



Council Meeting Agenda

MARCH 16, 2011

**CITY COUNCIL CHAMBERS ~ 3:30 P.M. & 4:30 P.M.
201 N. Broadway, Escondido, CA 92025**

MAYOR	Sam Abed
DEPUTY MAYOR	Marie Waldron
COUNCIL MEMBERS	Olga Diaz Ed Gallo Michael Morasco
CITY MANAGER	Clay Phillips
CITY CLERK	Marsha Whalen
CITY ATTORNEY	Jeffrey Epp
DIRECTOR OF COMMUNITY DEVELOPMENT	Barbara Redlitz
DIRECTOR OF ENGINEERING SERVICES	Ed Domingue

ELECTRONIC MEDIA:

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

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

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

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



Council Meeting Agenda

**MARCH 16, 2011
3:30 p.m. MEETING**

**Escondido City Council
Community Development Commission**

CALL TO ORDER

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

ORAL COMMUNICATIONS

At this time the public may comment on items not appearing on the agenda. 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.)

CLOSED SESSION: (COUNCIL/CDC/RRB)

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

- a. Property: 1750 W. Citracado Parkway, Lot #58
- Agency Negotiators: Jerry Van Leeuwen
- Negotiating parties: CDC and Marcela Barrios
- Under negotiation: Price and terms of payment

ADJOURNMENT



Council Meeting Agenda

MARCH 16, 2011
4:30 p.m. Meeting

Escondido City Council
Community Development Commission

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, Morasco, Waldron, Abed

PRESENTATIONS: Environmental Excellence Awards
Recognition of Joanna Axelrod, Library Teen Services

ORAL COMMUNICATIONS

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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/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: None Scheduled**

4. **RECOGNIZING REVEAL THE CREEK COMMITTEE** – Request Council recognize the Reveal the Creek Committee as the primary collaborative agency with the City on efforts to revitalize the Escondido Creek Trail.

Staff Recommendation: Approval (**Neighborhood Services: Rich Buquet**)

RESOLUTION NO. 2011-33

5. **PUBLIC STREET DEDICATION AND QUITCLAIM OF ADJOINING CITY PARCELS** – Request Council authorize the Mayor and City Clerk to accept the dedication of a public street located on Mission Avenue, and authorize the Director of Engineering Services to execute Quitclaim Deeds of the adjoining parcels associated with the CarMax/Lowes development project on West Mission Avenue.

Staff Recommendation: Approval (**Engineering Services: Ed Domingue**)

RESOLUTION NO. 2011-26

6. **2010 ANNUAL HOUSING REPORT** – Request Council authorize staff to submit the 2010 Annual Housing Report on the City's progress on Housing Element Implementation to the State Offices of Planning and Research and Department of Housing and Community Development.

Staff Recommendation: Approval (**Housing Division: Roni Keiser**)

7. **MINOR LEAGUE BASEBALL BALLPARK BUDGET ADJUSTMENT** – Request Council and Community Development Commission approve a budget adjustment that will place \$91,630 into the Community Development Commission (CDC) budget for ongoing consulting services pertaining to the development of a minor league ballpark; and authorize the City Manager to execute a contract with Overland Pacific and Cutler Inc. in the amount of \$15,000 to evaluate potential relocation issues and a second amendment to the contract with Helix Environmental in the amount of \$5,000 for additional environmental consulting services..

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

CONSENT CALENDAR - Continued

8. **LOAN FROM WASTEWATER ENTERPRISE FUND AND TERMS OF REPAYMENT** – Request Council authorize evidencing a loan from the City's Wastewater Enterprise Fund providing for the terms and conditions of repayment.

Staff Recommendation: Approval (**City Attorney's Office: Jeffrey Epp and Finance Department: Gil Rojas**)

RESOLUTION NO. 2011-38

CONSENT - RESOLUTIONS AND ORDINANCES (COUNCIL/CDC/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/CDC/RRB at a previous City Council/Community Development Commission/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

9. **ADOPTION OF THE 2010 CALIFORNIA BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, AND GREEN BUILDING STANDARDS CODES WITH LOCAL AMENDMENTS** – Request Council adopt the 2010 California Building, Residential, Electrical, Plumbing, Mechanical, and Green Building Standards Codes with local amendments.

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

ORDINANCE NO. 2011-02R Second Reading and Adoption

10. **AFFORDABLE HOUSING REDEVELOPMENT LOCATED AT 1282 N. BROADWAY; 141, 211 AND 221 EI NORTE PARKWAY** – Request the Commission 1) Authorize encumbrance of future funds up to \$1.9 million dollars for tenant relocation expenses and development of affordable multi-family housing, and 2) Authorize the CDC Chair and Secretary to execute the necessary loan and security agreements in form acceptable to the City Attorney.

Staff Recommendation: Approval (**Housing Division: Roni Keiser**)

CDC RESOLUTION NO. 2011-03

CURRENT BUSINESS

11. **NORTH COUNTY TRANSIT DISTRICT MOBILITY STUDY** – Presentation by North County Transit Representative.

Staff Recommendation: Receive and File (**Engineering Services: Ed Domingue**)

12. **APPOINTMENTS TO LIBRARY BOARD OF TRUSTEES AND HISTORIC PRESERVATION COMMISSION** – Request Council ratify the Mayor's recommendations to fill two regular appointments to serve on the Library Board of Trustees for a three-year term expiring on March 31, 2014; and one unscheduled vacancy on the Historic Preservation Commission, term to expire March 31, 2014.

Staff Recommendation: Ratify Appointments (**City Clerk's Office: Marsha Whalen**)

13. **COUNCIL SUBCOMMITTEE REPORT ON DOWNTOWN PARKING REGULATIONS** – Presentation of recommendations from the Council Parking Subcommittee.

Staff Recommendation: Provide direction to staff to amend City codes to eliminate parking requirements in the Downtown Parking District (**City Manager's Office: Charles Grimm**)

FUTURE AGENDA

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

Staff Recommendation: None (**City Clerk's Office: Marsha Whalen**)

ORAL COMMUNICATIONS

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COUNCILMEMBERS' COMMITTEE REPORTS/COMMENTS/BRIEFING

ADJOURNMENT

UPCOMING MEETING SCHEDULE

Date	Day	Time	Meeting Type	Location
March 23	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
March 30	No Meeting			
April 6	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 13	Wednesday	3:30 & 4:30 p.m.	Council Meeting	Council Chambers
April 20	No Meeting			

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. 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.

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

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

- Online at <http://www.ci.escondido.ca.us/government/agendas/PublishedMeetings.htm>
- 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 can be viewed the following Sunday and Monday evenings at 6:00 p.m. on Cox Cable. The Council meetings are also available live via the Internet by accessing the City's website at www.escondido.org, and selecting: City Council/broadcasts of City Council Meetings/live video streaming.

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 Community Development Commission
and the Mobilehome Rent Review Board.**

**CITY HALL HOURS OF OPERATION
Monday-Thursday 7:30 a.m. to 5:30 p.m.**



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

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

CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 4

Date: March 16, 2011

TO: Honorable Mayor and Members of the City Council

FROM: Rich Buquet, Neighborhood Services Manager

SUBJECT: Resolution No. 2011-33 Recognizing the Reveal the Creek Committee

RECOMMENDATION:

It is requested that Council adopt Resolution 2011-33 recognizing the Reveal the Creek committee as the primary collaborative organization with the City on efforts to revitalize the Escondido Creek Trail.

FISCAL IMPACT:

None

BACKGROUND:

The Reveal the Creek Committee is a coalition of Escondido based organizations and volunteers committed to transforming the Escondido Creek Trail into a safe, attractive community asset that connects neighborhoods, provides recreational opportunities and commuting alternatives, and improves pedestrian and bicycle access to commercial areas.

The Committee has partnered with the City of Escondido on early efforts to revitalize the Escondido Creek Trail, including collaboration on the Escondido Creek Greenway Vision Plan.

Resolution No. 2011-33 affirms their role as the primary collaborative organization with regard to Escondido Creek Trail revitalization efforts. The City will encourage the Reveal the Creek committee to seek and acquire resources from any and all sources that will assist the City's efforts to revitalize the Escondido Creek Trail.

Respectfully submitted,



Rich Buquet
Neighborhood Services Manager

RESOLUTION NO. 2011-33

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ESCONDIDO
RECOGNIZING THE REVEAL THE
CREEK COMMITTEE AS THE PRIMARY
COLLABORATIVE ORGANIZATION WITH
REGARD TO REVITALIZATION OF THE
ESCONDIDO CREEK TRAIL

WHEREAS, the City of Escondido has a seven-mile class 1 bike path route along the maintenance right-of-way of the Escondido flood control channel, commonly referred to as the "Escondido Creek Trail;" and

WHEREAS, the City contracted with the Cal Poly Pomona Foundation to develop the Escondido Creek Greenway Vision Plan in collaboration with various community stakeholders; and

WHEREAS, the City Council has received and supports the objectives of the Escondido Creek Greenway Vision Plan; and

WHEREAS, the Reveal the Creek Committee is a coalition of Escondido based organizations and volunteers committed to transforming the Escondido Creek Trail into a safe, attractive community asset that will connect neighborhoods, provides recreational opportunities and commuting alternatives, and improve pedestrian and bicycle access to commercial areas; and

WHEREAS, the Reveal the Creek Committee has demonstrated a commitment to promoting and revitalizing the Escondido Creek Trail to realize the benefits set forth above, and

WHEREAS, the Reveal the Creek Committee wishes to be recognized by the City Council as the primary collaborative organization with regard to revitalization of the Escondido Creek Trail;

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 of the City of Escondido recognizes the benefits to the Escondido Creek Trail that can be provided by the Reveal the Creek Committee, and
3. The City of Escondido does hereby recognize the Committee as the primary collaborative organization and encourages the Reveal the Creek Committee to seek and acquire resources from any and all sources that will enable the City to revitalize the Escondido Creek Trail.

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 5
Date: March 16, 2011

TO: Honorable Mayor and Members of the City Council

FROM: Edward N. Domingue, Director of Engineering Services
Anne Marc-Aurele, Department Specialist

SUBJECT: Public Street Dedication and Quitclaim of City Property to Adjoining Property Owners

RECOMMENDATION:

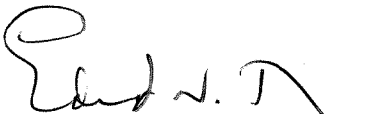
It is requested that Council adopt Resolution No. 2011-26 authorizing the Mayor and City Clerk to accept and approve the acquisition of a Public Street Dedication for a certain portion of APN 228-230-20 located on West Mission Avenue. This dedication to the Public is for the purpose of constructing a public street and for utility purposes. Additionally, this resolution authorizes the Director of Engineering Services to execute Quit Claim Deeds for the remainder portion of Assessor Parcel No. 228-230-20 to the adjoining owners.

BACKGROUND:

This Public Street Dedication is a condition of the Mission Avenue Improvement project. The parcel is located adjacent to the newly constructed Lowes Home Improvement store and the soon to be constructed CarMax. This new public street will allow direct access to the CarMax site.

Two small parcels of Assessor Parcel No. 228-230-20 will remain after the construction of Street "A". It is in the best interest of the City of Escondido to execute Quit Claim Deeds for these remainder parcels to the adjoining owners. This will alleviate the City of any maintenance or future liability.

Respectfully submitted,



Edward N. Domingue, P.E.
Director of Engineering Services

RESOLUTION NO. 2011-26

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR AND CITY
CLERK TO ACCEPT THE DEDICATION OF A
PUBLIC STREET AND FOR THE DIRECTOR
OF ENGINEERING SERVICES TO EXECUTE
THE QUITCLAIM DEEDS OF ADJOINING
PARCELS ASSOCIATED WITH THE
CARMAX/LOWES DEVELOPMENT PROJECT
ON WEST MISSION AVENUE

(APN 228-230-20)

WHEREAS, a portion of Assessor Parcel No. 228-230-20 was conditioned as part of the Mission Avenue Improvement Project to be improved for street and utility purposes; and

WHEREAS, in order to facilitate access to the proposed CarMax and newly constructed Lowes store, it is necessary to dedicate this area of West Mission Avenue identified as Assessor Parcel No. 228-230-20; and

WHEREAS, the City Council of the City of Escondido desires, and deems to be in the best public interest to approve the acquisition of a Public Street Dedication of this portion of APN 233-230-20 to the public for street and utility purposes; and

WHEREAS, the City Council of the City of Escondido desires to Quitclaim remainder parcels of Assessor Parcel No. 233-230-20 to the adjoining owners, Carlton Sell, LLC, and Sands Mobile Home Park & Country Club, LLC and Glendale Cascade, LLC.;

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 hereby authorizes the Mayor and the City Clerk to accept on behalf of the City, the Public Street Dedication to the public for street and utility purposes. The Public Street Dedication and the Legal Description of Assessor Parcel No. 233-230-20 is attached to this Resolution as Exhibit "1" and is incorporated by this reference.
3. That the City Council hereby authorizes the Director of Engineering Services to execute on behalf of the City, the Quitclaim Deeds ("Deeds") for the remainder Assessor Parcel No. 233-230-20 to the to the adjoining owners, Carlton Sell, LLC, attached as Exhibit "2" and incorporated by this reference; and Sands Mobile Home Park & Country Club, LLC and Glendale Cascade, LLC, attached as Exhibit "3" and incorporated by this reference.

RECORDING REQUESTED BY
The City of Escondido

And When Recorded Mail to:
City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

APN 228-230-20 por.

No recording fee required; this document
exempt from fee pursuant to Section 27383 of
the California Government Code.

CITY OF ESCONDIDO
PUBLIC STREET DEDICATION
ESCONDIDO DOC. NO. M-01-11

This deed exempt from tax – Section 11922 of the California Revenue and Taxation Code

THE CITY OF ESCONDIDO, GRANTOR, hereby DEDICATES to
the CITY OF ESCONDIDO, a municipal corporation, GRANTEE

a permanent and perpetual street right of way for the purpose of constructing and maintaining a public thoroughfare and public utility appurtenances thereto, over, under, and across that real property in the City of Escondido, County of San Diego, State of California, described and depicted on the attached Exhibit "A" pages 1 – 3.

The Grantors, their successors and assigns, agree not to erect buildings or structures upon any portion of the above-described right of way nor to utilize the land within the street right of way for any purpose detrimental to the Grantee's use of the land as a public thoroughfare.

TO HAVE AND TO HOLD said right of way unto the City of Escondido, its successors and assigns, forever.

The City of Escondido

Date: _____

Sam Abed, Mayor

Date: _____

Marsha Whalen, City Clerk

CITY OF ESCONDIDO DOC. NO. M-11-01
TITLE OR TYPE OF DOCUMENT: Public Street Dedication

GRANTOR: The City of Escondido

GRANTOR'S ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On _____ (date) before me, _____,
a Notary Public, personally appeared

_____, (name(s) of
signers)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s), is/are subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature of Notary

CITY ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the attached deed or grant, dated as shown hereon and from the persons named (Grantor) to the City of Escondido, a municipal corporation, is hereby accepted pursuant to Ordinance Number 97-14 of the City Council of the City of Escondido, dated July 2, 1997, and the Grantee consents to recordation thereof by said Grantees duly authorized officer.

Real Property Manager

EXHIBIT "A"
LEGAL DESCRIPTION

A PORTION OF PARCEL "B" OF PARCEL MAP NO. 293, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 23, 1970 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID PARCEL "B" OF PARCEL MAP 293; THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY OF SAID PARCEL "B", NORTH 19°49'23" WEST 13.00 FEET; THENCE CONTINUING NORTHERLY ALONG THE WESTERLY BOUNDARY OF SAID PARCEL "B" NORTH 19°49'23" WEST 120.51 FEET TO THE TRUE POINT OF BEGINNING AND THE BEGINNING OF A NON-TANGENT 129.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY A RADIAL LINE TO SAID CURVE BEARS SOUTH 70°10'37" WEST; THENCE LEAVING SAID WESTERLY BOUNDARY, SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°02'47" A DISTANCE OF 47.39 FEET; THENCE SOUTH 40°52'10" EAST 30.03 FEET TO THE BEGINNING OF A 169.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°10'10" A DISTANCE OF 21.15 FEET; THENCE SOUTH 56°18'00" WEST 5.00 FEET TO THE BEGINNING OF 20.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 56°18'00" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°05'52" A DISTANCE OF 13.65; THENCE NON-TANGENT TO SAID CURVE SOUTH 18°14'11" WEST 8.89 FEET TO THE BEGINNING OF A NON-TANGENT 20.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 58°55'30" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°05'52" A DISTANCE OF 13.65 FEET; THENCE SOUTH 70°10'22" WEST 1.46 FEET TO THE WESTERLY BOUNDARY OF SAID PARCEL "B" OF PARCEL MAP 293; THENCE SOUTHERLY ALONG SAID WESTERLY BOUNDARY OF PARCEL "B", SOUTH 19°49'23" EAST 13.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL "B", SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY OF 93.00 FOOT WIDE MISSION AVENUE; THENCE EASTERLY ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL "B" AND SAID NORTHERLY RIGHT-OF-WAY NORTH 70°10'22" EAST 90.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL "B"; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID PARCEL "B" NORTH 19°49'23" WEST A DISTANCE OF 18.64 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY NORTH 68°53'40" WEST 3.87 FEET TO THE BEGINNING OF A NON-TANGENT 20.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 33°56'39" WEST;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°05'38" A DISTANCE OF 9.81 FEET TO THE BEGINNING OF A REVERSE 224.00 FOOT RADIUS CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°54'27" A DISTANCE OF 50.46 FEET; THENCE NORTH 40°52'10" WEST 40.42 FEET TO THE BEGINNING OF A 78.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°02'47" A DISTANCE OF 28.65 FEET; THENCE NORTH 19°49'23" WEST 55.40 FEET TO A POINT IN THE NORTHERLY BOUNDARY OF SAID PARCEL "B", SAID POINT BEING 39.00 FEET WESTERLY OF THE NORTHEASTERLY CORNER OF SAID PARCEL "B"; THENCE WESTERLY ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL "B" SOUTH 70°10'22" WEST 51.00 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL "B"; THENCE SOUTHERLY ALONG THE WESTERLY BOUNDARY OF SAID PARCEL "B" SOUTH 19°49'23" EAST 66.53 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 11,711 SQUARE FEET, MORE OR LESS



JEFFREY R. LUNDSTROM, R.C.E. 21245
EXPIRES: 09-30-11

APN: 228-230-20



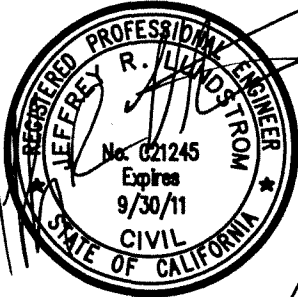
EXHIBIT "A"

