



Council Meeting Agenda

JUNE 10, 2015
CITY COUNCIL CHAMBERS
3:30 P.M. Closed Session; 4:30 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

MAYOR	Sam Abed
DEPUTY MAYOR	Michael Morasco
COUNCIL MEMBERS	Olga Diaz Ed Gallo John Masson
CITY MANAGER	Clay Phillips
CITY CLERK	Diane Halverson
CITY ATTORNEY	Jeffrey Epp
DIRECTOR OF COMMUNITY DEVELOPMENT	Barbara Redlitz
DIRECTOR OF PUBLIC WORKS	Ed Domingue

ELECTRONIC MEDIA:

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

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

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

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



Council Meeting Agenda

**June 10, 2015
3:30 P.M. Meeting**

Escondido City Council

CALL TO ORDER

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

ORAL COMMUNICATIONS

In addition to speaking during particular agenda items, the public may address the Council on any item which is not on the agenda provided the item is within the subject matter jurisdiction of the City Council. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) Speakers are limited to only one opportunity to address the Council under Oral Communications.

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

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

- a. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Escondido City Employee Association: Supervisory (SUP) Bargaining Unit
- b. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Escondido City Employee Association: Administrative/Clerical/Engineering (ACE) Bargaining Unit
- c. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Maintenance & Operations, Teamsters Local 911

II. CONFERENCE WITH LEGAL COUNSEL-- EXISTING LITIGATION (Government Code 54956.9(d)(1))

Case Name: Stuck in the Rough, LLC. v. City of Escondido, et al.
Case No: 37-2013-00074375-CU-WM-NC

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

- a. **Property:** 455 N. Quince Street
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: Stylution USA, Inc. (dba Wickline Bedding)
Under Negotiation: Price and Terms of Agreement

- IV. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))**
a. One Case - Claim No. 4678

ADJOURNMENT



Council Meeting Agenda

**June 10, 2015
4:30 P.M. Meeting**

Escondido City Council

CALL TO ORDER

MOMENT OF REFLECTION:

City Council agendas allow an opportunity for a moment of silence and reflection at the beginning of the evening meeting. The City does not participate in the selection of speakers for this portion of the agenda, and does not endorse or sanction any remarks made by individuals during this time. If you wish to be recognized during this portion of the agenda, please notify the City Clerk in advance.

FLAG SALUTE

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

PRESENTATIONS: North County Transit District

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. (Please refer to the back page of the agenda for instructions.) NOTE: Depending on the number of requests, comments may be reduced to less than 3 minutes per speaker and limited to a total of 15 minutes. Any remaining speakers will be heard during Oral Communications at the end of the meeting.

CONSENT CALENDAR

Items on the Consent Calendar are not discussed individually and are approved in a single motion. However, Council members always have the option to have an item considered separately, either on their own request or at the request of staff or a member of the public.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **[APPROVAL OF MINUTES: Regular Meeting of May 6, 2015](#)**
4. **[GRANT OF EASEMENT DEED TO SAN DIEGO GAS & ELECTRIC COMPANY FOR INSTALLATION AND MAINTENANCE OF OVERHEAD ELECTRIC FACILITIES AND APPURTENANCES ADJACENT TO LAKE DIXON -](#)**

Request Council approve authorizing the Real Property Manager to execute an Easement Deed for the benefit of San Diego Gas & Electric Company for installation and maintenance of overhead electric facilities and appurtenances.

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

RESOLUTION NO. 2015-91

5. **[RECYCLED WATER EASTERLY MAIN EXTENSION - AWARD OF CONSULTING AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES -](#)**

Request Council approve authorizing the Mayor and City Clerk to execute a Consulting Agreement for \$477,280 with Michael Baker International for construction management services.

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

RESOLUTION NO. 2015-83

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

6. **[PROPOSED AMENDMENTS TO CHAPTER 31 OF THE ESCONDIDO MUNICIPAL CODE CONCERNING WATER USE RESTRICTIONS AND MEASURES -](#)**

Approved on June 3, 2015 with a vote of 5/0

ORDINANCE NO. 2015-12 (Second Reading and Adoption)

PUBLIC HEARINGS

7. **[ADOPTION OF FISCAL YEAR 2015/16 AND 2016/17 TWO-YEAR ANNUAL OPERATING BUDGET AND THE APPROPRIATIONS LIMIT \(GANN LIMIT\) FOR FISCAL YEAR 2015/16 -](#)**

Request Council approve the FY 2015/16 Annual Operating Budget and approve the Appropriations Limit (Gann Limit) for FY 2015/16.

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

A) RESOLUTION NO. 2015-84 B) RESOLUTION NO. 2015-85

CURRENT BUSINESS

8. **LIMITING LANDSCAPE IRRIGATION WITH POTABLE WATER TO TWO DAYS EACH WEEK -**
Request Council approve declaring that landscape irrigation with potable water within the water service area of the City of Escondido shall be limited to two days each week for no more than 10 minutes at each irrigation station.

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

RESOLUTION NO. 2015-98

FUTURE AGENDA

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

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

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

CITY MANAGER'S UPDATE/BRIEFING

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

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

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ADJOURNMENT

UPCOMING MEETING SCHEDULE

Date	Day	Time	Meeting Type	Location
June 17	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
June 24	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers
July 1	-	-	No Meeting	-
July 8	Wednesday	3:30 & 4:30 p.m.	Regular Meeting	Council Chambers

TO ADDRESS THE COUNCIL

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

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

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

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

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

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

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

LIVE BROADCAST

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

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

**The City Council is scheduled to meet the first four Wednesdays
of the month at 3:30 in Closed Session and 4:30 in Open Session.
(Verify schedule with City Clerk's Office)**

**Members of the Council also sit as the Successor Agency to the CDC, Escondido Joint Powers
Financing Authority and the Mobilehome Rent Review Board.**

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



If you need special assistance to participate in this meeting, please contact our ADA Coordinator at 839-4643. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

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

CITY OF ESCONDIDO
May 6, 2015
3:30 P.M. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 3:30 p.m. on Wednesday, May 6, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

ATTENDANCE:

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

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/SUCCESSOR AGENCY/RRB)

MOTION: Moved by Councilmember Masson and Seconded by Councilmember Diaz to recess to Closed Session. Motion carried unanimously.

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

- a. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Escondido City Employee Association:
Administrative/Clerical/Engineering (ACE) Bargaining Unit
- b. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Escondido City Employee Association: Supervisory (SUP)
Bargaining Unit
- c. **Agency Negotiator:** Sheryl Bennett & Clay Phillips
Employee Organization: Maintenance & Operations, Teamsters Local 911

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

- a. **Property:** 165 E. Lincoln Parkway
City Negotiator: Debra Lundy, Real Property Manager
Negotiating Parties: San Diego Auto Thrift
Under Negotiation: Price and Terms of Agreement

ADJOURNMENT

Mayor Abed adjourned the meeting at 3:39 p.m.

MAYOR

CITY CLERK

MINUTES CLERK

CITY OF ESCONDIDO
May 6, 2015
4:30 P.M. Meeting Minutes

Escondido City Council
Mobilehome Rent Review Board

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 4:30 p.m. on Wednesday, May 6, 2015 in the Council Chambers at City Hall with Mayor Abed presiding.

MOMENT OF REFLECTION:

Joe Rotta led the Moment of Reflection.

FLAG SALUTE

Mayor Abed led the Flag Salute.

PROCLAMATIONS:

Elisa Marrone accepted the Proclamations for Water Awareness Month and Drinking Water Week.

Loretta McKinney and Micaela Doucette accepted the Proclamation for Drowning Prevention Month - May 2015.

Carol Rea and Wendy Barker accepted the Proclamation for National Historic Preservation Month - May 2015 and Awards Presentation.

PRESENTATIONS:

Laura Robinson and Elisa Marrone presented the Be Water Smart and Earth Day Poster Contest Awards.

ROLL CALL:

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

Also present were: Clay Phillips, City Manager; Jeffrey Epp, City Attorney; Barbara Redlitz, Community Development Director; Julie Procopio, Assistant Director of Public Works; Diane Halverson, City Clerk; and Michael Thorne, Minutes Clerk.

ORAL COMMUNICATIONS

Tom Cowan, Escondido, thanked the Council for the donation to the Veteran and Family Resource Center.

Lora Hillard, Escondido, requested a Historical District be created on the west side of the City.

CONSENT CALENDAR

Mayor Abed removed item 6, Deputy Mayor Morasco removed item 7, and Councilmember Masson removed item 9, item 11, and item 12 from the Consent Calendar for discussion.

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Masson that the following Consent Calendar items be approved. Motion carried unanimously.

1. **AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/SUCCESSOR AGENCY/RRB)**
2. **APPROVAL OF WARRANT REGISTER (Council/Successor Agency)**
3. **APPROVAL OF MINUTES: Regular Meeting of April 8, 2015**
4. **FISCAL YEAR 2014 URBAN AREA SECURITY INITIATIVE GRANT - COMMUNICATIONS CENTER MICROWAVE - COUNTY CONTRACT -**
Request Council approve authorizing the Mayor and City Clerk to execute a Public Service Agreement between the City of Escondido and Aviat U.S., Inc., and authorize the Escondido Police Department to utilize County Contract Number 547601, to purchase specialized equipment for the Dispatch Communications Center. (File No. 0600-10 [A-3148])

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

RESOLUTION NO. 2015-73

5. **2015 CALIFORNIA FIRE ASSISTANCE AGREEMENT MODIFICATION -**
Request Council approve Resolution No. 2015-70 which provides clarification language required by the California Office of Emergency Services (Cal OES) in order to fully reimburse the City of Escondido when personnel and resources are mobilized during emergency activities under California Fire Assistance Agreement (CFAA) guidelines. (File No. 0600-10)

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

RESOLUTION NO. 2015-70

6. **DESIGNATION OF AUTHORIZED REPRESENTATIVE FOR CLEAN WATER STATE REVOLVING FUND LOANS FOR THE RECYCLED WATER AND POTABLE REUSE PROGRAM -**
Request Council approve authorizing the Director of Utilities or his designee to sign on behalf of the City, Financial Assistance Applications for low-interest loans from the Clean Water State Revolving Fund (SRF). Applications are recommended at this time for three construction projects: 1) \$8 million for the Easterly Recycled Water Mains, Brine Line and Reservoir Project; 2) \$3.3 million for the Easterly Recycled Water Distribution for Agriculture Project; and 3) \$4 million for the Brine Line from Grape Day Park to HARRF Project. These three projects are components of the Recycled Water and Potable Reuse Program. (File No. 1340-02)

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

RESOLUTION NO. 2015-40

Mayor Abed verified with staff that no additional funds are being borrowed.

Christopher McKinney, Director of Utilities, confirmed the funds are within the authorized loan amount.

MOTION: Moved by Councilmember Masson and seconded by Deputy Mayor Morasco to approve authorizing the Director of Utilities or his designee to sign on behalf of the City, Financial Assistance Applications for low-interest loans from the Clean Water State Revolving Fund (SRF). Applications are recommended at this time for three construction projects: 1) \$8 million for the Easterly Recycled Water Mains, Brine Line and Reservoir Project; 2) \$3.3 million for the Easterly Recycled Water Distribution for Agriculture Project; and 3) \$4 million

for the Brine Line from Grape Day Park to HARRF Project. These three projects are components of the Recycled Water and Potable Reuse Program and adopt Resolution No. 2015-40. Motion carried unanimously.

7. POTABLE REUSE PROGRAM SUPPORT FROM BLACK & VEATCH CORPORATION -

Request Council approve authorizing the Mayor and City Clerk to execute a Consulting Agreement with Black & Veatch Corporation for Potable Reuse Program Support services. The proposed contract amount is \$287,200. (File No. 0600-10 [A-3147])

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

RESOLUTION NO. 2015-65

Deputy Mayor Morasco questioned staff about the timeline of the project.

Chris McKinney, Director of Utilities, shared factors that influence the length of the project.

MOTION: Moved by Deputy Mayor Morasco and seconded by Councilmember Masson to approve authorizing the Mayor and City Clerk to execute a Consulting Agreement with Black & Veatch Corporation for Potable Reuse Program Support services. The proposed contract amount is \$287,200 and adopt Resolution No. 2015-65. Motion carried unanimously.

8. AMEND THE TRAFFIC SCHEDULE FOR TIME ZONED PARKING ON NORTH BROADWAY AND IN MUNICIPAL PARKING LOT ONE -

Request Council approve amending the Traffic Schedule for Time Zoned Parking to designate three 15-minute parking stalls in the downtown area and one row of 3-hour parking in Municipal Parking Lot One. (File No. 1050-50)

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

RESOLUTION NO. 2015-71

9. APPROVE FISCAL YEAR 2015-2020 SAN DIEGO REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE -

Request Council approve the FY 2015-2020 San Diego Regional Analysis of Impediments to Fair Housing Choice (2015-2020 AI). (File No. 0875-70)

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

RESOLUTION NO. 2015-72

Councilmember Masson questioned staff about the components of the program.

Danielle Lopez, Neighborhood Services, introduced Veronica Tam, Consultant for the Fair Housing Program.

Veronica Tam explained components of the program and fair housing violations.

Councilmember Diaz questioned Veronica Tam regarding the countywide received responses.

MOTION: Moved by Councilmember Diaz and seconded by Deputy Mayor Morasco to approve the FY 2015-2020 San Diego Regional Analysis of Impediments to Fair Housing Choice (2015-2020 AI), and adopt Resolution No. 2015-72. Motion carried unanimously.

