

**CITY OF ESCONDIDO**  
**November 20, 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, November 20, 2013 in the Council Chambers at City Hall with Mayor Abed presiding.

**ATTENDANCE**

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

**ORAL COMMUNICATIONS**

**CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)**


**MOTION:** Moved by Councilmember 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(d)(1))**

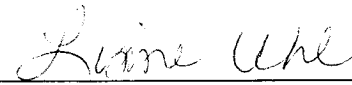
- a. **Case Name:** HARMON V. CITY OF ESCONDIDO, ET AL.  
**Case No:** 37-2013-00039841-CU-MC-NC

## ADJOURNMENT

Mayor Abed adjourned the meeting at 4:12 p.m.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

  
\_\_\_\_\_  
MINUTES CLERK

**CITY OF ESCONDIDO**  
**November 20, 2013**  
**4:30 P.M. Meeting Minutes**

**Escondido City Council**  
**Mobilehome Rent Review Board**

**CALL TO ORDER**

The Regular Meeting of the Escondido City Council and Mobilehome Rent Review Board was called to order at 4:35 p.m. on Wednesday, November 20, 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; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Ed Domingue, Public Works Director; Diane Halverson, City Clerk; and Liane Uhl, Minutes Clerk.

**PRESENTATIONS**

Mayor Abed introduced John Prince, American Public Works Association, who presented the APWA awards to Ed Domingue, Public Works Director.

**ORAL COMMUNICATIONS**

**Wally Gutierrez, Escondido**, displayed a series of slides and voiced concern that the bathrooms at Ryan Park were closed.

**Alex Boshaw, Classical Academy Athletic Director**, thanked the City for partnering with Classical Academy and renting recreation facilities and equipment to the school.

**Robroy Fawcett, Escondido**, distributed information and expressed concern that Palomar Pomerado Hospital was not adhering to the 2006 Memorandum of Understanding with the City.

## CONSENT CALENDAR

Mayor Abed removed items 13 and 17, Councilmember Gallo removed item 5, Councilmember Masson removed items 7 and 9 and Councilmember Morasco removed item 8 from the Consent Calendar for discussion

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Masson that the following Consent Calendar items be approved with the exception on items 5, 7, 8, 9, 13 and 17. Mayor Abed indicated that item 17 would not be discussed. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES:** Regular Meeting of October 23, 2013
4. **ROTARY CLUB OF ESCONDIDO GRANT AWARD AND BUDGET ADJUSTMENT** - Request Council receive a grant in the amount of \$6,000 from the Rotary Club of Escondido awarded to the Escondido Public Library. (File No. 0480-70)

Staff Recommendation: **Approval (Library and Community Services: Loretta McKinney)**

5. **ESTABLISH ENGINEERING AND TRAFFIC SURVEYS (SPEED ZONES) AT THREE LOCATIONS CITYWIDE** – Request Council approve establishing Engineering and Traffic Surveys (speed zones) at three locations. (File No. 1050-20)

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

### RESOLUTION NO. 2013-156

Councilmember Gallo expressed concern with the proposed speed limit by a school.

Homi Namdari, Assistant City Engineer, indicated the speed would be 25 at the school.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Masson to approve establishing Engineering and Traffic Surveys (speed zones) at three locations and adopt Resolution No. 2013-156. Motion carried unanimously.

6. **ADOPTION OF THE 2013 CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL AND GREEN BUILDING STANDARDS CODES AND LOCAL AMENDMENTS** - Request Council schedule a Public Hearing on December 4, 2013 to introduce Ordinance No. 2013-11 amending the City of Escondido Municipal Code to reflect the 2013 California Building, Residential, Plumbing, Electrical, Mechanical and Green Building Standards Codes and proposed local amendments. (File No. 0680-50)

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

7. **ADOPTION OF THE 2013 CALIFORNIA FIRE CODE, MOST CURRENT VERSION OF COUNTY OF SAN DIEGO CONSOLIDATED FIRE CODE AND LOCAL AMENDMENTS** - Request Council schedule a Public Hearing on December 4, 2013 to introduce Ordinance No. 2013-13, which modifies the City of Escondido Municipal Code to reflect the 2013 California Fire Code (CFC), the most current version of the County of San Diego Consolidated Fire Code and proposed local amendments. (File No. 0680-50)

Staff Recommendation: **Approval (Fire Department: Herb Griffin)**

Councilmember Masson voiced concern with state overregulating.

Herb Griffin, Fire Division Chief, stated the City wished to be in line with all of the other Fire Agencies and wanted to include the Consolidated County Fire Code.

