

Council Meeting Agenda

SEPTEMBER 22, 2010

CITY COUNCIL CHAMBERS ~ 3:00 P.M. & 4:00 P.M.

201 N. Broadway, Escondido, CA 92025

MAYOR	Lori Holt Pfeiler
MAYOR PRO TEM	Dick Daniels
COUNCIL MEMBERS	Sam Abed
	Olga Diaz
	Marie Waldron
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

SEPTEMBER 22, 2010
3:00 p.m. Special Meeting

Escondido City Council
Community Development Commission

CALL TO ORDER

ROLL CALL: Abed, Daniels, Diaz, Waldron, Pfeiler

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

- I. **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Government Code §54956.9(a))**
 - a. Hernandez v. City of Escondido, et al., Case No. 37-2009-00058751-CU-PA-NC

- II. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code §54956.8)**
 - a. Property: 475 N. Spruce
Agency Negotiator: Clay Phillips
Negotiating parties: City of Escondido and JMI Sports
Under negotiation: Price and terms of payment

ADJOURNMENT



Council Meeting Agenda

SEPTEMBER 22, 2010
4:00 p.m. Meeting

Escondido City Council
Community Development Commission

CALL TO ORDER

FLAG SALUTE

ROLL CALL: Abed, Daniels, Diaz, Waldron, Pfeiler

PROCLAMATIONS: Pollution Prevention Week
Grace Bible Church – 20th Anniversary
Fall Prevention Awareness Week
Harmony Jamboree Week

PRESENTATION AND PROCLAMATION: National Neighborhood Day Presentation

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:**
 - a. Regular Meeting of May 26, 2010, Amended
 - b. Regular Meeting of August 18, 2010
4. **CITY HOLIDAY CLOSURE SCHEDULE FOR YEAR 2011** –Request Council adopt the 2011 holiday closure schedule of City offices

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

RESOLUTION NO. 2010-146

5. **EMERGENCY WINTER WEATHER SHELTER FOR THE HOMELESS**– Request Council authorize the City Manager or his designee to approve the emergency use of a vacant tenant space to provide a winter weather shelter at 755 N. Quince, on a 100 day, for 2010/2011

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

RESOLUTION NO. 2010-141

6. **REIMBURSEMENT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE EARLY RETIREE REINSURANCE PROGRAM** – Request Council authorize staff to apply for reimbursement from the U.S. Department of Health and Human Services for the Early Retiree Reinsurance Program, under the Affordable Care Act

Staff Recommendation: Approval (**Human Resources/Benefits: Sheryl Bennett**)

RESOLUTION NO. 2010-147

7. **NOTICE OF COMPLETION FOR THE ESCONDIDO LIBRARY HEATING, VENTILATION AND AIR CONDITIONING (HVAC) PROJECT** – Request Council authorize the Director of Community Services to file a Notice of Completion for the Escondido Public Library HVAC replacement

Staff Recommendation: Approval (**Library: Laura Mitchell**)

CONSENT CALENDAR

8. **CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) EXCESS INSURANCE AUTHORITY (EIA): DESIGNATION OF CITY REPRESENTATIVE** - Request Council authorize the City Manager, or his designee, to act on behalf of and to enter into agreements with the EIA

Staff Recommendation: Approval (**Human Resources Department: Jodi Vinson**)

RESOLUTION NO. 2010-144

9. **NOTICE OF COMPLETION FOR EMERGENCY WATER LINE REPLACEMENT ON NINTH AVENUE, BETWEEN JUNIPER STREET AND SOUTH BROADWAY** – Request Council authorize the Director of Utilities to file a Notice of Completion for the emergency water line replacement project on Ninth Avenue, between Juniper Street and South Broadway

Staff Recommendation: Approval (**Utilities Department: Lori Vereker**)

10. **AWARD OF CONSTRUCTION CONTRACT FOR THE ROYAL CREST ACCELERATED WATERLINE REPLACEMENT AND BUDGET ADJUSTMENT** – Request Council **(1)** Authorize the Mayor and City Clerk to execute an Agreement with the lowest responsive and responsible in an amount not-to-exceed \$500,000, for the Royal Crest Accelerated Waterline Replacement project; and **(2)** Approve a Budget Adjustment in the amount of \$500,000

Staff Recommendation: Approval (**Utilities Department: Lori Vereker**)

RESOLUTION NO. 2010-142

11. **BID AWARD AND BUDGET ADJUSTMENT FOR THE 2010 UTILITIES PAVING PROJECT** Request Council **(1)** Authorize the Mayor and City Clerk to execute an Agreement with Koch-Armstrong General Engineering, Incorporated, in the amount of \$203,200, for the 2010 Utilities Paving Project; and **(2)** Approve a Budget Adjustment in the amount of \$250,000 for this project

Staff Recommendation: (**Utilities Department: Lori Vereker**)

RESOLUTION NO. 2010-143

12. **AAA BALLPARK CONSULTING AGREEMENTS** – Request the Community Development Commission consider and approve a budget adjustment necessary to evaluate design and construction of a minor league ballpark on the west side of Quince Avenue, immediately north of spruce Street, and authorize execution of consulting agreements necessary to environmental study

Staff Recommendation: Approval (**City Manager's Office: Charles Grimm; and Community Dev./Planning: Barbara Redlitz**)

RESOLUTION NO. CDC 2010-11

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.)

CURRENT BUSINESS

13. **APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION** – Request Council ratify the Mayor’s appointment to the Historic Preservation Commission, term to expire March 31, 2012

Staff Recommendation: Designate Appointee **(City Clerk: Marsha Whalen)**

14. **GENERAL PLAN UPDATE AND CLIMATE ACTION PLAN (PHG 09-0020 AND PHG 10-10016)** – A progress report on the General Plan Update efforts to date, and consideration of General Plan Land Use alternatives for evaluation in the Environmental Impact Report

Staff Recommendation: It is requested that Council **(1)** Provide direction to staff regarding the range of alternatives to be refined in the General Plan Land Use analysis for the Environmental Impact Report (EIR); **(2)** direct staff to work with a consultant to prepare a scope of work for services involving preparation of the General Plan, EIR and Climate Action Plan; **(3)** Consider public comments solicited at two recently conducted public workshops; and, **(4)** Deny two individual requests to expand General Plan Update study areas. **(Com. Development/Planning: Barbara Redlitz)**

BRIEFING (Staff)

FUTURE AGENDA

15. **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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COUNCIL/COMMISSION/ MEMBERS COMMENTS

CLOSED SESSION: (COUNCIL/CDC/RRB)

ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
September 29	NO MEETING	-	-	-
October 6	Wednesday	4pm & 7pm	Council Meeting	Council Chambers
October 13	Wednesday	4pm & 7pm	Council Meeting	Council Chambers
October 20	NO MEETING	-	-	-

SEPTEMBER 22, 2010
7:00 p.m. Meeting

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 4:00 and 7:00 p.m. (*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.

AGENDA ITEM NO.: 3a

AGENDA DATE: 9-22-10

September 22, 2010

TO: Honorable Mayor and City Council Members
FROM: Marsha Whalen, City Clerk *MW*
SUBJECT: AMENDMENT TO MAY 26, 2010 COUNCIL MINUTES

This memorandum is to request the Council approve amended minutes for the regular meeting of the City Council held at 7:00 p.m. on May 26, 2010 (Agenda Item 14/Talk of the Town). The minutes were originally approved on July 21, 2010. The revised wording of the motion to read: (underlined words added; strike through words deleted)

"Moved by Councilmember Abed and seconded by Councilmember Daniels to uphold an appeal of a Planning Commission decision to deny an amendment to the South Escondido Boulevard Area Plan to conditionally allow carwashes in Area "B," and denial of a Conditional Use Permit for an approximately 5,500 SF automated carwash and oil change facility with a 4,150 SF restaurant on a 1.34-acre site addressed as 400 Brotherton, giving the adjacent Homeowners Association 60 days to approve the location of the sound separation wall on their property; adopt Resolution No. 2010-05RR and introduce Ordinance No. 2010-02R. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

The proposed revision to the motion is based on a review of the City Council discussion indicating that further clarification was necessary. Verbatim excerpts have been attached for your reference.

The purpose of "the wall" was not designated by staff as being a sound wall, but would be considered a separation wall, which is a standard requirement when commercial zoning abuts residential zoning. It was discussed by the Council and the public in relationship to noise and other factors; however, by staff's definition, it was intended to separate the project from the neighborhood since the redesign of the project no longer required the need for noise wall mitigation. (See verbatim excerpt from the staff report attached)

Throughout the Council's final deliberation and motion, the term "homeowners" was always referencing the New Traditions Homeowners Association. (See verbatim transcript of Council discussion and motion attached)

Resolution 2010-05 (RR) outlines the Planning Division Condition No. 24 in more detail (See Resolution attachment – Page 3 of Exhibit A). The proposed revision to the minutes

Staff Report – September 22, 2010
Amended Minutes for May 26, 2010
Page 2

will clarify Condition No. 24 and the motion in order to avoid any misunderstandings in the future.

Attachments:

Verbatim Transcript (Excerpts)
Resolution No. 2010-05 RR

VERBATIM TRANSCRIPT - EXCERPTS
MAY 26, 2010
COUNCIL MEETING
"Talk of the Town"
PROJECT ON SOUTH ESCONDIDO BLVD.

Excerpt taken from the staff report:

BILL MARTIN: This is the current, revised design. Basically, what's occurred, you can see, is that it's the same two buildings. The carwash and oil change building and the restaurant building, they're essentially relocated on the site. The carwash building shifted from a central location over to the east so that the carwash tunnel is adjacent and lines up with Centre City Parkway. The restaurant building has moved from the northeastern corner down to the southwestern corner of the site. One of the positive benefits of this particular site design is that by locating the carwash tunnel in this location, there is no longer a need for a noise wall mitigation along the northern part of the site and the noise generated by the dryers in this unit is within city requirements. . .

Excerpt taken from Council discussion and the motion:

MAYOR PFEILER: So, we've had lots of discussion. The issue is putting a wall at the top of the slope; and putting it on the homeowner association property and giving them enough time to say if they want it there, or if we end up having to just put the wall at the bottom of the slope. So, how long is an appropriate

amount of time to work with the homeowners association and find out if they're willing to accept the wall at the top of the slope?

BILL MARTIN: Keep in mind the conditional use permit has to be utilized within one year, so you would want to certainly be aware of that.

MAYOR PFEILER: Can you do this in one month then? Thirty days?

BILL MARTIN: Sounds appropriate.

MAYOR PFEILER: OK. So, if we had a motion to approve this project with the condition that we put the wall at the top of the slope, if the homeowners association can come together and give that approval within 30 days.

COUNCILMEMBER DIAZ: Can we make it a longer period of time?

COUNCILMEMBER ABED: I think that's a good point. 30 days, just in case there is no meeting or something; can we give it a little bit more time?

MAYOR PFEILER: Forty-five days?

COUNCILMEMBER DIAZ: Four months. That's what we gave the mobilehome park to correct their problem. So, I think 30 days is not long enough for the residents.

COUNCILMEMBER DANIELS: This is just to get them set.

MAYOR PFEILER: We're not going to have any conversation from the audience. We're just trying to figure out if a homeowners association...we've been dealing with this project for a very long time and I don't know how often the homeowners...

COUNCILMEMBER DANIELS: Can they be working on other aspects of the project while they're waiting for...or does the wall have to be built first? Tell me a little bit about the sequence of things.

BILL MARTIN: Oh no, the wall would only have to be installed prior to operations.

COUNCILMEMBER ABED: I would suggest 2 months Mayor, I think that's plenty of time.

MAYOR PFEILER: If you want to make that motion, go ahead.

COUNCILMEMBER ABED: Yes, I'll make a motion to approve staff recommendation with 60 days for the homeowners association to approve the wall on their property.

MAYOR PFEILER: And if they don't give the approval within the 60 days, then the wall will be built at the bottom. Because, we're acknowledging that with the rearrangement of these buildings there isn't really a noise impact. But, for our neighborhood, I think the wall would be a benefit to the neighborhood, just in general, for the entire neighborhood, not just from the impacts of the traffic on Centre City Parkway and other uses, not just specifically from this project.

COUNCILMEMBER DANIELS: I would agree, and I'll second that. Just noting that there are other noise impacts that Ms. Allison and others have talked about that, hopefully, the wall would help mitigate as well.

RESOLUTION NO. 2010-05(R)(R)

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING AN APPEAL OF A PLANNING
COMMISSION DECISION TO DENY A
CONDITIONAL USE PERMIT FOR AN
APPROXIMATELY 5,500 SF AUTOMATED
CARWASH AND OIL CHANGE FACILITY ON A
1.34 ACRE SITE LOCATED IN AREA "B" OF
THE SOUTH ESCONDIDO BOULEVARD AREA
PLAN**

**Applicant: McArdle Associates Architects
Planning Case No.: 2004-66-CUP**

WHEREAS, pursuant to Article 61 of the Escondido Zoning Code, the Planning Commission did, on January 26, 2010, consider, and by Resolution No. 5885, deny an application for a Conditional Use Permit for the construction of an automobile service commercial development consisting of an approximately 5,500 SF automated carwash and oil change facility as well as a 4,150 SF restaurant on a 1.34-acre site located in Area "B" of the South Escondido Boulevard Area Plan, on the northwestern corner of the intersection of Brotherton Road and Centre City Parkway, addressed as 400 Brotherton Road; and

WHEREAS, pursuant to Article 61 of the Escondido Zoning Code, the applicant filed a written appeal of the Planning Commission decision within the specified time period; and

WHEREAS, pursuant to the California Environmental Quality Regulations, a Revised Mitigated Negative Declaration, City Log No. ER 2004-33, was issued on December 10, 2009; and

WHEREAS, this City Council has reviewed the Revised Mitigated Negative Declaration, the staff report, a copy of which is on file in the Planning Department, the recommendations of the Planning Commission and the applicant's written appeal; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said appeal of a Planning Commission decision and approve the Conditional Use Permit;

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 on the basis of the above review and consideration this City Council makes the following findings of fact:**
 - A. That the facilities to be constructed pursuant to the Conditional Use Permit are required by, and beneficial to, the community.**
 - B. That issuance of this Conditional Use Permit will not result in a deterioration of bordering land uses or create special problems for the area in which it is located.**
 - C. That issuance of this Conditional Use Permit will not adversely affect the community or neighborhood plan for the area in which it is located.**

3. That in view of the above findings and applicable law, the City Council approves the applicant's appeal and approves the Conditional Use Permit (a copy is on file in the Planning Division) subject to the Conditions of Approval, attached as Exhibit "A" to this resolution and incorporated by this reference.

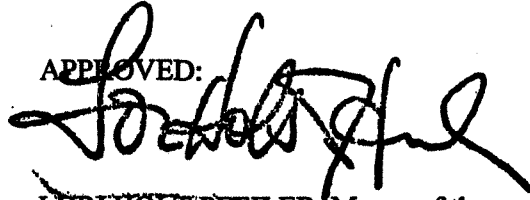
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 26th day of May, 2010 by the following vote to wit:

AYES : Councilmembers: ABED, DANIELS, WALDRON, PFEILER

NOES : Councilmembers: DIAZ

ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2010-05 RR

CONDITIONS OF APPROVAL
2004-02-AZ, 2004-66-CUP

Project Mitigation Measures

1. Contribute a fair share amount of approximately 2.18% towards the cost of installing a traffic signal at the intersection of Felicita Avenue and Brotherton Road.
2. Contribute a fair share amount of approximately 2.16% towards the cost of improving the segment of Centre City Parkway, between Felicita Avenue and Brotherton Road to City of Escondido Major Road standards.
3. The restaurant kitchen equipment shall include an emission control system such as an electrostatic precipitation filtration system or other filtration system satisfactory to the Planning Division.
4. All parking lot light fixtures shall be installed on the lowest pole height feasible as determined by a lighting analysis. All light fixtures near the northern and western property lines shall be directed downward and provided with shields to minimize potential impacts related to light spillover and glare.
5. All exterior HVAC units for the restaurant building shall be installed within a screened area on the eastern side of the building to meet sound attenuation standards. The HVAC unit for the auto services building shall be installed within a screened area on the southern side of the building. HVAC equipment shall be as specified in the Noise Impact Analysis or a similar model with equal or less noise emissions.
6. The carwash dryer system shall not to exceed 82.5 dBA unmitigated noise level at 5 feet and shall be set back within the carwash tunnel approximately six feet from the exit allowing the tunnel structure to function as a sound attenuation barrier.
7. All carwash supporting equipment including pumps, compressors, and vacuum motor and canister system shall be installed within a dedicated equipment room equipped with passive rooftop ventilation.
8. In order to meet daytime noise limits as defined in the Escondido Noise Ordinance, the carwash must cease operating no later than 10:00 p.m. (this is further modified by Planning Division Condition No. 16 below).
9. The use of pneumatic tools shall be prohibited at the oil change facility.

