



MARCH 20, 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

**March 20, 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

PRESENTATIONS: Badge Pinning Ceremony for New Police Captains

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: 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.

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

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.

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

RESOLUTION NO. 2013-32

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.

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

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

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.

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.

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

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

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.

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

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.

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

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

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
March 27	No Meeting	-	-	-
April 3	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 10	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 17	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.ci.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.

CITY OF ESCONDIDO
March 6, 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 6, 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 Abed. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco 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

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

- a. Property: Por. APN: 271-060-02, 271-060-05 & 271-070-07
(Vineyard Municipal Golf Course)
City Negotiator Charles Grimm, Assistant City Manager
Negotiating parties Tom D'Agosta
Under negotiation Price and Terms of Agreement
- b. Property: 620 N. Ash Street

City Negotiator
Negotiating parties
Under negotiation

Debra Lundy, Real Property Manager
Retail Insight Development, LLC
Price and Terms of Agreement

c. Property:
City Negotiator
Negotiating parties
Under negotiation

720 N. Broadway
Debra Lundy, Real Property Manager
Escondido Chamber of Commerce
Price and Terms of Agreement

ADJOURNMENT

RECESSED INTO THE REGULAR MEETING AT 4:43 P.M.

CITY OF ESCONDIDO
March 6, 2013
4:30 P.M. Meeting Minutes

Escondido City Council
Escondido Joint Powers Financing Authority
Mobile Home Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council, Escondido Joint Powers Financing Authority and Mobile Home Rent Review Board was called to order at 4:45 p.m. on Wednesday, March 6, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Abed led the flag salute.

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; Jennifer McCain, Assistant 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 stated a Homeless Bill of Rights was being proposed by the state government.

Thomas Armstrong, Escondido, voiced concern with the Police Task Force operating in Grape Day Park.

Roy Garrett, Escondido, expressed concern at the proposed property negotiations with the Chamber of Commerce and with the proposed water park at Kit Carson Park.

Tom Cowan, Escondido, urged Council to fund a homeless shelter.

Jon Teeuwisson, CCAE President and Grape Day Task Force Member, listed the accomplishments of the Grape Day Task Force Team.

COUNCIL MEMBERS' REPORTS/BRIEFING

Councilmember Gallo indicated the Sprinter was celebrating a fifth anniversary, NCTD had hired in-house attorney; and the Borders Committee had received an update on the San Ysidro border crossing.

Deputy Mayor Diaz stated the San Dieguito River Park Joint Powers Authority was excited the AMGEN Tour was returning to the area. She gave two presentations to the Chamber of Commerce and to a local non-profit philanthropy group on the Escondido Creek; attended a gun safety vigil in Grape Day Park; and attended a Union Tribune's Latino Advisory Board meeting.

Councilmember Masson praised the State of the City presentation. He indicated that he had received a letter from SDG&E expressing appreciation for city staff; and the Economic Development Committee had discussed the proposed water park in Kit Carson Park.

Councilmember Morasco stated that last week's action plan discussion was productive. He spoke at the Escondido Charter School Honor event last week and indicated the Heritage Garden was going in on Juniper & Grand Streets in downtown Escondido.

Mayor Abed indicated the action plan workshop was excellent. He stated that SANDAG was merging the regional transportation plan and regional planning documents and he listed the programs that SANDAG was working on. He provided a proclamation to Marques Giovanni Cabrera at the Escondido Community Child Development Center and named November 16, 2013 as Marques Giovanni Cabrera Day.

CONSENT CALENDAR

Mayor Abed removed item 12 and Councilmember Diaz removed item 6 from the Consent Calendar for Discussion. Councilmember Diaz indicated that she would abstain from item 8. Mayor Abed indicated that item Resolution No. 2013-23 for item 7 would be 2013-23R.

MOTION: Moved by Councilmember Morasco and seconded by Councilmember Masson that the following Consent Calendar items be approved with the exception of items 6 and 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: None Scheduled**
4. **REQUEST TO FILE A NOTICE OF COMPLETION FOR FIRE STATION NO. 4 WITH DESIGN-BUILD CONTRACTORS ERICKSON-HALL CONSTRUCTION AND JEFF KATZ ARCHITECTURE** - Request Council approve and accept these improvements and authorize staff to file a Notice of Completion for the contracts. (File No. 0600-10 [3034])

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

5. **AUTHORIZATION TO PURCHASE ONE (1) ADDITIONAL AMBULANCE** - Request Council approve the solo source purchase of one (1) 2011 Ford E-450 Type III Lifeline Superliner Module Ambulance built to the Escondido Fire Departments specifications from the Emergency Vehicle Group (EVG). (File No. 0470-35)

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

6. **REJECT ALL BIDS FOR THE ESCONDIDO CREEK TRAIL LIGHTING PROJECT** - Request Council approve rejecting all bids for the Escondido Creek Trail Lighting Project and authorize staff to re-advertise for bids on this project. (File No. 0600-10 [3080])

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

RESOLUTION NO. 2013-33

Councilmember Diaz asked why the original estimate for the cost of the work was off by 70%

Rich Buquet, Neighborhood Services Manager, indicated the consultant who had calculated the original estimate had a subcontractor who had made mistakes.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Masson to approve rejecting all bids for the Escondido Creek Trail Lighting Project and authorize staff to re-advertise for bids on this project and adopt Resolution No. 2013-33. Motion carried unanimously.

7. **AMENDING THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND BUDGET ADJUSTMENT** - Request Council authorize an amendment of the Regional Transportation Improvement Program (RTIP) to update programming of TransNet funds in accordance with the Fiscal Year 2012/13 adopted capital project budgets; and approve a budget adjustment combining projects and closing completed projects. (File No. 0480-30)

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

RESOLUTION NO. 2013-23R

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Morasco to authorize an amendment of the Regional Transportation Improvement Program (RTIP) to update programming of TransNet funds in accordance with the Fiscal Year 2012/13 adopted capital project budgets; approve a budget adjustment combining projects and closing completed projects and adopt Resolution No. 2013-23R. Motion carried unanimously.

8. **THIRD AMENDMENT TO LEASE AGREEMENT WITH INTERFAITH COMMUNITY SERVICES AT 401 N. SPRUCE STREET** - Request Council authorize the Real Property Manager and City Clerk to execute a Third Amendment to Lease Agreement with Interfaith Community Services at 401 N. Spruce Street. (File No. 0600-10 [2494])

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

RESOLUTION NO. 2013-29

Councilmember Diaz abstained on item 8.

9. **NOTICE OF COMPLETION FOR THE MANHOLE REHABILITATION 2012 PROJECT** - Request Council approve of a Contract Reconciliation Change Order and authorizing staff to file a Notice of Completion for the Manhole Rehabilitation 2012 Project. (File No. 0600-10 [3053])

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

RESOLUTION NO. 2013-27

10. **SENIOR NUTRITION BUDGET ADJUSTMENT** - Request Council approve a budget adjustment in the amount of \$6,949 for the Senior Nutrition Budget; and authorize the City Manager and Director of Finance to make the necessary adjustments to the Senior Nutrition Budget. (File No. 0430-80)

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

11. **FISCAL YEAR 2012 OPERATION STONEGARDEN GRANT AND BUDGET ADJUSTMENT** - Request Council authorize the Police Department to accept Fiscal Year 2012 Operation Stonegarden grant funds in the amount of \$74,148 from the California Emergency Management Agency through the County of San Diego; authorize the Chief of Police to submit grant documents on behalf of the City; and approve a budget adjustment needed for overtime expenses. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Cory Moles**)

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. (File No. 0697-20-9916)

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

RRB RESOLUTION NO. 2013-01

Don Greene, Resident Representative, asked Council to exclude Space 63 from the rent increase.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to continue this item to the March 13, 2013 meeting. Motion carried unanimously.

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

- 13. FINANCIAL REPORT FOR THE QUARTER ENDED DECEMBER 31, 2012** - Request Council receive and file the second quarter financial report for the Fiscal Year 2012/13; and approve the following amendments to the Fiscal Year 2012/13 operating budget: 1) Approve a budget adjustment to increase General Fund revenue estimates by \$2,180,395 to reach budgeted revenue of \$78 million, 2) Approve an increase to the Library operating budget of \$11,000 to fund operations at the East Valley Library Technology Center, 3) Approve modifications to the 2012/13 budget to reflect the State of California taking \$3,702,248 of cash from the Housing Successor Agency and remitting to the County of San Diego for distribution to taxing entities, 4) Approve increase of \$62,000 to the 2012/13 operating budget to replace and enhance existing video cameras in Grape Day Park, exterior of City Hall and surrounding parking lot areas and to enhance City Hall security recommended by the Grape Day Park Task Force. (File No. 0430-30)

Staff Recommendation: Approval (**Finance Department: Gilbert Rojas**)

Gil Rojas, Finance Director, gave the staff report and presented a series of slides. Police Captain Robert Benton gave a report on the Grape Day Task Force and presented a series of slides.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to receive and file the second quarter financial report for the Fiscal Year 2012/13; and approve the following amendments to the Fiscal Year 2012/13 operating budget: 1) Approve a budget adjustment to increase General Fund revenue estimates by \$2,180,395 to reach budgeted revenue of \$78 million, 2) Approve an increase to the Library operating budget of \$11,000 to fund operations at the East Valley Library Technology Center, 3) Approve modifications to the 2012/13 budget to reflect the State of California taking \$3,702,248 of cash from the Housing Successor Agency and remitting to the County of San Diego for distribution to taxing entities, 4) Approve increase of \$62,000 to the 2012/13 operating budget to replace and enhance existing video cameras in Grape Day Park, exterior of City Hall and surrounding parking lot areas and to enhance City Hall security recommended by the Grape Day Park Task Force. Motion carried unanimously.

- 14. EJPFA REIDY CREEK FINANCING** – Request Council approve a minor revision (30 days) to the term and maturity date of bonds previously approved by the Council and EJPFA. (File No. 0440-22)

Staff Recommendation: Approval (**City Attorney's Office: Jeffrey Epp**)

- a. **RESOLUTION NO. 2013 – 28R**
- b. **EJPFA RESOLUTION NO. 2013- 01R**

Jennifer McCain, Assistant City Attorney, gave the staff report.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Morasco to approve a minor revision (30 days) to the term and maturity date of bonds previously approved by the Council and EJPFA and adopt Resolution No. 2013-28R and EJPFA Resolution No. 2013-01R. Motion carried unanimously.

- 15. ADDITIONAL STANDARDS FOR TAXICAB OPERATORS** – Request Council consider additional standards for taxicab operators and provide further direction on whether Council desires to add requirements for taxicab operators and drivers in the City of Escondido. (File No. 0680-50)

Staff Recommendation: Provide further direction on whether the City Council desires to add requirements for taxicab operators and drivers in the City of Escondido in addition to the current standards. **(City Attorney's Office: Jeffrey Epp)**

Jennifer McCain, Assistant City Attorney, gave the staff report.

Paulo Iannizzotto Escondido, urged Council to not add the 10 cab requirement.

Vais Karnee, Escondido, voiced concern with the proposed age limits on the cabs.

Vladimir Loshak, Escondido, stated he was concerned that his business and livelihood would be in jeopardy if this was passed.

David Humble, Escondido, stated he opposed the proposed limits on the cabs.

MaryAnne Dijak, Escondido, urged Council to support small business and not pass the proposed requirements.

Daniel Perez, Escondido, asked Council to not pass the proposed requirements.

Craig Kush, Escondido, voiced concern with the proposed cab requirements.

Mike Casey, Yellow Cab Representative, indicated the current cab drivers would be grandfathered into the policies.

COUNCIL ACTION: NO ACTION WAS TAKEN ON THIS ITEM

FUTURE AGENDA

- 16. FUTURE AGENDA ITEMS** – 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 indicated she would be absent at the March 20, 2013 meeting.

ORAL COMMUNICATIONS

None

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Morasco to recess back into Closed Session at 7:15 p.m. Motion carried unanimously.

ADJOURNMENT

Mayor Abed adjourned the meeting at 8:10 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY COUNCIL

For City Clerk's Use:

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APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 4

Date: March 20, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Amy Shipley, Assistant Director of Community Services
Karen Youel, Management Analyst

SUBJECT: Escondido Charitable Foundation Grant Authorization

RECOMMENDATION:

It is requested that 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.

FISCAL ANALYSIS:

This action will have no impact on the General Fund budget. Escondido Charitable Foundation has no match requirement.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Community Outreach.

PREVIOUS ACTION:

None.

BACKGROUND:

The Escondido Charitable Foundation (ECF) is an affiliate of the San Diego Foundation, San Diego's leading resource for information about charitable giving and community needs. In its seventh cycle of grant making, the ECF focuses specifically on Safe, Vibrant, and Healthy Communities. They have invited proposals that demonstrate innovative ideas and promote 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. Projects should be practical, achievable within a 12-month time frame, and have prospects for long-term sustainability. Funding may be used to expand existing programs, replicate programs tested in other communities, or to launch totally new

Escondido Charitable Foundation Grant Authorization

March 20, 2013

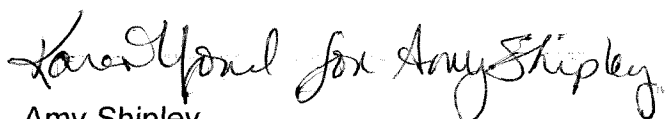
Page 2

efforts. Individual grant awards will be between \$15,000 and \$35,000. Projects must be completed between October 1, 2013 and October 31, 2014.

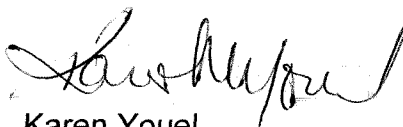
Staff proposes three grant applications for this cycle, focusing on various aspects of the Council's Action Plan goals relating to Community Outreach.

- The first project will be to expand transportation to the Park Avenue Community Center for seniors within Escondido city limits. The Park Avenue Community Center partners with Redwood Elderlink for transportation to and from the senior center. Once at the Center, seniors can take part in the Senior Nutrition program, as well as the various services and activities offered by the Senior Center and its non-profit partners. Funding from the Escondido Charitable Foundation would allow additional transportation services to be offered and reduce dependence on general funds. Staff is expected to request \$30,000 to maximize impact for Escondido seniors.
- The final project will be to further expand the playground area in Grape Day Park. On October 3, 2012, City Council approved funding for new playground equipment in Grape Day Park. This equipment will be installed near Vinehinge. In order to maintain the integrity of the art piece and maximize its connectivity to the new equipment, staff proposes a parent's area joining the two play areas. This area will be paved to increase accessibility, have appropriate seating, trash cans, and 2-3 pieces of adult outdoor fitness equipment. Construction costs are anticipated to be up to \$20,000.

Respectfully submitted,



Amy Shipley
Assistant Director of Community Services



Karen Youel
Management Analyst

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 5

Date: March 13, 2013

TO: Honorable Mayor and Members of the City Council

Continued to March 20, 2013

FROM: Edward N. Domingue, Public Works Director/City Engineer
Debra Lundy, Real Property Manager

SUBJECT: Summary Street Vacation: Portions of South Orange Street and a Portion of the Alley Running Perpendicular to South Orange Street and Centre City Parkway

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2013-32 authorizing 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 (see attached map).

FISCAL ANALYSIS:

The \$1,200 processing fee has been paid into the General Fund.

BACKGROUND:

Lyon Homes Inc, LLC owns the property located at the corner of West Second Avenue and South Orange Street (APN 233-051-04 & 05). They are developing the property with residential dwelling units as part of the Contempo Condominium Project. The street vacation area is needed to complete the 48-unit residential development.

The requested areas that are the subject of this vacation request, consisting of 208 square feet of portions of South Orange Street and a 750 square foot area of the alley, are excess street right of way. Pursuant to California Streets and Highways Code Section 8334(a), this street vacation may be performed as a summary vacation and a public hearing is, therefore, not required. The code states that "a local agency may summarily vacate an excess right of way of a street or highway not required for street or highway purposes." There are no utilities that will be impacted by this street vacation.

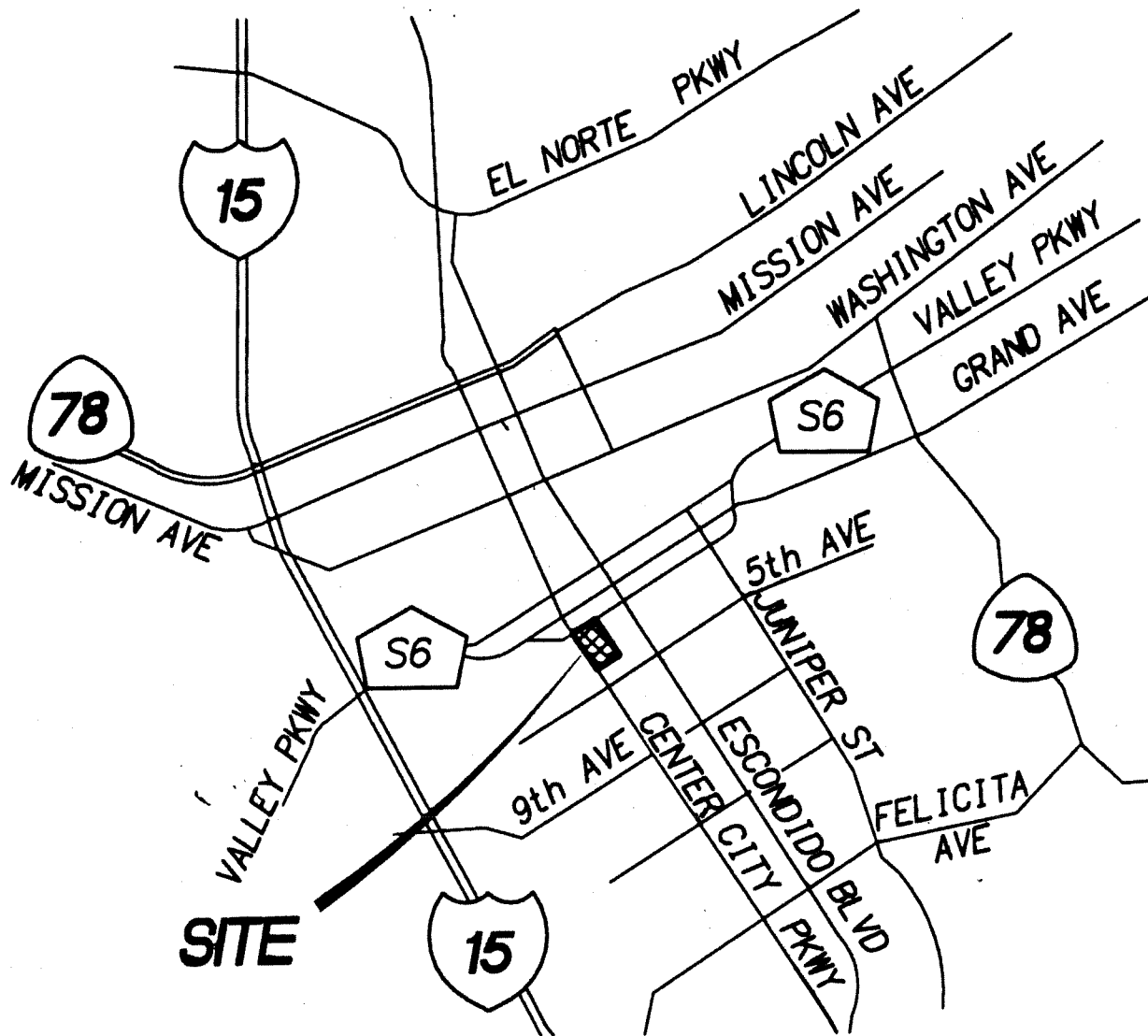
Respectfully submitted,



Edward N. Domingue, P.E.
Public Works Director/City Engineer



Debra Lundy
Real Property Manager



VICINITY MAP

NO SCALE

RESOLUTION NO. 2013-32

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING SUMMARY VACATION OF
PORTIONS OF A PUBLIC STREET KNOWN
AS SOUTH ORANGE STREET AND A
PORTION OF THE ALLEY RUNNING
PERPENDICULAR TO SOUTH ORANGE
STREET AND CENTRE CITY PARKWAY
HEREIN SPECIFICALLY DESCRIBED

WHEREAS, the portions of South Orange Street, located between West Second Avenue and Third Avenue and the portion of the alley running perpendicular to South Orange and Centre Center Parkway, between Second and Third Avenues, more particularly described in the legal description and map attached as Exhibits "A" and "B", and incorporated by this reference, which are to be vacated through this resolution, is excess right-of-way; and

WHEREAS, the proposed vacation areas are eligible for consideration as a summary vacation pursuant to California Streets and Highway Code Section 8334(a) without the requirement of a public hearing;

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

1. This action is taken pursuant to the California Streets and Highways Code section 8330, et seq.
2. It is hereby found and determined that the subject property meets the criteria set forth in the California Streets and Highways Code section 8334(a), "excess right-of-way of a street or highway not required for street or highway purposes."

3. The summary vacation of portions of South Orange Street, and a portion of the alley running perpendicular to South Orange and Centre City Parkway, between Second and Third Avenues, more particularly described in the attached Exhibits "A" and "B", is authorized and approved and hereby declared vacated.

4. Recordation of a certified copy of this resolution is hereby authorized, with the effective date of the vacation of the above-described area to be the date of recordation of the certified copy of this resolution with the office of the County Recorder of San Diego County, and on said date, the subject vacation area shall no longer constitute a street pursuant to the provisions of the California Streets and Highways Code Section 8336.

5. Fee title of the abandonment area is vested in: William Lyon Homes, Inc.

6. All City departments and local utilities have been notified and there are no objections to the proposed vacation.

EXHIBIT "A"
STREET VACATION
PORTION OF SOUTH ORANGE STREET AND ALLEY
LEGAL DESCRIPTION

APN 233-051-04 & 05

PAGE 1 OF 3

THE LAND DESCRIBED HEREIN IS LOCATED IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING PORTIONS OF LOT 1 OF THE CITY OF ESCONDIDO TRACT NO. 921, ACCORDING TO MAP THEREOF NO. 15389 FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER JULY 20, 2006, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, SAID CORNER BEING AT THE SOUTHEASTERLY END OF A CURVE NOTED AS HAVING A RADIUS OF 16.00 FEET, A CENTRAL ANGLE OF 90°01'50" AND A LENGTH OF 25.14 FEET, SAID CORNER ALSO BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY OF SOUTH ORANGE STREET, THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1 AND SAID SOUTHWESTERLY RIGHT-OF-WAY, SOUTH 30°16'55" EAST 75.73 FEET TO THE TRUE POINT OF BEGINNING OF PARCEL 1; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY AND SAID SOUTHWESTERLY RIGHT-OF-WAY, NORTH 59°43'05" EAST 3.60 FEET; THENCE SOUTH 30°16'55" EAST 21.54 FEET TO THE NORTHEAST CORNER OF A PORTION OF SOUTH ORANGE STREET, VACATED FOR PUBLIC USE PER DOCUMENTS RECORDED DECEMBER 1, 2006 AS DOCUMENT NO. 2006-0855325 AND APRIL 6, 2007 AS DOCUMENT NO. 2007-0232985, BOTH OF OFFICIAL RECORDS; THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID VACATED STREET, SOUTH 59°43'05" WEST 3.60 FEET TO THE NORTHWESTERLY CORNER THEREOF AND THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, SAID POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE ALONG SAID NORTHEASTERLY BOUNDARY, NORTH 30°16'55" WEST 21.54 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 78 SQUARE FEET OR 0.0018 ACRES OF LAND, MORE OR LESS.

PARCEL 2

BEGINNING AT THE PREVIOUSLY DESCRIBED POINT "A", THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, SOUTH 30°16'55" EAST 175.00 FEET TO THE SOUTHWESTERLY CORNER OF THE PREVIOUSLY DESCRIBED VACATED

EXHIBIT "A"
STREET VACATION
PORTION OF SOUTH ORANGE STREET AND ALLEY
LEGAL DESCRIPTION

APN 233-051-04 & 05

PAGE 2 OF 3

PORTION OF SOUTH ORANGE STREET AND THE TRUE POINT OF BEGINNING OF PARCEL 2; THENCE LEAVING SAID NORTHEASTERLY BOUNDARY ALONG THE SOUTHEASTERLY LINE OF SAID VACATED STREET, NORTH 59°43'05" EAST 3.60 FEET; THENCE SOUTH 30°16'55" EAST 33.06 FEET; THENCE SOUTH 59°43'05" WEST 3.60 FEET TO THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, SAID POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE ALONG SAID NORTHEASTERLY BOUNDARY NORTH 30°16'55" WEST 33.06 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 119 SQUARE FEET OR 0.0027 ACRES OF LAND, MORE OR LESS.

PARCEL 3

BEGINNING AT THE PREVIOUSLY DESCRIBED POINT "B", THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES: SOUTH 30°16'55" EAST 18.60 FEET AND SOUTH 30°18'25" EAST 26.82 FEET TO THE TRUE POINT OF BEGINNING OF PARCEL 3; THENCE NORTH 59°41'35" EAST 3.62 FEET; THENCE SOUTH 30°18'25" EAST 1.54 FEET TO THE NORTHEASTERLY CORNER OF ANOTHER PORTION OF THE PREVIOUSLY DESCRIBED VACATED SOUTH ORANGE STREET; THENCE ALONG THE NORTHWESTERLY LINE OF SAID VACATED STREET, SOUTH 59°41'35" WEST 3.62 FEET TO THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, SAID POINT HEREINAFTER REFERRED TO AS POINT "C"; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, NORTH 30°18'25" WEST 1.54 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 6 SQUARE FEET OR 0.0001 ACRES OF LAND, MORE OR LESS.

PARCEL 4

BEGINNING AT THE PREVIOUSLY DESCRIBED POINT "C", THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, SOUTH 30°18'25" EAST 134.56 FEET TO THE SOUTHWESTERLY CORNER OF THE PREVIOUSLY DESCRIBED VACATED PORTION OF SOUTH ORANGE STREET AND THE TRUE POINT OF BEGINNING OF PARCEL 4; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID VACATED

EXHIBIT "A"
STREET VACATION
PORTION OF SOUTH ORANGE STREET AND ALLEY
LEGAL DESCRIPTION

APN 233-051-04 & 05

PAGE 3 OF 3

STREET, NORTH 59°41'35" EAST 3.62 FEET; THENCE SOUTH 30°18'25" EAST 1.39 FEET; THENCE SOUTH 59°41'35" WEST 3.62 FEET TO THE NORTHEASTERLY BOUNDARY OF SAID LOT 1; THENCE ALONG SAID NORTHEASTERLY BOUNDARY, NORTH 30°18'25" WEST 1.39 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 5 SQUARE FEET OR 0.0001 ACRES OF LAND, MORE OR LESS.

