



Council Meeting Agenda

APRIL 8, 2020
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 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

COVID-19 PUBLIC SERVICE ANNOUNCEMENT

Pursuant to Governor Newsom's Executive Order N-25-20: Members of the Escondido City Council and staff may participate in this meeting via teleconference. In the interest of reducing the spread of COVID19, members of the public are encouraged to submit their comments online at the following link: <https://www.escondido.org/agenda-position.aspx>. Council Chambers will be closed.

Public Comment: To submit comments in writing, please do so at the following link: <https://www.escondido.org/agenda-position.aspx>. If you would like to have the comment read out loud at the meeting (not to exceed three minutes), please write "Read Out Loud" in the subject line. All comments received from the public will be made a part of the record of the meeting.

The meeting will be available for viewing via public television on Cox Communications Channel 19 (Escondido only). The meeting will also be live streamed online at the following link: <https://www.escondido.org/meeting-broadcasts.aspx>

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

**April 8, 2020
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, Morasco, McNamara

PROCLAMATIONS: National Census Day

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

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

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

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

- 340255 – 340528 dated March 18, 2020
- 340529 – 340748 dated March 25, 2020

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

3. APPROVAL OF MINUTES: None Scheduled

4. ANNUAL STATE MANDATED INSPECTION COMPLIANCE REPORT -

Request the City Council approve acknowledging receipt of the Annual State Mandated Inspection Compliance Report ("Report"). The Report indicates the Escondido Fire Department has conducted 100 percent of the inspections of certain structures as required by state law.

Staff Recommendation: **Approval (Fire Department: Rick Vogt)**

RESOLUTION NO. 2020-30

5. LEASE AGREEMENT WITH VERIZON WIRELESS, LLC AT A11 RESERVOIR -

Request the City Council approve authorizing the Mayor to execute a Lease Agreement with Verizon Wireless, LLC at A11 Reservoir, located at 1359 West Eleventh Avenue, identified as Assessor Parcel Number 235-201-03.

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

RESOLUTION NO. 2020-32

6. SALE OF A VACANT CITY OWNED PARCEL ON HARMONY GROVE ROAD (APN 232-372-06) TO ADJACENT PROPERTY OWNER -

Request the City Council approve authorizing the Real Property Manager to execute documents necessary for the sale of a vacant parcel, identified as APN 232-372-06, owned by the City of Escondido.

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

RESOLUTION NO. 2020-36

7. AMENDMENT TO LEASE WITH ESCONDIDO COMMUNITY CHILD DEVELOPMENT CENTER -

Request the City Council approve authorizing the Mayor to execute an amendment to the Lease Agreement with Escondido Community Child Development Center for the City of Escondido owned property located at 613 East Lincoln Avenue, and identified as Assessor Parcel Number 229-160-54 and a portion of 229-160-53.

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

RESOLUTION NO. 2020-37

8. NOTICE OF COMPLETION FOR KB HOMES LEXINGTON (SUB 14-0002) LOCATED AT 615 LEHNER AVENUE (APN 235-20-304) -

Request the City Council approve and accept the Public Improvements and authorize staff to file a Notice of Completion for SUB 14-0002, Lehner Avenue, (APN 235-20-304).

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

RESOLUTION NO. 2020-35

9. ADOPTION OF THE FISCAL YEAR 2020/21 ROAD MAINTENANCE AND REHABILITATION ACCOUNT PROJECT LIST -

Request the City Council approve the list of streets proposed to be completed with Fiscal year 2020/21 Road Maintenance and Rehabilitation Account funding.

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

RESOLUTION NO. 2020-39

10. REQUEST TO INITIATE AN ANNEXATION AND THE PREPARATION OF A SPECIFIC PLAN FOR SOLARIS BUSINESS PARK -

Request the City Council review and receive the request to initiate an annexation and the preparation of a specific plan for the Solaris Business Park, and authorize the filing of the application.

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

11. SB 2 CONTRACT AWARDS AND KICK-OFF OF THE HOUSING AND COMMUNITY INVESTMENT STUDY -

Request the City Council approve authorizing the City Manager to refine the scope of work each respective consultant provided herein to achieve the project goals and provide for coordinated public engagement between the Housing Element Update, Sector Feasibility Study, and East Valley Specific Plan; to enter into an agreement for professional services with Veronica Tam and Associates, Inc. to undertake the Housing Element Update; to enter into an agreement for professional services with Keyser Marston Associates, Inc. to undertake the Sector Feasibility Study; and to enter into agreement for professional services with Rick Engineering to prepare the East Valley Specific Plan.

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

RESOLUTION NO. 2020-43

12. ANNUAL DESTRUCTION OF POLICE RECORDS AND REVISION OF RECORDS SERIES CODES -

Request the City Council approve authorizing the destruction of City records as set forth in Exhibit "A" and Exhibit "B," which are attached to Resolution No. 2020-42, for the Police Department and modify records series codes: 0400-60, 0410-30, 0675-10 and 0720-30 to comply with Government Code 34090.

Staff Recommendation: **Approval (City Clerk's Office: Zack Beck)**

RESOLUTION NO. 2020-42

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.)

PUBLIC HEARINGS

13. ADOPTION OF PROPOSED CHANGES TO CITY USER FEES -

Request the City Council approve proposed adjustments to Escondido's User Fees that will become effective commencing the next fiscal year.

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

RESOLUTION NO. 2020-29

14. ANNUAL CODE CLEAN-UP AND AMENDMENTS TO THE MUNICIPAL AND ZONING CODES (AZ 20-0001) -

Request the City Council approve amending Article 49 (Air Space Condominium), Article 67 (Density Bonus), Article 70 (Accessory Dwelling Units), and Article 73 (Temporary Uses) of the Escondido Zoning Code; and Article 7 of Chapter 16 (Mobile Food Facilities) of the Municipal Code to address changes in state laws, correct errors, and improve existing regulations.