10. ESTABLISH ENGINEERING AND TRAFFIC SURVEYS (SPEED ZONES) AT FOUR (4) LOCATIONS CITYWIDE -

Request Council approve establishing Engineering and Traffic Surveys (Speed Zones) at the following locations: (1) Del Dios Highway; (2) El Norte Parkway; (3) Mary Lane; and (4) Ninth Avenue. (File No. 1050-45)

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

RESOLUTION NO. 2015-47

11. FIFTH AMENDMENT TO THE CONSULTING AGREEMENT WITH AECOM FOR DESIGN OF THE CITRACADO PARKWAY EXTENSION PROJECT -

Request Council approve authorizing the Mayor and City Clerk to execute the Fifth Amendment to the Consulting Agreement with AECOM in the amount of \$42,702.25 for additional design services for the Citracado Parkway Extension Project. (File No. 0600-10 [A-3059])

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

RESOLUTION NO. 2015-56

Councilmember Masson questioned staff about the necessity of the study.

Matt Souttere, Engineering, explained the need for updating studies.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve authorizing the Mayor and City Clerk to execute the Fifth Amendment to the Consulting Agreement with AECOM in the amount of \$42,702.25 for additional design services for the Citracado Parkway Extension Project and adopt Resolution No. 2015-56. Motion carried unanimously.

CONSENT – RESOLUTIONS AND ORDINANCES (COUNCIL/SUCCESSOR AGENCY/RRB)

The following Resolutions and Ordinances were heard and acted upon by the City Council/Successor Agency/RRB at a previous City Council/Successor Agency/Mobilehome Rent Review meeting. (The title of Ordinances listed on the Consent Calendar are deemed to have been read and further reading waived.)

12. ANNEXATION, TENTATIVE SUBDIVISION MAP, DEVELOPMENT AGREEMENT AND FINAL MITIGATED NEGATIVE DECLARATION (SUB 14-0002, PHG 14-0006, PHG 14-0007 AND ENV 14-0003) -

Approved on April 22, 2015 with a vote of 5/0 (File No. 0850-20)

ORDINANCE NO. 2015-10 (Second Reading and Adoption)

Councilmember Masson questioned staff regarding waterlines throughout the project and if changes would require another Council vote in the future.

Julie Procopio, Assistant Director of Public Works, stated the City is working with the applicant to address the waterline concerns, and the item would not return to Council again.

MOTION: Moved by Councilmember Masson and seconded by Councilmember Diaz to approve the Second Reading of Annexation, Tentative Subdivision Map, Development Agreement and Final Mitigated Negative Declaration (SUB 14-0002, PHG 14-0006, and ENV 14-0003 and adopt Ordinance No. 2015-10. Ayes: Abed, Diaz, Masson and Gallo. Noes: None. Absent: Morasco. Motion carried.

PUBLIC HEARINGS

13. SHORT-FORM RENT INCREASE APPLICATION FOR WESTWINDS MOBILEHOME PARK -

Request Council consider the short-form rent increase application submitted by Westwinds Mobilehome Park and if approved, grant an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 0.963% (an average of \$4.59) for the period of December 31, 2013 to December 31, 2014. (File No. 0697-20-10026)

Staff Recommendation: **Consider for approval (Community Development Department: Barbara Redlitz)**

RRB RESOLUTION NO. 2015-02

Karen Youel, Housing Staff, presented the staff report, utilizing a PowerPoint presentation.

Art Stevens, Code Enforcement, was available to answer questions.

Jim Younce, Park Owners' Representative, was available to answer questions.

MOTION: Moved by Councilmember Gallo and seconded by Councilmember Masson to approve considering the short-form rent increase application submitted by Westwinds Mobilehome Park and if approved, grant an increase of seventy-five percent (75%) of the change in the Consumer Price Index, or 0.963% (an average of \$4.59) for the period of December 31, 2013 to December 31, 2014 and adopt RRB Resolution No. 2015-02. Motion carried unanimously.

14. PUBLIC HEARING FOR CITY OF ESCONDIDO LANDSCAPE MAINTENANCE DISTRICT ZONES 1-36 AND 38 -

Request Council receive input from property owners in Zones 1-36 and 38 of the City of Escondido Landscape Maintenance District (LMD) on the proposed budget and assessments for Fiscal Year 2015/2016. No Council action is required. (File No. 0685-10)

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

Gabrielle Restivo, Engineering, presented the staff report.

NO ACTION, NO PUBLIC INPUT RECEIVED.

15. AMENDMENTS TO CHAPTER 22 OF THE ESCONDIDO MUNICIPAL CODE, AND ADOPTION OF JURISDICTIONAL RUNOFF MANAGEMENT PLAN AND ASSOCIATED WATER QUALITY IMPROVEMENT PLANS FOR THE SAN DIEGUITO AND CARLSBAD WATERSHEDS AND CEQA NOTICE OF EXEMPTION -

Request Council approve updating Chapter 22 of the Escondido Municipal Code to comply with Regional Water Quality Control Board Order Number R9-2013-0001 and approve adoption of the City of Escondido Jurisdictional Runoff Management Plan, the Water Quality Improvement Plans for the Carlsbad and San Dieguito Watersheds, and the CEQA Notice of Exemption (NOE). (File No. 0680-50)

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

A) ORDINANCE NO. 2015-09 (Introduction and First Reading) B) RESOLUTION NO. 2015-74

Helen Davies, Utilities, presented the staff report, utilizing a PowerPoint presentation.

Alicia Appel, Utilities, was available to answer questions.

MOTION: Moved by Councilmember Diaz and seconded by Mayor Abed to approve updating Chapter 22 of the Escondido Municipal Code to comply with Regional Water Quality Control Board Order Number R9-2013-0001 and approve adoption of the City of Escondido Jurisdictional Runoff Management Plan, the Water Quality Improvement Plans for the Carlsbad and San Dieguito Watersheds, and the CEQA Notice of Exemption (NOE), adopt Resolution No. 2015-74 and introduce Ordinance No. 2015-09. Ayes: Abed, Diaz, Gallo and Morasco. Noes: Masson. Motion carried.

CURRENT BUSINESS

16. APPOINTMENT TO HISTORIC PRESERVATION COMMISSION -

Request Council approve ratifying the Mayor's appointment to fill an unscheduled vacancy on the Historic Preservation Commission, term to expire March 31, 2018. (File No. 0120-10)

Staff Recommendation: **Ratify the Mayor's Appointment (City Clerk's Office: Diane Halverson)**

Mayor Abed appointed Mark Correll to the Historic Preservation Commission.

MOTION: Moved by Mayor Abed and seconded by Councilmember Gallo to approve ratifying the Mayor's appointment to fill an unscheduled vacancy on the Historic Preservation Commission, term to expire March 31, 2018. Motion carried unanimously.

17. WOHLFORD DAM: DESIGNATION OF AUTHORIZED REPRESENTATIVE FOR CLEAN WATER STATE REVOLVING FUND LOAN AND BUDGET ADJUSTMENT TO ALLOCATE PROP. 1E REIMBURSEMENTS TO THE WOHLFORD DAM CIP BUDGET -

Request Council approve authorizing the Director of Utilities or his designee to sign, on behalf of the City, Financial Assistance Applications for low-interest loans of up to \$25 million from the Clean Water State Revolving Fund (SRF) for construction of Wohlford Dam and approve a budget adjustment to allocate money received as reimbursement from the California Department of Water Resources (CA DWR) Prop. 1E Grant Program. (File No. 1320-02)

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

RESOLUTION NO. 2015-53

Christopher McKinney, Director of Utilities, presented the staff report, utilizing a PowerPoint presentation.

MOTION: Moved by Councilmember Diaz and seconded by Councilmember Gallo to approve authorizing the Director of Utilities or his designee to sign, on behalf of the City, Financial Assistance Applications for low-interest loans of up to \$25 million from the Clean Water State Revolving Fund (SRF) for construction of Wohlford

Dam and approve a budget adjustment to allocate money received as reimbursement from the California Department of Water Resources (CA DWR) Prop. 1E Grant Program and adopt Resolution No. 2015-33. Motion carried unanimously.

WORKSHOP

18. UPDATE TO THE CITY COUNCIL CONCERNING THE ONGOING DROUGHT AND POTENTIAL IMPACTS TO ESCONDIDO -

Request Council receive and file the latest information on California's on-going drought, and the state, regional and local responses. (File No. 1320-02)

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

Christopher McKinney, Director of Utilities, presented the staff report, utilizing a PowerPoint presentation.

NO ACTION, INFORMATION ONLY.

19. FISCAL YEAR 2015/16 OPERATING BUDGET BRIEFING -

Request Council provide direction regarding the Fiscal Year 2015/16 General Fund Operating Budget. (File No. 0430-30)

Staff Recommendation: **Provide Direction (Finance Department: Sheryl Bennett)**

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

Loretta McKinney, Director of Community Services, and Amy Shipley, Assistant Director of Community Services, presented the Recreation Budget, utilizing a PowerPoint presentation.

COUNCIL PROVIDED DIRECTION TO STAFF TO PROCEED WITH UPCOMING PUBLIC HEARING.

20. FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND FISCAL YEAR 2015/16 CIP BUDGET UPDATE -

Request Council direct staff to move forward on preparing the FY 2015/16 Five-Year Capital Improvement Program and Budget. (File No. 0430-30)

Staff Recommendation: **Provide Direction (Finance Department: Sheryl Bennett)**

Sheryl Bennett, Director of Administrative Services, Joan Ryan, Assistant Director of Finance, and Michelle LeFever, CIP Budget Staff, presented the staff report, utilizing a PowerPoint presentation.

Bill Durney, Escondido, Member of the Transportation and Safety Commission, requested funding for traffic management on Gamble St. and for Police traffic control near Reidy Creek and N. Broadway.

COUNCIL PROVIDED DIRECTION TO STAFF TO PROCEED WITH UPCOMING PUBLIC HEARING.

FUTURE AGENDA

21. FUTURE AGENDA -

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

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

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

Councilmember Masson reported on Legislative Action Day, and noted the return of the Community Revitalization Authority.

Councilmember Gallo reported on the San Diego County Water Authority's survey that found water supply is the number one issue for citizens during a drought.

Mayor Abed reported on LAFCO and the 5 year Sphere of Influence study conducted regarding public hospitals in the San Diego District.

CITY MANAGER'S UPDATE/BRIEFING

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

- **CITY MANAGER'S UPDATE -**

ORAL COMMUNICATIONS

ADJOURNMENT

Mayor Abed adjourned the meeting at 9:21 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: June 10, 2015

TO: Honorable Mayor and Members of the City Council
FROM: Debra Lundy, Real Property Manager
SUBJECT: Grant of Easement Deed to San Diego Gas & Electric Company for Installation and Maintenance of Overhead Electric Facilities and Appurtenances Adjacent to Lake Dixon

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2015-91 authorizing the Real Property Manager to execute an Easement Deed for the benefit of San Diego Gas & Electric Company ("SDG&E") for installation and maintenance of overhead electric facilities and appurtenances.

FISCAL ANALYSIS:

N/A

PREVIOUS ACTION:

N/A

BACKGROUND:

SDG&E has an existing overhead electric transmission line across City property with Assessor's Parcel Number 225-140-10 in the Lake Dixon area. SDG&E has been requested to relocate its overhead line to accommodate a City project. The proposed new alignment falls outside of the existing easement on City property and will therefore require a new easement. Following completion of construction, SDG&E will quitclaim easement interests back to the City which will become unnecessary as a result of the new alignment. This easement does not impact the City property or its operations and is being requested at no cost, as it serves a City facility.

Respectfully submitted,


Debra Lundy
Real Property Manager

RESOLUTION NO. 2015-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE REAL PROPERTY MANAGER TO EXECUTE, ON BEHALF OF THE CITY, A GRANT OF EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR INSTALLATION OF OVERHEAD ELECTRIC FACILITIES AND APPURTENANCES

WHEREAS, real property identified as Assessor's Parcel Number 225-140-10 is owned by the City of Escondido ("City"); and

WHEREAS, San Diego Gas & Electric ("SDG&E") has an existing electric transmission line which crosses the subject parcel under an existing easement; and

WHEREAS, said existing transmission line serves a City facility and is to be relocated outside of the existing easement area, necessitating a new easement; and

WHEREAS, SDG&E will quitclaim back to the City portions of the existing easement which will no longer be needed as a result of the relocation project; and

WHEREAS, the new alignment will not impact the City's property or operations; and

WHEREAS, to accomplish the overhead electric line relocation, the City wishes to approve the grant of Easement Deed to SDG&E ("Easement").

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 Real Property Manager is authorized to execute, on behalf of the City, the attached Easement which is attached as Exhibit "A" and is incorporated by this reference.

Recording Requested by
San Diego Gas & Electric Company

Resolution No. 2015-91
EXHIBIT A
Page 1 of 4

When recorded, mail to:

San Diego Gas & Electric Company
P O Box 129831
San Diego, CA 92123-1569
Attn: Real Estate Records - SD1170

SPACE ABOVE FOR RECORDER'S USE

Project No.: 359031-020
Const. No.: 2329341
A.P.N.: 225-140-10

Transfer Tax None
SAN DIEGO GAS & ELECTRIC COMPANY

R/W 361814

EASEMENT

CITY OF ESCONDIDO, a Municipal corporation, (Grantor), grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation (Grantee), an easement and right of way in, upon, over, under and across the lands hereinafter described, to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of:

Poles, wires, cables and appurtenances for the transmission and distribution of electricity.

The above facilities will be installed at such locations and elevations upon, along, over and under the hereinafter described easement as Grantee may now or hereafter deem convenient or necessary. Grantee also has the right of ingress and egress, to, from and along this easement in, upon, over and across the hereinafter described lands. Grantee further has the right, but not the duty to clear and keep this easement clear from explosives, buildings, structures and materials.

