



Council Meeting Agenda

NOVEMBER 6, 2019
CITY COUNCIL CHAMBERS
6:00 P.M. Regular Session
201 N. Broadway, Escondido, CA 92025

MAYOR	Paul McNamara
DEPUTY MAYOR	Consuelo Martinez
COUNCIL MEMBERS	Olga Diaz John Masson Michael Morasco
CITY MANAGER	Jeffrey Epp
CITY CLERK	Zack Beck
CITY ATTORNEY	Michael McGuinness
DIRECTOR OF COMMUNITY DEVELOPMENT	Bill Martin
DIRECTOR OF ENGINEERING SERVICES	Julie Procopio

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

**November 6, 2019
6:00 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, Martinez, Masson, Morasco, McNamara

PROCLAMATIONS: Native American Heritage Month
Veteran's Day

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/RRB)

2. [APPROVAL OF WARRANT REGISTER \(Council\)](#)

Request the City Council approve the City Council and Housing Successor Agency warrant numbers:

- 335510 – 335720 dated October 16, 2019
- 335721 – 336003 dated October 23, 2019

Staff Recommendation: **Approval (Finance Department: Joan Ryan)**

3. [APPROVAL OF MINUTES: Regular Meeting of October 23, 2019](#)

4. **TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2019 -**
Request the City Council receive and file the Quarterly Investment Report.

Staff Recommendation: **Receive and File (City Treasurer's Office: Douglas W. Shultz)**

5. **SET HEARING TO ADOPT THE 2019 CALIFORNIA BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, HISTORICAL, AND FIRE CODES, EXISTING AND GREEN BUILDING STANDARDS, AND LOCAL AMENDMENTS -**

Request the City Council approve scheduling a public hearing on November 20, 2019 to introduce Ordinance No. 2019-17 and 2019-18, amending the City of Escondido Municipal Code to reflect the 2019 California Building, Residential, Plumbing, Electrical, Mechanical, Energy, Historical, and Fire Codes, Existing and Green Building Standards, and proposed local amendments.

Staff Recommendation: **Approval (Community Development Department: Bill Martin and Fire Department: Rick Vogt)**

A) ORDINANCE NO. 2019-17 B) ORDINANCE NO. 2019-18

6. **SUMMARY VACATION OF EXCESS RIGHT OF WAY ON QUAIL ROAD -**

Request the City Council approve authorizing the Summary Vacation of a portion of Right-of-Way (ROW) located at the Northwest corner of Jesmond Dene Road and Quail Road in Escondido.

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2019-155

7. **CONSULTING AGREEMENT TO COMPLY WITH AMERICA'S WATER INFRASTRUCTURE ACT AND A BUDGET ADJUSTMENT -**

Request the City Council approve and adopt Resolution No. 2019-162, authorizing the execution of a Consulting Agreement with Jacobs Engineering, Inc. in the amount of \$156,338 to ensure the City's compliance with America's Water Infrastructure Act, Compliance Crosswalks, Risk and Resiliency Assessments, and Emergency Response Plans. On October 23, 2018, Congress signed into law the America's Water Infrastructure Act (AWIA), national legislation designed to, among other things, improve drinking water and water quality; increase water infrastructure investments; and enhance public health and quality of life. A section of the AWIA requires utilities to conduct a risk and resilience assessment of their community water systems and develop a corresponding emergency response plan. The San Diego County Water Authority partnered with member agencies (including Escondido) to obtain proposals from firms to prepare the AWIA assessment and plan.

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

RESOLUTION NO. 2019-162

8. **PROPOSED MILLS ACT CONTRACT AND CEQA EXEMPTION FOR 134 WEST SIXTH AVENUE (CASE HP 18-0003) -**

Request the City Council approve authorizing entering into Mills Act Contracts for the subject property located at 134 West 6th Avenue, and approve the CEQA Exemption for the property.

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

RESOLUTION NO. 2019-163

9. **AMEND ENGINEERING AND TRAFFIC SURVEY (SPEED ZONE) ON RINCON AVENUE -**
Request the City Council approve amending an Engineering and Traffic Survey (Speed Zone) on Rincon Avenue between Broadway and Conway Drive.

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2019-164

10. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY FOR POLICE OFFICER ELIZABETH RIVERA -**
Request the City Council approve the California Public Employees' Retirement system (CalPERS) Industrial Disability Retirement for Police Officer Elizabeth Rivera.

Staff Recommendation: **Approval (Human Resources Department: Jessica Perpetua)**

RESOLUTION NO. 2019-169

11. **APPROVAL OF CALPERS INDUSTRIAL DISABILITY FOR FIRE ENGINEER KENNETH BURRIS -**
Request the City Council approve the California Public Employees' Retirement system (CalPERS) Industrial Disability Retirement for Fire Engineer Kenneth Burris.

Staff Recommendation: **Approval (Human Resources: Jessica Perpetua)**

RESOLUTION NO. 2019-171

12. **ANNUAL FINANCIAL REPORT ON CAPITAL FUNDS FUNDED BY DEVELOPMENT IMPACT FEES PER GOVERNMENT CODE SECTION 66006 -**

Request the City Council receive and file the Annual Financial Report on Developer Fees.

Staff Recommendation: **Receive and File (Finance Department: Joan Ryan)**

13. **FISCAL YEAR 2019 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT - LOCAL SOLICITATION -**

Request the City Council approve authorizing the Escondido Police Department to accept a \$38,882 Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant; authorizing the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend the grant funds. Grant funds will be used to cover salary expenses for two part-time patrol technicians and department training expenses.

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

CONSENT RESOLUTIONS AND ORDINANCES (COUNCIL/RRB)

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

14. **DOWNTOWN SPECIFIC PLAN AMENDMENT AND MASTER AND PRECISE DEVELOPMENT PLAN FOR THE QUINCE STREET SENIOR HOUSING PROJECT (PHG 17-0028) -**

Approved on October 23, 2019 with a vote of 5/0

ORDINANCE NO. 2019-12 (Second Reading and Adoption)

15. **MASTER AND PRECISE DEVELOPMENT PLAN MODIFICATION FOR CITY PLAZA (CASE NO. PHG 17-0026) -**

Approved on October 23, 2019 with a vote of 4/0/1 (Morasco Absent)

ORDINANCE NO. 2019-14 (Second Reading and Adoption)

PUBLIC HEARINGS

16. ANIMAL REGULATIONS UPDATE / AZ 19-0004 AND PHG 19-0047 -

Request the City Council approve updating the list of permitted and conditionally permitted animals and pets in residential zones, and approve to conditionally permit the keeping of two (2) alpacas on property located at 2050 Miller Avenue.

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

A) RESOLUTION NO. 2019-158 B) ORDINANCE NO. 2019-16 (First Reading and Introduction)

CURRENT BUSINESS

17. FIRST AMENDMENT TO THE DESIGN BUILD AGREEMENT FOR THE MEMBRANE FILTRATION REVERSE OSMOSIS FACILITY -

Request the City Council approve authorizing the award of the First Amendment to the Design Build Agreement for the Membrane Filtration Reverse Osmosis (MFRO) Facility in an amount of \$489,100 to Filanc Brown and Caldwell Joint Venture, and approve a budget adjustment in the amount of \$500,000.

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

RESOLUTION NO. 2019-147

18. NATIONAL FITNESS CAMPAIGN GRANT -

Request the City Council approve authorizing the Communications and Community Services Department to accept a National Fitness Campaign Model Cities Grant totaling \$150,000; authorizing the Director of Communications and Community Services or her designee to execute necessary documents on behalf of the City of Escondido including a purchase contract with National Fitness Campaign, LLC; and approve a \$195,000 budget adjustment from the Utilities Fund to a new Mountain View Park Improvements CIP account.

Staff Recommendation: **Approval (Communications and Community Services Department: Joanna Axelrod)**

RESOLUTION NO. 2019-170

19. REVIEW OF DEPUTY MAYOR SELECTION PROCESS -

Escondido Municipal Code Section 2-24 provides the method and criteria for the selection of the City's Deputy Mayor. Councilmember Morasco has requested that the City Council review and reconsider the Deputy Mayor selection process provided for in the Code.

Staff Recommendation: **None (City Attorney Department: Michael R. McGuinness)**

FUTURE AGENDA

20. FUTURE AGENDA -

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

Staff Recommendation: **None (City Clerk's Office: Zack Beck)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

CITY MANAGER'S WEEKLY ACTIVITY REPORT

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development. This report is also available on the City's website, www.escondido.org.

- **WEEKLY ACTIVITY REPORT –**

ORAL COMMUNICATIONS

The public may address the Council on any item that is not on the agenda and that is within the subject matter jurisdiction of the legislative body. State law prohibits the Council from discussing or taking action on such items, but the matter may be referred to the City Manager/staff or scheduled on a subsequent agenda. Speakers are limited to only one opportunity to address the Council under Oral Communications.

ADJOURNMENT

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
November 13	-	-	No Meeting	-
November 20	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers
November 27	-	-	No Meeting	-
December 4	-	-	No Meeting	-

TO ADDRESS THE COUNCIL

The public may address the City Council on any agenda item. Please complete a Speaker’s form and give it to the City Clerk. 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
- 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 5:00 in Closed Session and 6:00 in Open Session.
(Verify schedule with City Clerk’s Office)**

Members of the Council also sit as the Successor Agency to the Community Development Commission, 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.



AFFIDAVITS

OF

ITEM

POSTING



CITY COUNCIL STAFF REPORT

Consent Item No. 2

November 6, 2019

File No. 0400-40

SUBJECT: Approval of Warrants

DEPARTMENT: Finance Department

RECOMMENDATION:

Request approval for City Council and Housing Successor Agency warrant numbers:

335510 – 335720 dated October 16, 2019

335721 – 336003 dated October 23, 2019

FISCAL ANALYSIS:

The total amount of the warrants for the following periods are as follows:

October 10 – October 16, 2019, is \$ 2,726,378.07

October 17 – October 23, 2019, is \$ 1,714,003.46

BACKGROUND:

The Escondido Municipal Code Section 10-49 states that warrants or checks may be issued and paid prior to audit by the City Council, provided the warrants or checks are certified and approved by the Director of Finance as conforming to the current budget. These warrants or checks must then be ratified and approved by the City Council at the next regular Council meeting.

CITY OF ESCONDIDO
October 23, 2019
5:30 P.M. Meeting Minutes
Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on Wednesday, October 23, 2019 in the City Council Chambers at City Hall with Mayor McNamara presiding.

ATTENDANCE:

The following members were present: Deputy Mayor Consuelo Martinez, Councilmember Michael Morasco, Councilmember John Masson, Councilmember Olga Diaz and Mayor Paul McNamara. Quorum present.

ORAL COMMUNICATIONS

CLOSED SESSION: (COUNCIL/RRB)

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

- a. **Case Name:** Citizens Development Corporation v. County of San Diego, et al., U.S. District Court
Case No: 12-CV-0334 GPC (KSC)

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))

- a. One Case - Claim No. 5156
b. 7th Avenue Flood

ADJOURNMENT

Mayor McNamara adjourned the meeting at 5:57 p.m.

MAYOR

CITY CLERK

CITY OF ESCONDIDO
October 23, 2019
6:00 P.M. Meeting Minutes

Escondido City Council

CALL TO ORDER

The Regular Meeting of the Escondido City Council was called to order at 6:00 p.m. on Wednesday, October 23, 2019 in the City Council Chambers at City Hall with Mayor McNamara presiding.

MOMENT OF REFLECTION

Zack Beck, City Clerk, led the Moment of Reflection.

FLAG SALUTE

Paul McNamara, Mayor, led the flag salute.

ATTENDANCE

The following members were present: Councilmember Olga Diaz, Deputy Mayor Consuelo Martinez, Councilmember John Masson, Councilmember Michael Morasco, and Mayor Paul McNamara. Quorum present.

Also present were: Jeffrey Epp, City Manager; Michael McGuinness, City Attorney; Bill Martin, Director of Community Development; Julie Procopio, Director of Engineering Services; Zack Beck, City Clerk.

PROCLAMATIONS

Mayor Paul McNamara read a proclamation for Breast Cancer Awareness Month

PRESENTATIONS

Rick Vogt, Fire Chief, provided a presentation regarding the Fire Explorer Program

Jay Petrek, Assistant City Manager, provided a presentation regarding the California Center for the Arts

CLOSED SESSION REPORT

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

- a. **Case Name:** Citizens Development Corporation V. County of San Diego, et al., U.S. District Court
- Case No:** 12-CV-0334 GPC (KSC)

The Council voted unanimously to authorize a settlement with Hollandia Dairy.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE (Government Code 54956.9(d)(2))

- b. One Case - Claim No. 5156
- c. 7th Avenue Flood

The Council voted unanimously to give the City Attorney authority to settle claims associated with the 7th Avenue Flood.

ORAL COMMUNICATIONS

Don Greene - Informed the City Council about the upcoming Vet Fest on November 11, 2019.

Ana Marie Velasco - Public Art Commissioner. Expressed gratitude to the City Council for the budget process, moving the City Council meetings to 6:00 p.m., and setting up the Community Advisory Groups.

James Contino - Member of the North County YIMBY Group. Expressed disappointment that the City Council did not approve the Aspire project.

Ravi Gopinathan - Member of the North County YIMBY Group. Requested that the City Council approve more affordable housing near transit in Escondido.

Chris Hodge - Expressed concern about a stop sign on Eucalyptus Avenue.

CONSENT CALENDAR

1. AFFIDAVITS OF PUBLICATION, MAILING AND POSTING (COUNCIL/RRB)

2. APPROVAL OF WARRANT REGISTER (Council)

Request the City Council approve the City Council and Housing Successor Agency warrant numbers:

- 335080 – 335299 dated October 2, 2019
- 335300 – 335509 dated October 9, 2019

Staff Recommendation: **Approval (Finance Department: Joan Ryan)**

3. APPROVAL OF MINUTES: Regular Meeting of October 9, 2019

4. 2020 CENSUS COMPLETE COUNT OUTREACH GRANT -

Request the City Council accept a 2020 Census Complete Count Outreach Grant in the amount of \$77,636.81 from San Diego Association of Governments (SANDAG); authorize the Director of Communications and Community Services, or her designee, to execute the Memorandum of Understanding documents on behalf of the City of Escondido; and approve budget adjustments needed to spend grant funds. (File No. 0480-70)

Staff Recommendation: **Approval (Communications and Community Services Department: Joanna Axelrod)**

5. BUDGET ADJUSTMENT TO ADD TWO FULL-TIME POSITIONS TO THE WASTEWATER FUND AND ONE FULL-TIME POSITION TO THE WATER FUND -

Request the City Council approve a budget adjustment to the Wastewater Fund Operating Budget for \$229,200 in order to add two full-time Wastewater Treatment Plant Operator positions, and approve a budget adjustment to the Water Fund Operating Budget for \$146,175 to add one full-time Control System Technician Supervisor position. (File No. 0430-80)

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

6. SALE OF APN 233-022-21 AND APN 233-022-23 (PORTION) TO 555 WEST GRAND AVENUE, LLC -

Request the City Council approve authorizing the Mayor to execute documents necessary for the sale of APN 233-022-21 and APN 233-022-23 (portion) to 555 West Grand, LLC. (File No. 0690-10)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2019-154

7. BID AWARD FOR THE 2019 STREET REHABILITATION AND MAINTENANCE PROJECT REBID -

Request the City Council approve authorizing the Mayor and City Clerk to execute a Public Improvement Agreement in the amount of \$5,062,218 with Eagle Paving Company Inc., determined to be the lowest responsive and responsible bidder, for the Rebid 2019 Street Rehabilitation and Maintenance Project. (File No. 0600-10 A-3306)

Staff Recommendation: **Approval (Engineering Services Department: Julie Procopio)**

RESOLUTION NO. 2019-160

CONSENT RESOLUTIONS AND ORDINANCES (COUNCIL/RRB)

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

8. TENTATIVE SUBDIVISION MAP, MASTER AND PRECISE DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT FOR A 32-UNIT MIXED-USE CONDOMINIUM PROJECT AT 555 W. GRAND AVENUE (SUB 18-0008; PHG 18-0021) -

Approved on October 9, 2019 with a vote of 5/0

ORDINANCE NO. 2019-15 (Second Reading and Adoption)

MOTION: Moved by Council Member Diaz and seconded by Council Member Masson to approve all Consent Calendar items. Approved unanimously.

PUBLIC HEARINGS

9. SHORT-FORM RENT INCREASE APPLICATION FOR IMPERIAL ESCONDIDO MOBILE ESTATES MOBILEHOME PARK -

Request the City Council approve granting an increase of 3.00 percent, as agreed upon by the Resident Representative and Park Representative. This is less than the allowable increase of 75 percent of the change in the Consumer Price Index, or 4.926 percent for the period of December 31, 2016 to December 31, 2018. (File No. 0697-20-10216)

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

RRB RESOLUTION NO. 2019-04

Belinda Rojas, Program Administrator, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Jenna Wiemann - Park representative. Expressed gratitude to the Imperial Escondido Mobile Home Estates Mobile Home Park staff and residents for their work on this item.

Christine Damien - Resident representative. Expressed support for the agreement that was established between the park and the residents.

Larry Steneck - Resident of Imperial Mobile Home Park. Expressed support for the agreement.

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Morasco, seconded by Council Member Diaz to approve granting an increase of 3.00 percent, as agreed upon by the Resident Representative and Park Representative. This is less than the allowable increase of 75 percent of the change in the Consumer Price Index, or 4.926 percent for the period of December 31, 2016 to December 31, 2018. Approved unanimously.

10. CONTINUED DISCUSSION OF A DOWNTOWN SPECIFIC PLAN AMENDMENT AND MASTER AND PRECISE DEVELOPMENT PLAN FOR THE QUINCE STREET SENIOR HOUSING PROJECT (PHG 17-0028) -

Request the City Council re-open the Public Hearing continued from September 25, 2019, and introduce Ordinance No. 2019-12 approving an amendment to the Downtown Specific Plan and a new Planned Development for the Quince Street Senior Housing Project located at 220 N. Quince Street (APN 229-331-10-00). (File No. 0800-70)

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

ORDINANCE NO. 2019-12 (First Reading and Introduction)

Adam Finestone, Principal Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Matthew Jumper - Project applicant. Expressed support for the project. Expressed concern about Condition F-14 of the agreement to not maintain the landscaped area.

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Morasco, seconded by Council Member Masson to introduce Ordinance No. 2019-12 approving an amendment to the Downtown Specific Plan and a new Planned Development for the Quince Street Senior Housing Project located at 220 N. Quince Street (APN 229-331-10-00). Including the modification of Condition F-14 to require the City of Escondido to maintain the creek improvements. As well as including three non-restricted units to the project. Motion Failed 2-3 (McNamara, Martinez, Diaz - No).

MOTION: Moved by Council Member Diaz, seconded by Deputy Mayor Martinez to introduce Ordinance No. 2019-12, amend Subsection 6 (B) of Ordinance 2019-12, to require open space reduction up to 50 percent, subject to the Planned Development application process, or Development Agreement process, in exchange for alternative open space benefitting the public, for the Quince Street Senior Housing Project located at 220 N. Quince Street (APN 229-331-10-00). Including the modification of Condition F-14 to require the City of Escondido to maintain the creek improvements. As well as including three unrestricted units to the project. Approved unanimously.

****Council Member Morasco left the meeting at 8:12 P.M.****

11. MASTER AND PRECISE DEVELOPMENT PLAN MODIFICATION FOR CITY PLAZA (CASE NO. PHG 17-0026) -

Request the City Council approve modifying the Master and Precise Development Plan related to residential density and commercial land uses for an existing mixed-use building located at 300 - 328 S. Escondido Boulevard (City Plaza). (File No. 0800-70)

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

ORDINANCE NO. 2019-14 (First Reading and Introduction)

Adam Finestone, Principal Planner, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Masson, seconded by Council Member Diaz to approve modifying the Master and Precise Development Plan related to residential density and commercial land uses for an existing mixed-use building located at 300 - 328 S. Escondido Boulevard (City Plaza). Approved with four yes votes. Council Member Morasco absent.

12. EAST GROVE SPECIFIC PLAN AMENDMENT (PHG 19-0023) -

Request the City Council approve amending the East Grove Specific Plan to modify trail development standards within the planning area to provide for a different construction type and/or conversion to landscaping or open space. (File No. 0800-70)

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

RESOLUTION NO. 2019-157

Mike Strong, Assistant Planning Director, presented the staff report utilizing a PowerPoint presentation.

Mayor McNamara opened the public hearing and asked if anyone wished to speak on this issue in any way.

Charlotte Kutileh - Homeowner in Hidden Trails. Stated concerns with the trails near the project.

Anthony Lynn - Resident of Hidden Trails. Expressed concern about the decomposed granite

Mayor McNamara closed the public hearing.

MOTION: Moved by Council Member Masson, seconded by Council Member Diaz to approve amending the East Grove Specific Plan to modify trail development standards within the planning area to provide for a different construction type and/or conversion to landscaping or open space. Approved with four yes votes. Council Member Morasco absent.

CURRENT BUSINESS

13. FINANCIAL STATUS REPORT FOR FISCAL YEAR 2018/19 AND BUDGET ADJUSTMENT FOR FISCAL YEAR 2018/19-

Request the City Council receive and file the annual financial status report for Fiscal Year 2018/19; approve the budget adjustment to distribute the General Fund year-end operating results of \$1,499,000 to fund specific operating needs totaling \$751,000; and to transfer the remaining balance of \$748,000 to the Section 115 Irrevocable Pension Trust. (File No. 0430-30, 04430-80)

Staff Recommendation: **Approval (Finance Department: Joan Ryan)**

MOTION: Moved by Council Member Masson, seconded by Deputy Mayor Martinez to receive and file the annual financial status report for Fiscal Year 2018/19; approve the budget adjustment to distribute the General Fund year-end operating results of \$1,499,000 to fund specific operating needs totaling \$751,000; and to transfer the remaining balance of \$748,000 to the Section 115 Irrevocable Pension Trust. Approved with four yes votes. Council Member Morasco absent.

14. FINANCING PLAN AND LEGAL DOCUMENTS FOR THE ISSUANCE OF THE 2019 WATER SYSTEM REVENUE REFUNDING BONDS -

Request the City Council approve the issuance and sale of the Escondido Joint Powers Financing Authority Water System Revenue Refunding Bonds, Series 2019, in an aggregate principal amount not to exceed \$56,000,000 to refund the Water Revenue Certificates of Participation, Series 2007 and to refund the Water Revenue Bonds, Series 2012; delegate authority to the City's Financing Team, as defined herein, to determine whether to refund the 2012 Bonds dependent upon market conditions at the time of bond pricing; authorize the City Manager, or his designee, to execute all documents related to this transaction; and authorize the necessary revenue expenditure budget adjustments for all transactions associated with the issuance of these Refunding Bond issues. (File No. 0440-50)

Staff Recommendation: **Approval (Finance Department: Joan Ryan and Utilities Department: Christopher W. McKinney)**

A) RESOLUTION NO. 2019-150 B) EJPFA 2019-01

MOTION: Moved by Council Member Diaz, Second by Council Member Masson to approve the issuance and sale of the Escondido Joint Powers Financing Authority Water System Revenue Refunding Bonds, Series 2019, in an aggregate principal amount not to exceed \$56,000,000 to refund the Water Revenue Certificates of Participation, Series 2007 and to refund the Water Revenue Bonds, Series 2012; delegate authority to the City's Financing Team, as defined herein, to determine whether to refund the 2012 Bonds dependent upon market conditions at the time of bond pricing; authorize the City Manager, or his designee, to execute all documents related to this transaction; and authorize the necessary revenue expenditure budget adjustments for all transactions associated with the issuance of these Refunding Bond issues. Approved with four yes votes. Council Member Morasco absent.

FUTURE AGENDA

FUTURE AGENDA -

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

Staff Recommendation: **None (City Clerk's Office: Zack Beck)**

COUNCIL MEMBERS SUBCOMMITTEE REPORTS

CITY MANAGER'S WEEKLY ACTIVITY REPORT

The most current information from the City Manager regarding Economic Development, Capital Improvement Projects, Public Safety and Community Development. This report is also available on the City's website, www.escondido.org.

- **WEEKLY ACTIVITY REPORT**

•

ORAL COMMUNICATIONS

None.

ADJOURNMENT

Mayor McNamara adjourned the meeting at 8:58 p.m.

MAYOR

CITY CLERK

CITY COUNCIL STAFF REPORT

Consent Item No. 4

November 6, 2019

File No. 0490-55

SUBJECT: Treasurer's Investment Report for the Quarter Ended September 30, 2019

DEPARTMENT: City Treasurer

RECOMMENDATION:

It is requested that the City Council receive and file the Quarterly Investment Report.

PREVIOUS ACTION:

The Investment Report for the quarter ended June 30, 2019, was filed with the City Clerk's Office on July 30, 2019, and presented to the City Council on August 8, 2019.

BACKGROUND:

The City of Escondido's (City) Investment Policy requires the City Treasurer to submit a quarterly investment report to the City Council and City Manager. The quarterly investment report should include the type of investment, issuer, date of maturity, par and dollar amount invested and market value for each security held by the City. Details of the City's investment portfolio are included in the attached reports that are listed below:

- Summary of Investment Allocation as of September 30, 2019 (Attachment 1)
- Summary of Investment Portfolio Yield for the last 12 months (Attachment 2)
- Schedule of Funds Managed by Outside Parties as of September 30, 2019 (Attachment 3)
- PFM's Investment Performance Review as of September 30, 2019 (Attachment 4)

PFM Asset Management Firm was onboarded as the City's Investment Advisor in May 2019. With this being the first complete quarter under their management, they were able to provide the City with a Comprehensive Investment Review (attachment 4). In this review, you will find a Market Update, the City's Portfolio Strategy and Performance, Issuer Distributions, Portfolio Distributions and Portfolio Holdings. The Summary of Investment Allocation (attachment 1) and the Summary of Investment Portfolio Yield for the last 12 months (attachment 2) shows the total investment portfolio including funds in LAIF and Stone Castle. From July 1, 2019, to September 30, 2019, the City's investment portfolio decreased from \$163.9 million to \$139.3 million. The adjusted average annual yield increased from 1.997 percent to 2.069 percent with the portfolio duration at 1.76. An excess of cash payment outflows over cash receipt inflows for the quarter resulted in a decrease of \$24.6 million in the book value of the investment portfolio. The major decrease is due to the City's debt service payments, which are due in September of each fiscal year and a pre-payment to CalPERS.

Treasurer's Investment Report
November 6, 2019
Page 2

There are adequate funds to meet the next six-month's expected expenditures. As of September 30, 2019, the City complies with all requirements of the City's Investment Policy.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

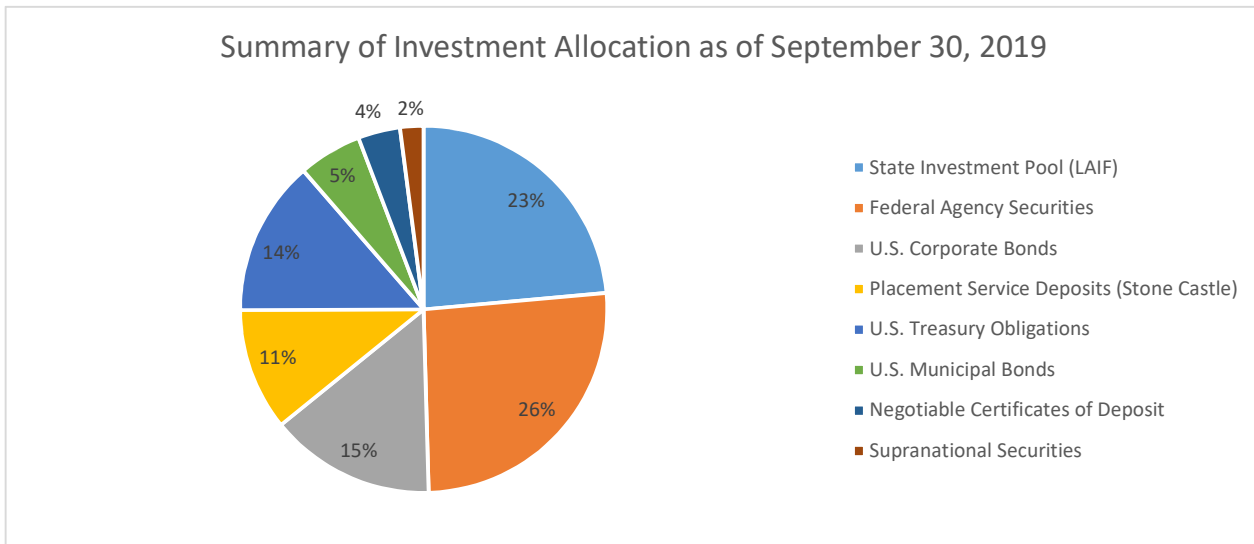
Douglas Shultz, City Treasurer
10/31/19 10:28 a.m.

ATTACHMENTS:

1. Attachment 1 – Summary of Investment Allocation as of September 30, 2019
2. Attachment 2 – Summary of Investment Portfolio Yield for the last 12 months
3. Attachment 3 – Schedule of Funds Managed by Outside Parties as of September 30, 2019
4. Attachment 4 – Investment Performance Review for the Quarter Ended September 30, 2019

**City of Escondido
Summary of Investment Allocation
as of September 30, 2019**

Investment Type	Book Value	Market Value	Percent of Portfolio at Market
State Investment Pool (LAIF)	\$ 33,027,403	\$ 33,027,403	23.57%
Federal Agency Securities	36,444,061	36,427,296	25.99%
U.S. Corporate Bonds	20,044,500	20,459,931	14.60%
Placement Service Deposits (Stone Castle)	15,110,141	15,110,141	10.78%
U.S. Treasury Obligations	18,942,581	19,205,259	13.70%
U.S. Municipal Bonds	7,682,382	7,803,114	5.57%
Negotiable Certificates of Deposit	5,198,000	5,217,610	3.72%
Supranational Securities	2,856,470	2,897,766	2.07%
Total Investment Portfolio - September 2019	\$ 139,305,537	\$ 140,148,520	100%
Reported Total Investments - June 2019	\$ 163,935,936	\$ 164,495,650	
Change from Prior Quarter	\$ (24,630,399)	\$ (24,347,130)	
Portfolio Duration	1.76		



**CITY OF ESCONDIDO
SUMMARY OF INVESTMENT PORTFOLIO YIELDS
FOR THE LAST 12 MONTHS
As of September 30, 2019**

<u>Date</u>	<u>Book Value</u>	<u>Yield</u>
Sep-19	\$139,305,537.02	2.112%
Aug-19	\$138,385,437.07	2.149%
Jul-19	\$139,305,537.02	2.112%
Jun-19	\$163,935,936.23	2.234%
May-19	\$159,528,865.80	2.215%
Apr-19	\$147,858,832.13	2.130%
Mar-19	\$148,000,830.10	2.046%
Feb-19	\$155,746,837.13	2.030%
Jan-19	\$154,254,737.58	2.012%
Dec-18	\$150,668,890.63	1.970%
Nov-18	\$143,772,797.41	1.924%
Oct-18	\$140,389,352.75	1.896%
Average Portfolio Interest Yields		2.069%

** Includes Assets managed by PFM, LAIF, and Stone Castle.*

CITY OF ESCONDIDO
FUNDS MANAGED BY OUTSIDE PARTIES
As of September 30, 2019

<u>Type of Funds / Institution</u>	<u>Market Value</u>	<u>Interest Rate</u>	<u>Type of Investment</u>
<u>BOND FUNDS</u>			
BANK OF NEW YORK:			
1998-1 Rancho San Pasqual Assessment District	\$ 350,505.42	2.010%	Treasury
2007 COP - Water Project	241.30	1.610%	Treasury
2012 JPFA Revenue Bonds (Water System Financing)	290.00	2.020%	Treasury
2012 JPFA Revenue Bonds (Wastewater System Financing)	218.19	2.020%	Treasury
2013 JPFA Reidy Creek Lease Revenue Bonds (2001 Refunding)	306,159.39	1.850%	Treasury
2013 Community Facility District - Hidden Trails (2001 Refunding)	23.73	1.850%	Treasury
2015 Community Facility District - Eureka Ranch (2006 Refunding)	233.12	1.850%	Cash/Treasury
2015A Wastewater Bond (2004A Refunding)	4,646.00	1.940%	Dreyfus Cash Management Fund
2015B Wastewater Bond (2004B Refunding)	1,789.97	1.940%	Dreyfus Cash Management Fund
	<u>\$ 664,107.12</u>		
<u>SECTION 115 TRUST FUNDS</u>			
PUBLIC AGENCY RETIREMENT SERVICES:			
PARS Post-Employment Benefits Trust	\$ 7,097,840.63		Moderately Conservative HighMark PLUS
TOTAL FUNDS MANAGED BY OUTSIDE PARTIES	<u><u>\$ 7,761,947.75</u></u>		



CITY OF ESCONDIDO

Investment Performance Review For the Quarter Ended September 30, 2019

Client Management Team

PFM Asset Management LLC

Richard Babbe, CCM, Senior Managing Consultant

50 California Street, Suite 2300

213 Market Street

Robert Cheddar, CFA, Managing Director

San Francisco, CA 94111

Harrisburg, PA 17101-2141

Meredith LaBuda Sullivan, Portfolio Trader

949-230-6896

717-232-2723

Jeremy King, Key Account Manager

Market Update

QUARTERLY MARKET SUMMARY

SUMMARY

- In the third quarter, U.S. economic conditions were characterized by: (1) slowing projected growth; (2) a low unemployment rate with moderating wage gains; (3) two Fed rate cuts; (4) growing risks to the economic outlook, including escalating trade conflicts, further weakening in manufacturing, and deteriorating business confidence and investment; (5) worsening conditions abroad, including a messy Brexit and geopolitical conflicts with Iran/Saudi Arabia, Syria/Turkey and Ukraine/Russia, and; (6) U.S. presidential impeachment proceedings that created a new political wildcard.
- Bond yields fell modestly during the quarter, continuing the year-long trend. For the year, yields are down nearly 1% across the intermediate and longer-term portions of the yield curve, while shorter-term yields generally tracked the Fed's two rate cuts. Somewhat counterintuitively, despite growing uncertainty on a number of fronts, U.S. equity markets continued to rally. The S&P 500 index returned 1.7% for Q3.
- While a recession in the U.S. does not appear imminent, forecasts for economic growth continue to be pared. The global growth forecast for 2019 from the Organisation for Economic Co-operation and Development was revised down from 3.2% to 2.9%, which would mark the slowest pace in over 10 years.
- The Federal Open Market Committee cut the overnight fed funds target rate twice during the quarter – in July and again in September – to the new range of 1.75% to 2.00%. The July rate cut marked the first rate reduction since December 2008. While both cuts were well-telegraphed and characterized as “mid-cycle policy adjustments,” the committee is divided on future policy action. With that said, the factors supporting the recent rate cuts remain in place, such as the weaker global growth outlook, Brexit, trade policy tensions, and lower business investment and exports.

ECONOMIC SNAPSHOT

- U.S. GDP grew 2.0% in Q2, a moderate figure expected by economist estimates, but well short of the 3.1% growth in Q1. Growth in Q2 was driven by consumer spending, accounting for 3% of the quarterly growth figure, the strongest consumption growth since 2017. Fixed investment, private inventories, and lower exports all detracted from the headline GDP. Forecasts for Q3 are generally in the 1.5% to 2.0% range.
- The U.S. labor market remained positive, although it may be showing signs of losing momentum. For example, average monthly job growth for Q3 was 157,000, well short of the 223,000 average of monthly gains in 2018. Nevertheless, the unemployment rate ticked lower to 3.5%, marking the lowest jobless figure in over 50 years.
- Inflation remains tame, but core measures have gradually drifted higher as of late. Year-over-year growth in the core Consumer Price Index (CPI) reached 2.4%, while the Fed's preferred inflation gauge, the core Personal Consumption Expenditure price index, rose to 1.8%, just a bit below the Fed's 2% target.
- U.S. manufacturing activity continued to decelerate. The ISM Manufacturing PMI survey fell to 47.8, the lowest level since 2009, an indication that the manufacturing part of the economy may be slipping into recession. Uncertainty caused by the ongoing trade war with China contributed to this slowdown.

INTEREST RATES

- U.S. Treasury yields across the curve continued their descent, falling for the fourth consecutive quarter. The yields on the majority of U.S. Treasury maturities ended the quarter near two-year lows. At quarter-end, the yield on a 3-month Treasury bill was 1.81%, the 2-year note was 1.62%, the 10-year note was 1.67%, and the 30-year Treasury ended Q3 at 2.11% after briefly falling below 2% for the first time ever.
- The yield curve neared the greatest level of inversion over the past 15 years in late August, as the spread between the 3-month and 10-year Treasuries reached -50 basis points (-0.50%), although it finished the quarter at -14 basis points. In response to back-to-back rate cuts at the July and September FOMC meetings, short-term yields fell, which decreased the severity of the inversion by the end of September.
- As the long-end of the yield curve declined more significantly than any other key rates during the quarter, longer-duration portfolios benefited the most. For example, the 3-month Treasury bill index generated 0.56% of total return for the quarter, while 10-year and 30-year Treasuries returned 3.18% and 9.20%, respectively. As a result of the significant decline in rates, 12-month trailing Treasury benchmarks have posted their strongest total returns in nearly twenty years.

SECTOR PERFORMANCE

- Absolute fixed income returns were strong across the board. Diversification was a mixed bag for performance. Credit sectors boosted portfolio returns as credit markets shrugged off weaker growth prospects, resulting in tighter spreads. On the flip side, municipal debt generally underperformed as lower yields inspired a flurry of new issuance and refinancing activity that caused spreads to widen in the sector.
- Federal agency and supranational allocations generated slightly positive excess returns for the quarter even though spreads remained near all-time highs across the curve. Continuing the trend over the past several quarters, callable securities underperformed as declining yields drove increased redemption activity.
- The investment-grade corporate sector continued to be one of the best performing fixed income sectors for Q3 and YTD. Positive earnings, stable fundamentals, and easier monetary policy outweighed trade tensions and geopolitical risks during Q3. Despite one of the highest issuance months on record in September, investor demand remained strong, absorbing the new deals and resulting in spreads grinding back near YTD lows.
- AAA-rated asset backed securities were slightly additive to performance, despite modestly wider spreads. The incremental income offset the adverse effect of wider spreads and buoyed excess returns.
- Mortgage-Backed Securities (MBS) generated modest positive excess returns, although relative performance belied the volatility during Q3 and was dependent on collateral term and coupon structure. The decline in longer-term Treasury yields – which translates to increased refinancings and shorter MBS durations – weighed on the sector. Higher coupon 30-year MBS were great performers, but 15-year collateral pools posted negative excess returns. Agency-backed commercial mortgage-backed securities have been a top-of-class performer for much of 2019, as these structures are generally less sensitive to interest rate volatility and ultimately, prepayment risks.

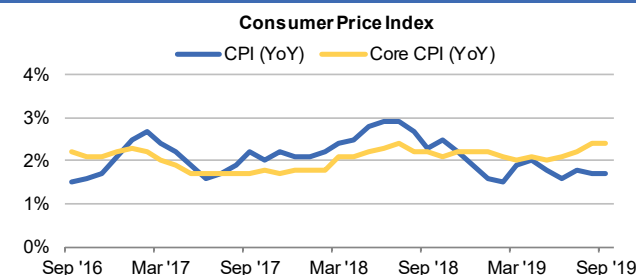
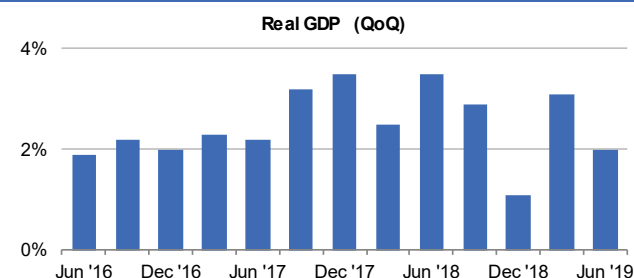
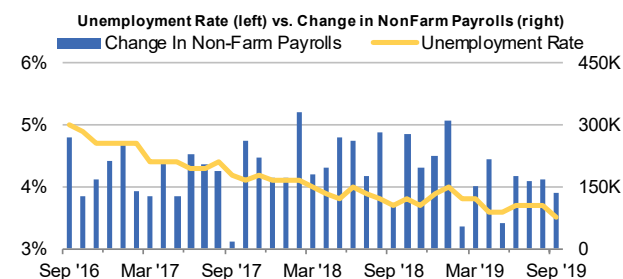
QUARTERLY MARKET SUMMARY

Economic Snapshot

Labor Market	Latest	Jun '19	Sep '18	
Unemployment Rate	Sep '19	3.5%	3.7%	3.7%
Change In Non-Farm Payrolls	Sep '19	136,000	178,000	108,000
Average Hourly Earnings (YoY)	Sep '19	2.9%	3.2%	3.0%
Personal Income (YoY)	Aug '19	4.6%	4.9%	5.4%
Initial Jobless Claims (week)	10/12/19	214,000	222,000	218,000

Growth	Latest	Jun '19	Sep '18	
Real GDP (QoQ SAAR)	2019Q2	2.0%	3.1% ¹	3.5% ²
GDP Personal Consumption (QoQ SAAR)	2019Q2	4.6%	1.1% ¹	4.0% ²
Retail Sales (YoY)	Sep '19	4.1%	3.3%	3.9%
ISM Manufacturing Survey (month)	Sep '19	47.8	51.7	59.5
Existing Home Sales SAAR (month)	Aug '19	5.49 mil.	5.29 mil.	5.18 mil.

Inflation / Prices	Latest	Jun '19	Sep '18	
Personal Consumption Expenditures (YoY)	Aug '19	1.4%	1.4%	2.0%
Consumer Price Index (YoY)	Sep '19	1.7%	1.6%	2.3%
Consumer Price Index Core (YoY)	Sep '19	2.4%	2.1%	2.2%
Crude Oil Futures (WTI, per barrel)	Sep 30	\$54.07	\$58.47	\$73.25
Gold Futures (oz.)	Sep 30	\$1,466	\$1,414	\$1,192



1. Data as of First Quarter 2019.

2. Data as of Second Quarter 2018.

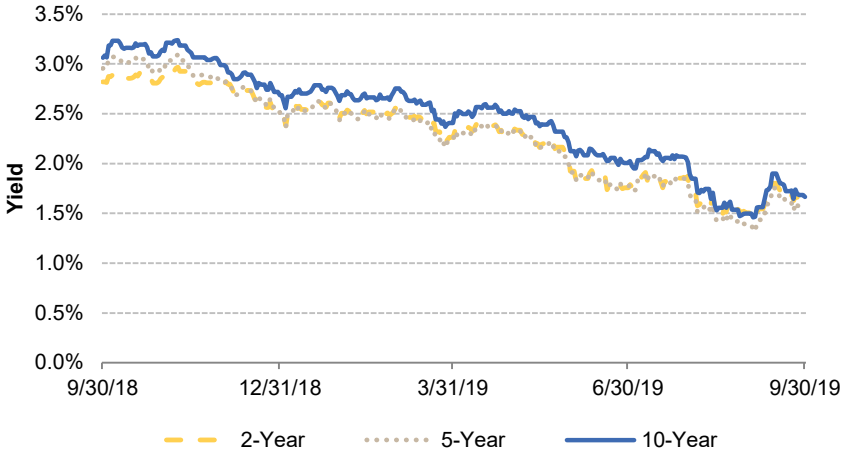
Note: YoY = year-over-year, QoQ = quarter-over-quarter, SAAR = seasonally adjusted annual rate, WTI = West Texas Intermediate crude oil.

Source: Bloomberg.

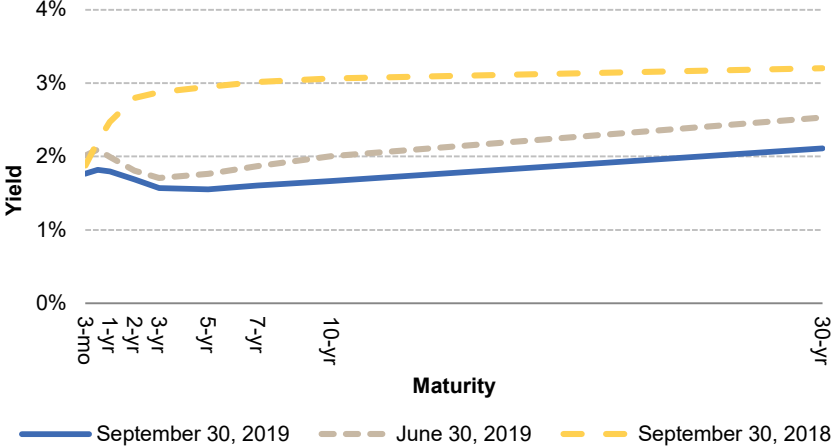
QUARTERLY MARKET SUMMARY

Interest Rate Overview

U.S. Treasury Note Yields



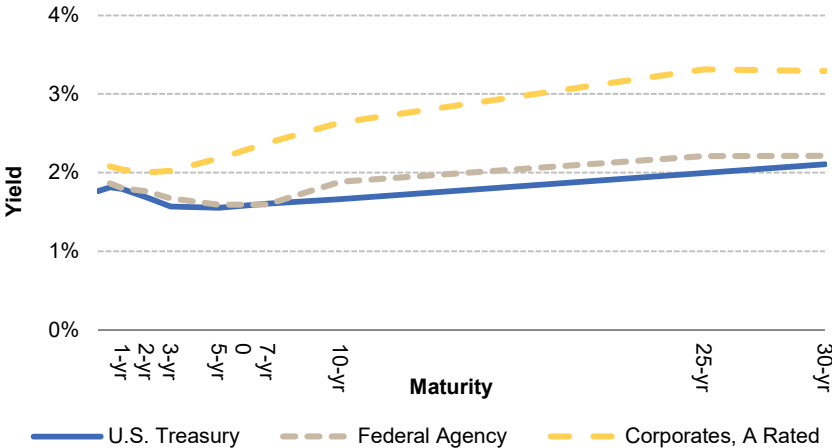
U.S. Treasury Yield Curve



U.S. Treasury Yields

Maturity	Sep '19	Jun '19	Change over Quarter	Sep '18	Change over Year
3-Month	1.82%	2.09%	(0.27%)	2.20%	(0.38%)
1-Year	1.76%	1.93%	(0.17%)	2.57%	(0.81%)
2-Year	1.62%	1.76%	(0.14%)	2.82%	(1.20%)
5-Year	1.55%	1.77%	(0.22%)	2.95%	(1.40%)
10-Year	1.67%	2.01%	(0.34%)	3.06%	(1.39%)
30-Year	2.11%	2.53%	(0.42%)	3.21%	(1.10%)

Yield Curves as of 9/30/19



Source: Bloomberg.

QUARTERLY MARKET SUMMARY

ICE BofAML Index Returns

September 30, 2019	As of 9/30/19		Returns for Periods ended 9/30/19		
	Duration	Yield	3 Month	1 Year	3 Years
1-3 Year Indices					
U.S. Treasury	1.88	1.68%	0.58%	4.36%	1.52%
Federal Agency	1.52	1.71%	0.62%	4.19%	1.66%
U.S. Corporates, A-AAA rated	1.84	2.11%	0.93%	5.11%	2.39%
Agency MBS (0 to 3 years)	3.20	2.45%	1.41%	7.58%	2.48%
Taxable Municipals	1.77	1.95%	0.95%	5.13%	2.69%
1-5 Year Indices					
U.S. Treasury	2.62	1.64%	0.75%	5.62%	1.62%
Federal Agency	1.97	1.67%	0.72%	4.77%	1.70%
U.S. Corporates, A-AAA rated	2.61	2.16%	1.11%	6.53%	2.62%
Agency MBS (0 to 5 years)	1.79	2.33%	1.32%	6.83%	1.95%
Taxable Municipals	2.22	2.22%	1.14%	5.71%	2.66%
Master Indices (Maturities 1 Year or Greater)					
U.S. Treasury	6.85	1.73%	2.51%	10.75%	2.30%
Federal Agency	4.18	1.78%	1.74%	8.07%	2.43%
U.S. Corporates, A-AAA rated	7.70	2.63%	2.97%	12.62%	4.03%
Agency MBS (0 to 30 years)	3.08	2.51%	1.44%	7.98%	2.38%
Taxable Municipals	11.11	3.00%	4.70%	17.37%	5.74%

Returns for periods greater than one year are annualized.

Source: ICE BofAML Indices.

QUARTERLY MARKET SUMMARY

DISCLOSURES

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Investment Strategy & Portfolio Review

Portfolio Recap

- ◆ Our strategy throughout the quarter included the following elements:
 - We continued to maintain the portfolio's duration in line with its benchmark, as we have since the beginning of the year, because of growing certainty that the Fed would cut rates, perhaps multiple times. Maintaining the portfolio's duration—despite the inverted yield curve—was just as vital as in previous quarters as the continued drop in yields drove strong fixed income returns. In fact, longer-duration strategies outperformed shorter ones for the fourth quarter in a row.
 - Our sector allocation strategy continued to favor broad diversification, including the widest range of permitted investments. Our weighting to corporates generally offset the negative relative performance of agency MBS for the quarter.
 - The mortgage-related sector experienced some give-and-take during the third quarter. While MBS generally detracted from third quarter portfolio performance, wider yield spreads provided a good buying opportunity, positioning the portfolio to benefit from incremental income in future quarters.
 - We continued to rotate out of the federal agency sector as their yield spread remained unattractive relative to comparable treasuries. Even new issue concessions were less attractive than in prior quarters. While limited supply is partly to blame, insatiable market demand has essentially capped any upside. As a result, we continued to prefer Treasuries over agencies, and avoided callable agencies, due to significant early redemptions.
 - Corporate bonds rallied, pushing yield spreads back to near 12-month lows during the quarter as a more accommodative Fed and a temporary lull in the trade war offensive mitigated some of the imminent risk to the economy. As a result, investment-grade (IG) corporates generated attractive excess returns for the third quarter, with lower quality issuers outperforming higher quality ones. A bevy of new-issue corporates in September provided many opportunities, albeit at somewhat modest yield spreads. Our strategy in the third quarter was to maintain corporate allocations, make purchases a bit farther out on the yield curve within the sector, and selectively take advantage of new issues. Our focus remained on those issuers with lower leverage and less relative exposure to international trade risks.

Sector Allocation & Compliance

- The portfolio is in compliance with the City's Investment Policy and the California Government Code.

Security Type	Market Value as of 9/30/19	% of Portfolio	% Change vs. 6/30/19	Permitted by Policy	In Compliance
U.S. Treasury	\$19,205,259	22.4%	6.4%	100%	✓
Federal Agency	\$35,178,002	41.0%	-8.8%	100%	✓
Agency CMOs	\$1,249,294	1.5%	0.4%	100%	✓
Supranationals	\$2,897,766	3.4%	-0.5%	30%	✓
Municipal Obligations	\$1,604,844	1.9%	1.0%	40%	✓
Certificates of Deposits	\$5,217,610	6.1%	-0.9%	30%	✓
Corporate Notes	\$20,459,931	23.8%	2.4%	25%	✓
Securities Sub-Total	\$85,812,706	100.0%			
Accrued Interest	\$425,771				
Total Investments	\$86,238,476	100.0%			

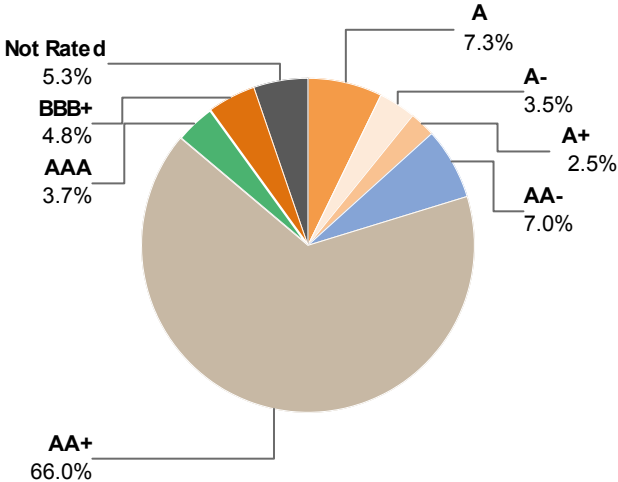
Market values, excluding accrued interest, only for the PFM managed portfolio. Detail may not add to total due to rounding. Current investment policy as of May 2019

Portfolio Statistics

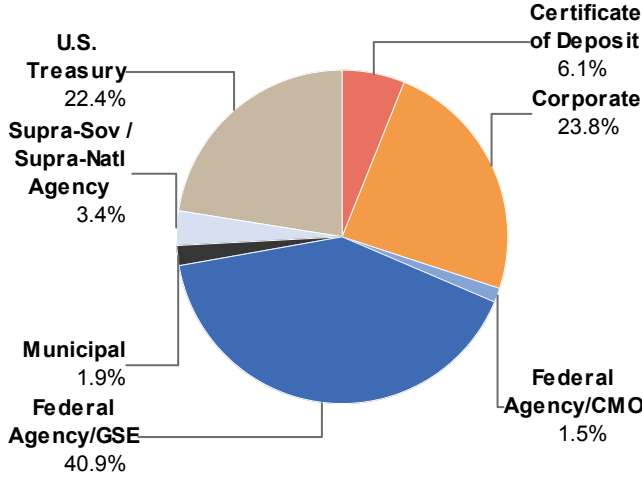
As of September 30, 2019

Par Value:	\$84,586,365
Total Market Value:	\$86,238,476
Security Market Value:	\$85,812,706
Accrued Interest:	\$425,771
Cash:	-
Amortized Cost:	\$85,074,575
Yield at Market:	1.80%
Yield at Cost:	2.01%
Effective Duration:	2.62 Years
Duration to Worst:	2.56 Years
Average Maturity:	2.78 Years
Average Credit: *	AA

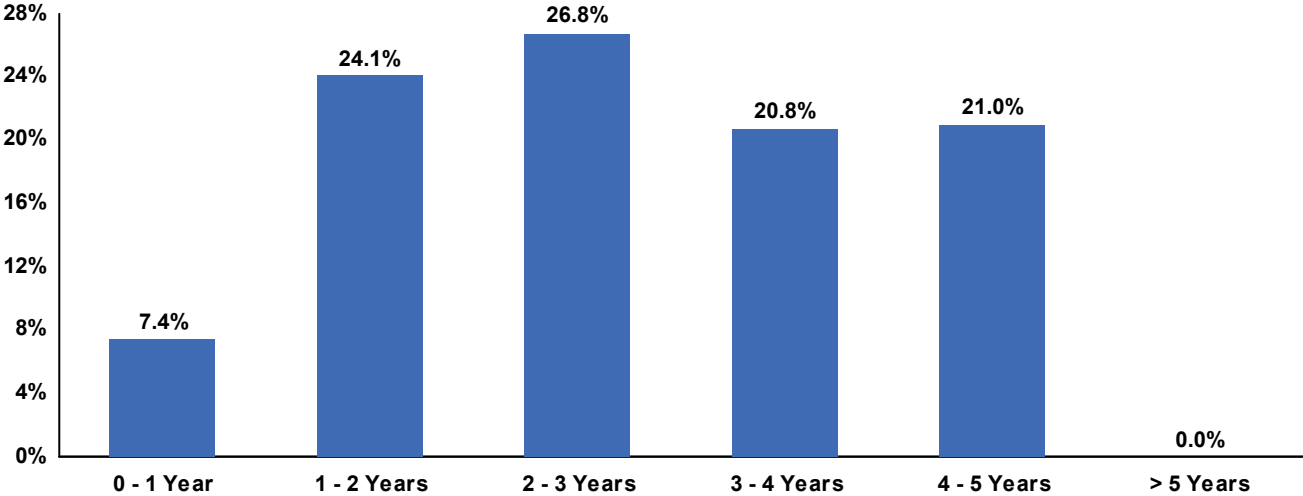
Credit Quality (S&P Ratings)**



Sector Allocation



Maturity Distribution

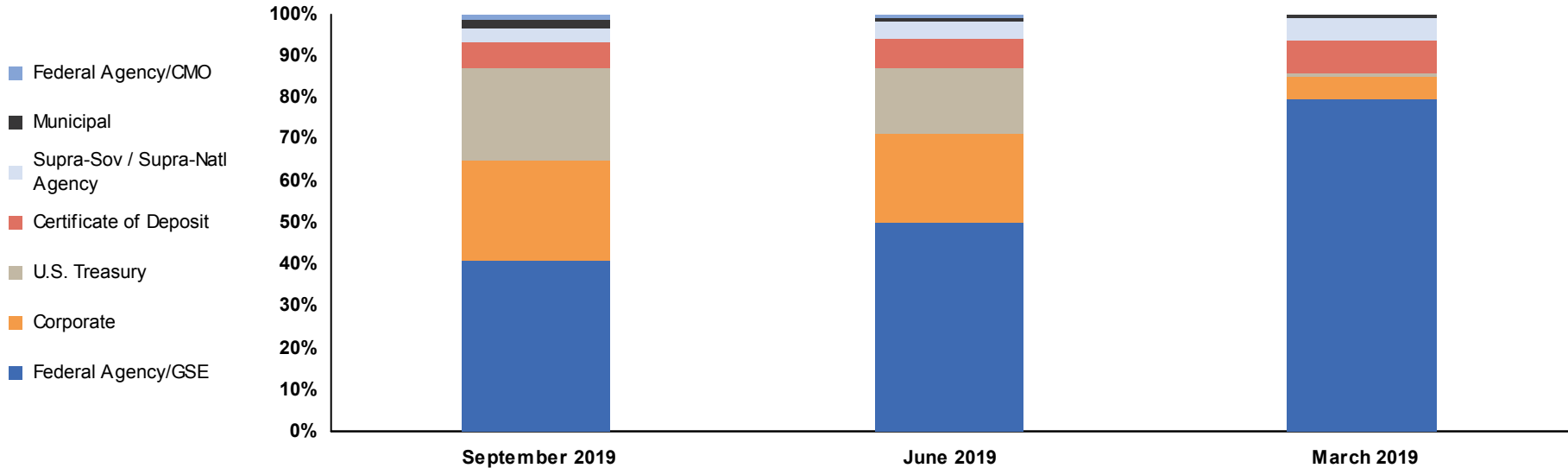


* An average of each security's credit rating assigned a numeric value and adjusted for its relative weighting in the portfolio.