PARCEL 5

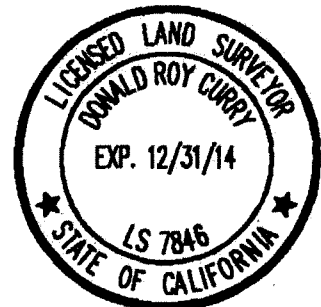
ALL THAT PORTION OF SAID LOT 1 DEDICATED AS PUBLIC ALLEY PER DOCUMENT RECORDED MARCH 15, 1948 AS FILE NO. 26053, IN BOOK 2172, PAGE 27, OFFICIAL RECORDS OF THE COUNTY OF SAN DIEGO, AS SHOWN AS SAID MAP 15389.

CONTAINS 750 SQUARE FEET OR 0.0172 ACRES OF LAND, MORE OR LESS.

ALL SUBJECT TO ALL COVENANTS, EASEMENTS AND AGREEMENTS OF RECORD.

ALL AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

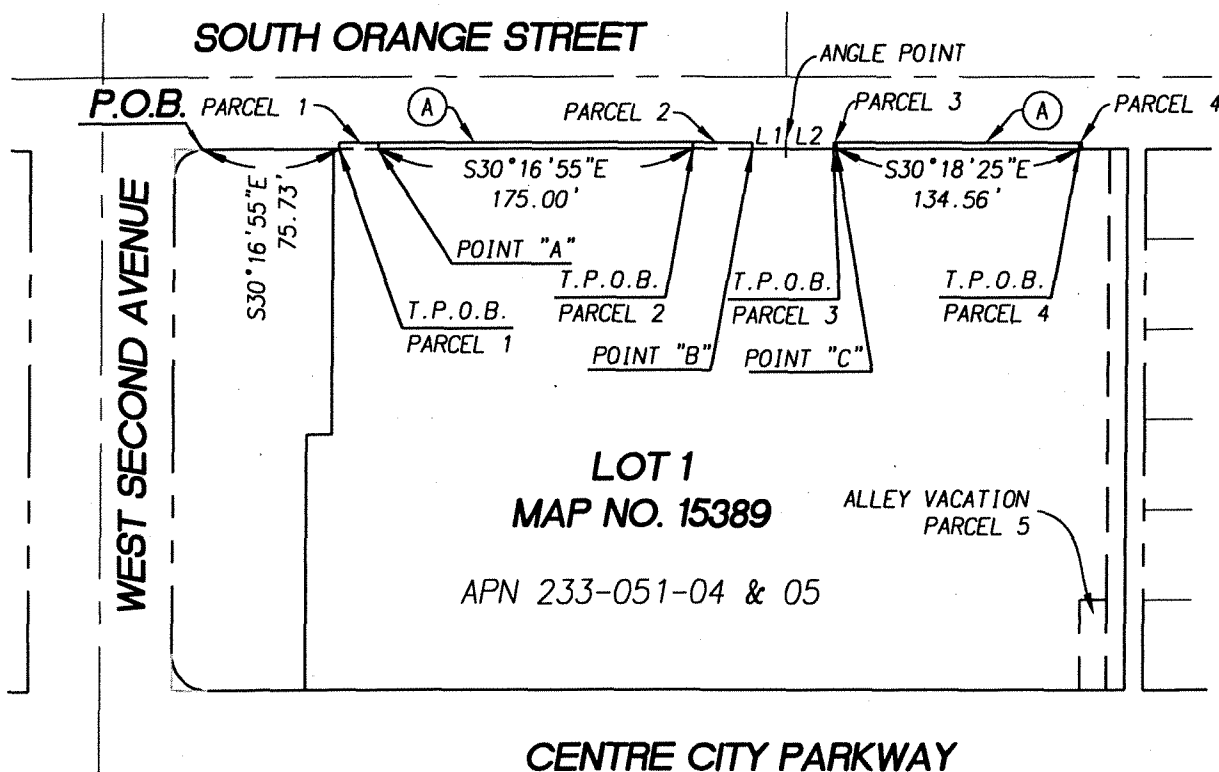
DATED THIS 5th DAY OF February, 2013.



Donald Roy Curry
DONALD ROY CURRY, L.S. 7846
EXP. 12/31/14

EXHIBIT 'B'
STREET VACATION
PORTION OF SOUTH ORANGE ST. AND ALLEY
PLAT

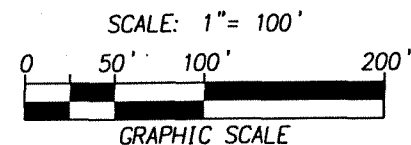
SEE PAGES 2 & 3 FOR ADDITIONAL DETAILS



LEGEND

- (A) INDICATES PORTIONS OF SOUTH ORANGE STREET VACATED PER DOCS. REC. DEC. 1, 2006 AS DOC. NO. 2006-0855325 AND APR. 6, 2007 AS DOC. NO. 2007-0232985, BOTH OF O.R.

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S30°16'55"E	18.60'
L2	S30°18'25"E	26.82'



Prepared by:
 FUSCOE ENGINEERING INC.
 6390 GREENWICH DR. STE. 170
 SAN DIEGO, CA 92122
 858.554.1500

ENGINEERING SERVICES
 201 North Broadway, CA 92025 (760) 839-4651

STREET VACATION PARCELS
S. ORANGE ST. AND ALLEY

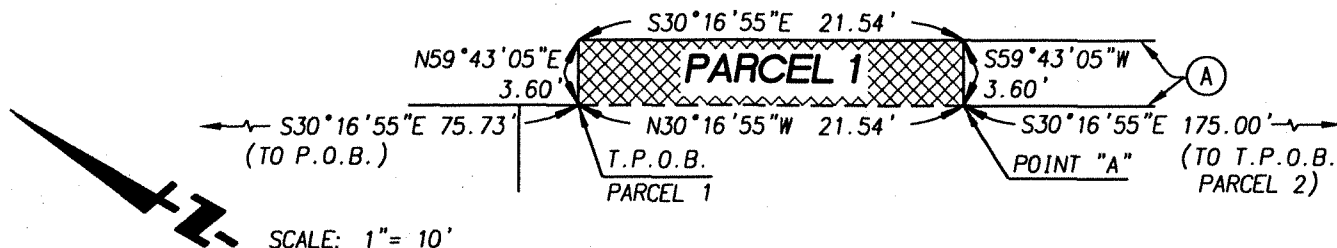


DOC. NO.

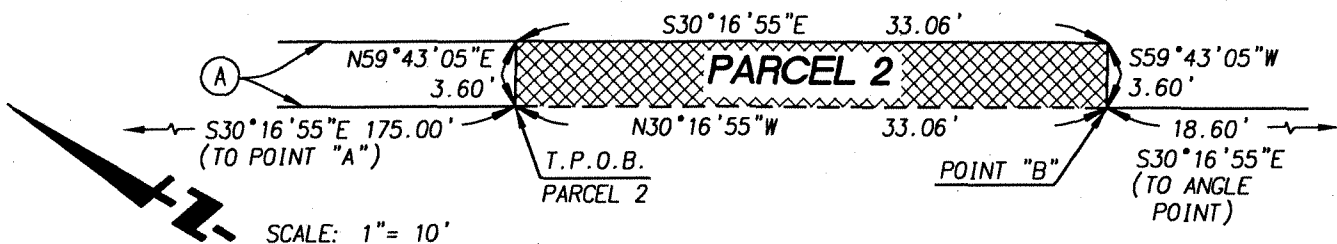
PAGE: 1 OF 3

EXHIBIT 'B'
STREET VACATION
PORTION OF SOUTH ORANGE ST. AND ALLEY
PLAT

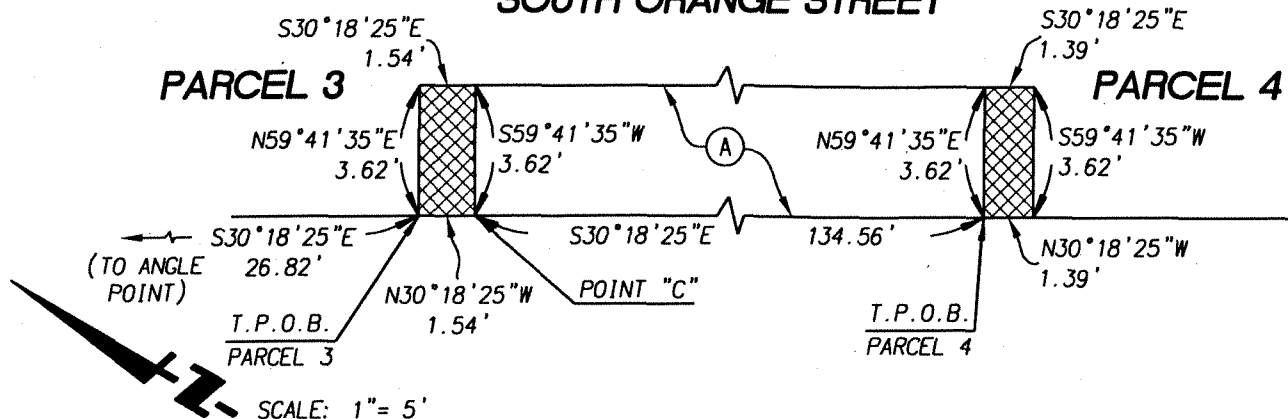
SOUTH ORANGE STREET



SOUTH ORANGE STREET



SOUTH ORANGE STREET



LEGEND

(A) INDICATES PORTIONS OF SOUTH ORANGE STREET VACATED PER DOCS. REC. DEC. 1, 2006 AS DOC. NO. 2006-0855325 AND APR. 6, 2007 AS DOC. NO. 2007-0232985, BOTH OF O.R.

Prepared by:
 FUSCOE ENGINEERING INC.
 6390 GREENWICH DR. STE. 170
 SAN DIEGO, CA 92122
 858.554.1500

ENGINEERING SERVICES
 201 North Broadway, CA 92025 (760) 839-4651
STREET VACATION PARCELS
S. ORANGE ST. AND ALLEY



DOC. NO.
 PAGE: 2 OF 3

EXHIBIT 'B'
STREET VACATION
PORTION OF SOUTH ORANGE ST. AND ALLEY
PLAT

Resolution No. 2013-32
EXHIBIT B
Page 3 of 3

SOUTH ORANGE STREET

(TO ANGLE POINT)

N30°18'25"W 189.81'

EXISTING ALLEY PER
MAP 336, TO REMAIN

LOT 1
MAP NO. 15389

APN 233-051-05

ALLEY PER DOC. REC. MAR. 15,
1948 AS FILE No. 26053, IN BK
2172, PG 27, O.R., TO BE VACATED

N59°39'14"E

10.00'

10.00' 5
20.00'

15.00'

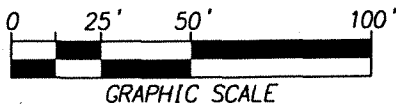
N30°18'27"W

509.88'

CENTRE CITY PARKWAY

BLOCK 94
MAP 336

SCALE: 1" = 50'



Prepared by:
FUSCOE ENGINEERING INC.
6390 GREENWICH DR. STE. 170
SAN DIEGO, CA 92122
858.554.1500

ENGINEERING SERVICES
201 North Broadway, CA 92025 (760) 839-4651

STREET VACATION PARCELS
S. ORANGE ST. AND ALLEY



DOC. NO.

PAGE: 3 OF 3

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 6

Date: March 20, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Frank P. Schmitz, Parks and Open Space Administrator

SUBJECT: City of Escondido Landscape Maintenance District – Preliminary Engineer's Report for Zones 1 through 10 and 12 through 37 for Fiscal Year 2013/2014.

RECOMMENDATION:

It is requested that Council adopt Resolution Nos. 2013-18 and 2013-20 that will initiate 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 (see attached map) 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.

FISCAL ANALYSIS:

The LMD reimburses all costs incurred by the City in all zones except Zones 12 and 13. The City of Escondido purchased property adjacent to the Reidy Creek environmental channel that lies within Zone 12 and, therefore, assumed the assessment assigned to this property. Zone 13 was formed to pay for the maintenance of the median landscaping in Centre City Parkway south of Felicita Avenue and north of Montview Drive. The City shares the cost of the maintenance in Zone 13 with the two shopping centers on either side of the parkway.

PREVIOUS ACTION:

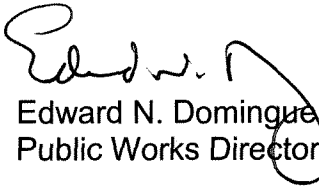
The City Council approved the formation of the LMD in 1986.

BACKGROUND:

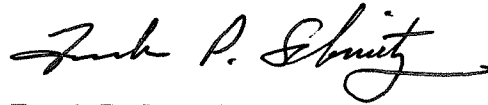
The LMD was established as a means to fund the ongoing maintenance of certain landscape improvements associated with the development of specific properties within the City of Escondido. These landscape improvements have special benefit to those specific properties. The LMD is divided into various zones. Property owners of parcels within each zone are assessed for the benefit received within their zone for the maintenance of the landscape improvements.

Each year, the City Council is required to review and approve the upcoming fiscal year budget and assessment for the LMD. The preliminary Engineer's Report presented today details the proposed budget and assessment for Zones 1 through 10 and 12 through 37 within the LMD for fiscal year 2013/2014. As part of the approval process, a public hearing is held to give property owners within Zones 1 through 10 and 12 through 37 of the LMD the opportunity to comment on the proposed LMD budget and assessment. The final Engineer's Report for LMD Zones 1 through 10 and 12 through 37 for fiscal year 2013/2014 will be presented to the City Council for approval on June 19, 2013.

Respectfully submitted,

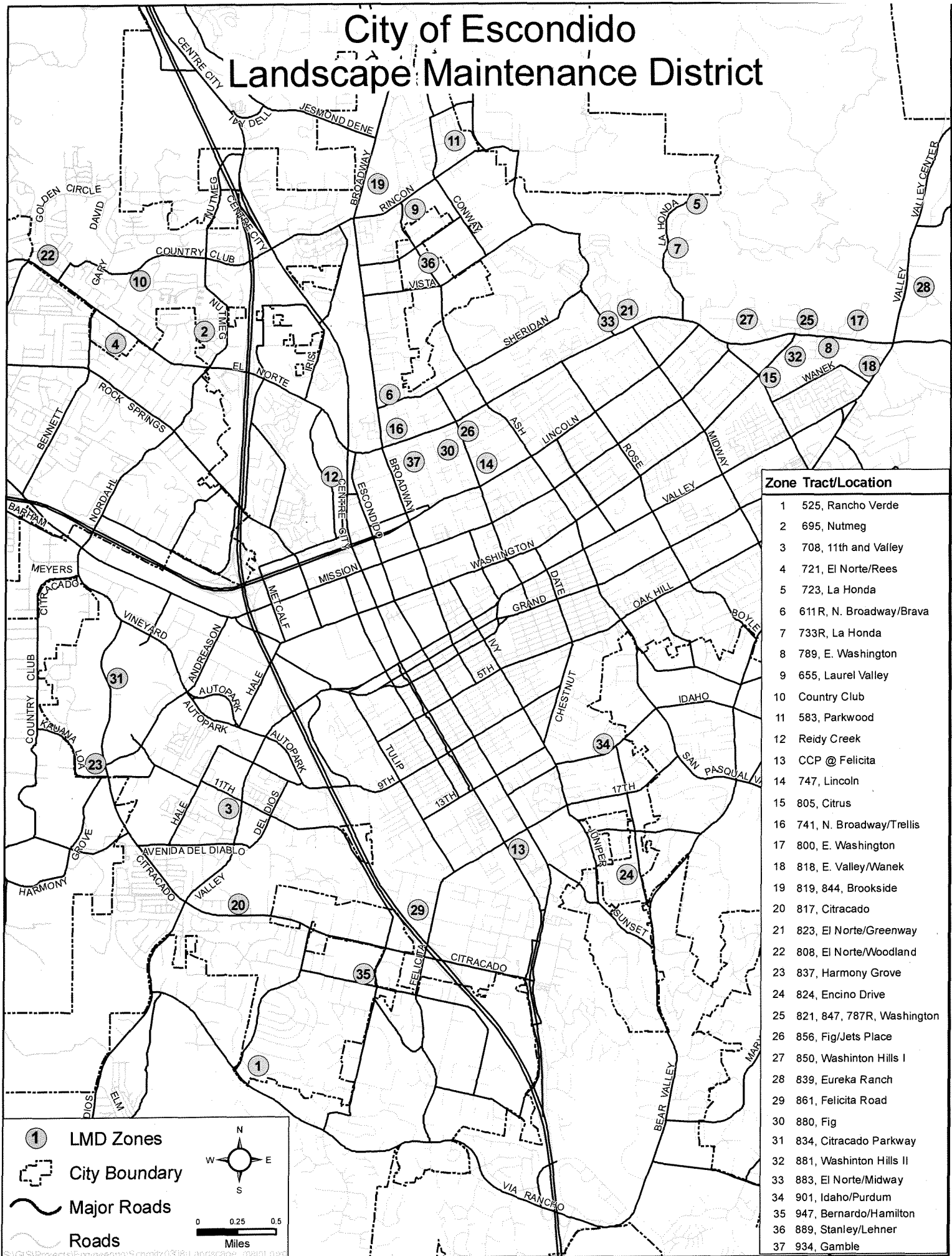


Edward N. Domingue, P.E.
Public Works Director/City Engineer



Frank P. Schmitz
Parks and Open Space Administrator

City of Escondido Landscape Maintenance District



RESOLUTION NO. 2013-18

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ORDERING THE PREPARATION OF AN
ASSESSMENT ENGINEER'S REPORT FOR
THE ANNUAL LEVY OF ASSESSMENTS IN
ZONES 1 THROUGH 10 and 12 THROUGH 37
OF THE ESCONDIDO LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT**

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act"), said maintenance district known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the next ensuing fiscal year to provide for the annual costs of maintenance of improvements within Zones 1 through 10 and 12 through 37 of the Maintenance District and order the preparation and filing of an Assessment Engineer's Report for Zones 1 through 10 and 12 through 37.

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

1. That the above recitals are true.
2. That the public interest and convenience requires, and it is the intention of this legislative body, to initiate proceedings for the annual levy and collection of special assessments for the payment of annual maintenance and/or servicing costs within

Zones 1 through 10 and 12 through 37 of the Maintenance District for fiscal year 2013-2014.

3. That the City Engineer is hereby directed and ordered to prepare and file, or cause to be prepared and filed, an Assessment Engineer's Report as required by the provisions of the Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred to collectively as the "Assessment Law") generally containing the following:

- a. Plans and specifications describing the general nature, location, and extent of the existing improvements to be maintained;
- b. An estimate of the cost of the maintenance and/or servicing of the existing improvements for Zones 1 through 10 and 12 through 37 of the Maintenance District;
- c. A diagram of the Maintenance District, showing: (i) the exterior boundaries of the Maintenance District and Zones 1 through 10 and 12 through 37 therein; and (ii) the lines and dimensions of each lot or parcel of land within Zones 1 through 10 and 12 through 37 of the Maintenance District, which is identified by a distinctive number or letter;
- d. An assessment of the estimated costs of the maintenance and/or servicing of the existing improvements, assessing the net amount upon all assessable lots and/or parcels within Zones 1 through 10 and 12 through 37 of the Maintenance District in proportion of the special benefits received.

Upon completion of the preparation of said Assessment Engineer's Report, the original shall be filed with the City Clerk, who shall then submit the same to this City Council, for its immediate review and consideration.

4. That the above Assessment Engineer's Report shall include all costs and expenses of said maintenance and/or servicing of existing improvements relating to fiscal year 2013-2014.

5. That this Resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 2013-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, PRELIMINARILY APPROVING THE ASSESSMENT ENGINEER'S REPORT, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN ZONES 1 THROUGH 10 AND 12 THROUGH 37 OF THE ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND SETTING THE TIME AND PLACE FOR PUBLIC HEARINGS THEREON

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act"), and the Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred collectively as the "Assessment Law"). Such maintenance district is known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, there has been established by the City 37 zones within the Maintenance District (each individually referenced as a "Zone"); and

WHEREAS, the City Council ordered the preparation of an Assessment Engineer's Report (the "Assessment Engineer's Report") to provide for the annual levy of assessments for Zones 1 through 10 and 12 through 37 of the Maintenance District for the next ensuing fiscal year to provide for the costs and expenses necessary to pay

for the maintenance and servicing of the improvements in Zones 1 through 10 and 12 through 37 of the Maintenance District; and

WHEREAS, there has been presented to the City Council, and is on file with the City Clerk, the Assessment Engineer's Report for Zones 1 through 10 and 12 through 37 of the Maintenance District, attached hereto as Exhibit "A", and by this reference incorporated herein, as required by the Assessment Law, which Assessment Engineer's Report provides a full and detailed description of the improvements, boundaries of the Maintenance District and zones therein, and the proposed assessments on the assessable lots and parcels of land within Zones 1 through 10 and 12 through 37 of the Maintenance District; and

WHEREAS, this City Council has now carefully examined and reviewed the Assessment Engineer's Report as presented, and is satisfied with each and all of the items and documents as set forth therein pertaining to Zones 1 through 10 and 12 through 37, and is satisfied that the assessments for Zones 1 through 10 and 12 through 37, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements to be maintained, as set forth in the Assessment Engineer's Report; and

WHEREAS, the proposed annual assessments for Zones 1 through 10 and 12 through 37 for fiscal year 2013-2014 as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied by the previously approved formula for Zones 1 through 10 and 12 through 37 of the Maintenance District and, therefore, in accordance with the Assessment Law, the

proposed levy of assessments for fiscal year 2013-2014 are not deemed to be "increased" over the maximum authorized annual assessments for such Zones; and

WHEREAS, the City Council desires to preliminarily approve such Assessment Engineer's Report pertaining to Zones 1 through 10 and 12 through 37 and intends to conduct the proceedings to authorize the annual levy and collection of the assessments within Zones 1 through 10 and 12 through 37 of the Maintenance District for fiscal year 2013-2014; and

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

1. The above recitals are true.
2. The public interest and convenience requires the levy and collection of assessments within the Maintenance District for fiscal year 2013-2014 to pay the annual costs and expenses for the maintenance and/or servicing of the improvements for Zones 1 through 10 and 12 through 37 of the above-referenced Maintenance District.
3. The existing improvements are of special benefit to certain identified properties within the boundaries of Zones 1 through 10 and 12 through 37 of the Maintenance District.
4. The Assessment Engineer's Report, as it pertains to Zones 1 through 10 and 12 through 37, as presented, is hereby approved on a preliminary basis, and is ordered to be filed in the office of the City Clerk as a permanent record and to remain open to public inspection. Reference is made to the Assessment Engineer's Report for (a) a full and detailed description of the existing improvements proposed to be

maintained; (b) the boundaries of the Maintenance District and Zones 1 through 10 and 12 through 37 therein; and (c) the proposed assessments upon assessable lots and parcels of land within Zones 1 through 10 and 12 through 37 of the Maintenance District. There are no substantial changes proposed to be made in the existing improvements. For further particulars, reference is made to the diagram of the Maintenance District as previously approved by this City Council, a copy of which is on file in the Office of the City Clerk of the City of Escondido and open for public inspection, and is designated by the name of the Maintenance District.

5. The public interest and convenience requires, and it is the intention of this City Council, to order the annual levy and collection of the assessments for Zones 1 through 10 and 12 through 37 of the Maintenance District, as set forth and described in the Assessment Engineer's Report, and further, it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expense of said maintenance and improvements, as estimated in the Assessment Engineer's Report. All costs and expenses of the maintenance and incidental expenses have been apportioned and distributed to the benefiting parcels in Zones 1 through 10 and 12 through 37 in accordance with the special benefits received from the existing improvements. Assessments are proposed to be levied as follows:

a. Assessments proposed to be levied on parcels within Zones 1 through 10 and 12 through 37 of the Maintenance District are not proposed to be increased from those as previously authorized to be levied within such Zones.

b. The maximum assessments authorized to be levied in Zones 1, 4, 6, 7, 9, 10, 13 through 30, and 32 through 36, have been adjusted for inflation by

increase in the Consumer Price Index – All Urban Consumers, San Diego Area, as published by the Bureau of Labor Statistics. Adjustment of the maximum authorized assessments by such formula has been previously approved. No increase in the assessments beyond the maximum authorized assessments, as adjusted for inflation, is proposed for any of these Zones.

6. **NOTICE IS HEREBY GIVEN** that a public hearing will be held on May 8, 2013, at 4:30 p.m., or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council, located at 201 North Broadway, Escondido, California 92025, which are the time, date, and place fixed by the City Council for the hearing of protests or objections in reference to the annual levy of assessments within Zones 1 through 10 and 12 through 37 of the Maintenance District, to the extent of the maintenance, by any interested person and any other matters contained in this Resolution. At such time, the City Council will consider, and finally determine, whether to levy the proposed annual assessments.

The City Council shall consider all objections or protests, if any, to the annual assessments proposed to be levied on all properties located in Zones 1 through 10 and 12 through 37. Any person interested may file a written protest prior to the close of the public hearing referred to herein or, having filed such a protest, may file a written withdrawal of that protest prior to the close of such hearing, which shall occur upon the conclusion of public testimony. Any such written protest must state all grounds for objection. A written protest by a property owner must contain a description sufficient to identify the property owned by such person, e.g., assessor's parcel number.

Any interested person may mail a protest to the following address:

City Clerk
City of Escondido
201 North Broadway
Escondido, CA 92025

To be considered by the City Council, all protests must be received prior to the conclusion of the public hearing. **A postmark on an envelope returning a written protest which is postmarked prior to such date and time but not received until after the conclusion of the public hearing will not be considered.**

7. The City Clerk is authorized and directed to give notice of the public hearing for the annual levy and collection of the assessments within Zones 1 through 10 and 12 through 37 as required by law by causing a copy of this Resolution to be published one time in a newspaper of general circulation within the City of Escondido; said publication to be completed not less than ten (10) days prior to the date set for the public hearing.

8. For any and all information relating to these proceedings, including information relating to protest procedure, your attention is directed to the person designated below:

Frank Schmitz
Engineering Department
City of Escondido
201 North Broadway
Escondido, CA 92025
(760) 839-4039

9. This Resolution shall take effect immediately upon its adoption.

**DUE TO THE NUMBER OF PAGES OF EXHIBIT(s) A COMPLETE SET IS
AVAILABLE IN THE OFFICE OF THE CITY CLERK OR CITY ATTORNEY.
For Councilmembers, a set is available in the Council reading file.**

Assessment Engineer's Report Zones 1 through 10 and 12 through 37

Fiscal Year 2013/14

City of Escondido

201 North Broadway – Escondido California 92025

Landscape Maintenance Assessment District

PRELIMINARY REPORT

March 20, 2013

Report pursuant to the Landscaping and Lighting Act of 1972, Part 2 Division 15 of the Streets and Highways Code, Article XIII.D. of the California Constitution, and Proposition 218 Omnibus Implementation Act (Government Code Section 53750 et seq.). The Streets and Highways Code, Part 2, Division 15, Article 4, commencing with Section 22565, directs the preparation of the Assessment Engineer's Report for each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described herein.

