JUNE 22, 2016
CITY COUNCIL CHAMBERS
3:30 P.M. Closed Session; 4:30 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

MAYOR	**Sam Abed**
DEPUTY MAYOR	**Michael Morasco**
COUNCIL MEMBERS	**Olga Diaz** **Ed Gallo** **John Masson**
CITY MANAGER	**Graham Mitchell**
CITY CLERK	**Diane Halverson**
CITY ATTORNEY	**Jeffrey Epp**
DIRECTOR OF COMMUNITY DEVELOPMENT	**Bill Martin**
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.

June 22, 2016
3:30 P.M. Meeting

Escondido City Council

CALL TO ORDER

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

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. 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.) Speakers are limited to only one opportunity to address the Council under Oral Communications.

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

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

a. **Property:** A parcel on the north side of West Valley Parkway between City Hall and the CCAE, APN 229-372-20
City Negotiator: Graham Mitchell
Negotiating Parties: The City of Escondido and Craig Clark
Under Negotiation: Price and Terms of Agreement

b. **Property:** Heritage Walk at Grape Day Park
City Negotiator: Debra Lundy, Real Property Negotiator
Negotiating Parties: Escondido History Center
Under Negotiation: Price and Terms of Agreement

c. **Property:** City right-of-way adjacent to 1501 Auto Parkway
City Negotiator: Debra Lundy, Real Property Negotiator
Negotiating Parties: North County Kia
Under Negotiation: Price and Terms of Agreement

CLOSED SESSION ITEM: II.

AGENDA: June 22, 2016

ADDENDUM

ADDITION TO THE AGENDA AFTER DUPLICATING AGENDA BUT PRIOR TO POSTING:

CLOSED SESSION ITEM:

II. CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)

a. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Escondido City Employee Association: Supervisory Bargaining Unit

b. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Non-Sworn Police Bargaining Unit

c. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit

ADJOURNMENT

June 22, 2016
4:30 P.M. Meeting

Escondido City Council
Mobilehome Rent Review Board

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

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.

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 June 8, 2016**

4. **FISCAL YEAR 2014 REGIONAL REALIGNMENT RESPONSE GRANT - ADDITIONAL FUNDS AND FUTURE BUDGET ADJUSTMENT -**
   Request City Council approve accepting additional Fiscal Year 2014 Regional Realignment Response Grant funds; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve future budget adjustments needed to spend grant funds.

   Staff Recommendation: **Approval (Police Department: Craig Carter)**

5. **FIRST AMENDMENT TO THE PUBLIC SERVICE AGREEMENT WITH REDWOOD SENIOR HOMES AND SERVICES FOR MEAL SERVICE -**
   Request City Council approve authorizing the Mayor and City Clerk to execute a First Amendment to the Public Service Agreement with Redwood Senior Homes and Services Town Court to provide meals for the Nutrition Program offered at the Escondido Senior Center for Fiscal Year 2016-2017 in the amount of $129,050.

   Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

   RESOLUTION NO. 2016-78

6. **FIRST AMENDMENT TO THE PUBLIC SERVICE AGREEMENT WITH REDWOOD SENIOR HOMES AND SERVICES FOR SENIOR TRANSPORTATION -**
   Request City Council approve authorizing the Mayor and City Clerk to execute a First Amendment to the Public Service Agreement with Redwood Senior Homes and Services to provide transportation services for the Senior Nutrition Program in the amount of $149,350.

   Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

   RESOLUTION NO. 2016-79

7. **FIFTH AMENDMENT TO THE COUNTY OF SAN DIEGO SENIOR NUTRITION SERVICES CONTRACT NO. 547766 -**
   Request City Council approve authorizing the Director of Library and Community Services to execute a Fifth Amendment to County Contract No. 547766, County of San Diego, Health and Human Services Agency Agreement with the City of Escondido for the Senior Nutrition Program.

   Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

   RESOLUTION NO. 2016-80

8. **AWARD OF BID FOR LEGAL ADVERTISING FISCAL YEAR 2016-17 -**
   Request City Council approve awarding the bid for the City's legal advertising for a one-year period to The Daily Transcript.

   Staff Recommendation: **Approval (City Clerk's Office: Diane Halverson)**

   RESOLUTION NO. 2016-86

9. **FIRST AMENDMENT TO LEASE AGREEMENT WITH ESCONDIDO EDUCATION COMPACT AT 220 SOUTH BROADWAY -**

Request City Council approve authorizing the Real Property Manager and the City Clerk to execute a First Amendment to the Lease Agreement with Escondido Education Compact at 220 South Broadway.

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson and Debra Lundy)**

RESOLUTION NO. 2016-87

10. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR JOHN MYERS -**

Request City Council approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer John Myers.

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2016-88

11. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR GARY CORREIAR -**

Request City Council approve the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Fire Battalion Chief Gary Correiar.

Staff Recommendation: **Approval (Human Resources Department: Sheryl Bennett)**

RESOLUTION NO. 2016-89

12. **APPROVAL OF CONSULTING SERVICES AGREEMENT EXTENSION WITH BLUE HERON CONSULTING TO COMPLETE THE CC&B (UTILITY BILLING) SOFTWARE UPGRADE AND BUDGET ADJUSTMENT -**

Request City Council approve to extend the project consulting services provided by Blue Heron Consulting in order to complete the Utility Billing Software upgrade with the cost of the additional services agreement not to exceed $188,856 and for a period of up to eight weeks; authorize the Director of Utilities to execute necessary contracts to extend the upgrade; and approve a budget adjustment in the amount of $188,860 to fund the extension of the project.

Staff Recommendation: **Approval (Information Systems Department: Mark Becker)**

RESOLUTION NO. 2016-91

13. **EXTENSION OF TIME FOR TENTATIVE SUBDIVISION MAP 87 (SUB 16-0002) -**

Request City Council approve a three-year extension of time for a 13-lot single family residential subdivision map (TR 877) located at 1995 Bernardo Avenue.

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

RESOLUTION NO. 2016-92

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.)

14. **CONDITIONAL USE PERMIT, GENERAL PLAN AMENDMENT, ZONE CHANGE AND AMENDMENT TO THE ZONING CODE FOR THE HALE AVENUE RESOURCE RECOVERY FACILITY WASTEWATER COLLECTIONS YARD (PHG 15-0018 AND ENV 15-0008) -**
Approved on June 15, 2016 with a vote of 5/0

ORDINANCE NO. 2016-06 (Second Reading and Adoption)

PUBLIC HEARINGS

15. **SHORT-FORM RENT INCREASE APPLICATION FOR CAREFREE RANCH -**
Request City Council consider for approval the short-form rend increase application submitted by Carefree Ranch, and if approved, grant an increase of 75 percent of the change in the Consumer Price Index, or 1.836 percent (an average of $9.15) for the period of December 31, 2014 to December 31, 2015.

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

RRB RESOLUTION NO. 2016-11

16. **REPORT ON DRINKING WATER PUBLIC HEALTH GOALS -**
Request City Council receive and file the Drinking Water Public Health Goals Report and receive public comments on the report.

Staff Recommendation: **Receive and File (Utilities Department: Christopher W. McKinney)**

FUTURE AGENDA

17. **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)**

COUNCIL MEMBERS' SUBCOMMITTEE REPORTS

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

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**
June 29	-	-	No Meeting	-
July 6	-	-	No Meeting	-
July 13	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
July 20	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers

TO ADDRESS THE COUNCIL

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

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

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

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

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

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

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

LIVE BROADCAST

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

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

The City Council is scheduled to meet the first four Wednesdays of the month at 3:30 in Closed Session and 4:30 in Open Session.
(Verify schedule with City Clerk's Office)
Members of the Council also sit as the Successor Agency to the CDC, Escondido Joint Powers Financing Authority and the Mobilehome Rent Review Board.

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

If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4643. 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

June 8, 2016
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, June 8, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:
The following members were present: Councilmember Olga Diaz, Councilmember Ed Gallo, Councilmember John Masson, Deputy Mayor 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 Masson to recess to Closed Session. Motion carried unanimously.

I. **CONFERENCE WITH LABOR NEGOTIATOR (Government Code §54957.6)**
   a. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
      Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering Bargaining Unit
   b. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
      Employee Organization: Escondido City Employee Association: Supervisory Bargaining Unit
   c. **Agency Negotiator:** Sheryl Bennett & Graham Mitchell
      Employee Organization: Non-Sworn Police Bargaining Unit

II. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))**
   a. One Case
   b. One Case: Claim No. 4769

ADJOURNMENT

Mayor Abed adjourned the meeting at 4:04 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO

June 8, 2016
4:30 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, June 8, 2016 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:
Kelly Crews led the Moment of Reflection.

FLAG SALUTE
Mayor Abed led the Flag Salute.

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

Also present were: Graham Mitchell, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Director of Community Development; Ed Domingue, Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

CONSENT CALENDAR

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Morasco to approve the following Consent Calendar items. 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 May 11, 2016**
4. **AWARD BID FOR THE PURCHASE OF TWO 2017 FORD F-550 XL TRUCKS -**
   Request City Council approve the bid award for the purchase of two 2017 Ford F-550 XL trucks to North County Ford in the amount of $206,108.44. The bid amount includes sales tax, documentation, and California State Tire Recycling fees. (File No. 0470-35)

   Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

   RESOLUTION NO. 2016-72

5. **CONSULTING AGREEMENT FOR AUDIT SERVICES -**
Request City Council approve a five year Consulting Agreement for Audit Services with The Pun Group, pursuant to Request for Proposal No. 16-03. (File No. 0600-10 [A-3196])

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

RESOLUTION NO. 2016-75

6. **ACTIVE TRANSPORTATION PROGRAM GRANT APPLICATIONS -**
Request City Council approve authorizing the Director of Public Works or his designee to complete three applications to CalTrans and SANDAG for Active Transportation Program Grant funds for a Safe Routes to School Construction Project, for improvements along the Escondido Creek Trail, and a Safe Routes to School Planning project in cooperation with the Escondido Union School District; and if awarded to accept the grant funds and complete necessary grant documents. (File No. 0480-70)

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

7. **AUTHORIZATION TO APPLY FOR AN ESCONDIDO ROTARY CLUB FOUNDATION COMMUNITY GRANT -**
Request City Council approve authorizing the Library Department to apply for the Escondido Rotary Club Foundation Community Grant in the amount of $1,500. (File No. 0480-70)

Staff Recommendation: **Approval (Community Services Department: Loretta McKinney)**

8. **SUMMARY VACATION OF AN IRREVOCABLE OFFER OF DEDICATION -**
Request City Council approve authorizing the summary vacation of an Irrevocable Offer of Dedication recorded on September 11, 2013, for a waterline easement. (File No. 0690-30)

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson and Debra Lundy)**

RESOLUTION NO. 2016-76

9. **SUMMARY VACATION OF WATERLINE EASEMENTS -**
Request City Council approve authorizing the summary vacation of a waterline easement recorded on July 31, 2014. (File No. 0690-40)

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson and Debra Lundy)**

RESOLUTION NO. 2016-83

10. **CALIFORNIA MUNICIPAL FINANCE AUTHORITY OPEN PROPERTY ASSESSED CLEAN ENERGY PROGRAM -**
Request City Council approve authorizing the City of Escondido's participation in the California Municipal Finance Authority's (CMFA) Open Property Assessed Clean Energy (PACE) program, which will enable property owners to finance permanently fixed renewable energy, energy efficiency, water efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure. (File No. 0145-30)

Staff Recommendation: **Approval (City Manager's Office: Joyce Masterson)**

RESOLUTION NO. 2016-82

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

11. ADOPTION OF FISCAL YEAR 2016/17 AND 2017/18 TWO-YEAR ANNUAL OPERATING BUDGET AND THE APPROPRIATIONS LIMIT (GANN LIMIT) FOR FISCAL YEAR 2016/17 - Request City Council approve the Fiscal Year 2016/17 Annual Operating Budget and approve the Appropriations Limit (Gann Limit) for Fiscal Year 2016/17. (File No. 0430-30)

Staff Recommendation: **Approval (Finance Department: Sheryl Bennett)**

A) RESOLUTION NO. 2016-84 B) RESOLUTION NO. 2016-85

Sheryl Bennett, Director of Administrative Services, Joan Ryan, Assistant Director of Finance, and Jodi Coco, Budget Manager, presented the staff report, utilizing a PowerPoint presentation.

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 Masson and seconded by Deputy Mayor Morasco to approve the Fiscal Year 2016/17 Annual Operating Budget and approve the Appropriations Limit (Gann Limit) for Fiscal Year 2016/17 and adopt Resolution No. 2016-84 and Resolution No. 2016-85. Motion carried unanimously.

FUTURE AGENDA

12. FUTURE AGENDA -
The purpose of this item is to identify issues presently known to staff or which members of the City Council wish to place on an upcoming City Council agenda. Council comment on these future agenda items is limited by California Government Code Section 54954.2 to clarifying questions, brief announcements, or requests for factual information in connection with an item when it is discussed.

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

COUNCIL MEMBERS' SUBCOMMITTEE REPORTS

Councilmember Masson reported on the League of California Cities meetings he attended; reported that a CEQA Working Committee was formed.

Councilmember Gallo reported that the San Diego County Water Authority refinanced water revenue bonds and encouraged citizens to utilize the bus system as transportation to the San Diego County Fair.

Councilmember Diaz reported on the School Subcommittee meeting and noted the declining enrollment in grades K-8; reported on the Grape Day Park and James Stone Pool improvements and noted the Bear Valley Parkway road expansion project.

Deputy Mayor Morasco reported on the School Subcommittee meeting and the positive partnership between the Escondido Schools and the Escondido Police Department.

Mayor Abed reported on SANDAG and the Regional Planning Smart Growth Chart; noted an update that was given on the San Diego Forward Plan.

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

Randall Roberts, Escondido, stated he does not support the proposed location of the MF/RO facility.

ADJOURNMENT

Mayor Abed adjourned the meeting at 5:59 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 4
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Craig Carter, Chief of Police

SUBJECT: FY 2014 Regional Realignment Response Grant - Additional Funds

RECOMMENDATION:

It is requested that the City Council accept additional FY 2014 Regional Realignment Response Grant funds; authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve future budget adjustments needed to spend grant funds.

FISCAL ANALYSIS:

This action will have no impact on the General Fund Budget. Grant funds will be used for police officer overtime and overhead associated with overtime.

PREVIOUS ACTION:

On September 23, 2015, the City Council approved additional funds for the Regional Realignment Response Grant in the amount of $85,000 for police officer overtime and overhead associated with overtime.

BACKGROUND:

The Escondido Police Department has been allocated additional funds under the FY 2014 Regional Realignment Response Grant. This funding was provided by the State of California Board of Community Corrections through Assembly Bill 118 and Senate Bill 89, initiatives to reduce state prison overcrowding and support local law enforcement efforts. Escondido's allocation is used to support regional and local enforcement efforts. Funds must be used for police officer overtime and overhead associated with overtime.

Respectfully submitted,

Craig Carter
Chief of Police

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 5
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Danielle Lopez, Assistant Director of Community Services
Jilaine Hernandez, Recreation Supervisor II

SUBJECT: First Amendment to the Public Service Agreement with Redwood Senior Homes and Services for Meal Service

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-78, authorizing the Mayor and City Clerk to execute a First Amendment to the Public Service Agreement with Redwood Senior Homes and Services (RSHS) Town Court, to provide meals for the Nutrition Program offered at the Escondido Senior Center for Fiscal Year 2016-2017 in the amount of $129,050.

FISCAL ANALYSIS:

Funding for senior meals is included in the FY 2016-17 Senior Nutrition budget in the amount of $104,515. Additionally, the Senior Nutrition program has been awarded CDBG funding for FY 16-17, of which $24,535 will pay for senior meals. Combined, the two amounts total $129,050 required for the Agreement.

The City has been awarded a nutrition grant through the County of San Diego Aging and Independent Services, which will commence on July 1, 2016. This grant will offset the Senior Nutrition congregate meal costs at a rate of $3.88 per meal, for a maximum of $119,211.

PREVIOUS ACTION:

On January 17, 2001, the City Council approved an agreement with RSHS to provide catering services for the Escondido Senior Center Nutrition Program.

On June 24, 2009, the City Council approved a subsequent agreement with RSHS by adopting Resolution 2009-88. Amendments to this agreement have been approved by the City Council each fiscal year thereafter. This agreement expired on June 30, 2015.

In March 2015, Request for Proposals were mailed to seven local businesses that provide senior meal services to residential senior communities as well as other San Diego and North County senior centers. After reviewing the four returned RFP's, staff is recommending services be provided by RSHS. While not the lowest bid, RSHS can guarantee the delivery time of 11 a.m. which was stipulated in the RFP. The lowest bidder could not guarantee a specific delivery time, which is critical to the operations of the Nutrition Center and its participants.

On June 17, 2015, the City Council approved Resolution No. 2015-97, authorizing the Mayor and City Clerk to execute, on behalf of the city, a public service agreement with Redwood Senior Homes and Services for provision of meal services.

BACKGROUND:

The City of Escondido has offered the Nutrition Program for over 41 years.

During the past two years, the Senior Nutrition Program has experienced an increase in the number of seniors who dine at the Senior Center. In FY 14-15 staff served a total of 23,833 meals. By the end of FY 15-16, it is estimated that 23,000 meals will have been served.

Staff attributes this steady increase in the number of meals served, to the strained economy, soaring food and transportation costs, and the reality that most seniors live on limited or fixed incomes. As a stipulation of receiving the County grant, seniors age 60+ are asked only for a suggested donation and cannot be turned away due to the lack of ability to donate.

The Senior Nutrition Program offers a solution to low-income Escondido seniors to access good nutrition and combat isolation in a positive environment. In return, the senior community continues to be an active participant in the City's economic and civic growth.

Respectfully submitted,

Danielle Lopez
Danielle Lopez
Assistant Director of Community Services

Jilaine Hernandez
Jilaine Hernandez
Recreation Supervisor II

Agenda Item No.: 5
Date: June 22, 2016

RESOLUTION NO. 2016-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK, TO EXECUTE, ON BEHALF OF THE CITY, A FIRST AMENDMENT TO THE PUBLIC SERVICE AGREEMENT WITH REDWOOD SENIOR HOMES AND SERVICES FOR PROVISION OF MEAL SERVICES

WHEREAS, the City of Escondido recognizes the need for nutrition services for elderly persons in our community; and

WHEREAS, the City Council desires at this time, and deems it to be in the best public interest, to approve a First Amendment to a Public Service Agreement ("Agreement") with Redwood Senior Homes and Services ("RSHS") to provide these transportation services for elderly; and

WHEREAS, the Director of Library and Community Services recommends approval of executing the agreement for (1) year; effective July 1, 2016, through June 30, 2017, in an amount not to exceed $129,050;

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

1. That the above recitations are true.

2. That the City Council accept the recommendation of the Director of Library and Community Services.

3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, an Agreement for one (1) year with RSHS for meals services. A copy of the Agreement is attached as Exhibit "A" and is incorporated by this reference.

ESCONDIDO
City of Choice

CITY OF ESCONDIDO
FIRST AMENDMENT TO PUBLIC SERVICE AGREEMENT

This "Amendment" is made this the 1st day of July 2016.

Between: CITY OF ESCONDIDO
a municipal corporation
201 N. Broadway
Escondido, California 92025
("CITY")

And: REDWOOD SENIOR HOMES AND SERVICES, a division of SOUTHERN CALIFORNIA PRESBYTERIAN HOMES, a not-for-profit corporation
c/o Redwood Terrace
710 W 13th Street
Escondido, CA 92025
("CONTRACTOR")

Witness that whereas:

A. CITY and CONTRACTOR entered into an agreement on July 1, 2015 ("Agreement"), wherein CITY retained CONTRACTOR to provide meals for the Escondido Senior Center Nutrition Program; and

B. CITY and CONTRACTOR desire to amend the Agreement to include additional work, which is defined in "Attachment A" to this Amendment, which is incorporated by reference;

NOW THEREFORE, it is mutually agreed by and between CITY and CONTRACTOR as follows:

1. The CONTRACTOR will furnish the services described in "Attachment A" to this Amendment.

2. CITY will compensate the CONTRACTOR in the amount not to exceed $147,800 pursuant to the conditions and compensation terms contained in "Attachment A" to this Amendment.

3. All other terms of the original Agreement between CITY and CONTRACTOR shall remain in full force and effect; in the event of any conflict between any specific provision of the original Agreement and this Amendment, this Amendment shall prevail.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CITY OF ESCONDIDO

Date: _____

_____
Sam Abed
Mayor

Date: _____

_____
Diane Halverson
City Clerk

Date: _____

REDWOOD SENIOR HOMES AND SERVICES,
c/o Redwood Terrace
710 West 13th Street
Escondido, CA 92025

_____
Sophia Lukas
Administrator

ATTACHMENT "A"

REDWOOD SENIOR HOMES AND SERVICES

Service Agreement

Meals for the Senior Nutrition Program

Fiscal Year 2016-2017
(July 1, 2016 to June 30, 2017)

Working with the City of Escondido staff, Redwood Terrace provide nutritionally balanced meals to older adults for the Senior Nutrition Program offered at the Escondido Senior Center, Monday through Friday. Redwood Senior Homes and Services agrees to provide the following:

1. Meals Monday through Friday at a cost of $3.88 per meal.

2. Transport the meals from Redwood Terrace to the Escondido Senior Center, 210 Park Avenue, at a cost of $10.69 per day.

The total cost of these services for FY 16-17 shall not exceed $147,800.

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. 2004-_____ File No._____
Ord No. 2004-_____

Agenda Item No.: 6
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Danielle Lopez, Assistant Director of Community Services
Jilaine Hernandez, Recreation Supervisor II

SUBJECT: First Amendment to the Public Service Agreement with Redwood Senior Homes and Services for Senior Transportation

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-79, authorizing the Mayor and City Clerk to execute a First Amendment to the Public Service Agreement with Redwood Senior Homes and Services (RSHS), to provide transportation services for the Senior Nutrition Program in the amount of $149,350.

FISCAL ANALYSIS:

Funding for transportation services is included in the FY 2016-17 Senior Nutrition budget in the amount of $147,800. Since the budget was submitted we have been notified of a 3 percent increase, which is allowable per the current Public Service Agreement. The new contract amount will be $149,350. The difference between the two will be covered with the CDBG allocation. Community Development Block Grant (CDBG) funds will provide $24,000 to the senior transportation program, which will be used to cover direct transportation costs to RSHS as well as staff salary costs. A nutrition grant through the County of San Diego Aging and Independence Services, will reimburse transportation services for Senior Nutrition Programs at the rate of $5 per ride up to 13,500 rides, or $67,500 for FY 2016/2017, resulting in defrayed costs to the City.

PREVIOUS ACTION:

On January 17, 2001, the City Council approved an agreement with Redwood Senior Homes and Services for transportation services for seniors.

On June 24, 2009, the City Council approved a subsequent agreement with RSHS by adopting Resolution 2009-89. Amendments to this agreement have been approved by Council each fiscal year thereafter. This agreement expired on June 30, 2015.

In March 2015, Request for Proposals were mailed to seven businesses that provide transportation services in north San Diego County. Two business submitted proposals: Sol Transportation located in Oceanside, and Redwood Senior Homes and Services located in Escondido. Staff compared the

two bids and concluded that RSHS provides the most efficient transportation package including a reservation system, staffing, and vehicles for the lowest cost to the City. As Sol Transportation does not own a second van to accommodate the large volume of seniors needing transportation, it was determined that their bid did not meet the requirements stated in the Request for Proposal.

On June 17, 2015, the City Council approved Resolution No. 2015-96, authorizing the Mayor and City Clerk to execute, on behalf of the city, a public service agreement with Redwood Senior Homes and Services for provision of transportation services.

BACKGROUND:

The City of Escondido has provided van service for the Nutrition Program for approximately 21 years. During the past two years, the Senior Nutrition Program has experienced a steady participation in the numbers of seniors who utilize the transportation service. In FY 14-15, a total 14,151 one-way rides were completed. By the end of FY 15-16, it is estimated that 13,000 trips will have been completed.

Escondido seniors are faced with a strained economy, soaring food and transportation costs, and find it difficult to make ends meet on a fixed income. The transportation services offered through the Senior Nutrition Program present a solution to Escondido seniors to access good nutrition and combat isolation in a positive environment. As a result of this service, the senior community continues to be an active participant in the City's economic and civic growth.

Respectfully submitted,

Danielle Lopez
Danielle Lopez
Assistant Director of Community Services

Jilaine Hernandez
Jilaine Hernandez
Recreation Supervisor II

Agenda Item No.: 6
Date: June 22, 2016

RESOLUTION NO. 2016-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK, TO EXECUTE, ON BEHALF OF THE CITY, A FIRST AMENDMENT TO THE PUBLIC SERVICE AGREEMENT WITH REDWOOD SENIOR HOMES AND SERVICES FOR PROVISION OF TRANSPORTATION SERVICES

WHEREAS, the City of Escondido recognizes the need for transportation services for elderly persons in our community; and

WHEREAS, the City Council desires at this time, and deems it to be in the best public interest, to approve a First Amendment to the Public Service Agreement ("Agreement") with Redwood Senior Homes and Services ("RSHS") to provide these transportation services for elderly; and

WHEREAS, the Director of Library and Community Services recommends approval of entering into an Agreement with RSHS for one (1) year; effective July I, 2016, through June 30, 2017, in an amount not to exceed $149,350;

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

1. That the above recitations are true.

2. That the City Council accept the recommendation of the Director of Library and Community Services.

3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, an Agreement for one (1) year with RSHS for transportation services. A copy of the Agreement is attached as Exhibit "A" and is incorporated by this reference.

ESCONDIDO
City of Choice

CITY OF ESCONDIDO
FIFTH AMENDMENT TO PUBLIC SERVICE AGREEMENT

This "Amendment" is made this the 1st day of July 2016.

Between: CITY OF ESCONDIDO
a municipal corporation
201 N. Broadway
Escondido, California 92025
("CITY")

And: REDWOOD SENIOR HOMES AND SERVICES, a division of SOUTHERN CALIFORNIA PRESBYTERIAN HOMES, a not-for-profit corporation
c/o Redwood Terrace
710 West 13th Street
Escondido, CA 92025
("CONTRACTOR")

Witness that whereas:

A. CITY and CONTRACTOR entered into an agreement on July 1, 2015 ("Agreement"), wherein CITY retained CONTRACTOR to provide transportation for the Senior Nutrition Program at the Escondido Senior Center; and

B. CITY and CONTRACTOR desire to amend the Agreement to include additional work, which is defined in "Attachment A" to this Amendment, which is incorporated by reference;

NOW THEREFORE, it is mutually agreed by and between CITY and CONTRACTOR as follows:

1. CITY will compensate the CONTRACTOR in the amount not to exceed $147,800 pursuant to the conditions and compensation terms contained in "Attachment A" to this Amendment.

2. CITY will not compensate the CONTRACTOR for any additional amount, pursuant to the conditions and compensation terms contained in "Attachment A" to this Amendment.

3. All other terms of the original Agreement between CITY and CONTRACTOR shall remain in full force and effect; in the event of any conflict between any specific provision of the original Agreement and this Amendment, this Amendment shall prevail.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CITY OF ESCONDIDO

Date: _____

_____
Sam Abed
Mayor

Date: _____

_____
Diane Halverson
City Clerk

Date: _____

REDWOOD SENIOR HOMES AND SERVICES,
c/o Redwood Terrace
710 West 13th Street
Escondido, CA 92025

_____
Sophia Lukas
Administrator

ATTACHMENT "A"

REDWOOD SENIOR HOMES AND SERVICES

Service Agreement

Fiscal Year 2016-2017
(July 1, 2016 to June 30, 2017)

Working with City of Escondido staff to develop schedules to meet the needs of Escondido seniors, Redwood Senior Homes and Services agrees to provide the following:

1. Transportation services for the Senior Nutrition Program offered at the Escondido Senior Center, Monday through Friday.

2. Morning drop offs will be completed by 10:15 a.m. and afternoon pick up will commence at 12:20 p.m.

3. The cost of this service shall be billed on a monthly basis at the rate of $10.69 per ride, not to exceed $147,800 for FY 16-17.

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 7
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Danielle Lopez, Assistant Director of Community Services
Jilaine Hernandez, Recreation Supervisor II

SUBJECT: Fifth Amendment to the County of San Diego Senior Nutrition Services Contract No. 547766

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-80, authorizing the Director of Library and Community Services to execute a Fifth Amendment to County Contract No. 547766, County of San Diego, Health and Human Services Agency Agreement with the City of Escondido for the Senior Nutrition Program.

FISCAL ANALYSIS:

The Senior Nutrition Program is funded through the General Fund. However, a pay for performance grant through the County of San Diego Health and Human Services Agency will help to offset costs of up to $192,720 for the 2016/2017 fiscal year (FY). The grant agreement also provides for the annual payment from the County to be extended through June 30, 2018.

PREVIOUS ACTION:

On July 1, 2014, the City Council approved the original Contract No. 547766 with the County of San Diego, Health and Human Services Agency by adopting Resolution No. 2014-90.

On February 3, 2016, the City Council approved a budget adjustment of $6743.00 to accept One Time Only monies. This was the Fourth Amendment to Contract No. 54766.

BACKGROUND:

The basis of the Senior Nutrition Program is to offer seniors nutritionally balanced meals in a congregate setting to increase health and stave off isolation. The Escondido Senior Center has offered this program Monday through Friday for over 40 years. Furthermore, grants through the County of San Diego Aging and Independence Services have helped to offset costs for the Senior Nutrition Program for over 28 years.

In order to accomplish the above, the Senior Nutrition Program is comprised of two components, transportation and meal service. The transportation component provides seniors a means to access the meal service component. The County grant reimburses the City for both components. Therefore, reimbursement is received for transportation based on each one-way ride and for meal service based on each meal served to seniors 60 and older.

In the recent past, the Senior Nutrition Program has experienced an increase in participation of seniors who ride on the vans and who dine at the Senior Center. By the end of FY 2015-16 over 13,000 one-way rides will have been given and over 23,000 meals served. In FY 2016-17, staff estimates providing over 14,000 one-way rides and serving over 24,000 meals.

The Senior Nutrition Council and the Escondido seniors served at the Escondido Senior Center, are pleased with the Nutrition Program. Therefore, staff recommends adoption of Resolution No. 2016-80 in order to continue this valuable service to the senior community of Escondido during FY 2016-2017.

Respectfully submitted,

Danielle Lopez
Assistant Director of Community Services

Jilaine Hernandez
Recreation Supervisor II

RESOLUTION NO. 2016-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF LIBRARY AND COMMUNITY SERVICES TO RECEIVE A GRANT IN THE AMOUNT OF $192,720 PER YEAR THROUGH JUNE 30, 2018, FROM THE COUNTY OF SAN DIEGO TO PROVIDE SENIOR NUTRITION SERVICES; AND EXECUTE THE FIFTH AMENDMENT TO COUNTY AGREEMENT NO. 547766 WITH CITY OF ESCONDIDO

WHEREAS, the City of Escondido understands that there is a need to provide Escondido seniors with nutritious meals in a congregate setting to improve health and limit isolation; and

WHEREAS, the City of Escondido desires to make available the Senior Nutrition Program at the Escondido Senior Center Park Avenue Café; and

WHEREAS, the Senior Nutrition Program will be funded in part from funds made available through a grant provided by the County of San Diego, ("County"); and

WHEREAS at the County's option, they may extend this agreement each year through June 30, 2018; and

WHEREAS, the Director of Library and Community Services recommends approval of the Fifth Amendment to County Agreement No. 547766 ("Agreement"); and

WHEREAS, this City Council desires at this time, and deems it to be in the best public interest, to approve this Fifth Amendment to the Agreement to provide nutritionally balanced lunches effective July 1, 2016, through June 30, 2017; with up to two (2) additional years, not to exceed June 30, 2018.

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

1. That the above recitations are true.

2. That the City Council accepts the recommendation from the Director of Library and Community Services.

3. That the Director of Library and Community Services is authorized to execute, on behalf of the City, a Fifth Agreement to the Agreement to provide a Senior Nutrition Program at the Escondido Senior Center, in substantially the same form as used for previous amendments, and subject to final approval as to form by the City Attorney. A copy of a prior amendment is attached as Exhibit "A" for reference, and is incorporated by this reference.

4. That the City Council authorizes the Director or Library and Community Services to receive a $192,720 grant from the County and execute, on its behalf, grant contract documents, including any extensions or amendments thereof.

SD CNTY PURCH '16 FEB 16 PM03:52

~~SD CNTY PURCH '16 FEB 11 PM01:13~~

COUNTY OF SAN DIEGO – DEPARTMENT OF PURCHASING AND CONTRACTING
CONTRACT NO. 547766 AMENDMENT NO. 04

To City of Escondido Pursuant to the contract changes clause, you are directed to make the changes described herein to the Contract or do the following described work not included in the previous agreed on Statement of Work.

Title of Contract, Project, or Program: **Senior Nutrition Program** Effective Date: **February 19, 2016**

Description of Contract Change(s) and/or Work To Be Done:

1) The Signature Page of the Agreement is modified as follows:
   a) Compensation. The compensation for the first option year (Fiscal Year 2015-2016) of the Agreement is increased by $6,743 from $186,711, for a revised new total of $193,454.
   b) Total contract price is increased from $779,690, for a revised new total of $786,433.

PLEASE NOTE: A copy of the revised "Signature Page" is attached for your convenience. Do not remove and replace the original "Signature Page".

Description of Additional Contract Change(s) and/or Work To Be Done:

2) Exhibit C, Payment Schedule for Fiscal Year 2015-2016 is modified as follows:
   a) One Time Only (OTO) C1 funding is added in the amount of $6,743 for the purchase of the following item(s): freezer ($2,376), dishwasher ($3,415) and ice-dispenser stand install ($952).
   b) TOTAL for the Period of July 1, 2015 - June 30, 2016 was $186,711, is increased by $6,743 to $193,454.

Please add the following:

1. Exhibit C with the attached document with pages marked AMENDMENT #04.

All other Terms and Conditions remain in effect.

IN WITNESS WHEREOF, County and Contractor have executed this Amendment effective as of the date first set forth above.

We, the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposed change is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work specified herein, and will accept as full payment the increased amount of $193,454 for Fiscal Year 2015 – 2016.

Contract time for completion remains unchanged.

Revised Contract Total Price is $786,433.

By: Danielle Lopez

Date: 2-9-16

Danielle Lopez: Asst. Director of Community Services
City of Escondido
201 N. Broadway
Escondido, CA 92025
Phone: (760) 839-6269; FAX: (760) 839-6269

THIS AMENDMENT IS NOT VALID UNLESS SIGNED BY THE DEPARTMENT OF PURCHASING AND CONTRACTING.

Department Review and Recommended Approval:

By: E Schmeding
ELLEN SCHMEDING, Director
Aging & Independence Services

Date: 2/16/16

APPROVED:

By: [illegible]
JOHN M. PELLEGRINO, Director
Department of Purchasing and Contracting

Date: 2/17/16

COUNTY CONTRACT NUMBER 547766
COUNTY OF SAN DIEGO, HEALTH AND HUMAN SERVICES AGENCY
AGREEMENT WITH CITY OF ESCONDIDO
FOR SENIOR NUTRITION PROGRAM
EXHIBIT C – PAYMENT SCHEDULE

1. **COMPENSATION:** The compensation listed below is not designed to fully fund the program. The fixed supplemental rates are developed annually based on funding and determined to offset the cost of providing services. These rates are subject to availability of funding from the State of California, California Department of Aging (CDA). A completed report of actual costs (closeout report) expended shall be submitted at the end of the fiscal year.

2. **SERVICE UNITS AND RATES FOR THE PERIOD OF JULY 1, 2015 - JUNE 30, 2016**

Exhibit A Paragraph Reference	Services	Funding Source	# of Service Units	Fixed Supplemental Rate	Total
4.1	Congregate Meals	Title III-C1 (1)	23,700	$4.24	$100,488
4.4	Transportation	Title III-B (3)	13,500	$5.00	$67,500
4.1	Incentive Payments*	NSIP-C1	23,700	$0.79	$18,723
6.2.3	One-time-only (OTO)	OTO-C1	NA	NA	$6,743
TOTAL					$193,454

(1) State of California C-1 funding stream
(2) State of California C-2 funding stream
(3) State of California B funding stream
*Nutrition Services Incentive Payment (NSIP) dollar amounts are estimated ONLY and may be adjusted based on actual prior year number of meals served.
**OTO funds are restricted to the purchase or repair of equipment and/or County-provided vehicles. Refer to Paragraph 6.2.3 of Exhibit A for additional restrictions/requirements.

COUNTY CONTRACT NUMBER 547766
AGREEMENT WITH CITY OF ESCONDIDO
FOR SENIOR NUTRITION PROGRAM

SIGNATURE PAGE

AGREEMENT TERM. This Agreement shall be effective this 1st day of July, 2014 ("Effective Date") and end on June 30, 2015 ("Initial Term") for a total Agreement period of one (1) year.

OPTION TO EXTEND. The County's option to extend is for three (3) increments of one (1) year each for a total of three (3) years beyond the expiration of the Initial Term, not to exceed June 30, 2018, pursuant to Exhibit C Pricing Schedule. Unless County notifies Contractor in writing, not less than thirty (30) days prior to the expiration date that they do not intend to renew the Agreement; the Agreement will be automatically renewed for another year.

Options To Extend For One To Six Additional Months At End Of Agreement. County shall also have the option to extend the term of this Agreement in one or more increments for a total of no less than one (1) and no more than six (6) calendar months at the discretion of the County Purchasing and Contracting Director. Each extension shall be effected by written notice delivered to Contractor no less than fifteen (15) calendar days prior to expiration of any Agreement term.

The rates set forth in Article 4, Exhibit C, or other pricing section of this Agreement shall apply to any option exercised pursuant to this option clause unless provision for appropriate price adjustment has been made elsewhere in this Agreement or by Agreement amendment. All payments are subject to "Availability of Funds."

COMPENSATION: Pursuant to Exhibit C, County agrees to pay Contractor a sum of two hundred seven thousand five hundred thirty nine dollars ($207,539) for the initial term of this Agreement and one hundred ninety three thousand four hundred fifty four dollars ($193,454) for the first option year, and one hundred ninety two thousand seven hundred twenty dollars ($192,720) for second and third one year option periods, for a maximum Agreement amount of seven hundred eighty six thousand four hundred thirty three dollars ($786,433), in accordance with the method of payment stipulated in Article 4. It is understood that the parties will meet and confer on the contract price if adjustments are made to the scope of work for an extension of the term or terms. These discussions shall not obligate either party to make a requested adjustment to the scope of work or price except as otherwise set forth in this Agreement, nor shall it relieve either party of its obligations under the Agreement.

COR. The County has designated the following individual as the Contracting Officer's Representative ("COR")

Albert Venditti, Contract Administrator
Aging & Independence Services
5560 Overland Ave, Suite 310
San Diego, CA 92123
Phone: (858) 505-6958; Fax: (858) 694-2316;
Email: albert.venditti@sdcounty.ca.gov

CONTRACTOR'S REPRESENTATIVE. The Contractor has designated the following individual as the Contractor's Representative.

Amy Shipley; Assistant Dir. Of Community Services
City of Escondido
201 N. Broadway
Escondido, CA 92025
Phone: (760) 839-6269; FAX (760) 839-7044;
Email: ashipley@escondido.org

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 8
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Diane Halverson, City Clerk

SUBJECT: Award of Bid for Legal Advertising Fiscal Year 2016-17

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-86, awarding the bid for the City's legal advertising for a one-year period to *The Daily Transcript.*

FISCAL ANALYSIS:

The costs for legal advertising are included within the City Clerk and public project budgets and are not expected to exceed $25,000.

BACKGROUND:

The California Public Contract Code Section 20169 requires when there is more than one newspaper of general circulation in a community that the public bidding process occur for the purpose of publishing legal notices.

A Notice Inviting Bids for Official Legal Advertising was published on May 1 and May 8, 2016, with a bid opening date of May 19, 2016. Bid information was mailed to *The Paper*, *The Times-Advocate* and *The Daily Transcript*. One bid was received from *The Daily Transcript.* The Union Tribune did not submit a bid this year. Staff has learned that they have moved their publishing to Los Angeles, and therefore, do not meet the bid qualifications.

An analysis of the submitted bid determined *The Daily Transcript* to be a responsive bidder based on their daily bid price of $7.75 per column inch, their bona fide subscription list of paying subscribers/circulation in Escondido, and additional services available, which gives us flexibility in complying with public noticing laws, as outlined in the bid specifications. City staff also believes that it is significant that *The Daily Transcript* provides publication Monday through Friday, which measurably enhances the ability of the City to keep the public informed as to the activities of the City.

Respectfully submitted,

Diane Halverson

Diane Halverson, CMC
City Clerk

RESOLUTION NO. 2016-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AWARDING THE BID FOR THE CITY'S LEGAL PUBLICATIONS FOR A ONE-YEAR PERIOD AND AUTHORIZING THE CITY CLERK TO EXECUTE THE CONTRACT WITH *THE DAILY TRANSCRIPT*

WHEREAS, pursuant to Section 20169 of the California Public Contracts Code the City of Escondido proceeded to solicit proposals for the City's publication of legal notices; and

WHEREAS, a notice inviting bids was duly published and, pursuant to said notice, one (1) bid was received from *The Daily Transcript;* and

WHEREAS, pursuant to the bid received and on file with the City Clerk's office and for the price set forth, the bona fide subscription list of paying subscribers and circulation in Escondido, and additional services available as outlined in the bid specifications, this City Council desires at this time and deems it to be in the best public interest to approve the bid submitted by *The Daily Transcript.*

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

1. That the above recitations are true.

2. That the bid of *The Daily Transcript* for legal publications for a one-year period is accepted and approved.

3. That the City Clerk is hereby authorized to execute the contract as attached as Exhibit "A" and which is incorporated by this reference.

CITY OF ESCONDIDO
AGREEMENT FOR SERVICES
(FOR CONTRACTS $25,000 OR LESS)

This Agreement is made this _____ day of _____, 2016

Between:	CITY OF ESCONDIDO a Municipal Corporation 201 N. Broadway Escondido, California 92025 Attn: Diane Halverson, City Clerk 760-839-4617 ("CITY")	And:	THE DAILY TRANSCRIPT 2652 Fourth Avenue, 2nd Floor San Diego, CA 92103 Attn: Ari Gutierrez Arambula, Director, Government Advertising Division 619-232-3486 ("CONTRACTOR")

WHEREAS, the CITY and CONTRACTOR desire to enter into this Agreement for services, the parties agree as follows:

1. Services. The CONTRACTOR will furnish all of the legal advertising services described in its proposal dated _____ 2016, which was submitted to City in response to a request for proposals, published on May 1 and 8, 2016. CONTRACTOR'S proposal is found as **"Attachment A"** which is attached and incorporated by this reference. CONTRACTOR agrees to the terms proposed in Attachment A for a period of one year, through July 15, 2017.

