



APRIL 10, 2013
CITY COUNCIL CHAMBERS
4:30 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

MAYOR	Sam Abed
DEPUTY MAYOR	Olga Diaz
COUNCIL MEMBERS	Ed Gallo John Masson Michael Morasco
CITY MANAGER	Clay Phillips
CITY CLERK	Diane Halverson
CITY ATTORNEY	Jeffrey Epp
DIRECTOR OF COMMUNITY DEVELOPMENT	Barbara Redlitz
DIRECTOR OF PUBLIC WORKS	Ed Domingue

ELECTRONIC MEDIA:

Electronic media which members of the public wish to be used during any public comment period should be submitted to the City Clerk's Office at least 24 hours prior to the Council meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Council during the meeting are part of the public record and may be retained by the Clerk.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.



Council Meeting Agenda

**April 10, 2013
4:30 P.M. Meeting**

Escondido City Council

CALL TO ORDER

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

ROLL CALL: Diaz, Gallo, Masson, Morasco, Abed

PROCLAMATIONS: National Library Week 2013

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. 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. (Please refer to the back page of the agenda for instructions.) NOTE: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 15 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.

COUNCIL MEMBERS' REPORTS/BRIEFING

CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: 1) Special Meeting of February 27, 2013, 2) Regular Meeting of March 13, 2013, 3) Regular Meeting of March 20, 2013**
4. **APPOINTMENT TO THE SAN DIEGO COUNTY WATER AUTHORITY BOARD -**
Request Council adopt Resolution appointing Ed Gallo as the City of Escondido representative on the Board of the San Diego County Water Authority.

Staff Recommendation: **None (Mayor Sam Abed)**

RESOLUTION NO. 2013-49

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.)

5. **ORDINANCE AMENDING CHAPTER 16 OF THE MUNICIPAL CODE REGARDING MOBILE FOOD FACILITIES (CASE NO. AZ 12-0007) -**

Approved on April 3, 2013 with a Vote of 5/0.

ORDINANCE NO. 2013-02 RR (Adoption and Second Reading)

CURRENT BUSINESS

6. **INITIATION OF ANNEXATION, PREZONE AND DEVELOPMENT AGREEMENT FOR 43 ACRES LOCATED SOUTHEASTERLY OF FELICITA ROAD AND HAMILTON LANE -**

Request Council initiate the proposed Annexation, Prezone and Development Agreement for further study; and authorize the Planning Division to accept an application from the applicant.

Staff Recommendation: **Approval (Community Development/Planning: Barbara Redlitz)**

WORKSHOP

7. **2012 WATER, WASTEWATER AND RECYCLED WATER MASTER PLANS -**

Request Council receive and file the 2012 Water Master Plan, the 2012 Wastewater Master Plan and the 2011 Recycled Water Master Plan.

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

FUTURE AGENDA

8. **FUTURE AGENDA -**

The purpose of this item is to identify issues presently known to staff or which members of the 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: Diane Halverson)**

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. 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.

ADJOURNMENT

UPCOMING MEETING SCHEDULE

Date	Day	Time	Meeting Type	Location
April 17	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 24	-	-	No Meeting	-
May 1	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
May 8	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers

TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker's form and give it to the City Clerk. Submission of Speaker forms prior to the discussion of an item is highly encouraged. Comments are generally limited to 3 minutes.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications." Please complete a Speaker's form as noted above.

Nomination forms for Community Awards are available at the Escondido City Clerk's Office or at <http://www.escondido.org/city-clerks-office.aspx>

Handouts for the City Council should be given to the City Clerk. To address the Council, use the podium in the center of the Chambers, STATE YOUR NAME FOR THE RECORD and speak directly into the microphone.

AGENDA, STAFF REPORTS AND BACK-UP MATERIALS ARE AVAILABLE:

- Online at <http://www.escondido.org/meeting-agendas.aspx>
- In the City Clerk's Office at City Hall
- In the Library (239 S. Kalmia) during regular business hours and
- Placed in the Council Chambers (See: City Clerk/Minutes Clerk) immediately before and during the Council meeting.

AVAILABILITY OF SUPPLEMENTAL MATERIALS AFTER AGENDA POSTING: Any supplemental writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

LIVE BROADCAST

Council meetings are broadcast live on Cox Cable Channel 19 and U-verse Channel 99 – Escondido Gov TV. They can also be viewed the following Sunday and Monday evenings at 6:00 p.m. on those same channels. The Council meetings are also available live via the Internet by accessing the City's website at www.escondido.org, and clicking the "Live Streaming –City Council Meeting now in progress" button on the home page.

Please turn off all cellular phones and pagers while the meeting is in session.

**The City Council is scheduled to meet the first four Wednesdays
of the month at 3:30 in Closed Session and 4:30 in Open Session.
(Verify schedule with City Clerk's Office)**

**Members of the Council also sit as the Successor Agency to the CDC, Escondido Joint Powers
Financing Authority and the Mobilehome Rent Review Board.**

**CITY HALL HOURS OF OPERATION
Monday-Friday 8:00 a.m. to 5:00 p.m.**



If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4641. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

Listening devices are available for the hearing impaired – please see the City Clerk.

**February 27, 2013
11:30 a.m. Special Meeting
City Manager's Conference Room
Escondido City Council**

CALL TO ORDER

The Special Meeting of The Escondido City Council was called to order at 11:40 a.m. on Wednesday, February 27, 2013 in the City Manager's Conference Room with Mayor Abed presiding.

ATTENDANCE

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

ORAL COMMUNICATIONS

None

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

GOVERNMENT CODE SECTION 54954.2(b) – Item arising subsequent to posting the agenda.

I. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))

- a. **Case Name:** MATTHEW DROGO V. CITY OF ESCONDIDO, ET AL.
 Case No: 37-2012-00058013-CU-PA-NC

- b. **Case Name:** LLOYD J. HOLT, JR. V. CITY OF ESCONDIDO
 Case No: 37-2011-00057038-CU-BC-NC

ADJOURNMENT

Council recessed at 12:05 p.m.

**CITY OF ESCONDIDO
FEBRUARY 27, 2013
12:30 p.m.
Mitchell Room**

Minutes

Special Meeting of the Escondido City Council

CALL TO ORDER

The Special Meeting of the Escondido City Council was called to order at 12:30 p.m. on Wednesday, February 27, 2013 in the Mitchell Room with Mayor Abed presiding.

ATTENDANCE

The following members were present: Deputy Mayor Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, and Mayor Sam Abed. Councilmember Michael Morasco arrived at 1:25 p.m. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Dr. Trudy Sopp, Co-Executive Director of the Centre for Organization Effectiveness and facilitator of the work session; City staff and members of the public and press.

ORAL COMMUNICATIONS

Roy Garrett, Escondido, asked Council to reopen the Branch Library, extend the City Swimming Pool hours and put Cox funds back in recreation budget.

Patricia Spann, requested Council include "Reveal Escondido Creek Plan" in their vision plan.

WORKSHOP

Mayor Abed welcomed the participants to the Council Action Plan Workshop and noted that the goal for the day was to establish the work plan for the upcoming two years. Specific goals should be identified and staff will make recommendations for implementation at a later date.

City Manager Clay Phillips outlined the preliminary work that had been done with Council members and Dr. Trudy Sopp.

Finance Director Gil Rojas presented information on the General Fund Sources and Uses of funds from 2012/13 operating budget and the Fund Balance policy summary.

City Manager Clay Phillips indicated a need for increased funding for Code Enforcement and the Pavement Management Program.

Facilitator Dr. Sopp presented the agenda discussion points and reviewed the City Council interview data, which identified the 2013-2014 general priority areas. There was agreement on the process issues and discussion guidelines.