PARCEL A
 CERTIFICATE
 OF COMPLIANCE
 2006-0384668

PCL B
 PM 1596 APN
 228-230-42

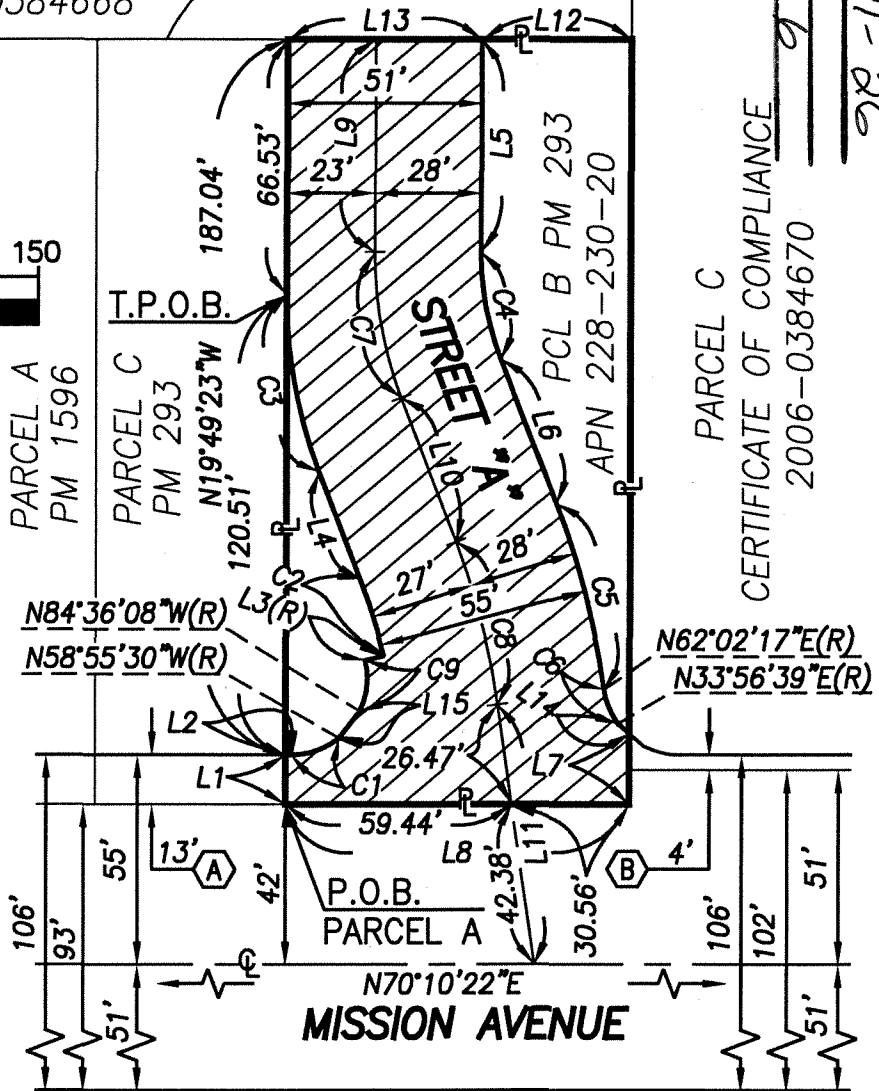
Resolution No. 2011-26
 EXHIBIT
 Page 6 of 6

PARCEL C
 CERTIFICATE OF COMPLIANCE
 2006-0384670



SCALE: 1"=50'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N19°49'23"W	13.00'
L2	N70°10'22"E	1.46'
L3	N56°18'00"E	5.00'
L4	N40°52'10"W	30.03'
L5	N19°49'23"W	55.40'
L6	N40°52'10"W	40.42'
L7	N19°49'23"W	18.64'
L8	N70°10'22"E	90.00'
L9	N19°49'23"W	55.40'
L10	N40°52'10"W	40.42'
L11	N27°57'43"W	68.85'
L12	N70°10'22"E	39.00'
L13	N70°10'22"E	51.00'
L14	N68°53'40"W	3.87'
L15	N18°14'11"E	8.89'



CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	20.00'	39°05'52"	13.65'
C2	169.00'	07°10'10"	21.15'
C3	129.00'	21°02'47"	47.39'
C4	78.00'	21°02'47"	28.65'
C5	224.00'	12°54'27"	50.46'
C6	20.00'	28°05'38"	9.81'
C7	106.00'	21°02'47"	38.94'
C8	196.00'	12°54'27"	44.15'
C9	20.00'	39°05'52"	13.65'

AREA
 STREET "A" = 11,711 SQUARE FEET

LEGEND

- INDICATES AREA RESERVED FOR PUBLIC RIGHT-OF-WAY.
- INDICATES PROPOSED MISSION AVENUE DEDICATION TO THE CITY OF ESCONDIDO.
- INDICATES PROPOSED 4' DEDICATION OF MISSION AVENUE.
- APN INDICATES ASSESSOR PARCEL NUMBER
- P.O.B. INDICATES POINT OF BEGINNING
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING

Lundstrom + associates
 PLANNING | CIVIL ENGINEERING | LAND SURVEYING |
 1764 San Diego Avenue, Suite 200, San Diego, CA 92110
 Tel: 619.641.5900 Fax: 619.641.5910 www.lundstrom.cc

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



STREET "A"
RESERVED FOR PUBLIC RIGHT-OF-WAY

DOC. NO. -
 SHEET: 3 OF 3

After recording mail to:

Luce, Forward, Hamilton & Scripps LLP
ATTN: LOUIS A. MEZZULLO
6050 El. Tordo
P. O. Box 2329
Rancho Santa Fe, CA 92127

Resolution No. 2011-26
EXHIBIT 2
Page 1 of 4

228-	230	20	
			per

Escondido Document Number M-03-11

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

the City of Escondido, a municipal corporation,
in the County of San Diego, State of California,

the undersigned Grantor(s), does hereby Remise, Release and QUITCLAIM to

CARLTON SELL LLC, a California limited liability company

All Right, Title and Interest in and to the following described Real Property situated
in the City of Escondido, County of San Diego, State of California:

Described and depicted in Exhibit "A" attached.

City of Escondido

Edward N. Domingue, P.E.
Director of Engineering Services
City of Escondido

CITY OF ESCONDIDO DOC. NO. M-03-01

TITLE OR TYPE OF DOCUMENT: Quitclaim Deed

GRANTOR(S): City of Escondido

GRANTOR'S ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On _____ (date) before me, _____,

personally appeared

(name(s) of signers)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s), is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature of Notary

CITY ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the attached deed or grant, dated as shown hereon and from the persons named (Grantor) to the City of Escondido, a municipal corporation, is hereby accepted pursuant to Ordinance Number 97-14 of the City Council of the City of Escondido, dated July 2, 1997, and the Grantee consents to recordation thereof by said Grantees duly authorized officer.

Real Property Manager

EXHIBIT "A"
LEGAL DESCRIPTION

A PORTION OF PARCEL "B" OF PARCEL MAP NO. 293, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 23, 1970 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL "B"; THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY OF SAID PARCEL "B" NORTH 19°49'23" WEST 13.00 FEET TO THE INTERSECTION WITH A LINE PARALLEL WITH AND 13.00 FEET NORTHERLY OF THE NORTHERLY RIGHT-OF-WAY OF 93.00 FOOT WIDE MISSION AVENUE, SAID INTERSECTION ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG SAID WESTERLY BOUNDARY NORTH 19°49'23" WEST 120.51 FEET TO THE BEGINNING OF A NON-TANGENT 129.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY A RADIAL LINE TO SAID POINT BEARS SOUTH 70°10'37" WEST; THENCE LEAVING SAID WESTERLY BOUNDARY, SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°02'47" A DISTANCE OF 47.39 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 40°52'10" EAST 30.03 FEET TO THE BEGINNING OF A 169.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°10'10" A DISTANCE OF 21.15 FEET; THENCE SOUTH 56°18'00" WEST 5.00 FEET TO THE BEGINNING OF A 20.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 56°18'00" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°05'52" A DISTANCE OF 13.65 FEET; THENCE NON-TANGENT TO SAID CURVE SOUTH 18°14'11" WEST 8.89 FEET TO THE BEGINNING OF A NON-TANGENT 20.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 58°55'30" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°05'52" A DISTANCE OF 13.65 FEET; THENCE SOUTH 70°10'22" WEST 1.46 FEET TO THE WESTERLY BOUNDARY OF SAID PARCEL "B" AND THE TRUE POINT OF BEGINNING.

CONTAINS 1,453 SQUARE FEET, MORE OR LESS




JEFFREY R. LUNDSTROM, R.C.E. 21245
EXPIRES: 09-30-11



APN : 228-230-20

EXHIBIT "A"

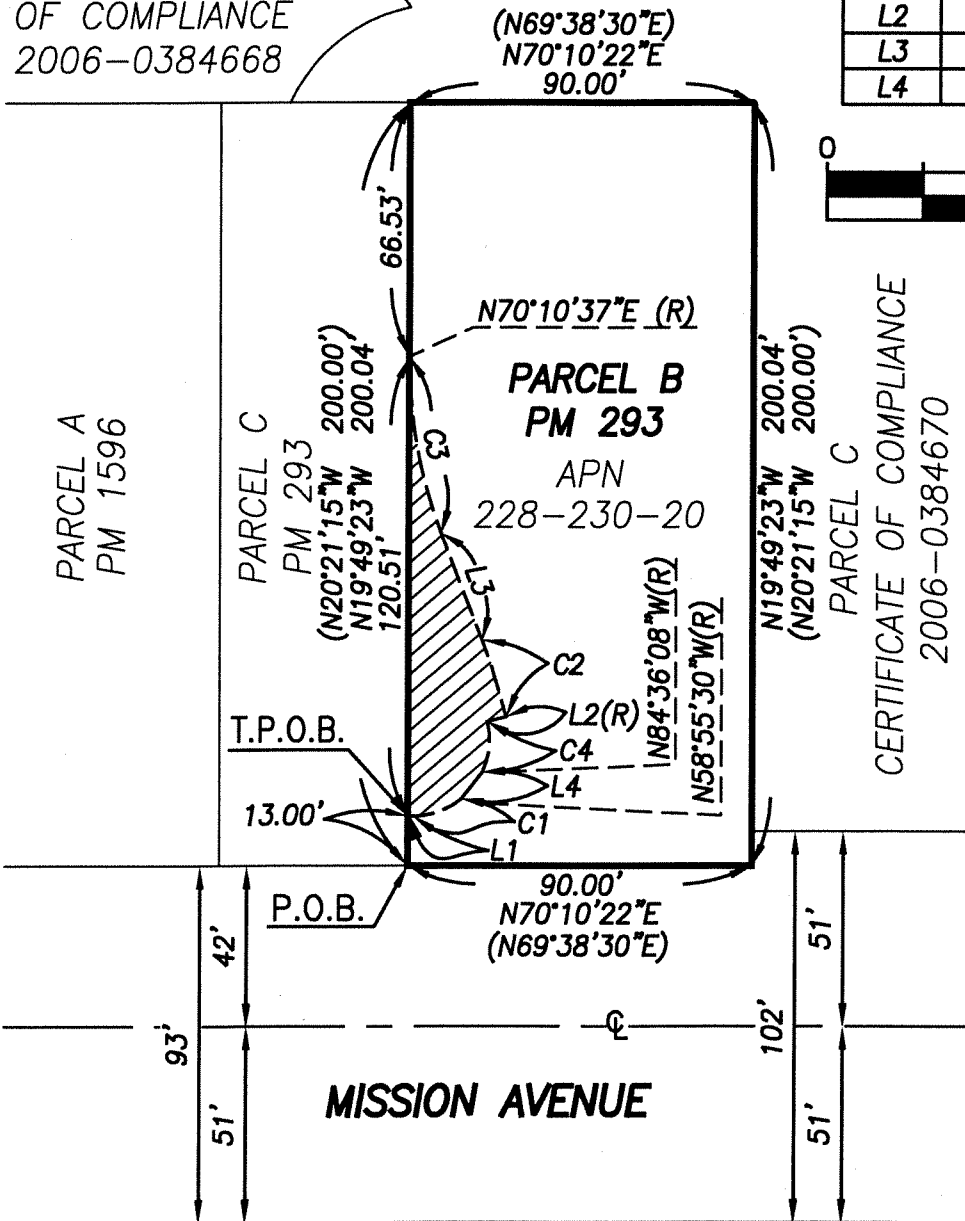
LEGEND

-  INDICATES SUBJECT AREA.
CONTAINS 1,453 SQUARE FEET±
- APN INDICATES ASSESSOR PARCEL NUMBER
- P.O.B. INDICATES POINT OF BEGINNING
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING
- () INDICATES RECORD DATA PER PM 293

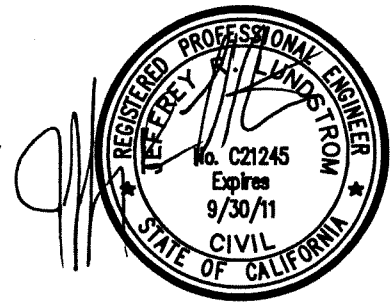
CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	20.00'	39°05'52"	13.65'
C2	169.00'	07°10'10"	21.15'
C3	129.00'	21°02'47"	47.39'
C4	20.00'	39°05'52"	13.65'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N70°10'22"E	1.46'
L2	N56°18'00"E(R)	5.00'
L3	N40°52'10"W	30.03'
L4	N18°14'11"E	8.89'

PARCEL A
CERTIFICATE
OF COMPLIANCE
2006-0384668



Resolution No. 2011-26
EXHIBIT Page 2 of 4



Lundstrom + associates
PLANNING | CIVIL ENGINEERING | LAND SURVEYING
1764 San Diego Avenue, Suite 200, San Diego, CA 92110
Tel: 619.641.5900 Fax: 619.641.5910 www.lundstrom.cc

ENGINEERING SERVICES
201 North Broadway, CA 92025 (760) 839-4651
**PORTION OF PARCEL B,
ESCONDIDO MAP NO. 70-25,
PARCEL MAP 293**

ESCONDIDO
City of Choice
DOC. NO. -
SHEET: 2 OF 2

After recording mail to:

Cooksey, Toolen, Gage, Duffy & Wong
535 Anton Blvd., 10th Floor
Costa Mesa, CA 92626
Attn: Thomas R. Kroesche, Esq.

Resolution No. 2011-26
EXHIBIT 3
Page 1 of 4

228-	230	20	
			por

Escondido Document Number M-04-11

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

the City of Escondido, a municipal corporation,
in the County of San Diego, State of California,

the undersigned Grantor(s), does hereby Remise, Release and QUITCLAIM to

SANDS MOBILE HOME PARK & COUNTRY CLUB, LLC, a California limited liability company as to an undivided fifty percent (50%) and
GLENDALE CASCADE, LLC, a Nevada limited liability company as to an undivided fifty percent (50%) as tenants in common.

All Right, Title and Interest in and to the following described Real Property situated in the City of Escondido, County of San Diego, State of California:

Described and depicted in Exhibit "A" attached.

City of Escondido

Edward N. Domingue, P.E.
Director of Engineering Services
City of Escondido

CITY OF ESCONDIDO DOC. NO. M-04-01

TITLE OR TYPE OF DOCUMENT: Quitclaim Deed

GRANTOR(S): City of Escondido

GRANTOR'S ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On _____ (date) before me, _____,

personally appeared

(name(s) of signers)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s), is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature of Notary

CITY ACCEPTANCE

THIS IS TO CERTIFY that the interest in real property conveyed by the attached deed or grant, dated as shown hereon and from the persons named (Grantor) to the City of Escondido, a municipal corporation, is hereby accepted pursuant to Ordinance Number 97-14 of the City Council of the City of Escondido, dated July 2, 1997, and the Grantee consents to recordation thereof by said Grantees duly authorized officer.


Real Property Manager

EXHIBIT "A"
LEGAL DESCRIPTION

THAT PORTION OF PARCEL "B" OF PARCEL MAP NO. 293, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 23, 1970 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL "B"; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID PARCEL "B" NORTH 19°49'23" WEST A DISTANCE OF 18.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EASTERLY BOUNDARY NORTH 68°53'40" WEST 3.87 FEET TO THE BEGINNING OF A NON-TANGENT 20.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 33°56'39" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°05'38" A DISTANCE OF 9.81 FEET TO THE BEGINNING OF A REVERSE 224.00 FOOT RADIUS CURVE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°54'27" A DISTANCE OF 50.46 FEET; THENCE NORTH 40°52'10" WEST 40.42 FEET TO THE BEGINNING OF A 78.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°02'47" A DISTANCE OF 28.65 FEET; THENCE NORTH 19°49'23" WEST 55.40 FEET TO A POINT IN THE NORTHERLY BOUNDARY OF SAID PARCEL "B", SAID POINT BEING 39.00 FEET WESTERLY OF THE NORTHEASTERLY CORNER OF SAID PARCEL "B" AND ALSO BEING THE POINT OF TERMINUS.

CONTAINS 4,840 SQUARE FEET, MORE OR LESS




JEFFREY R. LUNDSTROM, R.C.E. 21245
EXPIRES: 09-30-11



APN : 228-230-20

EXHIBIT "A"

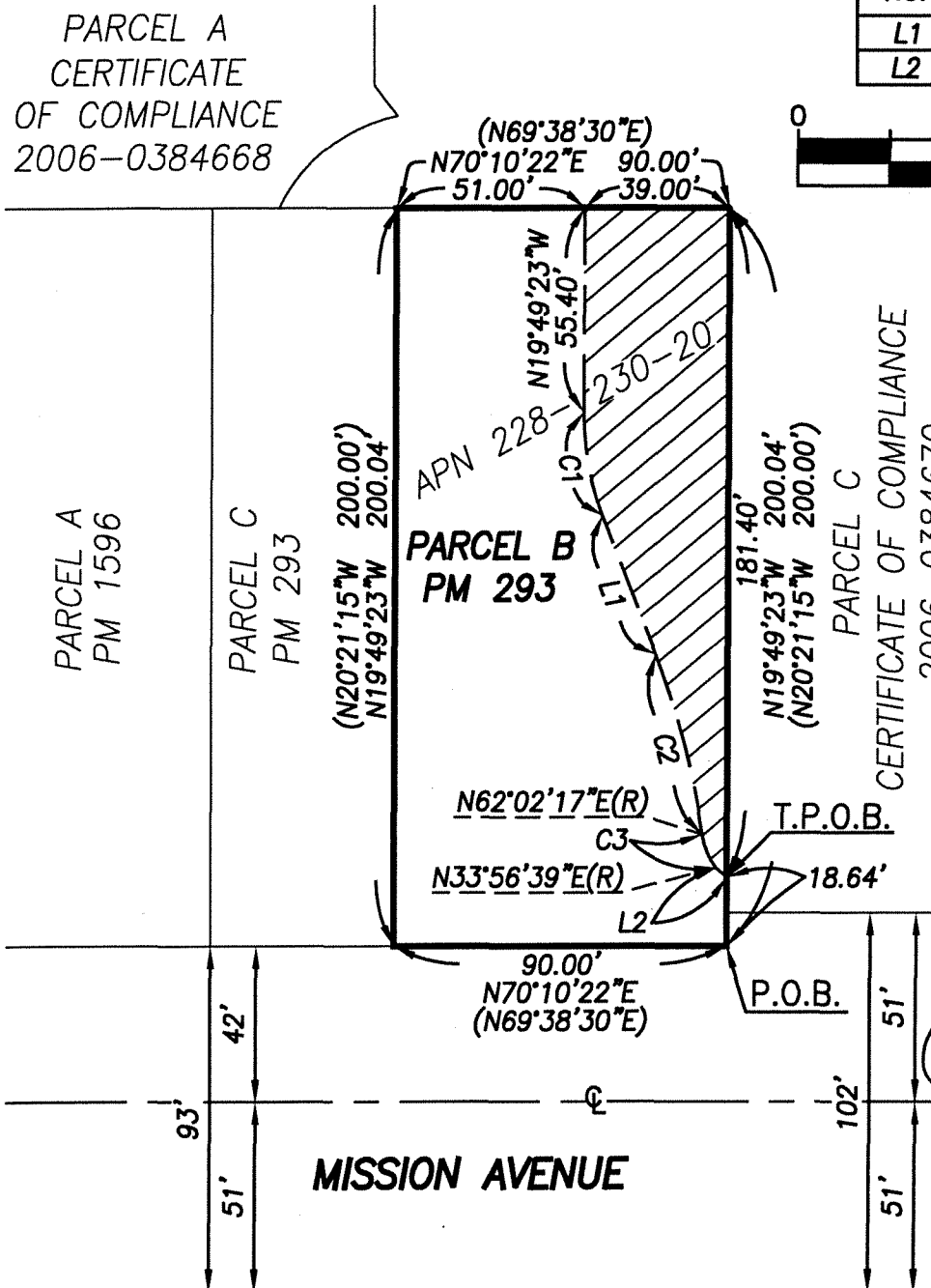
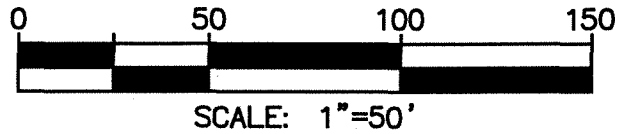
LEGEND

-  INDICATES SUBJECT AREA.
CONTAINS 4,840 SQUARE FEET
- APN INDICATES ASSESSOR PARCEL NUMBER
- P.O.B. INDICATES POINT OF BEGINNING
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING
- () INDICATES RECORD DATA PER PM 293

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	78.00'	21°02'47"	28.65'
C2	224.00'	12°54'27"	50.46'
C3	20.00'	28°05'38"	9.81'

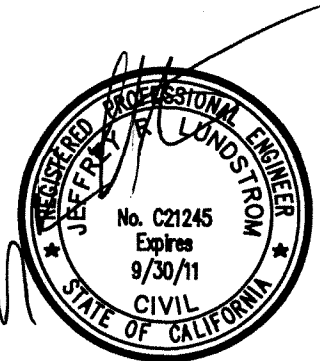
LINE TABLE		
NO.	BEARING	LENGTH
L1	N40°52'10"W	40.42'
L2	N68°53'40"W	3.87'

PARCEL A
CERTIFICATE
OF COMPLIANCE
2006-0384668



CERTIFICATE OF COMPLIANCE
2006-0384670

Resolution No. 2011-26
EXHIBIT 3
Page 4 of 4



Lundstrom
+associates

PLANNING | CIVIL ENGINEERING | LAND SURVEYING |

1764 San Diego Avenue, Suite 200, San Diego, CA 92110
Tel: 619.641.5900 Fax: 619.641.5910 www.lundstrom.ca

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

**PORTION OF PARCEL B,
ESCONDIDO MAP NO. 70-25,
PARCEL MAP 293**

ESCONDIDO
City of Choice

DOC. NO. -

SHEET: 2 OF 2

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 6
Date: March 16, 2011

TO: Honorable Mayor and Members of City Council

FROM: Roni Keiser, Housing Division Manager

SUBJECT: 2010 Annual Housing Report

RECOMMENDATION:

Authorize submittal of the attached report to the State Offices of Planning and Research and Department of Housing and Community Development.