2. Scope of Compensation. The CONTRACTOR will be compensated for performance of tasks specified in Attachment A only, unless the parties agree in writing that additional tasks will be included.

3. Insurance.

   N/A

4. No Subcontractors. If CONTRACTOR subcontracts, assigns, or delegates any task without first obtaining the written consent of the CITY, the CITY may terminate the agreement immediately.

5. Independent Contractor. CONTRACTOR is an independent contractor and no agency or employment relationship, express or implied, is created by the execution of this Agreement.

6. Indemnification. CONTRACTOR (which in this paragraph 6 includes its agents, employees and subcontractors, if any) agrees to indemnify, defend and hold harmless the CITY from all claims, lawsuits, damages, judgments, loss, liability, or expenses, including attorneys' fees, for any claim of liability arising out of the negligence or any acts or omissions of CONTRACTOR in the performance of this Agreement.

7. Additional Contract Terms. Both parties agree that this Agreement:
   a. And its Attachments are the entire understanding of the parties, and that there are no oral terms.
   b. Must prevail if any provision of this Agreement conflicts with any provision of its Attachment(s).
   c. And its provisions will not be waived by CITY because CITY has waived any provision previously.
   d. Will remain effective in its remainder if any court declares any portion of this Agreement invalid.
   e. Is governed by California law, in the state and federal courts of North San Diego County.
   f. May be executed in multiple copies by photocopy or scanning. Signatures on copies will have same effect as those on original.

g. When placed on file with the Escondido City Clerk, will take precedence over other copies of the agreement.
h. Business License. The CONTRACTOR agrees to obtain a City of Escondido Business License prior to execution of this Agreement.

IN WITNESS WHEREOF, the parties below are authorized to act on behalf of their organizations and have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

_____
City Clerk

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

CONTRACTOR

_____
Signature

_____
Name and Title (please print)

_____
Name of Company (please print)

Date Signed: _____

SPECIFICATIONS AND REQUIREMENTS FOR PROPOSALS TO PROVIDE OFFICIAL LEGAL ADVERTISING FOR THE CITY OF ESCONDIDO (ATTACHMENT "A" TO AGREEMENT FOR SERVICES)

July 15, 2016 through July 15, 2017

The California Public Contract Code §20169 requires that in cities where there is more than one newspaper of general circulation printed and published, the legislative body shall publish a notice inviting bids and contract for the publication of legal notices required to be published in such a newspaper.

SUBMISSION OF BID: Each bid must be in a separate sealed envelope with bid information marked on the outside. Bids must be delivered to the City Clerk (where it will be time stamped to indicate time of receipt), 201 N. Broadway, Escondido, CA ***no later than Thursday, May 19, 2016 at 2:00 p.m.*** Bids received at 2:01 p.m. or later will be considered late and the rejected bid will be returned to the bidder unopened.

The City has the discretion to award the contract to a publication based upon price, frequency of publication, extent of circulation and other factors that the City deems important in ensuring legal notice to persons interested in city affairs.

The following bid specifications are prepared for a one-year period:

1. The contract will be awarded on the basis of:

    a. Bid price per column inch

    b. Circulation within the City of Escondido

    c. Additional services provided by the newspaper, such as display advertisement, price, availability of on-line services, accessibility to City staff, acceptance of legal notices after normal deadlines, etc.

2. All bidders must be responsible publishers of a daily newspaper of general circulation, as defined by Government Code Section 6000 et seq., legally adjudicated by the Superior Court of San Diego.

3. Bids submitted must be based upon the following:

    a. Legal advertising notice rates must be quoted per single column inch, 7.5 Arial, with a minimum of ten (10) lines to the column inch by either: (1) typesetting text, or (2) acceptance of camera-ready material (see sample on page 3).

Definition of Column Inch: *a column inch is 1-1/4" wide by 1" long and shall include no less than 10 lines.*

b. All titles, including headings (unless otherwise prescribed by law or requested) shall be set in 7.5-point type, bold face, capitals.

c. For all publications, galley proofs shall be furnished to the City Clerk and supplemental proofs as may be necessary.

d. City deadlines for receipt of publication shall be strictly followed. Fees shall be based on bid only and there shall be no fee for late submittals of legal ads, which are accepted for publication.

e. The successful Bidder shall furnish affidavits, proofs, or certificates of publication of any official advertisement. Affidavits, proofs or certificates are to be certified under penalty of perjury by the person who, under the law is authorized to make the same, without any additional cost to the City.

f. Legal advertising must be printed in the English language.

g. Availability of legal advertisements to appear on-line to be noted along with the related charge (see page 4).

h. The City of Escondido reserves the right to request legal advertising typesetting and/or to submit any or all camera-ready formatted documents

4. If publication is circulated by mail, the following requirements shall apply:

   a. Postage receipt must accompany Proof of Publication.

   b. A current copy of the required U. S. Postal Service Statement of Ownership Management and Circulation shall accompany the bid.

   c. The bid shall be accompanied by evidence of paid Bulk Mail Permit covering the period of July 15 through December 31, 2016. In addition, the successful bidder shall submit by January 1, 2017 a Bulk Mail Permit for the year or remaining contract period.

5. All bidders shall furnish an "Affidavit of Adjudication" with the bid as well as evidence that their newspaper is fully qualified under law to publish legal notices in the City of Escondido. The successful Bidder is required to notify the City of Escondido of any changes in adjudication status during the period of contract awarded. Failure to comply shall be cause to terminate the contract.

6. Bidders shall enclose with the bid evidence satisfactory to the City Clerk as to City limits paid subscribers, excluding newsstands. Said evidence could consist of a certified statement submitted by the Bidder as to number of paid subscribers. Failure to provide evidence of said paid subscription may result in the bid being rejected.

SAMPLE OF LEGAL NOTICE

(Pursuant to Section 3.a of these Specifications)

CITY OF ESCONDIDO
SUMMARY OF
ORDINANCE(S)
ADOPTED 5-16-12

Ord. 2012-08 – Escondido Municipal Code amendment to adopt provisions pertaining to the review, operations and inspection of food warehouses.

Ord 2011-08 was adopted by a 5-0 vote.

The full text of the foregoing Ordinance(s) is/are available at the City Clerk's Office.
Diane Halverson
City Clerk
May 16, 2012

CITY OF ESCONDIDO
BID SCHEDULE FOR FY 2016-17
PUBLISHING OF LEGAL NOTICES

1. Enter name and address of newspaper. Show address for mailing copy and address for making payment, if different _____
_____
_____
_____

   Email contact: _____

2. Vendor Code (Bidder - Leave Blank) _____

3. Proof of Adjudication enclosed YES_____NO_____

4. Legal notices, show price per column inch, maximum for one insertion, per specifications _____

5. Legal notices, show price per column inch, maximum for subsequent insertion per specifications _____

6. Legal notices, show price per column inch, maximum for material composed or set, but not printed _____

7. Display advertising for one insertion (may include graphics, camera work composed, but not printed) _____

8. Display advertising for subsequent insertions (may include graphics, camera work composed, but not printed) _____

9. If on-line advertising is available, price per ad _____

10. **Publication Dates**: (Use the following symbols or abbreviations) _____

    Daily ---------- D
    Sunday ---------- S

11. Show latest certified circulation figures for each designation indicated below. If additional explanation of areas is necessary, please show on a separate sheet and note with ***.

CIRCULATION

a. City of Escondido (92025, 92026, 92027, 92029, 92033, 92046) _____

b. Rural (Specify location) _____

c. Total paid Escondido & Rural* _____

d. Unpaid Escondido (City Limits) _____

e. Unpaid rural* _____

(* Rural – City of Escondido Sphere of Influence)

CERTIFICATION

I, _____, DO HEREBY CERTIFY, UNDER PENALTY OF
(Print or Type Name)
PERJURY, THAT THIS INFORMATION IS CORRECT AND THAT ANY MISINFORMATION

MAY BE CAUSE FOR REJECTION OR CANCELLATION OF THIS BID.

DATE:_____ _____
(Signature of Bidder)
(SIGNATURE MUST BE NOTARIZED)

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 9
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Debra Lundy, Real Property Manager

SUBJECT: First Amendment to Lease Agreement with Escondido Education Compact at 220 South Broadway

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-87, authorizing the Real Property Manager and the City Clerk to execute a First Amendment to Lease Agreement with Escondido Education Compact ("Compact") at 220 South Broadway.

FISCAL ANALYSIS:

Rental revenue in the amount of $9,274 will be deposited into the General Fund. Additionally, $4,296 will be deposited into the Office Automation Fund.

PREVIOUS ACTION:

The City Council approved the Original Lease with Compact on June 26, 2013, via Resolution No. 2013-78.

BACKGROUND:

Escondido Education Compact has been leasing space from the City at 220 South Broadway since June 2013 when it relocated from the East Valley Community Center. The Original Lease, dated June 27, 2013 ("Original Agreement"), expires on July 31, 2016, but contains two options for an additional one-year term each. The parties desire to enter into this proposed First Amendment in order to extend the term of the lease through July 31, 2017.

Additionally, the Lessee encountered a one million dollar short-fall in its projected grant revenues for this fiscal year, which has adversely impacted its Workforce Development Program. As a result, the Lessee has made some cuts to its operating expenses and is requesting that the City Council approve a temporary reduced rent from $1545.33/month to $500/month for a period of nine months, retroactive to June 1, 2016, while it secures additional funding. During the nine-month period of reduced rent, the Compact will continue to pay the full amount owed to the Office Automation Fund under the terms of the Original Agreement.

The City of Escondido ("City") further desires to assist the Compact to be independently serviced by a private Information Technology ("IT") provider, which will provide some relief to the workload of the City's IT staff. To provide sufficient and reasonable time to accomplish this objective, staff proposes a one-year time limit for the Compact to transition onto its own IT system. This transition includes, but is not limited to: phones, computers, e-mail, copying machine and IT support. Under the terms of the First Amendment, in the event the second option to extend is granted, the Compact shall be completely IT independent from the City's staff on or before the commencement of the final term; August 1, 2017.

All other terms and conditions of the Original Agreement remain in full force and effect.

Respectfully submitted,

Debra Lundy
Real Property Manager

Agenda Item No.: 9
Date: June 22, 2016

RESOLUTION NO. 2016-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE REAL PROPERTY MANAGER AND CITY CLERK TO EXECUTE, ON BEHALF OF THE CITY, A FIRST AMENDMENT TO LEASE AGREEMENT WITH THE ESCONDIDO EDUCATION COMPACT

(220 South Broadway)

WHEREAS, the City of Escondido ("City") and the Escondido Education Compact ("Compact") entered into a lease agreement dated June 27, 2013, for the operation of youth workforce development and at-risk support programs and services ("Original Lease"); and

WHEREAS, the Original Lease expires on July 31, 2016, but contains two options to extend the term for an additional one-year each; and

WHEREAS, the Lessee has requested a revised rent schedule to provide temporary relief for a period of nine-months due to an unanticipated funding shortfall; and

WHEREAS, the City desires the Compact to enable itself to become independent of the City for its information technology ("IT") system and related items; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to approve of the First Amendment to Lease Agreement extending the

terms of the lease, adjusting the rent schedule, and establishing a deadline by which the Compact shall secure its own IT system.

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

1. That the above recitations are true.

2. The Real Property Manager and City Clerk are authorized to execute, on behalf of the City, the First Amendment to Lease Agreement with the Escondido Education Compact, which is attached hereto as Exhibit "1" and incorporated by this reference.

FIRST AMENDMENT TO LEASE AGREEMENT

(220 South Broadway)

This FIRST AMENDMENT TO LEASE AGREEMENT is made as of this _____ day of _____, 2016.

Between: City of Escondido,
201 North Broadway
Escondido, California 92025
("City")

And: Escondido Education Compact
220 South Broadway
Escondido, CA 92025
("Lessor")

WITNESSES THAT WHEREAS:

A. City and Lessee entered into a Lease Agreement dated August 1, 2013, ("ORIGINAL AGREEMENT") for the lease of real property with a legal address of 220 South Broadway, Escondido, California ("Premises"); and

B. The ORIGINAL AGREEMENT expires on July 31, 2016 and contains two options to renew for an additional 1-year each; and

C. Lessee desires to exercise its first option to extend the term of the lease for 1-year, through July 31, 2017; and

D. Lessee has encountered an unanticipated loss in its grant revenue for the upcoming fiscal year, which has impacted its Workforce Development Program and requires operational cutbacks; and

E. In order to secure time for fund raising and additional grant writing efforts, Lessee has requested a temporary decrease in rent from $1903/month to $858/month, effective retroactively to June 1, 2016 and continuing for no more than nine months through February 28, 2017; and

F. The City and Compact desire Compact to ultimately secure its own information technology ("IT") independent of the City, including phones, personal computers, copier, technical support, etc.

G. The City Council deems it to be in the best interest of the City to enter into a Lease Amendment extending the term of the lease, adjusting the rent schedule and establishing a deadline by which Compact shall secure its own IT.

NOW THEREFORE, it is mutually agreed by and between City and Lessor as follows:

1. The term of the lease as specified in Section 3 of the ORIGINAL AGREEMENT shall be extended to July 31, 2017.

2. Section 4 of the ORIGINAL AGREEMENT shall be deleted in its entirety and replaced with the following:

   4.1 The City may terminate this Lease at any time, at its sole discretion, by providing the other Party with 90 days written notice. Lessee shall have the right to terminate this lease early without penalty by providing a written 30 day notice to Lessor.

   4.2 Default. If the City discovers at any time that the Lessee has violated any provision of this Lease, City may notify Lessee of the violation and immediately terminate the Lease upon written notice.

3. Section 7.1 of the ORIGINAL AGREEMENT shall be deleted in its entirety and replaced with the following:

   Base Rental Rate. In consideration of the possession and use of the Premises, Lessee shall deliver and pay rent to the City a temporary reduced rent in the amount of $858/month for the period of June 1, 2016 through February 28, 2017. Commencing on March 1, 2017, Lessee's rent shall be $1,949.35/month. If the second option to extend the term of the lease for another year is exercised and granted, rent shall increase by 103%.

4. Section 13.1 of the ORIGINAL AGREEMENT shall be deleted in its entirety and replaced with the following:

   13.1 Lessee hereby acknowledges that Lessee has inspected the Premises and Lessee accepts said Premises "as is" and "where is." Lessee acknowledges that the City makes no representations as to the condition or suitability of the Premises or any improvements on the Premises. Pursuant to the noticing requirements of California Civil Code Section 1938, Lessee acknowledges that the Premises being leased has not undergone inspection by a Certified Access Specialist.

5. Section 14 of the ORIGINAL AGREEMENT shall be amended to include the following:

   14.5 In the event that Lessee elects to exercise, and Lessor elects to grant, the second and final option to extend the term of the lease for another year

beyond July 31, 2017, Lessee shall by August 1, 2017 be on its own IT system completely independent of the City.

6. All other terms and conditions of the ORIGINAL AGREEMENT shall remain in full force and effect.

7. This FIRST AMENDMENT and the ORIGINAL AGREEMENT, together with their respective attachments, are the entire understanding of the parties, and there are no other terms or conditions, written or oral, controlling this matter.

IN WITNESS WHEREOF, the parties have executed this agreement as of the day and year first above written.

CITY OF ESCONDIDO (LESSOR)

Date: _____

_____
Debra Lundy
Real Property Manager

Date: _____

_____
Diane Halverson
City Clerk

ESCONDIDO EDUCATION COMPACT (LESSEE)

Date: _____

_____
Patricia Huerta, Executive Director

Approved as to Form:

Office of the City Attorney
JEFFREY R. EPP, City Attorney

By: _____
Deputy City Attorney

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 10
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Administrative Services
Jodi Vinson, Risk and Safety Manager

SUBJECT: Approval of CalPERS Industrial Disability Retirement for John Myers

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-88, approving the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer John Myers.

BACKGROUND:

Mr. Myers is a 55-year-old retired male Police Officer. He has been employed by the City of Escondido for over 24 years. He service retired pending Industrial Disability Retirement effective December 27, 2015. The basis for Mr. Myers Industrial Disability Retirement application is confirmed by medical reports from Thomas Knutson, M.D. Mr. Myers' condition is orthopedic in nature. Accordingly, Mr. Myers is incapacitated within the meaning of the Public Employees' Retirement Law for the performance of his usual and customary duties in the position of Police Officer.

Under State Law, the City Council is required to adopt a Resolution determining that competent medical evidence supports the granting of an Industrial Disability Retirement. Based on medical evidence, staff recommends the City Council adopt Resolution No. 2016-88, approving the CalPERS Industrial Disability Retirement for John Myers to be effective December 27, 2015.

Respectfully submitted,

Jodi Vinson
Risk and Safety Manager

Sheryl Bennett
Director of Administrative Services

Agenda Item No.: 10
Date: June 22, 2016

RESOLUTION NO. 2016-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING THE CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR POLICE OFFICER JOHN MYERS

WHEREAS, the City of Escondido (the "City") is a contracting agency of the California Public Employees' Retirement System ("CalPERS"); and

WHEREAS, the California Public Employees' Retirement Law requires that a contracting agency determine whether a local safety member of such agency is incapacitated physically or mentally for the performance of his or her duties for purposes of the Public Employees' Retirement Law; and

WHEREAS, in determining whether a member is eligible to retire for disability, the City shall make a determination based upon competent medical opinion; and

WHEREAS, Police Officer John Myers was a local safety member as defined by the Public Employees' Retirement Law; and

WHEREAS, Police Officer John Myers has filed with CalPERS an application for service retirement pending industrial disability retirement based upon his employment with the City; and

WHEREAS, the City has reviewed the competent medical and other evidence relevant to this determination.

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

1. That the above recitations are true.

2. That the City Council does find, determine and certify that Police Officer

John Myers is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his usual duties as a Police Officer.

3. That the City Council does find and determine that his incapacitation is a result of injury or disease arising out of and in the course of employment.

4. That neither Police Officer John Myers nor the City has applied to the Workers' Compensation Appeals Board for a determination pursuant to Government Code Section 21166 as to whether such disability is industrial.

5. That there is not a possibility of third party liability.

6. That Police Officer John Myers' last day on payroll was December 27, 2015.

7. That Police Officer John Myers service retired on December 28, 2015, pending approval of his application for an industrial disability retirement, and no dispute exists about the retirement date.

8. That the City will not make any advanced disability pension payments.

9. That the City Council of the City of Escondido finds that Police Officer John Meyers' disability is orthopedic in nature.

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 11
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Administrative Services
Jodi Vinson, Risk and Safety Manager

SUBJECT: Approval of CalPERS Industrial Disability Retirement for Gary Correiar

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-89, approving the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Fire Battalion Chief Gary Correiar.

BACKGROUND:

Mr. Correiar is a 57-year-old male Fire Battalion Chief. He has been employed by the City of Escondido for over 35 years. The basis for Mr. Correiar's Industrial Disability Retirement application is confirmed by medical reports from Ramin Raiszadeh, M.D. Mr. Correiar's condition is orthopedic in nature. Accordingly, Mr. Correiar is incapacitated within the meaning of the Public Employees' Retirement Law for the performance of his usual and customary duties in the position of Fire Battalion Chief.

Under State Law, the City Council is required to adopt a Resolution determining that competent medical evidence supports the granting of an Industrial Disability Retirement. Based on medical evidence, staff recommends the City Council adopt Resolution No. 2016-89, approving the CalPERS Industrial Disability Retirement for Gary Correiar to be effective June 22, 2016.

Respectfully submitted,

Jodi Vinson
Risk and Safety Manager

Sheryl Bennett
Director of Administrative Services

Agenda Item No.: 11
Date: June 22, 2016

RESOLUTION NO. 2016-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING THE CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR FIRE BATTALION CHIEF GARY CORREIAR

WHEREAS, the City of Escondido (the "City") is a contracting agency of the California Public Employees' Retirement System ("CalPERS"); and

WHEREAS, the California Public Employees' Retirement Law requires that a contracting agency determine whether a local safety member of such agency is incapacitated physically or mentally for the performance of his or her duties for purposes of the Public Employees' Retirement Law; and

WHEREAS, in determining whether a member is eligible to retire for disability, the City shall make a determination based upon competent medical opinion; and

WHEREAS, Fire Battalion Chief Gary Correiar is a local safety member as defined by the Public Employees' Retirement Law; and

WHEREAS, Fire Battalion Chief Gary Correiar has filed with CalPERS an application for industrial disability retirement based upon his employment with the City; and

WHEREAS, the City has reviewed the competent medical and other evidence relevant to this determination.

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

1. That the above recitations are true.

2. That the City Council does find, determine and certify that Fire Battalion

Chief Gary Correiar is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his usual duties as a Fire Battalion Chief.

3. That the City Council does find and determine that his incapacitation is a result of injury or disease arising out of and in the course of employment.

4. That neither Fire Battalion Chief Gary Correiar nor the City has applied to the Workers' Compensation Appeals Board for a determination pursuant to Government Code Section 21166 as to whether such disability is industrial.

5. That there is not a possibility of third party liability.

6. That Fire Battalion Chief Gary Correiar's last day on the payroll will be June 22, 2016.

7. That the City will make advanced disability pension payments of $1561.60 for the remainder of June 2016, and then monthly payments of $5,855.58 beginning on July 1, 2016, until no longer required.

8. That the City Council finds that Fire Battalion Chief Gary Correiar's disability is orthopedic in nature.

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 12
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Mark Becker, Director of Information Systems; Chris McKinney, Utilities Director

SUBJECT: Approval of Consulting Services Agreement Extension with Blue Heron Consulting to Complete the CC&B (Utility Billing) Software Upgrade

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-91 to: 1) extend the project consulting services provided by Blue Heron Consulting in order to complete the Utility Billing software upgrade with the cost of the additional services agreement not to exceed: $188,856 and for a period of up to eight weeks; 2) authorize the Director of Utilities to execute necessary contracts to extend the upgrade; and 3) approve the attached budget adjustment in the amount of $188,860 to fund the extension of the project.

FISCAL ANALYSIS:

This extension will use existing funds from the Water and Wastewater 2015-2016 budget.

PREVIOUS ACTION:

In August of 2015 the City Council approved Resolution 2015-139 for licensing of software and consulting services for the upgrade and implementation of the Utility Billing software package, "Customer Care and Billing."

BACKGROUND:

In order to upgrade the Utility Billing software system, Blue Heron Consulting was contracted to implement the new system with the assistance of City staff. The project is nearing completion, but requires additional time and resources to ensure the stability of the system. Staff is requesting a contract amendment to complete the project. The total cost will not exceed $188,856, which equates to 13 percent of the original project budget.

Respectfully submitted,

Mark Becker
Director of Information Systems

Chris McKinney
Director of Utilities

FY 15/16

ESCONDIDO
City of Choice

CITY OF ESCONDIDO

BUDGET ADJUSTMENT REQUEST

Date of Request: June 22, 2016

Department: Utilities Administration

Division: Water (410)

Project/Budget Manager: Lori Roundtree (Name) 6245 (Extension)

Council Date (if applicable): June 22, 2016
(attach copy of staff report)

For Finance Use Only

Log # BA 06-02

Fiscal Year 2016

_____ Budget Balances
_____ General Fund Accts
_____ Revenue
_____ Interfund Transfers
_____ Fund Balance

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Water Fund Operating, Debt, and CIP Reserve	3050-555		94,430
Utility Billing Software	5193-555-410	94,430	
Wastewater Fund Operating, Debt, and CIP Reserve	3050-558		94,430
Utility Billing Software	5193-558-420	94,430	

Explanation of Request:

Per Resolution 2016-91, this request will provide an additional $188,860 in funding for the Utility Billing Software upgrade

APPROVALS

Christopher W. McKinney — 06.13.2016
Department Head — Date

City Manager — Date

Jodi Coco — 6/13/16
Finance — Date

City Clerk — Date

Distribution (after approval): Original: Finance

FM\105 (Rev.11/06)

Agenda Item No.: 12
Date: June 22, 2016

RESOLUTION NO. 2016-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, TO AUTHORIZE EXTENDING CONSULTING SERVICES AGREEMENT WITH BLUE HERON CONSULTING CORPORATION TO COMPLETE THE IMPLEMENTATION OF THE UTILITY BILLING SOFTWARE UPGRADE

WHEREAS, the current Utility Billing system software is being upgraded to Customer Care and Billing through Resolution No. 2015-139; and

WHEREAS, consulting services are being provided by Blue Heron Consulting Corp ("Blue Heron"), for a Utility Billing software upgrade and implementation for Customer Care and Billing; and

WHEREAS, the Director of Utilities and the Director of Information Systems recommend extending the agreement with Blue Heron in order to complete the implementation with satisfactory quality and completeness; and

WHEREAS, the City Council desires it at this time and deems it to be in the best public interest to authorize the Director of Utilities to extend the consulting agreement with Blue Heron for the Customer Care and Billing upgrade in an amount not to exceed $188,856 and for a period of up to eight weeks;

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

1. That the above recitations are true.

2. That the City Council accepts the recommendations of the Director of Utilities and the Director of Information Systems.

3. That the City Council authorizes the Director of Utilities to sign and execute consulting agreements and other related documents with Blue Heron that may be required in the performance of the agreement.

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 13
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Bill Martin, Director of Community Development

SUBJECT: Extension of Time for Tentative Subdivision Map 877 (SUB16-0002)

STAFF RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-92, approving a three-year extension of time for a 13-lot single-family residential subdivision map.

PLANNING COMMISSION RECOMMENDATION:

The requested extension of time does not require consideration by the Planning Commission because Section 32.210.02A of the Escondido Subdivision Ordinance states that time extensions shall be granted or denied by the original approval body, which was the City Council.

PROJECT DESCRIPTION:

A request for a three-year Extension of Time for a previously approved 13-lot Tentative Subdivision Map (TR 877) on approximately 3.98 acres of land within the R-1-10 zone (Single-Family Residential, 10,000 SF min. lot size). The project also includes Grading Exemptions for fill slopes/retaining walls in excess of ten feet in height. Lot sizes range from 10,000 SF to 14,634 SF.

LOCATION:

On the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04).

FISCAL ANALYSIS:

None

GENERAL PLAN ANALYSIS:

The General Plan land use designation on the site is Suburban, which allows a maximum density of up to 3.3 dwelling units per acre, and minimum lot size of 10,000 SF. The overall

project density is 3.26 du/ac, which is in conformance with the density provisions of the Suburban land-use designation and allowable yield of up to 13 lots on the subject site.

ENVIRONMENTAL REVIEW:

A Final Mitigated Negative Declaration (City File No. ER 2004-14) was adopted for the project in conformance with the California Environmental Quality Act (CEQA). The findings of the study indicated the project would not result in any significant impacts to the environment with the implementation of appropriate mitigation measures. Mitigation Measures were adopted to address noise impacts associated with adjacent Interstate 15.

BACKGROUND:

A Tentative Subdivision Map (TM 877) previously was approved by the City Council on June, 7, 2006, along with a Grading Exemption for a combination fill slope/retaining wall up to twelve feet in height. The project also included a Zone Change from R-1-20 zoning (Single-Family Residential, 20,000 SF min. lot size) to R-1-10 (Single-Family Residential, 10,000 SF min. lot size), and a request to vacate approximately 0.074 acres of right-of-way along the western side of Bernardo Avenue. Lot sizes ranged from 10,000 SF to 24,821 SF. Bernardo Avenue would be extended along the project frontage terminating with a cul-de-sac with an emergency access gate. Maintenance of the project common areas, storm water basin, emergency access gate and landscaping would be maintained by a homeowners association, including landscaping along the western side of Bernardo Avenue. The project also was restricted to single-story homes to be compatible with the adjacent homes on the east.

The Tentative Map originally was approved for three-years and was scheduled to expire in 2009. Previous State legislative actions (SB 1185, AB 333, AB 208 and AB116) automatically extended the Tentative Map until June 7, 2016. The map still is eligible for a local time extension up to five additional years. The applicant submitted an application to extend the map prior to the expiration date, which suspends expiration of the map until a final decision is made regarding the extension request. The criteria for determining the appropriateness for granting an extension of time for a Tentative Subdivision Map is based on the map's compliance with the City's current General Plan, Zoning Ordinance, and the requirements of the California Environmental Quality Act (CEQA).

ANALYSIS:

Since the project was originally approved the applicant has been working towards recordation of a final map and improvement plans. However, storm water requirements have changed over the years and the project design has been modified to conform to these requirements to include the redesign of the storm water basin (Lot A) that increased its size from 4,560 SF to 13,714 SF. This necessitated reconfiguration of some of the larger lots to maintain the approved 13 residential lots. All of the lots still meet or exceed the minimum required lot size of 10,000 SF. The applicant also is proposing to extend the existing 12-foot-high masonry block screen/noise wall along Interstate 15 across the project frontage. Caltrans would not allow the wall to be extended within the State right-of-way so it is proposed to be located within the Bernardo Avenue right-of-way and maintained by the project homeowners association. The wall is designed to match the existing block materials, design and color.

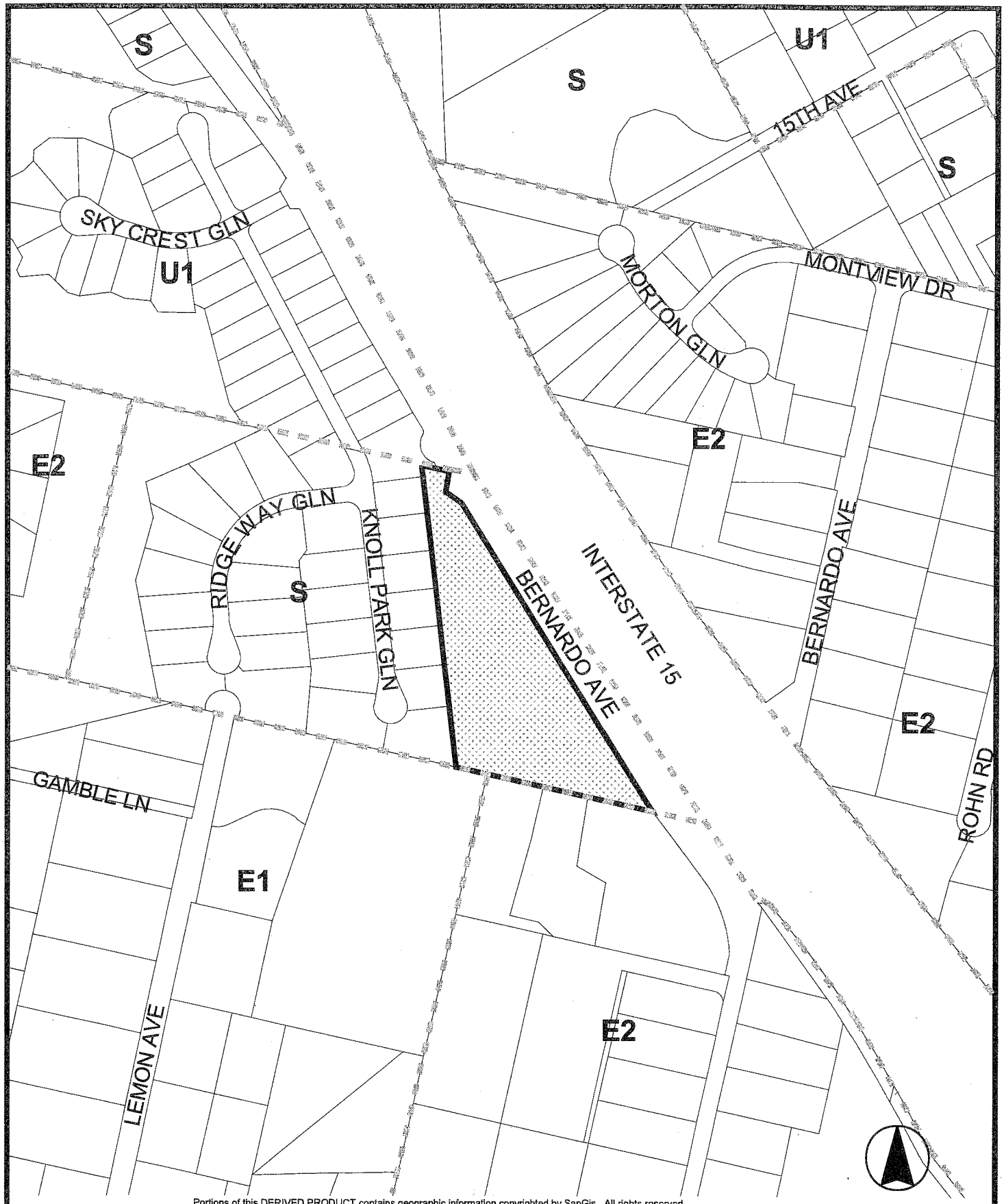
SUMMARY:

Staff believes the current Certified Tentative Map conforms to the General Plan, Zoning Code requirements and CEQA provisions, and is in substantial conformance with originally approved Tentative Map. The Planning Division and Engineering Conditions of Approval of been updated to conform to current landscape and storm water design requirements; design of emergency access gate in accordance with Fire Department requirements; include maintenance provisions for the proposed new screen/noise wall along Interstate 15; and eliminate any requirements that no longer would apply to the project. The applicant has submitted improvement plans (Grading, Landscape, Improvement, etc.) for the project which currently are being review by the various City Departments. Therefore, staff recommends the requested three-year extension of time and updated Conditions of Approval be approved, which are reflected in the Council Resolution.

Respectfully Submitted,

Bill Martin
Director of Community Development

Jay Paul
Associate Planner



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TENTATIVE SUBDIVISON MAP
SUB16-0002 (TR 877)

GP
GENERAL PLAN

PROPOSED PROJECT - SUB 16-0002 (TM 877)

TENTATIVE MAP

TM

SHEET 1 OF 1 SHEETS

Tentative Subdivision Map for: BERNARDO ACRES

LEGAL DESCRIPTION: A PORTION OF LOT 2, BLOCK 11 OF MAP 1205
ASSESSOR'S PARCEL NUMBER: 235-203-04
SITE ADDRESS: 1995 BERNARDO AVENUE, ESCONDIDO, CA
DATE OF PREPARATION: 04/05/16
NUMBER OF LOTS: 14
PROJECT AREA: 3.985 ACRES GROSS
GRADING QUANTITIES: EXCAVATION= 10,853 CY IMPORT= 2,250 CY
EMBANKMENT= 13,103 CY
EXISTING GENERAL PLAN DESIGNATION: S
PROPOSED GENERAL PLAN DESIGNATION: S
EXISTING ZONING: R-1-20
PROPOSED ZONING: R-1-10
PROPOSED ZONING: R-1-10
PROPOSED USE: DETACHED SINGLE FAMILY RESIDENTIAL
SEWER: CITY OF ESCONDIDO
WATER: CITY OF ESCONDIDO
FIRE: CITY OF ESCONDIDO
POLICE: CITY OF ESCONDIDO
TRASH: CITY OF ESCONDIDO
GAS & ELECTRIC: S.D.G. & E.
TELEPHONE: PACIFIC BELL
GRADING SHOWN HEREON IS FOR DESIGN PURPOSES ONLY

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

1" = 40'

SLOPE ANALYSIS

0-25%	4.026 AC
25-35%	0.022 AC
OVER 35%	0.011 AC

CURVE DATA TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	120.86'	10194.00'	0°40'46"	S 30°41'24" E	120.86'
C2	80.00'	10194.00'	0°26'59"	S 31°15'16" E	80.00'
C3	80.00'	10194.00'	0°26'59"	N 31°42'15" W	80.00'
C4	80.00'	10194.00'	0°26'59"	S 32°09'13" E	80.00'
C5	80.00'	10194.00'	0°26'59"	S 32°36'12" E	80.00'
C6	63.90'	10194.00'	0°21'33"	N 33°00'33" W	63.90'
C7	69.33'	48.00'	82°59'08"	N 32°26'02" W	63.50'
C8	26.84'	20.00'	61°30'55"	N 87°19'44" E	25.57'
C9	28.46'	40.00'	42°11'56"	S 83°00'48" E	28.80'
C10	24.22'	40.00'	34°41'57"	N 58°30'07" E	23.85'
C11	35.08'	40.00'	50°14'37"	S 16°03'53" W	33.96'
C12	35.15'	40.00'	50°21'00"	N 34°13'58" W	34.03'
C13	35.01'	40.00'	50°08'35"	S 84°28'43" W	33.90'
C14	9.69'	40.00'	13°52.43"	S 63°30'38" W	9.67'
C15	64.15'	80.00'	45°50'20"	N 14°21'38" W	62.80'
C16	62.24'	10194.00'	0°20'59"	S 33°50'40" E	62.24'
C17	87.13'	10194.00'	0°29'23"	N 34°15'51" W	87.13'
C18	48.20'	10194.00'	0°16'15"	N 34°38'40" W	48.20'

Legend:

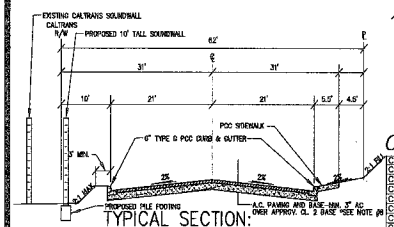
- INDICATES EXISTING SEWER MONHOLE
- INDICATES EXISTING STREET LIGHT
- INDICATES PROPOSED INLET
- INDICATES PROPOSED CURB INLET
- INDICATES PROPOSED RIP RAP
- INDICATES PROPOSED PVC/RCP STORM DRAIN PIPE
- INDICATES PROPOSED HANDICAP RAMP

OWNER'S CERTIFICATE:

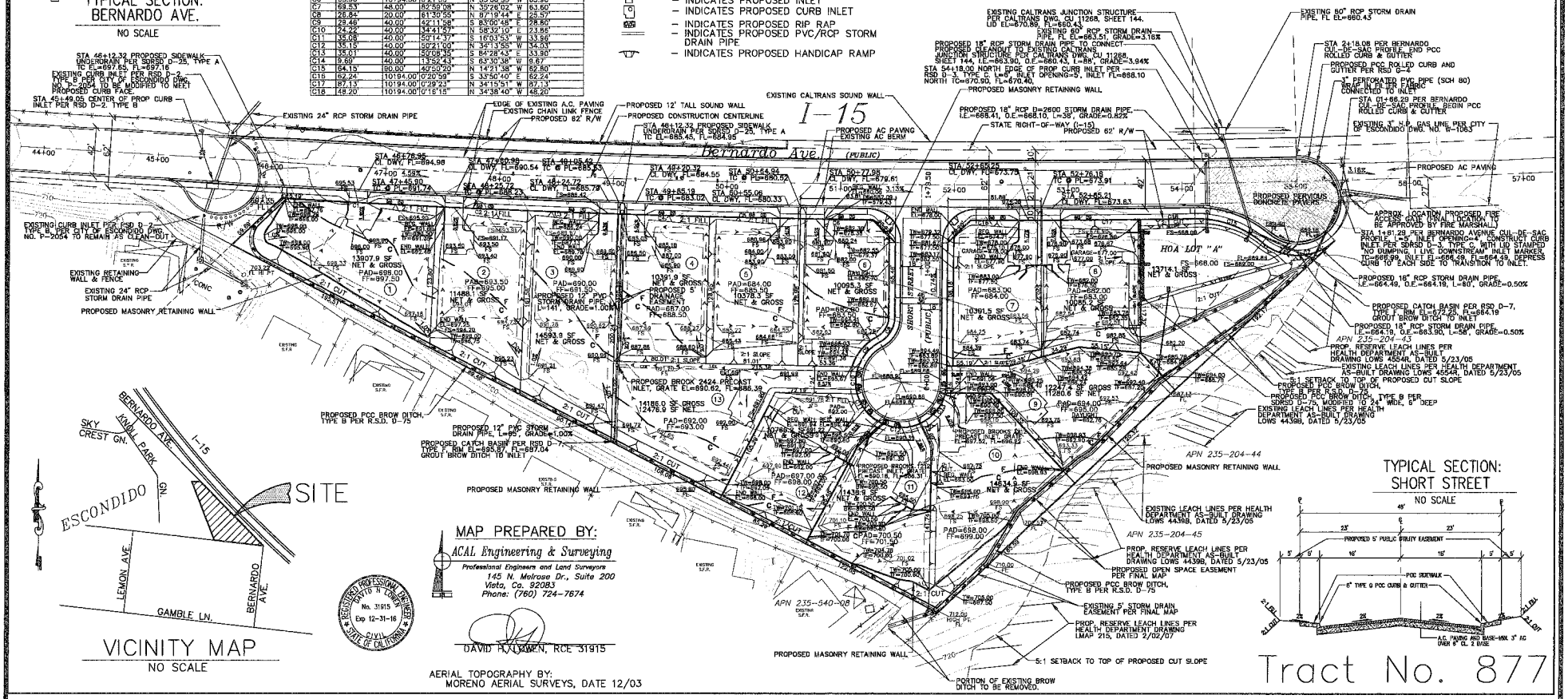
I HEREBY CERTIFY THAT I AM THE RECORD OWNER OF THE PROPERTY SHOWN ON THE TENTATIVE SUBDIVISION MAP AND THAT SAID MAP SHOWS MY CONTIGUOUS OWNERSHIP IN WHICH I HAVE ANY DEED OR TRUST INTEREST. I UNDERSTAND THAT MY PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS OR RAILROAD RIGHTS-OF-WAY.

BERNARDO COVE,LLC
2917 CANNON STREET
SAN DIEGO, CA 92106
(619) 501-2849

SIGNATURE: _____
WADE HALL, MANAGING MEMBER



TYPICAL SECTION: BERNARDO AVE.
NO SCALE



VICINITY MAP
NO SCALE

MAP PREPARED BY:
ACAL Engineering & Surveying
Professional Engineers and Land Surveyors
145 N. Melrose Dr., Suite 200
Vista, Ca. 92083
Phone: (760) 724-7674

REGISTERED PROFESSIONAL ENGINEER DAVID H. LAWEN No. 31915 Exp 12-31-16 CIVIL STATE OF CALIFORNIA

DAVID H. LAWEN, RCE 31915

AERIAL TOPOGRAPHY BY:
MORENO AERIAL SURVEYS, DATE 12/03

TYPICAL SECTION: SHORT STREET
NO SCALE

Tract No. 877

Tract 877

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: _____
Date: June 7, 2006

TO: Honorable Mayor and Members of the City Council

FROM: Jonathan Brindle, Planning Director

SUBJECT: Tentative Subdivision Map, Grading Exemption and Zone Change (TR 877, 2004-23-CZ/GE)

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission recommended approval on May 9, 2006 (Vote 5-2, Lehman and McQuead voting no).