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

ORDINANCE NO. 2020-07 (First Reading and Introduction)

CURRENT BUSINESS

15. RESOLUTION OF INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO (SERVICES) AND COMMUNITY FACILITIES DISTRICT NO. 2020-2 (THE VILLAGES) -

Request of City Council approve declaring its intent to establish Community Facilities District ("CFD") No. 2020-1, a Citywide CFD to fund municipal services required for new development, and CFD 2020-2; The Villages Project CFD to fund public facilities; and setting a public hearing date of May 13, 2020. It is further recommended that the City Council approve declaring its intent to incur bond indebtedness, and approve Agreements with Lennar regarding the acquisition and funding of public facilities from CFD 2020-2.

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

A) RESOLUTION NO. 2020-24 B) RESOLUTION NO. 2020-25 C) RESOLUTION NO. 2020-40

16. DESIGNATION OF ENFORCEMENT AUTHORITY FOR THE ESCONDIDO CAMPAIGN CONTROL ORDINANCE -

Request the City Council approve designating Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as the enforcement authority for the Escondido Campaign Control Ordinance for the 2020 Municipal Election, as required by Escondido Municipal Code Section 2-110.5(c).

Staff Recommendation: **Approval (City Attorney's Office: Michael R. McGuinness)**

RESOLUTION NO. 2020-41

17. CONSIDERATION OF ADOPTION OF TEMPORARY EVICTION MORATORIUM AND/OR OTHER MEASURES TO ADDRESS ECONOMIC IMPACT OF COVID-19 EMERGENCY; REVIEW OF LOCAL EMERGENCY PROCLAMATION -

Request the City Council take public input, discuss and consider the adoption of Urgency Ordinance No. 2020-09 enacting a temporary moratorium on residential and commercial evictions, and/or take other measures to address housing issues, arising out of the Local Emergency related to the COVID-19 pandemic outbreak. The City Council should further consider the existing Local Emergency Proclamation as required by state law.

Staff Recommendation: **Approval (City Attorney's Office: Michael R. McGuinness)**

ORDINANCE NO. 2020-09 (Urgency Ordinance per Government Code Section 36936)

FUTURE AGENDA

18. 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 AND OTHER 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
April 15	-	-	No Meeting	-
April 22	Wednesday	6:00 p.m.	Special Meeting	Council Chambers
April 29	-	-	No Meeting	-
May 6	Wednesday	5:00 & 6:00 p.m.	Regular Meeting	Council Chambers

TO ADDRESS THE COUNCIL

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

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

If members of the public would like to comment on a Council meeting item, but do not wish to attend in person, they may submit comments via the City's website at: <https://www.escondido.org/agenda-position.aspx>, or by e-mail at councilcomments@escondido.org. City Council meetings are live streamed on our website, broadcasted on Channel 19, and archived on www.escondido.org.

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

April 8, 2020

File No. 0400-40

SUBJECT: Approval of Warrants

DEPARTMENT: Finance Department

RECOMMENDATION:

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

340255 – 340528 dated March 18, 2020

340529 – 340748 dated March 25, 2020

FISCAL ANALYSIS:

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

March 12 – March 18, 2020, is \$ 4,856,156.31

March 19 – March 25, 2020, is \$ 1,136,486.86

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 COUNCIL STAFF REPORT

Consent Item No. 4

April 8, 2020

File No. 0320-10

SUBJECT: Annual State Mandated Inspection Compliance Report

DEPARTMENT: Fire Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-30, acknowledging receipt of the Annual State Mandated Inspection Compliance Report ("Report"). The Report indicates the Escondido Fire Department has conducted 100 percent of the inspections of certain structures as required by state law.

FISCAL ANALYSIS:

No fiscal impact.

BACKGROUND:

California law requires that certain structures be inspected on a regular basis. Public or private schools, which are used by more than six persons, (Educational Group E occupancies) and specified structures used for housing, such as hotels, motels, lodging houses, and apartment houses (Residential Group R occupancies), must be inspected for compliance with building standards pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

On September 27, 2018, Governor Jerry Brown signed Senate Bill ("SB") 1205, which requires fire departments to report annually to their administering authorities that these mandatory inspections have been conducted. SB 1205 was introduced in early 2018 in response to the Oakland Ghost Ship warehouse fire occurring in 2016, which killed 36 people. Additionally, it was reported that many schools and apartment buildings in the Bay Area had not received their annual required fire inspections for many years.

According to the SB 1205's author, State Senator Jerry Hill, the annual report required by SB 1205 serves to "remind" cities to inspect their buildings as required by law to prevent the loss of life and property. SB 1205 requires the administering authority to acknowledge receipt of the report in a resolution or a similar formal document. The intent is to bring to the attention of governing bodies, particularly during the budget process, if there is a lack of compliance with specified mandated annual inspections.

The Escondido Fire Department has a business inspection program that meets the Health and Safety Code requirements for the annual inspection of educational Group E and the residential Group R occupancies. Inspections are performed by our Fire Prevention Bureau inspectors and fire engine

company personnel. The current staffing level of the Fire Department is sufficient to meet the State mandated inspection requirements of SB 1205. Although compliance with fire and building codes can be enforced, the Escondido Fire Department has been highly successful gaining compliance through information, education and assistance. Even though many of the occupancies in the report required follow up inspections, all were cleared.

The report of annual State mandated inspections pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code is contained in Exhibit 1 of Resolution No. 2020-30.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Rick Vogt, Fire Chief
4/1/20 7:44 p.m.

ATTACHMENTS:

1. Resolution No. 2020-30
2. Resolution No. 2020-30 – Exhibit 1

RESOLUTION NO. 2020-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, ACKNOWLEDGING RECEIPT OF THE ANNUAL STATE MANDATED INSPECTION COMPLIANCE REPORT DEVELOPED BY THE ESCONDIDO FIRE DEPARTMENT REGARDING THE REQUIRED INSPECTIONS PURSUANT TO SECTIONS 13146.2 AND 13146.3 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, California Health and Safety Code Section 13146.4 became effective on September 27, 2018; and

WHEREAS, California Health and Safety Code Sections 13146.2 and 13146.3 requires all fire departments, which provide fire protection services, to conduct annual inspections in every building used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities for compliance with building standards, as provided; and

WHEREAS, California Health and Safety Code Section 13146.4 requires all fire departments that provide fire protection services to report annually to its administering authority on its compliance with Sections 13146.2 and 13146.3; and

WHEREAS, the City Council intends this Resolution to fulfill the requirements of the California Health and Safety Code regarding acknowledgment of the Escondido Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

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 expressly acknowledges the measure of compliance of the Escondido Fire Department with California Health and Safety Code Sections 13146.2 and 13146.3 in the area encompassed by the City of Escondido, as detailed in Exhibit "1," which is attached to this Resolution and incorporated by this reference.