The themes and general priority areas brought forward by Council members during the individual pre-session interviews were outlined as follows:

ECONOMIC GROWTH

- Comprehensive Master Plan
- Integrate With Regional Plan
- Business Park Land
- Marketing Plan To Attract Capital
 - Convince Companies To Get Here
 - Restore Image As Safe And Business Friendly
 - Leverage Partnerships - University, Chamber, Wineries, Etc.
 - Sell Our Benefits
- Develop Business Retention Plan
 - Need A Data Base
 - Create Position
 - Create New High Paying Jobs
- Build Downtown Hotel; Clay Recommended Going Back To RFP Process
- Establish A Proactive Annexation Policy For 500 Commercial Acres Approved By Prop N
 - Annex General Plan Property
 - Create Masters EIR
- Improve Appearance, Roads, Image, Infrastructure
 - Use Money From Reserves
 - Graffiti Eradication
 - Sewer Capacity
 - Water/Reclaimed Water
 - Road Surface Improvements
- Develop Technology And Innovation To Improve City Efficiencies Services And Cut Cost
- Make Escondido More Competitive
 - Review And Revise Existing Policies And Ordinances That Create Barriers
 - Continue To Streamline
 - Attract Business
 - Create Permit Assistance Liaison

PUBLIC SAFETY

- Address Police And Fire Staffing Levels
 - Need Competitive Compensation
 - Fill Positions 20 Police
- Integrate Advanced Technology; Environmental Design, Lighting, Etc.
- Maintain And Strengthen Existing Policies
 - Support Traffic Safety
 - Gang Task Force - Focus In Area By Area
 - Code Enforcement
 - Graffiti
- Expand Targeted Community Policy
 - Grape Day Park
 - Downtown

NEIGHBORHOOD IMPROVEMENT

- Urban Renewal To Improve Aging Neighborhood; Ties To Infrastructure; Long Term Community By Community Focus; 5 Year Plan; Incentives
- Improve City Appearance Code Enforcement
- Create More Vibrant Downtown
- Maintain Recreation Facilities
- Expand City's Collaboration With Neighborhood Groups
- Implement Creek Park Renovation

FISCAL MANAGEMENT

- Improve City Bond Rating
- Sound Fiscal Policy
- Maintain Reserve-25% And 25 Million Base
- Hotel
- Resubmit City Charter Proposal; Timing Matters

EDUCATION

- Well Educated Workforce
- Educational Hub
 - Collaborate With Public Private Schools
- Create New Opportunities, New Institutions
- Leverage Relationships

INFRASTRUCTURE

- Water
- Sewer
- Roads and Alleys

STRUCTURE OF CITY GOVERNMENT

- Change Mind Set
 - Officer Friendly
 - Toward Development, Licenses
 - "Chick Fil A" Mentality
- Make Government More Efficient
- Want More Support, Fairness, Balance
 - Review Process For Hiring Veterans

Following discussion with all members of the Council, four priorities were identified as those to be included in the 2013-2014 Council Action Plan:

ECONOMIC DEVELOPMENT

- Implement Comprehensive Economic Development Master Plan
- Integration with North County Regional Economic Development Strategy
- Prepare Business Park land and infrastructure
 - Ready for redevelopment
- Create a Marketing Plan to attract capital to accelerate job creation
 - We need to convince companies to come here
 - Need to restore our image as a safe and business-friendly community to become the economic hub of North County
- Leverage Partnerships
 - Escondido Chamber of Commerce, San Diego North Chamber of Commerce, Schools/Universities, SDNEDC, Union-Tribune, Developers, Realtors, Brokers, Wineries, Visitors Bureau

- Develop a plan for Business Retention and Expansion
 - Need a database
 - Create a government funded position but run by Chamber of Commerce
 - Create higher paying new jobs
- Build a Hotel
 - Consider doing an RFP Process for hotel
- Establish a pro-active Annexation Policy for the 500 commercial acres identified in the General Plan Update approved by the voters
 - Annex General Plan property and create a master EIR so its "plug and play"
 - Improve the business demographic profile
- Improve image and appearance, maintain roads, alleys and infrastructure
 - Take funds from reserve and jump start our road improvement program
 - Graffiti eradication
 - Improve Sewer capacity, Water/reclaimed water, road surface improvements and maintenance in downtown and other targeted areas
- Develop Technology and innovation to improve City efficiency, services and cut costs
- Make Escondido more competitive in the marketplace
 - Review and revise existing policies and ordinances that create barriers to business and development
 - Continue to streamline regulations
 - Create mindset/policies that attract the kinds of businesses we want
 - Create a permit assistance position/liaison
- Turn Escondido into an Education hub
 - Collaborate with, support and encourage public and private schools
 - Create new opportunities for new educational institutions ; tie to business clusters
 - Leverage relationships with CSUSM, Palomar College and others

Fiscal Management

- Sound Fiscal policy within a balanced budget model
- Improve the City's A+ Bond rating and reduce pension debt
- Maintain Reserve Fund at 25% of the General Fund, but never lower than 25 million dollars
- Resubmit the Charter City Proposal to Voters without district language

Neighborhood Improvement

- Urban Renewal to improve our aging neighborhoods
 - Long term effort
 - Develop incentives (Suggested developing a home rehab program for property owners along the lines of Façade Improvement Program, working with the neighborhoods;
- Improve city appearance by restoring proactive Code Enforcement
 - Restore ACT
 - Develop blighted areas
- Create a more vibrant and appealing downtown
- Maintain recreation facilities, programs and parks
- Expand City's collaboration with our 17 Neighborhood Groups to include urban core
- Implement Escondido Creek Master Plan as funds come in (Suggested having staff look into grants for creek improvements)

Public Safety

- Address Police and Fire Staffing levels
 - Need competitive compensation packages implemented over time
 - Need to fill police positions to the level of what we need without upending the balanced budget
- Integrate advanced or non-traditional technology to improve efficiency and service
 - Do this through Cameras, environmental design, lighting
 - Must have the best training and equipment
- Maintain and strengthen existing police and fire policies
 - Support Traffic safety and DUI checkpoints
 - Gang Task Force
 - Code Enforcement
 - Graffiti eradication
- Expand target community policing
 - Grape Day Park Task Force
 - Friendly interactions with offices

ORALCOMMUNICATIONS

Pat Mues, Escondido, requested Council provide funding to the History Center.

Patricia Borchman requested support for community volunteers.

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:25 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
March 13, 2013
3:30 P.M. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, March 13, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson to recess to Closed Session. Motion carried unanimously.

I. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))

Case Name: DEMETRIO GOMEZ, ET AL. V. CITY OF ESCONDIDO, ET AL.
Case No: 37-2011-00060480-CU-CR-NC

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:05 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
March 13, 2013
4:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, March 13, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

PRESENTATIONS

Mayor Abed introduced Matthew Tucker, North County Transit District, who gave a briefing on the Sprinter operational interruption.

ATTENDANCE

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

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

ORAL COMMUNICATIONS

Frank Woolridge, Escondido, distributed information and requested a year round shelter for the homeless.

Dave Ciochua, Escondido, stated there were potholes in the City that needed repair.

Roy Garrett, Escondido, voiced concern with the proposed water park in Kit Carson Park and the proposed Chamber of Commerce lease.

Deborah Goodrich, Escondido, distributed information and requested stronger laws on gun control.

Tom Cowan, Escondido, voiced concern for the homeless veterans and requested a year round center for veterans.

Nicole Downey, Escondido, expressed concern with the proposed Chamber of Commerce lease.

COUNCIL MEMBERS' REPORTS/BRIEFING

Councilmember Diaz indicated the Escondido Creek Watershed Alliance made a presentation on water quality which County Supervisor Ron Roberts attended. The San Elijo Lagoon Nature Center was hosting several Easter events on March 30 and 31, 2013 from 1:00 p.m. – 4:00 pm. She also stated that the Paws in the Park fundraiser event for the Escondido Humane Society would take place in Kit Carson Park on March 24, 2013 and that Jimbo's stores were offering a 5% off your purchase on April 13, 2013.