Planning Division Conditions

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. If blasting is required, verification of a San Diego County Explosives Permit and a copy of the blaster's public liability insurance policy shall be filed with the Fire Chief and City Engineer prior to any blasting within the City of Escondido.
4. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
5. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.

6. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. Prior to issuance of a building permit, the applicant shall submit a photometric plan for the parking lot lighting to ensure that light spillover has been minimized to the extent feasible through the use of reduced-height light poles, low wattage lamps and shielding.
7. A minimum of 50 striped parking spaces shall be provided in conjunction with this development. Said parking spaces shall be double-striped and dimensioned per City standards. The striping shall be drawn on the plan or a note shall be included on the plan indicating the intent to double-stripe per City standards
8. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
9. An inspection by the Planning Division will be required prior to operation of the project. Items subject to inspection include, but are not limited to parking layout and striping (double-stripe), identification of handicap parking stalls and required tow-away signs, lighting, landscaping, as well as any outstanding condition(s) of approval. Everything should be installed prior to calling for an inspection, although preliminary inspections may be requested. Contact the project planner at (760) 839-4671 to arrange a final inspection.
10. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
11. Colors, materials and design of the project shall be in substantial conformance with the plans/exhibits approved by the Design Review Board on June 25, 2009, and the exhibits and details in the staff report to the satisfaction of the Planning Division.
12. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code). Only one freestanding sign shall be permitted for the development.
13. All new utilities shall be underground.
14. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
15. The City of Escondido hereby notifies the applicant that State Law (SB 1535) effective January 1, 2007, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If the project is found to have a significant impact to wildlife resources and/or sensitive habitat, in accordance with state law, the applicant should remit to the City of Escondido Planning Division, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to "County Clerk", in the amount of \$2,060.25 for a project with a Negative Declaration. These fees include an authorized County administrative handling fee of \$50.00. Failure to remit the required fees in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation code. Commencing January 1, 2007, the State Clearinghouse and/or County Clerk will not accept or post a Notice of Determination filed by a lead agency unless it is accompanied by one of the following: 1) a check with the correct Fish and Game filing fee payment, 2) a receipt or other proof of payment showing previous payment of the filing fee for the same project, or 3) a completed form from the Department of Fish and Game documenting the Department's determination that the

project will have no effect on fish and wildlife. If the required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code).

16. The hours of operation for the restaurant building shall be limited to 6:00 A.M. to 10:00 P.M. 7 days/week. The hours of operation for the Carwash/Oil Change facility shall be limited to daytime hours defined as opening no earlier than 8:00 A.M. and closing no later than sunset.
17. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
18. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
19. The carwash/oil change facility may not receive a building permit prior to issuance of a building permit for the restaurant building. Occupancy of the carwash/oil change facility shall not be granted prior to occupancy of the restaurant building unless a determination is made by the Planning and Building Divisions that a final inspection for the restaurant building is imminent.
20. Employees of the carwash shall be prohibited from honking car horns to signal the owners that the car is ready.
21. No exterior loudspeakers for music, paging or announcements shall be permitted on the site.
22. The car wash design and building plans shall incorporate water conservation features including a water recycling system satisfactory to the Planning and Utilities Divisions.
23. All outdoor dining or smoking areas for the restaurant shall be limited to the eastern side of the building.
24. Prior to occupancy of any buildings, a six-foot-high masonry separation wall shall be constructed on the northern and western property lines as required by Section 33-1082 of the Zoning Code. Per the City Council approval granted on May 26, 2010, the New Traditions HOA shall have a 60-day period (ending July 26, 2010) during which the association can provide written consent to the developer allowing the wall to be installed on association property at the top of the slope for the benefit of adjacent residents. If permission is not granted within the 60-day timeframe, the developer shall be required to install the wall on his property as specified above.

Landscaping Conditions

1. Prior to issuance of a building permit, the conceptual landscape plan shall be reviewed by the Design Review Board.
2. Prior to occupancy, all perimeter, slope and parking lot landscaping shall be installed. Additionally, all landscaping proposed in conjunction with each building to be developed shall be installed. All vegetation shall be maintained in a flourishing manner, and kept free of all foreign matter, weeds and plant materials not approved as part of the landscape plan. All irrigation shall be maintained in fully operational condition.
3. In compliance with Article 62 (Landscape Standards), Section 1339 of the Escondido Zoning Code, all manufactured slopes over three feet high shall be irrigated and planted with landscape materials. The type of plant material shall be low maintenance, drought resistant, and fast growing, to the satisfaction of the Planning Division. In particular, the ground cover shall be a fast-growing species which establishes quickly and is capable of choking out weeds. All slopes over three vertical feet shall be irrigated as part of the irrigation system approved by the Planning Division.
4. Five copies of a detailed landscape and irrigation plan(s) shall be submitted prior to issuance of grading or building permits, and shall be equivalent or superior to the concept plan attached as an exhibit to the satisfaction of the Planning Division. A plan check fee based on the current fee schedule will be collected at the time of the submittal. The required landscape and irrigation plans(s) shall comply with the provisions, requirements and standards outlined

in Article 62 (Landscape Standards) of the Escondido Zoning Code. The plans shall be prepared by, or under the supervision of a licensed landscape architect.

5. The installation of the landscaping and irrigation shall be inspected by the project landscape architect upon completion. He/she shall complete a Certificate of Landscape Compliance certifying that the installation is in substantial compliance with the approved landscape and irrigation plans and City standards. The applicant shall submit the Certificate of Compliance to the Planning Division and request a final inspection.
6. All manufactured slopes or slopes cleared of vegetation shall be landscaped within thirty (30) days of completion of rough grading. If, for whatever reason, it is not practical to install the permanent landscaping, then an interim landscaping solution may be acceptable. The type of plant material, irrigation and the method of application shall be to the satisfaction of the Planning Division and City Engineer.
7. Street trees shall be provided along every frontage within, or adjacent to this subdivision in conformance with the Landscape Ordinance and the City of Escondido Street Tree List. Trees within five feet of the pavement shall be provided with root barriers.
8. Details of project fencing and walls, including materials and colors, shall be provided on the landscape plans.

Building Division Conditions

1. Appropriate accessible paths of travel shall be required from the public way.
2. Plans shall comply with the 2007 California Code

Fire Department Conditions

Fire Protection Systems

1. NFPA 13 NFPA 13R NFPA 13D automatic fire sprinkler system will be required.
2. Automatic fire sprinkler system will be required in the entire structure for the following reasons:
 - The project is more than three minutes driving time and five miles from the nearest fire station.
 - The structures are more than 3,600 square feet and exceed 1,500 GPM needed fire flow.
 - High fire severity area.
 - Other: _____
3. Sprinklers will be required on all overhangs exceeding four feet.
4. An approved fire alarm system shall be required if the number of sprinkler heads exceed 100.
5. A fire hydrant is required to be located within 50 feet of the fire department connection, unless otherwise specified. Please show location on plans.
6. Fire hydrants capable of delivering 1,500 GPM 2,500 GPM at 20 PSI residual pressure shall be required every 300 feet.
7. Fire suppression system required for hood system.

8. Extinguisher(s) shall be provided at locations indicated with a minimum rating of 2A-10B:C in a visible and accessible location, at an exit or in the exit path. Walking distance is not to exceed 75 feet (CFC 1002.1; T-19 Art. 5). Extinguishers must be mounted not more than 5 feet nor less than 3 ½ feet above the floor.

Access

9. Commercial access roads/drive aisles shall be a minimum of 24-feet wide.
10. Speed humps/bumps will not be allowed.
11. All-weather paved access, able to support the weight of a fire engine (75K lbs.) and approved fire hydrants must be provided prior to the accumulation of any combustible materials on the job site.
12. Knox box shall be required.
13. A 28' inside turning radius is required on all corners.
14. Barricades shall not obstruct fire hydrants or impede emergency vehicle access.
15. 13'6" vertical clearance must be provided in all access and driveway areas. Trees that obstruct the vertical clearance or access width must be trimmed or removed.
16. Red curbs with 4" white lettering, "NO PARKING FIRE LANE" signs are required in 24'-wide access areas.

Engineering Division Conditions

GENERAL

1. As surety for the construction of required off-site and/or on-site improvements, bonds and agreements in a form acceptable to the City Attorney shall be posted by the developer with the City of Escondido prior to the approval of plans and the issuance of Building Permits.
2. All public improvements shall be constructed in a manner that does not damage existing public improvements. Any damage shall be determined by and corrected to the satisfaction of the City Engineer.
3. An engineered improvement plan prepared by a Registered Civil Engineer is required for all public improvements. The developer shall post security for these improvements and an improvement plan shall be approved by the City of Escondido prior to issuance of any building permits. All required improvements shall be constructed prior to final acceptance of subject construction by the City.

STREET IMPROVEMENTS AND TRAFFIC

1. The developer shall construct a 15 foot wide south bound deceleration lane along project frontage on Centre City Parkway (250 feet long with 120 foot long transition) to the satisfaction of the City Engineer. Roadway improvements shall include construction of roadway widening, curb and gutter, drainage improvements and two street lights along deceleration lane. The developer shall also be responsible to prepare a striping & signage plan to allow for a fourteen foot wide deceleration lane and widen the existing bike lane from four to five feet.
2. The developer shall be responsible to landscape and irrigate the parkway areas along project frontage on Centre City Parkway and Brotherton Road to the satisfaction of the Planning Director.

3. The developer shall re-establish the striping at the intersections of Centre City Parkway /Brotherton Road and Brotherton Road/Frontage Road. This work shall be shown and approved as part of the striping & signage plan.
4. All driveways shall be alley-type in accordance with Escondido Standard Drawing No. 3, with a minimum throat width of minimum 24 feet.
5. The developer shall install a street light at the intersection Brotherton Road and new easterly driveway that shall be aligned with frontage road.
6. The developer shall be responsible for replacement of the existing drainage pipe across Brotherton Road, if it were found to be damaged at the time of final plans review, as determined by the City Engineer.
7. All unused driveways shall be removed and replaced with full height curb and gutter and sidewalk in accordance with City standards.
8. Adequate horizontal sight distance shall be provided at all street intersections and driveway entrances. Increased parkway widths, open space easements, and restrictions on landscaping may be required at the discretion of the City Engineer.
9. The developer's engineer shall prepare a complete signing and striping plan for all improved roadways. Developer's contractor shall do any removal of existing striping and all new signing and striping.
10. The developer will be required to provide a detailed detour and traffic control plan, for all construction within existing rights-of-way, to the satisfaction of the Traffic Engineer and the Field Engineer. This plan shall be approved prior the issuance of an Encroachment Permit for construction within the public right-of-way.
11. The developer shall provide the City with cash contribution in the amount of \$50,000 towards future improvement of Centre City Parkway between Felicita Avenue and Brotherton Road, prior to issuance of Building Permit.
12. The developer shall provide the City with cash contribution in the amount of \$7,500 towards future improvement of the intersection of Brotherton Road and Felicita Avenue, prior to issuance of building permit.

GRADING

1. Site grading and erosion control plans prepared by a Registered Civil Engineer are required for all onsite improvements and shall submitted to the Engineering Department. Grading Plans are subject to approval by the Planning, Fire and Engineering Departments prior to issuance of a Grading Permit.
2. All private driveways and parking areas shall be paved with a minimum of 3" AC over 6" of AB or 5 1/2" PCC over 6" AB. All paved areas exceeding 15% slope or less than 1.0% shall be paved with PCC. (This requirement may be reduced to 2" AC over 4" AB or 5 1/2" P.C.C. over native for single family residential only)
3. All proposed retaining walls shall be shown on and permitted as part of the site grading plan. Profiles and structural details shall be shown on the site grading plan and the Soils Engineer shall state on the plans that the proposed retain wall design is in conformance with the recommendations and specifications as outlined in his report. Structural calculations shall be submitted for review by a Consulting Engineer for all walls not covered by Regional or City Standard Drawings. Retaining walls or deepened footings that are to be constructed as part of building structure will be permitted as part of the Building Dept. plan review and permit process.
4. Erosion control, including riprap, interim sloping planting, gravel bags, or other erosion control measures shall be provided to control sediment and silt from the project. The developer shall be responsible for maintaining all erosion control facilities throughout the development of the project.

5. A General Construction Activity Storm Water Permit is required from the State Water Resources Board for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of one or more acres. Two copies of the Storm Water Pollution Prevention Plan shall be submitted to the City.

DRAINAGE

1. Final on-site and off-site storm drain improvements shall be determined to the satisfaction of the City Engineer and shall be based on a drainage study to be prepared by the engineer of work. The drainage study shall be in conformance with the City of Escondido Design Standards.
2. A Final Water Quality Technical Report in compliance with City's latest adopted Storm Water Management Requirements shall be prepared and submitted together with the final improvement and grading plans. Water Quality Technical Report shall include post construction storm water treatment measures and maintenance requirements.
3. All site drainage with emphasis on the parking and drive way areas shall be treated to remove expected contaminants using a high efficiency non-mechanical method of treatment. The City highly encourages the use of grass bio-swales or rock/gravel swales within or along the perimeter of the parking and driveway areas as the primary method of storm water treatment. The landscape plans will need to reflect these areas of storm water treatment.
4. The on-site trash enclosure area shall drain toward a landscaped area and include a roof over the enclosure in accordance with the City's Storm Water Management requirements and to the satisfaction of the City Engineer.
5. All on-site storm drains not in public easements are private. The responsibility for maintenance of these storm drains and all post construction storm water treatment facilities shall be that of the property owner.

WATER SUPPLY

1. Fire hydrants together with an eight (8") inch supply line from Brotherton Road shall be installed at locations approved by the Fire Marshal, designed and constructed to the satisfaction of the Utilities Director.
2. Separate water meters shall be installed for each building.
3. A Public Utility Easement shall be granted to the City of Escondido for all public water mains within the project site. The easement shall include all fire hydrants, water meters and other appurtenances. The minimum easement width shall be 20 feet.

RECYCLED WATER

1. The developer is required to construct an irrigation system, for the frontage on Centre City Parkway and Brotherton Road that can use either potable or recycled water. This system should be built to the satisfaction of the Planning and Utilities Directors.

SEWER

1. An access driveway shall be provided from Centre City Pkwy. to the existing sewer manhole in the northeast corner of the proposed project to the satisfaction of the Director of Utilities.
2. Separate 6" sewer laterals shall be installed from the public main to each building.
3. No trees or deep rooted plants shall be planted within 15' of sewer lines.

EASEMENTS AND DEDICATIONS

1. Necessary public utility easements (for sewer, water and storm drain) shall be granted to the City. The minimum easement width is 20 feet. Easements with additional utilities shall be increased accordingly.
2. Vehicular access rights to Center City Parkway shall be waived and relinquished to the City of Escondido.

Material necessary for processing a dedication or easement shall include: a current grant deed or title report, a legal description and plat of the dedication or easement signed and sealed by a person authorized to practice land surveying (document size) and traverse closure tapes. The City will prepare all final documents.

REPAYMENTS AND FEES

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

SURVEYING AND MONUMENTATION

1. All property corners shall be monumented by a person authorized to practice land surveying and a Record of Survey Map (or Corner Record if appropriate) shall be recorded.
2. A current preliminary title report shall be submitted with the grading plans.

UTILITY UNDERGROUNDING AND RELOCATION

1. All existing overhead utilities within the subdivision boundary or along fronting streets shall be relocated underground in accordance with City's Utilities Undergrounding Ordinance.
2. The developer shall sign a written agreement stating that he has made all such arrangements as may be necessary to coordinate and provide utility construction, relocation and undergrounding. All new utilities shall be constructed underground.

CITY OF ESCONDIDO
AUGUST 18, 2010
4:00 p.m. Meeting Minutes

Escondido City Council
Community Development Commission
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council, Community Development Commission, and Mobilehome Rent Review Commission was called to order at 4:00 p.m. on Wednesday, August 18, 2010 in the Council Chambers at City Hall with Mayor Pfeiler presiding.

FLAG SALUTE

Mayor Pfeiler led the flag salute.

ATTENDANCE

The following members were present: Councilmember Sam Abed, Mayor Pro Tem Dick Daniels, Councilmember Olga Diaz, Councilmember Marie Waldron, and Mayor Lori Holt Pfeiler. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Planning Department; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

ORAL COMMUNICATIONS

Wayne Louth, Escondido, asked Council to have the artist that painted a flag on the rooftop of a shop in Escondido that has been destroyed, to paint another flag on another Escondido building's rooftop.

Mike O'Connor, Valley Center, indicated there would be two functions in Escondido to commemorate 911 and invited the community to attend the events.