Escondido Fire Department Annual State Mandated Inspection Compliance Report

A. EDUCATIONAL GROUP E OCCUPANCIES:

Educational Group E occupancies are generally those public and private schools, used by more than six persons at any one time for educational purposes through the 12th grade. Within the City of Escondido, there lie 62 Group E occupancies, buildings, structures and/or facilities.

From April 1, 2019, to March 31, 2020, the Escondido Fire Department completed the annual inspection of 62 Group E occupancies, buildings, structures and/or facilities. This is a compliance rate of 100 percent for this reporting period.

B. RESIDENTIAL GROUP R OCCUPANCIES:

Residential Group R occupancies, for the purposes of this Resolution, are generally those occupancies containing sleeping units, and include hotels, motels, apartments (three units or more), etc., as well as other residential occupancies (including a number of residential care facilities). These residential care facilities have a number of different sub-classifications, and they may contain residents or clients that have a range of needs, including those related to custodial care, mobility impairments, cognitive disabilities, etc. The residents may also be non-ambulatory or bedridden. Within the City of Escondido, there lie 483 Group R (and their associated sub-categories) occupancies of this nature.

From April 1, 2019, to March 31, 2020, the Escondido Fire Department completed the annual inspection of 483 Group R occupancies, buildings, structures and/or facilities. This is a compliance rate of 100 percent for this reporting period.



CITY COUNCIL STAFF REPORT

Consent Item No. 5

April 8, 2020

File No. 0600-10, A-1731

SUBJECT: Lease Agreement with Verizon Wireless, LLC at A11 Reservoir

DEPARTMENT: Engineering Service Department/Real Property

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-32, authorizing the Mayor to execute a Lease Agreement ("Agreement") with Verizon Wireless, LLC ("Verizon") at A11 Reservoir, located at 1359 West Eleventh Avenue, identified as Assessor Parcel Number 235-201-03.

FISCAL ANALYSIS:

Rental revenue in the amount of \$3,800/month will be deposited into the Water Utility Fund. In addition, Verizon will pay to the City of Escondido ("City") a one-time renewal fee of \$40,000.

PREVIOUS ACTION:

Resolution No 91-45 was adopted by the City Council on February 13, 1991, authorizing a lease agreement with PacTel Cellular. Resolution No. 91-542 was adopted by City Council on December 18, 1991, authorizing an Amendment increasing the rent from \$6,000 to \$22,000/year.

BACKGROUND:

The City entered into a ground lease with PacTel Cellular on February 26, 1991, authorizing the installation of telecommunication facilities. The lease was amended on December 18, 1991, authorizing an increase in rent from \$6,000 to \$22,000/year. In 1994, PacTel Cellular became known as AirTouch Cellular and in 1999, AirTouch Cellular, as the result of a merger, became known as Verizon. The previous lease agreement has expired and Verizon is currently on a month-to-month tenancy at the same location.

The proposed Agreement is for an initial term of five (5) years, with six (6) renewals of five (5) years each. Either party may give intention to terminate 90 days prior to the lease renewal date. Verizon will pay the fair market rent of \$3,800 per month, which will be increased by three (3) percent each year. In addition, Verizon will pay a one (1) time renewal payment of \$40,000, payable within thirty (30) days of lease commencement date.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
4/2/20 8:51 a.m.

Lease Agreement with Verizon Wireless, LLC at A11 Reservoir
April 8, 2020
Page 2

ATTACHMENTS:

1. Resolution No. 2020-32
2. Resolution No. 2020-32 – Exhibit 1 – Lease Agreement

RESOLUTION NO. 2020-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, A LEASE AGREEMENT FOR CITY OWNED REAL PROPERTY LOCATED AT A11 RESERVOIR, LOCATED AT 1359 WEST ELEVENTH AVENUE AND IDENTIFIED AS ASSESSOR PARCEL NUMBER 235-201-03

WHEREAS, certain real property identified as Assessor Parcel Number 235-201-03 is owned by the City of Escondido (“City”) and currently leased by Verizon Wireless, LLC (“Verizon”) on a month-to-month basis; and

WHEREAS, the City and Verizon desire to enter into a new Lease Agreement (“Agreement”) to allow Verizon the continued use of the City owned parcel for an initial term of five (5) years, with six (6) renewals of five (5) years each; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Agreement with Verizon Wireless, LLC at 1359 West Eleventh Avenue, identified as Assessor Parcel Number 235-201-03.

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 is authorized to execute a Lease Agreement, on behalf of the City, substantially in the form as attached to this Resolution as Exhibit “1” and incorporated by this reference, and subject to final approval as to form by the City Attorney.



CELL TOWER LEASE AGREEMENT

Verizon Wireless (VAW) LLC,
D.B.A. Verizon Wireless

Site: A11-Reservoir and located at 1359 West 11th Ave, Escondido, CA.

