386476 – 386666 dated August 14, 2024

Staff Recommendation: Approval (Finance Department: Christina Holmes, Director of Finance)

ESSENTIAL SERVICE – Yes, Internal requirement per Municipal Code Section 10-49

3. **APPROVAL OF MINUTES: Regular Meeting Minutes of August 7, 2024 and August 14, 2024**

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

5. **CONTINUING THE EMERGENCY REPAIR OF THE ESCONDIDO TRUNK SEWER MAIN**

Request the City Council adopt Resolution No. 2024-117, declaring that pursuant to the terms of Section 22050 of the California Public Contract Code, the City Council finds there is a need to continue the emergency repair of the Escondido Trunk Sewer Main.

Staff Recommendation: Approval (Utilities: Angela Morrow, Director of Utilities)



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Presenter: Stephanie Roman, Interim Assistant Director of Utilities – Construction & Engineering

ESSENTIAL SERVICE – Yes, Keep City Clean for Public Health and Safety; Sewer

COUNCIL PRIORITY – Improve Public Safety

a) Resolution 2024-117

6. NOTICE OF COMPLETION FOR EMERGENCY REPAIR OF THE ESCONDIDO LAND OUTFALL

Request the City Council adopt Resolution No. 2024-119, authorizing the Director of Utilities to file a Notice of Completion for Emergency Repair of the Escondido Land Outfall Project.

Staff Recommendation: Approval (Utilities: Angela Morrow, Director of Utilities)

Presenter: Stephanie Roman, Interim Assistant Director of Utilities, Construction & Engineering

ESSENTIAL SERVICE – Yes, Keep City Clean for Public Health and Safety; Sewer

COUNCIL PRIORITY – Improve Public Safety

a) Resolution No. 2024-119

7. AGREEMENT OF PURCHASE AND SALE BETWEEN THE CITY OF ESCONDIDO AND 1501 AUTO PARKWAY, LLC (“BUYER”) AND DECLARATION OF EXEMPT SURPLUS LAND

Request the City Council adopt Resolution No. 2024-122 authorizing and approving the execution of an Agreement of Purchase and Sale between the City of Escondido and 1501 Auto Parkway, LLC (“Buyer”) for real property located at or about 707 S. Hale Avenue, Escondido, California (“Property”).

Staff Recommendation: Approval (Economic Development: Jennifer Schoeneck, Director of Economic Development)

Presenter: Jennifer Schoeneck, Director of Economic Development

ESSENTIAL SERVICE – Yes, Land Use/Development

COUNCIL PRIORITY – Increase Retention and Attraction of People and Businesses to Escondido

a) Resolution No. 2024-122

8. AWARD CONSULTING AGREEMENT FOR DESIGN OF THE WESTSIDE PARK SKATE SPOT PROJECT



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

Request the City Council adopt Resolution No. 2024-129 authorizing the Mayor to execute a Consulting Agreement for the design of the Westside Park Skate Spot Project (“Project”) with New Line Skateparks, Inc., determined to be the most qualified and responsive proposal, in the amount of \$260,196.

Staff Recommendation: Approval (Chris McKinney, Director of Development Services, and Jonathan Schauble, City Engineer)

Presenter: Jonathan Schauble, City Engineer

ESSENTIAL SERVICE – Yes, Parks Facilities/Open Spaces

COUNCIL PRIORITY – Increase Retention and Attraction of People and Businesses to Escondido

a) Resolution No. 2024-129

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

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.)

9. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING AND ADOPTING REGULATING RECREATIONAL VEHICLE PARKING

Approved on August 7, 2024 with a vote of 4/1 (Martinez - No)

a) Ordinance No. 2024-10R (Second Reading and Adoption)

Motion: White; Second: Morasco; Approved: 4-1 (Martinez – No)

10. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING AND ADOPTING THE ESCONDIDO CONSISTENCY AMENDMENTS TO THE LAND USE ELEMENT AND EAST VALLEY AREA PLAN | PL24-0007

Approved on August 7, 2024 with a vote of 5/0

a) Ordinance No. 2024-11 (Second Reading and Adoption)

CURRENT BUSINESS



CITY of ESCONDIDO

COUNCIL MEETING MINUTES

11. UPDATE CONCERNING THE REQUEST FOR PROPOSALS FOR MANAGEMENT OF THE CALIFORNIA CENTER FOR THE ARTS, ESCONDIDO; CORRECTIONS OF PREVIOUSLY REPORTED 5-YEAR EXPENSES DATA; AND APPOINTMENT OF A CITY COUNCIL AD HOC SUBCOMMITTEE TO REVIEW ALL PROPOSALS RECEIVED

Request the City Council receive and file the report from staff, including the corrected 5-year average expenses at the CCAE; and consideration of Mayoral recommendation of two members of the City Council to serve on an ad hoc Subcommittee to review the responses received to the Request for Proposals (“RFP”) for the operation of the CCAE facility.

Staff Recommendation: Receive and File (City Manager: Christopher McKinney, Deputy City Manager) the report; Approve Mayoral nominations of two City Council members to serve on an Ad Hoc Subcommittee to review all submitted proposals

Presenter: Christopher McKinney, Deputy City Manager

ESSENTIAL SERVICE – Yes, Maintenance of Facilities

COUNCIL PRIORITY – Eliminate Structural Deficit

Joe Rowley – Suggested that the City goes back to SDG&E and see if they would provide funding in perpetuity to make up for the loss of the \$200,000 subsidy that expires in 2025. Suggested that the City go to Sempra Energy If SDG&E rejects the proposal.