CONSENT CALENDAR

Councilmember Diaz removed items 10, 11, 13, 14 and 15 from the Consent Calendar for discussion.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron that the following Consent Calendar items be approved with the exception of items 10, 11, 13, 14 and 15. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/CDC/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/CDC)**
3. **APPROVAL OF MINUTES: Special Meeting of June 30, 2010
Regular Meeting of July 14, 2010**
4. **2010 TREASURER'S REPORT FOR SECOND QUARTER, APRIL THROUGH JUNE 2010**
(File No. 0490-55)

Staff Recommendation: Receive and File (**City Treasurer: Kenneth C. Hugins**)

5. **FIRST AMENDMENT TO THE TEN YEAR LEASE BETWEEN THE CITY AND THE ESCONDIDO FEDERAL CREDIT UNION (EFCU) FOR OFFICE SPACE AT 2261 EAST VALLEY PARKWAY** – Request Council authorize the Mayor and City Clerk to execute a First Amendment to the Lease Agreement with EFCU to renew the lease for an additional five years at 2261 East Valley Parkway (office space at East Valley Community Center). (File No. 0600-10 [A-2365])

Staff Recommendation: Approval (**Engineering Division: Jo Ann Case**)

RESOLUTION NO. 2010-132

6. **MEMORANDUM OF UNDERSTANDING FOR ESCONDIDO POLICE OFFICERS' ASSOCIATION NON-SWORN BARGAINING UNIT** – Request Council authorization to extend the Police Officers' Association Non-Sworn Bargaining Unit contract to June 30, 2012. (File No. 0740-30)

Staff Recommendation: Approval (**Human Resources Dept.: Sheryl Bennett**)

RESOLUTION NO. 2010-131

7. **MEMORANDUM OF UNDERSTANDING FOR MAINTENANCE AND OPERATIONS, TEAMSTERS LOCAL 911 BARGAINING UNIT CONTRACT** – Request Council authorization to extend the Maintenance and Operations Bargaining Unit contract to June 30, 2011. (File No. 0740-30)

Staff Recommendation: Approval (**Human Resources Dept.: Sheryl Bennett**)

RESOLUTION NO. 2010-124

8. **NOTICE OF COMPLETION FOR ELM TO HICKORY STREET LIGHT PROJECT** - Request Council authorize the City Engineer to file a Notice of Completion for the Elm to Hickory Street Light Project. (File No. 0600-10 [A-2976])

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

9. **NOTICE OF COMPLETION FOR THE POLICE AND FIRE HEADQUARTERS (BID PACKAGE 5A) (ARTIMEX)** Request Council authorize staff to file a Notice of Completion for Artimex Iron Company (Bid Package 5A) for structural steel work at the Police and Fire Headquarters located at 1163 N. Centre City Parkway. (File No. 0600-10 [A-2871])

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

- 10. CHANGE ORDER FOR THE POLICE AND FIRE HEADQUARTERS (HPS)** Request Council approve a construction change order with HPS Mechanical, in the amount of \$17,100, for additional plumbing, heating and cooling work at the Police and Fire Headquarters located at 1163 N. Centre City Parkway. (File No. 0600-10 [A-2879])

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

Councilmember Diaz indicated she was opposed to change orders for the Police and Fire Headquarters.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron to approve a construction change order with HPS Mechanical, in the amount of \$17,100, for additional plumbing, heating and cooling work at the Police and Fire Headquarters located at 1163 N. Centre City Parkway. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

- 11. CHANGE ORDER FOR THE POLICE AND FIRE HEADQUARTERS (WITHEROW)** Request Council approve a construction change order with J.P. Witherow roofing in the amount of \$42,643, for additional roofing work at the Police and Fire Headquarters located at 1163 N. Centre City Parkway. (File No. 0600-10 [A-2917])

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

Councilmember Diaz asked if this change order was part of the original problem or a new problem.

Joyce Masterson, Assistant to the City Manager, indicated that other contractors had made repairs for their errors, but these repairs were made to bring back the roof to function as a new roof.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron to approve a construction change order with J.P. Witherow roofing in the amount of \$42,643, for additional roofing work at the Police and Fire Headquarters located at 1163 N. Centre City Parkway. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

- 12. NOTICE OF COMPLETION FOR THE POLICE AND FIRE HEADQUARTERS (BID PACKAGE 3B (HAZARD))** Request Council authorize staff to file a Notice of Completion for Hazard Construction Company (Bid Package 3B Site Concrete and Paving) at the Police and Fire Headquarters located at 1163 N. Centre City Parkway. (File No. 0600-10 [A-2939])

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

- 13. CHANGE ORDER FOR POLICE AND FIRE HEADQUARTERS (ISEC)** Request Council approve a construction change order with ISEC, Inc. in the amount of \$47,178 for construction specialties at the Police and Fire Headquarters. (File No. 0600-10 [A-2892])

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

Councilmember Diaz indicated she did not think this was critical to public safety.

Joyce Masterson, Assistant to the City Manager, stated this was a designer error in ordering the wrong countertop thickness and the telephones would not fit on the counter.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron to approve a construction change order with ISEC, Inc. in the amount of \$47,178 for construction specialties at the Police and Fire Headquarters. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried unanimously.

- 14. BUDGET ADJUSTMENT FOR POLICE AND FIRE HEADQUARTERS** Request Council authorize a budget adjustment of \$129,522 from the Police and Fire portion of the Public Facility Fees to the Public Safety Facility Expansion Account for remaining needed construction at the Police and Fire Headquarters. (File No. 0430-80)

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

Councilmember Diaz stated she would not support this item.

Joyce Masterson, Assistant to the City Manager, indicated that even with these change orders the entire project was still under budget by \$140,000.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Waldron to authorize a budget adjustment of \$129,522 from the Police and Fire portion of the Public Facility Fees to the Public Safety Facility Expansion Account for remaining needed construction at the Police and Fire Headquarters. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

- 15. STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY DUI ENFORCEMENT AND AWARENESS PROGRAM GRANT FOR FISCAL YEAR 2011** Request Council authorize the Escondido Police Department to accept Fiscal Year 2011 California Office of Traffic Safety (OTS) DUI Enforcement and Awareness Program Grant funds in the amount of \$268,564, authorize the Chief of Police to submit grant documents on behalf of the City and authorize staff to establish budget adjustments to spend additional grant funds. (File No. 0480-70)

Staff Recommendation: Approval (**Police Department: Jim Maher**)

Councilmember Diaz asked how many checkpoints were planned.

Police Lieutenant Tom Albergo indicated that approximately 15 DUI checkpoints and 8 Saturation patrols were planned for this year.

MOTION: Moved by Councilmember Abed and seconded by Councilmember Waldron to authorize the Escondido Police Department to accept Fiscal Year 2011 California Office of Traffic Safety (OTS) DUI Enforcement and Awareness Program Grant funds in the amount of \$268,564, authorize the Chief of Police to submit grant documents on behalf of the City and authorize staff to establish budget adjustments to spend additional grant funds. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

- 16. DECLARATION OF EMERGENCY AND BID AWARD FOR WATERLINE REPLACEMENT ON NINTH AVENUE BETWEEN JUNIPER STREET AND SOUTH BROADWAY** Request Council declare the watermain repair work to be an emergency and authorize the Director of Utilities to contract for the repair work on an emergency basis for an amount not to exceed \$300,000. (File No. 0600-10 [A-2998])

Staff Recommendation: Approval (**Utilities Department: Lori Vereker**)

RESOLUTION NO. 2010-137

- 17. ESTABLISHING THE PROPERTY TAX RATE AND FIXED CHARGE ASSESSMENTS FOR BONDED INDEBTEDNESS FOR FISCAL YEAR 2010-11** (File No. 0440-35)

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

RESOLUTION NO. 2010-129

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

None

PUBLIC HEARINGS

- 18. AFFORDABLE HOUSING REDEVELOPMENT LOCATED AT 1282 N. BROADWAY, 141, 211 AND 221 EL NORTE PARKWAY** Request Council (1) provide authorization to enter into an exclusive negotiating agreement with Community HousingWorks (CHW) for redevelopment of four residential parcels located at Broadway and El Norte Parkway; authorization to encumber FY 2010-2011 affordable housing funds in an amount not to exceed \$500,000 for development costs; and authorizing execution of all necessary agreements in form approved by the City Attorney; (2) Approve the grant of the City-owned parcel at 1282 N. Broadway (purchased with Neighborhood Stabilization Program [NSP] funds) to CHW for its redevelopment in conjunction with the three adjacent parcels on El Norte Parkway in exchange for long-term affordability covenants, and authorizing execution of the grant deed and supporting documents in form acceptable to the City Attorney. (File No. 0875-55)

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

- a. **RESOLUTION NO. 2010-136**
- b. **RESOLUTION NO. CDC 2010-10**

Roni Keiser, Housing Manager, gave the staff report and presented a series of slides.

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

Maria Cardenas, Escondido, indicated that Community Housing Works had helped her family and the community. She asked Council to approve the project.

Teresa Mejia, Escondido, stated Community Housing Works has helped her to return to school and asked Council to support the project.

Devadip Tejada, Escondido, indicated Community Housing Works had helped many people with affordable housing and requested Council to approve their project.

Manuel Albino, Escondido, stated working for Community Housing Works had given him many opportunities and asked Council to support them.

Alberto Nunez, Escondido, indicated he supported the project because Community Housing Works had made great changes in people's lives. He asked Council to approve the project.

Ann Wilson, Community Housing Works Senior Vice President, expressed gratitude to the residents for telling the Council about their projects.

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

MOTION: Moved by Councilmember Waldron and seconded by Councilmember Daniels to provide authorization to enter into an exclusive negotiating agreement with Community Housing Works (CHW) for redevelopment of four residential parcels located at Broadway and El Norte Parkway; authorization to

encumber FY 2010-2011 affordable housing funds in an amount not to exceed \$500,000 for development costs; authorize execution of all necessary agreements in form approved by the City Attorney; approve the grant of the City-owned parcel at 1282 N. Broadway (purchased with Neighborhood Stabilization Program [NSP] funds) to CHW for its redevelopment in conjunction with the three adjacent parcels on El Norte Parkway in exchange for long-term affordability covenants, authorize execution of the grant deed and supporting documents in form acceptable to the City Attorney, adopt Resolution No. 2010-136 and Resolution No. CDC 2010-10. Motion carried unanimously.

CURRENT BUSINESS

- 19. PRESENTATION BY CAL POLY** - Graduate students from the Cal Poly Pomona Landscape Architecture Department will be presenting the results of their "Escondido Creek Greenway Vision Plan" study. Approval to fund the study with CDBG funds, in conjunction with SANDAG grant funds, was granted by City Council on October 28, 2009; and approval to conduct the study was granted by City Council on January 27, 2010. (File No. 0110-20)

Staff Recommendation: None (**Neighborhood Services: Rich Buquet**)

Rich Buquet, Neighborhood Services, gave the staff report and introduced the Cal Poly students, Katie McNeil, April Marshburn, Karen Chieng, and Jason Andrews, who presented a series of slides.

Patricia Spann, Escondido, indicated that quality of life was important for the citizens of Escondido and encouraged Council to act on the recommendations.

Geoffrey Smith, San Diego, stated he supported the effort to revitalize the creek.

Kevin Barnard, Escondido Creek Conversancy, thanked the Cal Poly students for their visualization and plan for the creek and suggested it be included in the general plan.

Lisa Prazeau, Escondido, indicated the Chamber of Citizens supported the Escondido Creek revitalization suggested by the Cal Poly students.

Jason Everitt, Escondido, stated he supported the recommendations of the Cal Poly students.

COUNCIL ACTION: No action, information only

- 20. ENERGY EFFICIENCY PROGRAM** – Request Council authorize a budget transfer in the amount of \$240,000 from the Recycling fund to support energy efficiency retrofits with Climatec Building Technologies Group. (File No. 0430-80)

Staff Recommendation: Approval (**Community Services: Jerry Van Leeuwen and Kathy Winn**)

Jerry Van Leeuwen, Community Services Director, gave the staff report and presented a series of slides.

MOTION: Moved by Councilmember Abed and seconded by Councilmember Daniels to authorize a budget transfer in the amount of \$240,000 from the Recycling fund to support energy efficiency retrofits with Climatec Building Technologies Group. Motion carried unanimously.

BRIEFING (Staff)

None

FUTURE AGENDA

- 21. 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**)

Councilmember Diaz asked Councilmember Waldron when her request for discussion of staffing Fire Station #6 would be placed on the agenda. Councilmember Waldron stated she was working on it.

ORAL COMMUNICATIONS

Jason Everitt, Escondido, requested that the City Manager respond to the Union Tribune's request for a copy of his contract.

Staff indicated the contract and other salary information had been posted on the City's website for several weeks.

M.A. Mareck, Escondido, asked that vital information continue to be given to the community.

COUNCIL/COMMISSION/ MEMBERS COMMENTS

None

CLOSED SESSION: (COUNCIL/CDC/RRB)

Attorney Jeffrey Epp recommended recess to Closed Session to discuss items 22 and 23 and asked to add one item that related to real property which arose subsequent to the agenda posting.

MOTION: Moved by Councilmember Daniels and seconded by Councilmember Diaz to add item 24 to Closed Session pursuant to Government Code Section 54954.2(b)(2); that the need to take immediate action arose subsequent to the posting of the agenda; and to recess to Closed Session. Motion carried unanimously.

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

- a.** Property: 2196 Montemar
Agency Negotiators: Jerry Van Leeuwen
Negotiating parties: City and St. Clares

Under negotiation: Disposition of property

- 23. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code §54957)**
a. City Manager
b. City Attorney

ADDED ITEM:

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

- a. Property: A parcel on the North side of West Valley Parkway between City Hall and the California Center for the Arts, Escondido APN#229-372-20
Agency Negotiator: Charles Grimm
Negotiating parties: City of Escondido, Escondido Developers, Dow Hospitality, California Center for the Arts
Under negotiation: Leasing arrangements

ADJOURNMENT

RECESSED TO THE 7:00 PM MEETING AT 7:21 P.M.

CITY OF ESCONDIDO
AUGUST 18, 2010
7:00 p.m. Meeting Minutes

Escondido City Council
Community Development Commission

CALL TO ORDER

The Regular Meeting of the Escondido City Council and Community Development Commission was called to order at 7:24 p.m. on Wednesday, August 18, 2010 in the Council Chambers at City Hall with Mayor Pfeiler presiding.

MOMENT OF REFLECTION

FLAG SALUTE

Mayor Pfeiler led the flag salute.

ATTENDANCE

The following members were present: Councilmember Sam Abed, Mayor Pro Tem Dick Daniels, Councilmember Olga Diaz, Councilmember Marie Waldron, and Mayor Lori Holt Pfeiler. Quorum present.

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Bill Martin, Planning Department; Ed Domingue, Engineering Services Director; Marsha Whalen, City Clerk; and Liane Uhl, Minutes Clerk.

ORAL COMMUNICATIONS

None

PUBLIC HEARINGS

- 24. SHORT-FORM RENT INCREASE APPLICATION FOR ESCONDIDO MOBILEPARK WEST MOBILEHOME PARK** – Consider the short-form rent increase application submitted for Mobilepark West Park, granting a rent increase in the average amount of \$11.60 per space per month (**Continued from 4/14/10**) (File No. 0697-20-9662)

Staff Recommendation: Approval (**Community Services/Housing Division: Roni Keiser**)

RESOLUTION NO. RRB 2010-01R

Michelle Henderson, Housing Division, gave the staff report and presented a series of slides.

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

Chad Casenhiser, Owner Representative, listed all the maintenance issues that had been resolved and asked Council to grant the rent increase.

Joe McCoy, Resident Representative, indicated the owners were still working on maintenance issues and asked Council to deny the rent increase.

Jason Everitt, Escondido, stated the continuation of the rent hearing should not have been allowed and urged Council not to grant the rent increase.

Lester Anderson, Escondido, presented a series of pictures, voiced concern with the safety of the hot tub and asked Council to deny the rent increase.

Mark Wimmer, Escondido, expressed concern with people speeding in the park and asked that Council not approve the increase.

Scott Sproul, Escondido, indicated he did not agree with the rent increase and asked Council to deny it.

Larry Steneck, Escondido, distributed a picture of a sex offender that lived in Eastwood Meadows and requested Council not grant the rent increase.

Don Greene, Escondido, stated he did not agree with the rent increase and asked Council to deny it.

Lisa Prazeau, Escondido, asked Council to deny the rent increase request.

Wayne Louth, Escondido, indicated he agreed with the park residents and urged Council not to approve the rent increase.

Tina Barney, Escondido, indicated she did not support a rent increase and asked Council not to grant it.

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

MOTION: Moved by Councilmember Abed and seconded by Councilmember Waldron to grant the short-form rent increase and adopt Resolution No. RRB 2010-01R. Ayes: Abed, Daniels, Waldron and Pfeiler. Noes: Diaz. Absent: None. Motion carried.

CURRENT BUSINESS

None

BRIEFING (Staff)

None

ORAL COMMUNICATIONS

Lisa Prazeau, Escondido, thanked Councilmember Diaz for being on the Council.