Date:

TABLE OF CONTENTS

SECTION 1 DEFINITION OF TERMS..... 1

SECTION 2 ADMINISTRATION 1

SECTION 3 TERM..... 2

SECTION 4 RENT..... 2

SECTION 5 ASSIGNMENT/SUBLETTING/CO-LOCATION OF OTHER TELECOMMUNICATION PROVIDERS..... 2

SECTION 6 NOTICES 3

SECTION 7 IMPROVEMENTS..... 3

SECTION 8 ACCEPTANCE AND MAINTENANCE 4

SECTION 9 INTERFERENCE..... 5

SECTION 10 UTILITIES 5

SECTION 11 TERMINATION 5

SECTION 12 DEFAULT 5

SECTION 13 INDEMNITY..... 6

SECTION 14 HAZARDOUS SUBSTANCES 6

SECTION 15 TAXES 6

SECTION 16 INSURANCE 7

SECTION 17 MAINTENANCE 8

SECTION 18 ATTORNEY’S FEES, COSTS AND EXPENSES..... 8

SECTION 19 MISCELLANEOUS 8

CITY OF ESCONDIDO LEASE AGREEMENT

This Lease Agreement (Agreement) is made as of _____, 2020 between the City of Escondido (City) and Verizon Wireless (VAW) LLC, D.B.A. Verizon Wireless.

Section 1 Definition of Terms

The following words in this Agreement shall have the significance attached to them in this Section unless otherwise apparent from their context.

City. The City means the City of Escondido, a California general law City.

Lease Administrator. The Lease Administrator means the City of Escondido Real Property Manager or, upon written notice to Lessee, such other person as shall be designated from time to time by City.

Lessee. Lessee means Verizon Wireless (VAW) LLC including its officers, agents, and employees.

Premises. Premises means a portion of the real property commonly known as A11-Reservoir and located at 1359 West 11th Ave, Escondido, CA identified as APN 235-201-03-00. The property which is the subject of this Lease is contained within City's Property, is approximately 3600 square feet, is more specifically described as a 60 X 60 foot parcel of land, and is situated substantially as shown on Exhibit "A" attached hereto and by this reference incorporated herein.

Section 2 Administration

This Agreement will be administered on behalf of City by the Lease Administrator, whose address is:

City of Escondido
Attn: Real Property Manager
201 North Broadway
Escondido, CA 92025

and on behalf of Lessee by Lessee by Verizon Wireless (VAW) LLC, whose address is:

Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921

Section 3 Term

The term of this Agreement (the "Initial Term") is five years, commencing on _____, 2020 ("Commencement Date"). This Agreement will be automatically renewed for six (6) additional terms (each a "Renewal Term") of 5 years each, unless either party provides the other party with a notice of intention not to renew, not less than ninety 90 days prior to the expiration of the Initial Term or any Renewal Term.

Section 4 Rent

A. Rent will be paid in equal monthly installments of \$3,800.00 beginning the 1st of month following the commencement date and the first of each month thereafter until increased as set forth herein.

B. The rent due hereunder will be increased on each anniversary of the Commencement Date to an amount equal to the amount of the monthly installment of rent payable during the preceding year increased by three percent (3%). Rent checks shall be made payable to the City of Escondido, Attn: Accounts Receivable.

C. Concurrent with the execution of this Agreement, LESSEE shall pay to City a one-time, non-refundable renewal payment of \$40,000, payable within thirty (30) days of the Commencement Date, as consideration for City entering into this lease. LESSEE acknowledges the renewal payment is not a security deposit and is not applicable against rent, future amendments or any other charge or fee under this Agreement.

D. If LESSEE fails to deliver to City the renewal payment or rent within 10 days after such are due, LESSEE shall pay City a late payment charge equal to 10% of the overdue payment as liquidated damages, in lieu of actual damages. The parties agree that this late charge represents a fair and reasonable estimate of the costs City will incur by reason of LESSEE's late payment. City's acceptance of a late charge shall in no event constitute a waiver by City of LESSEE's default for the overdue payment, or prevent City from exercising any of the other rights or remedies granted City under this Agreement, at law or in equity.

Section 5 Assignment/Subletting/Co-Location of Other Telecommunication Providers

A. This Agreement may not be sold, assigned or transferred without the written consent of CITY, which such consent will not be unreasonably withheld, delayed or conditioned. No change of stock ownership, partnership interest or control of LESSEE or transfer upon partnership or corporate dissolution of LESSEE shall constitute an assignment hereunder.

B. LESSEE may not sublease or collocate any portion of the Premises without

prior written approval by the CITY in the CITY's sole discretion. Any sublease that is entered into by LESSEE shall be subject to the provisions of the Agreement and shall be binding upon the successors, assigns, heirs and legal representatives of the respective parties hereto. The term "Sublease", "Sublet", "Sublessee" and any other similar term shall apply to any situation by which LESSEE allows a third party use of the Premises for co-location, whether it be by formal sublease license or other agreement. All rights and responsibilities of LESSEE set forth in the Agreement shall be enjoyed by and binding on any Sublessee. LESSEE shall provide to CITY any sublease agreements pertaining to the Premises upon demand by CITY.

(i) In the event LESSEE subleases any portion of the Premises, in accordance with the Agreement, LESSEE agrees to pay to CITY a monthly rent equal to the greater of: One Thousand Dollars (\$1,000.00) or thirty percent (30%) the rent paid by Sublessee.

(ii) Notwithstanding any other provision of the Agreement, LESSEE shall be required to obtain prior written approval from CITY for the Subletting of the Premises or part thereof.

Section 6 Notices

All notices must be in writing and are effective only when deposited in the U.S. mail, certified and postage prepaid, or when sent via overnight delivery, provided by the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender.

Notices to LESSEE are to be sent to:

Verizon Wireless (VAW) LLC
180 Washington Valley Road
Bedminster, NJ 07921
Ph. 866-862-4404

Notices to the CITY are to be sent to:

City of Escondido
201 North Broadway
Escondido, CA 92025
Attention: Real Property Manager

Section 7 Improvements

LESSEE may, at its expense, make such improvements within the equipment structure, as it deems necessary, from time to time for the operation of its

communications system. Should LESSEE wish to add or replace any antennas or equipment, LESSEE may do so only with CITY'S written consent, which consent shall not be unreasonably withheld, conditioned or delayed. The Agreement may be amended to incorporate such additional space as part of the Premises. Upon the expiration or within ninety (90) days after the earlier termination of this Agreement, LESSEE shall remove its equipment and improvements and will restore the Premises to substantially the condition existing on the Commencement Date, except for ordinary wear and tear.