SPECIAL DISTRICT FINANCING & ADMINISTRATION

437 West Grand Avenue

Escondido CA 92025

760-233-2630 Fax 233-2631

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 7

Date: March 20, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Public Works Director/City Engineer
Frank P. Schmitz, Parks and Open Space Administrator

SUBJECT: City of Escondido Landscape Maintenance District – Preliminary Engineer's Report for Zone 11 for Fiscal Year 2013/2014.

RECOMMENDATION:

It is requested that Council adopt Resolution Nos. 2013-17 and 2013-19 that will initiate the proceedings for the annual levy of assessments for the City of Escondido Landscape Maintenance Assessment District (LMD) for Zone 11 (see attached map) 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.

FISCAL ANALYSIS:

The LMD will reimburse all costs incurred by the City in Zone 11.

PREVIOUS ACTION:

The City Council approved the annexation of Zone 11 into the LMD in 1987.

BACKGROUND:

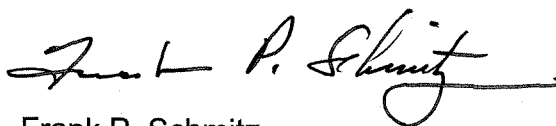
The LMD was established as a means to fund the ongoing maintenance of certain landscape improvements associated with the development of the specific properties within the City of Escondido. These landscape improvements have special benefit to those specific properties. The LMD is divided into various zones. Property owners within each zone are assessed for the benefit received within their zone for the maintenance of the landscape improvements.

Pursuant to Proposition 218, passed by the California voters on November 5, 1996, all new assessments and increases in assessments require a vote of the affected property owners. In fiscal year 2013/2014, an increase in assessments is proposed for Zone 11. Ballots will be sent to all the property owners in Zone 11 giving them the option of approving or rejecting the proposed increase in assessments. These ballots will be tabulated after the close of the May 8, 2013 public hearing. The result of the ballot tabulation will be reported to the City Council at the June 19, 2013 City Council meeting in conjunction with Council action to approve the final Engineer's report and setting of assessments for Zone 11 for fiscal year 2013/2014.

Respectfully submitted,

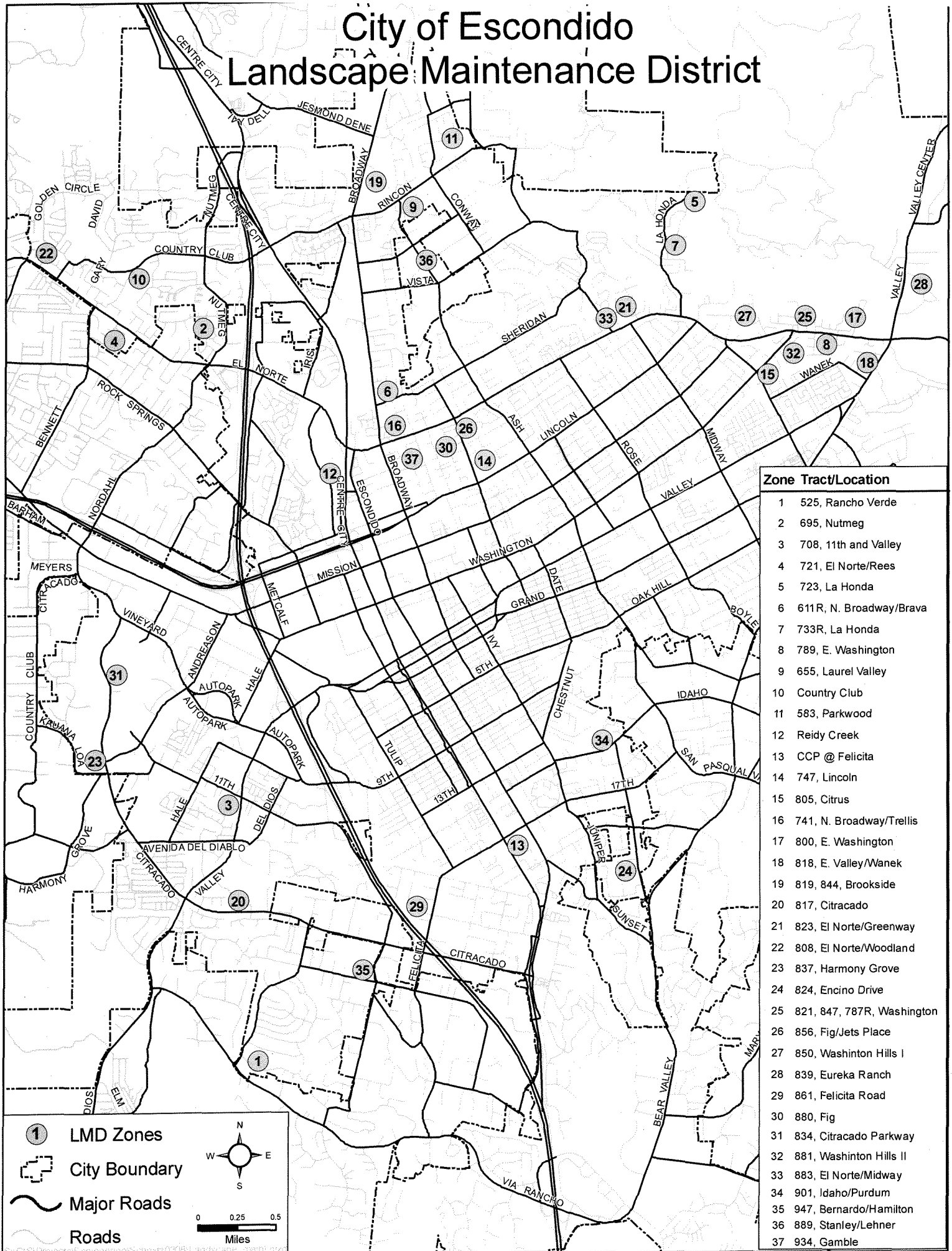


Edward N. Domingue, P.E.
Public Works Director/City Engineer



Frank P. Schmitz
Parks and Open Space Administrator

City of Escondido Landscape Maintenance District



RESOLUTION NO. 2013-17

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ORDERING THE PREPARATION OF AN
ASSESSMENT ENGINEER'S REPORT FOR
THE ANNUAL LEVY OF ASSESSMENTS IN
ZONE 11 OF THE ESCONDIDO LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act"), said maintenance district known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the next ensuing fiscal year to provide for the annual costs of maintenance of improvements within Zone 11 of the Maintenance District and order the preparation and filing of an Assessment Engineer's Report for Zone 11.

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

1. That the above recitals are true.
2. That the public interest and convenience requires, and it is the intention of this legislative body, to initiate proceedings for the annual levy and collection of special assessments for the payment of annual maintenance and/or servicing costs within Zone 11 of the Maintenance District.

3. That the City Engineer is hereby directed and ordered to prepare and file, or cause to be prepared and filed, an Assessment Engineer's Report as required by the provisions of the Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred to collectively as the "Assessment Law") generally containing the following:

- a. Plans and specifications describing the general nature, location, and extent of the improvements to be maintained;
- b. An estimate of the cost of the maintenance and/or servicing of the improvements for Zone 11 of the Maintenance District;
- c. A diagram of Zone 11 of the Maintenance District, showing: (i) the exterior boundaries of Zone 11 of the Maintenance District; and (ii) the lines and dimensions of each lot or parcel of land within Zone 11 of the Maintenance District which is identified by a distinctive number or letter;
- d. An assessment of the estimated costs of the maintenance and/or servicing of the improvements, assessing the net amount upon all assessable lots and/or parcels within Zone 11 of the Maintenance District in proportion of the special benefits received.

Upon completion of the preparation of said Assessment Engineer's Report, the original shall be filed with the City Clerk, who shall then submit the same to this City Council for its immediate review and consideration.

4. That the above Assessment Engineer's Report shall include all costs and

expenses of said maintenance and/or servicing relating to Fiscal Year 2013-2014.

5. That this Resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 2013-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, PRELIMINARILY APPROVING THE ASSESSMENT ENGINEER'S REPORT AND DECLARING ITS INTENTION TO INCREASE THE ANNUAL ASSESSMENTS IN ZONE 11 OF THE ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, PROVIDE FOR THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN ZONE 11 OF THE ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND SET THE TIME AND PLACE FOR A PUBLIC HEARING THEREON

WHEREAS, the City Council of the City of Escondido has previously formed a maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act"), and, the Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID, and the Implementation Act are referred collectively as the "Assessment Law"). Such maintenance district is known and designated as the Escondido Landscape Maintenance Assessment District (the "Maintenance District"); and

WHEREAS, this City Council ordered the preparation and filing of an Assessment Engineer's Report to initiate proceedings to provide for the annual levy of assessments for Zone 11 of the Maintenance District for the next ensuing fiscal year to provide for the costs and expenses necessary to pay for the maintenance of improvements in the Maintenance District; and

WHEREAS, there has been presented to the City Council, and filed with the City Clerk, the Assessment Engineer's Report for the Maintenance District and Zone 11 thereof, attached hereto as Exhibit "A", and by this reference incorporated herein, as required by the Assessment Law; and

WHEREAS, the City Council proposes to: (i) increase the annual assessments for the properties within Zone 11; (ii) establish a formula for annual adjustments for inflation measured by increases in the Consumer Price Index; and (iii) levy and collect assessments to pay a prescribed portion of the cost of future maintenance of those items within Zone 11 described in the Assessment Engineer's Report; and

WHEREAS, this City Council has now carefully examined and reviewed the Assessment Engineer's Report as presented, and is satisfied with each and all of the items and documents as set forth therein pertaining to Zone 11, and is satisfied that the assessments proposed for Zone 11, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements to be maintained in Zone 11, as set forth in the Assessment Engineer's Report; and

WHEREAS, the City Council desires to initiate proceedings for a ballot protest procedure for the purpose of considering increases to the annual assessments for Zone 11, and to hold a public hearing in conformance with the Assessment Law for the purpose of considering increases to the annual assessments and authorizing the annual levy and collection of the assessments for Zone 11.

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

1. Recitals. The above recitals are true.
2. Intention. The public interest and convenience requires, and it is the intention of this City Council, to levy and collect assessments to pay the annual costs and expenses for the maintenance and/or servicing of the improvements for the above-referenced Zone 11; said improvements are generally described in the Assessment Engineer's Report.
3. Improvements. The proposed improvements are of special benefit to certain identified properties within the boundaries of Zone 11.
4. Assessment Engineer's Report. The Assessment Engineer's Report, as presented pertaining to Zone 11, is hereby approved on a preliminary basis, and is ordered to be filed in the office of the City Clerk as a permanent record and to remain open to public inspection. Reference is made to the Assessment Engineer's Report for (a) a full and detailed description of the improvements; (b) the boundaries of Zone 11; and (c) the proposed assessments upon assessable lots and parcels of land within Zone 11 of the Maintenance District.
5. Proposed Increases. The public interest and convenience requires, and it is the intention of this City Council, to order the proposed increases to the annual levy and collection of the assessments for Zone 11 as set forth and described in the Assessment Engineer's Report. It is further determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expense of said maintenance and improvement as estimated in the Assessment Engineer's Report for Zone 11. All costs and expenses of the maintenance and incidental expenses for Zone 11 have been apportioned and distributed to the benefiting parcels in

accordance with the special benefits received from the existing improvements. Assessments are proposed to be increased within Zone 11 within the range of assessments, proposed to be established for the properties within Zone 11 of the Maintenance District, together with the establishment of a formula for annual adjustments for inflation measured by increases in the Consumer Price Index. If a majority protest exists, as described below in Section 6, and the assessments are not increased, the assessments to be levied on parcels within Zone 11 of the Maintenance District are those proposed to be levied and collected at the maximum authorized rate as previously authorized for Zone 11.

6. Public Hearing. NOTICE IS HEREBY GIVEN that a public hearing will be held May 8, 2013, at 4:30 p.m., or as soon thereafter as the matter may be heard, in the regular meeting place of this City Council, located at 201 North Broadway, Escondido, California 92025, which are the time, date, and place fixed by the City Council for the hearing of protests or objections in reference to the proposed increases to and levy and collection of the annual assessments within Zone 11, to the extent of the maintenance, by any interested person and any other matters contained in this Resolution. At such time, the legislative body will consider and finally determine whether to levy the proposed annual assessments.

Pursuant to the provisions of the Assessment Law, the record owner of each parcel proposed to be assessed within Zone 11 has the right to submit an assessment ballot in favor of or in opposition to the assessment proposed to be levied on such parcel.

Assessment ballots will be mailed to the record owner of each parcel located within Zone 11 and proposed to be subject to proposed increases of the assessments. Each such owner may complete such assessment ballot, and thereby, indicate such owner's support for or opposition to the proposed increases to the levy of the assessments. All such assessment ballots must be received by the City Clerk, at or before the time set for the close of the public hearing, which will occur when public testimony is concluded. This public hearing may be continued from time to time. All such assessment ballots may be delivered by mail or personal delivery to the City Clerk, at or before, 4:30 pm on May 8, 2013, at City of Escondido, 201 North Broadway, Escondido, CA 92025, or in person in the City Council Chambers at the public hearing prior to the close of the public hearing. **AN ASSESSMENT BALLOT RECEIVED AFTER THE CLOSE OF THE PUBLIC HEARING WILL NOT BE TABULATED EVEN THOUGH THE POSTMARK ON THE ENVELOPE TRANSMITTING THE ASSESSMENT BALLOT IS DATED ON OR BEFORE MAY 8, 2013.**

At the public hearing, the City Council shall consider all objections or protests, if any, to the increases to the annual assessments proposed to be levied within Zone 11. The City Council shall also determine whether assessment ballots submitted pursuant to the Assessment Law in opposition to the increases to the assessments proposed to be levied within Zone 11 exceed assessment ballots submitted in favor of such proposed increases to the assessments.

After the close of the public hearing, the City Council shall cause the tabulation, pursuant to California Government Code Section 53753, of the assessment ballots timely received. If a majority protest exists, as described below, the City Council shall

not impose the proposed increases to the assessments within Zone 11 of the Maintenance District. A majority protest to the increases to the levy of the assessments within Zone 11 exists if, upon the close of the public hearing, assessment ballots submitted in opposition to the increases to the assessments within Zone 11 exceed the assessment ballots submitted in favor of such increases to the assessments. In tabulating the assessment ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

7. Notice of the Public Hearing. In accordance with the Assessment Law, the City Clerk is hereby authorized and directed to give notice of the public hearing for the proposed increases to the levy of the assessments within Zone 11 as follows:

a. At least forty-five (45) days before the date set forth for hearing protests, the City Clerk shall, pursuant to Government Code Section 53753, mail or cause to be mailed, postage prepaid, notice of the public hearing and of the adoption of the Resolution of Intention, as amended, and the filing and consideration of the Assessment Engineer's Report to all persons owning real property proposed to be assessed whose names and addresses appear on the last equalized assessment roll for taxes of the County of San Diego, or who are known to the City Clerk. The form of such notice shall conform in all respects with the requirements of California Government Code Section 53753(b) and pursuant to California Government Code Section 53753(c), each such notice shall contain an assessment ballot whereon the record owner may indicate his or her support for or opposition to the proposed increase to the assessments within Zone 11.

b. Except, as provided in the following sentence, the assessments to be reflected in the assessment ballots shall be the proposed assessments for Zone 11 as set forth in the Assessment Engineers Report.

c. Upon the completion of the mailing of such notices, the City Clerk shall file with the City Council a certificate setting forth the time and manner of compliance with the requirements of this resolution for mailing notices.

8. Tabulation Official. For purposes of tabulating the assessment ballots for these proceedings as required pursuant to the Assessment Law, the City Council hereby designates the City Clerk to act as the tabulation official to tabulate the assessment ballots submitted.

9. For any and all information relating to these proceedings, including information relating to protest procedure, your attention is directed to the person designated below:

Frank Schmitz
Engineering Department
City of Escondido
201 North Broadway
Escondido, CA 92025
(760) 839-4039

10. This Resolution shall take effect immediately upon its adoption.

Assessment Engineer's Report Zone 11

Fiscal Year 2013/14

City of Escondido
201 North Broadway – Escondido California 92025
Landscape Maintenance Assessment District

PRELIMINARY REPORT

March 20, 2013

Report pursuant to the Landscaping and Lighting Act of 1972, Part 2 Division 15 of the Streets and Highways Code, Article XIII.D. of the California Constitution, and Proposition 218 Omnibus Implementation Act (Government Code Section 53750 et seq.). The Streets and Highways Code, Part 2, Division 15, Article 4, commencing with Section 22565, directs the preparation of the Assessment Engineer's Report for each fiscal year for which assessments are to be levied and collected to pay the costs of the improvements described herein.

SPECIAL DISTRICT FINANCING & ADMINISTRATION

437 West Grand Avenue
Escondido CA 92025
760-233-2630 Fax 233-2631

**CITY OF ESCONDIDO
ASSESSMENT ENGINEER'S REPORT
ZONE 11**

**ESCONDIDO LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
FISCAL YEAR 2013/14**

The Assessment Engineer's Report, submitted herein, includes the following Sections as outlined below:

Section Description	Page
Compliance with Landscaping and Lighting Act of 1972, Article 4 of the California Government Code	1
Section A: Plans and Specifications for the Improvements	1
Section B: Estimate of Costs of the Improvements	3
Section C: Diagram for the Maintenance District	5
Section D: Assessment of the Estimated Costs of the Improvements	6
Section E: If Bonds or Notes will be Issued Pursuant to Section 22662.5, An Estimate of their Principal Amount	8
Appendix I: Estimate of Cost and Assessment	
Appendix II: Assessment Roll	
Appendix III: Diagram of Landscape Maintenance District Boundaries	

**COMPLIANCE WITH LANDSCAPE AND LIGHTING ACT OF 1972
ARTICLE 4 OF THE CALIFORNIA GOVERNMENT CODE**

Whereas the City Council of the City of Escondido, California, did, pursuant to the provisions of the Landscape and Lighting Act of 1972, Chapter 3, Section 22622 of the California Government Code and pursuant to the provisions of Article XIII.D. of the California Constitution and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following), order the preparation and filing of the Assessment Engineer's Report in accordance with Chapter 1, Article 4, commencing with Section 22565, of Chapter 1.

Section 22565 directs that the report refer to the Landscape Maintenance Assessment District (the "Maintenance District") by its distinctive designation, specify the fiscal year to which the report applies, and, with respect to that year, contain all of the following:

- (a) Plans and specifications for the improvements.
- (b) An estimate of the costs of the improvements.
- (c) A diagram for the Maintenance District.
- (d) An assessment of the estimated costs of the improvements.
- (e) If bonds or notes will be issued pursuant to Section 22662.5, an estimate of their principal amount.

A preliminary report is then filed in accordance with Section 22623 with the City Clerk for submission to the legislative body. The legislative body may approve the report, as filed, or it may modify the report in any particular and approve it as modified.

Now, therefore, the following Assessment Engineer's Report is submitted:

A. PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS

In accordance with Section 22568, the plans and specifications are required to show and describe existing and proposed improvements. The plans and specifications need not be detailed, but are sufficient if they show or describe the general nature, location,

and extent of the improvements. If the Maintenance District is divided into Zones, the plans and specifications are required to indicate the class and type of improvements to be provided for each such Zone.

The Maintenance District has been divided into distinct Zones of benefit. By reasons of variations in the nature, location, and extent of the improvements, the various Zones receive different degrees of benefit from the improvements. The improvements for Zone 11, which have been constructed or which may be subsequently constructed within and adjacent to Zone 11 and that will be serviced and maintained, and the proposed maintenance and services are generally described as follows.

DESCRIPTION OF IMPROVEMENTS TO BE MAINTAINED AND SERVICED

In general, a description of the improvements to be maintained and serviced is provided below. The general description is followed by a specific description for Zone 11.

Landscape and Appurtenant Improvements in General

Landscape improvements (collectively, the "Landscape Improvements") include but are not limited to: landscaping, planting shrubbery, trees, irrigation systems, hardscapes and fixtures in public street and sidewalk, rights-of-way, including medians, parkways and other easements dedicated to the City of Escondido within the boundaries of the District.

Description of Maintenance and Services in General

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the Landscape Improvements and appurtenant facilities, including repair, removal or replacement of all or part of any of the Landscape Improvements or appurtenant providing for the life, growth, health and beauty of the Landscape Improvements, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury, the removal of trimmings, rubbish, debris and other solid waste, and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Service means the furnishing of water for the irrigation of the Landscape Improvements and the furnishing of electric current or energy, gas or other illuminating agent for the lighting or operation of the Landscape Improvements or appurtenant facilities.

Landscape and Appurtenant Improvements and Description of Maintenance and Services for Zone 11

Zone 11, known by the name, "Parkwood," lies within the boundary of Escondido Tract 583 and is located north of Rincon Avenue and south of Cleveland Avenue. The improvements to be maintained by the Landscape Maintenance District include planting materials such as ground cover, turf, shrubs and trees, irrigation systems, fencing, natural drainage areas, mow curbs, natural open space areas with paths, median landscape on Conway Drive, and landscape around the tract perimeter.

The plans and specifications for the Landscape Improvements, showing the general nature, location and the extent of the Landscape Improvements, are on file in the office of the City Engineer and are by reference herein made a part of this report.

B. ESTIMATE OF COSTS OF THE IMPROVEMENTS

In accordance with Section 22569 of the California Government Code, the estimate of the costs of the improvements for the fiscal year is required to contain estimates of the following:

- (a) The total cost for improvements to be made that year, being the total costs of constructing or installing all purposed improvements and of maintaining and servicing all existing and proposed improvements, including all incidental expenses. This may include a cash flow reserve and an operating and maintenance reserve which are further detailed in the description of *Reserve* on the following page.
- (b) The amount of any surplus or deficit in the improvement fund to be carried over from a previous fiscal year.

- (c) The amount of any contributions to be made from sources other than assessments levied pursuant to this part. (Contributions will only be shown if such a contribution has been received.)
- (d) The amount, if any, of the annual installment for the fiscal year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments.
- (e) The net amount to be assessed upon assessable lands within the Maintenance District being the total improvement costs, as referred to in subdivision (a), increased or decreased, as the case may be, by any of the amounts referred to in subdivision (b), (c), or (d).

The estimates of cost are contained in Appendix I of this Report, titled, "Estimate of Cost and Assessment." The Assessment Law requires that a special fund be established for the revenues and expenditures of each Zone within the District. Funds levied by these assessments shall be used only for the purposes as stated herein. The City may advance funds to the Zone, if needed, to ensure adequate cash flow, and will be reimbursed for any such advances upon receipt of assessments. Any surplus or deficit remaining on June 30 must be carried over to the next fiscal year.

DESCRIPTION OF BUDGET EXPENSE ITEMS

Administration/Inspection: The cost to all departments and staff of the City for providing the coordination of maintenance, and responding to public concerns regarding levy collections.

Annual Installment: The amount, if any, of the annual installment for the fiscal year where the legislative body has ordered an assessment for the estimated cost of any improvements to be levied and collected in annual installments.

Consultant: The recovery of the cost of contracting for professional services to provide District administration and legal services.

County Fee: The recovery of the cost charged by the County of San Diego for placing and collecting the fixed charged special assessments on the county tax roll.

Liability Fund: The recovery of the cost incurred by the City to provide liability insurance. Only Zones that have storm drainage improvements are required to pay a portion of the liability insurance.

Miscellaneous Repairs: Recovery of the cost of unplanned repairs. These costs are not included in the maintenance contract and are unplanned. An example of an expenditure that would fall under this category is repairs due to vandalism.

Reserve: The collection of a reserve is a combination of a cash flow reserve and an operating and maintenance reserve. The cash flow reserve should not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the City expects to receive its apportionment of special assessments and tax collections from the County, whichever is later. This time period has been estimated by the City as six months from July 1 to January 1 of each fiscal year. The purpose of the cash flow reserve is to eliminate the need for the City to transfer funds from non-District accounts to pay for District expenditures. The operating and maintenance reserve, estimated as 12 months of maintenance and servicing, is to provide a buffer for unforeseen emergency repairs and maintenance, and to allow the Zone to continue maintenance through a period of delinquencies in the collection of the assessments.

Maintenance: Includes all contracted labor, material and equipment required to properly maintain the landscaping, irrigation systems, fencing, and entry monuments within the District.

Service/Utilities: The furnishing of water and electricity required for the maintenance of the landscaping and drainage facilities.

C. DIAGRAM FOR THE MAINTENANCE DISTRICT

The diagram for a Maintenance District as required by Sections 22570 and 22571 of the California Government Code is required to show: a) the exterior boundaries of the Maintenance District, b) the boundaries of any Zones within the district, and c) the lines and dimensions of each lot or parcel of land within the district. Each lot or parcel is required to be identified by a distinctive number or letter. A Diagram of the District by Zone which shows each lot or parcel of land within Zones 1 to 37 of the District is on file

in the Offices of the City Clerk and the Parks and Open Space Administrator. Appendix III provides an overview of all the zones currently within the District including the general location of Zone 11. Appendix III also contains a detailed map for Zone 11 which provides the exterior boundaries and the lines and dimensions of each lot or parcel within Zone 11.

The lines and dimensions of each lot or parcel of land shown on the diagram are required to conform to those shown on the county assessor's maps for the fiscal year in which the report applies. The diagram may refer to the county assessor maps for a detailed description of the lines and dimensions of any lots or parcels, in which case, those maps govern all details concerning the lines and dimensions of such lots or parcels.

D. ASSESSMENT OF THE ESTIMATED COSTS OF THE IMPROVEMENTS

The assessment, or annual levy amount, in accordance with Sections 22572 and 22573 of the California Government Code, must refer to the fiscal year to which it applies and provide all of the following:

- (a) State the net amount, determined in accordance with Section 22569, to be assessed upon assessable lands within the Maintenance District, which includes an amount sufficient to pay the principal and interest due during the fiscal year from each parcel on any bonds or notes issued pursuant to Section 22662.5.
- (b) Describe each assessable lot or parcel of land within the District.
- (c) Assess the net amount upon all assessable lots or parcels of land within the District by apportioning that amount among the several lots or parcels in proportion to the estimated benefits to be received by each lot or parcel from the improvements.

The assessment may refer to the County assessment roll for a description of the lots or parcels, in which case that roll will govern for all details concerning the description of the lots or parcels. The 1972 Act permits the establishment of Maintenance Districts by cities for the purpose of providing certain public improvements which include the construction, maintenance and servicing of landscaping improvements. Streets and

Highways Code Section 22573 requires that maintenance assessments be levied according to benefit directing that the method of apportionment can be based on any method which fairly distributes the net amount among all assessable lots or parcel in proportion to the estimated benefit to be received by each such lot or parcel from the improvements. Article XIII.D. and the Implementation Act require that a parcel's assessment may not exceed the reasonable cost for the proportional special benefit conferred on that parcel. Article XIII.D. and the Implementation Act further provide that only special benefits are assessable and the City must separate the general benefits from the special benefit. They also require that publicly-owned properties which specially benefit from the improvements be assessed.