STAFF RECOMMENDATION:
It is requested that Council adopt Resolution No. 2006-116 approving the Tentative Subdivision Map and Grading Exemption, and adopt Mitigated Negative Declaration ER 2004-14; and Adopt Ordinance No. 2006-22 approving the Zone Change.

PROJECT DESCRIPTION:
A Tentative Subdivision Map for thirteen single-family residential lots along with a Grading Exemption for a 12-foot-high fill slope, along with a Zone Change from R-1-20 (Single-Family Residential, 20,000 SF min. lot size) to R-1-10 (Single-Family Residential, 10,000 SF min. lot size). The project also includes a request for vacation of excess right-of-way along Bernardo Avenue.

LOCATION:
On the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04).

FISCAL ANALYSIS:
None

CORRELATION TO THE CITY COUNCIL ACTION PLAN:
This item relates to the Council's Action Plan regarding Economic Development, and Image and Appearance as follows:

- Image and Appearance – The City Council desires to strengthen the community's image and appearance where streets convey a safe, attractive and inviting impression. The project would improve Bernardo Avenue to its ultimate width across the project frontage, and parkway landscaping would be provided along both sides of the street. The infill parcel would be development with new single-story, single-family residential homes.

GENERAL PLAN ANALYSIS:

The General Plan land-use designation for the project site is Suburban, which allows a maximum density of up to 3.3 dwelling units per acre and minimum lot size of 10,000 SF. Lot sizes for the project range from approximately 10,000 SF to 24,821 SF. The proposed subdivision would be consistent with the General Plan density provisions since the overall density of the project would be approximately 3.26 du/ac (13 du/3.98 acres). Thirteen lots also would be consistent with the allowable yield for the project site, which would allow up to 13.09 lots based on the slope analysis prepared for the project. The site is zoned for residential development and the General Plan Land-Use Policy B1.9(c) (page II-16) indicates the Suburban designation is characterized by single-family homes, and the density is appropriate where the traditional neighborhood character of detached single-family units prevails. The proposed project is adjacent to single-family residential development to the north, south and west, with similar lot sizes to the north and west.

ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration (Case No ER 2004-14) was issued on March 30, 2006, for the proposed project in conformance with the California Environmental Quality Act. All project related impacts would be reduced to less than a significant level. Staff has not received any written comments regarding the public Notice of Mitigated Negative Declaration. In staff's opinion, no significant environmental issues remain unresolved through compliance with project design, mitigation measures, code requirements and the recommended conditions of approval. The project site is located within a projected 1990 noise contour of 60 dB or greater due to the location of Interstate 15 to the west, and the planned widening of the freeway. Therefore, interior and exterior noise mitigation measures would be required. The project will have a de minimis impact on fish and wildlife resources as no stream courses, riparian habitat or other sensitive habitat or resources would be adversely impacted by the residential subdivision.

PUBLIC COMMENT:

A neighborhood meeting was conducted by the project applicant on January 5, 2005, and approximately 18 city and adjacent county residents attended. Representatives of the adjacent homeowners' association (Terracina II) and management company (PCM) also attended. County residents to the south expressed concern regarding access to the site; ongoing problems with the existing emergency access gates and design of the new gate; restrictions on construction traffic from the south through county territory; and proposed 13 lots, which they feel should be restricted to no more than seven lots in conformance with the existing R-1-20 zoning. City residents to the north and west expressed concern with the potential mass and scale of the new homes (one-story vs. two-story); additional traffic along Bernardo Avenue; on-going maintenance of the project and common areas, especially landscaping and the emergency access gate. The county residents submitted a petition with more than 50 signatures expressing opposition to the project and proposed density. The county residents feel the existing zoning of the site should remain R-1-20 and the property developed with minimum 20,000 SF lots to be more compatible with the larger residential lots located to the south.

Two residents to the south of the project site within the county spoke in opposition to the project at the Planning Commission hearing (Joe McDonald and Eugene Stephens). Mr. McDonald and Mr. Stephens felt thirteen lots and the size of the lots would not be compatible with the larger lots within the county, and the project should provide a better transition to the properties to the south. Mr. Stephens felt the smaller lots would adversely impact the values of the southern county properties. Two residents of the adjacent residential development to the north (Sharon McCoy and John Sawicki) spoke in support of the project. Mr. Sawicki (President of the Terracina II HOA) indicated the

proposed project would merge with the Terracina II Homeowners' Association to provide the necessary maintenance of the new landscaping, drainage improvements and emergency access gate, and felt the project would be appropriate for the area.

APPLICANT'S PERSPECTIVE:
The applicant feels the proposed number of lots and lot sizes are appropriate for this specific property due to similar residential developments to the north and west; amount of infrastructure required for the relatively small project area (which requires improvement to both sides of Bernardo Avenue and upgrades to the water system); the extent of the noise mitigation required; and potential issues with marketability of larger estate lots along the freeway frontage. The applicant indicated the project provides an appropriate transition to the south since the larger parcels within the development would be located along the southern boundary of the property, and the lots would be situated lower than the southern county properties, which would help to maintain views. In addition, the applicant proposes to construct only single-story homes to be compatible with the scale and height of homes to the north and west.

PLANNING COMMISSION:
The Planning Commission considered the proposed project on May 9, 2006, and recommended approval (5-2, Lehman and McQuead voting no). Commissioner McQuead felt this property was not appropriate for this type of single-family residential development due to the proximity to Interstate 15. Commissioner Lehman felt the proposed Zone Change from 20,000 SF lots to 10,000 SF lots would be a "drastic reduction in lots sizes" and inappropriate for the area, and that a more compatible design should be explored. Commissioners Caster and Winton indicated the proposed Zone Change was appropriate since it would be in conformance with the General Plan Suburban land-use designation, which would allow minimum 10,000 SF lots.

DISCUSSION:
Staff feels the project would be compatible with the surrounding area since the proposed lot sizes (which range from 10,000 SF to 24,821 SF) and density of 3.26 du/ac would be consistent with the underlying Suburban General Plan land-use designation. Larger lots within the subdivision (Lots 9, 10 and 11, which range from approximately 14,390 SF to 15,760 SF) and the proposed storm water detention basin would be located along the southern property boundary. The width of Lots 9, 10 and 11 also would be consistent with the lot widths of the three county parcels located immediately to the south. Staff feels the larger lot sizes and widths, along with the lower pad elevations would provide an appropriate transition to the larger county parcels to the south. Appropriate noise mitigation could be provided with the final layout and design of the homes, along with the incorporate of noise attenuation walls, as detailed in the noise study prepared for the project. Access to the south would be restricted by a new, more robust emergency access gate, which would help to protect the gate from further vandalism and theft. A proposed Merger Agreement with the adjacent Terracina II HOA would provide the appropriate level of maintenance and financing necessary to support the landscape and drainage design, along with the emergency access gate.

Respectfully submitted,

Jonathan Brindle
Planning Director

Jay Paul
Associate Planner

From: "Joe McDonald" <joemcdonald4@cox.net>
To: <Undisclosed-Recipient:;>
Date: 5/2/2006 2:01 pm
Subject: Fw: Zone Change:

CC: "Joe McDonald" <joemcdonald4@cox.net>
City Council Members:
Planning Commission Members:
San Diego County Board of Supervisors:

Subject: Zone Change:

My name is Joe McDonald 2109 Bernardo Ave Escondido CA. 92029-4413.
My e-mail is joemcdonald4@cox.net My phone is 760-741-6313.

This is our Problem:

We live just 400 ft from the city boundary of Escondido.
The land to be developed is 3.98 Acres now zoned R-1-20 (Single family Residential) 20,000 SF minimum lot size.
The land developer is requesting a zone change R-1-10 zoning (Single family Residential) to build 13 homes.
The current zoning would allow 7 homes to be built on this property.
My neighbors on Daxi Lane are all one 1 or 2 acre lots.
My street Bernardo Ave are all 1/2 Acre lots.
All of my neighbors 20 homes & 46 signatures Petitioned the city to keep the zoneing at R-1-20.
The home is my area range in price from $ 500,000 to $ 1M+.
We want to be good neighbors with the city and allow the builder to build 7 homes.
This would be consistent with current zoning for the area.
Most of my neighbors have moved to Escondido to have open space and a quality environment.
My wife & I are retired Federal employees who traveled to San Diego for 30 years.
This is our retirement home and have no plans to ever move.
The city of Escondido wants to build to the Max on all open land.
People are leaving San Diego due to poor planning in the housing market.
We all realize there is shortage in housing, but lets use some common sense in zoning.
We hope that you and your staff can help us with the city to make a workable decision.
The City & County must be good neighbors.

Thank You,

Joe McDonald

Staff Recommendation: Approval **(Community Dev./Planning: Jon Brindle)**

a. RESOLUTION NO. 2006-84
b. ORDINANCE NO. 2006-18 Introduction and first reading

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

Mayor Pfeiler 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, she closed the public hearing.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Abed to approve a Conditional Use Permit for the construction of an approximately 116,000 SF, three-story headquarters and administration facility for the Escondido Police Department and the Escondido Fire Department, approve an amendment to the Zoning Code to create a Public Safety Facilities Overlay to provide uniform development standards for public safety facilities in all zones, a Zone Change placing the Police and Fire facility site within the overlay, adopt Resolution No. 2006-84 and introduce Ordinance No. 2006-18. Ayes: Abed, Gallo, Newman and Pfeiler. Noes: None. Absent: Waldron. Motion carried.

25. TENTATIVE SUBDIVISION MAP, GRADING EXEMPTION AND ZONE CHANGE, ADDRESSED AS 1995 BERNARDO AVENUE (CASE NOS. TRACT 877, 2004-23-CZ/GE) – A Tentative Subdivision Map and Grading Exemption for a 13-lot single-family residential subdivision, along with a Zone Change from R-1-20 zoning to R-1-10 zoning, on approximately 3.98-acres of land generally located on the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed a 1995 Bernardo Avenue (APN 235-203-04). (File No. 0800-10 Tract 877)

Staff Recommendation: (1) Approve the Tentative Subdivision Map, Grading Exemption and Zone Change; and (2) Adopt the Mitigated Negative Declaration ER 2004-14 **(Community Dev./Planning: Jon Brindle)**

a. RESOLUTION NO. 2006-116
b. ORDINANCE NO. 2006-22 Introduction and first reading

Jonathan Brindle, Planning Director, gave the staff report and presented a series of slides.

Howard Dworkin, Applicant's representative, listed the qualities of the project.

John Sawicki, Escondido, indicated he supported the project and asked Council to approve it.

Joe McDonald, Escondido, indicated he supported the project, but voiced concern with the density.

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

MOTION: Moved by Councilmember Abed and seconded by Councilmember Gallo to approve a Tentative Subdivision Map and Grading Exemption for a 13-lot single-family residential subdivision, along with a Zone Change from R-1-20 zoning to R-1-10 zoning, on approximately 3.98-acres of land generally located on the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed a 1995 Bernardo Avenue (APN 235-203-04), adopt Resolution No. 2006-116 and introduce Ordinance No. 2006-22. Ayes: Abed, Gallo, Newman and Pfeiler. Noes: None. Absent: Waldron. Motion carried.

3. **TENTATIVE SUBDIVISION MAP, ZONE CHANGE, GRADING EXEMPTIONS - TRACT 877, 2004-23- CZ/GE:**
REQUEST: A Tentative Subdivision Map for thirteen single-family residential lots as well as a Grading Exemption for a 12-foot-high fill slope along with a Zone Change from R-1-20 (Single-Family Residential, 20,000 SF minimum lot size) to R-1-10 (Single-Family Residential, 10,000 SF

minimum lot size). The project also includes a request for vacation of excess right-of-way along Bernardo Avenue.

LOCATION: 3.98 acres located on the western side of Bernardo Avenue, west of Interstate 15, south of Eleventh Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04).

Jay Paul, Associate Planner, referenced the staff report and noted staff issues were the appropriateness of the proposed Zone Change, the appropriateness of the project design and grading, and whether proposed subdivision would be compatible with surrounding development, whether the proposed noise mitigation measures are appropriate for the project, and whether appropriate ongoing maintenance would be provided for the development. Staff recommended approval based on the following: 1) Staff felt the proposed zone change from R-1-20 to R-1-10 would be appropriate since R-1-10 zoning and minimum 10,000 SF lots would be in conformance with the Suburban land-use designation, which allows minimum 10,000 SF lots. Lots sizes within the project range from 10,000 SF to 24,821 SF, which would be consistent with the lots sizes of the residential development to the north and west, which range from 7,740 SF to 19,778 SF; 2) The proposed project density of 3.26 du/ac is consistent with the underlying Suburban land-use designation, which allows up to 3.3 du/ac, and 13 lots also would be consistent with the allowable project yield of 13 lots. The proposed lots (ranging between 10,000 SF to 24,821 SF) would be consistent with the lot sizes located upslope to the west, which range from approximately 10,005 SF to 18,258 SF. The grading design along the southern and southwestern boundaries of the site, which incorporates cut slopes, would provide for lower pad elevations, and also incorporate increased setbacks and appropriate landscape buffers from the properties to the south within the county; 3) Appropriate noise mitigation could be provided with the final layout and design of the homes, along with the incorporation of noise attenuation walls, as detailed in the noise study prepared for the project; and 4) Appropriate maintenance would be provided by the project homeowner's association, and a proposed Merger Agreement with the adjacent Terracina II HOA would provide the appropriate level of maintenance and financing necessary to support the landscape and drainage design, along with the emergency access gate.

Commissioner McQuead asked if the detention basin would remain for Lot 9 after constructed. Mr. Paul replied in the affirmative.

Howard Dworkin, representing the applicant, noted they concurred with staff's recommendation. He stated that he had worked with the existing HOA and had concurred to limit the homes to single-story as well as creating larger lots. He also indicated that they would respect the existing residents with regard to construction traffic.

Eugene Stephens, Escondido, felt his property value would be impacted by the

subject project due to the transition from custom homes to tract homes. He expressed concern with the subject property's gate being constantly vandalized. He then asked Mr. Paul if he belonged to the association.

Joe McDonald, Escondido, was opposed to the proposed zone change. He felt the lots for the subject project should be larger in order to make it more compatible with the surrounding residences, noting concern with the project reducing his property values.

Sharon McCoy, Escondido, noted concern with the gate on the subject property being constantly vandalized. She felt the lots for the proposed project should be larger in order to make it more compatible with the surrounding residences and to create a better transition between the project and the existing residences.

John Sawicki, Escondido, noted the developer had made concessions due to the input received from the surrounding homeowners. He stated that the developer had agreed to construct a new gate at the developer's cost. He also indicated that the developer had agreed to limit some of the residents to single-story and to pay the full HOA fees.

Commissioner McQuead was opposed to residences being constructed in close proximity to the freeway.

Commissioner Campbell did not feel the subject project would have compatible densities with the adjacent Terracina project since Terracina had 2.33 units per acre versus the subject project proposing 3.26 units per acre.

Commissioner Lehman felt the proposed zoning would be too dense.

ACTION:

Moved by Commissioner Caster, seconded by Vice-chairman Newman, to approve staff's recommendation. Motion carried. Ayes: Newman, Caster, Campbell, Winton, and Weber. Noes: McQuead and Lehman. (5-2)

ESCONDIDO
City of Choice

PLANNING COMMISSION

Agenda Item No.: G.3
Date: May 9, 2006

CASE NUMBER: TR 877, 2004-23-CZ/GE and ER 2004-14

APPLICANT: Terra Resources Group (ACAL Engineering)

LOCATION: On the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04).

TYPE OF PROJECT: Tentative Subdivision Map, Grading Exemption and Zone Change

PROJECT DESCRIPTION: A Tentative Subdivision Map for thirteen single-family residential lots along with a Grading Exemption for a 12-foot-high fill slope, along with a Zone Change from R-1-20 (Single-Family Residential, 20,000 SF min. lot size) to R-1-10 (Single-Family Residential, 10,000 SF min. lot size). The project also includes a request for vacation of excess right-of-way along Bernardo Avenue.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: Suburban (up to 3.3 du/ac) Felicita Neighborhood, Tier 2A

ZONING: Existing RE-20 (Residential Estate, 20,000 SF min. lot size) Proposed R-1-10

BACKGROUND/SUMMARY OF ISSUES:
The proposed project involves a Tentative Subdivision Map (TR 877) for 13 single-family residential lots on approximately 3.98 acres of undeveloped land. Proposed lot sizes range from 10,000 SF to 24,821 SF. Access to the project would be provided from Bernardo Avenue, which is classified as a Local Collector Road (66' right-of-way) on the City's Circulation Element. A new cul-de-sac street intersecting Bernardo Avenue on the west would provide access to four of the lots, and the remaining lots would take access from Bernardo Avenue. Conceptual grading includes a combination of cut and fill slopes with approximately 11,000 cubic yards of fill and 11,000 cubic yards of cut for a balanced grading design. A Grading Exemption is requested for a fill slope up to approximately 12 feet in height within the southern area of the project. A small detention basin is proposed within the southeastern corner of the site as part of the storm water drainage design. A proposed Homeowners' Association (HOA) would provide for appropriate maintenance for any common areas including the new emergency access gate, detention basin, and parkway landscaping. The project also includes a request to vacate approximately 0.074 acre of excess right-of-way along the western boundary of Bernardo Avenue. The right-of-way would be incorporated into the project/lots, but the street vacation is not necessary to support the project density/yield. The existing emergency access gate, located at the northern boundary of the project site/Bernardo Avenue, would be removed and a new gate installed at the southern boundary of the project site/Bernardo Avenue. A Zone Change from existing R-1-20 zoning (Single-Family Residential, 20,000 SF min. lot size) zoning to R-1-10 zoning (Single-Family Residential, 10,000 SF min. lot size) also is requested to allow minimum 10,000 SF lots.

A Conditional Use Permit previously was approved in 1998 for a 90,734 SF, 126-unit/bed, one- and two-story, residential-care facility on the subject site (Case No. 98-30-CUP). The project never was implemented and the CUP expired.

Staff feels the issues are as follows:

1. Appropriateness of the proposed Zone Change.
2. Appropriateness of the project design and grading, and whether proposed subdivision would be compatible with surrounding development.
3. Whether the proposed noise mitigation measures are appropriate for the project.
4. Whether appropriate ongoing maintenance would be provided for the development.

REASONS FOR STAFF RECOMMENDATION:

1. Staff feels the proposed zone change from R-1-20 to R-1-10 would be appropriate since R-1-10 zoning and lots minimum 10,000 SF lots would be in conformance with the Suburban land-use designation, which allows minimum 10,000 SF lots. Lots sizes within the project range from 10,000 SF to 24,821 SF, which would be consistent with the lots sizes of the residential development to the north and west, which range from 7,740 SF to 19,778 SF.

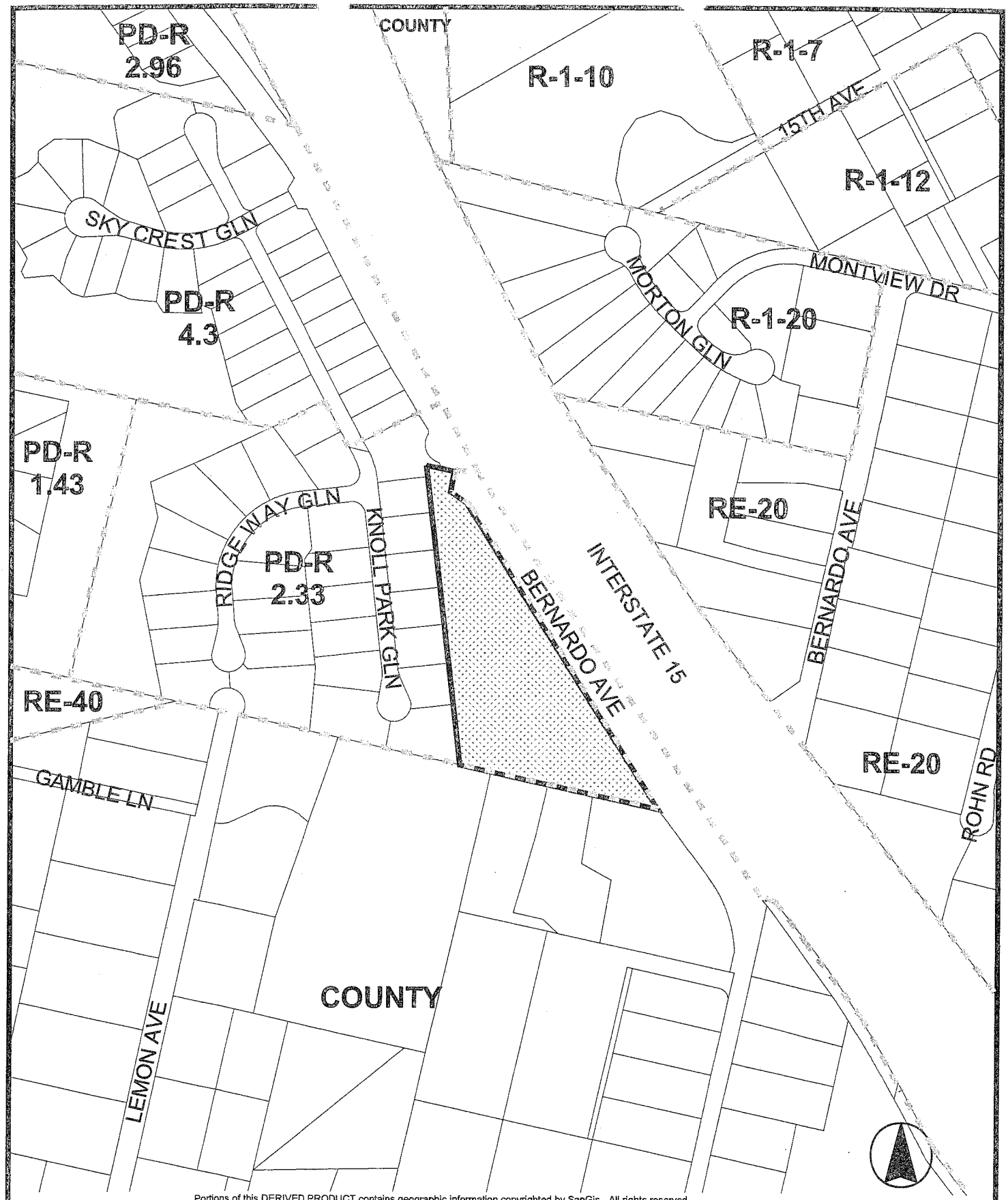
2. The proposed project density of 3.26 du/ac is consistent with the underlying Suburban land-use designation, which allows up to 3.3 du/ac, and 13 lots also would be consistent with the allowable project yield of 13 lots. The proposed lots (ranging between 10,000 SF to 24,821 SF) would be consistent with the lot sizes located upslope to the west, which range from approximately 10,005 SF to 18,258 SF. The grading design along the southern and southwestern boundaries of the site, which incorporates cut slopes, would provide for lower pad elevations, and also incorporate increased setbacks and appropriate landscape buffers from the properties to the south within the county.

3. Appropriate noise mitigation could be provided with the final layout and design of the homes, along with the incorporate of noise attenuation walls, as detailed in the noise study prepared for the project.

4. Appropriate maintenance would be provided by the project homeowner's association, and a proposed Merger Agreement with the adjacent Terracina II HOA would provide the appropriate level of maintenance and financing necessary to support the landscape and drainage design, along with the emergency access gate.

Respectfully submitted,

Jay Paul
Associate Planner



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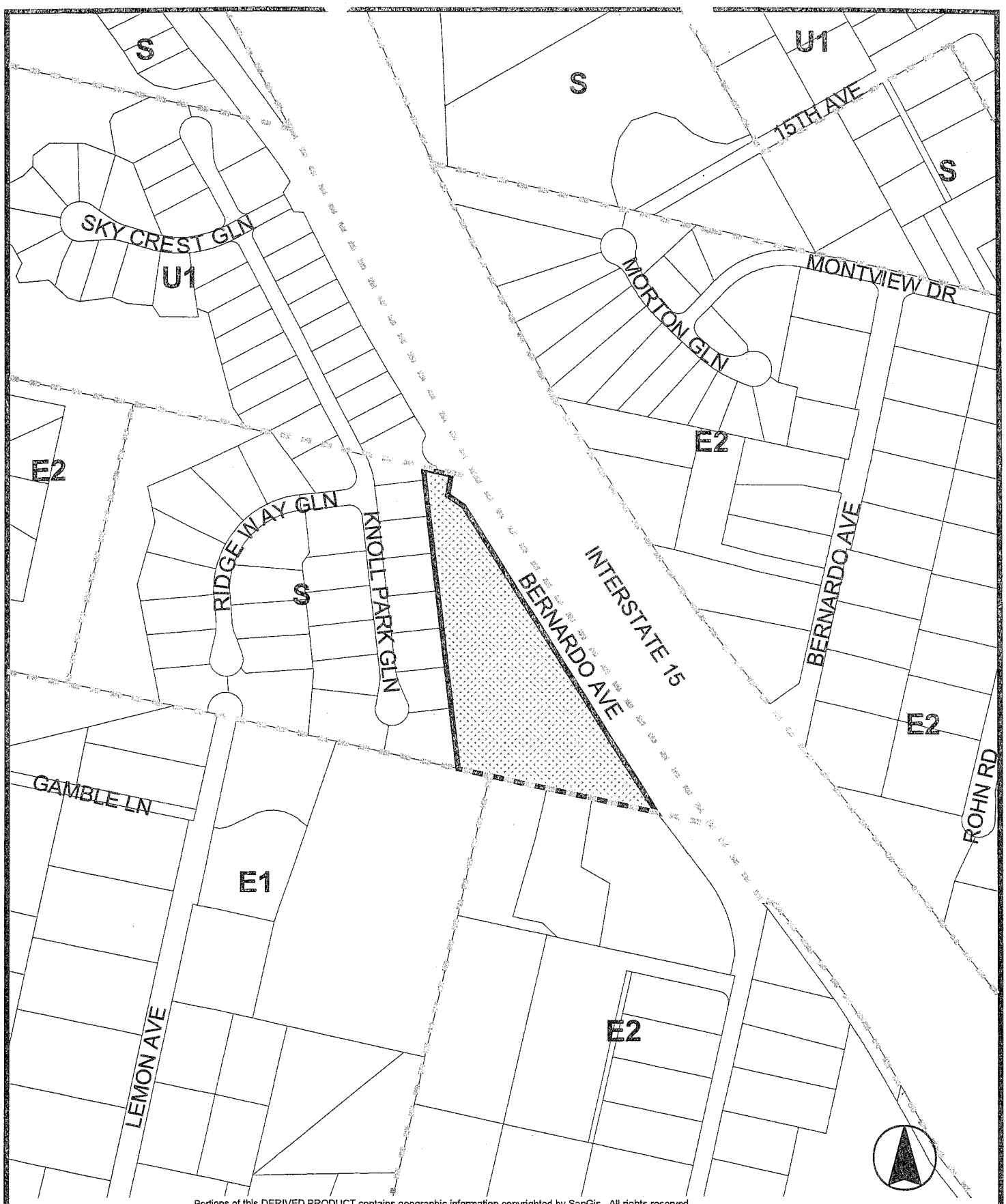
PROPOSED SUBDIVISION, ZONE CHANGE, & GRADING EXEMPTION TR 877, 2004-23-CZ/GE

L

LOCATION/ZONING



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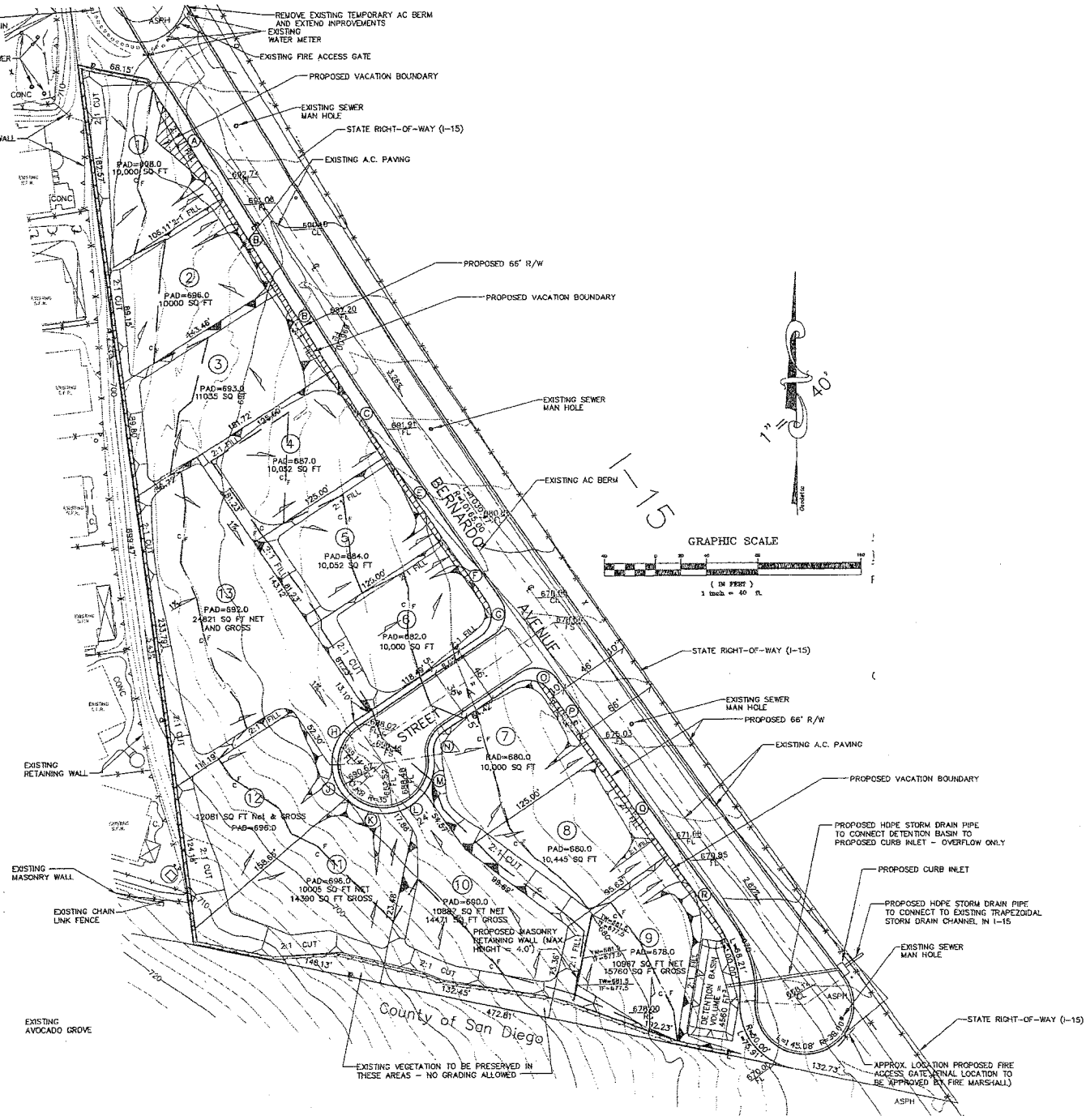
PROPOSED SUBDIVISION, ZONE CHANGE, & GRADING EXEMPTION TR 877, 2004-23-CZ/GE

GP

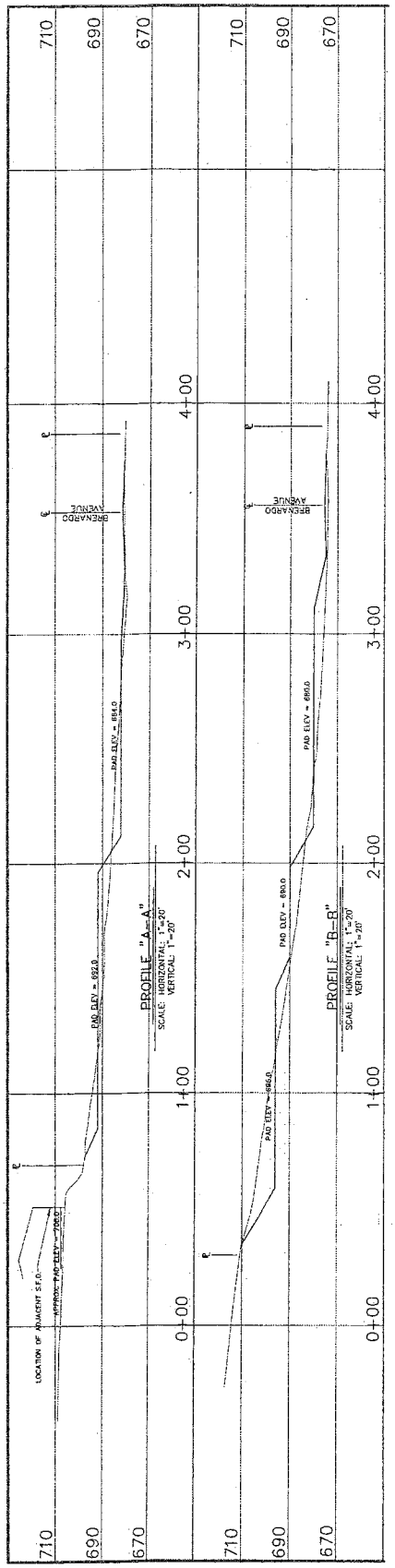
GENERAL PLAN

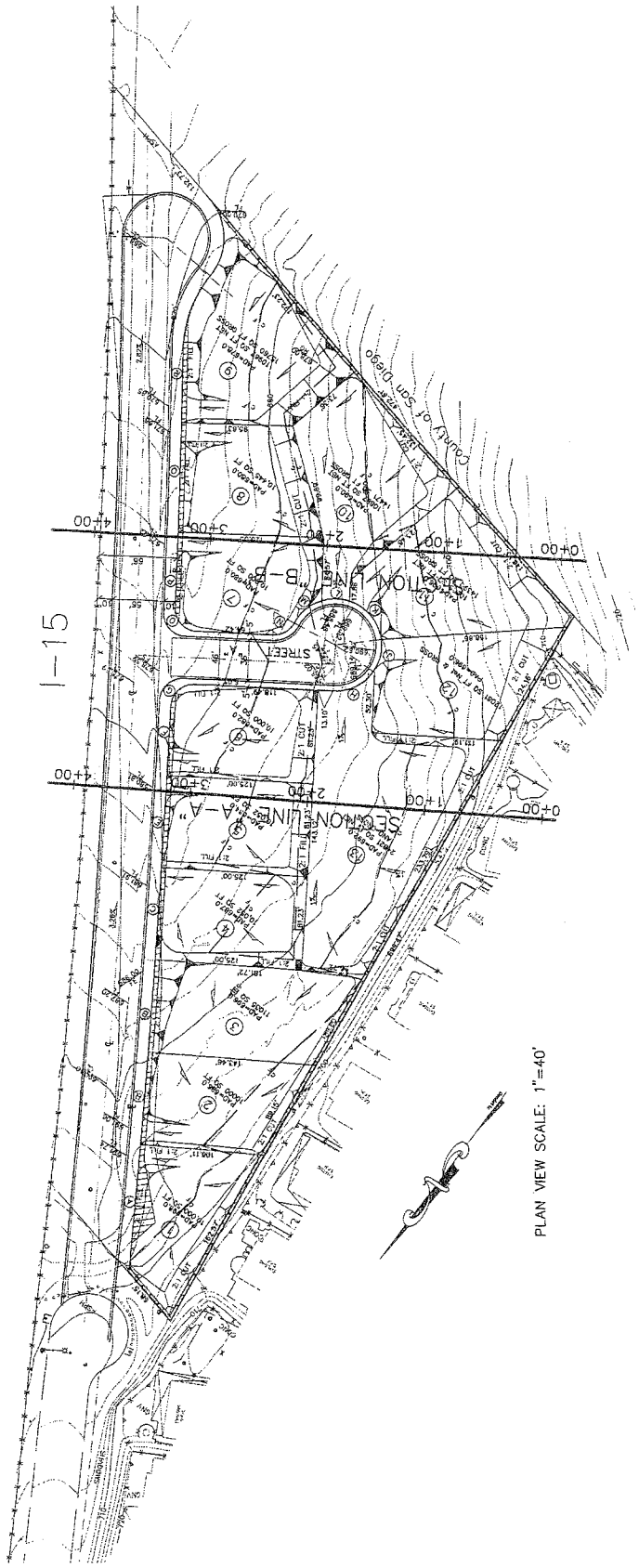


PROPOSED SUBDIVISION, ZONE CHANGE & GRADING EXEMPTION TR 877, 2004-23-CZ/GE

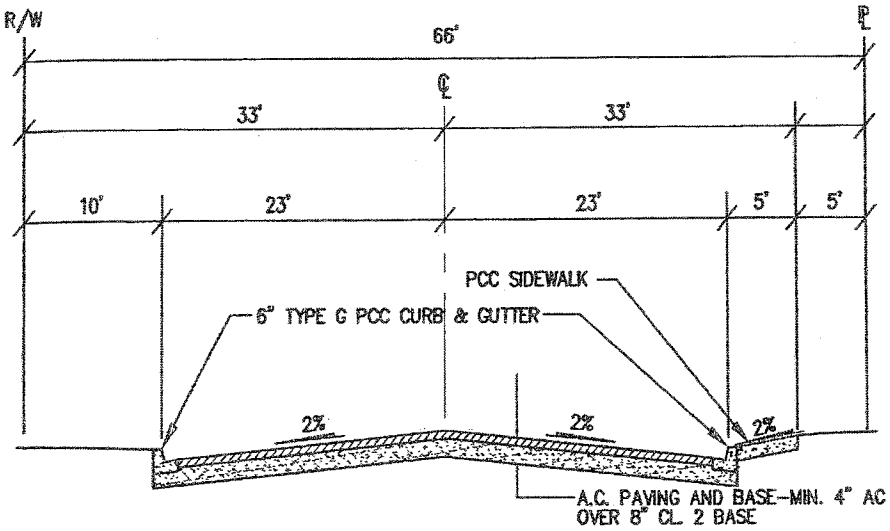
S

SITE PLAN



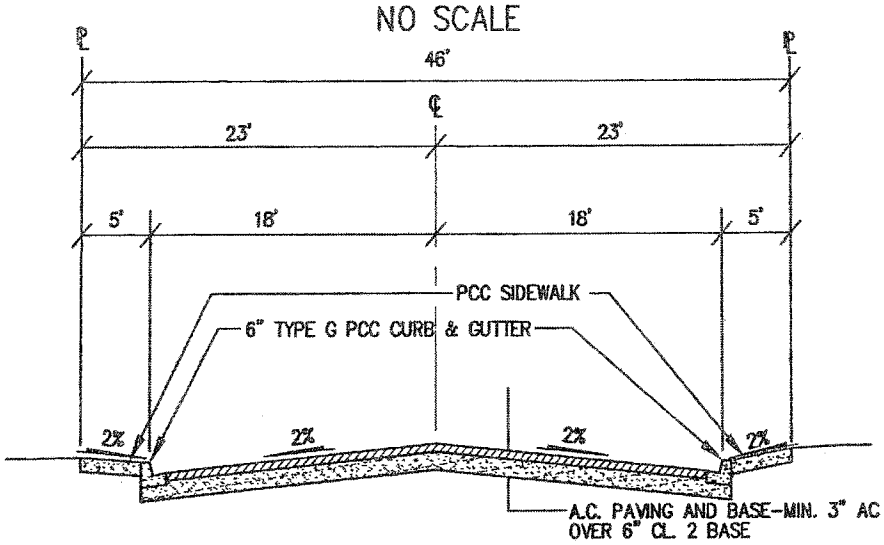


PROPOSED SUBDIVISION, ZONE CHANGE & GRADING EXEMPTION TR 877, 2004-23-CZ/GE



TYPICAL SECTION:
BERNARDO AVE.