Councilmember Morasco indicated a meeting on gang prevention and awareness was being held at Escondido High School March 14, 2013 from 6:30 p.m. - 8:30 p.m. in the Performing Arts Center.

Mayor Abed read a letter from a citizen praising two park rangers for their assistance to him while fishing. He also indicated the video presented at the State of the City was produced in-house by Genevieve Prentice and Jorge Martinez and the brochure to promote the City was also produced in-house by Ruben Luna.

CONSENT CALENDAR

Mayor Abed removed item 12 from the Consent Calendar for Discussion.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco that the following Consent Calendar items be approved with the exception of item 12. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES:** Regular Meeting of February 13, 2013
Special Meeting of February 20, 2013
Amended Minutes of the Regular Meeting of November 14, 2012
4. **BUDGET INCREASE FOR THE OAK HILL - STREET AND MODULAR BUILDING SITE IMPROVEMENT PROJECT AND APPROVAL OF A CHANGE ORDER TO INCREASE THE AMOUNT OF THE PURCHASE ORDER WITH SOUTHLAND PAVING INC. FOR THIS PROJECT** - Request Council approve a budget increase in the amount of \$50,000 for the Oak Hill - Street and Modular Building Site Improvement Project; and authorize a change order to increase the amount of the purchase order with Southland Paving Inc., the general contractor on the project. (File No. 0600-10 [A-3074])

Staff Recommendation: **Approval (Public Works/Neighborhood Services: Ed Domingue)**

5. **SUMMARY STREET VACATION: PORTIONS OF SOUTH ORANGE STREET AND A PORTION OF THE ALLEY RUNNING PERPENDICULAR TO SOUTH ORANGE STREET AND CENTRE CITY PARKWAY** - Request Council authorize the summary street vacation of portions of South Orange Street and a portion of the alley running perpendicular to South Orange Street and Centre City Parkway. (File No. 0690-40)

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue)**

RESOLUTION NO. 2013-32

THIS ITEM WAS CONTINUED TO THE MARCH 20, 2013 MEETING.

6. **CALHOME GRANT AUTHORIZATION** - Request Council authorize the Director of Community Development to submit grant documents for CalHOME Grant Funds in the amount of \$1,000,000 from the California Department of Housing and Community Development (HCD) and, if awarded, accept the grant funds and complete necessary documents required by HCD for participation in the CalHOME program in order to fund a housing rehabilitation program for low-income homeowners. (File No. 0480-70)

Staff Recommendation: **Approval (Community Development/Housing: Barbara Redlitz)**

RESOLUTION NO. 2013-34

7. **2012 ANNUAL HOUSING ELEMENT REPORT (CASE NO. PHG 13-0001)** - Request Council authorize submittal of the 2012 Annual Housing Element Report involving the 2005-2012 General Plan Housing Element to the State Office of Planning and Research and the State Department of Housing and Community Development. (File No. 0875-70)

Staff Recommendation: **Approval (Community Development/Housing: Barbara Redlitz)**

8. **MOBILEHOME PARK MANAGEMENT BUDGET ADJUSTMENT** - Request Council approve a budget adjustment that increases mobilehome rental income and mobilehome park professional services expenditures by \$53,000 in order to receive and expend pass-thru payments from households renting mobilehome lots from the City of Escondido. (File No. 0430-80)

Staff Recommendation: **Approval (Community Development/Housing: Barbara Redlitz)**

9. **COUNTY OF SAN DIEGO OPERATIONAL AREA MUTUAL AID AGREEMENTS** - Request Council accept the Fire Chief's recommendation and authorize the Mayor and City Clerk to execute a Public Works Mutual Aid Agreement and a Building Safety Inspection Mutual Aid Agreement between the City of Escondido and the County of San Diego. (File No. 0600-10 [A3083])

Staff Recommendation: **Approval (Fire Department: Michael Lowry)**

RESOLUTION NO. 2013-31

10. **CONSTRUCTION SUPPORT AGREEMENTS; INFLUENT PUMP STATION PROJECT** - Request Council authorize the Mayor and City Clerk to execute Consulting Agreements and a Public Services Agreement with: 1) Water Synergy, Inc. for services during construction including reviewing technical submittals in the amount of \$211,123, 2) West Coast Geotechnical Consultants, Inc. for geotechnical and materials testing services during construction in the amount of \$120,000, 3) CPM Construction, Inc. for estimating and scheduling services in the amount of \$175,000. (File No. 0600-10 [A-3063])

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

RESOLUTION NO. 2013-30

11. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2012** - Request Council receive and file the Quarterly Investment Report. (File No. 0490-55)

Staff Recommendation: **Receive and file (City Treasurer's Office: Kenneth C. Hugins)**

12. **VISTA VERDE MOBILE ESTATES RENT REVIEW RESOLUTION (CASE #0697-20-9916)** - Request Council authorize granting an increase based on testimony received at a Public Hearing on February 13, 2013. **This item was continued from March 6, 2013.** (File No. 0697-20-9916)

Staff Recommendation: **Approval (Community Development/Planning: Barbara Redlitz)**

RRB RESOLUTION NO. 2013-01RR

Mark Alpert, Park Owner Representative, stated he opposed the Resolution revision.

Don Greene, Resident Representative, requested that Space 63 be excluded from the rent increase.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to authorize granting an increase based on testimony received at a Public Hearing on February 13, 2013 and adopt RRB Resolution No. 2013-01RR. Ayes: Abed, Diaz, Masson and Morasco. Noes: Gallo. Absent: None. Motion carried.

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.)

CURRENT BUSINESS

City Attorney Jeffrey Epp left the Dais and Senior Deputy City Attorney Gary McCarthy took his place.

13. **RESOLUTION TO DOCUMENT INITIATION OF AN OUT-OF-AGENCY SEWER SERVICE AGREEMENT (CASE NO. PHG 13-0002)** - Request Council approve making an application to LAFCO for an Out-of-Agency Sewer Service Agreement for connection to the City's sewer; authorize staff to process an Irrevocable Offer of Annexation; and consider a condition for an

agreement to become part of a future Assessment District for future infrastructure improvements. (File No. 0850-20)

Staff Recommendation: **Approval (Community Development /Planning: Barbara Redlitz)**

RESOLUTION NO. 2013-36

Rozanne Cherry, Planning Department, gave the staff report and presented a series of slides.

Robert Szolomayer, Escondido, urged Council to keep the area rural.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve making an application to LAFCO for an Out-of-Agency Sewer Service Agreement for connection to the City's sewer; authorize staff to process an Irrevocable Offer of Annexation; and consider a condition for an agreement to become part of a future Assessment District for future infrastructure improvements and adopt Resolution No. 2013-36. Motion carried unanimously.

- 14. CHANNEL MAINTENANCE PROGRAM AND ADOPTION OF MITIGATED NEGATIVE DECLARATION (ENV 12-0001)** - Request Council approve the proposed Channel Maintenance program, which is the City's Regional General Permit (RGP) Plan that involves channel maintenance activities for 63 flood control facilities throughout the City; and adopt the Mitigated Negative Declaration (MND) issued for the project along with the Mitigation Monitoring Report. (File No. 1350-10)

Staff Recommendation: **Approval (Community Development/Planning: Barbara Redlitz)**

RESOLUTION NO. 2013-24

Jeff Warner, Utilities Department, and Jay Paul, Planning Department, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve the proposed Channel Maintenance program, which is the City's Regional General Permit (RGP) Plan that involves channel maintenance activities for 63 flood control facilities throughout the City; and adopt the Mitigated Negative Declaration (MND) issued for the project along with the Mitigation Monitoring Report and adopt Resolution No. 2013-24. Motion carried unanimously.