APPORTIONMENT OF SPECIAL BENEFIT

The proportionate special benefit derived by each parcel has been determined in relationship to the total cost of the improvements and maintenance services being provided. No assessment is proposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits have been assessed. General benefits have been separated from the special benefits conferred on the parcels. No proposed assessment imposed on any parcel exceeds the reasonable cost of the special benefit conferred on such parcels.

The improvements to be maintained are public improvements owned by the City of Escondido. Other than the public streets, roads, alleys, avenues, and highways, no parcels within Zone 11 are owned by any other public agency, the State of California, or the United States.

Such improvements and maintenance directly provide special benefits to those certain identified properties within Tract 583, located within Zone 11. The special benefits include beautification, shade, enhancement of the desirability of the surroundings, and erosion control. Additionally, they provide a sense of ownership and a common theme in the community, aesthetic appeal, and increased desirability of properties.

The estimated net cost of the improvements has been divided among the parcels of land within Zone 11 in proportion to the estimated special benefits to be received by the parcels, respectively, from the improvements and maintenance. The method used to apportion the cost among the benefiting properties is based on benefit units. All current

residential lots (Tract 583 created 330 residential lots) are determined to equally receive special benefits from the improvements and maintenance and therefore each has been assessed the same and assigned one benefit unit. The total annual cost is divided by the total number of benefit units to arrive at a cost per residential lot. The total number of benefit units within Zone 11 is 330 units.

An increase in the annual levy is proposed for the 2013/2014 fiscal year. Appendix I of this Report, titled, "Estimate of Cost of Assessment," shows the total cost of the proposed maintenance and the calculation of the net amount to be assessed to parcels within Zone 11 if the assessment ballots in favor of such proposed increase to the assessment are in excess of those in opposition ("Measure Passes") and if the assessment ballots in opposition to the assessment are in excess of those in favor ("Measure Fails"). If a majority protest exists and the assessments are not increased, the assessments to be levied on parcels within Zone 11 of the Maintenance District are those proposed to be levied and collection at the maximum authorized rate as previously authorized for Zone 11.

The total costs for maintenance also include incidental costs, such assessment engineering costs for Zone 11. The Estimate of Cost of Assessment includes a proposed annual administrative assessment and also provides the calculation of apportionment of all costs among the parcels in proportion to the special benefits to be received by each. The method of apportionment fairly distributes the net amount among all assessable parcels in proportion to the special benefits to be received by each from the improvements and the maintenance thereof.

Based on the methodology described above, the benefit units and Fiscal Year 2013-2014 Zone 11 assessment for each parcel were calculated and are shown in Appendix II of this Report, titled "Assessment Roll." The Assessment Roll provides a description of the assessable parcels within Zone 11 and a listing of the assessor parcel numbers and levy per parcel within Zone 11.

E: BONDS OR NOTES

If bonds or notes will be issued pursuant to Section 22662.5, Part V is to provide an estimate of their principal amount. For the current fiscal year the legislative body of the City of Escondido has not determined the need for bonds or notes to be issued.

In conclusion, it is my opinion that the assessments for Zone 11 of the City of Escondido, Landscape Maintenance District No. 1 are spread in direct accordance with the special benefits that the land within the boundary of the Zone receives from the maintenance of the improvements and that the proposed assessment conforms to the requirements of Article XIII.D.

This Report dated this 20th day of March, 2013.

By: 
Michael D. Schweitzer, RCE 59658
License Expiration Date: December 31, 2013

**CITY OF ESCONDIDO
LANDSCAPE AND MAINTENANCE ASSESSMENT DISTRICT**

APPENDIX I

ESTIMATE OF COST AND ASSESSMENT

Appendix I
Estimate of Cost and Assessment

Measure
Fails

Measure
Passes

ZONE DESCRIPTION	ZONE 11 Parkwood	ZONE 11 Parkwood
Projected Beginning Balance (07/01/13)	\$14,304.52	\$14,304.52
<u>Expenditures</u>		
<i>Direct Costs</i>		
Maintenance	26,532.00	26,532.00
Miscellaneous Repairs	9,000.00	9,000.00
Service/Utilities	39,000.00	39,000.00
Annual Installment	0.00	0.00
Subtotal Direct Costs:	74,532.00	74,532.00
<i>Administrative Costs</i>		
Administration/Inspection	5,500.00	5,500.00
Liability Fund	500.00	500.00
Consultant	1,595.00	1,595.00
County Fee	33.00	33.00
Subtotal Administrative Costs:	7,628.00	7,628.00
Subtotal Direct and Administrative:	\$82,160.00	\$82,160.00
Reserve	619.52	11,179.60
Total Expenditures:	\$82,779.52	\$93,339.60
Projected Ending Balance (June 30, 2014)	(\$68,475.00)	(\$79,035.08)
Calculated Required Net Levy	\$68,475.00	\$79,035.08
<u>City Contribution</u>	\$0.00	\$0.00
<u>Apportionment</u>	Measure	Measure
Unit of Benefit	Fails	Passes
Number of Benefit Units	Per Parcel	Per Parcel
Authorized Maximum Levy 2012/13	330	330
Levy per Unit 2013/14	\$207.50	\$207.50
Actual Total Levy	\$207.50	\$239.50
	\$68,475.00	\$79,035.00
<u>Historical Information</u>		
2013/14 Levy per Unit	\$207.50	\$239.50
2012/13 Levy per Unit	\$207.50	\$207.50
2011/12 Levy per Unit	\$207.50	\$207.50
2010/11 Levy per Unit	\$207.50	\$207.50
2009/10 Levy per Unit	\$175.08	\$175.08
2008/09 Levy per Unit	\$175.08	\$175.08
2007/08 Levy per Unit	\$175.08	\$175.08
2006/07 Levy per Unit	\$175.08	\$175.08
2005/06 Levy per Unit	\$175.08	\$175.08
2004/05 Levy per Unit	\$175.08	\$175.08
2003/04 Levy per Unit	\$175.08	\$175.08
2002/03 Levy per Unit	\$175.08	\$175.08
2001/02 Levy per Unit	\$175.08	\$175.08

Note (General): The difference between Calculated Required Net Levy and Actual Total Levy is due to rounding.

**CITY OF ESCONDIDO
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT**

APPENDIX II

**ASSESSMENT ROLL
SHOWN AS MEASURES PASSES**

CITY OF ESCONDIDO
Landscape Maintenance District No. 1 - Zone 11
Assessment Levy for Fiscal Year 2013/14

Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-971-01-00	Voll Sharon <dva>	837 Lochwood Pl	837 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-02-00	Rhoads William & Verena	833 Lochwood Pl	833 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-03-00	Dytianguin Jesse &	829 Lochwood Pl	829 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-04-00	Post Stephen & Kathleen	825 Lochwood Pl	1458 Dara St	Camarillo CA 93010	1	\$239.50
224-971-05-00	Orlof Halina Living Trust	821 Lochwood Pl	507 Peach Way	San Marcos CA	1	\$239.50
224-971-06-00	Horton Craig B & Loretta L	817 Lochwood Pl	817 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-07-00	Houston Sally A	813 Lochwood Pl	813 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-08-00	Moskowitz Ronald H &	809 Lochwood Pl	7207 Melotte St	San Diego CA 92119	1	\$239.50
224-971-09-00	Teranishi Arthur M	805 Lochwood Pl	805 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-10-00	Engelbert Donna M 2010	749 Lochwood Pl	749 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-11-00	Nguyen Billy & Rachel	745 Lochwood Pl	745 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-12-00	Botts Janice E	741 Lochwood Pl	741 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-13-00	Stewart Lee E & Jacquelyn	737 Lochwood Pl	737 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-14-00	Andreas 2004 07-06-04	733 Lochwood Pl	733 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-15-00	Frank Michael S & Joan N	729 Lochwood Pl	729 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-16-00	Jackson Judith A	732 Lochwood Pl	732 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-17-00	Robertson Curtis D	736 Lochwood Pl	736 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-18-00	Piumelli Joseph F Jr &	740 Lochwood Pl	740 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-19-00	Osterberg Jeremy D &	744 Lochwood Pl	744 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-20-00	Chung Cory Lon & Tammy	748 Lochwood Pl	748 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-21-00	Beckett Allison C	804 Lochwood Pl	804 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-22-00	Adams Family Credit	808 Lochwood Pl	31989 Corte Castro	Temecula CA 92592	1	\$239.50
224-971-23-00	Chanthaphavong Thene &	812 Lochwood Pl	812 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-24-00	Mendez Israel M & Luz E	816 Lochwood Pl	816 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-25-00	Peet Aaron & Amanda	820 Lochwood Pl	820 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-26-00	Ross Paul	824 Lochwood Pl	824 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-27-00	Oliveros Hegino E M	828 Lochwood Pl	828 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-28-00	Farlow David E & Christine	832 Lochwood Pl	832 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-29-00	Humphrey Marie L Trust	836 Lochwood Pl	836 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-30-00	Fox Nathaniel & Sarah M	840 Lochwood Pl	840 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-971-31-00	Wilma Family Trust	835 Cleveland Ave	2740 Crownpoint Pl	Escondido CA 92027	1	\$239.50
224-971-32-00	Federal National Mortgage	831 Cleveland Ave	135 N Los Robles Ave #300	Pasadena CA 91101	1	\$239.50
224-971-33-00	Edwards Darrell R	827 Cleveland Ave	827 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-34-00	Rincon Samuel & Sandra	823 Cleveland Ave	823 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-35-00	Mendez Reyna G	819 Cleveland Ave	819 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-36-00	Colangelo Dominic & Lynn	815 Cleveland Ave	815 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-37-00	Whitney Robert R	811 Cleveland Ave	811 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-38-00	Mcdowell Barton L &	807 Cleveland Ave	807 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-39-00	Kenitz Patricia Tr	749 Cleveland Ave	749 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-40-00	Wynn James M Special	745 Cleveland Ave	3451 Delilah St	Simi Valley CA	1	\$239.50
224-971-41-00	Ramirez Juan & Blanca	741 Cleveland Ave	741 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-42-00	Tibbott Justin D & Jennifer	739 Cleveland Ave	739 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-43-00	Jones Bruce D Jr & Sherri	733 Cleveland Ave	733 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-44-00	Elkins Stephen E & Susan J	729 Cleveland Ave	729 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-971-45-00	Duncan Family Trust	725 Cleveland Ave	725 Cleveland Ave	Escondido CA 92026	1	\$239.50
224-972-01-00	Gonzalezsevilla Fermin O	2363 Conway Dr	2363 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-02-00	Hernandez Rogelio	2359 Conway Dr	2359 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-03-00	Nambo Araceli	2355 Conway Dr	2355 Conway Dr	Escondido CA 92026	1	\$239.50

CITY OF ESCONDIDO
Landscape Maintenance District No. 1 - Zone 11
Assessment Levy for Fiscal Year 2013/14

Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-972-04-00	Vanderlyke Gary K &	2351 Conway Dr	2351 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-05-00	Vondane Muriel M	2347 Conway Dr	2347 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-06-00	Czaykowska Lucyna J Trust	2343 Conway Dr	2343 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-07-00	Chwekun David &	2339 Conway Dr	2339 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-08-00	Adams Family Credit	2335 Conway Dr	31989 Corte Castro	Temecula CA 92592	1	\$239.50
224-972-09-00	Olivares Phillip W Trust	2331 Conway Dr	33021 Surfrider Ct	San Juan Capistrano	1	\$239.50
224-972-10-00	Camacho Hector S &	2327 Conway Dr	2327 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-11-00	Montes Guillermo & Maria	2323 Conway Dr	2323 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-12-00	Robinson Revocable Trust	2319 Conway Dr	2319 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-13-00	Danskuk Joseph & Lillian L	2315 Conway Dr	2315 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-14-00	Bryden Family Trust	2311 Conway Dr	3282 Via Zamora	Escondido CA 92029	1	\$239.50
224-972-15-00	Diaz Terry E	2307 Conway Dr	2307 Conway Dr	Escondido CA 92026	1	\$239.50
224-972-16-00	Ozuna Adela F	2302 Fair Oak Ct	2302 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-972-17-00	Garcia Jose L & Graciela	2304 Fair Oak Ct	2304 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-972-18-00	Sullivan Cecelia	2306 Fair Oak Ct	10835 Caminito Cuesta	San Diego CA 92131	1	\$239.50
224-972-19-00	Holtz Scott P & Laura J	2308 Fair Oak Ct	2308 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-972-20-00	Hoover Trust 04-05-93	811 Lanewood Pl	811 Lanewood Pl	Escondido CA 92026	1	\$239.50
224-972-21-00	Bonpensiero Joseph S &	825 Lanewood Pl	825 Lanewood Pl	Escondido CA 92026	1	\$239.50
224-972-22-00	Lindgren Nancy C	826 Lanewood Pl	7247 Spoonbill Ln		1	\$239.50
224-972-23-00	Griffith Jeff D	822 Lanewood Pl	822 Lanewood Pl	Escondido CA 92026	1	\$239.50
224-972-24-00	Dudas Jozef & Jozefina	818 Lanewood Pl	818 Lanewood Pl	Escondido CA 92026	1	\$239.50
224-972-25-00	Moore James K & Mary R	814 Lanewood Pl	814 Lanewood Pl	Escondido CA 92026	1	\$239.50
224-972-26-00	Baedor Thomas R &	810 Lanewood Pl	810 Lanewood Pl	Escondido CA 92026	1	\$239.50
224-972-27-00	Martin Warren L & Patricia	809 Timberwood Pl	3063 Rancho Del Verde Pl	Escondido CA 92025	1	\$239.50
224-972-28-00	Cruickshank Emerson	813 Timberwood Pl	813 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-29-00	Lentulo George & Elisabeth	817 Timberwood Pl	817 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-30-00	Scioscia John H &	821 Timberwood Pl	3622 Broderick St #3	San Francisco CA	1	\$239.50
224-972-31-00	Richardson Kenneth E &	825 Timberwood Pl	3515 Lomas Serenas Dr	Escondido CA 92029	1	\$239.50
224-972-32-00	Freitas Robert & Tisha D	829 Timberwood Pl	3048 Rancho Del Verde Pl	Escondido CA 92025	1	\$239.50
224-972-33-00	Summers Tammy L	828 Timberwood Pl	828 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-34-00	Ortmeier Steve & Tiffany	824 Timberwood Pl	824 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-35-00	Esparza Porfirio F & Naomi	820 Timberwood Pl	820 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-36-00	Bonk Andrew C	816 Timberwood Pl	816 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-37-00	Worbington Brian K &	812 Timberwood Pl	812 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-38-00	Liss Dustin A	808 Timberwood Pl	808 Timberwood Pl	Escondido CA 92026	1	\$239.50
224-972-39-00	Duniphan Timothy V & Teri	807 Glenwood Way	2945 Jesmond Dene Heights	Escondido CA 92026	1	\$239.50
224-972-40-00	Knox Kyle C & Cochran	813 Glenwood Way	813 Glenwood Way	Escondido CA 92026	1	\$239.50
224-972-41-00	Panferov Viktor & Svetlana	817 Glenwood Way	817 Glenwood Way	Escondido CA 92026	1	\$239.50
224-972-42-00	Palacios Philip J & Nora M	821 Glenwood Way	821 Glenwood Way	Escondido CA 92026	1	\$239.50
224-972-43-00	Kelly Marcia Revocable	825 Glenwood Way	825 Glenwood Way	Escondido CA 92026	1	\$239.50
224-972-44-00	Tran Can Van Trust	829 Glenwood Way	829 Glenwood Way	Escondido CA 92026	1	\$239.50
224-972-45-00	Albana Yannis	833 Glenwood Way	833 Glenwood Way	Escondido CA 92026	1	\$239.50
224-973-01-00	Reyes Amado	2407 Conway Dr	2407 Conway Dr	Escondido CA 92026	1	\$239.50
224-973-02-00	Phanhthilath Kohn &	2403 Conway Dr	2403 Conway Dr	Escondido CA 92026	1	\$239.50
224-973-03-00	Frederick Bruce N	834 Glenwood Way	834 Glenwood Way	Escondido CA 92026	1	\$239.50
224-973-04-00	Clark Separate Property	830 Glenwood Way	2356 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-973-05-00	Ly Hien Phuoc	826 Glenwood Way	594 Dimaio Way	Escondido CA 92027	1	\$239.50
224-973-06-00	Tavesora Cesar & Mercelita	822 Glenwood Way	10 Centerstone Cir	Buena Park CA	1	\$239.50

CITY OF ESCONDIDO
Landscape Maintenance District No. 1 - Zone 11
Assessment Levy for Fiscal Year 2013/14

Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-973-07-00	Hansen Daniel	818 Glenwood Way	818 Glenwood Way	Escondido CA 92026	1	\$239.50
224-973-08-00	Hoadley Family Trust	814 Glenwood Way	2531 Peet Ln	Escondido CA 92025	1	\$239.50
224-973-09-00	Faulkner Robert	810 Glenwood Way	810 Glenwood Way	Escondido CA 92026	1	\$239.50
224-973-10-00	Gomez Jesus J	806 Glenwood Way	806 Glenwood Way	Escondido CA 92026	1	\$239.50
224-973-11-00	Liberty Lawrence F Iii &	802 Glenwood Way	1530 N Poinsettia Pl #338	Los Angeles CA	1	\$239.50
224-973-12-00	Cahill Braydon R & Heather	2345 Fair Oak Ct	2345 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-13-00	Neitzel Steven K & Mary E	2343 Fair Oak Ct	2343 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-14-00	Mcclure Brandon	2341 Fair Oak Ct	2341 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-15-00	Lopez Sergio Z	2339 Fair Oak Ct	2136 Emberwood Way	Escondido CA 92029	1	\$239.50
224-973-16-00	Diaz Amy C	2337 Fair Oak Ct	6001 Paseo Acampo #128	Carlsbad CA 92009	1	\$239.50
224-973-17-00	Fernandez-iriarte Mario &	2335 Fair Oak Ct	2335 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-18-00	Delatorre Sergio & Marcela	2333 Fair Oak Ct	2333 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-19-00	Anzai Family Trust	2331 Fair Oak Ct	2331 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-20-00	Cochran Charles W & Gina	2329 Fair Oak Ct	2329 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-21-00	Baron Mark & Susan	2327 Fair Oak Ct	2327 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-22-00	Edwards Ronald & Patty	2325 Fair Oak Ct	2325 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-23-00	Paras Nimfa N	2323 Fair Oak Ct	2323 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-24-00	Koppel Neal B	2321 Fair Oak Ct	2321 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-25-00	Hotchkiss Glenn R	2319 Fair Oak Ct	31401 Corte Sonora	Temecula CA 92592	1	\$239.50
224-973-26-00	Ramos Joaquin P	2317 Fair Oak Ct	2317 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-27-00	Delatorre Joel & Emelia L	2315 Fair Oak Ct	2315 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-28-00	Hanks Linda P	2313 Fair Oak Ct	2313 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-29-00	Pruitt George Trust	2311 Fair Oak Ct	P O Box 1051	Oceanside CA 92051	1	\$239.50
224-973-30-00	Watts Kerry L	2309 Fair Oak Ct	2309 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-31-00	Eng Nancy Trust 11-21-01	2307 Fair Oak Ct	5415 Mesagrove Ave	Whittier CA 90601	1	\$239.50
224-973-32-00	Ortiz Raymundo S &	2305 Fair Oak Ct	2305 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-973-33-00	Patterson Thomas L Sole &	2303 Fair Oak Ct	1015 Iris Ct		1	\$239.50
224-973-34-00	Puente Joseph & Van	2301 Fair Oak Ct	2301 Fair Oak Ct	Escondido CA 92026	1	\$239.50
224-981-01-00	Manley John J & Jane M	910 Lochwood Pl	910 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-02-00	Last San Diego Revocable	920 Lochwood Pl	1891 Continental Ln	Escondido CA 92029	1	\$239.50
224-981-03-00	Sanchez Eliseo A	930 Lochwood Pl	930 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-04-00	Gorham Revocable Living	940 Lochwood Pl	940 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-05-00	Mckinley James & Julia	1010 Lochwood Pl	1010 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-06-00	Dang Xe & Truong Cuc	1020 Lochwood Pl	1020 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-07-00	Friedrich Matthew J &	1030 Lochwood Pl	1030 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-08-00	Estanol Joseph Sr	1040 Lochwood Pl	1040 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-09-00	Otte Harry & Melissa A	1050 Lochwood Pl	1050 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-10-00	Aellig Family Trust	1110 Lochwood Pl	1110 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-11-00	Holley Thomas M	1120 Lochwood Pl	6553 Brisa Del Mar Dr	El Paso TX 79912	1	\$239.50
224-981-12-00	Nguyen Hung Huu &	1130 Lochwood Pl	1130 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-13-00	Imgrund Jodene	1140 Lochwood Pl	1140 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-14-00	Military Warriors Support	1150 Lochwood Pl	2511 N Loop 1604 #201	San Antonio TX	1	\$239.50
224-981-15-00	Neumann Jeffrey M &	1160 Lochwood Pl	1160 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-16-00	Valenzuela William &	1170 Lochwood Pl	1170 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-981-17-00	Rathbun Craig W & Amanda	2440 Lake Forest St	2440 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-18-00	Kazlauskas Andrius & Egle	2438 Lake Forest St	2438 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-19-00	Anderson Family Trust	2436 Lake Forest St	P O Box 287	San Marcos CA	1	\$239.50
224-981-20-00	Harman Family Trust	2434 Lake Forest St	2434 Lake Forest St	Escondido CA 92026	1	\$239.50

CITY OF ESCONDIDO
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Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-981-21-00	Bennetts Jason & Melanie	2432 Lake Forest St	2432 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-22-00	Nunez Kurt R & Lisa A	2430 Lake Forest St	2430 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-23-00	Johnson Michael G	2428 Lake Forest St	2428 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-24-00	Pendell Valerie L	2426 Lake Forest St	2426 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-25-00	Griggs Keith A & Cheryl B	2424 Lake Forest St	2424 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-26-00	Gruber Family Trust	2422 Lake Forest St	13988 Pequot Dr	Poway CA 92064	1	\$239.50
224-981-27-00	Turner Family 1998 Trust	2420 Lake Forest St	2420 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-28-00	Spitzer Larry	2418 Lake Forest St	2418 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-29-00	Lin Wen-ching	2416 Lake Forest St	225 Coggins Dr #229	Pleasant Hill CA	1	\$239.50
224-981-30-00	Weldy John P & Christine F	2414 Lake Forest St	2414 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-31-00	Roberts Joseph R & Trunzo	2412 Lake Forest St	2412 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-32-00	Machado James P &	2410 Lake Forest St	2410 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-33-00	Ogden Holly L	2408 Lake Forest St	2408 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-34-00	Abitria Rodito U	2406 Lake Forest St	2406 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-35-00	Rivera Jackeline	2404 Lake Forest St	2404 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-36-00	Thompson Family Living	2402 Lake Forest St	2402 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-37-00	Ferri Kyle L & Maria R	2360 Lake Forest St	2360 Lake Forest St	Escondido CA 92026	1	\$239.50
224-981-38-00	Zendejas Oscar	2358 Lake Forest St	2358 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-01-00	Ricardez Claudio A	2402 Heatherwood Ct	2402 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-02-00	Culpitt Jane A	2404 Heatherwood Ct	2404 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-03-00	Engblom Family Trust	2406 Heatherwood Ct	2406 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-04-00	Inga Mitchell J A & Ashely	2408 Heatherwood Ct	2408 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-05-00	Gottfried David & Ana M	2410 Heatherwood Ct	2410 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-06-00	Tran Trust 06-03-04	2412 Heatherwood Ct	2412 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-07-00	Boberg Shelby L	2414 Heatherwood Ct	28776 Mac Tan Rd	Valley Center CA	1	\$239.50
224-982-08-00	Swanson C Dan & Nancy M	2424 Heatherwood Ct	11427 Cypress Woods Dr	San Diego CA 92131	1	\$239.50
224-982-09-00	Frulla Ireneo A & Gemma B	2426 Heatherwood Ct	2426 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-10-00	Maculan Family Ltd	2428 Heatherwood Ct	858 Huckleberry Ln	Escondido CA 92025	1	\$239.50
224-982-11-00	Carvajal Adrian	2430 Heatherwood Ct	P O Box 460207	Escondido CA 92046	1	\$239.50
224-982-12-00	Schwartz Steven & Lori	2432 Heatherwood Ct	2432 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-13-00	Lane Daniel S & Margaret	2434 Heatherwood Ct	2434 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-14-00	Priddy Heather K	2436 Heatherwood Ct	2436 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-15-00	Vaughn Family 1992 Trust	2438 Heatherwood Ct	2438 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-16-00	Faber Howard L & Garneth	2440 Heatherwood Ct	581 Cox Rd	San Marcos CA	1	\$239.50
224-982-17-00	Thornton Mitchell R &	2442 Heatherwood Ct	2442 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-20-00	Javien Joseph & Krystal	2435 Smokewood Pl	2435 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-21-00	Reyes Rodney	2433 Smokewood Pl	2433 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-22-00	Darfus Keith	2431 Smokewood Pl	2431 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-23-00	Costanzo Margaret M	2429 Smokewood Pl	2429 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-24-00	Schwartz William J & Laura	2427 Smokewood Pl	2427 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-25-00	Shutzbaugh George O &	2425 Smokewood Pl	2425 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-26-00	Jayasinghe Sajith A &	2423 Smokewood Pl	806 Crestview Ct	San Marcos CA	1	\$239.50
224-982-27-00	Webb Lloyd B & Linda S	2421 Smokewood Pl	2421 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-28-00	Malfavon Elias A &	2422 Smokewood Pl	2422 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-29-00	Grimes Douglas W & Lori M	2424 Smokewood Pl	1421 Lisa Way	Escondido CA 92027	1	\$239.50
224-982-30-00	Johnson Marian E Living	2426 Smokewood Pl	2426 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-31-00	Riske Mathilda J	2428 Smokewood Pl	2428 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-32-00	Bonilla Todd & Julie E	2430 Smokewood Pl	2430 Smokewood Pl	Escondido CA 92026	1	\$239.50