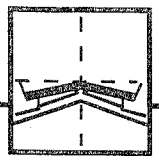
NO SCALE



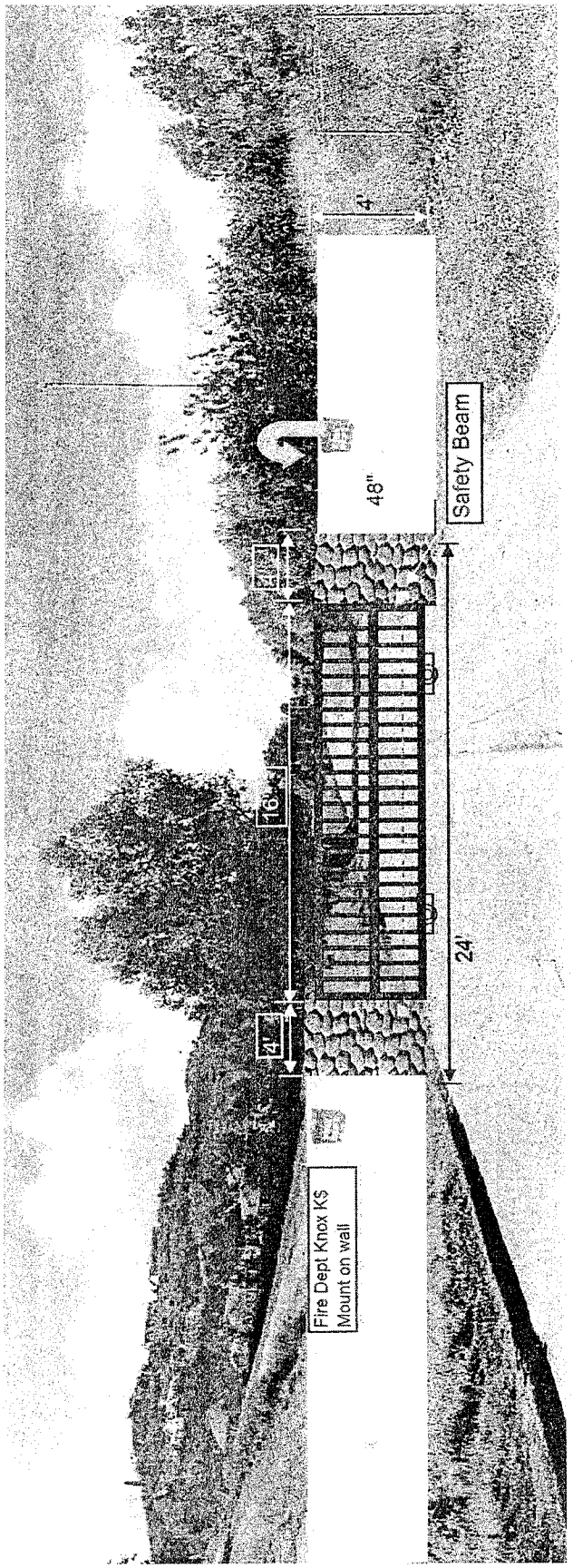
TYPICAL SECTION:
STREET "A"

NO SCALE

PROPOSED SUBDIVISION, ZONE CHANGE & GRADING EXEMPTION TR 877, 2004-23-CZ/GE



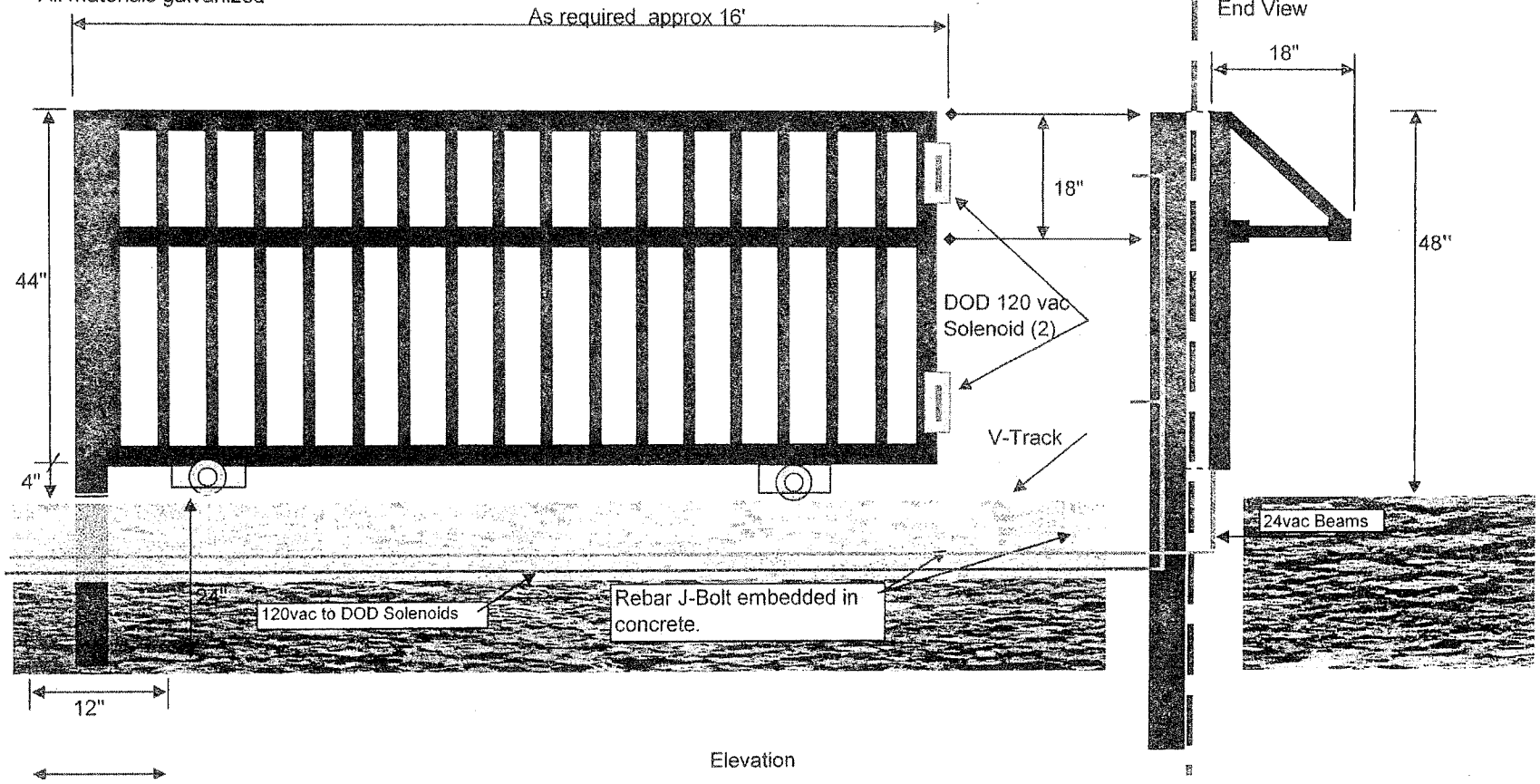
STREET SECTION



PROPOSED SUBDIVISION, ZONE CHANGE & GRADING EXEMPTION TR 877, 2004-23-CZ/GE

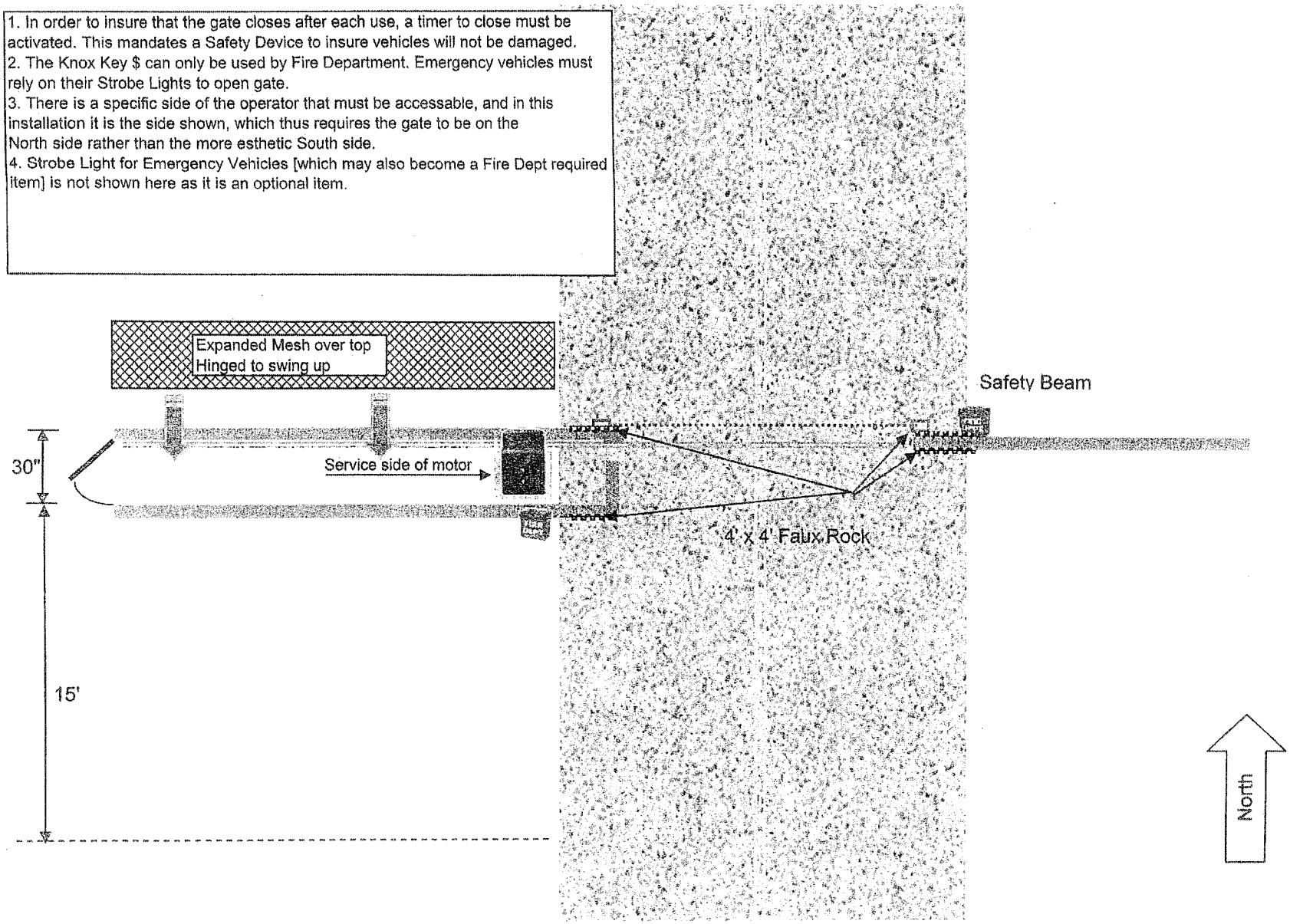
Materials:

4" x 4" Posts x 7' in 12" x 36" Concrete
3" x 3" Gate Frame and mid horizontal
2" x 2" Vertical Pickets set 6" OC
2" x 2" Biased diagonal pickets to match @ 6" OC
Elite Power Wheels
Epoxy primer/ epoxy poly-urethane "Black"
All materials galvanized



PROPOSED SUBDIVISION, ZONE CHANGE
& GRADING EXEMPTION
TR 877, 2004-23-CZ/GE

1. In order to insure that the gate closes after each use, a timer to close must be activated. This mandates a Safety Device to insure vehicles will not be damaged.
2. The Knox Key $ can only be used by Fire Department. Emergency vehicles must rely on their Strobe Lights to open gate.
3. There is a specific side of the operator that must be accessable, and in this installation it is the side shown, which thus requires the gate to be on the North side rather than the more esthetic South side.
4. Strobe Light for Emergency Vehicles [which may also become a Fire Dept required item] is not shown here as it is an optional item.



PROPOSED SUBDIVISION, ZONE CHANGE
& GRADING EXEMPTION
TR 877, 2004-23-CZ/GE

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH: PD-R zoning (Planned Development-Residential, 4.3 du/ac) / A planned residential development is located north of the project (Escondido Tracts 767 and 696). The single-story homes generally are located at a higher elevation than the project site. Lot sizes to the north range from approximately 7,740 SF to 19,778 SF. Bernardo Avenue and an emergency access gate terminates at the northern boundary of the project site. Off-site vegetation primarily consists of landscaped slopes containing mature trees, shrubs and groundcover, which are associated with the adjacent residential developments.

SOUTH: County zoning / Single-family residences are located south of the project site within the county jurisdiction, on lots ranging in size from 18,000 SF to 6+ acres. Four lots within the county are immediately adjacent to the subject site along the southern boarder, which range in size from 1 acre to 6+ acres. Three lots within the proposed subdivision (Lots 9, 10 and 11) would be located along the southern property boundary, which range in size from 14,390 SF to 15,760 SF. The proposed detention basin also would be located along the southern property boundary. The width of Lots 9, 10 and 11 (which range from 107' to 148') would be similar to the lot widths of the three smaller county lots located immediately to the south (which range from 104' to 150'). The General Plan designation for the southern county properties is Estate II, which would allow up to 2 du/ac and minimum 20,000 SF lots. The adjacent homes generally are located at a higher elevation than the project site and contain large setbacks from the shared property boundary. Off-site vegetation includes a disturbed patch of native vegetation along the southern boundary of the site, and ornamental vegetation associated with the residential developments. An avocado grove is located southwest of the project site and contain a single-family residence at a significantly higher elevation that the project site.

EAST: Bernardo Avenue and Interstate 15 are located immediately east of the project site. A chain-link fence separates Interstate 15 from Bernardo Avenue. Off-site vegetation generally consists of non-native vegetation/grasses along the freeway and Bernardo Avenue frontage, along with a row of mature California pepper trees within the Caltrans right-of-way. Future improvement plans for I-15 in the project vicinity involve the construction of four "Managed Lanes" to improve freeway capacity. The managed lanes are proposed for construction mostly within the existing freeway median, with some outside widening required along the shoulder of the right-of-way. RE-20 zoning and residential development is located along the eastern side of Interstate 15, at a significantly higher elevation than the project site.

WEST: PD-R zoning (Planned Development-Residential, 2.33 du/ac) / A residential development is located west of the project (Escondido Tracts 792). The adjacent single-story homes generally are located at a higher elevation (approx. seven to ten feet higher) than the project site. Lots sizes of the adjacent subdivision to the west range from approximately 10,005 SF to 18,258 SF, with lot widths ranging between 87' to 141'. The lot sizes for the proposed project along the western property boundary range from 10,000 SF to 24,821 SF, with lot widths ranging from 89' to 233'. Five of the lots within the proposed subdivision would abut eight lots with adjacent Tract 792. Off-site vegetation primarily consists of landscaped slopes containing mature trees, shrubs and groundcover, which are associated with the adjacent residential developments and maintained by the development homeowners' association. Additional landscape would be installed between the two subdivisions since cut slopes are proposed along the western property boundary, which would be required to be landscaped with trees, shrubs and groundcover.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service -- The Police Department expressed no concern regarding the proposed development and their ability to serve the site.

2. Effect on Fire Service -- The Fire Department indicated that adequate services can be provided to the site and the proposed project would not impact levels of service. Automatic fire sprinklers would be required in accordance with NFPA 13R.

3. Traffic – The project site fronts onto Bernardo Avenue, which is classified as a Local Collector Road (66' ultimate R-O-W). A new cul-de-sac street (46' R-O-W) is proposed to provide access to four of the lots. Based on San

Diego Association of Governments' (SANDAG) traffic generation rates for the San Diego region, the proposed subdivision would generate up to 10 trips per dwelling unit, or approximately 130 new ADT. Bernardo Avenue currently operates at a Level-of-Service "C" or better under existing improvement conditions. Bernardo Avenue transitions into Eleventh Avenue (Local Collector, 66' R-O-W) north of the project site, and then intersects with Del Dios Road (Local Collector, 66' R-O-W). The Engineering Department indicated that an increase of 130 trips would not significantly impact the existing Levels of Service on the adjacent streets or intersections since a stable flow of traffic is maintained along adjacent streets and ability to maneuver within the vicinity of the project and along the street segment is not significantly restricted. Adjacent Local Collector streets (Eleventh Avenue and Del Dios Road) also operate at a Level-of-Service C or better under existing conditions. The Engineering Department indicated the proposed project is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections. The intersection of 9th Avenue and Auto Park Way is planned to be improved with dual right-turn lanes as part of Tract 912 (currently under construction) which would result in a LOS C in the AM and PM period. The intersection of Eleventh Avenue and Del Dios Road also is being improved and the sight distance enhanced as part of Tract 912 plans, along with the installation of a four-way stop at this intersection.

4. Utilities – Sewer service is provided by the City of Escondido and is available from existing mains in the adjoining street. An 8" water line currently is located along Bernardo Avenue, but terminates at the northern boundary of the project/cul-de-sac, and does not extend across the project frontage. A 24" water line would be replacing the 8" water line in the future as part of a larger city project. The proposed subdivision would receive water service from the new line. In order to proceed, the project would be required to construct a portion of the 24" water line across the project frontage and tie into the existing 8" line north of the site, or wait unit the city constructs the line across the project frontage in the future. The water line currently is being designed, which would tie into A-11 reservoir, is planned to be constructed within the next 2 to 3 years. The Engineering Department indicated the project would not result in a significant impact to public services or other utilities.

5. Solid Waste – Trash service is provided by Escondido Disposal.

6. Drainage – The project site is not located within a 100-year flood zone as designated on current flood insurance rate maps. The Engineering Department indicated the proposed project is not anticipated to materially degrade the existing drainage system with the installation of the necessary improvements. A Preliminary Hydrology Report and Water Quality Technical Report were prepared for the proposed project by Aquaterra Engineering Inc. The proposed drainage pattern would follow the existing, historical drainage pattern, and runoff from the project site and Bernardo Avenue would be collected in proposed on-site storm drainage facilities, including a small grass-lined detention basin located within the southeastern corner of the site. The drainage then would be directed towards the existing concrete lined channel that runs adjacent to Interstate 15, which would require an encroachment permit from the Department of Transportation for proposed connection/improvements within the State right-of-way. Any proposed bio swales and inlet filters would be located within proposed drainage/road easements that would be maintained by the project homeowners' association.

C. ENVIRONMENTAL STATUS

1. A Mitigated Negative Declaration (ER 2004-14) was issued for the proposed project on March 30, 2006. The Mitigated Negative Declaration contains appropriate mitigation measures to reduce identified impacts to less than a significant level. Staff feels the environmental document adequately addresses all project related issues and the comments received do not raise any issues that rise to a level of significance.

2. In staff's opinion, no significant environmental issues remain unresolved through compliance with mitigation measures, project design, code requirements and the recommended conditions of approval.

3. The project will have a de minimis impact on fish and wildlife resources as no stream courses, riparian habitat or other sensitive habitat or resources will be adversely impacted by the proposed project.

D. CONFORMANCE WITH CITY POLICY

General Plan – The General Plan land-use designation for the project site is Suburban, which allows a maximum density of up to 3.3 dwelling units per acre and minimum lot size of 10,000 SF. The proposed subdivision would be consistent with the General Plan density provisions since the overall density of the project would be approximately 3.26 du/ac (13 du/3.98 gross/net acres). Thirteen lots also would be consistent with the allowable yield for the project

site, which would allow up to 13.09 lots based on the slope analysis prepared for the project. The General Plan indicates the maximum development yield of Suburban shall be calculated according to the following slopes.

Existing Topo	General Plan Yield	Acreage	Total Yield
0-25%:	3.3 dwelling per acre	3.96 ac	13.06 units
25 – 35%:	1.5 dwelling unit per acre	0.02 ac	0.03 units
35% +:	1 dwelling unit per 20 acres	0.005 ac	0.001 units
			13.09 lots max yield

E. PROJECT ANALYSIS

Public Input - A neighborhood meeting was conducted by the project applicant on January 5, 2005, and approximately 18 city and adjacent county residents attended. Representatives of the adjacent homeowners' association (Terracina II) and management company (PCM) also attended. County residents to the south expressed concern regarding access to the site; ongoing problems with the existing emergency access gates and design of the new gate; restrictions on construction traffic from the south through county territory; and proposed 13 lots, which they feel should be restricted to no more than seven lots in conformance with the existing R-1-20 zoning. City residents to the north and west expressed concern with the potential mass and scale of the new homes (one-story vs. two-story); additional traffic along Bernardo Avenue; on-going maintenance of the project and common areas, especially landscaping and the emergency access gate. The residents submitted a petition with 50 signatures (attached) expressing opposition to the project and proposed density. The residents feel the existing zoning of the site should remain R-1-20 and the property developed with minimum 20,000 SF lots to be more compatible with the larger residential lots located to the south within the county.

Appropriateness of the Proposed Zone Change – The General Plan Designation for the site is Suburban, which allows a minimum lot size of 10,000 SF. Lot sizes within the subdivision range from 10,000 SF to 24,821 SF with an average lot size of 12,546 SF, which is in conformance with the Suburban land-use designation. The proposed lots sizes and lot width would be similar to the lots sizes and lot widths of the adjacent single-family residential subdivisions located to the north and west, which also has a General Plan designations of Urban 1 and Suburban. Although the proposed lots sizes would be smaller than the county properties to the south, larger lots within the subdivision (which range from 14,390 SF to 15,760 SF) would be located along the southern property boundary, and the width of Lots 9, 10 and 11, would be consistent with the lot widths of the three county parcels located immediately to the south.

The applicant feels the proposed number of lots and lot sizes are appropriate for this site due similar developments to the north and west; amount of infrastructure required for the relatively small project area (which requires improvement to both sides of Bernardo Avenue and upgrades to the water system); the extent of the noise mitigation; and potential issues with marketability of larger estate lots along the freeway frontage.

Whether the Project Density and Lot Sizes would be Compatible with the Surrounding Neighborhood – The project proposes 13 single-family residential lots with larger lots (ranging from approximately 12,081 SF to 24,821 SF) located towards the southern and southwestern boundary of the project site, which would provide an appropriate transition between the larger county lots to the south, and similar sized lots upslope to the west. The grading design along the southern and southwestern boundaries of the site includes cut slopes, which provides for lower pad elevations than the properties to the south, and also results in increased setbacks and appropriate landscape buffers. Lots 8, 9 10 and 11 also step down the hillside with a transition between each pad elevation between six feet to twelve feet, which would provide for varied roofline elevations between each of the lots. The existing native vegetation along the southern property boundary also would be retained and incorporated into the landscape design. The proposed lots would not result in significant visual impacts to adjacent properties since the proposed lots would be situated lower than the existing properties/homes to the west and south, and the project has been conditioned to construct single-story homes to be consistent with the single-story homes to the west and south. Although views of Interstate 15 would be altered by the development of the project, skyline views to the east and northeast still would remain.

Conceptual grading includes approximately 11,000 cubic yards of fill and 11,000 cubic yards of cut, for a balanced grading plan. The proposed cut slopes generally are along the southern and western property boundaries, and primarily would be screened by the future homes and landscaped. The extent of proposed cut and fill slopes, and small retaining walls would be typical of the surrounding residential developments to the north and west, which step up the adjacent hillside (see attached cross sections). A Grading Exemption for a fill slope up to twelve feet in height is requested within the southern area of the project, where the City's grading criteria limits the height of fill slopes to 10

feet. The fill slope would not result in any visual impact since the corresponding pad elevation would not be higher than the existing topography to the south, and would incorporate a decorative retaining wall (approx. four feet in height) with a landscaped fill slope on top. The fill slope also would be located along the side yard of Lots 9 and 10, and generally would not be visible from adjacent views.

Access Gate – The project would remove the existing emergency access gate located along the northern boundary of the project and build a new gate along the southern boundary of the project. The access would provide for emergency vehicles only, but the final design and landscape plan would allow for pedestrian and bicycle access along Bernardo Avenue. Due to the past issues with vandalism to the existing gate, the project has been conditioned to install a much more robust gate and secured mechanical equipment area. The previous gate has been damaged on numerous occasions and repaired by the Terracina II Homeowner's Association. Due to the continued high cost of replacing/repairing the gate and components, and ongoing vandalism, a temporary security chain and city signage currently is installed to prevent vehicular access to the south through the county. The city has repaired the chain on several occasions due to vandalism. The applicant is proposing a new design, which would incorporate a stronger metal gate assembly, with decorative masonry walls on either side of the gates, along with a masonry enclosure area to protect the motor and other equipment from vandalism and theft. The project would merge into the adjacent Terracina II Homeowners' Association to provide for ongoing maintenance of the gates, along with any common drainage and landscape areas. A concept design of the gates has been provided with this report, but the final design would need to be approved by the Design Review Board.

Noise - The project site is located within a projected 1990 noise contour of 60 dB or greater due to the location of Interstate 15 to the west, and the planned widening of the freeway. Therefore, interior and exterior noise mitigation measures would be required. The General Plan identifies a goal of 60 dBA where outdoor use is a major consideration, such as back yards and other recreation areas in residential developments. A Noise Analysis was prepared for the proposed project by Kimley-Horn and Associates, Inc., dated February 7, 2006, which indicated the reduction of noise to below 60 dBA CNEL in the rear yards of the proposed residences is considered infeasible without a noise barrier exceeding 15 feet in height along the freeway frontage. However, due to the economic and aesthetic issues regarding a 15-foot-high noise wall along this section of Interstate 15, the study recommended a combination of acoustical shielding afforded by the future layout of the homes and lower noise barriers/walls which would reduce the exterior noise levels of the outdoor spaces to 65 dBA CNEL or less at all lots. A final interior noise analysis (INA) also must be provided and approved by the City before building permits are obtained for any of the residences to assure the interior noise levels meet the 45 dBA requirements.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The approximately 3.98-acre project site is undeveloped and dirt trails crisscross the site. The site fronts onto Bernardo Avenue, which is classified as a Local Collector Road (66' R-O-W) on the City's Circulation Element. Bernardo Avenue across the project frontage currently is developed as a paved, two-lane rural road with an asphalt curb along the western side of the road. An emergency access gate currently restricts access on Bernardo Avenue at the northern boundary of the project site. Current access to the parcel is provided from Bernardo Avenue south of the project site through unincorporated county area. The project site consists of an east facing hillside terrain that slopes from east to west down to Bernardo Avenue. The majority of the site contains slopes less than 15 percent grade, with a small area of slope between 15 percent to 25 percent within the southwestern area of the property. Site drainage generally follows the topography and flows southeasterly across the property. On-site vegetation consists primarily of non-native grasses and weeds, which are mowed or disced on a regular basis for brush management purposes. A small area of native habitat primarily consisting of Coastal Sagebrush (Artemisia californica) is located along the southern property boundary. A small stand of mature eucalyptus trees, two California pepper trees, and a large acacia shrub/tree are located along the Bernardo Avenue frontage. All on-site vegetation is proposed to be removed, except the small patch of native vegetation that strattles the southern property boundary. A small area of mostly non-native vegetation is located within the northeastern corner of the terminus of Bernardo Avenue where is meets the existing emergency access gate.

B. SUPPLEMENTAL DETAILS OF REQUEST

		Proposed Project	RE-20 Requirements
1.	Project Size:	3.98 acres (net/gross)	10,000 SF min.
2.	No. of Lots:	13 single-family residential	Up to 13 based on yield analysis
3.	Density:	3.26 du/ac	Up to 3.3 du/ac (Suburban General Plan)
4.	Lot Size:	Min. = 10,000 SF Max. = 24,821 SF Avg. = 12,546 SF	Min. = 10,000 SF
5.	Lot Width:	80' min.	80' average width
6.	Landscaping:	All landscaping to comply with Landscape Ord. requirements including street trees, slope landscaping and erosion control. The loss of any mature trees to be replaced with min. 24" box sized trees. Common area landscaping and Bernardo Avenue streetscape to be maintained by the project HOA.	
7.	Building Height:	Restricted to one story in height. Final design and layout to be determined by the Design Review Board and coordinated with the acoustical consultant.	

C. CODE COMPLIANCE ANALYSIS

1. General Plan:

   a. Land Use Element Designation: The project density of 3.26 du/ac would be consistent with the allowable density within the Suburban land-use designation. The proposed 13 lots would be in conformance with the allowable yield provisions of the Suburban land-use designation.

b. Circulation Element:	The project fronts onto Bernardo Avenue, which is a non-classified Local Collector Road (66' R-O-W). The project would not significantly impact levels-of-service to the adjacent streets or intersections.
c. Noise Element:	The proposed development is located within a projected 1990 noise contour of 60 dB or greater due to the proximity to Interstate 15 and Bernardo Avenue. Exterior and interior noise mitigation would be required. All habitable buildings are required to be constructed with sound attenuation measures to maintain interior levels at 45 dB or less.
d. Trails:	The City's Master Plan for Parks, Trails and Open Space does not identify any proposed trails that would affect the project site.
e. Hillside/Ridgeline:	The project is not located on or near an identified ridgeline.

Parcel History

1964 The property annexed to city as part of larger 341.12-acre annexation (Annexation 121 – Southwest Escondido).

1980 A three-lot Parcel Map (PM 80-16) was approved for the property which was not recorded. The existing zoning at the time of the parcel map was R-1-20, and the General Plan Designation was Low Density Residential (up to 7 du/ac), which would allow up to 27 lots/units and minimum 6,000 SF lots. Sewer/septic issues at that time restricted the property from developing at a higher density. A Negative Declaration was adopted for the Parcel Map (EIR 572).

1990 The citywide General Plan Update changed the subject property from Low Density Residential to Suburban (up to 3.3 du/ac), which would allow a minimum lot size of 10,000 SF. R-1-20 zoning remained the same since it is consistent with the Suburban designation of minimum 10,000 SF lots.

1998 A Conditional Use Permit was approved in 1998 to allow a 90,734 SF, 126-unit/bed, one- and two-story, residential-care facility (Case No. 98-30-CUP). The project never was implemented and the CUP expired. Sewer was extended across the project frontage as part of the previously developed residential subdivisions to the north and west.

EXHIBIT "A"

FINDINGS OF FACT
TR 877, 2004-23-CZ/GE

Tentative Subdivision Map TR 855 and Grading Exemption(s)

1. The 3.98-acre project site has a General Plan designation of Suburban, which allows a density of up to 3.3 du/ac and minimum lot size of 10,000 SF. The proposed project density of 3.26 du/ac is consistent with the underlying Suburban land-use designation. The project site could support up to 13 lots based on the acreage, slope categories and Suburban land-use designation. The proposed 13 lots would be in conformance with the yield calculated for the project, which is detailed in the Planning Commission staff report and Supplemental Comments attached to the Mitigated Negative Declaration (Case No. ER 2004-14). Lot sizes for the project range from approximately 10,000 SF to 24,821 SF, which would be in conformance with the Suburban land-use designation and proposed R-1-10 zoning requirements. Lot sizes, area, lot width and street frontage would be in conformance with the proposed R-1-10 zone as detailed in the Planning Commission staff report dated May 9, 2006.

2. The design and improvement of the proposed subdivision is consistent with the General Plan since the proposed density of 3.26 du/ac is in conformance with the maximum density of up to 3.3 du/ac for the Suburban designation, and minimum lot size and widths are consistent with proposed R-1-10 development standards. The proposed project would not disrupt or divide the physical arrangement of the area since the project is infill in nature and is adjacent to single-family residential development to the north, south and west, and Interstate 15 to the east. The site is zoned for residential development and the General Plan Land-Use Policy B1.9(c) (page II-16) indicates the Suburban designation is characterized by single-family homes, and the density is appropriate where the traditional neighborhood character of detached single-family units prevails. The proposed project is adjacent to single-family residential development to the north, south and west, with similar lot sizes to the north and west. The project density, yield and lot sizes would be consistent with the underlying Suburban land-use designation and requested R-1-10 zoning designation. Access would be provided by Bernardo Avenue, which is an existing Circulation Element Street. Development of the project and proposed improvements to Bernardo Avenue would not adversely alter or impact the existing circulation pattern throughout the surrounding neighborhood, nor preclude the development of surrounding parcels. Adequate public facilities are available and water service can be provided to the project with nominal extension of nearby existing facilities.

3. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas since the project site is adjacent to residential development to the north, south and west, and Interstate 15 to the east. The project site is vacant and does not contain any significant visual resources or prominent topographical features. The property is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. Existing vegetation would be permanently replaced by residential development, associated infrastructure and new landscaping. The development of the future homes on the proposed lots would not result in any adverse visual impacts or result in the obstruction of any scenic view or vista open to the public. The project also would not damage any significant scenic resources within a designated State scenic highway or create an aesthetically offensive site open to the public. Views on-site from surrounding properties would most likely consist of building pads, proposed one-story structures, perimeter fencing/walls, and front and rear-yard landscaping. Conceptual grading includes approximately 11,000 cubic yards of fill and 11,000 cubic yards of cut, for a balanced grading plan. The proposed cut slopes generally are located around the perimeter of the site, and primarily would be screened by the future homes and landscaping. The extent of proposed cut and fill slopes, and small retaining walls would be typical of the surrounding residential developments to the north and west, which step up the adjacent hillside. The pad elevations are proposed to be approximately 5 feet to 10 feet+ lower than the adjacent pads to the west and south. All of the homes are proposed to be one-story in height to be consistent with the adjacent residential developments to the north, south and west, which also would lessen the potential visual impacts to the existing homes, and retain views over the homes to the hillsides and skyline views to the north and east. All manufactured slopes would be required to be landscaped in conformance with the City's Landscape Ordinance to screen and soften visual impacts, as well as views from surrounding properties. Landscaping would be provided along the eastern side of Bernardo Avenue to provide a visual buffer from traffic along Interstate 15. Any grading and subsequent compaction of the site, as necessary, will be per City standards (Article 55, Escondido Zoning Code) to the satisfaction of the City Engineer.

The development of the proposed project would not conflict with the provisions of an adopted or proposed Habitat Conservation Plan. The project site is not considered biologically significant or strategically located to warrant being included in a regional or local natural open space preserve. No plant or animal species recognized as threatened or endangered by the U.S. Fish and Wildlife Service, or California Department of Fish and Game are located or anticipated to be present within the proposed development area, and no mitigation measures are required. The site is not listed as an open space corridor or animal migration corridor since much of the property is disturbed and surrounded by development. The western and eastern boundaries of the project area are fenced, which precludes the migration of certain animal species. The project site is not listed on the City' Parks, Trails and Open Space Plan, or any local or regional plan. No Resource Agency permits would be required for the proposed development since the project would not remove any protected or endangered habitats.

4. The site is suitable for this residential type of development proposed since the project site is zoned for single-family development and the site is adjacent to similar suburban and estate size residential zoning and development. The proposed grading design would not result in any significant visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and Mitigated Negative Declaration (Case No. ER 2004-14). Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.

5. The site is physically suitable for the proposed density of the underlying General Plan Suburban land-use designation as described in the sections above and the Planning Commission staff report dated May 9, 2006. Adequate access and public utilities can be provided to the site. The design of the lots would be in conformance with the proposed R-1-10 design standards and would be compatible with the general pattern of residential development throughout the area. The proposed project also would not result in any adverse impacts to biological resources on and off the site, as detailed in the Mitigated Negative Declaration issued for the proposed project.

6. The design of the residential map and the type of improvements are not likely to cause serious public health problems since the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer could be provided to the site. The project would not cause substantial environmental damage nor injure fish, wildlife or their habitat since there is no sensitive habitat located on the site. The project would not create any significant noise impacts to adjacent properties due to the residential nature of the project, and limited traffic increase created by the project. Appropriate mitigation measures have been adopted to address noise issues from Interstate 15.

7. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map since any existing easements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.

8. All of the requirements of the California Environmental Quality Act (CEQA) have been met and a Mitigated Negative Declaration (ER 2004-14) was issued for the proposed project on March 30, 2006. The findings of the analysis identified impacts that might potentially be significant, but mitigation measures would reduce these impacts to a less than significant level. Potential impacts identified in the Initial Study which require mitigation are related to potential noise impacts due to the proximity of Interstate 15. The mitigation measures have been included in the Conditions of Approval. The project will have a de minimis impact on fish and wildlife resources as no stream courses, riparian habitat or other sensitive habitat or resources will be adversely impacted by the proposed project.

9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot sizes and subdivision configuration provides opportunities for passive/solar heating.

10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will have been obtained prior to the recordation of the map.

11. The proposed map will not conflict with regional or local housing needs since all lots maintain all development standards of the applicable zone and observe the density of the General Plan. The project site does not contain any existing housing or structures that would be removed. The project would be developed with single-family residential homes in conformance with the Suburban land-use designation.

12. For the reasons stated in Sections 1 – 11 above, the bulk, scale, density and overall character of the proposed development would be compatible with the surrounding neighborhood and with the natural, cultural, scenic and open space resources of the area. To the extent feasible, the location and design of the proposed development respects and preserves the natural landform, native vegetation and any sensitive wildlife that may be present, to the extent practical. As stated in the staff report and environmental review, and provided in the conditions of approval, the location and design of the proposed development will protect the safety of current and future residents, and will not create a significant threat to life and property due to slope instability, fire, flood, mud flow, erosion or other hazards.

Grading Exemption(s)

1. Granting the modification to the Grading Exemption and other grading modification are consistent with the Grading Design Guidelines for the following reasons:

    a. Visual impacts to adjacent residences have been minimized since the taller cut slopes generally have been located towards the interior of the project site or down slope from adjacent residences. Retaining walls also are incorporated to minimize the height of slopes and grading on specific lots. Proposed fill slopes would not result in pad elevations that would unreasonably or adversely impact views. The slopes also would be landscaped with a variety of trees, shrubs and ground cover to further soften the view from surrounding properties.

    b. The proposed fill slopes would not block any significant views from surrounding properties since they would situated lower than adjacent development/lots, which does not block any existing views.

    c. The proposed design of the slopes would not adversely affect any adjoining septic systems since conditions have been incorporated into the project which would require increased cut slopes along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas, or the developer must arrange to connect any adjoining existing dwelling units, now on private septic systems, to the public sewer system.

    d. The proposed slopes would not intrude into or disturb the use of any adjacent property since they would not significant impact any scenic vistas or open space areas, disturb any utilities or drainage facilities; obstruct circulation patterns or access; nor preclude the future development of any adjacent parcels.

2. Prior to grading permit issuance, the design of the slopes would be engineered to ensure the stability of the cuts and fills, and associated buildings placed upon the new pad area.

3. The grading exemption(s) and retaining walls generally are requested either to provide sufficient flat buildable area to accommodate a single-family home, reduce driveway grades, and/or provide usable open space areas around the proposed homes.

4. For the reasons stated in the above sections, and further described in the Planning Commission staff reports and environmental review (ER 2004-14, Supplemental Comments), the grading has been designed to address on-site building constraints and has been minimized to the extent possible, preserving the character of the site while utilizing appropriate erosion control practices to avoid erosion, slides, or flooding in order to have as minimal an effect on the said environment as possible.

FACTORS TO BE CONSIDERED

Zone Change – 2004-23-CZ

1. The public health, safety and welfare will not be adversely affected by the proposed Zone Change from R-1-20 to R-1-10 zoning since the proposed density of the project is 3.26 du/ac, which is consistent with Suburban land-use designation and allows up to 3.3 du/ac. Adequate public services and access can be provided to the site. The public health, safety and welfare would not be adversely affected by the proposed change in zone since the proposed single-family residential development would not result in any significant impacts to the environment, as demonstrated in Mitigated Negative Declaration ER 2004-14, or be incompatible with adjacent single-family residential development.

2. The property involved is suitable for the uses permitted by the proposed R-1-10 zone since the site currently is zoned for single-family residential use and is adjacent to similar single-family residential development. Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections. The proposed zone change would not disrupt or divide the physical arrangement of the subject property is adjacent to single-family residential development to the north, south and west, and Interstate 15 to the east, and access currently is provided by Bernardo Avenue, which is a Circulation Element Street. The site is zoned for residential development and the General Plan Land-Use Policy B1.9(c) (page II-16) indicates the Suburban designation is characterized by single-family homes, and the density is appropriate where the traditional neighborhood character of detached single-family units prevails.

3. The uses permitted by the proposed R-1-10 zone would not be detrimental to surrounding properties since the site is zoned for single-family residential development and is adjacent to single-family residential development. The proposed R-1-10 zone would allow for single-family residential uses/development consistent with the underlying Suburban General Plan land-use designation, which allows minimum 10,000 SF lots. Lots sizes within the project range from 10,000 SF to 24,821 SF, which would be consistent with the lots sizes of the residential development to the north and west, which range from 7,740 SF to 19,778 SF. The scale and proposed lot sizes of the project would be in substantial conformance with the general pattern of residential development within the area, as detailed in the Land-Use Compatibility and Analysis sections of the staff report. The proposed change of zone would not result in a significant impact to the environment, nor impact existing services or degrade levels of-service to adjacent streets, as indicated in the Mitigated Negative Declaration prepared for the proposed project.

4. The 3.98-acre project site has a General Plan designation of Suburban, which allows a density of up to 3.3 du/ac and minimum lot size of 10,000 SF. The proposed project density of 3.26 du/ac is consistent with the underlying Suburban land-use designation. The project site could support up to 13 lots based on the acreage and Suburban land-use designation. The proposed 13 lots would be in conformance with the yield calculated for the project, which is detailed in the Planning Commission staff report and Supplemental Comments attached to the Mitigated Negative Declaration (Case No. ER 2004-14). Lot sizes for the project range from approximately 10,000 SF to 24,821 SF, which would be in conformance with the Suburban land-use designation and proposed R-1-10 zoning requirements. Lot sizes, area, lot width and street frontage would be in conformance with the proposed R-1-10 zone as detailed in the Planning Commission staff report dated May 9, 2006.

5. The proposed zone change would not conflict with any specific plans for the area since the project would be in conformance with the Suburban land-use designation, which allows for single-family development and minimum lot sizes of 10,000 SF. The R-1-10 zone is necessary to develop the project site with minimum 10,000 SF lots as proposed.

EXHIBIT "B"

CONDITIONS OF APPROVAL

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Director of Building, and the Fire Chief.

2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

3. Fire hydrant spacing and location must be approved by the Fire Department. The number, timing and minimum GPM fire flow shall be coordinated with the Fire Chief.

4. Any blasting within the City of Escondido is subject to the provisions of Ordinance No. 95-6 and a Blasting Permit must be obtained from the Escondido Fire Department. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.

5. Access for use of heavy fire fighting equipment, as required by the Fire Chief, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshall.

6. All required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis (INA) must be provided and approved by the City prior to building permit issuance for any of the residences. The interior noise analysis shall identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Appropriate dual-glazed windows with a Sound Transmission Class (STC) shall be identified in the report and on the building plans, along with resilient channels on the exterior walls facing Interstate 15 facing for the lots.

8. The design of the homes/architecture and footprints shall be used in combination with noise attenuation walls (as detailed in the Exterior Noise Analysis Report prepared by Kimley-Horn and Associates, Inc., dated February 7, 2006, to provide appropriate exterior noise mitigation to 65 dBA CNEL or less for the rear yards of the homes. A final acoustical analysis shall be prepared as part of the final grading plan and building plan submittal of the homes to demonstrate compliance with this mitigation measure. Noise attenuation walls within the setback areas shall be limited to six feet in height. Where eight-foot-high walls are identified, a combination of earth berms and wall may be used to achieve the eight foot requirements, or additional walls used in conjunction with appropriate building architecture/features to provide selected outdoor areas which would provide an exterior noise level of 65 dBA CNEL or less.

9. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program

10. All exterior lighting shall conform to the requirements of Article 1072, Outdoor Lighting (Ordinance No. 86-75).

11. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Planning and Building.

12. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division.

13. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08), to the satisfaction of the Planning Division.

14. Prior to final map approval, a note shall be included on the final map, or other documents provided, stating that grading shall be in conformance to the submitted conceptual design.

15. Three (3) copies of a revised tentative map, reflecting all modification and any required changes shall be submitted the Planning Division for certification prior to submittal of grading and landscape plans and the final map.

16. The proposed detention basin shall be a separate open space lot on the map.

17. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."

18. No street names are part of this approval. A separate request shall be submitted prior to Final Map.

19. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plans. The CC&Rs shall detail the responsibility for the maintenance of any common landscape areas, walls, easements, common drainage facilities, etc. The CC&Rs also shall include appropriate language for the establishment and operation of the proposed Homeowners' Association.

20. All lots shall meet the average lot width and lot area requirements of the underlying zoning category. Conformance with these requirements shall be demonstrated on the grading and final map. Non-compliance with these minimum standards will result in revisions to the map.

21. Prior to approval of the final map and issuance of grading plans, appropriate documents shall be submitted to verify the access easement along the southern boundary of the parcel no longer exists, or the project must accommodate the easement.

22. Prior to the issuance of grading permits and/or building plans, the applicant shall submit a Fire Management Plan to the Fire Department for review and approval.

23. An appropriate secondary emergency access shall be provided for the project, to the satisfaction of the Engineering Division and Fire Department. The gate shall incorporate decorative elements/walls and allow for appropriate pedestrian and bicycle access along Bernardo Avenue. The final design of the gates shall be approved by the Design Review Board and Fire Department.

24. The grading plans shall contain appropriate measures/instructions to protect the existing native vegetation during grading and construction. Appropriate fencing and signage shall be provide around native vegetation prior to grading or construction, and must be maintained in good order during all phases of construction. The CC&Rs shall contain appropriate language indicating the native vegetation is to remain.