COUNCIL/COMMISSION/ MEMBERS COMMENTS

None

CLOSED SESSION: (COUNCIL/CDC/RRB)

RECESSED BACK INTO CLOSED SESSION AT 8:50 P.M.

ADJOURNMENT

Mayor Pfeiler adjourned the meeting at 10:04 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 4
Date: September 22, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Human Resources

SUBJECT: Year 2011 Holidays

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2010-146 to designate the days that City offices will be closed in the year 2011 for holiday observances.

FISCAL ANALYSIS:

None

CORRELATION TO THE CITY COUNCIL ACTION PLAN:

Not applicable.

PREVIOUS ACTION:

Each year the City Council adopts a resolution, as required by State law, to designate the days that City offices will be closed for holiday observances.

BACKGROUND:

Holidays are considered to be an employee benefit and are, therefore, a part of the negotiation process with our various bargaining units. There are ten recognized holidays each year.

Respectfully submitted,


Sheryl Bennett
Director of Human Resources


Clay Phillips
City Manager

RESOLUTION NO. 2010-146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, DESIGNATING HOLIDAYS ON WHICH CITY OFFICES SHALL BE CLOSED FOR CALENDAR YEAR 2011

WHEREAS, Section 6700 of the California Government Code designates days that are holidays in the State; and

WHEREAS, Section 6702 of the California Government Code provides that City offices shall be closed on designated State holidays unless otherwise provided by the City; and

WHEREAS, this City Council desires and deems it to be in the best public interest to designate those holidays on which City offices will be closed;

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 public offices of the City shall be closed on the following dates in observance of indicated holidays except with respect to offices that are required to be left open for reasons of public safety:

January 1, 2011	New Year's Day (Observed on Friday, December 31, 2010, with the exception of the Library, who will observe on the actual day.)
January 17, 2011	Martin Luther King, Jr. Day
February 21, 2011	Presidents' Day
May 30, 2011	Memorial Day
July 4, 2011	Independence Day
September 5, 2011	Labor Day
November 11, 2011	Veterans Day (Float Holiday)
November 24, 2011	Thanksgiving Day
November 25, 2011	Day After Thanksgiving (Float Holiday)
December 25, 2011	Christmas (Observed on Monday, December 26, 2011)



CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 5
Date: September 22, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Jerry Van Leeuwen, Director of Community Services
Rich Buquet, Manager of Neighborhood Services

SUBJECT Winter Weather Shelter for the Homeless

STAFF RECOMMENDATION:

It is requested that Council approve Resolution No. 2010-141, authorizing the City Manager or his designee to approve the emergency use of a vacant tenant space at 755 N. Quince for a 100 day winter weather shelter for 2010-2011.

PROJECT DESCRIPTION:

The Salvation Army has submitted a request to operate an emergency winter weather shelter in a vacant tenant space. The facility would consist of 40 beds and would operate starting December 6, for a period of 100 days, and close March 15, 2011.

LOCATION:

On the western side of Quince Street, south of Mission Avenue, addressed as 755 North Quince Street

ENVIRONMENTAL STATUS:

N/A

FISCAL IMPACT:

The City of Escondido receives annual formula allocations of CDBG program funding from the U.S. Department of Housing and Urban Development (HUD). All program and program administration expenses are paid with CDBG funds and do not impact the City's general fund.

PREVIOUS ACTION:

On September 12, 2007, City Council endorsed the Regional Winter Shelter Plan to significantly reduce the number of homeless people in the region. On November 14, 2007, Council approved the MOU with Salvation Army to operate the winter weather shelter at 1301 Las Villas Way in collaboration with the Alliance for Regional Solutions. On March 24, 2010, Council approved an allocation of \$33,300 in CDBG Public Service funds for the winter weather shelter for the 2010-2011 season.

BACKGROUND:

It has been the practice of the City of Escondido for the past 23 years to support local non profits in providing winter weather shelter to those in need, with the Salvation Army being the site operator for the winter shelter program since 2007.

Earlier this year, the Salvation Army notified the Alliance for Regional Solutions (ARS) that the current site would not be available to host the 2010-2011 Winter Shelter program, and the ARS began looking for a replacement site. The Alliance considered many sites and they have identified the site at 755 North Quince Street as one that would meet their needs. The site is located in the CG zone. There are no provisions in the Zoning Code for a temporary or winter weather shelter, and no provisions for any shelter in the CG zone. Rather than seek an amendment to the Zoning Code to permit a winter weather shelter in the CG zone with a Conditional Use Permit (CUP) or an Administrative Temporary Use Permit (TUP), staff recommends allowing the Salvation Army to operate an emergency winter weather shelter at the proposed site.

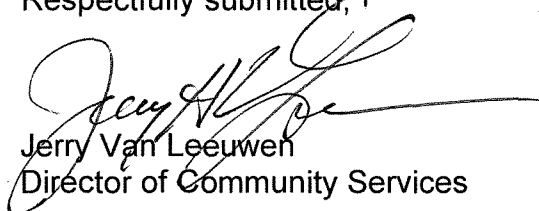
The location at 755 North Quince Street is approximately 500 feet from the Interfaith Community Services site at 550 West Washington, within walking distance. Interfaith would provide services to the temporary winter weather shelter, similar to those provided to their regular clients and those at the veterans' shelter, Merle's Place. Interfaith has committed to provide food, showers and laundry service for guests at the facility. In addition, the Fellowship Center has committed to provide security and site clean-up. The Salvation Army would continue to operate the shelter.

The proposed facility would be limited to 40 beds, providing only sleeping quarters on the site. Necessary services, including food, showers, and public transportation are located within walking distance of the site. Staff feels the emergency winter weather shelter would assist in providing shelter to individuals and families with special needs and/or temporarily displaced by unfortunate circumstances.

ALTERNATIVE:

The Escondido Zoning Code specifies in which zones social and charitable services may be located. Emergency shelters are specifically permitted only in the M-1 zone (Light Industrial) and only with a CUP. The Zoning Code specifies that any site must be immediately adjacent to the CG zone and within 500 feet of public transportation. Council could direct staff to explore a possible zoning code amendment allowing winter weather shelters in CG or other zones.

Respectfully submitted,


Jerry Van Leeuwen
Director of Community Services


Rich Buquet
Neighborhood Services Manager

RESOLUTION NO. 2010-141

5.

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE CITY MANAGER OR HIS
DESIGNEE TO APPROVE THE USE OF THE
PROPERTY AT 755 N. QUINCE FOR A 100 DAY
WINTER WEATHER SHELTER

WHEREAS, on September 12, 2007, the City Council endorsed the Regional Winter Shelter Plan to significantly reduce the number of homeless people in the region; and

WHEREAS, on November 14, 2007, the City Council approved an agreement with the Salvation Army to operate a winter weather shelter in Escondido in collaboration with the Alliance for Regional Solutions; and

WHEREAS a Public Hearing was held on March 24, 2009, at which time City Council approved a FY 2010-2011 CDBG public service funding allocation of \$33,300 for a winter weather shelter; and

WHEREAS, the City Council desires at this time, and deems it to be in the best public interest, to approve the use of the property at 755 N. Quince for a 100 day winter weather shelter to operate from December 6, 2010 to March 15, 2011.

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 Manager or his Designee are hereby authorized to execute, on behalf of the City, approval for the use of the property at 755 N. Quince for a 100 day winter weather shelter to operate from December 6, 2010 to March 15, 2011.

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 6

Date: August 22, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Human Resources Director
Cindy Titgen, Benefits and Workers' Compensation Manager

SUBJECT: Reimbursement for Retirees under the Affordable Care Act Early Retiree Reinsurance Program

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2010-147 allowing the City of Escondido to seek reimbursement for Early Retirees under the Federal Affordable Care Act.

FISCAL ANALYSIS:

A one time administrative fee of \$1,400 being charged by PacifiCare is part of costs paid by our benefits insurance broker. The Program does not allow the fee to be taken from reimbursed federal funds.

BACKGROUND:

As City of Escondido employees retire they may elect to stay on the Early Retiree Health Coverage (under age 65). Due to health issues, many retirees have a difficult time obtaining individual health insurance coverage and desire to remain on a City-sponsored health plan.

The City, assisted by its benefits broker, selects the group health insurance carriers for Early Retirees (under age 65) and retirees pay 100% of health insurance premiums. Early Retiree insurance premiums continue to rise due to the City's small group of retirees, health issues, overall aging of the retiree population and increased health care costs. Insurance premiums for this group begin at \$320 per month and can be as much as \$990 per month. The anticipated health insurance increase for 2011 is between 19 – 21%.

The Affordable Health Care Act created a "bridge" to the new health insurance Exchanges in 2014, by providing \$5 billion in financial assistance to employers to assist them to maintain coverage for early retirees age 55 and older who are not yet eligible for Medicare (age 65). Employers who are accepted into the Program will receive reimbursement for medical claims for early retirees, their spouses, surviving spouses, and dependents. The City will not know the amount of reimbursement for the early retirees until reports are provided from the health insurance carriers, and money is received from the Department of Health and Human Services. Reimbursements from the Program

are to be used to provide relief to these early retirees as the government prepares the Exchanges. The \$5 billion is available until the fund runs out or until January 1, 2014.


In July 2010, the City applied to the U.S. Department of Health & Human Services (HHS) to participate in the Early Retiree Reinsurance Program (ERRP). The City of Escondido was one of the first 2000 nation-wide agencies to receive approval to seek reimbursement under this Program. Reimbursement is provided only for high-cost claims of retirees and their families.

Program details are emerging on an on-going basis and not all information is developed. Current Program information indicates that the ERRP reimbursement may not be used as general revenue, that a form notice is to be provided to early retirees, claims may only be submitted for items and services that Medicare would cover, and programs and procedures are in place for Chronic and High-Cost Conditions. Additionally, HHS requires written agreements with an employer's health insurance carrier(s) regarding disclosure of medical information, data, other information and documents to the extent necessary to determine reimbursements and related oversight. Further, reimbursements must be used to reduce or offset increases or premium contributions, etc. for plan participants or a plan sponsor.

In the City of Escondido's case, the City does not contribute to Early Retiree Coverage. Accordingly, any ERRP reimbursement received must be 100% reimbursed to early retirees to offset their monthly premiums. Funds received will be deposited into the City's Benefits Administration Fund to be disbursed to early retirees under ERRP Program guidelines.

Accordingly, Staff requests approval of Resolution 2010-147 which provides Staff authority to seek ERRP reimbursement for Early Retirees and delegate's authority to the Human Resources Director or designee to comply with the HHS/ERRP Program requirements. Delegation of authority includes, but is not limited to: developing any and all required notices, submitting insurance claims to the Department of Health and Human Services, entering into contracts with health insurance carriers to comply with promulgated rules set forth under the Program and authority to provide reimbursement to the City's early retirees through the Benefits Administration Fund.

Respectfully submitted,



Sheryl Bennett
Human Resources Director



Cindy Titgen
Benefits & Workers' Compensation Manager

RESOLUTION NO. 2010-147

6.

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING RESOLUTION NO. 2010-147
AUTHORIZING THE CITY TO SEEK
REIMBURSEMENT FOR EARLY RETIREES
UNDER THE FEDERAL AFFORDABLE CARE
ACT

WHEREAS, the Federal Affordable Health Care Act, through the Department of Health and Human Services, created a “bridge” to the new health insurance Exchanges in 2014, by providing \$5 billion in financial assistance to employers; and

WHEREAS, the City of Escondido was approved by the Department of Health and Human Services to seek reimbursement under the Early Retiree Reinsurance Program; and

WHEREAS, reimbursements from the Program are to be used to provide relief to early retirees as the government prepares the Exchanges; and

WHEREAS, the Department of Health and Human Resources is promulgating Early Retiree Reinsurance Program rules and requirements.

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

1. That the above recitations are true.
2. That the City Council provides Staff authority to seek Early Retiree Reinsurance Program reimbursement for Early Retirees.
3. That the City Council delegates authority to the Human Resources Director or designee to comply with current and future program requirements set forth by the

Department of Health and Human Service Early Retiree Reimbursement Program requirements.

4. That the City Council delegates authority to the Human Resources Director or designee to:

- a) Develop any and all required notices;
- b) Submit insurance claims to the Department of Health and Human Services;
- c) Enter into contracts such as health insurance carrier(s);
- d) Implement Program requirements;
- d) Provide reimbursement to the City's early retirees through the Benefits Administration Fund.

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 7
Date: **September 22, 2010**

TO: Honorable Mayor and Members of the City Council
FROM: Laura Mitchell, City Librarian
SUBJECT: Notice of Completion for the Escondido Library Heating and Air Conditioning Project

RECOMMENDATION:

It is requested that Council approve and accept the public improvements and authorize the Director of Community Services to file a Notice of Completion for the Escondido Public Library Heating, Ventilation and Air Conditioning replacement.

FISCAL ANALYSIS:

The original contract amount was \$271,500.00. Change orders totaled \$21,749, bringing the final cost to \$293,249.

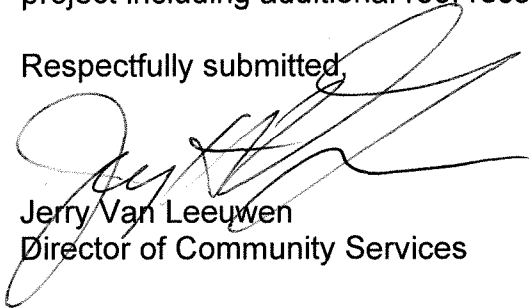
PREVIOUS ACTION:

On May 9 and June 20, 2007, the Escondido City Council approved \$400,000 and \$1,267,000 respectively, to refurbish at the Main Library, with the source of funding the capital reserve which was set aside by City Council in 2001 for the local match for the new library project grant. On October 7, 2009 the Escondido City Council adopted Resolution No. 2009-145, executing a Public Improvement Agreement with Jackson & Blanc in the amount of \$271,500 for the replacement of the heating and air conditioning system, with funding to come from the Library Refurbishment project. On June 9, 2010, Council budgeted \$292,470 from the Building Maintenance fund balance to cover this project.

BACKGROUND:

This project replaced 30-year-old heating and air conditioning units located on the roof of the Main Library and in addition, undertook a number of associated repair needs which came to light during the project including additional roof reconstruction due to water damage.

Respectfully submitted,


Jerry Van Leeuwen
Director of Community Services


Laura Mitchell
City Librarian



CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 8
Date: September 22, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Human Resources
Jodi Vinson, Risk & Safety Manager

SUBJECT: California State Association of Counties (CSAC) Excess Insurance Authority (EIA):
Designation of City Representative

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2010-144 granting the City Manager, or his designee, authority to act on behalf of and to enter into agreements with the EIA.

PREVIOUS ACTION:

On May 7, 2003, the City Council approved the purchase of excess workers' compensation insurance through a risk pool. Subsequently, the City Manager approved participation in the CSAC EIA.

BACKGROUND:

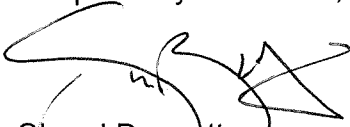
In 2003 the City joined the CSAC EIA for procurement of workers' compensation insurance services. In order to ensure that individuals are authorized to fully act on behalf of their respective entity, EIA is requiring the governing board of all member agencies to officially designate a representative, either an individual(s) or a position(s), which has authority to officially act on behalf of their entity.

Each member entity of EIA has designated a primary contact person who receives all communication regarding matters related to EIA such as notifications, requests for information, renewal premium quotes, invoices, etc. However, that individual may or may not be officially authorized by its governing board to act upon official matters such as executing Memorandums of Understanding and entering into service agreements. The EIA desires to ensure that the individuals executing such documents and agreements are authorized to do so. Therefore, the EIA is requiring the governing board of each member to designate an authorized representative(s). The official designated representative(s) can be an individual(s) or a position(s) who has been delegated such authority. The representative for communications with the EIA will not change. All communications will still come through the primary contact person.

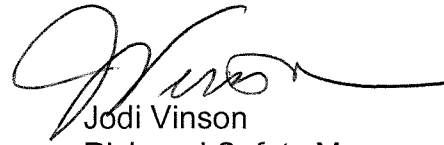
Delegation of Authority to the Position of City Manager
September 22, 2010
Page 2

Staff recommends City Council adopt Resolution No. 2010-144 granting the position of City Manager, or his designee, authority to act on behalf of and to enter into agreements with the EIA.

Respectfully submitted,



Sheryl Bennett
Human Resources Director



Jodi Vinson
Risk and Safety Manager

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE CITY MANAGER, OR
HIS DESIGNEE, TO ACT ON BEHALF OF
AND TO ENTER INTO AGREEMENTS WITH
THE CALIFORNIA STATE ASSOCIATION OF
COUNTIES EXCESS INSURANCE
AUTHORITY

WHEREAS, the California State Association of Counties (CSAC) ExcessInsurance Authority (EIA) has determined that it is necessary for each member of the EIA to delegate to a person(s) or position(s) authority to act on the member's behalf in matters relating to the member and the EIA; and

WHEREAS, except as to those actions that must be approved by the City Council, such delegation of authority is necessary in order to carry out the purposes and functions of the EIA with its members; and

WHEREAS, in order to ensure a person(s) or position(s) is delegated with authority to act on the member's behalf in matters relating to the member and the EIA, action by the member's governing body is necessary; and

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

1. That the above recitations are true.
2. That the City Council authorizes the City Manager, or his designee, to act in all matters relating to the member and the EIA.

CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 9
Date: September 22, 2010

TO: Honorable Mayor and Members of the City Council
FROM: Director of Utilities, Lori Vereker
SUBJECT: Notice of Completion for the Emergency Water Main Replacement on 9th Avenue between Juniper Street and South Broadway

RECOMMENDATION:

It is requested that Council accept the public improvements and authorize the Director of Utilities to file a Notice of Completion for the Water Main on 9th Avenue between Juniper Street and South Broadway.

FISCAL ANALYSIS:

Final construction cost was \$269,407.73.

PREVIOUS ACTION:

On August 18, 2010, Council approved Resolution No. 2010-137 authorizing the Director of Utilities to execute an emergency agreement with Shaw Equipment Rentals Incorporated.

BACKGROUND:

During the execution of the fiscal year 2009/ 2010 City Street Maintenance Program, the water main on 9th Avenue failed causing outages and the temporary abandonment of the pavement project in that area. This work replaced the defective pipeline.

Respectfully submitted,



Lori Vereker
Director of Utilities



Neil Greenwood
Utilities Construction Manager

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 10
Date: September 22, 2010

TO: Honorable Mayor and Members of the City Council
FROM: Lori Vereker, Director of Utilities
SUBJECT: Royal Crest Accelerated Waterline Replacement

RECOMMENDATION:

It is requested that the City Council:

1. Adopt Resolution No. 2010-142 authorizing the Mayor and City Clerk to execute an Agreement with the lowest responsive and responsible bidder in an amount not-to-exceed \$500,000 for Royal Crest Accelerated Waterline Replacement.
2. Approve a budget adjustment in the amount of \$500,000.

FISCAL ANALYSIS:

Funds are available in the Water Pipeline Replacement CIP. Any unused funds will be returned to the originating account.

PREVIOUS ACTION:

N/A

BACKGROUND:

This 600-foot portion of waterline in the 2400 block of Royal Crest Drive runs through the front yards of three residential properties. The pipe was installed in the 1950's and has had numerous leaks and repairs, the latest resulting in a claim against the City. The Utilities Department desires to replace and relocate the pipeline to the street right-of-way ahead of a County project to repave the street scheduled to begin in November 2010. Other trenchless options were investigated but could not complete the work to the required standards. Bids are scheduled to be opened on September 30, 2010. This pre-authorization will save valuable processing time that can then be utilized during the construction phase to meet the County schedule.

Respectfully submitted,



Lori Vereker
Director of Utilities

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE, ON BEHALF OF THE
CITY, A PUBLIC IMPROVEMENT
AGREEMENT WITH LOWEST RESPONSIVE
AND RESPONSIBLE BIDDER FOR THE
ROYAL CREST ACCELERATED WATERLINE
REPLACEMENT

WHEREAS, the Escondido City Council authorized an invitation for bids for the Royal Crest Accelerated waterline Replacement (the "Project"); and

WHEREAS, the City of Escondido will open the sealed bids for the Project on September 30, 2010; and

WHEREAS, the County of San Diego will begin a paving contract including Royal Crest Drive in November 2010 which will provide the opportunity for project coordination between the Project and the paving work, which will result in cost savings and public benefit; and

WHEREAS, staff shall determine following the public bid opening the lowest responsive and responsible bidder; and

WHEREAS, the Director of Utilities shall recommend the award of the bid to the lowest responsive and responsible bidder for the Project; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said bid for the Project.

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 and delegates authority to the City's Utilities Director to complete the bidding process by reviewing the bids, selecting the lowest, responsive, responsible bidder, and awarding the Project to the lowest responsive and responsible bidder, following the bid process referenced above.

3. That the Mayor and City Clerk are therefore authorized to execute, on behalf of the City, a Public Improvement Agreement ("Agreement") with the lowest responsive and responsible bidder, in substantially the form used by the City for such projects, and subject to final approval as to form by the City Attorney.

CITY COUNCIL

For City Clerk's Use:

APPROVED DENIED

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 11
Date: **September 22, 2010**

TO: Honorable Mayor and Members of the City Council
FROM: Lori Vereker, Director of Utilities
SUBJECT: Bid Award and Budget Adjustment Request: 2010 Utilities Paving Project

RECOMMENDATION:

It is requested that the City Council:

1. Determine the apparent low bid by Koch-Armstrong General Engineering Inc. of \$203,200 to be the lowest responsive and responsible bid, and adopt Resolution No. 2010-143 authorizing the Mayor and City Clerk to execute an agreement with Koch-Armstrong General Engineering Inc. in the amount of \$203,200 for the 2010 Utilities Paving Project.
2. Approve a budget adjustment in the amount of \$250,000.

FISCAL ANALYSIS:

A budget adjustment of \$250,000 from the Automatic Meter Reading funds will provide adequate funding for the 2010 Utilities Paving Project. Any unused funds will be returned to the Automatic Meter Reading project. Vista Irrigation District will be responsible for 20% of the cost of paving the road to the Water Treatment Plant only; this share is represented by the CIP Reimbursement figure of \$19,910 listed in the Budget Adjustment Request.

BACKGROUND:

The improvements include paving the Dixon Lake Parking Lot and the road to the Water Treatment Plant. The Engineer's estimate for the project is \$365,000.

The Deputy City Clerk opened the sealed bids on September 2, 2010, with the following results:

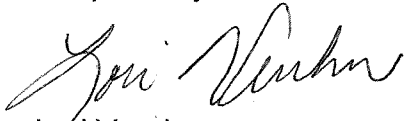
1.	Koch-Armstrong General Engineering Inc., Lakeside	\$203,200
2.	George Weir Asphalt Construction Inc., Escondido	\$217,126
3.	Southland Paving Inc., Escondido	\$223,048
4.	Kirk Paving Inc., Lakeside	\$240,360
5.	SRM Contracting & Paving, San Diego	\$241,168
6.	Ramona Paving & Construction Corp., Ramona	\$247,900
7.	Hazard Construction, San Diego	\$289,400
8.	Frank and Son Paving, Chula Vista	\$310,300

9/22/10

Bid Award and Budget Adjustment Request: 2010 Utilities Paving Project

Page 2

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lori Vereker", written in a cursive style.

Lori Vereker

Director of Utilities

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE, ON BEHALF OF THE
CITY, A PUBLIC IMPROVEMENT
AGREEMENT WITH KOCH-ARMSTRONG
GENERAL ENGINEERING INC. FOR THE
2010 UTILITIES PAVING PROJECT

WHEREAS, the Escondido City Council authorized an invitation for bids for the 2010 Utilities Paving Project (the "Project"); and

WHEREAS, the City of Escondido opened the sealed bids for the Project on September 2, 2010; and

WHEREAS, Koch-Armstrong General Engineering Inc. submitted a bid in the amount of \$203,200; and

WHEREAS, staff determined that Koch-Armstrong General Engineering Inc. adequately fulfilled the bid's prior experience requirement and determined Koch-Armstrong General Engineering Inc. to be the lowest responsive and responsible bidder; and

WHEREAS, the Director of Utilities has recommended the award of the bid to Koch-Armstrong General Engineering Inc. for the Project; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said bid for the Project.

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

1. That the above recitations are true.
2. That the City Council accepts the recommendation of the Utilities Director

and finds Koch-Armstrong General Engineering Inc. to be the lowest responsive and responsible bidder.

3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, a Public Improvement Agreement ("Agreement") with Koch-Armstrong General Engineering Inc. A copy of the Agreement is attached as Exhibit "A" and is incorporated by this reference.

PUBLIC IMPROVEMENT AGREEMENT

This "Agreement", dated the _____ day of _____, 2010, in the County of SAN DIEGO, State of California, is by and between **THE CITY OF ESCONDIDO** (hereinafter referred to as "CITY"), and **Koch-Armstrong General Engineering Incorporated** (hereinafter referred to as "CONTRACTOR").

The CITY and the CONTRACTOR, for the consideration stated herein, agree as follows:

1. The complete contract includes all of the Project Documents described in the General Conditions, which are incorporated by reference. The Project Documents are complementary, and what is called for by any one shall be as binding as if called for by all.
2. CONTRACTOR shall perform, within the time set forth in Paragraph 4 of this Agreement, everything required and reasonably inferred to be performed, and shall provide and furnish all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services as described in the complete contract and required for construction of

2010 UTILITIES PAVING PROJECT

All of said work to be performed and materials to be furnished shall be completed in a good workmanlike manner, free from defects, in strict accordance with the plans, drawings, specifications and all provisions of the complete contract as hereinabove defined. The CONTRACTOR shall be liable to the CITY for any damages and resulting costs, including consultants' costs, arising as a result of a failure to fully comply with this obligation, and the CONTRACTOR shall not be excused with respect to any failure to so comply by any act or omission of the Architect, Engineer, Inspector, or representative of any of them, unless such act or omission actually prevents the CONTRACTOR from fully complying with the requirements of the Project Documents, and unless the CONTRACTOR protests at the time of such alleged prevention that the act or omission is preventing the CONTRACTOR from fully complying with the Project documents. Such protest shall not be effective unless reduced to writing and filed with the CITY within **three (3) working days** of the date of occurrence of the act or omission preventing the CONTRACTOR from fully complying with the Project documents.

3. CITY shall pay to the CONTRACTOR, as full consideration for the faithful performance of the contract, subject to any additions or deductions as provided in the Project documents, the sum of **two hundred three thousand two hundred dollars (\$203,200.00)**.
4. The work shall be commenced on or before the twenty-first (21st) day after receiving the CITY'S Notice to Proceed and shall be completed within **twenty one (21) calendar days** from the date specified in the Notice to Proceed.
5. Time is of the essence. If the work is not completed in accordance with Paragraph 4 above, it is understood that the CITY will suffer damage. It being impractical and infeasible to determine the amount of actual damage(s), in accordance with Government Code Section 53069.85, it is agreed that CONTRACTOR shall pay to CITY as fixed and liquidated damages, and not as a penalty, the sum(s) indicated in the LIQUIDATED DAMAGES SCHEDULE below for each calendar day of delay until work is completed and accepted. This amount shall be deducted from any payments due to or to become due to CONTRACTOR. CONTRACTOR and CONTRACTOR'S surety shall be

or in any way connected with the work covered by this Agreement, whether said injury or damage occurs on or off City property.

- (c) Any and all liabilities, claims, actions, causes of action, proceedings, suits, administrative proceedings, damages, fines, penalties, judgments, orders, liens, levies, costs and expenses of whatever nature, including reasonable attorneys' fees and disbursements, arising out of any violation, or claim of violation of the San Diego Municipal Storm Water Permit (Order No. 2001-01), and updates or renewals, of the California Regional Water Quality Control Board Region 9, San Diego, which the CITY might suffer, incur, or become subject by reason of or occurring as a result of or allegedly caused by the construction, reconstruction, maintenance, and/or repair of the work under this Agreement.

The CONTRACTOR, at CONTRACTOR's own expense, cost, and risk shall defend any and all actions, suit, or other proceedings that may be brought or instituted against the CITY, its governing board, officers, agents or employees, on any such claim, demand or liability, and shall pay or satisfy any judgment that may be rendered against the CITY, its governing board, officers, agents or employees in any action, suit or other proceedings as a result thereof.

- 8. CONTRACTOR shall take out, prior to commencing the work, and maintain, during the life of this contract, and shall require all subcontractors, if any, of every tier, to take out and maintain:
 - (a) General Liability and Property Damage Insurance as defined in the General Conditions in the amount with a combined single limit of not less that **\$3,000,000 per occurrence**.
 - (b) Course of Construction / Builder's Risk Insurance. See Article 5.2 of General Conditions.
 - (c) Insurance Covering Special Hazards: The following special hazards shall be covered by rider or riders to the above-mentioned public liability insurance or property damage insurance policy or policies of insurance, or by special policies of insurance in amounts as follows:
 - (1) Automotive and truck where operated in amounts as above
 - (2) Material hoist where used in amounts as above
 - (d) Workers' Compensation Insurance.
 - (e) Each insurance policy required above must be acceptable to the City Attorney, as follows:
 - (1) Each policy must name the CITY specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation and the Errors and Omissions policies.
 - (2) Each policy must provide for written notice within no more than thirty (30) days if cancellation or termination of the policy occurs. Insurance coverage must be provided by an A.M. Best's A-rated, class V carrier or better, admitted in California, or if non-admitted, a company that is not on the Department of Insurance list of unacceptable carriers.
 - (3) All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.
 - (f) In executing this Agreement, CONTRACTOR agrees to have completed insurance documents on file with the CITY within 14 days after the date of execution. Failure to

comply with insurance requirements under this Agreement will be a material breach of this Agreement, resulting in immediate termination at CITY's option.

9. This Agreement is subject to California Public Contract Code Section 22300, which permits the substitution of securities for any monies withheld by the City under this Agreement, and permits the CONTRACTOR to have all payments of earned retentions by the City paid to an escrow agent at the expense of the CONTRACTOR.
10. Each and every provision of law and clause required by law to be inserted in this Agreement or its attachments shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction, without further changes to the remainder of the Agreement.
11. The complete contract as set forth in Paragraph 1 of this Agreement constitutes the entire Agreement of the parties. No other agreements, oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties and pursuant to action of the Escondido City Council.
12. CONTRACTOR shall comply with those provisions of the Labor Code requiring payment of prevailing wages, keeping of certified payroll records, overtime pay, employment of apprentices, and workers' compensation coverage, as further set forth in the General Conditions, and shall file the required workers' compensation certificate before commencing work.
13. The terms "Project Documents" and/or "Contract Documents" where used, shall refer to those documents included in the definition set forth in the General Conditions made a part hereof.

IN WITNESS WHEREOF, this Agreement has been executed on behalf of CITY by its officers thereunto authorized and by CONTRACTOR, the date and year first above written.

CITY OF ESCONDIDO
a municipal corporation
201 North Broadway
Escondido, CA 92025

By: _____
Marsha Whalen, City Clerk

By: _____
Lori Holt Pfeiler, Mayor

CONTRACTOR

By: _____
Signature

By: _____
Signature*

Print Name

Print Name

Title

Title

(Second signature required only for
corporation)

By: _____
Signature**

Print Name

Title

(CORPORATE SEAL OF CONTRACTOR, if
corporation)

Contractor's License No.

Tax ID/Social Security No.

*If CONTRACTOR is a corporation, the first signature must be by one of the following officers of the corporation: Chairman of the Board, President, or any Vice President.

**If CONTRACTOR is a corporation, the second signature must be by a different person from the first signature and must be by one of the following officers of the corporation: Secretary, any Assistant Secretary, the Chief Financial Officer, or any Assistant Treasurer.



ITEM NO.: 12

AGENDA: 9-22-10

- () There is no material for this agenda item.

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

- Staff Report
- Resolution No.: CDC-2010-11
- () Ordinance No.: _____
- () Exhibits/Attachments: _____

DUE TO THE SIZE OF THIS AGENDA ITEM:

- () **COUNCIL MEMBERS:** A copy is in the Council Reading File
- () **Staff and others:** A copy is available in the City Clerks Office for viewing

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 13
Date: **September 22, 2010**

TO: Honorable Mayor and Members of the City Council
FROM: Marsha Whalen, City Clerk
SUBJECT: Appointment to the Historic Preservation Commission

RECOMMENDATION:

That the Council ratify the Mayor's recommendation to fill an unscheduled vacancy on the Historic Preservation Commission; term to expire March 31, 2012.

BACKGROUND:

The vacancy on the Historic Preservation was duly posted in accordance with State law and City policy after receiving a resignation letter from Brita Smith, whose term expired March 31, 2012. No additional applications were received during the posting period. The list of applicants reflects those who indicated an interest during our regular recruitment period in early 2010.

Lisa Kusick
Paul Penfold
Carol Rea

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.: 14
September 22, 2010

TO: Honorable Mayor and Members of the City Council

FROM: Barbara Redlitz, Director of Community Development

SUBJECT: General Plan Update Status and Climate Action Plan
(Case No. PHG 09-0020, PHG 10-0016)

RECOMMENDATION:

It is requested that Council 1) Provide direction to staff regarding the range of alternatives to be refined in the General Plan Land Use analysis for the Environmental Impact Report (EIR); 2) direct staff to work with a consultant to prepare a scope of work for services involving preparation of the General Plan, EIR and Climate Action Plan; 3) Consider public comments solicited at two recently conducted public workshops; and, 4) Deny two individual requests to expand General Plan Update study areas.