FISCAL ANALYSIS:

None

GENERAL PLAN ANALYSIS:

The reporting requirements are consistent with the Housing Element of the General Plan.

BACKGROUND:

Government Code Section 65400 establishes the requirement that each city submit an annual report on the status of the Housing Element of its General Plan and progress in its implementation using forms and definitions recommended by the Department of Housing and Community Development (HCD). Opportunities for State Housing and Smart Growth funds (SANDAG, transit-oriented development, etc.) rely upon each city's demonstration of its compliance with the Housing Element's objectives and deadlines.

In order to demonstrate compliance with the Housing Element, each city must report on the annual building activity of affordable units (Table A), the annual activity for units rehabilitated, preserved or acquired (Table A2), the annual activity of above moderate units (Table A3), the city's progress in meeting its (RHNA) regional housing needs allocation (Table B), and the city's progress in its implementation of the Housing Element programs during 2010 (Table C).

In December 2010, construction was completed on Juniper Senior Village, a senior project containing 60 affordable units and one manager's unit. These 61 units were included in the 2009 report, when permits were issued. In addition, construction began in June 2010 on the Crossings, a 55-unit affordable rental project for families located on Mission Grove Place (previously Elder Place). These units are expected to be included with permits finalized in 2011.

Respectfully submitted,

A handwritten signature in black ink that reads "Roni Keiser". The signature is written in a cursive style with a large initial "R".

Roni Keiser
Housing Manager

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Escondido
Reporting Period 1/1/2010 - 12/31/2010

Table A

**Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects**

1 Project Identifier (may be APN No., project name or address)	2 Unit Category	3 Tenure R= Renter O= Owner	4 Affordability by Household Incomes				5 Total Units per Project	5a Est. # Infill Units*	6 Housing with Financial Assistance and/or Deed Restrictions		7 Deed Restricted Units	8 Housing without Financial Assistance or Deed Restrictions
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			Assistance Programs for Each Development	See Instructions		
(9) Total of Moderate and Above Moderate from Table A3	▶	▶	▶	▶	▶	120	120					
(10) Total by income Table A/A3	▶	▶	▶	▶	▶	120	120					
(11) Total Extremely Low-Income Units*												

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Escondido
Reporting Period 1/1/2010 - 12/31/2010

**Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				TOTAL UNITS	(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income			
(1) Rehabilitation Activity				0		
(2) Preservation of Units At-Risk				0		
(3) Acquisition of Units				0		
(5) Total Units by Income	0	0	0	0		

* Note: This field is voluntary

**Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	120	0	0	0	0	120	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Escondido
Reporting Period 1/1/2010 - 12/31/2010

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	2005 - 2010									Total Units to Date (all years)	Total Remaining RHNA by Income Level	
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted Non-deed restricted		1	23	18	51						93	455
Low	Deed Restricted Non-deed restricted		6		60	9						75	342
Moderate	Deed Restricted Non-deed restricted			18								18	443
Above Moderate												957	54
Total RHNA by COG. Enter allocation number.			71	231	287	192	56	120				1,143	1,294
Total Units			71	238	328	270	116	120				1,143	1,294
Remaining Need for RHNA Period													

Note: units serving extremely low-income households are included in the very low-income permitted units totals. * 2 units were relocated to Above-Moderate category

Jurisdiction City of Escondido
Reporting Period 1/1/10-12/31/10

Table C
Program Implementation Status

Part One	Housing Programs Progress Report - Government Code Section 65583 Describe progress of all programs including progress in removing regulatory barriers.			Status of Program Implementation as of 12-31-10
Program Description (By Housing Element Program Names)	Objective	Deadline in H.E.		
Name of Program: 1. Construction Programs				
1.1: Project Development (Increase affordable housing through redevelopment and rehabilitation) Anticipated impact: Increased supply of rental and ownership units for very low-income and low-income residents (200)	Send out RFP Select projects Acquisition, rehabilitation, or preservation	Summer/06 Fall/06 2008	RFP sent Summer/05 Projects selected Fall/05 (141 units) Construction of seven units (Milane Lane) was completed during 2006. In 2007 Serenity Village (8 units), Oranewood (7 units), and Brotherton (22 units) were completed. The 80-unit Las Ventanas Village (78 affordable) was completed in 2008. The 61-unit (60 affordable) Juniper Senior Village project was completed in December, 2010. (Four of the Serenity Village units were funded by the County of San Diego.) Total = 182 affordable units	
1.2: Mortgage Revenue Bonds (Provide credit support for issuance of revenue bonds) Anticipated impact: Acquisition, rehabilitation, preservation, or construction of affordable housing for low-income households.	Continuation of program	Ongoing		Ongoing

Name of Program: 1. Construction Programs (Continued)	Objective	Deadline in H.I.E.	Status of Program Implementation as of 12-31-10																
<p>1.3: First-Time Homebuyer/Home Entry Loan Program (HELP) and Home Ownership Made Easy (HOME) (Provide loans to low-and moderate-income households for closing and down payment, of lesser of 5% or \$25,000) Anticipated impact: Increased homeownership opportunities for low- to moderate-income households (200 units).</p>	<p>Continue to provide assistance</p> <p>Implement additional marketing strategies</p> <p>Offer annual lender training</p>	<p>2005-2010</p>	<p>46 HELP loans funded during 2010 48 HOME loans funded during 2010 Total first-time homebuyer loans (during period):</p> <table border="1"> <tr> <td>HELP</td> <td>HOME</td> </tr> <tr> <td>2005 13</td> <td>2</td> </tr> <tr> <td>2006 14</td> <td>10</td> </tr> <tr> <td>2007 27</td> <td>20</td> </tr> <tr> <td>2008 76</td> <td>117</td> </tr> <tr> <td>2009 52</td> <td>80</td> </tr> <tr> <td>2010 46</td> <td>48</td> </tr> <tr> <td>228 HELP</td> <td>277 HOME</td> </tr> </table> <p>505 Total since 2005</p> <p>By 12/30/05 additional marketing strategies included a redesign to the HELP and HOME program brochure and distributing to neighborhood porch meetings. Annual lender training is provided.</p>	HELP	HOME	2005 13	2	2006 14	10	2007 27	20	2008 76	117	2009 52	80	2010 46	48	228 HELP	277 HOME
HELP	HOME																		
2005 13	2																		
2006 14	10																		
2007 27	20																		
2008 76	117																		
2009 52	80																		
2010 46	48																		
228 HELP	277 HOME																		
<p>1.4 First-Time Homebuyer/Mortgage Credit Certificates (Provide mortgage credit certificates to new homeownership to reduce taxes) Anticipated impact: Additional homeownership opportunities for low- and moderate-income households.</p>	<p>Continue to issue</p>	<p>Ongoing</p>	<p>10 MCCs were issued during 2010</p> <table border="1"> <tr> <td>2005 1</td> </tr> <tr> <td>2006 4</td> </tr> <tr> <td>2007 1</td> </tr> <tr> <td>2008 3</td> </tr> <tr> <td>2009 3</td> </tr> <tr> <td>2010 10</td> </tr> </table> <p>Total of 22 MCCs since 2005</p>	2005 1	2006 4	2007 1	2008 3	2009 3	2010 10										
2005 1																			
2006 4																			
2007 1																			
2008 3																			
2009 3																			
2010 10																			

Name of Program; 1. Construction Programs (Continued)	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
<p>1.5 Emergency Shelter Program (Streamline Emergency shelter requests) Anticipated impact: Provision of shelter for individuals and families with special needs.</p>	<p>Amend Zoning Code To allow with CUP in Hospital Professional (HP) Zone. Involves giving emergency shelter its own land use code.</p>	<p>2006</p>	<p>Amending the Zoning Code to allow emergency shelters in the HP zone (with a CUP) is a continued program from the previous 1999-2004 Housing Element. During the 1999-2004 Cycle, the Zoning Code was amended to allow emergency shelters in the M-1 zone (subject to the approval of a conditional use permit). Since then, staff has inventoried available sites and determined that adequate land is available in the M-1 zone to serve the estimated emergency housing need.</p> <p>A comprehensive code amendment addressing Housing Element implementation was considered 8-22-07 by City Council. The Council did not approve the amendment to the HP zone due to the existing available land in the M-1 zone.</p> <p>The City worked collaboratively with the other jurisdictions in the region to create a comprehensive plan in which each city provides emergency shelter annually for an agreed amount of homeless individuals for 100 consecutive days starting in early December. On 9-12-07, City Council approved the Regional Plan allowing for the use of the Salvation Army multi-purpose room as shelter for 30 individuals. During 2008, 2009 and 2010 the facility operated at its approved capacity. After the Salvation Army indicated the site would not be available for the 2010-2011 winter shelter, the City Council approved a request on September 12, 2010, to relocate the 100-day winter shelter. The shelter opened on December 1, 2010, at 624 Metcalf Street.</p>

Name of Program:	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
<p>1. Construction Programs (Continued)</p> <p>1.6 Section 202 Development (Provide federal capital advances and project rental assistance under Section 202 of the Housing Act of 1959) Anticipated impact: New housing opportunities for senior/disabled households.</p>	<p>Biannually explore ways to receive 202 funding and related funding</p> <p>Increase the number of units for seniors and for persons with disabilities by 34</p>	<p>Ongoing</p>	<p>In June of 2006, the development proposal for the 61-unit Juniper Senior facility was approved by City Council. Plan checking began before the end of the year. The City Council gave approval to submit a 202 application, but the project received 9% tax credits in September 2009. Construction began shortly thereafter. Construction was completed in December 2010, and the first residents moved in. Total: 60 new affordable units.</p>

<p>1.7 Infill New Construction (Support new construction of homeownership and rental units and redevelopment/revitalization on infill sites) Anticipated impact: New housing opportunities for homeownership and rental for low- and moderate-income households.</p>	<p>Annually track remaining infill sites in urban core</p> <p>Prepare marketing material to promote the availability of incentives</p> <p>Contact developers and pursue development plans on identified recyclable sites and promote infill and reuse strategies and incentives</p> <p>Provide financial assistance through applications for loans and grants</p>	<p>Ongoing</p> <p>2007</p> <p>Annually</p>	<p>Ongoing</p> <p>Housing Division Manager met with several developers to discuss potential redevelopment, facilitating maximum densities in high density zones. Twenty new affordable units [Serenity Village (8), Brotherton Square (5), Orangewood (7)] were completed on infill sites during 2007 (All remaining 17 units in Brotherton Square were completed in 2009). Two development proposals (Las Ventanas and the SoCal Senior Development) on infill sites for a total of 141 units (138 affordable) were approved in spring of 2006 for a total of 175 affordable units. Las Ventanas, with a density of 40.12 du/ac, was mostly built in 2007 and completed in 2008. A proposal for acquisition of multi family units on Elder Place for the purpose of redevelopment was approved in 2009. Construction began in 2010 on a 55-unit family development. \$9.5M in redevelopment funds was leveraged with other funding sources. The development was named "The Crossings" and the street name was changed to Mission Grove Place.</p> <p>The first units in Brotherton Square (22 total units) were completed in 2007. The project was assisted with the City's Affordable Housing Funds leveraged with a CalHFA HELP loan for \$1.4M. Las Ventanas (80 units) was completed in 2008 and assisted with the City's Affordable Housing Funds leverage with a CalHFA HELP loan of \$1.25M and Tax Credits of \$1.99M. A third CalHFA HELP loan for \$800K was awarded to the City on behalf of the Juniper Senior development (60 affordable units). Tax Credits also were approved. Additional CalHFA loans are on hold due to State budget.</p> <p>RFP sent out May, 2010. Two affordable developments are anticipated to be submitted on infill sites in early 2011, including approximately 14 affordable ownership units by SD Habitat for Humanity and approximately 35 affordable rental units by Community HousingWorks.</p>
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Name of Program: 1. Construction Programs (Continued)	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
1.8 City-owned Sites (Facilitate the redevelopment/development of affordable housing on City-owned sites) Anticipated impact: Sites for affordable housing.	Use City-ownership as a potential inducement for rehabilitation of more affordable housing	Ongoing	The Housing Division and the Public Works Department continue to review properties when they become available as potential sites for redevelopment.
1.9 Density Bonus (Allow density bonuses and residential incentives for affordable and senior housing) Anticipated impact: Additional housing opportunities for low- and moderate-income households.	Ongoing Review of Ordinance to provide more incentives and more flexible zoning standards	Ongoing 2006	In the summer of 2006, Environmental Review was completed on a draft comprehensive code amendment to update compliance with State Law. The portion related to density bonus was denied on 8-22-07 by the City Council since the City currently has a Density Bonus and Residential Incentive Ordinance and a Planned Development Ordinance that effectively encourage the development of high density affordable housing. There are two recent examples of high density affordable housing developments utilizing density bonuses. The Las Ventanas project was developed at 40.12 du/ac with a density bonus of 67%, and Juniper Senior Village was approved at 53.5 du/ac with a density bonus of 33%.

Name of Program: 2. Rehabilitation Programs:	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
2.1 Housing-Rehabilitation Owner Occupied (Provide rehab loans of \$25,000/\$40,000 for single-family residents and \$8,000/\$20,000 for mobilehomes) Anticipated impact: Rehabilitation of units for very low-income, low-income, and moderate-income households (160 units).	Continuation of program Implement additional marketing strategies Expand program	2005-2010 Winter 06 Spring 06	Rehabilitation of 8 units during 2005 Rehabilitation of 33 units during 2006 Rehabilitation of 29 units during 2007 Rehabilitation of 23 units during 2008 Rehabilitation of 22 units during 2009 Rehabilitation of 15 units during 2010 Total 130 units since 2005 The Program was advertised in the community newsletter for the first time in 2006. A staff person was hired to work only on the program and was able to bring the number of rehabs up to 33 in 2006, and 29 in 2007. The rehab of 15 units was completed in 2010 which is smaller than years prior, due to market conditions.

Name of Program: 2. Rehabilitation Programs: (Continued)	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
<p>2.2 Housing Rehabilitation: Renter Occupied (Continue to explore potential rental rehabilitation programs) Anticipated impact: Increase rental rehabilitation for very low-income and low-income households (50 units).</p>	<p>Ongoing</p>	<p>Ongoing</p>	<p>Due to lack of demand for assistance, the program was not funded. The City continues to explore ways to encourage assistance. Refer to Programs 1.1 (Project Development) and 2.3 (Recycling Existing Structures) for rehabilitation of multi-family housing.</p>
<p>2.3 Recycling Existing Structures (Continue to explore ways to encourage the recycling of older structures for affordable housing opportunities) Anticipated impact: Additional affordable housing opportunities for very low-income and low-income households. (20 Units)</p>	<p>Continue with exploration and evaluation of options such as incentive programs for efficiency units, acquisition-rehabilitation-resale and a special Planned Development approach</p>	<p>Ongoing</p>	<p>As discussed under Program 1.1 (Project Development), two redevelopment proposals for a total of 141 units (138 affordable) were approved in the spring of 2006. 80 of the units (78 affordable) were completed in 2008 and 60 affordable senior units were completed in December, 2010 (Juniper Senior). The Housing Division Manager continues to research and meet with developers interested in acquisition and rehabilitation. During 2008, the City allocated \$5M toward the acquisition and rehabilitation/redevelopment of Elder Place in order to provide 55 units of affordable housing (The Crossings). In 2009 the project was awarded 9% tax credits, and another \$4.5M in redevelopment funds was allocated. Ground was broken in June, 2010.</p>
<p>2.4 Focus on Neighborhoods (Collaborate with departments to channel resources and efforts into neighborhoods) Anticipated impact: The concentration of City resources to one neighborhood and the opportunity for significant community impact both in physical improvement and improvement in quality of life for neighborhood residents. (Low- and moderate-income categories)</p>	<p>Continue collaborative efforts through funding resources, policies and community outreach</p>	<p>Ongoing</p>	<p>Through 12-31-10, concentrated efforts achieved in the Westside, Orange Place, Mission Park, Tulip Street and N. Hickory Street neighborhoods included street improvements, community engagement and community beautification efforts.</p> <p>Phase I and Phase II of the street improvement project were completed in the Tulip Street neighborhood, and Phase III is underway.</p> <p>The Crossings, a 55-unit affordable rental family development is being constructed within the Mission Park neighborhood.</p> <p>Project NEAT was started in 2010 to assist residents in solving their own neighborhood problems at a neighborhood (rather than Code Enforcement) level, such as maintenance, graffiti, minor repairs and trash.</p>

Name of Program: 3. Conservation Programs:	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
<p>3.1 Transitional Housing/Project Development (Provide temporary shelter for households for a nominal cost to the tenant) Anticipated impact: Assistance to households with special needs (48 bed/units) (very low and low categories).</p>	<p>Continue to work with nonprofits to provide transitional housing</p>	<p>Ongoing</p>	<p>Construction of Serenity Village was completed during 2007. It comprises eight transitional 3-bedroom homes. In 2007, four additional units were acquired by Interfaith Community Services and converted into permanent supportive housing (Raymond's Refuge) in 2007. Interfaith also operates Fairweather Lodge (6 beds) for mentally disabled residents and two units on Aster Street (10 beds) for homeless veterans.</p>
<p>3.2 Rental Subsidy (Provide households with affordable rents) Anticipated impact: Rental Assistance for very low-income households, based on federal guidelines.</p>	<p>Collaborate with HUD toward the provision of Section 8 Rental Subsidy to households earning 50% or less of the median income</p>	<p>Ongoing</p>	<p>Ongoing. During 2010, a monthly average of 1,227 households was assisted with Section 8 Rental Subsidy.</p>
<p>Anticipated impact: Rental Assistance for very low-income households (seniors and persons with disabilities).</p>	<p>Provide rental subsidy to low-income seniors and persons with disabilities in mobilehomes parks and apartments</p>	<p>Ongoing</p>	<p>During 2010, a monthly average of 148 senior households (or persons with a disability) in mobilehome parks and another 137 in apartments were receiving rental subsidy while waiting for HUD Section 8 eligibility.</p>
<p>3.3 Mobilehome Park Conversion (Provide technical assistance toward conversion to ownership) Anticipated impact: Continued mobilehome resident ownership opportunities for very low-income and low-income residents.</p>	<p>Continue to work with City policies and procedures to assist in conversion</p>	<p>Ongoing</p>	<p>During 2010, the City continued to provide technical assistance to mobilehome parks considering conversions. One park, Sundance Mobilehome Park, went through the conversion process, but remains a rental park. The City also managed remaining city-owned spaces in Escondido Views (8 lots) and Mountain Shadows (31 lots).</p>
<p>3.4 Mobilehome Rent Review (Rent review of application for increases in mobilehome parks) Anticipated impact: Stabilized rents for mobilehome residents, many of whom are very low- and low-income.</p>	<p>Continue review of proposed increases to maintain affordability of units</p>	<p>Ongoing</p>	<p>During 2010, seven rent review hearings were held and monthly increases averaging from \$1.49 up to \$11.60 were approved.</p>

Name of Program:	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
3. Conservation Programs: (Continued) 3.5 Existing Subsidized Housing Development Assistance (Continue to explore means to prevent conversion of existing affordable housing) Anticipated impact: Continued affordability of subsidized housing developments.	Annually track affordable housing developments and work with owners to extend affordability If owner wishes to sell, contact potential buyers who would want to extend affordability and, if unsuccessful, follow-up with Section 8 and relocation potential	Ongoing Ongoing	In 2010 the City was notified that the owners of Mission Terrace Apartments (832 N Juniper) were going to terminate Section 8 project-based rental subsidies when their contract expired on June 1, 2011. It is anticipated that the subsidy will be converted to tenant based Section 8 vouchers. Ongoing
Name of Program: 4. Administrative Programs: 4.1: Fair Housing (Affirmatively further fair housing through specific education outreach and monitoring activities) Anticipated impact: Continued enforcement of the Fair Housing Plan which will prevent discrimination in housing. Continued landlord/tenant assistance program which will assist in resolving landlord/tenant disagreements (very low- and low-income renters).	Ongoing Disperse information regarding programs at various locations	Ongoing Ongoing	Status of Program Implementation as of 12-31-10 In 2010 the City contracted with North County Lifeline to provide fair housing services for counseling and mediation in landlord/tenant disputes. Services include bilingual assistance. Continued to disperse information, review potential impediments to fair housing, and meet with other jurisdictions to discuss and address potential regional impediments. Jurisdictions are working together to prepare a new Regional Analysis of Impediments for 2010 to 2015. The regional agencies are working with the consultant to address HUD comments prior to submitting the draft AI.
4.2: Code Revisions: Nonconforming Use Ordinance Anticipated impact: Continued occupancy of low-income units.	Allow alterations to existing nonconforming, low-income units per code	Ongoing	The revision allows improvements to nonconforming units without regard to the percent limitations in the ordinance, when the units are occupied by persons with low and very-low income and deed restricted. Ordinance still in effect.