25. A Homeowners' Association (HOA) shall be established for the proposed project and shall be responsible for the maintenance of all private and common areas/facilities (such as private streets/roadways, emergency access, private street lights, drainage swales and other drainage facilities, common area landscaping and landscape easements, walls, gates, fencing, etc.), and any other real property acquired by the Association. A licensed, professional management company shall be hired to oversee the management of operations of the HOA for the life of this development. A self-managed HOA shall not be allowed for this project. The establishment of the HOA along with the duties and powers shall be included in the CC&Rs for the project.

26. All of the buildings shall be restricted to single-story in height. Two-story room additions also shall be prohibited and this restriction included in the project CC&Rs. The final design, height and orientation of the homes shall be reviewed and approved by the Design Review Board, and coordinated with the acoustical consultant.

27. The homes shall be situated on the lots to provide for appropriate on-site turn around areas to eliminate vehicles backing up or down long or steep driveways, or backing onto Bernardo Avenue, to the satisfaction of the Engineering Division. Provisions for the turn around areas shall be demonstrated on the fine grading plans and plotting plans for the homes. For turn around areas, a minimum 24-foot back up area should be provided for vehicles to exit the lot in a forward manner.

28. Bernardo Avenue (from the south through county territory) shall not be used for construction access. Appropriate gates/barriers and signage shall be installed along Bernardo Avenue to restrict access during grading and construction. The final plan/restrictions shall be clearly identified on the grading and building plans, and approved by the Engineering Department and Planning Division prior to the issuance of grading and building plans/permits.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Division. A plan check fee of $1,040.00 will be collected at the time of submittal. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards in Ordinance 93-12. The plans shall be prepared by, or under the supervision of a licensed landscape architect.

2. Any existing trees to remain within the subdivision and any shall be identified on the landscape and grading plans, to the satisfaction of the Planning Division.

3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.

4. All manufactured slopes, or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.

5. Prior to occupancy of future units, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

6. All slopes shall be landscaped with suitable material to control erosion. All manufactured slopes over three feet in height shall be landscaped with a combination of trees, shrubs and groundcover. Fill slopes shall have a minimum of six (6) trees, fifteen (15) gallon in size and ten (10) shrubs, five (5) gallon size per 1,000 square feet of slope area plus ground cover. Groundcover shall provide one hundred percent coverage within one year of installation. Cut slopes shall have a minimum of six (6) trees, five (5) gallon in size and ten (10) shrubs, one (1) gallon size per 1,000 square feet of slope area plus ground cover. Groundcover shall provide one hundred percent coverage within one year of installation. The type of plant material shall be low maintenance, drought resistant, and fast growing, to the satisfaction of the Planning Department. In particular, the ground cover shall be a fast-growing species which establishes quickly and is capable of choking out weeds. All slopes over three vertical feet shall be irrigated with an individual lot irrigation system approved by the Planning and Building Departments.

7. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Escondido Landscape Ordinance and Street Tree List. If existing mature trees on site are removed, they shall be replaced with specimen sized trees in conformance with the City's tree preservation requirements.

8. The eastern side of Bernardo Avenue shall be landscaped to included specimen sized trees (min. 24' box) along with min. 15 gallon shrubs. A dense planting of fast and tall growing shrubs shall be used to provide a visual barrier between Bernardo Avenue and Interstate 15. The Bernardo Avenue streetscape shall be maintained by the project Homeowner's Association.

9. A decorative landscape design shall be provided around the bulb of the Bernardo Avenue cul-de-sac/termination, to include trees, shrubs and groundcover. A decorative landscape design also shall be incorporate into the design of the detention basin. Any necessary security fencing around the detention basin shall be decorative and compliment the design of the emergency access gate. The final design will require Design Review Board approval.

10. Any proposed walls and retaining walls shall be constructed out of decorative material to the satisfaction of the Planning Division. The materials and location of the wall(s) shall be identified on the grading plans, building plans and final landscape plans, and shall be reviewed and approved by the Design Review Board prior to the issuance of grading and building permits.

11. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.

ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER 877

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.

3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.

4. No Grading Permit shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded.

5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

STREET	CLASSIFICATION
Bernardo Avenue	Local Collector (42' within 62' R/W)
Street "A"	Residential Street (36' within 56' R/W)

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall construct Bernardo Avenue (full width, with sidewalk on the west side and landscaping on the east side, in accordance with Local Collector Standard. The developer shall be required to remove the existing cul-de-sac and emergency access gate at the end of Bernardo Avenue and extend the roadway along project frontage and construct a new cul-de-sac and a new emergency access gate at the southerly end to the satisfaction of the City Engineer and Fire Marshall. Home owners association shall be responsible for the future maintenance of the emergency access gates.

4. The developer shall construct Street "A" in accordance with the Residential Standard Street (36'of curb to curb within 56' right-of-way or 46' right-of-way, and 5 foot public utilities easement behind sidewalks) to the satisfaction of the City Engineer.

5. The major access entrances shall be designed as street intersections with curb returns, cross gutters and spandrels, sidewalk ramps, etc. with a minimum throat width of 36 feet.

6. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.

7. All lots fronting Bernardo Avenue shall be provided with onsite turn around to avoid backing on to Bernardo Avenue to the satisfaction of the City Engineer.

8. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.

9. All cul-de-sacs shall conform to the current Escondido Design Standards.

10. Plans for construction within any right-of-way under a jurisdiction other than the City of Escondido will be subject to the review by both the City of Escondido and the other jurisdiction. The developer shall be responsible for securing all necessary permits from the appropriate agencies.

11. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

12. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by a private contractor.

13. The project is subject to the vacation of public rights-of-way within or adjoining the project boundary. Specific areas to be vacated shall be determined to the satisfaction of the City Engineer. The street vacation must be approved by the City Council prior to recordation of the Final Map. The developer shall be responsible for relocation of all existing utilities within this street vacation.

14. The developer may be responsible for an overlay of Bernardo Avenue due to the many utility trenches necessary to serve this project or construction activities. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.

15. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

16. An encroachment permit shall be obtained from CALTRANS for all work within the CALTRANS right-of-way.

17. The maximum grade of intersecting streets is 6% per the Escondido Design Standards.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

5. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

6. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.

7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

8. The developer will be required to obtain permission from adjoining property owners for any off-site grading and slopes necessary to construct the project and/or the required improvements.

9. All driveway grades shall conform to current Escondido Design Standards and Escondido Standard Drawings.

10. All lot lines shall be located at the top of slope unless otherwise approved by the City Engineer.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.

2. The drainage from this project will flow directly onto adjoining property within the jurisdiction of the County of San Diego or CALTRANS. Any drainage plans for facilities within the jurisdiction of these agencies shall be subject to their review and approval.

3. All on-site storm drains and storm water treatment facilities are private. The responsibility for maintenance of these storm drains shall be that of the property owner's association. Provisions stating this shall be included in the CC&R'S.

4. Drainage facilities shall be provided at the toe of all commonly maintained large slope areas to intercept irrigation runoff approaching the individual lots.

5. A Water Quality Technical Report shall be prepared for the project in accordance with the City's Storm Water Management Requirements. Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.

WATER SUPPLY

1. Water supply for this project will be provided from a new 24 inch CML&C Steel water main that is planned to be constructed on Bernardo Avenue as a City project.

If the project improvements (grading & street improvements) planned to be constructed prior to the City project, the project developer shall construct a section of the planned 24 inch water line (along project frontage) and connect to the existing 8 inch water line located at the northerly boundary of the project to the satisfaction of the City Engineer. The project developer shall also construct an 8 inch water line in Street "A" to provide for water services and fire protection.

2. Water utilities shall be extended to the project's boundary at such locations as required by the City Engineer.

3. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer. A new 8" sewer line shall be constructed on Street "A". Sewer service for the lots along Bernardo Avenue shall be provided from the existing sewer main on Bernardo Avenue.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET	CLASSIFICATION
11th Avenue/ Bernardo Avenue	Local Collector (42' within 62' R/W)
Street "A"	Residential Street (36' within 56' R/W)

2. Street "A" shall be constructed within 56' public right-of-way or 46' public right-of-way and 5 foot utilities easement behind sidewalks on both sides.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

4. The developer shall dedicate to the public a 20-foot radius corner rounding at Street "A" intersection with Bernardo Avenue.

5. The developer shall offer for dedication for storm drainage purposed the portions of the project delineated on the Tentative Map as an open space easement. The exact area of the offer of dedication shall be determined at the time the drainage study is reviewed.

6. The developer is responsible for making the arrangements to vacate all streets or quitclaim all easements of record, which conflict with the proposed development prior to approval of the final map. All street vacations shall be accomplished by

means of a separate public hearing. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of $30,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.

2. This subdivision is contiguous to the facilities of another public agency. This agency may be required to review and/or sign the improvement plans. It will be the responsibility of the developer to establish an account with this jurisdiction to pay for all fees for plan checking and permit approval.

3. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of drainage swales, storm drains and basins and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. The CC&Rs must state that the property owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance.

2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

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San Luis Rey Investments LLC

Amendment to the Agreement Dated November 7, 2005:
March 6, 2006

Recitals:

1. The city of Escondido has requested a clarification regarding the responsible party which will maintain certain landscaping which will be installed by SLR along the East side of Bernardo Rd as well as a retention basin to control storm water run-off.
2. In that SLR has agreed to merge its development into the Terracina Association and the Terracina Association has agreed to accept the merging.

The Parties Agree to the Following :

1. The Terracina Association will maintain the above described landscape area and retention basin as part of the association common area maintenance responsibility.

Each party represents and warrants that they are duly authorized to enter into this agreement and that the execution of this agreement shall operate to bind each party. Furthermore, each party acknowledges and agrees that by signature below by its Members and or Board Members constitute written consent of its Board of Directors and thereby satisfy all required corporate formalities.

Agreed:
San Luis Rey LLC

By: _____ date 4-12-06
Investors RE One LLC, Managing Partner
By: Linkin LLC, Managing Partner of Investors RE One
By: Howard Dworkin, Managing Partner of Linkin LLC.

Terracina Escondido II HOA

By: _____ date 3/11/06
Name: John Sawicki Title: VP

By: _____ date 3/14/06
Name: Sharon McCoy Title: President

By: _____ date 4/7/06
Name: Nathan Limjoco Title: Treasurer

APR 25 2006

PETITION
TO CITY OF ESCONDIDO CALIFORNIA

WE THE RESIDENCE OF THE LISITED ADDRESSES IN ESCONDIDO CA, SAN DIEGO COUNTY CALIFORNIA MAKES THIS REQUEST.

A-DISAPPROVAL OF A ZONE CHANGE (Case No.2004-23-CZ/GE FROM EXISTING R-1-20 (Single-Family Residential, 20,000SF min lot zoning to R-1-10 (Single –Family Residential 10,000SF min lot size).

WE THE NEIGHBORS OF THE PROPOSED PROJECT Bernardo Lane Estates LLC/ Tera Resources Group would have a negative impact due to this zone change.

The homes in our neighborhood are zoned from ½ Acre to 2-Acre Lots. Homes in this area range in price from $500,000 to over $ 1 M in value.

WE AS GOOD NEIGHBORS WHO WANT TO SEE THIS PROPERTY DEVELOPED AS R-1-20 Single Family Residential 20,000 SF min lot size

Name Print: J. J McDONALD **Sign** J J McDonald

Address: 2109 BERNARDO AVE ESCONDIDO CA 92029

Name Print: E.H MCDONALD **Sign:** E H McDonald

Address: 2109 BERNARDO AVE ESCONDIDO CA 92029

Name Print: Michael J. McDonald **Sign:** Michael J. McDonald

Address: 2109 BERNARDO AVE ESCONDIDO CA 92029

Name Print: MARIETTA McDONALD **Sign:** Marietta McDonald

Address: 2109 Bernardo ave Escondido CA 92029

Name Print: Ugene S. Stephens **Sign:** Ugene S. Stephens

Address: 1289 Daxi Lane, Escondido, CA 92029

Name Print: Doris Stephens Sign: Doris A. Stephens

Address: 1289 Daxi Lane, Escondido, CA. 92029

Name Print: Kevin Sanger Sign: Kevin O Sanger

Address: 1290 Daxi Lane, Escondido, CA 92029

Name Print: Stacie Sanger Sign: Stacie Sanger

Address: 1290 Daxi Lane, Escondido, CA 92029

Name Print: CHARLES White Sign: Charles White

Address: 2155 GAMBLE PLACE ESCONDIDO CA 92029

Name Print: Albert H Trevisan Sign: Albert H Trevisan

Address: 1277 DAXI LN Escondido CA 92029

Name Print: MARTHA L TREVISAN Sign: Martha L Trevisan

Address: 1277 Daxi Lane, Escondido, CA-92029

Name Print: JAMES SJOGREN Sign: James Sjogren

Address: 2064 Bernardo Ave Esc. 92029

Name Print: Petra SJOGREN Sign: Petra Sjogren

Address: 2064 Bernardo Ave Esc 92029

Name Print: Marcos Melecio Sign: Marcos Melecio

Address: 2064 Bernardo Ave Esc. 92029

Name Print: Douglas Green Sign: Douglas Green

Address: 2064 Bernardo Ave Esc 92029

Name Print: Bertina Green Sign: Bertina Green

Address: 2064 Bernardo Ave Esc 92029

Name Print: Anthony Fonseca Sign: Anthony Fo

Address: 2101 Bernardo Ave. Esc. 92029

Name Print: Nathan Fonseca Sign: Nathan Fonseca

Address: 2101 Bernardo Ave Esc 92029

Name Print: Ginny Fonseca Sign: [illegible]

Address: 2101 Bernardo ave. ESC, 92029

Name Print: Robel Horne Sign: [illegible]

Address: 2120 Bernardo Ave Escondido 92029

Name Print: Diana S Horne Sign: Diana S Horne

Address: 2120 Bernardo Ave Escondido CA 92029

Name Print: Robert G. Benson Sign: Robert G. Benson

Address: 2114 Bernardo AV ESC CA 92029

Name Print: Laurie A. Benson Sign: Laurie A. Benson

Address: 2114 Bernardo Ave. Escon. Ca. 92029

Name Print: Kim Carr Sign: [illegible]

Address: 2119 Bernardo Ave. Esc. CA 92029

Name Print: David Carr Sign: [illegible]

Address: 2119 Bernardo Ave. Esc. CA 92029

Name Print: Lindsay Shelton Sign: Lindsay Shelton

Address: 2150 Bernardo Ave. Escondido CA 92029

Name Print: Jim Shelton Sign: Jim Shelton

Address: 2150 Bernardo Ave. Escondido CA 92029

Name Print: Aida Shelton Sign: Aida Shelton

Address: 2150 Bernardo Ave. Escondido CA 92029

Name Print: JANITA JONES Sign: Janita Jones

Address: 2160 Bernardo Ave Esc 92029

Name Print: WILLIAM T JONES Sign: [illegible]

Address: 2160 Bernardo Ave. Esc, ca 92029

Name Print: Joan Smith Sign: M. Holland (Caregiver)

Address: 2172 Bernardo Ave.

Name Print: MARVIN D. OST Sign: [illegible]

Address: 2072 BERNARDO AVE

Name Print: Janice Phrakonkhe Sign: [illegible]

Address: 2172 BERNARDO AVE

Name Print: Otis Inthilath Sign: [illegible]

Address: 1133 Daxi LN

Name Print: Nia Inthilath Sign: [illegible]

Address: 1133 Daxi Ln

Name Print: Bill PHAN Sign: [illegible]

Address: 1205 - DAXI LANE, ESCONDIDO, CA, 92029

Name Print: DIANE TRAN Sign: [illegible]

Address: 1205 DAXI LN ESCONDIDO CA, 92029

Name Print: Glenn Souriphoumy Sign: [illegible]

Address: 1155 Daxi Ln Escondido CA 92029

Name Print: Diem Souriphaum Sign: [illegible]

Address: 1155 Daxi Ln Escondido CA 92029

Name Print: Mark Llovis Sign: [illegible]

Address: 2132 Bernardo Ave Escondido CA 92029

Name Print: Zazu A Llovis Sign: [illegible]

Address: 2132 Bernardo Ave Escondido CA 92029

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WE AS GOOD NEIGHBORS WHO WANT TO SEE THIS PROPERTY DEVELOPED AS R-1-20 Single Family Residential 20,000 SF min lot size

Name Print: CARL R. TASSISTRO Sign: Carl R. Tassistro

Address: 1274 DAXI LN., ESCONDIDO, CA 92029

Name Print: ANNE M. TASSISTRO Sign: Anne M. Tassistro

Address: 1274 Daxi LN, Escondido, CA 92029

Name Print: CLARA CARAMAGNA Sign: Clara Caramagna

Address: 1274 Daxi Ln, Escondido, CA 92029

Name Print:_____ Sign:_____

Address:_____

Name Print:_____ Sign:_____

Address:_____

PETITION
TO CITY OF ESCONDIDO CALIFORNIA

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Name Print: CARL R. TASSISTRO **Sign** [signature]

Address: 1274 DAXI LN., ESCONDIDO, CA 92029

Name Print: ANNE M. TASSISTRO **Sign:** [signature]

Address: 1274 Daxi Ln, Escondido, CA 92029

Name Print: CLARA CARAMAGNA **Sign:** [signature]

Address: 1274 Daxi Ln, Escondido, CA 92029

Name Print: Jan Nizic Bonner **Sign:** [signature]

Address: 2138 BERNARDO Ave, Escondido, CA

Name Print: James Bonner **Sign:** James Bonner

Address: 2138 Bernardo Ave, Escondido, CA

1

RECEIVED
JUL - 6 2005
PLANNING DIVISION

PLANNING DIVISION
CITY HALL

6/30/2005

RE: PROPOSED PLAN TO BUILD 14 HOMES ON THE VACANT BERNARDO AVE PROPERTY

Please be advised that I as a homeowner in Terracina II oppose the building of 14 homes on said property. This large number of homes will increase traffic and congestion in my community.

Also, these lots are zoned for 20,000 square foot lots not 13,000 as proposed.

I feel strongly that 7 or 8 homes is enough.

Please reconsider the tentative approval of 14 homes @ 13,000 square feet per lot.

Sincerely,

James J. Minaldo
1969 RIDGE WAY GLEN
ESCONDIDO CA 92029
760-747-4499

CITY OF ESCONDIDO
Planning Division
201 North Broadway
Escondido, CA 92025-2798
(760) 839-4671

Environmental Checklist Form

1. Project title: Bernardo Acres – ER 2004-14, TR 877, 2004-23-CZ/GE

2. Lead agency name and address: City of Escondido, Planning Division
201 N. Broadway, Escondido, CA 92025

3. Contact person and phone number: Jay Paul, Associate Planner, (760) 839-4537

4. Project location: On the western side of Bernardo Avenue, west of Interstate 15, south of 11th Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04)

5. Project sponsor's name and address: Terra Resources Group (Jeff Bender) P.O. Box 27740, Las Vegas, NV. 89126 (619) 253-9342 and Elais Atri, San Luis Rey Investments, LLC, C/O Bernardo Lane Estates, LLC 9151 Recho Road, San Diego CA 92121 (858) 342-5635

6. General Plan designation: Suburban (up to 3.3 DU/AC) 7. Zoning: R-1-20 existing, R-1-10 requested

7. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Tentative Subdivision Map for 13 single-family residential lots on approximately 3.95 acres of land, along with a Zone Change from existing R-1-20 zoning to R-1-10 zoning. The project also includes a request to vacate a section of Bernardo Avenue and incorporate the area into the project design. A Grading Exemption is requested for a fill slope up to 12 feet in height (see attached supplemental comments/project description)

8. Surrounding land uses and setting (briefly describe the project's surroundings):

North: Single-family residential development and zoning (PD-R 4.3)
South: County residential zoning - Single-family residential development
East: Bernardo Avenue and Interstate 15
West: Single-family residential development and zoning (PD-R 2.33)

9. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

Department of Transportation (Encroachment Permit for off-site storm drain improvements)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be affected by this project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☒ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.

☒ I find that, although the proposed project might have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by, or agreed to, the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.

☐ I find that the proposed project might have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT shall be required.

☐ I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT shall be required, but it must analyze only the effects that remain to be addressed.

☐ I find that, although the proposed project might have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further shall be required.

Signature — March 30, 2006
Date

Jay Paul, Associate Planner
Printed Name — For

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take into account the whole action involved, including off-site, on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact might occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect might be significant. If there are one or more "Potentially Significant Impact" entries once the determination is made, an EIR shall be required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5. Earlier analyses may be used where an effect has been adequately analyzed in an earlier EIR or Negative Declaration, pursuant to the tiering, program EIR, or other CEQA. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a. Earlier Analysis Used. Identify and state where it is available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of an adequately analyzed earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate references to information sources for potential impacts into the checklist (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally should address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a. The significance of criteria or threshold, if any, used to evaluate each question; and
   b. The mitigation measure identified, if any, to reduce the impact to less than significant

SAMPLE QUESTION

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. LAND USE AND PLANNING				
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
d. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
e. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
f. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
g Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
II. AGRICULTURE RESOURCES				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

III. TRANSPORTATION/TRAFFIC

Would the project:

a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (e.g., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Result in inadequate parking capacity?	☐	☐	☒	☐
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

IV. AIR QUALITY

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
V. BIOLOGICAL RESOURCES				
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on federally projected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
VI. CULTURAL RESOURCES				
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒
VII. GEOLOGY AND SOILS				
Would the project:				
a. Expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐
IX. HYDROLOGY AND WATER QUALITY				
Would the project:				
a. Violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters (Consider temperature, dissolved oxygen, turbidity and other typical storm water pollutants)?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b. Have potentially significant adverse impacts on ground water quality, including but not limited to, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner which would result in substantial/increased erosion or siltation on- or off-site?	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site and/or significant adverse environmental impacts?	☐	☐	☐	☒
e. Cause significant alteration of receiving water quality during or following construction?	☐	☐	☒	☐
f. Cause an increase of impervious surfaces and associated run-off?	☐	☐	☒	☐
g. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
h. Cause potentially significant adverse impact on ground water quality?	☐	☐	☒	☐
i. Cause or contribute to an exceedance of applicable surface or ground water receiving water quality objectives or degradation of beneficial uses?	☐	☐	☒	☐
j. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	☐	☐	☐	☒
k. Create or exacerbate already existing environmentally sensitive areas?	☐	☐	☐	☒
l. Create potentially significant environmental impact on surface water quality, to either marine, fresh, or wetland waters?	☐	☐	☒	☐
m. Impact aquatic, wetland or riparian habitat?	☐	☐	☐	☒
n. Otherwise substantially degrade water quality?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
o. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
p. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
q. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
r. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
X. MINERAL RESOURCES				
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan?	☐	☐	☐	☒
XI. NOISE				
Would the project result in:				
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
XII. POPULATION AND HOUSING				
Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIII. PUBLIC SERVICES				
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☐	☒
XIV. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

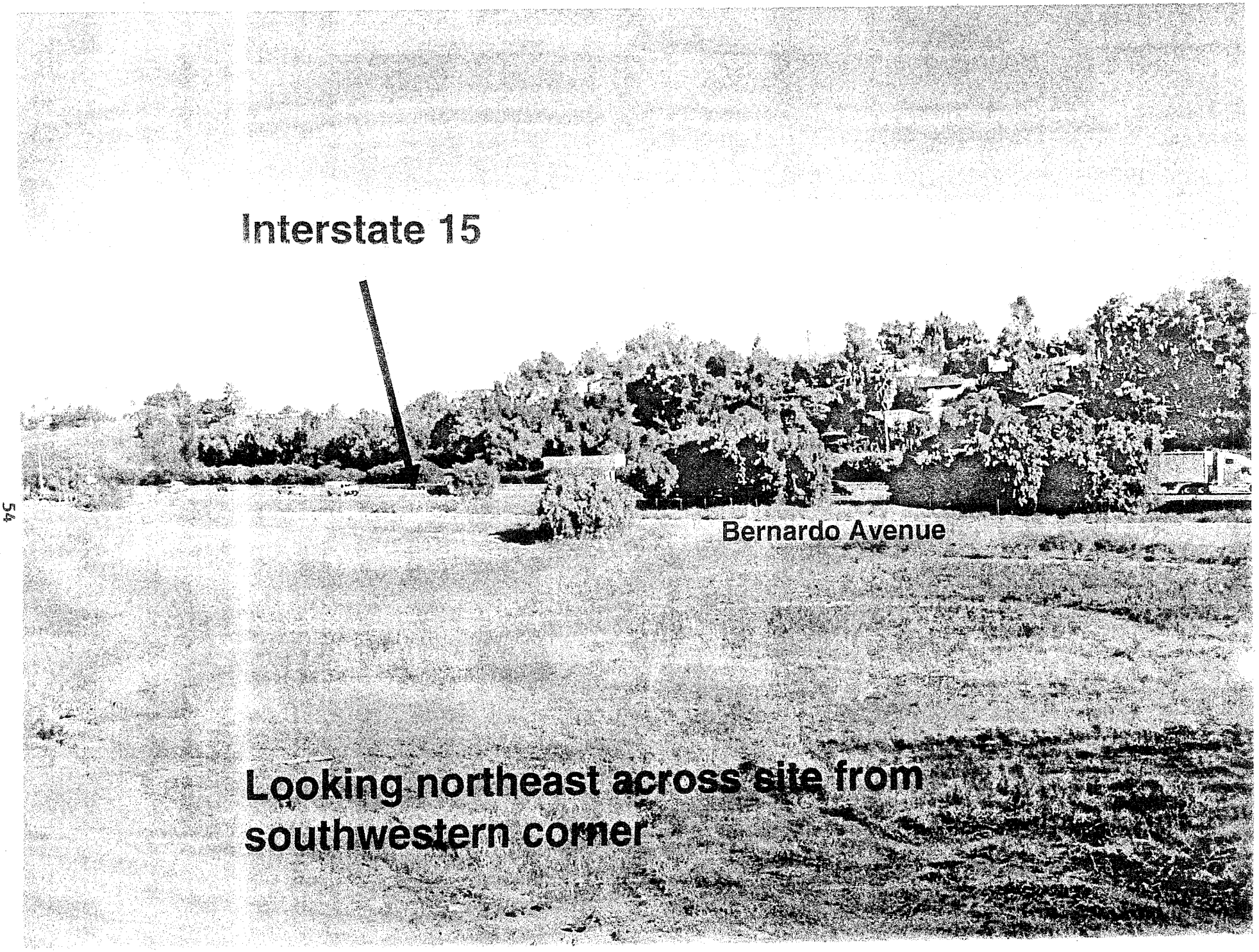
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c. Require, or result in, the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
XVI. MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Source of Information/Material Used in Preparation of this Analysis

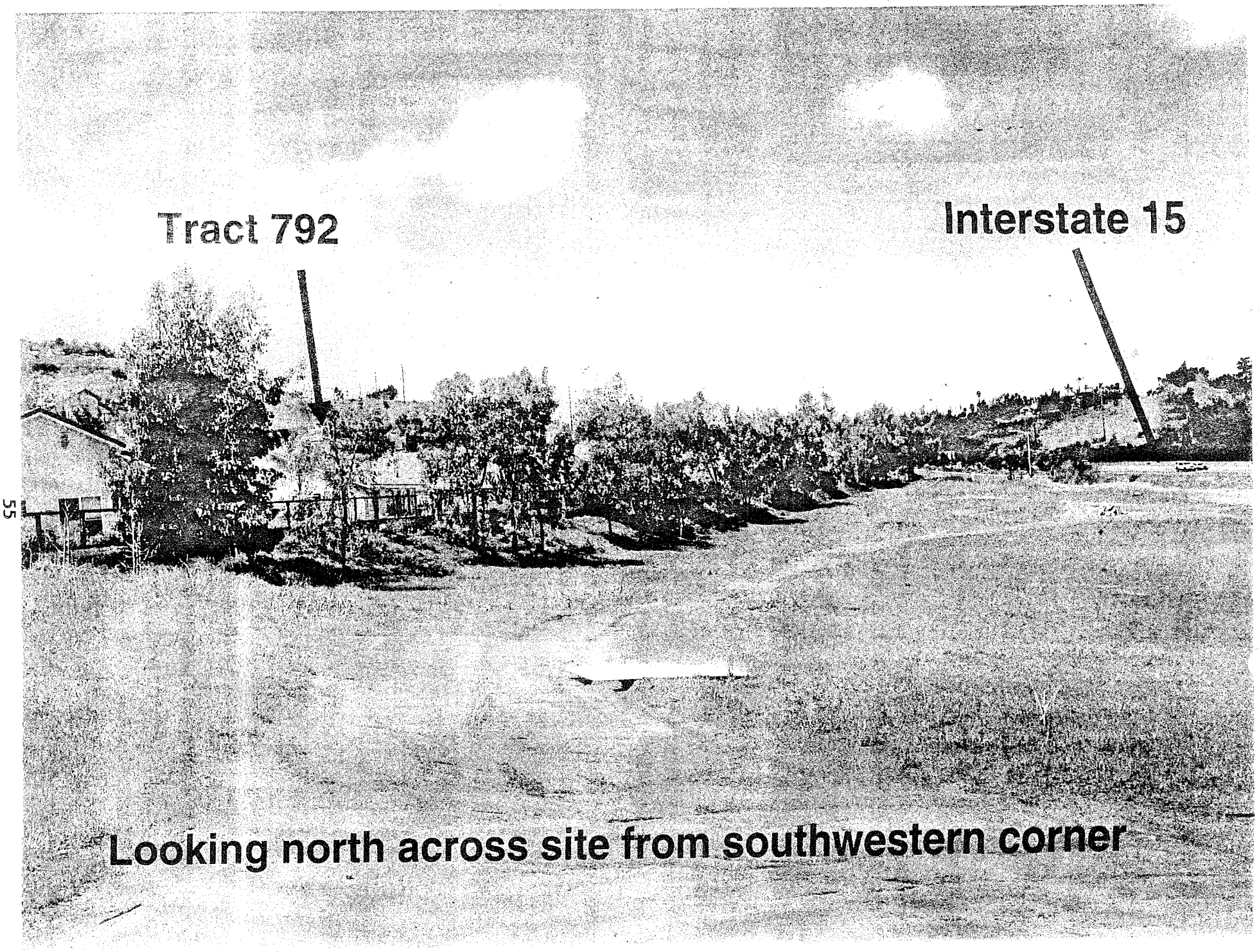
1. Escondido General Plan – 1990
2. Escondido General Plan EIR and General Plan Update EIR, 2000
3. Escondido Zoning Code and Land Use Map
4. SANDAG Summary of Trip Generation Rates
5. Escondido Drainage Master Plan (1995)
   FIRM maps (Flood Insurance Rate Maps)
6. County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
7. Escondido Historical Resources Survey
8. Site Visits/Field Inspection
9. Comments from other Departments:

   Engineering Division
   Public Works Division
   Traffic Division
   Building Department
   Fire Department
   Police Department
   Planning Division

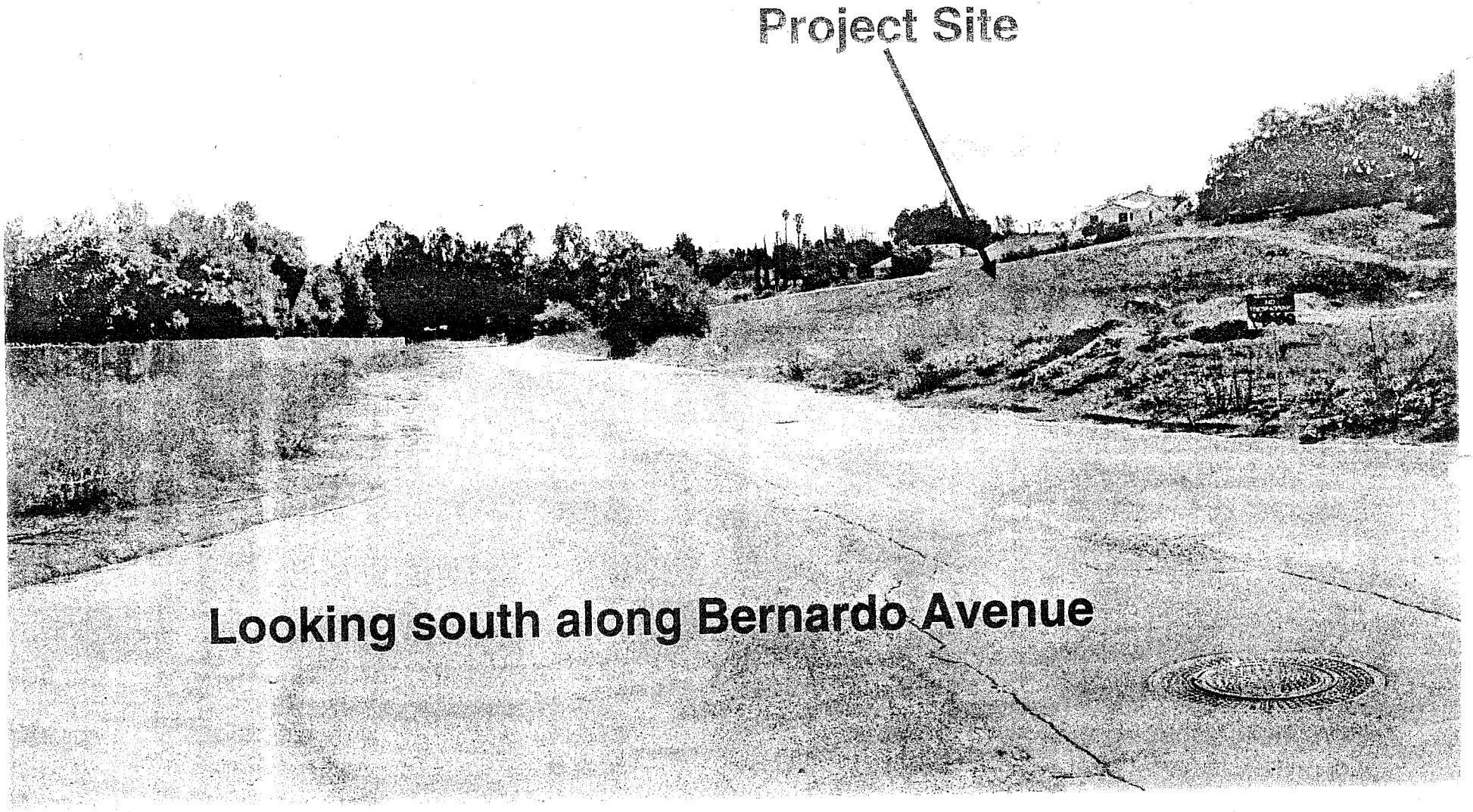
10. Project Description and Preliminary Information
11. Draft MHCP maps (Multiple Habitat Conservation Program)
12. Preliminary Soils and Geotechnical Investigation, prepared by Vinje & Middleton, March 10, 2000
13. Preliminary Hydrology Report, prepared by Aquaterra Engineering, Inc., March 9, 2005 and July 25, 2005
14. Water Quality Technical Report prepared by Aquaterra Engineering, Inc., July 26, 2004
15. Exterior Noise Analysis Report, prepared by Kimley-Horn and Associates, Inc. February 7, 2006
16. Traffic Study prepared for Escondido Tract 912 by LOS Engineering, December 8, 2004, April 29, 2005 and May 23, 2005. This is a 42 unit condominium project on 3.6 acres of land located at the northeastern corner of 11th Ave. and Del Dios Rd.
17. Air-Quality Report prepared for Escondido Tentative Tract 916 by Scientific Resources Associated, Feb.10. 2006 (Case No. ER 2005-12). This is a 39 lot single-family residential subdivision on approx. 17.2 acres of land. The conceptual grading plan anticipated 18,400 cy of cut and 25,600 cy of fill with an estimated import of 7,200 cy of material. The study concluded construction related impacts would not result in a significant impact and no mitigation was required. This study used for comparison and reference only.
18. Air Quality Report prepared for Escondido Tract 855 by Investigative Science and Engineering, Inc., dated August 6, 2003. This is an 18 lot, single-family residential development on approx. 11.83 acres of land. Proposed onsite grading anticipates approximately 89,350 cubic yards of fill materials, 50,500 cubic yards of cut, and import of 38,850 cubic yards of material. A screening risk assessment of diesel-fired toxics from construction haul trucks also was performed for this project. Based on the study, all criteria pollutants were below the SDAPCD-recommended level of 1 in a million per ug/m^3 (i.e., all risk levels less than 1.0). Therefore, no impacts are expected and not mitigation was required. This study used for comparison and reference only.
19. Mitigated Negative Declaration adopted for Escondido Tract 912 (Case No. ER 2005-04).

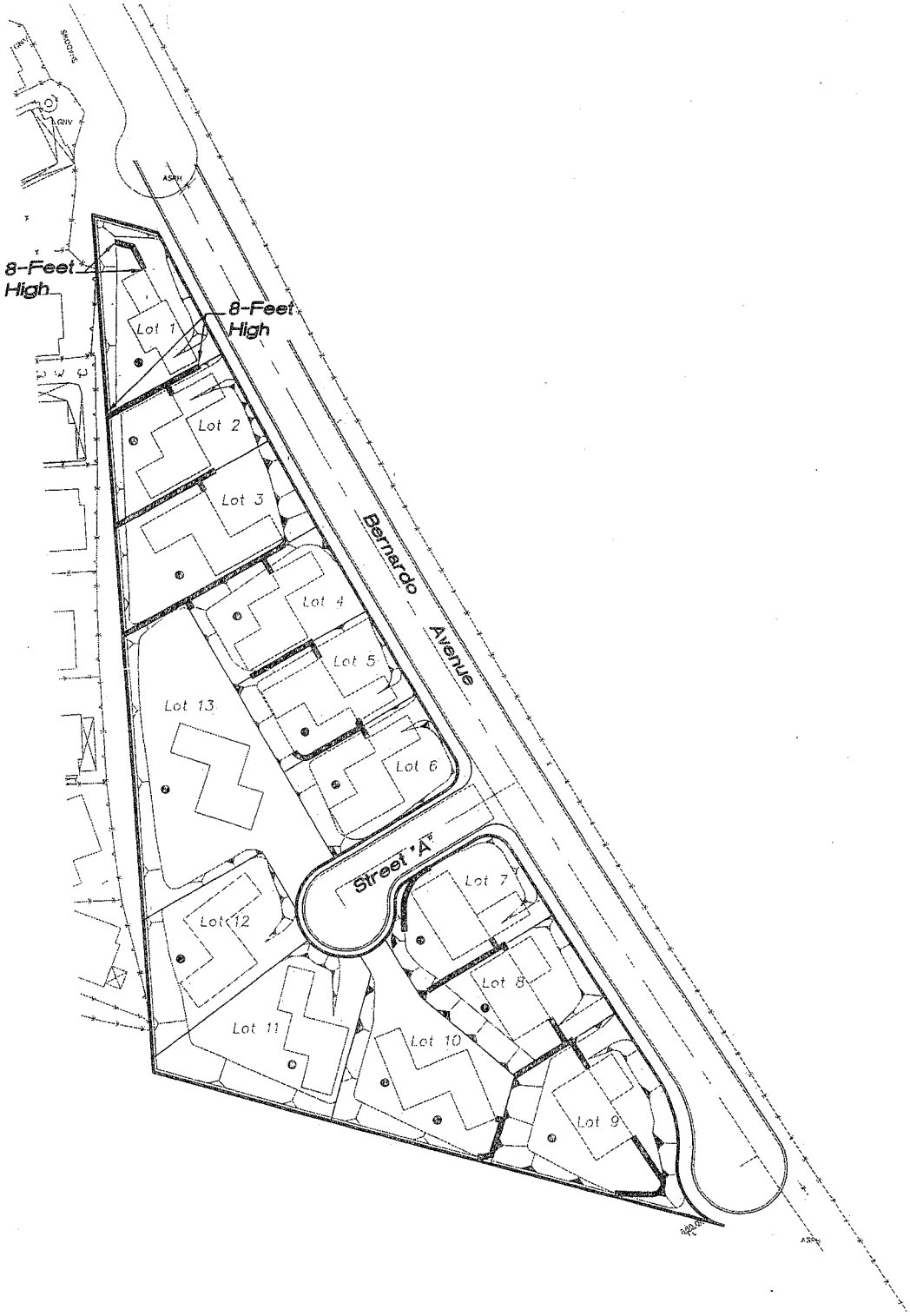


Looking northeast across site from southwestern corner



Looking north across site from southwestern corner


Project Site
Looking south along Bernardo Avenue



Legend

Receiver Location

Noise Barrier

(6' High unless noted otherwise)

Kimley-Horn and Associates, Inc.
Engineering, Planning and Environmental Consultants

Figure 4

Recommended Noise Barrier Locations

INITIAL STUDY PART II
SUPPLEMENTAL COMMENTS

ER 2004-14
TR 877, 2004-23-CZ/GE

GENERAL PURPOSE

The following section evaluates the potential impacts of the proposed 13-lot residential subdivision submitted by Terra Resources Group, generally located at 1995 Bernardo Avenue, in the City of Escondido, County of San Diego. The attached environmental checklist, consistent with the California Environmental Quality Act (CEQA) Guidelines, was used to focus this study on physical factors that may be impacted by the proposed project. The Initial Study will serve to identify and evaluate any effects determined to be potentially significant.

PROJECT DESCRIPTION

The proposed project involves a Tentative Subdivision Map (TR 877) for 13 single-family residential lots on approximately 3.98 acres of land within the City of Escondido, generally located on the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04). Proposed lot sizes range from approximately 10,000 SF to 24,821 SF. Access to the project would be provided from Bernardo Avenue, which is classified as a Local Collector Road (66' right-of-way) on the City's Circulation Element. A new cul-de-sac street intersecting Bernardo Avenue on the west would provide access to four of the lots, and the remaining lots would take access from Bernardo Avenue. All proposed streets would be constructed to City requirements. Conceptual grading includes a combination of cut and fill slopes with approximately 11,000 cubic yards of fill and 11,000 cubic yards of cut for a balanced grading design. A Grading Exemption is requested for a fill slope up to approximately 12 feet in height within the southern area of the project. Blasting is not anticipated, but if necessary, generally would be in the area of any proposed cut slopes. A small detention basin is proposed within the southeastern corner of the site as part of the storm water drainage design. Most of the on-site vegetation would be removed. A proposed Homeowners' Association (HOA) would provide for appropriate maintenance for any private roads, emergency access gate, and common area landscape and storm water facilities. The project also includes a request to vacate approximately 0.074 acre of excess right-of-way along the western boundary of Bernardo Avenue. The right-of-way would be incorporated into the project/lots. The existing emergency access gate, located at the northern boundary of the project site/Bernardo Avenue, would be removed and a new gate installed at the southern boundary of the project site/Bernardo Avenue. A Zone Change from existing R-1-20 (Single-Family Residential, 20,000 SF min. lot size) zoning to R-1-10 (Single-Family Residential, 10,000 SF min. lot size) zoning also is requested. The City's General Plan Land-Use Designation for the property is Suburban (S) which allows a density of up to 3.3 dwelling units per acre and a minimum lot size of 10,000 SF. The proposed density of the project is 3.26 du/ac. The existing native vegetation located along the southern boundary of the site would be retained.