CITY OF ESCONDIDO
Landscape Maintenance District No. 1 - Zone 11
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Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-982-33-00	Mansour Lili	2432 Smokewood Pl	2432 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-34-00	Morck Gay-anita Trust	2434 Smokewood Pl	2434 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-35-00	Riding Buddy D	2436 Smokewood Pl	2436 Smokewood Pl	Escondido CA 92026	1	\$239.50
224-982-36-00	Soto Lucio	1121 Lochwood Pl	1121 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-982-37-00	Phan Lien Living Trust	1131 Lochwood Pl	1131 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-982-38-00	Bazarnik Wlodzimierz &	1141 Lochwood Pl	1141 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-982-39-00	Freeman Jennifer	1151 Lochwood Pl	1151 Lochwood Pl	Escondido CA 92026	1	\$239.50
224-982-40-00	Nguyen Phuong Thanh &	2431 Lake Forest St	2431 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-41-00	Dionisio Manuel A &	2429 Lake Forest St	2429 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-42-00	Ho Tam & Le Jenny	2427 Lake Forest St	2427 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-43-00	Reelitz Randall & Janis	2425 Lake Forest St	2425 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-44-00	Mcmillan Scott L & Masako	2423 Lake Forest St	1749 Foster Dr	Longmont CO 80501	1	\$239.50
224-982-45-00	Delahanty/connors Trust	2421 Lake Forest St	2421 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-46-00	Campo Sherry L Trust	2419 Lake Forest St	2419 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-47-00	Talebi Fariba	2417 Lake Forest St	919 North Ave	Escondido CA 92026	1	\$239.50
224-982-48-00	Stout Family Trust	2415 Lake Forest St	2415 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-49-00	Schult Mark & Julie	2413 Lake Forest St	2413 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-50-00	Davis Wayne A & Sharon K	2411 Lake Forest St	2411 Lake Forest St	Escondido CA 92026	1	\$239.50
224-982-52-00	Garvin Joseph M	2444 Heatherwood Ct	2444 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-982-53-00	Knapp Patricia	2437 Smokewood Pl	P O Box 6291	Anaheim CA 92816	1	\$239.50
224-983-01-00	Childress James B & Linda	2403 Heatherwood Ct	2403 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-02-00	Soto Juan L & Maricela M	2405 Heatherwood Ct	2405 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-03-00	Frawley Brian &	2407 Heatherwood Ct	2407 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-04-00	Montville John A & Linda J	2409 Heatherwood Ct	2409 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-05-00	Sears Living Trust 01-10-08	2411 Heatherwood Ct	2411 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-06-00	Franco Jessica	2413 Heatherwood Ct	615 Cox Rd	San Marcos CA	1	\$239.50
224-983-07-00	Corona Jaime & Donilia	2415 Heatherwood Ct	2415 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-08-00	Miller James R & Carolyn	2417 Heatherwood Ct	2531 Filmott Gln	Escondido CA 92029	1	\$239.50
224-983-09-00	Walton Kristi L <aka	2419 Heatherwood Ct	2419 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-10-00	Bishop Carlos A & Virginia	2421 Heatherwood Ct	2421 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-11-00	Sheffield Robert J & Carrie	2423 Heatherwood Ct	5031 Patra Way	Oceanside CA 92056	1	\$239.50
224-983-12-00	Talbott Christopher &	2425 Heatherwood Ct	2425 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-13-00	Small Family Trust	2427 Heatherwood Ct	2427 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-14-00	Becker J H Family L P	2429 Heatherwood Ct	3343 Vista De La Cresta	Escondido CA 92029	1	\$239.50
224-983-15-00	Dirig Family Trust 01-28-04	2431 Heatherwood Ct	2431 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-16-00	Bootsma Allen & Kim	2433 Heatherwood Ct	2433 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-17-00	Carter Dawn M	2435 Heatherwood Ct	2435 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-18-00	Roland Karen L	2437 Heatherwood Ct	2437 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-19-00	Ortiz Juan & Josefina	2439 Heatherwood Ct	1656 Silver Tree Ln	Escondido CA 92026	1	\$239.50
224-983-20-00	Taylor Daryl D	2441 Heatherwood Ct	2441 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-21-00	Shaffer Darren & Mykan	2443 Heatherwood Ct	28496 Cerveza Ct	Escondido CA 92026	1	\$239.50
224-983-22-00	Paz Luis M	2454 Conway Dr	2454 Conway Dr	Escondido CA 92026	1	\$239.50
224-983-23-00	Puleo Family Trust	2450 Conway Dr	2450 Conway Dr	Escondido CA 92026	1	\$239.50
224-983-24-00	Brown Corey A	2446 Conway Dr	2446 Conway Dr	Escondido CA 92026	1	\$239.50
224-983-25-00	Vargas David P & Christine	2442 Conway Dr	1658 Hubbard Pl	Escondido CA 92027	1	\$239.50
224-983-26-00	Kellar Family Trust	2438 Conway Dr	2438 Conway Dr	Escondido CA 92026	1	\$239.50
224-983-27-00	Faulkner Robert F & Linda	2434 Conway Dr	1970 Rohn Rd	Escondido CA 92025	1	\$239.50
224-983-28-00	Boynton Richard C &	2430 Conway Dr	2430 Conway Dr	Escondido CA 92026	1	\$239.50

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Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-983-29-00	Peters Family Trust	2426 Conway Dr	1785 S Iris Ln	Escondido CA 92026	1	\$239.50
224-983-30-00	Lopez Alfonso M & Maria R	2422 Conway Dr	2422 Conway Dr	Escondido CA 92026	1	\$239.50
224-983-31-00	Moore Donald D & Deborah	2418 Conway Dr	3179 Sycamore Crest Pl	Escondido CA 92027	1	\$239.50
224-983-32-00	Holst Gregory A & Jeri R	2414 Conway Dr	2414 Conway Dr	Escondido CA 92026	1	\$239.50
224-983-33-00	Jones Leslie C & Linda S	2410 Conway Dr	950 Old Spanish Trl	Sierra Vista AZ	1	\$239.50
224-983-34-00	Huntley Timothy R &	908 Glenwood Way	1560 York Dr	Vista CA 92084	1	\$239.50
224-983-35-00	Narron Family Trust	914 Glenwood Way	15007 Jenell St	Poway CA 92064	1	\$239.50
224-983-36-00	Mullins Steven M	920 Glenwood Way	920 Glenwood Way	Escondido CA 92026	1	\$239.50
224-983-37-00	Vasquez Gary & Analiese	926 Glenwood Way	25940 Kaywood Way	Escondido CA 92026	1	\$239.50
224-983-38-00	Brannen Gisela	932 Glenwood Way	555 W Country Club Ln #c	Escondido CA 92026	1	\$239.50
224-983-39-00	Obrien Michael J & Karen L	938 Glenwood Way	938 Glenwood Way	Escondido CA 92026	1	\$239.50
224-983-40-00	Silva Raquel R	1004 Glenwood Way	1004 Glenwood Way	Escondido CA 92026	1	\$239.50
224-983-41-00	Weiler Family Trust	1010 Glenwood Way	17839 Kachina Ct	San Diego CA 92127	1	\$239.50
224-983-42-00	Estrada Victor E	1016 Glenwood Way	1016 Glenwood Way	Escondido CA 92026	1	\$239.50
224-983-43-00	St Aircraft Holdings L L C	1022 Glenwood Way	2411 Heatherwood Ct	Escondido CA 92026	1	\$239.50
224-983-44-00	Barlow Family Trust	1028 Glenwood Way	1028 Glenwood Way	Escondido CA 92026	1	\$239.50
224-983-45-00	Poper Jorie D	1034 Glenwood Way	1034 Glenwood Way	Escondido CA 92026	1	\$239.50
224-984-01-00	Evans Jean J Trust	907 Glenwood Way	907 Glenwood Way	Escondido CA 92026	1	\$239.50
224-984-02-00	Andersen Family Trust	913 Glenwood Way	P O Box 383728	Waikoloa HI 96738	1	\$239.50
224-984-03-00	J J H & W L L C	919 Glenwood Way	1130 W 11th Ave	Escondido CA 92025	1	\$239.50
224-984-04-00	Shaw Donna L Living Trust	925 Glenwood Way	925 Glenwood Way	Escondido CA 92026	1	\$239.50
224-984-05-00	Oswald Sandra Living	931 Glenwood Way	931 Glenwood Way	Escondido CA 92026	1	\$239.50
224-984-06-00	Wallner Maryann	937 Glenwood Way	937 Glenwood Way	Escondido CA 92026	1	\$239.50
224-984-07-00	Ibanez Raymundo D & Diaz	1005 Glenwood Way	1005 Glenwood Way	Escondido CA 92026	1	\$239.50
224-984-08-00	Sanchez Jorge & Karen J	1013 Glenwood Way	15655 Oakstand Rd	Poway CA 92064	1	\$239.50
224-984-09-00	Martinez Luis & Guadalupe	2345 Lake Forest St	2345 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-10-00	Givens Pamela J	2343 Lake Forest St	6383 Alexandri Cir		1	\$239.50
224-984-11-00	Heppner Shane K & Dana S	2341 Lake Forest St	2341 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-12-00	Cordero Diane L Tr	2339 Lake Forest St	2339 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-13-00	Beckman Family Trust	2337 Lake Forest St	19347 Casner Rd	Ramona CA 92065	1	\$239.50
224-984-14-00	Buchanan Kenrick W &	2335 Lake Forest St	10723 Meadow Glen Way E	Escondido CA 92026	1	\$239.50
224-984-15-00	Ross Kay W Revocable	2333 Lake Forest St	2333 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-16-00	Dana Daniel E & Shauna I	2331 Lake Forest St	2331 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-17-00	Shen Family Trust 08-05-09	2329 Lake Forest St	11361 Nahama Ln	San Diego CA 92130	1	\$239.50
224-984-18-00	Bumiller William R	2327 Lake Forest St	2327 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-19-00	Hays John L & Sheila L	2325 Lake Forest St	2325 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-20-00	Drake John & Diana Trust	2323 Lake Forest St	2323 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-21-00	Vega Anselmo & Rosalva	2319 Lake Forest St	2319 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-22-00	Keooudom Xaykham &	2315 Lake Forest St	2315 Lake Forest St	Escondido CA 92026	1	\$239.50
224-984-23-00	Lopez Andrea M	2311 Lake Forest St	2311 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-01-00	Araujo Leonard	2310 Lake Forest St	630 S Nevada St	Oceanside CA 92054	1	\$239.50
224-985-02-00	Partridge Laura	2312 Lake Forest St	2312 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-03-00	Oribello Robert & Marissa	2314 Lake Forest St	2314 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-04-00	Ancheta Mark A	2316 Lake Forest St	2316 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-05-00	Daleo Jack & Vickie Trs	2318 Lake Forest St	2318 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-06-00	Debelen Alfin	2320 Lake Forest St	2320 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-07-00	Madrigal Gustavo &	2322 Lake Forest St	2322 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-08-00	Tirado Eunice Trust	2324 Lake Forest St	2324 Lake Forest St	Escondido CA 92026	1	\$239.50

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Assessor's Parcel No.	Property Owner Name	Situs	Mailing Address	City/St/Zip	Levy Factor	Assessment Levy
224-985-09-00	Schumacher Dean G &	2326 Lake Forest St	2326 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-10-00	Tobler Marygail	2328 Lake Forest St	P O Box 156	Escondido CA 92033	1	\$239.50
224-985-11-00	Allerman Lucille H Tr	2330 Lake Forest St	P O Box 4218	Sparks NV 89432	1	\$239.50
224-985-12-00	Nichols Sharon	2332 Lake Forest St	2332 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-13-00	Orr Norma E Revocable	2334 Lake Forest St	545 Avenida Blanco	San Marcos CA	1	\$239.50
224-985-14-00	Boze Christopher C Jr &	2336 Lake Forest St	2336 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-15-00	Bonnici Eden M	2338 Lake Forest St	10820 Hobble Ln	Spring Valley CA	1	\$239.50
224-985-16-00	Annis James W & Janice L	2340 Lake Forest St	2340 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-17-00	Hoang Phuong	2342 Lake Forest St	3874 Creststone Pl	San Diego CA 92130	1	\$239.50
224-985-18-00	Yurko Gregory J	2344 Lake Forest St	2344 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-19-00	Wilson Margaret 2005 Trust	2346 Lake Forest St	2346 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-20-00	Milla Oscar & Olivia	2348 Lake Forest St	2348 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-21-00	Souter Justin W & Kendall	2350 Lake Forest St	2350 Lake Forest St	Escondido CA 92026	1	\$239.50
224-985-22-00	J J & W L L C	2354 Lake Forest St	1130 W 11th Ave	Escondido CA 92025	1	\$239.50
224-985-23-00	Marino Michael J	2356 Lake Forest St	P O Box 460485	Escondido CA 92046	1	\$239.50
224-985-24-00	Farmer Robert E & Babette	2303 Briarwood Pl	2303 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-25-00	Williams Brett & Shannon	2307 Briarwood Pl	2307 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-26-00	Wendel Meg P Trust	2311 Briarwood Pl	3423 Lewis Ln	Owensboro KY	1	\$239.50
224-985-27-00	Luoma Genevieve L Trust	2315 Briarwood Pl	4733 Autumn Dusk Dr Se	Owens Cross Roads	1	\$239.50
224-985-28-00	Smith Kent S & Melody G	2319 Briarwood Pl	2319 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-29-00	Teguh Phan Family 2002	2323 Briarwood Pl	2323 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-30-00	Armendarez Maricela	2327 Briarwood Pl	5180 E Atherton St #104	Long Beach CA	1	\$239.50
224-985-31-00	Reynolds Mike L	2331 Briarwood Pl	2331 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-32-00	Chapin Marie	2335 Briarwood Pl	2335 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-33-00	Velder Garrett F & Linda J	2339 Briarwood Pl	2339 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-34-00	Hartung Erich D	2343 Briarwood Pl	2343 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-35-00	Werner Rae A	2347 Briarwood Pl	2347 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-36-00	Gilmore Geoffrey S & Julee	2351 Briarwood Pl	2351 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-37-00	Spoo Laurence J &	2355 Briarwood Pl	2355 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-38-00	Spencer Samuel H &	2359 Briarwood Pl	2359 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-39-00	Rose Norman A 1999 Trust	2360 Briarwood Pl	2360 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-40-00	Clark Separate Property	2356 Briarwood Pl	2356 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-43-00	Suppa Family Trust	2344 Briarwood Pl	P O Box 8336	Rancho Santa Fe CA	1	\$239.50
224-985-44-00	Slocum Christine M	2340 Briarwood Pl	2340 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-45-00	Clark Tristram A & Sue E	2336 Briarwood Pl	2336 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-46-00	Richardson Family 2001	2332 Briarwood Pl	25980 Kornblum Dr	Escondido CA 92026	1	\$239.50
224-985-47-00	Hepler Gary N & Norma	2328 Briarwood Pl	2328 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-48-00	Bowlen Mark	2324 Briarwood Pl	2324 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-49-00	Velasco Brian & Sarah	2320 Briarwood Pl	2320 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-50-00	Curtis Joselito A &	2312 Briarwood Pl	2312 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-54-00	Hunt Stephanie M	2352 Briarwood Pl	2352 Briarwood Pl	Escondido CA 92026	1	\$239.50
224-985-55-00	Shimansky Douglas J &	2348 Briarwood Pl	13559 Chaco Ct	San Diego CA 92129	1	\$239.50
Totals:		Parcels:	330			\$79,035.00

**CITY OF ESCONDIDO
LANDSCAPE AND MAINTENANCE ASSESSMENT DISTRICT**

APPENDIX III

DIAGRAM OF LANDSCAPE MAINTENANCE DISTRICT BOUNDARIES

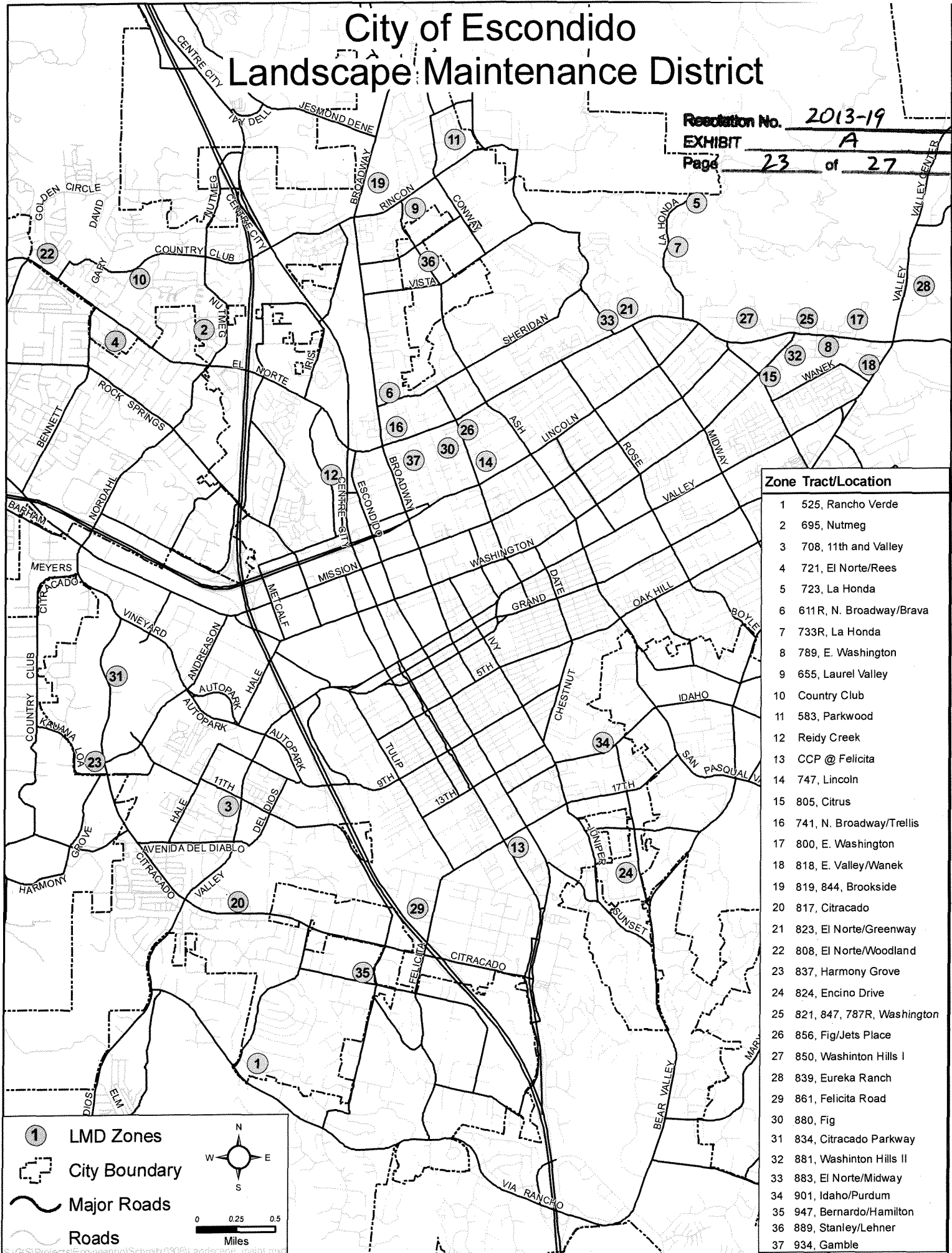
City of Escondido

Landscape Maintenance District

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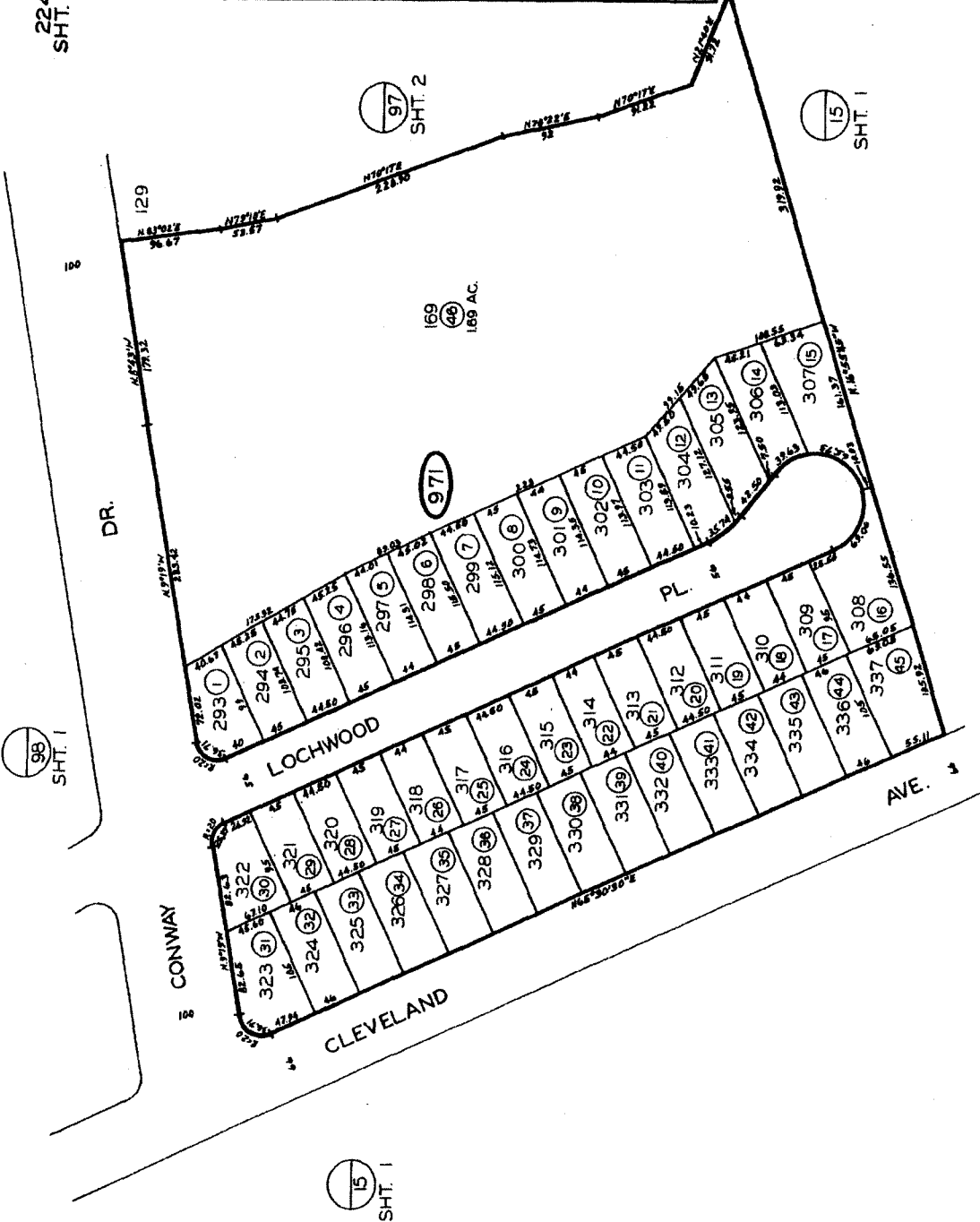
224-97
SHT. 1 OF 2



3-26-56 RL

CHANGES	BLK OLD NEW	YR CUT
971	1-46	284

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MAP 11453 - ESCONDIDO TCT. NO. 583R-C