WORKSHOP

- 15. STREET MAINTENANCE WORKSHOP** - Request Council receive a brief presentation on the City's existing pavement condition and provide direction to staff for the future Street Maintenance Program. (File No. 0110-20)

Staff Recommendation: **Provide direction to staff (Public Works/Engineering: Ed Domingue)**

Julie Procopio, Assistant Public Works Director, gave the staff report and presented a series of slides.

COUNCIL ACTION: Gave direction to staff to make funding for the Street Maintenance Program a priority.

ORAL COMMUNICATIONS

None

FUTURE AGENDA

16. **FUTURE AGENDA** - The purpose of this item is to identify issues presently known to staff or which members of the 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: Diane Halverson)**

Councilmember Diaz voiced support for the food truck ordinance scheduled on the March 20, 2013 agenda.

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:42 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
March 20, 2013
4:30 p.m. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council, was called to order at 4:31 p.m. on Wednesday, March 20, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

ATTENDANCE

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

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Eva Heter, Assistant City Clerk.

PRESENTATION

Mayor Abed introduced Acting Police Chief Cory Moles who presented Badges to the new Police Captains Craig Carter and Michael Loarie.

ORAL COMMUNICATIONS

Chris Brown, San Diego Attorney, indicated the Escondido Country Club would be closing on April 1, 2013.

Frank Woolridge, Escondido, distributed information and requested Council form a committee to establish a safe ground for the homeless.

Scott Davis, Escondido, stated he asked for a flashing stop sign near his home.

Roy Garrett, Escondido, indicated he did not support the proposed loan to the Chamber of Commerce.

Tom Cowan, Escondido, suggested the Council meet with Mr. Woolridge to form a committee for the homeless.

COUNCIL MEMBERS' REPORTS/BRIEFING

Councilmember Gallo voiced concern with maintenance at the Escondido Country Club after it closes. He noted the McDonalds and Spires Restaurants on East Valley Parkway were being rebuilt; he suggested a building at Valley and Beech Streets should be demolished; and he recommended the Vineyard Golf course to play golf.

Councilmember Morasco commented that he attended a meeting at the Escondido High School on gangs and gang activity awareness.

Councilmember Masson received information from the World Wildlife Fund that March 23, 2013 at 8:30 p.m. was earth hour. Everyone is encouraged to turn their lights off for one hour.

Mayor Abed indicated the City hosted a Healthy and Safe Walk to School event, and he also attended the gang prevention meeting at Escondido High School. He participated in Meals on Wheels providing meals to seniors.

CONSENT CALENDAR

Mayor Abed removed item 5 and Councilmember Gallo removed items 4 and 6 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson that the following Consent Calendar items be approved with the exception of items 4, 5, and 6. Ayes: Abed, Gallo, Masson and Morasco. Noes: None. Absent: Diaz. 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: Regular Meeting of March 6, 2013**
4. **ESCONDIDO CHARITABLE FOUNDATION GRANT AUTHORIZATION** - Request Council authorize three applications to the Escondido Charitable Foundation for Safe, Vibrant and Healthy Communities Grants. These grants will provide up to \$35,000 each for projects that nurture a collective sense of safety, social cohesion, well-being and vitality in neighborhoods, families and individuals – imparting a stronger sense of community in Escondido. (File No. 0480-70)

Staff Recommendation: Approval (**Community Services: Amy Shipley**)

Councilmember Gallo asked why there were three applications and two projects.

Amy Shipley, Assistant Community Services Director, indicated there were only two projects.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to authorize two applications to the Escondido Charitable Foundation for Safe, Vibrant and Healthy Communities Grants. These grants will provide up to \$35,000 each for projects that nurture a collective sense of safety, social cohesion, well-being and vitality in neighborhoods, families and individuals – imparting a stronger sense of community in Escondido. Ayes: Abed, Gallo, Masson and Morasco. Noes: None. Absent: Diaz. Motion carried.

5. **SUMMARY STREET VACATION: PORTIONS OF SOUTH ORANGE STREET AND A PORTION OF THE ALLEY RUNNING PERPENDICULAR TO SOUTH ORANGE STREET AND CENTRE CITY PARKWAY** - Request Council authorize the summary street vacation of portions of South Orange Street and a portion of the alley running perpendicular to South Orange Street and Centre City Parkway. (Continued from March 13, 2013.) (File No. 0690-40)

Staff Recommendation: Approval (**Public Works/Engineering: Ed Domingue**)

RESOLUTION NO. 2013-32

ITEM 5 WAS NOT DISCUSSED

6. **CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT - PRELIMINARY ENGINEER'S REPORT FOR ZONES 1 THROUGH 10 AND 12 THROUGH 37 FOR FISCAL YEAR 2013/2014** - Request Council approve initiating the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 10 and 12 through 37 for the 2013/2014 Fiscal Year; approve the preliminary Engineer's report for LMD Zones 1 through 10 and 12 through 37; and set a public hearing date of May 8, 2013 for LMD Zones 1 through 10 and 12 through 37. (File No. 0685-10)

Staff Recommendation: Approval (**Public Works/Engineering: Ed Domingue**)

- a. **RESOLUTION NO. 2013-18**
- b. **RESOLUTION NO. 2013-20**

Councilmember Gallo asked if Auto Park Way went all the way to Highway 78.

Barbara Redlitz, Community Development Director, indicated that the Council had approved changing part of Auto Park Way to Vineyard in the past.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve initiating the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zones 1 through 10 and 12 through 37 for the 2013/2014 Fiscal Year; approve the preliminary Engineer's report for LMD Zones 1 through 10 and 12 through 37; and set a public hearing date of May 8, 2013 for LMD Zones 1 through 10 and 12 through 37 and adopt Resolution No. 2013-18 and Resolution No. 2013-20. Ayes: Abed, Gallo, Masson and Morasco. Noes: None. Absent: Diaz. Motion carried.

7. **CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT - PRELIMINARY ENGINEER'S REPORT FOR ZONE 11 FOR FISCAL YEAR 2013/2014** -Request Council approve initiating the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zone 11 for the 2013/2014 Fiscal Year; approve the preliminary Engineer's Report for LMD Zone 11; and set a public hearing date of May 8, 2013 for LMD Zone 11. (File No. 0685-10)

Staff Recommendation: Approval (**Public Works/Engineering: Ed Domingue**)

- a. **RESOLUTION NO. 2013-17**
- b. **RESOLUTION NO. 2013-19**

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.)

PUBLIC HEARINGS

8. **ORDINANCE AMENDING CHAPTER 16 OF THE MUNICIPAL CODE REGARDING MOBILE FOOD FACILITIES (CASE NO. AZ 12-0007)** - Request Council approve amending Chapter 16 of the Municipal Code regarding Mobile Food Facilities to allow mobile food trucks throughout the City for special events subject to the issuance of a Special Event Permit by the City Manager's Office; and allow mobile food trucks at Breweries and Wineries in industrial and residential agricultural zones subject to issuance of an appropriate use permit by the Director of Community Development. (File No. 0680-10)

Staff Recommendation: Approval (Community Development/Planning: Barbara Redlitz)

ORDINANCE NO. 2013-02 (Introduction and First Reading)

Jay Paul, Planning Department, gave the staff report and presented a series of slides.

Nate Wallace, Rancho Bernardo, indicated he had been in the mobile food business for 25 years and was available to answer any questions.

Juan Rojas, Vista, urged Council to treat both catering trucks and gourmet trucks the same.

Rebecca Lee, Food Truck Operator, asked for clarification on the business permit process.

COUNCIL ACTION: CONSENSUS TO ALLOW MOBILE FOOD TRUCKS THROUGHOUT THE CITY FOR SPECIAL EVENTS. ORDINANCE NO. 2013-02 WILL BE BROUGHT BACK FOR COUNCIL REVIEW AND RE-INTRODUCTION.