Name of Program: 4. Administrative Programs: (Continued)	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
<p>4.3: Senior Housing Ordinance enforcement (Encourage construction of senior housing through ordinance review)</p> <p>Anticipated impact: Continuing availability of senior housing.</p>	<p>Continue to encourage development of senior housing</p>	<p>Ongoing</p>	<p>As mentioned under Program 1.6 regarding senior housing, in June of 2006, a development proposal for a 61-unit (60 affordable) senior facility was approved by City Council. Several applications for tax credits were made during 2007 and 2008, and 9% credits were approved in Sept. 2009. Construction began in late 2009 and the project was completed and occupancy began in 2010.</p> <p>Affordability restrictions were placed on the 132-unit Windsor Gardens senior apartment complex when the City paid off the existing first mortgage with Redevelopment Set-Aside funds in November, 2010. 130 newly affordable senior units and 60 new affordable senior units.</p>
<p>4.4: Housing Information and Referral (Provision of information for marketing and educational purposes)</p> <p>Anticipated impact: More effective and targeted housing programs (especially very low-income and low-income households).</p>	<p>Provide annual updates</p>	<p>Ongoing</p>	<p>Information was updated and distributed via a variety of ways such as the web-site, brochures, mailers, and referral cards and Neighborhood Porch meetings. The city website was updated in late 2010 to include up to date housing information.</p>
<p>4.5: Housing Element Update (To be updated to reflect new data and new policies)</p> <p>Anticipated impact: Continuing current housing element (all income categories).</p>	<p>Update Housing Element</p>	<p>2012</p>	<p>Due at the end of the current cycle (2005-2010). Deadline extended until 2013.</p>
<p>4.6: Land-use Policies (Evaluate current policies as they relate to the Housing Element)</p> <p>Anticipated impact: Better coordination and consistency of plan elements (all income categories).</p>	<p>Review of codes and policies for consistency with Housing Element</p>	<p>Ongoing</p>	<p>In 2010, Housing, Neighborhood Services, and Planning staff worked together during the year to ensure consistency which included review of projects, and policies pertaining to the General Plan, density bonus, minimum density, and parking.</p>
<p>4.7: Licensed Residential Care Facilities</p> <p>Anticipated impact: Continued development of congregate care facilities/licensed residential care facilities (seniors, all income categories).</p>	<p>Facilitate development by continuing to permit by right in CG and HP zones and with CUP in Residential zones</p>	<p>Ongoing</p>	<p>Meadowbrook Village, a combined skilled nursing (27 beds), congregate care (51 beds) and senior facility (65 units) was approved in 2004 and has been under construction. Two units were added in 2008 and another 2 in 2009 (total of 147). An expansion of 13 additional skilled nursing beds was approved in December, 2010. An 11-bed facility was approved on Avocado Avenue in March, 2010.</p>

Name of Program: 4. Administrative Programs: (Continued)	Objective	Deadline in H.E.	Status of Program Implementation as of 12-31-10
4.8: Regional Planning and Cooperation Anticipated impact: More efficient and cost-effective housing programs (all income categories).	More efficient and cost effective housing programs through information sharing region-wide	Ongoing	City staff meets regularly with other jurisdictions in the State and County.
4.9: Nonprofit Corporation (NPC) Support Facilitate NCPs in their provision of affordable housing Anticipated impact: More effective NPC's and more housing assistance for very low-income and low-income households.	Meet with nonprofit and for-profit developers to identify potential sites and to facilitate provision of affordable, mixed-use and mixed-income development	Quarterly	Ongoing. Housing staff continues to meet with non-profit and for-profit developers related to potential sites and the review process for affordable projects.
4.10 Ordinance Review Review of ordinances for impact on low- and moderate-income housing, senior housing and housing for persons with disabilities. Explore ways to modify ordinances to encourage redevelopment/development. Anticipated impact: Removal of government constraints (very low-income and low-income units).	Ongoing Complete code amendments to Density Bonus and Residential Incentive ordinance and to multi-family zones to require minimum densities	Ongoing June 06	City staff worked on an update to Downtown Specific Plan during 2006. City Council adopted the update 3-21-07. Refer to Program 1.7 (Infill New Construction) regarding ordinance review and changes. Refer to Program 1.9 (Density Bonus) for implementation of State law. The Minimum Density Ordinance was drafted by staff and reviewed by City Council in 2006. Adjustments were made addressing Council's concerns pertaining to the impact to homeowners. A revised Minimum Density Ordinance was approved by Council in the summer of 2007. The Minimum Density was a component of a comprehensive code amendment addressing housing element implementation.

CONSTRAINTS

There were no constraints specific to Escondido listed in the Housing Element. However, the City's efforts to address potential constraints was discussed and addressed under Environmental Limitations, Land Costs, and Condominium Conversions. The specific issue, page number, action and status are listed below.

Issue	Page #	Action	Status
<p>Environmental Limitations Environmental features such as: habitat for threatened/endangered species, steep slopes, ridgelines, floodplains/wetlands, geologic constraints and historic preservation</p>	55	<p>The City's focused efforts on rehabilitation and redevelopment will help to minimize environmental limitations on housing, since development would occur in areas already developed</p>	<p>Refer to status of Programs 1.1 (Project Development), 1.7 (Infill New Construction), 1.8 (City Owned Sites), 4.6 (Land Use Policies), and 4.10 (Ordinance Review)</p>
<p>Increasing Land Costs Residential land prices contribute significantly to the cost of new housing</p>	57	<p>Efforts to encourage redevelopment and rehabilitation will help lower costs where facilities and services are already provided</p>	<p>Refer to status of Programs 1.1 (Project Development), 1.7 (Infill New Construction), 1.8 (City Owned Sites), 4.6 (Land Use Policies), and 4.10 (Ordinance Review)</p>
<p>Dramatic Rise in Condo Conversion Applications An estimated total of 800-1000 multi-family units that have been converted or approved for conversion 5% to 6% of total multi-family housing stock</p>	59	<p>Amend Condo Conversion Ordinance to: discourage conversion of older, smaller condos; limit to stock that will comply with current building codes and City standards; address impacts to tenants and track remaining multi-family housing stock</p>	<p>Condo Conversion code amendment completed summer of 2005. There were no new requests for condominium conversions in 2010.</p>

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. 2004-_____ file No. _____

Ord No. 2004-_____

Agenda Item No.: 7
Date: March 16, 2011

TO: Honorable Mayor and Members of the City Council and Community Development Commission

FROM: Joyce Masterson, Assistant to the City Manager

SUBJECT: Minor League Baseball Ballpark Budget Adjustment

RECOMMENDATION:

It is requested that the City Council and the Community Development Commission approve a budget adjustment that will place \$91,630 into the Community Development Commission (CDC) budget for ongoing consulting services pertaining to the development of a minor league ballpark. It is also requested that the City Manager be authorized to execute a contract with Overland Pacific and Cutler Inc. in the amount of \$15,000 to evaluate potential relocation issues and a second amendment to the contract with Helix Environmental in the amount of \$5,000 for additional environmental consulting services.

FISCAL ANALYSIS:

Council has previously authorized funding in the amount of \$636,579. An additional \$91,630 is required from redevelopment funds for the following:

- | | |
|-----------------------------------|----------|
| • CB Urban Development: | \$41,630 |
| • Stradling Yocca Carlson & Rauth | \$30,000 |
| • Overland Pacific & Cutler, Inc. | \$15,000 |
| • Helix Environmental | \$ 5,000 |

GENERAL PLAN ANALYSIS:

A minor league ballpark is consistent with the General Plan Economic Development and Community Revitalization goals.

PREVIOUS ACTION:

On September 22, 2010, the City Council in public session authorized a total of \$373,000 from redevelopment funds for the following consulting services related to the ballpark:

1. A consulting agreement with Linscott, Law & Greenspan for transportation, traffic and parking studies in the amount of \$75,000.
2. A consulting agreement with Helix Environmental Planning, Inc. for \$148,000 for environmental studies.

3. An additional \$150,000 for various consulting services pertaining to financial analysis, legal and redevelopment analysis, soil contamination testing of the public works yard and construction soils testing. These funds were used for payments to CB Urban Development, Stradling Yocca Carlson & Rauth, BBC Environmental, Inc. and GEOCON, Inc.

On November 17, 2010, the City Council in closed session authorized a study to relocate the North County Transit District's CNG filling station and bus parking yard currently located on Spruce Street. No funding source was designated at that time.

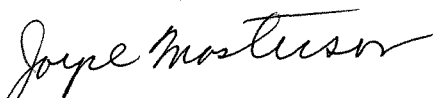
On December 15, 2010, City Council and the Community Development Commission approved Resolutions CDC 2010-15 and CDC 2010-16 authorizing a First Amendment to consulting agreements with Helix Environmental Planning, Inc. and Linscott, Law & Greenspan (LLG). Council and the Commission also approved a total budget adjustment of \$263,579 into the Community Development Commission (CDC) budget for the above amendments as well as ongoing and new consulting services pertaining to the development of a minor league ballpark.

BACKGROUND:

To fully evaluate the feasibility of a minor league baseball ballpark project, certain environmental, financial, legal, transportation, and redevelopment studies have been necessary. Consultants have continued to provide service based on billable hours and will be submitting invoices for the months of January, February and March 2011.

- Funding is needed for the January 2011 invoice of CB Urban Development in the amount of \$16,730 as well as an estimated \$4,900 for February 2011 and \$20,000 for March 2011, for a total of \$41,630.
- Funding is needed for the January, February and March 2011 invoices of Stradling Yocca Carlson and Rauth in the amount of \$30,000.
- Funding is needed in the estimated amount of \$15,000 for consulting services by Overland Pacific & Cutler, Inc. to evaluate potential relocation issues.
- Funding is needed in the amount of \$5,000 for Helix Environmental for a Second Amendment to their contract for additional environmental consulting services.

Respectfully submitted,



Joyce Masterson
Assistant to the City Manager



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: March 16, 2011
Department: City Manager
Division: Economic Development
Project/Budget Manager: Joyce Masterson 4621
Name Extension
Council Date (if applicable): March 16, 2011
(attach copy of staff report)

For Finance Use Only
Log #
Fiscal Year
Budget Balances
General Fund Accts
Revenue
Interfund Transfers
Fund Balance

Table with 4 columns: Project/Account Description, Account Number, Amount of Increase, Amount of Decrease. Rows include Professional Services (5131-388-187, \$91,630) and Fund Balance (3050-388, \$91,630).

Explanation of Request:

For legal, financial & redevelopment consulting work related to the construction of a minor league ballpark.

APPROVALS

Handwritten signatures and dates for Joyce Masterson (3-9-11) as Department Head/City Manager and Jodi Cox Cleveland (3/9/11) as Finance/City Clerk.

Distribution (after approval): Original: Finance



CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 8

Date: **March 16, 2011**

TO: Honorable Mayor and Members of the City Council

FROM: Jeffrey R. Epp, City Attorney
Gil Rojas, Director of Finance

SUBJECT: Loan from Wastewater Enterprise Fund and Terms of Repayment

RECOMMENDATION:

Approve Resolution 2011-38 evidencing a loan from the City's Wastewater Enterprise Fund and providing for the terms and conditions of repayment.

BACKGROUND:

On November 17, 2010, the City Council adopted Resolution 2010-172, which authorized staff to complete the purchase of property at 2120 Harmony Grove Road for the relocation of certain city facilities which are currently located at 475 N. Spruce Street. The Harmony Grove property was paid for with \$4.2 million to be loaned from the Wastewater Enterprise Fund, \$1 million in Public Facility Fees, and \$1 million from the City's internal Fleet Services Fund.

Because the Wastewater Enterprise Fund is supported by rates and fees charged to customers, and regulated by various provisions of the California Constitution and state statutes, it is important that the loan from the Fund be documented and structured in a manner that protects the integrity of the Fund. Among other things, this means that the loan must be repaid in full, and account for interest charges. Resolution 2011-38 documents the loan amount, and sets forth a repayment schedule of principal and interest payments over a term of 20 years. Interest on the loan amount is set equivalent to the City's return on its investment portfolio, which is the same amount the funds would earn if they were retained in the enterprise account.

The availability of these funds for a loan does not mean there are excess funds in the enterprise. Rather, the enterprise maintains an ongoing reserve, and the loan amount is made from and repaid to these reserves.

Respectfully submitted,


Jeffrey R. Epp
City Attorney


Gil Rojas
Director of Finance

RESOLUTION NO. 2011-38

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
EVIDENCING A LOAN FROM THE
WASTEWATER ENTERPRISE FUND AND
PROVIDING FOR TERMS AND CONDITIONS
OF REPAYMENT

WHEREAS, California Government Code Section 54300 et seq. has provided for the creation of a local enterprise to serve as revenue producing improvements on buildings, systems, plants, works, facilities and undertakings which may be used for or useful for certain specific purposes; and

WHEREAS, one of the specific purposes enumerated for an enterprise account is the collection, treatment, and disposal of sewage, waste and stormwater, including drainage as well as sewage treatment plants, sewage disposal plants, intercepting and collecting sewers, outfall sewers, trunk, connecting and other sewer mains; and

WHEREAS, California Government Code Sections 54341, 54342, 54343 and 54350, among others, expressly provide the local agency with authority to manage and direct the operations and affairs of the enterprise; and

WHEREAS, the City of Escondido has established and operates a Wastewater Enterprise Fund of the City in accordance with the above-referenced authorizing legislation; and

WHEREAS, the Wastewater Enterprise Fund maintains a certain portion of its revenues in a reserve fund, expressly authorized by Government Code Section 54315,

and such reserves have been deemed necessary to the prudent and stable operation of the Fund; and

WHEREAS, such reserves are maintained in a manner to provide both a reasonable return and general availability to the Fund if needed; and

WHEREAS, the City of Escondido previously elected to utilize \$4.2 million of the Wastewater Enterprise Fund reserves, together with other funding sources, for the purposes of purchasing and improving real property addressed as 2120 Harmony Grove Road, to be used for the purpose of developing a new City public works yard, (the "Loan") and wishes to set terms and conditions for the complete repayment in such a manner that equals or exceeds the otherwise normal investment of such reserves of the Wastewater Enterprise Fund; and

WHEREAS, the City of Escondido, both for itself and the benefit of the proper management of the Wastewater Enterprise Fund, wishes to adopt this Resolution evidencing the Loan and setting forth the terms and conditions for repayment of the Loan.

NOW THEREFORE, the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the Loan Amount from the Wastewater Enterprise Fund of \$4.2 million is hereby documented with such Funds having been transferred from the City's Wastewater Enterprise Fund to the City's General Fund on or about December 15, 2010, as authorized by City Council Resolution 2010-172.

3. Such Loan shall be repaid from the General Fund, or from such other sources as the City Council may direct from time to time, to the Wastewater Enterprise Account, to be amortized over a period of twenty (20) years, commencing on December 15, 2010. Such repayment shall occur on June 30 of each calendar year with an annual principal payment of \$210,000 and bear interest at a rate equivalent to the City's calculated investment portfolio monthly yield. Commencing on June 30, 2011, the first payment will include only interest at a rate equivalent to the City's calculated investment portfolio monthly yield as of June 30, 2011. Subsequent annual payments shall include the principal and interest as described above and will commence on June 30, 2012.

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 9
Date: March 16, 2011

TO: Honorable Mayor and Members of the City Council
FROM: Barbara Redlitz, Director of Community Development
SUBJECT: Adoption of the 2010 California Building, Residential, Plumbing, Electrical, Mechanical, and Green Building Standards Codes and Local Amendments

RECOMMENDATION:

It is requested that Council conduct a Public Hearing and adopt Ordinance No. 2011-02(R).

FISCAL ANALYSIS:

None

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

This item relates to the General Plan goals related to public safety, reduction of greenhouse gases, and the City's carbon footprint.

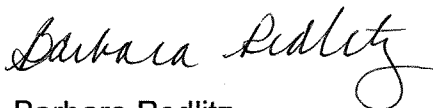
PREVIOUS ACTION:

On March 2, 2011, Council introduced Ordinance No. 2011-02 and set March 16, 2011 as the public hearing date.

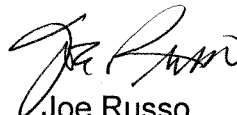
BACKGROUND:

The March 2, 2011 staff report is provided as background. The new Building, Residential, Plumbing, Electrical, Mechanical, and Green Building Standards Codes will become effective after the adoption of Ordinance No. 2011-02(R) by Council.

Respectfully submitted,



Barbara Redlitz
Director of Community Development



Joe Russo
Assistant Building Director/Building Official



CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 7
Date: March 2, 2011

TO: Honorable Mayor and Members of the City Council
FROM: Barbara Redlitz, Director of Community Development
SUBJECT: Adoption of the 2010 California Building, Residential, Plumbing, Electrical, Mechanical, and Green Building Standards Codes and Local Amendments

RECOMMENDATION:

It is requested that Council adopt Ordinance No. 2011-02, modifying the City of Escondido Municipal Code to reflect the 2010 California Building, Residential, Plumbing, Electrical, Mechanical, and Green Building Standards Codes and proposed local amendments, and amending the City Inventory of Fees to include a surcharge for additional plan check and inspection services to document compliance with mandated code amendments. It is also requested that Council set March 16, 2011, for the Public Hearing date to review and approve the findings for the local amendments and proposed adoption of Ordinance No. 2011-02.

FISCAL ANALYSIS:

To offset additional staff time needed to document compliance with new code requirements, staff recommends that the City's Inventory of Fees be amended to include a ten percent (10%) surcharge or the minimum hourly cost to the jurisdiction, whichever is the lesser amount, for building plan check fees, and a ten percent (10%) surcharge or the minimum hourly cost to the jurisdiction, whichever is the lesser amount, for building permit fees applicable to buildings and structures required to comply with the California Green Building Standards Code. This additional cost is estimated to be approximately \$52 for a typical 2,200 sf home, and approximately \$52 for inspection.

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

In conformance with General Plan goals related to public safety, reduction of greenhouse gases, and the City's carbon footprint.