Section 8 Acceptance and Maintenance

- A. Lessee hereby acknowledges that Lessee has inspected the Premises and Lessee accepts said Premises "as is" and "where is." Lessee acknowledges that the City makes no representations as to the condition or suitability of the Premises or any improvements on the Premises.
- B. Pursuant to the noticing requirements of California Civil Code Section 1938, Lessee acknowledges that the Premises being leased has not undergone inspection by a certified access specialist. A certified access specialist can inspect the subject premises and determine whether the subject premises comply with all of the applicable construction-related accessibility standards under state law. Although state law does not require an inspection of the subject premises, the commercial property owner or lessor may not prohibit the lessee or tenant from obtaining an inspection of the subject premises for the occupancy or potential occupancy of the lessee or tenant, if requested by the lessee or tenant. The parties shall mutually agree on the arrangements for the time and manner of the inspection, the payment of the fee for the inspection, and the cost of making any repairs necessary to correct violations of construction-related accessibility standards within the premises. **The Lessee hereby expressly agrees that the cost for any such inspection and any repairs or modifications necessary to correct violations of construction-related accessibility standards that are noted in a certified access specialist's inspection report are the sole responsibility of the Lessee.**
- C. Lessee agrees to maintain the Premises in good condition and in compliance with all applicable property maintenance and related laws. Lessee releases the City from the obligation to maintain any portion of the Premises. Said release is part of the consideration for the rental of the Premises, and Lessee therefore waives all rights it may otherwise have under Sections 1941 and 1942 of the Civil Code.

- D. In the event Lessee fails to properly maintain the premises as required by City, City may notify Lessee in writing of said failure. In the event Lessee fails to perform said maintenance within 30 days after such notice by City, City may perform such maintenance, and any costs including, but not limited to, the cost of labor, material, and equipment, shall be paid by Lessee to City within 10 days from receipt by Lessee of an invoice from City.

Section 9 Interference

LESSEE will resolve technical interference problems with other equipment located at the Premises on the Commencement Date or any equipment that becomes attached to the Premises at any future date when LESSEE desires to add additional equipment to the Premises. Likewise, CITY will not permit or suffer the installation of any future equipment on the Premises which (a) results in interference problems to LESSEE'S then existing equipment or (b) encroaches onto the Premises. The parties acknowledge that there will not be an adequate remedy at law for noncompliance with the provision of the Paragraph and therefore, either party shall have the right to equitable remedies, such as, without limitation, injunctive relief and specific performance.

Section 10 Utilities

LESSEE shall be solely responsible for and promptly pay for all utilities used by LESSEE on the Premises. CITY will cooperate with LESSEE in LESSEE'S efforts to obtain utilities from any location provided by CITY of the servicing utility, including signing any easement or other instrument reasonably required by the utility company.

Section 11 Termination

In the event that (i) any applications for Governmental Approvals should be finally rejected; (ii) any Governmental Approval issued to LESSEE is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority, LESSEE shall have the right to terminate this Agreement. Notice of LESSEE'S exercise of its right to terminate shall be given to CITY in writing by certified mail, return receipt requested, and shall be effective upon the mailing of such notice by LESSEE, or upon such late date as designated by LESSEE. Upon termination, all prepaid rent will be retained by CITY.

Section 12 Default

If either party is in default under this Agreement for a period of (a) fifteen (15) days following receipt of notice from the non-defaulting party with respect to a default which may be cured solely by the payment of money, or (b) thirty (30) days

following receipt of notice from the non-defaulting party with respect to a default which may not be cured solely by the payment of money, then, in either event, the non-defaulting party may pursue any and all remedies available to it against the defaulting party under applicable law, including, but not limited to, the right to terminate this Agreement. Notwithstanding the foregoing to the contrary, if the non-monetary default may not reasonably be cured within a thirty (30) day period, this Agreement may not be terminated if the defaulting party commences action to cure the default within such thirty (30) days and proceeds with due diligence to fully cure this default.

Section 13 Indemnity

LESSEE shall defend, indemnify and hold harmless City, its officers, agents and employees from and against any and all claims, demands and liabilities for loss of any kind or nature which City, its officers, agents or employees may sustain or incur or which may be imposed upon them or any of them for injury to or death of persons or damage to property as a result of, arising out of, or in any manner connected with this Agreement or with the occupancy and use of the Premises by LESSEE, its invitees, visitors or any other persons whatsoever. LESSEE further agrees to pay any and all costs and expenses, including, but not limited to, court costs and reasonable attorney's fees incurred by City on account of any such claims, demands, or liabilities. However, the provisions of this Agreement shall not be construed to indemnify City for claims or acts arising from City's sole negligence.

Section 14 Hazardous Substances

LESSEE agrees that they will not use, generate, store or dispose of any Hazardous Material on, under, about or within the Property in violation of any law or regulation. "Hazardous Material" shall mean any substance, chemical or waste identified as hazardous, toxic or dangerous in any applicable federal, state, or local law or regulation (including petroleum and asbestos).

Section 15 Taxes

LESSEE will be responsible for payment of all personal property taxes assessed directly upon and arising solely from its use of the communications facility on the Property. LESSEE will pay to CITY any increase in real property taxes attributable solely to any improvements to the Premises made by Verizon Wireless within sixty (60) days after receipt of satisfactory documentation indicating calculation of LESSEE'S share of such real estate taxes and payment of the real estate taxes by CITY. CITY will pay when due all other real estate taxes and assessments attributable to the Property of which the Premises are a part.

Section 16 Insurance

Lessee must have insurance in the following amounts at all times during this Lease:

- A. General liability insurance with at least \$2 Million combined single-limit coverage per occurrence for bodily injury and property damage.
- B. Automobile liability insurance of \$1 Million combined single-limit per accident for bodily injury and property damage for any and all vehicles that are owned by the Lessee (if applicable).
- C. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.
- D. Commercial property insurance in an amount commensurate with the value of the improvements on the Premises.