CURRENT BUSINESS

9. **2011 AND 2012 CITY COUNCIL ACTION PLAN - FINAL UPDATE** - Request Council receive and file the final status report of the two-year City Council Action Plan for 2011 and 2012. (File No. 0610-95)

Staff Recommendation: Receive and File (**City Manager's Office: Joyce Masterson**)

Joyce Masterson, Director of Economic Development & Community Relations gave the staff report.

COUNCIL ACTION: NO ACTION, INFORMATION ONLY

- 10. APPOINTMENTS TO THE LIBRARY BOARD OF TRUSTEES, BUILDING ADVISORY AND APPEALS BOARD AND THE PERSONNEL BOARD OF REVIEW** - Request Council ratify the Mayor's recommendation to fill the following positions on the City's Boards and Commissions: Two regular appointments to serve on the Library Board of Trustees for a three-year term, terms to expire March 31, 2016; and one unscheduled vacancy on the Building Advisory & Appeals Board, term to expire March 31, 2014; and one unscheduled vacancy on the Personnel Board of Review, term to expire March 31, 2014. (File No. 0120-10)

Staff Recommendation: None (**City Clerk's Office: Diane Halverson**)

MOTION: Moved by Mayor Abed and seconded by Councilmember Masson to appoint Gary Knight and Virginia Loh-Hagan to the Library Board of Trustees. Ayes: Abed, Gallo, Masson and Morasco. Noes: None. Absent: Diaz. Motion carried.

MOTION: Moved by Mayor Abed and seconded by Councilmember Masson to appoint Alex Galenes to the Personnel Board of Review. Ayes: Abed, Masson and Morasco. Noes: Gallo. Absent: Diaz. Motion carried.

MOTION: Moved by Mayor Abed and seconded by Councilmember Morasco to appoint Mirek Gorny to the Building Advisory & Appeals Board. Ayes: Abed, Gallo, Masson and Morasco. Noes: None. Absent: Diaz. Motion carried.

WORKSHOP

None

FUTURE AGENDA

11. FUTURE AGENDA - The purpose of this item is to identify issues presently known to staff or which members of the 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: Diane Halverson**)

ORAL COMMUNICATIONS

None

ADJOURNMENT

Mayor Abed adjourned the meeting at 6:13 p.m.

MAYOR

CITY CLERK

ASSISTANT CITY CLERK

RESOLUTION NO. 2013-49

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPOINTING ED GALLO TO SERVE AS THE
CITY'S REPRESENTATIVE TO THE SAN
DIEGO COUNTY WATER AUTHORITY
BOARD OF DIRECTORS

WHEREAS, Ms. Marilyn Dailey has submitted her resignation as the City of Escondido's representative on the San Diego County Water Authority Board of Directors; and

WHEREAS, the Mayor has appointed and the City Council confirmed Ed Gallo to assume the position of the City of Escondido's representative on the San Diego County Water Authority Board of Directors upon Ms. Dailey's resignation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Escondido, California, as follows:

1. The above recitations are true and correct.
2. That Ed Gallo is hereby appointed as the representative to the Board of Directors of the San Diego County Water Authority.

ORDINANCE NO. 2013-02(RR)

**AN ORDINANCE OF THE CITY OF ESCONDIDO,
CALIFORNIA, AMENDING ESCONDIDO
MUNICIPAL CODE, CHAPTER 16, LICENSES
AND BUSINESS REGULATIONS, REGARDING
MOBILE FOOD FACILITIES**

CASE NO. PHG 12-0007

WHEREAS, the California Retail Food Code (Cal. Health and Safety Code Sections 113700 et seq.) establishes local regulatory authority over mobile food facilities and allows mobile food facilities to operate in accordance with local codes, ordinances and regulations, and

WHEREAS, Section 22455 of the California Vehicle Code authorizes the City to regulate the time, place, and manner of vending from mobile food facilities to protect public safety in the public right-of-way; and

WHEREAS, Section 114315 of the Retail Food Code requires mobile food facilities stopped to conduct business for more than a one-hour period to ensure that restrooms are available within 200 feet travel distance for employee use. Section 113709 of the Retail Food Code authorizes the City to regulate the provision of restrooms for food facility customers, and the public health and safety require food facilities to make restrooms available for employees and customers; and

WHEREAS, Escondido Municipal Code Section 28-161 states that no person shall stand or park any vehicle, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited or offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any

portion of any street within this city, except that such vehicles, wagons or pushcarts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten (10) minutes at any one place; and

WHEREAS, that the City Council has determined that this Amendment to the Municipal Code is exempt from the California Environmental Quality Act ("CEQA") in conformance with Title 14 California Code of Regulations Section 15061(b)(3) "General Rule" and finds that no significant environmental impact will result from approving this code amendment.

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That Article 7, Mobile Food Facilities, is added to Chapter 16, Licenses and Business Regulations Generally, as follows.

Article 7. Mobile Food Facilities.

Sec. 16-405. Definitions. The following words and phrases, whenever used in this article, shall be construed as defined in this section, unless from the context a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

(a) *Mobile Food Facility* means any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. "Mobile food facility" does not include a "transporter" used to transport packaged food from a food facility, or other approved source to the consumer.

(b) *Mobile Food Facility Permit* means the authorization granted by the City to a property owner or person with a possessory interest in a specific property to allow the temporary use of a Mobile Food Facility on their respective property subject to the requirements of the Article.

(c) *Operator* means the person who owns, manages, or vends from a Mobile Food Facility.

(d) *Responsible person* means a property owner, a tenant, a person occupying or having control or possession of any real property, any person with a legal interest in real property and any person who directly manages a business or property or who demonstrates responsibility for the placement or operation of a Mobile Food Facility on a specific property, or any agents thereof.

Sec. 16-406. Separate Business License and Permit Required. An Operator shall have a business license and a Responsible Person shall obtain a Mobile Food Facility Permit, as required by this Article.

(a) It shall be unlawful for an Operator to operate a Mobile Food Facility without a separate business license for each vehicle.

(b) It shall be unlawful for an Operator or a Responsible Person to allow, authorize, operate, or use a Mobile Food Facility without a Mobile Food Facility Permit unless otherwise permitted by City, state or federal law.

Sec. 16-407. Permit requirements.

(a) The Director of Community Development shall administer Mobile Food Facility Permits issued pursuant to this Article.

(b) The Director shall issue a Mobile Food Facility Permit to a Responsible Person, only for properties in residential-agricultural or industrial zones, as an accessory use to a beer or wine manufacturing business, when the proposed use will not have a significant impact on the permanent uses provided in the Escondido Zoning Code.

(c) An application for a Mobile Food Facility Permit shall be submitted on an application form secured from the Director and shall be accompanied by a nonrefundable fee. The application shall provide information necessary for review of the application by appropriate city departments.

(d) An approved special event permit or facility use permit from the City, specifically authorizing a Mobile Food Facility at the event or facility, shall exempt an Operator or a Responsible Person from the Mobile Food Facility Permit required in Section 16-406(b) and may exempt the Operator or Responsible Person from the operating requirements in Section 16-409.

(e) A Mobile Food Facility that stops for not more than twenty minutes on a scheduled route to provide service directly at a construction site or other business and does not vend to the general public during the scheduled stop will exempt any Operator or Responsible Person from the requirements identified in Sections 16-406(b) and 16-409.

Sec. 16-408. Permit Enforcement. The Director of Community Development may issue administrative citations or take any other enforcement action

authorized by this Code, including permit revocation, upon finding a violation of this Article.

Sec. 16-409. Operating Requirements. It shall be unlawful for an Operator or a Responsible Person to violate any of the following regulations.

(a) Parking of a Mobile Food Facility at any location (inclusive of set-up and clean-up times) shall be limited to four hours daily for five days within any seven-day period. The hours of operation shall be stated on the use permit application and may only be modified by the director's approval of a new application setting forth the proposed operating hours.