PREVIOUS ACTION:

Approximately every three years the City adopts new building codes. The previous California Building Code effective date was January 2008.

BACKGROUND:

Every three years the State of California Building Standards Commission (CBSC) adopts model codes as the basis for the California Building Standards Code. As part of this adoption cycle various state agencies propose amendments that are incorporated into the code. Once the CBSC adopts the codes they become effective at the local level. For this code cycle the effective date for local enforcement was January 1, 2011. The attached ordinance modifies the City of Escondido Municipal Code (EMC) to reflect the current California codes and propose local amendments to the codes. The new California codes are listed below:

- 2010 California Building Code (based on the 2009 International Building Code)
- 2010 California Residential Code (based on the 2009 International Residential Code)
- 2010 California Plumbing Code (based on the 2009 Uniform Plumbing Code)
- 2010 California Electrical Code (based on the 2008 National Electrical Code)
- 2010 California Mechanical Code (based on the 2009 Uniform Mechanical Code)
- 2010 California Green Building Standards Code, also referred to as *Cal Green*

The Building Advisory and Appeals Board members were provided a copy of the proposed ordinance, findings and local amendments.

Amendments to the technical codes are minimal and are noted below.

- **Building Code Amendments:**
 - Clarified that the Inspection Record Card is the Certificate of Occupancy for Group R, Division 3, (single family dwellings and duplexes), and Group U Occupancies when Final Sign-off by the various departments are obtained.
 - Amendment related to the height of swimming pool fencing to make these requirements the same as those found in the Zoning Code.
 - Adopt Chapter 29 of the California Building Code, as an option for the number of plumbing fixtures required unless a greater number is required by state agencies indicated in the California Plumbing Code.
 - Maintain existing amendments to the grading chapter.
- **Residential Code Amendments:** None
- **Mechanical Code Amendments:** None
- **Electrical Code Amendments:**
 - Maintain the one existing amendment related to local utility company requirements.
- **Plumbing Code Amendments:**
 - Maintain the existing amendments related to water conservation, unless superseded by the new California Green Building Standards Code.
- **Green Building Code Amendments:** None

State of California Health and Safety Code Section 17958.7 allows local amendments to the California codes only when findings can be made for unique climatic, geological or topographical conditions. Those findings are attached to Ordinance 2011-02.

The City's housing code is based on the Uniform Housing Code, 1997 edition with the exception of its definition of "substandard building" thus aligning with the State Housing Code.

This ordinance will eliminate reference to the Uniform Code for the Abatement of Dangerous Buildings, the last printing being the 1997 edition, since a parallel state code does not exist. Building conditions have been included in the maintenance aspects of other adopted codes and therefore deemed to be no longer a useful document. However, Sections 6-484 (b) 6, and 7 were added to deal with this concern.

Section 6-12.2 is amended to incorporate State Case Law regarding violations to the code that shall be treated as strict liability offenses regardless of intent.

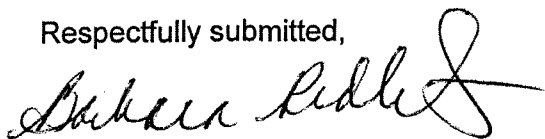
The State of California continues to require additional building elements that are intended to save energy and or water. When the California Energy Regulations were mandated in the 1970's the additional time to review a plan and to inspect for code compliance was assessed and an additional fee of twenty percent of the plan review fee and building permit fees were charged. This fee continues today. The codes become more complex with each adoption. Time to review, or inspect continues to increase.

A similar condition applies for non-residential and multi-family residential development pertaining to disabled access regulations. The State of California has prescribed disabled access regulations that are beyond the regular code. We continue to charge a ten-percent surcharge for plan check and building permits.

In 2011, once again the State has mandated compliance with an additional new code, the Cal Green Building Code. The intent is to have buildings be friendlier on the environment, use less water and energy, and reduce construction waste. To ensure compliance, additional time is required from plan check to final inspection.

A survey of cities in the region indicates that, for some, additional fees are not currently being charged, but will be charged when new fees are adopted in June, to cities that charge an additional hourly rate (one hour for residential and two hours for commercial) plan check and inspection respectively.

Respectfully submitted,



Barbara Redlitz
Director of Community Development



Joe Russo
Assistant Building Director/Building Official

Summary of changes

ARTICLE 1. ADMINISTRATIVE PROVISIONS

Sec. 6-1.2. Codes Adopted. The following technical codes are adopted by the City of Escondido:

- (a) The 2010 California Building Code, California Code of Regulations, Title 24, Part 2. (Based on the 2009 International Building Code), including Chapter 29, and Appendix Chapters C and I.
- (b) The 2010 California Residential Code, California Code of Regulations, Title 24, Part 2.5. (Based on the 2009 International Residential Code.)
- (c) The 2010 California Electrical Code, California Code of Regulations, Title 24, Part 3. (Based on the 2008 National Electrical Code.)
- (d) The 2010 California Mechanical Code, California Code of Regulations, Title 24, Part 4. (Based on the 2009 Uniform Mechanical Code.)
- (e) The 2010 California Plumbing Code, California Code of Regulations, Title 24, Part 5. (Based on the 2009 Uniform Plumbing Code.)
- (f) The 2010 California Historical Building Code, California Code of Regulations Title 24, Part 8.
- (g) The 2010 California Existing Building Code, Appendix Chapter A1, California Code of Regulations, Title 24, Part 10.

- (h) The 2010 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11.
- (i) The 1997 Uniform Housing Code, published by the International Conference of Building Officials, except it's definition of a "substandard building".

One (1) copy of each code listed in this section shall be maintained on file in the office of the City Clerk.

Sec. 6-12. Violations.

It shall be a misdemeanor for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code or the incorporated technical codes. Each responsible person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted. A violation of this chapter shall be treated as a strict liability offense regardless of intent.

Sec. 6-13. Permits.

Decks, porches, sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, measured vertically to the floor or grade below at any point within 36 inches (914mm) horizontally to the edge of the open side, and not over any basement or story below and are not part of an accessible route.

Sec. 6-21. Certificate of occupancy.

Sec. 6-21.1.1. For Group R, Division 3, and Group U Occupancies, the completed Inspection Record Card becomes the Certificate of Occupancy.

ARTICLE 2. PUBLIC WORKS CONTRACTS

Sec. 6-39. Standard specifications for public works.

- _____ (a) For the purpose of prescribing regulations for public works construction, this section adopts by reference the 2009 edition of the "Standard Specifications for Public Works Construction" (the "Green Book"), and any regional Supplemental Amendments to the 2009 edition. The Green Book is written and promulgated by the Joint Cooperative Committee of the Southern California Chapter, American Public Works Association and Southern California Districts Associated General Contractors of California. The 2009 edition of the Green Book, as amended, shall be applicable to:
- (1) All private contracts for works of improvement constructed in a public right-of-way or on public property.
 - (2) All public works contracts, subject to such exceptions as may be set forth in bid specifications or contract documents.
- (b) For the purpose of this section, the term "private contracts" shall have the meaning set forth in the 2009 Edition of the Green Book, and the term "public works contract" shall have the meaning set forth in the California Public Contract Code.
- (c) One (1) copy of the 2009 edition of the Green Book shall be maintained on file in the office of the City Clerk.

ARTICLE 3. BUILDING CODE

Sec. 6-42. Amendments. The California Building Code adopted by this Chapter is amended as follows:

Sec. 6-42.1. Section 3109 of the California Building Code is amended with the addition of the following:

In addition to the other requirements of this Section, a new swimming pool shall be equipped with an enclosure that isolates the pool from adjoining properties and the public way. The enclosure shall meet the requirements of Section 3109.

Sec. 6-42.2. Appendix Chapter J is hereby amended to incorporate Article 55 of the Escondido Zoning Code, Grading and Erosion Control.

Sec. 6-42.3. Chapter 29 of the 2009 International Building Code is hereby incorporated into this Municipal Code and may be used as a guide for determining the number of plumbing fixtures required unless state agencies adopt greater numbers of fixtures prescribed in the Plumbing Code.

(Ord. No. 2008-02R, § 9, 2-6-08)

ARTICLE 4. MECHANICAL CODE

ARTICLE 5. HOUSING CODE

Sec. 6-115. Amendments

The Uniform Housing Code, adopted by this Chapter, is hereby amended as follows:

ARTICLE 6. ELECTRICAL CODE

Sec. 6-160. Amendments.

Sec. 6-160.1. The California Electrical Code (CEC), adopted by this Chapter is amended as follows:

Sec. 6-160.2. CEC Article 408.3 (E) is hereby amended to read as follows:

- (f) Phase Arrangement. The phase arrangement or three-phase buses shall be A, B, C from front to back, top to bottom or left to right, as viewed from the front of the switchboard or panelboard. The C phase shall be that phase having the higher voltage to ground on three-phase, four-wire delta-connected systems. Other busbar arrangements shall be permitted for additions to existing installations and shall be marked.

ARTICLE 7. PLUMBING CODE

Sec. 6-272. Amendments.

Sec. 6-272.1. The California Plumbing Code (CPC), adopted by this Chapter, is amended with the addition of CPC Section 419 to read as follows:

CPC Sec. 419.0. Water Conservation Requirements.

CPC Sec. 419.1. The provisions in this section are intended to supplement the plumbing fixture requirements of the California Energy Commission and the State of California Department of Housing and Community Development.

CPC Sec. 419.2. Shower and lavatory installations within nonresidential occupancies shall be equipped with self-closing valves, except where necessary to protect the public health and safety.

CPC Sec. 419.3. Existing plumbing fixtures in existing buildings shall be retrofitted to comply with plumbing code Section 402.0 under the following provisions:

- (1) When the Building Permit valuation for an addition to or remodel or alteration of an existing building exceeds the valuation for dedication and improvements of rights-of-way as specified in the Escondido Municipal Code sections 23-119 or 23-120.

Section 6-484 Prohibited Activities

(a) It is unlawful for any responsible person to use, allow, maintain, or deposit on such property any of the following:

(1) Trash, junk, or debris including, but not limited to, household waste, litter, garbage, scrap metal or lumber, wood, concrete, asphalt, tires, piles of earth or construction material.

(2) Abandoned, discarded, or unused furniture, appliances, sinks, toilets, cabinets, fixtures, tools, vehicle parts, machinery, equipment, or similar items within public view.

(3) Trash cans, bins, boxes, recycle containers or other similar containers stored in front or side yards, within public view, except as permitted by section 14-27.

(4) Building supplies, materials, or equipment not associated with a valid building permit at the same address, unless entirely screened from public view.

(5) Tarpaulins, plastic sheeting, cloth and similar coverings unless used on a temporary basis, or used in conjunction with a valid building permit.

(A) Use of tarpaulins, plastic sheeting, cloth or similar coverings thirty (30) days after receiving notice from the city shall be prima facie evidence of a violation.

(B) Tarpaulins, plastic sheeting, cloth and similar temporary coverings shall not be used to screen items prohibited by section 6-484(a) from public view for any period of time.

(6) Abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof, including motor homes, trailers, campers and boats, or any portions of any of the above, unless stored within an entirely enclosed space.

(7) Signs which are broken, deteriorated, partially obscured, illegible or in a state of disrepair.

(b) Buildings. It is unlawful for any responsible person to use, allow, or maintain on such property any of the following:

(1) Buildings which are abandoned, partially destroyed, or partially constructed or incomplete.

(2) Buildings which have deteriorated to the point that exterior building coverings allow sun or water penetration.

(3) Broken windows, doors, attic vents and under floor vents.

(4) Building exteriors, walls, fences, patios, driveways, or walkways which are cracked, broken, defective, deteriorated or in disrepair.

(5) Building exteriors, walls, fences, driveways or walkways which are defaced due to any writing, inscription, figure, scratches or other markings commonly referred to as "graffiti."

(6) A gate that is not secure and latched or lacks a functional automatic self closing device if the property contains a swimming pool.

(c) Polluted Water. It is unlawful for any responsible person to use, allow, or maintain on such property, a swimming pool, pond or other body of water which is abandoned, unattended, unfiltered or not otherwise maintained, resulting in the water becoming polluted. For the purpose of this subsection, polluted water means water contained in a swimming pool, pond or other body of water, which includes but is not limited to bacterial growth, including algae, remains of insects, remains of deceased animals, reptiles, rubbish, refuse, debris, papers, and any other foreign matter or material which because of its nature or location constitutes an unhealthy, unsafe or unsightly condition.

(d) Landscape Maintenance. It is unlawful for any responsible person to use, allow or maintain on such property any of the following:

- (1) Weeds.
- (2) Dead, diseased, decayed, unsightly, overgrown or hazardous vegetation.
- (3) Vegetation growing into, upon or above a sidewalk, alley or any public right-of-way, except trees with at least eight (8) feet of vertical clearance above the surface.

(4) Roots growing beneath public or private sidewalks, streets or alleys and causing the improved surface to crack, buckle or rise.

(5) Barren patches of dirt, holes and ruts on any landscaped area in public view.

(6) Deteriorated or unsightly landscape elements including natural features such as rock and stone; and structural features, including fountains, reflecting pools, art works, screens, walls, fences and benches.

(7) Excess irrigation resulting in water flowing from the property. (Ord. No. 85-44, § 1, 7-10-85; Ord. No. 94-41, § 15, 1-11-95; Ord. No. 2008-24, § 2, 10-22-08)

ORDINANCE NO. 2011-02 (R)

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTER 6 OF THE ESCONDIDO
MUNICIPAL CODE, PERTAINING TO THE
ADOPTION AND AMENDMENT OF THE
CALIFORNIA BUILDING STANDARDS CODE,
AMENDING CALIFORNIA CODE OF
REGULATIONS TITLE 24

WHEREAS, the State of California Building Standards Commission is charged with the development of uniform codes and regulations for application to the construction of buildings within the state; and

WHEREAS, California Health and Safety Code Section 17960 requires the city enforce within its jurisdiction all the provisions published in the State Buildings Standards Code and the provisions of other rules and regulations promulgated pursuant to the provisions of the California Health and Safety Code pertaining to the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, or arrangement of apartments, hotels or dwellings; and

WHEREAS, the California Building Standards Commission periodically adopts updated uniform codes for application throughout the state; and

WHEREAS, California Health and Safety Code Section 17958.7 allows local amendments to the California Building Standards Codes, when such codes are amended and adopted at the local level, and when local findings are made for unique climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code Section 17951 authorizes the city to prescribe fees reasonably required to administer the permit process and costs of enforcement.

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

SECTION 1. That Escondido Municipal Code Chapter 6, Article 1, Section 6-1.2 is repealed and replaced with the following:

Sec. 6-1.2. Codes Adopted. The following technical codes are adopted by the City of Escondido:

- (a) The 2010 California Building Code, California Code of Regulations, Title 24, Part 2. (Based on the 2009 International Building Code), including Chapter 29, and Appendix Chapters C and I.
- (b) The 2010 California Residential Code, California Code of Regulations, Title 24, Part 2.5. (Based on the 2009 International Residential Code.)
- (c) The 2010 California Electrical Code, California Code of Regulations, Title 24, Part 3. (Based on the 2008 National Electrical Code.)
- (d) The 2010 California Mechanical Code, California Code of Regulations, Title 24, Part 4. (Based on the 2009 Uniform Mechanical Code.)
- (e) The 2010 California Plumbing Code, California Code of Regulations, Title 24, Part 5. (Based on the 2009 Uniform Plumbing Code.)
- (f) The 2010 California Historical Building Code, California Code of Regulations Title 24, Part 8.

- (g) The 2010 California Existing Building Code, Appendix Chapter A1, California Code of Regulations, Title 24, Part 10.
- (h) The 2010 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11.
- (i) The 1997 Uniform Housing Code, published by the International Conference of Building Officials, except it's definition of a "substandard building".

One (1) copy of each code listed in this section shall be maintained on file in the office of the City Clerk.

SECTION 2. That Escondido Municipal Code Chapter 6, Article 1, Section 6-12 shall be amended by adding with the following:

Sec. 6-12. A violation of this chapter shall be treated as a strict liability offense regardless of intent.

SECTION 3. That the Escondido Municipal Code Chapter 6, Article 1, Section 6-13.3.7 is repealed and replaced with the following:

Sec. 6-13.3.7. Decks, porches, sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, measured vertically to the floor or grade below at any point within 36 inches (914mm) horizontally to the edge of the open side, and not over any basement or story below and are not part of an accessible route.

SECTION 4. That Escondido Municipal Code Chapter 6, Article 1, Section 6-21.1.1, is repealed and replaced with the following:

Sec. 6-21.1.1. For Group R, Division 3, and Group U Occupancies, the completed Inspection Record Card becomes the Certificate of Occupancy.

SECTION 5. That Escondido Municipal Code Chapter 6, Article 2, Section 6-39, is repealed and replaced with the following:

Sec. 6-39. Standard Specifications for Public Works

- (a) For the purpose of prescribing regulations for public works construction, this section adopts by reference the 2009 edition of the "Standard Specifications for Public Works Construction" (the "Green Book"), and any regional Supplemental Amendments to the 2009 edition. The Green Book is written and promulgated by the Joint Cooperative Committee of the Southern California Chapter, American Public Works Association and Southern California Districts Associated General Contractors of California. The 2009 edition of the Green Book, as amended, shall be applicable to:
- (1) All private contracts for works of improvement constructed in a public right-of-way or on public property.
 - (2) All public works contracts, subject to such exceptions as may be set forth in bid specifications or contract documents.
- (b) For the purpose of this section, the term "private contracts" shall have the meaning set forth in the 2009 Edition of the Green Book, and the term "public works contract" shall have the meaning set forth in the California Public Contract Code.
- (c) One (1) copy of the 2009 edition of the Green Book shall be maintained on file in the office of the City Clerk.

SECTION 6. That Escondido Municipal Code Chapter 6, Article 3, Section 6-41 is repealed.

SECTION 7. That Escondido Municipal Code Chapter 6, Article 3, Section 6-42 is repealed and replaced with the following.

Sec. 6-42. Amendments. The California Building Code adopted by this Chapter is amended as follows:

Sec. 6-42.1. Section 3109 of the California Building Code is amended with the addition of the following:

In addition to the other requirements of this Section, a new swimming pool shall be equipped with an enclosure that isolates the pool from adjoining properties and the public way. The enclosure shall meet the requirements of Section 3109.

Sec. 6-42.2. Appendix Chapter J is hereby amended to incorporate Article 55 of the Escondido Zoning Code, Grading and Erosion Control.

SECTION 8. That Escondido Municipal Code Chapter 6, Article 3, Section 6-42.3 is repealed.

SECTION 9. That Escondido Municipal Code Chapter 6, Article 4, Section 6-86 is repealed.

SECTION 10. That Escondido Municipal Code Chapter 6, Article 5, Section 6-114 is repealed.

SECTION 11. That Escondido Municipal Code Chapter 6, Article 6, Section 6-115 is amended to read as follows:

Sec. 6-115. Amendments

The Uniform Housing Code, adopted by this Chapter, is hereby amended as follows:

SECTION 12. That Escondido Municipal Code Chapter 6, Article 6, Section 6-159 is repealed.

SECTION 13. That Escondido Municipal Code Chapter 6, Article 6, Section 6-160 is repealed and replaced with the following:

Sec. 6-160. Amendments.

Sec. 6-160.1. The California Electrical Code (CEC), adopted by this Chapter is amended as follows:

Sec. 6-160.2. CEC Article 408.3 (E) is hereby amended to read as follows:

- (f) Phase Arrangement. The phase arrangement or three-phase buses shall be A, B, C from front to back, top to bottom or left to right, as viewed from the front of the switchboard or panelboard. The C phase shall be that phase having the higher voltage to ground on three-phase, four-wire delta-connected systems. Other busbar arrangements shall be permitted for additions to existing installations and shall be marked.

SECTION 14. That Escondido Municipal Code, Chapter 6, Article 7, Section 6-271 is repealed.

SECTION 15. That Escondido Municipal Code, Chapter 6, Article 7, Section 6-272 is repealed and replaced with the following:

Sec. 6-272. Amendments.

Sec. 6-272.1. The California Plumbing Code (CPC), adopted by this Chapter, is amended with the addition of CPC Section 419 to read as follows:

CPC Sec. 419.0. Water Conservation Requirements.