ENVIRONMENTAL SETTING

The approximately 3.98-acre project site is comprised of one triangular-shaped parcel (APN 235-203-04) and the General Plan land-use designation for the property is Suburban (S) which allows for single-family residential development with a maximum density up to 3.3 dwelling units per acre and minimum lot sizes of 10,000 SF. The current zoning is R-1-20 (Single-Family Residential, 20,000 SF min. lot size). The project site is undeveloped and dirt trails crisscross the site. The trails appear to be occasionally used by off-road vehicles. Various debris (e.g., dirt, tires, trash, landscape cuttings, construction materials, appliances, etc.) have been dumped on the site and along Bernardo Avenue in the past, and subsequently removed. A small area of concrete and excavated material still remains on the property.

The site fronts onto Bernardo Avenue, which is classified as a Local Collector Road (66' R-O-W) on the City's Circulation Element. Bernardo Avenue across the project frontage currently is developed as a paved, two-lane rural road with an asphalt curb along the western side of the road. Full width street improvements have not been installed along the project's frontage or south of the project site within the County's jurisdiction. Curb, gutter and sidewalk have been installed north of the project site as part of previous residential developments (Escondido Tracts 696, 767-R and 792). An emergency access gate currently restricts access on Bernardo Avenue at the northern boundary of the project site. Current access to the parcel is provided from Bernardo Avenue south of the project site through unincorporated county area.

The project site consists of an east facing hillside terrain that slopes from east to west down to Bernardo Avenue. The majority of the site contains slopes less than 15 percent grade, with a small area of slope between 15 percent to 25 percent within the southwestern area of the property. A manufactured fill slope is located off-site along the western boundary of the property, which is associated with and maintained by the adjacent residential subdivision (TR 792). Site drainage generally follows the topography and flows southeasterly across the property. Two small drainage inlets/pipes are located along the western side of Bernardo Avenue, which continue under the road and discharges storm water into an existing open concrete channel that parallels Interstate 15 on the western side of the freeway. Slope categories on site are as follows:

0-15%:	3.48 ac
15 – 25%	0.48 ac
25 – 35%:	0.02 ac
35% +:	0.005 ac

On-site vegetation consists primarily of non-native grasses and weeds, which are mowed or disced on a regular basis for brush management purposes. A small area of native habitat primarily consisting of Coastal Sagebrush (Artemisia californica) is located along the southern property boundary. A small stand of mature eucalyptus trees, two California pepper trees, and a large acacia shrub/tree are located along the Bernardo Avenue frontage. All on-site vegetation is proposed to be removed, except the small patch of native vegetation that strattles the southern property boundary. A small area of mostly non-native vegetation is located within the northeastern corner of the terminus of Bernardo Avenue where is meets the existing emergency access gate. This vegetation appears to consist of ornamental acacia groundcover, several small multi-trunk trees/shrubs and pampas grass, one sumac tree/shrub and one small willow tree. This vegetation would be removed to allow the proposed improvement of Bernardo Avenue to Local Collector road standards.

Adjacent land uses and zoning include the following:

North: PD-R zoning (Planned Development-Residential, 4.3 du/ac) / A planned residential development is located north of the project (Escondido Tracts 767 and 696). The single-story homes generally are located at a higher elevation than the project site. Lot sizes to the north range from approximately 7,740 SF to 19,778 SF. Bernardo Avenue and an emergency access gate terminates at the northern boundary of the project site. Off-site vegetation primarily consists of landscaped slopes containing mature trees, shrubs and groundcover, which are associated with the adjacent residential developments.

South: County zoning / Single-family residences are located south of the project site within the county jurisdiction, on lots ranging in size from 20,000 SF to 2+ acres. The adjacent homes generally are located at a higher elevation than the project site. Off-site vegetation includes a disturbed patch of native vegetation along the southern boundary of the site, and ornamental vegetation associated with the residential developments. An avocado grove is located southwest of the project site.

East: Bernardo Avenue and Interstate 15 are located immediately east of the project site. A chain-link fence separates Interstate 15 from Bernardo Avenue. Off-site vegetation generally consists of non-native vegetation/grasses along the freeway and Bernardo Avenue frontage, along with a row of mature California pepper trees within the Caltrans right-of-way. RE-20 zoning and residential

development is located along the eastern side of Interstate 15, at a significantly higher elevation than the project site.

West: PD-R zoning (Planned Development-Residential, 2.33 du/ac) / A planned residential development is located west of the project (Escondido Tracts 792). The single-story homes generally are located at a higher elevation (approx. seven to ten feet higher) than the project site. Lots sizes range from approximately 10,005 SF to 18,258 SF. Off-site vegetation primarily consists of landscaped slopes containing mature trees, shrubs and groundcover, which are associated with the adjacent residential developments and maintained by the development's homeowners' association.

1. LAND USE AND PLANNING

The General Plan land-use designation for the project site is Suburban, which allows a maximum density of up to 3.3 dwelling units per acre and minimum lot size of 10,000 SF. The proposed subdivision would be consistent with the General Plan density provisions since the overall density of the project would be approximately 3.26 du/ac (13 du/3.98 net acres). 13 lots also would be consistent with the allowable yield for the project site, which would allow up to 13.09 lots based on the slope analysis prepared for the project. The General Plan indicates the maximum development yield of Suburban lands shall be calculated according to the following slopes.

	General Plan Yield	Existing Topography	Yield
0-25%:	3.3 dwelling per acre	3.96 ac	13.06 units
25 – 35%:	1.5 dwelling unit per acre	0.02 ac	0.03 units
35% +:	1 dwelling unit per 20 acres	0.005 ac	0.001 units
			13.09 lots max yield

The project site is zoned R-1-20 (Residential Estate, 20,000 SF min. lot size) and the area surrounding the proposed subdivision contains single-family residential on urban/ suburban and estate-sized lots. Adjacent land uses and zoning include the following:

North: PD-R zoning (Planned Development-Residential, 4.3 du/ac) / A developed, planned-residential development is located north of the project (Escondido Tracts 767-R and 696).

South: County zoning / Single-family residences are located south of the project site within the county jurisdiction, on lots ranging in size from 20,000 SF to 2+ acres.

East: Interstate 15 and Bernardo Avenue are located immediately east of the project site.

West: PD-R zoning (Planned Development-Residential, 2.33 du/ac) / A planned residential development is located west of the project site (Escondido Tract 792).

The proposed project would not disrupt or divide the physical arrangement of the area since the project is infill in nature and is adjacent to single-family residential development to the north, south and west, and Interstate 15 to the east. The site is zoned for residential development and the General Plan Land-Use Policy B1.9(c) (page II-16) indicates the Suburban designation is characterized by single-family homes and the density is appropriate where the traditional neighborhood character of detached single-family units prevails. The project density, yield and lot sizes would be consistent with the underlying Suburban land-use designation and requested R-1-10 zoning designation. Access would be provided by Bernardo Avenue, which is an existing Circulation Element Street. Development of the project and proposed improvements to Bernardo Avenue would not adversely alter or impact the existing circulation pattern throughout the surrounding neighborhood, nor preclude the development of surrounding parcels. Adequate public facilities are available and water service can be provided to the project with nominal extension of nearby existing facilities.

The proposed project would not conflict with applicable environmental plans since the subject development area does not contain any sensitive habitat or species, or any area designated for preservation (as indicated on the latest MHCP maps). A small area of native vegetation that straddles the

southern boundary of the project would be retained. The project also is consistent with the NCCP program since the project would not adversely impact any sensitive or protected habitat, stream courses or wetlands. The removal of any mature trees would be replaced in conformance with the City's Landscape Ordinance with specimen sized trees at a minimum 1:1 ratio. Since the proposed project would be consistent with existing adopted City of Escondido land-use policies, no significant land-use impacts would occur as a result of the proposed project.

AESTHETICS and COMMUNITY CHARACTER

On-Site Visual Resources – The project site is vacant and does not contain any significant visual resources or prominent topographical features. The property is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. The site has a slope of approximately 15% or less, with steeper slopes located within the southwestern area of the property. Primary views of the project site are from Interstate 15 located immediately east of the property, along with existing residences located along the eastern side of Interstate 15. Primary views from adjacent properties are from the existing homes located at a slightly higher elevation to the north and west, and county properties located immediately south of the site. The construction of residential development on the project site would alter the undeveloped character of the subject property. Existing vegetation would be permanently replaced by residential development and associated infrastructure. However, the development of the future homes on the proposed lots would not result in any adverse visual impacts or result in the obstruction of any scenic view or vista open to the public. The project also would not damage any significant scenic resources within a designated State scenic highway or create an aesthetically offensive site open to the public. Views on-site from surrounding properties would most likely consist of building pads, proposed one-story structures, perimeter fencing/walls, and front and rear-yard landscaping. Conceptual grading includes approximately 11,000 cubic yards of fill and 11,000 cubic yards of cut, for a balanced grading plan. A Grading Exemptions for a fill slope up to 12 feet in height is requested within the southern area of the project, where the City's grading criteria limits the height of fill slopes to 10 feet. The proposed cut slopes generally are interior to the project and primarily would be screened by the future homes and landscaped. The extent of proposed cut and fill slopes, and small retaining walls would be typical of the surrounding residential developments to the north and west, which step up the adjacent hillside. The pad elevations are proposed to be approximately 5 feet to 10 feet+ lower than the adjacent pads to the west and south. All of the homes are proposed to be one-story in height to be consistent with the adjacent residential developments to the north, south and west, which also would lessen the potential visual impacts to the existing homes, and retain views over the homes to the hillsides and skyline views to the east. All manufactured slopes would be required to be landscaped in conformance with the City's Landscape Ordinance to screen and soften visual impacts, as well as views from surrounding properties. Landscaping would be provided along the eastern side of Bernardo Avenue to provide a visual buffer from traffic along Interstate 15. Although the request for Grading Exemptions raise issues regarding grading design, which is subject to discretionary review and approval by the Planning Commission at a public hearing, the exemption does not rise to a level of significance in conformance with CEQA Guidelines. Any grading and subsequent compaction of the site, as necessary, will be per City standards (Article 55, Escondido Zoning Code) to the satisfaction of the City Engineer.

Lighting or Glare - Development of the subject site would create a new source of light and glare in the area. The primary source of light would be from new street lights and outdoor residential lighting. All proposed street lighting near adjacent residential properties would be designed to minimize the overflow of light onto these properties. Compliance with the City's Outdoor Lighting Ordinance would ensure that impacts related to light and glare, resulting from development of the site, are less than significant.

II. AGRICULTURAL RESOURCES

The project site is not listed as Farmland of Local Importance or Prime Agricultural Lands as identified in the Final Environmental Impact Report (Figure II-2), which was prepared for the City's 1990 General Plan Revision, and the project is not under a Williamson Act contract. The project site is vacant and not used for agricultural purposes. Therefore, development of the site would not have an adverse impacts on existing or potential agricultural activity in Escondido or North San Diego County.

III. TRANSPORTATION/TRAFFIC

The project site fronts onto Bernardo Avenue, which is classified as a Local Collector Road (66' ultimate R-O-W). Bernardo Avenue across the project frontage consists of an approximately 25-foot-wide paved roadway. Full width street improvements have not been installed along the project's frontage. The project would be required to improve Bernardo Avenue across the project frontage, and all proposed streets would be constructed to city standards. A new cul-de-sac street (46' R-O-W) is proposed to provide access to four of the lots. Based on San Diego Association of Governments' (SANDAG) traffic generation rates for the San Diego region, the proposed subdivision would generate up to 10 trips per dwelling unit, or approximately 130 new ADT. Bernardo Avenue currently operates at a Level-of-Service "C" or better under existing improvement conditions. Bernardo Avenue transitions into Eleventh Avenue (Local Collector, 66' R-O-W) north of the project site, and then intersects with Del Dios Road (Local Collector, 66' R-O-W). The Engineering Department indicated that an increase of 130 trips would not significantly impact the existing Levels of Service on the adjacent streets or intersections since a stable flow of traffic is maintained along adjacent streets and ability to maneuver within the vicinity of the project and along the street segment is not significantly restricted. Adjacent local collector streets (Eleventh Avenue and Del Dios Road) also operate at a Level-of-Service C or better under existing conditions. The Engineering Department indicated the proposed project is not anticipated to have any significant individual or cumulative impacts to the circulation system or degrade the levels of service on any of the adjacent roadways or intersections. The intersection of 9th Avenue and Auto Park Way is to be improved with dual right-turn lanes as part of Tract 912 (currently under construction) which would result in a LOS C in the AM and PM period. The intersection of Eleventh Avenue and Del Dios Road also is being improved and the sight distance enhanced as part of Tract 912 plans, along with the installation of a four-way stop at this intersection. The project would not add 200 additional trips to a circulation element street with a service level below the mid-range of LOS D, nor would the project cause the level of service of a circulation element street to fall below the mid-range of level of service D. Therefore, the project would not result in a significant impact to the environment.

Temporary Construction Traffic – Temporary construction-related traffic impacts would occur during grading and construction activities. Heavy equipment used for grading and excavation would generally remain on site and would not contribute to a substantial increase in traffic. The applicant's engineer anticipated the grading activities would consist of approximately 11,000 cubic yards of cut and 11,000 cubic yards of fill for a balanced grading design. The grading operation would not require the import or export of material. Therefore, haul trucks would not be anticipated for this project. Additional traffic would be associated with employee trips to and from the site, equipment delivery and removal, and other related activities. However, due to the relatively small size of the project, the temporary increase in vehicle trips is not considered significant and no mitigation is required. Project traffic would not be permitted to access the site from the south through the unincorporated area of the county. Appropriate safety/traffic control measures to minimize any potential conflicts would be required to be implemented as part of the required grading and improvements permits. All necessary measures would be implemented prior to the onset of construction activities.

Parking – Each unit would provide a full-size two- or three-car garage with parking for vehicles within the driveway (which would provide for a minimum of six vehicle spaces on-site). On-site parking would be provided within the new cul-de-sac and along Bernardo Avenue. Although on-street parking would be provided along Bernardo Avenue, parking along the street could be restricted along this Circulation Element Street in the future if the street is improved south of the project site within the County and through access provided. There are no plans to improve the street south of the project site within the unincorporated area of the city.

IV. AIR QUALITY

The San Diego Air Basin is a non-attainment area for federal and state air-quality standards for ozone. The basin also is a non-attainment area for state standards for particulate matter less than ten microns in diameter (PM10). Local air-quality impacts are directly related to the number of vehicle trips and operation levels on adjacent streets and intersections. For long-term emissions, the direct impacts a project can be measured by the degree to which the project is consistent with regional plans to improve and maintain air quality. According to CEQA Guidelines, a project normally is considered to have a significant air-quality

impact if it violates any ambient air-quality standard, contributes substantially to an existing or projected air-quality violation, or exposes sensitive receptors to substantial pollution concentrations. Project impacts that exceed any of the following South Coast Air Quality Management District (SCAQMD) daily emissions criteria can be considered significant:

- Carbon Monoxide (CO) 550 lbs.
- Reactive Organic Gases (ROG) 55 lbs
- Oxides of Nitrogen (NOx) 55 lbs
- Fine Particulate Matter (PM10) 150 lbs

Project-Related Impacts – Long-term emissions resulting from the project would directly be related to the amount of vehicular traffic generated by the new homes. The proposed subdivision would generate up 10 trips per residence or 130 Average Daily Trips (ADT). Bernardo Avenue and Eleventh Avenue are Local Collector Roads (66' R-O-W) and currently operate at a Level-of-Service "C" or better under existing improvement conditions. The Engineering Department indicated that an increase of 130 trips would not significantly impact the existing Levels of Service on the adjacent streets or intersections. The anticipated daily emission would not exceed local or South Coast Air Quality Management District (SCAQMD) daily emissions criteria. Since the project would not deteriorate the level of service on adjacent streets and intersections, and is not anticipated to exceed SCAQMD thresholds of significance, the project would not result in a significant impact to local or regional air quality. While the proposed project would have an incremental impact to basin-wide air-quality, the individual impacts attributed to the project are immeasurably small on a regional scale and would not cause ambient air-quality standards to be exceeded on a regional scale. Therefore, the project will not have a significant impact on air quality and no mitigation measures are required.

Construction-Related Emissions – Typical earthwork operations would include clearing, grubbing, and general pad and road improvements. Proposed onsite grading anticipates approximately 11,000 cubic yards of fill materials and 11,000 cubic yards of cut for a balanced grading design. Construction equipment primarily would be utilized in an incremental fashion over the course of construction. Due to the limited amount of grading anticipated and small size of the project, no significant earthwork or diesel truck impacts are anticipated. Construction activities also are a source of fugitive dust emissions that may be a substantial, but temporary impact on local air quality. Dust, or particulate matter emission would be generated by any necessary grading, moving of earth, hauling and other site preparation and construction activities. With the appropriate use of grading and operating procedures, the project would not generate significant emissions of particulate matter or dust. The dust-control measures, which are required as part of the grading permit for all projects, reduce potential impacts to a less than significant level.

Odors
During construction, diesel equipment operating at the site may generate some nuisance odors. However, due to the temporary nature of construction, odors associated with project construction would not be considered significant.

V. BIOLOGICAL RESOURCES

The majority of the site consists primarily of non-native grasses and weeds, which are mowed or disced on a regular basis for brush management purposes. The property and project area does not contain any identified or observed water courses, wetlands, riparian habitat or areas of inundation. A small stand of mature eucalyptus trees, three California pepper trees of various sizes, and a large acacia shrub are located along the Bernardo Avenue frontage. All on-site vegetation is proposed to be removed, except for a small area of native vegetation (approx. 1,140 SF) that straddles the southern property boundary. A small area of primarily non-native vegetation (approx. 300 SF) is located off-site within the northeastern corner of the terminus of Bernardo Avenue adjacent to the existing emergency access gate. This area does not contain any visible or mapped water courses/streams, wetlands or areas of inundation. This vegetation appears to consist of ornamental acacia groundcover, several small multi-trunk trees/shrubs, pampas grass, one sumac tree/shrub, and one small willow tree. This vegetation would be removed to allow the proposed improvement of Bernardo Avenue to Local Collector road standards. The removal of this vegetation would not be considered significant and no mitigation is required. No state or federally-listed rare, threatened or endangered species would be anticipated due to the lack of suitable habitat and

generally disturbed nature of the property A few wide-ranging sensitive raptors, such as Cooper's Hawk and Red-shouldered Hawk, could forage on this property on occasion, although no nesting habitat is found onsite. The loss of potential foraging habitat would contribute to the overall cumulative loss of this resource on a region-wide basis. However, the removal of this relatively small area would not be considered significant on a region-wide basis. Therefore, no mitigation is required. The loss of mature trees would be replaced in conformance with the City's Grading and Landscape Ordinances with specimen sized trees at a minimum 1:1 ratio.

Two small patches (approx. 15' x 22' and 15' x 66') of ruderal Coastal Sage Scrub (CSS) type habitat totaling approximately 1,140 SF/0.026 acres straddle the southern property boundary. This disturbed habitat encroaches up to approximately seven feet into the subject site at various points and consists primarily of Coastal Sagebrush (Artemisia californica) with a small number of California Buckwheat (Eroigonum fasciculatum) and Deer Weed (Lotus scoparius) plants scattered throughout the habitat. One Laurel Sumac (Malosma laurina) and three Toyon (Heteromeles arbutifolia) plants also are located off-site within the habitat area. Coastal sage scrub is considered a regionally significant biological resource, which has the potential to support a variety of plants and animals that are considered rare, threatened, or endangered. However, this isolated patch of sage scrub habitat would be considered to have been previously indirectly impacted due to the approved grading activities and recent development of several single-family homes located immediately adjacent to the habitat on the south within the County (County Parcel Map No. 18611). Construction type debris, non-native vegetation, yard waste and other trash occasionally is deposited within the habitat area. The habitat would not be considered suitable habitat for the California gnatcatcher due to the low quality and isolated nature of the habitat; recent residential development and grading along the eastern side of the habitat within the unincorporated area of the county; frequent brush management/clearing along the southern and northern edges of the habitat; relatively small area of the habitat; and continuous disturbance within the habitat area by human activities and domestic animals. Although the habitat has been previously disturbed/impacted, the tentative map/grading plan was designed to retain the native vegetation, and protected during grading and construction activities. Appropriate provisions would be included in the project conditions of approval to provide appropriate fencing prior to grading/construction along with signage to avoid impacting the habitat. The quality of the habitat is considered to have a low potential value for long-term conservation since the habitat is disturbed, isolated, and relatively small in area and is not adjacent to higher value habitat (core habitat areas). Therefore, the project would not result in a significant impact to this habitat and no mitigation would be required.

The development of the proposed project would not conflict with the provisions of an adopted or proposed Habitat Conservation Plan. The project site is not considered biologically significant or strategically located to warrant being included in a regional or local natural open space preserve. No plant or animal species recognized as threatened or endangered by the U.S. Fish and Wildlife Service, or California Department of Fish and Game are located or anticipated to be present within the proposed development area, and no mitigation measures are required. The site is not listed as an open space corridor or animal migration corridor since much of the property is disturbed and surrounded by development. The western and eastern boundaries of the project area are fenced, which precludes the migration of certain animal species. The project site is not listed on the City' Parks, Trails and Open Space Plan, or any local or regional plan. No Resource Agency permits would be required for the proposed development since the project would not remove any protected or endangered habitats.

VI. CULTURAL RESOURCES

No potentially significant paleontological impact has been identified for the project site and no prehistoric resources have been previously recorded on the project site. The City of Escondido General Plan EIR (1990a) does not include the project site in areas identified as having potential paleontological resources. The site does not appear to contain any indicators of significant cultural resources or geologic features. The site also does not contain any resources listed on the City's Historic Sites. Therefore, the project would not result in a significant impact to these resources.

VII. GEOLOGY AND SOILS

A Preliminary Soils and Geotechnical Investigation was previously was prepared for the project site by Vinje & Middleton Engineering, March 10, 2000. The site is underlain by a thin to modest cover of sandy to clayey topsoil/alluvium which grades to a dense condition with depth. Bedrock units which occur beneath the soil cover are dense, stable units which will adequately support proposed improvements and compacted fills. The investigation indicated the following: Groundwater conditions were not encountered are not expected to impact the development of the site. Faults or significant shear zones are not indicated on or in near proximity to the project site. Geological hazards are not indicated at the project site and liquefaction or related ground rupture failure are not anticipated. Slope instability is not indicated or expected at the project site. Blasting is not anticipated for the project site, and moderate to difficult ripping using conventional heavy construction equipments should be anticipated to achieve design grades within the onsite harder massive bedrock units.

Slope categories on site are as follows:

0-15%:	3.48 ac
15 – 25%	0.48 ac
25 – 35%:	0.02 ac
35% +:	0.005 ac

The most likely major geologic hazard to affect the site is groundshaking as a result of movement along one of the major active fault zones. However, the project would not expose people or property to any significant geologic hazards since there generally are no active faults within the immediate area. The North County Region is not known for its seismic activity. Although Escondido is within a Seismic Zone 4, the nearest active faults are the Carlsbad fault to the west; the Elsinore Fault located approximately 16 miles east of the site; and the Rose Canyon and Newport-Inglewood (offshore) fault zones approximately 16 and 21 miles southwest and northwest of the site, respectively. All new development is required to conform to current seismic building code requirements designated for the specific area. Other potential geologic hazards such as tsunamis, seiches, liquefaction or should be considered to be negligible or nonexistent.

VIII. HAZARDS AND HAZARDOUS MATERIALS

The site is not adjacent or within two miles of an airport. The project would be required to comply with all applicable Fire, Building, and Health and Safety Code, which would eliminate any potential risk of upset. The project would nor expose people or structures to a significant risk of loss, injury or death involving wild fires since the site is in an urban setting and would be irrigated. The project is not located within an identified Fire Hazard Area as indicated on Figure 5.7.2 of the 2000 General Plan Update EIR. The site is not located within a 100-year floodplain, nor is the site in a dam inundation area. Due to the residential nature of the project and the lack of hazardous materials associated with the proposed development, the project would not result in the creation of any health hazards nor would it involve a risk of an explosion or the release of hazardous substances since there would be no hazardous substances associated with the residential project. The site is not listed in any of the searched regulatory databases. No significant odors, pools of liquid, significantly stained soils, indicators of underground storage tanks, pits or ponds were observed on the site.

IX. HYDROLOGY AND WATER QUALITY

The project is not located within a 100-year flood plain area as identified on current Flood Insurance Rate Maps (FIRM) or within a dam inundation area. The site currently drains in a southeasterly direction towards existing storm drain facilities within Bernardo Avenue and along Interstate 15. Two storm drain pipes are located along the western edge of Bernardo Avenue, which collects stormwater runoff from the site, and then runs under Bernardo Avenue and discharges into the concrete lined channel along Interstate 15. The project would reduce the absorption rate on-site and incrementally increase the amount of runoff once the site is developed due to the increase of impervious surfaces associated with residential development (i.e. street, roofs, paving, etc.). A Preliminary Hydrology Report and Water Quality Technical Report were prepared for the proposed project by Aquaterra Engineering Inc. The proposed drainage pattern would follow the existing, historical drainage pattern, and runoff from the project site and Bernardo Avenue would be collected in proposed on-site storm drainage facilities, including a small grass-lined

detention basin located within the southeastern corner of the site. The drainage then would be directed towards the existing PCC lined trapezoidal channel that runs adjacent to Interstate 15, which would require an encroachment permit from the Department of Transportation for proposed connection/improvements within the State right-of-way. On-site drainage would be treated before it enters the existing storm drain system either by a system of individual lot landscaping, bio swales and a grass-lined detention basin located within the southeastern corner of the site, in accordance with local and regional water quality requirements. Any proposed bio swales and inlet filters would be located within proposed drainage/road easements that would be maintained by the project homeowners' association. Storm water drainage maintenance provisions would be detailed in the project conditions and required CC&Rs.

The Hydrology Study concluded the proposed project would not substantially alter the existing drainage pattern and the use of proposed construction and post construction BMPs would mitigate the increase runoff so there will be no adverse downstream impacts created by this project. The existing project area basin produces approximately 36.27 cfs and the post construction condition would generate approximately 38.44 cfs, which is an increase of 2.17 cfs. This represents a increase of 6% in the flow for the 100-year storm, which is not considered significant.

Potential erosion and siltation during construction activities is short-term in nature and is controlled through compliance with National Pollutant Discharge Elimination Systems (NPDES) requirements. NPDES discharge requirements require implementation of best management practices (BMPs) to control erosion and siltation and contaminated runoff from construction sites. The Engineering Department indicated that runoff from the project is not considered significant, and the project would not materially degrade the existing drainage facilities. A final drainage study is required to determine the extent of any necessary on- and off-site storm drain improvements.

No California Department of Water Resources wells are located on the site or its adjacent properties. No groundwater related problems are anticipated with this project. The project would not result in a significant impact to hydrology or water quality for the following reasons:

- The project does not violate water quality standards or waste discharge requirements;
- The project would not create runoff water which would exceed the capacity of existing or planned storm water drainage systems;
- The project would not result in a substantially increase the rate or amount of surface runoff in a manner that would result in flooding, erosion or downstream sedimentation;
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map, or other flood hazard delineation map; and
- The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of dam failure.

X. MINERAL RESOURCES

The net increase of 13 single-family homes would incrementally increase the demand on natural resources. However, the proposal would not utilize substantial amounts of fuel or energy, or require the development of new sources of energy due to its limited size and availability of existing resources.

XI. NOISE

The project site is located within a projected 1990 noise contour of 60 dB or greater due to the location of Interstate 15 to the west. Therefore interior and exterior noise mitigation measures would be required. General Plan Noise Policy E1.2 states the following: In accordance with Tavle IV-2, the goal for outdoor noise levels in residential areas is a CNEL of 60 dB or less. However, a CNEL of 60 dB or less is a goal which may not necessarily be achievable in all residential areas within the realm of economic or aesthetic feasibility. This goal should be applied where outdoor use is a major consideration (e,g., back yards and single-family housing development, and recreation areas in multi-family housing developments). A Noise Analysis was prepared for the proposed project by Kimley-Horn and Associates, Inc., dated February 7, 2006. Exterior noise levels would exceed the Noise Element of the General Plan 60 dBA CNEL design

goal on all lots of the project. The reduction of noise to below 60 dBA CNEL in the rear yards of the proposed residences is considered infeasible without a noise barrier exceeding 15 feet in height. However, with a combination of acoustical shielding afforded by the houses and noise barriers, noise can be reduced to 65 dBA CNEL or less at all lots. Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis must be provided and approved by the City before a building permit is obtained for any of the residences. The interior noise analysis should identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The windows must be closed to achieve an interior level of 45 dBA. Therefore, the house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Dual-glazed windows with a Sound Transmission Class (STC) between 35 and 40 may be required. Resilient channels may be also required on the exterior walls facing Interstate 15 facing Lots 1-9.

The primary noise source near the project site is vehicular traffic on Interstate 15, which currently has five northbound lanes and four southbound lanes in the project vicinity. The existing Average Daily Traffic (ADT) volume on I-15 is approximately 181,000 vehicles. The measured one-hour sound level at the eastern property line was 71.9 dBA. Future improvements plans for I-15 in the project vicinity involve the construction of four "Managed Lanes" to improve freeway capacity. The managed lanes are proposed for construction mostly within the existing freeway median, with some outside widening required. The future ADT on I-15 is projected to be approximately 328,154 vehicles, according to the I-15 Managed Lanes Final IS/EA Document. The Noise Study indicated that within the proposed homes in place, the unmitigated future sound levels from vehicular traffic would range from approximately 61 to 72 dBA CNEL on Lot 1 through 13. In order to reduce the proposed noise impacts to less than a significant level, the project would be required to use a combination of noise barriers (noise attenuation walls up to 6 feet in height for Lots 2-9, and up to 8 feet in height at Lot 1) and acoustical shielding afforded by the houses. With these measures, the noise could be reduced to 65 dBA CNEL or less at all lots. However, walls up to 8 feet in height are not permitted within the setbacks areas for the R-1 zone. Therefore, a combination of berming and noise walls to achieve the 8-foot-height requirements an/or relocation of the eight-foot-high walls would be required to provide the appropriate mitigation and be in conformance with the height standards for the R-1 zone. These measures could be achieved as part of the final project design, grading and building plans.

The proposed mitigation measures would be required for the project.

Mitigation Measures:

1. **The design of the homes/architecture and footprints shall be used in combination with noise attenuation walls (as detailed in the Exterior Noise Analysis Report prepared by Kimley-Horn and Associates, Inc., dated February 7, 2006) to provide appropriate exterior noise mitigation to 65 dBA CNEL or less for the rear yards of the homes. A final acoustical analysis shall be prepared as part of the final grading plan and building plan submittal of the homes to demonstrate compliance with this mitigation measure. Noise attenuation walls within the setback areas shall be limited to six feet in height. Where eight-foot-high walls are identified, a combination of earth berms and wall may be used to achieve the eight foot requirements, or additional walls used in conjunction with appropriate building architecture/features to provide selected outdoor areas which would provide an exterior noise level of 65 dBA CNEL or less.**

2. **Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis (INA) must be provided and approved by the City prior to building permit issuance for any of the residences. The interior noise analysis shall identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Appropriate dual-glazed windows with a Sound Transmission Class (STC) shall be identified in the report and on the building plans, along with resilient channels on the exterior walls facing Interstate 15 facing for the lots.**

The project would introduce up to 13 single-family residences and their associated roadways and traffic into the area. Development of the homes would incrementally increase noise levels with the immediate area. However, there would not be any new or unusual noise sources introduced to the area which would impact existing residences adjacent to the project site since the project also is proposing single-family

residences. Noises would be those associated with typical domestic activities and would not be considered significant. An increase of 130 additional vehicle trips along Bernardo Avenue and area roadways would incrementally added to the noise level. However, these trips would be disbursed throughout the day and the incremental increase would not be considered significant nor require any mitigation.

Construction of the project and any related infrastructure (e.g., roads, utilities, etc.) would create a temporary impact both on-site and at nearby existing residences. Activities would include excavation, grading, house construction, landscaping, potential blasting, etc. Any blasting would be preformed in conformance with City of Escondido regulations and therefore no significant ground-borne vibration impacts would occur from the project. Haulage trucks also can be expected along some area roads. Modern construction equipment, properly used and maintained, meet the noise limits contained in the City's Noise Ordinance. Upon completion of the project, all construction noise would cease. Because construction operations would be required to conform to the City's Noise Ordinance and construction noise is temporary, no significant impact from construction noise is anticipated.

XII. POPULATION AND HOUSING

Population within the surrounding area and city would incrementally increase as a result of this residential project. However, the density of this development would be in conformance with the General Plan's land-use designation of Suburban and proposed R-1-10 zoning. The infill project site is located within a suburban/estate residential area of the city and adjacent to similar residential development and densities to the north and west. Larger estates-sized lots are located south of the project site within the unincorporated area of the County. Lot sizes would be in conformance with adjacent residential lots sizes to the north and west, as discussed in the Environmental Setting and Land Use Sections of this document. Interstate 15 is located to the east of the project site and larger estate sized lots located to the south. Therefore, the proposed development of up to 13 new single-family residential homes would not significantly alter the location, distribution or population density within the area, nor would it adversely impact the City's housing demand.

The proposed project would add to the existing housing stock and would not create a demand for additional housing since it would be a residential subdivision consisting of up to 13 single-family homes. The development also would contribute to the City's Regional Share housing requirements. The project would not be considered growth inducing since the project site is within an existing residential area and adequate public facilities are available within the area to serve the project.

XIII. PUBLIC SERVICES

Energy/Utilities – The majority of fuel and energy usage associated with this development would be for space and water heating needs (natural gas) and for everyday lighting and power needs (electricity). The proposal would not utilize substantial amounts of fuel or energy, or require the development of new sources of energy due to its limited size and energy requirements.

Fire/Police Services – Development of the site would result in an incremental increase in demand for Police Services. However, the Escondido Police Department indicated their ability to adequately serve the proposed project and no significant impacts to police services are anticipated.

The site is served by Fire Station No. 5, which is located at 2705 Felicita Road. Development of the site would contribute incremental increases in demand for Fire Services. The Escondido Fire Department indicated their ability to adequately serve the proposed project and no significant impacts to fire services are anticipated. Emergency access could be provided to the site from Bernardo Avenue to the north, and from Bernardo Avenue to the south through a proposed emergency access gate. Emergency access also would be provide through an emergency access easement/gate located within the adjacent subdivision to the west along Lemon Avenue.

Schools – The site is within the Escondido Union School District and the Escondido Union High School District. Secondary students would likely attend San Pasqual High School. Elementary students would either attend Miller, Bernardo or LR Green Elementary School. Middle school students would attend either

Del Dios or Bear Valley Middle School. School District boundaries are determined by the school districts. Development of 13 residential homes would result in additional elementary and high school students. The Escondido Elementary School District and Escondido High School District have indicated with past projects that due to the continuing growth throughout the area, they are unable to meet the Quality-of-Life Standards approved within the City of Escondido's General Plan without mitigation of student housing needs generated by new development. However, the incremental impact of proposed residential developments on the school system would be offset by the future impact fees collected upon issuance of building permits. These fees are set by the school district. The City's Growth Management provisions require a will serve letter from the school district prior to issuance of building permits.

XIV. RECREATION

The project would result in an incremental increase in demand on the City's recreational facilities. However, the development fees paid by this project would offset the anticipated impact on the existing facilities. The project would not affect existing recreational opportunities since the site is not used for recreational activities and is not listed as a potential park site in the City's Master Plan of Parks, Trails and Open Space.

XV. UTILITIES AND SERVICE SYSTEMS

Solid Waste – Escondido Disposal, Inc. (EDI) currently provides solid waste removal service for the Escondido area. EDI also operates a solid waste transfer station at their Washington Avenue site where solid waste is consolidated into larger transfer trucks and taken to a class III landfill for disposal. Solid waste pick-up will be available for the project by EDI for all phases of project implementation, including from construction to residential curbside collection.

Sewer Service – Escondido's wastewater treatment plant, located on Hale Avenue, has the capacity to handle the increase in demand for service. The project also complies with established General Plan Quality-of-Life Standards for Sewer Service. Sewer service could be provided by the extension of mains within the adjoining street system.

Water Service – Water service would be provided to the site by the Rincon Water District. The Engineering Division indicated that no significant impacts are anticipated as a result of the project. Water service could be provided by the extension of mains within the adjoining street system.

Drainage Facilities – See analysis contained within Water Section No. IV.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

In staff's opinion, the proposed project would have a potential impact in the area of noise and biological resources. However, project design features, modifications and/or recommended mitigations measures would reduce the potential impact to less than a significant level. Other project related impacts are not considered to have a significant individual or cumulative impact to the environment. No significant biological resource or habitat exists within the development area or would be directly impacted by the project, therefore, there will be no effect on any animal or plant species. The project would not degrade the quality of the environment for plant or animal communities since the project would not cause fish and wildlife populations to drop below self-sustaining levels nor reduce the number or restrict the range of endangered plants or animals. The project would not materially degrade levels of service of the adjacent streets, intersection or utilities. Consequently, the project is not expected to have any significant impacts, either long-term or short-term, nor will it cause substantial adverse effect on human beings, either directly or indirectly.

Materials Use in Preparation of this Analysis

Escondido General Plan and Environmental Impact Report
Escondido General Plan Update and Environmental Impact Report, 2000
Escondido Zoning Code and Land Use Maps
SANDAG Summary of Trip Generation Rates
Escondido Historic Sites Survey
City of Escondido
- Public Works Department
- Engineering Division
- Traffic Division
- Building Division
- Fire Department
- Police Department
- Planning Division

FIRM maps (Flood Insurance Rate Maps)
Draft MHCP maps (Multiple Habitat Conservation Program)
County of San Diego Health Department, Hazardous Material Management Division (HMMD) Hazardous Sites List
Preliminary Soils and Geotechnical Investigation, prepared by Vinje & Middleton, March 10, 2000
Preliminary Hydrology Report, prepared by Aquaterra Engineering, Inc., March 9, 2005 and July 25, 2005
Water Quality Technical Report prepared by Aquaterra Engineering, Inc., July 26, 2004
Escondido Drainage Master Plan (1995)
Exterior Noise Analysis Report, prepared by Kimley-Horn and Associates, Inc. February 7, 2006
Traffic Study prepared for Escondido Tract 912 by LOS Engineering, December 8, 2004, April 29, 2005 and May 23, 2005. This is a 42 unit condominium project on 3.6 acres of land located at the northeastern corner of 11th Ave. and Del Dios Rd.

Air-Quality Report prepared for Escondido Tentative Tract 916 by Scientific Resources Associated, Feb.10. 2006 (Case No. ER 2005-12). This is a 39 lot single-family residential subdivision on approx. 17.2 acres of land. The conceptual grading plan anticipated 18,400 cy of cut and 25,600 cy of fill with an estimated import of 7,200 cy of material. The study concluded construction related impacts would not result in a significant impact and no mitigation was required.

Air Quality Report prepared for Escondido Tract 855 by Investigative Science and Engineering, Inc., dated August 6, 2003. This is an 18 lot, single-family residential development on approx. 11.83 acres of land. Proposed onsite grading anticipates approximately 89,350 cubic yards of fill materials, 50,500 cubic yards of cut, and import of 38,850 cubic yards of material. A screening risk assessment of diesel-fired toxics from construction haul trucks also was performed for this project. Based on the study, all criteria pollutants were below the SDAPCD-recommended level of 1 in a million per ug/m^3 (i.e., all risk levels less than 1.0). Therefore, no impacts are expected and not mitigation was required.

Mitigated Negative Declaration adopted for Escondido Tract 912 (Case No. ER 2005-04).

Summary of Mitigation Measures:

1. The design of the homes/architecture and footprints shall be used in combination with noise attenuation walls and berming (as detailed in the Exterior Noise Analysis Report prepared by Kimley-Horn and Associates, Inc., dated February 7,. 2006) to provide appropriate exterior noise mitigation to 65 dBA CNEL or less for the rear yards of the homes. A final acoustical analysis shall be prepared as part of the grading and building plan submittal of the homes to demonstrate compliance with this mitigation measure.

2. Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis (INA) must be provided and approved by the City prior to building permit issuance for any of the residences. The interior noise analysis shall identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Appropriate dual-glazed windows with a Sound Transmission Class (STC) shall be identified in the report and on the building plans, along with resilient channels on the exterior walls facing Interstate 15 facing for the lots.

Attachment "A"
MITIGATION MONITORING REPORT

PROJECT NAME: Escondido Tract 877 (Terra Resources Group/Bernardo Lane Estates)
PROJECT DESCRIPTION: 10-unit Condominium Development

NEG .NEC. NO. ER 2004-14
ASSOC. CASE NO:. TR 877, 2004-23-CZ/GE
APPROVAL BODY/DATE:
PROJECT MANAGER: Jay Paul, Assoc. Planner (760) 839-4537

PROJECT LOCATION: 1995 Bernardo Ave(APN 235-203-04).
CONTACT PERSON: Elias Atri
PHONE NUMBER: (858) 342-5635

Phase at which the Mitigation Measures are to be Implemented

Prior to Grading Permit and Building Permit Issuance

NATURE OF IMPACT	MITIGATION MEASURE	ID NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Noise: The project site is within a noise contour of 60 dBA or greater due to the location of Interstate 15 on the west.	1. Prior to issuance of grading and building permits. The design of the homes/architecture and footprints shall be used in combination with noise attenuation walls and berming (as detailed in the Exterior Noise Analysis Report prepared by Kimley-Horn and Associates, Inc., dated February 7, 2006) to provide appropriate exterior noise mitigation to 65 dBA CNEL or less for the rear yards of the homes. A final acoustical analysis shall be prepared as part of the grading and building plan submittal of the homes to demonstrate compliance with this mitigation measure.	XI. Noise	Project Applicant		
	2. Prior to issuance of Building Permits Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis (INA) must be provided and approved by the City prior to building permit issuance for any of the residences. The interior noise analysis shall identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Appropriate	XI. Noise	Project Applicant		

	dual-glazed windows with a Sound Transmission Class (STC) shall be identified in the report and on the building plans, along with resilient channels on the exterior walls facing Interstate 15 facing for the lots. 3. Prior to issuance of Building Permits Review final acoustical permits and plans to ensure recommended measures have been implemented/included in the plans	XI. Noise	Planning Div. Engineering Div. Building Div.		