SAN DIEGO COUNTY
ASSESSOR'S MAP
BOOK 224 PAGE 97 SHT. 1 OF 2
MADE FOR RESEALING PURPOSES ON

MAP 11453 - ESCONDIDO TCT. NO. 583R-C

224-98
SHT. 1 OF 2

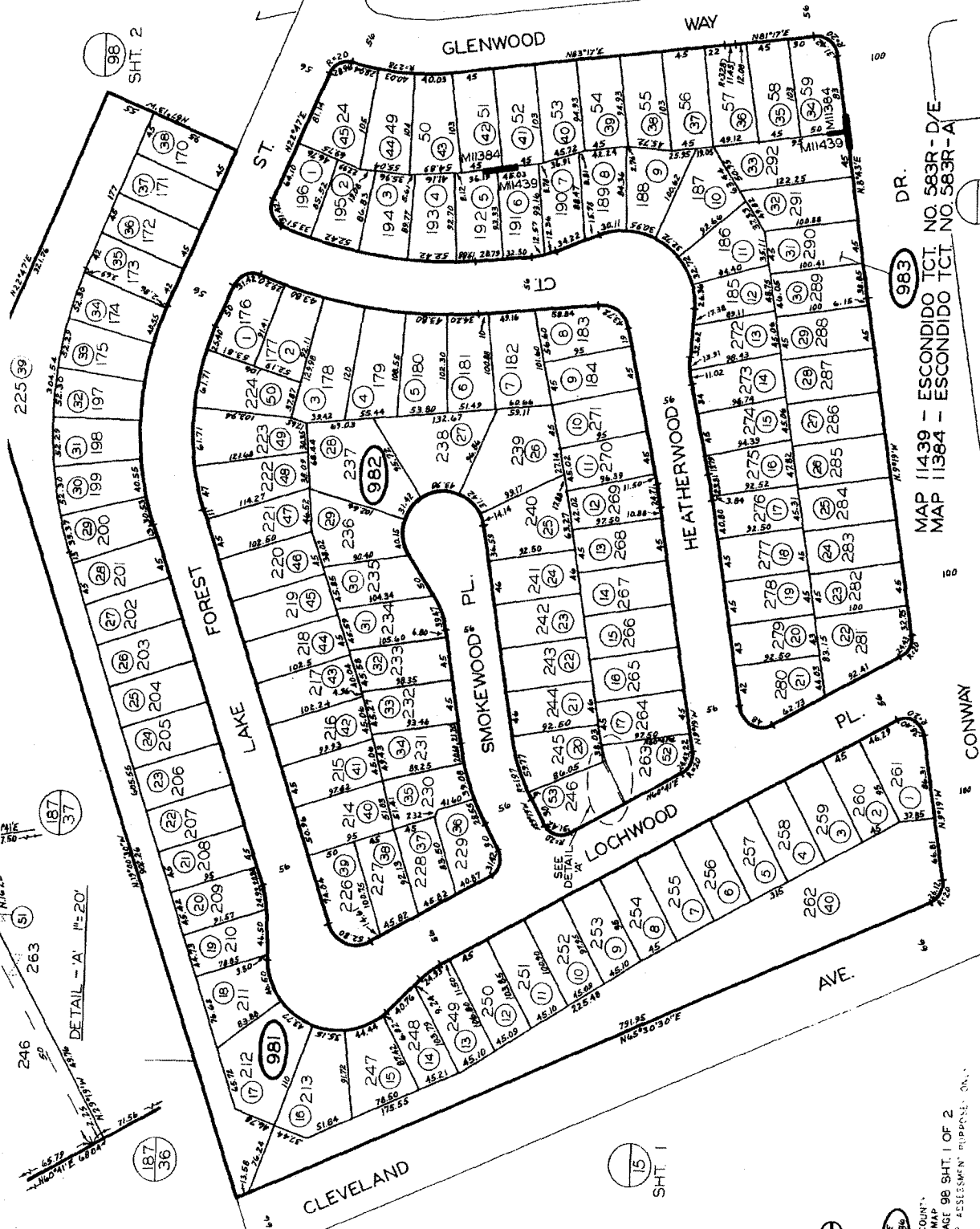


4-15-87 RL

CHANGES	
BLK OLD NEW R/CUT	
981	1-40
982	1-50
983	1-55
984	1-57
985	1-58
986	1-59
987	1-60
988	1-61
989	1-62
990	1-63
991	1-64
992	1-65
993	1-66
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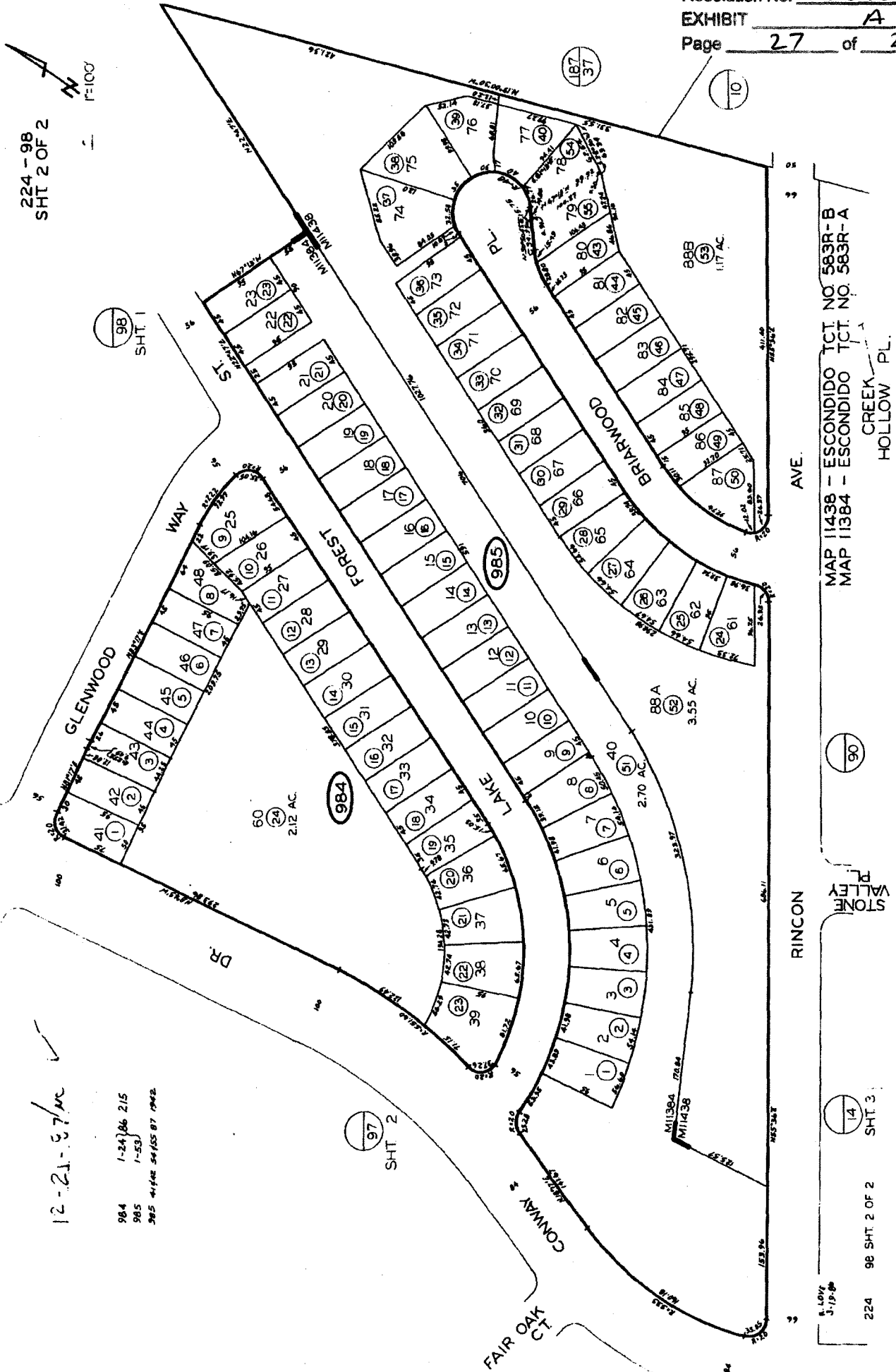


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MAP 11384 - ESCONDIDO TCT. NO. 583R-A

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CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 8

Date: March 20, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Barbara Redlitz, Director of Community Development

SUBJECT: Ordinance Amending Chapter 16 of the Municipal Code Regarding Mobile Food Facilities (Case No. AZ 12-0007)

RECOMMENDATION:

It is requested that Council introduce and subsequently adopt Ordinance No. 2013-02 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.
- Allow mobile food trucks at Breweries and Wineries in industrial and residential-agricultural zones subject to the issuance of an appropriate use permit by the Director of Community Development.

BACKGROUND:

Traditional mobile food trucks (canteen/catering truck) have been around for decades providing service where potential customers gather and require regular meals or snacks (construction sites, industrial parks, office complexes, auto dealerships/repair shops, sporting events, etc.). These vehicles generally consist of a smaller converted truck or van that provide prepared packaged food from a licensed commissary. They typically serve a designated route stopping only for a short period of time (typically 10 to 15 minutes) before moving on to their next location. The mobile food truck industry has continued to evolve from this traditional business model giving rise to the newer gourmet-type trucks, which are increasing in popularity. These trucks are similar to the larger catering trucks, but generally have a more elaborate exterior facade offering a focused or unique, higher-end menu that involve some on-site food preparation. They also tend to park and sell from one location for hours at a time. Recurring street food market events where communities can sample several food trucks at one location also are now conducted throughout the San Diego area, which has contributed to their popularity, and objections in some instances from established business.

Staff has had inquiries from the public about whether food trucks are allowed in the City. The City's existing regulations (Escondido Municipal Code Sections 28-161 and 162) are general in nature and allow for 'Mobile Vendors/Peddlers' to operate within the City right-of-way (limited to a maximum of ten minutes) but does not contain specific location and operational

requirements, and also does not allow them on private property. Food trucks are required to comply with applicable city, state and federal regulations, and must obtain any necessary permits, including a business license (if required by a city or county), environmental health permits from every county they operate in to ensure food safety and handling and a Seller's Permit from the California Board of Equalization. The San Diego County Department of Environmental Health (DEH) is responsible for ensuring that food vendors operating throughout the County are complying with the California Retail Food Code. The County Health Department recently initiated the same grading system (A, B and C) for mobile operations as for restaurants. A food truck also must operate from a licensed commissary, where they return every evening to be serviced and cleaned, restocked and stored.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission considered the proposed food truck provisions on February 26, 2013. The meeting was attended by various representatives from the mobile food industry including food truck owners/operators and the owner of a food-truck commissary in Vista. No one representing local businesses, restaurants or the general public spoke at the meeting. The food truck operators indicated they have been providing service in Escondido for several decades and felt the proposed provisions only addressed the gourmet-type trucks, which would not allow the existing route trucks to continue to operate in Escondido anymore. They requested the scope of the provisions be expanded to address the route truck operations. They also felt that it would be unusual and cumbersome for the more traditional route/catering truck driver or the business owner to get a separate permit to allow a food truck to operate.

The Planning Commissioners expressed support for the traditional route trucks and the service they provided, as well as the new gourmet-type trucks. The Commission felt the new provisions should accommodate both the route/catering truck as well as the gourmet-type truck. However, the Commission also felt that operational standards for the route trucks should be much more liberal and not create an undue hardship for current operators.

PUBLIC INPUT:

A public workshop was conducted by City staff on November 28, 2012 to discuss potential changes to the city code and solicit feedback. Food truck operators/owners indicated they were interested in operating in Escondido, especially at special events and felt their presence would offer a unique service to the community. Some restaurant owners have expressed concern regarding the presence of food trucks because they can drive in during peak hours, take advantage of brisk business and then leave, which is called cherry picking. An online food truck survey also was conducted with more than 220 responses. The results generally show a strong interest in the increased presence of food trucks in the City, especially at organized food truck events. Respondents stated food trucks should primarily be located in the commercial and industrial areas, but restricted in residential areas and near schools.

FISCAL ANALYSIS:

The new code provisions could result in an increase in business licenses that would be required for each mobile food operator, along with the appropriate use permit applications that would require staff time to review and issue. Staff recommends a \$35 review fee for administrative review of a permit to authorize a food truck at a specific site, which is the same as the fee to review a 'Minor Development Application.'

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the Council's Action Plan regarding Image and Appearance that allows staff initiation of proposed code amendments as deemed necessary in consultation with the City Attorney.

ENVIRONMENTAL REVIEW:

The proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b) "General Rule."

PREVIOUS ACTION:

The Council adopted Ordinance No. 2012-18 on October 3, 2012, amending Chapter 12 of the Municipal Code incorporating the County of San Diego Department of Environmental Health (DEH) restaurant letter grading system for mobile food facilities, thus enabling the County to conduct enforcement in the City.

DISCUSSION:

The popularity of food trucks and street food in general, combined with changes in state and county laws, has caused many cities to reconsider their regulations. While some cities have integrated food trucks and other street vendors into their communities, others have struggled with the challenges their presence brings. Several cities have been sued by the food truck industry on the grounds that local regulations to restrict the operation of food trucks were designed to protect typical brick-and-mortar restaurants from competition. State law and the current legal landscape surrounding vehicular vending have made it challenging for cities to regulate food trucks on the public street. The California Vehicle Code (CVC) limits local parking regulations, but gives cities the ability to regulate "the type of vending and the time, place, and manner of vending" for reasons of public safety. The CVC occupies the field concerning regulation of public streets, but cities retain local authority to regulate public sidewalks, and under its police powers, to regulate private property in the interest of protecting public health, safety and welfare.

The proposed amendment to the Municipal Code is narrow in its scope in order to accommodate food trucks for the upcoming Amgen bicycle event. The proposed changes to

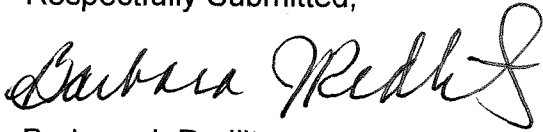
the Municipal Code also would allow mobile food trucks to operate at special events subject to the issuance of a 'Special Event Permit' which would be administered by the City Manager's Office. Escondido does not have the same demand for the newer gourmet-type truck as other larger cities (such as Los Angeles or San Diego) and some of the coastal communities. However, this initial action to accommodate food trucks would allow staff to evaluate the demand for food trucks in Escondido, as well as their impacts, and perhaps return with a more comprehensive set of requirements should the Council desire. Mobile food trucks also seem to have established a sort of complimentary relationship with breweries and some wineries, with a single truck at a brewery on weekends and/or several trucks at a food truck event at a winery. Therefore, the proposed changes to the Municipal Code also would allow food trucks at breweries and wineries on a reoccurring basis with the issuance of the appropriate use permit issued by the Director of Community Development.

In light of the Planning Commission comments/recommendations, there are several potential options the Council also may want to consider as follows:

1. Adopt staff's recommendation to allow food trucks subject to the issuance of a Special Event Permit, and allow the Director of Community Development to issue an appropriate use permit for Mobile Food Trucks to serve breweries and wineries located in industrial and/or agricultural zones.
2. Provide an exemption for mobile food trucks to continue to serve construction sites, subject to the issuance of a business license, as follows:
 - **Sec 16-407(e)** *A mobile food truck that provides service to an active construction site (site with a valid building or grading permit) is exempt from the use permit requirements of this Article provided that an appropriate City of Escondido Business License has been issued. The mobile food truck shall not conduct operations on any single site for more than 20 minutes.*
3. Provide direction regarding further staff evaluation of this issue, such as:
 - Allowing food trucks (route trucks) to serve industrial and commercial sites (i.e., industrial and office complexes, nurseries, auto dealerships, etc.). This typically would apply to the cold food truck that operates a defined daily route and stays on a single site between 10 and 20 minutes.
 - Explore operational, location and permit criteria to allow mobile food trucks to operate on private property in commercial or industrial zones. This typically would apply to the hot or gourmet food trucks that would operate at a single site for more than one hour (either a single truck or a coordinated food-truck event). This also could apply to certain residential zones for temporary events on school or church sites (such as holidays or other seasonal events).

Mobile Food Facilities
March 20, 2013
Page 5

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Barbara Redlitz".

Barbara J. Redlitz
Director of Community Development

A handwritten signature in cursive script, appearing to read "Jay Paul".

Jay Paul
Associate Planner

PLANNING COMMISSION

TO: Planning Commission

FROM: Planning Staff

SUBJECT: AZ12-0007 Municipal Code Amendment – (Mobile Food Trucks)

STAFF RECOMMENDATION:

Provide input on the proposed Amendment to the Municipal Code

PROJECT DESCRIPTION:

An amendment to the Escondido Municipal Code to allow mobile food trucks on private property within commercial zones subject to the issuance of an appropriate use permit; allow them on city streets and public property subject to a Special Event Permit; and also to allow them at breweries and wineries.

LOCATION:

Citywide

BACKGROUND:

Food trucks are not a new concept, but are increasing in popularity and continuing to evolve from their traditional examples: the ice cream truck and lunch/catering truck that sell prepackaged food. The old food truck business model generally consisted of a smaller converted truck or van that would provide prepared packaged food from a licensed commissary and would drive a designated route and stop only for a short time at the request of a customer. Technology and the recent economic conditions have given rise to a new generation of entrepreneurs where today's food truck business model offers unique, higher-end gourmet dishes that involve some on-site food preparation. Food trucks are also able to advertise their location in real time through social media. In contrast to the old business model, today's food trucks tend to park and sell from one location for hours at a time. Recurring street food market events where communities can sample several food trucks at one location are also now held throughout the San Diego area, which has contributed to their popularity. Staff has had inquiries from the public about whether food trucks are allowed in the City. The City's existing regulations are general in nature and address mobile vending operations in the City's right-of-way, but do not allow mobile vending on private property. The popularity of food trucks, State law and street food in general, has caused many cities to reconsider their regulations. The proposed amendment to the Municipal Code would allow mobile food trucks to operate on private property within certain zones subject to an appropriate use permits or during special events, while protecting the health, safety, and general welfare of the community. This would allow staff to evaluate impacts of food trucks in the City, and the proposed location and operational requirements could be further refined in the future should Council direct staff to expand the scope of the provisions. Although amendments to the Municipal Code do not require Planning Commission approval, staff feels that Planning Commission input is warranted due to the potential land-use implications.

EXISTING CITY REGULATIONS:

The Escondido Municipal Code (EMC) currently allows for 'Mobile Vendors/Peddlers' to operate within the City right-of-way, but does not contain specific location and operational requirements for mobile food vendors/trucks nor does it allow them on private property. Chapter 28 (Traffic) Sections 28-161 and 162 of the EMC restricts standing or parking by peddlers or vendors on city streets to a maximum

of ten minutes, and a permit is required from the City's traffic engineer for any lunch wagon/vehicle. Food trucks also are required to comply with applicable city, state and federal regulations, and must obtain any necessary permits, including a business license (if required by a city or county), environmental health permits from every county they operate in to ensure food safety and handling and a Seller's Permit from the California Board of Equalization. The Escondido Zoning Code (Section 33-332) does allow food sales from push carts on private property within commercial zones subject to the appropriate administrative permit.

HEALTH AND SANITATION (County Health Department):

Food truck vendors and employees are subject to the California Retail Food Code, which provides a system of prevention and safeguards designed to address public health and sanitation concerns. Any operation where food is provided for human consumption at retail (whether restaurants or food trucks or pushcarts) is subject to the California Retail Food Code. Food trucks are required to obtain permits and approvals from the environmental health departments of each county within which they operate. The San Diego County Department of Environmental Health (DEH) is responsible for ensuring that food vendors operating throughout the County are complying with the California Retail Food Code. Other notable California Retail Food Code requirements for food trucks include:

- Any vendor stopped and operating for more than an hour must obtain permission to use an "approved" restroom facility within 200 feet travel distance. "Approved" is defined as acceptable to the enforcement agency (county health departments) based on a determination of compliance with applicable laws, or current public health principles and standards that protect public health; and
- Food trucks are required to operate out of a commissary, where food preparation and storage, truck/pushcart maintenance and storage and disposal of waste occur.

PUBLIC INPUT:

A public workshop was conducted by City staff on November 28, 2012 to discuss potential changes to the city code to accommodate food trucks and solicit feedback. The meeting primarily was attended by food truck vendors and local restaurant owners. Food truck operators/owners indicated they were interested in operating in Escondido, especially at special events and felt their presence would offer a unique service to the community. They indicated that Escondido does not have the same type of demand as larger downtown urban centers (such as San Diego and Los Angeles) or certain beach communities, but the current demand has been to serve larger office and industrial type complexes (typically breakfast and lunch) and multi-family developments (dinner) as well as special events. Some restaurant owners have expressed concern regarding the presence of food trucks within areas that have established restaurants, and feel these mobile restaurants would cut into their business at a time when many brick and mortar restaurants are struggling. Restaurant owners have indicated that they are required to invest a great sum of capital into their businesses and have a stake in the local community vs. a mobile food truck that can drive in during peak hours and take advantage of brisk business and then leave, which is called cherry picking.

An online food truck survey also was conducted with more than 220 responses. Most survey respondents identified themselves as Escondido residents. Approximately 60 respondents indicated they work in Escondido. The results generally show a strong interest in the increased presence of food trucks in the City, especially at organized food truck events. Respondents stated food trucks should primarily be located in the commercial and industrial areas, but restricted in residential areas and near schools. The survey generally was split regarding the use of public or private property. While the survey results should be considered cautiously, the survey served to increase awareness of the range and complexity of views the community has regarding this subject.

STATE LAW AND CITY AUTHORITY

Public Streets – State law and the current legal landscape surrounding vehicular vending have made it challenging for cities to regulate food trucks on the public street. The California Vehicle Code (CVC) limits local parking regulations except as expressly authorized by state CVC Section 22455 provides that vendors must bring their vehicle to a complete stop and be legally parked before vending, and further gives cities the ability to regulate “the type of vending and the time, place, and manner of vending” for reasons of public safety. Several cities have been challenged when regulations were aimed at protecting “brick and mortar” business establishments from competition. Parking time limitations for food trucks, usually for brief periods of time (the “ice cream truck exemption”) have also been challenged where the ordinance had no clear public safety justifications.

Private Property/Public Sidewalk – The CVC occupies the field concerning regulation of public streets, but cities retain local authority to regulate public sidewalks, and under its police powers, to regulate private property in the interest of protecting public health, safety and welfare. In creating new regulations, restrictions on private property may have to be balancing against the risk of forcing food trucks onto the public street where regulations may be less stringent.

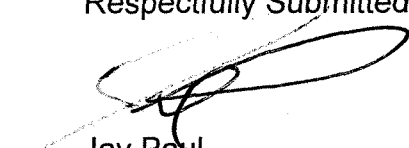
ENVIRONMENTAL REVIEW:

The proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b) “General Rule.” Section 15061 (b)(3) of Chapter 3, Title 14 of the California Code of Regulations (the CEQA Guidelines) describes the General Rule that CEQA only applies to projects which “have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Approval of the proposed amendment to the Escondido Municipal Code does not approve any development project and the proposed amendment would not individually or cumulatively result in the possibility of creating significant effects on the environment. Therefore, the proposed amendment to the Municipal Code is not subject to CEQA under the General Rule and no further environmental review is necessary.

DISCUSSION:

Street vendors attract people and attention, and crowds have the potential to create vehicular and pedestrian traffic hazards. Some believe that street vendors are unsightly and threaten the viability of off-street establishments. Others believe that food vendors can perform a social function by activating underutilized public spaces, providing a desired service, promoting socialization and creating a sense of community. While some cities have integrated food trucks and other street vendors into their communities, others have struggled with the challenges their presence brings. Several cities have been sued by the food truck industry on the grounds that local regulations to restrict the operation of food trucks were designed to protect typical brick-and-mortar restaurants from competition. The proposed amendment to the Municipal Code would allow food trucks on private property within commercial zones subject to the issuance of an appropriate use permit issued by the Director of Community Development, with operational and location conditions tailored for each specific request. Food trucks also would be allowed at breweries/wineries in industrial and agricultural zones. The City Manager’s Office also would be able to authorize mobile food trucks within the City right-of-way and on City property subject to a Special Event Permit. The proposed amendment language is attached as Exhibit ‘A.’

Respectfully Submitted



Jay Paul
Associate Planner

Exhibit 'A'

Proposed Language (Municipal Code)

AZ12-0007

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. Definition

Mobile food facility means any vehicle used in conjunction with a commissary or other permanent food facility, as those terms are defined in the California Retail Food Code (Cal. Health and Safety Code sections 113700 et seq.), upon which food is sold or distributed at retail.

Operator means the person who owns, manages, or vends from a mobile food facility.

Sec. 16-406. Business License and Use Permit Required.

- (a) It shall be unlawful to operate a mobile food facility without a business license and a copy of the authorized use permit issued by the City of Escondido, unless otherwise authorized by state or federal law.
- (b) The mobile food facility operator shall maintain a City of Escondido business license for each mobile food facility.
- (c) The use permit shall be obtained by the person who has a possessory interest in the property to be used by the mobile food facility.
- (d) When open for business, the mobile food facility operator shall post a copy of the business license and the use permit in an area open to public view.

Sec 16-407. Use permit requirements.

- (a) The Director of Community Development shall establish policies and procedures to issue permits to a property owner or designated agent that are consistent with this ordinance and all state and federal law.
- (b) The Director or authorized representative may issue a use permit when the proposed temporary use will not have a significant impact on the permitted permanent uses provided in the Escondido Zoning Code or the surrounding community.

(c) An application for a use permit shall be submitted on an application form secured from the Director. The application shall provide the information necessary for review of the application by appropriate city departments, and shall include the name, address, telephone number and signature of both the property owner or designated agent and the Mobile Food Facility operator, and the project location. A separate use permit shall be required for each Mobile Food Facility and shall be good for one year.

(d) Use permits may be granted for mobile food facilities in agricultural or industrial zones and as an accessory use to beer or wine manufacturing businesses.

(f) An approved special event permit or facility use permit from the City of Escondido shall exempt the mobile food facility operator from the requirements of this Article.

Sec. 16-408. Permit Revocation. The Director of Community Development may revoke any use permit with good cause.

Sec. 16-409. Operational Requirements. Violation of any provision in this section shall be grounds for immediate revocation of a use permit.

(a) Parking of a mobile food facility at any location (inclusive of set-up and clean-up times) shall be limited to 4 hours daily for 5 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 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 or allow disposal 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 a part of the use permit application.

(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 addressed in a use permit and 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 specified in the use permit.

(i) Signs for a mobile food facility shall be limited to that on the vehicle only.

Bill Martin

From: Juan Rojas <juanrojas321@gmail.com> **2/26/13 PC Meeting**
Sent: Tuesday, February 26, 2013 11:52 AM
To: Bill Martin; Owen Tunnell; Gwinton@ci.escondido.ca.us; Dcastor@ci.escondido.ca.us;
Mwatson@ci.escondido.ca.us; Jweber@ci.escondido.ca.us;
Rmcquead@ci.escondido.ca.us; Gjohns@ci.escondido.ca.us; Jspann@ci.escondido.ca.us;
Gary McCarthy; Ty Paulson
Subject: Fwd: City Project Regarding Food Preparation Vehicles In Escondido

Hello Planning Commission Members.

My name is Juan Rojas and I own a local catering business. I wrote the e-mail below to the City Council to request that they change the scope of the current city project regarding food preparation vehicles.

I am forwarding it to you as an FYI to keep you in the loop. Hopefully my letter will be successful and you will here directly from the council.

Sincerely,

Juan Rojas
Lonchera De Rojas

----- Forwarded message -----

From: Juan Rojas <juanrojas321@gmail.com>
Date: Tue, Feb 26, 2013 at 11:28 AM
Subject: City Project Regarding Food Preparation Vehicles In Escondido
To: Sabed@ci.escondido.ca.us, Mwaldron@ci.escondido.ca.us, Odiaz@ci.escondido.ca.us,
Egallo@ci.escondido.ca.us, Mmorasco@ci.escondido.ca.us

Dear Mayor Abed, Deputy Mayor Waldron, Council Member Diaz, Council Member Gallo, and Council Member Morasco,

My name is Juan Rojas, and I own a traditional truck catering business which has operated in North County for over twenty years.

Recently, I sent an e-mail similar in nature to this one to Assistant to the City Manager Joyce Masterson, Director of Community Development Barbara Redlitz, Associate Planner Jay Paul, and Management Analyst Michelle Geller. Based on their much appreciated help and feedback, and after reviewing the planning staff's memo to the Planning Commission regarding agenda item G.1 for tonight's Planning Commission meeting, I have realized the need to write to you directly regarding the scope of the city project concerning use permits for food preparation vehicles.

Currently, city intent and efforts have been focused solely on the gourmet type businesses that are so trendy these days. Lost or forgotten in the discussion are the traditional catering businesses like mine that would also like to operate food preparation vehicles in Escondido.

So I would like to point out some of the differences between the gourmet truck businesses and the traditional catering truck businesses, to briefly comment on a few other issues and concerns that you might have, and to request that you please expand the scope of the project to include the traditional businesses.

Traditional catering business like mine have already been operating in Escondido for decades using the smaller "lunch trucks." We also legally operate the larger food preparation vehicles in most other cities in the county.

Although we use the same food preparation vehicles as the newer gourmet businesses, we operate our business with the following significant differences:

- **Locations Served:** Gourmet trucks usually serve downtown areas, commercial areas, and special events, usually on public streets, and would compete, to some degree, with brick-and-mortar restaurants. Gourmet trucks usually remain parked for hours in just one or two locations on a given business day.

Traditional trucks usually serve industrial centers and construction sites, usually on private property (with permission), and do not compete with the brick-and-mortars. Traditional trucks run specific routes with many stops, starting very early in the morning and usually ending by early afternoon. Most stops last ten to fifteen minutes, or less.

- **Customer Base:** Gourmet trucks usually serve lunch, dinner and specialty items to "white collar" business district and special event and customers.

Traditional trucks usually serve breakfast, lunch, and snacks to "blue collar" manufacturing and construction workers. These customers usually have a limited break or lunch hour and do not have the time to travel to a down town area to eat--which is why we do not compete with the brick-and-mortar restaurants. We also serve private company parties.

Gourmet trucks sell to the public while traditional trucks sell to company employees.

- **Menu:** The gourmet trucks usually offer a very limited menu with a few specialty items.

Traditional trucks usually offer a much more extensive menu.

When it was first announced that Escondido would be looking into allowing food preparation vehicles to operate in the city, my concern was that, as you set your limits on the gourmet trucks, you might unintentionally and unnecessarily adversely limit the traditional trucks as well. It turns out that, based on the language of the municipal code change as proposed by the planning staff, traditional trucks have in fact been completely excluded from consideration and will not be allowed at all to operate routes on a daily basis.