Each insurance policy required above must be acceptable to the City Attorney:

- A. Each policy must name the City specifically as an additional insured under the policy on a separate endorsement page, with the exception of the workers' compensation policy.
- B. 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.
- C. All non-admitted carriers will be required to provide a service of suit endorsement in addition to the additional insured endorsement.

Lessee agrees to deposit with City, on or before the effective date of this Lease, one certificate of insurance for each of the policy or policies necessary to satisfy the insurance provisions of this Lease and to keep such insurance in effect during the entire term of this Lease. This certificate must be reviewed by, and acceptable to, the City Attorney, prior to commencement of the Lease Term. Lessee will also deposit with the City within 60 days of the Effective Date of this Lease, an additional insured endorsement naming City specifically and separately as an "additional insured", with the exception of the worker's compensation policy. The appropriate endorsements described above shall follow within 60 days.

City shall retain the right at any time to review the coverage, form and amount of the insurance required hereby. If, in the opinion of the Lease Administrator, the insurance provisions in this Lease do not provide adequate protection for City and for members of the public using the Premises, City may require Lessee to obtain insurance sufficient in coverage, form and amount to provide adequate protection from and against the kind and extent of risks which exist or are foreseeable at the time a change in insurance is required. City's requirements shall be reasonable, but shall be designed to assure adequate protection of the City's interests. The Lease Administrator shall notify Lessee in writing of changes in the insurance requirements and, if Lessee does not deposit with City within 60 days of receipt of such notice a new Certificate of Insurance for each policy or policies of insurance incorporating such changes, this Lease shall be deemed in default without further notice to Lessee and may be forthwith terminated by the Lease Administrator.

The procuring of such required policy or policies of insurance shall not be construed to limit Lessee's liability hereunder nor to fulfill the indemnification provisions and requirements of this Lease. Notwithstanding said policy or policies of insurance, Lessee shall be obligated for the full and total amount of any damage, injury or loss attributable to any act or omission of it or its agents, customers or guests in connection with this Lease or with use or occupancy of the Premises.

Section 17 Maintenance

LESSEE will be responsible for repairing and maintaining the communication system and any other improvements installed by LESSEE at the Property in a proper operating and reasonably safe condition; provided, however if any such repair or maintenance is required due to the acts of CITY, its agents or employees, CITY shall reimburse LESSEE for the reasonable costs incurred by LESSEE to restore the damaged areas to the condition which existed immediately prior thereto. CITY will maintain and repair all other portions of the property of which the Premises is a part in a proper operating and reasonably safe condition.

Section 18 Attorney's Fees, Costs and Expenses

In the event legal action is brought to enforce the terms of or to declare a termination of this Lease for reason of breach thereof, the unsuccessful Party shall pay all of the successful Party's costs of such action, together with reasonable attorney's fees, in an amount to be fixed by the court.

Section 19 Miscellaneous

- A. Law to Govern; Venue. This Lease is governed by the laws of the

State of California. Venue for all actions arising from this Lease must be exclusively in the North County Division of the San Diego County Superior Court or federal courts located in San Diego County, California.

- B. Special Provisions. Lessee hereby acknowledges that Lessee waives all rights to any form of relocation assistance provided for by local, state, or federal law to which Lessee may be entitled by reason of this Lease.
- C. Compliance with Federal, State, and Local Law. It is the duty of the Lessee while operating under this Lease to comply with all local, state, and federal laws, and to indemnify City from any violation of any such law. Failure to comply with a provision of local, state, or federal law is grounds for the Lease Administrator's immediate termination of this Lease.
- D. Amendment. This Lease may not be amended, modified, or supplemented except by a writing executed both Parties.
- E. Waiver. No waiver by a Party of any provision of this Lease shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision. The exercise by a Party of any right or remedy provided in this Lease or provided by law shall not prevent the exercise by that Party of any other remedy provided in this Lease or under the law.
- F. Severance. If any provision herein is invalid it shall be considered deleted from this Agreement and shall not invalidate the remaining provision of this Agreement
- G. This Agreement applies to and binds the heirs, successors, executors, administrators and assigns of the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

OWNER: CITY OF ESCONDIDO

By: _____
Paul McNamara, Mayor

Date: _____

LESSEE: Verizon Wireless (VAW) LLC, D.B.A. Verizon Wireless

By: _____

Date: _____

Name: _____

Title: _____

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

MICHAEL R. MCGUINNESS, City Attorney

By: _____

Exhibit A



CITY COUNCIL STAFF REPORT

Consent Item No. 6

April 8, 2020

File No. 0690-30

SUBJECT: Sale of a Vacant City Owned Parcel on Harmony Grove Road (APN 232-372-06) to Adjacent Property Owner

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-36 authorizing the Mayor to execute documents necessary for the sale of a vacant parcel, identified as APN 232-372-06, owned by the City of Escondido ("City").

FISCAL ANALYSIS:

Sales proceeds in the amount of \$35,500, less closing costs, will be deposited into the General Fund.

PREVIOUS ACTION:

On March 03, 2020, the City Council adopted Resolution No. 2020-27, declaring the vacant parcel on Harmony Grove Road (APN 232-372-06) as exempt surplus land and allowed for the disposal of the parcel.

BACKGROUND:

Previously, numerous parcels throughout the City were acquired in order to construct the Escondido Creek Flood Channel. One (1) parcel is located on Harmony Grove Road, adjacent to the Escondido Creek Flood Channel, identified as APN 232-372-06. It was acquired by the City in 1981 as an additional Right of Way ("ROW") required for the flood channel. It has been determined that this parcel is no longer required for the City's use.

Under the Surplus Lands Act, Government Code Section 54200-54234 ("Act"), surplus land is defined as "land owned" in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use." However, certain surplus lands are exempt from the Act. One example of "exempt surplus land," is "surplus land that is a former street, ROW, or easement, and is conveyed to an owner of an adjacent property." Both "surplus land" and "exempt surplus land" must be declared as such and supported by written findings by the local agency's governing body at a regular public meeting before a local agency may take any action to dispose of the land.