Mayor White directed staff to bring back an item on September 11 to appoint a Council Subcommittee to review Requests For Proposals for the CCAE Facility Management Contract.

12. ESCONDIDO CREEK TRAIL MULTI-USE PATH PROJECT: AWARD OF CONSTRUCTION CONTRACT IN THE AMOUNT OF \$11,781,411.50 TO TRI-GROUP CONSTRUCTION AND AWARD CONSTRUCTION MANAGEMENT CONSULTING AGREEMENT IN THE AMOUNT OF \$1,074,473 TO T.Y. LIN INTERNATIONAL

Request the City Council adopt Resolution No. 2024-107 authorizing the Mayor to execute a Public Improvement Agreement for the Escondido Creek Trail Multi-Use Path Project (“Project”) with Tri-Group Construction and Development, Inc., determined to be the lowest responsible and responsive bidder, in the amount of \$11,781,411.50.

Further, it is requested that the City Council adopt Resolution No. 2024-108 authorizing the Mayor execute a consulting agreement with T.Y. Lin International in the amount of \$1,074,473 to provide construction management, inspection, and environmental services for the Project.

Staff Recommendation - Approval (Chris McKinney, Deputy City Manager, and Jonathan Schauble, City Engineer)



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Presenters: Joanna Axelrod, Deputy City Manager, and Jonathan Schauble, City Engineer

ESSENTIAL SERVICE – Yes, Infrastructure/Parks Facilities

COUNCIL PRIORITY – Improve Public Safety/Increase Attraction of People/Encourage Housing Development

a) Resolution No. 2024-107

b) Resolution No. 2024-108

JP Theberge – Expressed support for this item

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

13. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, EXPRESSING ITS POSITION AND RECOMMENDATIONS ON BATTERY ENERGY STORAGE SYSTEM PROJECTS IN AND ADJACENT TO THE CITY OF ESCONDIDO

Request the City Council adopt Resolution No. 2024-113 expressing its position and recommendations on Battery Energy Storage System Projects in and adjacent to the City of Escondido.

Staff Recommendation: Approval (City Council: Mayor Dane White, Councilmember Mike Morasco)

Presenter: Mayor Dane White

ESSENTIAL SERVICE – Yes, Fire/EMS Services; Keep City Clean for Public Health and Safety; Land Use/Development; Clean Water; Sewer; Public Works/Infrastructure; Maintenance of Parks facilities/Open Spaces

COUNCIL PRIORITY – Improve Public Safety

a) Resolution No. 2024-113

Andrew McSparren – Expressed support for Resolution No. 2024-113

Kendra Correia – Expressed support for Resolution No. 2024-113

Andrew Laderman – Expressed support for Resolution No. 2024-113

Phylis Laderman – Expressed support for Resolution No. 2024-113



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JP Theberge – Expressed support for Resolution No. 2024-113

Douglas Dill – Expressed support for Resolution No. 2024-113

Corinne Bonine – Expressed opposition to Resolution No. 2024-113

Joe Rowley – Expressed support for Resolution No. 2024-113

Lauren Cazares – Requested the Council postpone a vote on Resolution No. 2024-113

John Dorman – Expressed support for Resolution No. 2024-113

Mark Rodriguez – Expressed support for Resolution No. 2024-113

Motion to approve Resolution No, 2024-113; direct staff to explore a moratorium on Battery Energy Storage Systems in the City of Escondido until proper zoning requirements have been established; and sign onto a letter requesting the County of San Diego to create a working group related Battery Energy Storage Systems: White; Second: Morasco; Approved: 4-1 (Martinez – No)

14. CANCELLATION OF NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR THE POSITION OF CITY TREASURER AND THE APPOINTMENT OF THE INCUMBENT CANDIDATE TO THE OFFICE OF CITY TREASURER

Request the City Council approve the City Clerk's certification that there are not more candidates than offices to be filled for the position of City Treasurer for the City of Escondido's ("City") General Municipal Election on November 5, 2024; and consider and discuss whether to cancel the City Election and appoint the respective incumbent as the only verified candidate for the open office, or hold the City Election as scheduled.

Staff Recommendation: Approve the Clerk's certification and authorize cancelling the November 5, 2024, General Municipal Election for the Office of City Treasurer for the four-year term from 2024-2028 and appoint the incumbent City Treasurer to the position. (City Clerk's Office: Zack Beck, City Clerk)

Presenter: Zack Beck, City Clerk

ESSENTIAL SERVICE – No

COUNCIL PRIORITY – Eliminate Structural Deficit



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FUTURE AGENDA

15. 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)

Mayor White / Deputy Mayor Garcia – Partnership with San Pasqual Band of Indians

Deputy Mayor Garcia/ Mayor White – Review of City Abatement Policies

Councilmember Garcia / Councilmember Morasco – Presentation from the Friends of Daley Ranch

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.gov.

ORAL COMMUNICATIONS

None

ADJOURNMENT

Mayor White adjourned the meeting at 7:43 p.m.

DocuSigned by:
Dane White
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MAYOR

DocuSigned by:
Zack Beck
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CITY CLERK