**Securities held in the City's portfolio are in compliance with California Government Code and the City's investment policy dated May 2019.

Sector Allocation

Sector	September 30, 2019		June 30, 2019		March 31, 2019		December 31, 2018	
	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total
Federal Agency/GSE	35.2	40.9%	42.3	49.8%	67.0	79.8%	0.0	0.0%
Corporate	20.5	23.8%	18.2	21.4%	4.2	5.0%	0.0	0.0%
U.S. Treasury	19.2	22.4%	13.6	16.0%	1.0	1.2%	0.0	0.0%
Certificate of Deposit	5.2	6.1%	5.9	7.0%	6.4	7.6%	0.0	0.0%
Supra-Sov / Supra-Natl Agency	2.9	3.4%	3.3	3.9%	4.7	5.5%	0.0	0.0%
Municipal	1.6	1.9%	0.7	0.9%	0.7	0.9%	0.0	0.0%
Federal Agency/CMO	1.2	1.5%	0.9	1.0%	0.0	0.0%	0.0	0.0%
Total	\$85.8	100.0%	\$84.8	100.0%	\$84.0	100.0%	\$0.0	0.0%

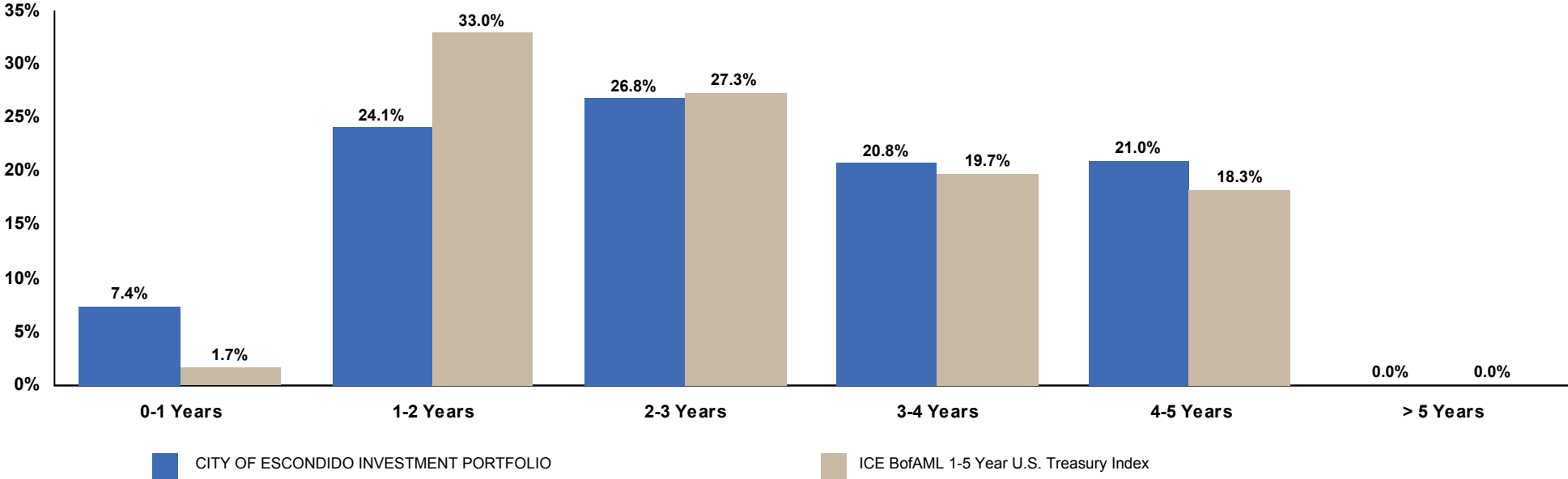


Detail may not add to total due to rounding.

Maturity Distribution

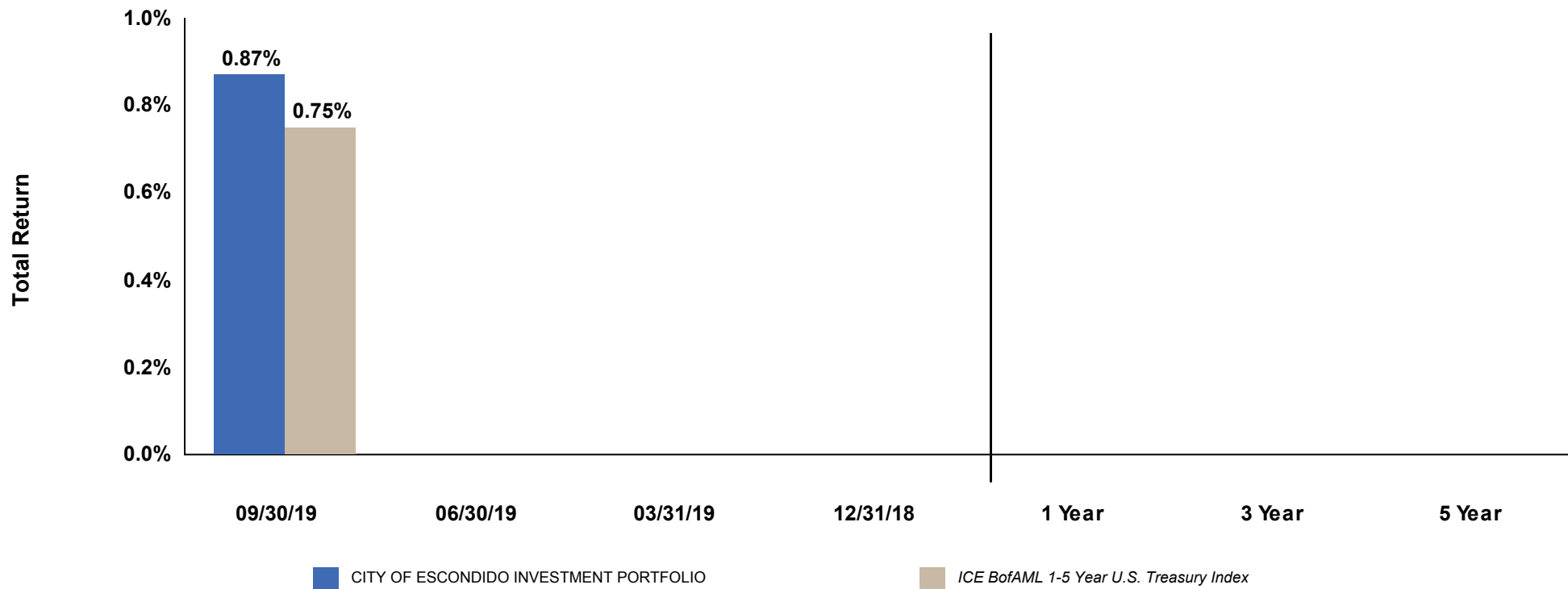
As of September 30, 2019

Portfolio/Benchmark	Yield at Market	Average Maturity	0-1 Years	1-2 Years	2-3 Years	3-4 Years	4-5 Years	>5 Years
CITY OF ESCONDIDO INVESTMENT PORTFOLIO	1.80%	2.78 yrs	7.4%	24.1%	26.8%	20.8%	21.0%	0.0%
ICE BofAML 1-5 Year U.S. Treasury Index	1.64%	2.74 yrs	1.7%	33.0%	27.3%	19.7%	18.3%	0.0%



Portfolio Performance (Total Return)

Portfolio/Benchmark	Effective Duration	Quarter Ended				1 Year	Annualized Return	
		09/30/19	06/30/19	03/31/19	12/31/18		3 Year	5 Year
CITY OF ESCONDIDO INVESTMENT PORTFOLIO	2.62	0.87%	-	-	-	-	-	-
ICE BofAML 1-5 Year U.S. Treasury Index	2.56	0.75%	-	-	-	-	-	-
Difference		0.12%	-	-	-	-	-	-



Portfolio performance is gross of fees unless otherwise indicated.

Portfolio Earnings
Quarter-Ended September 30, 2019

	Market Value Basis	Accrual (Amortized Cost) Basis
Beginning Value (06/30/2019)	\$84,844,650.64	\$84,389,656.64
Net Purchases/Sales	\$701,158.98	\$701,158.98
Change in Value	\$266,896.03	(\$16,240.50)
Ending Value (09/30/2019)	\$85,812,705.65	\$85,074,575.12
Interest Earned	\$472,427.72	\$472,427.72
Portfolio Earnings	\$739,323.75	\$456,187.22

Fixed-Income Sector Outlook – October 2019

Sector	Our Investment Preferences	Comments
COMMERCIAL PAPER / CD		<ul style="list-style-type: none"> CP/negotiable CD spreads are near historic tightness, though securities appear cheap relative to corporate notes.
TREASURIES	 T-Bill T-Note 	<ul style="list-style-type: none"> Treasury bill supply is expected to increase by over \$100 billion during the fourth quarter. The Treasury yield curve remains inverted, providing little opportunity to benefit from roll-down.
FEDERAL AGENCIES	 Bullets Callables 	<ul style="list-style-type: none"> Federal agency spreads remain near historic tightness. Treasuries continue to be attractive relative to agencies. Callables have been underperforming duration-matched bullets as redemption activity has been elevated, especially in short lock-out structures.
SUPRANATIONALS		<ul style="list-style-type: none"> Spreads remain near historical tightness; Treasuries have better value. There may be opportunities to sell at single-digit yield spreads before a possible demand-side technical decay into year-end.
CORPORATES	 Financials Industrials 	<ul style="list-style-type: none"> Tighter credit spreads and a cloudy economic outlook have reduced the attractiveness of the corporate sector. Steady demand from foreign investors and a lower interest rate environment, supported by recent FOMC action, are both positives for the sector.
SECURITIZED	 Asset-Backed Agency Mortgage-Backed Agency CMBS 	<ul style="list-style-type: none"> The AAA-rated ABS sector offers a defensive outlet to credit exposure but has tightened to near multi-year tightness. As interest rates have fallen and supply has increased, MBS spreads have widened significantly to a more historic norm. We view this as a buying opportunity. Agency CMBS are an attractive alternative to other government sectors due to their incremental income potential.
MUNICIPALS		<ul style="list-style-type: none"> The low interest rate environment should spur refunding activity and increase taxable municipal supply.



Investment Strategy Outlook

- Our strategy as we enter the final quarter of 2019 is to maintain a well-diversified portfolio as we seek to balance portfolio earnings potential with profit-taking in sectors that appear overly expensive. Issue selection has become increasingly important, regardless of sector, as market cross-currents have created both risks and opportunities.
- Our outlook for the major investment-grade fixed income sectors is as follows:
 - Federal agency yield spreads remain very tight. In some cases, agencies offer yields less than those on Treasuries of similar maturity. The U.S. Treasury Department also released an updated housing reform plan that seeks to reduce the role of the Federal Government, but implementation faces many political and practical difficulties. We continue to favor further reductions in agency holdings because their upside is limited.
 - In the investment-grade (IG) corporate sector, we remain cautiously optimistic. Stable fundamentals, positive earnings growth, and a resilient equity market support the underlying stability of the credit markets; however, in addition to the myriad of geopolitical issues that have yet to be resolved, increased balance sheet leverage translates into somewhat elevated financial risks, especially in light of the narrow spreads currently available. As a result, we plan to reduce “rich” corporate holdings while creating room for new corporate opportunities as they become available.
 - ABS spreads are near multi-year lows, but underlying fundamentals remain firm. We plan to opportunistically add an allocation to the portfolio.
 - Increasing new home supply and accelerating prepayments are expected to weigh on the MBS sector over the near term. While spreads snapped back modestly near quarter-end, relative value in the sector is now attractive. Our preference is for structures that are less sensitive to interest rate movements—in particular, commercial MBS (CMBS) and well-seasoned mortgage pools that have less prepayment variability.
 - On the heels of two Fed rate cuts in the third quarter, money market investors may see further rate adjustments in the coming months. Short-term credit spreads have widened recently, creating investment opportunities that offset some of the Fed’s lower overnight target rate.

Issuer Distribution

Issuer Distribution
As of September 30, 2019

Issuer	Market Value (\$)	% of Portfolio
UNITED STATES TREASURY	19,205,259	22.4%
FEDERAL HOME LOAN BANKS	12,540,128	14.6%
FANNIE MAE	9,616,580	11.2%
FREDDIE MAC	7,973,910	9.3%
FEDERAL FARM CREDIT BANKS	6,296,678	7.3%
INTER-AMERICAN DEVELOPMENT BANK	2,005,904	2.3%
VISA INC	1,525,464	1.8%
BLACKROCK INC	1,516,306	1.8%
BANK OF AMERICA CO	1,501,423	1.8%
THE BANK OF NEW YORK MELLON CORPORATION	1,477,084	1.7%
TOYOTA MOTOR CORP	1,116,512	1.3%
GOLDMAN SACHS GROUP INC	1,057,207	1.2%
SKANDINAVISKA ENSKILDA BANKEN AB	1,001,387	1.2%
NORDEA BANK AB	1,001,101	1.2%
APPLE INC	956,720	1.1%
AMAZON.COM INC	894,435	1.0%
INTL BANK OF RECONSTRUCTION AND DEV	891,862	1.0%
ABBOTT LABORATORIES	865,226	1.0%

Top 5 = 64.8%

Top 10 = 74.2%

Issuer	Market Value (\$)	% of Portfolio
CHARLES SCHWAB	861,594	1.0%
DEERE & COMPANY	858,725	1.0%
US BANCORP	855,865	1.0%
AMERICAN HONDA FINANCE	848,118	1.0%
BB&T CORPORATION	846,510	1.0%
AMERICAN EXPRESS CO	842,851	1.0%
CATERPILLAR INC	842,653	1.0%
THE WALT DISNEY CORPORATION	836,673	1.0%
CITIGROUP INC	811,908	1.0%
MORGAN STANLEY	792,553	0.9%
CITY & COUNTY OF SAN FRANCISCO, CA	740,373	0.9%
JP MORGAN CHASE & CO	620,160	0.7%
TAMALPAIS CA UNION HIGH SCH DIST	617,239	0.7%
BOEING COMPANY	526,736	0.6%
ORACLE CORP	253,719	0.3%
UNITY BANK	250,208	0.3%
ALLIANCE DATA SYSTEMS CORP	250,151	0.3%
CAPITAL ONE FINANCIAL CORP	248,764	0.3%
FIRST BUSINESS BANK	247,915	0.3%
SYNCHRONY BANK	247,856	0.3%
FOCUS BANK	247,855	0.3%

Issuer	Market Value (\$)	% of Portfolio
BENEFICIAL BANK	247,432	0.3%
SAN DIEGO CA CMNTY CLG DIST	247,232	0.3%
MEDALLION BANK UTAH	246,051	0.3%
FIRST BANK OF RICHMOND	245,253	0.3%
ALLY FINANCIAL INC.	245,167	0.3%
MERCANTILE BK MI	244,981	0.3%
WEX BANK MIDVALE UTAH	244,978	0.3%
Grand Total:	85,812,706	100.0%

Portfolio Transactions

Quarterly Portfolio Transactions

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	7/1/19	7/1/19	1,290,000.00	459058GU1	INTL BK RECON & DEVELOP SN NOTE	2.12%	7/1/22	2,438.10		
BUY	7/1/19	7/3/19	1,500,000.00	912828XX3	US TREASURY N/B NOTES	2.00%	6/30/24	(1,516,357.85)	1.77%	
SELL	7/1/19	7/3/19	1,500,000.00	3135G0F73	FNMA BENCHMARK NOTE	1.50%	11/30/20	1,493,212.50	1.93%	(5,496.17)
INTEREST	7/1/19	7/25/19	845,000.00	3137BHXY8	FHLMC MULTIFAMILY STRUCTURED P	2.79%	1/25/22	1,965.33		
SELL	7/3/19	7/3/19	40,000.00	912828X47	US TREASURY NOTES	1.87%	4/30/22	40,283.56	1.74%	160.70
INTEREST	7/6/19	7/6/19	245,000.00	92326XDN8	VENTURE BK BLOOMINGTON CD	1.60%	9/6/19	322.19		
INTEREST	7/11/19	7/11/19	1,090,000.00	89236TEL5	TOYOTA MOTOR CREDIT CORP	2.70%	1/11/23	14,715.00		
INTEREST	7/13/19	7/13/19	249,000.00	20033AND4	COMENITY CAPITAL BANK LT CD	2.00%	10/13/20	409.32		
INTEREST	7/17/19	7/17/19	247,000.00	87165HKM1	SYNCHRONY BANK CD	2.25%	7/17/20	2,755.91		
BUY	7/19/19	7/23/19	690,000.00	9128285X4	UNITED STATES TREASURY NOTES	2.50%	1/31/21	(704,793.39)	1.86%	
BUY	7/19/19	7/23/19	745,000.00	61746BDQ6	MORGAN STANLEY CORP NOTES	3.87%	4/29/24	(795,340.89)	2.56%	
SELL	7/19/19	7/23/19	675,000.00	912828V23	US TREASURY NOTES	2.25%	12/31/23	688,921.88	1.80%	14,872.95
SELL	7/19/19	7/23/19	800,000.00	61744YAH1	MORGAN STANLEY CORP NOTES	2.75%	5/19/22	810,535.11	2.44%	3,491.38
INTEREST	7/22/19	7/22/19	1,395,000.00	06051GFB0	BANK OF AMERICA CORP NOTE	4.12%	1/22/24	28,771.88		
BUY	7/23/19	7/23/19	245,000.00	912828R77	US TREASURY NOTES	1.37%	5/31/21	(243,382.35)	1.85%	
INTEREST	7/23/19	7/23/19	247,000.00	06740KHK6	BARCLAYS BANK PLC CD	2.10%	7/23/19	2,572.18		
MATURITY	7/23/19	7/23/19	247,000.00	06740KHK6	BARCLAYS BANK PLC CD	2.10%	7/23/19	247,000.00		0.00
BUY	7/23/19	7/24/19	250,000.00	912828R77	US TREASURY NOTES	1.37%	5/31/21	(248,368.50)	1.85%	
INTEREST	7/24/19	7/24/19	247,000.00	02587CAJ9	AMERICAN EXPRESS BK FSB LT CD	2.00%	7/24/19	2,449.70		
MATURITY	7/24/19	7/24/19	247,000.00	02587CAJ9	AMERICAN EXPRESS BK FSB LT CD	2.00%	7/24/19	247,000.00		0.00

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
BUY	7/26/19	7/30/19	485,000.00	9128284P2	US TREASURY NOTES	2.62%	5/15/21	(493,691.78)	1.91%	
INTEREST	7/28/19	7/28/19	245,000.00	58403B6Y7	MEDALLION BANK UTAH CD	2.05%	6/28/21	412.81		
INTEREST	7/29/19	7/29/19	2,410,000.00	3134G34D9	FREDDIE MAC (EX-CALLABLE) NOTES	1.65%	1/29/21	19,882.50		
BUY	7/29/19	7/31/19	270,000.00	097023CL7	BOEING CO	2.30%	8/1/21	(269,989.20)	2.30%	
INTEREST	7/30/19	7/30/19	245,000.00	35471TDK5	FRANKLIN SYNERGY BANK CD	1.60%	8/30/19	332.93		
INTEREST	7/30/19	7/30/19	248,000.00	29976DZM5	TIAA FSB CD	1.60%	7/30/19	1,967.69		
INTEREST	7/30/19	7/30/19	249,000.00	91330ABC0	UNITY BANK CD	1.65%	10/30/20	337.68		
INTEREST	7/30/19	7/30/19	247,000.00	538036CA0	LIVE OAK BANKING COMPANY CD	1.85%	7/30/19	375.58		
MATURITY	7/30/19	7/30/19	248,000.00	29976DZM5	TIAA FSB CD	1.60%	7/30/19	248,000.00		0.00
MATURITY	7/30/19	7/30/19	247,000.00	538036CA0	LIVE OAK BANKING COMPANY CD	1.85%	7/30/19	247,000.00		0.00
SELL	7/30/19	7/31/19	300,000.00	3134GBY63	FREDDIE MAC NOTES (CALLED OMD 11/28/2022	2.40%	8/28/19	301,083.00	2.42%	(177.00)
BUY	7/30/19	8/1/19	845,000.00	91159HHX1	US BANCORP	2.40%	7/30/24	(844,360.62)	2.42%	
SELL	7/30/19	8/1/19	845,000.00	912828X70	US TREASURY N/B NOTES	2.00%	4/30/24	855,113.30	1.85%	3,183.34
INTEREST	7/31/19	7/31/19	690,000.00	9128285X4	UNITED STATES TREASURY NOTES	2.50%	1/31/21	8,625.00		
INTEREST	7/31/19	7/31/19	2,000,000.00	912828V80	US TREASURY N/B NOTES	2.25%	1/31/24	22,500.00		
INTEREST	8/1/19	8/1/19	815,000.00	808513AY1	CHARLES SCHWAB CORP NOTES	3.55%	2/1/24	14,466.25		
BUY	8/1/19	8/5/19	275,000.00	912828XQ8	US TREASURY NOTES	2.00%	7/31/22	(276,557.15)	1.81%	
BUY	8/1/19	8/5/19	300,000.00	912828U57	US TREASURY NOTES	2.12%	11/30/23	(304,946.47)	1.82%	
SELL	8/1/19	8/5/19	247,000.00	88413QAW8	THIRD FEDERAL SAV&LOAN CD	2.00%	11/25/19	247,741.00	1.82%	(247.00)
SELL	8/1/19	8/5/19	247,000.00	17284C4L5	CIT BANK CD	2.20%	11/26/19	247,958.22	1.88%	(98.80)
INTEREST	8/1/19	8/25/19	845,000.00	3137BHXY8	FHLMC MULTIFAMILY STRUCTURED P	2.79%	1/25/22	1,965.33		
BUY	8/2/19	8/5/19	890,000.00	9128285K2	US TREASURY N/B	2.87%	10/31/23	(940,236.33)	1.67%	

CITY OF ESCONDIDO

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
SELL	8/2/19	8/5/19	700,000.00	3134GBY63	FREDDIE MAC NOTES (CALLED OMD 11/28/2022	2.40%	8/28/19	703,133.67	2.40%	7.00
SELL	8/2/19	8/5/19	300,000.00	3134GBY63	FREDDIE MAC NOTES (CALLED OMD 11/28/2022	2.40%	8/28/19	301,343.00	2.40%	3.00
INTEREST	8/3/19	8/3/19	800,000.00	025816BW8	AMERICAN EXPRESS CREDIT CORP NOTES	3.70%	8/3/23	14,800.00		
SELL	8/5/19	8/5/19	10,000.00	9128285X4	UNITED STATES TREASURY NOTES	2.50%	1/31/21	10,123.71	1.68%	27.56
INTEREST	8/6/19	8/6/19	245,000.00	92326XDN8	VENTURE BK BLOOMINGTON CD	1.60%	9/6/19	332.93		
BUY	8/8/19	8/12/19	250,000.00	097023BW4	BOEING CO CORP NOTES	2.80%	3/1/23	(257,855.56)	2.24%	
BUY	8/8/19	8/13/19	240,000.00	9128285F3	UNITED STATES TREASURY NOTES	2.87%	10/15/21	(248,609.18)	1.63%	
INTEREST	8/12/19	8/12/19	247,000.00	14042E5L0	CAPITAL ONE BANK USA NA CD	2.00%	8/12/19	2,449.70		
INTEREST	8/12/19	8/12/19	2,165,000.00	3137EAEC9	FHLMC REFERNCE NOTE	1.12%	8/12/21	12,178.13		
MATURITY	8/12/19	8/12/19	247,000.00	14042E5L0	CAPITAL ONE BANK USA NA CD	2.00%	8/12/19	247,000.00		0.00
INTEREST	8/13/19	8/13/19	247,000.00	795450SJ5	SALLIE MAE BANK/SALT LKE CD	2.10%	8/13/19	2,572.18		
INTEREST	8/13/19	8/13/19	249,000.00	20033AND4	COMENITY CAPITAL BANK LT CD	2.00%	10/13/20	422.96		
MATURITY	8/13/19	8/13/19	247,000.00	795450SJ5	SALLIE MAE BANK/SALT LKE CD	2.10%	8/13/19	247,000.00		0.00
INTEREST	8/14/19	8/14/19	2,000,000.00	3130ADGL0	FEDERAL HOME LOAN BANKS NOTES	2.17%	8/14/20	21,700.00		
INTEREST	8/17/19	8/17/19	1,710,000.00	3135G0N82	FNMA NOTES	1.25%	8/17/21	10,687.50		
INTEREST	8/17/19	8/17/19	2,000,000.00	3134G92Y2	FREDDIE MAC (EX-CALLABLE) NOTES	1.87%	8/17/21	18,750.00		
INTEREST	8/18/19	8/18/19	2,000,000.00	3130A7CV5	FHLB NOTES	1.37%	2/18/21	13,750.00		
INTEREST	8/21/19	8/21/19	320,000.00	3134G3D64	FREDDIE MAC NOTES	1.55%	8/21/20	2,480.00		
INTEREST	8/22/19	8/22/19	880,000.00	023135AW6	AMAZON.COM INC BONDS	2.40%	2/22/23	10,560.00		
INTEREST	8/26/19	8/26/19	2,000,000.00	3136G05L1	FANNIE MAE (EX-CALLABLE) NOTES	2.00%	8/26/22	20,000.00		
BUY	8/26/19	8/28/19	955,000.00	912828T34	US TREASURY NOTES	1.12%	9/30/21	(951,382.67)	1.53%	
BUY	8/27/19	8/29/19	1,000,000.00	65558TLL7	NORDEA BANK ABP NEW YORK CERT DEPOS	1.85%	8/26/22	(1,000,000.00)	1.87%	

CITY OF ESCONDIDO

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
SELL	8/27/19	8/29/19	1,000,000.00	3134G3F96	FREDDIE MAC (EX-CALLABLE) NOTES	1.65%	8/28/20	998,505.83	1.81%	(4,204.72)
BUY	8/27/19	8/30/19	240,000.00	3137EADB2	FREDDIE MAC GLOBAL NOTES	2.37%	1/13/22	(245,292.17)	1.56%	
INTEREST	8/28/19	8/28/19	245,000.00	58403B6Y7	MEDALLION BANK UTAH CD	2.05%	6/28/21	426.57		
INTEREST	8/28/19	8/28/19	700,000.00	3134GBY63	FREDDIE MAC NOTES (CALLED OMD 11/28/2022)	2.40%	8/28/19	4,200.00		
INTEREST	8/28/19	8/28/19	1,000,000.00	3134G3F96	FREDDIE MAC (EX-CALLABLE) NOTES	1.65%	8/28/20	8,250.00		
INTEREST	8/28/19	8/28/19	247,000.00	29266NB30	ENERBANK USA CD	2.05%	8/28/19	2,510.94		
MATURITY	8/28/19	8/28/19	700,000.00	3134GBY63	FREDDIE MAC NOTES (CALLED OMD 11/28/2022)	2.40%	8/28/19	700,000.00		0.00
MATURITY	8/28/19	8/28/19	247,000.00	29266NB30	ENERBANK USA CD	2.05%	8/28/19	247,000.00		0.00
SELL	8/29/19	8/29/19	5,000.00	912828XQ8	US TREASURY NOTES	2.00%	7/31/22	5,085.03	1.46%	50.77
BUY	8/29/19	9/3/19	1,000,000.00	83050PDR7	SKANDINAV ENSKILDA BANK LT CD	1.86%	8/26/22	(1,000,000.00)	1.88%	
SELL	8/29/19	9/3/19	1,025,000.00	3130ADGL0	FEDERAL HOME LOAN BANKS NOTES	2.17%	8/14/20	1,029,679.41	1.80%	4,176.38
INTEREST	8/30/19	8/30/19	245,000.00	35471TDK5	FRANKLIN SYNERGY BANK CD	1.60%	8/30/19	322.19		
INTEREST	8/30/19	8/30/19	249,000.00	91330ABC0	UNITY BANK CD	1.65%	10/30/20	348.94		
MATURITY	8/30/19	8/30/19	245,000.00	35471TDK5	FRANKLIN SYNERGY BANK CD	1.60%	8/30/19	245,000.00		0.00
BUY	8/30/19	9/6/19	250,000.00	9128283C2	US TREASURY N/B NOTES	2.00%	10/31/22	(255,991.00)	1.45%	
INTEREST	8/31/19	8/31/19	1,050,000.00	912828W48	US TREASURY N/B NOTES	2.12%	2/29/24	11,156.25		
INTEREST	9/1/19	9/1/19	250,000.00	097023BW4	BOEING CO CORP NOTES	2.80%	3/1/23	3,500.00		
INTEREST	9/1/19	9/1/19	350,000.00	79772EAX7	SAN FRAN COMM FAC DIST, CA TXBL REV BNDS	2.50%	9/1/22	4,375.00		
INTEREST	9/1/19	9/1/19	310,000.00	31331S4M2	FEDERAL FARM CREDIT BANKS NOTES	4.81%	9/1/20	7,455.50		
INTEREST	9/1/19	9/1/19	380,000.00	79772EAE9	SAN FRAN COMM FAC DIST, CA TXBL REV BNDS	2.50%	9/1/22	4,750.00		
INTEREST	9/1/19	9/25/19	845,000.00	3137BHXY8	FHLMC MULTIFAMILY STRUCTURED P	2.79%	1/25/22	1,965.33		
BUY	9/3/19	9/5/19	940,000.00	912828Y61	US TREASURY NOTES	2.75%	7/31/23	(992,172.55)	1.36%	

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
SELL	9/3/19	9/5/19	975,000.00	3130ADGL0	FEDERAL HOME LOAN BANKS NOTES	2.17%	8/14/20	979,597.94	1.80%	3,998.18
BUY	9/3/19	9/6/19	845,000.00	254687FK7	WALT DISNEY COMPANY/THE	1.75%	8/30/24	(841,552.40)	1.84%	
SELL	9/3/19	9/6/19	900,000.00	3130ABD94	FEDERAL HOME LOAN BANKS BONDS	1.61%	8/26/20	902,189.00	1.82%	(1,374.46)
BUY	9/4/19	9/9/19	388,365.44	3136AEGQ4	FANNIEMAE-ACES	2.28%	12/25/22	(393,650.19)	1.42%	
SELL	9/5/19	9/5/19	15,000.00	9128284P2	US TREASURY NOTES	2.62%	5/15/21	15,362.32	1.66%	64.21
SELL	9/5/19	9/9/19	410,000.00	459058GU1	INTL BK RECON & DEVELOP SN NOTE	2.12%	7/1/22	418,906.79	1.48%	8,637.63
INTEREST	9/6/19	9/6/19	245,000.00	92326XDN8	VENTURE BK BLOOMINGTON CD	1.60%	9/6/19	332.93		
INTEREST	9/6/19	9/6/19	835,000.00	24422ETG4	JOHN DEERE CAPITAL CORP	2.80%	3/6/23	11,690.00		
MATURITY	9/6/19	9/6/19	245,000.00	92326XDN8	VENTURE BK BLOOMINGTON CD	1.60%	9/6/19	245,000.00		0.00
INTEREST	9/11/19	9/11/19	2,000,000.00	313378CR0	FHLB NOTES	2.25%	3/11/22	22,500.00		
INTEREST	9/11/19	9/11/19	2,350,000.00	3133XD4P3	FHLB NOTES	4.62%	9/11/20	54,343.75		
INTEREST	9/12/19	9/12/19	950,000.00	037833DC1	APPLE INC CORP (CALLABLE) NOTES	2.10%	9/12/22	9,975.00		
INTEREST	9/12/19	9/12/19	1,000,000.00	313382K69	FHLB NOTES	1.75%	3/12/21	8,750.00		
INTEREST	9/13/19	9/13/19	249,000.00	20033AND4	COMENITY CAPITAL BANK LT CD	2.00%	10/13/20	422.96		
INTEREST	9/14/19	9/14/19	1,000,000.00	4581X0CZ9	INTER-AMERICAN DEVEL BANK	1.75%	9/14/22	8,750.00		
INTEREST	9/14/19	9/14/19	1,000,000.00	4581X0CZ9	INTER-AMERICAN DEVEL BANK	1.75%	9/14/22	8,750.00		
INTEREST	9/15/19	9/15/19	1,510,000.00	92826CAG7	VISA INC (CALLABLE) NOTE	2.15%	9/15/22	16,232.50		
INTEREST	9/18/19	9/18/19	1,420,000.00	09247XAL5	BLACKROCK INC CORP NOTES	3.50%	3/18/24	24,850.00		
BUY	9/18/19	10/16/19	245,000.00	797272QP9	SAN DIEGO CCD, CA TXBL GO BONDS	2.04%	8/1/24	(245,000.00)	2.05%	
INTEREST	9/20/19	9/20/19	2,000,000.00	3133EHZA4	FEDERAL FARM CREDIT BANKS NOTES	1.66%	9/20/21	16,600.00		
BUY	9/20/19	10/9/19	615,000.00	874857KJ3	TAMALPAIS UHSD, CA TXBL GO BONDS	1.97%	8/1/23	(615,000.00)	1.97%	
INTEREST	9/23/19	9/23/19	600,000.00	46625HJE1	JPMORGAN CHASE & CO CORP NOTES	3.25%	9/23/22	9,750.00		

CITY OF ESCONDIDO

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	9/28/19	9/28/19	245,000.00	58403B6Y7	MEDALLION BANK UTAH CD	2.05%	6/28/21	426.57		
INTEREST	9/30/19	9/30/19	249,000.00	91330ABC0	UNITY BANK CD	1.65%	10/30/20	348.94		
INTEREST	9/30/19	9/30/19	245,000.00	912828J76	US TREASURY NOTES	1.75%	3/31/22	2,143.75		
INTEREST	9/30/19	9/30/19	955,000.00	912828T34	US TREASURY NOTES	1.12%	9/30/21	5,371.88		
TOTALS								(207,307.20)		27,074.95

Portfolio Holdings

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
UNITED STATES TREASURY NOTES DTD 01/31/2019 2.500% 01/31/2021	9128285X4	680,000.00	AA+	Aaa	7/19/2019	7/23/2019	686,454.69	1.86	2,864.13	685,655.75	686,375.00
US TREASURY NOTES DTD 05/15/2018 2.625% 05/15/2021	9128284P2	470,000.00	AA+	Aaa	7/26/2019	7/30/2019	475,875.00	1.91	4,660.09	475,325.66	476,774.58
US TREASURY NOTES DTD 05/31/2016 1.375% 05/31/2021	912828R77	250,000.00	AA+	Aaa	7/23/2019	7/24/2019	247,861.33	1.85	1,155.23	248,076.71	248,593.75
US TREASURY NOTES DTD 05/31/2016 1.375% 05/31/2021	912828R77	245,000.00	AA+	Aaa	7/23/2019	7/23/2019	242,894.53	1.85	1,132.12	243,109.30	243,621.88
US TREASURY NOTES DTD 09/30/2016 1.125% 09/30/2021	912828T34	955,000.00	AA+	Aaa	8/26/2019	8/28/2019	946,979.49	1.53	29.35	947,333.49	945,226.53
UNITED STATES TREASURY NOTES DTD 10/15/2018 2.875% 10/15/2021	9128285F3	240,000.00	AA+	Aaa	8/8/2019	8/13/2019	246,346.88	1.63	3,186.07	245,964.27	245,859.36
US TREASURY NOTES DTD 03/31/2015 1.750% 03/31/2022	912828J76	245,000.00	AA+	Aaa	6/18/2019	6/20/2019	244,846.88	1.77	11.71	244,864.15	245,937.86
US TREASURY NOTES DTD 05/01/2017 1.875% 04/30/2022	912828X47	425,000.00	AA+	Aaa	6/4/2019	6/5/2019	424,916.99	1.88	3,334.75	424,927.97	427,872.15
US TREASURY NOTES DTD 07/31/2015 2.000% 07/31/2022	912828XQ8	270,000.00	AA+	Aaa	8/1/2019	8/5/2019	271,455.47	1.81	909.78	271,381.76	273,111.21
US TREASURY N/B NOTES DTD 10/31/2017 2.000% 10/31/2022	9128283C2	250,000.00	AA+	Aaa	8/30/2019	9/6/2019	254,238.28	1.45	2,092.39	254,149.64	253,076.25
US TREASURY N/B DTD 04/30/2018 2.750% 04/30/2023	9128284L1	2,825,000.00	AA+	Aaa	6/3/2019	6/5/2019	2,918,357.42	1.87	32,510.53	2,910,953.53	2,939,655.45
US TREASURY N/B NOTES DTD 05/02/2016 1.625% 04/30/2023	912828R28	250,000.00	AA+	Aaa	6/17/2019	6/18/2019	248,085.94	1.83	1,700.07	248,223.99	250,361.25
US TREASURY N/B NOTES DTD 05/31/2016 1.625% 05/31/2023	912828R69	1,195,000.00	AA+	Aaa	4/23/2019	4/26/2019	1,161,203.91	2.35	6,525.97	1,164,632.17	1,197,333.84
US TREASURY NOTES DTD 06/30/2016 1.375% 06/30/2023	912828S35	975,000.00	AA+	Aaa	5/8/2019	5/9/2019	940,417.97	2.28	3,387.99	943,600.15	967,877.63
US TREASURY NOTES DTD 07/31/2018 2.750% 07/31/2023	912828Y61	940,000.00	AA+	Aaa	9/3/2019	9/5/2019	989,643.75	1.36	4,355.16	988,767.10	980,831.72

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
UNITED STATES TREASURY NOTES DTD 01/31/2019 2.500% 01/31/2021	9128285X4	680,000.00	AA+	Aaa	7/19/2019	7/23/2019	686,454.69	1.86	2,864.13	685,655.75	686,375.00
US TREASURY NOTES DTD 05/15/2018 2.625% 05/15/2021	9128284P2	470,000.00	AA+	Aaa	7/26/2019	7/30/2019	475,875.00	1.91	4,660.09	475,325.66	476,774.58
US TREASURY NOTES DTD 05/31/2016 1.375% 05/31/2021	912828R77	250,000.00	AA+	Aaa	7/23/2019	7/24/2019	247,861.33	1.85	1,155.23	248,076.71	248,593.75
US TREASURY NOTES DTD 05/31/2016 1.375% 05/31/2021	912828R77	245,000.00	AA+	Aaa	7/23/2019	7/23/2019	242,894.53	1.85	1,132.12	243,109.30	243,621.88
US TREASURY NOTES DTD 09/30/2016 1.125% 09/30/2021	912828T34	955,000.00	AA+	Aaa	8/26/2019	8/28/2019	946,979.49	1.53	29.35	947,333.49	945,226.53
UNITED STATES TREASURY NOTES DTD 10/15/2018 2.875% 10/15/2021	9128285F3	240,000.00	AA+	Aaa	8/8/2019	8/13/2019	246,346.88	1.63	3,186.07	245,964.27	245,859.36
US TREASURY NOTES DTD 03/31/2015 1.750% 03/31/2022	912828J76	245,000.00	AA+	Aaa	6/18/2019	6/20/2019	244,846.88	1.77	11.71	244,864.15	245,937.86
US TREASURY NOTES DTD 05/01/2017 1.875% 04/30/2022	912828X47	425,000.00	AA+	Aaa	6/4/2019	6/5/2019	424,916.99	1.88	3,334.75	424,927.97	427,872.15
US TREASURY NOTES DTD 07/31/2015 2.000% 07/31/2022	912828XQ8	270,000.00	AA+	Aaa	8/1/2019	8/5/2019	271,455.47	1.81	909.78	271,381.76	273,111.21
US TREASURY N/B NOTES DTD 10/31/2017 2.000% 10/31/2022	9128283C2	250,000.00	AA+	Aaa	8/30/2019	9/6/2019	254,238.28	1.45	2,092.39	254,149.64	253,076.25
US TREASURY N/B DTD 04/30/2018 2.750% 04/30/2023	9128284L1	2,825,000.00	AA+	Aaa	6/3/2019	6/5/2019	2,918,357.42	1.87	32,510.53	2,910,953.53	2,939,655.45
US TREASURY N/B NOTES DTD 05/02/2016 1.625% 04/30/2023	912828R28	250,000.00	AA+	Aaa	6/17/2019	6/18/2019	248,085.94	1.83	1,700.07	248,223.99	250,361.25
US TREASURY N/B NOTES DTD 05/31/2016 1.625% 05/31/2023	912828R69	1,195,000.00	AA+	Aaa	4/23/2019	4/26/2019	1,161,203.91	2.35	6,525.97	1,164,632.17	1,197,333.84
US TREASURY NOTES DTD 06/30/2016 1.375% 06/30/2023	912828S35	975,000.00	AA+	Aaa	5/8/2019	5/9/2019	940,417.97	2.28	3,387.99	943,600.15	967,877.63
US TREASURY NOTES DTD 07/31/2018 2.750% 07/31/2023	912828Y61	940,000.00	AA+	Aaa	9/3/2019	9/5/2019	989,643.75	1.36	4,355.16	988,767.10	980,831.72

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY N/B DTD 10/31/2018 2.875% 10/31/2023	9128285K2	890,000.00	AA+	Aaa	8/2/2019	8/5/2019	933,491.80	1.67	10,707.81	931,962.39	935,647.21
US TREASURY NOTES DTD 11/30/2016 2.125% 11/30/2023	912828U57	300,000.00	AA+	Aaa	8/1/2019	8/5/2019	303,796.88	1.82	2,142.42	303,666.39	306,609.30
US TREASURY NOTES DTD 01/03/2017 2.250% 12/31/2023	912828V23	1,200,000.00	AA+	Aaa	4/29/2019	4/30/2019	1,196,437.50	2.32	6,823.37	1,196,759.86	1,233,234.00
US TREASURY N/B NOTES DTD 01/31/2017 2.250% 01/31/2024	912828V80	2,000,000.00	AA+	Aaa	5/8/2019	5/9/2019	1,996,171.88	2.29	7,581.52	1,996,507.96	2,056,718.00
US TREASURY N/B NOTES DTD 02/28/2017 2.125% 02/29/2024	912828W48	1,050,000.00	AA+	Aaa	4/29/2019	5/1/2019	1,040,689.45	2.32	1,900.24	1,041,466.11	1,074,937.50
US TREASURY N/B NOTES DTD 05/01/2017 2.000% 04/30/2024	912828X70	1,655,000.00	AA+	Aaa	6/4/2019	6/5/2019	1,660,365.82	1.93	13,851.63	1,660,039.00	1,686,483.07
US TREASURY N/B NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	1,500,000.00	AA+	Aaa	7/1/2019	7/3/2019	1,516,113.28	1.77	7,581.52	1,515,355.32	1,529,121.00
Security Type Sub-Total		18,810,000.00					18,946,645.14	1.95	118,443.85	18,942,722.67	19,205,258.54
Supra-National Agency Bond / Note											
INTL BK RECON & DEVELOP SN NOTE DTD 05/29/2019 2.125% 07/01/2022	459058GU1	880,000.00	AAA	Aaa	5/21/2019	5/29/2019	876,770.40	2.25	4,675.00	877,107.84	891,862.40
INTER-AMERICAN DEVEL BANK DTD 09/14/2017 1.750% 09/14/2022	4581X0CZ9	1,000,000.00	AAA	Aaa	11/3/2017	11/7/2017	983,100.00	2.12	826.39	989,518.52	1,002,952.00
INTER-AMERICAN DEVEL BANK DTD 09/14/2017 1.750% 09/14/2022	4581X0CZ9	1,000,000.00	AAA	Aaa	11/2/2017	11/6/2017	983,000.00	2.12	826.39	989,461.94	1,002,952.00
Security Type Sub-Total		2,880,000.00					2,842,870.40	2.16	6,327.78	2,856,088.30	2,897,766.40
Municipal Bond / Note											

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Municipal Bond / Note											
SAN FRAN COMM FAC DIST, CA TXBL REV BNDS DTD 11/09/2017 2.500% 09/01/2022	79772EAE9	380,000.00	NR	NR	10/27/2017	11/9/2017	377,362.80	2.66	791.67	378,357.20	385,399.80
SAN FRAN COMM FAC DIST, CA TXBL REV BNDS DTD 11/09/2017 2.500% 09/01/2022	79772EAX7	350,000.00	NR	NR	10/27/2017	11/9/2017	348,355.00	2.61	729.17	348,974.46	354,973.50
TAMALPAIS UHSD, CA TXBL GO BONDS DTD 10/09/2019 1.971% 08/01/2023	874857KJ3	615,000.00	NR	Aaa	9/20/2019	10/9/2019	615,000.00	1.97	0.00	615,000.00	617,238.60
SAN DIEGO CCD, CA TXBL GO BONDS DTD 10/16/2019 2.046% 08/01/2024	797272QP9	245,000.00	AAA	Aaa	9/18/2019	10/16/2019	245,000.00	2.05	0.00	245,000.00	247,231.95
Security Type Sub-Total		1,590,000.00					1,585,717.80	2.29	1,520.84	1,587,331.66	1,604,843.85
Federal Agency Collateralized Mortgage Obligation											
FHLMC MULTIFAMILY STRUCTURED P DTD 05/01/2015 2.791% 01/25/2022	3137BHXY8	845,000.00	AA+	Aaa	5/16/2019	5/21/2019	850,281.25	2.20	1,965.33	849,529.84	857,268.98
FANNIEMAE-ACES DTD 05/01/2013 2.280% 12/25/2022	3136AEGQ4	388,365.44	AA+	Aaa	9/4/2019	9/9/2019	393,453.42	1.42	737.89	393,388.18	392,025.20
Security Type Sub-Total		1,233,365.44					1,243,734.67	1.96	2,703.22	1,242,918.02	1,249,294.18
Federal Agency Bond / Note											
FFCB NOTES (CALLED OMD 10/17/2022) DTD 10/17/2017 2.280% 10/09/2019	3133EHF73	1,000,000.00	AA+	Aaa	10/25/2017	10/26/2017	997,390.00	2.34	10,386.67	998,369.26	1,000,007.00
FREDDIE MAC NOTES DTD 08/21/2012 1.550% 08/21/2020	3134G3D64	320,000.00	AA+	Aaa	5/25/2016	5/26/2016	322,228.48	1.38	551.11	320,478.74	319,157.12
FEDERAL HOME LOAN BANKS BONDS DTD 05/26/2017 1.610% 08/26/2020	3130ABD94	1,100,000.00	AA+	Aaa	9/21/2017	9/25/2017	1,098,306.00	1.66	6,149.31	1,099,476.52	1,096,387.60

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note											
FEDERAL FARM CREDIT BANKS NOTES DTD 08/30/2005 4.810% 09/01/2020	31331S4M2	310,000.00	AA+	Aaa	6/30/2016	6/30/2016	357,011.50	1.08	1,242.58	320,516.34	318,426.73
FHLB NOTES DTD 09/01/2005 4.625% 09/11/2020	3133XD4P3	2,350,000.00	AA+	Aaa	5/24/2016	5/25/2016	2,663,701.50	1.41	6,038.19	2,420,620.30	2,413,045.80
FEDERAL FARM CREDIT BANKS NOTES DTD 10/28/2015 1.460% 10/28/2020	3133EFLZ8	1,000,000.00	AA+	Aaa	10/21/2015	10/28/2015	1,000,000.00	1.46	6,205.00	1,000,000.00	995,822.00
FNMA BENCHMARK NOTE DTD 10/19/2015 1.500% 11/30/2020	3135G0F73	500,000.00	AA+	Aaa	4/25/2017	4/26/2017	497,194.50	1.66	2,520.83	499,074.39	498,232.00
FREDDIE MAC (EX-CALLABLE) NOTES DTD 01/29/2013 1.650% 01/29/2021	3134G34D9	2,410,000.00	AA+	Aaa	7/11/2016	7/13/2016	2,466,109.62	1.12	6,848.42	2,426,687.59	2,405,866.85
FHLB NOTES DTD 02/18/2016 1.375% 02/18/2021	3130A7CV5	2,000,000.00	AA+	Aaa	6/23/2016	6/24/2016	2,008,540.00	1.28	3,284.72	2,002,590.82	1,989,538.00
FHLB NOTES DTD 03/15/2013 1.750% 03/12/2021	313382K69	1,000,000.00	AA+	Aaa	4/26/2016	4/27/2016	1,011,700.00	1.50	923.61	1,003,564.17	999,931.00
FNMA BENCHMARK NOTE DTD 05/16/2016 1.250% 05/06/2021	3135G0K69	1,000,000.00	AA+	Aaa	5/18/2016	5/19/2016	987,848.00	1.51	5,034.72	995,991.21	992,404.00
FHLB NOTES DTD 06/05/2012 1.875% 06/11/2021	313379RB7	2,000,000.00	AA+	Aaa	6/23/2016	6/24/2016	2,050,240.00	1.35	11,458.33	2,017,525.54	2,004,448.00
FHLMC REFERNCE NOTE DTD 08/12/2016 1.125% 08/12/2021	3137EAEC9	2,165,000.00	AA+	Aaa	8/16/2016	8/17/2016	2,145,311.49	1.31	3,315.16	2,157,490.94	2,142,607.41
FREDDIE MAC (EX-CALLABLE) NOTES DTD 08/17/2016 1.875% 08/17/2021	3134G92Y2	2,000,000.00	AA+	Aaa	5/8/2017	5/9/2017	1,997,934.00	1.90	4,583.33	1,999,081.42	2,005,314.00
FNMA NOTES DTD 08/19/2016 1.250% 08/17/2021	3135G0N82	1,710,000.00	AA+	Aaa	10/7/2016	10/11/2016	1,696,414.05	1.42	2,612.50	1,704,632.86	1,697,197.23
FEDERAL FARM CREDIT BANKS NOTES DTD 09/20/2017 1.660% 09/20/2021	3133EHZA4	2,000,000.00	AA+	Aaa	10/5/2017	10/11/2017	1,986,364.00	1.84	1,014.44	1,993,068.20	1,996,308.00

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note											
FEDERAL FARM CREDIT BANKS NOTES DTD 10/14/2016 1.400% 10/14/2021	3133EGYQ2	2,000,000.00	AA+	Aaa	10/26/2016	10/27/2016	1,994,260.00	1.46	12,988.89	1,997,596.86	1,986,114.00
FHLB NOTES DTD 11/30/2016 1.875% 11/29/2021	3130AABG2	2,000,000.00	AA+	Aaa	12/14/2016	12/16/2016	1,978,920.00	2.10	12,708.33	1,990,538.88	2,008,142.00
FREDDIE MAC GLOBAL NOTES DTD 01/13/2012 2.375% 01/13/2022	3137EADB2	240,000.00	AA+	Aaa	8/27/2019	8/30/2019	244,548.00	1.56	1,235.00	244,385.69	243,695.52
FHLB NOTES DTD 02/17/2012 2.250% 03/11/2022	313378CR0	2,000,000.00	AA+	Aaa	5/8/2017	5/9/2017	2,022,926.00	2.00	2,500.00	2,011,868.76	2,028,636.00
FANNIE MAE (EX-CALLABLE) NOTES DTD 11/26/2012 2.000% 08/26/2022	3136G05L1	2,000,000.00	AA+	Aaa	9/27/2017	9/28/2017	2,003,700.00	1.96	3,888.89	2,002,237.94	2,015,724.00
FANNIE MAE AGENCY NOTES DTD 10/06/2017 2.000% 10/05/2022	3135G0T78	2,000,000.00	AA+	Aaa	10/5/2017	10/11/2017	1,999,980.00	2.00	19,555.56	1,999,989.00	2,020,314.00
FANNIE MAE (CALLABLE) NOTES DTD 10/27/2017 2.250% 10/27/2022	3136G4PV9	2,000,000.00	AA+	Aaa	11/28/2017	11/29/2017	1,995,000.00	2.30	19,250.00	1,996,818.98	2,000,684.00
Security Type Sub-Total		35,105,000.00					35,525,627.14	1.66	144,295.59	35,202,604.41	35,178,002.26
Corporate Note											
BOEING CO DTD 07/31/2019 2.300% 08/01/2021	097023CL7	270,000.00	A	A2	7/29/2019	7/31/2019	269,989.20	2.30	1,052.25	269,990.12	271,173.96
CITIGROUP INC CORP (CALLABLE) NOTES DTD 04/25/2017 2.750% 04/25/2022	172967LG4	800,000.00	BBB+	A3	9/21/2017	9/25/2017	803,432.00	2.65	9,533.33	801,953.86	811,908.00
GOLDMAN SACHS GROUP INC (CALLABLE) NOTE DTD 01/26/2017 3.000% 04/26/2022	38141GWC4	800,000.00	BBB+	A3	9/18/2017	9/20/2017	810,848.00	2.68	10,333.33	804,858.03	808,696.00
AMERICAN HONDA FINANCE DTD 06/27/2019 2.200% 06/27/2022	02665WCY5	845,000.00	A	A2	6/24/2019	6/27/2019	844,222.60	2.23	4,854.06	844,288.40	848,118.05
APPLE INC CORP (CALLABLE) NOTES DTD 09/12/2017 2.100% 09/12/2022	037833DC1	950,000.00	AA+	Aa1	11/15/2017	11/16/2017	933,802.50	2.48	1,052.92	939,882.84	956,720.30