The property in which this easement and right of way is hereby granted is situated in the County of San Diego, State of California, described as follows:

The Westerly 10 acres of the Northwest Quarter of the Southeast Quarter of Section 1, Township 12 South, Range 2 West, San Bernardino Meridian AND the Northeast Quarter of the Southwest Quarter of Section 1, Township 12 South, Range 2 West, San Bernardino Meridian.

The easement in the aforesaid lands shall be 12.00 feet in width, being 6.00 feet on each side of the center line of the facilities to be installed, the approximate location being shown and delineated as "UTILITY FACILITIES" on the Exhibit "A", attached hereto and made a part hereof.

Grantor grants to Grantee the right to erect and maintain on Grantor's property adjacent to this easement such anchorage as may be necessary for Grantee's purposes.

Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed, any building or other structure, plant any tree, drill or dig any well, within this easement.

Grantor shall not increase or decrease the ground surface elevations within this easement after installation of Grantee's facilities, without prior written consent of Grantee, which consent shall not unreasonably be withheld.

Grantee shall have the right but not the duty, to trim or remove trees and brush along or adjacent to this easement and remove roots from within this easement whenever Grantee deems it necessary. Said right shall not relieve Grantor of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

The legal description for this easement was prepared by San Diego Gas & Electric Company pursuant to Section 8730 of the Business and Professions Code, State of California.

This easement shall be binding upon and inure to the benefit of successors, heirs, executors, administrators, permittees, licensees, agents or assigns of Grantor and Grantee.

IN WITNESS WHEREOF, Grantor executed this instrument this _____ day of _____, 20____.

CITY OF ESCONDIDO, a Municipal corporation

By: _____

Name: _____
(print name)

Title: _____

By: _____

Name: _____
(print name)

Title: _____

Drawn: GAM
Checked: _____
Date: May 1, 2015(revised5/8/15)(revised5/20/15)

Resolution No. 2015-91
EXHIBIT A
Page 2 of 4

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, before me _____,
(name, title of officer)

personally appeared _____,

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

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

WITNESS my hand and official seal.

(Signature of Notary Public)

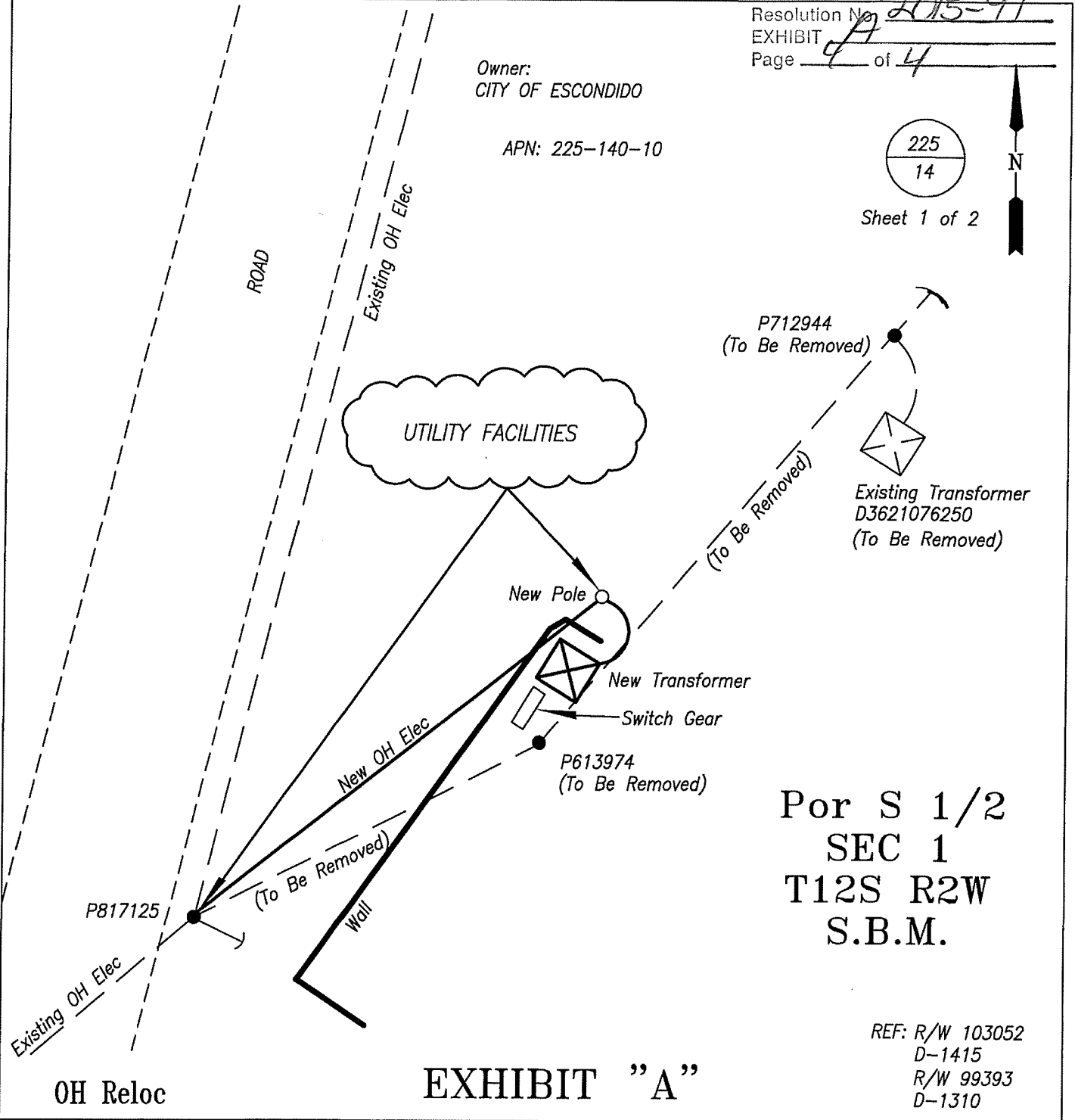
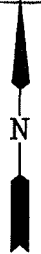
(Notary Seal)

Owner:
 CITY OF ESCONDIDO

APN: 225-140-10

225
 14

Sheet 1 of 2



Por S 1/2
 SEC 1
 T12S R2W
 S.B.M.

REF: R/W 103052
 D-1415
 R/W 99393
 D-1310

OH Reloc

EXHIBIT "A"

SAN DIEGO GAS & ELECTRIC SAN DIEGO, CALIFORNIA		ORIGINATOR:	OK TO INSTALL:	PROJECT NO. 359031-020	
		GAM			
Escondido Water Treatment Plant Dixon Lake Area Escondido		SURVEYED BY:	R/W OK:	CONST. NO. 2329341	
		NONE			
		DRAWN BY:	DATE:	THOS. BROS. 1110-D4	
		GAM	5/20/15		
		DATE:	SCALE:	DRAWING NO.	
		5/20/15	NONE		
NO.	SUPPLEMENTS	DATE:	BY	APP'D	

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 5
Date: June 10, 2015

TO: Honorable Mayor and Members of the City Council
FROM: Christopher W. McKinney, Director of Utilities
SUBJECT: Recycled Water Easterly Main Extension – Award of Consulting Agreement for Construction Management Services

RECOMMENDATION:

The Utilities Department requests that the City Council Adopt Resolution No. 2015-83 authorizing the Mayor and City Clerk to execute a Consulting Agreement for \$477,280 with Michael Baker International for construction management services.

FISCAL ANALYSIS:

Wastewater CIP 801201, Recycled Water Easterly Main Extension has sufficient funds to cover this expenditure.

PREVIOUS ACTION:

On September 24, 2014, the Council adopted Resolution No. 2014-145 awarding a Public Improvement Agreement to MNR Construction, Inc., for the construction of the initial phase of the Recycled Water Easterly Main Extension.

On December 12, 2014, the City Utilities Construction Manager issued a Notice to Proceed to MNR Construction, Inc.

BACKGROUND:

The Recycled Water Easterly Main Extension project will install two pipelines along the northern side of Escondido Creek between N. Broadway and Citrus Avenue:

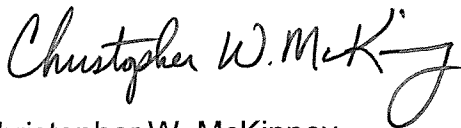
- 13,800-LF of 16" High-density Polyethylene (HDPE) brine gravity pipeline
- 13,783-LF of 28" HDPE recycled water pressure pipeline

This project is the first component of the Recycled Water and Potable Reuse Program, which will deliver recycled water to agricultural land in the eastern portion of the City's water service area. When construction was awarded in September 2014, Utilities staff intended to provide construction management services in-house. Since that time, however, Utilities Department management decided that it would be more efficient to award construction management to outside consultants. This decision is based on two primary factors: (1) staffing limitations that make it infeasible for the work to be done in-house while still managing other Utilities construction projects, and (2) additional project complexity caused by permitting, underground conflicts, and delays approving material substitutions.

The rapid growth of the CIP managed by the Utilities Engineering and Construction Management Division has exceeded the capacity of existing staff. The Division's Deputy Director supervises three engineers and four construction management staff. As work load has increased Utilities management considered requesting more staff to manage projects as they moved from design into construction. However, the work load is expected to vary greatly over the next three years. Therefore, it is most efficient to award the work to consultants who can be retained as needed and only when needed.

The Utilities Department recommends retaining Michael Baker International, a third party construction management team, to manage the remainder of project construction for this project. This contract for construction management services includes constructability reviews, construction inspections, administration of the construction contract, claim support, and facilitation of partnering sessions.

Respectfully submitted,

A handwritten signature in black ink that reads "Christopher W. McKinney". The signature is written in a cursive style with a large, stylized "M" and "K".

Christopher W. McKinney
Director of Utilities

RESOLUTION NO. 2015-83

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 CONSULTING AGREEMENT WITH MICHAEL BAKER INTERNATIONAL, FOR CONSTRUCTION MANAGEMENT OF PHASE I OF THE RECYCLED WATER EASTERLY MAIN EXTENSION PROJECT

WHEREAS, on September 24, 2014, City Council approved execution of a Public Services Agreement for the construction of Phase I of the Recycled Water Easterly Main Extension ("Project") in the amount of \$6,276,000; and

WHEREAS, on December 12, 2014, the City Utilities Construction Manager issued a Notice to Proceed to MNR Construction, Inc.; and

WHEREAS, the Utilities Engineering Division is currently managing the design and construction for multiple large Capital Improvement Program ("CIP") projects; and

WHEREAS, at this time the Director of Utilities, deeming it to be in the best public interest, requests the City Council to execute a Consulting Agreement to provide third-party construction management services.

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 Director of Utilities.

3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, the Consulting Agreement (“Agreement”) with Michael Baker International for construction management on the Reclaimed Water Easterly Main Extension, Phase I. A copy of the Agreement is attached as Exhibit “A” and is incorporated by this reference.



CITY OF ESCONDIDO
CONSULTING AGREEMENT

This Agreement is made this _____ day of _____, 20__.

Between: CITY OF ESCONDIDO
a Municipal Corporation
201 N. Broadway
Escondido, California 92025
Attn: Randy Manns
760-839-4078
("CITY")

And: Michael Baker International
9755 Clairemont Mesa Blvd
San Diego, CA 92124
Attn: Wayne Papac
858-614-5000
("CONSULTANT")

Witness that whereas:

- A. It has been determined to be in the CITY's best interest to retain the professional services of a consultant to provide construction management and inspection services for the Recycled Water Easterly Main Extension project; and
- B. The CONSULTANT is considered competent to perform the necessary professional services for CITY;

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

- 1. Services. The CONSULTANT will furnish all of the services as described in "Attachment A" which is attached and incorporated by this reference.
- 2. Compensation. The CITY will pay the CONSULTANT in accordance with the conditions specified in "Attachment A," in the sum of \$ 477,280.00. Any breach of this Agreement will relieve CITY from the obligation to pay CONSULTANT, if CONSULTANT has not corrected the breach after CITY provides notice and a reasonable time to correct it. If this Agreement is amended at any time, additional compensation of CONSULTANT contained in subsequent amendment(s) shall not exceed a cumulative total of twenty-five percent (25%) of the maximum payment provided for in this Section 2.

3. Scope of Compensation. The CONSULTANT will be compensated for performance of tasks specified in "Attachment A" only. No compensation will be provided for any other tasks without specific prior written consent from the CITY.
4. Duties. CONSULTANT will be responsible for the professional quality, technical accuracy, timely completion, and coordination of all reports and other services furnished by the CONSULTANT under this Agreement, except that the CONSULTANT will not be responsible for the accuracy of information supplied by the CITY.
5. Personnel. The performance of services under this Agreement by certain professionals is significant to the CITY. CONSULTANT will assign the persons listed on "Attachment B," which is attached and incorporated by this reference, to perform the Services described in Paragraph 1, and will not add or remove persons from the list without the prior written consent of the CITY. If no designation is made, then CONSULTANT may not assign services without obtaining the advance written consent of the CITY. CONSULTANT will not subcontract any tasks under this Agreement without obtaining the advance written consent of the CITY.
6. Termination. Either CONSULTANT or the CITY may terminate this Agreement with thirty (30) days advance written notice.
7. City Property. All original documents, drawings, electronic media, and other material prepared by CONSULTANT under this Agreement immediately becomes the exclusive property of the CITY, and may not be used by CONSULTANT for any other purpose without prior written consent of the CITY.
8. Insurance.
 - a. The CONSULTANT shall secure and maintain at its own cost, for all operations, the following insurance coverage, unless reduced by the City Attorney:
 - (1) General liability insurance. Occurrence basis with minimum limits of \$1,000,000 each occurrence, \$2,000,000 General Aggregate, and \$1,000,000 Products/Completed Operations Aggregate; and
 - (2) Automobile liability insurance of \$1,000,000 combined single-limit per accident for bodily injury and property damage, unless waived as provided in 8(b) below; and
 - (3) Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship; and
 - (4) Errors and Omissions professional liability insurance with minimum coverage of \$1,000,000.
 - b. It is the parties' understanding that the use of a motor vehicle is not a primary subject of this Agreement. CONSULTANT acknowledges that operating a motor vehicle is outside the scope of this Agreement and occurs only at the convenience of the CONSULTANT. A waiver of automobile liability insurance is only effective if both sets of initials appear below, otherwise such insurance is required.