(b) Each Mobile Food Facility operator shall have the following supporting provisions visibly available and accessible, for the duration of the approved hours of operation.

(1) Adequate number of trash and recycling receptacles, but in no case less than two, to contain the amount of anticipated trash during the authorized operational period. The receptacles shall be set up and removed by the operator, at the beginning and closing of each such period. In-truck hatch receptacles are not sufficient. The operator shall not dispose of any refuse or waste in any public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of such operator.

(2) Restroom facilities in clean working order available for operator, employee and customer use, including operational toilets and hand-washing facilities with hot water, soap, and paper towels. Such restroom shall be located no further than 200 feet travel distance from the parked Mobile Food Facility, and shall be available during the Mobile Food Facility hours of operation. If such restroom facilities are not owned, operated, or otherwise provided by the Operator, a written agreement by the owner of such facilities, stating the terms of availability of the facilities, shall be identified prior to approval by the City.

(c) Placement of the Mobile Food Facility on private property shall not reduce the number of parking spaces below that which is required for the existing on-site uses during business hours of the on-site uses unless specifically approved by the City.

(d) The Mobile Food Facility shall be entirely self-sufficient in regards to gas, electricity, water, and telecommunications.

(e) Neither the Mobile Food Facility nor any of the required support items shall obstruct or interfere with the free flow of pedestrian or vehicular traffic, including to or from any business, public building or residence, nor restrict sight distance at driveways and intersections.

(f) No Mobile Food Facility shall use, play or employ any sound, outcry, amplifier, loudspeaker or any other instrument or device for the production of

sound where said sound exceeds the exterior sound standards specified in Chapter 17, Article 12, of this code.

(g) No televisions, radios, or other device intended for amusement or entertainment purposes shall be operated in conjunction with a Mobile Food Facility.

(h) No tables, chairs, furniture or other devices to provide patron seating shall be allowed unless expressly authorized by the City.

(i) Signs for a Mobile Food Facility shall be limited to that on the vehicle only.

SECTION 2. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 3. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 6

Date: April 10, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Barbara J. Redlitz, Director of Community Development

SUBJECT: Initiation of Annexation, Prezone and Development Agreement for 43 Acres Located Southeasterly of Felicita Road and Hamilton Lane

STAFF RECOMMENDATION:

It is requested that Council initiate the proposed Annexation, Prezone and Development Agreement for further study and authorize the Planning Division to accept an application from the applicant.

PROJECT DESCRIPTION:

A request from New Urban West, Inc. to initiate an Annexation, Prezone and Development Agreement to facilitate a proposal for a planned development with single-family detached residences and integrated open space on approximately 43 acres of land. The property includes an area commonly referred to as the "Felicita duck pond" and is generally located southeast of the Felicita Road/Hamilton Lane intersection. The proposed development would include approximately 60 single-family residences on lots that are at least 10,000 SF in size.

FISCAL ANALYSIS:

All City and LAFCO costs associated with the annexation would be paid by the applicant. Additional costs associated with the environmental analysis and development application processing would also be the applicant's responsibility. Potential cost-sharing for off-site infrastructure improvements may be negotiated as part of the Development Agreement process.

GENERAL PLAN ANALYSIS:

Annexation proposals generally occur at the request of property owners as the City does not actively seek to annex unincorporated lands, except land owned by the City. Annexation Policies 16.1 and 16.4 of the Escondido General Plan state the City shall allow property owners to annex to the City if it can be demonstrated that appropriate improvements as determined by the City will be financed by the property owner, and that such expansion of the City will not have unacceptable adverse fiscal or environmental impacts to existing City services or residents.

The site is located in the Estate II designation of the General Plan. The Estate II designation permits a maximum density of two dwelling units per acre. Development in this designation is generally characterized by single family homes on relatively large lots and properties that transition between more intensive suburban development and more rural Estate I areas.

BACKGROUND:

The site is the western portion of a larger area that was initiated for annexation in November of 1998. An annexation and residential development application was subsequently submitted and reviewed by staff until late 2000 when it was withdrawn by the previous applicant. At the time of that proposal, Felicita Road was classified as a Collector in the Circulation Element of the General Plan. Impacts related to upgrading the road to Collector status ultimately caused the project to be withdrawn prior to any public hearings taking place. Since that time the operational characteristics and anticipated future traffic volumes on the road have been reevaluated and the road is now classified as a Local Collector in the vicinity of the site. This should help facilitate future development of the proposed annexation area.

New Urban West has successfully developed two residential neighborhoods in Escondido including Brookside in the North Broadway area, and Ranchos at Vistamonte in the San Pasqual Valley area. New Urban West is now in escrow to purchase the proposed annexation site and has engaged in a series of meetings with neighborhood residents and staff to gather input that can be implemented into a project design that embraces the rural character of the area and preserves natural resources that have important biological and aesthetic benefits. The applicant has indicated the development proposal would consist of a planned development that clusters residential lots in the least environmentally sensitive areas on the site. Lot sizes would generally range upwards from 10,000 SF, which would allow approximately 30% of the property containing stream courses and riparian habitat to be conserved as open space. The design would retain the current alignment of Felicita Road with no residential driveway access and only a single street entrance proposed south of the duck pond. Impacts to adjacent northern and eastern neighbors would be minimized by eliminating public street access and most residential driveways from Hamilton Lane and Miller Road.

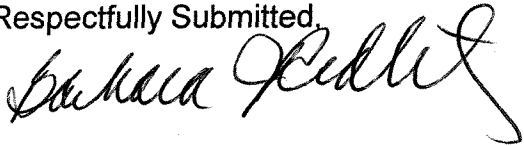
ANALYSIS:

The property is currently located within the jurisdiction of the County of San Diego and is virtually surrounded by other residences located in the County. Connectivity to Escondido will likely be provided by a point-to-point connection diagonally across the intersection of Felicita Road/Hamilton Lane. The applicant has suggested their discussions with LAFCO indicate this would be an acceptable connection. Additional property owners in the area, particularly those north of Hamilton Lane, would be surveyed as part of the annexation process to ascertain their interest in annexing as well. The advantage of annexing for neighboring property owners would be a potential opportunity to connect to sewer and also receive police services.

Potential issues associated with developing the proposed annexation site include the improvement and widening of Felicita Road through an area that has biological constraints on the project (eastern) side and numerous existing residences on the western side. Providing sewer service to the area will likely require off-site gravity and/or force main improvements that could include a new or upgraded

sewer lift station. Felicita Road and Hamilton Lane will probably have to be annexed into the City because they will provide primary street access and secondary emergency access for the residential development. It's possible that Miller Avenue would have to be annexed into the City as well. None of these streets are improved to City standards, and a substantial amount of street improvements would be needed to upgrade these streets. All of these issues would be part of the review that staff will undertake should the Council decide to initiate the applicant's request for further study. This action would lead to the preparation of environmental documents, review of project entitlement plans and documents, negotiation of Development Agreement terms, and coordination with multiple outside agencies prior to scheduling the proposed annexation and development proposal for public hearings before the Planning Commission and City Council.