CODE COMPLIANCE

Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.	Project Applicant City of Escondido Planning Division Wildlife Agencies	Public Works Dept. Code Enforcement Div. Police Dept.	Building Dep' City Attorney Fire Dept.
Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.	City of Escondido		

Agenda Item No.: 13
Date: June 22, 2016

RESOLUTION NO. 2016-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A THREE-YEAR EXTENSION OF TIME FOR A THIRTEEN LOT TENTATIVE SUBDIVISION MAP

Case No. SUB16-0002 (TR 877)

WHEREAS, pursuant to Chapter 32 of the Escondido Zoning Code, the City Council did on June 7, 2006, consider and approve a request for a 13-lot Tentative Subdivision Map (TR 877) on approximately 3.98-acres of land, along with a Grading Exemption for a combination fill slope and retaining wall up to 12 feet in height. The project site generally is located on the western side of Bernardo Avenue, south of Eleventh Avenue, north of Gamble Lane, addressed as 1995 Bernardo Avenue (APN 235-203-04), more particularly described in the attached Exhibit "C," and incorporated by this reference; and

WHEREAS, the Tentative Map originally was approved for three years and subsequent automatic map extensions granted by the State Legislature (SB1185, AB333, AB208, and AB116) extended the tentative map until June 7, 2016; and

WHEREAS, the City Council reviewed and adopted the Mitigated Negative Declaration prepared for the project (City File No. ER 2004-14) and determined the project would not have any significant impacts to the environment because all project related impacts have been mitigated; and

WHEREAS, the applicant requests that the City Council approve an extension of time for three years as permitted by the Subdivision Map Act and Chapter 33, Article 2 of the City of Escondido Zoning Code; and

WHEREAS, this City Council has considered the extension request, the staff report, and incorporates by reference the findings made therein; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said extension of time.

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

1. That the above recitations are true.

2. That the Findings of Fact, attached as Exhibit "A" and is incorporated by this reference, were made by said Council.

3. That upon consideration of the Findings, all material in the staff report (a copy of which is on file in the Planning Division) this City Council extends the Tentative Subdivision Map (TR 877) for three years, as reflected on plans and documents on file in the offices of the City Clerk and Planning Division, and subject to the Conditions of Approval as set forth as Exhibit "B," attached to this Resolution and incorporated by this reference.

4. That this Tentative Subdivision Map shall be null and void unless a Final Map, conforming to the Tentative Subdivision Map and all required conditions, is filed within 36 months of the expiration date for the Tentative Map, or unless an Extension of Time is granted pursuant to Section 66452.6 of the California Government Code.

EXHIBIT "A"

FINDINGS OF FACT
SUB16-0002 (TR877)
Extension of Time

Tentative Subdivision Map and Grading Exemption(s)

1. The 3.98-acre project site has a General Plan designation of Suburban, which allows a density of up to 3.3 du/ac and minimum lot size of 10,000 SF. The project density of 3.26 du/ac is consistent with the underlying Suburban land-use designation. The project site could support up to 13 lots based on the acreage, slope categories and Suburban land-use designation. The 13 lots would be in conformance with the yield calculated for the project, which is detailed in the staff report(s) and adopted Final Mitigated Negative Declaration (Case No. ER 2004-14). Lot sizes for the project range from approximately 10,000 SF to 14,634 SF, which is in conformance with the Suburban land-use designation and underlying R-1-10 zoning requirements. Proposed lot sizes, lot width and street frontage are in conformance with the R-1-10 zone.

2. The design and improvement of the proposed subdivision is consistent with the General Plan because the proposed density of 3.26 du/ac is in conformance with the maximum density of up to 3.3 du/ac for the Suburban designation, and minimum lot size and widths are consistent with the underlying R-1-10 development standards. The proposed project would not disrupt or divide the physical arrangement of the area because the project is infill in nature and is adjacent to single-family residential development to the north, south and west, and Interstate 15 to the east. The proposed project is adjacent to single-family residential development to the north, south and west, with similar lot sizes to the north and west. The project density, yield and lot sizes would be consistent with the underlying Suburban land-use designation and R-1-10 zoning designation. Access would be provided by Bernardo Avenue, which is an existing Circulation Element Street. Development of the project and proposed improvements to Bernardo Avenue would not adversely alter or impact the existing circulation pattern throughout the surrounding neighborhood, nor preclude the development of surrounding parcels. Adequate public facilities are available and water service can be provided to the project with nominal extension of nearby existing facilities.

3. The project would not result in the destruction of desirable natural features, nor be visually obstructive or disharmonious with surrounding areas since the project site is adjacent to residential development to the north, south and west, and Interstate 15 to the east. The project site is vacant and does not contain any significant visual resources or prominent topographical features. The property is not located on a ridgeline identified in the Community Open Space/Conservation Element of the General Plan. Existing vegetation would be permanently replaced by residential development, associated infrastructure and new landscaping. The development of the future homes on the proposed lots would not result in any adverse visual impacts or result in the obstruction of any scenic view or vista open to the public. The project also would not damage any significant scenic resources within a designated State scenic highway or create an aesthetically offensive site open to the public. Views on-site from surrounding properties would most likely consist of building pads, proposed one-story structures, perimeter fencing/walls, and front and rear-yard landscaping. Conceptual grading includes approximately 10,853 cubic yards of cut, 11,443 cubic yards of fill with 590 cubic yards of import. The proposed cut slopes generally are located around the perimeter of the site, and primarily would be screened by the future homes and landscaping. The extent of proposed cut and fill slopes, and small retaining walls would be typical of the surrounding residential developments to the north and west, which step up the adjacent hillside. The pad elevations are proposed to be lower than the adjacent pads to the west and south. All of the homes are proposed to be one-story in height to be consistent with the adjacent residential developments to the north, south and west, which also would lessen the potential visual impacts to the existing homes, and retain views over the homes to the hillsides and skyline views to the north and east. All manufactured slopes would be required to be landscaped in conformance with the City's Landscape Ordinance to screen and soften visual impacts, as well as views from surrounding properties. Landscaping would be provided along the eastern side of Bernardo Avenue to provide a visual buffer from traffic along Interstate 15. Any grading and subsequent compaction of the site, as necessary, will be per City standards (Article 55, Escondido Zoning Code) to the satisfaction of the City Engineer.

The development of the proposed project would not conflict with the provisions of an adopted or proposed Habitat Conservation Plan. The project site is not considered biologically significant or strategically located to warrant being included in a regional or local natural open space preserve. No plant or animal species recognized as threatened or endangered by the U.S. Fish and Wildlife Service, or California Department of Fish and Game are located or anticipated to be present within the proposed development area, and no mitigation measures are required. The site is not listed as an open space corridor or animal migration corridor since much of the property is disturbed and surrounded by development. The western and eastern boundaries of the project area are fenced, which precludes the migration of certain animal species. The project site is not listed on the City' Parks, Trails and Open Space Plan, or any local or regional plan. No Resource Agency permits would be required for the proposed development since the project would not remove any protected or endangered habitats.

4. The site is suitable for this residential type of development proposed because the project site is zoned for single-family development and the site is adjacent to similar suburban and estate size residential zoning and development. The proposed grading design would not result in any significant visual or compatibility impacts with adjacent lots, nor block any significant views, as discussed in the land-use compatibility and analysis sections of the staff report and Mitigated Negative Declaration (Case No. ER 2004-14). Adequate access and public utilities can be provided to the site. All vehicular traffic generated by the project will be accommodated safely and without degrading the level of service on the adjoining streets or intersections.

5. The site is physically suitable for the proposed density of the underlying General Plan Suburban land-use designation as described in the sections above and the Planning Commission staff report dated May 9, 2006. Adequate access and public utilities can be provided to the site. The design of the lots would be in conformance with the proposed R-1-10 design standards and would be compatible with the general pattern of residential development throughout the area. The proposed project also would not result in any adverse impacts to biological resources on and off the site, as detailed in the Mitigated Negative Declaration issued for the proposed project.

6. The design of the residential map and the type of improvements are not likely to cause serious public health problems since the project would not degrade the levels of service on the adjoining streets or drainage systems. Adequate water and sewer could be provided to the site. The project would not cause substantial environmental damage nor injure fish, wildlife or their habitat since there is no sensitive habitat located on the site. The project would not create any significant noise impacts to adjacent properties due to the residential nature of the project, and limited traffic increase created by the project. Appropriate mitigation measures have been adopted to address noise issues from Interstate 15.

7. The design of the map and the type of improvements will not conflict with easements of record, or easements established through court judgments, or acquired by the population at large, for access through, or use of property within the proposed map since any existing easements will either be accommodated within the project design; be quitclaimed prior to recordation of the map; or alternate provisions provided.

8. All of the requirements of the California Environmental Quality Act (CEQA) have been met and a Mitigated Negative Declaration (ER 2004-14) was adopted for the proposed project. The findings of the analysis identified impacts that might potentially be significant, but mitigation measures would reduce these impacts to a less than significant level. Potential impacts identified in the Initial Study which require mitigation are related to potential noise impacts due to the proximity of Interstate 15. The mitigation measures have been included in the Conditions of Approval. The project will have a de minimis impact on fish and wildlife resources as no stream courses, riparian habitat or other sensitive habitat or resources will be adversely impacted by the proposed project.

9. The design of the map has provided, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. Lot sizes and subdivision configuration provides opportunities for passive/solar heating.

10. All permits and approvals applicable to the proposed map pursuant to the Escondido Zoning Code will have been obtained prior to the recordation of the map.

11. The proposed map will not conflict with regional or local housing needs since all lots maintain all development standards of the applicable zone and observe the density of the General Plan. The project site does not contain any existing housing or structures that would be removed. The project would be developed with single-family residential homes in conformance with the Suburban land-use designation.

12. For the reasons stated in Sections 1 – 11 above, the bulk, scale, density and overall character of the proposed development would be compatible with the surrounding neighborhood and with the natural, cultural, scenic and open space resources of the area. To the extent feasible, the location and design of the proposed development respects and preserves the natural landform, native vegetation and any sensitive wildlife that may be present, to the extent practical. As stated in the staff report(s) and environmental review, and provided in the conditions of approval, the location and design of the proposed development will protect the safety of current and future residents, and will not create a significant threat to life and property due to slope instability, fire, flood, mud flow, erosion or other hazards.

Grading Exemption(s)

1. Granting the modification to the Grading Exemption and other grading modification are consistent with the Grading Design Guidelines for the following reasons:

    a. Visual impacts to adjacent residences have been minimized since the taller cut slopes generally have been located towards the interior of the project site or down slope from adjacent residences. Retaining walls also are incorporated to minimize the height of slopes and grading on specific lots. Proposed fill slopes would not result in pad elevations that would unreasonably or adversely impact views. The slopes also would be landscaped with a variety of trees, shrubs and ground cover to further soften the view from surrounding properties.

    b. The proposed fill slopes would not block any significant views from surrounding properties since they would situated lower than adjacent development/lots, which does not block any existing views.

    c. The proposed design of the slopes would not adversely affect any adjoining septic systems since conditions have been incorporated into the project which would require increased cut slopes along the project boundary to avoid disrupting any existing septic systems in the adjoining residential areas, or the developer must arrange to connect any adjoining existing dwelling units, now on private septic systems, to the public sewer system.

    d. The proposed slopes would not intrude into or disturb the use of any adjacent property since they would not significant impact any scenic vistas or open space areas, disturb any utilities or drainage facilities; obstruct circulation patterns or access; nor preclude the future development of any adjacent parcels.

2. Prior to grading permit issuance, the design of the slopes would be engineered to ensure the stability of the cuts and fills, and associated buildings placed upon the new pad area.

3. The grading exemption(s) and retaining walls generally are requested either to provide sufficient flat buildable area to accommodate a single-family home, reduce driveway grades, and/or provide usable open space areas around the proposed homes.

4. For the reasons stated in the above sections, and further described in the staff reports and environmental review (ER 2004-14), the grading has been designed to address on-site building constraints and has been minimized to the extent possible, preserving the character of the site while utilizing appropriate erosion control practices to avoid erosion, slides, or flooding in order to have as minimal an effect on the said environment as possible.

EXHIBIT "B"

CONDITIONS OF APPROVAL
SUB16-0002 (TR 877)
Extension of Time

General

1. All construction shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Director of Building, and the Fire Chief.

2. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.

3. Fire hydrant spacing and location must be approved by the Fire Department. The number, timing and minimum GPM fire flow shall be coordinated with the Fire Chief.

4. Any blasting within the City of Escondido is subject to the provisions of Ordinance No. 95-6 and a Blasting Permit must be obtained from the Escondido Fire Department. If blasting occurs, verification of a San Diego County Explosive Permit and a policy or certificate of public liability insurance shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.

5. Access for use of heavy fire fighting equipment, as required by the Fire Chief, shall be provided to the job site at the start of any construction and maintained until all construction is complete. Also, there shall be no stockpiling of combustible materials, and there shall be no foundation inspections given until on-site fire hydrants with adequate fire flow are in service to the satisfaction of the Fire Marshall.

6. All required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

7. All habitable buildings shall be noise-insulated to maintain interior noise levels not to exceed 45 dBA or less. Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis (INA) must be provided and approved by the City prior to building permit issuance for any of the residences. The interior noise analysis shall identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Appropriate dual-glazed windows with a Sound Transmission Class (STC) shall be identified in the report and on the building plans, along with resilient channels on the exterior walls facing Interstate 15 facing for the lots.

8. The design of the homes/architecture and footprints shall be used in combination with noise attenuation walls (as detailed in the Exterior Noise Analysis Report prepared by Kimley-Horn and Associates, Inc., dated February 7, 2006, to provide appropriate exterior noise mitigation to 65 dBA CNEL or less for the rear yards of the homes. A final acoustical analysis shall be prepared as part of the final grading plan and building plan submittal of the homes to demonstrate compliance with this mitigation measure. Noise attenuation walls within the setback areas shall be limited to six feet in height. Where eight-foot-high walls are identified, a combination of earth berms and wall may be used to achieve the eight foot requirements, or additional walls used in conjunction with appropriate building architecture/features to provide selected outdoor areas which would provide an exterior noise level of 65 dBA CNEL or less.

9. All requirements of the Public Partnership Program, Ordinance No. 86-70 shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program

10. All exterior lighting shall conform to the requirements of Article 35 of the Escondido Zoning Code, Outdoor Lighting.

11. Prior to or concurrent with the issuance of building permits, the appropriate development fees and Citywide Facility fees shall be paid in accordance with the prevailing fee schedule in effect at the time of building permit issuance, to the satisfaction of the Director of Planning and Building.

12. Prior to obtaining building permits, the applicant shall demonstrate compliance with the requirements of the Citywide Facilities Plan, to the satisfaction of the Planning Division.

13. All project generated noise shall conform to the City's Noise Ordinance (Ordinance 90-08), to the satisfaction of the Planning Division.

14. Three (3) copies of a revised tentative map, reflecting all modifications and any required changes shall be submitted the Planning Division for certification prior to submittal of grading and landscape plans and the final map.

15. The proposed detention basin shall be a separate open space lot on the map.

16. Any parcels not associated with this Tentative Map shall be labeled "Not a Part."

17. No street names are part of this approval. A separate request shall be submitted prior to Final Map.

18. Copies of the CC&Rs shall be submitted to the Planning Division for review and approval prior to Final Map and grading plans. The CC&Rs shall detail the responsibility for the maintenance of any common landscape areas, walls (including the screen/noise wall along the eastern side of Bernardo Avenue, easements, common drainage facilities, etc. The CC&Rs also shall include appropriate language for the establishment and operation of the proposed Homeowners' Association.

19. All lots shall meet the average lot width and lot area requirements of the underlying zoning category. Conformance with these requirements shall be demonstrated on the grading and final map. Non-compliance with these minimum standards will result in revisions to the map.

20. Prior to approval of the final map and issuance of grading plans, appropriate documents shall be submitted to verify the access easement along the southern boundary of the parcel no longer exists, or the project must accommodate the easement.

21. Prior to the issuance of grading permits and/or building plans, the applicant shall submit a Fire Management Plan to the Fire Department for review and approval, to the satisfaction of the Fire Marshal.

22. An appropriate secondary emergency access shall be provided for the project, to the satisfaction of the Engineering Division and Fire Department. The gate shall incorporate decorative elements and allow for appropriate pedestrian and bicycle access along Bernardo Avenue. The final design of the gates shall be approved by the Fire Department.

23. The grading plans shall contain appropriate measures/instructions to protect the existing native vegetation during grading and construction. Appropriate fencing and signage shall be provide around native vegetation prior to grading or construction, and must be maintained in good order during all phases of construction. The CC&Rs shall contain appropriate language indicating the native vegetation is to remain.

24. A Homeowners' Association (HOA) shall be established for the proposed project and shall be responsible for the maintenance of all private and common areas/facilities (such as private streets/roadways, emergency access, private street lights, drainage swales and other drainage facilities, common area landscaping and landscape easements, walls, gates, fencing, landscaping along the eastern side of Bernardo Avenue and screen/noise wall, etc.), and any other real property acquired by the Association. A licensed, professional management company shall be hired to oversee the management of operations of the HOA for the life of this development. A self-managed HOA shall not be allowed for this project. The establishment of the HOA along with the duties and powers shall be included in the CC&Rs for the project.

25. All of the buildings shall be restricted to single-story in height. Two-story room additions also shall be prohibited and this restriction included in the project CC&Rs. The final design, height and orientation of the homes shall be reviewed and approved by the staff Design Review Board, and coordinated with the acoustical consultant.

26. The homes shall be situated on the lots to provide for appropriate on-site turn around areas to eliminate vehicles backing up or down long or steep driveways, or backing onto Bernardo Avenue, to the satisfaction of the Engineering Division. Provisions for the turn around areas shall be demonstrated on the fine grading plans and plotting plans for the homes. For turn around areas, a minimum 24-foot back up area should be provided for vehicles to exit the lot in a forward manner.

27. Bernardo Avenue (from the south through county territory) shall not be used for construction access. Appropriate gates/barriers and signage shall be installed along Bernardo Avenue to restrict access during grading and construction. The final plan/restrictions shall be clearly identified on the grading and building plans, and approved by the Engineering Department and Planning Division prior to the issuance of grading and building plans/permits.

Landscaping

1. Five copies of a detailed landscape and irrigation plan(s) with the required plan check fee shall be submitted prior to issuance of Grading or Building permits, and shall be equivalent or superior to the concept plan attached as exhibit(s) to the satisfaction of the Planning Division. The required landscape and irrigation plan(s) shall comply with the provisions, requirements and standards contained in Article 62 of the Zoning Code (Water Efficient Landscape Regulations) and also in conformance with the State Model Water Efficient Landscape Ordinance. The plans shall be prepared by, or under the supervision of a licensed landscape architect.

2. Any existing trees to remain within the subdivision and any shall be identified on the landscape and grading plans, to the satisfaction of the Planning Division.

3. All landscaping shall be permanently maintained in a flourishing manner. All irrigation shall be maintained in fully operational condition.

4. All manufactured slopes, or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Department and City Engineer.

5. Prior to occupancy of future units, all required landscape improvements shall be installed and all vegetation growing in an established, flourishing manner. The required landscaped areas shall be free of all foreign matter, weeds and plant material not approved as part of the landscape plan.

6. All slopes shall be landscaped with suitable material to control erosion. All manufactured slopes over three feet in height shall be landscaped with a combination of trees, shrubs and groundcover. Groundcover shall provide one hundred percent coverage within one year of installation. The type of plant material shall be low maintenance, drought resistant, and fast growing, to the satisfaction of the Planning Department. In particular, the ground cover shall be a fast-growing species which establishes quickly and is capable of choking out weeds. All slopes over three vertical feet shall be irrigated with an individual lot irrigation system approved by the Planning and Building Departments.

7. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Escondido Landscape Ordinance and Street Tree List. If existing mature trees on site are removed, they shall be replaced with specimen sized trees in conformance with the City's tree preservation requirements.

8. The eastern side of Bernardo Avenue shall be landscaped to included specimen sized trees (min. 24' box) along with min. 15 gallon shrubs. A dense planting of fast and tall growing shrubs shall be used to provide a visual barrier between Bernardo Avenue and Interstate 15. The Bernardo Avenue streetscape shall be maintained by the project Homeowner's Association.

9. A decorative landscape design shall be provided around the bulb of the Bernardo Avenue cul-de-sac/termination, to include trees, shrubs and groundcover. A decorative landscape design also shall be incorporate into the design of the detention basin. Any necessary security fencing around the detention basin shall be decorative and compliment the design of the emergency access gate.

10. Any proposed walls and retaining walls shall be constructed out of decorative material to the satisfaction of the Planning Division. The materials and location of the wall(s) shall be identified on the grading plans, building plans and final landscape plans.

11. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards.

Attachment "A"
MITIGATION MONITORING REPORT

PROJECT NAME: Escondido Tract 877 (Terra Resources Group/Bernardo Lane Estates)
PROJECT DESCRIPTION: 13-lot Single-Family Residential Tentative Subdivision Map

NEG .NEC. NO. ER 2004-14
ASSOC. CASE NO:. TR 877, 2004-23-CZ/GE
APPROVAL BODY/DATE:
PROJECT MANAGER: Jay Paul, Assoc. Planner (760) 839-4537

PROJECT LOCATION: 1995 Bernardo Ave(APN 235-203-04).
CONTACT PERSON: Elias Atri
PHONE NUMBER: (858) 342-5635

Phase at which the Mitigation Measures are to be Implemented

Prior to Grading Permit and Building Permit Issuance

NATURE OF IMPACT	MITIGATION MEASURE	ID NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENT.	CERTIFIED INITIAL/DATE	COMMENTS
Noise: The project site is within a noise contour of 60 dBA or greater due to the location of Interstate 15 on the west.	1. Prior to issuance of grading and building permits. The design of the homes/architecture and footprints shall be used in combination with noise attenuation walls and berming (as detailed in the Exterior Noise Analysis Report prepared by Kimley-Horn and Associates, Inc., dated February 7, 2006) to provide appropriate exterior noise mitigation to 65 dBA CNEL or less for the rear yards of the homes. A final acoustical analysis shall be prepared as part of the grading and building plan submittal of the homes to demonstrate compliance with this mitigation measure.	XI. Noise	Project Applicant		
	2. Prior to issuance of Building Permits Because portions of the project would be exposed to noise levels exceeding 60 dBA CNEL, an interior noise analysis (INA) must be provided and approved by the City prior to building permit issuance for any of the residences. The interior noise analysis shall identify sound transmission loss requirements for building elements exposed to exterior noise levels exceeding 60 dBA. The house design must include mechanical ventilation that meets applicable Uniform Building Code (UBD) requirements. Appropriate	XI. Noise	Project Applicant		

	dual-glazed windows with a Sound Transmission Class (STC) shall be identified in the report and on the building plans, along with resilient channels on the exterior walls facing Interstate 15 facing for the lots. 3. Prior to issuance of Building Permits Review final acoustical permits and plans to ensure recommended measures have been implemented/included in the plans	XI. Noise	Planning Div. Engineering Div. Building Div.		

CODE COMPLIANCE

Ongoing monitoring to ensure compliance with all mitigation measures, conditions of approval, operational requirements, standards, codes and regulations.	Project Applicant City of Escondido Planning Division Wildlife Agencies	Public Works Dept. Code Enforcement Div. Police Dept.	Building Dept. City Attorney Fire Dept.
Enforcement of the project conditions, mitigation measures, codes, standards and regulations are handled through inspection and evaluation procedures by the above mentioned City Departments and upon failure to comply with the conditions, the project may be referred to the Planning Commission for review and possible modification or revocation of the permit.	City of Escondido		

ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER 877
(SUB16-0002)

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.

3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.

4. No Grading Permit shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded.

5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

STREET	CLASSIFICATION
Bernardo Avenue	Local Collector (42' within 62' R/W)
Street "A"	Residential Street (36' within 56' R/W)

See appropriate typical sections in the current Escondido Design Standards for additional details.

3. The developer shall construct Bernardo Avenue (full width, with sidewalk on the west side and landscaping on the east side, in accordance with Local Collector Standard. The developer shall be required to remove the existing cul-de-sac and emergency access gate at the end of Bernardo Avenue and extend the roadway along project frontage and construct a new cul-de-sac and a new emergency access gate at the southerly end to the satisfaction of the City Engineer and Fire Marshall. Home owners association shall be responsible for the future maintenance of the emergency access gates.

4. The developer shall construct Street "A" in accordance with the Residential Standard Street (36'of curb to curb within 56' right-of-way or 46' right-of-way, and 5 foot public utilities easement behind sidewalks) to the satisfaction of the City Engineer.

5. The major access entrances shall be designed as street intersections with curb returns, cross gutters and spandrels, sidewalk ramps, etc. with a minimum throat width of 36 feet.

6. The address of each lot/dwelling unit shall either be painted on the curb or, where curbs are not available, posted in such a manner that the address is visible from the street. In both cases, the address shall be placed in a manner and location approved by the City Engineer.

7. All lots fronting Bernardo Avenue shall be provided with onsite turn around to avoid backing on to Bernardo Avenue to the satisfaction of the City Engineer.

8. Sidewalk construction shall be contiguous to the curb in accordance with current Escondido Design Standards.

9. All cul-de-sacs shall conform to the current Escondido Design Standards.

10. Plans for construction within any right-of-way under a jurisdiction other than the City of Escondido will be subject to the review by both the City of Escondido and the other jurisdiction. The developer shall be responsible for securing all necessary permits from the appropriate agencies.

11. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.

12. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Any removal of existing striping and all new signing and striping shall be done by a private contractor.

13. The project is subject to the vacation of public rights-of-way within or adjoining the project boundary. Specific areas to be vacated shall be determined to the satisfaction of the City Engineer. The street vacation must be approved by the City Council prior to recordation of the Final Map. The developer shall be responsible for relocation of all existing utilities within this street vacation.

14. The developer may be responsible for an overlay of Bernardo Avenue due to the many utility trenches necessary to serve this project or construction activities. The determination of the extent of the overlay shall be to the satisfaction of the City Engineer.

15. Adequate horizontal sight distance shall be provided at all street intersections. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.

16. An encroachment permit shall be obtained from CALTRANS for all work within the CALTRANS right-of-way.

17. The maximum grade of intersecting streets is 6% per the Escondido Design Standards.

GRADING

1. A site grading and erosion control plan shall be approved by the Engineering Department. The first submittal of the grading plan shall be accompanied by 3 copies of the preliminary soils and geotechnical report. The soils engineer will be required to indicate in the soils report that he/she has reviewed the grading design and found it to be in conformance with his/her recommendations.

2. Erosion control, including riprap, interim slope planting, sandbags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the project.

3. Cut slope setbacks must be of sufficient width to allow for construction of all necessary screen walls and/or brow ditches.

4. The developer shall be responsible for the recycling of all excavated materials designated as Industrial Recyclables (soil, asphalt, sand, concrete, land clearing brush and rock) at a recycling center or other location(s) approved by the City Engineer.

5. A General Construction Activity Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres.

6. Lot drainage shall meet the requirements of current Escondido Design Standards and the City Engineer and shall include the construction of necessary brow ditches.

7. All blasting operations performed in connection with the improvement of the project shall conform to the City of Escondido Blasting Operations Ordinance.

ENGINEERING CONDITIONS OF APPROVAL
ESCONDIDO TRACT NUMBER 877
(SUB16-0002)

GENERAL

1. The applicant shall provide the City Engineer with a Subdivision Guarantee and Title Report covering subject property.

2. The location of all on-site utilities shall be determined by the Engineer. If a conflict occurs with proposed lots, these utilities shall be relocated.

3. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of this Subdivision.

4. No Grading Permit shall be issued for any construction within this Subdivision until the Final Subdivision Map is recorded.

5. If site conditions change adjacent to the proposed development prior to completion of the project, the developer will be responsible to modify his/her improvements to accommodate these changes. The determination and extent of the modification shall be to the satisfaction of the City Engineer.

6. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.

7. The engineer shall submit to the Planning Department a copy of the Tentative Map as presented to the Planning Commission and the City Council. The Tentative Map will be signed by the Planning Department verifying that it is an accurate reproduction of the approved Tentative Map and must be included in the first submittal for plan check to the Engineering Department.

STREET IMPROVEMENTS AND TRAFFIC

1. Public street improvements shall be constructed to City Standards as required by the Subdivision Ordinance in effect at the time of the Tentative Map approval and to the satisfaction of the City Engineer. Specific details, including final street improvement widths, right-of-way widths, concrete curb and gutters, drainage, lighting, etc. shall be resolved to the satisfaction of the City Engineer.

2. The developer shall construct street improvements, including but not limited to, concrete curb, gutter, sidewalk, street lights, street trees, paving and base on the following streets within and adjoining the project boundary:

2. Water utilities shall be extended to the project's boundary at such locations as required by the City Engineer.

3. Fire hydrants together with an adequate water supply shall be installed at locations approved by the Fire Marshal.

SEWER

1. All sewer main locations and sizing of mains shall be to the satisfaction of the City Engineer. A new 8" sewer line shall be constructed on Street "A". Sewer service for the lots along Bernardo Avenue shall be provided from the existing sewer main on Bernardo Avenue.

FINAL MAP - EASEMENTS AND DEDICATIONS

1. The developer shall make all necessary dedications (or, if appropriate, offer of dedications) for public rights-of-way on the following streets contiguous to the project to bring the roadways to the indicated classification.

STREET	CLASSIFICATION
11th Avenue/ Bernardo Avenue	Local Collector (42' within 62' R/W)
Street "A"	Residential Street (36' within 56' R/W)

2. Street "A" shall be constructed within 56' public right-of-way or 46' public right-of-way and 5 foot utilities easement behind sidewalks on both sides.

3. All easements, both private and public, affecting subject property shall be shown and delineated on the Final Map.

4. The developer shall dedicate to the public a 20-foot radius corner rounding at Street "A" intersection with Bernardo Avenue.

5. The developer shall offer for dedication for storm drainage purposed the portions of the project delineated on the Tentative Map as an open space easement. The exact area of the offer of dedication shall be determined at the time the drainage study is reviewed.

6. The developer is responsible for making the arrangements to vacate all streets or quitclaim all easements of record, which conflict with the proposed development prior to approval of the final map. All street vacations shall be accomplished by means of a separate public hearing. If an easement of record contains an existing utility that must remain in service, proof of arrangements to quitclaim the easement once new utilities are constructed must be submitted to the City Engineer prior to approval of the Final Map. Building permits will not be issued for lots in which construction will conflict with existing easements, nor will any securities be released until the existing easements are quitclaimed.

REPAYMENTS AND FEES

1. A cash security or other security satisfactory to the City Engineer shall be posted to pay any costs incurred by the City for cleanup or damage caused by erosion of any type, related to

project grading. Any moneys used by the City for cleanup or damage will be drawn from this security. The remaining portion of this cleanup security shall be released upon final acceptance of the grading for this project. The amount of the cash security shall be 10% of the total estimated cost of the grading work up to a maximum of $30,000, unless a higher amount is deemed necessary by the City Engineer. The balance of the grading work shall be secured by performance bonds, an instrument of credit, a letter of credit or such other security as may be approved by the City Engineer and City Attorney.

2. This subdivision is contiguous to the facilities of another public agency. This agency may be required to review and/or sign the improvement plans. It will be the responsibility of the developer to establish an account with this jurisdiction to pay for all fees for plan checking and permit approval.

3. The developer shall be required to pay all development fees of the City then in effect at the time, and in such amounts as may prevail when building permits are issued.

CC&Rs

1. Copies of the CC&Rs shall be submitted to the Engineering Department and Planning Department for approval prior to approval of the Final Map.

2. The developer shall make provisions in the CC&Rs for maintenance by the homeowners' association of drainage swales, storm drains and basins and any common open spaces. These provisions must be approved by the Engineering Department prior to approval of the Final Map.

3. The CC&Rs must state that the property owners' association assumes liability for damage and repair to City utilities in the event that damage is caused by the property owners' association when repair or replacement of private utilities is done.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground as required by the Subdivision Ordinance.

2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

EXHIBIT "C"

SUB16-0002
(TR 877)
Property Description

APN 235-203-04

Real property in the City of Escondido, County of San Diego, State of California, described as follows:

LOT 2 IN BLOCK 11 OF HOMELAND ACRES ADDITION TO ESCONDIDO, IN THE CITY OF ESCONDIDO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1205, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 1, 1909.

EXCEPTING THAT PORTION LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF SAID LOT 2 DISTANT SOUTH 77° 59' 00" EAST, 435.70 FEET FROM THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 7° 25' 00" EAST, 699.49 FEET, MORE OR LESS, TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 2, DISTANT THEREON SOUTH 77° 57' 30" EAST, 667.18 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT 2.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A 2 INCH CAPPED PIPE STAMPED "L.S. 1344" ACCEPTED AS MARKING THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE -1- ALONG THE NORTHERLY LINE OF SAID LOT 2, NORTH 77° 21' 20" WEST, 251.43 FEET; THENCE -2- LEAVING SAID NORTHERLY LINE, SOUTH 12° 38' 40" WEST, 45.00 FEET; THENCE -3- SOUTH 45° 48' 43" EAST, 55.98 FEET; THENCE -4- FROM A TANGENT WHICH BEARS SOUTH 31° 15' 44" EAST ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 10,202 FEET THROUGH AN ANGLE OF 04° 45' 34", A DISTANCE OF 847.46 FEET TO THE SOUTHERLY LINE OF SAID LOT 2; THENCE -5- ALONG SAID SOUTHERLY LINE, SOUTH 77° 20' 13" EAST, 252.63 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 2; THENCE -6- ALONG SAID NORTHEASTERLY LINE NORTH 32° 25' 05" WEST, 934.18 FEET TO THE POINT OF BEGINNING.

Agenda Item No.: 14
Date: June 22, 2016

ORDINANCE NO. 2016-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING ARTICLE 80 OF THE ZONING CODE PERTAINING TO THE PUBLIC FACILIITES OVERLAY ZONE ALONG WITH AMENDING THE GENERAL PLAN TO APPLY THE PUBLIC FACILITIES OVERALY ZONE IN CONJUNCTION WITH REZONING APPROXIMATELY 15.4 ACRES TO APPLY THE PUBLIC FACILITIES OVERLAY ZONE FOR PROPERTY GENERALLY LOCATED ON THE NORTHEASTERN CORNER OF AVENIDA DEL DIABLO AND CITRACADO PARKWAY

Applicant: City of Escondido
Case No.: PHG15-0018 and ENV15-0008

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

SECTION 1. That proper notice of public hearings have been given and public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 2. That on May 10, 2016, the Planning Commission recommended approval of the proposed amendment to the Article 80 of the Zoning Code, General Plan Amendment and Zone Change to apply the Public Facilities Overlay to the subject property (Resolution No. 6067).

SECTION 3. That the City Council has reviewed and considered the Mitigated Negative Declaration prepared for this project (City File No. ENV15-0008) and has determined the project would not have any significant impacts to the environment because all project related impacts have been mitigated, and adopts the Final Mitigated Negative Declaration as reflected on documents on filed in the offices of the City Clerk and Planning Division, and incorporated by this reference.

A COMPLETE COPY OF THIS ORDINANCE IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR YOUR REVIEW.

ESCONDIDO
City of Choice

RENT REVIEW BOARD

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. RRB _____ File No. _____
Ord No. RRB _____

Agenda Item No.: 15
Date: June 22, 2016

TO: Honorable Chairman and Members of the Rent Review Board

FROM: Bill Martin, Director of Community Development

SUBJECT: Short-form Rent Increase Application for Carefree Ranch (File Number 0697-20-10085)

RECOMMENDATION:

- Consider the short-form rent increase application submitted by Carefree Ranch.
- If approved, adopt Rent Review Board Resolution No. 2016-11 granting an increase of 75 percent of the change in the Consumer Price Index (CPI), or 1.836 percent (an average of $9.15) for the period of December 31, 2014 to December 31, 2015.

INTRODUCTION:

Carefree Ranch ("Park"), located at 211 N. Citrus Avenue, has filed a short-form rent increase application. The Rent Review Board is asked to accept the staff report, hear public testimony, and make a determination concerning the request in accordance with the Escondido Rent Protection Ordinance and the short-form procedures as outlined in the Rent Review Board Guidelines. The application and the staff report have been made available to the Board for review and consideration prior to the hearing.

THE RENT INCREASE APPLICATION:

Carefree Ranch is a senior park which has a total of 184 spaces with 87 spaces subject to rent control. The Park is requesting an increase for the 87 rent controlled spaces. The other spaces not included in this application are on long-term leases, occupied as rentals or by management, or are vacant. The amenities available for the residents include a furnished clubhouse with kitchen, a pool with spa, work-out room, shuffleboard court, a guesthouse and coin laundry facilities.

The application meets all the eligibility criteria for submittal of a short-form rent increase application.

PARK OWNER'S REQUEST:

The Park is requesting an increase of 75 percent of the change in CPI for the period of December 31, 2014 to December 31, 2015. Seventy-five percent of the change in the CPI for the period of consideration is 1.836 percent. The average monthly rent for the 87 residents that are affected by this application is $498.27. The average monthly increase requested is $9.15 per space, per month.

This is the twentieth rent increase request filed by this Park since the Ordinance was implemented. The last increase was granted in July 2015 for an average amount of $4.75, per space, per month.

RESIDENT MEETING AND COMMENTS:

All residents affected by this request were invited to attend a meeting in their clubhouse on May 26, 2016 at 5:00 p.m. Five residents, the Park Manger and City staff attended the meeting. After a review of the rent control process, resident discussion focused on management issues including the tenants' desire for additional security, speeding/noisy vehicles, children playing in the street, non-residents in the Park, inconsistent enforcement of property standards, appearance of common areas, and rules around the use of the Little House/guesthouse. There was additional discussion regarding the upcoming California Public Utilities Commission (CPUC) utility conversion and the index used for increases. Wayne Louth volunteered to serve as resident representative this year.

CODE ENFORCEMENT INSPECTION:

An inspection of the common areas of the Park by the Code Enforcement Division of the City noted some violations of the Health and Safety Code. A copy of the Code Report ("Report") is attached as "Exhibit A." The Owner and Park Manager received a copy of the Report, and were made aware that no rent increase, if granted, may be implemented until the Health and Safety Code violations have been cleared.

ADDITIONAL FACTORS AFFECTING THE APPLICATION:

In conformance with the Rent Review Board Guidelines, the decision of the Board will be finalized by adoption of the Resolution confirming the findings of the Public Hearing. The Notice of Determination will be mailed to the applicant and residents immediately upon adoption of the Resolution. The Park owner may send the 90-day notice of any rent increase granted to the residents upon the adoption of the Resolution.

Respectfully Submitted,

Bill Martin
Director of Community Development

Karen Youel
Housing Manager

ESCONDIDO
City of Choice

DATE: **JUNE 7, 2016**

TO: **HONORABLE CHAIRMAN AND MEMBERS OF THE RENT CONTROL BOARD**

FROM: **BRIAN GUSTAFSON, CODE ENFORCEMENT MANAGER**

SUBJECT: **CAREFREE RANCH MOBILEHOME PARK RENT CONTROL**

Carefree Ranch Mobilehome Park was inspected on June 2, 2016, with the lighting inspection conducted the prior evening. This inspection was a result of an application for a rent increase having been filed. Five general violations and no lighting violations were found and noted in the attached inspection report.

The resident meeting was held May 26, 2016 and was attended by five residents. A resident representative appointed for this park and given the paperwork to complete. Issues mentioned were of the nature to be addressed between the park and residents and there were no code issues brought forth.

There were two code enforcement cases in this park during the past year, one for a resident having an excessive number of cats and the other deemed to be an unfounded complaint against another resident.

CC: Bill Martin, Director of Community Development
Karen Youel, Rent Control Administration

ESCONDIDO
City of Choice

June 7, 2016

MOBILEHOME PARK RENT CONTROL
CODE ENFORCEMENT INSPECTION REPORT

Park Name: Carefree Ranch Mobile Home Park
211 N. Citrus Ave.
Escondido, CA. 92027

Park Owner: Carefree Ranch LLC
c/o Bart J. Thomsen
8 Pinehurst Ln.
Newport Beach, Ca. 92660

Park Manager: Jim Younce **Phone:** (760) 207-9727

Inspection Date: 6/2/2016 **Inspector:** Andrew Modglin

The following report is based on the inspection of the mobile home park conducted under provisions outlined in the California Code of Regulations, Title 25, Division I, Chapter 2 and the Escondido Zoning Code, Article 45. This inspection report only addresses health and safety issues that are related to areas for which maintenance, repair and operations is the responsibility of the owners and managers of the park.

General Violations:

1. Repair the inoperative window in the pool room of the clubhouse. **25 CCR 1102(a) (b).**

2. Service all fire extinguishers in the park. **25 CCR 1302 (a), T-19 Div.1 §575.1**

3. Repair the inoperative window in the laundry room of the clubhouse. **25 CCR 1102(a) (b).**

4. Trim the overgrown trees that have grown into the roadway behind space 104. **25 CCR 1108**

5. Repair the uneven walkway next to unit 31. **25 CCR 1102 (a) & 25 CCR 1116(a)**

Areas of the park requiring illumination per 25 CCR 1108:

(Lighting Inspection conducted the evening of 6-1-2016)

No lighting violations were found.