Acknowledged by CONSULTANT _____

Waiver appropriate by CITY _____

- c. Each insurance policy required above must be acceptable to the City Attorney.
 - (1) 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.
 - (2) All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.
 - (3) Both the General Liability and the Automobile Liability policies must name the CITY specifically as an additional insured under the policy on a separate endorsement page. The CITY includes its officials, employees, and volunteers. The endorsement must be ISO Form CG 20 10 11 85 edition or its equivalent for General Liability endorsements and CA 20 01 for Automobile Liability endorsements.
 - (4) The General Liability policy must include coverage for bodily injury and property damage arising from CONSULTANT's work, including its on-going operations and products-completed operations hazard.
 - (5) The General Liability policy must be primary and noncontributory and any insurance maintained by CITY is excess.
 - c. In executing this Agreement, CONSULTANT agrees to have completed insurance documents on file with the CITY within fourteen (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. Indemnification. CONSULTANT (which in this paragraph 9 includes its agents, employees and subcontractors, if any) agrees to indemnify, defend, and hold harmless the CITY from all claims, lawsuits, damages, judgments, loss, liability, or expenses, including attorneys' fees, for any of the following:
- a. Any claim of liability arising out of the negligence or any acts or omissions of CONSULTANT in the performance of this Agreement;
 - b. Any personal injuries, property damage or death that CONSULTANT may sustain while using CITY-controlled property or equipment, while participating in any activity sponsored by the CITY, or from any dangerous condition of property; or
 - c. Any injury or death which results or increases by any action taken to medically treat CONSULTANT.
10. Anti-Assignment Clause. The CONSULTANT may not assign, delegate or transfer any interest or duty under this Agreement without advance written approval of the CITY, and any attempt to do so will immediately render this entire Agreement null and void. Unless CONSULTANT assigns this entire Agreement, including all rights and duties herein, to a third party with the CITY'S written consent, CONSULTANT shall be the sole payee under this Agreement. Any and all payments made pursuant to the terms of this Agreement are otherwise not assignable.
11. Costs and Attorney's Fees. In the event that legal action is required to enforce the terms and conditions of this Agreement, the prevailing party will be entitled to reasonable attorneys' fees and costs.

12. Independent Contractor. CONSULTANT is an independent contractor and no agency or employment relationship, either express or implied, is created by the execution of this Agreement.
13. Merger Clause. This Agreement and its Attachments, if any, are the entire understanding of the parties, and there are no other terms or conditions, written or oral, controlling this matter. In the event of any conflict between the provisions of this Agreement and any of its Attachments, the provisions of this Agreement must prevail.
14. Anti-Waiver Clause. None of the provisions in this Agreement will be waived by CITY because of previous failure to insist upon strict performance, nor will any provision be waived by CITY because any other provision has been waived, in whole or in part.
15. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.
16. Choice of Law. This Agreement is governed by the laws of the State of California. Venue for all actions arising from this Agreement must be exclusively in the state or federal courts located in San Diego County, California.
17. Multiple Copies of Agreement/Counterparts. Multiple copies and/or counterparts of this Agreement may be executed, including duplication by photocopy or by computerized scanning device. Each duplicate will be deemed an original with the same effect as if all the signatures were on the same instrument. However, the parties agree that the Agreement on file in the office of the Escondido City Clerk is the copy of the Agreement that shall take precedence should any differences exist among copies or counterparts of the document.
18. Provisions Cumulative. The foregoing provisions are cumulative and in addition to and not in limitation of any other rights or remedies available to the CITY.
19. Notices to Parties. Any statements, communications or notices to be provided pursuant to this Agreement must be sent to the attention of the persons indicated below. Each party agrees to promptly send notice of any changes of this information to the other party, at the address first above written.
20. Business License. The CONSULTANT is required to obtain a City of Escondido Business License prior to execution of this Agreement.
21. Compliance with Applicable Laws, Permits and Licenses. CONSULTANT shall keep itself informed of and comply with all applicable federal, state, and local laws, statutes, codes, ordinances, regulations, and rules in effect during the term of this Agreement. CONSULTANT shall obtain any and all licenses, permits, and authorizations necessary to perform services set forth in this Agreement. Neither CITY, nor any elected nor appointed boards, officers, officials, employees, or agents of CITY shall be liable, at law or in equity, as a result of any failure of CONSULTANT to comply with this section.
22. Immigration Reform and Control Act of 1986. CONSULTANT shall keep itself informed of and comply with the Immigration Reform and Control Act of 1986. CONSULTANT affirms that as an employer in the State of California, all new employees must produce proof of eligibility to work in the United States within the first three days of employment and that only employees legally eligible to work in the United States will be employed on

this public project. CONSULTANT agrees to comply with such provisions before commencing and continuously throughout the performance of this Agreement.

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

CITY OF ESCONDIDO

Date: _____

Sam Abed
Mayor

Date: _____

Diane Halverson
City Clerk

Michael Baker International

Date: _____

(Consultant signature)

Title

(The above signature must be notarized)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

By: _____

THE CITY OF ESCONDIDO DOES NOT DISCRIMINATE AGAINST QUALIFIED PERSONS WITH DISABILITIES.

Michael Baker

I N T E R N A T I O N A L

May 1, 2015

City of Escondido
Attn: Randy Manns
1521 South Hale Avenue
Escondido, CA 92029

**RE: Proposal for Construction Management Services for Recycled Water
Easterly Main Extension (RWEME)**

Dear Mr. Manns,

Our proposal is based upon conformed plans and specifications by RMC Water and Environment, Bid Package 1. I have included our spreadsheet indicating estimated costs and levels of effort to perform the construction and contract management required to deliver this project. We understand that this project has some challenges, and we are committed to current issues and getting the project moving in a positive direction. Our estimate is just that, any budget not used will remain with the City, and it is our full intent to avoid claims and costly disagreements. We have also attached as Exhibit A, a scope of services for consideration with our proposal.

Thank You for the opportunity serve this challenging project.

Respectfully, Wayne

Michael Baker International
Wayne Papac, CCM
Vice President Construction Management

EXHIBIT A

SCOPE OF SERVICES

PROJECT DESCRIPTION

The WORK of this Contract comprises but is not limited to the construction of approximately 13,780 lineal feet of 28-inch diameter DR 11 high density polyethylene (HDPE) recycled water pipeline, and 13,800 lineal feet of 16-inch diameter DR 21 HDPE brine pipeline, asphalt concrete (AC) pavement, steel casing pipes, concrete manholes, recycled water isolation valves, air valves, blow-offs, connections to existing facilities, protection of existing facilities, surface restoration, and other pipeline appurtenances and related work.

The Construction Manager shall be responsible for the constructability review and managing all aspects of the construction project as directed by the City. The Design Engineer has been retained to provide construction phase services that include reviewing shop drawings, answering requests for information, and responding to request for Change Orders and preparing "As-Built" record drawings.

CONSULTANT-FURNISHED SERVICES

TASK 1 Construction Services

The Consultant shall provide an experienced construction manager to perform full-time contract, construction management, and inspection services. The contract duration is estimated to be 400 calendar days. The construction manager and inspector will document the work and confirm conformance with the plan and specification requirements. The construction management duties will also consist of the following activities:

- Conduct a global settlement meeting of all outstanding issues, and bring to fair and reasonable resolution.
- Preparation of written daily field reports for submittal to the City. Reports will include work performed, labor and equipment utilized, and a discussion of any work not conforming the plans and specifications.

- Provide all soils and material testing and documenting reports.
- Provide full time inspection for all construction including excavation, backfill, and all piping and connections to existing facilities.
- Perform photographic documentation of construction activities in digital format.
- Observe and record all major materials delivery to the site to document they are in accordance with the specifications and approved shop drawings.
- Coordinate, review and observe all equipment testing and start up.
- Coordinate with City staff in the commissioning and startup of the completed facility.
- Provide special inspections not required of the contractor.
- Update project red line drawings during construction and review contractor red lines during course of construction.
- Conduct weekly progress meetings or more often as needed including job progress and schedule meetings with the Contractor, the City, and others as necessary. Prepare and distribute meeting minutes via email.
- Administer and track all “Submittal”, “Request for Information”, “Contractor’s Request for Change Order”, and other related forms. Provide appropriate response and/or recommendations to and from the City. Consult with City and Design Team on all technical matters. Notify all parties of issues that impact critical path schedule. Negotiate and recommend Change Orders on behalf of the City. Coordinate with Design Team as necessary.
- Monitor project permit conditions and related expiration dates and inform the City and Contractor when non-compliance is observed.
- Monitor and ensure Contractor’s compliance with all requirements of project design specifications and drawings.
- Monitor Contractor’s schedule each week, including the previous weeks’ progress and Contractor’s anticipated work. Make recommendations as necessary and inform the City as necessary of schedule issues.
- Process monthly progress pay estimates including review of Contractor’s work progress with the City representative, review for accuracy, and comparison with actual work completed; make appropriate recommendations to the City on payment issues.
- Provide document control including processing and filing all project correspondence, documents, and drawings including conversion of all received documents into a .pdf format. The Construction Manager is to handle all paperwork between all parties.
- Prepare monthly construction management reports to include a detailed description of work completed, schedule status, submittals status, RFI status, design revision status, progress payment and overall contract status, and project photographs. The monthly reports will be prepared in a City-provided format including color copies of the digital photographs with captions of work performed. Electronic copies of the monthly reports will be provided to the City and other parties as requested.

- Conduct and coordinate preliminary and final walk-throughs with punch lists, start-up and testing, and closeout.
- Provide any needed claim support through final resolution. Our approach is to mitigate existing issues, resolve all future issues at the lowest possible level, and fervently practice claims avoidance.

All soils and materials testing by others. We have not included any budget to cover this item.

ORDINANCE NO. 2015-12

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ARTICLE 5 OF CHAPTER 31 OF
THE ESCONDIDO MUNICIPAL CODE TO ADD
RECENT STATE REQUIREMENTS FOR WATER
CONSERVATION

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

SECTION 1. Article 5, Section 31-227 of Chapter 31 of the Escondido Municipal
Code is hereby amended to read as follow:

Sec. 31-227. Definitions.

The following words and phrases whenever used in this chapter shall have the
meaning defined in this section.

(a) "Baseline period" means the period of time during which a customer's
water use in prior years shall be used to compare to the same customers water use
during a declared water shortage. The baseline period will be determined by the City
Council at the time the City Council declares the appropriate water shortage response
level, as outlined in section 31-232 of this article.

(b) "City" means the City of Escondido.

(c) "Customer" means any natural person, corporation, public or private entity,
public or private association, public or private agency, government agency or institution,
school district, college, or any other user of water provided by the City.

A COMPLETE COPY OF THIS ORDINANCE
IS ON FILE IN THE OFFICE OF THE CITY
CLERK FOR YOUR REVIEW.

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 7

Date: **June 10 2015**

TO: Honorable Mayor and Members of the City Council

FROM: Sheryl Bennett, Director of Administrative Services
Joan Ryan, Assistant Director of Finance

SUBJECT: Adoption of Fiscal Year 2015/16 and 2016/17 Two-Year Annual Operating Budget and the Appropriations Limit (GANN Limit) for Fiscal Year 2015/16

RECOMMENDATION:

It is requested that Council adopt Resolution No. 2015-84 approving the Fiscal Year 2015/16 Annual Operating Budget. It is also requested that the Council adopt Resolution No. 2015-85 approving the Appropriations Limit (Gann Limit) for FY 2015/16.

FISCAL ANALYSIS:

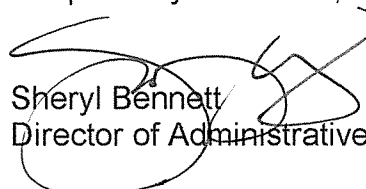
A two-year General Fund budget has been submitted with the assumption that the City will continue to show economic growth. The proposed FY 2015/16 General Fund Operating Budget is a balanced budget without the use of reserves and projects a 5% increase in total revenues. See Attachment A for the General Fund Three Year Financial Plan through FY 2019.

BACKGROUND:

Since the operating budget briefing on May 6, 2015, the General Fund Operating Budget has decreased by approximately \$50,000. This is primarily due to a reorganization of staff within the City Attorney's Department, which included a reclassification of a regular part-time position to a regular full-time position. The current General Fund reserve balance is \$17.3 million.

The Community Services department has further reduced their operating budget by approximately \$276,000 and is proposing to use \$94,000 of Community Services fund reserves to balance their sources and uses of funds. This results in the General Fund transfer remaining at \$223,100.