CPC Sec. 419.1. The provisions in this section are intended to supplement the plumbing fixture requirements of the California Energy Commission and the State of California Department of Housing and Community Development.

CPC Sec. 419.2. Shower and lavatory installations within nonresidential occupancies shall be equipped with self-closing valves, except where necessary to protect the public health and safety.

CPC Sec. 419.3. Existing plumbing fixtures in existing buildings shall be retrofitted to comply with plumbing code Section 402.0 under the following provisions:

- (1) When the Building Permit valuation for an addition to or remodel or alteration of an existing building exceeds the valuation for dedication and improvements of rights-of-way as specified in the

Escondido Municipal Code sections 23-119 or 23-120.

SECTION 16. That Escondido Municipal Code, Chapter 6, Article 8, Section 6-299 is repealed.

SECTION 17. That Escondido Municipal Code, Chapter 6, Article 9 is repealed.

SECTION 18. That Escondido Municipal Code, Chapter 6, Article 20, Section 6-484(b) is amended by adding as follows:

- (6) A gate that is not secure and latched or lacks a functional automatic self closing device if the property contains a swimming pool.

SECTION 19. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 20. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 21. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.



CITY COUNCIL

COMMUNITY DEVELOPMENT COMMISSION

For City Clerk's Use:

APPROVED **DENIED**

Reso No. CDC _____ File No. _____

Ord No. CDC _____

Agenda Item No.: 10
Date: March 16, 2011

TO: Honorable Mayor/Chair
Members of the City Council/Community Development Commission

FROM: Jerry Van Leeuwen, Director of Community Services
Roni Keiser, Housing Division Manager

SUBJECT: Affordable Housing Redevelopment located at:
1282 N. Broadway 141, 211 and 221 E. El Norte Parkway

RECOMMENDATION:

Staff recommends approval of the following resolution as follows:

Adopt Resolution No. CDC 2011-03 authorizing additional encumbrance of FY 2011-2012 and FY 2012-2013 affordable housing Set-aside funds in an amount not to exceed \$1,900,000 as leveraged financing to Community HousingWorks (CHW) for its proposed multi-family development located at Broadway and El Norte Parkway; and authorizing the Chair and Secretary to execute the necessary loan documents, security and supporting agreements with CHW in form acceptable to the City Attorney.

FISCAL ANALYSIS:

There will be no impact on the General Fund. Affordable housing funds would be allocated from future FY 2011-2012 and FY 2012-2013 available Housing Set-aside funds.

BACKGROUND:

In December of 2009 the City closed escrow on 1282 N. Broadway, a vacant unimproved parcel on the southeast corner of Broadway and El Norte Parkway. The property was purchased with Neighborhood Stabilization Program (NSP) funds. NSP monies were allocated through the State of California as part of the federal Housing and Economic Recovery Act of 2008 (HERA). There is an accelerated timeline for expenditure of these funds based on the national financial crisis that provided the impetus for enactment of the HERA.

On April, 28, 2010, the City Council/Community Development Commission authorized staff to publicly notice the availability of affordable housing funds through a Request for Proposals (RFP) process. The published RFP made available a total of \$441,643 in HOME funds for development and administration purposes reserved exclusively for Community Housing Development Organizations (CHDO); and the disposition of two unimproved parcels of land located on Elm Street purchased with Neighborhood Stabilization Program (NSP) and Housing Set-aside Funds.

On June 9, 2010, Council voted unanimously to approve an allocation of federal HOME administrative funds from the RFP process in the amount of \$45,343 to CHW to allow them to further study the feasibility of a potential multi-family affordable housing development located at 141, 211 and 221 E. El Norte Parkway adjacent to the City acquired property at 1282 N. Broadway (purchased with NSP Funds), directing staff to pursue further discussions with CHW for the potential redevelopment of the four properties together for affordable housing purposes.

On August 18, 2010, The Council/Community Development Commission adopted Resolution No. CDC 2010-136 approving the grant of the City-owned parcel at 1282 N. Broadway (purchased with NSP Funds) to CHW for subsequent redevelopment in exchange for long-term affordability covenants and CDC 2010-10 authorizing an Exclusive Negotiating Agreement (ENA) with CHW for the redevelopment of four residential parcels located at Broadway and El Norte Parkway for affordable housing purposes. The Council/Community Development Commission further authorized encumbrance of available Set-aside funds in an amount not to exceed \$500,000 for development costs (for the purposes of site acquisition, predevelopment, project planning, relocation, demolition and other related activities). Staff indicated at that time that once the terms of the ENA were satisfied, additional affordable housing funds in the form of gap financing, estimated to be \$1.3–\$3 million would be requested by CHW.

PROJECT HISTORY:

CHW's initial proposal was for the development of 27 units on the three El Norte Parkway parcels. Total project development costs were projected to reach \$8.4 million. With the City's contribution of the Broadway parcel and CHW's acquisition of an additional parcel at 1260 N. Broadway, which will provide vehicle access to Broadway, CHW now proposes an increase in the number of units to 36. Project development costs for the 36 units on five parcels are estimated at \$10.8 million as evidenced by the pro-forma found at Attachment "A."

CHW has partnered with the City of Escondido since the early 1990s in developing a variety of affordable housing projects. They currently own and operate 117 units on seven different sites. These infill projects have provided affordable, well-designed and well-maintained units for Escondido residents. Residents of various CHW developments are encouraged to become involved in the Escondido community and have actively supported new CHW projects.

PROPOSED DEVELOPMENT FOR THE SITES:

CHW's proposed development under consideration today is for a total of up to 36 units, using provisions of State Density Bonus Law and CHW's properties developed in conjunction with the City's NSP-purchased property. The proposed multi-family rental development would include an equal mix of 1-bedroom, 2-bedroom and 3-bedroom units. Once completed, the units will be rented to families and individuals with household incomes that are at or below sixty percent (60%) of San Diego Area Median Income (\$47,100). The development will be regulated by requirements set forth in the City's loan documents restricting affordability per State and Federal regulations. These regulations will govern the funds allocated and applied to the property acquisition and development activities.

Prior CDC funding commitments provided to the proposed Project has allowed CHW to conclude due diligence, feasibility and cost analyses. CHW has submitted development plans to the City for a 36-unit multifamily-rental development, featuring a corner community garden and a 1,378 sq. ft. Community Building. On February 23, 2011, the Design Review Board approved the development with contingent conditions that the Developer return with specifics related to minor aesthetic decisions. The proposed Project is consistent with the General Plan and existing zoning. To address issues related to traffic congestion at the El Norte and Broadway intersection, this Project anticipates working with the City in extending the El Norte Parkway median along the Project's northern property line.

CHW is working diligently with their development and design teams in order to be ready to apply for 1st Round 2011 9% Tax Credit Allocation Committee (TCAC) application due this month. The development must demonstrate "readiness to proceed" by demonstrating Design Review approval, environmental clearances, and a commitment of public funds prior to the March 23, 2011 deadline.

The proposed Broadway/El Norte development addresses many of the City of Escondido's Housing Priorities including that it:

- Expands the supply of affordable rental housing.
- Promotes neighborhood stability by increasing the length of tenure of renter households.
- Increases the supply of well-designed multi-family units.
- Expands the supply of 3-bedroom units for families.

Affordability Analysis:

The site is located at Broadway and El Norte Parkway moving southeast along El Norte Parkway. This location, with its close proximity to schools, public transportation, parks and recreation, medical facilities, various markets and retail outlets, will potentially score well on a competitive Tax Credit application. The site has been previously improved with single-family homes, although the corner lot has been vacant land for several years. The proposed Project proposes constructing up to 36 units

on the site. The parcels carry a zoning land use designation of R-2-12 allowing for multi-family residential. One-hundred percent (100%) of the units will be made available to households whose incomes are at or below 60% of AMI.

CHW has already obtained a commitment from the County of San Diego Continuum of Care Council to provide Supportive Housing Program (SHP) to the proposed Project. These are HUD monies which will assist eight units for disabled veterans and their families in this Project. The commitment is for \$400,000 in construction costs and \$142,099 in operating costs for a minimum of three years. Seven 1-bedroom units and one 2-bedroom will be set aside for disabled veterans.

CHW is actively pursuing additional sources of funding including those available from the 9% Tax Credit program. CHW had anticipated allocation of State of California bond-funded Multifamily Housing Program Supportive Housing Component (MHP-SH); however Governor Brown has proposed a pause in the application process for these funds. CHW will continue to follow State notices and apply if possible.

In order to be competitive in the application process for the March tax credit submittal, CHW must provide documentation of the committed amount of the City/Community Development Commission's contributions of land and funding. Copies of authorizing resolutions regarding funding must be included with 9% Tax Credit application. CHW has indicated there are several reasons to enter the March 2011 TCAC round. It is expected that there will be considerably less competition in March than July (second 2011 round). CHW is aware of at least one large, well-funded project that will be ready in July and may take up the entire San Diego allocation at one time. Most importantly, an earlier start to the project will provide assurance that the timeline for NSP funds which were used to secure one of the parcels can be met. NSP funding requires that at least one beneficiary is able to reside in one of the units by February 2013.

CONCLUSION AND RECOMMENDATION:

Federal NSP regulations require that units be constructed and beneficiaries be realized by February of 2013. By providing the additional allocation of \$1,900,000 at this time, staff and CHW will move ahead in preparing the project for an application for Tax Credit financing in March of 2011.

This proposed Project will have a number of positive impacts on the City redeveloping a gateway corner to the redevelopment area. It provides jobs in Escondido. It proposes a higher and better use of the sites and eliminates blight. The proposed Project supports the City's vision for a walkable City following Smart Growth ideals. The proposed Project is consistent with existing zoning. Proposed design and implementation measures will ensure that the proposed Project will not result in significant effects related to traffic, noise, air quality or water quality and minimizes grading. This proposed Project specifically supports a number of the City's General Plan and Housing Element goals:

- Plan for quality, managed growth
- Preserve and enhance existing neighborhoods
- Provide a range of housing opportunities for all income groups
- Create a viable urban downtown
- Create an aesthetically pleasing and culturally diverse community
- Provide a safe and healthy environment for all Escondido residents
- Provide certainty in implementing the general plan

Staff recommends approval of the following resolution as follows:

Adopt Resolution No. CDC 2011-03 authorizing additional encumbrance of FY 2011-2012 and FY 2012-2013 affordable housing Set-aside funds in an amount not to exceed \$1,900,000 as leveraged financing to Community HousingWorks (CHW) for its proposed multi-family development located at Broadway and El Norte Parkway and authorizing the Chair and Secretary to execute the necessary loan documents, security and supporting agreements with CHW in form acceptable to the City Attorney.

ALTERNATIVE:

By not adopting Resolution No. CDC 2011-03, the City shall effectively terminate the ENA with CHW. If the ENA does not result in a Project Development Plan:

- CHW will reconvey title of 1282 N. Broadway back to the City of Escondido.
- City will have the first option to purchase the properties at 141, 211 and 221 E. El Norte Parkway along with all studies, reports and analyses regarding the proposed development.
- Under the terms of the ENA the City shall forgive any portion of the \$500,000 payable to CHW.

Respectfully submitted,



Jerry VanLeeuwen
Director of Community Services



Roni Keiser
Housing Division Manager

Attachment A

Community HousingWorks Pro-forma

Affordable Housing redevelopment located at
1282 N. Broadway, 141, 211 and 221 E. El Norte Parkway

Community HousingWorks
36 UNITS El Norte - Escondido, CA
36 Units - 2 Story walk-up
Development Summary
03/03/2011 - SHP | 9% - TCAC

DEVELOPMENT ASSUMPTIONS			
Site & Structures			
Site (Square Feet / Acres)	96,251	2.21	
Site 1		1.96	
Site 2		0.25	
Assessor's P. Number(s)	229-040-04,-05,-06,-19		
		229-040-18	
		<u>Per Unit</u>	<u>Total</u>
Total Land Cost	\$32,361		\$1,165,000
Allocation to Land	100%		\$1,165,000
Allocation to Building	0%		\$0
Rehab Costs	\$0		\$0
Existing Buildings			
New Buildings	2-3 Story Type V		4
Existing Units			0
New Units			36
Total Units			36
Leverage Score			55.00
9% TIEBREAKER (2010)	73.169%	annual credit	\$697,433
New Residential/Commercial Space			
Residential - Net Rentable			29,400
Residential - Corridor Space	0%		0
Residential - Community Space			1,200
Residential - Other			0
Commercial			0
Allocated Cost of Commercial Construction			0.00%
Total Residential SF			30,600
Construction Cost			
	W/O	W/	
	<u>P.Wages</u>	<u>P.Wages</u>	
Site/SF	\$7.50	\$9.00	
Photovoltaic/sf (50% Common Area Served)	\$0.00	\$0.00	
Unit Structures/SF (Net Rentable)	\$85.00	\$102.00	
"Green" upgrades	\$0.00	\$0.00	
Undground Garage/Space Avg		\$0	
Prevailing Wages	Y	20%	
Construction Cost / Net Res. SF			\$186
Cost per Unit			\$301,371

OPERATING ASSUMPTIONS	
Income Inflation	2.50%
Expenses Inflation	3.50%
Property Tax Inflation	2.00%
Vacancy - Housing	6.9%
Vacancy - Special Needs Housing	blended rate above
Asset Management Fee	\$12,500
Resident Services Annual Allocation	\$10,000
Partnership Fee	5,000
Discount Rate	0%
Investor Cash Flow Participation	10%
Sponsor Cash Flow Participation	90%

LOCAL AGENCY SUBSIDY SUMMARY	TOTAL
City of Escondido CDC - Committed	\$750,000
City of Escondido CDC - Requested	\$1,900,000

PERMANENT FINANCING SOURCES	PER UNIT	% OF TOTAL
Perm. Loan	\$1,050,000	\$29,167 9.68%
City of Escondido Land Grant	\$250,000	\$6,944 2.30%
City of Escondido CDC - Committed	\$500,000	\$13,889 4.61%
City of Escondido CDC - GAP	\$1,900,000	\$52,778 17.51%
SHP	\$400,000	\$11,111 3.69%
		\$0 0.00%
		0.00%
Deferred Developer Fee		0.00%
Accrued Interest on Soft Debt	\$90,147	\$2,504 0.83%
Refunds	\$34,263	\$952 0.32%
Tax Credit Equity @ 0.95	\$6,624,950	\$184,026 61.06%
TOTAL SOURCES	\$10,849,361	\$301,371 100.00%
Surplus (Gap)		(\$0)

CONSTRUCTION FINANCING SOURCES AND USES	PER UNIT	% OF TOTAL
Construction Loan	\$5,746,270	\$159,619 52.96%
City of Escondido Land Grant	\$250,000	\$6,944 2.30%
City of Escondido CDC - Committed	\$500,000	\$13,889 4.61%
City of Escondido CDC - GAP	\$1,900,000	\$52,778 17.51%
SHP	\$400,000	\$11,111 3.69%
		0.00%
		0.00%
Deferred Costs	\$1,059,348	\$29,426 9.76%
Tax Credit Equity 15%	\$993,743	\$27,604 9.16%
TOTAL SOURCES	\$10,849,361	\$301,371 100.00%
Excess (Deficit)		(\$0)

PERMANENT FINANCING USES	PER UNIT	% OF TOTAL
Land Costs	1,294,400	\$35,956 11.93%
Offsites & Site Development	1,890,157	\$52,504 17.42%
Residential Const Cost	3,845,206	\$106,811 35.44%
Financing Costs	858,354	\$10,230 7.91%
Reserves	66,651	\$1,851 0.61%
Local Permits and Fees	902,813	\$24,106 8.32%
Design, Management, Other	\$1,991,780	\$55,327 18.36%
TOTAL USES	\$10,849,361	\$301,371 100.00%
Excess (Deficit)		(\$0)

PARKING CALCULATION				
Residential	Studio	1 Br	2 Br	3+ Br
Parking Ratio	1.00	1.00	1.25	1.50
Parking Spaces	0.00	12.00	15.00	18.00
Total Residential Spaces Required				45
Guest Parking Spaces	0.25			9
TOTAL Parking				54
New Surface Spaces Created				54
New Under-Building Spaces				0
Total Parking	1.50 spaces/unit			54
Parking Surplus/(Deficit)				0
Total New Covered Pkng	0	400 sf/stall		

DEVELOPER FEE	
Total Developer Fee	\$1,147,600
Deferred Developer Fee	\$400,600
	\$0
Net Developer Fee @ Completion	\$747,000
Fee Earned @ Const Close @ 40%	\$298,800
Balance of Developer Fee	\$448,200

NOTES
 Assumes 14 MHP-SH Units (9 one-bed, 3 two-bed, 2 three-bed); 8 SHP Units (7 1-Bedroom & 1 2-Bedroom)
 DESIGNATES 50% AMI UNITS as "Lower Income" for RDA Regulatory Purposes - Provides 13 Very Low Income Units / 22 Lower Income Units / 1 Manager's Unit
Changes from 1/10/11 version:
 1) Revises unit mix to secure TCAC scoring. Adds 1 - 2br unit at 30% AMI, eliminates - 2br @ 60% AMI, makes most 3br @ 60% AMI. 2) Adds an additional \$108,000 to offsite costs to cover Broadway widening
 Proposed 2011 Tiebreaker score is: 44.693%

**36 UNITS El Norte - Escondido, CA
Financing Summary**

FINANCING ASSUMPTIONS		
Predevelopment Loan		\$1,157,372
Assumed Balance	70%	
Interest Rate	8.00%	
Term (months)	12	
Construction Loan/LTV		\$5,746,270
Interest Rate	5.00%	
Term (months)	18	
Assumed Balance	50%	
Lease-up and Conversion Term	6	
Interest During Construction	143,657	
Interest During Lease-up	143,657	
Total Constr. Interest		287,314
Perm. Loan		\$1,050,000
Interest Rate	7.50%	
Amortization	30	
Debt C. Ratio	1.15	
Term (years)	18	
Annual Debt Svc. - Housing	\$88,101	
Amount Due at end of Term	\$695,751	
City of Escondido Land Grant		\$250,000
Interest Rate	0.00%	
Amortization	0	
Debt Coverage Ratio	0.00	
Term (years)	0	
Annual Payment		
Amount Due at end of Term		
Residual Loan Funding Sources		
City of Escondido CDC - Commitment		\$500,000
Interest	3.00%	
Term (years)	55	
Minimum Annual Payment	\$0	
Accrued Interest - During Const	\$22,500	
Residual Payment	Y 20.8%	
Total Annual Payment	\$15,000	
City of Escondido CDC - GAP		\$1,503,266
A. Housing Portion	\$1,900,000	
of which HOME		
Amount per Assisted Unit	\$0	
B. Commercial	\$0	
Amount per SF		
Interest Rate	3.00%	
Term (years)	55	
Accrued Interest - During Const	\$67,647	
Residual Payment	Y 79.2%	
HOME Assisted Units	0.0	
SHP		400,000
Interest Rate	0.00%	
Term (years)	55	
Accrued Interest - During Const	0	
Residual Payment	N	
Other Funding Sources		
NONE	N	\$0
Amount per Assisted Unit		\$0
Interest Rate	0.42%	
Term (years)	55	
Minimum Annual Payment		
Residual Annual Payment	Y	
Total Annual Payment		
AHP		0