Respectfully Submitted,



Barbara J. Redlitz
Director of Community Development



Bill Martin
Principal Planner

CITY OF ESCONDIDO

FELICITA RD

MONTICELLO DR

HAMILTON LN

INTERSTATE 15

CIMARRON TER

KIRKLAND AVE

PARK DR

LAS COLINAS DR

TWILIGHT VIEW TER

MILLER AVE

CITA AVE

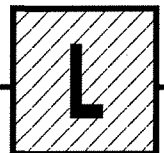
ALEXANDER DR

COUNTY



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OAK CREEK - PROPOSED ANNEXATION



LOCATION/ZONING

**N E W
URBAN
WEST
I N C**

1733 OCEAN
A V E N U E
S U I T E 3 5 0
S A N T A
M O N I C A
C A L I F O R N I A
9 0 4 0 1
T E L E P H O N E
310.394.3379
F A C S I M I L E
310.394.6872
N U W I . C O M

Jason Han
jasonh@nuwi.com
Direct 310-864-2427

February 25, 2013

Ms. Barbara Redlitz, Director of Community Development
City of Escondido Planning Division
City Hall, First Floor
201 North Broadway
Escondido, CA 92025

Subject: *Request for Annexation Initiation Hearing by City Council*
Oak Creek
43 Acre Property
Located in the unincorporated area of South Escondido

(Property) APNs:

238-370-01-00

238-370-05-00

238-370-04-00

238-370-07-00

238-370-08-00

238-370-06-00

238-380-01-00

Dear Ms. Redlitz,

The purpose of this letter is to formally request an annexation initiation hearing by the City Council for an approximately 43-acre property located southeasterly of Felicita Road and Hamilton Lane intersection near Interstate 15 Freeway and Felicita Road exit in the unincorporated area of San Diego County.

New Urban West proposes to annex the subject property into the City of Escondido, with the intended future use of a planned development consisting of approximately 60 high-end single family detached homes. The intended use would be consistent with the City of Escondido's General Plan Designation of "E2" which allows for 2 homes per acre on the property.

The key design features of the intended residential use will further enhance the rural character of the area and preserve resources that have important biological value and community benefits:

1. **Approximately 30% of the property would be placed in open space conservation**
 - a. Open space would consist of **preserved and enhanced creek** and its buffers along Felicita Road as well as along the two other minor tributaries entering the property
 - b. The **existing pond would be retained** for use and enjoyment by the neighboring residents
 - i. A proposal for a small, park-like setting between Felicita Road and the pond so that the **pond can be enjoyed** safely
 - c. A **permanent open space management program** would be established to fund the on-going management and perform the necessary maintenance
2. Design would include **retaining the current alignment of Felicita Road**
 - a. Proposed alignment would be consistent with the current Circulation Element of the Escondido General Plan
 - b. New Urban West will work closely with the city's planning and public works department to implement **safe and appropriate traffic design** measures for the frontage portion of Felicita Road as well as project entry point located at the southernmost end of property along Felicita Road.
3. **No residential access/project entry would be proposed on Miller Ave or Hamilton Lane.**
 - a. The proposal is likely to include emergency access onto the property from Hamilton Lane but will have no resident day-to-day access from Hamilton Lane.
4. **Street lighting consistent with rural character would be proposed**
 - a. The goal is to ensure that neighboring residents and project residents continue to enjoy the level of dark skies and to minimize light pollution stemming from street lighting.

These above guiding principles for the intended development are the result of meeting directly with neighboring residents along Felicita Road, Cimarron Terrace, Miller Avenue and Hamilton Lane. **New Urban West has walked 92 homes, door-to-door** located on these neighboring streets having met directly with nearly 40 homes/families with over a dozen kitchen table meetings to listen and implement neighboring residents' input. In particular, we have met with active community leaders residing on the four neighboring streets and have received positive initial feedback.

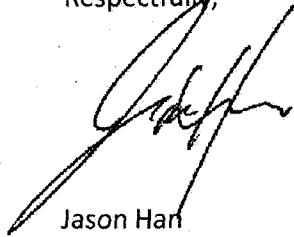
New Urban West has also held multiple consultations with LAFCO staff and have confirmed that the 43-acre property satisfies the "contiguity" requirement for annexation and therefore meets the necessary elements to be a standalone annexation accompanied by normal "survey" and annexation application process upon project approval by City of Escondido.

Please find attached an exhibit identifying the 43-acre project property and the "proposed survey area" for ascertaining potential interest by neighboring property owners within the specified area. The proposed survey area was reviewed and accepted by LAFCO staff.

New Urban West has a successful track record in the City of Escondido with projects such as *Brookside* in the North Broadway area as well as *Ranchos at Vistamonte* in the San Pasqual Valley area which are immensely enjoyed by the community and its residents.

We look forward to working closely with you and your staff to bring another high quality residential development to Escondido.

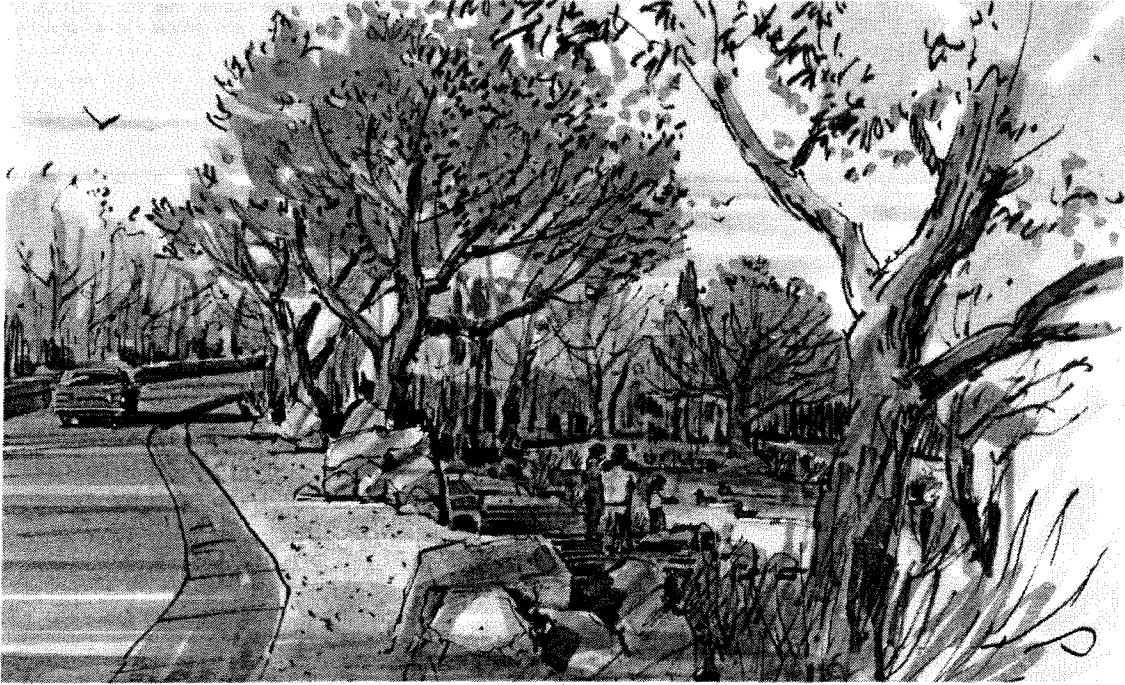
Respectfully,

A handwritten signature in black ink, appearing to read 'Jason Han', written over a horizontal line.

Jason Han
Partner
New Urban West, Inc.