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
VISA INC (CALLABLE) NOTE DTD 09/11/2017 2.150% 09/15/2022	92826CAG7	1,510,000.00	AA-	Aa3	5/14/2019	5/16/2019	1,490,807.90	2.55	1,442.89	1,492,910.74	1,525,463.91
JPMORGAN CHASE & CO CORP NOTES DTD 09/24/2012 3.250% 09/23/2022	46625HJE1	600,000.00	A-	A2	11/29/2017	12/1/2017	614,778.00	2.70	433.33	609,379.61	620,160.00
ORACLE CORP NOTES DTD 10/25/2012 2.500% 10/15/2022	68389XAP0	250,000.00	A+	A1	11/15/2017	11/16/2017	249,387.50	2.55	2,881.94	249,614.07	253,718.50
TOYOTA MOTOR CREDIT CORP DTD 01/11/2018 2.700% 01/11/2023	89236TEL5	1,090,000.00	AA-	Aa3	4/29/2019	5/1/2019	1,089,705.70	2.71	6,540.00	1,089,758.49	1,116,512.07
AMAZON.COM INC BONDS DTD 06/06/2018 2.400% 02/22/2023	023135AW6	880,000.00	AA-	A3	5/14/2019	5/16/2019	873,523.20	2.61	2,288.00	874,156.37	894,434.64
BOEING CO CORP NOTES DTD 02/23/2018 2.800% 03/01/2023	097023BW4	250,000.00	A	A2	8/8/2019	8/12/2019	254,725.00	2.24	583.33	254,552.08	255,562.00
JOHN DEERE CAPITAL CORP DTD 03/04/2016 2.800% 03/06/2023	24422ETG4	835,000.00	A	A2	5/16/2019	5/20/2019	838,724.10	2.68	1,623.61	838,399.71	858,724.86
BANK OF NY MELLON CORP DTD 04/30/2018 3.500% 04/28/2023	06406RAG2	1,410,000.00	A	A1	4/24/2019	4/26/2019	1,445,376.90	2.83	20,973.75	1,441,760.56	1,477,083.57
AMERICAN EXPRESS CREDIT CORP NOTES DTD 08/03/2018 3.700% 08/03/2023	025816BW8	800,000.00	BBB+	A3	4/23/2019	4/26/2019	821,480.00	3.02	4,768.89	819,457.52	842,851.20
CATERPILLAR FINANCIAL SERVICES CORP NOTE DTD 11/26/2013 3.750% 11/24/2023	14912L5X5	790,000.00	A	A3	5/8/2019	5/10/2019	823,243.20	2.76	10,451.04	820,536.43	842,652.71
ABBOTT LABORATORIES CORP NOTES DTD 11/22/2016 3.400% 11/30/2023	002824BE9	825,000.00	BBB+	A3	5/10/2019	5/14/2019	846,441.75	2.79	9,427.92	844,683.88	865,226.18
BB&T CORPORATION DTD 12/06/2018 3.750% 12/06/2023	05531FBF9	800,000.00	A-	A2	4/23/2019	4/25/2019	824,928.00	3.02	9,583.33	822,744.39	846,510.40
BANK OF AMERICA CORP NOTE DTD 01/21/2014 4.125% 01/22/2024	06051GFB0	1,395,000.00	A-	A2	4/23/2019	4/25/2019	1,456,477.65	3.12	11,029.22	1,451,265.76	1,501,423.16

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
CHARLES SCHWAB CORP NOTES DTD 10/31/2018 3.550% 02/01/2024	808513AY1	815,000.00	A	A2	4/25/2019	4/29/2019	843,321.25	2.76	4,822.08	840,972.05	861,593.55
BLACKROCK INC CORP NOTES DTD 03/18/2014 3.500% 03/18/2024	09247XAL5	1,420,000.00	AA-	Aa3	4/22/2019	4/24/2019	1,464,588.00	2.81	1,794.72	1,460,885.35	1,516,305.82
MORGAN STANLEY CORP NOTES DTD 04/28/2014 3.875% 04/29/2024	61746BDQ6	745,000.00	BBB+	A3	7/19/2019	7/23/2019	788,604.85	2.56	12,189.03	786,989.45	792,553.35
US BANCORP DTD 07/29/2019 2.400% 07/30/2024	91159HHX1	845,000.00	A+	A1	7/30/2019	8/1/2019	844,247.95	2.42	3,492.67	844,272.00	855,865.01
WALT DISNEY COMPANY/THE DTD 09/06/2019 1.750% 08/30/2024	254687FK7	845,000.00	A	A2	9/3/2019	9/6/2019	841,552.40	1.84	1,026.91	841,598.35	836,673.37
Security Type Sub-Total		19,770,000.00					20,074,207.65	2.67	132,178.55	20,044,910.06	20,459,930.61
Certificate of Deposit - FDIC Insured											
FIRST BUSINESS BANK CD DTD 10/30/2015 1.500% 10/30/2019	31938QP65	248,000.00	NR	NR	10/21/2015	10/30/2015	248,000.00	1.46	1,569.53	248,000.00	247,914.94
WEX BK MIDVALE UTAH CD DTD 06/02/2017 1.800% 06/02/2020	92937CFS2	245,000.00	NR	NR	5/25/2017	6/2/2017	245,000.00	1.76	1,461.95	245,000.00	244,977.71
MERCANTILE BK MICH GRAND RAPIDS CD DTD 06/07/2017 1.800% 06/08/2020	58740XZJ2	245,000.00	NR	NR	5/25/2017	6/7/2017	245,000.00	1.76	1,389.45	245,000.00	244,981.38
ALLY BANK CD DTD 06/22/2017 1.900% 06/22/2020	02006L3N1	245,000.00	NR	NR	6/13/2017	6/22/2017	245,000.00	1.86	1,288.10	245,000.00	245,167.34
SYNCHRONY BANK CD DTD 07/17/2015 2.250% 07/17/2020	87165HKM1	247,000.00	NR	NR	7/17/2015	7/17/2015	247,000.00	2.15	1,157.18	247,000.00	247,855.86
COMENITY CAPITAL BANK LT CD DTD 09/29/2015 2.000% 10/13/2020	20033AND4	249,000.00	NR	NR	10/13/2015	10/13/2015	249,000.00	1.73	245.59	249,000.00	250,150.88
FIRST BANK OF RICHMOND CD DTD 10/18/2017 1.900% 10/19/2020	319267GK0	245,000.00	NR	NR	10/4/2017	10/18/2017	245,000.00	1.86	2,104.32	245,000.00	245,253.33
UNITY BANK CD DTD 10/30/2015 1.650% 10/30/2020	91330ABC0	249,000.00	NR	NR	10/21/2015	10/30/2015	249,000.00	1.59	11.26	249,000.00	250,208.40

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Certificate of Deposit - FDIC Insured											
MEDALLION BANK UTAH CD DTD 06/28/2017 2.050% 06/28/2021	58403B6Y7	245,000.00	NR	NR	6/16/2017	6/28/2017	245,000.00	1.98	41.28	245,000.00	246,051.05
CAPITAL ONE BANK USA NA CD DTD 06/01/2017 2.400% 06/01/2022	1404203C2	245,000.00	NR	NR	5/25/2017	6/1/2017	245,000.00	2.28	1,965.37	245,000.00	248,763.69
GOLDMAN SACHS GROUP INC CD DTD 06/21/2017 2.350% 06/21/2022	38148PKX4	245,000.00	NR	NR	6/13/2017	6/21/2017	245,000.00	2.23	1,608.95	245,000.00	248,511.10
BENEFICIAL BANK CD DTD 10/18/2017 2.150% 10/18/2022	08173QBX3	245,000.00	NR	NR	9/27/2017	10/18/2017	245,000.00	2.05	2,395.63	245,000.00	247,431.63
FOCUS BANK CD DTD 11/24/2017 2.200% 11/24/2022	34415LAP6	245,000.00	NR	NR	11/14/2017	11/24/2017	245,000.00	2.10	1,919.73	245,000.00	247,854.50
Security Type Sub-Total		3,198,000.00					3,198,000.00	1.91	17,158.34	3,198,000.00	3,215,121.81
Certificate of Deposit											
NORDEA BANK ABP NEW YORK CERT DEPOS DTD 08/29/2019 1.850% 08/26/2022	65558TLL7	1,000,000.00	AA-	Aa3	8/27/2019	8/29/2019	1,000,000.00	1.87	1,695.83	1,000,000.00	1,001,101.00
SKANDINAV ENSKILDA BANK LT CD DTD 09/03/2019 1.860% 08/26/2022	83050PDR7	1,000,000.00	A+	Aa2	8/29/2019	9/3/2019	1,000,000.00	1.88	1,446.67	1,000,000.00	1,001,387.00
Security Type Sub-Total		2,000,000.00					2,000,000.00	1.88	3,142.50	2,000,000.00	2,002,488.00
Managed Account Sub Total		84,586,365.44					85,416,802.80	2.01	425,770.67	85,074,575.12	85,812,705.65
Securities Sub-Total		\$84,586,365.44					\$85,416,802.80	2.01%	\$425,770.67	\$85,074,575.12	\$85,812,705.65
Accrued Interest											\$425,770.67
Total Investments											\$86,238,476.32

Bolded items are forward settling trades.

Appendix

IMPORTANT DISCLOSURES

This material is based on information obtained from sources generally believed to be reliable and available to the public; however, PFM Asset Management LLC cannot guarantee its accuracy, completeness or suitability. This material is for general information purposes only and is not intended to provide specific advice or a specific recommendation. All statements as to what will or may happen under certain circumstances are based on assumptions, some, but not all of which, are noted in the presentation. Assumptions may or may not be proven correct as actual events occur, and results may depend on events outside of your or our control. Changes in assumptions may have a material effect on results. Past performance does not necessarily reflect and is not a guaranty of future results. The information contained in this presentation is not an offer to purchase or sell any securities.

- Market values that include accrued interest are derived from closing bid prices as of the last business day of the month as supplied by Interactive Data, Bloomberg, or Telerate. Where prices are not available from generally recognized sources, the securities are priced using a yield based matrix system to arrive at an estimated market value.
- In accordance with generally accepted accounting principles, information is presented on a trade date basis; forward settling purchases are included in the monthly balances, and forward settling sales are excluded.
- Performance is presented in accordance with the CFA Institute's Global Investment Performance Standards (GIPS). Unless otherwise noted, performance is shown gross of fees. Quarterly returns are presented on an unannualized basis. Returns for periods greater than one year are presented on an annualized basis. Past performance is not indicative of future returns.
- Bank of America/Merrill Lynch Indices provided by Bloomberg Financial Markets.
- Money market fund/cash balances are included in performance and duration computations.
- Standard & Poor's is the source of the credit ratings. Distribution of credit rating is exclusive of money market fund/LGIP holdings.
- Callable securities in the portfolio are included in the maturity distribution analysis to their stated maturity date, although, they may be called prior to maturity.
- MBS maturities are represented by expected average life.

GLOSSARY

- **ACCRUED INTEREST:** Interest that is due on a bond or other fixed income security since the last interest payment was made.
- **AGENCIES:** Federal agency securities and/or Government-sponsored enterprises.
- **AMORTIZED COST:** The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short-term securities (those with less than one year to maturity at time of issuance) is amortized on a straight line basis. Such discount or premium with respect to longer-term securities is amortized using the constant yield basis.
- **BANKERS' ACCEPTANCE:** A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill as well as the insurer.
- **COMMERCIAL PAPER:** An unsecured obligation issued by a corporation or bank to finance its short-term credit needs, such as accounts receivable and inventory.
- **CONTRIBUTION TO DURATION:** Represents each sector or maturity range's relative contribution to the overall duration of the portfolio measured as a percentage weighting. Since duration is a key measure of interest rate sensitivity, the contribution to duration measures the relative amount or contribution of that sector or maturity range to the total rate sensitivity of the portfolio.
- **DURATION TO WORST:** A measure of the sensitivity of a security's price to a change in interest rates, stated in years, computed from cash flows to the maturity date or to the put date, whichever results in the highest yield to the investor.
- **EFFECTIVE DURATION:** A measure of the sensitivity of a security's price to a change in interest rates, stated in years.
- **EFFECTIVE YIELD:** The total yield an investor receives in relation to the nominal yield or coupon of a bond. Effective yield takes into account the power of compounding on investment returns, while nominal yield does not.
- **FDIC:** Federal Deposit Insurance Corporation. A federal agency that insures bank deposits to a specified amount.
- **INTEREST RATE:** Interest per year divided by principal amount and expressed as a percentage.
- **MARKET VALUE:** The value that would be received or paid for an investment in an orderly transaction between market participants at the measurement date.
- **MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.
- **NEGOTIABLE CERTIFICATES OF DEPOSIT:** A CD with a very large denomination, usually \$1 million or more, that can be traded in secondary markets.
- **PAR VALUE:** The nominal dollar face amount of a security.

GLOSSARY

- **PASS THROUGH SECURITY:** A security representing pooled debt obligations that passes income from debtors to its shareholders. The most common type is the mortgage-backed security.
- **REPURCHASE AGREEMENTS:** A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date.
- **SETTLE DATE:** The date on which the transaction is settled and monies/securities are exchanged. If the settle date of the transaction (i.e., coupon payments and maturity proceeds) occurs on a non-business day, the funds are exchanged on the next business day.
- **TRADE DATE:** The date on which the transaction occurred; however, the final consummation of the security transaction and payment has not yet taken place.
- **UNSETTLED TRADE:** A trade which has been executed; however, the final consummation of the security transaction and payment has not yet taken place.
- **U.S. TREASURY:** The department of the U.S. government that issues Treasury securities.
- **YIELD:** The rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.
- **YTM AT COST:** The yield to maturity at cost is the expected rate of return based on the original cost, the annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.
- **YTM AT MARKET:** The yield to maturity at market is the rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.

CITY COUNCIL STAFF REPORT

Consent Item No. 5

November 6, 2019

File No. 0680-50

SUBJECT: Set Hearing to Adopt the 2019 California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Historical, and Fire Codes, Existing and Green Building Standards, and Local Amendments

DEPARTMENT: Community Development Department (Building Division) and Fire Department

RECOMMENDATION:

It is requested that the City Council schedule a public hearing on November 20, 2019, to introduce Ordinances No. 2019-17 and 2019-18, amending the City of Escondido Municipal Code (EMC) to reflect the 2019 California Building, Residential, Plumbing, Electrical, Mechanical, Energy, Historical, and Fire Codes, Existing and Green Building Standards, and proposed local amendments.

FISCAL ANALYSIS:

The adoption of updated state codes is not anticipated to impact the General Fund.

PREVIOUS ACTION:

On December 4, 2013, the City Council approved Ordinance Nos. 2013-11 and 2013-13, amending the City of Escondido Municipal Code to reflect the 2013 California Building, Residential, Plumbing, Electrical, Mechanical, and Fire Codes, and Green Building Standards Codes and proposed local amendments.

On November 16, 2016, the City Council approved Ordinance Nos. 2016-09 and 2016-17 amending the Municipal Code to reflect the 2016 California Building, Residential, Plumbing, Electrical, Mechanical, Energy, Historical, and Fire Codes, Green Building Standards, and proposed local amendments.

BACKGROUND:

Every three years the State of California Building Standards Commission adopts model codes as the basis for the California Building Standards Code (CBSC). The adopted codes, California Code of Regulations (CCR), Title 24, provide a common set of rules and regulations throughout the state. The CBSC is a compilation of three types of building criteria from three different origins:

- Building standards that have been adopted by state agencies without change from building standards contained in national model codes;
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and

- Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

The State recently modified and adopted, effective on January 1, 2020, the following:

- 2019 California Building Code (based on the 2018 International Building Code)
- 2019 California Residential Code (based on the 2018 International Residential Code)
- 2019 California Plumbing Code (based on the 2018 Uniform Plumbing Code)
- 2019 California Electrical Code (based on the 2017 National Electrical Code)
- 2019 California Mechanical Code (based on the 2018 Uniform Mechanical Code)
- 2019 California Green Building Standards Code
- 2019 California Energy Code
- 2019 California Historical Building Code
- 2019 California Fire Code (based on the 2018 International Fire Code)
- 2019 California Existing Building Code (base on the 2018 International Existing Building Code)
- 2019 California Referenced Standards Code

DISCUSSION:

The changes to the uniform codes are minimal and should impose no substantial changes on the City of Escondido residents. Adoption of the codes will allow the Building and Fire Departments to enforce the most recent state standards.

In 2016, the City of Escondido adopted the California Fire Code (CFC) with local amendments. There are several notable changes to the 2019 CFC from the 2016 CFC, which could impact Escondido businesses.

Notable changes to the CFC for operational permits:

Additional annual operational permits are now required by the state for commercial businesses that meet the following requirements. These permits will be issued during the annual inspections of the businesses.

- High piled storage (previously called “high piled combustible storage”). A permit will be required for any high piled storage over 500 square feet.
- Mobile food vehicles (food trucks). A permit and annual inspection will be required for mobile food vehicles operating in the City.
- Plant extraction systems. This new chapter in the CFC that requires a permit for plant extraction operations is for commercial/lab settings only.

- Outdoor assembly events with over 1,000 persons. This operational permit and inspection will take place at the time of the event.

Notable change to the CFC for construction permits:

- Fire watch is required for construction sites, during nonworking hours, for buildings over 40 feet in height. Fire watch must be conducted by trained and approved personnel.

Notable changes to the CFC for commercial businesses:

- Carbon Dioxide (CO₂) commonly used in beverage dispensing such as soda, beer, carbonated drink service requires a local CO₂ detection system / alarm per the 2016 CFC. However, in 2020 for new businesses in new or existing buildings, CO₂ detection alarms will be required to be tied into the existing fire alarm system, if a fire alarm system is required.
- Fire sprinklers will be required in *existing* A2 occupancies in buildings that have an occupancy load of 300 or more and serve alcoholic beverages. (A2 is defined as an assembly used for food and/or drink consumption including; banquet halls, casinos, night clubs, restaurants/ dining, taverns and bars)

Amendments to Escondido Municipal Code – Chapter 11 Fire Prevention and Protection:

- EMC Section 11-15: Includes the adoption of 2019 CFC appendix D Sections D102 and D103.6-D103.6.2 along with previously adopted appendices. Provides clarification about weight capacity and markings/signage for fire access roads.
- EMC Section 11-16: Language cleanup renumbering the entire section on Mid-Rise Buildings from section 320 to 321.
- EMC Section 11-16: Repeals the previously adopted Chapter 80, NFPA 13D Section 7.6 Alarms that required an exterior bell for sprinkler systems on single-family homes. NFPA also repealed this section and eliminating the exterior bell will result in significant cost savings.

Notable changes to the 2019 California Building Code:

- The method of calculating occupant load in business areas has been revised to generally reduce occupant loads within specified areas.

Notable changes to the 2019 California Green Building Standards Code:

- Requires replacement of non-compliant plumbing fixtures in residential buildings prior to issuance of a Certificate of Occupancy.
- Sets minimum standards for the use of shade trees in parking and landscape areas.

Notable changes to the 2019 Energy Code:

- Solar photovoltaic systems required for new single-family dwelling and apartment buildings of three stories or less.
- Solar panels and modules may not be placed on the portion of a roof that is below an emergency escape and rescue opening. A pathway of 36 inches shall be provided.

Amendments to Escondido Municipal Code Chapter 6– Building and Building Regulations

- Changes are proposed to EMC Section 6-13 (Permits) to eliminate duplicative language already in the Building Code and to provide clarification for work that is exempted from permit requirements. Attachment 1 is a strike-out version of the proposed changes to this section.
- EMC Section 6-39 (Standard specifications for public works) is revised to update the Green Book to the 2018 edition.

The remaining changes are administrative.

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

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
10/31/19 11:25 a.m.

Rick Vogt, Fire Chief
10/31/19 12:25 p.m.

ATTACHMENTS:

1. Attachment “1” – Strikeout
2. Ordinance No. 2019-17
3. Ordinance No. 2019-18

ESCONDIDO MUNICIPAL CODE CHAPTER 6, SECTION 6-13 STRIKE-OUT



Sec. 6-13. Permits.

Sec. 6-13.1. Permits Required. Except as specified in Section 6-13.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

Sec. 6-13.2. Work Exempt from Permit. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

Sec. 6-13.3. Building Permit Exemptions. In addition to the list provided in the California Building Code section 105.2, a building permit shall not be required for the following:

~~Sec. 6-13.3.1. One-story detached accessory buildings, associated with a Group R-3 Occupancy, used as tool and storage sheds, playhouses, gazebos and similar uses, provided the floor area does not exceed one hundred twenty (120) square feet (11.15 m²).~~

~~Sec. 6-13.3.2. Fences not over six (6) feet (1,829 mm) high.~~

~~Sec. 6-13.3.3. Oil derricks.~~

~~Sec. 6-13.3.4. Nonfixed and movable, fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches (1,753 mm) in height.~~

~~Sec. 6-13.3.5. Retaining walls which are not over four (4) feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.~~

~~Sec. 6-13.3.6. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.~~

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

~~Sec. 6-13.3.8. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.~~

~~— Sec. 6-13.3.9. Temporary motion picture, television and theater stage sets and scenery.~~

~~— Sec. 6-13.3.10. Window awnings supported by an exterior wall that do not project more than fifty-four (54) inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3, and Group U Occupancies.~~

~~— Sec. 6-13.3.11. Prefabricated swimming pools accessory to a Group R-3 Occupancy that are less than twenty-four (24) inches (610 mm) deep, do not exceed five thousand (5,000) gallons (18,925 L) and are installed entirely above ground.~~

Sec. 6-13.3.12. Except for buildings on the historic register or in the Old Escondido Neighborhood, the installation of replacement windows in existing window openings associated with a residential dwelling unit with no modifications to the existing rough opening or to the exterior weather proofing. This does not exempt the installation from retaining code compliance for bedroom egress.

Sec. 6-13.3.13. Ground supported, non-internally illuminated signs, not over six (6) feet in height. This does not exempt these signs from planning division permits or from compliance with the Zoning Code.

~~— Sec. 6-93.3.14. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

~~— Sec. 6-13.3.15. Swings and other playground equipment accessory to detached one- and two-family dwellings.~~

~~— Unless otherwise exempted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.~~

~~— Sec. 6-13.4. Plumbing Permits. A plumbing permit shall not be required for the following:~~

~~— Sec. 6-13.4.1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drain pipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.~~

~~— Sec. 6-13.4.2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.~~

~~— Sec. 6-13.5. Electrical Permits. An electrical permit shall not be required for the following:~~

~~Sec. 6-13.5.13.4.~~ Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

~~Sec. 6-13.5.23.5.~~ Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

~~— Sec. 6-13.5.3. Temporary decorative lighting.~~

~~Sec. 6-13.5.43.6.~~ Repair or replacement of current-carrying parts of any switch, contactor or control device.

~~Sec. 6-13.3.7.5.5.~~ Reinstallation of attachment plug receptacles, but not the outlets ~~therefore.~~

~~Sec. 6-13.5.63.8.~~ Repair or replacement of any overcurrent device of the required capacity.

~~Sec. 6-13.5.7.3.9.~~ Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

~~— Sec. 6-13.5.8. Taping Joints.~~

~~-~~

~~— Sec. 6-13.5.9. Removal of electrical wiring.~~

~~-~~

~~— Sec. 6-13.5.10. Temporary wiring for experimental purposes in suitable experimental laboratories.~~

~~— Sec. 6-13.5.11. The wiring for temporary theater, motion picture or television stage sets.~~

~~— Sec. 6-13.5.12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty-five (25) volts and not capable of supplying more than fifty (50) watts of energy.~~

~~-~~

~~— Sec. 6-13.5.13. Low energy power, control and signal circuits of Class II and Class III as defined in the Electrical Code.~~

~~— Sec. 6-13.5.14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.~~

~~Sec. 6-13.5.153.10.~~ Communication circuits per Chapter 8 of the Electrical Code.

~~— **Sec. 6-13.6. Mechanical Permits.** A mechanical permit shall not be required for the following:~~

~~-~~

~~— **Sec. 6-13.6.1.** A portable heating appliance.~~

~~-~~

~~— **Sec. 6-13.6.2.** Portable ventilating equipment.~~

~~— **Sec. 6-13.6.3.** A portable cooling unit.~~

~~-~~

~~— **Sec. 6-13.6.4.** A portable evaporative cooler.~~

~~-~~

~~— **Sec. 6-13.6.5.** A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by the Mechanical Code.~~

~~-~~

~~— **Sec. 6-13.6.6.** Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.~~

~~-~~

~~— **Sec. 6-13.6.7.** Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.~~

~~-~~

~~— **Sec. 6-13.6.8.** A unit refrigerating system as defined in the Mechanical Code.~~

ORDINANCE NO. 2019-17

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTER 11 OF THE ESCONDIDO
MUNICIPAL CODE TO ADOPT THE 2019
CALIFORNIA FIRE CODE AND LOCAL
AMENDMENTS

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

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

WHEREAS, every three years the California Building Standards Commission updates and adopts uniform codes for application throughout the state; and

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

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

SECTION 1. That Escondido Municipal Code Chapter 11, Article 2, Division 1, Section 11-15(a) is repealed and replaced as follows:

- (a) The 2019 California Fire Code, California Code of Regulations, Title 24, Part 9, including Appendix Chapters 4, B, and D (Sections D102, D103.6, D103.6.1, D103.6.2 only), C, I, and N, as published by the International Code Council is adopted by the City of Escondido.

SECTION 2. That Escondido Municipal Code Section Chapter 11, Article 2, Division 1, Section 11-16 is amended by replacing the number “320” with the number “321” in the subsections beginning with Mid-rise buildings (320) through Locking of Stairway doors (320.1.9.4).

SECTION 3. That Escondido Municipal Code Section Chapter 11, Article 2, Division 1, Section 11-16 is amended by repealing Chapter 80. Referenced Standards, to include subsection 7.6 Alarms.

SECTION 4. That the adoption of the technical codes or amendments to the Escondido Municipal Code do not affect the following matters:

- a. Actions or proceedings that begin before the effective date of this ordinance;
- b. Prosecution for ordinance violations committed before the effective date of this ordinance;
- c. Licenses and penalties due and unpaid at the effective date of this ordinance and collection of these licenses and penalties;
- d. Bonds and cash deposits required to be posted, filed, deposited pursuant to any ordinance; and

- e. Matters of record referring to or connected with an ordinance the substance of that is included in the Municipal Code. These provisions shall be construed to apply to the corresponding provisions of the Municipal Code.

SECTION 6. General Penalty. Violations of the California Fire Code adopted in this ordinance are subject to all penalty provisions found in Escondido Municipal Code Chapter 1.

SECTION 7. Not less than one copy of the California Fire Code adopted in this ordinance shall be maintained by the Fire Chief and shall be made available to the public upon request.

SECTION 8. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

ORDINANCE NO. 2019-18

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTER 6 OF THE ESCONDIDO
MUNICIPAL CODE, TO ADOPT THE 2019
CALIFORNIA BUILDING, RESIDENTIAL,
PLUMBING, ELECTRICAL, MECHANICAL, AND
GREEN BUILDING STANDARDS CODES AND
LOCAL AMENDMENTS

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

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

WHEREAS, every three years the California Building Standards Commission updates and adopts uniform codes for application throughout the state; and

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

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

SECTION 1. That Escondido Municipal Code Chapter 6, Article 1, Section 6-1.2, (a) through (i) is repealed and replaced as follows

Sec. 6-1.2. Codes Adopted. The following technical codes, as published by the International Code Council, are adopted by the City of Escondido:

- (a) The 2019 California Building Code, California Code of Regulations, Title 24, Part 2, including Chapter 29, and Appendix Chapters C and I.
- (b) The 2019 California Residential Code, California Code of Regulations, Title 24, Part 2.5, including Appendix Chapter H.
- (c) The 2019 California Electrical Code, California Code of Regulations, Title 24, Part 3.
- (d) The 2019 California Mechanical Code, California Code of Regulations, Title 24, Part 4.
- (e) The 2019 California Plumbing Code, California Code of Regulations, Title 24, Part 5, including Appendix Chapters A, D, and H.
- (f) The 2019 California Energy Code, California Code of Regulations Title 24, Part 6.
- (f) The 2019 California Historical Building Code, California Code of Regulations Title 24, Part 8.
- (g) The 2019 California Existing Building Code, California Code of Regulations, Title 24, Part 10.
- (h) The 2019 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11.
- (i) The 2019 California Referenced Standards Code, California Code of Regulations Title 24, Part 12.

SECTION 2. That Escondido Municipal Code Chapter 6, Article 1, Section 6-13.3 is repealed and replaced as follows:

Sec. 6-13.3. Building Permit Exemptions. In addition to the list provided in the California Building Code section 105.2, a permit shall not be required for the following:

Sec. 6-13.3.1. Decks, porches, sidewalks and driveways not more than thirty (30) inches (762 mm) above adjacent grade, measured vertically to the floor or grade below at any point within thirty-six (36) inches (914 mm) horizontally to the edge of the open side, and not over any basement or story below and are not part of an accessible route.

Sec. 6-13.3.2. Except for buildings on the historic register or in the Old Escondido Neighborhood, the installation of replacement windows in existing window openings associated with a residential dwelling unit with no modifications to the existing rough opening or to the exterior weather proofing. This does not exempt the installation from retaining code compliance for bedroom egress.

Sec. 6-13.3.3. Ground supported, non-internally illuminated signs, not over six (6) feet in height. This does not exempt these signs from planning division permits or from compliance with the Zoning Code.

Sec. 6-13.3.4. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

Sec. 6-13.3.5. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

Sec. 6-13.3.6. Repair or replacement of current-carrying parts of any switch, contactor or control device.

Sec. 6-13.3.7 Reinstallation of attachment plug receptacles, but not the outlets.

Sec. 6-13.3.8. Repair or replacement of any overcurrent device of the required capacity.

Sec. 6-13.3.9. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

Sec. 6-13.3.10. Communication circuits per Chapter 8 of the Electrical Code.

SECTION 3. That Escondido Municipal Code Chapter 6, Article 2, Section 6-39, is amended by replacing all references to the 2015 edition to the Standard Specifications for Public Works Construction (the "Green Book") with the 2018 edition.

SECTION 4. That the adoption of the technical codes or amendments to the Escondido Municipal Code do not affect the following matters:

- a. Actions or proceedings that begin before the effective date of this ordinance;
- b. Prosecution for ordinance violations committed before the effective date of this ordinance;
- c. Licenses and penalties due and unpaid at the effective date of this ordinance and collection of these licenses and penalties;
- d. Bonds and cash deposits required to be posted, filed, deposited pursuant to any ordinance; and
- e. Matters of record referring to or connected with an ordinance the substance of that is included in the Municipal Code. These provisions shall be construed to apply to the corresponding provisions of the Municipal Code.

SECTION 6. General Penalty. Violations of the technical codes adopted in this ordinance are subject to all penalty provisions found in Escondido Municipal Code Chapter 1.

SECTION 7. Not less than one copy of the technical codes adopted in this ordinance shall be maintained by the Building Official and shall be made available to the public upon request.

SECTION 8. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. That the City Clerk is hereby directed to certify to the passage of this ordinance and to cause the same or a summary to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the City of Escondido.

CITY COUNCIL STAFF REPORT

Consent Item No. 6

November 6, 2019

File No. 0690-40

SUBJECT: Summary Vacation of Excess Right of Way on Quail Road

DEPARTMENT: Engineering Services, Real Property Section

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2019-155, authorizing the Summary Vacation of a portion of Right-of-Way (ROW) located at the northwest corner of Jesmond Dene Road and Quail Road in Escondido.

FISCAL ANALYSIS:

The fee of \$1,200.00 for processing the street vacation has been paid to offset the City of Escondido's (City) costs in processing the ROW vacation.

BACKGROUND:

As part of a 1996 Development Agreement between the City and David L. Duncan, a portion of Jesmond Dene Road and Quail Road was granted to the City for public ROW street purposes, totaling 10,998 square feet. The area of the subject property to be vacated was never developed for street purposes. As a result of a detailed engineering design for the intersection, it has been determined that a portion of the ROW is no longer needed by the City. The proposed vacated area is 3,522 square feet. The City Engineer has determined that the area to be vacated is unnecessary and eligible for vacation.

Pursuant to California Street and Highways Code section 8334(a), "An excess right of way of a street or highway that is not required for street or highway purposes may be summarily vacated."

There are no utilities that will be impacted by this action.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
10/30/19 5:47 p.m.

ATTACHMENTS:

1. Resolution No. 2019-155
2. Resolution No. 2019-155 – Exhibit "A"

RESOLUTION NO. 2019-155

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING SUMMARY VACATION OF A
PORTION OF A PUBLIC STREET KNOWN
AS QUAIL ROAD HEREIN SPECIFICALLY
DESCRIBED

WHEREAS, the City of Escondido owns the portion of Quail Road (more particularly described in the legal description and map attached as Exhibit "A" (incorporated by this reference), which is to be vacated through this Resolution, is excess Right-of-Way ("ROW"); and

WHEREAS, the area to be vacated is not required for street or highway purposes; and

WHEREAS, the proposed vacation area is eligible for consideration as a summary vacation pursuant to California Streets and Highways Code section 8334(a) without the requirement of a public hearing.

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 this action is taken pursuant to the California Streets and Highways Code section 8330, et seq.
3. That it is hereby found and determined that the subject land meets the criteria set forth in the California Streets and Highways Code section 8334(a), "An

excess right-of-way of a street or highway not required for street or highway purposes may be summarily vacated.”

4. That the summary vacation of a portion of Quail Road, more particularly described in attached Exhibit “A,” is authorized, approved and hereby declared vacated.

5. That City departments and local utilities have been notified and there are no objections to the proposed vacation.

6. That the City Clerk is hereby directed and authorized to record a certified copy of this Resolution, with the effective date of the vacation of the above-described area to be the date of recordation of the certified copy of this resolution with the office of the County Recorder of San Diego County, and on said date, the subject vacation area shall no longer constitute a street pursuant to the provisions of the California Streets and Highways Code section 8336.

EXHIBIT "A"
CITY OF ESCONDIDO
PUBLIC STREET VACATION

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33 WITH THE WESTERLY RIGHT OF WAY OF THAT CERTAIN COUNTY HIGHWAY, KNOWN AS ROAD SURVEY NO. 1590, (60 FEET WIDE, 30 FOOT HALF-WIDTH) PER PLAT ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF SAN DIEGO COUNTY; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 00°03'32" EAST (RECORD SOUTH 00°16'37" WEST PER CITY OF ESCONDIDO PUBLIC STREET EASEMENT M-20-96, RECORDED APRIL 5, 1996 AS DOCUMENT NO. 1996-0169929 OF OFFICIAL RECORDS.) 164.17 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 00°03'32" EAST 213.72 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°43'06" AN ARC DISTANCE OF 22.57 FEET TO A POINT ON A LINE 12.00 NORTHERLY AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF THAT CERTAIN COUNTY HIGHWAY, KNOWN AS ROAD SURVEY NO. 786, (60 FEET WIDE, 30 FOOT HALF-WIDTH) PER PLAT ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF SAN DIEGO COUNTY; THENCE ALONG SAID PARALLEL LINE NORTH 69°40'22" WEST (RECORD NORTH 69°20'13" WEST PER SAID CITY OF ESCONDIDO DOCUMENT NO. M-20-96) 56.04 FEET TO A POINT OF CUSP FORMED BY THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 20°19'38" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 31.42 FEET TO THE BEGINNING OF A COMPOUND CURVE HAVING A RADIUS OF 580.00 FEET,

EXHIBIT "A"
CITY OF ESCONDIDO
PUBLIC STREET VACATION

CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 69°40'22" EAST; THENCE NORTHEASTERLY ALONG SAID CURE THROUGH A CENTRAL ANGLE OF 20°23'10" AN ARC DISTANCE OF 206.37 FEET TO THE **TRUE POINT OF BEGINNING.**

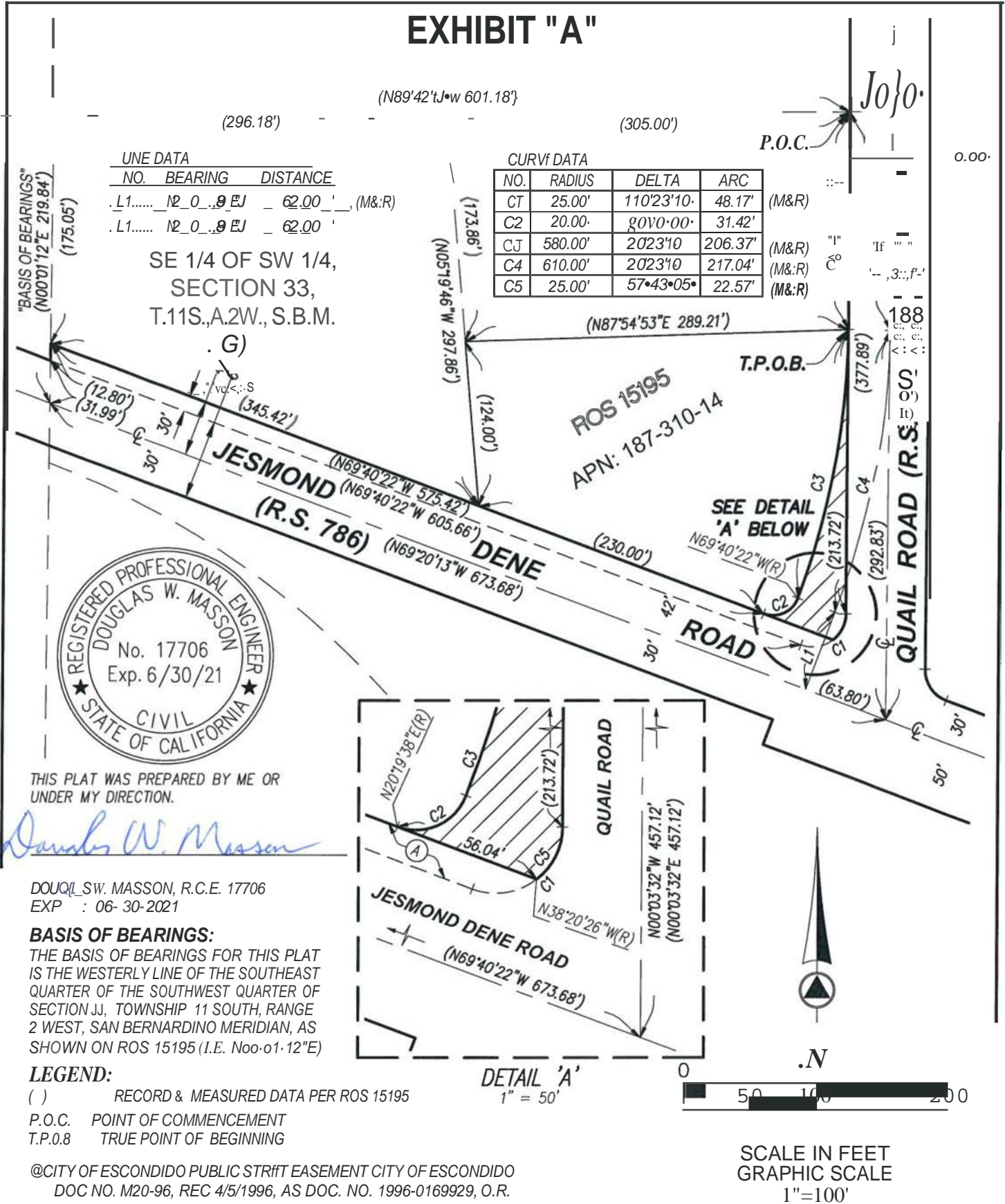
CONTAINING 3,522 SF ±

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION:

Douglas W. Masson 7/2.+/2019
Douglas W. MASSON, RCE 17706 • DATE:



EXHIBIT "A"



THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION.

Douglas W. Masson

DOUGLAS W. MASSON, R.C.E. 17706
 EXP : 06-30-2021

BASIS OF BEARINGS:
 THE BASIS OF BEARINGS FOR THIS PLAT IS THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION JJ, TOWNSHIP 11 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, AS SHOWN ON ROS 15195 (I.E. No. 01-12"E)

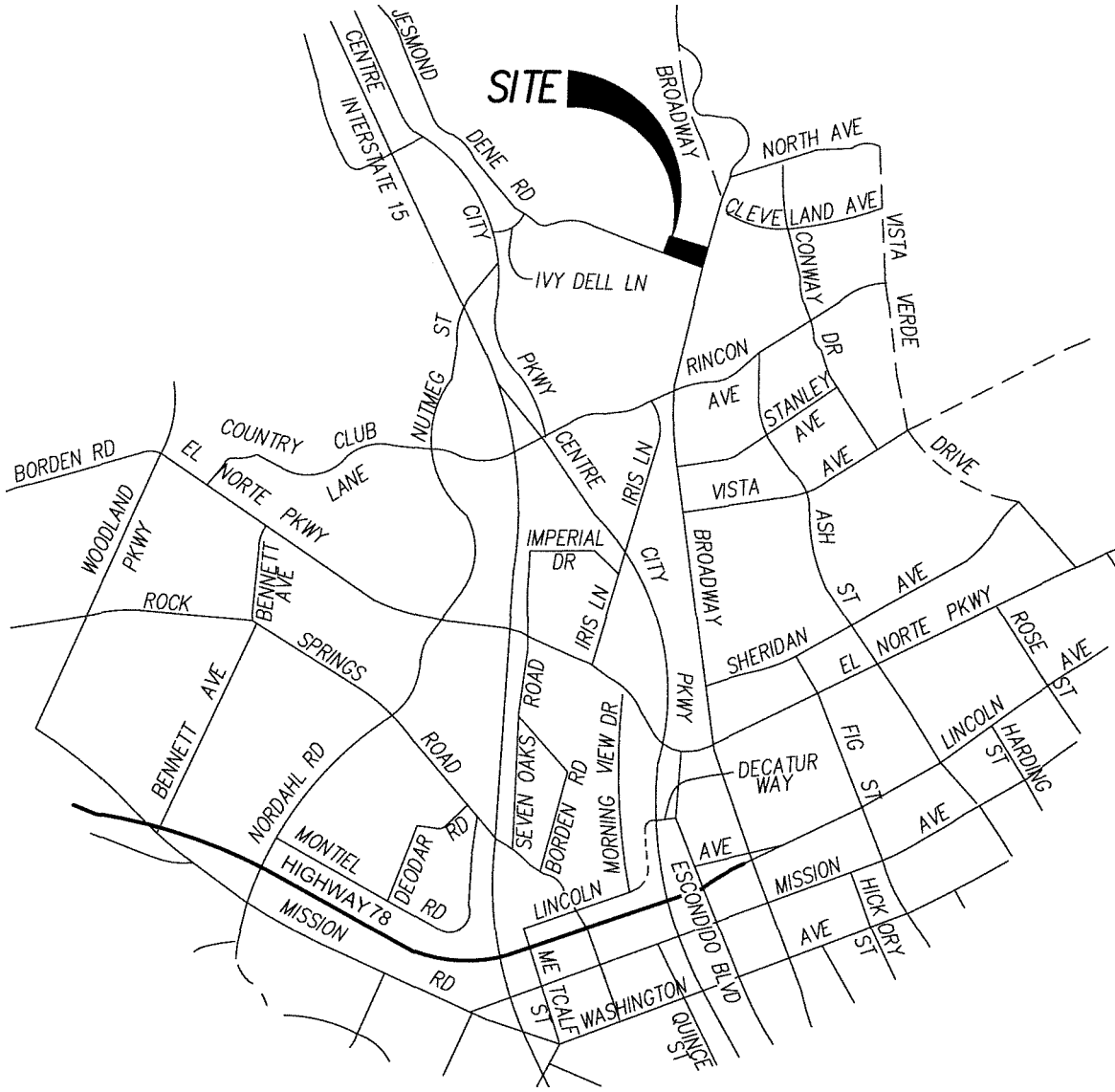
LEGEND:

- () RECORD & MEASURED DATA PER ROS 15195
- P.O.C. POINT OF COMMENCEMENT
- T.P.O.B. TRUE POINT OF BEGINNING

@CITY OF ESCONDIDO PUBLIC STREET EASEMENT CITY OF ESCONDIDO
 DOC NO. M20-96, REC 4/5/1996, AS DOC. NO. 1996-0169929, O.R.

Prepared by: Douglas W. Masson, R.C.E. 17706 200 E. Washington Ave., Esccondido, CA 92025 O. 760.741.3570 F. 760.741.1786 www.masson-engineers.com 07/23/2019	ENGINEERING SERVICES 201 North Bay Ave, A 92082 (760) 83319-46 PUBLIC STREET VACATION	 DOC. NO. SHEET: 2 OF 2
---	---	--------------------------------------

EXHIBIT "A"



VICINITY MAP
 NOT TO SCALE

Prepared by:

Planning .. Engineering .. Surveying

200 E. Washington Ave., Suite 200, Escondido, CA 92025

Escondido, CA 92025

P. 760.741.3530

MASSON

& ASSOCIATES, INC

www.masson-assoc.com

07/23/2019

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

PUBLIC STREET VACATION



DOC. NO.

SHEET: 1 OF 2

CITY COUNCIL STAFF REPORT

Consent Item No. 7

November 6, 2019

File No. 0600-10, A-3318

SUBJECT: Consulting Agreement to Comply with America's Water Infrastructure Act and Budget Adjustment

DEPARTMENT: Utilities Department, Water Division

RECOMMENDATION:

It is requested that the City Council:

- 1) Adopt Resolution No. 2019-162, authorizing execution of a Consulting Agreement with Jacobs Engineering Group, Inc. in the amount of \$156,338 to assist the City of Escondido (City) in complying with America's Water Infrastructure Act, including conducting risk and resiliency assessments and developing a corresponding emergency response plan.
- 2) Approve a budget adjustment from the Water Unallocated Reserves to the Operating Budget Professional Services account in the amount of \$156,340.

FISCAL ANALYSIS:

The Consulting Agreement with Jacobs Engineering Group, Inc. was not included in the Utilities' FY 2020 Operating Budget. The budget adjustment will provide funding necessary for the proposed agreement and will aid the City in generating the assessments and plans needed to comply with requirements the Water Infrastructure Act. The Water Fund's Unallocated Reserves contains sufficient funding for the Agreement.

BACKGROUND:

On October 23, 2018, Congress signed into law the America's Water Infrastructure Act (AWIA), national legislation designed to, among other things, improve drinking water and water quality, increase water infrastructure investments, and enhance public health and quality of life. A section of the AWIA requires utilities to conduct a risk and resilience assessment of their community water systems and develop a corresponding emergency response plan. The San Diego County Water Authority (SDCWA) partnered with four of its member agencies (including Escondido) to obtain proposals from firms to prepare the AWIA assessment and plan, and all five agencies participated in review of proposals.

Upon completion of the initial reviews, three firms were selected to advance to the interview phase. As with the proposal reviews, all five water agencies conducted the interviews together. At the conclusion of interviews, each water agency then chose the firm that best fit its situation and needs, and negotiated its own agreement with that consultant.

The City's Utilities Department staff recommend Jacobs Engineering Group to conduct its risk and resiliency assessment and to develop the corresponding emergency response plan based upon three main factors:

1. Knowledge

Jacobs Engineering Group has prepared over 250 Risk and Resiliency Assessments and Emergency Response Plans. They have expertise on both the local and national level that is critical to understanding all compliance aspects of the AWIA. Jacobs has in-depth knowledge of water utility infrastructure, experience with significant water system planning in San Diego County, as well as nationally recognized expertise with physical and electronic security, water system risk and resiliency assessment, and emergency planning and response.

2. Familiarity with Escondido's Water System

In 2012, Jacobs Engineering Group prepared the Water Master Plan for the City of Escondido. Preparation of the Plan greatly enhanced the firm's knowledge of Escondido's water system.

3. Local Firm

Jacobs has worked with many local agencies, and has maintained an office in San Diego County for the past thirty-five years.

Included in the scope of services that Jacobs Engineering Group will provide to assist the City in meeting AWIA requirements within the required deadline are:

1. Design of AWIA Compliance Crosswalk

Provide an AWIA Gap Analysis (Compliance Crosswalk) Checklist and a template for the RRA Assessment and ERP Gap Analysis (Compliance Crosswalk) Summary Report.

2. Data Collection

Develop a comprehensive list of documents for City staff to gather and provide for Compliance Crosswalk Review, and provide onsite review of the documents related to AWIA compliance for the RRA and ERP.

3. Compliance Crosswalk

Draft AWIA Compliance Crosswalk Table and Report, and then incorporate City comments into the final RRA and ERP Crosswalk Tables and Reports.

4. Risk and Resilience Assessment

Review collected information and prepare for site visit workshop. Conduct workshop to further refine and finalize the list of facilities/assets to be evaluated during on-site visits, and identify applicable threats to be assessed in the RRA. Conduct site visits to inspect and assess the facilities/assets and conduct interviews to collect information. Produce Draft and Final Risk and Resiliency Assessments, and provide the City with Dynamic Updateable Tool for future RRA updates.

5. Emergency Response Plan

Prepare outlined strategies and resources to improve response and resiliency to anticipated threats based on the RRA and local agency information. This will include strategies to be implemented such as actions, procedures, and equipment to lessen the impact of an

emergency. The ERP will be developed in accordance with the AWIA and current guidelines associated with National Incident Management System (NIMS) standards, the National Response Framework (NRF), the U.S. EPA, the Federal Emergency Management System (FEMA), and the Department of Homeland Security (DHS).

Upon completion of the RRA, the utility is to submit self-certification to the U.S. Environmental Protection Agency (U.S. EPA) by March 31, 2020, indicating that the assessment is in compliance with AWIA and is complete. Within six months of submitting the RRA certification, the Community Water System is required to submit self-certification to U.S. EPA for the corresponding Emergency Response Plan.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Christopher W. McKinney, Director of Utilities
10/30/19 2:59 p.m.

ATTACHMENTS:

1. Budget Adjustment Request
2. Resolution No. 2019-162
3. Resolution No. 2019-162 – Exhibit "1" Consulting Agreement

RESOLUTION NO. 2019-162

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 JACOB ENGINEERING GROUP, INC. FOR COMPLIANCE WITH AMERICA'S WATER INFRASTRUCTURE ACT

WHEREAS, America's Water Infrastructure Act (AWIA) was signed into law on October 23, 2018; and

WHEREAS, Title II, Section 2013 of AWIA requires utilities to conduct a Risk and Resilience Assessment of their Community Water Systems and to develop a corresponding Emergency Response Plan; and

WHEREAS, partnering with the San Diego County Water Authority and three other member agencies, proposals from qualified consultants were solicited and reviewed, and Water Division staff deemed Jacobs Engineering Group, Inc. to be the most qualified based upon their knowledge and expertise, and their familiarity with Escondido's Water System; and

WHEREAS, the Director of Utilities and the Deputy Director of Utilities/Water recommend the execution of a Consulting Agreement ("Agreement") with Jacobs Engineering Group, Inc. to provide risk and resiliency assessments of the water system and a corresponding emergency response plan to comply with requirements of America's Water Infrastructure Act; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to approve said Consulting Agreement with Jacobs Engineering Group, Inc.

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/Deputy Director of Utilities, Water.
3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, an Agreement with Jacobs Engineering Group, Inc. in the amount of \$156,338 to provide risk and resiliency assessments of the City's Water System and a corresponding emergency response plan. A copy of the Consulting Agreement is attached as Exhibit "1" and is incorporated herein by this reference as though fully set forth.



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: Lori Rountree
(760) 839-6245
("CITY")

And: Jacobs Engineering Group, Inc.
2191 South Jamaica Street
Englewood, Colorado 80112
Ken Thompson
(720) 286-5407
("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 assist the City in successfully meeting AWIA requirements; 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 not-to-exceed \$156,388.00. 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.
 - d. 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: _____

Paul McNamara
Mayor

Date: _____

Zack Beck
City Clerk

Date: _____

Jacobs Engineering Group, Inc.

Signature

Name & Title (please print)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
MICHAEL R. MCGUINNESS, City Attorney

By: _____

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

ATTACHMENT "A" **Scope of Services**

A. GENERAL

Jacobs Engineering Group, Inc. ("Consultant") will provide Consulting Services to assist the City of Escondido ("City") successfully meet the America's Water Infrastructure Act (AWIA) requirements within the required deadline.

B. LOCATIONS

City of Escondido, 201 N. Broadway, Escondido, CA 92025.

C. SERVICES

Phase I: Design and Complete an AWIA Compliance Crosswalk

Task 1 – Design of AWIA Compliance Crosswalk

Task 1.1 – Draft Crosswalk Templates: The Consultant will provide an AWIA Gap Analysis (Compliance Crosswalk) Checklist, template for the Risk & Resilience Assessment (RRA) and Emergency Response Plan (ERP) Gap Analysis (Compliance Crosswalk) Summary Report to the City following receipt of a verbal Notice to Proceed.

Task 1.2 – Finalize Crosswalk Templates: The Gap Analysis checklist and report template will be revised based on comments received.

Task 2 – Data Collection

Task 2.1 – Document Request: Consultant has developed a comprehensive list of documents for use in the Compliance Crosswalk Review. This list will be provided to the City following receipt of a verbal Notice to Proceed to provide the City as much time as possible to gather the documents for onsite review.

Task 2.2 – Onsite Review: The Consultant RRA team (comprising one subject matter expert and one support team member) on site for two days to review documents related to AWIA compliance for the RRA and ERP.

Task 3 – Compliance Crosswalk

Task 3.1 – Draft AWIA Compliance Crosswalk Table and Report: A draft Compliance Crosswalk table and summary report will be provided within 2 weeks following the onsite visit.

Task 3.2 – Finalize AWIA Compliance Crosswalk Table and Report: City comments will be incorporated into Final RRA and ERP Crosswalk Tables and Reports. The Compliance Crosswalk Tables and reports will provide the basic foundation for the RRA and ERP.

Phase I Deliverables

- *Water System RRA and ERP Compliance Crosswalk tables and summary reports*

Phase II: Conduct Risk and Resilience Assessment

Task 4 – Risk and Resilience Assessment

Task 4.1 – Preparation, Workshops, and Site Visits: Prior to the site visit, the Consultant will review information collected during the Phase I Compliance Crosswalk. Based on this review and the Consultants knowledge of the City based on their previous work, the Consultant will prepare for the site visit workshop and physical site inspections. The list of critical water facilities/assets and representative assets to be evaluated during the site visit will be based on current system knowledge, reports, data, and information. Any additional documents, information, and drawings not reviewed during Phase I will be requested from the City to prepare for the site visit. The Consultant will facilitate a workshop to further refine and finalize the list of facilities/assets to be evaluated while on site. This workshop will also include identification of applicable threats to be assessed in the RRA. Site visits of representative critical drinking water system assets will be conducted by Consultant. Relevant information will be recorded on checklists to verify that all necessary information is collected. Because of the inherent knowledge of the City personnel regarding facilities/assets, operating procedures, and current security system, City participation will be provided.

Inspection and assessment of these facilities/assets and interviews will be conducted to collect information on the following components:

- Security and natural hazard issues and vulnerabilities of assets within the drinking water system.
- Physical security and natural hazard impacts and site characteristics including proximity to the public, terrain, adjacent land uses, site access, site lighting, and existing physical barriers such as fencing and hardened structures.

Several interviews will be conducted regarding financial infrastructure, computer system security, system operations and maintenance, and other J100-10 (R13) Hazard Risk Assessment Methodology and AWIA requirements.

A debrief/summary of finding will be presented to City upon conclusion of the site visit. The Consultant's Project Manager will attend the workshop and debrief meeting.

Task 4.2 – Draft Risk and Resilience Assessment: The Consultant's RRA team will document the data collected and develop a draft RRA using AWWA guidance and standards. Teleconference meetings, between Consultant and City, will be scheduled to discuss interim risk analysis results, consequence analysis, preliminary data reports, and findings and recommendations.

The results of risk assessment will be used to develop recommendations for improving the effectiveness of the agency's protection and resilience systems, as well as operational procedures. A cost estimate for recommendations/improvements, with the exception of those that can be completed by the City, will be provided for budgetary planning purposes. This study will provide information that could be included in a comprehensive Security Master Plan to improve the security of the agency's systems. This plan, if implemented, does not guarantee protection of all facilities/assets from all potential malevolent acts and natural hazards, but will incorporate best industry practices.