Respectfully submitted,


Sheryl Bennett
Director of Administrative Services


Joan Ryan
Assistant Finance Director

**General Fund
3 Year Financial Plan
2017 - 2019**

	FY 2016-17		FY 2017-18		FY 2018-19
Sources:					
Operating Revenue	\$ 92,761,135	4%	\$ 93,680,940	1%	\$ 94,570,940
Transfer from Gas Tax	2,055,000		2,055,000		2,055,000
Transfer from Hegyi Trust	2,000		-		-
Transfer from Ryan Trust-Library/Pioneer Room	18,545		-		-
Transfer from Wastewater	25,000		25,000		25,000
Deposits-PEG Fees	11,000		11,000		11,000
Total Sources	\$ 94,872,680		\$ 95,771,940		\$ 96,661,940
Uses:					
Operating Budget	\$ 90,297,595		\$ 94,015,730		\$ 95,024,990
Existing Union Contracts	438,135		99,260		-
Building Maintenance	35,000		-		-
Fleet Services	1,000,000		-		-
Workers' Compensation	910,000		-		-
Medical	200,000		200,000		200,000
Dental	16,000		-		-
Unemployment Insurance	19,000		-		-
PERS	1,100,000		710,000		690,000
Adjusted Operating Budget	94,015,730		95,024,990		95,914,990
Transfer to Recreation	223,100		223,100		223,100
Transfer to Reidy Creek Golf Course Debt Service	363,450		363,450		363,450
Transfer to Vehicle Parking District	90,400		90,400		90,400
Transfer to SA-Housing	25,000		25,000		25,000
Advance Payback to Public Facilities Fund	155,000		45,000		45,000
Total Uses	\$ 94,872,680		\$ 95,771,940		\$ 96,661,940
(Use of)/Addition to GF Reserve	\$ -		\$ -		\$ -

RESOLUTION NO. 2015-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ADOPTING OPERATING BUDGETS FOR CERTAIN CITY DEPARTMENTS FOR FISCAL YEARS 2015-16 AND 2016-17 SUBJECT TO ANY AMENDMENT MADE PURSUANT TO COMPENSATION PLANS FOR THE CITY OF ESCONDIDO AND ESTABLISHING CONTROLS ON CHANGES IN APPROPRIATIONS TO VARIOUS FUNDS AND DEPARTMENTS

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

SECTION 1. That the budgets for all City Departments for the period July 1, 2015, through June 30, 2016, inclusive, contained in the FY 2015-16 and FY 2016-17 Operating Budget Document (a copy of which is on file in the Office of the City Clerk) as amended by Council, are adopted as the final budgets for the 2015-16 fiscal year, subject to any further amendments pursuant to approval of Compensation Plans for employees of the City of Escondido.

SECTION 2. That the budgets for all City Departments for the period July 1, 2016, through June 30, 2017, inclusive, contained in the FY 2015-16 and FY 2016-17 Operating Budget Document (a copy of which is on file in the Office of the City Clerk) as amended by Council, are adopted for the 2016-17 fiscal year with the understanding that the budget document will be brought back to the Council on an ongoing basis for further discussion and that adjustments may be made, and are subject to any further amendments pursuant to approval of Compensation Plans for employees of the City of Escondido.

SECTION 3. That the amount designated as Department Total for each department and each fund in the budgets on file with the City Clerk, is hereby appropriated to the department or fund for which it is designated subject to adjustments for Compensation Plan approvals. Such appropriations as adjusted shall not be increased without approval of the City Council, except that transfers within funds, may be approved by the City Manager. All amounts designated as Employee Services, Maintenance and Operation, and Capital Outlay in each budget on file with the City Clerk, are hereby appropriated for such uses to the department or fund under which they are listed, subject to any amendments made pursuant to approval of Compensation Plans for employees of the City of Escondido, and shall not be increased without approval of the City Manager.

SECTION 4. That the approval of the Operating Budget Document, including the Department Total expressed for each department, and any subsequent amendments shall include approval for all actions of the City acting as Successor Agency of the former Escondido Redevelopment Agency as expressed in said Operating Budget Document.

RESOLUTION NO. 2015-85

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING AN ANNUAL APPROPRIATIONS
LIMIT FOR THE 2015-16 FISCAL YEAR AS
REQUIRED BY LAW

WHEREAS, Article XIII-B of the California State Constitution requires that the City calculate an appropriations limit for each fiscal year, commonly known as the "Gann Limit;" and

WHEREAS, the Gann Limit is based on a combination of a population factor and an inflation factor as outlined on Exhibit "B," attached to this resolution and incorporated by this reference; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to adopt an annual Gann Limit for Fiscal Year 2015-16 as listed on Exhibit "A," attached to this resolution and incorporated by this reference;

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 adopts the calculation of the annual Gann Limit for the Fiscal Year 2015-16. The Gann Limit is adopted on a provisional basis as the limit may need to be adjusted when current assessment data are available. The 2014-15 Gann Limit attached to this resolution and incorporated by this reference, is finalized as shown on Exhibit "B."

**EXHIBIT A
 GANN CALCULATION
 2015-16**

	<u>PROCEEDS</u>	<u>NON-PROC.</u>
PROPERTY TAXES	30,315,000	
OTHER TAXES:		
Sales and Use Tax	30,548,105	
Property Transfer	551,000	
Franchise	6,804,000	
Transient Occupancy Tax	1,411,000	
RPTTF Residual Payment	846,000	
LICENSES AND PERMITS:		
Business Licenses	1,754,000	
Plumbing Permits		40,000
Building Permits		155,000
Electrical Permits		90,000
Mechanical Permits		42,000
Other Permits		443,000
FINES, FORFEITURES AND PENALTIES:		
Parking Fines		200,000
Other Court Fines		897,000
Library Fines and Fees		83,000
REVENUE FROM USE OF MONEY:		
Interest Income	121,847	28,153
REVENUE FROM OTHER AGENCIES:		
Post Reimbursement		75,000
State Highway Maintenance		10,000
Grants		776,000
Rincon Fire Agreement		2,146,000

	<u>PROCEEDS</u>	<u>NON-PROC.</u>
CHARGES FOR CURRENT SERVICES:		
Zoning Fees		106,000
Subdivision Fees		31,000
Environmental Impact Reports		33,000
Sale Maps and Publications		1,000
Special Police Services		232,000
Plan Check Fees		267,000
Engineering Fees		721,000
Paramedic Services		4,100,000
Conservation Credit		204,000
Other Current Services		1,711,000
Community Services		95,000
OTHER REVENUE:		
Leased Property		3,187,000
Transfer Station Fee		643,000
Other Revenue		144,895
Mobile Home Rent Control		51,000
Reimbursement from Outside Agencies		180,000
GAS TAX FUND:		
Revenue from Use of Money		
Interest Income		23,120
Revenue from Other Agencies		
State Gas Tax 2105		843,000
State Gas Tax 2106		439,000
State Gas Tax 2107		1,152,000
State Gas Tax 2107.5		10,000
State Gas Tax 2013		668,000
	<hr/>	<hr/>
TOTALS	72,350,952	19,827,168
LESS: STATE MANDATES (Estimated)	<u>(20,000)</u>	
APPROPRIATIONS SUBJECT TO LIMIT	72,330,952	
GANN LIMIT FOR 2015-16	<u>999,596,343</u>	
MARGIN	<u>927,265,391</u>	

EXHIBIT B
GANN LIMIT CALCULATION

	<u>POPULATION FACTOR USED</u>	<u>INFLATION FACTOR USED</u>	
1999-00 Limitation 2000-01 Factor	County Growth	Per Capita	225,886,502
		Personal Income	<u>1.07165</u>
2000-01 Limitation 2001-02 Factor	County Growth	Per Capita	242,071,270
		Personal Income	<u>1.09933</u>
2001-02 Limitation 2002-03 Factor	County Growth	Non Residential Assessed Valuation	266,116,209
			<u>1.06892</u>
2002-03 Limitation 2003-04 Factor	County Growth	Non Residential Assessed Valuation	284,456,938
			<u>1.08706</u>
2003-04 Limitation 2004-05 Factor	County Growth	Non Residential Assessed Valuation	309,221,759
			<u>1.07214</u>
2004-05 Limitation 2005-06 Factor	County Growth	Per Capita Personal Income	331,529,017
			<u>1.06597</u>
2005-06 Limitation 2006-07 Factor	County Growth	Per Capita Personal Income	353,399,986
			<u>1.04937</u>
2006-07 Limitation 2007-08 Factor	County Growth	Non Residential Assessed Valuation	370,847,343
			<u>1.07955</u>
2007-08 Limitation 2008-09 Factor	County Growth	Per Capita Personal Income	400,348,249
			<u>1.05687</u>
2008-09 Limitation 2009-10 Factor	County Growth	Per Capita Personal Income	423,116,054
			<u>1.01888</u>
2009-10 Limitation 2010-11 Factor	City Growth	Per Capita Personal Income	431,104,485
			<u>0.98883</u>
2010-11 Limitation 2011-12 Factor	City Growth	Per Capita Personal Income	426,289,048
			<u>1.03269</u>
2011-12 Limitation 2012-13 Factor	County Growth	Non Residential Assessed Valuation	440,224,437
			<u>1.27787</u>
2012-13 Limitation 2013-14 Factor	County Growth	Non Residential Assessed Valuation	562,549,601
			<u>1.59242</u>
2013-14 Limitation 2014-15 Factor	County Growth	Non Residential Assessed Valuation	895,815,236
			<u>1.06226</u>
2014-15 Limitation 2015-16 Factor	County Growth	Per Capita Personal Income	951,588,693
			<u>1.05045</u>
2015-16 Limitation			<u>999,596,343</u>

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 8

Date: June 10, 2015

TO: Honorable Mayor and Members of the City Council
FROM: Christopher W. McKinney, Director of Utilities
SUBJECT: Limiting Landscape Irrigation with Potable Water to Two Days Each Week

RECOMMENDATION:

The Utilities Department requests that Council adopt Resolution No. 2015-98 declaring that landscape irrigation with potable water within the water service area of the City of Escondido shall be limited to two days each week for no more than 10 minutes at each irrigation station. Specific information about the watering days assigned to each customer is provided later in this report.

FISCAL ANALYSIS:

No additional funds will be necessary to support this resolution. Restrictions on irrigation will reduce water sales as required by California's emergency drought regulations in effect since May 18, 2015. Reduced water sales will reduce Water Fund revenue, but this reduction in revenue will be largely offset by reductions in imported water cost and operating cost.

PREVIOUS ACTION:

Consideration of this resolution is contingent on Council approval of amendments to the Escondido Municipal Code (EMC) so that Chapter 31-232 Part (b)(3)(A) specifies that "irrigating landscape with potable water shall be limited in frequency as determined necessary by the City Council by resolution." If the City Council does not approve the proposed amendment, Resolution No. 2015-98 will not be considered by the Council on June 10, 2015.

The City Council declared a Drought Response Level 2 on August 14, 2014. This declaration limited landscape irrigation with potable water within the water service area of the City of Escondido to three days each week for 10 minutes at each irrigation station. This proposed resolution would further reduce watering days from three to two each week.

BACKGROUND:

On May 14, 2015, the San Diego County Water Authority (SDCWA) Board of Directors adopted an ordinance that specified restrictions on water deliveries to its member agencies. This ordinance was

Irrigation Days Limited to Two per Week
June 10, 2015
Page 2

passed in response to California's emergency drought regulations which included unprecedented mandates for retail water deliveries, and in response to the Metropolitan Water District's allocation of 15% less water to the SDCWA.

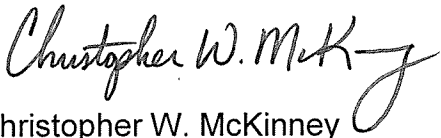
Among the provisions of the SDCWA ordinance is a requirement that all member agencies restrict outdoor landscape irrigation using potable water to two days per week. Adopting Resolution No. 2015-98 will comply with the requirement of that SDCWA ordinance and help the City meet its 20% water delivery reduction mandated by the State.

The proposed landscape irrigation schedule is detailed below.

- Homes with odd-numbered addresses may water outdoor landscapes on Sunday and Thursday. Homes with even-numbered addresses may water Tuesday and Saturday.
- Apartments, condos, and businesses may water outdoor landscape on Monday and Friday.
- Watering time is limited to 10 minutes per irrigation station (e.g., per irrigation zone) and watering is not allowed between the hours of 10:00 AM and 6:00 PM.
 - Certain exceptions are noted in the Escondido Municipal Code.

Council adoption of Resolution 2015-98 does not change the current Drought Response Level. The City of Escondido remains at Drought Response Level 2.

Respectfully submitted,



Christopher W. McKinney

RESOLUTION NO. 2015-98

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
LIMITING LANDSCAPE IRRIGATION TO
TWO DAYS PER WEEK

WHEREAS, the City Council previously adopted Escondido Municipal Code Chapter 31, Article 5, Section 31-232 in 2008 authorizing the City Council to declare Water Alert Conditions in response to water shortages within Southern California by duly adopted resolution; and

WHEREAS, since that time, basic conservation measures have been in force at all times that help to preserve water – a precious resource; and

WHEREAS, the State Water Resources Control Board has approved emergency regulations to ensure agencies increase their water conservation efforts in response to California's drought emergency; and

WHEREAS, the City Council declared a "Water Shortage Response Level Two – Water Shortage Alert Condition" on August 13, 2014, in an effort to meet the requirements of the emergency regulations by reducing outdoor water use with the imposition of specific days and maximum duration for the watering of landscape; and

WHEREAS, California continues to suffer from drought conditions statewide; and

WHEREAS, the San Diego County Water Authority on May 14, 2015, approved an ordinance requiring its member agencies, including the City of Escondido, to limit outdoor irrigation to two days per week.

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 hereby limits outdoor watering of landscapes to two days per week pursuant to Escondido Municipal Code Section 31-232. Homes with odd-numbered addresses may water outdoor landscapes on Sunday and Thursday. Homes with even-numbered addresses may water Tuesday and Saturday. Homes are not to water more than 10 minutes per watering station. Apartments, condos, and businesses may water landscapes not more than 10 minutes per watering station on Monday and Friday. Watering stations are also known as zones controlled by an irrigation system.

3. This limitation on outdoor watering of landscapes will become effective upon the effective date of Ordinance No. 2015-12.