TAX CREDIT EQUITY			
2010 THRESHOLD BASIS LIMITS - 9%			
# UNITS	UNIT SIZE	LIMIT	TOTAL
0	SRO & Studio	\$150,702	\$0
12	1 Bedroom	\$173,758	\$2,085,096
12	2 Bedroom	\$209,600	\$2,515,200
12	3 Bedroom	\$266,288	\$3,195,456
			\$0
36	T. TH. BASIS LIMIT		\$7,795,752
ADJUSTMENTS:			
Prevailing Wages (1)		20.0%	1,559,150
Parking Beneath Units(1)		7.0%	0
Day Care Center (1)		2.0%	0
100% Special Needs (1)		2.0%	0
Energy Title 24 / Etc.		4.0%	311,830
Seismic/Environmental		at cost	0
Elevator		10.0%	0
Energy Technologies		at cost	0
Impact Fees		at cost	842,613
50% - 36% AMI (4% only)		46%	0
< 35% AMI (4% only)		31%	0
ADJUSTED TH. BASIS LIMIT			\$10,509,345
		New Const/Rehab	Acquisition
Total Eligible Costs		\$8,896,963	\$0
Energy ITC adjustment		-	-
Adjusted Total Eligible Costs		\$8,896,963	\$0
Maximum Eligible Basis		\$8,896,963	
Voluntary Reduction		33.00000%	33.00%
Voluntary Reduction		(\$2,935,998)	\$0
Requested Eligible Basis		\$5,960,965	\$0
Difficult to Develop Area Adjustment		30%	0%
ADJUSTED ELIGIBLE BASIS		\$7,749,255	\$0
Percentage of Affordable Units		100%	100%
Qualified Basis		\$7,749,255	\$0
ADJUSTED QUALIFIED BASIS		\$7,749,255	\$0
SELECT 4% or 9% CREDIT OPTION			9.00%
Tax Credit Rate		9.00%	3.30%
Annual Fed. Credit Amount		\$697,433	\$0
Total Credit			697,433
FEDERAL CREDIT AMOUNT			\$6,974,330
Total State Credit Amount			\$0
Percentage of Credits Sold			100.0%
Price Per Tax Credit Dollar			0.95
Equity from Federal Credit			\$6,624,950
Equity from State Credit			\$0
Total Gross Proceeds			\$6,624,950
Cost of Syndication			
TOTAL TAX CREDIT EQUITY			\$6,624,950
Tax Credit Equity at Constructic	15.00%		\$993,743
Tax Credit Equity at Takeout			\$5,631,208
TCAC FEASIBILITY POINTS (Need 20)			
Cost Efficiency			0
Credit Reduction			33
Public Subsidy			22
TOTAL			55
2010 TIEBREAKER RATIO			0.73169
(1) Public Funds to TDC			0.28112
(2) 1 - (Req'd Unadjusted Basis / TDC)			0.45057

36 UNITS El Norte - Escondido, CA
Rental Income Assumptions

PROPOSED UNIT MIX AT MARKET		Sq. Ft.		Market AR:	
# Units	Type	Units	AR:	Units	AR:
0	N 0 Bedrm	0	0	0	0
12	N 1 Bedrm	600	33%	0	12
12	N 2 Bedrm	850	33%	0	12
12	N 3 Bedrm	1,000	33%	0	12
0	N 4 Bedrm	0	0%	0	0
36		817	\$0	0	36
Total new NRSF		28,400			

PROPOSED AFFORDABILITY MIX		Actual Allocation	
Guidelines	MHP	5% ICAC	HOME
Total Affordable Units:	60% of Median:	0%	100%
% of Units @	50% of Median:	0%	23%
% of Units @	40% of Median:	30%	34%
% of Units @	30% of Median:	11%	11%
% of Units @	25% of Median:	13%	9%
% of Units @	20% of Median:	10%	23%
% of Units @	15% of Median:	10%	0%
% of Units @	36% - 50% AMI		46%
% of Units @	<35% AMI		31%

% of Three Bed Units 33.3%

12

INFLATION FACTOR FOR RENTS

Assumed increase in tax credit rents at close: 0.0%

Assumed increase in market rents at close: 0.0%

AMI	# Units	Beds	Unit Type	Sq. Ft.	2010		2010		RDA	TCAC	Utility Allow	Net Rent	Net Rent	Monthly Income	Total Square Feet	
					Rent	Rent	Rent	Rent								
@	60%	0	0	1	0	\$793	\$824	\$883	\$25	\$858	1.43	\$0	\$0	1,800		
@	50%	0	0	1	0	\$793	\$824	\$883	\$25	\$711	1.19	\$2,133	\$0	1,200		
@	40%	0	0	1	0	\$661	\$550	\$599	\$25	\$564	0.94	\$1,128	\$0	1,200		
@	30%	0	0	1	0	\$661	\$412	\$442	\$25	\$417	0.70	\$0	\$0	4,200		
@	25%	0	0	1	0	\$661	\$344	\$368	\$25	\$343	0.57	\$2,401	\$0	4,200		
@	20%	0	0	1	0	\$661	\$275	\$294	\$25	\$269	0.45	\$0	\$0	4,200		
@	Subtotal	0	0	1	0	\$661	\$275	\$294	\$25	\$269	0.45	\$0	\$0	4,200		
@	60%	0	1	1	600	\$906	\$883	\$883	\$34	\$885	1.16	\$0	\$0	6,800		
@	50%	0	1	1	600	\$906	\$736	\$736	\$34	\$649	1.00	\$6,792	\$0	6,800		
@	40%	0	1	1	600	\$755	\$599	\$599	\$34	\$672	0.79	\$672	\$0	850		
@	30%	0	1	1	600	\$755	\$442	\$442	\$34	\$496	0.58	\$4,966	\$0	850		
@	25%	0	1	1	600	\$755	\$368	\$368	\$34	\$408	0.48	\$4,088	\$0	850		
@	20%	0	1	1	600	\$755	\$294	\$294	\$34	\$318	0.38	\$0	\$0	850		
@	Subtotal	0	2	1	600	\$755	\$294	\$294	\$34	\$318	0.38	\$0	\$0	850		
@	60%	0	2	1	850	\$1,019	\$1,060	\$1,060	\$40	\$1,083	1.09	\$8,744	\$0	8,000		
@	50%	0	2	1	850	\$1,019	\$883	\$883	\$40	\$980	0.98	\$980	\$0	1,000		
@	40%	0	2	1	850	\$849	\$706	\$706	\$40	\$776	0.78	\$776	\$0	1,000		
@	30%	0	2	1	850	\$849	\$530	\$530	\$40	\$572	0.57	\$1,144	\$0	2,000		
@	25%	0	2	1	850	\$849	\$442	\$442	\$40	\$470	0.47	\$0	\$0	2,000		
@	20%	0	2	1	850	\$849	\$353	\$353	\$40	\$368	0.37	\$0	\$0	2,000		
@	Subtotal	0	2	1	850	\$849	\$353	\$353	\$40	\$368	0.37	\$0	\$0	2,000		
@	60%	0	3	1	1,000	\$1,133	\$1,224	\$1,224	\$40	\$1,172	1.09	\$8,744	\$0	8,000		
@	50%	0	3	1	1,000	\$1,133	\$1,020	\$1,020	\$40	\$1,087	0.98	\$980	\$0	1,000		
@	40%	0	3	1	1,000	\$944	\$816	\$816	\$40	\$776	0.78	\$776	\$0	1,000		
@	30%	0	3	1	1,000	\$944	\$612	\$612	\$40	\$572	0.57	\$1,144	\$0	2,000		
@	25%	0	3	1	1,000	\$944	\$510	\$510	\$40	\$470	0.47	\$0	\$0	2,000		
@	20%	0	3	1	1,000	\$944	\$408	\$408	\$40	\$368	0.37	\$0	\$0	2,000		
@	Subtotal	0	3	1	1,000	\$944	\$408	\$408	\$40	\$368	0.37	\$0	\$0	2,000		
@	60%	0	4	1	2	0	\$1,223	\$1,366	\$51	\$1,172	1.09	\$8,744	\$0	8,000		
@	50%	0	4	1	2	0	\$1,223	\$1,138	\$51	\$1,087	0.98	\$980	\$0	1,000		
@	40%	0	4	1	2	0	\$1,019	\$910	\$51	\$859	0.85	\$859	\$0	1,000		
@	30%	0	4	1	2	0	\$1,019	\$683	\$51	\$632	0.63	\$0	\$0	1,000		
@	25%	0	4	1	2	0	\$1,019	\$568	\$51	\$518	0.51	\$0	\$0	1,000		
@	20%	0	4	1	2	0	\$1,019	\$455	\$51	\$404	0.40	\$0	\$0	1,000		
@	Subtotal	0	4	1	2	0	\$1,019	\$455	\$51	\$404	0.40	\$0	\$0	1,000		
@	Market	0	0	1	600	\$0	\$0	\$0	\$0	\$0	0.00	\$0	\$0	600		
@	Market	0	0	2	850	\$0	\$0	\$0	\$0	\$0	0.00	\$0	\$0	850		
@	Market	0	0	3	1,000	\$0	\$0	\$0	\$0	\$0	0.00	\$0	\$0	1,000		
@	Market	0	0	4	0	\$0	\$0	\$0	\$0	\$0	0.00	\$0	\$0	0		
Total Units															36	
Restricted															35	
Gross Scheduled Rents:															Monthly	\$25,674
															Annual	\$308,088

STABILIZED OTHER INCOME	
Monthly Laundry Income:	\$7.00
Monthly Deposit Forfeitures:	\$0.00
Monthly Late Fees:	\$0.00
Monthly Pet Rent:	\$0.00
Monthly Misc. Charges:	\$0.00
Total Monthly Other Income Per Unit:	\$7.00

UTILITIES	
Bedrooms:	0 1 2 3 4
Heating(E)	\$4 \$5 \$7 \$9 \$10
Cooking(E)	\$2 \$3 \$4 \$5 \$5
Water/Heat(G)	\$17 \$16 \$21 \$25 \$32
Other Elec.	\$0 \$0 \$0 \$0 \$0
Writer & Saver	\$0 \$0 \$0 \$0 \$0
Fresh	
Range/Microwave	
Refrigerator	
Air Cond	1 \$1 \$2 \$2 \$2 \$3
TOTAL	\$19 \$25 \$34 \$40 \$51

AFFORDABILITY MATRIX	
AMI LEVEL	1 Bed 2 Bed 3 Bed Total %
60%	0 0 0 8 23%
50%	3 0 1 12 34%
40%	2 1 1 4 11%
30%	0 1 2 3 9%
25%	0 0 0 8 23%
20%	0 0 0 0 0%
15%	0 0 0 0 0%
10%	0 0 0 0 0%
9%	0 0 0 0 0%
8%	0 0 0 0 0%
7%	0 0 0 0 0%
6%	0 0 0 0 0%
5%	0 0 0 0 0%
4%	0 0 0 0 0%
3%	0 0 0 0 0%
2%	0 0 0 0 0%
1%	0 0 0 0 0%
TOTAL	12 11 12 35 100%

EL NORTE APARTMENTS
Operating Expenses

36 units

EL NORTE APARTMENTS
SHP OPERATIONS
Sources

8 Units

	ANNUAL TOTAL	Percentage of Total	ANNUAL PER UNIT
ADMINISTRATIVE EXPENSES			
Advertising	500	0.27%	13.89
Legal	900	0.48%	25.00
Accounting/Audit	6,500	3.45%	180.56
Security	0	0.00%	0.00
Credit Checks and Bank Fees	240	0.13%	6.67
Licenses/Fees	1,650	0.88%	45.83
Office Expense	1,500	0.80%	41.67
Other Expense	2,800	1.49%	77.78
SUBTOTAL ADMINISTRATIVE EXPENSES	14,090	7.47%	391.39
MANAGEMENT FEE Per Unit/Month \$ 36	15,552	8.25%	432.00
UTILITY EXPENSES (uses BL #'s)			
Electricity	6,000	3.18%	166.67
Gas	1,600	0.85%	44.44
Water	18,750	9.95%	520.83
Sewer	13,750	7.29%	381.94
SUBTOTAL UTILITY EXPENSES	40,100	21.27%	1,113.89
PAYROLL EXPENSES			
On-Site Manager	25,000	13.26%	694.44
Maintenance Personnel	15,000	7.96%	416.67
Payroll Taxes/Benefits 26%	10,400	5.52%	288.89
SUBTOTAL PAYROLL EXPENSES	50,400	26.74%	1,400.00
INSURANCE	10,000	5.30%	277.78
REPAIRS & MAINTENANCE			
Turnover Expenses	1,800	0.95%	50.00
Repairs	7,500	3.98%	208.33
Trash Removal	10,000	5.30%	277.78
Pest Control	1,500	0.80%	41.67
Landscaping	12,000	6.37%	333.33
Supplies		0.00%	0.00
Elevator	0	0.00%	0.00
Parking deck ops & maint		0.00%	0.00
Fire Protection	2,000	1.06%	55.56
Lock & Keys		0.00%	0.00
Uniforms		0.00%	0.00
Telephone / Cable / Internet	1,800	0.95%	50.00
Other	0	0.00%	0.00
SUBTOTAL REPAIRS & MAINTENANCE	36,600	19.42%	1,016.67
SUBTOTAL RESIDENTIAL OPERATING EXPENSES	166,742	88.46%	4,631.72
SHP Housing Coordination			
Salary & Burden			19,980
Supplies			300
Cell Phone			120
Mileage			400
SUBTOTAL SHP HOUSING COORDINATION			20,800
RESIDENT SERVICES	10,000	5.30%	277.78
REPLACEMENT RESERVES 300	10,800	5.73%	300.00
REAL ESTATE TAXES & ASSESSMENTS	960	0.51%	26.67
TOTAL ANNUAL OPERATING EXPENSES	188,502	100.00%	5,236.17

SHP	Project Cash Flow	TOTAL
	111	111
	200	200
	1,444	1,444
	0	0
	53	53
	367	367
	333	333
	622	622
	3,131	3,131
	3,456	3,456
		0
1,333		1,333
356		356
4,167		4,167
3,056		3,056
8,911		8,911
		0
5,556		5,556
3,333		3,333
2,311		2,311
11,200		11,200
	2,222	2,222
		0
	400	400
	1,667	1,667
		2,222
2,222		2,222
333		333
2,667		2,667
0		0
0		0
0		0
0		0
444		444
0		0
0		0
0		0
400		400
0		0
6,067	2,067	8,133
26,178	10,876	37,054
19,980		19,980
300		300
120		120
400		400
20,800		20,800
	2,222	2,222
	2,400	2,400
213		213
47,191	15,498	62,689
75%	25%	100%

SHP 3 YEAR SUBSIDY	
Inflation Rate:	3.50%
Year 1	47,191
Year 2	48,843
Year 3	50,552
TOTAL	146,586

**36 UNITS El Norte - Escondido, CA
Development Cost**

ACCT CODE	Enter as Non-PW	Notes	PREDEV	ELIGIBLE BASIS				
				TOTAL COST PW	Rehab Related	Acquisition Related	CONSTR	DEFER TO PERM.
1200		LAND ACQUISITION						
1210		Land Cost	365,000	1,165,000		0	1,165,000	0
1225	26,000	Demolition	24,000	31,200	0		31,200	0
	12,000	Abatement	12,000	14,400	0		14,400	0
1240	17,000	Legal	15,000	17,000	0		17,000	0
1270	5,000	Title Escrow and Recording	5,000	5,000	5,000		5,000	0
		Land Extension Payment	3,000	3,000	3,000		3,000	0
1285	0	Land Interest Cost	58,800	58,800	58,800		58,800	0
	0%	Land Cost Contingency	0	0	0		0	0
1200		TOTAL ACQUISITION COST	482,800	1,294,400	66,800	0	1,294,400	0
1300		CONSTRUCTION WORK						
1310	7.50	On Site Work	-	1,366,263	1,366,263		1,366,263	0
1315	140,000	Offsites allowance		168,000	168,000		168,000	0
1316	0	Landscaping, tot lot in on-site work		0	0		0	0
	0	REHABILITATION		0	0		0	0
1318	0	Off-Site Improvements cost share		0	0		0	0
1320	85	Direct Construction (cost per gba)		3,121,200	3,121,200		3,121,200	0
1322	0	Photovoltaic system		0	0		0	0
1323	0	"Green" upgrades - (\$ per gross SF) included above		0	0		0	0
1324	0	Structured Parking (price per sf)		50	0		0	0
1326	0	Structures-Elevator - (Enter as Lump Sum) included in const.		0	0		0	0
1330	1.00%	GC Contingency		46,867	46,867		46,867	0
1335	9	General Conditions (number of months) \$30,000		270,000	270,000		270,000	0
1340	6.50%	GC Fee		307,679	307,679		307,679	0
1350	1.10%	Contractor Bonds		52,069	52,069		52,069	0
1360	1.50%	General Contractor (GC) Liability Insurance		71,003	71,003		71,003	0
1365	0.50%	Builder's Risk		23,668	23,668		23,668	0
1370	0.75%	Prevailing Wage Monitoring		35,501	35,501		35,501	0
1300		TOTAL CONSTRUCTION	-	5,462,250	5,462,250	0	5,462,250	0
1670	5.0%	CONSTRUCTION CONTINGENCY		273,113	273,113	0	273,113	0
1400		ARCHITECTURAL FEES						
1410		Design and Con Supervision	225,000	375,000	375,000		375,000	0
		Peer Review/Owner's Rep	7,500	15,000	15,000		15,000	0
		Design / Green Certification	2,500	5,000	5,000		5,000	0
1420		Expenses	17,500	22,500	22,500		22,500	0
1400		TOTAL ARCHITECTURAL COSTS	252,500	417,500	417,500	0	417,500	0
1450		SURVEY & ENGINEERING COSTS	111,900	186,500	186,500	0	186,500	0
1501		CONSTRUCTION FINANCING						
1510		Construction Loan Interest		287,314	143,657		287,314	0
1520	1.00%	Construction Loan Fee		57,463	57,463		57,463	0
1502	40,000	Construction Management		40,000	40,000		40,000	0
1535	400	Bank Construction Monitoring		7,200	7,200		7,200	0
1540		Accrued Interest on Soft Debt		90,147	90,147		0	90,147
1545	2,500	Real Estate Taxes		2,500	2,500		2,500	0
1503	det. Below	Insurance	2,000	10,800	10,800		10,800	0
	15,000	Construction Loan - Other	10,000	15,000	15,000		15,000	0
1565	15,000	Title Escrow & Recording - Construction (LUMP SUM)		15,000	15,000		15,000	0
1500		TOTAL CONSTRUCTION INTEREST & FEES	12,000	525,423	381,766	-	435,276	90,147
1570		PERMANENT FINANCING						
1572	2.00%	Permanent Loan Fee - Housing		21,000	0		0	21,000
1575	0.00%	Rate Lock Fee - Housing		0	0		0	0
1578	1.50%	Permanent Loan Fee - Commercial		3,750	0		0	3,750
1580	0.00%	Rate Lock Fee - Commercial		0	0		0	0
1582	det. Below	Cost of Issuance PRIVATE		0	0		0	0
1585		Low Floater Cap		0	0		0	0
1588	5,000	Title Escrow & Recording - Permanent		5,000	0		0	5,000
1570		TOTAL PERMANENT FINANCING COSTS	-	29,750	0	0	0	29,750
1590		PREDEVELOPMENT FINANCING						
1592	1.00%	Predevelopment Loan Fee	11,574	11,574	11,574		11,574	0
1595		Predevelopment Loan Interest	64,813	64,813	64,813		64,813	0
1590		TOTAL PREDEVELOPMENT FINANCING	76,387	76,387	76,387	-	76,387	-
1600		LEGAL FEES - (ENTER AS LUMP SUM)						
1610	30,000	Bank Legal - Construction + Fees	4,000	30,000	30,000		30,000	0
1620	35,000	Owner Legal - Construction	15,000	35,000	35,000		35,000	0
1630	10,000	Bank Legal - Permanent		10,000	0		0	10,000
1640	5,000	Owner Legal - Permanent		5,000	0		0	5,000
1600		TOTAL LEGAL COSTS	19,000	80,000	65,000	0	65,000	15,000
1650		RESERVES						
1652	0	Construction Defect Reserve		0	0		0	0
1655	0	Replacement Reserve - Initial Deposit (Enter per unit)		0	0		0	0
	0	Reserve for AM Fee		0	0		0	0
1658	3	Operating Reserve - ENTER # of MONTHS		66,651	0		0	66,651
1650		TOTAL RESERVE COSTS	-	66,651	0	0	0	66,651
1660	9,000	APPRAISAL COSTS	9,000	9,000	0	0	0	9,000
1700		OTHER						
1701	det. Below	Tax Credit Fees	61,795	61,795	0		61,795	0
1702	det. Below	Environmental Consultants	2,230	33,500	33,500		33,500	0
1732	6,500	Accounting/Audit (non-tax credit)	6,500	6,500	6,500		6,500	0
1735	700	Building Permit Fees (Per New Unit)	25,200	25,200	25,200		25,200	0
	0	Building Permit Fees (Per Rehab Unit)		0	0		0	0
	35,000	Planning Processing Fees (Lump Sum)	35,000	35,000	35,000		35,000	0
1738	23,406	Development Impact Fees - (PER NEW UNIT)		842,613	842,613		842,613	0
1740	7,500	Signage		7,500	7,500		7,500	0
1742	35,000	Marketing/Rent-Up		35,000	0		35,000	0
1745	12,500	Market Study	12,500	12,500	12,500		12,500	0
1748	35,000	FFE		35,000	35,000		35,000	0
1750	det. Below	Utility Deposits		0	0		0	0
1703	det. Below	Relocation	35,000	35,000	35,000		35,000	0
	5,000	Legal / General	5,000	5,000	5,000		5,000	0
	0	Entitlement Consultant		0	0		0	0
1768	5%	Soft Cost Contingency	10,561	61,180	55,062		61,180	0
1700		TOTAL OTHER COSTS	193,786	1,195,788	1,092,875	0	1,195,788	0
1119		SUBTOTAL DEVELOPMENT COST	1,157,372	9,616,761	8,022,191	0	9,406,213	210,548
1801		DEVELOPER COSTS						
1810		Developer Fee		1,147,600	874,772		298,800	848,800
1802	det. Below	Syndication		85,000	0		85,000	0
		Development Consulting		0	0		0	0
		Project Administration/Other		0	0		0	0
1820		TOTAL DEVELOPER COSTS	-	1,232,600	874,772	0	383,800	848,800
		TOTAL PROJECT COST	1,157,372	10,849,361	8,896,963	-	9,790,013	1,059,348