Oak Creek

View from Felicita Road toward north - proposed pond area



View of proposed project entry along Felicita Road

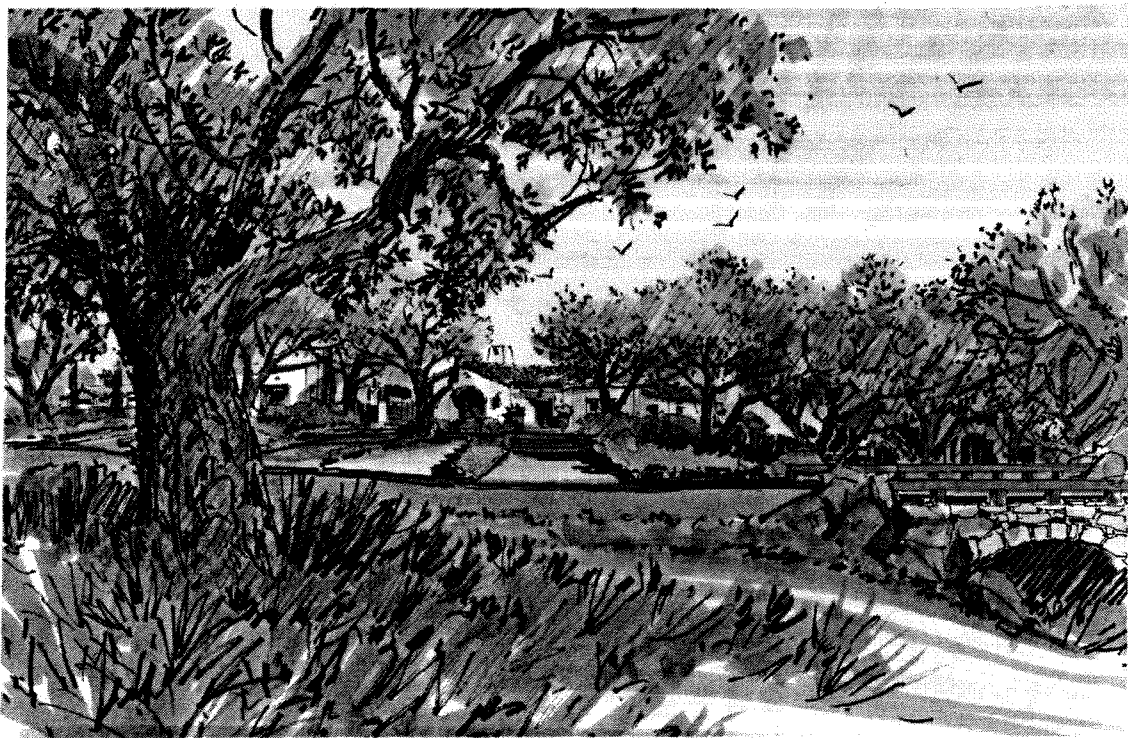


Oak Creek

View of project interior - proposed pond area



View of project interior – street, open space and architectural character



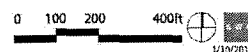


Land Use Plan

OAK CREEK

City of Escondido, California

New Urban West Inc.



1/10/2013

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 7

Date: April 10, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Christopher W. McKinney, Director of Utilities

SUBJECT: 2012 Water, Wastewater, and Recycled Water Master Plans

RECOMMENDATION:

The Utilities Department requests that Council receive and file the 2012 Water Master Plan, the 2012 Wastewater Master Plan, and the 2011 Recycled Water Master Plan. These documents are online at: www.escondido.org/utilities.aspx

BACKGROUND:

The Utilities Department periodically updates both the Water and Wastewater Master Plans. A Water Master Plan was last prepared in 2000. A Wastewater Master Plan was last prepared in 2005. No prior Recycled Water Master Plan has been completed. The Master Plans document the existing water distribution systems (potable and recycled) and wastewater collection system. They also identify potential system improvements based on SANDAG 2035 projected build-out of the City's service area, and take into account the Escondido General Plan adopted in 2012. The 2012 Master Plans also account for trends over the last decade to conserve water. This conservation trend directly affects wastewater flow. The projects described in the Plans will be needed to accommodate projected future growth and development, if those projections prove accurate. At present, the Utilities Department is not requesting approval to move forward with particular projects. The timing of specific projects being brought to Council for approval will depend on actual future growth.

Water

The Escondido water system includes approximately 440 miles of pipeline, 11 water reservoirs, 2 dams and lakes, and the Escondido-Vista Water Treatment Plant and clearwell. The aging water distribution system has a significant number of pipe segments that are 50-70 years old, and some as old as 100 years. The City of Escondido's water service area in 2010 served a population of approximately 132,300 while the SANDAG forecast for build-out in 2035 is 154,600. The Master Plan projects several pipeline segments that will suffer capacity deficiencies during the next 20 years, as well as makes recommendations for elimination of older reservoirs and resulting changes to the distribution system.

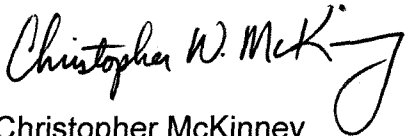
Wastewater

The Escondido wastewater system includes approximately 380 miles of pipeline, 7,500 manholes, 14 pump stations, the Hale Avenue Resource Recovery Facility, and the 14 mile land outfall. Approximately 13% of the wastewater collection pipes were installed prior to 1960 with another 7% of unknown age. The collection currently services a population of approximately 142,000 and SANDAG projects an increase in population of 14% by 2030. The Master Plan projects future capacity deficiencies at several wastewater pump stations (some corrective projects already in design) and identifies restrictions in the collection system that are likely to develop as the City grows.

Recycled Water

The 2011 Recycled Water Master Plan is the first for the recycled water system. The recycled water system started serving customers in 2004. The Hale Avenue Resource Recovery Facility produces recycled water which services customers within the City of Escondido service area as well as the Rincon del Diablo Municipal Water District service area. The Master Plan identifies several potential, currently un-served, customer bases. Some projects are already underway, after Council approval, to begin serving these new customers.

Respectfully submitted,

A handwritten signature in black ink that reads "Christopher W. McKinney". The signature is written in a cursive style with a large, stylized "J" at the end.

Christopher McKinney
Director of Utilities

FUTURE CITY COUNCIL AGENDA ITEMS
April 4, 2013

AGENDA ITEMS AND COUNCIL MEETING DATES ARE SUBJECT TO
CHANGE. CHECK WITH THE CITY CLERK'S OFFICE AT 839-4617

APRIL 17, 2013
4:30 p.m.

PRESENTATION

Marilyn Dailey, San Diego County Water Authority Board Representative

CONSENT CALENDAR

Award Bid for Fleet Replacement of Twelve 2013 Trucks
(G. Rojas)

On February 21, 2013, request for bids were mailed to eighteen bidders and on March 13, 2013, six bids were received and opened.

Approval of the 2012-2013 Traffic Signal Priority Lists for New Signal Projects and for Signal Modification Projects for Existing Traffic Signals
(E. Domingue)

The Traffic Signals Priority Lists will be used as guidelines in recommending projects for the Capital Improvement Budget for Traffic Signal Infrastructure improvements. The item was discussed and approved at the Transportation & Community Safety Commission meeting on January 10, 2013.

First Amendment to Lease Agreement with Klammer Family Trust for the Unimproved Street Frontage Adjacent to 1002-1018 W. Mission Avenue
(E. Domingue)

In 1988 the unimproved street frontage was dedicated to the City as a condition of development of 1002-1018 W. Mission Avenue. The property owner leases the 18' wide area from the City to provide tenants with parking for purposes of displaying non-large/non-commercial vehicles for sale. The City has no immediate plans to widen Mission Avenue. The Lessee has requested to exercise the first option to extend the lease for another two-year term. This Amendment will serve to extend the lease term and apply a 3% annual increase to the rent.

City Business Tax Reciprocal Agreement with Franchise Tax Board
(B. Redlitz)

This agreement allows the California Franchise Tax Board (FTB) and the City to enter into a reciprocal agreement to exchange tax data, to assist in the administration of the business license program. FTB will provide the City records for taxpayers within the City's jurisdiction who indicate a business on their personal or corporation income tax return. Information obtained by FTB shall be used for tax administration.

Campaign Control Ordinance
(M. Morasco and O. Diaz)

Amendments to Chapter 2, Article 7, Sections 2-103 and 2-110 of the Escondido Municipal Code regarding campaign contributions for local elections.

PUBLIC HEARINGS

APRIL 17, 2013

Continued

CURRENT BUSINESS

WORKSHOP

Budget Briefing for Fiscal Year 2013/14

(G. Rojas)

The City Council adopted a two year budget for the General Fund. The Finance Department will update the General Fund 2013/14 information and take direction from the Council on preparing a new two year budget to be considered in June 2013.

Future Agenda Items (D. Halverson)

APRIL 24, 2013

4:30 p.m. No Meeting