FUTURE CITY COUNCIL AGENDA ITEMS
June 4, 2015

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

June 17, 2015
4:30 p.m. (include CIP)

	PROCLAMATION
	Retirement of District 31 Administrator, Larry Burch
	CONSENT CALENDAR
	<p>Destruction of Records (D. Halverson)</p> <p><i>The records identified for destruction are more than two years old, with the exception of routine Body-Worn Camera Video Recordings, which are no less than one year old. These records do not affect the title to real property or liens thereon, are not court records, are not evidence in any claim file or pending litigation or potential claim or litigation, are not required to be kept further by a statute and are no longer required by the City.</i></p>
	<p>Award of Bid for Legal Advertising – Fiscal Year 2015-16 (D. Halverson)</p> <p><i>The California Public Contract Code requires when there is more than one newspaper of general circulation in a community that the public bidding process occur annually for the purpose of publishing legal notices. The award of bid will complete the process for the upcoming fiscal year.</i></p>
	<p>Final Engineer's Report for City of Escondido Landscape Maintenance District Zones 1-36 and 38 for Fiscal Year 2015/2016 (E. Domingue)</p> <p><i>Adoption of Resolution 2015-106 is the final step in the annual review process for the Engineer's Report and assessments for Zones 1-36 and 38 of the City of Escondido Landscape Maintenance District for FY 2015/2016.</i></p>
	<p>County of San Diego Contract for Senior Nutrition Program (L. McKinney)</p> <p><i>The Escondido Senior Center provides a nutrition program for seniors, Monday through Friday. The cost of this program is offset by a grant through the County of San Diego Aging and Independence Services (AIS).</i></p>
	<p>Senior Nutrition: Transportation Agreement (L. McKinney)</p> <p><i>The Escondido Senior Center provides a nutrition program for seniors, Monday through Friday. This program is primarily funded by grants through the County of San Diego AIS and CDBG, which help to off-set costs. Under contract with the City, Redwood Senior Homes and Services will provide door-to-door transportation for Escondido seniors, enabling them to access the program. Action by the Council is needed to extend this Agreement for one year.</i></p>

June 17, 2015
Continued

CONSENT CALENDAR Continued

Senior Nutrition Program: Agreement to Provide Meals
(L. McKinney)

The Escondido Senior Center provides a nutrition program for seniors, Monday through Friday. This lunchtime program is primarily funded by grants through the County of San Diego AIS and CDBG, which help to off-set costs. Under contract with the City, Redwood Senior Homes and Services will provide meals to the Escondido Senior Nutrition Program. Action by the Council is needed to extend this agreement for an additional year.

PUBLIC HEARINGS

Preliminary, Master and Precise Development Plan and Zone Change (PHG 14-0020 and ENV 15-0004)
(B. Redlitz)

Veterans Village has been in operation at their Escondido Facility located at the project site (1556 S. Escondido Boulevard) since 1995 operating a 44-bed transitional housing facility for veterans. VVSD is proposing the development of affordable housing for low income veterans and their families. The apartments will be reserved for veterans earning at or below 60% AMI, including 60% of the units targeted at 50% or below AMI. The City is not involved in the affordable aspect of the project as no funds are being dispersed or administered by the City. The Planning Commission recommended approval on May 26, 2015.

Five-Year Capital Improvement Program and Project Budgets for Fiscal Year 2015/16
(S. Bennett)

This action will adopt the City's Five-Year Capital Improvement Program and Transnet Program of projects for FYs 2015/16-2019/20.

CURRENT BUSINESS

Appointment to the Library Board of Trustees and the Community Services Commission
(D. Halverson)

An appointment needs to be made to fill an unscheduled vacancy on the Library Board of Trustees, term to expire March 31, 2017; and an appointment needs to be made to fill an unscheduled vacancy on the Community Services Commission, term to expire March 31, 2016.

Future Agenda Items (D. Halverson)

June 24, 2015
4:30 p.m.

CONSENT CALENDAR

Relocation Plan for Cypress Cove
(B. Redlitz)

The City has allocated \$1 million HOME funds towards the purchase and rehabilitation of Cypress Cove Apartments at 260 N. Midway, Escondido, 92027. No permanent relocation is anticipated. Planning for temporary relocation needs of the current residents is required by state and federal law.

June 24, 2015
Continued

CONSENT CALENDAR Continued

Approve a First Amendment to Purchase Agreement with the Phair Company/Paseo Escondido, LLC for 1201 E. Washington Avenue
(J. Masterson)

The buyer/developer has requested the proposed amendment to modify the development product from senior housing to market-rate housing.

Approve a First Amendment to Lease Agreement with Stylution USA, Inc. (dba Wickline Bedding) at 455 North Quince Street
(J. Masterson)

The existing Lease Agreement expires at the end of July 2015. The parties desire to amend the Lease Agreement to extend the term for another three years.

Bid Award for Water Meters
(S. Bennett)

On April 15, 2015, request for bids were mailed to thirteen vendors and five bids were received, opened, and evaluated on May 11, 2015. These water meters will be used for residential, commercial, new development, and replacement installations.

Community Facilities District (CFD) 2006-01 (Eureka Ranch) Annual Special Tax Levy
(S. Bennett)

A special tax is levied annually on real property within the Communities Facilities District No. 2006-01 and is collected through the County of San Diego Assessor's Office. The proceeds from the special tax are used to meet debt service obligations from the issuance of bonds for the District.

Community Facilities District (CDF) 2000-01 (Hidden Trails) Annual Special Tax Levy
(S. Bennett)

A special tax is levied annually on real property within the Community Facilities District No. 2000-01 and is collected through the County of San Diego Assessor's Office. The proceeds from the special tax are used meet debt service obligations from the issuance of bonds of the District.

PUBLIC HEARINGS

Zoning Code Amendment Pertaining to Article 49, Air Space Condominium and Community Apartment Projects (AZ 15-0001)
(B. Redlitz)

As part of the program 'Working Together to get to YES!' the proposed amendment will streamline the approval process for new condominium projects by eliminating public hearings for certain cases. The increase of contingency funds for condominium conversion projects will ensure sufficient reserves are available to fund emergencies or unforeseen repairs due to the deferred maintenance of pre-existing development. Eliminating the contingency fund for new condominium construction where there is no deferred maintenance is appropriate based on the reserve funding currently required by the California Bureau of Real Estate. On May 26, 2015, the Planning Commission recommended approval for the code amendment.

June 24, 2015
Continued

CURRENT BUSINESS

Sale of 700 West Grand Avenue to Integral Communities, Inc.
(J. Masterson)

Integral Communities, Inc. has submitted an offer to purchase the subject property for the development of a mixed use project. The City's appraisal validated the offer and the parties would now like to open escrow, which escrow shall be conditioned upon a development contract between the parties. The terms of the development contract are in progress and staff will return to Council for approval of same, once it is completed. Opening escrow will allow the Developer to commence due diligence and entitlement efforts for the project.

Future Agenda Items (D. Halverson)



City Manager's **WEEKLY UPDATE** to City Council

June 3, 2015

ECONOMIC DEVELOPMENT

The Economic Development Division, in partnership with the Utilities Department, is offering a special informational meeting for businesses about how the new drought regulations may affect them. The meeting will be held on June 23 from 6:00 to 7:00 p.m. in the Mitchell room. Christopher McKinney, Director of Utilities will give an update on the new regulations as well as tips for businesses from the water conservation staff. All business owners are welcome to attend.

UPDATE ON REFUNDING BOND ISSUES

On April 22, 2015, Council approved resolutions 2015-59, 60, and 61, authorizing the issuance of three Refunding Bond issues for the purpose of achieving future debt service cost savings from the refinancing of three existing bond obligations. As of May 12, all three Refunding issues have been successfully sold and are in various stages of finalization. All three Refunding Bond issues will be finalized and closed before fiscal year end and the related outstanding refunded bond issues will be fully redeemed on or before September 1, 2015. Economic and market conditions existing on the date of each respective bond sale proved favorable to the City. For each of the Refunding Bond issues, the final realized present value savings exceeded the original savings estimates presented to Council. The City will realize \$12.6 Million in aggregate net present value savings for the three refunding transactions, which represents an increase of \$1.7 million, or 15.6 %, over the original estimate of \$10.9 million (based on March 6, 2015 market conditions and assumptions). The effect of the savings realized on these refunding transactions translates to: (1) average annual cash flow savings of \$746,000 related to reduction of Wastewater Utility Fund debt service costs; (2) General Obligation Bond debt service cash flow savings averaging \$488,000 per year, and resulting in an estimated 10 percent decrease in the 2015-16 General Obligation tax levy rate as applied to assessed property values; and (3) a decrease in annual debt service costs related to the Eureka Ranch CFD bonds, resulting in average annual cash flow savings of \$151,000 and producing an average annual tax levy savings of approximately \$400 per parcel for residents in the Eureka Ranch Community Facilities District.

SPECIAL EVENTS

No special events scheduled this weekend.

COMMUNITY DEVELOPMENT

Planning:

City Manager's WEEKLY UPDATE to City Council

- Felicita Development, LLC has submitted a Planned Development application for the vacant 6.9 acre property at the southeast corner of Felicita Rd. and Gamble Lane. The proposed project includes the phased development of a 140-unit hotel, an 80-unit extended stay hotel, a 120-bed assisted living facility and a gas station. The application is under review for completeness.
- Interfaith has submitted a Conditional Use Permit application for a 50-bed year-round emergency shelter at their existing facility at 550 W. Washington. The CUP application is under review for completeness.
- Staff continues to monitor major development applications that are currently being processed to assess their entitlement status in light of pending and more restrictive storm water requirements that the Regional Water Quality Control Board (RWQCB) requires be adopted by the City on or before December 24, 2015. Staff anticipates a heavy workflow from developers who have expressed an interest in starting grading of their projects prior to December 24th in order to be subject to current requirements. Staff is taking a proactive approach to discuss processing timelines with existing applicants and providing guidance to applicants on what they can do to meet their desired goals. The final RWQCB workshop on “prior lawful approval” (to define what projects can proceed under the existing permit) is on June 30th. The draft language is anticipated to be released a few days beforehand, and the language still needs to go through the adoption process. The main public portal is www.projectcleanwater.org.
- The tentative subdivision map application submitted for the former Escondido Country Club property is undergoing a review for completeness. Comments will be issued to the applicant by June 5th. Until the litigation is resolved and the City decides not to appeal, the ECCHO initiative remains in effect and would prevent a residential project from being processed. The proposed project description and additional information is available at the following link:
www.escondido.org/the-lakes-residential-development.aspx
- The County of San Diego has released the Draft Environmental Impact Report (DEIR) for the proposed Valiano Specific Plan project in Eden Valley. Comments from agencies, organizations, and interested individuals are due to the County on June 15, 2015. The proposed project includes 326 homes on 238 acres. The San Dieguito Community Planning Group will be considering the Valiano project at a separate meeting, tentatively scheduled for June 11, 2015. Link to County's information:
http://www.sandiegocounty.gov/pds/ceqa_public_review.html
- Major Projects Update:
 - Oak Creek (NUW) – The applicant is preparing additional information requested by LAFCO for the annexation application. The applicant is coordinating with LAFCO

City Manager's WEEKLY UPDATE to City Council

staff regarding their recommendation that the proposed annexation boundary be expanded to include a roadway segment of Hamilton Lane between Bernardo and Felicita Avenues. This road segment does not meet City standards. A LAFCO hearing date has not yet been scheduled. Staff met with the developer to discuss the permit submittal and plan check process, particularly regarding their timing expectations in anticipation of the new storm water requirements.

- Amanda Estates (NUW) – LAFCO staff has reviewed the two annexation applications for completeness and sent a letter identifying the additional information needed to process the Amanda Estates annexation and the associated annexation for the “Disadvantaged Unincorporated Community” (DUC) properties. No further action is anticipated for the DUC annexation. A LAFCO hearing date has not yet been scheduled.
- Centerpointe 78 Commercial – Staff is reviewing sections of the screen check EIR as they become available. An amendment to the EIR contract was approved on May 20th, to authorize additional traffic analysis of the alternative traffic mitigation measures proposed by the applicant. Funding for this amendment has been requested but not yet received. The consultant is awaiting submittals from the applicant needed to complete the draft EIR.
- North Broadway Deficiency Area Projects – Staff continues to coordinate with the various development teams regarding the design of infrastructure improvements and has taken a proactive approach with County staff on review of required improvements within the unincorporated area. A grading permit has been issued for Lennar’s “Pradera” project and building permit applications for the model homes (incorporating enhanced architectural features) are anticipated in the next week. Staff is working with the applicant to resolve setback issues relating to the location of the perimeter walls. The Pickering annexation has been recorded. The Zenner annexation application is under review by LAFCO.
- Kaen Planned Development (2516 S. Escondido Blvd.) –The applicant is evaluating a redesign that would eliminate up to 3 units to provide improved emergency access, neighborhood compatibility and aesthetics. The application remains incomplete.
- Wohlford – A letter has been sent for the proposed 55-unit residential subdivision and planned development at 661 Bear Valley Parkway advising the applicant that the application is incomplete and identifying the necessary submittals to continue processing the application. The applicant is coordinating with staff regarding a Specific Alignment Plan for Bear Valley Parkway and is exploring acquisition of the adjacent, triangular shaped parcel to the south to accommodate anticipated road improvements along this road. Resubmittal is anticipated in the next week.
- Latitude II – Staff continues to work with the applicant’s design team to identify and evaluate solutions on site planning issues. A revised Fire Master Plan has been submitted for review. The applicant continues to negotiate with the owner of the adjacent motel regarding the use of the remnant parcel containing the motel sign along CCP. Consensus has not yet been reached regarding the design of the sewer line easements and improvements along the east property line. Preparation of a

City Manager's WEEKLY UPDATE to City Council

traffic study and draft negative declaration by the applicant's consultant is underway, but has not yet been submitted.