A draft RRA, as well as a draft certification letter, will be developed and submitted to the City for review by February 13, 2020 using a secure electronic delivery method. The City

will provide comments regarding the RRA and certification letter to be addressed by Consultant within 2 weeks of the draft submittal.

Task 4.3 – Final Risk and Resilience Assessment: The City will submit consolidated comments received from agency staff to the Consultant by February 27, 2020. A webinar will be conducted, between Consultant and City, to discuss the review comments and address questions. The Consultant will update the RRA by March 6, 2020 and conduct a 2-hour meeting on March 11, 2020 with the City to review the RRA findings. The final RRA will be submitted to the City by March 17, 2020, 2-weeks ahead of the corresponding AWIA deadline of March 31, 2020.

Task 4.4 – Dynamic Updateable Risk and Resilience Assessment Tool: The Consultant will provide a Dynamic Updateable Tool for future RRA updates. The Consultant will be providing the Microsoft Excel files used for the RRA to provide the City with an integrated tool for future planning. The Consultant will conduct a 2-hour training session to train City staff on the RRA Microsoft Excel files. The training session will be conducted on the same day and the City RRA briefing to reduce travel costs.

Phase II Deliverables

- *Asset-Threat Workshop Summary*
- *Draft RRA by February 13, 2020*
- *Final RRA by March 17, 2020*

Phase III: Emergency Response Plan (ERP)

The water system ERP will outline strategies and resources to improve response and resiliency to anticipated threats based on the RRA and local agency information. This will include strategies to be implemented such as actions, procedures, and equipment to lessen the impact of an emergency. The ERP will be developed in accordance with the AWIA and current guidelines associated with NIMS standards, the National Response Framework (NRF), the USEPA, FEMA, and DHS. Existing ERP's will be considered and incorporated, as appropriate, in the ERP for the drinking water system. The ERP will also consider other existing City and County procedures and policies related to emergency response.

Consultant will include the following to satisfy the new AWIA requirements in the ERP:

- Incorporate the findings of the risk and resilience assessment
- Include strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system.
- Include plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water.
- Include action, procedure, and equipment that can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes, and construction of flood protection barriers.

Consultant will include strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Task 5.1 – ERP Task Kickoff Webinar: Based on the result of the Phase I ERP Compliance Crosswalk, the Consultant will plan and schedule a 2-hour workshop or webinar to introduce the Consultant's ERP team, review the task, and discuss expectations. The workshop/webinar will be facilitated by the Consultant's ERP SME to review the current water system ERP and identify appropriate stakeholders and any additional points of contact to interview that were not identified during the ERP Compliance Crosswalk. A key objective of the workshop is to identify the City's Incident Management Team (IMT) and Emergency Action Levels.

Task 5.2 – Draft Emergency Response Plan: A draft ERP will be developed in accordance with the AWIA requirements and appropriate industry guidance, which includes utilizing the NIMS/ICS as the framework for responding to emergencies. The ERP will facilitate emergencies that will be managed primarily by the agency as well as utility support and cooperation with other agencies during large-scale emergencies. The goal of the ERP is to help protect the health and safety of City employees, customers, and the general public.

The ERP will accomplish the following:

- Develop an IMT and identify responsibilities for each team member including participation in a regional Unified Command structure during a sustained event involving the utilities.
- Establish an Emergency Operations Center (EOC) with essential components.
- Establish procedures for internal and external notification and crisis communications, including emergency contact information.
- Assist the City in minimizing the impact of an emergency on its facilities by developing response actions and procedures and providing critical response information.
- Help protect the health and safety of utility employees, customers, and the general public.
- Develop training and exercise guidelines and a brief schedule to enhance emergency preparedness.
- Provide guidelines for distribution, revision, and updates of the ERP.

The draft ERP and a draft certification letter will be provided for City review by June 30, 2020.

Task 5.3 – Final ERP: The City will provide comments on the draft ERP to the Consultant by August 4, 2020. The Consultant will conduct a 2-hour webinar with the City to review comments and address questions. The Consultant will incorporate the comments and produce a draft final ERP for City review by August 18, 2020. A draft final ERP and certification letter will be submitted by September 1, 2020, for the City's review and approval.

Task 5 Deliverables

- *ERP Kick-off Workshop/Webinar Agenda*

- *ERP Kick-off Workshop/Webinar Summary*
- *Draft ERP by June 30, 2020*
- *Final ERP by August 18, 2020*

D. SCHEDULING

- Work will commence upon receipt of a fully executed contract
- City will coordinate work schedule with Consultant

E. RATES

See Exhibit "1A"

F. PAYMENT

The total contract price shall not exceed **\$156,388.00.** Consultant shall invoice City as work progresses. Payments will be made after tasks are completed and within 30 days of receipt of invoice.

G. TERM

The term of this agreement shall be from November 1, 2019 through September 30, 2020.

H. SPECIAL CONDITIONS

- Consultant will continuously check with U.S. EPA during the contract term for any changes to AWIA requirements and incorporate any changes into the final RRA and ERP at no additional cost to City.
- Consultant will treat all project materials provided by the City or generated by the Consultant as confidential for all purposes and as Protected Infrastructure Information that will be returned to the City at the completion of the project.
- Consultant will set up a secure portal (Sharepoint) for the purpose of sharing documents between the Consultant and City. The portal will allow access only to designated Consultant team members and City staff.
- Consultant will use a comprehensive RRA and ERP Gap Analysis Assessment Checklist (April 2019), J100-10 (R13) spreadsheets and workshop templates (Updated June 2019), Risk and Resiliency Assessment Template (July 2019), and USEPA AWIA ERP Template (Released August 1, 2019).
- All deliverables will be provided as two color, bound hard copies and electronic Microsoft Word and PDF files transmitted securely via an encrypted flash drive or secure portal per the City's direction.

City of Escondido RRA and ERP Update

Rate	Project Manager Megan Ellis	PIC Elliott	Mark Anderson	SME RRA Todd Anderson	SME ERP Stacey Black	SME Cyber Security Dave Espy	RRA Lead Forrest Gist	RRA Support Alec Rodriguez	ERP Lead Megan Ellis	ERP Support Alec Rodriguez	Cyber Security Lead Warren Johnson	Physical Security Lead Randy Pynn	Admin Assistant Jane Mailand	Labor		Expenses			Total Labor plus Expenses												
	\$ 194	\$ 260	\$ 231	\$ 234	\$ 227	\$ 260	\$ 85	\$ 194	\$ 85	\$ 178	\$ 187	\$ 125	(hours)	(\$)	Travel Expenses	Other Expenses	Total Expenses (\$)														
Task	Task Description													Hours																	
1	Project Management																														
1.1	Project Setup, PXP, Accounting, Health and Safety													3						30	33	\$ 4,332									
1.2	Monthly Coordination with Client (x12)													20							20	\$ 3,880									
1.3	Manage schedule and budget (x12)													20							20	\$ 3,880									
1.4	Project Kickoff Meeting and Meeting Minutes													16	4						28	\$ 5,960	\$ 850								
	Task 1 Subtotal													59	4	0	0	0	4	0	4	0	0	0	30	101	\$ 18,052	\$ 850	\$ -	\$ 850	\$ 18,902
2	GAP Analysis for the City of Escondido RRA																														
2.1	Site Visit Preparation																	4			4	\$ 776									
2.2	Site Visit																	8	16		24	\$ 2,912	\$ 1,400								
2.3	Draft Technical Memorandum (TM) Summarizing VA Gaps																4	8	16		6	34	\$ 4,702								
2.4	Final TM																	2	4		2	8	\$ 978								
	Task 2 Subtotal													0	0	0	0	0	4	0	22	36	0	0	8	70	\$ 9,368	\$ 1,400	\$ -	\$ 1,400	\$ 10,768
3	Risk and Resilience Assessment for the Water System																														
3.1	RRA Workshop and Site Visits																														
	Preparation/Document Review													2				8	8			18	3148								
	Internal Asset Criticality Working group													4				16	12			60	11244								
	Site Visit and Workshop													4							24	24									
3.2	Draft AWIA compliant RRA																														
	Collate Notes and Data entry																	16	16			16	16								
	Draft RRA Development and Meetings													4		4		4	36	48											
3.3	Final RRA																														
	Address Comments													4				8	16			4	4								
	Final RRA Webinar													4				8	8			8	28	\$ 4,536							
3.4	Dynamic Updatable Software																														
	Software Update															4		8				20	\$ 3,684		\$ 400						
	Training (Webinar)													8				4				16	\$ 2,932								
	Task 3 Subtotal													30	0	10	0	12	128	132	0	12	44	44	24	436	\$ 75,434	\$6,450	\$400	\$6,850	\$ 82,284
4	Gap Analysis for the City of Escondido Emergency Response Plan																														
4.1	Site Visit Preparation																	4				4	\$ 776								
4.2	Site Visit																	8	8			16	\$ 2,232								
4.3	Draft Technical Memorandum (TM) Summarizing ERP Gaps																2	8	16			8	34	\$ 4,380							
4.4	Final TM																	4	4			2	10	\$ 1,366							
	Task 4 Subtotal													0	0	0	2	0	0	0	24	28	0	0	10	64	\$ 8,754	\$ -	\$ -	\$ -	\$ 8,754
5	Emergency Response Plan for the Water System																														
5.1	ERP Workshop and Site Visit																														
	Preparation/Document Review															4		4	4			12	\$ 2,052								
	ERP Workshop																	8	16			24	\$ 2,912								
	Site Visit and Information Gathering																	16	16			32	\$ 4,464	\$ 2,050							
5.2	Draft ERP																														
	Draft AWIA compliant ERP																	60	20			8	88	\$ 14,340							
5.3	Final ERP																														
	Address Comments													2			6					40	\$ 6,256								
	Final ERP													2			4					22	\$ 3,556								
	Task 5 Subtotal													4	0	0	14	0	0	0	112	80	0	0	8	218	\$ 33,580	\$ 2,050	\$ -	\$ 2,050	\$ 35,630
	TOTAL													93	4	10	16	12	136	132	162	156	44	44	80	889	\$ 145,188	\$ 10,750	\$ 400	\$ 11,150	\$ 156,338

Summary		
Total Labor Costs	\$	145,188
Expenses	\$	11,150
Total	\$	156,338

ATTACHMENT "B"
Personnel

Personnel assigned to the AWIA Compliance, RRA and ERP reports will be the following:

Name	Title
Mark Elliot	Principal in Charge
Megan Ellis	Project Management and ERP Lead
Forrest Gist	RRA Lead
Alec Rodriguez	RRA and ERP Support
Warren Johnson	Cyber Security Lead
Randy Lynn	Physical Security Lead
Jane Mailand	Editor
Todd Anderson	RRA Quality Reviewer
Stacey Black	ERP Quality Reviewer

CITY COUNCIL STAFF REPORT

Consent Item No. 8

November 6, 2019

File No. 0880-10

SUBJECT: Proposed Mills Act Contract and CEQA Exemption for 134 West Sixth Avenue
(Case HP 19-0003)

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATIONS:

It is requested that the City Council authorize execution of an agreement to enter into a Mills Act Contract for the subject property by adopting Resolution No. 2019-163 and approve the CEQA Exemption for the property.

APPLICANT:

The request was filed by Dorothy Marron, property owner and current resident.

FISCAL ANALYSIS:

Approval of a Mills Act Contract would reduce the property tax to the homeowner, and proportionately reduce the City's share of property taxes. The annual tax revenue loss to the City of Escondido (City) is typically estimated to be approximately \$200 for each Mills Act property. The number of Mills Act contracts the City has entered into currently stands at 103, which have cumulatively reduced the City share of property taxes by approximately \$24,000. Approval of the new Mills Act contract identified above would further reduce the City's share of property taxes by approximately \$200.

PREVIOUS ACTIONS:

The Historic Preservation Commission (HPC) voted to list the structure on the City's Local Register of Historic Places on June 2, 1992, and recommended approval of entering into a Mills Act contract with the owner of 134 West 6th Avenue on September 19, 2019.

BACKGROUND:

The history and supporting documents for the subject property were reviewed by the HPC. A copy of the HPC staff report is attached to this report (Attachment "1"). The Mills Act is a provision in state law that enables owners of designated historic properties to voluntarily enter into a preservation contract with the City and receive a reduction in their property taxes. The contract runs for ten (10) years and is automatically renewed each year unless a notice of non-renewal is filed. The terms of the contract require that the owner make a commitment to maintain the property and complete other improvements identified in Attachment "B" to Exhibit "A" of Resolution No. 2019-163. As indicated, the owner has planned significant future improvements at the property and these improvements have been approved by the HPC. All improvements must be performed according to the Secretary of the Interior Standards. In addition, the applicant has been informed that some improvements may require permits from the City's

Building Division and that all exterior modifications require staff review and the issuance of a Certificate of Appropriateness. By approving a Mills Act contract for this property, the City would be incurring a relatively small loss per year of property tax revenue. This will provide the property owner a tax savings that will be earmarked for property preservation.

The property owner has provided additional background information which has been attached to this staff report as Attachment "3."

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
10/30/19 2:38 p.m.

Paul Bingham, Assistant Planner II
10/30/19 4:27 p.m.

ATTACHMENTS:

1. Attachment 1 – September 19, 2019, Historic Preservation Commission Staff Report
2. Attachment 2 – CEQA Exemption
3. Attachment 3 – Correspondence from Property Owner
4. Resolution No. 2019-163
5. Resolution No. 2019-163 – Exhibit A

HISTORIC PRESERVATION COMMISSION

Agenda Item No.: H.2
Date: September 19, 2019

TO: Historic Preservation Commission

FROM: Paul Bingham, Assistant Planner II

REQUESTS: Residence addressed as 134 West 6th Avenue (case number HP 19-0003)

1. Mills Act contract request and
2. Consideration of the proposed CEQA exemption

RECOMMENDATION: Forward recommendation of approval to the City Council

BACKGROUND:

City of Escondido Historical/Cultural Resources Survey

A City of Escondido Historical/Cultural Resources Survey was completed in 1990 (Agis, May 1990). Close to 1,000 resources were inventoried in the survey for their significance. The Survey of 1990 was conducted in compliance with procedures established by the U.S. Department of the Interior, National Park Service and the State Office of Historic Preservation. A Historical/Cultural Resources Survey is a collection of information that identifies documents and describes the historical resources in the community. The survey also associates the resources with historical events and/or people. Among other preservation programs, the survey serves as the basis for historic preservation plans. The survey also fulfills a higher level of historic nomination requirements (Local, State and National), it allows for the applicability of Historic Building Code in regard to rehabilitation/renovation of structures, and justifies local, state and federal funding assistance.

Local Register of Historic Places Listing

The subject property was approved for listing on the City's Local Register on June 2, 1992.

Mills Act Contract and Property Applying

The Mills Act is a state law that enables owners of designated historic properties to enter into a preservation contract with their local legislative body and receive a substantial reduction in the property taxes. One of the incentives for the preservation of historic and/or cultural resources, approved in 1989, allows property owners of designated historic resources to enter into a Mills Act contract with the City. Article 40 of the Escondido Zoning Code authorizes the property owner to apply for a Mills Act contract if the resource has been listed as a Local Register property. The current owner is requesting to enter into a Mills Act contract.



The subject property is located within the City's Old Escondido Neighborhood historic district, addressed as 134 West 6th Avenue (APN 233-251-14-00). It consists of .09 acre with a 792 SF one story Craftsman bungalow which started construction in 1915, but was not completed until 1936. It is a twin to the house next door at 136 West 6th Avenue and both sit on nonconforming narrow lots. The structure's symmetrical porch with elephantine posts and vertical gable vent faces the street. The exterior is clad in horizontal wood siding. A matching garage with a pair of single bay doors faces the alley. The current owner desires to enter into a Mills Act contract for this property's continued preservation. The owner is proposing as part of the contract to do important repairs. (See attached list of improvements.)

Mills Act Application List of Improvements

Property Address: 134 West 6th Avenue
Property Owner: Dorothy Marron

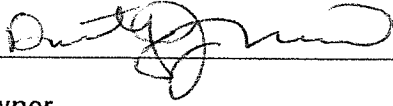
1. Replace property fencing (completed)
2. Replace front door with period appropriate door (planned)
3. Repair existing wood-framed windows (planned)
4. Add period appropriate screens to existing windows (planned)
5. Reroof the main house (planned)
6. Remove satellite dish from roof and repair as needed (planned)
7. Repaint main house with period appropriate colors (planned)
8. Replace turf with drought tolerant landscaping (planned)
9. Upgrade electrical system in main house (planned)
10. Repair mortar on fireplace and install fireplace liner (planned)
11. Repair house foundation (planned)

Signatures. Applicant and property owner signature lines must be signed, even if the applicant and property owner are the same. The signature of the architect and/or engineer is also required if drawings are submitted by professional architects and/or engineers.

Applicant

As part of this application the applicant hereby agrees to defend, indemnify and hold harmless the City of Escondido, its Council, boards and commissions, officers, employees, volunteers, and agents from any claim, action, or proceeding against the City of Escondido, its Council, boards and commissions, officers, employees, volunteers and agents, to attack, set aside, void or annul an approval of the application or related decision, including environmental documents, or to challenge a denial of the application or related decisions. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth herein. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed.

By signing below, I hereby certify that the application I am submitting, including all additional required information, is complete and accurate to the best of my knowledge. I understand that any misstatement or omission of the requested information or of any information subsequently requested may be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper by the City of Escondido.

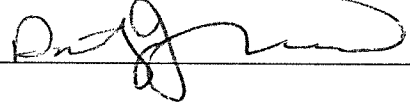
Applicant: 

Date: 8/10/2019

Property Owner

By signing below, I hereby certify under penalty of perjury, that I am the owner of record of the property described herein and that I consent to the action requested herein. All other owners, lenders or other affected parties on the title to the property have been notified of the filing of this application. Further, I hereby authorize City of Escondido employees and officers to enter upon the subject property, as necessary to inspect the premises and process this application.

In order to facilitate the public review process, the City requires that property owners agree to allow any plans or drawings submitted as part of the application to be copied for members of the public. Property owner(s) hereby agree to allow the City to copy the plans or drawings for the limited purpose of facilitating the public review process.

Property Owner: 

Date: 8/10/2019

Architect/Engineer

In order to facilitate the public review process, the City requires that architects and engineers agree to allow any plans, drawings, studies or reports submitted as part of the application to be copied for members of the public. Architect/Engineer hereby agrees to allow the City to copy the plans, drawings, studies or reports for the limited purpose of facilitating the public review process.

Architect: _____

Date: _____

Engineer: _____

Date: _____

CONTINUATION SHEET

Property Name: Schmeltz-O'Dell House, 134 W. 6th Avenue, Escondido, CA 92025

Page 2 of 6

page 2 of 6

*Resource Name or # (Assigned by recorder)

*Recorded by: _____ *Date _____ 20 Continuation

20 Update

Continued from Page 1, P3a Description

halfway between Maple Street on the west and Broadway on the east. The 792-square-foot wood-framed house stands back from a small grassy, front yard. A low, craftsman-inspired fence encloses the front yard. A small tree has been planted on the west side of the yard. A concrete walkway leads from the sidewalk to the house. The two-bedroom, one-bath house has the original beveled 3/4" x 6" siding. The house is slightly elevated on floor joists. The foundation is concrete. The roof is composite shingle. There is a chimney on the east side of the house towards the front of the structure.



South Elevation: The front of the house faces south and features a small front porch. The porch roof is gabled and decorated with vertical lath. Small elephantine posts are supported by square concrete piers with caps. The porch floor is concrete.



West Elevation: The west side of the house features five windows; closest to the front, a large double-sash window partially filled with a window-unit air conditioner, in the middle a large double-sash window of equal size with the first window, there are two side-by-side double sash windows over the kitchen and, farthest from the front of the house is a small double-sash window located higher up the side of the house. It contains the original wavy glass panes. The entire side of the house is wood-shingled. The roof overhangs the side by 14 inches along all four sides of the house. There are two screened access points to the crawl space beneath the house.

State of California ♦ The Resources Agency Primary #
 DEPARTMENT OF PARKS AND RECREATION HRI#
BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) _____ *NRHP Status Code 7 _____
 Page 4 of 6

- B1. Historic Name: Schmeltz-O'Dell House
- B2. Common Name: Schmeltz-O'Dell House
- B3. Original Use: Residence
- B4. Present Use: Residence

*B5. **Architectural Style:** California Bungalow

*B6. **Construction History:** (Construction date, alterations, and date of alterations)

William Schmeltz began construction of two houses on Nebraska Street in 1915. The property went through a series of owners, but no progress was made in completing the home until 1932 when Victor Schmeltz bought the property. Tax records show 1936 as the first year taxes were paid on improvements to the property. (con't. on _____)

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. **Related Features:** In the backyard there is a garage that spans this property and the property to the west. Approximately half the garage is on this property. The garage was built in 1915. At some time the roof was replaced. In 2016 a door on the south side of the garage was replaced with an exterior wood door. The doors on the north side of the garage were nailed shut at an unknown time.

B9a. Architect: unknown b. Builder: unknown

*B10. **Significance:** Theme Residential Architecture Area Central Escondido, Old Escondido Historic District
Period of Significance California Bungalow 1910-1940 **Property Type** Residential **Applicable Criteria**

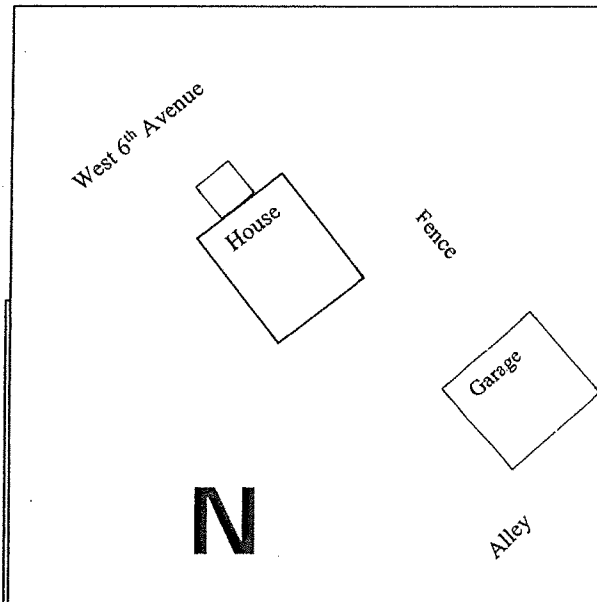
Bungalows are a form of residential architecture that was widely popular across America between 1890 and 1940. Influenced by the Arts and Crafts movement, bungalow architecture emphasizes a horizontal link between the house and the land around it. The use of natural, local materials and colors also reinforce this home-earth relationship. (con't. on _____)

B11. Additional Resource Attributes: (List attributes and codes) _____
 HP5

*B12. **References:** Escondido Directories 1915-1936 (Escondido History Center), Daily Times Advocate misc. articles, Sanborn Fire Maps of Escondido 1927, San Diego Assessor of San Diego California residential building record, San Diego County Recorder deed books 1892-present, City of Escondido Assessment Books 1915-1938, Veazie.org "Family of Arthur Cyril Schmeltz and Lola May Bartholomew", <http://calbungalow.com>, <https://artsandcraftshomes.com>

B13. **Remarks:** This property is zoned R-I-6. It falls within the Old Escondido Historic District. Its location within the historic district offers a level of protection; no threats to the property are known at this time.

*B14. **Evaluator:** Dorothy Marron, 134 W. 6th Avenue, Escondido, CA 92025
Date of Evaluation: August 10, 2019



(This space reserved for official comments.)

CONTINUATION SHEET

Property Name: Schmeltz-O'Dell House, 134 W. 6th Avenue, Escondido, CA 92025

Page 6 of 6

Page 6 of 6

*Resource Name or # (Assigned by recorder)

*Recorded by: _____ *Date _____ Continuation

Update

paid half the property taxes on the property. It was the first year taxes were paid on "improvements to the land". Edward Schmeltz sold the property to Arthur Schmeltz in 1943. The property left the Schmeltz family for good in 1946. The house passed through several hands until 1955 when the house was purchased by Emma Nack.

Emma Nack was one of the first school teachers in Escondido. She began teaching in Escondido in the early 1900s. She taught in a one-room, eight-grade school house. In 1963 she was crowned Miss Escondido Diamond Jubilee Queen for the city's 75th birthday celebration.

The house is currently owned by Dorothy Marron. She works for a computer software company. During her free time she is active in the San Diego Jane Austen Society, and the House of England in Balboa Park. She is a board member of the Old Escondido Historic District.

House Photos 134 W. 6th Avenue

Front of House



Back of House



City of Escondido
HISTORIC RESOURCES INVENTORY

IDENTIFICATION AND LOCATION

Ser.No.
Natl. Reg. Status
Local Designation
Local Ranking significant

- 1. Historic Name
- 2. Common or Current Name
- 3. Number & Street 134 W. Sixth Avenue

City: Escondido Vicinity Only
4. UTM zone A B
5. Quad map No. Parcel No. 233-251-14

Cross-Corridor
Zip 92025 County: San Diego
C Zone 11 D
Other

DESCRIPTION

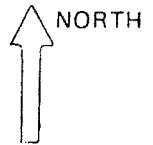
- 6. Property Category If district, number of documented resources
- 7. Briefly describe the present physical appearance of the property, including condition, boundaries, related features, surroundings, and (if appropriate) architectural style.

This one-story rectangular California bungalow with clapboard siding and a medium-pitched gabled roof is in excellent condition. The gable ends face front and back with matching porch roof to the front. Vertical lath decorates the top of the gable. A wide double-hung wood sash window is located on each side of 15-light front door. The brick chimney and double-hung wood windows adorn the west side. Small elephantine posts are supported by square concrete piers with caps. 130 is a twin to 136 next door.
The architectural style is: California bungalow
The condition is: excellent
The related features are: matching garage
The surroundings are: residential
The boundaries are:



- 8. Planning Agency City of Escondido
- 9. Owner and Address Richard C. & Carrie M. Heramb
1756 Lorraine Place
Escondido 92025
- 10. Type of Ownership private
- 11. Present Use residence
- 12. Zoning
- 13. Threats none known

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

THIS SPACE FOR RECORDER'S USE ONLY

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF ESCONDIDO, a municipal corporation (hereinafter referred to as "the CITY") and [Insert Owner's Name] (hereinafter referred to as "the OWNER").

Recitals

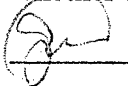
1. WHEREAS, the OWNER possesses and owns real property located within the City of Escondido, which property is more fully described in Attachment "A" to this Agreement (hereinafter "the PROPERTY"); and
2. WHEREAS, the PROPERTY is a qualified historical property in that it is privately owned, it is not exempt from property taxation, and it is listed in the Local Register of Historic Places; and
3. WHEREAS, both the CITY and the OWNER desire to carry out the purposes of Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code; and
4. WHEREAS, both the CITY and the OWNER desire to limit the use of the PROPERTY and to preserve the PROPERTY so as to retain its characteristics as a property of cultural, architectural, and historical significance.

Agreement

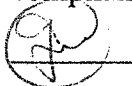
NOW THEREFORE, both the CITY and the OWNER, in consideration of the mutual promises, covenants, and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

the PROPERTY, rather than contracting with a third-party, the value of his/her labor shall be calculated at the market rate for such work performed. The OWNER shall be in substantial compliance with the scheduled improvements set forth in Attachment B when the expenditures incurred and work performed to accomplish the improvements are equal to or greater than the OWNER'S annual property tax savings for the last 24 months, as determined by the CITY, based upon the County Tax Assessor's valuation of the PROPERTY using the process set forth in Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

e. OWNER shall, within thirty (30) days after written notice from the CITY, furnish the CITY with any information the CITY shall require to enable the CITY to determine (i) the PROPERTY'S present state; (ii) the PROPERTY'S continued eligibility as a qualified historic property; and (iii) whether the OWNER is in compliance with this Agreement.

 OWNER'S INITIALS

3. Inspections. The OWNER agrees to permit periodic examinations/inspections of the interior and exterior of the PROPERTY by the CITY, the County Assessor, the Department of Parks and Recreation, and the State Board of Equalization as may be necessary to determine the OWNER'S compliance with this Agreement.

 OWNER'S INITIALS

4. Term of Agreement. This Agreement shall be effective and shall commence on January 1st of the year following the successful recordation of this document by the County Recorder's Office and shall remain in effect for a period of ten (10) years thereafter.

5. Automatic Renewal. On the tenth (10th) anniversary of this Agreement and on each successive anniversary date (hereinafter referred to as "the RENEWAL DATE"), one (1) year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is given as provided in Paragraph 6 below.

6. Notice of Nonrenewal. If, in any year, either the CITY or the OWNER desires not to renew this Agreement, that party shall serve a written notice of nonrenewal on the other party. If the OWNER elects to serve a notice of nonrenewal, the notice must be served on the CITY at least ninety (90) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Conversely, if the CITY elects to serve a notice of nonrenewal, the notice must be served on the OWNER at least sixty (60) days prior to the RENEWAL DATE, otherwise one (1) additional year shall

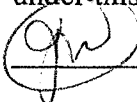
Agreement. The parties recognize and agree that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to the OWNER as a result of assessed value of the PROPERTY because of the restrictions this Agreement imposes on the use and preservation of the PROPERTY.

12. Enforcement of Agreement. As an alternative to cancellation of the Agreement for breach of any condition as provided in Paragraph 8, the CITY may, in its sole discretion, specifically enforce, or enjoin the breach of the terms of this Agreement. In the event of a default, under the provisions of this Agreement by the OWNER, the City shall give written notice to the OWNER by registered or certified mail. If such violation is not corrected to the reasonable satisfaction of CITY within thirty (30) calendars days after the date of notice of violation, or within such reasonable time as may be required to cure the violation (provided the acts to cure the violation are commenced within thirty (30) calendar days and thereafter diligently pursued to completion), the CITY may, without further notice, declare the OWNER to be in breach under the terms of this Agreement, and may bring any action necessary to specifically enforce the obligations of the OWNER growing out of the terms of this Agreement or apply for such other relief as may be appropriate under local, state, or federal law.

13. Indemnification. OWNER shall indemnify, defend (with counsel reasonably acceptable to CITY) and hold harmless the City of Escondido, and all of its boards, commissions, departments, agencies, agents, officers, and employees from and against any and all actions, causes of actions, liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties and expenses (collectively the "Claims") incurred in connection with or arising in whole or in part from this Agreement, including without limitations:

- a. any accident, injury to or death of a person, loss of or damage to property incurring in or about the PROPERTY;
- b. the use or occupancy of the PROPERTY by the OWNER, their agents or invitees;
- c. the condition of the PROPERTY;
- d. any construction or other work undertaken by the OWNER of the PROPERTY.

This indemnification shall include, without limitation, reasonable fees for attorneys, consultants, experts and the CITY'S cost for investigating any Claims. The OWNER shall defend the CITY and all of its boards, commissions, departments, agencies, agents, officers, and employees from any and all Claims even if such Claim is groundless, fraudulent, or false. The OWNER'S obligations under this Paragraph shall survive termination of this Agreement.

 OWNER'S INITIALS

reasonable attorney's fees in addition to court costs and other relief ordered by the court.

19. Modification. No modification of this Agreement shall be valid or binding unless the modification is in writing, signed by all parties, and recorded with the County Recorder for the County of San Diego.

20. Binding Effect. This Agreement shall be binding on and inure to the benefit of all parties herein, their heirs, successors-in-interest, legal representatives, assigns and all persons acquiring any part or portion of the PROPERTY, whether by operation of law or otherwise, and that any such person(s) shall have the same rights and obligations under this Agreement.

21. Choice of Law and Forum. This Agreement and the legal relations between the parties shall be governed by and construed in accordance with the laws of the State of California. Any action or proceeding to enforce any provision of this Agreement shall be brought in the San Diego Superior Court, North County Division.

22. Sale. If the PROPERTY is sold, the OWNERS shall notify the CITY of the sale and present to the CITY a signed statement from the new owners indicating that a copy of this Agreement, the list of scheduled improvements for the PROPERTY as set forth in Attachment B of this Agreement, and any amendments to this Agreement were provided to them.

23. Headings. The headings of the paragraphs of this Agreement are inserted for convenience only. They do not constitute part of this Agreement and shall not be used in its construction.

24. Waiver. The waiver by any party to this Agreement of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach of that or any other provision of this Agreement.

25. 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.

26. Notices. Any notice, delivery or other communication pursuant to this Agreement shall be in writing and shall be given to:

CITY: City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

OWNER: [Insert Owner's Name & Mailing Address]

28. Counterparts. This Agreement may be executed in any number of counterparts or by facsimile transmission, each of which will be deemed an original with the same effect as if all signatures were on the same instrument.

IN WITNESS WHEREOF, the CITY and the OWNER have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Dated: _____

By: _____
Mayor

Dated: _____

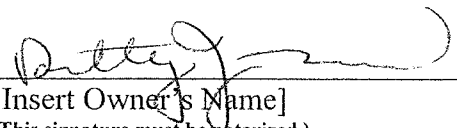
By: _____
City Clerk

OWNER

Dated: _____

By: _____
[Insert Owner's Name]
(This signature must be notarized.)

Dated: 8/23/2019

By: 
[Insert Owner's Name]
(This signature must be notarized.)

APPROVED AS TO FORM:

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

By: _____

ATTACHMENT 2



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Notice of Exemption

To: San Diego Assessor/Recorder/County Clerk
Attn: Fish & Wildlife Notices
1600 Pacific Hwy, Room 260
San Diego, CA 92101
MS A-33

From: City of Escondido
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: HP 19-0003 / Mills Act Contract

Project Location - specific: Addressed as 134 West 6th Avenue (APN 233-251-14-00), located on the north side of West 6th Avenue between South Maple Street and South Broadway.

Project Location - City: Escondido

Project Location - County: San Diego

Description of Project:

A request to execute a Mills Act contract for the purpose of preservation of a 0.09-acre local register-listed property in the R-1-6 (Single-Family Residential, 6,000 SF minimum lot size) zone, located in the U1 (Urban I) designation of the General Plan.

Name of Public Agency Approving Project: City of Escondido

Name of Persons or Agency Carrying Out Project:

Name: Dorothy Marron
Address: 134 West 6th Avenue, Escondido, CA 92025

Telephone: (619) 584-0519

- Private entity, School district, Local public agency, State agency, Other special district

Exempt Status:

Categorical Exemption: Section 15331, Class 31. "Historic Resource Restoration/Rehabilitation"

Reasons why project is exempt:

- 1. The project is within the R-1-6 zone and the U1 designation of the General Plan and no variances are required.
2. The project will be consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings.
3. The project will not be limited by the factors in section 15300.2 and will not adversely change the significance of a historical resource.

Lead Agency Contact Person: Paul K. Bingham

Area Code/Telephone/Extension (760) 839-4306

Signature: Assistant Planner II

Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

ATTACHMENT 3

October 30, 2019

To: Escondido City Council
From: Dorothy Marron
Subject: Mills Act Application 314 W. 6th Avenue

Construction began on my house in 1915. It wasn't finished until 1936. Why did it take so long? I had to find out. I spent over a year researching the history of the house. I found out about the Schmeltz family. They moved here from Illinois. They were a close-knit family; mother Mary, father William, four boys David, Edward, Victor and Arthur. The two youngest boys were identical twins. William owned the hardware store and a citrus grove. In 1915 William Schmeltz began construction of identical bungalows for his identical twin sons. Sadly, William died before construction was finished. The family fell on hard times. Mary Schmeltz, William's widow, was forced to sell the two bungalows. Mary didn't give up though. In 1936 she and her son Arthur bought back one of the bungalows. My bungalow. They finished construction and Arthur moved in. The bungalow stayed with the Schmeltz family for many years. Eventually, it was purchased by Emma Nack, Escondido's first school teacher.

This is my house. Its roots are sunk deep into the history of Escondido. I feel its history every time I walk in the front door. It is an Escondido treasure and it is my duty to maintain it so it can remain a part of Escondido history for many years to come.

I wish I could be at tonight's city council meeting to tell you about the projects I have planned and how important this property is to Escondido, but my employer requires me to work with a client out of state this week. I sincerely apologize for not being able to attend the council meeting. Please consider my petition for the Mills Act. If you have any questions, you can call me at 619-584-0519.

Sincerely,

Dorothy Marron

RESOLUTION NO. 2019-163

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 MILLS ACT CONTRACT, ALSO KNOWN AS AN HISTORIC PROPERTY PRESERVATION AGREEMENT, WITH DOROTHY MARRON FOR THE LOCAL REGISTER LISTED PROPERTY LOCATED AT 134 WEST SIXTH AVENUE

CASE NO. HP 19-0003

WHEREAS, the Mills Act is a state law enabling owners of designated historic properties to enter into an historic property preservation contract with their local legislative body and receive a property tax reduction; and

WHEREAS, Dorothy Marron (“OWNER”), who is the owner of a property located at 134 West Sixth Avenue (APN 233-251-14-00), more particularly described in Attachment “A” to Exhibit “A” to this Resolution, submitted a request to enter into a Historic Property Preservation Agreement (“Agreement”) with the City for; and

WHEREAS, this property qualifies for a Mills Act Contract since it was listed in the City’s Local Register of Historic Places on June 2, 1992; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) regulations, the project is categorically exempt from environmental review in accordance with CEQA Guidelines Section 15331, Class 31. “Historic Resources Restoration/Rehabilitation.”

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 Mayor and City Clerk are hereby authorized to execute, on behalf of the City, an Agreement with the OWNER of the property located at 134 West 6th Avenue. A copy of the Agreement is attached as Exhibit "A" and is incorporated by this reference.

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

EXHIBIT "A"

Resolution No. 2019-163
Exhibit "A"
Page 1 of 11

HP 19-0003

THIS SPACE FOR RECORDER'S USE ONLY

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF ESCONDIDO, a municipal corporation (hereinafter referred to as "the CITY") and Dorothy J. Marron (hereinafter referred to as "the OWNER").

Recitals

1. WHEREAS, the OWNER possesses and owns real property located within the City of Escondido, which property is more fully described in Attachment "A" to this Agreement (hereinafter "the PROPERTY"); and
2. WHEREAS, the PROPERTY is a qualified historical property in that it is privately owned, it is not exempt from property taxation, and it is listed in the Local Register of Historic Places; and
3. WHEREAS, both the CITY and the OWNER desire to carry out the purposes of Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code; and
4. WHEREAS, both the CITY and the OWNER desire to limit the use of the PROPERTY and to preserve the PROPERTY so as to retain its characteristics as a property of cultural, architectural, and historical significance.

Agreement

NOW THEREFORE, both the CITY and the OWNER, in consideration of the mutual promises, covenants, and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. Applicability of Government Code and Revenue and Taxation Code. This Agreement is made pursuant to Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code and is subject to all of the provisions of these statutes.

2. Preservation/Rehabilitation and Maintenance of Property. During the term of this Agreement, the PROPERTY shall be subject to the following conditions, requirements, and restrictions:

a. The OWNER agrees to preserve/rehabilitate and maintain the cultural, historical, and architectural characteristics of the PROPERTY during the term of this Agreement as set forth in the attached schedule of improvements identified as Attachment "B" to this Agreement.

b. The OWNER shall maintain all buildings, structures, yards, and other improvements in a manner which does not detract from the appearance of the immediate neighborhood. Prohibited property conditions include, but are not limited to:

- i. Dilapidated, deteriorating, or unrepaired structures, such as fences, roofs, doors, walls, and windows;
- ii. Scrap lumber, junk, trash, or debris;
- iii. Abandoned, discarded, or unused objects or equipment, such as automobiles, automobile parts, furniture, stoves, refrigerators, cans, containers, or similar items;
- iv. Stagnant water or excavations, including swimming pools or spas; and
- v. Any device, decoration, design, or structure, or vegetation which a reasonable person would determine to be unsightly by reason of its height, condition, or its inappropriate location.

c. All improvements and work performed on the PROPERTY shall meet, at a minimum, the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, the State Historical Building Code, and the applicable development codes of the City of Escondido.

d. If a code enforcement action has been instituted by the CITY, the CITY may request, and the OWNER shall submit within thirty (30) days, documentation of expenditures incurred and work performed by the OWNER within the last 24 months to accomplish items from the list of scheduled improvements for the PROPERTY as set forth in Attachment B of this Historic Property Preservation (Mills Act) Agreement. If the OWNER performs work on

the PROPERTY, rather than contracting with a third-party, the value of his/her labor shall be calculated at the market rate for such work performed. The OWNER shall be in substantial compliance with the scheduled improvements set forth in Attachment B when the expenditures incurred and work performed to accomplish the improvements are equal to or greater than the OWNER'S annual property tax savings for the last 24 months, as determined by the CITY, based upon the County Tax Assessor's valuation of the PROPERTY using the process set forth in Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

e. OWNER shall, within thirty (30) days after written notice from the CITY, furnish the CITY with any information the CITY shall require to enable the CITY to determine (i) the PROPERTY'S present state; (ii) the PROPERTY'S continued eligibility as a qualified historic property; and (iii) whether the OWNER is in compliance with this Agreement.

_____ **OWNER'S INITIALS**

3. Inspections. The OWNER agrees to permit periodic examinations/inspections of the interior and exterior of the PROPERTY by the CITY, the County Assessor, the Department of Parks and Recreation, and the State Board of Equalization as may be necessary to determine the OWNER'S compliance with this Agreement.

_____ **OWNER'S INITIALS**

4. Term of Agreement. This Agreement shall be effective and shall commence on January 1st of the year following the successful recordation of this document by the County Recorder's Office and shall remain in effect for a period of ten (10) years thereafter.

5. Automatic Renewal. On the tenth (10th) anniversary of this Agreement and on each successive anniversary date (hereinafter referred to as "the RENEWAL DATE"), one (1) year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is given as provided in Paragraph 6 below.

6. Notice of Nonrenewal. If, in any year, either the CITY or the OWNER desires not to renew this Agreement, that party shall serve a written notice of nonrenewal on the other party. If the OWNER elects to serve a notice of nonrenewal, the notice must be served on the CITY at least ninety (90) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Conversely, if the CITY elects to serve a notice of nonrenewal, the notice must be served on the OWNER at least sixty (60) days prior to the RENEWAL DATE, otherwise one (1) additional year shall

automatically be added to the term of this Agreement. The CITY may issue a notice of nonrenewal if the CITY determines improvements, maintenance, rehabilitation, renovation, and/or restoration of the PROPERTY is required for the PROPERTY'S continued eligibility as a qualified historic property. Upon receipt by the OWNER of a notice of nonrenewal from the CITY, the OWNER may make a written protest of the nonrenewal. The CITY may, at any time prior to the RENEWAL DATE, withdraw its notice of nonrenewal.

7. Effect of Notice of Nonrenewal. If, in any year, either party serves a notice of nonrenewal as provided in Paragraph 6 above, this Agreement shall remain in effect for: (1) the balance of the period remaining under the initial term of this Agreement; or (2) the balance of the period remaining since the last automatic renewal, whichever the case may be.

8. Cancellation. The CITY may cancel this Agreement if the CITY determines the OWNER: (a) has breached any of the conditions or covenants of this Agreement; (b) has allowed the PROPERTY to deteriorate to the point that it no longer meets the standards of a qualified historical property as defined in California Government Code section 50280.1; or (c) if the OWNER has failed to restore or rehabilitate the PROPERTY in the manner specified in Paragraph 2 of this Agreement.

_____ **OWNER'S INITIALS**

9. Notice of Cancellation. Notwithstanding the above, this Agreement cannot be cancelled until after the CITY has given notice and has held a public hearing as required by California Government Code section 50285.

10. Cancellation Fee. If the CITY cancels this Agreement in accordance with Paragraph 8, the OWNER shall pay those cancellation fees set forth in California Government Code sections 50280 et seq., described herein. Upon cancellation, the OWNER shall pay a cancellation fee of twelve and one-half percent (12-1/2%) of the current fair market value of the PROPERTY, which is to be determined by the County Assessor as though the PROPERTY were free and clear of any of the restrictions pursuant to this Agreement. The cancellation fee shall be paid to the County Auditor at the time and in the manner that the County Auditor shall prescribe and shall be allocated by the County Auditor to each jurisdiction in the tax rate area in which the PROPERTY is located in the same manner as the County Auditor allocates the annual tax increment in that tax area that fiscal year.

_____ **OWNER'S INITIALS**

11. No Compensation. The OWNER shall not receive any payment from the CITY in consideration for the obligations imposed under this

Agreement. The parties recognize and agree that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to the OWNER as a result of assessed value of the PROPERTY because of the restrictions this Agreement imposes on the use and preservation of the PROPERTY.

12. Enforcement of Agreement. As an alternative to cancellation of the Agreement for breach of any condition as provided in Paragraph 8, the CITY may, in its sole discretion, specifically enforce, or enjoin the breach of the terms of this Agreement. In the event of a default, under the provisions of this Agreement by the OWNER, the City shall give written notice to the OWNER by registered or certified mail. If such violation is not corrected to the reasonable satisfaction of CITY within thirty (30) calendar days after the date of notice of violation, or within such reasonable time as may be required to cure the violation (provided the acts to cure the violation are commenced within thirty (30) calendar days and thereafter diligently pursued to completion), the CITY may, without further notice, declare the OWNER to be in breach under the terms of this Agreement, and may bring any action necessary to specifically enforce the obligations of the OWNER growing out of the terms of this Agreement or apply for such other relief as may be appropriate under local, state, or federal law.

13. Indemnification. OWNER shall indemnify, defend (with counsel reasonably acceptable to CITY) and hold harmless the City of Escondido, and all of its boards, commissions, departments, agencies, agents, officers, and employees from and against any and all actions, causes of actions, liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties and expenses (collectively the "Claims") incurred in connection with or arising in whole or in part from this Agreement, including without limitations:

- a. any accident, injury to or death of a person, loss of or damage to property incurring in or about the PROPERTY;
- b. the use or occupancy of the PROPERTY by the OWNER, their agents or invitees;
- c. the condition of the PROPERTY;
- d. any construction or other work undertaken by the OWNER of the PROPERTY.

This indemnification shall include, without limitation, reasonable fees for attorneys, consultants, experts and the CITY'S cost for investigating any Claims. The OWNER shall defend the CITY and all of its boards, commissions, departments, agencies, agents, officers, and employees from any and all Claims even if such Claim is groundless, fraudulent, or false. The OWNER'S obligations under this Paragraph shall survive termination of this Agreement.

_____ OWNER'S INITIALS

14. Remedy If Agreement Not An Enforceable Restriction. In the event it is finally determined by a court of competent jurisdiction that this Agreement does not constitute an enforceable restriction within the meaning of the applicable provisions of the California Government Code and the California Revenue and Taxation Code, except for an unenforceability arising from the cancellation or nonrenewal of this Agreement, for any tax year during the life of this Agreement, then this Agreement shall be null and void and without further effect and the PROPERTY shall from that time forward be free from any restriction whatsoever under this Agreement without any payment or further act by the parties.

15. Condemnation Proceedings. If condemnation proceedings are filed against the PROPERTY, or if the PROPERTY is acquired by a public agency in lieu of condemnation proceedings, this Agreement shall be null and void. If the condemnation proceedings are subsequently abandoned or the acquisition rescinded, this Agreement shall be reactivated retroactively and shall be in full force and effect without the need for any further act by the parties.

16. Destruction of Property; Eminent Domain. If the PROPERTY is destroyed by fire or other natural disaster such that in the opinion of the CITY the historic value of the structure has been lost and a majority of the structure must be replaced, this Agreement will be cancelled. If the PROPERTY is acquired in whole or in part by eminent domain or other acquisition by an entity authorized to exercise the power of eminent domain, and the acquisition is determined by the CITY to frustrate the purpose of the Agreement, this Agreement shall be cancelled. No cancellation fee as set forth in Paragraph 10 above and pursuant to California Government Code sections 50280 et seq. shall be imposed if the Agreement is cancelled pursuant to this Paragraph.

17. Entire Agreement. This instrument and its attachments constitute the entire agreement between the parties. The parties shall not be bound by any terms, conditions, statements, or representations, oral or written, not contained in this Agreement. Each party hereby acknowledges that in executing this Agreement, the party has not been induced, persuaded, or motivated by any promise or representation made by the other parties, unless expressly set forth in this Agreement. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument and are of no force and effect.

18. Attorney's Fees. In the event legal proceedings are brought by any party or parties hereto, to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover its

reasonable attorney's fees in addition to court costs and other relief ordered by the court.

19. Modification. No modification of this Agreement shall be valid or binding unless the modification is in writing, signed by all parties, and recorded with the County Recorder for the County of San Diego.

20. Binding Effect. This Agreement shall be binding on and inure to the benefit of all parties herein, their heirs, successors-in-interest, legal representatives, assigns and all persons acquiring any part or portion of the PROPERTY, whether by operation of law or otherwise, and that any such person(s) shall have the same rights and obligations under this Agreement.

21. Choice of Law and Forum. This Agreement and the legal relations between the parties shall be governed by and construed in accordance with the laws of the State of California. Any action or proceeding to enforce any provision of this Agreement shall be brought in the San Diego Superior Court, North County Division.

22. Sale. If the PROPERTY is sold, the OWNER shall notify the CITY of the sale and present to the CITY a signed statement from the new owner(s) indicating that a copy of this Agreement, the list of scheduled improvements for the PROPERTY as set forth in Attachment B of this Agreement, and any amendments to this Agreement were provided to them.

23. Headings. The headings of the paragraphs of this Agreement are inserted for convenience only. They do not constitute part of this Agreement and shall not be used in its construction.

24. Waiver. The waiver by any party to this Agreement of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach of that or any other provision of this Agreement.

25. 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.

26. Notices. Any notice, delivery or other communication pursuant to this Agreement shall be in writing and shall be given to:

CITY:	City Clerk City of Escondido 201 N. Broadway Escondido, CA 92025
OWNER:	Dorothy J. Marron 134 West 6 th Avenue Escondido, CA 92025

Any party may change his/her/its address by giving written notice to the other parties in the manner provided in this paragraph. Any notice, delivery, or other communication shall be effective and shall be deemed to be received by the other parties within five (5) business days after the notice has been deposited in the United States mail, duly registered or certified, with postage prepaid, and addressed as set forth above.

27. Notice to Office of Historic Preservation. The OWNER or an agent of the OWNER shall provide written notice of this Agreement to the Office of Historic Preservation within six months of entering into this Agreement. A copy of this notice shall also be provided to the CITY.

(Remainder of page left intentionally blank.)

28. Counterparts. This Agreement may be executed in any number of counterparts or by facsimile transmission, each of which will be deemed an original with the same effect as if all signatures were on the same instrument.

IN WITNESS WHEREOF, the CITY and the OWNER have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Dated: _____ By: _____
Paul McNamara, Mayor
(This signature must be notarized.)

Dated: _____ By: _____
Zachary Beck, City Clerk
(This signature must be notarized.)

OWNER

Dated: _____ By: _____
Dorothy J. Marron
(This signature must be notarized.)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
MICHAEL R. MCGUINNESS, City Attorney

By: _____

ATTACHMENT "A"

LEGAL DESCRIPTION

Real property in the City of Escondido, County of San Diego, State of California,
described as follows:

THE NORTHEASTERLY HALF OF LOT 4, BLOCK 115 OF ESCONDIDO, IN THE CITY
OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING
TO THE MAP THEREOF NO. 336, FILED IN THE OFFICE OF THE COUNTY
RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886.

APN: 233-251-14-00

ATTACHMENT "B"

**Mills Act Application
List of Improvements**

Property Address: 134 West 6th Avenue

Property Owner: Dorothy Marron

1. Replace front door with period appropriate door.
2. Replace existing wood-framed windows.
3. Add period-appropriate screens to existing windows.
4. Reroof the main house.
5. Remove satellite dish from roof and repair roof as needed.
6. Repaint main house with period-appropriate colors.
7. Replace turf with drought tolerant landscaping.
8. Upgrade electrical system in main house.
9. Repair mortar on fireplace and install fireplace liner.
10. Repair house foundation.

CITY COUNCIL STAFF REPORT

Consent Item No. 9

November 6, 2019

File No. 1050-45

SUBJECT: Amend Engineering and Traffic Survey (Speed Zone) on Rincon Avenue

DEPARTMENT: Engineering Services Department, Traffic

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2019-164, to amend an Engineering and Traffic Survey (Speed Zone) on Rincon Avenue between Broadway and Conway Drive.

FISCAL ANALYSIS:

Funds are available in the Traffic Infrastructure budget for signage fabrication and installation costs.

PREVIOUS ACTION:

The Transportation and Community Safety Commission voted to recommend approval of this speed limit at their meeting on October 10, 2019.

BACKGROUND:

To satisfy the requirements of Section 40802(b) of the California Vehicle Code, Engineering and Traffic Surveys are required by the State of California to establish speed limits and to enforce those limits using radar or other speed measuring devices. These surveys must be updated periodically (every five (5), seven (7), or ten (10) years, depending upon specific criteria), to ensure the speed limits reflect current conditions as dictated by the 2019 California Vehicle Code. The surveys must be conducted following the procedures outlined in the California Manual on Uniform Traffic Control Devices (CA-MUTCD) dated November 7, 2014, and in accordance with applicable provisions of the California Vehicle Code Section 627, titled "Engineering and Traffic Survey."

The CA-MUTCD guidelines state that 85 percent of drivers are traveling at a safe and reasonable speed, and that this 85th percentile speed is the parameter of a speed survey that should be used to determine a legally enforceable-posted speed limit. Based on this principle, and other speed survey standards, staff is recommending the amendment of one (1) speed survey that is an update of the current posted speed limits.

The results of the speed survey and recommended speed limits are listed in Table 1. The last column shows the recommended speed limit, per the Traffic Engineer's judgment in matching existing conditions with the traffic safety needs of the community.

Table 1: Speed Surveys and Recommended Speed Limits recommended on November 6, 2019.

Street Name	Segment		Existing Posted Limit (MPH)	85th Percentile Speed (MPH)	Recommended Speed Limit (MPH)*
	From	To			
Rincon Avenue	Broadway	Conway Drive	45	42	40

**To be posted per Traffic Engineer*

Staff recommends approval of one (1) speed survey to post a speed limit of 40 mph on Rincon Avenue between Broadway and Conway Drive. This speed limit is based on an 85th percentile speed of 42 mph. The 85th percentile speed indicates that 40 mph is the safe and appropriate speed for this roadway.

Staff recommendations for the segment are consistent with the results of the current speed surveys and in compliance with requirements of the California Vehicle Code and the Caltrans - California Manual on Uniform Traffic Control Devices

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
10/30/19 5:47 p.m.

ATTACHMENTS:

1. Resolution No. 2019-164

RESOLUTION NO. 2019-164

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMEND ENGINEERING AND TRAFFIC
SURVEY (SPEED ZONE) ON RINCON
AVENUE

WHEREAS, the City of Escondido (“City”) Municipal Code Section 28-5(12) provides that the City Council shall establish a Traffic Schedule for Speed Zones; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to amend said Traffic Schedule.

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 approves Resolution No. 2019-164 amending the

Traffic Schedule for Speed Zone to reflect a decreased speed limit as follows:

Street Name	Segment		Existing Posted Limit (MPH)	85th Percentile Speed (MPH)	Recommended Speed Limit (MPH)*
	From	To			
Rincon Ave	Broadway	Conway Drive	45	42	40

**To be posted per Traffic Engineer*

CITY COUNCIL STAFF REPORT

Consent Item No. 10

November 6, 2019

File No. 0170-57

SUBJECT: Approval of CalPERS Industrial Disability for Police Officer Elizabeth Rivera

DEPARTMENT: Human Resources Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2019-169, approving the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Police Officer Elizabeth Rivera.