FISCAL ANALYSIS:

A total of \$881,405.00 remains available for the General Plan Update for Fiscal Years 2010-2011. Expenses to date have been for the one staff position that includes the salary of the staff Project Manager and minor, incidental expenses. Completion of the General Plan Update will rely on the continuation of funding for staff support and anticipated consultant contracts to prepare technical studies and the Environmental Impact Report.

It is expected that the General Plan EIR could cost an additional \$300,000 and \$500,000 to complete based on the experience of other cities. Mandatory cost items will include the EIR, related technical studies for air quality, traffic, biology, archaeology/cultural resources, noise, and Housing Element analyses. Every attempt will be made to utilize past documentation.

ENVIRONMENTAL REVIEW:

Staff issued a Notice of Preparation (NOP) on July 26, 2010, informing agencies, organizations and individuals of the City's intent to prepare a Program Environmental Impact Report (EIR) for the General Plan Update. The NOP allowed 30 days for the views of interested parties to be submitted regarding topics for the City to be evaluated in the EIR. A "Program EIR" to assess the General Plan Update is considered the most appropriate document for analysis as it will be able to comprehensively examine the series of actions characterized by the build-out of the General Plan.

Staff issued a Request for Qualifications inviting consultants to assist in preparing the General Plan Update, a Climate Action Plan and Program EIR. Staff is in the process of interviewing five consulting firms and will negotiate a contract with the top candidate with City Council authorization anticipated in October. It is proposed that consultants will assist staff in the EIR's evaluation of up to five (5) General Plan alternatives. Included will be a "Preferred Alternative" and a "No Project Alternative" as required by the California Environmental Quality Act (CEQA).

GENERAL PLAN ANALYSIS:

State Law requires General Plans to be updated periodically. The State's Office of Planning and Research (OPR) monitors the status of General Plans and begins to encourage Cities to update their plans after 8 years. The pending General Plan update will not only meet current legal requirements but also develop the City's Vision for 2050, and addresses the City Council's Action Plan requirements.

The Housing Element has a separate, specific, update schedule. The next required update has been extended to December 2012 so it can be coordinated with other Regional Planning efforts. The required Housing Element Update will be coordinated with the remainder of the General Plan Update to ensure they are consistent.

PREVIOUS ACTION:

The City Council considered recommendations from the General Plan Issues Committee and directed staff to:

1. Evaluate eight Smart Growth Areas to identify the most desirable and feasible growth opportunities;
2. Study all feasible opportunities for creating and/or enhancing employment lands between Deer Springs/I-15 and Felicita/I-15;
3. Refine/update several of the Quality of Life Standards;
4. Proceed with edits to the General Plan Text as necessary to update, address legal requirements, and reflect the General Plan Issues Committee's Recommendations;
5. Develop at least three, Alternative Land Use Maps for Council and Public Review; and
6. Evaluate the appropriateness of converting the Second Avenue / Valley Parkway one-way couplet back to accommodate two-way traffic;
7. Schedule Council General Plan Updates on a regular basis, and assemble the Issues Committee as directed by the Council to address specific issues as they develop; and
8. Continue to post information and solicit public input on a regular basis.

BACKGROUND:

The 15 member, General Plan Issues Committee, met nine times to discuss a variety of issues pertaining to the General Plan Update between July 8, 2010, and October 22, 2009. All of the work done to date has been available to the public as all information, reports, and presentations have been posted on the General Plan website (www.escondido.org/gp-update). Additionally, all reports, updates, and agendas continue to be transmitted to an email list of approximately 200 contacts. Ongoing opportunities to comment are also provided via the website.

Input from residents at community workshops and forums indicate a desire to enhance community aesthetics and maintain the character of established single family neighborhoods while allowing development to occur at existing residential densities. Residents' commuting patterns to high paying jobs outside the city, and enhancing the community's jobs / housing balance to improve Escondido's employment opportunities have also been cited as key issues at public workshops, and General Plan Citizen Issues Committee Meetings.

COMMUNITY WORKSHOPS:

Staff conducted Community Workshops in the California Center for the Arts to discuss the General Plan Update on August 30, and September 15, 2010. Each were attended by approximately 100 - 125 persons. General Plan comments included:

1. Non-conforming status for existing residential uses designated as employment land and the ability to make improvements or expand structures;
2. Concern that the City might condemn properties;
3. Resident concerns about the ability to reside in their home if their property is designated for non-residential uses;
4. Existing Area Plan permitted land uses being too restrictive, more flexibility is needed to allow a greater range of uses;
5. Potential restrictions on existing industrial businesses to expand or relocate if they are designated as non-conforming uses;
6. Concern that the General Plan Issues Committee membership was focused on business' rather than residents' interests;
7. Residents living in the unincorporated General Plan area should be allowed to vote on the plan's adoption, anticipated for the November 2012 election;
8. The General Plan should incorporate residents' desire to preserve the rural character in the Harmony Grove / Eden Valley area;
9. Centre City Parkway's landscaping plan is unattractive and should be upgraded;
10. Provisions must be included in the General Plan Update to ensure adequate public services are provided for residents in need;
11. Areas transitioning to employment land must include measures to ensure compatibility where they are adjacent to residential neighborhoods, (i.e. landscaped buffers, lower heights, building separation, reduced bulk and mass, etc.);
12. High intensity development in the urban core is too dense;
13. Surrounding agricultural needs to be supported and preserved to preserve Escondido's character and enhance sustainability;
14. Limits on water availability may impact existing and planned development;
15. Blighted areas in the community, insufficient lighting and crime require attention;
16. Existing traffic congestion and impacts on streets associated with increased build-out;
17. Support for the General Plan's long term vision; and,
18. Whether sufficient progress has been made in achieving the current General Plan's vision.

DISCUSSION:

Land Use Study Areas:

Fifteen (15) General Plan Land Use Study Areas are focused in the urban core and along transportation corridors where opportunity exists to enhance employment and residential mixed-use opportunities (see Exhibit 1). These land use study areas involve:

- 1) Amending approximately 450 of existing residentially designated properties to employment land uses (Business Park, Office, and Commercial). Re-designating these residential properties to employment land will reduce approximately 1,400 dwelling units from the city's current General Plan built-out.

- 2) Establishing Specific Plans, Area Plans or other types of “Overlay Districts” on approximately 800 acres of existing employment lands with goals of attracting high-wage employers, intensifying land uses to raise employee densities, improving linkage to transit, upgrading infrastructure, enhancing aesthetics and walkability, etc., while ensuring compatibility with adjacent residential areas.
- 3) Incentivizing educational institutions, vocational schools, and job training facilities to locate along the East Valley Parkway corridor providing residents opportunities to enhance their personal or professional skills resulting in a higher trained, better educated local labor force.
- 4) Establishing mixed-use residential nodes that focus compact, attractive, high intensity urban development in close proximity to employment, transit, services, shopping, recreation, and entertainment in walkable, pedestrian-friendly environments designed to reduce vehicle trips. These mixed-use nodes would be in
 - a. Downtown (SG-1);
 - b. East Valley Parkway at Ash Street (SG-3);
 - c. S. Escondido Boulevard at Felicita Avenue (SG-5);
 - d. Centre City Parkway at Citracado Parkway (SG-6);
 - e. Ninth Avenue at Del Dios Highway (EL-9);
 - f. West side of Centre City Parkway between 2nd and 13th Avenues (EL-4);
 - g. Westfield Shoppingtown (SG-7); and,
 - h. East of I-15, south of Hwy. 78 in concert with a regional sports facility (EL-3).

Staff anticipates that the EIR will evaluate at least four land use alternatives, as well as a “No Project” scenario that analyzes and compares the current General Plan. Staff will work with the EIR consultant to identify reasonable land use alternatives that include all 15 study areas in their analyses. Variations in the land use build-out scenarios will be in building intensities, the range of mixed use, and residential densities associated with each scenario ranging from 1,550 to 4,025 additional residential units to the General Plan’s current build-out projection of 63,100 units (See Exhibit 2).

A “Preferred Alternative” involving 3,425 new dwelling units to the General Plan is proposed which will accommodate Escondido’s projected growth needs, and is in concert with the anticipated build-out of the interim Downtown Specific Plan (SG-1) proposed for 3,275 dwelling units (of which 1,643 exist or are approved). This alternative also includes mixed-use residential at East Valley Parkway and Ash (SG-3), Escondido Boulevard and Felicita Avenue (SG-5), Centre City Parkway and Citracado Parkway (SG-6), and East of I-15, south of Hwy. 78 (EL-3).

Traffic Circulation Study Areas:

The General Plan Update will also assess Escondido’s Circulation Element in relation to the proposed land use study areas described above. The analysis will also include the extension of light rail from the existing West Valley Parkway transit station to Westfield Shoppingtown pursuant to NCTD’s master plan. The General Plan will also include policies that monitor and coordinate high speed rail efforts, as well as refine General Plan policies to identify appropriate land uses around the high speed rail station proposed in Escondido.

Included in the analysis will be an evaluation of converting the Second Avenue / Valley Parkway one-way couplet to accommodate two-way traffic. Staff proposes a phased feasibility analysis that first identifies anticipated intersection improvements, probable land acquisitions, necessary signal modifications, and estimated costs associated with the reconfiguration for Council consideration. If there remains consensus to reconfigure the downtown couplet, follow-up traffic modeling would be performed based on the ultimate plan to convert the streets to two-way traffic.

Climate Action Plan:

Assembly Bill 32 was passed by the state legislature in 2006 mandating that California cut its Green House Gas (GHG) emissions to 1990 levels by 2020, and 80 percent below 1990 levels by 2050. An initial step involves each jurisdiction preparing a local GHG Emissions Inventory that identifies and documents major sources of emissions affecting climate change within its boundaries. Results of that inventory will be the foundation for establishing a Climate Action Plan containing policies and measures to guide Escondido in reducing its GHG emissions.

The City has partnered with ICLEI, Local Governments for Sustainability and The San Diego Foundation to prepare the Escondido's GHG Inventory at no cost to the City. These agencies have prepared such inventories for every jurisdiction in San Diego County. The City's consultant will use information from the inventory to prepare the Climate Action Plan containing policies that promote sustainability and reduce GHG emissions, whose major source is automobile exhaust. The General Plan Update's focus on establishing "Smart Growth" areas, improving the jobs / housing balance and promoting transit, walking and bicycling will effectively shorten / eliminate automobile trips and reduce GHG emissions.

Individual General Plan Amendment Requests:

Two requests for General Plan Amendments were received after the General Plan Issues Committee concluded their meetings:

- 1) Request: Designate Citracado Parkway between I-15 and Centre City Parkway for employment land and a mixed-use transit corridor (see Exhibit 3). This segment of Citracado Parkway provides a convenient connection to the I-15 / Felicita Avenue interchange and is anticipated to experience additional traffic as the area develops.

Analysis: The area involves an established single family neighborhood (designated Suburban; up to 3.3 units per acre, and Estate II; up to 2 units per acre in the General Plan) with topographically steep terrain. Citracado Parkway is designated as a Collector in the General Plan Circulation Element that has not been fully widened and improved, although plans delineating the ultimate alignment and improvements have been prepared.

A mixed-use transit corridor for employment uses along this segment of Citracado Parkway would bisect and fragment the established neighborhood and impact the existing community character. Traffic volumes will likely increase on Citracado Parkway if the study areas SG-6 and EL-7 are approved. However, staff feels that the ultimate widening of this street, and maintaining single family development, would be more compatible than what would be anticipated with a higher intensity mixed-use environment.

Recommendation: Deny the applicant's request and maintain the existing single family residential designations along Citracado Parkway in this area based on the pattern of established development, single family character of the area, and steep topography.

- 2) Request: Expand Study Area EL-9 to include the entire landholding of an owner's two residential rental projects totaling 28 acres (see Exhibit 4). The owner's northern 14 acres are within EL-9, which is proposed for evaluating with mixed-use opportunities. The owner's southern 14 acres are outside the boundary of EL-9. The request states that the study area cuts the owner's property in half. Incorporating the entire 28 acres within EL-9 will facilitate master planning of the entire site and allow adequate buffers and transitioning to be accomplished comprehensively.

Analysis: The boundary of Study Area EL-9 follows existing property lines and General Plan Land Use designations without splitting properties. The owner's northern developed 14-acre site in EL-9 is designated Urban IV (multi-family; up to 24 units per acre) in the General Plan. The southern developed 14 acres is a separate property designated Urban II (multi-family; up to 12 units per acre). The two residential developments were constructed independently of each other and access between the two projects was not considered in their original approvals.

The General Plan Issues Committee originally considered Study Area EL-9 with 11th Avenue as its southern boundary. After discussion it was voted to move the boundary to its current location to ensure adequate buffers and land use separation was afforded to more suburban properties south of 11th Avenue.

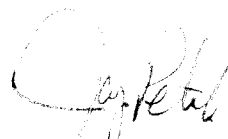
Recommendation: Deny the applicant's request and maintain the existing boundary of Study Area EL-9 based on the pattern of existing lower intensity 12-unit per acre multi-family development that serves as an appropriate transition between the single family development further south, and the northern higher density and commercial development (Lexus Dealership). Staff also feels mixed-use and higher intensity development are more appropriate closer to Ninth Avenue where transit can be accommodated.

Next Steps In The Process:

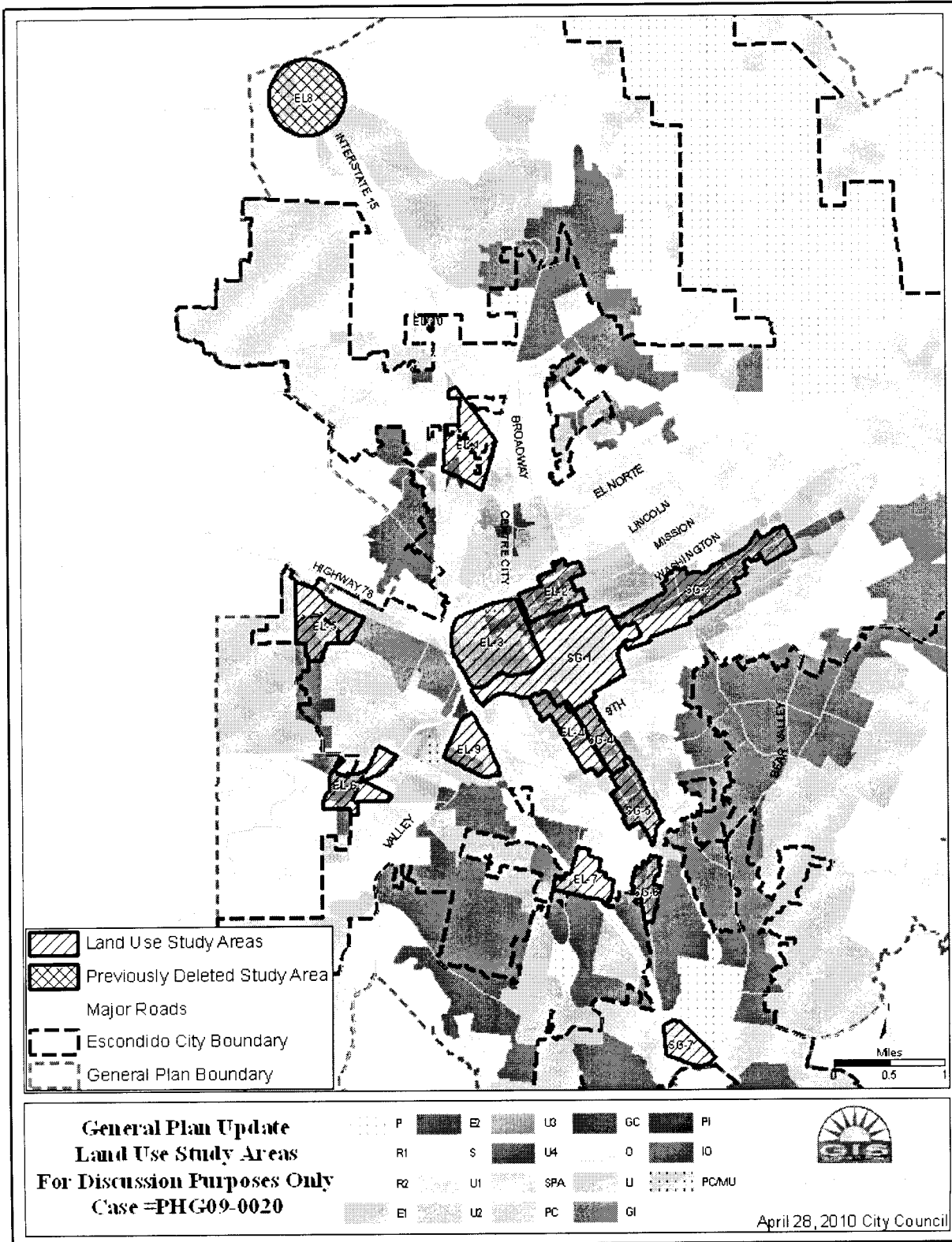
Staff is interviewing consultants with the intent of selecting the most qualified to assist in preparing the General Plan, EIR and Climate Action Plan. The consultant's first task would be to work with staff in developing a detailed scope of work that delineates work products, refining the range of General Plan EIR alternatives, establishing milestones and identifying costs anticipated to keep the General Plan Update on track for the November 2012 election.