- Staff has provided comments on the revised tentative map submitted by Shea Homes for a substantial conformance review and determination for the 179-lot residential subdivision known as Hidden Valley Ranch (Tract 923). A revised plan for the internal park acreage is under review. While the Precise Plan has not yet been submitted, the applicant has identified up to 20 lots where the proposed units do not meet setback requirements of the planned development.
- The proposed modification to redevelop the Emmanuel Faith Community Church campus at 639 E. 17th Ave. is scheduled for Planning Commission on June 9th. Information on the project can be found at: www.escondido.org/emmanuel-faith-community-church.aspx
- Concordia Homes submitted a draft Specific Plan and tentative subdivision map for the Safari Highlands project for conceptual review prior to their formal application submittal. The project includes annexation and Sphere of Influence update for the 1,098 acres site and a subdivision to create 550 residential lots in seven neighborhoods, with lot sizes ranging from 7,663 SF to 4.76 acres. Staff working on consultant agreements to provide extension of staff services to process the anticipated application; execution of the contracts is needed prior to submittal of a formal application. The applicant is coordinating with LAFCO regarding anticipated requirements and study area for a Sphere of Influence update.

Building Division:

- The Building Division issued 69 permits for the week with a total valuation of \$352,582.
- 27 photovoltaic permits were issued for the week. Building has issued 438 permits so far this year compared to 215 issued at the same time last year.
- Inspections and counter contacts remain steady with inspections averaging 31 per day with 25 on Friday and counter contacts averaging 35 per day with 19 on Friday.
- The Department of Housing and Community Development HCD), Division of Codes and Standards has issued an Information Bulletin (attached) regarding Emergency Regulations which were approved by the Building Standards Commission on May 29, 2015, and are effective June 1, 2015. These emergency regulations are intended to reduce outdoor potable water irrigation for newly installed landscapes for new residential construction by requiring water budgets with modified adjustment factors.

Code Enforcement:

- As of June 1st, the total number of open code enforcement case is 386 cases, with a backlog of an additional 58 cases not yet opened for assignment and investigation.

City Manager's **WEEKLY UPDATE** to City Council

During the prior week, 39 new cases were opened, 64 cases were closed and a total of 98 signs were removed. While no public records requests (PRR) were processed last week, the year-to-date total is 60 requests. Recruitment is underway for one full-time and three part-time vacant officer positions to assist with the backlog.

- Last week the Business License Division received 22 new applications and 148 renewals, and issued 10 new licenses.

CAPITAL IMPROVEMENTS

FY 2014-2015 Street Rehabilitation Project:

June 1, 2015 through June 5, 2015 the concrete subcontractor will be completing concrete for the pedestrian ramps, driveways and sidewalks along Grand Avenue, Hickory Street to Valley Boulevard.

Indian Creek Emergency Channel Repair:

The contractor has begun the removal of the failed wall panel. Construction was postponed due to the multiple storms that the area experienced this past month. Work should be completed by June 12, 2015.

Private Development

Bear Valley Parkway between Boyle Avenue and San Pasqual Valley Road (County Project):

The contractor has closed the intersection at Idaho Avenue and Bear Valley Parkway to through traffic. The work is proceeding but the reopening of the intersection has been pushed back to June 19, 2015 due to ongoing water line construction. The underground contractor is forming for the new wall footing at Bear Valley Parkway and Boyle Avenue. New concrete curb and gutter is being poured this week on new Bear Valley Parkway between Idaho Avenue and Suburban Hills Drive. Bore pits are being installed for the installation of the next phase of the water main construction under the County water Authority line near Idaho Avenue.

2412 South Escondido Boulevard:

The construction of the new onsite water main is continuing this week.

Pradera - Lennar Communities: The demolition of existing structures is ongoing. The truck haul route was approved this week. The project calls for importing 140,000 cubic yards of dirt which will equal 450 truck trips along the approved route. Processing of permits and traffic control are the order of work for this phase of construction.

City Manager's **WEEKLY UPDATE** to City Council

Private Development – Current Plan Reviews

Pradera by Lennar (5 Tracts in Lehner/Stanley/Ash block):

Lennar Homes has purchased 5 separate Approved SFD Tentative Maps (Tracts 889, 894, SUB13-0003, SUB13-0010, SUB13-0011) and began processing Final Engr. plans at the start of 2015.

- A combined Rough Grading plan for all 5 Tentative Maps was approved. The Grading Permit has been issued.
- A revised Traffic Study for proposed fill material (145k CY import) haul routes and daily truck trips has been deemed complete and has established the criteria to begin hauling infill.
- The 7 sets of Improvement plans (1-perimeter, 5-onsite for each TM, 1-offsite mitigation) were resubmitted for 2nd review and these reviews should be completed this week.
- The Final Map(s) have not been submitted yet.

Tract 951 – Jacks Creek Place:

This project is a 12 lot residential subdivision located near Eureka Ranch.

- The 1st review of the Final Map, Grading and Improvement plans, and the WQTR was completed and returned to the applicant on 5/27.

St. Mary's Community Center:

This project is the 1st phase of the St. Mary's Expansion Master Plan. A single large structure behind the existing sanctuary is proposed. Included in this structure is a large multi-use meeting hall, kitchen, offices, a covered basketball/sport court, and large covered patio areas.

- The grading plans were resubmitted (6th) by the Engineer on 5/14.
- The WQTR has been approved.
- The Waterline Improvement plans were resubmitted (6th) by the Engineer on 5/14.
- A revised Engr. Cost Estimate has been approved and a Bond and Fee Letter was issued on 5/28.

Tract 932 – Hidden Valley Ranch:

This project is a 179 lot residential subdivision located at the ends of Vista Ave. and Vista Verde Dr. and will connect them when developed. Shea Homes has acquired this project and has begun final engineering.

- A Substantial Conformance Tentative Map was submitted late April and all Depts. have begun review of it and some initial impression comments have been communicated to the applicant with formal review comments expected to be compiled and sent.
- The offsite street improvement plans for the intersection of Vista Ave. & Ash St. were submitted for 1st review on 4/23 and this review is expected to be completed in the next week.

City Manager's WEEKLY UPDATE to City Council

- The offsite Traffic Signal plans for the intersections of El Norte Pkwy & Vista Verde Dr. and Ash St. & Sheridan Ave. together with the addition of Traffic Signal plans for the intersection of Vista Ave. & Ash St. were resubmitted for 1st review on 5/15 and this review is expected to be completed in the next week.

PUBLIC SAFETY

Police:

Incidents:

- On 05-27-15, a male victim was stabbed by a male transient at the Starbucks at 320 W. Valley Pkwy. Prior to the stabbing, the suspect was rambling incoherently and appeared to be accusing the victim of something. The suspect was later located at the Maple Street Plaza and placed under arrest for assault with a deadly weapon.
- On 05-27-15, a robbery occurred in the 2200 block of East Ridge Lane. The suspect attempted to steal gardening equipment out of the victim's truck. A struggle ensued and the suspect was able to get into his vehicle with the equipment. While backing out of a driveway, the suspect vehicle struck the victim; however the victim was not injured. The suspect fled in his vehicle with the gardening equipment.
- 05-29-15, officers responded to the 1900 block of Oakhill Dr. regarding suicidal statements made by the resident. Officers were able to pick the lock on the front door and make entry. Inside the residence, officers found the male resident deceased from an apparent self-inflicted rifle shot to the head.
- On 05-30-15, officers responded to a burglary alarm at a business in the 700 block of S. Andreasen Dr. Officers arrived on scene and saw shadows of figures running away. They set up a perimeter and located two suspects hiding at nearby businesses. It was later determined that they were stealing copper piping and were placed under arrest for grand theft.
- On 05-30-15, officers attempted to stop a vehicle in the area of 15th Ave and Escondido Boulevard. The vehicle fled, but was later located. A traffic pursuit ensued until the suspect vehicle collided with a parked car in the 2000 block of S. Escondido Blvd. The suspect fled on foot, but was located a short time later after he ran into an apartment. The vehicle was determined to be stolen out of San Diego. The driver was arrested on auto theft and evading charges.

Events

- On 05-18-15, the Escondido Police Department kicked off its participation in the nationwide *Click It or Ticket* Campaign. As part of the national seatbelt enforcement campaign, law enforcement agencies around the country stepped up enforcement May 18-31 in order to increase motorist safety.

City Manager's WEEKLY UPDATE to City Council

- On 05-28-15, the Police Department and the Neighborhood Services Department hosted a neighborhood street meeting in the 1700 block of Fairdale Ave. The participation was encouraging with over 100 residents in attendance. As this community group forms, it will be the first in the eastern portion of Escondido.



- On 05-29-15, Chief Craig Carter and Danielle Lopez made a NTP/Neighborhood Services presentation to a Parent Group at Oak Hill Elementary School. The meeting also served as a quarterly EGRIP meeting, which included a presentation from A/Sgt. Valdivia on gangs in the area.
- On 05-29-15, Det. Nick Rodelo was recognized for being Escondido's recipient of the San Diego Police Officers Association Police Officer of the Year. Chief Carter attended the awards ceremony. Congrats Nick on a job well done!



- On 05-29-15, the Escondido Police Department conducted a DUI Sobriety/Driver's License Checkpoint in the area of Centre City Pkwy and Decatur Way. 16 total citations



City Manager's **WEEKLY UPDATE** to City Council

were issued (1 for suspended license, 12 for unlicensed, and 8 for no insurance) and 3 vehicles were impounded.

- Over the weekend, EPD hosted a countywide Police Explorer competition. Over 80 participants fielding 17 teams competed in a variety of law enforcement tasks. The following agencies had teams represented: Carlsbad PD, CHP Oceanside, CHP Santa Ana, Chula Vista PD, El Cajon PD, Escondido PD, National City PD, Oceanside PD, and the San Diego Sheriff's Office.

Fire:

The Escondido Fire Department and Rincon del Diablo Fire Protections District is hosting a Free **Safety/Water Expo** at Escondido Fire Station #4 (3301 Bear Valley Parkway at Kit Carson Park) on Saturday, June 13, from 10 a.m. to 2 p.m. There will be fire station tours, vehicle displays, refreshments, activities for children, fire safety information, earthquake readiness and water conservation ideas. For more information, call 760-74505522 or visit www.rinconwater.org

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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www.hcd.ca.gov



May 29, 2015

INFORMATION BULLETIN 2015- 03 (SHL, FBH, MH)

**TO: Local Code Enforcement Agencies
 Third-Party Agencies (FBH)
 Interested Parties (SHL, FBH, MH)
 State Agencies and Departments
 Division Staff**

**SUBJECT: Emergency Regulations Effective June 1, 2015
 Outdoor Potable Water Reduction
 2013 California Green Building Standards (CALGreen) Code**

The purpose of this Information Bulletin (IB) is to inform local enforcement agencies and all stakeholders affected by California building standards of the recent adoption and approval of emergency regulations in the 2013 California Green Building Standards Code (Part 11, Title 24 California Code of Regulations). These emergency regulations were approved by the California Building Standards Commission (CBSC) on May 29, 2015, and are effective **June 1, 2015**. The emergency regulations require water budgets for irrigation of outdoor landscaped areas in new residential construction. The full text of the emergency rulemaking, developed by the Department of Housing and Community Development (HCD), is included as Attachment A to this IB. Further information on other state agency proposals and availability of a published Supplement is addressed in the California Building Standards Commission's IB No. 15-02 available at the following website: <http://www.bsc.ca.gov/pubs/bullet.aspx>

BACKGROUND

Governor Brown's Executive Order B-29-15 (April 1, 2015) provides a summary of the ongoing drought conditions in California starting with the declaration of a State of Emergency (January 17, 2014), and a Continued State of Emergency (April 25, 2014): citing evidence of a record low snowpack, decreased water levels in reservoirs, reduced river flows, and declining supplies in underground water basins. In addition, the Governor acknowledged that a distinct possibility exists for drought conditions to continue. Further, Executive Order B-29-15 found that conditions of extreme peril to the safety of persons and property continue to exist due to water shortage and drought conditions with which local authority is unable to cope. To address these concerns, Executive Order B-29-15 specified that strict compliance with identified statutes and regulations would prevent, hinder or delay, or mitigate the effects of the drought.

The objectives and individual directives applicable to this rulemaking include focus on saving water and increasing enforcement against water waste. The full text of Executive Order B-29-15 may be viewed at: http://gov.ca.gov/s_executiveorders.php

In view of the urgency to conserve California's water resources, as deemed essential by the Governor's Executive Order B-29-15 and prior proclamations, HCD, in coordination with other state agencies, proposed the adoption of these building standards through the emergency adoption process.