BACKGROUND:

Ms. Rivera filed for Industrial Disability Retirement, on July 19, 2019, as a 52-year-old Police Officer. She has been employed by the City of Escondido for 21 years. The basis for Ms. Rivera's Industrial Disability Retirement application is confirmed by medical reports from Dr. Michael Kimball and Dr. Clark Smith. Ms. Rivera's condition is orthopedic in nature. Accordingly, Ms. Rivera is incapacitated within the meaning of the Public Employees' Retirement Law for performance of her usual and customary duties in the position of Police Officer.

Under State Law, the City Council is required to adopt a Resolution determining that competent medical evidence supports the granting of an Industrial Disability Retirement. Based on medical evidence, staff recommends the City Council adopt Resolution No. 2019-169, approving the CalPERS Industrial Disability Retirement for Elizabeth Rivera to be effective August 10, 2019.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Jessica Perpetua, Director of Human Resources
10/30/19 3:03 p.m.

ATTACHMENTS:

1. Resolution No. 2019-169

RESOLUTION NO. 2019-169

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

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

WHEREAS, the California Public Employees’ Retirement Law (Govt. Code § 20000 et seq.) (“California law”) requires that the City determine whether an employee classified as a local safety member is disabled for purpose of the California law and whether such disability is “industrial” within the meaning of such law; and

WHEREAS, Elizabeth Rivera (“Employee”) filed an application with CalPERS on July 19, 2019, for a service pending industrial disability retirement due to orthopedic injuries; and

WHEREAS, the Employee, is employed by the City in the position of Police Officer; and

WHEREAS, the City Council of the City of Escondido has reviewed the medical and other evidence relevant to this industrial disability.

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

1. That the above recitations are true.
2. That the City Council of the City of Escondido, California does hereby find and determine that Employee is incapacitated within the meaning of the California Public

Employees' Retirement Law for performance of her duties in the position of Police Officer.

3. That the City Council certifies, in accordance with Govt. Code § 21156, that this determination was made on the basis of competent medical opinion, and was not used as a substitute for the disciplinary process.

4. That the Employee had filed a Workers' Compensation claim for her disabling conditions. The City accepted the Employee's Workers' Compensation claim.

5. That neither the Employee nor the City of Escondido has applied to the Worker's Compensation Appeals Board for a determination pursuant to Government Code section 21166 whether such disability is industrial.

6. That the Employee's retirement date will be effective August 10, 2019, and her last day on paid status was August 9, 2019.

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

8. That the City will not be making Advanced Disability Pension Payments.

9. That the primary disabling condition is an orthopedic injury to her right knee and lumbar spine, and arose out of and in the course of employment.

10. That there is competent medical opinion certifying the disabling condition to be permanent.

11. That based on information and belief, and on the information provided by City staff, the City Council certifies under penalty of perjury that all statements in this Resolution are true and correct.

CITY COUNCIL STAFF REPORT

Consent Item No. 11

November 6, 2019

File No. 0170-57

SUBJECT: Approval of CalPERS Industrial Disability for Fire Engineer Kenneth Burris

DEPARTMENT: Human Resources Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2019-171, approving the California Public Employees' Retirement System (CalPERS) Industrial Disability Retirement for Fire Engineer Kenneth Burris.

BACKGROUND:

Mr. Burris filed for Industrial Disability Retirement, on October 22, 2019, as a 53-year-old Fire Engineer. He has been employed by the City of Escondido for 27 years. The basis for Mr. Burris's Industrial Disability Retirement application is confirmed by medical reports from Dr. Jeffrey Bernicker. Mr. Burris's condition is orthopedic in nature. Accordingly, Mr. Burris is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his usual and customary duties in the position of Fire Engineer.

Under State Law, the City Council is required to adopt a Resolution determining that competent medical evidence supports the granting of an Industrial Disability Retirement. Based on medical evidence, staff recommends the City Council adopt Resolution No. 2019-171, approving the CalPERS Industrial Disability Retirement for Kenneth Burris to be effective November 8, 2019.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Jessica Perpetua, Director of Human Resources
10/30/19 3:03 p.m.

ATTACHMENTS:

1. Resolution No. 2019-171

RESOLUTION NO. 2019-171

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING THE CALPERS INDUSTRIAL
DISABILITY RETIREMENT FOR FIRE
ENGINEER KENNETH BURRIS

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

WHEREAS, the California Public Employees’ Retirement Law (Govt. Code § 20000 et seq.) (“California law”) requires that the City determine whether an employee classified as a local safety member is disabled for purpose of the California law and whether such disability is “industrial” within the meaning of such law; and

WHEREAS, Kenneth Burris (“Employee”) filed an application with CalPERS on October 22, 2019, for an industrial disability retirement due to orthopedic injuries; and

WHEREAS, the Employee, is employed by the City in the position of Fire Engineer; and

WHEREAS, the City Council of the City of Escondido has reviewed the medical and other evidence relevant to this industrial disability.

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

1. That the above recitations are true.
2. That the City Council of the City of Escondido, California does hereby find and determine that Employee is incapacitated within the meaning of the California Public Employees’ Retirement Law for performance of his duties in the position of Fire Engineer.

3. That the City Council certifies, in accordance with Govt. Code § 21156, that this determination was made on the basis of competent medical opinion, and was not used as a substitute for the disciplinary process.

4. That the Employee had filed a Workers' Compensation claim for his disabling conditions. The City accepted the Employee's Workers' Compensation claim.

5. That neither the Employee nor the City of Escondido has applied to the Worker's Compensation Appeals Board for a determination pursuant to Government Code section 21166 whether such disability is industrial.

6. That the Employee's retirement date will be effective November 8, 2019, and his last day on paid status is November 7, 2019.

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

8. That the City will make monthly Advanced Disability Pension Payments of \$4,051.00, beginning December 1, 2019, until CalPERS begins making retirement payments. The City will also make a one-time advance disability payment of \$3,105.77, for the remaining twenty-three days of November 2019.

9. That the primary disabling condition is an orthopedic injury to his cervical spine, both knees and both shoulders, and arose out of and in the course of employment.

10. That there is competent medical opinion certifying the disabling condition to be permanent.

11. That based on information and belief, and on the information provided by City staff, the City Council certifies under penalty of perjury that all statements in this Resolution are true and correct.

CITY COUNCIL STAFF REPORT

Consent Item No. 12

November 6, 2019

File No. 0480-45

SUBJECT: Annual Financial Report on Capital Funds Funded by Development Impact Fees per Government Code Section 66006

DEPARTMENT: Finance Department

RECOMMENDATION:

It is requested that the City Council receive and file the Annual Financial Report on Developer Fees.

FISCAL ANALYSIS:

No impact.

PREVIOUS ACTION:

The annual report for the Fiscal Year ending June 30, 2018, was brought to the City Council on December 5, 2018.

BACKGROUND:

California Government Code Section 66006 requires local agencies to annually report certain financial information on capital funds funded by development impact fees. Fiscal Year June 30, 2019, information is included for your consideration and acceptance.

The attached report provides the information required by the Government Code for the four development fees, which fall under this disclosure requirement. No refunds have been made nor are any required. The report does not show the future plans for monies in the funds. More information on these funds and all other capital project funds is available in the Five-Year Capital Improvement Program, which was adopted by the City Council for Fiscal Years 2019/20-2023/24. There is also more information in the Comprehensive Annual Financial Report (CAFR) for Fiscal Year June 30, 2019, which will be provided to you near the end of December.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Joan Ryan, Director of Finance
10/30/19 3:38 p.m.

ATTACHMENTS:

1. Attachment 1 - Financial Information Report

CITY OF ESCONDIDO
Financial Information Report
Capital Funds Funded by Developer Fees and Subject to Gov. Code Sec. 66006
Fiscal Year Ended June 30, 2019

This report contains information on the City of Escondido's Capital Funds Funded by Developer Fees. These fees collected from developers are subject to the Government Code Section 66000 et seq., which governs the administration of development fees paid by developers for the public facilities and infrastructure needed to serve the new development. In order to be in compliance with the government code, fees are accounted for in separate funds to ensure that the fees are spent on the specific purpose for which they were collected. This report is organized by the fund that each developer fee is collected in and includes the following information:

- 1) A brief description of the type of fee collected in each fund
- 2) The amount of the fee
- 3) The beginning and ending balances in each fund
- 4) The amount of fees collected, interest earned, and transfers/loans
- 5) A description of the public improvements that the fees were spent on, along with the total percentage of the cost of the public improvement that was funded with the fees
- 6) A description of each interfund transfer or loan made from each fund, along with the date the loan will be repaid and the rate of interest
- 7) The estimated date when projects will commence if sufficient funds have been collected to complete a project
- 8) The amount of refunds made pursuant to the code, if applicable

For the fiscal year ended June 30, 2019 there were no refunds of developer fees pursuant to the code. For more information regarding timelines, future uses, and history on the capital projects designated by the City Council in these funds, see the City of Escondido's Five Year Capital Improvement Program and Budgets, which are available on the City of Escondido's website or at the City Clerk's reference desk.

PARK DEVELOPMENT FUND	Beginning Fund Balance	Developer Fee Revenue	Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUND 109	\$ 3,898,312	\$ 100,216	\$156,742	\$ 11,610	\$ (276,373)	\$ 3,890,507

Park Fee: \$6,715 per dwelling unit, \$6,405 per dwelling unit for multi family development, \$4,655.40 per dwelling unit located in the Downtown Specific Plan Area

Purpose: To ensure that the park land and recreational facility standards established by the City are met with respect to the additional needs created by such development.

Other Revenue and Transfers In:

Other Revenue Description	
Transfer from the General Capital Fund for the Grape/CCAE Marquee Signage	11,610
Total Other Revenue and Transfers In:	\$11,610

Capital Expenditures and Transfers Out:

Project No.	Expenditure Description	Expenditures	FYE 2019 Appropriation Balance	Fees as a % of Total Project's Funding
501701	Aquatic Facility Improvements	11,635	1,212,782	100%
501602	City Park Capital Improvements	65,750	96,414	100%
501810	City Skate Spots	15,334	283,676	100%
503501	El Caballo Environmental Review	-	40,000	100%
504903	Grape/CCAE Marquee Signage	21,414	-	23%
508901	Grape Day Park CPTED Improvements	4,734	395,266	100%
501901	Grape Day Park Expansion	-	438,395	100%
501601	Grape Day Park Restrooms	6,489	740,824	100%
501404	Jim Stone Pool	-	137,110	24%
501501	Kit Carson Park Parking Lot Lights & Security	3,050	911,046	100%
501702	Kit Carson Park Sports Center Restroom	-	53,344	100%
504901	Kit Carson Park Tennis Courts	69,938	10,062	100%
504902	Park Development Outreach	8,200	31,800	100%
504902	Park Signage	9,883	23,617	100%
501808	Play Equipment Shade Structure	-	250,000	100%
501903	Washington Park Improvements	26,850	43,150	100%
501809	Washington Park Parking Lot Expansion	144	384,856	100%
504501	Washington Park Tennis Courts	32,952	17,048	100%
Total Expenditures and Appropriations:		\$ 276,373	\$ 5,069,390	

CITY OF ESCONDIDO
Financial Information Report
Capital Funds Funded by Developer Fees and Subject to Gov. Code Sec. 66006
Fiscal Year Ended June 30, 2019

TRAFFIC IMPACT FUND	Beginning Fund Balance	Developer Fee Revenue	Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUND 120	\$ 4,623,493	\$ 702,241	\$ 182,848	\$ -	\$ (428,952)	\$ 5,079,630

Local Traffic Fee: \$4,029 per single-family dwelling unit, \$2,014 per dwelling unit for multi family development
(See City Fee Guide for Development Projects Traffic fee schedule for additional details)

Purpose: To ensure that the traffic and transportation facility standards established by the City are met with respect to the additional needs created by such development.

Regional Traffic (RTCIP) Fee: \$2,533.15 per residential dwelling unit

Purpose: To ensure local agency participation in circulation improvements to allow quality of life standards to be achieved and allow new development to proceed.

Capital Expenditures and Transfers Out:

Project No.	Expenditure Description	Expenditures	FYE 2019 Appropriation Balance	Fees as a % of Total Project's Funding
661901	Centre City Parkway Signals	-	150,000	100%
661001	Citracado, West Valley to Harmony Grove	-	5,040,020	13%
661405	E Valley Pkwy & Valley Center Rd	364,929	-	11%
661406	El Norte Pkwy Bridge at Escondido Creek	7,440	398,575	10%
668901	Roadway Network Update	56,583	43,417	100%
Total Expenditures and Appropriations:		\$ 428,952	\$ 5,632,012	

Interfund Loans:

During the fiscal year ended 1985, per CDC resolution 85-7, the traffic impact fund established a loan to the Community Development Commission (CDC) to provide funding to construct certain capital improvements as described in the Redevelopment Plan. The initial loan amount was \$200,000, with accrued interest and payments received the current balance is \$953,953.

STORM DRAIN FUND	Beginning Fund Balance	Developer Fee Revenue	Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUND 227	\$ 674,427	\$ 135,032	\$ 12,863	\$ -	\$ (168,349)	\$ 653,973

Drainage Facilities Single-family residential \$1,092 per dwelling unit, non-residential \$0.71 per sq. ft.

Fee: Multi-family residential \$451 per dwelling unit, \$428.34 per dwelling unit located in the Downtown Specific Plan Area

Purpose: To ensure that storm water drainage facilities meet the requirements established by the City's Drainage Master Plan.

Capital Expenditures and Transfers Out:

Project No.	Expenditure Description	Expenditures	FYE 2019 Appropriation Balance	Fees as a % of Total Project's Funding
671403	E Valley Pkwy & Midway Drainage Improven	20,600	693,205	100%
673701	Master Drainage Condition Assessment	23,134	-	100%
671403	Storm Drain - Chestnut at Luna Vista	-	5,351	100%
671501	Storm Drain - East Valley & Valley Center Road	76,992	-	2%
679908	Storm Drain - La Honda Drive	-	200,001	100%
799501	Fees Available for Developer Reimbursements	47,623	-	100%
Total Expenditures and Appropriations:		168,349	898,557	

CITY OF ESCONDIDO
Financial Information Report
Capital Funds Funded by Developer Fees and Subject to Gov. Code Sec. 66006
Fiscal Year Ended June 30, 2019

PUBLIC FACILITIES FUNDS	Beginning Fund Balance	Developer Fee Revenue	*Interest Earned	Other Revenue & Transfers-In	Capital Expenditures & Transfers-Out	Ending Fund Balance
FUNDS 243	\$ 6,828,456	\$ 887,554	\$ 281,974	\$ 60,548	\$ (502,952)	\$ 7,555,580

Public Facility Fee: Residential \$4,777 per dwelling unit, \$3,740.14 per dwelling unit for multi-family development located in the Downtown Specific Plan Area
Commercial \$2.17 per square foot, Industrial \$1.64 per square foot

Purpose: To ensure that public facility standards established by the City are met with respect to the additional needs created by such development. (For public facilities such as Police, Fire, Library, etc.)

Other Revenue and Transfers In:

Transfer In Description

Return of unused Public Facility Funds from the Radio Replacement Project	60,548
Total Other Revenue and Transfers In:	\$60,548

Capital Expenditures and Transfers Out:

<u>Project No.</u>	<u>Expenditure Description</u>	<u>Expenditures</u>	<u>FYE 2019 Appropriation Balance</u>	<u>Fees as a % of Total Project's Funding</u>
406601	Automated Materials Handling	29,199	103,242	100%
128901	CAD Mapping Upgrade	-	345,000	100%
100239	Computer Aided Dispatch	-	80,036	45%
121501	Downtown Public Wireless	-	5,282	100%
151701	Dumpster Enclosure Security Upgrades	39,491	29,056	100%
166901	Fire Department Aerial Truck	68,572	600,853	100%
153009	GIS Public Internet Server	-	3,584	100%
400901	Library Books & Circulating Materials	248,452	-	100%
408101	Library Expansion Project	-	199,377	100%
441801	PACC Entry Gate	31,127	8,873	100%
556501	Public Works Yard Relocation	-	6,577,691	23%
406602	Radio Frequency Identification	-	55,343	100%
106702	RCS Financing	86,111	602,727	23%
Total Expenditures and Appropriations:		\$502,952	\$8,611,064	

Interfund Loans:

During the fiscal year ended 2015, per resolution 2014-115, the public facilities fund established a loan to the general fund to expedite the purchase of a CAD system. The initial loan amount was \$225,000 and was set to be repaid in 5 years with an annual principal payment of \$45,000 and interest equivalent to the City's calculated investment portfolio monthly yield. During this fiscal year, \$45,000 in principal was repaid along with \$1,797 in interest. The remaining principal balance on the loan as of June 30, 2019 is \$45,000.

During the fiscal year ended 2019, per resolution 2018-146, the public facilities fund established a loan to the California Center for the Arts (CCA) to expedite the purchase of a Sound System in the CCA Concert Hall. The initial loan amount was \$261,500 and is being repaid in monthly payments over 5 years. The loan is being repaid with an interest rate of 2.598%. The remaining balance on this loan as of June 30, 2019 is \$224,405.06.

CITY COUNCIL STAFF REPORT

Consent Item No. 13

November 6, 2019

File No. 0480-70

SUBJECT: FY 2019 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant – Local Solicitation

DEPARTMENT: Police Department

RECOMMENDATION:

It is requested that the City Council authorize the Escondido Police Department to accept a \$38,882 FY 2019 Edward Byrne Memorial Justice Assistance Grant (JAG); authorize the Chief of Police or his designee to execute grant documents on behalf of the City; and approve budget adjustments needed to spend grant funds. Grant funds will be used to cover salary expenses for two part-time patrol technicians and department training expenses.

PREVIOUS ACTION:

The City Council approved a FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$39,773 on January 16, 2019.

BACKGROUND:

The Escondido Police Department received a FY 2019 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice in the amount of \$38,882. JAG funds allow local governments to support activities that prevent and control local crime. Grant funds may not supplant items currently budgeted.

The Escondido Police Department proposes to use this year's JAG allocation to fund two (2) Police Patrol Technicians. These part-time employees assist community members, support police officers, take police reports, process paperwork, and impound property. Patrol Technicians provide vital services to the community and allow front-line law enforcement officers to handle high-priority calls.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Edward Varso, Assistant Chief of Police
10/30/19 3:06 p.m.

ATTACHMENTS:

1. Budget Adjustment Request form

ORDINANCE NO. 2019-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, APPROVING A SPECIFIC PLAN AMENDMENT AND A MASTER AND PRECISE DEVELOPMENT PLAN FOR A 145-UNIT SENIOR HOUSING PROJECT

APPLICANT: San Diego Interfaith Housing Foundation
CASE No.: PH.G. 17-0028

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

SECTION 1. The City Council makes the following findings:

a) San Diego Interfaith Housing Foundation (herein after referred to as "Applicant"), filed a verified application with the City of Escondido regarding property located at 220 N. Quince Street (APN: 229-331-10-00), in the Gateway Transit District of the Downtown Specific Plan, more particularly described as shown on Exhibit "A" ("the property"), attached to this Ordinance and incorporated herein by this reference as though fully set forth. Said verified application constitutes a request for an amendment to the Downtown Specific Plan and a Planned Development Permit (Master and Precise Development Plan) to construct a 145-unit senior housing project as shown on Exhibits "B" (Downtown Specific Plan revisions) and "C" (Master and Precise Development Plan), and on file in the Planning Division, Planning Case No. PHG 17-0028, and incorporated herein by this reference as though fully set forth.

b) The Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission on August 13, 2019. Following the public hearing on August 13, 2019, the Planning Commission adopted Resolution No. 2019-15, which recommended

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

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A MASTER AND PRECISE
DEVELOPMENT PLAN MODIFIICATION FOR
AN EXISTING MIXED-USE PROJECT

APPLICANT: HB&A Architects
CASE NO.: PHG 17-0026

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

SECTION 1. The City Council makes the following findings:

a) HB&A Architects (herein after referred to as "Applicant"), filed a verified application with the City of Escondido regarding property located at 300 – 328 S. Escondido Boulevard (APN: 233-142-14-00), in the Southern Gateway District of the Downtown Specific Plan, more particularly described as shown on Exhibit "A" ("the property"), attached to this Ordinance and incorporated herein by this reference as though fully set forth. Said verified application constitutes a request for a Master and Precise Development Plan Modification to increase the residential density of an existing mixed-use project from 68.75 dwelling units per acre to 70 dwelling units per acre, and to modify the list of permitted commercial land uses for the project, as shown on Exhibit "B" (Master and Precise Development Plan Modification – Project Plans) to this Ordinance, and on file in the Planning Division, Planning Case No. PHG 17-0026, and incorporated herein by this reference as though fully set forth.

b) The Planning Division of the Community Development Department completed its review and scheduled a public hearing regarding the application before the Planning Commission on September 10, 2019. Following the public hearing on

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

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 16

November 6, 2019

File No. 0810-15

SUBJECT: Animal Regulations Update / AZ 19-0004 and PHG 19-0047

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council introduce Ordinance No. 2019-16 to update the list of permitted and conditionally permitted animals and pets in residential zones; and adopt Resolution No. 2019-158 to conditionally permit the keeping of two (2) alpacas on property located at 2050 Miller Avenue.

PROJECT DESCRIPTION:

A request for an Amendment to the Zoning Code to review and update the list of permitted and conditionally permitted animals and pets for all residential zones, in conjunction with a proposal for a Conditional Use Permit (CUP) to allow two (2) alpacas on an existing residential lot located at 2050 Miller Avenue. The proposal also includes the adoption of the environmental determination prepared for the project.

LOCATION:

The request for a Zoning Code Amendment to review and update the list of permitted and conditionally permitted animals and pets would affect residentially zoned properties, citywide. In conjunction with the Zoning Code Amendment, the applicant, Kelly Thor, submitted a request to allow the keeping of two (2) alpacas on property located at 2050 Miller Avenue, which is centrally located in the southern portion of the city, just south of Brotherton Road and west of Centre City Parkway.

PLANNING COMMISSION RECOMMENDATION:

On September 24, 2019, the Planning Commission voted 6-0 (Commissioner Romo absent) to recommend the City Council approval of the Zoning Code Amendment and CUP. Overall, the Planning Commission spoke in support of the proposed update to the City's animal regulations. The Planning Commission also spoke in favor of the request to allow alpacas in the Residential Estates (R-E) Zone, including the subject property at 2050 Miller Avenue. Public testimony provided during the Planning Commission meeting is briefly summarized in the Public Input section later in this staff report. The September 24, 2019, Planning Commission staff report and Planning Commission meeting minutes are provided as Attachments 1 and 2, respectively.

BACKGROUND:

Many municipal zoning codes and ordinances in California contain provisions which regulate animal keeping and livestock operations on residential properties. These codes and ordinances directly address animal keeping of a personal nature involving dogs, cats, horses, domestic birds, and other animals, which are typically thought of as pets. But these are not the only animals to be considered.

Small scale, animal keeping or livestock preferences may include, but are not limited to, llamas and alpacas, exotic large birds such as emus and peacocks, as well as a variety of other less typical species. The type and quantity of animals permitted on properties in Escondido are established by Table 33-95a and Section 33-1116 of the Escondido Zoning Code.

On March 21, 2019, a code violation complaint was filed against a property located 2050 Miller Avenue for the keeping of two (2) alpacas on the property. Although alpacas are not specifically listed as a permitted animal in the Zoning Code, there are other animals that are similar such as large domesticated cattle, sheep, goats, and swine. The number of animals permitted in this category is one (1) animal per acre in the Residential Agriculture (R-A) or R-E zones. Since the subject property is less than one (1) acre in size, cattle, sheep, goats, and swine are prohibited. Therefore, owning, possessing, or harboring any alpacas at 2050 Miller Avenue is also a violation of code. The applicant, Kelly Thor, submitted a request to the Planning Division to amend to the Zoning Code to permit or conditionally permit alpacas in the R-E Zone on properties that are less than one (1) acre in size. The proposed Zoning Code Text Amendment enables the review and consideration of a CUP request to allow up to two (2) alpacas at 2050 Miller Avenue.

The Planning Division is responsible for conducting a periodic review of the Municipal and Zoning Codes, and provides recommendations on how to administer the codes more effectively and efficiently. While the current review and potential update to the animal regulations was initiated with a permit request to correct a code violation and allow alpacas at 2050 Miller Avenue, City staff does receive other animal-related complaints on a relatively-regular basis and it makes sense to look at all of the City's animal regulations to determine if other changes should be made as part of this ordinance. The origins of conflict between uses involving animal keeping or livestock and their neighbors appear to fall within a similar range of complaints/issues such as animal waste management, storage and usage areas, noise, health risks, odors, vectors, water pollution and treatment, lighting of animals, fencing, and erosion and sedimentation control. Because this is fundamentally a land use issue, the scope of the amendment covered by the application to allow alpacas at 2050 Miller Avenue is recommended to be expanded to comprehensively update the types and quantities of animals permitted in all residential zones. Ancillary and incidental amendments to Chapter 4 of the Municipal Code are needed to support the Zoning Code Amendment request.

ANALYSIS:

Domestic animals and livestock are allowed for hobby and personal use purposes within all residential zoning districts subject to the animal quantities stated in Table 33-95a and Section 33-1116 of the Escondido Zoning Code. In addition, applicable requirements of Chapter 4 of the Municipal Code (Animal Control Ordinance) may also apply to animal keeping. The changes are shown in strike-out/underline in Attachment 3 and as clean copy in Exhibit "B" to draft Ordinance No. 2019-16. A summary of the proposed changes to the City's animal regulations are provided below.

- Temporary animal fostering, primarily of rescue puppies and kittens, is undertaken locally by private volunteer residents on behalf of local animal care organizations. Current standards in the City of Escondido prohibits this land use activity in residential

- zones, if the number of animals exceeds that which is permitted. The proposed Zoning Code Amendment seeks to carve out a temporary allowance for foster care.
- The City of Escondido limits the number of adult dogs and cats allowed on private residences to two (2) or three (3) in some cases, but has no similar limits on the number of roosters, turkeys, or peafowl allowed, provided that the total number does not exceed twenty-five (25). Comparably sized cities have more restrictive limits of roosters, turkeys, and peafowl allowed on non-commercial properties. The proposed Zoning Code Amendment seeks to establish a smaller quantity of animals permitted for roosters, turkeys and peafowl animal keeping, with a maximum number of animals of any single type of bird or combination of birds.
 - Noise, property destruction or odors from any animals can be addressed in part by existing animal control and nuisance standards. The Zoning Code Amendment proposed slight modifications to the Animal Control Ordinance (Chapter 4 of the Municipal Code) to ensure that all animal keeping is subject to public nuisance abatement.
 - City staff has observed that animal-related complaints are less likely to occur when associated with larger lots than on smaller lots. The draft code reflects this philosophy. Smaller lots (those less than ½ acre) require tighter regulation due to their inherent proximity to neighboring properties. Larger lots (those greater than 40,000 SF) probably do not need as much regulation, especially when they are not visible from the right of way.
 - In each zoning district of the City of Escondido Zoning Code, specific uses are permitted for property within that zone. Each zoning district also lists various "conditionally allowed uses" which are permitted, subject to approval of a CUP by the Zoning Administrator or Planning Commission. The use permit process provides the City sufficient flexibility to determine whether a specific land use with unusual characteristics will be compatible with surrounding properties while meeting the General Plan and Zoning requirements. For instances where the animal category type needs to be evaluated for such items as building placement and size, noise generation, and other related impacts, a CUP is a good tool to regulate land use activity. Conditions may be imposed to a permit request as necessary to ensure the project's compatibility with the surrounding neighborhood and the General Plan. The Zoning Code Amendment proposes to introduce a CUP requirement for "roosters" in the R-E Zone, for "miniature goats" in the R-1 Zone, for "miniature horses" in the R-1 Zone, and for "alpacas" in the R-E Zone. It is important to note that the proposal to include the "alpacas" as an animal category type, with the quantities stated, is necessary to enable the consideration of allowing alpacas at 2050 Miller Avenue.

Alpacas are similar to, and often confused with, the llama. However, alpacas are often noticeably smaller than llamas. An adult alpaca generally is about three (3) feet in height at the shoulders. Alpacas usually weigh between 110 and 140 pounds. The height of a full-grown llama is five (5) at the shoulders and 300 to 440 pounds. Alpacas are generally easy to care for since they are not limited to a specific type of environment and they are generally very organized and neat. While alpacas are best known for their fleece production, people keep

some as pets. The average lifespan of an alpaca can range anywhere from eighteen (18) to twenty (20) years.

Alpacas make a variety of lower-volume sounds, including humming, snorting, and grumbling. However, their screams can be extremely loud. They will scream when they are not handled correctly or when they are being attacked by a potential enemy. Alpacas can also make a bird-like screech, presumably intended to terrify the opponent. This sound is typically used by a male alpaca when they are in a fight over who will dominate. Since the desired use is animal keeping for pet purposes, it is anticipated that screaming and screeching noises would be kept at a minimum or infrequent basis.

There are currently two (2) alpacas on the 2050 Miller Avenue property, which is not permitted by existing regulations. A Notice of Violation was issued on the property, located at 2050 Miller Avenue, on March 21, 2019, by the Code Enforcement Division. The applicant seeks to change the code to allow this type of animal keeping on the property. The applicant has proposed to maintain the alpaca enclosure in an area of the property that is the least intrusive to surrounding property owners. The enclosure is located in the rear of the property, approximately 160 feet from the residence and four and a half (4.5) feet from the rear property line and seven and a half (7.5) feet from the side property line to the south and sixty-eight (68) feet from the side property line to the north. The enclosure is currently about one-hundred (100) feet from the nearest, adjacent residence. Pursuant to the Zoning Code, the animal enclosure must be located fifteen (15) feet from the side property line and ten (10) feet from the rear property line. The enclosure shall also be set back from any residence by twenty (20) feet. If this CUP application is approved, the property will need to conform to these standards.

SUPPLEMENTAL DETAILS OF THE REQUEST

1. APN: 2363521100
2. Parcel Address: 2050 Miller Avenue, Escondido
3. Zoning: RE-20
4. Acreage: 0.70 acres / 30,275 SF
5. Year the home was built: 1961
6. Alpaca animal enclosure: 24' wide x 36' long x 5' high
7. Alpaca coral cover: 24' x 10' long x 10' high, composed of corrugated metal. Additional sunscreens have been added to reduce heat during summer months.
8. Fencing: Fencing around property is a mixture of chain link, horse fencing, and wooden at six (6) feet.
9. Landscaping: Bush and canopy eucalyptus trees on nearest property line.

Although the owner of 2050 Miller Avenue has six (6) turkeys on the premises, a lesser amount is proposed as part of the Zoning Code Amendment. As applied to this particular situation, the lower number seems reasonable in consideration of neighbor complaints and the how the owner uses the animal (i.e. food vs. a pet). Turkeys are known to display aggressive behavior from time to time against other turkeys or anything else that they perceive as a threat. Because both animals on the property (turkeys and alpacas) could, at times, make noises in reaction to what is going on around

them, it makes sense to reduce the capacity of these occurrences. City staff proposes a limitation of two (2) turkeys on the subject property, both through the proposed Zoning Code Text Amendment and CUP request. In review and consideration of the application request and public testimony received on September 24, 2019, the Planning Commission concurred with staff's recommendation, which is included in draft Ordinance No. 2019-16.

PUBLIC INPUT:

Several public speakers addressed the Planning Commission during the September 24, 2019, hearing on this item. Nearly all of the speakers at the hearing supported the CUP request (eleven (11) of the twelve (12) speakers spoke in support of the project). Of those that supported the application request, some resided in homes within the vicinity of Miller Avenue. The speakers that lived near the subject property indicated that the animals bring joy to the neighborhood, helps connect neighbors to sustainable living and each other, and other benefits with little to no impacts or nuisances observed. The one (1) speaker that opposed lives near the home and provided testimony of noise-related disturbances and other animal keeping impacts.

ENVIRONMENTAL REVIEW:

The City finds that the adoption of the Zoning Code Amendment would be exempt from Environmental Review pursuant to General Rule 15061(b)(3) since there would be no possibility of a significant effect on the environment because the amendment will not directly result in development. Any future project or development as defined by the California Environmental Quality Act (CEQA) that may occur as a result of the amended language would be subject to CEQA review and analysis.

The City finds that the adoption of the CUP request would be exempt pursuant to Class 3 / Section 15303(e) for new construction or conversion of small structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This item covers animal enclosures and other accessory structures for both existing and new residential structures, including the use thereof.

CONCLUSION:

The applicant would like to re-designate or change a portion of the Zoning Code that regulates the type and quantity of alpacas permitted in the R-E Zone. The proposed Zoning Code Text Amendment, expanded to comprehensively update citywide animal regulations, enables the review and consideration of a CUP request to allow up to two (2) alpacas at 2050 Miller Avenue. Both the Planning Commission and City staff have reviewed the proposal and recommends City Council approval of the request.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
10/30/19 2:38 p.m.

Mike Strong, Assistant Director of Planning
10/30/19 2:47 p.m.

ATTACHMENTS:

1. Attachment 1 – Planning Commission Staff Report (September 24, 2019)
2. Attachment 2 – Planning Commission Minutes (September 24, 2019)
3. Attachment 3 – Zoning Code Amendment Changes in Strikeout/Underline
4. Ordinance No. 2019-16
5. Ordinance No. 2019-16 – Exhibits A and B
6. Resolution No. 2019-158
7. Resolution No. 2019-158 – Exhibits A and B

ATTACHMENT 1
PLANNING COMMISSION STAFF REPORT
AZ 19-0004 and PHG 19-0047
(September 24, 2019)

Due to the number of pages of Attachment 1, the following link has been provided to review the document electronically on the City's web site:

<https://www.escondido.org/Data/Sites/1/media/agendas/PC/2019/09.24.19PCAgendaPacket.pdf>

A hardcopy of the Attachment is available for review in the Office of the Planning Division during normal business hours. To obtain a copy, please contact the City Clerk at (760) 839-4617 or Planning Division at (760) 839-4671.

CITY OF ESCONDIDO

**ACTION MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO PLANNING COMMISSION**

September 24, 2019

The meeting of the Escondido Planning Commission was called to order at 7:00 p.m. by Chairman Spann, in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: James Spann, Chairman; Michael Cohen, Commissioner; Joe Garcia, Commissioner; James McNair, Commissioner; Mark Watson, Commissioner; and Stan Weiler, Commissioner.

Commissioners absent: Don Romo, Vice-Chair.

Staff present: Mike Strong, Assistant Planning Director, Owen Tunnell, Assistant City Engineer; Adam Phillips, Senior Deputy City Attorney; and Kirsten Peraino, Minutes Clerk.

MINUTES:

Moved by Commissioner Weiler, seconded by Commissioner Cohen to approve the Action Minutes of the September 10, 2019 meeting. Motion carried unanimously; Vice Chair Romo was absent (6-0-0).

WRITTEN COMMUNICATIONS: – None.

FUTURE NEIGHBORHOOD MEETINGS: – None.

ORAL COMMUNICATIONS: – None.

PUBLIC HEARINGS:

1. SPECIFIC PLAN AMENDMENT – PHG 19-0023:

REQUEST: Amendment to the East Grove Specific Plan to modify the development standards associated with a trail section immediately adjacent and parallel to Hidden Trails Road to allow for a variety of trail improvements and/or conversion to landscaping or open space.

PROPERTY SIZE AND LOCATION: The East Grove Specific Plan is generally located along the eastern edge of the city, with Valley Center Road to the north.

ENVIRONMENTAL STATUS: Exemption under the General Rule, CEQA Section 15061(b)(3).

STAFF RECOMMENDATION: Recommend Approval by the City Council

Commissioner McNair Recused himself

PUBLIC SPEAKERS:

Lindsay Stone, spoke in favor of the project.
Mary Lytch, spoke in favor of the project.
Kevin Patrick, spoke in favor of the project.
Elizabeth Murphy, spoke in favor of the project.
Charlotte Kutilek, spoke in favor of the project.
John Thomson, spoke in favor of the project.
Atwood Lynn, spoke in favor of the project.
Steven Donovan, spoke in favor of the project.

COMMISSIONER DISCUSSION AND QUESTIONS:

The Commissioners discussed various aspects of the project.

COMMISSION ACTION:

Moved by Chairman Spann, seconded by Commissioner Watson to recommend City Council approval. Motion carried unanimously; Ayes: Cohen, Garcia, Spann, Watson and Weiler; Commissioner McNair recused himself; and Commissioner Romo was absent (5-0).

2. ZONING CODE AMENDMENT AND CONDITIONAL USE PERMIT – AZ 19-0004 and PHG 19-0047:

REQUEST: A request for an Amendment to the Zoning Code to review and update the list of permitted and conditionally permitted animals and pets for all residential zones, in conjunction with a proposal for a Conditional Use Permit to allow two (2) alpacas on an existing residential lot located at 2050 Miller Avenue. The proposal also includes the adoption of the environmental determination prepared for the project.

PROPERTY SIZE AND LOCATION: The proposed Zoning Code Amendment would affect residential properties citywide. The proposed Conditional Use Permit is specific for 0.70-acres of property located at 2050 Miller Avenue (APN 236-352-11-00).

ENVIRONMENTAL STATUS: Exemption under the General Rule, CEQA Section 15061(b)(3).

STAFF RECOMMENDATION: Recommend Approval by the City Council

PUBLIC SPEAKERS:

Kelly Thor, applicant, presented her proposal.
Eric Danell, spoke in favor of the project.
John Valdez, spoke in favor of the project.
Brian Clague, spoke in opposition to the project.
Ryan Jimenez, spoke in favor of the project.
Matheno Landers, spoke in favor of the project.
Stan Stark, spoke in favor of the project.
Nancy Burnham, spoke in favor of the project.
Mike Hinton, spoke in favor of the project.
Gary Peters, spoke in favor of the project.
Terry Williams, spoke in favor of the project.

COMMISSIONER DISCUSSION AND QUESTIONS:

The Commissioners discussed various aspects of the project.

COMMISSION ACTION:

Moved by Commissioner Weiler, seconded by Commissioner Cohen to recommend City Council approval. Motion carried unanimously; Commissioner Romo was absent (6-0).

CURRENT BUSINESS: None.

ADJOURNMENT:

Chairman Spann adjourned the meeting at 8:21 p.m. to the next regularly scheduled Planning Commission meeting to be held at 7:00 p.m. on Tuesday, October 8, 2019 in the City Council Chambers, 201 North Broadway Escondido, California.

Mike Strong, Secretary to the
Escondido Planning Commission

Kirsten Peraino, Minutes Clerk

DRAFT

ATTACHMENT 3
MUNICIPAL AND ZONING CODE AMENDMENTS STRIKEOUT/UNDERLINE
AZ 19-0004

Section 4-6. ~~Dogs disturbing~~Disturbing the peace and quiet prohibited; evidence required of violation.

(a) No person may own or keep a dog within the city in such a manner that the peace and quiet of the public is disturbed or in such a manner that the noise from the dog causes unreasonable annoyance or discomfort to a person of normal sensitivity.

(b) No person shall own, have in possession, or harbor any animal which by any frequent, habitual, or long continued noise causes unreasonable disturbance to surrounding residents.

~~(b)~~(c) Unless good cause exists, the written affirmation by two (2) persons having separate residences indicating that the noise made by a dog or other animal disturbs the peace and quiet or causes unreasonable annoyance or discomfort, as set forth in subsection (a) or (b) of this section, shall be required before any proceeding alleging a violation of this section. Good cause shall be the existence of circumstances preventing more than one (1) person from perceiving the disturbance, including but not limited to factors such as the hours during which the disturbance, annoyance or discomfort occurs, the physical configuration of the residences, or the physical inability of additional persons to perceive the disturbance, annoyance or discomfort.

(c) This section shall not be construed to apply to reasonable noises emanating from legally operated veterinary hospitals or animal care clinics, humane societies, animal shelters, farms or other agricultural facilities on Residential Agriculture (R-A) or Agricultural Overlay (AO) zones, or similar facilities.

(d) Any person who violates this section is guilty of a misdemeanor.

ARTICLE 6. RESIDENTIAL ZONES.

Sec. 33-95. Permitted accessory uses and structures.

(a) Accessory uses and structures are permitted in residential zones, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to those listed in Table 33-95. ~~Table 33-95a lists permitted animals as an accessory use.~~

(b) The permitted types and quantities of animals allowed in residential zones is listed in Table 33-95a. Other household pets are allowed pursuant to Section 33-1116 of Article 57 of this Chapter.

(1) At no time shall the keeping of such animals and pets constitute a nuisance or other detriment to the health, safety, or general welfare of the community.

(2) All animal keeping is subject to the animal control and humane treatment standards in Chapter 4 of the Municipal Code (Animal Control) and other regulations found in County and State codes, including, but not limited to, State Health and Safety Code.

(3) No more than the quantities of animals specifically listed in Table 33-95(a) or Section 33-1116 shall be kept on any premises, except that offspring may be kept onsite for up to four (4) months from birth.

ARTICLE 6. RESIDENTIAL ZONES.

Table 33-95a.

Permitted Animals in Residential Zones	R-A	R-E	R-1	R-T	R-2	R-3	R-4	R-5
<u>Alpacas</u>	<u>2**</u>	<u>2 with a minor CUP</u>						
Birds*: Small species as household pets including canaries, parrots, parakeets, love birds, etc.	12	12	6	3	3	3	3	3
<u>Pursuant to Sec. 33-1116 of Article 57</u>								
Birds*: Racing or homing pigeons pursuant to Sec. 33-1116 of Article 57	400	400	400	-	-	-	-	
<u>Pursuant to Sec. 33-1116 of Article 57</u>								
<u>Birds: Domesticated fowl. Quantity indicates total of all bird species for each parcel</u>	<u>25*</u>	<u>25*</u>	<u>6*</u>					
Birds: Domesticated fowl including chickens <u>Chickens (hens only)</u> , ducks, turkeys, etc. raised for meat and/or egg production. Quantity	25	25	6 chickens (hens only)					

indicates total of all species for each parcel. Roosters are not permitted in the R-1 zone								
<u>Turkeys, peafowl, and emus</u>	<u>2**</u>	<u>2 to 3 maximum**</u>						
<u>Roosters</u>	<u>1 to 2 maximum**</u>	<u>1 maximum with CUP</u>						
<u>Bovine and large animals:</u> Domesticated cattle, sheep, goats, llamas, swine raised for meat, fleece, and/or milk production. Quantity indicates the total number of bovine large animals per acre	1	1						
<u>Cats* (adults over 4 months)</u>	3	3	2	4	4	4	4	4
	Pursuant to Sec. 33-1116 of Article 57							
<u>Dogs* (adults over 4 months)</u>	3	3	2	4	4	4	4	4
	Pursuant to Sec. 33-1116 of Article 57							
<u>Emus: Same requirements as standard horses</u>	4	4						
<u>Goats (pygmy/miniature): Subject to the same requirements as miniature horses</u>	2	2	2 with a <u>minor CUP</u>					
<u>Horses (miniature)***: In the R-1 zone said animals are permitted only on properties zoned R-1-10 or larger</u>	2	2	2 with a <u>minor CUP</u>					

Horses (standard) ^{***} : In the R-A zone the quantity indicates the number of animals per person residing on the premises. In the R-E zone the quantity indicates the number of animals for the first 40,000 SF of lot area; 1 additional horse is permitted for each additional 20,000 SF	1 ^{**}	1 ^{**}						
Potbelly pigs*, as household pet	1	1						
Rodents ^z : Chinchillas, chipmunks, guinea pigs, mice (white), hamsters, rabbits (adult), squirrels, etc. Quantity indicates total of all species for each parcel	25	25	4	2	2	2	2	2
	<u>Pursuant to Sec. 33-1116 of Article 57</u>							
Tropical fish ^z : excluding turtles and carnivorous fresh water fish	No limit							
Other animals in RA-AO and RE-AO animal overlay zones pursuant to Article 9 of this chapter	P	P						

* ~~Household pets pursuant to section 33-1116 of Article 57 of this chapter.~~ The total combined number of domesticated birds/fowl permitted shall include both those birds/fowl allowed by all categories of chickens, ducks, etc.; turkeys, peafowls, and roosters; and emus.

** The quantity indicates the number of animals permitted per lot or for the first 40,000 SF of lot area; plus 1 animal permitted for each 20,000 SF over 40,000 SF.

*** The total number of horses and the usable acreage for horses calculated shall include both those horses allowed pursuant to private horse keeping (i.e. private horse stable) as well as horses rented, shown, used or boarded on a commercial basis for compensation (i.e. commercial horse stable), and all of the combined areas for both use types.

RESOLUTION NO. 2019-158

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA, TO
APPROVE A CONDITIONAL USE PERMIT
AND ALLOW UP TO TWO (2) ALPACAS ON
PROPERTY LOCATED AT 2050 MILLER
AVENUE

APPLICANT: Kelly Thor
CASE NO.: PHG 19-0047

WHEREAS, the project applicant, Kelly Thor (hereinafter referred to as “Applicant”), filed a land use development application (Planning Case No. PHG 19-0047) constituting a request for a Conditional Use Permit to allow up to two (2) alpacas on a 0.70-acre site located at 2050 Miller Avenue (APN 36-352-11-00), zoned residential estates (R-E); and

WHEREAS, the land use development application was submitted to, and processed by, the Planning Division of the Community Development Department in accordance with the rules and regulations of the Escondido Zoning Code and the applicable procedures and time limits specified by the Permit Streamlining Act (Government Code Section 65920 et seq.) and the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000 et seq.); and

WHEREAS, on November 6, 2019, the City Council introduced and approved, separately, Ordinance No. 2019-16 to amend Chapter 4 of the Municipal Code and Articles 6 and 57 of the Zoning Code to update animal regulations and to enable potential adoption of the proposed Conditional Use Permit on the subject property; and

WHEREAS, after the alpacas are conditionally permitted uses within the R-E Zone, subject to approval of a Conditional Use Permit, in accordance with Division 1 of Article 61 in the R-E Zone; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on September 24, 2019, to review and consider the Conditional Use Permit request. At the conclusion of said hearing, the Planning Commission adopted Planning Commission Resolution No. 2019-22; and

WHEREAS, a notice was published and mailed as required by the Escondido Zoning Code and applicable State law, and the City Council held a public hearing on November 6, 2019. At said hearing, a staff report was presented discussing the issues in the matter, and all persons desiring to speak did so; and

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

1. That the above recitations are true.
2. That the Findings of Fact, attached as Exhibit "A," and incorporated herein by this reference as though fully set forth herein, are hereby made by this City Council, and represent the City Council's careful consideration of the record.
3. Upon consideration of the Findings of Fact, attached as Exhibit "A," and the Conditions of Approval, attached as Exhibit "B," both of which are incorporated herein by this reference as though fully set forth herein, the City Council approves the Project.
4. That concurrently with this Resolution, the City Council is taking a number of actions in furtherance of the project, as generally described by the November 6, 2019, City Council staff report. No single component of the series of actions made in connection with the project shall be effective unless and until it is approved by an Ordinance or Resolution and is procedurally effective within its corporate limits as a statute in the manner provided by state law. Therefore, this Resolution shall become effective and operative only if City Council Ordinance No. 2019-16 is approved; and effective and

operative on the day immediately subsequent to the date that Ordinance No. 2019-16 becomes effective.

BE IT FURTHER RESOLVED that, pursuant to Government Code Section 66020(d)(1):

1. NOTICE IS HEREBY GIVEN that the project is subject to certain fees described in the City of Escondido's Development Fee Inventory on file in both the Community Development Department and Public Works Department. The project is also subject to dedications, reservations, and exactions, as specified in the Conditions of Approval.

2. NOTICE IS FURTHER GIVEN that the 90-day period during which to protest the imposition of any fee, dedication, reservation, or other exaction described in this Resolution begins on the effective date of this Resolution, and any such protest must be in a manner that complies with Government Code Section 66020.

EXHIBIT "A"

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Conditional Use Permit Determinations:

1. In accordance with Article 61 of the Escondido Zoning Code, all decisions granting or denying a CUP shall be in writing and shall state the reasons for the decision. In granting a conditional use permit, the following guidelines shall be observed:
 - a) A CUP should be granted upon sound principles of land use and in response to services required by the community. The environmental impacts, health concerns, and sustainability of animal keeping and ecological practices has been duly reviewed and considered as part of the CUP request. A number of special conditions have been added to the project approval to help create and maintain best practices on the property.
 - b) A CUP should not be granted if it will cause deterioration of bordering land uses or create special problems for the area in which it is located. The subject property is suitable in size to accommodate the proposed alpaca animal keeping use. The nearest residence is approximately one hundred (100) feet away from the animal enclosure. The nature of the CUP request, to allow two (2) alpacas on the property is commensurate with other small-bodied animals which may be located on a residential property. Special conditions have been added to the project approval to mitigate and reduce the potential adverse effects of pets and livestock related to animal waste management, noise, health risks, odors, vectors, water pollution and treatment, lighting of animals, fencing, and erosion and sedimentation control.
 - c) A CUP must be considered in relationship to its effect on the community or neighborhood plan for the area in which it is to be located. The proposed alpaca animal keeping is proposed, and as conditioned, to be consistent with the requirements of the Zoning Ordinance, which was established to promote limited animal keeping, while maintain basic protections of land use compatibility. The CUP was reviewed in consideration of the total amount of animal keeping and the size of the property is adequate to maintain the proposed use on the property. Furthermore, the CUP shall be subject to those conditions already developed and any additional conditions the Planning Commission determines necessary and desirable to preserve the public health, safety and general welfare of the surrounding area

EXHIBIT "B"

CONDITIONS OF APPROVAL

Conditional Use Permit Determinations:

1. The property shall be maintained to conform to the regulations regarding animal keeping found in Section 33-95 of the Escondido Zoning Code (i.e. quantities of animals permitted or conditionally permitted), subject to enclosure requirements of Sections 33-144(b) and 33-145, and maintained to standard best management practices in compliance with the grading, stormwater, and watershed protection ordinances.
2. The location, size, and design of the alpaca animal enclosure(s) including any other pens, coops, hutches, stables, barns, corrals, and similar accessory structures that may be installed or maintained on the property shall be compatible with adjacent uses, residences, buildings or structures, subject to the satisfaction of the Community Development Director with consideration given to the suitability of the site for the total number of animals on the premises at any given point, and the harmful effect, if any, upon desirable neighborhood character. No pet or group of pets, regardless of the number allowed, shall be kept in any fashion to constitute a nuisance, hazard, or other detriment to the health, safety, or general welfare, of the adjacent neighbors. The premises shall be kept in a clean and sanitary manner by the removal of waste and by the use of spray and disinfectants or other control measures to prevent the accumulation of flies.
3. The alpaca enclosure shall be screened with landscaping on the south property line. Said landscaping shall be maintained in a flourishing manner with a variety of vertical coverages.
4. The alpaca enclosure shall be adequate to contain the animals intended to be enclosed and in all cases the alpacas shall be contained within the boundaries of the property on which they are housed.
5. Electrical fencing may be maintained on the property line at a maximum of six (6) feet in height, and to when the fence is shared with another property owner, the electric fencing shall be kept on the inside of a non-electrical fence. Building permits shall be obtained from the Building Department unless exempt. If installed, appropriate signage shall be posted to give notice of the electrical fencing.
6. Manure Management. Daily removal of manure to a manure management area shall be done on a daily basis to prevent the accumulation of flies, the spread of disease, or offensive odor. Manure shall be kept in the manure management area in a covered or enclosed area, bin or container. The manure management area shall meet animal enclosure setback as specified by Section 33-145 of the Escondido Zoning Code.

Animal manure odors shall not be detectable beyond the property lines of the property where the enclosure(s) are located.

7. There are no assurances that the referenced or affected chapters and sections related to these conditions or referenced herein will not be subject to future revisions. Future condition compliance will be measured against the relevant standard or regulation in effect at that time.

ORDINANCE NO. 2019-16

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING CHAPTER 4 OF THE MUNICIPAL
CODE AND ARTICLES 6 AND 57 OF THE
ZONING CODE TO UPDATE ANIMAL
REGULATIONS

APPLICANT: Kelly Thor
CASE NO.: AZ 19-0004

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

SECTION 1. That proper notices of a public hearing have been given and public hearings have been held before the Planning Commission and City Council on this issue.

SECTION 2. The Planning Commission conducted a public hearing on September 24, 2019, to discuss and consider proposed amendments to the Municipal Code and Zoning Code, considered public testimony, and made a recommendation to the City Council.

SECTION 3. The City Council has duly reviewed and considered all evidence submitted at said hearings, including, without limitation:

- a. Written information;
- b. Oral testimony from City staff, interested parties, and the public;
- c. The staff report, dated November 6, 2019, which along with its attachments is incorporated herein by this reference as though fully set forth herein; and
- d. Additional information submitted during the Public Hearing.

SECTION 4. That upon consideration of the staff report, Planning Commission recommendation, Planning Commission staff report, all public testimony presented at the hearing held on this project, and the "Findings of Fact," attached as Exhibit "A" to this

Ordinance and incorporated herein by this reference as though fully set forth herein, this City Council finds the Municipal and Zoning Code Amendments are consistent with the General Plan and all applicable specific plans of the City of Escondido. At this time, the City Council of the City Escondido desires to amend Chapter 4 of the Escondido Municipal Code and Articles 6 and 57 of Chapter 33 of the Zoning Code to improve existing regulations related to animal keeping to promote the general health, safety, and welfare of Escondido residents and other community members.

SECTION 5. This action is exempt from environmental review pursuant to California Environmental Quality Act Guidelines (“CEQA” and “CEQA Guidelines”) Section 15061(b)(3) since there would be no possibility of a significant effect on the environment because the amendments will not directly result in development. Any future project or development as defined by the CEQA that may occur as a result of the amended language would be subject to CEQA review and analysis.

SECTION 6. That the specified sections of the Escondido Municipal Code and Zoning Code are amended as set forth in Exhibit “B” to this Ordinance and incorporated herein by this reference as though fully set forth herein

SECTION 7. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 8. That as of the effective date of this Ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed. Renumbering and relabeling of existing ordinance title, chapter, article, and/or section headings by this ordinance does

not affect the continuing validity of existing laws. Any existing reference to an ordinance, title, chapter, article, or section heading which is renumbered or relabeled by this ordinance must be construed to apply to the corresponding provisions contained within this ordinance.

SECTION 9. That the City Clerk is hereby directed to certify to the passage of this Ordinance and to cause the same or a summary to be prepared in accordance with Government Code Section 36933, to be published one time within 15 days of its passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

EXHIBIT "A"

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

Municipal and Zoning Code Amendment Determinations:

1. Cities from time to time make significant efforts to tailor their city's ordinances to create a local community that develops in a way that the local policy-makers desire. Cities use its "police power" to create laws that promote the general health, safety, and welfare of its citizens. The public health, safety, and welfare of the City of Escondido would not be adversely affected by the proposed batch of Municipal Code and Zoning Code Plan Amendments because the project establishes and updates, as necessary, local standards and guidelines for animal keeping in residential areas to ensure land use compatibility is achieved, neighborhoods are preserved, and community character is protected.
2. The City Council finds that it is necessary and appropriate to amend various provisions of the Zoning Code to add, refine, and update the provisions relating to animal keeping. The public health, safety and welfare of the City and its residents require the enactment of this ordinance in order to: (1) mitigate and reduce the potential adverse effects of pets and livestock related to animal waste management, noise, health risks, odors, vectors, water pollution and treatment, lighting of animals, fencing, and erosion and sedimentation control; (2) protect the quality of life and neighborhoods in the City, local property values, and minimize the potential for nuisances; and (3) protect the peace, welfare and privacy of persons who own or reside adjacent to properties with pets or livestock. The City Council finds that, through their discretion, the promulgation of codes that change land use regulation must strike a balance between private property rights and the public interests. The City Council further finds that the revisions to the City's Municipal Code and Zoning Code implemented by this ordinance are necessary in order to respond to recent complaints, further a legitimate governmental and community interest, protect residents, businesses, and other community members from various animal keeping nuisances. Specifically, the revisions and amendments to the City's Municipal Code and Zoning Code included in this ordinance are essential and necessary to ensure the orderly land use regulation as to uses within the City and thereby protect the public peace, safety and general welfare in the City of Escondido.
3. All rights and obligations existing under any ordinance in effect prior to the effective date of this ordinance continue in full force and effect. This ordinance does not invalidate any action taken prior to the effective date of this ordinance if the action was proper under the law governing the action at the time the action was taken.
4. There are no assurances to residents, businesses, community members, and project proponents that the affected titles, chapters, articles, and/or section headings by this ordinance will not be subject to future revisions.