Sale of APN 232-372-06 to Adjacent Property Owner
April 8, 2020
Page 2

On March 3, 2020, the City Council adopted Resolution No. 2020-27, declaring the vacant City owned parcel on Harmony Grove Road, APN 232-372-06, as exempt surplus land and allowed for the disposal of the parcel.

It has been determined that the parcel (APN 232-372-06) is no longer needed for ROW and can be disposed of as exempt surplus property. The parcel has been appraised and will be sold at fair market value. The parties wish to move forward with the transaction through escrow.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
4/2/20 8:55 a.m.

ATTACHMENTS:

1. Resolution No. 2020-36
2. Resolution No. 2020-36 – Exhibit 1 – Purchase Agreement

RESOLUTION NO. 2020-36

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE MAYOR TO EXECUTE,
ON BEHALF OF THE CITY, ALL DOCUMENTS
NECESSARY FOR THE SALE OF APN 232-
372-06

WHEREAS, the City of Escondido ("City") owns certain real property of approximately 0.17 acres located on Harmony Grove Road, adjacent to the Escondido Creek flood channel, and identified by reference to Assessor Parcel No. 232-372-06; and

WHEREAS, the parcel was acquired by the City in 1981 as additional right of way required for Escondido Creek flood control, and it has been determined that the parcel is no longer required for the City's use; and

WHEREAS, the City Council adopted Resolution No. 2020-27, declaring the vacant parcel as exempt surplus land; and

WHEREAS, the City received an unsolicited offer from the adjacent property owner ("Buyer") to purchase the parcel for the appraised fair market value of thirty-five thousand five hundred dollars (\$35,500); and

WHEREAS, the City wishes to sell the parcel for thirty-five thousand five hundred dollars (\$35,500) and to enter into escrow with the Buyer under the terms and conditions stated in the Purchase Agreement; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the sale of the parcel to the Buyer.

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 is authorized to execute, on behalf of the City, all documents necessary for the sale of the City owned parcel, including the Agreement of Purchase and Sale and Joint Escrow Instructions, which are attached to this Resolution as Exhibit "1" and incorporated by this reference.



Harmony Grove Road
APN 232-372-06

**AGREEMENT OF PURCHASE AND SALE AND
JOINT ESCROW INSTRUCTIONS**

TABLE OF CONTENTS

SECTION 1 DEFINITION OF TERMS 1

SECTION 2 PROPERTY 3

SECTION 3 PURCHASE PRICE 4

SECTION 4 ESCROW 4

SECTION 5 TITLE..... 5

SECTION 6 CONDITIONS TO CLOSE ESCROW 5

SECTION 7 BUYER’S OBLIGATIONS 6

SECTION 8 CITY’S OBLIGATIONS..... 8

SECTION 9 RIGHT TO ENTER ONTO THE PROPERTY 8

SECTION 10 COSTS..... 9

SECTION 11 TERMINATION 10

SECTION 12 SOLE RELIANCE..... 11

SECTION 13 AS IS, WHERE IS..... 11

SECTION 14 ATTORNEY’S FEES, COSTS AND EXPENSES 12

SECTION 15 ASSIGNMENT 12

SECTION 16 MISCELLANEOUS 12

**CITY OF ESCONDIDO
AGREEMENT OF PURCHASE AND SALE
AND JOINT ESCROW INSTRUCTIONS**

This **Agreement** is made as of _____, 2020 between the City of Escondido (**City**) and Department of Veterans Affairs of the State of California (**Buyer**).

RECITALS

- A. The City is the owner of that certain Surplus Land having assessor's parcel number 232-372-06 (defined herein as the "Property").
- B. Buyer is the owner of a parcel adjacent to the Property, which is held for the benefit of Matthew Jon Mudderman and Audrey Mudderman under CalVet Contract Number 999136.
- C. The City desires to sell and Buyer desires to purchase the Property upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Buyer agree that the terms and conditions of this Agreement and the instructions to Escrow Holder with regard to the Escrow, created pursuant hereto are as follows:

Section 1 Definition of Terms

The following words in this Agreement shall have the significance attached to them in this Section unless otherwise apparent from their context.

- 1.1 **Agreement.** Agreement means this Agreement of Purchase and Sale and Joint Escrow Instructions.
- 1.2 **Approved Conditions of Title.** Approved Conditions of Title means only those conditions to title as provided in Section 5.2 of this Agreement.
- 1.3 **Buyer.** Buyer means Department of Veterans Affairs of the State of California and does not include its heirs, assigns, or successors-in-interest.
- 1.4 **City.** The City means the City of Escondido, a California general law City.
- 1.5 **Close of Escrow.** Close of Escrow means the date provided in Section 4.2 of this Agreement.
- 1.6 **County.** County means the County of San Diego, State of California.

- 1.7 **Deposit.** Deposit means the total sum of the Deposit, as described in Section 3.1 of this Agreement.
- 1.8 **Due Diligence Materials.** Due Diligence Materials means those materials specifically described in Exhibit A, attached hereto and incorporated herein by this reference.
- 1.9 **Effective Date.** Effective Date means the date this Agreement is countersigned by the Mayor of the City.
- 1.10 **Escrow Holder.** Escrow Holder means First American Title.
- 1.11 **Feasibility Period.** Feasibility Period means the period commencing upon the Effective Date of this Agreement and expiring ninety (30) days thereafter.
- 1.12 **General and Special Real Estate Taxes.** General and Special Real Estate Taxes means all non-delinquent taxes and charges of the type customarily evidenced by a secured tax bill issued by the Tax Collector of the County, including, but not limited to, amounts allocated to (i) County or City general governmental purposes; (ii) bonded indebtedness of the County or City; (iii) bonded or other indebtedness and operating expenses of any school, college, sewer, water, irrigation, hospital, library, utility, county service, community facilities district, or other district; and (iv) any other lawful purpose. The Parties acknowledge that prior to the Close of Escrow, the Property may not be subject to General and Special Real Estate Taxes because the Property is owned by a public entity, but such fact shall not be construed to release or relieve Buyer from the obligation to assume responsibility for General and Special Real Estate Taxes as of the Close of Escrow.
- 1.13 **Grant Deed.** Grant Deed means the recorded grant deed transferring ownership from the City to Buyer.
- 1.14 **Hazardous Materials.** Hazardous Materials means any chemical, material, or substance now or hereafter defined as or included in the definition of hazardous substances, hazardous wastes, hazardous materials, extremely hazardous waste, restricted hazardous waste, toxic substances, pollutant or contaminant, imminently hazardous chemical substance or mixture, hazardous air pollutant, toxic pollutant, or words of similar import under any local, state, or federal law or under the regulations adopted or publications promulgated pursuant thereto applicable to the Property, including, without limitation the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601 et seq. (“CERCLA”); the Hazardous Materials Transportation Act, as amended, 49 U.S.C. § 1801 et seq.; the Federal Water Pollution Control Act, as amended, 33 U.S.C. § 1251 et seq.; and the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq. (“RCRA”). The term Hazardous Materials shall also include any of the following: any and all toxic or hazardous substances, materials, or wastes listed