**MOTION:** Moved by Councilmember Masson and seconded by Councilmember Diaz to schedule a Public Hearing on December 4, 2013 to introduce Ordinance No. 2013-13, which modifies the City of Escondido Municipal Code to reflect the 2013 California Fire Code (CFC), the most current version of the County of San Diego Consolidated Fire Code and proposed local amendments. Motion carried unanimously.

- 8. AMENDED JOINT EXERCISE OF POWERS AGREEMENT FOR THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY** - Request Council approve the amended Joint Exercise of Powers Agreement for the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA). (File No. 0600-10 [A-3103])

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

**RESOLUTION NO. 2013-144**

Councilmember Morasco asked for clarification of the City's annual fee.

Dick Bobertz, Executive Director, San Dieguito River Park JPA, listed the projects provided by the cumulative cities' fees.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Morasco to approve the amended Joint Exercise of Powers Agreement for the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA) and adopt Resolution No. 2013-144. Motion carried unanimously.

- 9. PUBLIC SERVICES AGREEMENT WITH WITTMAN ENTERPRISES, LLC TO OUTSOURCE BILLING SERVICES FOR EMERGENCY MEDICAL SERVICES (EMS)** - Request Council authorize a three (3) year Public Service Agreement with Wittman Enterprises, LLC, effective July 1, 2014 through June 30, 2017. (File No. 0600-10 [A-2459])

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

**RESOLUTION NO. 2013-159**

Councilmember Masson thanked staff for not going to bid on this contract.

Councilmember Morasco asked to have the process explained.

Gil Rojas, Finance Director, explained that Wittman Enterprises has had a contract with the City for many years. The City of Oceanside had just gone through the bidding process and had awarded a contract to Wittman Enterprises. The City of Escondido decided not to duplicate that effort and awarded the contract to Wittman Enterprises.

**MOTION:** Moved by Councilmember Masson and seconded by Councilmember Gallo to authorize a three (3) year Public Service Agreement with Wittman Enterprises, LLC, effective July 1, 2014 through June 30, 2017 and adopt Resolution No. 2013-159. Motion carried unanimously.

10. **NOTICE OF COMPLETION FOR EMERGENCY WASHINGTON AVENUE STREET REPAIR -** Request Council approve and accept the public improvements and authorize staff to file a Notice of Completion for Emergency Washington Avenue Street Repair. (File No. 0600-10 Misc.)

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

11. **LEASE AGREEMENT WITH DAVE MCMAHON CONSTRUCTION, INC. AT 525 N. QUINCE AND BUDGET ADJUSTMENT -** Request Council authorize the Real Property Manager and City Clerk to execute a lease agreement with Dave McMahon Construction, Inc. at 525 N. Quince Street; and approve a budget adjustment to increase the General Fund Revenue for the Fiscal Year 2013/2014 in the amount of \$20,000 and an increase to the Engineering Professional Services Budget to pay broker's fees of \$2,475. (File No. 0600-10 [A-3104])

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

#### **RESOLUTION NO. 2013-133**

12. **A-3 RESERVOIR ELIMINATION PROJECT -** Request Council authorize the Mayor and City Clerk to execute the Consulting Agreement with RBF Consulting in the amount of \$232,380 for engineering services to provide detailed design, including the preparation of construction drawings and specifications for the A-3 Reservoir Elimination Project. (File No. 0600-10 [A-3105])

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

#### **RESOLUTION NO. 2013-162**

### **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.)

13. **MODIFICATION OF THE MASTER DEVELOPMENT PLAN FOR LEXUS ESCONDIDO (CASE NO.: PHG 12-0001 / ENV 12-0006) -** Approved November 6, 2013 with a vote of 4/1; Diaz voting no. (File No. 0800-40 PHG 12-0001/ENV 12-0006)

#### **ORDINANCE NO. 2013-05(R) (Adoption and Second Reading)**

**Pamela Stahl, Escondido**, asked that the hot line number for the events held at the Lexus Dealership have a live operator to answer questions and be made available to all the neighbors.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Masson to approve the modification of the Master Development Plan for Lexus Escondido as voted on November 6, 2013. Motion carried unanimously.

### **PUBLIC HEARINGS**

14. **MODIFICATION TO GRADING EXEMPTIONS AND VACATION OF OPEN SPACE EASEMENT FOR VISTA VERDE RESERVOIR REPLACEMENT PROJECT (PHG 13-0026) -** Request Council approve modifications to previously approved grading exemptions for Tract 932, in conjunction with a vacation of open space easement to facilitate construction of the Vista Verde Reservoir Replacement Project. (File No. 0800-10 Tract 932)

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

**RESOLUTION NO. 2013-152**

Bill Martin, Planning Department, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Morasco to approve modifications to previously approved grading exemptions for Tract 932, in conjunction with a vacation of open space easement to facilitate construction of the Vista Verde Reservoir Replacement Project and adopt Resolution No. 2013-152. Motion carried unanimously.