Maximum developer fee lesser of 15% of eligible basis or \$2.5 million

1,334,544

36 UNITS El Norte - Escondido, CA	
Budget Details	
Survey and Engineering Costs	
Civil Engineer	100,000
Soils Engineer	25,000
Survey	12,000
Traffic Engineer	-
Electrical Engineer - SDGE Design	3,000
Shoring	-
Reimbursables	7,500
ALTA Survey	15,000
Materials Testing Eng.	12,000
Utility Consultant	12,000
Total Survey and Eng.	186,500

Insurance Cost	
Owner Liability	0
1st Year Operations \$300	10,800
Total Insurance	10,800
Tax Credit Issuance Cost	
Application Fee 3 2,000	6,000
Allocation Fee (4%) - 9% only 4.0% \$27,897	\$27,897
Performance Deposit (4%) 4.0% \$27,897	27,897
Monitoring Fee \$0 -	0
Total Cost of Issuance	61,795
Environmental Consultants	
Phase I	3,500
Misc. Environmental Reports	-
Traffic Study	-
Mitigation	-
HERS/ Green Point Advisor	20,000
Phase II Lead / Asbestos Survey	10,000
Total Environmental	33,500
Relocation Costs	
Relocation Consultant Fee	5,000
Temporary Relocation	-
Relocation Payments	30,000
Total Relocation	35,000
Syndication Costs	
Consultant	35,000
Legal	35,000
Other - LP costs, Accounting	15,000
Total Syndication	85,000
Refundable Deposits	
Utility Deposit	-
Property Taxes	2,500
TCAC Deposit	27,897
Total Refunds	30,397

Fee Schedule (From Escondido Fee Guide dated 7/1/09 - from Counter 3/30/10)			
School Fees - Elementary	\$2.00 sf	29,400	\$58,800
School Fees - High School	\$0.97 sf	29,400	\$28,518
Water Connection Fee	\$3,510 du	36	\$126,360
Wastewater Connection Fee	(See Note 1)	1	\$225,000
SDCWA Capacity - 2" Meter	\$22,495 ea	1	\$22,495
Water Connection Fee - 1" Irrig. Meter	\$7,930 ea	1	\$7,930
SDCWA Capacity - 1" Irrig. Meter	\$6,922 ea	1	\$6,922
Traffic Fee (Local)	\$510 du	36	\$18,360
Traffic Fee (RTCIP)	\$2,040 du	36	\$73,440
Public Facility Fee	\$4,633 du	36	\$135,990
Park Fee	\$4,129 du	36	\$123,870
Drainage Fee	\$428 du	36	\$12,840
Art in Public Places	\$0.50 sf (Note 2)	26,900	\$0
Citywide Facilities Plan Reimbursement	58 du	36	\$2,088
			\$842,613
Credit for Existing		0	\$0
Contingency	0%		\$0
			\$842,613
		per new unit:	\$23,405.92

estimate. Need to confirm

RESOLUTION NO. CDC 2011-03

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ESCONDIDO, CALIFORNIA AUTHORIZING ADDITIONAL ENCUMBRANCE OF FY 2011-2012 AND FY 2012-2013 AFFORDABLE HOUSING SET-ASIDE FUNDS IN AN AMOUNT NOT TO EXCEED \$1,900,000 AS LEVERAGED FINANCING TO COMMUNITY HOUSINGWORKS FOR ITS PROPOSED MULTI-FAMILY DEVELOPMENT LOCATED AT BROADWAY AND EL NORTE PARKWAY AND AUTHORIZING THE CHAIR AND SECRETARY TO EXECUTE THE NECESSARY LOAN AND SUPPORTING AGREEMENTS WITH COMMUNITY HOUSINGWORKS

WHEREAS, the Community Development Commission ("CDC") of the City of Escondido, California has a State mandate to provide affordable housing; and

WHEREAS, in a public hearing of June 9, 2010, the CDC directed staff to pursue further discussions with Community HousingWorks ("CHW") for the potential redevelopment of a City-owned parcel located at 1282 N. Broadway purchased with Neighborhood Stabilization Program ("NSP") funds, in conjunction with three contiguous parcels for which the CHW has acquired site control, addressed as 141, 211 and 221 E. El Norte Parkway, in addition to a fourth contiguous parcel addressed as 1260 N. Broadway which CHW has been successful in obtaining site control since that time (collectively, the "Properties"); and

WHEREAS, on August 18, 2010, the City Council/CDC approved entering into an Exclusive Negotiating Agreement with the CHW for the development/redevelopment of the Properties for affordable housing purposes, the commitment of an amount up to

\$500,000 in present fiscal year Affordable Housing Set-Aside Funds for development/redevelopment of the Properties for affordable housing purposes, and the disposition of the vacant property located at 1282 N. Broadway in Escondido to CHW for the provision of affordable housing units; and

WHEREAS, the Exclusive Negotiating Agreement was executed, and the Housing Set-Aside funds committed, for the purposes of site acquisition, predevelopment, project planning, relocation, demolition and other related activities necessary for the redevelopment of the Properties; and

WHEREAS, this request for additional funding in an amount not to exceed \$1,900,000 is within the estimated gap financing of \$1.3–\$3 million previously indicated as necessary to construct the project; and

WHEREAS, proof of commitment of CDC funding, in the form of an approved Resolution from the CDC is required to be submitted with a completed TCAC 9% tax credit application; and

WHEREAS, the use of these funds to assist CHW will be required to be in compliance with relevant Articles of the Escondido Zoning Code, relevant provisions of the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), and all other federal, state, and local regulations governing the use of Affordable Housing Set-Aside funds and the redevelopment/development of real property; and

WHEREAS, the ENA will be replaced with the necessary loan documents and supporting agreements in a form acceptable to the City Attorney to be executed by the Chair and Secretary and funds disbursed for purposes of project development; and

WHEREAS, the CDC desires at this time, and deems it to be in the best public interest, to authorize execution of Agreements necessary to provide such funds for multi-family affordable housing, to approve the request for a loan of Affordable Housing Set-Aside funds in an amount not to exceed \$1,900,000, with the following considerations: a) effective with the approval of this resolution, development fees for the Project shall be frozen at levels in compliance with the City's Building Development Guide for Development Projects (Revised 7-1-2010) for the duration of the project; and b) payment of the City's fair/proportional development fees to be deferred until paid prior to final inspection.

NOW, THEREFORE, BE IT RESOLVED by the Community Development Commission of the City of Escondido, California, as follows:

1. That the above recitations are true.
2. That the amount designated for this project is appropriate.
3. That the Chair and Secretary are hereby authorized to execute on behalf of the CDC, in form acceptable to the City Attorney, all necessary loan and supporting agreements for a loan not to exceed \$1,900,000 of future fiscal year 2011-2012 and 2012-2013 available Affordable Housing Set-Aside Funds, on behalf of the CDC.



Agenda Item No. 11
Date: March 16, 2011

There is no material for this agenda item.

THE FOLLOWING ITEM(S) WILL BE DISTRIBUTED WHEN AVAILABLE:

- Staff Report**
- Resolution No.** _____
- Ordinance No.** _____
- Exhibits/Attachments** _____

DUE TO THE SIZE OF THIS AGENDA ITEM:

- COUNCIL MEMBERS:** **A copy is in the council Reading File**
- Staff & Others:** **A copy is available in the City Clerk's Office for viewing**

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 12
Date: March 16, 2011

TO: Honorable Mayor and Members of the City Council

FROM: Marsha Whalen, City Clerk

SUBJECT: Appointments to the Library Board of Trustees and the Historic Preservation Commission

RECOMMENDATION:

That the Council ratify the Mayor's recommendation to fill the following positions on the City's Boards and Commissions:

- Two regular appointments to serve on the Library Board of Trustees for a three-year term; terms to expire March 31, 2014; and
- One unscheduled vacancy on the Historic Preservation Commission; term to expire March 31, 2014.

BACKGROUND & SUMMARY:

During the month of February, 2011 recruitment for volunteers to serve on the Library Board of Trustees and the Historic Preservation Commission were advertised in the North County Times and posted on the City's website, at City Hall and the Library.

The vacancy on the Historic Preservation was duly posted in accordance with State law and City policy after receiving a resignation letter from Cathrine Laguna, whose term expires on March 31, 2014. The notice regarding recruitment for the Library Board of Trustees was posted on the City's website, at City Hall and the Library prior to December 31, 2010, as required by State law (Maddy Act).

Applications from the following individuals were received during the recruitment period or on file in the City Clerk's Office:

LIBRARY BOARD OF TRUSTEES:

Joseph Bologna
Alex Galenes
Mirek Gorny
Lisa Kusick
Sean O'Neill

HISTORIC PRESERVATION COMMISSION:

Juliana Cherry
Ashley Christensen
Lisa Kusick
Paul Penfold

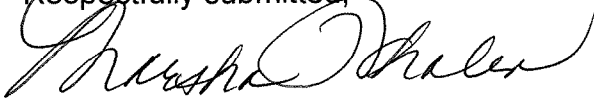
The Historic Preservation Commission has a specific requirement that the members represent a variety of historic preservation perspectives including:

- Professionals in the fields of American studies, anthropology, cultural geography, architecture or other historic preservation-related disciplines;
- Historians (a minimum of one)
- A member of the Escondido Historical Society (minimum of one)

Also considered desirable are:

- Owners of historic structures
- A representative from any formally approved Historic District

Respectfully submitted,



Marsha Whalen, CMC
City Clerk

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 13
Date: March 16, 2011

TO: Honorable Mayor and Members of the City Council
FROM: Charles Grimm, Assistant City Manager
SUBJECT: Downtown Parking Subcommittee Meeting

RECOMMENDATION:

It is recommended by the Downtown Parking Subcommittee that the City Council direct staff to process an amendment to the Downtown Specific Plan removing existing parking regulations for new and expanding businesses located within the Vehicle Parking District (as modified).

It is also recommended by the Subcommittee that parking enforcement on Grand Avenue and in the public lots be eliminated on a trial basis for a period of one year to see if it helps stimulate business and eliminate many of the parking problems that exist today.

FISCAL ANALYSIS:

A change to the parking regulations would be little or no immediate impact financially to the City. The intended impact would be to allow new businesses and business expansion to occur that couldn't happen under existing regulations. This would help to increase business in the area and also increase City revenue. Ultimately, if successful, there may be enough increase in the demand for parking that the City would need to develop additional facilities for parking.

With regards to the elimination of parking enforcement the Police Department has estimated a yearly revenue loss of approximately \$66,000 from enforcement and a loss of approximately \$47,500 are projected from cancelation of Downtown parking permits.

CORRELATION TO THE CITY COUNCIL ACTION PLAN

At the meeting for the Council Action Plan on February 2, 2011, the majority of Council members indicated they wanted to streamline City regulations and make it easier for businesses to locate in Escondido and specifically mentioned the need to look at Downtown parking regulations.

BACKGROUND:

The Downtown Parking Subcommittee (DPS) met on March 1, and considered a number of issues and alternatives regarding current parking requirements and enforcement in the area that make it

difficult to locate new businesses or expand existing businesses. The DPS meeting was attended by DBA staff, several business owners and City staff representing several departments.

Parking Requirements: There was significant discussion regarding the existing parking requirements in the Downtown area. It was felt that most of these requirements prevented the development of new business or any kind of business expansion. A number of alternatives were considered for parking relief including the modification to, or the reduction of, the existing standards; the use of a "parking in-lieu" fee to help fund the purchase of new parking in lieu of requiring businesses to provide new spaces; the re-establishment of the parking credit system; the reduction or elimination of required parking for targeted uses (such as restaurants); or the total elimination of parking requirements in certain areas.

There was a great deal of discussion and ultimately there appeared to be unanimous support for the elimination of parking requirements for the area known as the Downtown Vehicle Parking District (VPD) which has been modified slightly for this amendment (map attached). The modifications would actually expand the VPD to include the area between Center City Parkway and Ivy on the east, and between Valley Parkway and Second Avenue on the South. The DPS is recommending that Council direct staff to prepare the proper amendments to make this happen as quickly as possible.

OTHER DISCUSSION

Holiday Parking: In November of last year the City Council approved a no enforcement policy for parking on Grand Avenue and in the public lots Downtown. In addition, they also provided free parking on Valley Parkway and Second Avenue which Council has recently continued indefinitely. Based on positive feedback regarding the special Holiday parking regulations (implemented November 21 through January 1), the DBA completed a survey of businesses regarding the impact of the special regulations. The survey indicated that it was an over-whelming success with businesses wanting to repeat the program next year.

Elimination of Enforcement: Out of the discussion regarding the Holiday parking standards it was suggested that the City eliminate enforcement altogether for these areas for a trial period. The possible negative to this idea was also discussed as a free parking zone with no time limits could create possible impacts for Grand Avenue merchants. The fear is that Downtown office use employees could park their cars all day in front of Grand Avenue businesses. It was decided that the DPS would recommend to Council a trial period of one year to determine how well a "no enforcement" policy would work. In addition, the DBA agreed to educate local businesses about having their employees park off Grand Avenue.

Diagonal Parking: The DPS also discussed the idea of going back to diagonal parking on Grand Avenue and in addition look at the possibility of using reverse diagonal parking (cars would pull by a

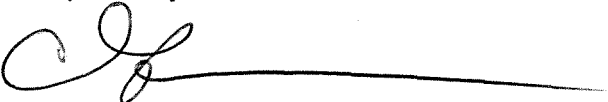
space and then back in) similar to what is used currently in Santa Barbara. It was decided that if authorized by the Council, staff would perform additional study in this area and return with a report.

Transit: The meeting also included discussion regarding the possible relocation of transit buses on to adjacent streets as the DBA had received complaints regarding customer annoyance from these vehicles particularly those customers eating in restaurants with outside dining. Others felt this is part of the Downtown experience and were not as concerned. The DBA is going to talk to additional businesses and based on that information may officially request that the buses be moved in the future.

Loading Areas: There was also a feeling by some businesses that loading areas were needed in some parts of the Downtown. This was questioned by others due to the fact that there are a number of alleys that already serve this area. It was felt that if ultimately the buses were eliminated on Grand Avenue there may be some opportunity to use some of the transit stops for loading purposes.

In summary, the Downtown Parking Subcommittee is requesting that the City Council eliminate parking requirements within the Vehicle Parking District (as modified), eliminate parking enforcement on Grand Avenue and in public lots in the Downtown area, and direct staff to look into the possibility of reverting back to diagonal parking along Grand Avenue.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'C. Grimm', followed by a long horizontal line extending to the right.

Charles Grimm
Assistant City Manager

Attachment: Vehicle Parking District Map



STUDY AREA FOR ELIMINATION OF PARKING REQUIREMENTS

FUTURE CITY COUNCIL AGENDA ITEMS
March 10, 2011

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

Green Sheet Due by Noon on Monday, 3/7/11
Staff Reports/Resos due by Noon on Tuesday 3/15/11

MARCH 23, 2011	
4:30 p.m.	
	CONSENT CALENDAR
1	<p>Financial Report for the Quarter Ended December 31, 2010 (G. Rojas)</p> <p><i>Quarterly financial reports present written financial updates to Council concerning certain funds of the City based on the most recent financial information available. These quarterly financial reports include budgetary information for each fund, along with the actual resources received to date, in addition to the use of these resources in fulfilling each fund's financial plan. The reports also provide year to date information for the General Fund, Reidy Creek, Water, and Wastewater Funds.</i></p>
2	<p>Street Name Change (B. Redlitz)</p> <p><i>Lyon is requesting a new series of street names for the Paramount development to reflect the most recent project design and future marketing efforts. Six street names were assigned in 2005 when Barratt owned the project. Those names will be deleted and replaced by six new street names. Changing the street names requires Council action and should not affect other parties as the streets have not been constructed yet.</i></p>
3	<p>Notice of Completion – Alexander Area Waterline Replacement Phase Two (L. Vereker)</p> <p><i>This project replaced close to six miles of obsolete waterline using a low interest loan funding agreement from the California Safe Drinking Water State Revolving Fund and a \$3,250,000 grant from the American Recovery & Reinvestment Act.</i></p>
4	<p>Notice of Completion – Royal Crest Accelerated Waterline Replacement Project (L. Vereker)</p> <p><i>This project replaced a problematic length of pipeline that had failed twice causing private property damage.</i></p>
5	<p>Bid Award for Montview Drive Waterline Between Darby Street & Alexander Drive (L. Vereker)</p> <p><i>This project closes a gap in the existing water distribution system. This project, and a follow-up plumbing contract, will provide a new watermain and water services that will replace the private easement pipes. The new pipeline will provide improved water main circulation and fireflow in the area.</i></p>

MARCH 23, 2011 cont'd	
6	<p>City Of Escondido Landscape Maintenance District Preliminary Engineer's Report for FY 2011/2012 for Zones 1-36 (F. Schmitz)</p> <p><i>Each year the City is required to submit and approve an Engineer's Report that details the City's Landscape Maintenance District budget and assessments for the upcoming fiscal year. The purpose of the Council meeting on March 23, 2011 is to begin this process by approving the preliminary Engineer's Report and setting a public hearing date.</i></p>
7	<p>City of Escondido Landscape Maintenance District Preliminary Engineer's Report for FY 2011/2012 for Zone 37 (F. Schmitz)</p> <p><i>Zone 37 was annexed into the LMD on March 3, 2011. The initial assessment is proposed to be levied in FY 2011/12. The property owners in zone 37 have the right to vote in support of or in opposition to the proposed assessment. The purpose of the council meeting on March 23, 2011 is to begin the process of establishing the assessment for zone 37 for FY 2011/12 by approving the preliminary Engineer's report for zone 37 and setting a public hearing date.</i></p>
PUBLIC HEARINGS:	
8	<p>Modification to Development Agreement for Tract 933, (PHG 10-0001) (B. Martin)</p> <p><i>The DA is currently set to expire on March 24, 2011 and the applicant over the past year has presented several variations of a plan to reduce the density transfer fees due to the City for 8 additional lots. It is now likely that negotiations (although close to conclusion pending receipt of a property appraisal) will not be completed prior to the expiration date. There is no method to extend the term beyond the expiration date while a modification application is pending, thus the need for the interim extension.</i></p>
CURRENT BUSINESS	
9	<p>E-Verify Program (S. Abed & M. Waldron)</p>
WORKSHOP	
10	<p>Fiscal Year 2011/12 Budget Workshop (G. Rojas)</p> <p><i>After receiving direction from the City Council regarding reductions in the 2011/12 budget, staff is presenting the affect of the proposed reductions.</i></p>
11	<p>Future Agenda Items (M. Whalen)</p>

MARCH 30, 2011 – NO MEETING (5TH WEDNESDAY)