5. The action to amend the Zoning Code is based on factors pursuant to Section 33-1263 of the Escondido Zoning Code. The action to which the City Council takes action on helps update the City's animal regulations and the degree to which various land use activities are permitted in each residential zoning district.
6. The proposed Zoning Code Amendments do not conflict with any Specific Plan as the project.

EXHIBIT "B"

PROPOSED MUNICIPAL CODE AND ZONING CODE AMENDMENTS

SECTION I.

Repealing in its entirety, Section 4-6 of Chapter 4 of the Municipal Code, and adopting in full new text to read as specified below.

CHAPTER 4. ANIMAL CONTROL

Section 4-6. Disturbing the peace and quiet prohibited; evidence required of violation.

(a) No person may own or keep a dog within the city in such a manner that the peace and quiet of the public is disturbed or in such a manner that the noise from the dog causes unreasonable annoyance or discomfort to a person of normal sensitivity.

(b) No person shall own, have in possession, or harbor any animal which by any frequent, habitual, or long continued noise causes unreasonable disturbance to surrounding residents.

(c) Unless good cause exists, the written affirmation by two (2) persons having separate residences indicating that the noise made by a dog or other animal disturbs the peace and quiet or causes unreasonable annoyance or discomfort, as set forth in subsection (a) or (b) of this section, shall be required before any proceeding alleging a violation of this section. Good cause shall be the existence of circumstances preventing more than one (1) person from perceiving the disturbance, including but not limited to factors such as the hours during which the disturbance, annoyance or discomfort occurs, the physical configuration of the residences, or the physical inability of additional persons to perceive the disturbance, annoyance or discomfort.

(c) This section shall not be construed to apply to reasonable noises emanating from legally operated veterinary hospitals or animal care clinics, humane societies, animal shelters, farms or other agricultural facilities on Residential Agriculture (R-A) or Agricultural Overlay (AO) zones, or similar facilities.

(d) Any person who violates this section is guilty of a misdemeanor.

SECTION II.

Repealing in its entirety, Section 33-95 of Article 6 of the Zoning Code, and adopting in full new text to read as specified below.

ARTICLE 6. RESIDENTIAL ZONES.

Sec. 33-95. Permitted accessory uses and structures.

(a) Accessory uses and structures are permitted in residential zones, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to those listed in Table 33-95.

(b) The permitted types and quantities of animals allowed in residential zones is listed in Table 33-95a. Other household pets are allowed pursuant to Section 33-1116 of Article 57 of this Chapter.

(1) At no time shall the keeping of such animals and pets constitute a nuisance or other detriment to the health, safety, or general welfare of the community.

(2) All animal keeping is subject to the animal control and humane treatment standards in Chapter 4 of the Municipal Code (Animal Control) and other regulations found in County and State codes, including, but not limited to, State Health and Safety Code.

(3) No more than the quantities of animals specifically listed in Table 33-95(a) or Section 33-1116 shall be kept on any premises, except that offspring may be kept onsite for up to four (4) months from birth.

Table 33-95a.

Permitted Animals in Residential Zones	R-A	R-E	R-1	R-T	R-2	R-3	R-4	R-5
Alpacas	2**	2 with a minor CUP						
Birds: Small species as household pets including canaries, parrots, parakeets, love birds, etc.	Pursuant to Sec. 33-1116 of Article 57							
Birds: Racing or homing pigeons	Pursuant to Sec. 33-1116 of Article 57							
Birds: Domesticated fowl. Quantity indicates total of all bird species for each parcel	25*	25*	6*					
Chickens (hens only), ducks, etc. raised for meat and/or egg production	25	25	6					
Turkeys, peafowl, and emus	2**	2 to 3 maximum**						

Roosters	1 to 2 maximum**	1 maximum with CUP						
Bovine and large animals: Domesticated cattle, sheep, goats, llamas, swine raised for meat, fleece, and/or milk production. Quantity indicates the total number of bovine large animals per acre	1	1						
Cats (adults over 4 months)	Pursuant to Sec. 33-1116 of Article 57							
Dogs (adults over 4 months)	Pursuant to Sec. 33-1116 of Article 57							
Goats (pygmy/miniature):	2	2	2 with a minor CUP					
Horses (miniature)***: In the R-1 zone said animals are permitted only on properties zoned R-1-10 or larger	2	2	2 with a minor CUP					
Horses (standard)***:	1**	1**						
Potbelly pigs, as household pet	1	1						
Rodents: Chinchillas, chipmunks, guinea pigs, mice (white), hamsters, rabbits (adult), squirrels, etc. Quantity indicates total of all species for each parcel	Pursuant to Sec. 33-1116 of Article 57							
Tropical fish*: excluding turtles and carnivorous	No limit							

fresh water fish								
Other animals in RA-AO and RE-AO animal overlay zones pursuant to Article 9 of this chapter	P	P						

* The total combined number of domesticated birds/fowl permitted shall include both those birds/fowl allowed by all categories of chickens, ducks, etc.; turkeys, peafowls, and roosters; and emus.

** The quantity indicates the number of animals permitted per lot or for the first 40,000 SF of lot area; plus 1 animal permitted for each 20,000 SF over 40,000 SF.

*** The total number of horses and the usable acreage for horses calculated shall include both those horses allowed pursuant to private horse keeping (i.e. private horse stable) as well as horses rented, shown, used or boarded on a commercial basis for compensation (i.e. commercial horse stable), and all of the combined areas for both use types.

CITY COUNCIL STAFF REPORT

Current Business Item No. 17

November 6, 2019

File No. 0600-10, A-3292

SUBJECT: First Amendment to the Design Build Agreement for the Membrane Filtration Reverse Osmosis Facility

DEPARTMENT: Utilities Department, Construction and Engineering Division

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2019-147, authorizing the award of the First Amendment to the Design Build Agreement for the Membrane Filtration Reverse Osmosis (MFRO) Facility in an amount of \$489,100 to Filanc Brown and Caldwell Joint Venture. It is also requested that the City Council approve a budget adjustment in the amount of \$500,000.

FISCAL ANALYSIS:

A budget adjustment in the amount of \$500,000 is needed to fund this First Amendment. Funding is requested from the Wastewater Fund Capital Improvement Plan (CIP) Reserves to CIP #801508.

PREVIOUS ACTION:

On April 3, 2019, the City Council adopted Resolution No. 2019-50, authorizing the award of a Design Build Agreement for the MFRO Facility in an initial amount of \$2,716,068 to Filanc Brown and Caldwell, a joint-venture consisting of J.R. Filanc Construction Company, Inc. and Brown and Caldwell. The City Council also approved a budget adjustment in the amount of \$3,000,000.

BACKGROUND:

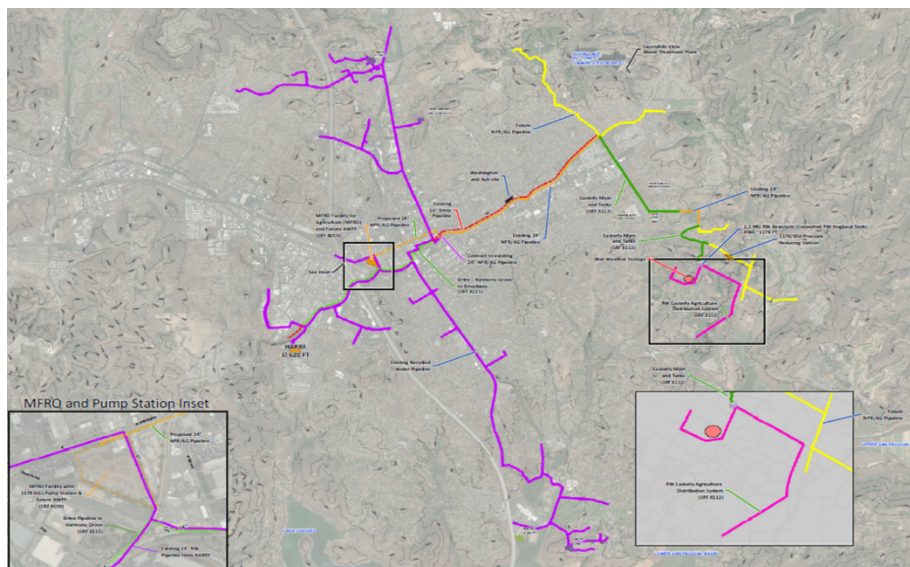
The MFRO Facility will treat recycled water conveyed to it via a 24-inch pipeline from the City's Hale Avenue Resource Recovery Facility (HARRF). The plant will treat the recycled water using membrane filtration (MF) and reverse osmosis (RO) technologies, and will have a maximum production capacity of 2.0 million gallons per day. The MFRO product water will be blended with recycled water that has not been treated by the MFRO process, to produce water with a salt concentration appropriate for agricultural irrigation. The blended water will then be pumped to agricultural users. During extreme wet weather events, the MFRO system will have the capability of pumping up to 10.5 MGD of recycled water to an emergency storage pond to be located near the Hogback Reservoir. This use of emergency storage during an extreme wet weather event will direct water away from the HARRF ocean outfall, which has limited capacity to convey all water during a severe storm.

The location planned for the MFRO Facility is a City-owned parcel located at 901 W. Washington Avenue, west of N. Spruce Street. The City's existing recycled water system, shown in purple on the map titled *City of Escondido Existing and Planned Recycled Water Distribution System*, originates at the HARRF, extends east to Broadway, then branches north on Broadway. The existing recycled water customers served by this system do not need MFRO treated water; therefore, a new pipeline will be

installed from the new MFRO location to the east side of Broadway in order to keep the existing recycled water system and the MFRO treated water system separate.

Concurrent with the planning for the MFRO, the Utilities Department has also been constructing the infrastructure necessary to move the new recycled water supply around the City. To deliver the water to agricultural customers, a drinking water tank is being converted to recycled water storage, and a smaller drinking water tank is under construction at the site of the Hogback Reservoir located south of Mountain View Road and east of Royal Oak Drive, at a high water elevation of 1,178 feet. The existing recycled water mains between the MFRO and the Hogback Reservoir gradually increase in elevation along Escondido Creek, then along Citrus Avenue to the intersection with Glenridge Avenue. From this intersection to the Hogback Reservoir, the upward slope of the pipeline is significantly larger than along the rest of the pipeline. Between the intersection of Glenridge Avenue and Moody Drive to the Hogback Reservoir, pipeline slopes reach up to 19 percent.

Some of the pipelines already installed were designed with the assumption that the MFRO facility would be located further to the east along Escondido Creek. The current site selection for the MFRO, being further west than originally planned, has had two primary effects on the pipeline from the MFRO to the new Hogback Reservoir: (1) the elevation difference between the sites has been increased by 74 feet; and (2) the horizontal distance has been increased by 3.8 miles. These increases mean that the water pressure in portions of the existing recycled water infrastructure along the Escondido Creek between Broadway and Citrus will increase beyond the pressure rating of the installed pipelines. The most economical and timely option for solving this problem is to install a new recycled water booster pump station along the path of the recycled water system. Since the pressure limitations exist in the lower elevation portion of the pipeline, a location near the intersection of Citrus Avenue and Glenridge Road, before the slope change is most drastic, is needed from an engineering and operational perspective.



City of Escondido Existing and Planned Recycled Water Distribution System

Staff recommends that the needed booster pump station be located in Mountain View Park, along the northern edge of the park fronting Glenridge Road, for the technical reasons described above. Impacts to Mountain View Park by the loss of the space needed for the booster pump station could be mitigated, with City Council approval, and with financial compensation from the Utilities Department to partially fund the installation of a new park asset. In fact, pending City Council consideration of the staff recommendation to place the pump station in Mountain View Park, the following item on this City Council agenda – which is a Community Services Department request to accept grant funding – includes a budget adjustment that transfers \$195,000 from the Wastewater Fund to the Community Services budget to fund an improvement at Mountain View Park. This amount was based on analysis by the City’s Real Property Manager estimating the value of the park land that will be dedicated to the pump station, using comparisons to similar park land and adjacent single-family residential properties.

Additional points for consideration that support the staff recommendation to place the pump station at Mountain View Park include:

- An environmental analysis was already completed for a 500-foot by 500-foot area in the northeast corner of Mountain View Park during the early planning stages of the MFRO recycled water system. A Mitigated Negative Declaration (MND) was approved by the City Council for this location in 2013, thus saving time and money on the environmental review process.
- The pump station would be designed to be aesthetically consistent with the architecture of the surrounding neighborhood and existing or planned park facilities.
- All necessary equipment and the required emergency generator would be constructed inside a sound-attenuating structure.
- The water being pumped through this station will have no odor and will be cleaner than the recycled water already being used for irrigation purposes through the purple lines.



Proposed location for Mountain View Park pump station

On Saturday, October 5, 2019, Community Services staff conducted an outreach meeting in Mountain View Park to share information on how park improvements are funded, gather feedback and prioritize future desired improvements, and discuss the plans related to locating a pump station in the park. Attendees were excited about the prospect of the resulting park benefits of a Fitness Court, access to an additional restroom on that side of the park, and a historical assessment of the Field House property. They were also supportive of the project because the pump station will provide valuable recycled water to customers in that area. Participants were very engaged in the discussion of possible locations for the pump station, and even suggested alternative ones, such as a location between the tennis courts and Glenridge Rd. Upon further investigation, it was determined that this space is too narrow, given the City's required setbacks. There was strong support for locating the pump station in the parking lot, particularly because the lights and security cameras installed on the pump station will provide additional security in that area.

This First Amendment to the Design Built Agreement includes design, engineering, and pre-construction services for the MFRO Facility and the Intermediate Booster Pump Station, including:

- fire protection reports for the MFRO facility and booster pump station; and
- basin study for the entire R-12 drainage basin, which includes the MFRO site.

For the booster pump station, the scope includes:

- development of a site layout;
- development of 60% design documents;
- geotechnical evaluation of the site;
- plot plan application;
- grading plan permit application; and
- development of a Guaranteed Maximum Price for Phase 2.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Christopher W. McKinney, Director of Utilities
10/30/19 2:59 p.m.

ATTACHMENTS:

1. Budget Adjustment Request
2. Resolution No. 2019-147
3. Resolution No. 2019-147 - Exhibit "1" – First Amendment to the Design Build Agreement for the Membrane Filtration Reverse Osmosis Facility for Agriculture

ATTACHMENT 1



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: October 29, 2019
 Department: Utilities
 Division: Capital Projects
 Project/Budget Manager: Angela Morrow 7030
 Name Extension
 Council Date (if applicable): November 6, 2019
 (attach copy of staff report)

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

Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
RW Easterly Ag Reverse Osmosis	557-801508	- \$500,000	
Unallocated Reserves	3050-558		\$500,000
Transfer Out-to Capital Projects Fund	5999-558	\$500,000	
Transfer In-from Operating Fund	4999-557	\$500,000	

Explanation of Request:
 To fund Amendment No. 1 for the pre-construction services for the Membrane Filtration Reverse Osmosis Project.

APPROVALS

Christopher W. McKij 10.31.2019
 Department Head Date
Jack Lopez 10/31/19
 Finance Date

 City Manager Date

 City Clerk Date

RESOLUTION NO. 2019-147

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, THE FIRST AMENDMENT TO THE DESIGN BUILD AGREEMENT WITH FILANC BROWN AND CALDWELL JOINT VENTURE FOR DESIGN BUILD SERVICES FOR THE MEMBRANE FILTRATION REVERSE OSMOSIS FACILITY FOR AGRICULTURE

WHEREAS, the Escondido City Council authorized a Design Build Agreement with Filanc Brown and Caldwell Joint Venture for the design and construction of the Membrane Filtration Reverse Osmosis Facility for Agriculture (“Project”); and

WHEREAS, an intermediate booster pump station is needed for the Project in order to reduce operating pressures in the existing recycled water pipelines; and

WHEREAS, the City of Escondido (“City”) desires additional services for the Project to conduct drainage and fire protection studies; and

WHEREAS, Filanc Brown and Caldwell Joint Venture has the expertise and knowledge to provide the best value for the additional services; and

WHEREAS, City staff have completed negotiations with Filanc Brown and Caldwell Joint Venture for additional services for the Pre-construction Phase of the Project and the Director of Utilities recommends that the First Amendment to the Design Build Agreement (“Amendment”) be approved; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Amendment, in the lump sum amount of \$489,100 for the

Pre-construction Phase.

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 Mayor and City Council accepts the recommendation of the Director of Utilities regarding the determination of best value and award of the First Amendment to the Design Build Agreement to Filanc Brown and Caldwell Joint Venture.
3. That the Mayor and City Clerk are authorized to execute, on behalf of the City, the First Amendment to the Design Build Agreement with Filanc Brown and Caldwell Joint Venture in substantially similar form as set forth in Exhibit "1", which is attached to this Resolution and incorporated by this reference, and approved by the City Attorney.



CITY OF ESCONDIDO
FIRST AMENDMENT TO DESIGN BUILD AGREEMENT
FOR THE MEMBRANE FILTRATION REVERSE OSMOSIS FACILITY

This "First Amendment" is made this _____ day of _____, 20__.

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

And: Filanc Brown and Caldwell Joint Venture
 740 N. Andreasen Drive
 Escondido, CA 92029
 Attn: Gary Silverman
 760-941-7130
 ("CONSULTANT")

Witness that whereas:

- A. CITY and CONSULTANT entered into an agreement on June 17, 2019 ("Agreement"), wherein CITY retained CONSULTANT to provide services for the design and construction of the Membrane Filtration Reverse Osmosis Facility; and

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

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

- 1. The CONSULTANT shall furnish the services and accomplish the tasks as described in "Attachment A" to this First Amendment for the lump sum amount.

- 2. CITY will compensate the CONSULTANT in an additional lump sum amount of \$489,100, pursuant to the conditions contained in "Attachment A" to this First Amendment.

3. All additional terms under the Agreement between CITY and CONSULTANT still apply to the additional work to be performed by CONSULTANT under this First Amendment. If any of the terms of this First Amendment conflict with the Agreement, this First Amendment must prevail.

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

CITY OF ESCONDIDO

Date: _____

Paul McNamara, Mayor

Date: _____

Filanc Brown and Caldwell Joint Venture

Marc Damikolas, Senior Vice President

Omar Rodea, President

(The above signatures should be notarized)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
MICHAEL R. MCGUINNESS, City Attorney

By: _____

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



October 28, 2019

Angela Morrow, P.E.
Deputy Director of Utilities / Construction and Engineering
Utilities Department
City of Escondido
1521 S. Hale Avenue
Escondido, CA 92029

**Subject: Escondido MFRO Facility for Agriculture
Amendment #01 - Scope of Work for Addition of IBPS and MFRO Basin Study**

Dear Ms. Morrow,

The Filanc + BC Joint Venture (Design-builder) is submitting this letter proposal for the addition of the Intermediate Booster Pump Station (IBPS) at Mountain View Park as well as to perform a Basin Study for the basin within which the future MFRO site resides.

DESCRIPTION

Due to the Escondido MFRO Facility for Agriculture (MFRO) site being relocated to a new site, the construction of a new IBPS would allow the City to repurpose approximately 3-miles of existing recycled water pipeline originally intended to deliver low-pressure feed water to the previous MFRO site. The concept would allow treated recycled water to be conveyed from the MFRO site to the IBPS via the low-pressure pipeline, then IBPS would boost the pressure and deliver treated water to Hogback reservoir via the downstream existing higher-pressure recycled water pipeline. Implementing this concept as opposed to installing a new higher-pressure class pipe is anticipated to yield a net savings to the City in the order of magnitude of \$5 million.

The IBPS will be a 10.5 MGD inline booster station utilizing three vertical turbine pumps set in a 3+1 (3-duty plus 1-standby) arrangement. Each pump will run off a 250 HP variable frequency drive motor, which will allow the station to deliver a range of flowrates spanning ~2 MGD to 10.5 MGD. All equipment associated with IBPS will be installed in a new building, including an emergency backup power generator, to mitigate visual and noise disturbances to the neighboring residential area.

Also, due to moving to the new MFRO site was the need to perform a Basin Study. During conceptual design it was determined City code does not allow for infiltration on the new MFRO site and existing stormwater infrastructure. The Basin Study was requested by the City to confirm the available capacity of the exiting on-site stormwater pipeline connecting to the adjacent stormwater channel. If additional capacity is needed the Basin Study would determine the stormwater infrastructure needed to convey the additional runoff produced at the MFRO site plus the additional runoff developed by future build-out development planned within the Basin.

SCOPE OF WORK

This work will be performed as an amendment to the original Phase 1 scope of services for the MFRO progressive design build (PDB) project. The work performed herein will follow the general conditions and project schedule established for in the Phase 1 MFRO PDB project unless otherwise noted.

Task 013 – IBPS Concept & 30% Design

This task will develop the concept for IBPS site plan and architectural renderings for presentation to the public in upcoming community meetings. The conceptual design will then advance to a 30% Design level for submittal to the City with the 60% Design of the MFRO Facility and Product Water Pipeline. The construction costs associated with the IBPS will be estimated and included in the draft Phase 2 GMP for negotiations. The following is a listing of the subtasks planned for this work along with a brief description of the work to be accomplished under Task 013 – IBPS Concept and 30% Design.

- 010 Project Management/Design Coordination: Project controls associated with project cost control, updating the project schedule, workflow scheduling and management, progress reporting, and updating the existing project documentation to include the IBPS (i.e. Project Management Plan, BIM Execution Plan, and Risk Register).
- 020 Quality Control: Includes updating the project's Quality Management Plan, providing quality assurance checks during the development of the work product, and one (1) independent QC review prior to submittal to the City. A comment review tracking log will be prepared and maintained for independent QC comments as well as Client supplied comments.
- 030 Design Workshop: Conduct up to one (1) 2-hour design workshop with the City's staff to show progress and solicit input. Effort includes preparing the workshop agenda, presentation materials, travel time, attending the workshop in-person, distribute draft meeting minutes for review, and submit final meeting minutes to the project file.
- 040 Review Meeting: Attend one (1) 2-hour comment review meeting with the City once comments are received on the 30% Design. Update the comment review log with additional comments and direction received during the review meeting. Distribute the updated log with draft meeting minutes for the City's review.
- 050 Process/Mechanical: The hydraulic and surge modeling will be completed to select the pumps, piping, and surge protection devices required to deliver recycled water to Hogback Reservoir. A concept IBPS layout will be developed for use in preparing the conceptual site plan and renderings for presentation in the community meetings. Thereafter, the IBPS will progress to a 30% design level for City review.
- 060 Civil: Develop a single plan-view conceptual site plan overlaid on an aerial image showing the proposed IBPS at the northeast corner of Mountain View Park. Site plan will show the proposed building location, driveway access, piping location, and major equipment (i.e. pumps, generator, etc.) for presentation in the community meetings. Thereafter, the IBPS will progress to a 30% design level for City review. Coordinate with the Land Surveying, Geotechnical, and Landscape Architecture subconsultants. See subtask 120 – Subconsultants below for a summary of the subconsultant's scopes of work.
- 070 Structural: Develop the structural notes, associated design drawings, and supporting structural calculations in coordination with the building's architectural and mechanical designs.

Coordinate with the Architectural, Building Mechanical, and Fire Study subconsultants. See subtask 120 – Subconsultants below for a summary of the subconsultant’s scopes of work.

- 080 Electrical: Perform initial load calculations and backup power requirements to size the IBPS’s main service and emergency generator in support of the IBPS’s conceptual site plan development. After community presentation the IBPS will progress to a 30% design level for City review.
- 090 Instrumentation & Controls: Develop the P&IDs required to operate the IBPS’s with remote control from the MFRO Facility. The IBPS primary control will be a setpoint to maintain a constant suction-side pressure. Other setpoints and failsafe measures will be designed to monitor water deliveries to Hogback Reservoir and protect the pumps in the event of a loss of water or power supply; this includes level monitors at Hogback reservoir, pressure sensors on the suction and discharge piping, flow meters, and backup power alarms. Task will include the monitoring and control of IBPS summarized in a control narrative.
- 100 Estimating/Scheduling/Constructability: A detailed estimate to construct the IBPS will be developed using the 30% design prepared herein and incorporated in to the updated cost model. Additionally, the project design schedule and the project construction schedules will be updated to include the addition of IBPS
- 110 Permits/Approvals/Compliance: Develop the materials for and submit the Plot Plan Application to the City. Begin developing the materials and permit application for the Grading Plan Permit.
- 120 Subconsultants: The subconsultant work to be performed under this task is listed below.
 - Geotechnical (Ninyo & Moore) – Perform soil borings and prepare a geotechnical report specific to IBPS for use in design.
 - Surveying (Land Surveying Consultants, Inc.) – A site survey will be performed to establish the existing topography above grade features, and property boundaries. Subconsultant’s detailed scope and fee attached.
 - Architecture (Platt Whitelaw) – Develop up two (2) renderings for community meetings, elevations views for the Plot Plan Application, and 30% Design drawings. The Design drawings will include a public restroom attached to the IBPS Building. Subconsultant’s detailed scope and fee attached.
 - HVAC and Plumbing (RTM) – Develop HVAC, plumbing, and fire suppression design criteria and associated 30% Design drawings. Subconsultant’s detailed scope and fee attached.
 - Landscaping (KTUA) – Develop landscaping plan for inclusion with the Plot Plan Application and associated 30% Design drawings.
 - Fire Protection Plan (Klausbruckner) – Determine fire suppression requirements for both the IBPS and MFRO facilities. A Fire Protection Plan report will be developed for each and submitted to the City consistent with the City’s fire protection plan requirements.

Deliverables:

- Updated MFRO Project Management Plan (PMP) to include IBPS
- Updated QA/QC and BIM Plan to include IBPS

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- Geotechnical Report
- Fire Study
- 30% Design Drawings (see attached list of drawings)
- 30% Specifications List (Table of Content only)

Task 014 – IBPS 60% Design

The purpose of this task is to address the 30% comments and advance the IBPS design to a 60% level in parallel with the Phase 2 GMP submittal and negotiations. The intent is to progress the IBPS design to a 60% design level prior to receiving the Phase 2 notice to proceed (NTP); allowing IBPS the “catch-up” to the rest of the MFRO project’s design. The Design-builder will address 30% comments received from the City during this period, provide written responses, and submit a complete 60% set of design drawings and specs for the City to review.

Deliverables:

- 60% Design Drawings (see attached list of drawings)
- 60% Design Specifications (see attached list of specifications)

Task 015 – MFRO Basin Study

Brown and Caldwell will conduct a study of R-12 basin area identified in the City of Escondido November 1995 Drainage Master Plan upon request by the City of Escondido Public Works Department to determine the available capacity in the 54” storm drain adjacent to the MFRO site.

This includes an analysis of the existing and ultimate build-out peak flow rates using the Rational Method. Per the City of Escondido Design Standards and Standard Drawings Manual, the Rational Method is generally intended for small watersheds of less than 0.5 square mile and is acceptable for use on the basin area. GIS was utilized to conduct spatial analysis based on publicly available SanGIS data for topography, drainage conveyance, drainage structures, and existing and planned land uses. The land use spatial data was translated into runoff coefficient values and aggregated to obtain a weighted runoff coefficient for the area. Rainfall data was taken from the City of Escondido Design Manual Appendices 85th isopluvial map or NOAA Atlas 14. Analysis will be limited to the 10-year and 100-year storm events. This work will accomplish the following task objectives:

- Quantify the existing runoff being discharged to the channel via the existing 54” stormwater pipe on-site.
- Quantify the current available capacity of the existing stormwater pipeline, if any.
- Determine if there is available capacity to accept the additional runoff from the MFRO site post-construction.
- Project the future basin run-off at buildout.
- Size the stormwater conveyance pipeline needed to convey future MFRO site plus build-out basin stormwater runoff flows.

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Deliverables:

- Pre- versus Post-development basin runoff calculations
- Addition of a "Basin Study" section within the MFRO project's Drainage Report.

ASSUMPTIONS

1. The work performed herein will follow the general conditions and project schedule established for in the Phase 1 MFRO PDB project unless otherwise noted.
2. The IBPS site location was originally shown on the *Recycled Water Easterly Main Extension Project Final MND* (October 2013). Up to three (3) locations, the one original location plus two alternate locations, will be evaluated for the IBPS at Mountain View Park. The three options will accompany the renderings for presentation to the public.
3. The City will select one (1) location for the IBPS to advance into design of the three options conceptualized for public comment. The design fee provided herein is based on developing a design for one (1) location only. Rework associated with moving the location of the IBPS once design commences will require additional compensation from the City.
4. Since there is an approved final MND, no additional environmental consultant support is provided herein.
5. The presence of lead, asbestos, contaminated soils or groundwater and the associated assessment and remediation design or implementation is not included in this scope.
6. The scope includes supporting City-led public outreach efforts. A public outreach such as developing a communications plan, organizing public meetings, website hosting or social media development is not included herein.
7. Acoustical background study is not included herein. Assuming IBPS will be designed to keep all equipment indoors; acoustical treatment may still be required but may not require a study.
8. City to provide the existing information needed for the Basin Study; GIS files, previous master plans and relevant reports, and zoned build-out values.
9. Costs associated with submitting permit applications and paying for associated permitting or review fees is not included herein.
10. Design costs associated with addition of stormwater facilities to the MFRO site is not included herein. The effort associated with designing the stormwater facilities for the MFRO site is currently including in the ongoing MFRO Phase 1 work.
11. A public restroom will be included with the pump station. It is assumed the public restroom will be attached to the IBPS building and will not be its own structure. It is assumed the restroom will include two gender neutral restrooms; each with one toilet and one sink.

FEE

The lump sum fee to complete Amendment #01 services based on the scope and assumptions described above is \$489,100. A table detailing the personnel, hours and rates that were used to develop the fee is attached.

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PROJECT SCHEDULE

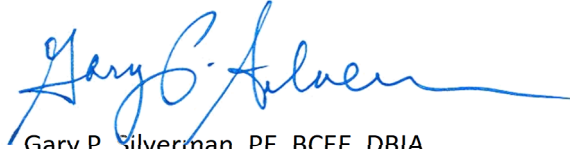
The following estimated dates for major milestones are based on our current project understanding and assumptions. These dates will be refined through development of the baseline schedule after project award.

- September 9, 2019 Early initiation of IBPS concept development
- October 4, 2019 Submit conceptual site plan and renderings
- October 15, 2019 Submit Draft Basin Study (w/ Plot Plan Application submittal)
 - City review period; 4 weeks
- November 7, 2019 Council approval and official Amendment 01 NTP
- December 6, 2019 Submit 30% Design
 - City review period; 2 weeks
- November 28, 2019 Submit Final Basin Study (w/ Plot Plan Application re-submittal)
- February 28, 2020 Submit 60% Design
 - City review period; 2 weeks

We look forward to discussing the Phase 1 work with you at your convenience. Please contact me at (858) 922-5624 or gsilverman@filanc.com to schedule a meeting. Thank you.

Very truly yours,

FILANC + BROWN and CALDWELL JOINT VENTURE



Gary P. Silverman, PE, BCEE, DBIA
Design-Build Project Manager

Attachments:

- Phase 1, Amendment 1 Fee Schedule
- Preliminary Lists of Drawings and Specifications
- Subconsultant Proposals

Fee Schedule

Preliminary Drawing and Specifications List

PRELIMINARY SHEET LIST			Design Submittal	
Sheet #	Sheet	Description	30%	60%
			Phase I	Phase II
1	T-1	Title Sheet	X	X
2	G-1	Construction Notes, Legends, Symbols, Abbreviations	X	X
3	D-1	Demolition Plan	X	X
4	D-2	Demolition Sections and Details		X
5	C-1	Site Civil, Paving, and Grading	X	X
6	C-2	Civil Site Sections		X
7	C-3	Yard Piping Plan	X	X
8	C-4	Civil Yard Piping Profiles		X
9	C-5	Horizontal and Vertical Control		X
10	C-6	Suction Pipeline Plan and Profile Sta 0 to Sta 1+00		X
11	C-7	Discharge Pipeline Plan and Profile 1+00 to Sta 2+00		X
12	C-8	Civil Details 1		X
13	C-9	Civil Details 2		X
14	C-10	Civil Details 3		X
15	LS-1	Landscape Plan	X	X
16	LS-2	Irrigation Plan		X
17	LS-3	Landscape Details		X
18	LS-4	Irrigation Details		X
19	M-1	Mechanical Abbreviations	X	X
20	M-2	Mechanical Plan	X	X
21	M-3	Mechanical Section 1		X
22	M-4	Mechanical Section 2		X
23	M-5	Mechanical Details 1		X
24	M-6	Mechanical Details 2		X
25	M-7	Mechanical Details 3		X
26	M-8	Mechanical Details 4		X
27	H-1	HVAC notes, symbols		X
28	H-2	HVAC Plan		X
29	H-3	HVAC Section		X
30	S-1	Structural symbols and abbreviations	X	X
31	S-2	Structural Notes 1	X	X
32	S-3	Structural Notes 2	X	X
33	S-4	Structural Typical Details 1		X
34	S-6	Structural Typical Details 2		X
35	S-7	Structural Typical Details 3		X
36	S-8	Foundation Plan	X	X
37	S-9	Roof Framing Plan		X
38	S-10	Structural Sections		X
39	S-11	Roof Details		X
40	A-1	Architectural Code Analysis and Notes	X	X
41	A-2	Rendering 1 - Glenridge Rd. View	X	X
42	A-3	Rendering 2 - Parking Lot View	X	X
43	A-4	Floor plan	X	X
44	A-5	Roof plan	X	X
45	A-6	Reflected Ceiling Plan		X
46	A-7	Exterior Elevations	X	X
47	A-8	Interior Elevations		X
48	A-9	Building Wall Sections		X
49	A-10	Door/louver/finish schedules	X	X
50	A-11	Louver and Door Details		X
51	A-12	Roof Details		X
52	A-13	Gate Details		X
53	A-14	Wall Details		X
54	P-1	Plumbing Notes, Schedule		X
55	P-2	Plumbing Plan and Details		X
56	E-1	Electrical Legend and Symbols	X	X
57	E-2	Electrical Abbreviations	X	X
58	E-3	Electrical Details 1	X	X
59	E-4	Electrical Details 2	X	X
60	E-5	Single Line Diagram	X	X
61	E-6	Electrical Site plan	X	X
62	E-7	Building Power and control plan		X
63	E-8	Lighting and Ground Plan		X
64	E-9	Security Conduit Plan		X
65	E-10	Load Schedule/ IO list	X	X
66	E-11	Cable and Conduit Schedule 1		X
67	E-12	Control Diagrams		X
68	E-13	RTU Diagram		X
69	I-1	Instrumentation Legend and Symbols	X	X
70	I-2	Instrumentation Abbreviations	X	X
71	I-3	Instrumentation Details 1		X
72	I-4	Instrumentation Details 2		X
73	I-5	P&ID Diagram	X	X
Total:			29	73

Preliminary Specification List

Division 1 – General Requirements

- 1030 Pre-Procured Equipment and Services
- 1070 Abbreviations of Terms and Organizations
- 1110 Summary of Work
- 1140 Work Restrictions & Constraints
- 1150 State Revolving Fund Requirements
- 1300 Submittals
- 1310 Construction Progress Schedule
- 1380 Construction Photographs
- 1400 Quality Control
- 1450 Structural Test and Special Inspections
- 1500 Temporary Facilities
- 1504 Disinfection and Tie-ins for Potable Pipelines
- 1530 Temporary Right-of-Way Encroachment
- 1560 Temporary Environmental Controls & Constraints
- 1610 General Equipment Stipulations
- 1611 Meteorological and Seismic Design Criteria
- 1612 Product Delivery Requirements
- 1614 Product Storage and Handling Requirements
- 1615 Equipment and Valve Identification
- 1620 Equipment Schedule
- 1630 Pipeline Schedule
- 1650 Commissioning
- 1820 Demonstration and Training

Division 2 - Site Work

- 2050 Demolition
- 2200 Excavation and Fill for Structures
- 2202 Trenching and Backfilling
- 2204 Storm Water Management Systems
- 2512 Asphalt Concrete Paving
- 2522 Concrete Sidewalk, Curb, and Gutter
- 2605 Sanitary Utility Sewerage Manholes, Frames and Covers
- 2606 Manhole and Vault Covers and Accessories
- 2619 Reinforced Concrete Pipe
- 2628 Polyvinyl Chloride (PVC) Sewer Pipe
- 2630 Polyvinyl Chloride (PVC) Pressure Pipe
- 2634 HDPE Pressure Pipe
- 2702 Sewer Pipe Installation and Testing
- 2831 Irrigation Systems
- 2825 Security Fencing and Gates
- 2900 Landscaping

Division 3 - Concrete

- 3100 Concrete Formwork
- 3200 Concrete Reinforcement
- 3250 Concrete Joints and Joint Accessories
- 3300 Cast-in-place Concrete
- 3350 Concrete Placing, Finishing, and Curing
- 3480 Precast Reinforced Concrete Vaults
- 3600 Grout
- 3930 Concrete Crack Repair

Preliminary Specification List

Division 4 – MASONRY

4200 Masonry

Division 5 - Metals

5312 Steel Roof Decking
5520 Handrailing, Guardrailing, and Ladders
5530 Gratings and Cover Plates
5550 Anchorage In Concrete and Masonry
5990 Structural and Miscellaneous Metals

Division 6 – Wood and Plastics

6100 Rough Carpentry
6610 FRP Grating Floor System Supported on Pedestals

Division 7 – Thermal and Moisture Protection

7200 Thermal Insulation
7240 Exterior Stucco Finish System
7321 Tile Roofing
7600 Flashing and Sheet Metal
7700 Roof Specialties and Accessories
7840 Firestopping
7900 Joint Sealants

Division 8 – Doors and Windows

8110 Steel Doors and Frames
8305 Floor Access Doors and Hatches
8331 Overhead Coiling Aluminum Doors
8410 Aluminum Assemblies
8700 Finish Hardware
8800 Glass and Glazing

Division 9 – Finishes

9250 Gypsum Wallboard
9310 Ceramic Tile
9510 Suspended Acoustical Ceilings
9660 Resilient Floor Coverings
9880 Corrosion Protection Lining Systems
9920 Architectural Painting
9940 Protective Coatings

Division 10 – Specialties

10200 Louvers and Vents
10400 Identifying Devices
10800 Toilet Accessories
10990 Miscellaneous Specialties

Preliminary Specification List

Division 11 – Equipment

- 11060 Equipment Installation
- 11140 Vertical Diffusion Vane Pumps
- 11150 Submersible Pumps
- 11532 Inline Static Mixers
- 11630 Compressed Air Equipment – Base Mounted Compressors
- 11727 Liquid Chemical Feed System
- 11910 Engine Generators

Division 12 – Furnishings

- 12510 Office Furniture
- 12625 Laboratory Furniture

Division 13 – Special Construction

- 13026 Reverse Osmosis System Installation
- 13031 Membrane Filtration System Installation
- 13110 Corrosion Protection for Pipelines
- 13122 Metal Building Systems
- 13190 Fiberglass Reinforced Plastic Chemical Storage Tanks
- 13192 Steel Chemical Storage Tanks
- 13199 Chemical Storage Tank Installation
- 13500 Instrumentation and Control System
- 13530 Programmable Logic Controllers
- 13550 Software Control Block Descriptions
- 13561 Panel Mounted Instruments
- 13562 Flow Instruments
- 13563 Pressure and Level Instruments
- 13564 Process Analytical Instruments
- 13565 Temperature Instruments
- 13566 Miscellaneous Instruments
- 13570 Panels, Consoles, and Appurtenances
- 13590 Network Systems
- 13591 Metallic and Fiber Optic Communication Cables and Connectors
- 13755 Cleaning and Disinfection of Structures
- 13800 Surge Control System
- 13930 Fire-Suppression Sprinkler Systems

Division 14 – Conveyance Systems

- 14641 Portable Gantry Cranes

Division 15 - Mechanical

- 15010 Valve Installation
- 15020 Miscellaneous Piping and Accessories Installation
- 15050 Basic Mechanical Building Systems Material and Methods
- 15060 Miscellaneous Piping and Pipe Accessories
- 15061 Ductile Iron Pipe
- 15064 Stainless Steel Pipe and Alloy Pipe, Tubing, and Accessories
- 15065 Miscellaneous Steel Pipe, Tubing, and Accessories
- 15067 Plastic Process Pipe, Tubing, and Accessories
- 15069 Cast Iron Soil Pipe
- 15070 Copper Tubing and Accessories
- 15091 Miscellaneous Ball Valves
- 15092 Industrial Butterfly Valves
- 15093 Check Valves

Preliminary Specification List

- 15094 Backflow Preventers
- 15095 Solenoid Valves
- 15097 Pinch and Diaphragm Valves
- 15098 Plug Valves
- 15099 Pressure Reducing Valves
- 15100 Miscellaneous Valves
- 15101 AWWA Butterfly Valves
- 15104 Resilient-Seated Gate Valves
- 15106 Flow Control Valves
- 15108 Air Valves
- 15130 Pressure Gauges
- 15140 Pipe Supports
- 15150 Water Meters
- 15180 Valve Actuators
- 15250 Mechanical Insulation
- 15400 Plumbing
- 15550 Heating Systems Equipment
- 15650 Refrigeration Systems
- 15880 Air Distribution Systems
- 15955 Building Systems Controls
- 15990 Testing, Adjusting, and Balancing

Division 16 – Electrical

- 16050 Electrical
- 16100 Electrical Equipment Installation
- 16150 Adjustable Frequency Drives
- 16220 Common Motor Requirements for Process Equipment
- 16310 Secondary Unit Substation
- 16345 Medium Voltage Vacuum Interrupter Switchgear
- 16346 Low Voltage Switchgear
- 16480 600 Volt Class Motor Control Centers
- 16670 Lightning Protection for Structures
- 16721 Fire Detection and Alarm System
- 16725 Electronic Security Systems

Figures

- 1-02200 Protective System Design Certificate
- 1-02202 Embedments for Conduits
- 2-02202 Protective System Design Certificate
- 1-09940 Coating System Data Sheet
- 2-09940 Coating System Data Sheet
- 1-13500 Instrument Calibration Report
- 1:10-15130 Pressure Gauge Installation F1-F10
- 1-15140(A) Hangers and Supports
- 1-15140(B) Hangers and Supports
- 1-16050 600 Volt, Single Conductor Lighting Cable
- 2-16050 600 Volt, Single Conductor Lighting/Power Cable (XHHW)
- 4-16050 600 Volt, Single Pair Shielded Instrument Cable
- 7-16050 600 Volt, Multiconductor 14 AWG Control Cable

Subconsultant Proposals

Land Surveying Consultants, Inc

SURVEYING LAND PLANNING CONSTRUCTION GPS

October 3, 2019

Brown and Caldwell
J.P. Semper, PE

Re: Proposal for Professional Land Surveying Services
 Intermediate Booster Pump Station – Mountain View Park
 City of Escondido

Included for your review and consideration is a scope and fee for professional land surveying services necessary to prepare and process a partial boundary survey, topographic survey and plotting of existing record easements for the proposed project.

Scope of Services:

Partial Boundary Survey

1. Perform a partial boundary survey. Survey will locate record and non-record monumentation to determine the property boundaries. The boundary survey will be analyzed, and a survey plat prepared for future use. No monumentation will be set as part of this task. Includes plotting record easements. Client to provide an updated title report.

FEE \$ 1,600.00

Topographic Survey

2. Perform topographic survey. Topographic survey will include the highlighted area shown on the provided exhibit. Topographic survey will be prepared at a scale on 1"=20' with one-foot contour intervals.

FEE \$ 2,400.00

TOTAL \$ 4,000.00

EXCLUSIONS

Services not included: soils reports, environmental reports, traffic engineering, environmental documentation, landscape plans, soils engineering, dry utility coordination, processing fees, and title company fees.

This proposal does not include any Title Company fees for necessary documents, including but not limited to the cost of any updated (within the last six months) Preliminary Title Reports and/or a Public Notice Package.

This proposal does not include any submittal or recordation fees to the County of San Diego and/or any other municipality or agency.

This proposal is limited to the items noted in the above Scope of Work. Additional services required by owner and/or agent will be charged on an hourly basis according to the attached rate schedule.

Plan reproduction, mailing and delivery costs will be billed as reimbursable items at cost plus 15%.

ADDITIONAL TERMS AND CONDITIONS

This agreement shall be governed by and construed in accordance with the laws of the State of California. Land Surveying Consultants, Inc. and the Client shall have the right to suspend or terminate this agreement upon the occurrence of any material breach by either party of any provision of this agreement. Right of suspension or termination may be exercised by the delivery of written notice to either party. Written notice shall include the effective date of such termination or suspension, and reason for same.

If any proceeding is brought to enforce or interpret the provisions of this agreement, the prevailing party therein shall be entitled to receive from the losing party therein, its reasonable attorney's fees, which fees shall be set in the same proceeding, in addition to any other relief to which it may be entitled.

PROFESSIONAL REGISTRATION

Dale Keith Brewer is a Licensed Land Surveyor in the State of California since 1987, Land Surveyors License No. LS 5653.

DELIVERABLES

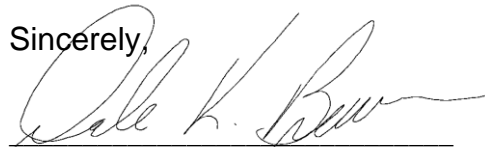
Land Surveying Consultants, Inc. will perform the described surveying services as outlined herein with formal authorization to proceed and receipt of the most current Preliminary Title Report.

PAYMENT

The Client agrees to pay in accordance with the above described services.

This proposal is not subject to the execution of any escrow and is not subject to retention of funds.

We thank you for this opportunity to provide you with this proposal. Should you have any questions, please feel free to contact the undersigned.

Sincerely,


Dale Keith Brewer, President
Land Surveying Consultants, Inc.

RATE SCHEDULE

Intermediate Booster Pump Station
Escondido, CA

Compensation for professional Land Surveying and Mapping Services for work performed on a time and materials basis will be charged at the following rates:


<u>OFFICE</u>	<u>CODE</u>	<u>HOURLY RATE</u>
Principal Surveyor (PLS)	P-1	\$ 125.00
Project Manager	O-1	115.00
Survey Calculations	O-2	110.00
Draftsman (Computer-Aided Drafting)	O-3	100.00
Clerical	C-1	50.00
<u>FIELD SURVEY</u>		
Principal Surveyor (PLS)	P-1	\$ 135.00
One-person Survey Crew	S-1	175.00
Two-person Survey Crew	S-2	275.00
Three-person Survey Crew	S-3	320.00
Travel Time (Two-person Survey Crew)	TT	125.00

SERVICE CENTER:

Unless noted otherwise, the following items will be charged at cost plus 15%:

- A. Travel, Lodging and Per Diem costs;
- B. Blue print and printing expenses;
- C. Filing fees, Plan check fees, Title Company Costs when advanced by Land Surveying Consultants, Inc.
- D. Delivery costs including UPS, Federal Express, Express Mail, and Messenger Services.

LAND SURVEYING CONSULTANTS, INC.:

BY:  TITLE: President DATE: 10-03-2019
Dale Keith Brewer

CLIENT APPROVAL:

BY: _____ TITLE: _____ DATE: _____



October 24, 2019
Proposal No. 02-01945

Mr. J.P. Semper, PE, ENV SP
Brown and Caldwell
450 B Street, Suite 1500 San
Diego, California 92101

Subject: Proposal for Geotechnical Evaluation
New Intermediate Booster Pump Station
1160 South Citrus Ave
Escondido, California

Dear Mr. Semper:

In accordance with your request, Ninyo & Moore is pleased to submit this proposal to provide a geotechnical evaluation for the design and construction of the proposed intermediate booster pump station (IBPS) servicing the Membrane Filtration Reverse Osmosis (MFRO) Facility for Agriculture Project in Escondido, California. The project site consists of two parcels with a total acreage of approximately 12 acres and is located at 1160 South Citrus Avenue at Mountain View Park.

Based on our conversations with you, the project will include the installation of one IBPS to provide additional water pressure for the associated pipelines. We anticipate that facility improvements will consist of both at-grade and below-grade structures. Ancillary improvements will include asphalt concrete (AC) paving, fencing, lighting, and various underground utilities. While the locations of the proposed improvements are not yet known, we understand that the proposed facility will be located within the park boundaries either west of the tennis courts (Option A), west of the sandbox and children's playground area (Option B), or along the eastern portion of the park's AC paved parking lot (Option C). The Assessor's Parcel Number for the property where Options A and B are located is identified as 231-220-4300 and that for the parcel that includes Option C is identified as 231-220-2100.

Based on our review of the regional geologic map and nearby well data, the project area is underlain by both old alluvial flood-plain deposits and granitic rock and groundwater may be encountered at depths of approximately 10 feet below the ground surface. In addition, our review of the City of Escondido General Plan indicates that the project site is not located within a liquefaction hazard area.

Attachment "A"
Page 20 of 33

We understand that our proposed geotechnical evaluation will be performed as part of the design-build services for the project. While a construction schedule has not yet been developed for the project, construction services, including geotechnical observation and testing, special inspection, and materials testing services, are not being requested at this time.

SCOPE OF SERVICES

Based on our project understanding and experience, we have prepared the following scope of services for our proposed geotechnical evaluation for the proposed IBPS:

- Review of readily available published and in-house geotechnical literature, existing geotechnical reports, topographic maps, geologic and geologic hazard maps, fault maps, flood zone maps, project plans, and stereoscopic aerial photographs.
- Perform a field reconnaissance of the proposed IBPS site. During our reconnaissance, we will mark boring locations for utility clearance by Underground Service Alert.
- Acquire a City of Escondido permit (if required) for the subsurface exploration.
- Acquire a boring permit from the County of San Diego Department of Environmental Health (DEH).
- Perform subsurface exploration consisting of the following:
 - Drilling, logging, and sampling of one exploratory boring using a truck-mounted drill rig to depths up to approximately 20 feet (or refusal). A log of the exploratory boring will include soil/geologic units encountered, as well as the thickness of each component of the pavement structural section encountered at each boring location. The boring will be backfilled following drilling in accordance with County of San Diego DEH requirements and excess drill cuttings will thin-spread on the site.
 - Performance of one infiltration percolation test at a depth on the order of 5 feet. The infiltration test will be performed in general accordance with City of Escondido guidelines. Per the City's guidelines, field infiltration testing is a two-day process that involves one day of preparation and a second day for the performance of the test itself.
- Perform laboratory testing on selected soil samples which may include an evaluation of in-situ moisture and density, gradation, Atterberg limits, consolidation, shear strength, expansion index, soil corrosivity (pH, resistivity, chlorides and sulfates), and R-value, as appropriate.
- Data compilation and engineering analysis of the information obtained from our background review, subsurface evaluation, and laboratory testing.
- Prepare a report presenting our findings, conclusions, and recommendations for the design and construction of the proposed improvements. Recommendations presented in our report will include geotechnical input and recommendations for construction of the IBPS. Interim findings and recommendations can be provided on a verbal basis, as appropriate.

ASSUMPTIONS

We have made the following assumptions in the preparation of this proposal:

- The location of the IBPS from the three options being considered will be selected by the City of Escondido prior to our subsurface exploration.
- A site plan showing the location and configuration of the proposed IBPS will be provided to our offices prior to performance of the subsurface evaluation. Depending on the configuration of the proposed improvements, subsurface evaluation in addition to that proposed above may be warranted.
- Site access will be granted and truck-mounted drilling equipment will be able to mobilize to the proposed exploration locations during normal working hours (Monday through Friday, 7:00 a.m. to 5:00 p.m).
- The project is subject to prevailing wage requirements under Determination Year 2019-1D and the DIR number will be provided prior to the start of work for the purposes of electronic certified payroll submittal.
- The fees associated with processing of permit applications for right-of-way/encroachment permits through the City of Escondido (if required) will be waived.
- Borings will not be drilled in paved areas and coring of existing pavements will not be required.
- Soil cuttings generated from our subsurface exploration can be thin-spread in unpaved areas at the IBPS site. If cuttings cannot remain onsite, the soil cuttings will be drummed, characterized for disposal, and disposed of at a legal dump facility, for an additional fee.
- Environmental sampling and testing of the subsurface soils and/or groundwater is not included within the scope of this proposal.

FEE AND SCHEDULE

Our fee for the scope of services described for the project will be invoiced on a time-and-materials basis. The estimated fee to perform the geotechnical evaluation for the proposed IBPS for the MFRO facility as described above is \$18,900 (Eighteen Thousand Nine Hundred Dollars).

This fee is based on the scope of services presented above and our understanding of the existing conditions and the proposed improvements. Additional services, beyond those described herein, will be performed on a time-and-materials basis.

We will begin mobilization and scheduling services upon Notification to Proceed. Our field work (including our subsurface exploration and infiltration testing) is anticipated to take approximately two working days. Our laboratory testing will be completed approximately two weeks after completion of our field services and our report should be completed approximately two weeks after completion of laboratory testing.

If this proposal meets with your approval, please send us your contract documents for execution. We appreciate the opportunity to submit this proposal and look forward to working with you on this project.

Respectfully submitted,
NINYO & MOORE



William R. Morrison, PE, GE
Senior Engineer



Gregory T. Farrand, PG, CEG
Principal Geologist

WRM/GTF/gg

Distribution: (1) Addressee (via e-mail)



**PLATT/WHITELAW
ARCHITECTS, INC.**

September 20, 2019, Revised October 3, 2019

J.P. Semper
Managing Engineer
Brown and Caldwell, San Diego
450 B Street, Suite 1500
San Diego, CA 92101

Subject: Intermediate Booster Pump Station (IBPS)
Two Preliminary Renderings plus Design submittals

Dear J.P.,

Platt/Whitelaw Architects, Inc. is pleased to submit this proposal for architectural services in support of the above project.

SCOPE OF WORK

The City would like to engage the public in two weeks on Saturday 10/5 with two preliminary renderings of their proposed Intermediate Booster Pump Station (IBPS) to be located at Mountain View Park. This proposal is for two renderings (at 30% level) for City review and then for public viewing.

Platt/Whitelaw Architects is then to provide architectural services to Brown & Caldwell for the Intermediate Booster Pump Station (IBPS) for 30% Design Development submittal and 60% Construction Documents.

SCOPE OF SERVICES

The scope of services is shown below:

- Two preliminary renderings for Brown and Caldwell & City review
- Address Brown & Caldwell & City comments
- Prepare two rendered images (at Final 30% level) for *public* review on October 5, 2019
- 30% Design Development Submittal
- 60% Construction Document Submittal

Deliverables:

The Architectural Sheet List is as follows:

1. Floor Plan, Roof Plan and Notes
2. Building Sections and Wall Sections
3. Exterior Elevations
4. Details
5. Details

Consultants:

No subconsultants are required.

COMPENSATION

Total Compensation:

Total compensation for the scope of services described herein will be the lump sum fee of Forty-Two Thousand and no/100 Dollars (\$42,000.00). Invoices will be submitted monthly based upon percentage completion of these services and, in the case of reimbursable expenses, actual expenses incurred. Payment is due within thirty days of receipt of invoice.