- 15. CLARIFICATION OF ZONING CODE AMENDMENT TO REGULATE COTTAGE FOOD OPERATIONS (AZ 13-0004)** - Request Council determine that the CEQA Notice of Exemption is complete and adequate for the project and approve amendments to the Zoning Code to regulate Cottage Food Operations (CFOs) as a home occupation. (File No. 0810-20)

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

**ORDINANCE NO. 2013-07(RR) (Introduction and First Reading)**

Barbara Redlitz, Community Development Director, gave the staff report and presented a series of slides.

Mayor Abed opened the public hearing and asked if anyone would like to speak on this issue in any way. No one asked to be heard. Therefore, he closed the public hearing.

**MOTION:** Moved by Councilmember Diaz and seconded by Councilmember Gallo to determine that the CEQA Notice of Exemption is complete and adequate for the project and approve amendments to the Zoning Code to regulate Cottage Food Operations (CFOs) as a home occupation and introduce Ordinance No. 2013-07(RR). Motion carried unanimously.

- 16. SHORT-FORM RENT INCREASE APPLICATION FOR GREENCREST MOBILEHOME PARK (CASE #: 0697-20-9965)** - Request Council consider the short-form rent increase application submitted by Greencrest Mobilehome Park; and if approved, grant an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 0.677% (an average of \$2.84) for the period of June 30, 2012 to June 30, 2013. (File No. 0697-20-9965)

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

**RRB RESOLUTION NO. 2013-09**

Karen Youel, Housing Department, gave the staff report and presented a series of slides.

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

**Jim Younce, Owner Representative**, indicated he was available for questions.

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

**MOTION:** Moved by Councilmember Gallo and seconded by Councilmember Masson to approve the short-form rent increase and adopt RRB Resolution No. 2013-09. Motion carried unanimously.

- 17. ALLOCATION OF SUCCESSOR AGENCY - HOUSING FUNDS (File # 0875-16)** - Request Council allocate Successor Agency – Housing Funds in the amount of \$250,000 to San Diego Habitat for Humanity (SDHfH) for the future development of four (4) affordable home ownership units located at 529-531 North Elm Street; and authorize the Mayor and City Clerk to execute, on behalf of the City, the necessary loan documents and affordable housing agreements in a form acceptable to the City Attorney. (File No. 0875-55)

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

**RESOLUTION NO. 2013-157**

**ITEM 17 WAS NOT DISCUSSED**

**CURRENT BUSINESS**

- 18. FISCAL YEAR 2014 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS GRANT APPLICATION AND CITRACADO PARKWAY EXTENSION PROJECT FUNDING** - Request Council authorize the City Manager to submit an application to the Economic Development Administration for an Economic Development Assistance Programs (EDAP) grant for the construction of the Citracado Parkway Extension Project. (File No. 0480-70)

Staff Recommendation: **Approval (Public Works/Engineering: Ed Domingue & Economic Development Department: Joyce Masterson)**

Karen Youel, Housing Department, and Julie Procopio, Deputy Public Works Director, gave the staff report and presented a series of slides.

**MOTION:** Moved by Councilmember Morasco and seconded by Councilmember Masson to authorize the City Manager to submit an application to the Economic Development Administration for an Economic Development Assistance Programs (EDAP) grant for the construction of the Citracado Parkway Extension Project. Motion carried unanimously.

**FUTURE AGENDA**

- 19. 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: Diane Halverson)**

Councilmember Gallo requested a discussion on City Parks.

Councilmember Diaz requested that the Master Plans for all the parks be made available to the public.



## COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Diaz indicated the City had hosted an Escondido Creek Watershed Alliance meeting where Supervisor Dave Roberts was the speaker.

Councilmember Gallo stated he was a member of the State Water Project Bay Delta Inspection Group and toured the delta and levies in Northern California. He also indicated that November was Native American Appreciation Month.

Councilmember Masson indicated an Economic Development Committee meeting would be held November 21, 2013.

Mayor Abed stated the City Manager's weekly update was attached to the agenda. He indicated interviews for the 2014 Boards and Commissions would be held in March next year and encouraged the public to apply for the open positions. SANDAG was moving ahead with the Mid Coast Corridor Transit Center Trolley lines as well as the rail trail bike path between San Marcos and Oceanside.

## CITY MANAGER'S UPDATE/BRIEFING

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development.


- City Manager's Update


## ORAL COMMUNICATIONS


Patricia Borchmann, Escondido, stated the parks master plans should be made available to the public.

## ADJOURNMENT

Mayor Abed adjourned the meeting at 6:30 p.m.

  
MAYOR

  
CITY CLERK

  
MINUTES CLERK