Respectfully Submitted,


Barbara Redlitz
Director of Community Development


Jay Petrek
Principal Planner

CITY COUNCIL STAFF REPORT EXHIBIT 1 GENERAL PLAN UPDATE STUDY AREAS



AREA	Acres & Parcels	Current GP Designation(s)	Proposed GP Designation(s)	Proposed Course of Study
EL-1	163 Acres 98 Parcels	Suburban: (S), General Commercial: (GC), Park: (P), Office: (O)	Specific Planning Area: (SPA)	<p>Proposal: Land Uses: Office, technology, bio-medical, Research & Development, corporate headquarters, professional services, etc.</p> <p>Design Goals: Master planned architecture, with coordinated building materials, entry and circulation, landscaping, signage, trail system.</p> <p>Specific Plan Targets: Comprehensive design theme attracting high-wage employers, high employee densities, addressing non-conforming uses.</p> <p>Floor Area Ratio: 0.5 - 1.0</p>
EL-2	122 Acres 89 Parcels	General Commercial: (GC)	General Commercial (CG) designation with General Plan Policy to establish Area Plan	<p>Proposal: Land Uses: Retain current General Plan designation and establish an "Area Plan" bolstering retail, commercial office, professional / personal services. Residential uses should not be allowed in order to preserve / enhance employment opportunities.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trails.</p> <p>Area Plan Targets: High-wage employers, high employee densities.</p> <p>Floor Area Ratio: 0.50 - 1.25</p>

<p>EL-3</p>	<p>296 Acres 200 Parcels</p>	<p>General Industrial: (GI), Light Industrial: (LI), General Commercial: (GC)</p>	<p>Planned Industrial: (PI) and Specific Planning Area: (SPA)</p>	<p>Proposal: Land Uses: Commercial office, professional services Research & Development, regional attraction with ancillary uses. A residential component would be included to complement regional attraction. Design Goals: High quality architecture and landscaping, transit focused, pedestrian friendly (Incompatible uses phased out). Specific Plan Targets: Comprehensive design theme, regional attraction (with residential component), visitor serving uses, linkages to transit and Downtown. Floor Area Ratio: 0.75 - 1.75</p>			
				<p align="center">Residential Alternatives for Study</p>			
				<p align="center">ALT #1</p>	<p align="center">ALT #2</p>	<p align="center">ALT #3</p>	<p align="center">ALT #4</p>
				<p align="center">+ 0 units</p>	<p align="center">+300 units</p>	<p align="center">+300 units</p>	<p align="center">+300 units</p>
<p>EL-4</p>	<p>104 Acres 262 Parcels</p>	<p>Industrial Office: (IO), Urban I: (U1), Urban II: (U2), Planned Commercial: (PC), General Commercial: (GC)</p>	<p>Industrial Office: (IO) with General Plan Policy to establish Area Plan</p>	<p>Proposal: Land Uses: Retain current General Plan designations and establish an "Area Plan" bolstering residential, mixed use residential, commercial office, Research & Development, professional services, etc. Design Goals: High quality architecture and landscaping, transit focused, pedestrian friendly. Area Plan Targets: High-wage employers, high employee densities, linkage to transit, improve infrastructure & streetscape, establish a gateway feature, integrate with Urban I and Urban II uses. Floor Area Ratio: 0.50 - 1.0</p>			

<p>EL-5</p>	<p>170 Acres 159 Parcels</p>	<p>Light Industrial: (LI), General Industrial: (GI), Estate I: (E1), Estate II: (E2)</p>	<p>Industrial Office: (IO) with General Plan Policy to establish Medical Overlay Area Plan</p>	<p>Proposal: Land Uses: Commercial and medical office, Research & Development, professional services, etc. Intensify land uses along Auto Parkway given proximity to Nordahl Transit Station, freeway and gateway location. Design Goals: High quality architecture & landscaping, transit focused, pedestrian friendly. Area Plan Targets: High-wage employers, high employee densities, improve linkages to transit and hospital, phase out incompatible uses. Floor Area Ratio: 0.75 - 1.75</p>
<p>EL-6</p>	<p>121 Acres 34 Parcels</p>	<p>Public: (P), Estate II: (E2), Specific Planning Area: (SPA)</p>	<p>Specific Planning Area: (SPA)</p>	<p>Proposal: Land Uses: Consistent with ERTC Planning Area #8 based on proximity to services, Citracado Parkway, HARRF and to other industrial areas. Design Goals: Master planned architecture, wall treatments, circulation, landscaping, signage, trail system, ensure neighborhood compatibility. Specific Plan Targets: Comprehensive design theme, high-wage employers, high employee densities. Floor Area Ratio: 0.5 - 1.0</p>

AREA	Acres & Parcels	Current GP Designation(s)	Proposed GP Designation(s)	Proposed Course of Study															
EL-7	87 Acres 46 Parcels	Office: (O) Suburban: (S), Estate II: (E2)	Office: (O)	<p>Proposal: Land Uses: Commercial and medical office, Research & Development, professional services, etc. based on proximity to services, freeway, gateway location.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, compatibility with surrounding residential.</p> <p>Floor Area Ratio: 0.75 - 1.75</p>															
EL-9	106 Acres 52 Parcels	Planned Commercial: (PC), Estate II: (E2), Urban II: (U2), Urban IV: (U4)	Planned Commercial / Mixed Use: (PD/MU)	<p>Proposal: Land Uses: Mixed-use commercial / office / residential, professional services south of Ninth Avenue, expansion of autopark along Auto Parkway.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trails, compatibility with surrounding residential.</p> <p>Floor Area Ratio: 0.25 - 1.5</p>															
EL-10	7 Acres 3 Parcels	Estate II: (E2)	Office: (O) or Urban II: (U2)	<p>Proposal: Land Uses: Office or residential with Alternatives for study involving adding dwelling units (see below):</p> <p>Design Goals: High quality architecture and landscaping.</p> <p>Floor Area Ratio: 0.25 - 1.0</p> <table border="1" data-bbox="781 1797 1507 1946"> <thead> <tr> <th colspan="4" data-bbox="781 1797 1507 1843">Residential Alternatives for Study</th> </tr> <tr> <th data-bbox="781 1843 967 1892">ALT #1</th> <th data-bbox="967 1843 1154 1892">ALT #2</th> <th data-bbox="1154 1843 1341 1892">ALT #3</th> <th data-bbox="1341 1843 1507 1892">ALT #4</th> </tr> </thead> <tbody> <tr> <td data-bbox="781 1892 967 1946">+50 units</td> <td data-bbox="967 1892 1154 1946">+50 units</td> <td data-bbox="1154 1892 1341 1946">+0 units</td> <td data-bbox="1341 1892 1507 1946">+50 units</td> </tr> </tbody> </table>				Residential Alternatives for Study				ALT #1	ALT #2	ALT #3	ALT #4	+50 units	+50 units	+0 units	+50 units
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SG-3	331 Acres 491 Parcels	General Commercial: (GC), Office: (O)	General Commercial (GC) and Office (O) Designations and amend EVP Area Plan to include Office area with residential village overlay	<p>Proposal: Land Uses: Retain current General Plan designation and amend existing "Area Plan" boundaries and description establishing an "urban village" and encouraging educational facilities.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trails (24-45 du/acre in Urban Village Area)</p> <p>Area Plan Targets: Establish a residential "urban village" overlay along Ash, between Washington Avenue, Grand Avenue, Cedar and Ohio allowing mixed-use residential / small retail / office uses. The EIR would evaluate the 400 dwelling units currently permitted in the entire Area SG-3 (for which no applications have been submitted) to be clustered in the proposed "urban village" with Alternatives for study involving adding more dwelling units (see below). Strengthen connection of the entire area to the Escondido Creek Channel Trail, Washington Park and Downtown. Residential development would be prohibited outside the proposed "urban village" area in order to preserve retail, office, and establish an educational focus.</p> <p>Floor Area Ratio: 0.25 - 1.25</p> <table border="1" data-bbox="787 1564 1521 1711"> <thead> <tr> <th colspan="4" data-bbox="787 1564 1521 1606">Residential Alternatives for Study</th> </tr> <tr> <th data-bbox="787 1606 966 1648">ALT #1</th> <th data-bbox="966 1606 1144 1648">ALT #2</th> <th data-bbox="1144 1606 1323 1648">ALT #3</th> <th data-bbox="1323 1606 1521 1648">ALT #4</th> </tr> </thead> <tbody> <tr> <td data-bbox="787 1648 966 1711">+0 units</td> <td data-bbox="966 1648 1144 1711">+200 units</td> <td data-bbox="1144 1648 1323 1711">+500 units</td> <td data-bbox="1323 1648 1521 1711">+500 units</td> </tr> </tbody> </table>	Residential Alternatives for Study				ALT #1	ALT #2	ALT #3	ALT #4	+0 units	+200 units	+500 units	+500 units
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SG-4	80 Acres 278 Parcels	General Commercial: (GC), Urban IV: (U4)	General Commercial (GC) and amend existing SEB Area Plan, Retain current Urban IV (U4) Designation	<p>Proposal: Land Uses: Retail, multi-family, commercial office, professional services, etc.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trails.</p> <p>Area Plan Targets: Amend existing "Area Plan" description to prohibit mixed-use residential use along Escondido Blvd, Fifth Avenue and Ninth Avenue, between 6th and 13th Avenues. Strengthen transit connections, ensure compatibility with adjacent residential, enhance housing stock in existing Urban IV area.</p> <p>Floor Area Ratio: 0.5 - 1.25</p>												
SG-5	112 Acres 251 Parcels	General Commercial: (GC), Urban II: (U2), Urban III: (U3), Urban IV: (U4)	Retain current General Commercial (GC) and amend existing SEB Area Plan and retain current Urban Designations	<p>Proposal: Land Uses: Retail, multi-family, commercial office, professional services, etc.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trails (70+ du/acre).</p> <p>Area Plan Targets: Encourage mixed-use residential, strengthen transit connections, ensure compatibility with adjacent residential, enhance housing stock. The EIR would evaluate the 400 dwelling units currently permitted in SG-4 and SG-5 (of which 220 exist or are approved) to be clustered in the SG-5 Area with Alternatives for study involving adding more units (see below).</p> <p>Floor Area Ratio: 0.5 - 1.50</p> <table border="1" data-bbox="787 1864 1510 2011"> <thead> <tr> <th colspan="4">Residential Alternatives for Study</th> </tr> <tr> <th>ALT #1</th> <th>ALT #2</th> <th>ALT #3</th> <th>ALT #4</th> </tr> </thead> <tbody> <tr> <td>+675 units</td> <td>+500 units</td> <td>+400 units</td> <td>+600 units</td> </tr> </tbody> </table>	Residential Alternatives for Study				ALT #1	ALT #2	ALT #3	ALT #4	+675 units	+500 units	+400 units	+600 units
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SG-6	55 Acres 247 Parcels	General Commercial: (GC), Urban III: (U3)	Retain current General Commercial (GC) and amend existing SEB Area Plan Retain current Urban Designation	<p>Proposal: Land Uses: Retail, mixed multi-family & commercial office, professional services, etc. based on proximity to services and gateway location.</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trails (70+ du/acre).</p> <p>Area Plan Targets: Encourage mixed-use residential, strengthen transit connections, ensure compatibility with adjacent residential, enhance housing stock. The EIR would evaluate the 400 dwelling units currently permitted in SG-6 (of which 115 exist or are approved) with Alternatives for study involving adding more units (see below).</p> <p>Floor Area Ratio: 0.5 - 1.25</p> <table border="1" data-bbox="781 1255 1518 1402"> <thead> <tr> <th colspan="4">Residential Alternatives for Study</th> </tr> <tr> <th>ALT #1</th> <th>ALT #2</th> <th>ALT #3</th> <th>ALT #4</th> </tr> </thead> <tbody> <tr> <td>+675 units</td> <td>+300 units</td> <td>+400 units</td> <td>+500 units</td> </tr> </tbody> </table>	Residential Alternatives for Study				ALT #1	ALT #2	ALT #3	ALT #4	+675 units	+300 units	+400 units	+500 units
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SG-7	77 Acres 8 Parcels	Planned Commercial: (PC)	Planned Commercial / Mixed Use: (PD/MU)	<p>Proposal: Land Uses: Retail, commercial office, professional services, entertainment; with Alternatives for study involving adding more dwelling units (see below).</p> <p>Design Goals: High quality architecture and landscaping, pedestrian friendly, access to transit and urban trail.</p> <p>Floor Area Ratio: 0.5 - 1.25</p> <table border="1" data-bbox="781 1871 1518 2020"> <thead> <tr> <th colspan="4">Residential Alternatives for Study</th> </tr> <tr> <th>ALT #1</th> <th>ALT #2</th> <th>ALT #3</th> <th>ALT #4</th> </tr> </thead> <tbody> <tr> <td>+250 units</td> <td>+250 units</td> <td>+0 units</td> <td>+250 units</td> </tr> </tbody> </table>	Residential Alternatives for Study				ALT #1	ALT #2	ALT #3	ALT #4	+250 units	+250 units	+0 units	+250 units
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+250 units	+250 units	+0 units	+250 units													

SG-1	457 Acres 852 Parcels	Specific Planning Area: (SPA), General Commercial: (GC), Office: (O)	Specific Planning Area: (SPA)	<p>Proposal: Land Uses: Retail, mixed multi-family (45-90+du/acre), commercial office, professional and personal services. The EIR would evaluate the 2,000 dwelling units currently permitted in SG-1 (of which 1,640 exist or are approved) with Alternatives for study involving adding more dwelling units (see below). Expand SPA boundary to include all of the Mercado area, areas north of Washington Avenue, south of Fifth Avenue and east of Palomar Hospital consistent with Interim Downtown Specific Plan in addition to evaluating provisions of the Interim Downtown Specific Plan to implement the vision.</p> <p>Design Goals: Compact, walkable downtown, high quality architecture and landscaping, pedestrian friendly, access to transit and urban trail, taller structures sited around Grape Day Park, along Valley Pky, Second Ave, and Escondido Blvd.</p> <p>Floor Area Ratio: 0.75 - 2.50+</p>			
				Residential Alternatives for Study			
				ALT #1	ALT #2	ALT #3	ALT #4
				+1,350 units	+2,500 units	+3,275 units	+3,275 units

**CITY COUNCIL STAFF REPORT
 EXHIBIT 2
 GENERAL PLAN UPDATE RESIDENTIAL ALTERNATIVES**

General Plan Population Alternatives for Evaluation	Existing/ Approved Dwellings	Current GP Assumed Dwellings (No Project Alternative)	Alt. 1	Alt. 2	Alt. 3 (Preferred Alternative)	Alt. 4
SG-1 (Downtown SPA)	1,632	2,000	+1,350	+2,500	+3,275	+3,275
SG-3 (East Valley Parkway)	0	400	+0	+200	+500	+500
SG-5 (South Esc. Blvd.)	219	400	+675	+500	+400	+600
SG-6 (Citradaco / CCP)	111	400	+675	+300	+400	+500
SG-7 (Westfields)	0	0	+250	+250	0	+250
EL-3 (Southeast I-15 / Hwy 78)	0	0	0	+300	+300	+300
EL 10 (Nutmeg / CCP)	0	10	+50	+50	0	+50
DU Totals:	1,962	3,210	+3,000	+4,100	+4875	+5,475
Study Areas that convert land from Residential to Employment	Not calculated at this time	Approx. 1,450	-1,450	-1,450	-1,450	-1,450
Net Unit change associated with GP Update:		3,210	3,000	4,100	4,575	5,175
		<u>+1450</u>	<u>-1,450</u>	<u>-1,450</u>	<u>-1,450</u>	<u>-1,450</u>
		4,660	+1,550	+2,650	+3,425	+4,025

From: "David R. Shibley" <Shibley1@cox.net>
To: "Jay Petrek" <Jpetrek@ci.escondido.ca.us>
Date: 9/8/2010 4:49 PM
Subject: General Plan Update Stud Area EL-7

Jay: After attending the General Plan Update I would like to request that Study Area EL-7 be expanded along Gamble/Citracado so that it extends all the way from the east and west sides of I-15 at Citracado/Gamble to Centre City Parkway. Specifically and additionally I would like to encourage coordination with the North County Transit District to provide for bus transportation that would allow the currently designated Community Centers at North County Fair, Center City and Felicita and Citracado/Centre City Parkway to be moved from the SANDAG "Potential" category to the "Planned/Existing" category which places the City in a stronger category of financial assistance for SANDAG Smart Growth funds. I would specifically like staff to consider recommending to the Counsel that a designation of "Mixed Use Transit Corridor" and/or employment lands be assigned to Citracado from the existing SANDAG Smart Growth Village at Citracado and Center City Parkway west along the North and South sides of Citracado to the east and west sides of I-15 at the I-15 intersection with Citracado/Gamble and Felicita. I would then also request that the intersection at I-15 be designated a Smart Growth Community Center and that the Mixed Use Transit Employment Land Corridor then connects the two Centers. My reasons are as follows: When Centre City is congested at morning peak commute hours to South I-15, then Citracado from Center City to the on South ramp at I-15 has become a major shortcut and easier way to get on I-15 than the alternative of proceeding directly south on Center City. Several dangerous intersections are on that short stretch of residential from Center City to the eastern edge of the City proposed Study Area EL-7 and the grade is steep with visibility limitations as you crest the grades with four way and two way stop signs. Rezoning to mixed use and/or employment lands on the north and south sides of that short stretch and at the community centers could possibly warrant some smart growth funding for the road widening of Citracado as future projects are constructed. The re-designation would provide economic encouragement to those residential lots redesignated to mixed use or employment land to relocate when development occurs thus perhaps obviating any condemnation concerns. It could take 10 to 15 years to achieve this and by then some of those older homes along that short stretch would be even older and more amenable to relocation, particularly when accompanied with an up-zoned designation that increases the value of the underlying land.