Reimbursable Expenses

Platt/Whitelaw proposes to establish a fund in the sum of Seven Hundred Fifty and no/100 Dollars (\$750.00) for the following reimbursable expenses incurred in the interest of the

Alison M. Whitelaw, FAIA
PRINCIPAL

Sandra S. Gramley, AIA
PRINCIPAL

Naveen H. Waney, AIA
PRINCIPAL

David M. Madigan
ASSOCIATE

Thomas E. Brothers
ASSOCIATE

Keiko S. Newton
ASSOCIATE

project, which will be billed, if and as incurred, at cost plus ten percent. Reimbursables will be invoiced as part of the monthly billing, and documentation of the expenses will be attached as back-up. Reimbursable expenses may include: Submittal printing, record document printing, Mileage (current IRS rate), and deliveries/postage.

Schedule:

- The renderings must be completed and delivered by October 5, 2019.
- 60% submittal is anticipated February 2020.

Additional Services

Additional Services are those services not included in Basic and Other Services as noted herein. No Additional Services are anticipated at this time. Future Additional Services will be authorized in writing by City, and compensation will be a negotiated lump sum or hourly fee.

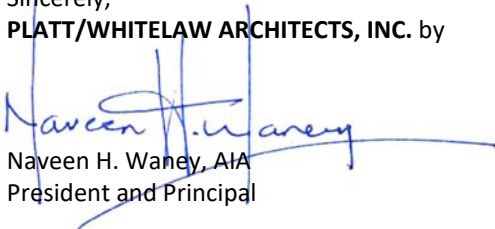
ASSUMPTIONS

In preparing this fee proposal, we have made certain assumptions about the scope of services, listed below. If incorrect, please advise me and I will revise the proposal.

1. No attendance by Platt/Whitelaw is required for City's rendering presentation.
2. Platt/Whitelaw will attend three (3) meetings at the Design Phase (one kick-off and two progress).
3. This proposal does not include hard copies. Printing will be completed by Brown & Caldwell.
4. Architectural site plan is not included in this proposal.
5. The development of Phasing Plans is not included in this proposal.
6. Alternative layouts are not included in this proposal.
7. ADA accessibility is not required for this pump station.
8. Community meetings, workshops and exhibits are excluded from this proposal. If needed, these services can be provided as an additional service.
9. No value engineering is included in this proposal.
10. 30% and 60% submittals will be prepared in AutoCAD.
11. No subconsultants are included in this proposal.
12. No cost estimating (by Platt/Whitelaw or subconsultant) is included in this proposal.
13. Final Construction Documents, permitting, bidding, and construction administration services is not included. If services are required, a separate proposal, with appropriate fees, will be provided.

Thank you for the opportunity to submit this proposal, we look forward to working with you on the project. Should you have any questions or comments regarding the fee and scope of work, please do not hesitate to contact me at your convenience.

Sincerely,
PLATT/WHITELAW ARCHITECTS, INC. by



Naveen H. Waney, AIA
President and Principal

NW:mf



October 2, 2019

J. P. Semper, P.E., ENV SP
Managing Engineer / Local Leader
Brown and Caldwell | San Diego, CA
jpsemper@brwnald.com
T 858.571.6726 | C 619.206.0227

Additional Service Request – ASR 001

Confidential

RE: Agreement for MEP Engineering Services
MRFO Process Building

Dear JP,

As you are aware, the project as we initially proposed has changed in original scope. These changes will require additional engineering and design outside our original scope of work. Due to these changes, we respectfully request this additional service cost.

The additional services will be the HVAC, plumbing and fire protection design of an intermediate booster pump station located at Mountain View Park, Escondido.

Type of Revisions:

- HVAC Design
 - HVAC load calculations, equipment sizing, selection, and schedules
 - Ductwork layout, design, and routing
 - Diffuser layout and control scheme
 - Permit required ventilation calculations and schedules
 - Sequence of Operations, Control Schematics and BAS Specifications
 - Air Flow Diagram
 - Design excludes mechanical process engineering
- Plumbing design
 - Water service size(s) and location
 - Sanitary and vent piping systems
 - Hot and cold water distribution piping systems
 - Roof drains and overflow
 - Riser Diagrams
 - Plumbing fixture schedule
 - Associated equipment Sizing, equipment selection and locations
 - Design excludes Civil engineering, site utilities up to 5' outside of the building's envelope and plumbing process engineering.
- Fire Protection Design
 - Performance specification and general scope documents on plans
 - Sprinkler specification



- Service location, preliminary blind flange size and fire connection location indicated on plumbing plan.
- Fire protection drawings indicating general scope, sprinkler head locations, general notes, details, and minimum height for contractor design/bid purposes.

Additional Service

Request.....\$17,000

ACCEPTED BY:

By: _____

Printed Name: _____

Company: _____

Date: _____

SUBMITTED BY:

A handwritten signature in blue ink, appearing to read 'Valmiki Rasul'.

Valmiki Rasul

RTM Engineering Consultants, LLC

October 2, 2019



October 24, 2019

Brown and Caldwell
450 B Street, Suite #1500
San Diego, CA 92101

Attention: **J. P. Semper, P.E., ENV SP**
Managing Engineer

Subject: Landscape Architecture Services for
MFRO - RFP IBPS
1160 S Citrus Ave, Escondido, CA 92027

Dear J.P.:

Please find attached our scope and fee for the landscape design drawings as requested for the MFRO Process Building. As discussed, our client is looking to enhance the Washington Avenue side of the building with ornamental fencing and low growing accent landscape material for site visibility, security and low maintenance concerns. There also will be some planting inside the fence by the parking lot which can include evergreen trees for shade.

This proposal is to correspond to the following scope items requested:

Design Package Schedule and Submittals:

1. 30% Design = One (1) drawing sheet; Landscaping Plan
2. Address City's 30% review comments
3. 60% Design = four (4) drawing sheets

Our scope is as follows:

I. SCOPE OF SERVICES:

A. 30% Design Drawings

1. KTU+A will participate in a local conference call meeting with client, members of the design team to discuss project entitlements services, requirements and strategies.
2. Design Development (30% drawings). This phase shall consist of the concept design/design development for the landscape and irrigation design areas via one preliminary landscape exhibit for presentation purposes. These preliminary layouts include proposed plant materials and irrigation intent for review and approval. All work will be coordinated with the design team and prepared using AutoCAD developed by client.

3. Meetings/Conference Calls - Includes one (1) local design team meeting (in San Diego) and/or conference call, which have been estimated for budgeting purposes. Includes addressing City's 30% review comments. Does not include travel to Escondido.

B. 60% Design Drawings

1. KTU+A will prepare a 60% landscape construction document submittal package, that includes below items for electronic submittals for review and coordination. All work will be coordinated with the design team and prepared using AutoCAD provided by client. The documents included are:

- Landscape Irrigation Plan and Legend
- Landscape Planting Plan and Legend

- a) Irrigation Plan, Legend and Details. This plan will diagrammatically lay out landscape irrigation piping, valves, control equipment, sprinkler heads and related irrigation equipment for the irrigation of planting areas, at 20' scale, specifically calling out all pipe and equipment and types. KTU+A will coordinate with the Civil subconsultant as required. Reclaimed water is to be accounted for on this project. One coordination meeting with the Department of Environmental Health department (DEH) is included.
- b) Planting Plan, Legend and Details. This plan will graphically locate and identify planting materials at 20' scale, including specific quantities, sizes and varieties, and will include a planting legend to identify the plant materials.

2. Meetings/Conference Calls - Includes one (1) local design team meeting (in San Diego) and/or conference call, which have been estimated for budgeting purposes. Includes addressing City's 60% review comments. Does not include travel to Escondido.

II. PROFESSIONAL FEES:

Our fees shall be on a lump sum basis as follows:

1. 30% Design Drawings\$5,550.00
2. 60% Design Drawings\$7,550.00

III. ADDITIONAL SERVICES:

Revisions, program adjustments, and/or any additional services requested, above and beyond those specified above or over and above those provided for. These shall be paid for by the Client on an hourly basis at the following hourly rates or a negotiated fee:

Clerical/Administrative	\$85.00/hour
Designer/Planner	\$105.00/hour
Senior Designer	\$115.00/hour
Associate	\$125.00/hour
Senior Associate	\$145.00/hour
Principal	\$175.00/hour

- i. All hourly rates for services required and/or performed for this project after October of each year are subject to a maximum increase of five percent (5%) per annum.
- ii. Fee payment request for time and material work, additional services, and other reimbursable costs will be due and payable 30 days from receipt of invoice at the first of each month for items furnished and work completed.
- iii. It is hereby agreed that failure by the Client to pay promptly all amounts due hereunder this Agreement to the Landscape Architect, as and when the same becomes due, will excuse further performance by the Landscape Architect until all such payments have been made; and under such circumstances the Landscape Architect may, at his option, add interest to accounts thirty (30) days past due at the rate of one percent (1%) per month on the unpaid balance of the account due and assessed until such overdue balance has been paid in full. The Client shall pay for all legal costs and attorney's fees resulting from any legal action required to collect those fees, which remain unpaid for a period in excess on ninety (90) days (if client is found at fault).
- iv. Additional requirements and services listed in other agreements with the Client are specifically excluded from this proposal unless specifically agreed to in writing.
- v. Services not included: Additional sub-consultants (Arborist, Electrical, Structural, etc...), revisions due to adjustments in program or budget, cost estimating, supportive LEED services greater than Silver certification, BIM drawings or conversion, attendance of any public hearings and/or additional meetings and make presentations to review committees. Site plan changes, structural design, separate public improvement or grading permit plans, streetscape/ROW drawings, additional photo board exhibits-renderings or construction changes by client, water-sewer or major drainage facilities. Agency Fees, storm water management plans (by contractor), public right of way improvements, traffic control plans, erosion control plans, BMP's or storm water pollution prevention plans, dry utility upgrades, geotechnical observation and testing during grading contractor contract documents, final mapping and revisions to engineering plans and supporting documents due to changes in site plan.
- vi. Additional Team Meetings shall be billed on an hourly basis (As required over stated scope).

IV. REIMBURSABLE EXPENSES:

Reimbursable expenses are currently unknown with examples listed below that are to be covered by the Client and will be billed on an as used basis only. It is assumed that most submittals and coordination will be electronic through email or through a file sharing site.

The following are reimbursable items:

- a) Any special delivery costs (FedEx, UPS, Lion, etc.) – at cost plus 8%.
- b) Any reproduction or plotting costs - at cost plus 8%.
- c) All out of town travel and/or lodging expenses (out of San Diego County), are at cost.
- d) Via car rental at current rates or private automobile at \$.57 cents/mile.
- e) Additional printing such as: separate plans as required by city/county agencies, grading plan submittals, additional renderings - Hourly plus expenses or negotiated lump sum fee.
- f) All outside/consultant services - Hourly plus expenses or negotiated lump sum fee.

V. CLIENT RESPONSIBILITIES:

The Client shall be responsible and agree to provide or cause to be provided to the Landscape Architect, at no cost to the Landscape Architect, (if available) the following:

- A. Electronic base plan set up in Auto Cad format version 2018 min., DXF, DWG or EXE. CAD files shall have accompanied by file per settings, names of files, reference files, named views, (indicate if in paper space or model space). Description of CAD file layers (name and indicate on, off, frozen, etc.); showing exact locations, elevations, and sizes of proposed structures and improvements. Certified land survey of the site, giving grades and lines of streets, pavements and adjoining properties, rights-of-ways, restrictions, easements, zoning, deed restrictions and contours of the site; locations, dimensions and complete data pertaining to existing improvements, plantings, and available services and utilities both public and private. Prints denoting accurate to scale plans and drawings (and on disk).
- B. Site grading plans of proposed topography of project site; locations and elevations proposed utility lines and facilities, including source(s) of water and static water pressure(s), and locations for 110v electrical connections available for irrigation system(s).
- C. Complete soil bearing and agronomic reports, including necessary test pits, borings, and other operations for determining soil and subsoil conditions relative to landscape work.
- D. All Engineering for electrical plans, civil engineering grading and drainage plans, utilities and horizontal controls, and architectural plans prepared by Client's consultants.
- E. Providing promptly full information regarding the requirements for the project.
- F. Designating a representative to act in its behalf with respect to the project. A Client representative shall examine documents submitted by Landscape Architect and shall render decisions pertaining thereto promptly to avoid unreasonable delay in the progress of Landscape Architect's services.
- G. In case of a civil suit, the Client agrees that prior to filing suit against the Landscape Architect; the Client will engage another Landscape Architect to verify and certify (after reviewing this Agreement) the contract documents, project files and site conditions, that there is justifiable cause for the suit.
- H. Certifications - Guarantees and Warrantees: The firm shall not be required to execute any document that would result in its certifying, guaranteeing or warranting the existence of conditions whose existence the firm cannot ascertain

VI. TERMS AND CONDITIONS:

- A. Code Compliance - The firm shall put forth reasonable professional efforts to comply with applicable laws, codes, and regulations in effect at the time of the execution of this agreement. Design changes made necessary by newly enacted laws, codes and regulations put into effect after the date of this agreement shall entitle the firm to a reasonable adjustment in the schedule and additional compensation in accordance with the additional services agreement provision of this agreement.
- B. If Client requires an indemnity clause in the agreement, it will be a reciprocal indemnity clause in the agreement.
- C. Limitation of Liability - Any use or reuse of altered files by the Client or others, without written verification or CADD adaptations by the consultant for the specific purpose intended, will be at the Client's risk and full legal responsibility. Furthermore, the Client will, fully permitted by law, indemnify and hold the consultant harmless from all claims, suits, liability,

demands, judgments, costs and attorney fees arising out of or resulting there from. Any verification of such adaptation by the Client will entitle the consultant to additional compensation at current rates.

When there is a conflict between the drawings and the electronic files, the sealed drawings will govern.

- D. Risk Allocation - The Client and KTU+A recognize the relative risks, rewards, and benefits of the project to the Owner. Allocation of the risks are such that the Client agrees that fully permitted by law, KTU+A, total liability to the Owner for all injuries, claims, losses, expenses, damages, or claim expense arising out of this agreement from any cause or causes shall not exceed the total amount of compensation received under this agreement. Such causes include but are not limited to negligence, errors, omissions, strict liability, and breach of contract or breach of warranty.
- E. Corporate Protection - It is intended by the parties to this Agreement that the Consultant's services about the Project shall not subject the Consultant's individual employees, officers or directors to any personal legal exposure for the risks associated with this Project. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against the Consultant, a California State corporation, and not against any of the Consultant's individual employees, officers or directors.
- F. Dispute Resolution - Any claims or disputes made during design, construction or post-construction between the client and firm shall be submitted to non-binding mediation. Client and firm agree that mediation will serve as the primary method for dispute resolution and each party agrees to bear their own costs for mediation.
- G. Information Provided by Others - The client shall furnish all information, requirements, reports, data, survey and instructions required by this agreement. The firm may use such information, requirements, reports, data surveys and instructions in performing its services and is entitled to rely upon the accuracy and completeness thereof.
- H. Indemnification - The firm agrees, fully permitted by law, to indemnify and hold harmless the client against damages, liabilities, and costs arising from the negligent acts of the consultant in the performance of professional services under this agreement, to the extent that the consultant is responsible for such damages, liabilities and costs on a comparative basis of fault and responsibility between the firm and the client. The firm shall not be obligated to indemnify the client for the client's own negligence.
- I. Survivability - The provisions of this agreement shall survive the completion of services and the scope of services.
- J. Termination of Services - This agreement may be terminated by the client or the firm for convenience and without cause upon giving the other party not less than ten (10) calendar days' written notice. In the event of termination, the client shall pay the firm for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

MFRO - RFP IBPS
October 24, 2019
Page 6

J.P., we appreciate your request for services very much and look forward to the opportunity to work with you. Please review our agreement and call me if you have any questions.

Thank you very much!

Sincerely,



Kurt W. Carlson, ASLA
Senior Principal
CA PLA 2342, PLA AZ 54111

CLIENT APPROVED

Brown and Caldwell

Authorized Signature

Date

Print or type name

Title

CITY COUNCIL STAFF REPORT

Current Business Item No. 18

November 6, 2019

File No. 0480-70

SUBJECT: National Fitness Campaign Grant

DEPARTMENT: Communications and Community Services

RECOMMENDATION:

It is requested that the City Council approve Resolution No. 2019-170 authorizing the Communications and Community Services Department to accept a National Fitness Campaign Model Cities Grant totaling \$150,000; authorize the Director of Communications and Community Services or her designee to execute necessary documents on behalf of the City of Escondido (City) including a purchase contract with National Fitness Campaign, LLC; and approve a \$195,000 budget adjustment (See Attachment 1) from the Utilities Fund to a new Mountain View Park Improvements CIP account.

FISCAL ANALYSIS:

Each fitness court costs \$130,000 plus the cost of installation and the concrete pad. The first fitness court will be installed in Mountain View Park and funded by the Utilities Department as compensation for taking a 30,000 square foot area of City parkland which includes the building and ancillary related impacts when locating a recycled water pump station in that park. The additional four fitness courts will be funded in future Capital Improvement Program budget cycles and offset by sponsorships.

PREVIOUS ACTION:

On April 18, 2018, the City Council adopted Resolution No. 2018-47 authorizing the City to join San Diego County's *Live Well San Diego* program to promote the vision of healthy, safe, and thriving communities.

BACKGROUND:

The National Fitness Campaign (NFC) is a non-profit organization that has been dedicated to helping communities fund, build, and activate outdoor Fitness Courts for the last 40 years. NFC is committed to providing cities with a support system to create a network of healthy communities across the country. The Fitness Court's "7 Movement, 7 Minute" system provides a full-body functional fitness workout for people of all ability levels. With over 30 pieces of bodyweight equipment, the Fitness Court can be used in thousands of ways. Utilizing basic moves such as squats, push-ups, lunges, dips, and jumping jacks, the Fitness Court takes advantage of the growing trend in calisthenics-based fitness. (See Attachment 2)

As a turnkey program, NFC includes not only the Fitness Court itself, but also access to a free app with video tutorials, coaching from expert trainers, free classes, workout tracking, and competitions.

The Ambassador Program trains local fitness professionals to learn how to get the most out of the Fitness Court, and Sponsorship Assistance connects the City with national and local sponsors who will help support the construction of future courts. This short video shows the Fitness Court's design and appearance and the benefits of this national movement:

<https://nationalfitnesscampaign.com/watch>

As part of their Model Cities Program, NFC has awarded the City a \$150,000 grant in the form of an in-kind credit toward the purchase and installation of five (5) Fitness Courts (\$30,000 per court) to be constructed throughout the community. The grant conforms to the City Council's vision of supporting community members in leading healthy, active lifestyles. The Fitness Court is constructed of durable, low-maintenance materials designed to last for decades in outdoor environments, and is made in the USA.

The first Fitness Court in San Diego County was constructed in Imperial Beach in 2018. The City of San Marcos received a NFC grant in the 2018 cycle but has not yet constructed their facility. This positions Escondido to be the first community in North County to install a Fitness Court and demonstrate its leadership in contributing to the growing network in this region.

Escondido's first Fitness Court will be constructed in Mountain View Park and funded by the Utilities Department as compensation for taking City property and constructing a pump station in the park to provide vital recycled water for agricultural customers via Hogback Reservoir. This pump station will function in a fully enclosed structure that incorporates sound attenuation to ensure compliance with the City's noise ordinance, aesthetic features that are compatible with other park structures, and a restroom that will be available to park users. Security cameras will also be installed in the area to enhance safety.

The remaining four Fitness Courts will be funded in future Capital Improvement Program budgets and offset with local and national sponsorships. While there is no requirement from NFC to build the remaining courts by any specific timeline, there are economies of scale cost savings and other benefits that come from installing them in rapid succession. With input gathered from community meetings and urban movement data provided by NFC, the City will determine the best locations for future Fitness Courts.

Because NFC requires that the City purchase the Fitness Court equipment through their company to be eligible for the grant funding, and the City Manager has declared in writing that specialized equipment procured through the NFC is required to meet the necessary criteria, good cause exists under the Escondido Municipal Code to make a finding that staff may dispense with formal bidding procedures to procure the equipment called for in this contract.

Compensation for locating the pump station in Mountain View Park would also fund a historical assessment of the Field House located in the northwestern corner of the park. The historical assessment would identify and prioritize improvements necessary for rehabilitating the structure as the City evaluates opportunities for potentially incorporating agriculturally themed public amenities.

National Fitness Campaign Grant
November 6, 2019
Page 3

More information on the recycled water pump station can be found in the Current Business Item No. 17 on this agenda.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Joanna Axelrod, Director of Communications and Community Services
10/30/19 4:53 p.m.

ATTACHMENTS:

1. Attachment 1 – Budget Adjustment
2. Attachment 2 – National Fitness Campaign Program Summary & Schematics
3. Resolution No. 2019-170

2020 NATIONAL FITNESS CAMPAIGN ECOSYSTEM

The National Fitness Campaign Ecosystem is a collection of resources and services designed to activate, encourage and support participation in outdoor fitness activities.

Holistic Program Includes:



THE FITNESS COURT®

Fitness Court® Description:

32' x 35' outdoor bodyweight circuit training system with the following components:

- Seven station circuit training system providing full-body workout modules
- Fitness Court bodyweight training wall, measuring 32'W x 2'D x 6'H with custom wall graphics
- Thirty pieces of bodyweight training equipment (Fitness Elements) for simultaneous use by 28 users at one time. Fitness Elements are anchored and grouped within seven stations.
- Bolts, attachments and anchors required for installation

Fitness Court Surface - Sport Tile Specifications

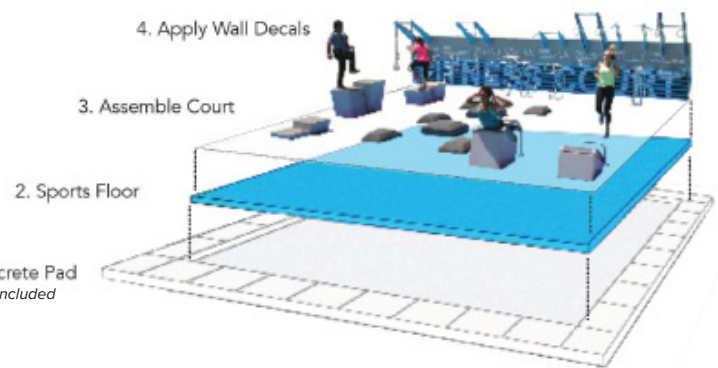
- Outdoor Sports Floor | Size: 1,024 SF (32' x 32')
- Color: NFC Cyan (Grey for custom color Courts)
- Thickness: 1" Tiles
- ADA Border Included
- Additional specifications available upon request

Fitness Court Specifications:

- All structural components are made from high-grade carbon steel
- Structural components receive high-grade dual layer powder coating
- All cladding (skins) made from high-grade aluminum and powder coated
- Graphics and signage printed with anti-graffiti laminate vinyl material
- Manufactured in the United States
- Resilient to heavy, repeated daily use
- Over 30 individual pieces of equipment
- Galvanized fittings and bolts - *included*
- Stainless steel cables
- Complete Installation Guide - *included*
- Warranty through NFC

Warranty + Maintenance

- Made for all climates
- Almost no moving parts (only cables)
- Equipment is anchor bolted into concrete
- Replacement parts available through NFC
- No requirement for disassembly in winter
- Maintenance guide, including touch-up paint & necessary tooling included



See Official Warranty for Full Coverage Detail

THE DIGITAL ECOSYSTEM

The Fitness Court App

Free mobile app for iOS / Android teaches proper use, routines and challenges to all users

- **Classes:** schedule, run and track attendance using the Fitness Court App back-end scheduling tool, providing live class management through the OnSched platform. Training and basic setup provided by NFC within 30 days of launch event.
- **Learn:** video guides deliver workouts, and teach the basics for beginners on the Fitness Court. New content released quarterly, and updated by NFC National Training Team.
- **Train:** individual audio guides. New content released quarterly, updated by NFC National Training Team.
- **Challenge:** competitive tracking allows users to participate in timed, scored challenges, with an option to submit their scores to a national Leaderboard. Acts as a regional and national event qualification tool.



CERTIFIED AMBASSADOR TRAINING

Programming and Training Tools

Fitness Court Ambassadors build and sustain a healthy culture around the Fitness Court ecosystem

- **Learn:** education modules provided by the NFC Training Team are eligible for a range of industry certifications, are offered both in-person and remote, and provide a range of class templates, coaching tips and more to qualified Ambassadors. Partnership includes program vouchers for up to 12 individual Ambassadors per Fitness Court, individually eligible for up to 3 continuing education credits (CECs), approved through the American Council on Exercise (ACE).
- **Train:** classes, clinics and challenges become the building blocks of a Fitness Season, led by Ambassadors, that engage all ages and fitness levels. These guided workout options expand the user community and increase long-term usage and adoption.
- **Share:** continuous online and print storytelling, engagement and social connection further build out a healthy culture on each Fitness Court. Up to 5 local Ambassadors are eligible to attend an in-person regional training event of their choice in 2020. *Regional training schedule provided May 2020



COMMUNITY ACTIVATION

Promotions and Marketing Package

Media support and community engagement materials excite users and strengthen program adoption

- **Custom Grant Announcement Kit:** promote the development of the program in your community with NFC support through traditional and social media channels - including a custom Press Release, site rendering, and outreach planning tools.
- **Launch Event Promotions Toolkit:** announce the launch of the Fitness Court on traditional media channels with a separate customized press release, outreach support and uniquely branded assets for social media.
- **NFC Website Feature Story:** NFC-hosted custom storytelling showcases the partnership and program development in your community.
- **Fitness Court Gear:** minimum \$750 credit towards the official NFC gear store - gear and giveaways (provided in part by national Campaign sponsor, Badger Sport®) nurture Ambassador relationships, honor stakeholders and excite event attendees, to amplify launch activities.
- **Opening Day Launch Support:** NFC provides event management templates, guidance for launch event planning, and custom promotional materials (flyers, media assets).

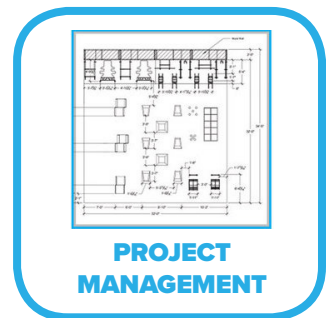


PROJECT MANAGEMENT AND CONSULTING SERVICES

Dedicated Campaign Team and Project Support

Our experienced consultants help coordinate timely procurement, installation and community engagement.

- **Procurement & Bidding:** NFC has industry experts in project management, and from conception through execution, they will collaborate on an average of 2 intensive monthly planning calls to drive success.
- **Construction & Installation:** stamped and certified design plans, concrete slab drawings, and contractor management are provided by the NFC Activation Team. With all ready-to-build plans included, most installations require less than 90 days to complete from ground-breaking to launch.
- **Fundraising:** Up to 10 custom renderings provided by NFC Design Team to support outreach to local sponsors and partners. Up to 5 custom slide presentations provided for in-person meetings and internal stakeholder consensus-building.





FITNESS COURT™

SCHEMATIC DESIGN SET

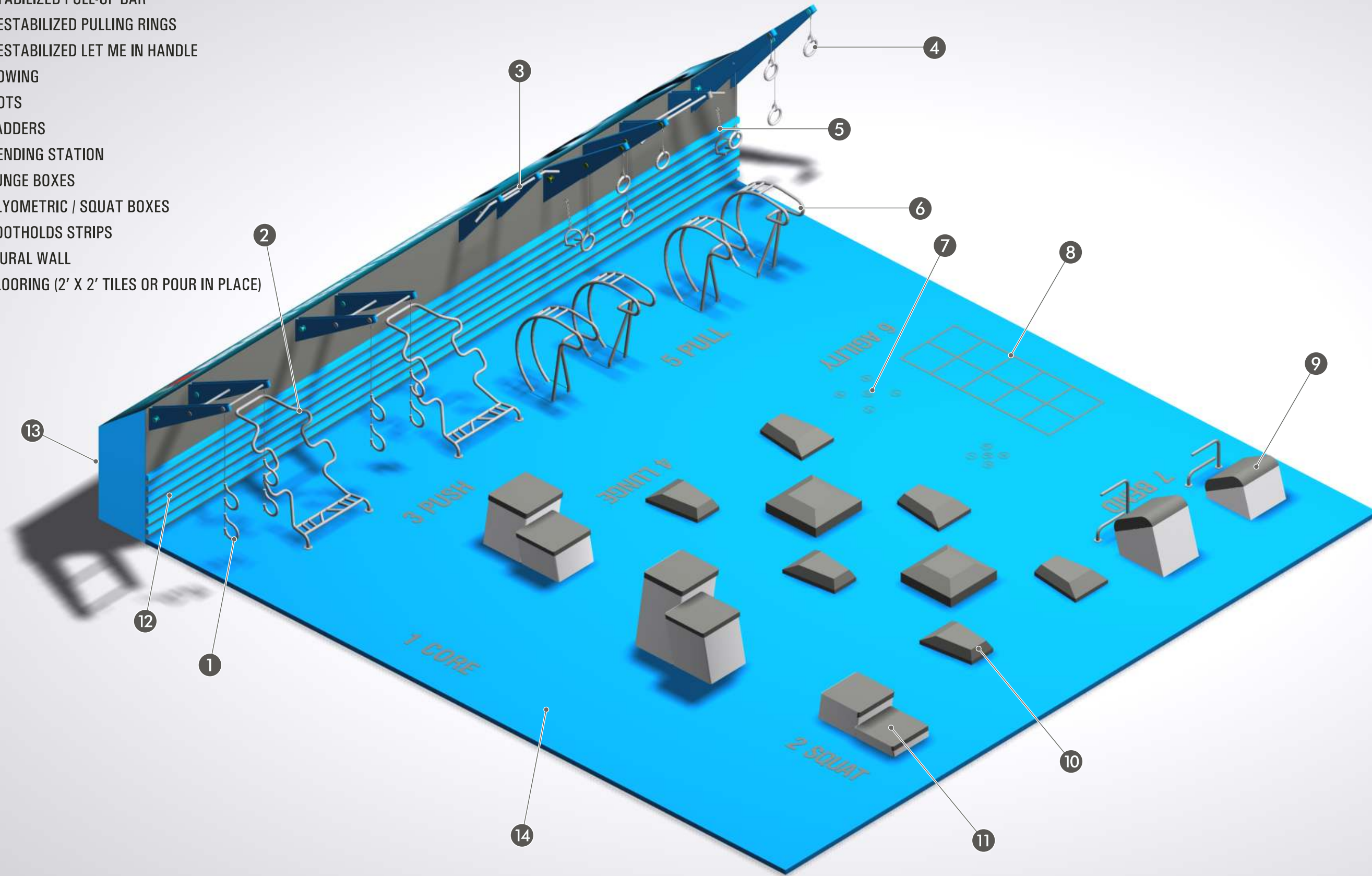


NATIONAL FITNESS CAMPAIGN

NOT FOR CONSTRUCTION

DATE	
DESIGN NUMBER	565382
ARCHIVE NUMBER	
SHEET	FC 01

- 1 DESTABILIZED PUSHING RINGS
- 2 STABILIZED FREEFORM PUSHING BARS
- 3 STABILIZED PULL-UP BAR
- 4 DESTABILIZED PULLING RINGS
- 5 DESTABILIZED LET ME IN HANDLE
- 6 ROWING
- 7 DOTS
- 8 LADDERS
- 9 BENDING STATION
- 10 LUNGE BOXES
- 11 PLYOMETRIC / SQUAT BOXES
- 12 FOOTHOLDS STRIPS
- 13 MURAL WALL
- 14 FLOORING (2' X 2' TILES OR POUR IN PLACE)



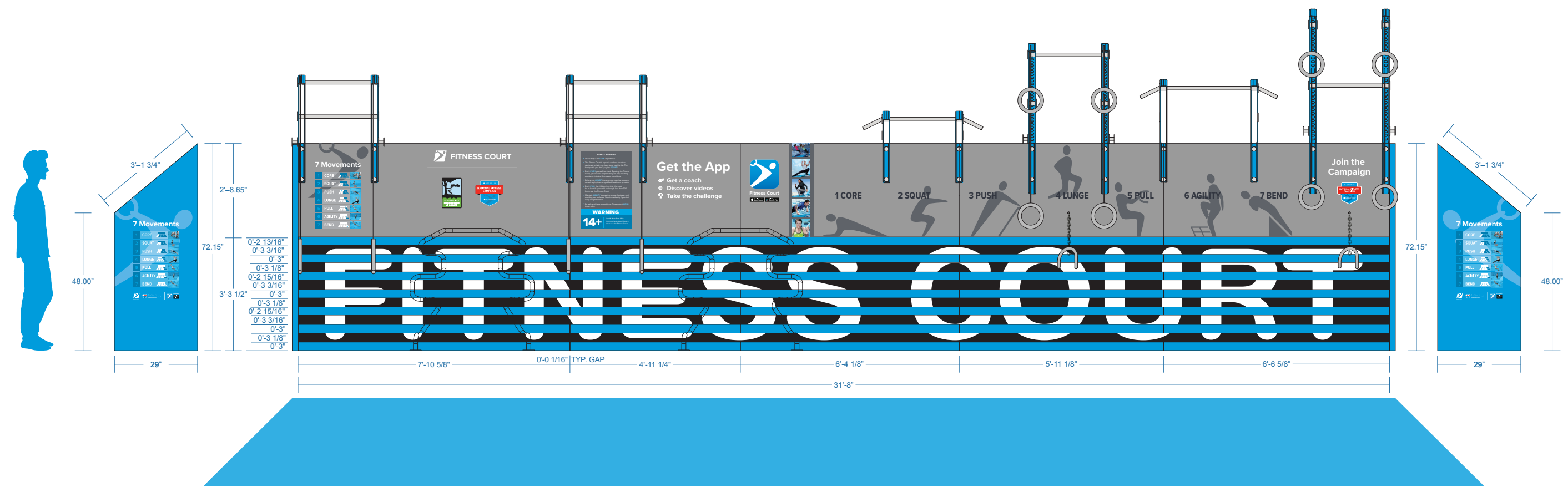
Body Weight Fitness

NOT FOR CONSTRUCTION



NATIONAL FITNESS CAMPAIGN

DATE	06.30.17
DESIGN NUMBER	565382
ARCHIVE NUMBER	
SHEET	FC 02



NOTE: Sponsor Recognition shown for reference only. For Custom Decals, additional fee applies.

NFC FITNESS COURT SCHEMATIC ELEVATIONS

NOT FOR CONSTRUCTION

DATE	06.30.17
DESIGN NUMBER	565382
ARCHIVE NUMBER	
SHEET	FC 03

RESOLUTION NO. 2019-170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE DIRECTOR OF COMMUNICATIONS AND COMMUNITY SERVICES, TO EXECUTE, ON BEHALF OF THE CITY, ALL REQUIRED DOCUMENTS AND AGREEMENTS WITH NATIONAL FITNESS CAMPAIGN, LLC TO ACCEPT THE NATIONAL FITNESS CAMPAIGN MODEL CITIES GRANT, PURCHASE EQUIPMENT, AND APPROVE RELATED BUDGET ADJUSTMENT

WHEREAS, the City of Escondido is a Live Well San Diego partner and supports recreational assets that provide free outdoor fitness opportunities that enhance the health and quality of life of the community; and

WHEREAS, in 2019, the National Fitness Campaign, a non-profit organization, offered grants to 200 cities or colleges to install an outdoor Fitness Court in public parks for use by the public; and

WHEREAS, the City of Escondido submitted an application for the National Fitness Campaign grant funds in the amount of \$150,000 and was selected as a recipient of the grant for five Fitness Courts to be located in Escondido; and

WHEREAS, the availability of free Fitness Courts to the public conforms to the City Council's vision of supporting community members in leading healthy, active lifestyles; and

WHEREAS, National Fitness Campaign, LLC is the sole supplier of the NFC Fitness Court and associated proprietary digital ecosystem and mobile application and

the City Manager has confirmed in writing that this product may be purchased through National Fitness Campaign, LLC without further procurement requirements; and

WHEREAS, the City intends to construct the first Fitness Court in Mountain View Park and will use land acquisition funds made available by the City's Utilities Department's construction of a pump station to fund the balance of the monies needed to purchase the equipment and have it installed; and

WHEREAS, City staff will endeavor to find funding sources for the remaining four Fitness Courts through future Capital Improvement Program budgets and sponsorship support.

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 authorizes the Director of the Communications and Community Services to accept, on behalf of the City of Escondido, the National Fitness Campaign Cities Grant in the amount of \$150,000.
3. That the City Council authorizes the Director of the Communications and Community Services, or her designee, to execute all necessary documents, in forms approved by the City Attorney's Office, to accept all grant funds, including entering into a purchase contract with National Fitness Campaign, Inc.
4. That the City Council approves of the placement of the first Fitness Court in Mountain View Park and of any necessary budget adjustments to expend funds received through the Utilities Department for the purposes stated herein.



CITY COUNCIL STAFF REPORT

Current Business Item No. 19

November 6, 2019

File No. 0680-50

SUBJECT: Review of Deputy Mayor Selection Process

DEPARTMENT: City Attorney

RECOMMENDATION:

The City Council should consider and discuss the existing process for the selection of the deputy mayor and give direction to staff on proposed amendments, if any, to the Escondido Municipal Code.

FISCAL ANALYSIS:

There is no fiscal impact in the selection process for the deputy mayor.

PREVIOUS ACTION:

The selection process for the deputy mayor was last considered and revised in January 2011.

BACKGROUND:

The City Council recently reviewed and amended the City Council's Policies and Procedures Resolution to update many of the operating policies and practices of the Council. Once completed, Councilmember Morasco asked that the issue of how the City Council selects the deputy mayor, which is not included in Resolution No. 2019-65R, be placed on the future agenda for further consideration.

Applicable State Statutes.

Escondido is a general law city required to comply with controlling state law. In the absence of controlling state law on a subject matter, the City Council has discretion to develop and implement procedures for various matters within its general authority. State law provides little guidance on the issue of deputy mayor selection criteria and procedures and, as a result, the City Council has wide discretion to develop and implement its own process for this matter.

Pursuant to state law, the mayor is a member of the city council and has all of the powers and duties of a member of the city council. Further, by state law, a mayor pro tempore shall be chosen in the manner provided by Government Code Section 36801. The term "pro tempore" (or "pro tem") literally translates from Latin to English as "for the time being." For the sake of convenience, the term "mayor pro tem" will be used herein in place of "mayor pro tempore" except as specifically provided for by

statute. Further, for purposes relevant to this matter, the terms “deputy mayor” and “mayor pro tem” are functional equivalents.

Government Code Section 36801 provides:

The city council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Sections 10262 and 10263 of the Elections Code and, following the declaration of the election results and the installation of elected officials, choose one of its number as mayor, and one of its number as mayor pro tempore.

Because Escondido has a directly elected mayor, Section 36801’s provision to choose a mayor from the elected officials is not applicable. However, as to the selection of the deputy mayor, currently, Escondido Municipal Code (EMC) Section 2-24 provides as follows:

- (a) The city council shall meet on the first Wednesday following certification of the results of the general municipal election and select a deputy mayor by appointment from among the councilmembers.
- (b) Selection of the deputy mayor will be done on a rotating basis with priority given to the most senior councilmember who has never served as deputy mayor. If two (2) new councilmembers are elected at the same time, the one (1) with the highest votes shall have first preference in the selection. After all councilmembers serve one (1) term as deputy mayor, the selection shall revert to a normal rotation process.
- (c) The deputy mayor shall serve until a new appointment is made in accordance with this section.

Escondido Municipal Code History.

The relevant history of the deputy mayor selection process can be traced back to the early 1980s. In April 1981, pursuant to EMC Section 2-24, the Council itself selected the mayor from the candidate receiving the greatest number of votes after the general municipal election and selected the mayor pro tem. EMC 2-24 provided no direction on the qualifications, criteria, length of service or other specifics in the selection process for the mayor pro tem.

In June 1982, the Council adopted Ordinance No. 82-62, which amended EMC Section 2-24 to identify a specific methodology for the appointment of the mayor and mayor pro tem. Pursuant to this enactment, the mayor was the council member who served as mayor pro tem during the immediately preceding two (2) years. The mayor pro tem was identified as the “candidate for City Council receiving the greatest number of votes at the most recent general election.” The terms of the mayor and mayor pro tem were set until the next municipal election.

In 1988, pursuant to Propositions L and M, the City of Escondido began directly electing its mayors for two (2) year terms starting with the election in 1990. In anticipation of this change, in March 1990, the process for the selection of the mayor pro tem in EMC Section 2-24 was amended again to both remove the mayor selection process from the ranks of the elected city council members and provide that the mayor pro tem be selected by an appointment from among the Council members. No specific criteria or sequencing of selection was included in that Ordinance. In 1996, pursuant to Proposition N, the elected mayor's term was extended to four (4) years effective at the next general election to be held in 1998.

In January 2011, by Ordinance No. 2011-05R, the City Council again amended Section 2-24. In addition to changing the name of the position from "mayor pro tempore" to "deputy mayor," Ordinance 2011-05R attempted to make the process more objective, and therefore, established the selection criteria and process that currently exists today and quoted above.

Thus, today, the deputy mayor is to be selected on a rotating basis with priority given to the most senior councilmember who never served in that role. In the case where two new councilmembers are elected at the same election, the deputy mayor selection preference is given to the new member who received the highest number of votes.

Most recently, in December 2018, newly elected Councilmember Consuelo Martinez was appointed deputy mayor, as she was the most senior, and only, Councilmember who had never served in the role.

Role of the Mayor and Deputy Mayor.

The City of Escondido is governed by a five-member City Council. In 2013, the City was divided into four (4) districts which are used for all regular elections of councilmembers; for the recall of any elected councilmember; for the appointment of any new councilmember to fill a vacancy in the office of a member of the council from that district; and for any special election to fill a vacancy in the office of a member of the council. The mayor is the only member of the council who is elected at large. The term for each member is four (4) years with staggered terms.

The mayor is the presiding officer of the City Council, the City as Successor Agency to the Community Development Commission, the Mobilehome Rent Review Board, and the Escondido Joint Powers Financing Authority. Pursuant to Government Code Section 40605, in general law cities such as Escondido where the office of mayor is an elective office, the mayor, with the approval of the City Council, shall also make appointments to all City Boards, Commissions and Committees unless otherwise specifically provided by statute. This role is further described in the EMC.

Neither state law nor the EMC provide any specific requirements, or even much guidance, with respect to the specific roles and responsibilities of a deputy mayor or mayor pro tem. In general, the

position is intended to pre-designate someone to perform the mayor's responsibilities in the event of a *temporary* unavailability such as with absence from the jurisdiction or physical or mental incapacitation due to illness or accident. A *permanent* vacancy of the mayor's office, such as in the case of death, unexcused absence for more than 60 days, removal from office or termination of residency, must be addressed consistent with Government Code Section 1770 by appointment or special election.

In general law cities, the day-to-day leadership of City staff and operations is assigned to the city manager under the council-manager form of governance. Thus, in the City of Escondido, the position of deputy mayor is largely one of temporary convenience. For example, in the approximately one year since Mayor McNamara was sworn in, Deputy Mayor Martinez has not had to preside at any City Council meetings or attend to other mayoral responsibilities such as presiding at a closed session meeting of the City Council, signing City contracts, or attending other public agency meetings assigned to the mayor. This is not unusual in that the mayor is nearly always able to be available for necessary duties.

Comparison of Selection Process with Other Cities.

Because state law has effectively left it up to the local municipalities to create their own selection methodology for the office of deputy mayor, a survey of the cities in San Diego County reveals a wide variety of titles, selection criteria, and terms for the comparable position.

Attached to the Staff Report is a table reflecting how the cities are approaching this issue. The most obvious trend appears to be that almost all agencies provide for a one-year term for the position.

Potential Options for Deputy Mayor Selection.

Because the method by which a deputy mayor is selected is one best left to the discretion of the City Council, and there being no fiscal or operational issues associated with the section process, this office and city staff have no recommendation on either keeping or amending the current selection process. In the past, policymakers appear to have emphasized seniority as one of the issues involved in determining who should serve.

However, for purposes of providing some alternatives to consider should the council choose to implement a new method, the most commonly used methods appear to be:

1. Have the City Council select a councilmember by a simple majority vote without preference or other criteria.
2. Allow the mayor the discretion to appoint the deputy mayor. This can be modified to include a general, but not binding, preference to senior council members who have not yet served in the role or on a rotating council district basis.

3. Have the position assigned to councilmembers based on a rotating basis of council districts.
4. Have the City Council select from its members by majority vote with a requirement or preference to councilmembers who have served on the council for a certain period (e.g. at least 1 year) but not previously served as a deputy mayor.
5. Have the City Council select the councilmember with the most votes from the last election.
6. Maintain the current selection system or adopt a new one but change the service (appointment) period to one year to allow for more opportunities for the position to other councilmembers.

CONCLUSION:

The City Council has wide discretion to create a methodology for the selection of and term for the City's deputy mayor. The City Attorney and City staff are prepared to assist the councilmembers as they review and consider any changes to the current process.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Michael McGuinness, City Attorney
10/30/19 3:27 p.m.

ATTACHMENTS:

1. Attachment 1 (Spreadsheet of City selection processes)

Attachment 1

**Deputy Mayor Selection Process
San Diego County Cities with Directly Elected Mayor**

City	Source	Title	Process	Term
Carlsbad	Carlsbad MC 2.08.010	Mayor Pro Tempore	Mayor Pro Tem selected after each general municipal election. Appointment requires three affirmative votes of Councilmembers.	Selected after each general municipal election.
Chula Vista	Charter of City of Chula Vista Section 304(d)	Mayor Pro Tempore	City of Chula Vista does not have a formal process in electing a Mayor Pro Tempore. The position is loosely rotated among Council Members.	One Year or until successor is elected.
Coronado	Coronado MC 2.02.020	Mayor Pro Tem	City of Coronado elects a Mayor Pro Tem annually by three affirmative votes.	One Year.
El Cajon	El Cajon MC 2.08.010	Mayor Pro Tempore	City of El Cajon Councilmembers meet annually to select their Mayor Pro Tempore on the second Tuesday in December.	One Year.
Encinitas	Encinitas MC 2.20.030	Deputy Mayor	City of Encinitas elects their Deputy Mayor annually at the first regular City Council Meeting in December of odd-numbered years and the second Tuesday of each December in even-numbered years. Three affirmative votes are required to choose or change the Deputy Mayor.	One Year.
Imperial Beach	Imperial Beach MC 2.10.010	Mayor Pro Tem	City of Imperial Beach selects the Mayor Pro Tempore at the next meeting after the first meeting in December. The Mayor Pro Tempore shall serve on a rotating basis or until the expiration of the normal term as provided by the Code.	One Year.
La Mesa	La Mesa	Vice Mayor	City of La Mesa selects their Vice Mayor annually by a rotation of the	One Year.

	MC 2.12.080		<p>Council Member with the most seniority who has not been Vice Mayor in the last three consecutive years.</p> <p>The term of each member shall be one year beginning the second Tuesday of August one year and ending on the Monday before the second Tuesday. In the event two Councilmembers have equal seniority and have not been vice mayor in the last three consecutive years, the council member with the most votes in their last regular election shall serve as vice mayor.</p>	
Lemon Grove	Lemon Grove Resolution No. 2649	Mayor Pro Tem	<p>City of Lemon Grove selects their Mayor Pro Tem annually after the certification of each municipal election. Upon selection of the Mayor Pro Tem, the Council shall review the rotation for the next two years. Each Councilmember shall serve one year during their four-year term. In the event that there is a disruption in the rotation and two or more Councilmembers have not served as Mayor Pro Tem and have equal tenure, the one who received the most votes in the previous election should be placed higher on the rotation list.</p> <p>Appointment of new Mayor Pro Tem and the rotation list for the next two years shall be done by resolution.</p>	One Year
National City	City Council Policy- City of National City Policy #120	Vice Mayor	<p>City of National City selects their Vice Mayor annually at the meeting at which the declaration of the election results for a general municipal election is made. The Vice Mayor shall be the Councilmember with the most seniority who has not served as Vice Mayor in the last three years. In the event two Councilmembers have equal seniority and have not been Vice Mayor in the last three years, the Councilmember with the most votes in their last general election shall be appointed.</p>	One Year
Oceanside	Oceanside MC 2.1.65	Deputy Mayor	<p>The Mayor of Oceanside selects the Deputy Mayor at the first regular council meeting in December of each year. The Mayor's appointment is subject to confirmation by majority vote of the entire City Council, including the Mayor.</p>	One Year
Poway	Resolution No.	Deputy Mayor	<p>City of Poway elects their Deputy Mayor at the first regular meeting in</p>	One Year

	90-179		December in odd-numbered years, or at the first regular meeting held thirty days following the general municipal election in even-numbered years. The term of Deputy Mayor shall be for one year or until a successor is elected.	
San Diego	Charter of City of San Diego Section 25	Deputy Mayor	City of San Diego selects their Deputy Mayor annually in the month of December.	One Year.
San Marcos	San Marcos MC 2.08.040	Mayor Pro Tem	In order to expedite the orderly procedure of the City Council meetings in the event the Mayor cannot be present, the City Council elects one member of the City Council to act as Mayor Pro Tem in the absence of the Mayor.	
Santee	Resolution No. 201-85	Vice Mayor	<p>City of Santee selects its Vice Mayor annually at the second regular meeting held in November, or at a meeting held pursuant to Government Code Section 36801, whichever first occurs. The eligible Councilmember who has the greatest number of votes in the last election in which he or she was a candidate shall be selected.</p> <p>No councilmember is eligible to serve as Vice Mayor until they have served for at least one year of his or her current term of the City Council. No councilmember is eligible to serve as Vice Mayor if they have already served as Vice Mayor during his or her current four-year term. In the event that no Councilmember is eligible for election as Vice Mayor, the provisions are waived for that year.</p>	One Year.
Vista	Vista MC 2.16.060	Deputy Mayor	City of Vista appoints a Deputy Mayor annually. During each year in which a General Municipal Election is held to elect one or more Members of the	One Year.

			City Council, the City Council shall consider the appointment or re-appointment of one of its members to serve as Deputy Mayor for the following year. In all other years, the City Council shall consider the appointment or re-appointment of one of its members to serve as Deputy Mayor for the following year at the first regular full meeting of the City Council held in the month of December.	
County of San Diego	Board of Supervisors Rules of Procedure- Rule 5	Vice Chair Person	City of The Board of Supervisors nominate a Vice Chairperson and Chairperson Pro Tem within 30 days of the first regularly scheduled meeting in January. No nominations or selections shall be accomplished until after any newly elected Supervisors have taken office. The method of nomination and selection are at the discretion of the board. In the event of a vacancy, the vacancy must be filled within 30 days.	One Year, or until a successor has been selected.



FUTURE CITY COUNCIL AGENDA ITEMS
Updated October 31, 2019

*AGENDA ITEMS AND CITY COUNCIL MEETING DATES ARE SUBJECT TO CHANGE.
 CHECK WITH THE CITY CLERK'S OFFICE AT (760) 839-4617*

November 13, 2019
NO MEETING (Veterans' Day)

November 20, 2019
6:00 p.m.

PRESENTATIONS	
	Certificate of Recognition – Dax Franklin
	Certificate of Recognition – Dr. Roy Archer
CONSENT CALENDAR	
	<p>Adopt Resolution Updating the Salary Plans for the Unclassified Clerical/Technical Group, Salary Bands for the Management Group, and the Unclassified Service Schedule List (J. Perpetua)</p> <p><i>Pursuant to Government Code Sections 20636 and 20636.1, California Code of Regulations Section 570.5, and the Escondido Municipal Code Sections 19-8 and 19-9, the City is required to maintain a list of all unclassified position titles. Throughout the year, the Human Resources Department works with City departments to conduct job studies to ensure that job classifications reflect current job duties.</i></p>
	<p>City of Escondido Proxy for the San Diego County Water Authority Board of Directors (C. McKinney)</p> <p><i>John Masson is the seated board member representing the City of Escondido on the San Diego County Water Authority Board of Directors. There currently is not an assigned proxy for John Masson. It is recommended that Mary Miller with VID be approved as proxy.</i></p>
	<p>Third Amendment to Consulting Agreement with Michael Baker International for Preparation of an Environmental Impact Report for the Harvest Hills (safari Highlands Ranch) Project and the Citywide Sphere of Influence Update (ENV 15-0009 AND SUB-15-0019) (B. Martin)</p> <p><i>On May 16, 2018, the City Council approved Resolution No. 2018-74 authorizing a second amendment to the contract with Michael Baker International (MBI) for preparation of the EIR. The task of completing the responses to comments and edits for the Final EIR combined with the need for additional analysis to evaluate changes to the project initiated by the applicant have exceeded budgeted resources and additional funds will be necessary to complete the work.</i></p>

PUBLIC HEARINGS

Amendment to Franchise Agreement with Escondido Disposal, Inc. for Annual CPI Adjustment to Solid Waste and Recycling Rates/Fees for Commercial and Residential Collections and Proposed Organic Fees

(C. McKinney)

Escondido Disposal's Solid Waste and Recycling Services Rates and Fees are reviewed annually and adjusted based on a CPI formula as required in the City's Franchise Agreement with Escondido Disposal. Staff and Escondido Disposal also will give a brief update on the proposed organic waste program and attendant fees.

Adoption of the 2019 Fire Code, California Existing Building Code, Residential, Electrical, Plumbing, Mechanical, and Energy Codes; and Green Building Standards with Local Amendments

(B. Martin and R. Vogt)

The 2019 California Building Standards Code and Fire Code will become effective statewide on January 1, 2020. Local adoption of code amendments is required.

Final Environmental Impact Report, General Plan Amendment, Rezone, Master and Precise Development Plan, Tentative Subdivision Map, Specific Alignment Plan, and Grading Exemption for Nutmeg Homes Residential Development (SUB 18-0005 and ENV 18-0005)

(B. Martin)

The applicant seeks EIR certification and approval of a General Plan Amendment and Rezone for a 7.45-acre site. They also request approval of a Tentative Map and Master/Precise Development Plan to develop just the north portion of that site with 37 units. Later, they will apply for a second Tentative Map and Master/Precise Development Plan to develop the south portion, for an overall density not to exceed 18 units/acre. This approach will allow time to design the south portion to avoid conflicts with the I-15 right-of-way.

Development Impact Fee Annual Update and Parking Structure Public Facility Fee

(J. Petrek)

Government Code Section 66006 allows for the collection of Development Impact Fees to fund certain improvements necessary to accommodate future growth. An annual inflationary adjustment of Development Impact Fees was last approved in December 2018 based on the Engineering News Record Construction Cost Increase (ENR CCI) to retain purchasing power for constructing future facilities. A reduced Public Facility Fee is proposed to reflect lower municipal costs involved for servicing parking structures.

CURRENT BUSINESS

Community Survey Polling Results

(J. Petrek)

As part of an ongoing effort to generate revenue, the City is evaluating a potential sales tax ballot measure for vote consideration at the 2020 General Election. True North Research consulting services worked with staff and an ad hoc City Council subcommittee to develop a citizen survey for determining local voter support for such a measure that was conducted in October 2019 involving approximately 800 voters.

FUTURE AGENDA ITEMS

November 27, 2019

NO MEETING (Thanksgiving Day)

Weekly Activity Report



October 31, 2019

Students Discuss Climate Action Planning

Last week, sixth and seventh grade students from Grace Christian School met with City staff to discuss climate action planning. The students learned about the dimensions of the climate problems we face, and they showcased how we can be actively engaged in responding to them.

Earlier this year, the students formed a Climate Action Alliance Club and are currently developing proposals to combat environmental problems. They observed that crossing guards and children are inhaling toxic car fumes during drop-off and pick-up on their campus. Now they are seeking out ways to reduce carbon emissions in the car line by encouraging “no idling” and “walk-in” zones on campus. Special thanks to Ms. May from Grace Christian, serving as project advisor, in addressing the importance of environmental health and helping students take their first step in action, and challenging them to take another.