Here is my situation in a nutshell. The proposed code language requires that a special use permit be issued to the private property owner or its agents. Now, a traditional truck like mine stopping at a manufacturing plant for 10 or 15 minutes while selling to plant employees and then moving on to the next stop is a much different situation than a gourmet truck parked at a brewery for four hours selling to brewery customers. First, traditional trucks operate with a request (usually verbal) from the many companies (usually tenants, not owners) on a particular route to serve their employees. These companies have no financial interest in this, and therefore are not going to want to bother to obtain a special use permit from the city. Second, traditional trucks run the same

routes on a daily basis. Would a separate “special use permit” be required for every day of the week? This is not really a “special use” situation--is it?

I am sure that you can appreciate my problem.

I would like make just a few additional points in order to address some related important issues and some possible concerns that you might have.

With regards to our trucks representing an unfair competition to brick-and-mortar restaurants:

First, as I mentioned above, our trucks do not usually operate in or near downtown areas, and we do not compete directly with brick-and-mortar restaurants. We operate mainly in the industrial areas and at construction sites, and serve freshly prepared meals to workers who do not have the time to leave work on their break or lunch hour to go eat at a brick-and-mortar restaurant.

Second, a new food preparation vehicle can cost between \$50,000 and \$120,000—with specialty vehicles running even higher. So to say that a catering truck business does not share the same initial capital expense requirement as a brick-and-mortar owner would be inaccurate. (Of course, many catering businesses lease--as do many restaurant owners.)

Third, just like any brick-and-mortar restaurant, we would pay for and obtain an Escondido business license and would pay Escondido sales tax.

Fourth, there is nothing wrong with fair competition. Escondido could borrow from Oceanside’s new ordinance (mentioned below) and block unfair competition by limiting how long a truck may remain in one place, and by not allowing trucks to operate within a certain distance from brick-and-mortar restaurants.

With regards to the old “Roach Coach” reputation:

First, I would bet that brick-and-mortar restaurants in Escondido have a larger roach and pest problem than our trucks do.

Second and more importantly, with the new county regulation, all food service preparation vehicles will be treated as restaurants and will be inspected and rated “A”, “B”, “C” etc. by the County Health Department--just like the brick-and-mortar restaurants. We will also be subject to surprise inspections and could lose our health permits at any time.

Third, we carry liability insurance—just like any brick-and-mortar would.

With regards to the idea that there will be “trucks everywhere,” clogging the streets:

First, the city of Oceanside as permitted these trucks for over a year now, and the difference is negligible.

Second, there is limited business in Escondido for traditional catering business routes, and in most cases, the food preparation vehicles will only be replacing smaller “lunch trucks” that are already operating in Escondido.

With regards to the idea that traditional catering business are the “old” business model, and the Gourmet trucks are the “new” model:

Someone reading the Background section of the planning staff's memo to the Planning Commission regarding agenda item G.1 for tonight's Planning Commission meeting might get the impression that the newer Gourmet model is replacing the traditional model, which is definitely not the case. The newer gourmet model is an additional business model to the traditional one, and in San Diego County, there are far more traditional catering business using food preparation vehicles than there are Gourmet Truck businesses.

Just over one year ago, the City of Oceanside took up this issue just as you are now. The council weighed the interests of the brick-and-mortar restaurants, the gourmet trucks, the traditional catering businesses, and the city itself, and decided to allow food preparation vehicles in Oceanside--with the following restrictions:

- Trucks may only conduct business on public streets with certain posted speed limits. (Oceanside chose 25 miles or less.)
- Trucks are limited in the amount of time that they can conduct business on any one block (Oceanside chose one hour.)
- Trucks are not allowed to conduct business within a certain distance of licensed restaurant establishments (meaning brick-and-mortar), schools, public park concession stands, and approved special events. (Oceanside chose 500 ft.) (I would add the word "open" to restaurant, schools and concession stands. If they are closed, then there is no competition.)
- Tables, chairs, and other food preparation equipment are not allowed outside of a food vending vehicle parked on a public street without a special event permit.
- Trucks are not allowed to conduct business on public property.
- Trucks are permitted to conduct business on private property with the property owners and their agents, customers, and employees only, not with the general public.
- Water flush toilet facilities are required within a certain distance of the truck when conducting business on private property. (Oceanside chose 100 ft., however, this city requirement was unnecessary as it is already required by the County Health Department.)
- Trucks are not permitted to conduct business on vacant lots or undeveloped property except by special permit.

Taken together, these restrictions offered a fair and reasonable compromise to all parties. I hope and trust that the City of Escondido's solution will be just as fair and reasonable.

I can appreciate that the issue of food preparation vehicles has become a bit more complicated for the city than originally expected. However, there is no reason why traditional catering businesses should not be allowed to operate routes on a daily basis in Escondido.

So in closing, I respectfully request that you please expand the scope of the project to consider traditional catering businesses like mine, and to allow them to operate on private property in industrial, agricultural, and construction areas of the city, with the owner's or tenant's verbal approval, on a daily basis without the need for special use permit.

I thank you for your consideration regarding traditional catering businesses like mine. I will be speaking at tonight's Planning Commission meeting, and I look forward to meeting you at the next City Council Meeting on March 13th.

Sincerely,

Juan Rojas

Lonchera De Rojas



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Deputy County Clerk
P.O. Box 121750
San Diego, CA 92112-1750

From: City of Escondido
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: AZ 12-0007 (Mobile Food Trucks)

Project Location - Specific: Citywide

Project Location - City: Escondido,

Project Location - County: San Diego

Description of Project: An amendment to Chapter 16 of the Escondido Municipal Code establishing standards and permit requirements for mobile food facilities.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project:

Name Jay Paul, Associate Planner, City of Escondido Telephone (760) 839-4537

Address 201 N. Broadway, Escondido, CA 92025

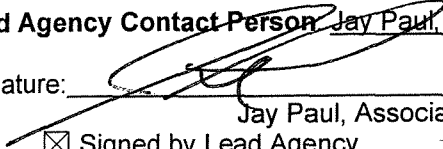
☐ Private entity ☐ School district ☒ Local public agency ☐ State agency ☐ Other special district

Exempt Status: Categorical Exemption. Section 15061(b)(3) "General Rule." The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Reasons why project is exempt:

The project only involves establishing location and operational standards, and permit requirements to allow mobile food facilities to operate within the City of Escondido. The California Vehicle Code (CVC) limits local parking regulations, but gives cities the ability to regulate "the type of vending and the time, place, and manner of vending" for reasons of public safety. The CVC occupies the field concerning regulation of public streets, but cities retain local authority to regulate public sidewalks, and under its police powers, to regulate private property in the interest of protecting public health, safety and welfare. The City's existing regulations (Escondido Municipal Code Sections 28-161 and 162) are general in nature and allow for 'Mobile Vendors/Peddlers' to operate within the City right-of-way but does not contain specific location and operational requirements. Food trucks are required to comply with applicable city, state and federal regulations, and must obtain any necessary permits, including a business license (if required by a city or county), environmental health permits from every county they operate in to ensure food safety and handling and a Seller's Permit from the California Board of Equalization. The San Diego County Department of Environmental Health (DEH) is responsible for ensuring that food vendors operating throughout the County are complying with the California Retail Food Code. In staff's opinion, the establishment of standards to regulate mobile food trucks within the City does not have the potential for causing a significant effect on the environment.

Lead Agency Contact Person: Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature:  March 12, 2013

Jay Paul, Associate Planner

Date

☒ Signed by Lead Agency

Date received for filing at OPR: N/A

ORDINANCE NO. 2013-02

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

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

(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) *Operator* means the person who owns, manages, or vends from a mobile food facility.

Sec. 16-406. Business License and Use Permit Required.

(a) It shall be unlawful to operate a mobile food facility without a valid business license and a copy of the authorized use permit issued by the City of Escondido unless otherwise authorized by state or federal law.

(b) The mobile food facility operator shall maintain a City of Escondido business license for each mobile food facility.

(c) A use permit shall be obtained by the person who has a possessory interest in the property to be used by the mobile food facility or their authorized agent.

(d) When open for business, the mobile food facility operator shall post a copy of the business license and the use permit in an area open to public review.

Sec 16-407. Use permit requirements.

(a) The Director of Community Development shall establish policies and procedures to issue permits to a property owner or designated agent that are consistent with this ordinance and all state and federal law.

(b) The Director or authorized representative may issue a use permit 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 or the surrounding community.

(c) An application for a use permit shall be submitted on an application form secured from the Director and shall be accompanied by a nonrefundable fee as established by the City Council. The application shall provide information necessary for review of the application by appropriate city departments, and shall include the name, address, telephone number and signature of the property owner or designated agent, and the project location.

(d) An approved special event permit or facility use permit from the City of Escondido shall exempt the mobile food facility operator from the requirements of this Article.

Sec. 16-408. Permit Revocation. The Director of Community Development may revoke or suspend any use permit upon finding a violation of any rule or regulation in this code.

Sec. 16-409. Operational Requirements. Violation of any provision in this section shall be grounds for immediate revocation of a use permit.

(a) Parking of a mobile food facility at any location (inclusive of set-up and clean-up times) shall be limited to 4 hours daily for 5 days within any seven-day period. The hours of operation shall be stated on the temporary 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 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 a part of the temporary use permit application and approval.

(c) On-site parking for operations conducted on private property. 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 addressed in a use permit and 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 specified in the use permit.

(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.: 9

Date: March 20, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Joyce Masterson, Director of Economic Development and Community Relations

SUBJECT: 2011 and 2012 City Council Action Plan – Final Update

RECOMMENDATION:

It is requested that the City Council receive and file the final status report of the two-year City Council Action Plan for 2011 and 2012.

FISCAL ANALYSIS:

None

PREVIOUS ACTION:

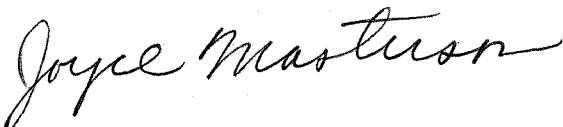
The City Council approved the two-year City Council Action Plan for 2011 and 2012 on September 14, 2011. The Council received and filed the first update on January 25, 2012 and the second update on August 1, 2012.

BACKGROUND:

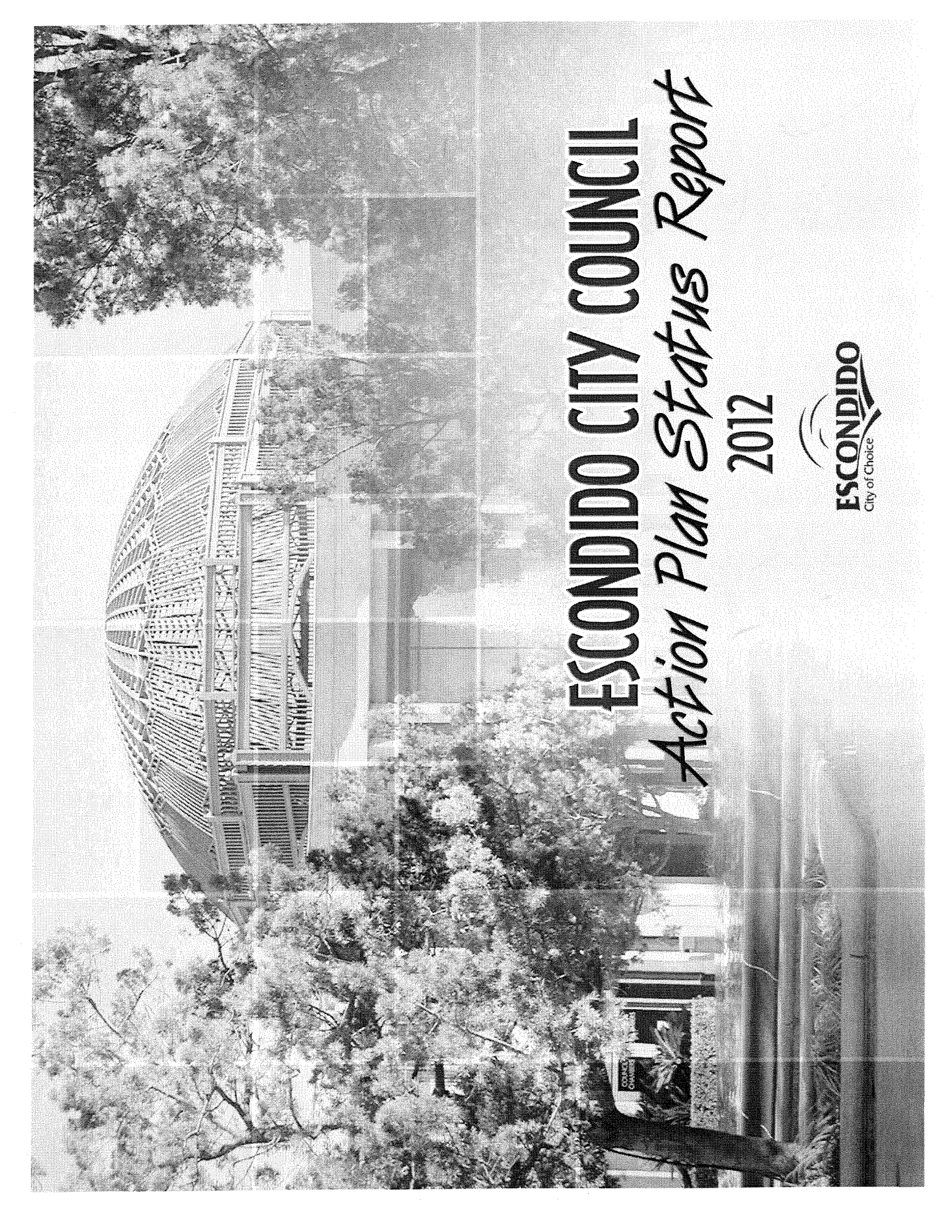
The City Council Action Plan represents the City Council's collective vision for Escondido's future and the key strategies that will be used to achieve that vision. It is developed biennially following a workshop where key policy goals are identified and discussed. The Final Status Report summarizes the progress made in achieving the activities outlined in the Council Action Plan.

The City Council Action Plan for 2011 and 2012 contained 76 implementation objectives that were due to be completed by the end of 2012. Of those, 65 were completed and 7 are still in the process of being completed. The remaining 4 objectives were delayed due to staffing issues and planning for the AMGEN Tour of California. Those remaining objectives will be carried over to the 2013 and 2014 City Council Action Plan. The completion rate for the Plan (including those in progress) was 95%.

Respectfully submitted,



Joyce Masterson
Director of Economic Development and Community Relations



ESCONDIDO CITY COUNCIL

Action Plan Status Report

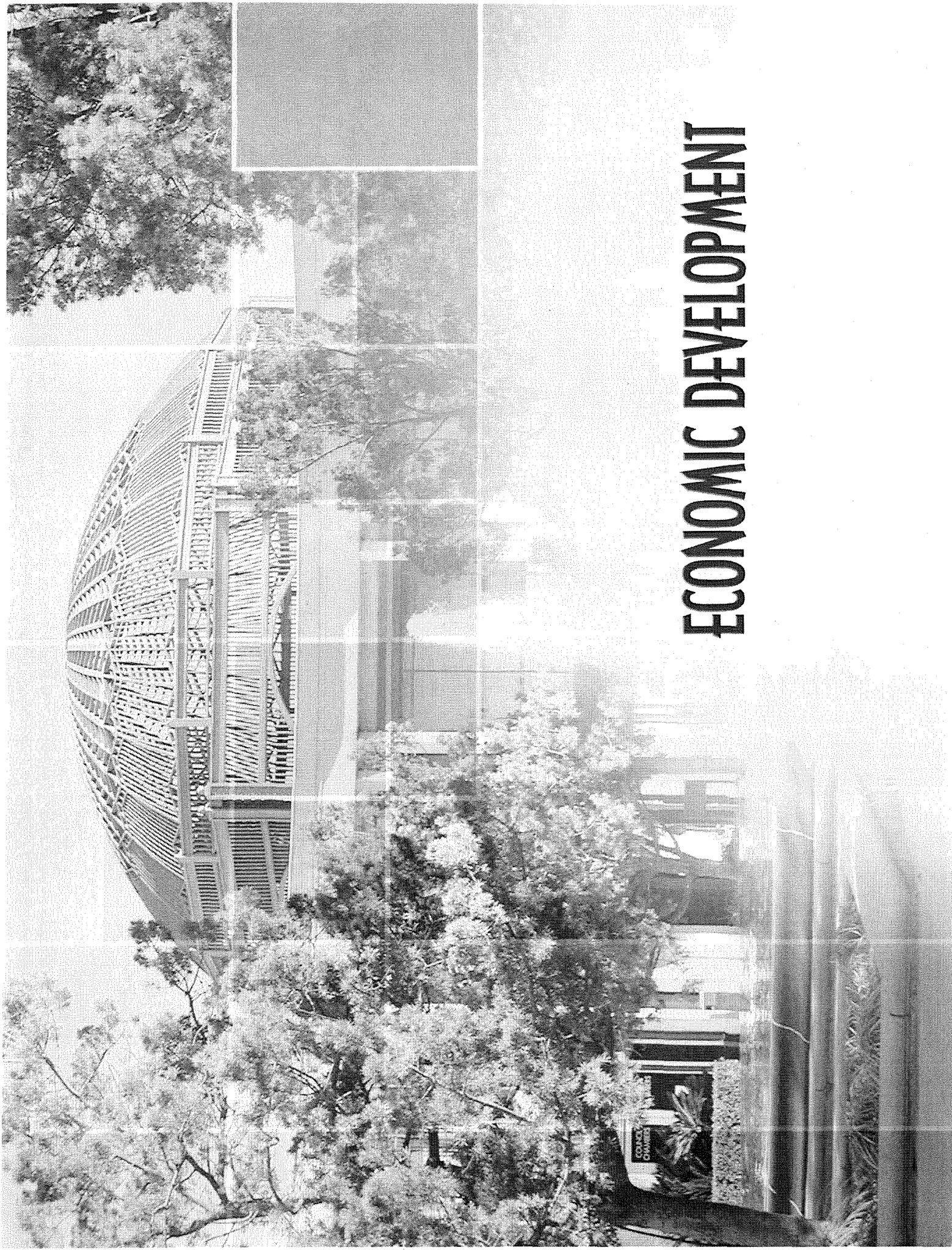
2012



Final Update to City Council

March 20, 2013

ECONOMIC DEVELOPMENT



City Council Action Plan 2011-2012

Economic Development

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Create business / employment land to stimulate the creation of jobs and improve median income	1. Contract with a consultant to build upon the draft Economic Development element of the General Plan to create a comprehensive economic development plan for Escondido that includes baselines of existing jobs and types of properties available.	December 2011	Adoption of an Economic Development Plan Jobs created, jobs retained, average salaries	1. Completed. Council awarded contract on 12/14/11 A draft final plan was presented on July 25, 2012.
	2a. Work with Rincon Water Board to reduce barriers to business development in Escondido.	June 2012	Jobs created, jobs retained	2a. In progress. Continuing to work with Rincon concerning development of the recycled water distribution system (capacity, flow metering, fire flow requirements, etc.). Meter exchange and billing issues largely resolved. Discussions have been restarted on

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
				outstanding issues as new Rincon management in place.
	2b. Update master plan for water and sewer infrastructure and establish a list of priorities. 2c. Purchase land in I-15/Felicita corridor needed to construct pump station for subsequent development.	June 2012 November 2012	Creation of priority list; jobs created Installation of infrastructure; jobs created	2b. In progress. Water Distribution, Sewer Collection, and Recycled Water Distribution Master Plans completed late last calendar year. Major findings of the reports will be presented to Council in March 2013. 2c. In progress. Rather than constructing a new pump station, Utilities now recommends constructing a sewer main to convey flow to existing Pump Station 1. Utilities has sufficient right-of-way and flow capacity to do so. Although

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
				upfront construction costs are higher for the sewer main, life-cycle costs are much less, due to avoided costs of operating and maintaining a new pump station.
	3a. Revise business license application to include mandatory information including the number of employees associated with the business in order to develop a baseline. 3b. Explore new formula for business license fee.	December 2012 July 2012	Jobs reported	3a. Completed. Supplement to Business License application revised to request employee data; information be entered into Trakit. 3b. In progress. Evaluation underway with City Attorney regarding how to restructure tax formula without triggering tax increase.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	4a. Authorize Mayor to lobby SANDAG for a more equitable distribution of future Target Household units that allocate a greater share to cities with fewer than the regional average. This would ensure that all communities shoulder a more proportionate share of Target Households.	July 2011	Reduced percentage of Target Households allocated to Escondido	4a. Completed.
	4b. Include language in the General Plan Housing element that will limit the number of Very Low and Low Income Housing units.	August 2011		4b. Completed.
	5. Eliminate parking requirements for new and expanding businesses in the core downtown area and Mercado District.	July 2011	Jobs created in downtown and Mercado	5. Completed.
	6. Analyze up to 450 additional acres to re-designate from residential to employment land.	January 2012	Increased acreage; Jobs created; Standing among other North County cities	6. Completed. Approved by voters in November 2012.
	7. Re-assign existing staff to City Manager's Office to assist with Economic Development.	July 2011	Customer feedback	7. Completed.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Streamline Regulations	1a. Expedite the permitting process for projects within priority areas (Ballpark District, I-15/Felicita, I-15/EI Norte Parkway, Citracado Parkway missing link).	March 2012	Shorter Approval times	1a. Completed. (No projects at this time)
	1b. Consolidate Design Review Board with Planning Commission. Change criteria for Planning Commission to include design-professional applicants.	December 2011		1b. Completed.
	2a. Adopt master environmental document for each priority development area to streamline future CEQA review.	November 2014	Adoption of Overlay zone	2a. Completed. EIR certified by Council on May 23, 2012.
	2b. Update overlay area for South Escondido Boulevard.	November 2014		2b. Scheduled for 2013-14 Action Plan
	3a. Implement cost/benefit analysis in fire plan checks.	March 2012	Shorter review times, quicker permit issuance	3a. Completed. Fire Prevention activities are intended to be business and community friendly while maintaining public safety according to the adopted codes and standards. All Fire Prevention activities were reviewed for efficiencies and

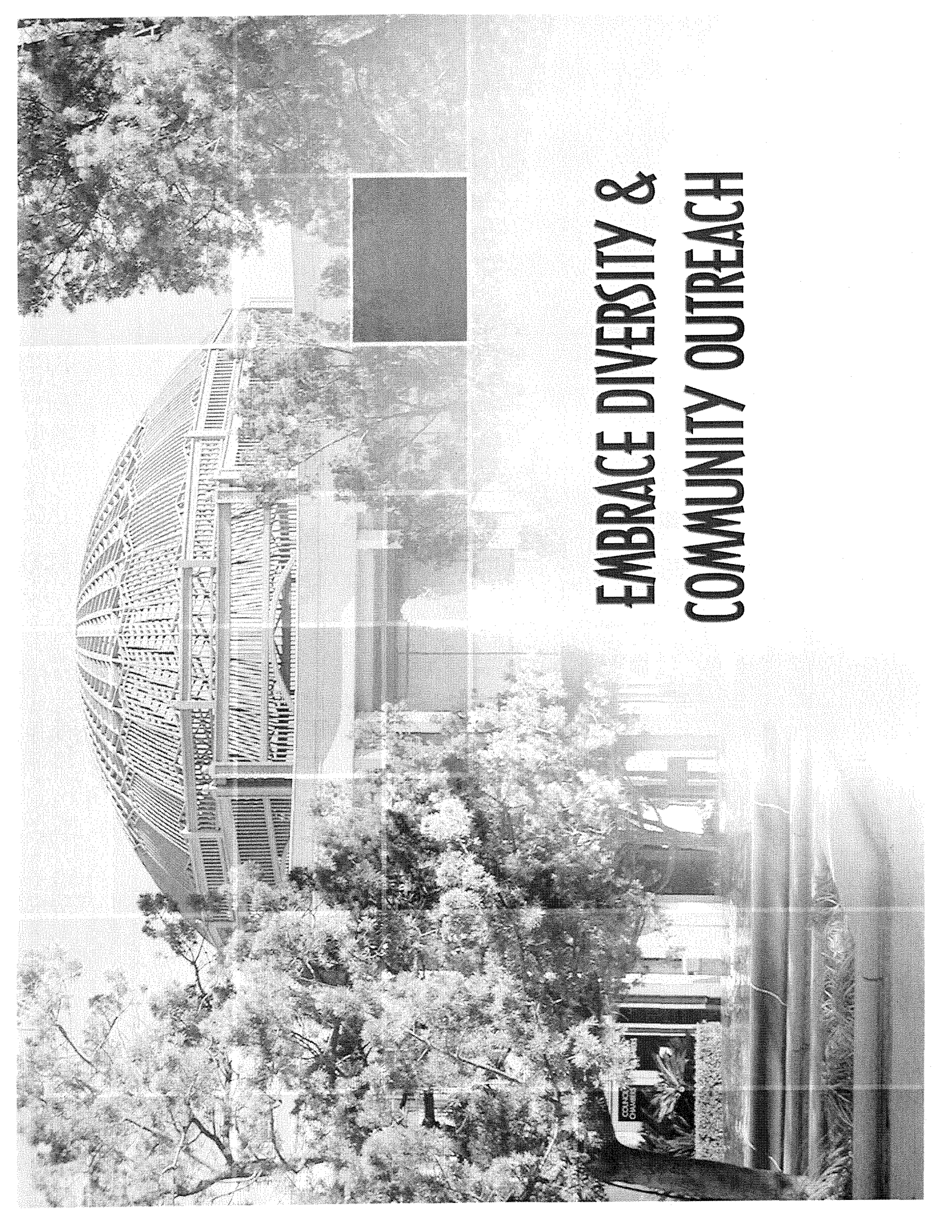
Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
				effectiveness. A
	3b. Schedule Fire Prevention staff at least 1 day a week at City Hall for Plan check and fire-related permits while exploring possible consolidation of fire plan check services at City Hall by Community Development Staff or outsourcing. 3c. Analyze the process for final inspections of single family residences since both Building and Fire inspectors are on site, conducting a variety of different inspections, to determine if efficiencies can be found within the process.	October 2012 April 2012	Customer Service feedback Faster response to customers	written summary of the review is being prepared and will be shared with the Council. 3b. Delayed due to low staffing levels in Fire Prevention. Plan check outsourcing currently being done for some projects. 3c. Completed Building Inspectors were trained by Fire Prev. staff in January. Bldg. Inspector assumed responsibility of Final Sprinkler inspections in Feb. 2012.
	4. Upgrade the CRW TRAKIT software package with "eTRAKIT", "eMarkup", and "Mobile TRAK" to allow various online transactions including licenses, permits, payments, inspection requests, submission and markup of plans and the entry of data from the field.	June 2012 (Phase 1) September 2012 (Phase 2 if budgeted for FY 2012-13)	Business license volume increase and revenue Shorter review times	4. Completed eMarkup; eTrakit in progress. Improvements for cashiering at division counters in place. Awaiting final coordination with bank and staff training; Hardware