When the new hospital and the new high school on Citracado are completed the City will need a direct connection from I-15 west across Del Dios to the hospital to take traffic off the I-15 intersections at Via Rancho Parkway, Ninth Ave, Valley Parkway, Route 78 and the intersection of Nordahl and Route 78. The City currently has only three east-west major connections within the city limits; one at Route 78, one at Valley Parkway and one at Ninth Ave. You have no east-west connection in the mid south area with the exception of Via Rancho which is the far south and the majority of that is in the unincorporated area. Citracado is the only direct I-15 connection into the hospital and when the hospital opens in 2012 and the new school in 2014 the City will be in dire need of a direct connection.

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September 22, 2010

David R. Shibley

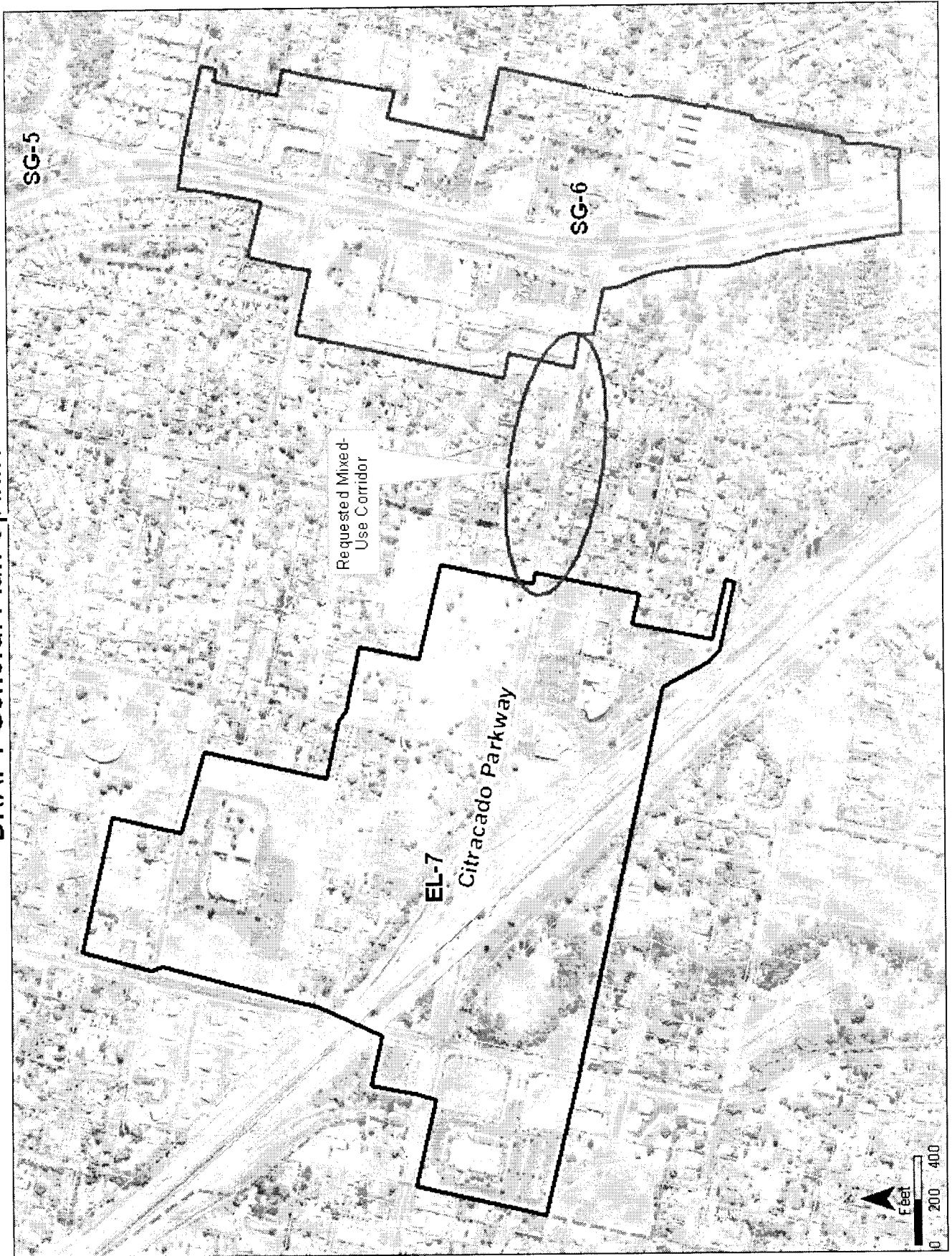
1923 Bedford Place

Escondido, California 92029

Ph: (760) 737-9007 Fax: (760) 737-9789

Shibley1@cox.net

DRAFT General Plan Update



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September 22, 2010

From: David Ferguson <dwf@lfap.com>
To: Jay Petrek <Jpetrek@ci.escondido.ca.us>
CC: Lori Pfeiler <Lpfeiler@ci.escondido.ca.us>, "ddaniels@escondido.org" <dd...>
Date: 9/15/2010 3:09 PM
Subject: Escondido general Plan Update - EL9
Attachments: EL9 with AIMCO properties.pdf; EL9 with revised study area.07072010.pdf

Dear Mr. Petrek,

This firm represents Apartment Investment and Management Company (AIMCO) with respect to its property in Escondido: Hidden Cove I at 910 Del Dios Hwy and Hidden Cove II at 1575 Tanglewood Lane (previously "The Acres"). A map of the AIMCO property is attached for your reference.

The recent introduction of the Lexus dealership next door to the AIMCO property has continued the transition of the Ninth Avenue corridor to more commercial, office, professional and freeway-oriented uses. Accordingly, AIMCO supports staff's proposal to designate the area along Ninth Avenue as Planned Commercial/Mixed Use as part of the General Plan Update.

AIMCO's concern is that the boundary of the study area cuts its property in half, putting 14 acres in the study area but leaving 14 acres out. AIMCO appreciates the need for a transition and buffer from the intense uses on Ninth Avenue to the low density residential uses along Eleventh Avenue. AIMCO believes, however, that the appropriate transitioning and buffer can best be accomplished if its entire 28 acres is studied comprehensively.

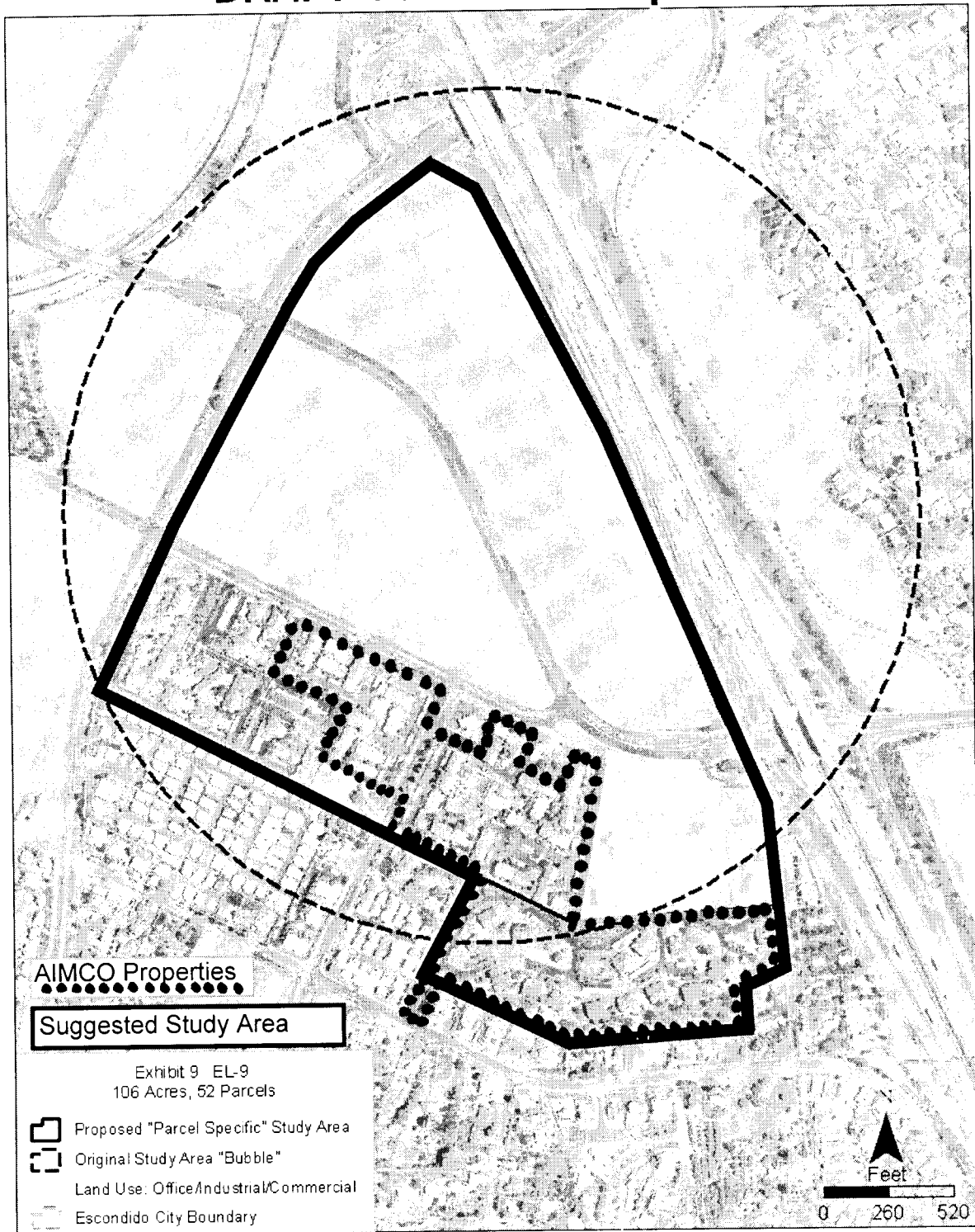
AIMCO currently has no development plans for its property. At the appropriate time in the future, however, it would like to propose a project that encompasses the entire 28 acres. AIMCO envisions that any project on its property will include an appropriate transition and buffer. The scope and nature of the buffer can best be determined by studying the property and neighborhood as a whole rather than piecemeal. Accordingly, we request that the boundary of EL-9 be modified to include the entire AIMCO property. A map of the revised boundary is attached for your reference.

Thank you for your consideration.

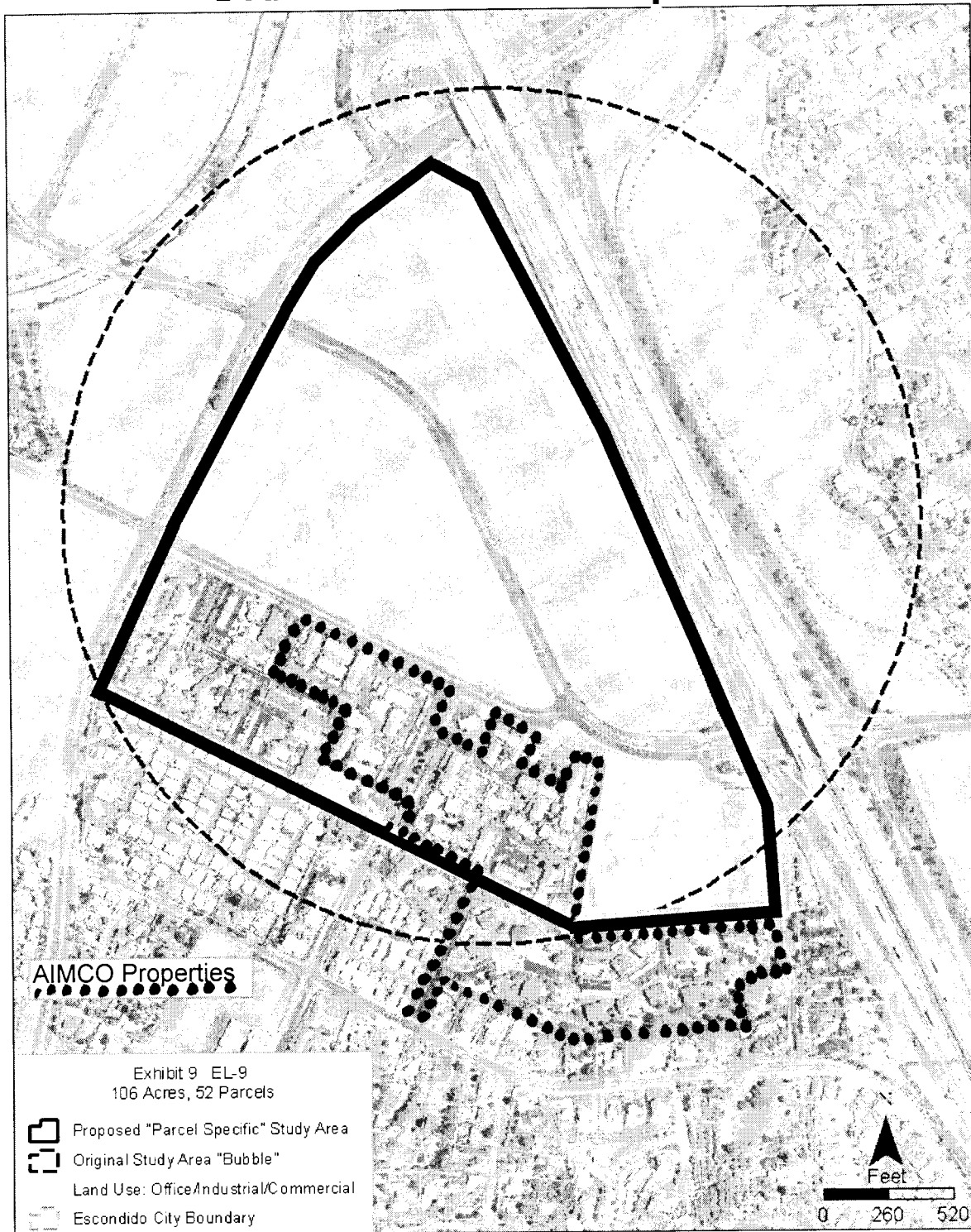
Dave

David W. Ferguson
Lounsbery Ferguson Altona & Peak
dwf@lfap.com<mailto:dwf@lfap.com>
760-743-1201

DRAFT General Plan Update



DRAFT General Plan Update





AGENDA ITEM NO.: 15
 AGENDA DATE: 9-22-10

FUTURE CITY COUNCIL AGENDA ITEMS

September 16, 2010

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

SEPTEMBER 29, 2010 – NO MEETING (5TH WEDNESDAY)

Green Sheet Due by Noon on Monday, 9/20/10
 Staff Reports/Resos due by Noon on 9/28/10

OCTOBER 6, 2010	
4:00 p.m.	
	CONSENT CALENDAR
	PUBLIC HEARINGS:
	WORKSHOP
	<p>Overview of New City Website (M. Becker)</p> <p><i>To address Council Action Plan items for providing more efficient tools for employees and improved services for citizens, Information Systems has reviewed Contentment Management Systems (CMS), and selected a no-cost system to develop an updated, easy to maintain, user friendly website. This workshop will provide Council with an overview of the new City Website that has resulted from this process.</i></p>
	CURRENT BUSINESS
	<p>Presentation by Clean Tech San Diego/. (J. Van Leeuwen)</p> <p><i>Clean Tech is a San Diego industry association. They will be presenting an overview of the services they provide. Staff will be looking for direction on becoming a member of Clean Tech.</i></p>
	Future Agenda Items (M. Whalen)
7:00 p.m.	
	PUBLIC HEARINGS:
	CURRENT BUSINESS