EPD Forensic Services Receives Accreditation

The Police Department Forensic Services Unit (FSU), aka the Crime Lab, is responsible for all the crime scene and fingerprint work within the department. Over the course of the last year, FSU has worked to upgrade and improve policy and processes within the unit in anticipation of being accredited by A2LA. In September, FSU successfully passed the rigorous audit process. The Escondido Crime Lab is the first organization in the U.S. to achieve A2LA accreditation for crime scene and latent prints. This accreditation means they provide a high quality of service consistent with international standards. The A2LA is an international third party accreditation body for laboratories, including forensic units.



Escondido Artist Highlighted in LA Exhibit

Local artist Bosko Hrnjak's work will be highlighted in an exhibit in Los Angeles at HelMel Studios, which is owned by film star Val Kilmer. The exhibit, titled "Odyssey" opened on October 1 and highlights his abstract paintings. Read more about Hrnjak and his exhibit in the [Times Advocate](#) article below.

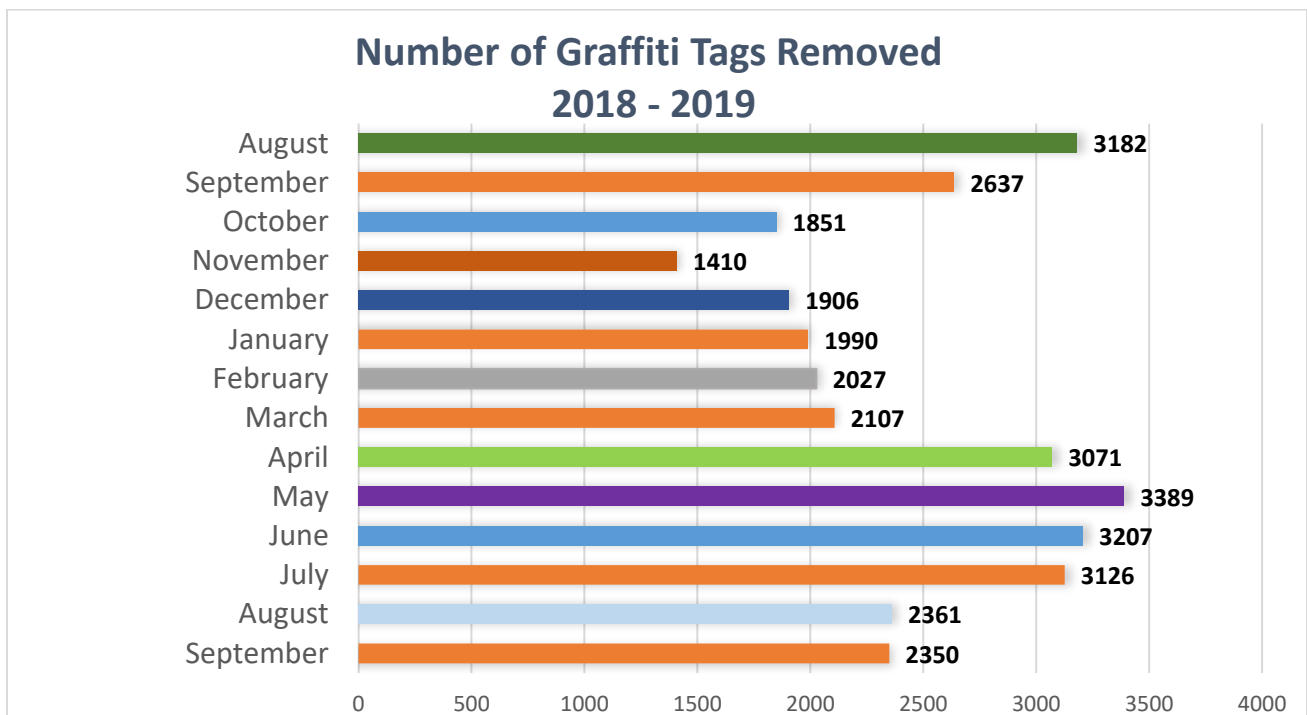
Escondido's Bosko Hrnjak teams up with Val Kilmer in LA art exhibit

admin | on October 19, 2019

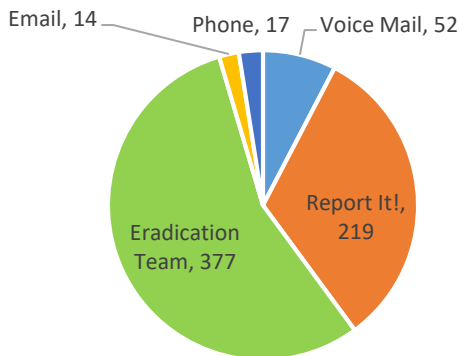


BY THE NUMBERS

Public Works

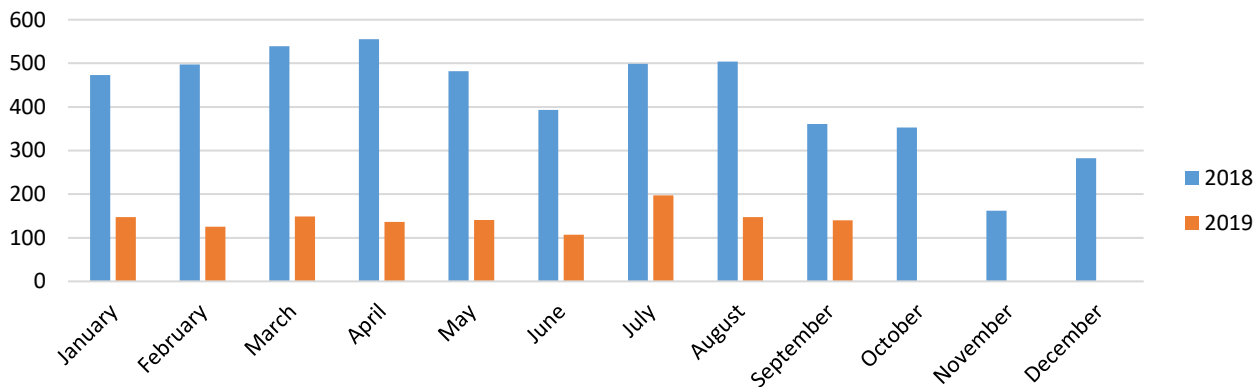


How Graffiti Was Reported - September 2019



■ Voice Mail ■ Report It! ■ Eradication Team ■ Email ■ Phone

NUMBER OF SHOPPING CARTS REMOVED



Code Enforcement

310 Total Active Cases

76 New Cases

45 Cases Closed

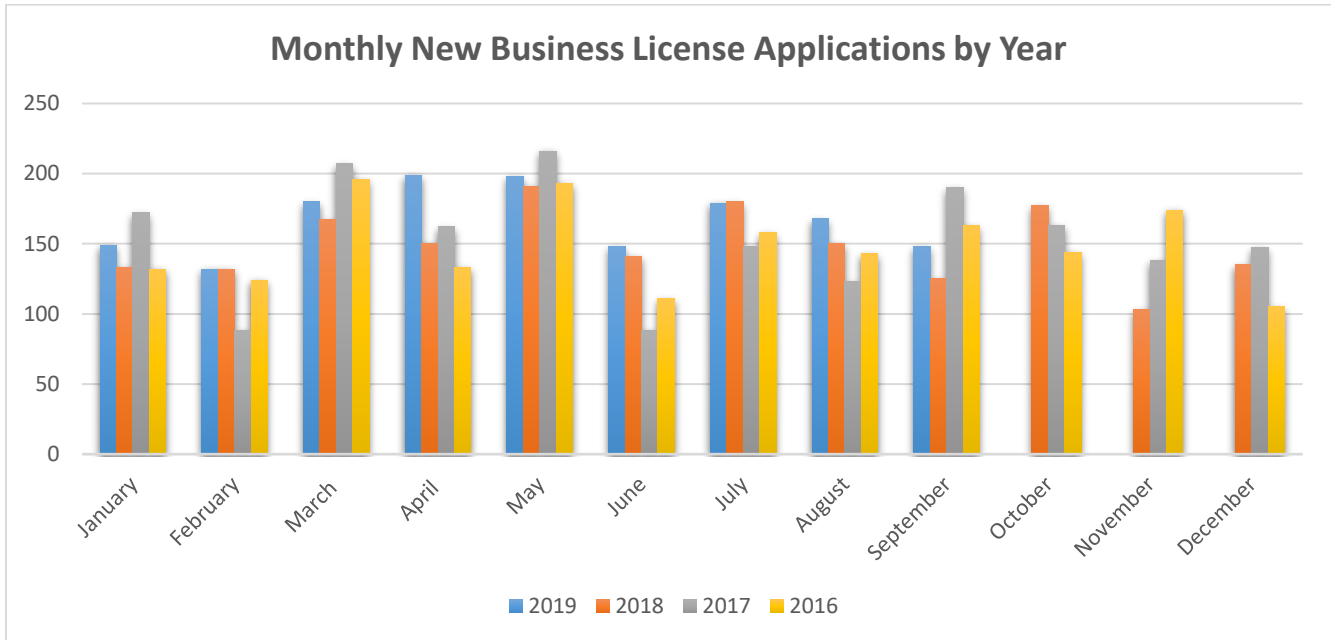
42 Voluntary Compliance

28 Notices Issued

3 Citations Issued

Total Code Cases (Year To Date)	2,301
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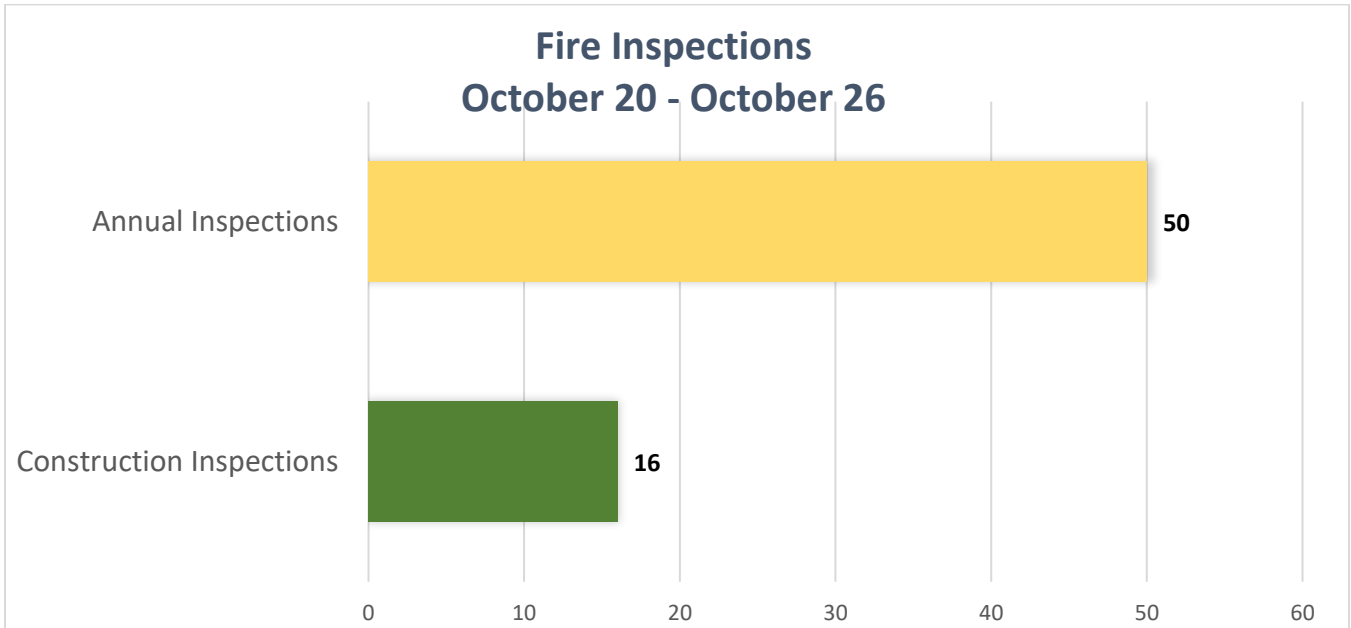
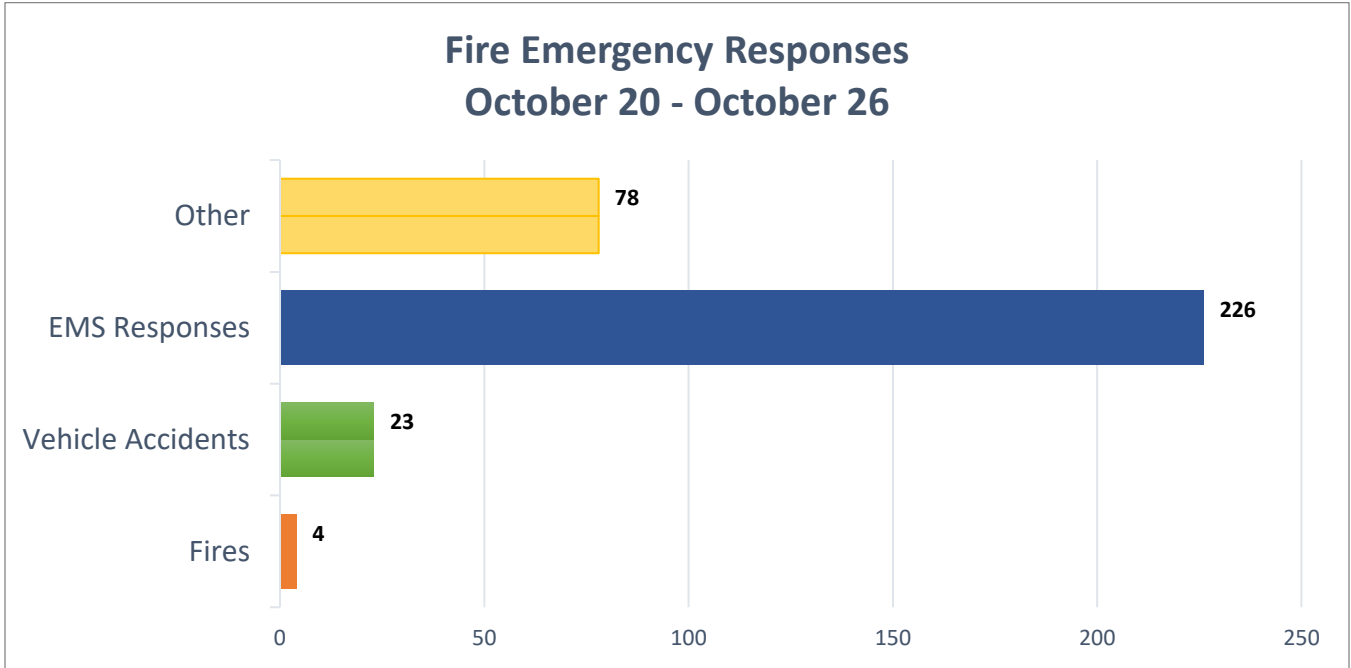
Business Licenses



Graffiti Restitution

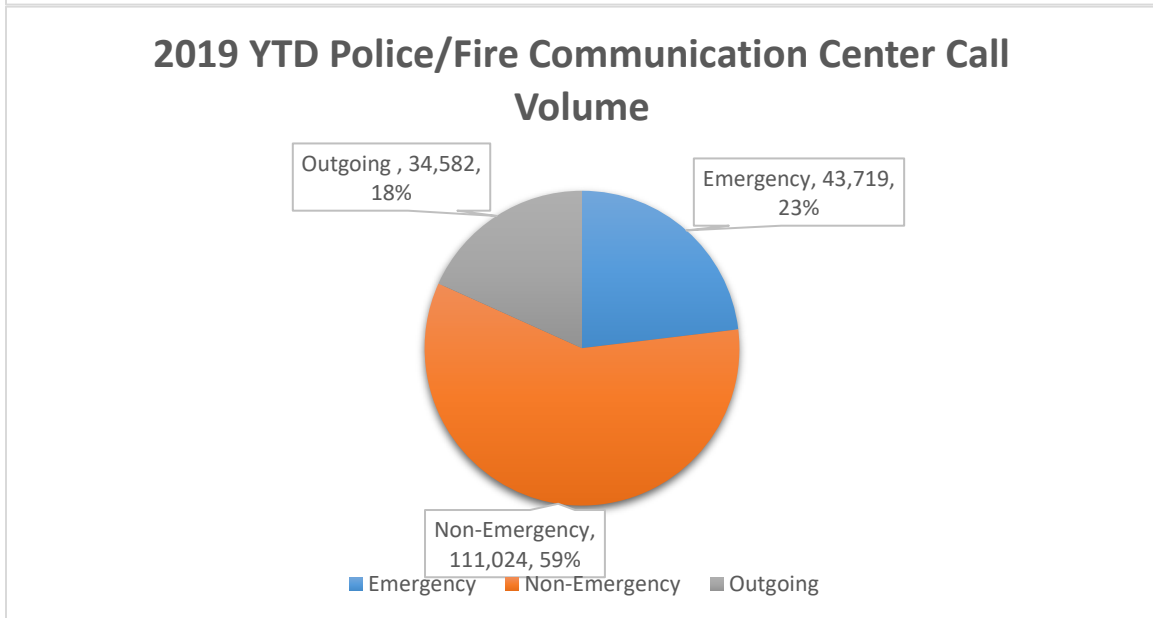
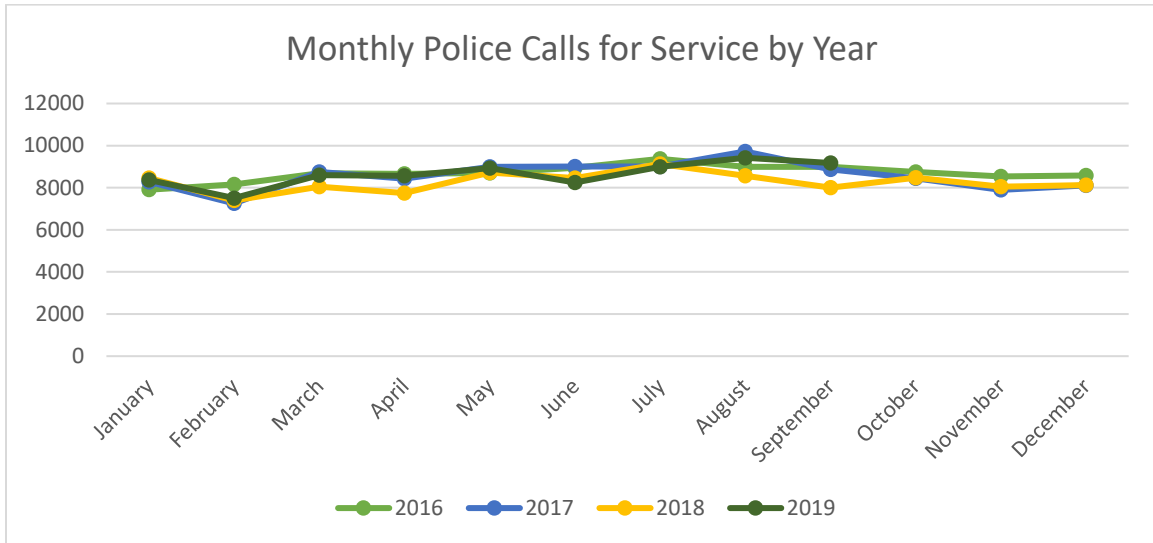
Collected This Week	Collected Year to Date
\$140	\$5,157.32

Fire

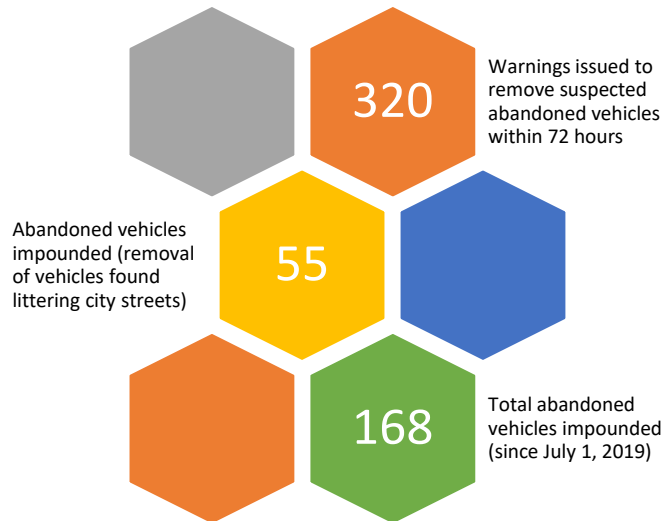


Total Emergency Responses (Year To Date)	14,160
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Police:

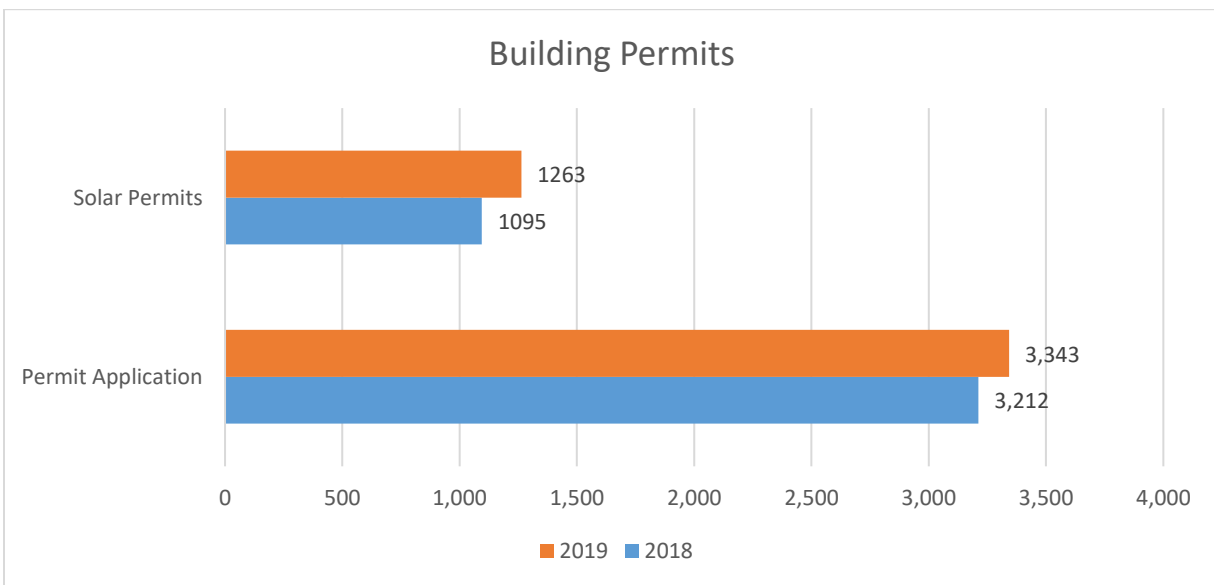
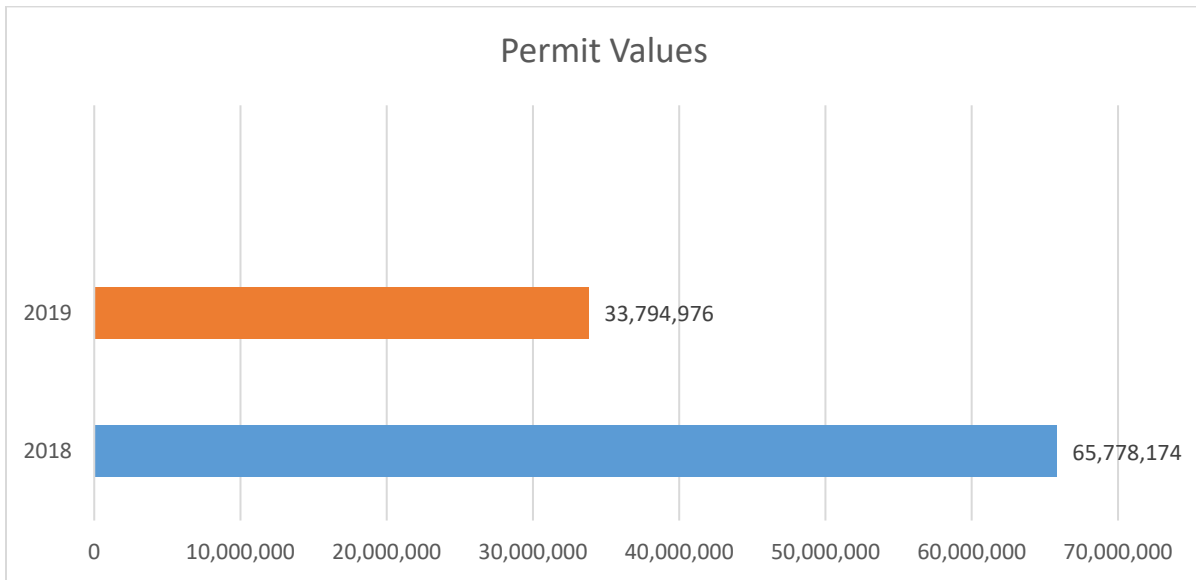


September Abandoned Vehicle Data



Building Division:

**Data reflects activity through October 26 of each year.*



VOLUNTEER PROGRAM



Events:

Police Athletic League Community Service Day

On Saturday, October 26 it was a great Community Service Day for the Police Athletic League (PAL) with 120 volunteers. The group was made up of kids, coaches, scorekeepers, and parents doing yard work at the senior mobile home parks located at 1751 W. Citracado and 2400 W. Valley Parkway. Many of these seniors could not afford a landscaper and they could no longer do yard work due to declining health. They were thrilled beyond words to see the group of volunteers there. Thanks volunteers!



Get Involved:

If you would like to get involved with future projects and volunteer in Escondido, visit:

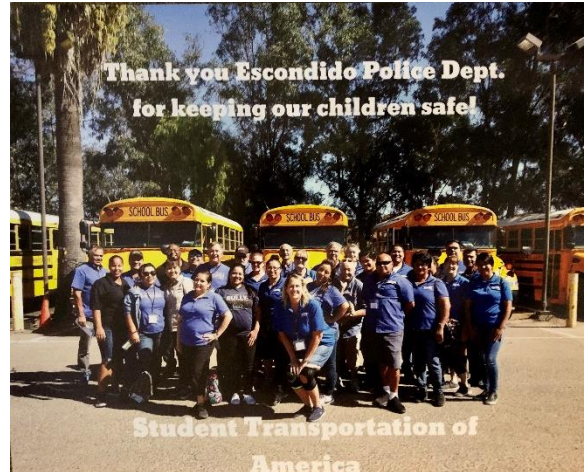
<https://volunteer.escondido.org/>

POLICE DEPARTMENT

Incidents:

School Bus Enforcement Detail

This week the Police Department's traffic enforcement focused on protecting students as they boarded and exited school buses. Based on input from the school bus drivers, the officers focused in areas where the drivers said the worst violations occurred. 14 citations were issued to motorists for failing to stop for a school bus displaying a flashing red signal. The Student Transportation of America sent EPD a thank you note for our efforts.



First Female Police Officer Recognized by EPD



Fifty years ago, in 1969, Joan Bittenberger was hired by the Police Department as the first female officer. Bittenberger was hired to assist in investigating crimes involving women and girls as victims or suspects. Bittenberger served the Escondido Police Department for five years. During that time, she met and married EPD Officer Leroy Fantasia. The couple eventually moved to Washington. EPD recently honored Bittenberger with a city service coin for her five years of service.

“To be able to award a five-year coin to Ms. Bittenbender on the 50-year anniversary of her hiring is an honor,” said Police Chief Craig Carter. “This department has always prided itself on treating its employees like family. We wanted to show that same appreciation to the woman who broke the gender barrier for law enforcement in Escondido.”

Homicide at Grove Park

On October 23 at 8:26 p.m., Escondido Police responded to a fight in progress involving a large group of people assaulting an individual. Upon arrival, officers began CPR on the victim while other officers searched for suspects involved in the altercation. The victim, 37-year-old Mauricio Renteria was transported to Palomar Hospital where he deceased.

Six juveniles, ranging in age from 14-17 years, were arrested that night for the homicide. All six were booked into juvenile hall for the charges of homicide (187(A) PC) and the criminal street gang enhancement pursuant to 186.22(B)(1) PC.

COPPS:

The COPPS (Community Oriented Policing and Problem-Solving) Unit is dedicated to increasing the quality of life for the residents of Escondido through pro-active responses to crime trends, quality of life issues, and addressing crime and public nuisance in Grape Day Park and at Maple Plaza.

- 1 arrests
- 7 citations
- 45 extra patrols/calls for service

FIRE DEPARTMENT

News:

On Sunday, October 20, Escondido Fire Department Engine and Truck crews along with our Support Volunteers were on hand at the Grand Avenue Festival to meet people, give apparatus tours and share safety information. Of course our truck proudly flew the American flag from the ladder!



On Tuesday, October 22 at 8:59 am, Escondido and San Marcos Fire Departments responded to a serious vehicle accident on east bound Highway 78 freeway, west of I-15. Unfortunately, a CHP motorcycle officer involved was injured and transported to the hospital.

On Wednesday, October 23 at approximately 9:15 a.m., the Escondido Police and Fire Communication Center received a report of a fire in an apartment building on South Juniper Street. The first arriving Engine Captain reported smoke coming from a second floor unit of a two-story building. Firefighters contained and controlled the fire within approximately 20 minutes. The apartment sustained major damage to the upstairs bedroom with minor to moderate smoke damage throughout the dwelling. There were no injuries to firefighters or civilians and three family pets were rescued and all survived. A gift card for immediate emergency aid for fire victims was provided by the California Fire Foundation. The Red Cross also provided assistance. The cause of the fire is under investigation.



Station 1's (Quince), Engine crew including Captain Hankins, Engineer Skelton and Firefighter Paramedic Kenny took part in the "Trunk or Treat Fall Festival" at Central Elementary school on Thursday, October 24. The crew handed out stickers, fire helmets and coloring books to the K-5th grade children.



During the recent "Red Flag Warnings", the Escondido Fire Department added an extra staffed Brush Patrol Engine at Station #2. The crew patrolled the high fire danger wildland interface areas around Escondido, monitored the weather conditions closely and were available to augment a response to a vegetation fire response. The Police Department also assigned officers to two fire stations to rapidly respond with the Fire Department.

Also during this time, a Brush Engine Strike Team (5 Engines and a Chief Officer) paid for through the State Office of Emergency Services, was pre-positioned in North San Diego County, mostly at Escondido Fire Station #1. This strike team included the OES Brush Engine from Escondido. On Friday, October 25, this Strike Team deployed to the "Sawday Fire" in Ramona and worked throughout that day and night to help fully contain the fire.



COMMUNITY DEVELOPMENT

Major Projects Update

The following major projects are being reviewed and coordinated by Planning, Engineering, Fire, Building and Utilities. The list of projects below encompasses recent project updates and/or milestones from last week.

Commercial / Office:

1. Escondido Research and Technology Center (ERTC) – West (Developer: James McCann) 2181 Citracado Parkway – A plan for a new two-story, 57,000 SF, 52-bed Palomar Rehabilitation Institute (PRI) was submitted as a Plot Plan on July 31, 2017. The Plot Plan approval letter was issued on February 7, 2018. An MOU explaining the phasing and proposed parking improvements for the hospital has been signed by all parties and was completed on July 15, 2019. The state OSHPD will issue building permits and oversee construction inspections. Site preparation and grading activities for the PRI building has commenced. A grading permit has been issued for the parking lot expansion on the Parcel 1 property.
2. Escondido Research and Technology Center (ERTC) – East (Developer: James McCann) 2130 Citracado Parkway – Building plans for a 71,656 SF medical office building in this approved medical complex area across from Palomar Hospital were submitted into plan check on October 9, 2018. A subsequent plan submittal increased the size of the building to approximately 80,000 SF, which exceeds the specific plan allowance for that planning area. A plot plan application for the modified building design has been submitted by the applicant. A fee deferral agreement has been signed by all parties in anticipation of building permit issuance. Engineering has approved the new temporary parking lot for hospital employees on Lots 10-15 at the southern end of the ERTC.

Industrial

1. Escondido Self-Storage Facility (Developer: Brandywine Homes, Inc.) 2319 Cranston Dr. – Updated building plans were resubmitted into plan check on July 24, 2018. The building plans have been approved for some time and the building permit is ready to be issued upon payment of fees. Building plan check is set to expire on November 14, 2019. The grading permit has been approved and grading has commenced on the site.
2. Citracado Business Park (Developer: Dentt Properties) 2207 Harmony Grove Road – A proposed specific plan for two industrial warehouse/office buildings (145,930 SF and 125,930 SF) with the buildings to be separated by the future extension of Citracado Parkway. The application was submitted on August 14, 2018. All departments have completed their initial review and comments were sent to the applicant on September 17, 2018. SDG&E also has provided comments regarding the high voltage power lines that traverse the site. The applicant's traffic consultant submitted revised methodology and distribution to Engineering on October 19, 2018, and a revised Traffic Impact Analysis was submitted to Engineering on August 8, 2019. The developer and consultant team met with Engineering and Planning on August 20, 2019, to discuss proposed traffic mitigation measures. Caltrans has recently responded favorably to the Engineering Division's suggestion of adaptive signal timing as feasible mitigation for the Nordahl/Hwy 78 area. Two vacant residences on the site were demolished on October 4, 2019.

City Projects

1. Membrane-Filtration Reverse Osmosis (Developer: City of Escondido Utilities Department) SE corner Ash/Washington – On January 16, 2019, the City Council expressed continued support for the MFRO, but directed staff to investigate moving the facility from Ash/Washington to another location. A city-owned property located at 901 W. Washington Avenue has been selected as the new MFRO site. An on-site meeting with the selected design-build and environmental contractors occurred on January 28, 2019. A Design Build Agreement was approved by the City Council on April 3, 2019. The Design Build Agreement with Filanc+BC Joint Venture provides for design and pre-construction services. The Design Build team met with Utilities and Planning on May 15, 2019 and June 5, 2019 to discuss design and timeline issues. City staff met with the Design Build team to review site plan comments on August 14, 2019, and again on September 3, 2019. A Plot Plan application was submitted for review on October 14, 2019.
2. Lake Wohlford Replacement Dam (Developer: City of Escondido Utilities Department) – A Draft EIR was prepared and issued for a 45-day public review period that began on October 4, 2016 and closed on November 17, 2016. A field visit with staff from the state and federal wildlife agencies took place on May 11, 2017, to review biological mitigation requirements including an agency request for full mitigation for emergent vegetation at the eastern end of the lake that came into existence since the lake level was reduced for safety reasons. Staff sent a follow-up letter to the wildlife agencies on June 29, 2017, seeking clarification on the proposed biological mitigation requirements. Additional information has been compiled and analyzed by the City's biological consultants based on recent conversations with the agencies. The biological consultant and staff met with the wildlife agencies on November 28, 2018 to discuss a modified approach to fulfilling mitigation requirements. Written information summarizing what was discussed at the meeting was transmitted to the agencies on December 4, 2018. City staff concluded a revised assessment of potential biological impacts and met with the agencies to present the findings. Additional information requested by the agencies was prepared and submitted as requested. The agencies responded they do not concur with the alternative mitigation proposal and the issue remains unresolved.

Residential

1. Harvest Hills (aka Safari Highlands Ranch) (Developer: Jeb Hall, Concordia Homes) 550 lots east of Rancho San Pasqual – A Notice of Availability for the Draft EIR was issued on October 16, 2017 for public review and comment. The comment period ended on January 2, 2018. Staff transmitted all the comment letters and emails to the Draft EIR consultant for review and to prepare a response to each comment. The Draft EIR and appendices have been posted on the City's website at the following link:

<https://www.escondido.org/safari-highlands-ranch-specific-plan.aspx>

The responses to comments have generated related revisions to the project design. The applicant's engineer submitted a revised tentative map on October 26, 2018. Generally, the amount of grading and the area of disturbance has decreased, while the overall number of 550 residential lots has remained the same. Engineering met with the project engineer and applicant on January 31, 2019, to discuss their comments on the revised tentative map. The revised tentative map and exhibits have been posted on-line at the link above. The applicant met with Traffic Engineering during the week of February 25th to discuss off-site improvements. Staff, applicant and biological consultant met with the wildlife agencies on April 23, 2019, to

discuss the revisions to the project design mentioned above. The applicant and staff met on June 20, 2019, to refine the list of outstanding issues remaining to be resolved prior to advancing to public hearings for the project. The applicant met with Traffic Engineering staff on August 15, 2019, and agreement was reached on several of the off-site mitigation locations on October 28, 2019. Additional information regarding biological resources was submitted on August 29, 2019.

2. 18 lots at 701 San Pasqual Valley Rd (Developer: Bob Stewart) – Staff comments on the revised tentative map were issued the last week of July 2017. The applicant has occasionally engaged in discussions with various departments since that time, but has declined a staff offer to schedule a comprehensive meeting with all city departments. Another set of revised plans were submitted the week of November 26, 2018. Planning, Engineering and Utilities comments on the revised plans were issued on February 25, 2019. In response to a follow-up discussion with the applicant, Planning provided additional comments on April 29, 2019. Additional discussions between the applicant and the City to resolve project issues occurred on June 20, 2019.
3. The Villages at Escondido Country Club (Developer: Jason Han, New Urban West, Inc.) 380 residences – The City Council voted 3-2 to approve the project on November 15, 2017. The applicant submitted rough grading plans, drainage improvement plans and utility relocation plans for all three villages on May 7, 2018. Most of the plans are in third or fourth plan check. Engineering comments were returned on March 12, 2019; and the developer team met with Engineering on April 1, 2019, to discuss the comments. The homebuilder met with Building, Engineering and Planning on April 24, 2019 to discuss the building plan check and precise grading plan processes. A revised Certified Tentative Map for substantial conformance review was submitted on May 23, 2019 and included a proposal to relocate approximately 10 residential lots within the development. These changes in Villages 2 and 3 resulted from comments provided by the Regional Water Quality Control Board and that agency now has issued a permit. The revised Certified Tentative Map was approved on September 3, 2019. A rough grading permit for Village 1 was issued on September 16, 2019, and grading is underway. All remaining buildings in the village center area of Village 1 have been demolished. Final engineering for Villages 2 and 3 was resubmitted to staff on October 14, 2019. This includes rough grading plans, improvement plans, and the final map. Staff comments are expected to be issued next week.

The approved tentative subdivision map, Final EIR and appendices, Specific Plan and other related information can be accessed on the City's website at the following link:

<https://www.escondido.org/ecc.aspx>

4. North Avenue Estates (Developer: Casey Johnson) 34 lots at North Ave./Conway Dr. –The City Council approved the project on January 10, 2018. LAFCO approved the annexation application on October 1, 2018, and the annexation has recorded. The new homebuilder, Taylor Morrison Homes submitted a Precise Development Plan to Planning on December 14, 2018. Grading plans, final map and improvement plans were submitted for review on December 7, 2018. Engineering met with the applicant's engineer on January 31, 2019 to discuss drainage issues. A revised Certified TM was approved on March 14, 2019. Final engineering plans were resubmitted on March 21, 2019. The project engineer, Engineering and County Water Authority staff met on April 2, 2019, to discuss the street and utility crossings over the CWA aqueduct. The applicant's engineer submitted a revised design to address the CWA issues the week of June 3rd. Building plans for four model homes were submitted into

plan check on July 15, 2019. The most recent comments by Planning on the building plans were sent out on October 24, 2019. The Precise Development Plan was approved by the Planning Commission on August 13, 2019. Revised grading and improvement plans were resubmitted on October 25, 2019.

5. Quince Street Senior Housing (Developer: Matt Jumper, 220 Quince, L.P.) 145 apartment units at 220 N. Quince St. – The five-story affordable senior housing apartment project was submitted on November 21, 2017. The applicant submitted revised plans on May 3, 2019. Public review of the Draft Mitigated Negative Declaration resulted in two comment letters. A Final MND was prepared and included in the staff report, which was presented to the Planning Commission. The project was reviewed by the Planning Commission on August 13, 2019 and the commission unanimously supported the project. The City Council approved the project on October 23, 2019.
7. Sager Ranch/Daley Ranch Resort Specific Plan (Developer: J. Whalen Associates, Inc., Sager Ranch Partners) 203 housing units and 225-room resort hotel on 1,783-acres, just north and east of Daley Ranch – This proposed residential and resort hotel annexation and specific plan project was received on March 2, 2018. The project submittal has been deemed incomplete and a letter from staff requesting additional project related information was sent to the applicant on April 4, 2018. Requested information includes annexation exhibits, proposed general plan amendment text, a proposed Transfer of Development Rights Program, environmental initial study, and a fiscal impact analysis. Planning met with the applicant on May 17, 2018 to discuss items listed in the letter. A follow-up meeting to discuss engineering issues occurred on June 27, 2018. The applicant met with Escondido Fire and Valley Center Fire on August 1, 2018 to discuss fire protection issues. Significant fire-related issues to be addressed include the steepness of the project entry road, secondary emergency access and Fire Department response times. A follow-up meeting with the applicant to discuss these issues occurred on October 11, 2018. On April 5, 2019, the applicant provided a letter response with alternative compliance proposals to address some of the fire-related issues. On May 14, 2019 the applicant provided additional fire-related information requested by Fire and Planning. Fire, Planning, and Engineering staff met with the applicant team on May 29, 2019 to discuss the fire-related information. A financial feasibility study for the proposed resort was submitted on July 8, 2019.

A project webpage containing draft documents and plans has been added to the Planning Division's website at the following link:

<https://www.escondido.org/daley-ranch-resort-specific-plan.aspx>

8. Nutmeg Condo General Plan Amendment (Developer: Jim Simmons, CCI) 137 townhome condo units on 7.7 acres on both sides of Nutmeg between I-15 and Centre City Parkway – This proposed multi-family residential development includes a GPA from Office to Urban III (up to 18 du/acre) as well as a specific alignment plan for Nutmeg and a vacation of approximately one acre of public right-of-way for use in the project. The project application was received on June 15, 2018. Initial comments from Planning, Fire, Engineering, Utilities and Traffic Engineering were provided to the applicant on July 13, 2018. A Notice of Availability for the Draft EIR was issued May 7, 2019, announcing a 45-day public review period from May 10, 2019 to June 24, 2019. Caltrans expressed a concern for having encroachment into their right of way. As a result, project revisions are necessary for the southern portion of the property to accommodate grading and fuel modification zone planning on-site. The applicant met with Planning and Engineering on August 14, 2019 to discuss potential changes to the project. The

project applicant is splitting the project into northern and southern pieces. The GPA, Final EIR and northern piece were recommended for approval by the Planning Commission on October 22, 2019. The City Council will consider the same part of the proposal on November 20, 2019.

9. Oak Creek (Builder: KB Homes) 65 single-family residential lots on approximately 44 acres at Felicita Road and Hamilton Lane – The Zoning Administrator approved a modification to the Precise Development Plan to revise the architecture on October 25, 2018. On-site remediation of hazardous materials has been completed and DTSC has issued a clearance letter. On-site improvement plans have been approved. The rough grading permit was issued on April 18, 2019, and grading has commenced on the site. The Precise Grading Plan for the model homes has been approved and building permits for two model homes were issued the week of July 8. A Model Home Permit was approved by Planning on July 10, 2019, for the sales office and temporary improvements. A second plan check submittal for the final map was received the week of May 13. Second plan check for the off-site improvement plans was received on June 3, 2019. Engineering comments have been returned and Engineering has approved all improvements, excepting those provided for on Felicita, which additional changes are expected. County of San Diego staff from the Parks and Public Works Divisions have met with the applicant to discuss ways to evaluate floodplain and drainage issues occurring at the Felicita Park. A follow up meeting with Engineering occurred on August 28, 2019. In response the applicant submitted a hydraulics study to DPW on September 9, 2019. Discussions between KB Homes and the County are on-going.
10. Villa Portofino (Developer: Chris Post, ATC Design Group) 15 apartment units in a three-story building with parking garage at 2690 S. Escondido Blvd. – This 15-unit multi-family residential project on a 0.52-acre parcel between S. Escondido Blvd and Cranston Drive was submitted as a Plot Plan application on November 28, 2018. A Development Agreement will be required to reduce open space. A comment letter was issued on December 20, 2018. Planning, Fire and Engineering met with the applicant on June 10, 2019, to discuss revisions to the plans intended to address the previous comments. A revised project design was routed to all departments on August 23, 2019. Planning has notified the applicant the project design is not consistent with the South Centre City Specific Plan. Engineering and Utilities comments were provided to the applicant on October 2, 2019.
11. Palomar Heights (Developer: Ninia Hammond, Integral Communities) Demolition and redevelopment of the old Palomar Hospital site with 510 multi-family units – A proposed Tentative Map, Planned Development, Specific Plan Amendment and EIR to redevelop the 13.8-acre former hospital site. Up to 5,500 square feet of recreation or commercial space could be included. A partial project application was submitted on December 24, 2018. Engineering and Planning comments on the initial project submittal were sent to the applicant on February 12, 2019. A contract for a developer-funded planning consultant to work on this project as an extension of Planning staff was approved by the City Council on February 13, 2019. Planning Engineering and Fire met with the applicant team on February 27, 2019 and again on April 24, 2019 to go through proposed revisions to the site plan and building designs. The applicant revised the plans to increase the unit count from 424 units to 510 units. A Notice of Preparation (NOP) for the Draft EIR was issued on May 3, 2019 and a public scoping meeting took place on May 20, 2019. The public comment period for the NOP closed on June 3, 2019, and approximately 28 comment letters and written forms from the scoping meeting were received. Resubmittal of the redesign package was filed on June 25, 2019. Design and site plan information was submitted on July 1, 2019 and a screen check EIR was submitted on July 29, 2019. City comments on the design package was transmitted on August 2, 2019. Comments on the screen check EIR were issued on August 27, 2019. It is anticipated that the

draft EIR will be released for public review and comment in mid to late fall. The third revision to project plans was submitted to Planning on September 11, 2019. Comments are expected to be issued this week. A meeting with Utilities to discuss water and sewer plans and meter credits took place on October 3, 2019. A Planning Commission work session focused on project design occurred on October 8, 2019. A City comment letter, including Planning Commission feedback on design review, was transmitted to the applicant on October 21, 2019.

The development proposal and other related information can be accessed on the City's website at the following link:

<https://www.escondido.org/palomarheights.aspx>

12. Henry Ranch (Builder: Joe Martin, Trumark Homes) An approved development of 97 single-family residential homes on 74.35 acres at the eastern terminus of Lincoln Avenue – The Tract 920 development proposal was originally approved in 2007 and an extension of the associated Development Agreement was approved in 2016. Final Map, grading plans and improvement plans were submitted for initial review on February 12, 2019. Architectural plans were submitted for Design Review on February 15, 2019, and comments were issued on March 14, 2019. The second submittal of final engineering was received on April 22, 2019, and several rounds of comments have been issued. The project applicant is still working on the improvement plans, particularly water service issues. Grading plans have been approved and issuance of the grading permit is expected soon.
13. Del Prado (Developer: Kerry Garza, Touchstone Communities) – An approved 113-unit townhome-style Planned Development located at the southwestern corner of Brotherton Road and the Centre City Parkway frontage road - The Del Prado project was approved by the City Council in May of 2016. The project site is separated into two parcels by an SDGE parcel. Engineering and Planning are reviewing third plan check for final map, grading and improvement plans for Del Prado South. Del Prado North is in second plan check for the same plans. No building plans have been submitted into plan check. Planning has provided comments for the North landscape plans. The applicant is attempting to resolve sewer issues with the Regional Water Quality Control Board because sewer lines are proposed to cross over water lines. Utilities is awaiting resubmittal of a full set of plans and met with the applicant on August 1, 2019 to review potential redesign options. Planning approved the South landscape plan.
14. Hacienda De Vega Redevelopment – (Developer: Tony Cassolato) A proposed residential condominium development consisting of 42 three-story attached townhomes on 1.75 acres – The project would demolish the vacant restaurant building and redevelop the entire site for residential use. An application for a tentative map, plot plan and condominium permit was submitted on October 8, 2019. All departments are conducting a first review of the proposal and comments are expected to be issued next week.
15. Accessory Dwelling Units – Planning staff is currently working on fourteen (14) applications for accessory dwelling units. Twenty-six (26) accessory dwelling units have been approved so far this year. Twenty-four (24) accessory dwelling units were approved in 2018. Three (3) accessory dwelling units were approved in 2017.

Building Division:

1. The Building Division issued 100 permits (including 46 solar photovoltaic) with a total valuation of \$244,940 including a new Canopy for SDG&E with a value of \$100,000, located at 571 Enterprise St.
2. Our building inspectors responded to 203 inspection requests. 179 customers visited the Building counter during the week.
3. *No change from the previous.* The Latitude 2 apartment project at 650 Center City Pkwy has received Building final approvals and Temporary Certificates of Occupancy for buildings 1-4. Field Engineering have released Building 6 for TCO. The Building Division has granted a Temporary Certificate of Occupancy, with minor restrictions and is awaiting a request for Final inspection of Bldg. 6. Final Inspection pending the receipt of all final reports from the contractor.
4. *No change from the previous.* The new two story church sanctuary building at 1864 N. Broadway is progressing toward final inspection. Finish work continues to proceed and may take several weeks to complete. A Final Inspection will be performed once work is completed and requested by the contractor.
5. The new 105 room hotel at 200 La Terraza is currently operating on a Temporary Certificate of Occupancy, pending Engineering final approval. Work is on-going to complete Engineering conditions, however, additional time is needed. They have been granted an additional 30-day extension on the TCO, which will expire November 18, 2019.
6. *No change from the previous.* The new five-story storage building at 852 Metcalf St has completed T-bar ceiling grid and has been approved by staff. The hold on inspections has been lifted by the Building Inspection staff, with the condition that no work is to be performed in the Bio-retention basin. The installation of lighting standards has been approved. Engineering staff has approved the revisions to the Bio-Retention basin.
7. The new Gateway Grand 126-unit apartment project at 700 W. Grand Ave. has received approval of Exterior shear of floors 4 & 5. 4th floor corridor shear walls have been approved for Building B; Floor sheathing for the 4th floor of Bldg. C has been approved. Plumbing top out has been approved for the Leasing Club. Building B, 4th floor R/C channel at the corridor ceiling has been approved. Drywall ceilings at the portions of the 4th floor have been approved. Building B 5th floor balcony drywall and Building C floor sheathing have been approved. Framing and all mechanical, electrical and plumbing have been approved for the leasing and clubhouse building.
8. *No change from the previous.* The new apartments at 917 W Lincoln Ave, consisting of 3 buildings and 9 total units, has received partial approval of drywall. Drywall installation is complete. Finish work is on-going and will take several weeks to complete. Staff is awaiting a request for final inspection. Temporary Gas & Electric meters have been approved and released.
9. *No change from the previous.* The new 2 story 20,000 sf office building for Superior Ready Mix on 1564 W Mission is awaiting Final Inspection.

10. *No change from the previous.* KB Homes, located at the Oak Creek development on Daisy Field Glen has completed the model home construction phase of the development. Plan revisions have been submitted and are currently under review. Staff has been informed by KB's permit coordinator that requests for permit issuance of the first phase could be occurring within the next 2 to 3 weeks. Precise grading plans for Phases 1 and 2 totaling 12 dwellings are currently in review. Construction of the Guard shack is currently underway and framing, roof sheathing, drywall and exterior lath have been approved.
11. *No change from the previous.* The Starbucks "shell" building located at 350 W Valley Pkwy has received partial pre-roofing inspection to allow for shear transfer connections to be placed. Exterior shear has been approved. Rough framing, electrical, plumbing and mechanical has been approved. Drywall & Exterior Lath have been approved.

ENGINEERING DEPARTMENT

Capital Improvements:

1. El Norte Parkway Improvements – The project includes widening of El Norte Parkway at the flood control channel by the installation of a new bridge, construction of new median islands from Valley Parkway to Washington Avenue, landscaping and a drip irrigation system, a bike/pedestrian signal at the flood control channel, along with roadway resurfacing. The Six (6) bridge girders were delivered and installed on Tuesday of this week. A 400-ton crane was used to lift the element in place. Eighty (80) working days are remaining for project completion. Submittals are continuing to be processed by staff.



2. Transit Center Pedestrian Bridge Project – On the north end of the project the contractor is continuing grading operations to shape the new channel alignment. Three hot taps were performed this week along Valley Parkway and Grand Avenue. The contractor is continuing with excavation of wall footing for new walls along Spruce Street and 3rd Avenue in preparation of the new masonry flood wall design. Installation of irrigation system lateral lines is continuing on the completed slopes at the northern most end of the project. Thirty-Four (34) working days remain on the contract.
3. 2019 Street Rehabilitation and Maintenance Project Rebid- The rebid of the project has been completed and achieved the desired outcome. The low bid came in at a cost saving of \$363,962 dollars. This year's project will resurface approximately 71-lane miles of pavement, replace 0.59- miles of sidewalk, and restripe 2.5- miles of bike lanes, install 51 pedestrian ramps, and replace 90 street trees that damaging concrete improvements. With the continued investment into our streets the City has increased its Pavement Condition

Index (PCI) from 55 to 61 points since 2013. This year's project is Maintenance Zone W, which is west of I-15 between State Route 78 and Felicita Avenue. Streets include Eucalyptus Avenue, Valley Parkway between Auto Parkway and 11th Avenue, Citracado Parkway East of Valley Parkway and 9th Avenue between Auto Parkway and Hale Avenue. Out of service area street is Valley Parkway between Fig Street and Grape Street. More information can be found at: <https://www.escondido.org/city-of-escondido-street-maintenance-program.aspx>

4. Storm Drain Pipe Lining and Rehabilitation Project Phase1 – The project consists of 14 work zones and 3 Bid Alternate locations for the videoing, grouting, repairing, and lining of existing corrugated metal pipes (CMP) within the City's inventory. Pipe replacement is required for a segment crossing Grand Avenue South of Midway Drive. The contractor has ordered the material which should arrive in the next 10 days.

Private Development

1. Tract 932 - Canyon Grove Shea Homes Community – The developer started to install the final lift of asphalt paving on Monday of this week. This work will continue for 3 days. This phase of the paving operation will cover 50% of the development streets. The remaining streets will be completed with the next move in which is scheduled for November.
2. Latitude II Condominiums: Washington Avenue @ Centre City Parkway – *No changes from that reported last week:* The project will be working on punch list items over the next reporting period.
3. Tract 934 – Is a 5 lot subdivision located at 1207 Gamble Street. Offsite sidewalk improvements were formed this week.
4. 1221 Gamble Street – Is a 3 lot subdivision located adjacent to Tract 934. Installation of Three (3) new water services has been completed this week.
5. Veterans Village – *No changes from that reported last week:* Staff is reaching out to the developer to determine project status regarding Storm Water Certification. The bonds and securities will be placed on hold until this documentation is received.
6. KB Homes Oak Creek Project – The construction of on site improvements is continuing this week.
7. ATT Facility Tank Relocation – A punch list walk has been completed. The contractor is addressing those items.
8. North American Self Storage – The project is located at 852 Metcalf Street. The contractor has started final pavement resurfacing for all utility trenches along Metcalf. Roadway widening in front of the project has been delayed this week.
9. Pradera by Lennar – The construction and installation of 779' of 12" water main along Conway Drive, between Lehner Drive and Rincon Avenue is complete. The contractor is tying the new line to the Cities potable water system.
10. Henry Ranch Tract 920 – The project is located at the intersection of El Norte Parkway/Lincoln Avenue. Bonding for the project has been received and final maps should be available in the coming days. No preconstruction meeting has been scheduled to date.
11. The Villages – Village 1 grading is continuing this week. The contractor is moving 34,000 cubic yards of material a day to construct the pads and roadway segments. Village 1 is

between Country Club Drive to the south, David Drive to the east and Golden Circle Drive to the north. A total of 111 homes are to be constructed in Village 1. The demolition of the existing concrete is continuing with the aid of a processing plant that has delivered to the site. No Parking signs are being placed on Country Club Drive South of Country Club Lane. The work will be for the relocation of a 4" steel gas main located in Country Club Drive. There are 5 locations along the project frontage that required the gas mains to be relocated due to the construction of future Storm Drain pipe.

GRANT APPLICATIONS

Applications

- None this week.

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