RESOLUTION NO. RRB 2016-11

A RESOLUTION OF THE ESCONDIDO MOBILEHOME RENT REVIEW BOARD MAKING FINDINGS AND GRANTING A RENT INCREASE FOR CAREFREE RANCH MOBILEHOME PARK

(File Number: 0697-20-10085)

WHEREAS, Article V of Chapter 29 of the Escondido Municipal Code is a codification of the Escondido Mobilehome Rent Protection Ordinance ("Ordinance") and provides for mobilehome space rent regulation; and

WHEREAS, the City of Escondido Mobilehome Park Rental Review Board ("Board") is charged with the responsibility of considering applications for rent increases; and

WHEREAS, a short-form Rent Increase Application was filed pursuant to Section 12 of the Rent Review Board Guidelines and accepted on May 6, 2016, by Bart Thomsen/Carefree Ranch LLC, the owner of Carefree Ranch Mobilehome Park ("Park"). The Park is located at 211 N. Citrus in Escondido. The rent increase applies to 87 of the 184 spaces in the Park; and

WHEREAS, this is the twentieth rent increase application filed by the Park since the Ordinance became effective in 1988. The last rent increase was granted by the board at a Rent Review Board Hearing held on July 8, 2015, and formally adopted by Rent Review Board Resolution 2015-04R. The increase requested was for 0.963 percent, or approximately $4.75 per space, per month; and

WHEREAS, at the time of the current application, the average monthly space rent was $498.27 for the 87 spaces subject to rent control. The Park owner requested a rent

increase in the amount of 75 percent of the change in the Consumer Price Index ("CPI") for the period of December 31, 2014 through December 31, 2015, in accordance with the Rent Review Board short-form policy guidelines. The application estimated this amount to be an average of $9.15 (1.836 percent) per space, per month; and

WHEREAS, a notice of the Park's Rent Increase Application was sent to all affected homeowners. All parties were given notice of the time, date and place of the rent hearing before the Board; and

WHEREAS, on June 2, 2016, a Mobilehome Park Rent Control Code Enforcement Inspection Report ("Inspection Report") was completed. The Inspection Report noted Health and Safety Code violations in the Park; and

WHEREAS, on June 22, 2016, the Board held its public hearing. After an initial presentation, the Board invited testimony from Park ownership, residents of the Park and other residents of the community at large; and

WHEREAS, after all present had been given an opportunity to speak, the hearing was closed. Following an opportunity for discussion among the Board members and clarifying questions to the parties and Staff, the Board voted to grant an average rent increase of $9.15 per space, per month, for the 87 spaces receiving rent increases under this application,

NOW, THEREFORE, BE IT RESOLVED by the Rent Review Board of the City of Escondido, as follows:

1. That the above recitations are true.

2. That the Board has heard and considered all of the reports and testimony presented, and has considered the facts as outlined in the short-form Guidelines

("Guidelines").

3. That following the Guidelines, an increase based on 75 percent of the change in the Consumer Price Index ("CPI") for San Diego County from December 31, 2014 through December 31, 2015, amounted to 1.836 percent, which averaged $9.15 per space, per month, for the 87 spaces subject to rent control.

4. The Board concluded that an average increase of $9.15 per space, per month, is consistent with the Guidelines, and is a fair, just, and reasonable increase in light of the information presented by all parties.

5. That the increase may not be implemented until after the health and safety code violations noted in the Inspection Report have been corrected, signed off, and are in compliance with the various state and local code sections as noted in the Inspection.

6. That the increase may be implemented upon the expiration of the required 90-day notice to the residents, which may be issued upon the adoption of this Resolution.

ESCONDIDO
City of Choice

CITY COUNCIL

For City Clerk's Use:
☐ APPROVED ☐ DENIED
Reso No. _____ File No. _____
Ord No. _____

Agenda Item No.: 16
Date: June 22, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Christopher McKinney, Director of Utilities

SUBJECT: Report on Drinking Water Public Health Goals

RECOMMENDATION:

The Utilities Department requests that the City Council receive and file the Drinking Water Public Goals (PHG) Report and that they accept public comment on the report.

FISCAL ANALYSIS:

None

PREVIOUS ACTION:

A Public Hearing was held on December 11, 2013, to receive comments on the Department's last previous PHG report covering the years 2010 through 2012.

BACKGROUND:

California law requires that the City of Escondido have on file a report comparing the City's drinking water quality with Public Health Goals (PHGs) and Maximum Contaminant Level Goals (MCLGs), whichever may be applicable for a given contaminant. PHGs are adopted by the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA). MCLGs are adopted by the United States Environmental Protection Agency (USEPA). ***PHGs and MCLGs are not enforceable standards***, but provide water agencies with goals for future improvement as detection and treatment technologies advance.

Escondido's drinking water quality has consistently met the required Maximum Contaminant Levels (MCLs), which are distinct from PHGs and MCLGs. **MCLs are enforceable standards.** Drinking water with contaminant concentrations in excess of the MCLs is considered unsafe to drink. If the concentration of a contaminant is above the PHG and/or MCLG for that contaminant, the water is still considered safe to drink as long as the concentration remains below the MCL.

Provisions of the California Health and Safety Code specify that larger water utilities (>10,000 service connections) prepare a special report if any of their water quality measurements have exceeded any PHG. The law also requires that where a PHG for a contaminant has not been established, the water

suppliers are to use the MCLG adopted by the USEPA. The Code requires that the report only address contaminants which have a California primary drinking water standard (i.e., an MCL) ***and*** a PHG or an MCLG.

There are a few contaminants that are sometimes detected in water systems at levels well below the MCL (thus, the water is safe to drink) for which no PHG or MCLG has yet been adopted. These contaminants are not included in this report.

If a contaminant was detected in the Escondido water supply in the years 2013 through 2015 at a level exceeding an applicable PHG or MCLG, this report provides the information required for our customers. Included is:

- The numerical public health risk associated with the MCL, the PHG, and the MCLG, whichever are applicable.
- The category or type of risk to health that could be associated with each constituent.
- The best treatment technology available that could be used to reduce the constituent level.
- An estimate of the cost to install that treatment if it is appropriate and feasible.

Goals vs Standards

Public water supplies are strictly regulated for a host of contaminants. The most stringent **standards** are those set by the USEPA and the California Department of Public Health in their primary drinking water standards. These standards are called **Maximum Contaminant Levels (MCL)** and they are enforced by the California Department of Public Health (CDPH) Division of Drinking Water. Tests for these contaminants are conducted at a required frequency using standard laboratory methods. Public drinking water systems must ensure compliance with these standards at all times. ***Escondido's water supply has met these stringent standards at all times during the period of this report (2013 through 2015).***

In addition to the standards that define safe drinking water, contaminant level goals are set by the State and Federal governments. These goals are set lower than the maximum allowable contaminant levels for safe drinking water to encourage drinking water agencies to strive for lower contaminant concentrations beyond those required by drinking water standards, as new technology allows.

MCLGs and PHGs are often interchangeable, with MCLGs being the Federal equivalent of the State's PHGs. However, there is a difference between the State and Federal method for setting levels for exposure to a specific type of contamination - carcinogens. The Federal MCLGs for carcinogens are set at zero because the USEPA assumes there is no absolutely safe level of exposure to them. Conversely, the State PHGs for these substances are set at a level considered to pose no significant risk of cancer. This is usually denoted as a one-in-a-million cancer risk for a lifetime of exposure.

Determinations of health risk at these low levels are frequently theoretical and have not been quantified or proven through scientific experimentation.

Best Available Treatment Technology

Both the USEPA and the CDPH Division of Drinking Water adopt what are known as Best Available Technologies. These technologies take into account practical risk-management factors such as analytical detection capability, available treatment technology, benefits, and costs. These are the best known methods for reducing contaminant levels to the MCL. However, since many PHGs and all MCLGs are set much lower than the MCL, treatment to further reduce contaminant concentrations to the low levels set in the PHG or MCLG do not always exist. Additionally, the analytical tests to detect these very low levels are not always available or reliable. Further complication arises when treatment processes that reduce one contaminant to a very low level may have adverse effects on other aspects of water quality.

Water Quality Data Considered

Water quality data collected from the City of Escondido water system in 2013, 2014, and 2015 was considered in this report. This data was summarized in the annual Consumer Confidence Reports for the same years and was made available to our customers online and via mail by request. Before June 30, 2016, a postcard notification that the Consumer Confidence Report for 2015 is available will be mailed to all customers. *The contaminants discussed below were detected in Escondido's drinking water at levels above the PHG, or above the MCLG.* ***In no case was a contaminant detected above the MCL, which is the measure for safe drinking water.***

Coliform Bacteria

Each month, approximately 140 – 190 samples are collected from the distribution system for coliform analysis.

In 2013, 2014, and 2015, there were 6 out of 5635 samples (0.10%), indicating positive for total coliform. A maximum of 0.7% of these samples were positive in any single month. **In all cases, repeat sample analysis to confirm the result was negative (i.e., no coliform was detected).** The MCL for total coliform is 5% of monthly samples and the MCLG is 0% for monthly samples. The total coliform bacteria percentage levels for water in the distribution system were **below the MCL at all times, but at times was over the MCLG.**

Monitoring for total coliform bacteria is performed to minimize the possibility of pathogens in the water. Pathogens are organisms that may cause waterborne disease. Because coliforms are only a surrogate indicator of the potential presence of pathogens, it is not possible to state a specific

numerical health risk. While USEPA normally sets MCLGs "at a level where no known or anticipated adverse effects on persons would occur," they indicate that they cannot do so with total coliform bacteria.

Total coliform bacteria are used as an indicator organism. They are found everywhere in nature and are not generally considered harmful. They are used because of the ease in monitoring and analysis. If a positive sample is found, it indicates a potential problem that could lead to growth of other, potentially harmful micro-organisms. It is not at all unusual for a system to have an occasional positive total coliform sample. Follow up sampling indicates the presence or absence of further risk.

The City adds chlorine as a disinfectant during the treatment process, and also chloramines prior to distribution to insure that the water is free of pathogens. The residual levels of the disinfectant are carefully controlled to provide the best health protection without undesirable taste, odor, or byproducts. This careful balance of treatment processes is essential to supplying Escondido's customers with safe drinking water.

Other equally important measures that have been implemented include:

- An effective cross-connection control program.
- Maintenance of a disinfectant residual throughout the system.
- An effective monitoring and surveillance program.
- Maintenance of positive pressure in the distribution system.

Copper and Lead

There is no MCL for copper or lead. Regulations for safe drinking water instead require that 90% of the samples taken from randomly selected household taps do not exceed an Action Level or Notification Level of 1.3 mg/L for copper and 0.015 mg/L for lead. The PHG for copper is 0.30 mg/L and for lead is 0.0002 mg/L.

The Federal and State's Lead and Copper Rule requires that sampling be conducted once every three years for both lead and copper. The samples are taken by designated customers from kitchen or bathroom faucets. The sample is taken after the water sits in the plumbing overnight, without running the water to rinse or flush out contaminants.

Copper sampling in 2015 indicates that the 90% level of copper samples taken from Escondido household taps was 0.47 mg/L, which is less than the Action Level of 1.3 mg/L but exceeds the PHG of 0.30 mg/L. Approximately 46% of the 65 samples collected in 2015 for copper exceeded the PHG of 0.30 mg/L. **Since the Action Level was not exceeded, Escondido's drinking water continued to meet safe drinking water standards for copper.**

The category of health risk for copper is gastrointestinal irritation. Numerical health risk data on copper has not yet been provided by California EPA's Office of Environmental Health Hazard Assessment.

The Action Level for lead requires that 90% of samples taken from household taps have a lead concentration of less than 0.015 mg/L. The PHG level for lead is 0.0002 mg/L. The detection limit for reporting is 0.005 mg/L, which is lower than the Action Level and higher than the PHG. **No samples detected lead levels above the detection limit, so Escondido's water supply continued to meet safe drinking water standards for lead.** Since the PHG is lower than the detection limit, it is unknown definitively if the lead concentration exceeded the PHG.

The risks for lead ingestion include damage to the kidneys or the nervous system. Numerical health risk data on lead has not yet been provided by California EPA's Office of Environmental Health Hazard Assessment.

The Escondido water system is in full compliance with the Federal and State Copper and Lead Rules. Based on extensive sampling, the concentration of lead and copper in Escondido's water supply is below the Action Levels and Notification Levels. Therefore, the Escondido water system is deemed by the California Department of Public Health Division of Drinking Water to have "optimized corrosion control" for the system. It is not prudent to initiate additional corrosion control treatment until such time as changing conditions warrant further action. The costs to reduce the copper and lead levels to zero are not known as the majority of copper and lead contamination comes from piping in individual residences.

Chlorite

Chlorite is a disinfection byproduct produced in the treatment of drinking water with chlorine dioxide. Chlorine dioxide has been used for control of taste and odor associated with algae and decaying vegetation in the raw water supply, as well as to lower disinfection by-product levels. Such by-products include Total Trihalomethanes (TTHMs) and Haloacetic Acid (HAA5) in drinking water. Chlorine dioxide was applied seasonally at the Escondido Water Treatment Plant while Lake Wohlford water was used to supply some raw water. The current chlorite MCL is 1.0 mg/L and the PHG is 0.05 mg/L.

The chlorite levels measured at the entry point to Escondido's distribution system when chlorine dioxide was being used during 2013 to 2015 ranged from 0.46 mg/L to 0.70 mg/L.

Several studies reveal that oral exposure to chlorite can result in significant hematological, endocrine, reproductive, and gastrointestinal effects, as well as changes in neurobehavioral development at levels higher than the MCL.

Based on our sampling, the Escondido Water System meets the MCL for chlorite, but exceeds the PHG. **Therefore, Escondido's water supply continued to meet safe drinking water standards for chlorite.**

Uranium

Uranium is a naturally occurring radioactive element that is present in the earth's crust. Uranium is also found in ground and surface waters due to natural occurrence in geological formations. The average uranium concentrations in surface, ground, and domestic water are 1, 3, and 2 pCi/L, respectively. Uranium can also enter the environment in the production and use of phosphate fertilizers, or from mining and industrial processing activities.

Uranium has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed to high levels over their lifetimes. The CDPH has set the drinking water standards for uranium MCL at 20 pCi/L to reduce the risk of cancer from exposure to uranium. The current uranium PHG is 0.43 pCi/L.

OEHHA has determined that the theoretical health risk associated with the PHG is one additional case of cancer per one million people and the risk associated with the MCL is 5 additional cases of cancer in 100,000 people with consistent exposure over a 70-year lifetime.

Federal and State regulations require that sampling for uranium be conducted once every three years. Uranium was detected at 2.4 pCi/L (picocuries per liter) in 2015, which is below the MCL but exceeded the PHG. **Therefore, Escondido's water supply continued to meet safe drinking water standards for uranium.**

Gross Alpha Particle Activity

Gross alpha particle activity is a measure of the total amount of radioactivity in a water sample attributable to the radioactive decay of alpha-particle-emitting elements. Alpha particles are highly ionizing, but the particles travel short distances in air (less than 2 inches) before being absorbed. Alpha particles have little ability to penetrate objects; they can be stopped by a sheet of paper or the outer layer of skin. The external hazard from alpha particles is minimal, but the internal hazard when they are inhaled or ingested is greater.

The CDPH and USEPA have determined that gross alpha particle activity is a health concern at certain levels of exposure. This radiological constituent is a naturally occurring contaminant in some groundwater and surface water supplies. The category of health risk associated with gross alpha particle activity is increased cancer risk after many years of consistent exposure. There is no PHG for

gross alpha particle emitters. The MCLG is 0.0 pCi/L. The numerical health risk for the MCL of 15 pCi/L is one excess cancer case per thousand people over a lifetime exposure.

Federal and State regulations require that sampling for gross alpha particle activity be conducted once every three years. Gross Alpha particles detections ranged from "no detection" to 7.8 pCi/L in 2015, which are all below the MCL with some exceeding the MCLG. The results are typical for a California water agency. **Therefore, Escondido's water supply continued to meet safe drinking water standards for gross alpha particle activity.**

RECOMMENDATIONS FOR FURTHER ACTION:

The City of Escondido drinking water system meets all State of California and USEPA drinking water standards set to protect public health, but it does exceed some of the PHGs and/or MCLGs. Costly treatment processes would be required to further reduce the levels of the constituents identified in this report to meet PHGs or MCLGs, which are significantly below the health-based MCLs that have been established to provide safe drinking water. The effectiveness of additional treatment processes to provide significant reductions in constituent levels at these already low values is uncertain. In addition, the health protection benefits of further reductions are not clear and may not be quantifiable. Therefore, no action is proposed.

Respectfully submitted,

Christopher W. McKinney

Christopher McKinney
Director of Utilities

Agenda Item No.: 17
Date: June 22, 2016

ESCONDIDO
City of Choice

FUTURE CITY COUNCIL AGENDA ITEMS
June 15, 2016

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

June 29, 2016
No Meeting (5th Wednesday)

July 6, 2016
No Meeting (Independence Day)

ESCONDIDO
City of Choice

City Manager's WEEKLY UPDATE to City Council

June 15, 2016

SPECIAL EVENTS

- A Candlelight Vigil for the victims of the Orlando shooting was on Thursday, June 16, at 7:30 p.m. on Maple Street Plaza. The event was sponsored by Escondido Together, an informal collaboration of Escondido clergy and lay leaders.

- For information about activities taking place in Escondido, please visit www.visitescondido.com

ECONOMIC DEVELOPMENT

- **Sip Wine and Beer**, a new establishment in downtown Escondido, will hold its grand opening this Saturday, June 18. Located at 129-131 S. Orange Street, Sip Wine and Beer is a wine and beer tasting room and retail store showcasing a variety of local and non-local wines. More information is available at http://www.sipwineandbeer.com.

- The **Kickin' It Challenge** Soccer tournament will be held at Ryan Park this Friday, June 17th to Sunday, June 19th. This tournament raises awareness and funds for breast cancer. Each team incorporates the color pink in their uniforms while playing. Teams will be from all over Southern California with approximately 370 games played. They will be using all eight soccer fields at Ryan Park. We expect approximately 1,200 families in the area throughout each day. They will be shopping and dining in Escondido.

- The June 3rd wine and craft beer tasting event at Cruisin' Grand had the highest attendance of all of the previous city-sponsored wine tasting events. As a result, the net proceeds of $658 will be donated to the Escondido Arts Partnership .

- National Little League will host games at Mountain View Park for teams on the road to the Little League World Series. As teams advance to each round, there will be many out of town teams from all over the greater San Diego area and the state of California. We expect to see many families as the teams advance. Families will be dining, shopping and lodging in the Escondido area. Please visit the link provide for additional information on game dates and times. http://www.escondidolittleleague.org/events/ Various games will be covered and followed by ESPN as the tournament advances to the Western Region Championships.

  Below are the dates of each round:

District 31 Majors All Stars Tournament – June 18th to July 5th – 14 teams will participate in double elimination bracket play. Champion advances to Section 6 tournament.

California Juniors Section 6 Sub Section - July 9th to July 14th 4 teams will participate in double elimination bracket play. Champion advances to Division 3 tournament.

Majors Southern California Sub Division – July 23rd to July 28th 5 teams will participate in double elimination bracket play. Champion advances to Southern CA Division 3 Championship.

Majors State All Star Tournament – July 30th to July 31st 2 teams will participate in double elimination bracket play. Champion advances to the Western Region Championship.

For additional information regarding the Little League games, please contact the National Little League President, Wally Gutierrez, at president@escondidolittleleague.org

COMMUNITY DEVELOPMENT

Major Projects Update

Commercial / Office:

1. Escondido Research and Technology Center – East (ERTC) (Developer: James McCann) – *No change from the following update reported last week:* This is a 72,000 square foot medical office building proposed on the east side of Citracado Parkway across from Palomar Medical Center located at 2130 Citracado Parkway. A grading permit has been issued by the Engineering Division. Building plans have been submitted for plan check. The applicant has recently requested to install a temporary paved parking lot in this area to serve the hospital. A grading plan for the temporary parking lot is close to approval.

2. Escondido Research and Technology Center – West (ERTC) (Developer: James McCann) – This is a 144,000 sq. ft. development involving two medical office buildings proposed on the west side of Citracado Parkway across from Palomar Medical Center located at 2097 – 2175 Citracado Parkway. A grading permit has been issued by the Engineering Division. Esgil and the Planning Division have approved the building plans. A fee deferral agreement has been signed and the building permit is ready to issue when requested. A tentative parcel map (TPM) for office condominiums is in process to allow the sale of individual office suites to medical providers. Conditions of approval for the TPM are being finalized and approval is expected soon.

3. Centerpointe 78 Commercial (Developer: Lars Andersen, Pacific Development) – This project is a 45,650 sq. ft. supermarket and restaurant located at 925 N. Broadway. The project was approved by the City Council on December 9, 2015. A permit to demolish the existing structure was issued on June 15 and demolition will start this week. The developer's submittal of grading and building plans is expected soon.

4. Westfield Theater (Developer: Kim Brewer, Westfield) – *No change from the following update reported last week:* This project is a 10-auditorium movie theater totaling 57,600 sq. ft. located on the north side of the Westfield Mall. The project was approved by the City Council on November 4, 2015.

5. Felicita Development, LLC (Developer: Katherine Park, Creative Design Associates) – *No change from the following update reported last week:* This project is a 140-unit hotel, and a gas station or office/residential care facility at the southeast corner of Felicita Rd. and Gamble Lane. The applicant and staff met with the architect to discuss building elevations, 5-story height limitations and site design issues given the existing wetland constraints on the property. Additional technical analysis and coordination is needed to address traffic, biology, water and sewer service, geotechnical and storm water concerns, along with a market study for the proposed uses. The applicant met with the wild life agencies and is responding to technical studies needed to complete the application. Tribal consultations are underway.

6. Springhill Suites (Developer: Raj Patel, San Bernardino Hospitality LLC) – *No change from the following update reported last week:* This project is a 105-suite hotel totaling 73,300 sq. ft. located at 200 La Terraza Drive involving 4 stories, a small conference room and an enlarged lobby for serving continental breakfast. A revised set of grading plans have been approved and grading has begun for the parking lot on the adjacent office property which shares a driveway access. Landscaping plans were submitted for review, and department comments are being finalized. Building plans are nearing approval for construction.

7. BMW Dealership (Developer: Lyle Hutson) – *No change from the following update reported last week:* A Precise Plan application to expand the existing dealership showroom an additional approximately 4,000 square feet and enhance the building façade at 1557 Auto Park Way was approved by the Planning Commission on October 13, 2015. The project is under construction.

8. Escondido Auto Park Association (Developer: Tim Brecht, Escondido Auto Park Association) – The association is proposing to upgrade the existing electronic message sign along I-15. An application for a new regional market sign and an amendment to the Sign Ordinance to increase the allowable display area for a regional market sign was submitted to the Planning Division on May 6, 2016. The proposed sign would be located in the same location as the existing sign at a slightly lower height (73.5 feet) with approximately the same overall dimensions. Public hearings to review the proposal are expected to start next month.

9. Ford-Hyundai Dealership Expansion (Developer: Neil E. Sander, Dynamic Engineering) – *No change from the following update reported last week*: An expansion involving approximately 13,000 sq. ft. of showroom buildings and 6,700 sq. ft. wash/detail building at 1717-1919 Auto Park Way was approved by the Planning Commission on June 23, 2015. Grading has commenced, the sign plans have been approved, and the building permit for the Ford dealership has been issued.

10. Trafalgar Square – Aldi Market (Developer: Charlie Mallon) – *No change from the following update reported last week*: This renovation of the Trafalgar Square shopping center includes demolition of the northern shop building and the northern portion of the western building to prepare a site for the construction of an 18,088 square foot, freestanding building for Aldi Market. The plot plan was approved by the Planning Division in June of 2015. Grading and landscape plans have also been approved and grading has commenced on the site. Issuance of the building permit has been withheld pending FEMA approval of a conditional letter of map revision (CLOMR) for the grading design that elevates the building above the flood limits for the adjacent Escondido Creek. FEMA approval was received on May 4, 2016, and all city departments have now authorized issuance of the building permit.

Industrial

1. Escondido Disposal Inc. (Developer: Steve South, EDI) – *No change from the following update reported last week*: The CUP modification to expand the existing facility was approved by the Planning Commission on August 25, 2015. The project is under construction and the applicant now is working with Building, Fire and Engineering staff on proposed site and building revisions. Revisions to the grading plan have been approved by Engineering.

2. StorQuest (Developer: The William Warren Group, Inc.) – This proposed project at 220 W. Mission Avenue involves a 102,500 sq. ft. development with 4-stories, 3 in-line shops and a small office in conjunction with a public storage facility. The applicant has been working with staff to modify the vehicle circulation pattern and parking at the front of the building and last week submitted revised plans for review. Planning staff intends to issue a "Letter of Completeness" for the project application this week.

3. Victory Industrial Development (Developer: Scott Merry, Badiee Development) – *No change from the following update reported last week*: This project involves two industrial buildings totaling 91,000 sq. ft. (one building 55,500 sq. ft., second building 35,500 sq. ft.) located at 2005 Harmony Grove Road and a zone change from residential to Planned Industrial consistent with the updated General Plan. Design review has been completed and the project is progressing through the environmental review phase. Public review of the proposed Mitigated Negative Declaration is expected to start by the end of this month.

4. Micro-Filtration Reverse Osmosis (Developer: City of Escondido Utilities Department) – *No change from the following update reported last week*: The proposed project involves a

Conditional Use Permit (CUP) for the development of a new city facility at 2512 E. Washington Avenue to provide advanced treatment for Title 22 quality recycled water produced at the City of Escondido's Hale Avenue Resource Recovery Facility (HARRF) for agricultural uses. The facility would be sized for a total production capacity of 2.0 million gallons per day (mgd) and consists of two separate buildings (one building 14,440 sq. ft., second building 21,775 sq. ft.) that would contain a variety of equipment, pumps, electrical, control and storage rooms. Underground storage tanks (90,000 gallon feed tank, 163,000 gallon inter-process tank, and a 970,000 gallon product storage tank) are also included. Public environmental review commenced concluded on April 6, 2016. The Planning Commission recommended denial of the proposed Conditional Use Permit on April 26, 2016. The Utilities Department filed an appeal of that decision with the City Clerk. On May 25, 2016, the City Council voted to delay the appeal hearing indefinitely to allow staff additional time to consider alternative site and mitigation opportunities.

5. Wastewater Collections Yard Expansion (Developer: City of Escondido Utilities Department) – *No change from the following update reported last week*: The project involves development of 1.8 acres of a larger, approximately 15.4-acre site for the construction of a new wastewater collections yard and maintenance facility for the City's Hale Avenue Resource Recovery Facility (HARRF) at 1521 S. Hale Avenue. The proposed facilities will consist of three separate pre-fabricated metal buildings 3,735 sq. ft. - 5,670 sq. ft. for collections; work bays and workshops for regular maintenance of vehicles and equipment. The project would require the processing of a Conditional Use Permit (CUP) and rezone. The Planning Commission held a public hearing and recommended approval on May 10, 2016. It was approved by the City Council on June 15, 2016.

Institutional

1. John Paul the Great Catholic University (Developer: Kevin Meziere, John Paul the Great Catholic University) – *No change from the following update reported last week:* A Conditional Use Permit to expand the campus and student enrollment at 155 W. Grand Avenue was approved by the Planning Commission on December 8, 2015. The proposal includes improvements to the former H. Johnson Building at 131 S. Broadway for studio and classroom space, and the former bank at 200 W. Grand Avenue for administrative offices and a student resource center. The proposed expansion would also increase the student enrollment from 300 to 1,200 students over the next several years. Staff has confirmed the availability of water and sewer connections. Staff recently met with the University President regarding potential future expansion plans beyond those previously approved.

2. Calvin Christian Middle/High School (Developer: Brent Cooper) – *No change from the following update reported last week:* The project is an expansion involving a 15,500 SF auditorium, multi-use conference center, classrooms, terraces and walkways located at 2000 N. Broadway. The grading plans have been approved and a building permit was issued on April 11, 2016. Construction is underway.

3. Escondido United Reformed Church (Developer: Brent Cooper) – The project is an expansion for a phased, multi-year, master construction/development plan for a new 12,250 SF two-story sanctuary, conversion of existing buildings to a social hall, demolition of an existing social hall/classroom building (approx. 4,620 SF) and construction of approximately 5,250 SF for a nursery, multi-purpose room, classrooms for Sunday school at 1864 N. Broadway. Revised architectural plans were unanimously approved by the Planning Commission on June 14, 2016.

Residential

1. Oak Creek (Developer: Jason Han, New Urban West) – *No change from the following update reported last week*: This project is a 65-unit single family development located at the southeastern corner of Felicita Road and Hamilton Lane approved by the City Council in 2015. The LAFCO Board unanimously approved the annexation on October 5, 2015, and the annexation has been recorded. No grading or improvement plans have been submitted by the developer at this time.

2. Amanda Estates (Developer: Jason Han, New Urban West) – *No change from the following update reported last week*: This project is a 22-unit single family development on Amanda Lane approved by the City Council in 2015. The LAFCO Board approved the reorganization (annexation) at their meeting on August 3, 2015, and the annexation has been recorded. No grading or improvement plans have been submitted by the developer at this time.

3. Pradera (Developer: Moses Kim, Lennar Homes) – *No change from the following update reported last week:* This project consists of a 70-unit single family development located at the northeastern corner of Ash Street and Lehner Avenue. The developer has obtained building permits for four phases involving 36 homes and those phases are under construction. Homebuyer interest in the product remains high and sales are progressing. The last two final maps for the project (Streets A and B) will be forwarded to the City Council on June 15, 2016.

4. Lexington (Zenner) (Developer: Eric Johnston, KB Homes) - The project is a 40-unit, single-family development at the northeastern corner of Lehner Avenue and Vista Avenue. The applicant has submitted the final map, improvement plans and grading plans for staff review and approval. Engineering staff is working with the applicant to address storm drain issues. The grading and building permits for the model homes on the eastern side of Ash Street have been issued.

5. Stella Park Condominiums (Developer: Edward Kaen, ETP, LLC) – *No change from the following update reported last week*: This project is a 65-unit, three-story townhome Planned Development located at 2516 S. Escondido Blvd. The project includes three separate recreation areas for residents. The City Council approved the project on April 27, 2016. No grading or improvement plans have been submitted by the developer at this time.

6. Wohlford (Developer: Jack Henthorne) – *No change from the following update reported last week*: This project is a 55-unit single family development located on Bear Valley Parkway east of Encino Drive. A Specific Alignment Plan for Bear Valley Parkway detailing the proposed roadway design is under review. The EIR consultant and staff have reviewed the applicant's technical reports and provided comments for revisions. Bi-weekly status meetings have commenced as the Draft EIR gets underway.

7. Latitude II (Developer: Peter Zak, Lyon/NCA) – *No change from the following update reported last week*: This project is a 112-unit multi-family development, located at the northeastern corner of Centre City Parkway and Washington Avenue, and approved by the City Council on August 19, 2015. A Final Subdivision Map has been submitted for review. The applicant has submitted a boundary adjustment for a property exchange with the adjacent motel owner. Grading and building plans are nearing approval.

8. Canyon Grove Estates Tract 932 (Developer: John Vance, Shea Homes) - This project is a 179-lot single family residential development on the north side of Vista Avenue east of Conway Drive. The final architectural design and landscaping plans for the Precise Plan application were approved by the Planning Commission on June 14, 2016. A grading permit has been issued and grading is underway. Plans for the construction of eight model homes were submitted on May 18 and are being reviewed by staff. The applicant is coordinating the plan review for off-site street improvements on Ash Street with the County's Department of Public Works.

9. Safari Highlands (Developer: Jeb Hall, Concordia Homes) – *No change from the following update reported last week:* This project is a 550-unit single family development located east of the Rancho San Pasqual community and north of the San Diego Safari Park. The project involves 1,100 acres including annexation and Sphere of Influence update for a master planned community with parks, trails, recreation center, fire station, open space, on-site sewer facility for treating a portion of the on-site wastewater for irrigation purposes. Planning and Engineering extensions of staff have been funded by the applicant and retained to assist the City in processing the project. Staff met with a representative of the Fish and Wildlife Department to discuss the project. Other outreach efforts have included City of San Diego, San Diego Zoo Safari Park representatives, public agencies and surrounding residents. The City Council approved the consultant contract for preparing the EIR on March 23, 2016. The consultant, Michael Baker International, has now been authorized to start work on the EIR. More information about this project is on line at: http://www.escondido.org/safari-highlands-ranch-specific-plan.aspx

10. High Pointe Tract 693-J (Developer: Russell Schaeffer, True Life Communities) – *No change from the following update reported last week:* This project is a custom-home development with 39 estate lots accessed from Mesa Rock Road. Staff has prepared a bond and fee letter based on the proposed grading and landscape plans, and has sent it to the applicant.

11. Del Prado (Developer: Kerry Garza, Touchstone Communities) – *No change from the following update reported last week:* This project is a 113-unit townhome-style Planned Development located at the southwestern corner of Brotherton Road and the Centre City Parkway frontage road. The project includes a recreational facility, pool, and open space areas. Staff worked through various site design and utility issues with the applicant prior to scheduling the project for a public hearing. The City Council approved the project on May 11, 2016. No grading or improvement plans have been submitted by the developer at this time.

12. Solutions for Change (Developer: Solutions for Change) – *No change from the following update reported last week:* This project is a Planned Development application for 33 multi-family units of affordable housing. It was approved by the City Council on November 18, 2015. Demo and grading are underway. Building plans have been approved and the building permit has been issued.

13. 701 San Pasqual Valley Rd (Developer: Bob Stewart) –This project is a 19-unit single family development located at 1201 E. 5th Avenue (formerly Tract 898) on 7.2 acres. The application is under review and a letter detailing additional comments and submittal requirements was forwarded to the applicant. Additional information and revised plans were submitted to the Planning Division on June 13, 2016.

14. Veterans Village (Developer: Veterans Village of San Diego) – *No change from the following update reported last week:* This project is a mixed-use development involving a 54-unit affordable multi-family residential apartment project for military veterans and their families. It includes on-site administration office, business center, club house and other support spaces for the residents; and a small commercial component to support training opportunities offered at the facility at 1556 S. Escondido Boulevard. Building plans have been submitted for review and comment; the grading plans and landscaping plans have been approved.

15. Escondido Gateway (Developer: Greg Waite, Integral Communities) – This project is a mixed-use development involving 126 residential units within three, 4-5 story buildings with indoor and outdoor recreational areas and an opportunity for a small (1,000 sq. ft.) commercial/flex space on 2.6 acres (48 dwelling units/acre) located at 700 W. Grand Avenue (former Police Station) across the street from the Escondido Transit Center. Plans were submitted for the project involving a Specific Plan Amendment, Tentative Map, Planned Development and Development Agreement. Final environmental comments from staff are being addressed in the Draft MND and public review is expected to start soon.

17. City Plaza (Developer: Charlie Zhang, Zion Enterprises) – *No change from the following update reported last week:* This long-dormant, partially constructed mixed-use development at the southeastern corner of South Escondido Boulevard and Third Avenue now has new ownership. The new owners have met with city staff and indicated they quickly plan to start constructing the 65-unit apartment project as originally approved. The project consists of a three-story building with 51,200 SF of residential area and 4,100 SF of commercial area and

two levels of parking. The building permits will need to be reissued and the applicant is coordinating that process with the Building Official. Structural engineering information was submitted to the Building Division on May 8.

Building Division:

1. The Building Department issued 62 permits with a total valuation of $206,799.

2. 18 photovoltaic permits were issued for the week. Building has issued 621 solar permits this year compared to 496 issued for the same time last year; a 25% increase. Total permits issued so far this year is 1,650, compared to 1,420 last year; a 16% increase.

3. Building Division staff had another busy week. Inspectors averaged 42 inspections per day with 2 inspections on Friday, with a total of 210 inspections for the week. Counter staff was also busy, averaging 38 counter sign in's per day and 34 on Friday, totaling 190 for the week. 48 customers signed in on Thursday. The plan check load continues to be heavy, with 35 projects awaiting plan review. This includes re-checks.

4. A notice was posted at the building counter requesting that contractors present any residential solar revisions to the building inspector at the time of inspection in lieu of submitting revisions at the building counter. This change of policy was implemented due to the increase and frequency of solar revisions.

5. A copy of the monthly building report is attached.

Code Enforcement:

1. As of June 13, 2016, the total number of open code enforcement cases is 392 cases. During the prior week, 75 new cases were opened, and 73 cases were closed, with a backlog of an additional 40 cases not yet opened for assignment and investigation.

2. There were 70 illegal signs confiscated during the weekend.

3. Last week, the Business License Division issued 21 new licenses and received 24 new applications, in addition to 81 renewals.

CAPITAL IMPROVEMENTS

Grape Day Park Playground:

The project is under construction. The irrigation lines have been tested. The arch bridge test panel has been fabricated and accepted. Amended soil is being placed in the landscape areas. Playground concrete borders and mow strips are being place. The repair efforts is nearing completion on the Vinehenge project.

Private Development

Bear Valley Parkway between Boyle Avenue and San Pasqual Valley Road (County Project): All asphalt base paving has been completed. All of the utility poles on Bear Valley Parkway have been removed. Landscape soil amendment has started and planting is tentatively set to be completed by the first week of July. Birch Avenue is still closed at Bear Valley Parkway for east/west travel. The traffic signal for the Boyle Ave. intersection has been delivered and will be set on Thursday, June 16th, with the activation of the intersection tentatively set for June 23rd.

2412 South Escondido Boulevard:
No changes from the following update reported last week: A close out punch list for the project has been given to the contractor. This project is nearing completion with the first of three building released for occupancy.

Pradera - Lennar Communities:
Three homes on "D" street have been released. SDG&E has energized Phase 1 for "D" street. Water main installation will be starting on "B" Street.

Lexington Model Homes - KB Homes:
The contractor is continuing to grade the model home site. Offsite improvements are expected to start later next week

Rincon del Diablo 8" & 12" Water Main Construction:
No changes from the following update reported last week: The contractor has completed all surface restoration along the project route. The section of the new water main in the City's jurisdiction has been accepted and put into service. The testing of the remaining water main is continuing this week.

Tract 932 - Canyon Grove Shea Homes Community:
The contractor is continuing the mass grading for the pads. Storm drain pipe along with storm drain curb inlets are being constructed on site. A preconstruction meeting was held last week for the offsite improvements along Ash between Hubbard and Vista. Work is set to start next week, starting at the Ash and Vista location.

San Diego Gas & Electric gas main replacement Ash Street:
Permanent road surface repairs have started and completion of the project is expected very soon.

PUBLIC SAFETY

Incidents

- On 6/6/2016, a mother called 911 to report she found her two year old daughter floating in the pool, face down. Officer Herrmann was dispatched to the call. CPR was started by the mother and later by Officer Herrmann. The child was spitting up water and gasping for air by the time Escondido Fire Medics arrived on scene. The decision was made by the Medics to have Mercy Air pick the child up from the parking lot of Orange Glen High School. By the time the helicopter took off for Children's Hospital, the baby was crying and responding to treatment. It appears the baby got out to the pool area because the back door was left open by a five year old sibling.

- On 6/7/2016, officers responded to a multiple vehicle traffic collision at the intersection of Mission Ave and Escondido Blvd. Chief Carter was first to arrive on scene and gave the initial update regarding injuries and the need for additional officers for traffic control. The scene was very chaotic, with three vehicles in the roadway and two additional vehicles in a parking lot. When additional officers arrived, Chief Carter took a traffic control position while the scene was stabilized.

- On 6/8/2016, officers responded to the 1300 block of E. Valley Pkwy regarding a report of two males hitting another male with a pipe. Officers arrived on scene and located the victim who had sustained injuries to his head and neck. The suspects had fled the scene prior to the arrival of the officers. Personnel from the Gang Unit responded to the scene and took over the investigation. Based on evidence located at the scene and the subsequent investigation, the two suspects were arrested by members of the Gang Unit within five hours of the assault.

- On 6/8/2016, officers were dispatched to Broadway and Highway 78 regarding a serious injury collision. Officers arrived on scene and discovered a vehicle had collided with a motorcycle. The person riding the motorcycle suffered serious arm and hand injuries due to the collision. The cause of this collision is still under investigation and is being conducted by Officer Russ Gay of the Traffic Division.

- On 6/9/2016, officer responded to the area of Upas St and 11th Ave regarding a fight. Upon arrival, two officers contacted a male who refused to comply with their commands. The officers used minor force to take the subject into custody. The suspect remained combative after being taken into custody and had to be restrained. The suspect was booked into the Vista Detention Facility for resisting arrest and assault.

- On 6/9/2016, Officer Bellamy responded to the area of Escondido Blvd and 13th Avenue regarding two subjects walking in traffic and displaying gang signs. Upon arrival, Officer Bellamy contacted two subjects, both of whom were intoxicated. One of the subjects challenged Officer Bellamy to a fight and charged him. Officer Bellamy

took the suspect to the ground. The second suspect remained compliant. Both suspects were arrested for public intoxication.

Events

- On June 10th Captain Kogler attended the SAFE meeting & training for managers of properties participating in our Crime Free Multi-Housing Program. CSO Akans facilitated this important event which was held in the Police and Fire Headquarters community room. Approximately 30 persons attended.

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CITY OF ESCONDIDO MONTHLY ACTIVITY REPORT MAY 2016

DESCRIPTION	MTD UNITS	MTD PERMITS	CURRENT YEAR MTD VALUE	PRIOR YEAR MTD VALUE	YTD UNITS	PRIOR YEAR YTD UNITS	YTD PERMITS	PRIOR YEAR YTD PERMITS	CURRENT YEAR YTD VALUE	PRIOR YEAR YTD VALUE
RESIDENTIAL										
Single Family Dwelling	20	20	$ 8,055,780		41	11	41	11	13,751,699	$ 2,218,380
Townhouse										
Duplex										
Triplex										
Four Units										
Five or more Units										
Condominiums						76		3		$ 9,928,286
Mobilehome Parks										
TOTAL RESIDENTIAL	20	20	$ 8,055,780		41	87	41	14	$ 13,751,699	$ 12,146,666
COMMERCIAL										
Amusement & Recreation						1		1		$ 51,586
Churches/Religious Buildings					1		1		$ 1,388,658	
Industrial Buildings	1	1	$ 11,956		2		2		$ 62,556	
Parking Garages (Public)										
Service Stations & Repair Garages										
Hospitals & Other Institutions										
Office, Bank & Professional Buildings					1		1		20,520	
Schools										
Stores & Other Mercantile Buildings	1	1	$ 756,098		1	1	1	1	$ 756,098	$ 630,778
Hotels, Motels										
TOTAL COMMERCIAL	2	2	$ 768,054		5	2	5	2	$ 2,227,832	$ 682,364
MISCELLANEOUS										
Residential Alterations & Additions		46	$ 624,371	$ 330,963			191	172	$ 1,851,731	$ 1,517,471
Commercial Alterations & Additions		19	$ 1,527,821	$ 1,874,585			74	77	$ 4,915,444	$ 3,801,586
Mobilehome Awnings, etc							7	8		
Structures other than Buildings		8	$ 79,554	$ 114,340			60	73	$ 716,379	$ 718,664
Demolition, Residential		6					17	1		
Demolition, Other		1					2	15		
Detached Carports, Garages				$ 33,600			3	2	$ 66,920	$ 46,848
Mobilehome Setups		3					24	14		
TOTAL MISCELLANEOUS		83	$ 2,231,746	$ 2,353,488			378	362	$ 7,550,474	$ 6,084,569
GRAND TOTALS	22	105	$ 11,055,580	$ 2,353,488	46	89	424	378	$ 23,530,005	$ 18,913,599