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
				purchased for field entry.
	5. Determine the appropriateness of retaining, reducing, or eliminating the current Public Art Fee and the Public Art Commission.	September 2012	Customer feedback	5. Delayed due to AMGEN Planning. Include in 2013-14 Action Plan
	6. Hire a consultant to review and streamline the Zoning Code.	April 2013	Approved Streamlined Zoning Code	6. Scheduled for 2013-14 Action Plan but in progress. Draft RFP completed. Scheduled for 2013-2014 Action Plan
Create Incentives	1a. Re-evaluate existing Development Fees in other "Priority Areas" for possible reductions.	April 2012	Additional living units in the Downtown District Expansion of existing business Increased sales tax generation from expanded, more-successful businesses	1a. Completed. In addition to the BEZ application process, some reduced dev. fees downtown; Ord. 2012-12, allows deferral of development fees for projects until Final Inspection.
	1b. Create incentive to encourage the demolition of vacant buildings for which there has been no interest.	June 2012		1b. Completed. Existing incentives deemed adequate. 10 year demo fee credit, no time limit for SFD destroyed by natural disaster

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	2. Change City Policy to allow payment of Development Fees (not staff hard costs) prior to requesting Final Inspection rather than at permit issuance.	April 2012	Customer feedback	2. Completed. City Council approved Ord. 2012-12, Reso. 2012-102 and Reso. 2012-103 on June 13, 2012.
	3. Evaluate parking requirement for projects that incorporate transit-oriented design principles (i.e. pedestrian orientation, proximity to transit, inclusion of bicycle facilities, etc.) as an incentive for reduced parking requirements.	November 2014	Customer feedback	Scheduled for 2013-14 Action Plan
	4a. Allow residential development along the creek trail frontage to install public recreational improvements (with a maintenance agreement) within the trail right of way and install permanent access onto the trail from their property in exchange for required on-site open space.	October 2012	Increased number of trail connections to adjacent properties.	4a. Completed. Existing procedures and development applications deemed adequate for processing requests.
	4b. Allow commercial development along the creek trail frontage to install public recreational improvements (with a maintenance agreement) within the trail right of way and install permanent access onto the trail from their property in exchange for parking credits.	October 2012		4b. Completed. Effective October 2012 the Council approved up to 25% reductions in commercial parking requirements.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	5a. Reinstate and fund the FPIP to provide matching grants for commercial property façade improvements.	November 2011	Dollar amount of private matching funds invested to enhance business appearance	5a. Completed. Council approved \$500,000 on 11/16/11.
Focus on image / outreach / marketing including proactive business recruitment by the City Council	1a. Recruit a corps of successful high-profile CEO's to participate in recruitment meetings with potential new business owners.	March 2012	Site visits	1a. Completed. Meeting held with participants on July 11.
	1b. Develop business attraction "kits" for Councilmembers to provide accurate and consistent information to potential businesses.	March 2012	Number of kits distributed	1b. Completed. PR Brochure is in use; Additional target industry information will be prepared following adoption of CEDS/Master Plan
	2a. Refresh existing Economic Development web site to a more robust one directed at existing and prospective businesses, brokers and site selectors with companion written materials.	March 2012	Hits on web site	2a. Completed.
	2b. Develop subscription-based business retention /attraction E-newsletter.	April 2012	Number of subscribers to E-newsletter	2b. Completed. First issue was distributed in June 2012.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	2c. Bolster the current on-line public art information with photos, electronic maps, and self-guided tour routes of existing art pieces that will attract visitors to the community who will visit the art displays and spend money at nearby restaurants and shops.	September 2012		2c. Completed. Updated photos of all public art have been taken. Photos and descriptions have been organized for website uploading. One self-guide tour route involving Grand Avenue is underway.
	2d. Hold a commercial real estate brokers' symposium in partnership with the Chamber and regional partners to highlight available properties.	May 2012	Number of attendees	2d. Completed. Breakfast symposium held July 18, 2012.
	2e. Explore strategies to encourage the growth of the local wine industry (i.e., elimination of CUP requirements in Downtown for multiple winery tasting rooms, facilitation of wine related events, etc.)	November 2012	Creation of multiple winery tasting room, Participation of wineries in Grape Day Festival	2e. Completed. Approx. 150 purchased tickets to the wine pavilion at Grape Day Festival; ten local wineries participated.
	2f. Revise Municipal Code (Ch. 23) regarding the methodology for determining mandatory off-site improvements and utility undergrounding requirements, to establish a fair and equitable requirement based on the construction cost and/or value of the proposed work	October 2012		2f. Completed. Ordinance 2012-21 revising Municipal Code (Chapter 23) approved by city council 12/12/2012.



EMBRACE DIVERSITY & COMMUNITY OUTREACH

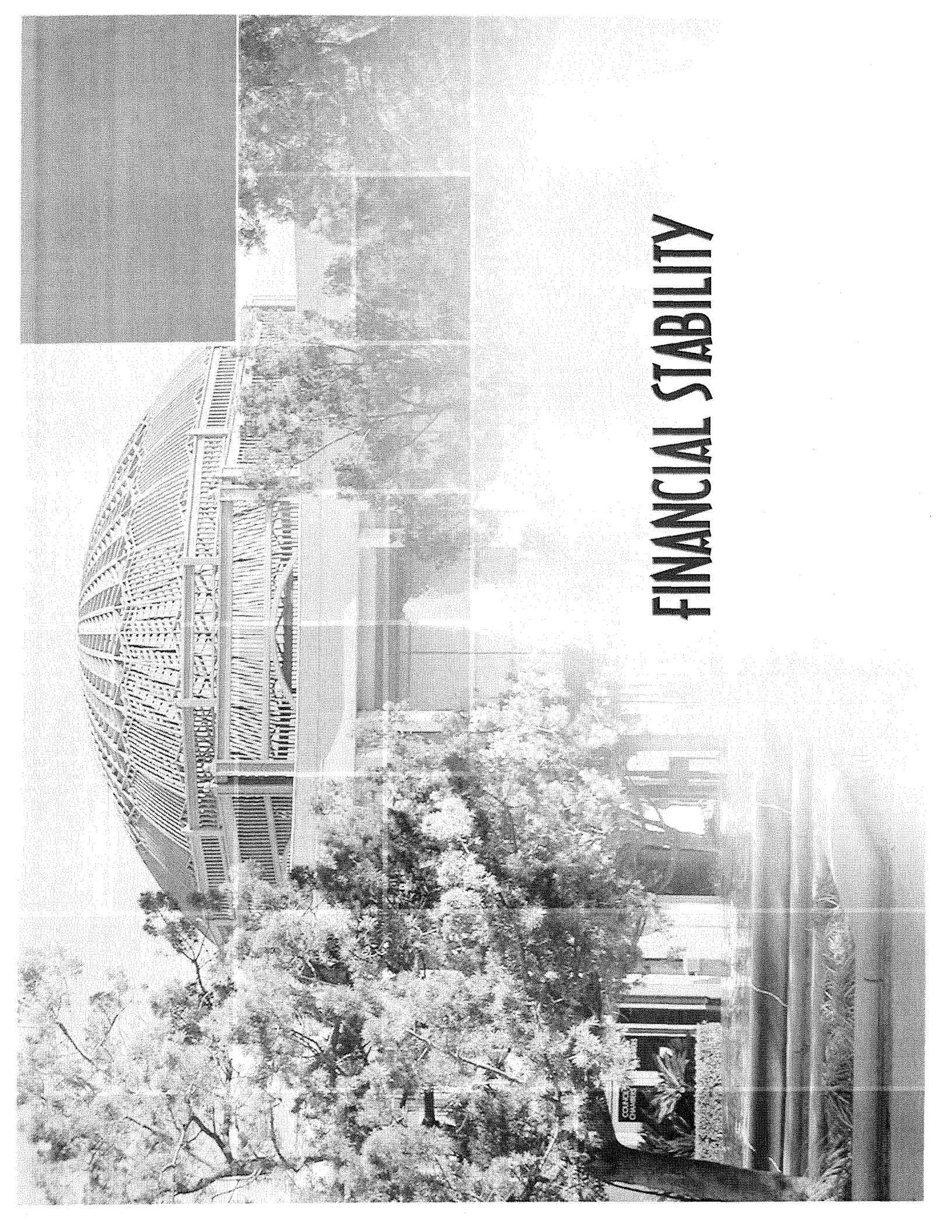
City Council Action Plan 2011-2012

Embrace Diversity and Community Outreach

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Community Events Downtown	Add the following new events: 1. Sunrise Grape Day 5K – 9/10/11	September 10, 2011	Number of attendees at each event.	1. Completed. Event was held in Sept. 2011 and 2012.
	2. 9/11 10 th Anniversary Remembrance Event – Partnership with the Center for the Arts	September 11, 2011		2. Completed. Approx. 1500 persons participated.
	3. Partner with the Escondido History Center to bring additional activities to the Grape Day Festival that reflect our diverse community.	September 8, 2012		3. Completed. Held successful wine pavilion at 2012 Grape Day event.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Making things easier for residents to communicate with government	Increase opportunities for the community to provide input to City:			
	1. Hold Mayor's Town Hall Meeting	July & Nov. 2011; May & Sept. 2012	Number of Attendees	1. Completed July & November 2011 meetings as well as May and September 2012.
	2. Conduct community survey to obtain feedback from the residents on the methods they would like the City to use to share and receive information. Survey will be done via staff and City resources at a minimal cost.	June 2012	Responses from survey and analysis to the potential need for changes in communication methods.	2. Completed. Survey results given to Council in September 2012.
	3. Offer the public quarterly tours of City Hall and the Police & Fire HQ.	March 2012	Number of Attendees	3. Completed. Began offering in April 2012.
	4. Expand City Sourced Application	June 2012	Number of Referrals	4. Completed. In the twelve months ending 6/30/2012 we have received 1,233 City Sourced Referrals from 242 unique devices.
	5. Create "City" Facebook Page	August 2011	Number of "likes"	5. Completed.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Communication and Listening	Internal Customer Service 1. Provide additional citywide customer service training	Managers: Feb. 2012; All employees: June 2012	Number of employees trained	1. Completed. Training was assigned to 708 full-time employees in June 2012.
	2. Solicit feedback from customers on the quality of service they received from City staff.	August 2012	Number of feedback forms received and quality of service measured.	2. Delayed due to AMGEN planning. Include in 2013-2014 Action Plan
	External Customer Service 3. Purchase kiosk with online resources for customer to access information at City Hall	June 2012	Number of utilizations	3. Completed. Kiosk is currently in Information Systems for final configuration and programming. Anticipated Spring 2013 installation.



FINANCIAL STABILITY

City Council Action Plan 2011-2012

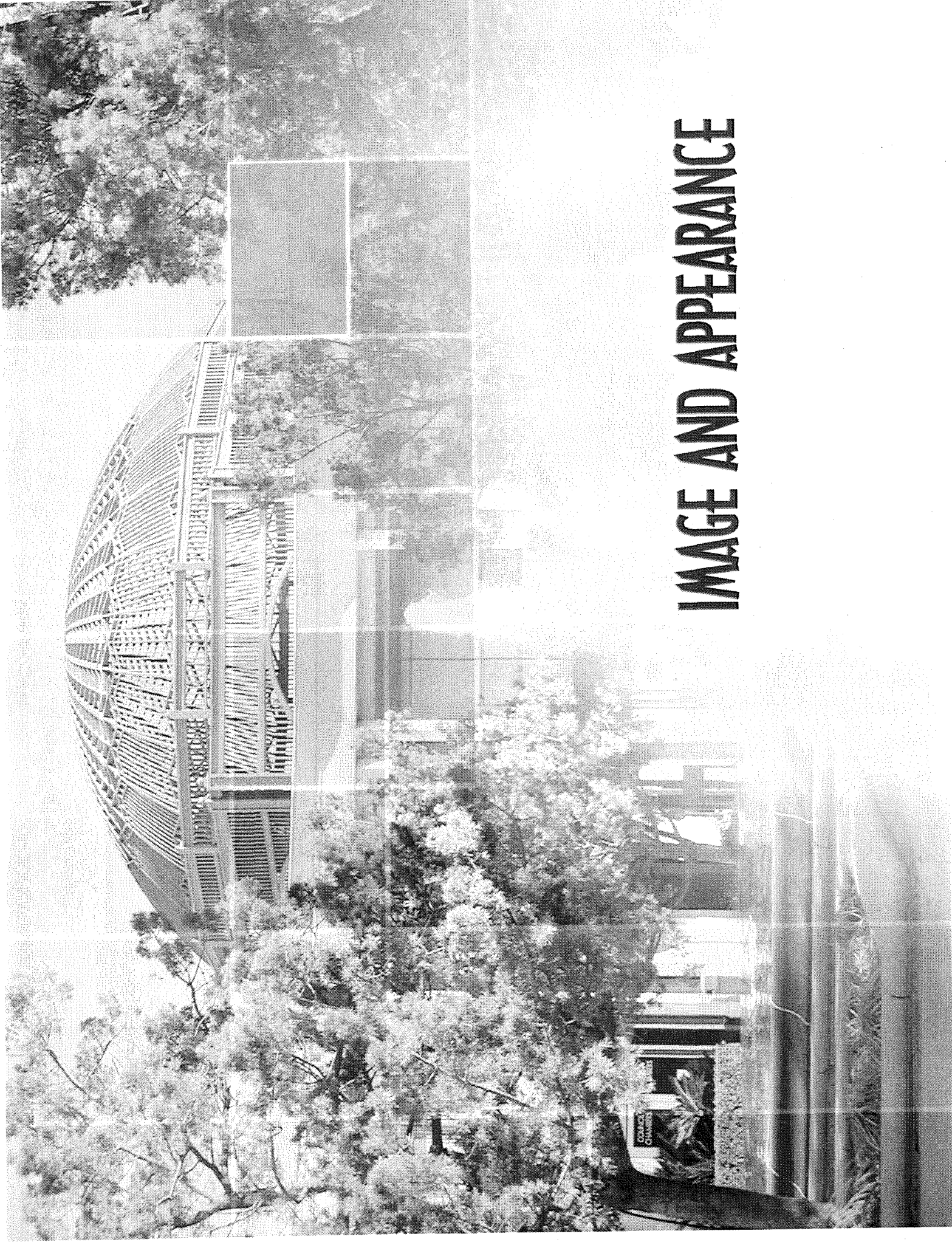
Financial Stability

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Adopt balanced budget without using reserves	1a. Adopt a 2 year operating Budget	July 2011	Adoption of a budget that does not use reserves	1a. Completed
	1b. Negotiate employee sharing pension costs	July 2012		1b. Completed
	1c. Close Branch Library	July 2011		1c. Completed
	1d. Conduct fiscal analysis of Recreation operations	July 2011		1d. Completed
	1e. Reduce funding for Center for the Arts	July 2011		1e. Completed
	1f. Reduce funding for outside agencies	July 2011		1f. Completed
Reform pension benefits to ensure they are affordable	1a. Increase employee contributions to their own pensions	July 2012	Approved revised contracts with each labor group	1a. Completed
	1b. Implement a two tiered pension system	July 2012	Implementation of a two tiered system	1b. Completed

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Focus on Core Service	1. Fund \$525,200 for a Capital Improvement Program that will be used for implementation of the Records Management System	July 2011	Implementation of Records Management System	1. Completed
	2. Conduct an assessment of the City's delivery of fire services to ensure they are meeting the community's fire safety goals	November 2012	Completion of assessment	2. In progress. Hiring personnel to increase ambulance fleet and staffing to 6 daytime and 4 at night in June 2013. 7 th fire engine in-service by end of April 2013.
	3. Repair 3-5% of total city streets each year with an emphasis on major roadways and on reducing the annual pothole/edge repair work required of in-house forces	June 2012	"Lane" miles of streets improved to good or better condition per the Pavement Condition Index Number of pothole complaints/repairs	3. Completed. The current Pavement Program is improving a total of 5,076,520 square feet of roads (6.6 % of total lane miles).
Outsource city services where appropriate for cost savings and efficiency	1. Systematically evaluate a minimum of five strategies for outsourcing	March 2012	Dollar amount saved by outsourcing certain City services	1. In progress. Analysis of 3 areas, (Street Striping, Street Sweeping and Park Mowing) has been completed. We have begun analysis on the Tennis Center operations. A fifth area will be selected

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
				in the Fall. Staffing shortages prevented completion of all five by the original completion date.
Maintain \$15-20 million in reserve	1. Develop a Reserve Policy for the General Fund based on cash flows during the first 6 months of the fiscal year and/or the average of 2 months of expenditures	October 2011	Adoption of Reserve Policy	1. Completed

IMAGE AND APPEARANCE



City Council Action Plan 2011-2012

Image and Appearance

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
Pro-active code enforcement (residential and commercial properties); implement existing ordinances; public education on violations	1a. Reinstate a modified version of the interdepartmental ACT to identify and monitor problem properties and attractive nuisances; anticipate "ripple effect"; and adjust resources accordingly.	April 2012	Quarterly reports from various departments and/or operations	1a. Completed. Quarterly reports submitted via City Manager's weekly update.
	1b. Identify specific geographic areas of the city for methodical, proactive enforcement; give advance public education or notification, then target for concentrated enforcement, focusing on appearance violations.	August 2012		1b. Completed. Proactive enforcement targeted in CDBG-eligible commercial areas.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	1c. Establish reporting mechanisms to determine baselines and progress made by geographic or specific areas.	November 2012		1c. Completed. Officers assigned by area. Cases recorded in Trakit, enabling production of reports by area and case type.
	1d. Develop additional public education information on reporting problems or finding solutions (i.e. website, handouts, etc.)	November 2012		1d. Completed. Code Enforcement Webpage includes FAQs for a variety of topics. Project Neat continuing in CDBG areas, Trakit expanded to include Project Neat cases.
	2a. Train volunteers in all organized neighborhoods to report code violations; examine potential to use volunteers in other low and moderate income areas in the City.	April 2012	Quarterly reports from various departments Track volunteer numbers and hours	2a. In progress. Due to reduced CDBG funding, training is restricted to organized groups. Residents are encouraged to report all Code issues and have been trained on the "street appearance" issues to report Expansion to other low income areas will be on hold until funding is restored

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	2b. Release periodic reminders encouraging all field personnel, inspectors, police volunteer patrols, and general City employees to report potential code violations.	February 2012		2b. Completed. Reinstated "We Care" program.
	2c. Work with the DBA, Chamber of Commerce, realtors, and other business and non-profit groups to encourage voluntary compliance.	April 2012		2c. Completed. Ongoing coordination as part of Code Enforcement operations.
	3. Appoint a representative from the City Appearance Committee to sit on the interdepartmental team and coordinate or resolve issues that may arise.	December 2011	Biannual report from City Appearance Committee	3. Completed
	4. Establish a re-inspection fee to encourage timely compliance.	December 2011	Adopt fee for non-responsive cases Number of cases requiring multiple inspections	4. Completed

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	5 Develop protocol for working with regional organizations to resolve unsightly property maintenance issues at their facilities.	March 2012	Develop and maintain contact list Track response times	5. Completed.
	6a. Analyze City workforce to effectively maintain City property.	November 2012	Mid-year report on maintenance needs, concurrent with mid-year budget review	6a. Completed. Added four 1,000 hour part time employees to assist with Street/Park maintenance. Established an agreement with parolee program to provide one supervisor and seven-person crew at low cost to City. Council approved \$875,000 in CIP funds for improvements to occupied city buildings. Real Property Manager successfully received funds from the Redevelopment Successor Agency for maintenance of City owned redevelopment properties.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	6b. Develop an "Adopt-a-Lot" program for maintenance of public properties. Explore a corporate sponsorship program or other form of recognition as an incentive.	January 2013	Establish policies and procedures for an "Adopt-a-Lot" program	Scheduled for 2013-14 Action Plan
	6c. Co-sponsor community and corporate volunteerism, such as work days, coordinated through the City's Volunteer Coordinator.	January 2013		Scheduled for 2013-14 Action Plan
	7a. Use CDBG funds to:			7a. Completed.
	- Expand Project NEAT program to all CDBG-eligible neighborhoods - Add Code Enforcement officer(s) for CDBG-eligible commercial properties - Conduct field survey of commercial property and identify high violations rates - Focus efforts in areas of high pedestrian use	June 2012 November 2011 June 2012 June 2012	Number of cases with voluntary compliance; Number of cases referred to Code Enforcement; Number of cases referred to the City Attorney	
	7b. Develop an expanded marketing plan for Project NEAT. Identify and	June 2012	Track and report new outlets used to market Project	7b. Delayed. CDBG has been reduced 28% in past 2 years

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	maintain key private citizen groups (realtors, service clubs, churches) to educate them regarding the importance of property maintenance issues		NEAT, and determine if new projects are generated by the use of these outlets	with anticipated cuts of 5% for next two years. With only 1 part time NEAT staff person, this strategy will not be implemented by Neighborhood Services
	8. Develop standardized reports to track enforcement complaints, case-load, responsiveness, and trends using upgraded TRAKIT and Azteca software approved in the FY 2011-12 CIP budget.	June 2012	Quarterly reports regarding enforcement caseload and results Post results on website	8. Completed.
	9. Evaluate sign ordinance to address feather / temporary signs and murals.	April 2012	Adopt code amendment	9. Completed. Ordinance 2012-08 adopted on 5-9-12. Mural policy approved by City Appearance Committee on 2-21-13.
	10. Develop policy to address offers of special projects on City property, i.e., Eagle Scout projects, including procedures and identification of types of desirable	October 2012	Adopt policy	10. Completed.

Goal	Strategy	Anticipated Completion Date	Evaluation Measures	Outcome
	projects and locations.			
	11. Coordinate weed abatement enforcement efforts by Code Enforcement and Fire Department to ensure communication and provide consistent direction to property owner.	December 2011	Response time	11. Completed
	12. Purchase additional TRAKIT software (Mobile TRAK and CRM).	September 2012 (if approved in FY 2012-13 budget)	Response time	12. Completed
Urban Renewal, Overlays and Standards	1. Explore strategies employed by other jurisdictions to address maintenance of vacant and foreclosed properties, and assess necessary resources for implementation as additional funding becomes available.	December 2012	Summary Report	1. Completed. A copy of the research findings was forwarded to the Assistant City Manager. Implementation of an abandoned property registry requires additional staffing.

CITY COUNCIL

For City Clerk's Use:

☐

APPROVED

☐

DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 10

Date: March 20, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Diane Halverson, City Clerk

SUBJECT: Appointments to the Library Board of Trustees, Building Advisory and Appeals Board and the Personnel Board of Review

RECOMMENDATION:

That the 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

BACKGROUND & SUMMARY:

The notice regarding recruitment for the Library Board of Trustees was posted on the City's website, at City Hall and the Library prior to December 31, 2012, as required by State law (Maddy Act). A press release was also issued in January, 2013.

The vacancies on the Building Advisory & Appeals Board and Personnel Board of Review were duly posted in accordance with State law and City policy after receiving a resignation letter from Sean O'Neill, whose term on the Building Advisory & Appeals Board expires March 31, 2014 and a resignation letter from William Banning, whose term on the Personnel Board of Review expires March 31, 2014. Applications from the following individuals were received during the recruitment period or are on file in the City Clerk's Office:

BUILDING ADVISORY & APPEALS BOARD

- ◆ Mirek Gorny**

PERSONNEL BOARD OF REVIEW

- ◆ Alex Galenes
- ◆ William Harrison

Appointments to Library Board of Trustees, Building Advisory & Appeals Board and Personnel Board of Review

March 20, 2013

Page 2

LIBRARY BOARD OF TRUSTEES

- ◆ Joseph Bologna**
- ◆ Mary Ann Drinan
- ◆ Gary Knight*
- ◆ Virginia Loh-Hagan*
- ◆ Sandra Lytle-Asfaw
- ◆ Bruce Neilson
- ◆ Robert Shute

**Re-Applying*

*** Serves on another Board/Commission*

Respectfully submitted,

A handwritten signature in cursive script that reads "Diane Halverson".

Diane Halverson, CMC
City Clerk

FUTURE CITY COUNCIL AGENDA ITEMS
March 14, 2013

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

MARCH 27, 2013
No Meeting – Spring Break

APRIL 3, 2013
4:30 p.m.

CONSENT CALENDAR

Fee Variance Item

(E. Gallo and M. Morasco)

Need Green Sheet

**Sale and Lease Back Agreement with Escondido Chamber of Commerce at
720 N. Broadway**

(E. Domingue)

Need Green Sheet

Budget Adjustment for Successor Agency – Housing Budget

(B. Redlitz)

The Council is being asked to approve a budget adjustment in the amount of \$22,800 in conjunction with the Professional Services/Contracts line item in the Housing Division due to recent long form rent control rent increase applications.

Bid Award for the Digester Cleaning 2013 Project

(C. McKinney)

This is a project to clean the four digesters at the Hale Avenue Resource Recovery Facility (HARRF). It has been six years since the digesters were last cleaned. Cleaning the digesters allows the solids handling system to work more efficiently and removes debris that plugs up draft tubes causing pump damage and valve failure.

Bid Award for the Reservoir Repainting 2013 Project

(C. McKinney)

This project is a routine maintenance repainting of the exterior of three reservoirs: Royal Crest, Dixon Recreational Tank and Lindley Reservoir.

APRIL 3, 2013

Continued

PUBLIC HEARINGS:

Modification of a Master Development Plan for Lexus Escondido, Case No. 12-0006/ PHG 12-0001

(B. Redlitz)

Last year, Lexus Escondido conducted a pilot program of five outdoor concerts on the western roof top deck to determine the feasibility of presenting concerts in that venue and to gather information on potential noise and lighting impacts. In order to continue concert programs and to hold other entertainment and social events on the roof decks, the Planned Development Master Plan must be modified to add these uses and revise the previous project conditions. The applicant also wishes to establish a higher noise threshold at the property lines based on noise studies and allow more than one temporary feathered flag per business on the site. The project includes a BEZ request for expedited processing, tentatively scheduled for consideration by the Economic Development subcommittee on 2/27/13; if approved, no Planning Commission public hearing is required.

CURRENT BUSINESS

Amendments to Campaign Control Ordinance Section 2-103

(M. Morasco and O. Diaz)

Amendments have been made to Article 7 of Chapter 7 of the Municipal Code in 1986, 1997, 2002, and 2007. In 2007, the contribution limit was increased to \$500.00 and a Consumer Price Index (CPI) formula was added. In 2011, the City Clerk increased the 2011-2012 election-cycle contribution limit to \$540.00 according to the CPI. Council Members Michael Morasco and Olga Diaz requested this item be placed on the Council Agenda.

WORKSHOP

Update on 2013 AMGEN Tour of California

(J. Masterson)

Status Report on the 2013 AMGEN Tour of California Bike Race.

2012 Water and Wastewater Master Plans

(C. McKinney)

2012 Water and Wastewater Master Plans

Future Agenda Items (D. Halverson)