SUMMARY (See Attachment A for complete regulatory text)

**RESIDENTIAL EMERGENCY REGULATIONS IN THE 2013 CALGREEN CODE
EFFECTIVE JUNE 1, 2015:**

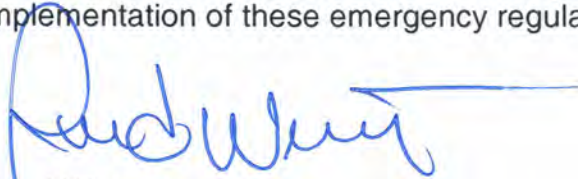
- A water budget shall be developed for landscape irrigation use that conforms to the local water efficient landscape ordinance or to the California Department of Water Resources' (DWR) Model Water Efficient Landscape Ordinance (MWELo), whichever is more stringent. This requirement applies to permit applications for newly constructed residential structures with landscaping.
- Until the next update of the MWELo by DWR, the following factors shall be used in the calculation of Maximum Applied Water Allowance (MAWA) as addressed in the MWELo.
 1. ET Adjustment Factor (ETAF) = 0.55.
 2. Special Landscape Areas (SLA) Factor = 0.45. (The resulting total ETAF for SLA shall be 1.0).
- Local agency adoption of MWELo and similar ordinances:
 - The HCD emergency regulations supersede the MWELo and CALGreen residential Tier 1 or Tier 2 (Sections A4.304.3 and A4.304.4). Local agencies will need to modify local ordinances to reflect HCD's changes to ETAF factors, in the MAWA formula.
 - Local agencies who have adopted a local ordinance more stringent than the MWELo will need to verify whether the ordinance will need to be revised to reflect changes in water use allowances resulting from these emergency regulations.
- The MWELo, as codified in the California Code of Regulations, Title 23 Waters, Division 2, Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinance, should be consulted for further information on methodology and resources needed for compliance with these regulations. See the following DWR website: <http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>
- DWR is in the process of revising their online calculator for calculating the MAWA (maximum allowable water) and the Estimated Total Water Use (homeowner

estimated water use based on types of plantings and landscape area). This calculator should also be available at DWR's website:

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>

- The emergency regulations will remain in effect unless superseded by subsequent revisions to the emergency building standards as adopted through the certifying rulemaking process. Code users should subscribe to mailing lists for HCD as well as CBSC to remain updated on the status of these emergency regulations.

Questions or concerns regarding this Information Bulletin and effective dates may be directed to Kyle Krause, State Housing Law Program Manager, at (916) 263-4719. Specific questions related to preparation of water budgets and compliance with water efficient landscape ordinances should be directed to Julie Saare-Edmonds, Senior Environmental Scientist, Landscape and Green Building Program, DWR, at (916) 651-9676. You may also visit the State Housing Law website for general guidelines related to implementation of these emergency regulations.



Richard Weinert
Deputy Director
Division of Codes and Standards

ATTACHMENT A

EXPRESS TERMS
FOR
PROPOSED EMERGENCY BUILDING STANDARDS
OF THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11
(OUTDOOR POTABLE WATER USE REDUCTION STANDARDS)

The Department of Housing and Community Development (HCD) proposes to make necessary changes to be included in the 2013 edition of the California Green Building Standards Code (CGBC), also known as CALGreen, as presented on the following pages:

LEGEND FOR EXPRESS TERMS:

1. **Existing California text or language being modified:** All language is shown in normal Arial 9 point; modified language is underlined or shown in ~~strikeout~~.
2. **Existing text not being modified:** All language not displayed in full is shown as "..." (i.e., ellipsis).
3. **Repealed text:** All language appears in ~~strikeout~~.
4. **Amended, adopted or repealed language after public hearing:** All language is shown in double underline or ~~double-strikeout~~.
5. **Notation:** Authority and Reference citations are provided at the end of each section.

SUMMARY OF REGULATORY ACTION

HCD PROPOSES TO:

- Adopt new 2013 California Amendments on an emergency basis into the 2013 California Green Building Standards Code.
- Modify existing 2013 California Amendments on an emergency basis to accommodate changes resulting from adoption of mandatory measures in the 2013 California Green Building Standards Code.
- Repeal existing 2013 California Amendments on an emergency basis to accommodate changes resulting from adoption of mandatory measures in the 2013 California Green Building Standards Code.

1. HCD proposes new California amendments in Chapter 2, Definitions, for adoption into the 2013 California Green Building Code as follows:

CHAPTER 2
DEFINITIONS

ET ADJUSTMENT FACTOR (ETAF). A factor that, when applied to reference evapotranspiration (ET_o), adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape.

HYDROZONE. A portion of the landscaped area having plants with similar water needs.

LANDSCAPE (PLANT) COEFFICIENT (K_L). The product of the species factor multiplied by the density factor and the microclimate factor. $\{K_L = K_s \times K_d \times K_{mc}\}$ The landscape coefficient is used in the landscape water budget calculation. (UCCE, 2000)

2. HCD proposes new amendments in Chapter 4, Division 4.3 Water Efficiency and Conservation, for adoption into the 2013 California Green Building Code as follows:

CHAPTER 4
DIVISION 4.3 WATER EFFICIENCY AND CONSERVATION
SECTION 4.304 OUTDOOR WATER USE

4.304.1 Outdoor potable water use in landscape areas. On or after June 1, 2015, a water budget shall be developed for landscape irrigation use that conforms to the local water efficient landscape ordinance or to the California Department of Water Resources' Model Water Efficient Landscape Ordinance, whichever is more stringent.

The following factors shall be effective until subsequent revision of the MWELO by the California Department of Water Resources (DWR):

1. ET Adjustment Factor (ETAF) - 0.55.
2. Special Landscape Areas (SLA) - 0.45. (The resulting total ETAF for SLA shall be 1.0).

Notes:

1. Prescriptive measures to assist in compliance with the water budget are available in the Model Water Efficient Landscape Ordinance which may be found at: <http://www.water.ca.gov/wateruseefficiency/docs/WaterOrdSec492.cfm>
2. The water budget calculator for use with the 0.55 ETAF is available at: *[Web address to be established]*

4.304.1.1 Methods to reduce potable water use. Other methods to reduce potable water use in landscape areas include but are not limited to:

1. Use of captured rainwater, recycled water, or graywater designed per the *California Plumbing Code*.
 - a. The use of potable water may be used as a back-up water supply for on-site water recycling and/or reuse systems may be allowed by the Authority Having Jurisdiction (AHJ), provided that it can be demonstrated to the AHJ that the amount of potable water used as back-up in the water recycle or reuse system is less than that which would have been used by other means authorized by the AHJ.
2. Water treated for irrigation purposes and conveyed by a water district or public entity.

4.304.1.2 Authorized potable water use. The use of potable water shall be authorized where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency.

4.304.1.4.304.2 Irrigation controllers. Automatic irrigation system controllers for landscaping provided by the builder and installed at the time of final inspection shall comply with the following:

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.
2. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

Note: More information regarding irrigation controller function and specifications is available from the Irrigation Association.

3. HCD proposes new amendments to Appendix A4, Division A4.3 Water Efficiency and Conservation, for adoption into the 2013 California Green Building Code as follows:

**APPENDIX A4 RESIDENTIAL VOLUNTARY MEASURES
DIVISION A4.3 WATER EFFICIENCY AND CONSERVATION**

SECTION A4.304 OUTDOOR WATER USE

A4.304.1 Low-water consumption irrigation system. Install a low-water consumption irrigation system which minimizes the use of spray type heads. Spray type irrigation may only be used at turf areas. The remaining irrigation systems shall use only the following types of low-volume irrigation systems:

1. Drip irrigation.
2. Bubblers.
3. Drip emitters.
4. Soaker hose.
5. Stream-rotator spray heads.
6. Other systems acceptable to the enforcing agency.

A4.304.2 A4.304.1 Rainwater catchment systems. An approved rainwater catchment system is designed and installed to use rainwater generated by at least 65 percent of the available roof area. Rainwater catchment systems shall be designed and installed in accordance with the *California Plumbing Code*.

A4.304.3 Water budget. When landscaping is provided by the builder, a water budget shall be developed for landscape irrigation use that conforms to the local water efficient landscape ordinance or to the California Department of Water Resources Model Water Efficient Landscape Ordinance where no local ordinance is applicable.

A4.304.4 Potable water reduction. When landscaping is provided by the builder, a water efficient landscape irrigation system shall be installed that reduces potable water use. The potable water use reduction shall be calculated beyond the initial requirements for plant installation and establishment. Calculations for the reduction shall be based on the water budget developed pursuant to Section A4.304.3.

Tier 1. Reduce the use of potable water to a quantity that does not exceed 65 percent of ETo times the landscape area.

Tier 2. Reduce the use of potable water to a quantity that does not exceed 60 percent of ETo times the landscape area.

Note: Methods used to comply with this section must be designed to meet the requirements of the other parts of the California Building Standards Code and may include, but are not limited to, the following:

1. Plant coefficient.
2. Irrigation efficiency and distribution uniformity.
3. Use of captured rainwater.
4. Use of recycled water.
5. Water treated for irrigation purposes and conveyed by a water district or public entity.
6. Use of graywater.

A4.304.5 A4.304.2 Potable water elimination. When landscaping is provided by the builder and as allowed by local ordinance, a water efficient landscape irrigation design that eliminates the use of potable water beyond the initial requirements for plant installation and establishment. Methods used to accomplish the requirements of this section must be designed to the requirements of the *California Building Standards Code* and shall include, but not be limited to, the following:

1. Plant coefficient.
2. Irrigation efficiency and distribution uniformity.
- 3 1. Use of captured rainwater.
- 4 2. Use of recycled water.
- 5 3. Water treated for irrigation purposes and conveyed by a water district or public entity.

6 4. Use of graywater.

~~A4.304.6~~ **A4.304.3 Irrigation metering device.** For new water service connections, landscaped irrigated areas more than 2,500 square feet shall be provided with separate submeters or metering devices for outdoor potable water use.

4. HCD proposes new amendments to Appendix A4, Division A4.6 Tier 1 and Tier 2, for adoption into the 2013 California Green Building Code as follows:

**APPENDIX A4 RESIDENTIAL VOLUNTARY MEASURES
DIVISION A4.6 TIER 1 AND TIER 2**

**SECTION A4.601
GENERAL**

A4.601.1 Scope. (No change to text)

A4.601.2 Prerequisite measures. (No change to text)

A4.601.3 Elective measures. (No change to text)

A4.601.4 Tier 1.

To achieve Tier 1 status a project must comply with the following:

A4.601.4.1 Mandatory measures for Tier 1. (No change to text)

A4.601.4.2 Prerequisite and elective measures for Tier 1. In addition to the mandatory measures, compliance with the following prerequisite and elective measures from Appendix A4 is also required to achieve Tier 1 status:

1. From Division A4.1, Planning and Design. (No change to text)
2. From Division A4.2, Energy Efficiency. (No change to text)
3. From Division A4.3, Water Efficiency and Conservation.
 - ~~3.1. Comply with the landscape irrigation water budget requirement in Section A4.304.3.~~
 - ~~3.2. Comply with the Tier 1 potable water use reduction for landscape irrigation design in Section A4.304.4.~~
 - ~~3.3~~ **3.1** Comply with at least two elective measures selected from Division A4.3.
4. From Division A4.4, Material Conservation and Resource Efficiency. (No change to text)
5. From Division A4.5, Environmental Quality. (No change to text)

A4.601.5 Tier 2. To achieve Tier 2 status a project must comply with the following.

Note: (No change to text)

A4.601.5.1 Mandatory measures for Tier 2. (No change to text)

A4.601.5.2 Prerequisite and elective measures for Tier 2. In addition to the mandatory measures, compliance with the following prerequisite and elective measures from Appendix A4 is also required to achieve Tier 2 status:

1. From Division A4.1, Planning and Design. (No change to text)
2. From Division A4.2, Energy Efficiency. (No change to text)
3. From Division A4.3, Water Efficiency and Conservation.
 - ~~3.1. Comply with the landscape irrigation water budget requirement in Section A4.304.3.~~
 - ~~3.2. Comply with the Tier 2 potable water use reduction for landscape irrigation design in Section A4.304.4.~~
 - ~~3.3~~ **3.1** Comply with at least three elective measures selected from Division A4.3.
4. From Division A4.4, Material Conservation and Resource Efficiency. (No change to text)
5. From Division A4.5, Environmental Quality. (No change to text)

5. HCD proposes new amendments to the Residential Occupancies Application Checklist for adoption into the 2013 California Green Building Code as follows:

**RESIDENTIAL OCCUPANCIES APPLICATION CHECKLIST
(APPENDIX A4, SECTION A4.602)**

FEATURE OR MEASURE	LEVELS APPLICANT TO SELECT ELECTIVE MEASURES			VERIFICATIONS ENFORCING AGENCY TO SPECIFY VERIFICATION METHOD		
	Mandatory	Prerequisites and electives ¹		Enforcing Agency <input type="checkbox"/> All	Installer or Designer <input type="checkbox"/> All	Third party <input type="checkbox"/> All
		Tier 1	Tier 2			
WATER EFFICIENCY AND CONSERVATION						
Outdoor water Use						
4.304.1 When landscaping is provided, a water budget (calculations) shall be developed for landscape irrigation use that conforms to the local water efficient landscape ordinance or to the California Department of Water Resources Model Water Efficient Landscape Ordinance, whichever is more stringent. <u>Applies to landscaped areas for buildings for which building permits have been submitted on or after June 1, 2015 until future revision of the MWELO by Dept. of Water Resources (DWR).</u>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.304.1 4.304.2 Automatic irrigation systems controllers installed at the time of final inspection shall be weather or soil moisture-based.	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A4.304.1 Install a low-water consumption irrigation system which minimizes the use of spray type heads.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A4.304.2 A4.304.1 A rainwater capture, storage and re-use system is designed and installed		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A4.304.3 A water budget shall be developed for landscape irrigation.		<input checked="" type="checkbox"/> ²	<input checked="" type="checkbox"/> ²	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A4.304.4 Provide water efficient landscape irrigation design that reduces the use of potable water. Tier 1. Does not exceed 65 percent of ETo times the landscape area. Tier 2. Does not exceed 60 percent of ETo times the landscape area.		<input checked="" type="checkbox"/> ²	<input checked="" type="checkbox"/> ²	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A4.304.5 A4.304.2 A landscape design is installed which does not utilize potable water.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A304.6 A4.304.3 For new water service connections, landscaped irrigated areas more than 2,500 square feet shall be provided with separate submeters or metering devices for outdoor potable water use.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>