in the United States Department of Transportation Table (49 CFR Part 302) and in any and all amendments thereto in effect as of the Close of Escrow; oil, petroleum, petroleum products (including, without limitation, crude oil or any fraction thereof), natural gas, natural gas liquids, liquefied natural gas or synthetic gas usable for fuel, not otherwise designated as a hazardous substance under CERCLA; any substance that is toxic, explosive, corrosive, reactive, flammable, infectious, or radioactive (including any source, special nuclear or by-product material as defined at 42 U.S.C. § 2011 et seq.), carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority; asbestos in any form; urea formaldehyde foam insulation; transformers or other equipment that contain dielectric fluid containing levels of polychlorinated biphenyls; radon gas; or any other chemical, material, or substance (i) that poses a hazard to the Property, to adjacent properties, or to persons on or about the Property; (ii) that causes the Property to be in violation of any of the aforementioned laws or regulations; or (iii) the presence of which on or in the Property requires investigation, reporting, or remediation under any such laws or regulations.

- 1.15 **Opening of Escrow.** Opening of Escrow means the date as provided in Section 4.1 of this Agreement.
- 1.16 **Party(ies).** Buyer or the City may be referred to individually as a Party or collectively as the Parties.
- 1.17 **Property.** Property means that certain real property located in Escondido, CA having assessor's parcel number (APN) 232-372-06, as further described in Exhibit B, attached hereto and incorporated herein by this reference.
- 1.18 **Purchase Price.** Purchase Price means the purchase price for the Property as provided in Section 3.2 of this Agreement.
- 1.19 **Report.** Report means a standard preliminary title report issued by the Title Insurer with respect to the Property within five (5) days following the Opening of Escrow.
- 1.20 **Surplus Land.** Surplus Land means "surplus land" as defined in the Surplus Land Act, California Government Code § 54220 et seq.
- 1.21 **Title Insurer.** Title Insurer means First American Title.
- 1.22 **Title Policy.** Title Policy means the title policy as set forth in Section 5.1 of this Agreement.

Section 2 Property

The City shall sell the Property to Buyer and Buyer shall purchase the Property from the City on the terms and conditions stated in this Agreement.

Section 3 Purchase Price

- 3.1 Deposit. Concurrently with the Opening of Escrow, Buyer shall deliver to Escrow Holder the First Deposit sum of FIVE THOUSAND DOLLARS (\$5,000) which shall be held by Escrow Holder until the expiration of the Feasibility Period, at which time it shall be delivered to the City. Buyer shall execute and deliver to Escrow Holder such instructions as may be requested by Escrow Holder to cause the Deposit to be released to the City in a timely manner. If either Party terminates this Agreement prior to the expiration of the Feasibility Period, then the Deposit shall be returned to Buyer.
- 3.2 Purchase Price. City agrees to sell and Buyer agrees to purchase the Property for the Purchase Price of THIRTY-FIVE THOUSAND FIVE HUNDRED DOLLARS (\$35,500.00).
- 3.3 Payment of Purchase Price. Buyer shall deposit with Escrow Holder in cash, at least one business day before the Closing Date, the Purchase Price, less the amount of the Deposit.

Section 4 Escrow

- 4.1 Opening of Escrow. For purposes of this Agreement, the Escrow shall be deemed opened on the latter date of (i) Escrow Holder receiving the Deposit from Buyer, and (ii) Escrow Holder receiving an executed counterpart of this Agreement from both Buyer and the City. Escrow Holder shall notify Buyer and City, in writing, of the date Escrow is opened. Buyer and City agree to execute, deliver, and be bound by any reasonable or customary supplemental escrow instructions of Escrow Holder or other instruments as may reasonably be required by Escrow Holder in order to consummate the transaction contemplated by this Agreement. Any such supplemental instructions shall not conflict with, amend, or supersede any portions of this Agreement. If there is any inconsistency between such supplemental instructions and this Agreement, this Agreement shall control.
- 4.2 Close of Escrow. Close of Escrow shall occur on June 30, 2020 or sooner by City giving Buyer a five (5) day notice of such date, provided in no event shall such notice reduce any period granted Buyer under the terms of this Agreement and in no event shall the Close of Escrow take place on a date that is fewer than sixty (60) days following the Opening of Escrow. If Escrow Holder cannot close escrow on or before the Close of Escrow, Escrow Holder shall nevertheless close this escrow when all conditions have been satisfied or waived unless, prior to the Close of Escrow, Escrow Holder receives a written notice to terminate this escrow from a Party who, at the time the notice is delivered, is not in default under this Agreement.

Section 5 Title

- 5.1 Policy. As a condition to the Close of Escrow, title shall be evidenced by the willingness of the Title Company to issue its ALTA Owner's Policy of Title Insurance with extended coverage, inclusive of any endorsements requested or required by Buyer or its lender, in the amount of the Purchase Price showing title to the Property vested in Buyer upon conveyance of the Grant Deed subject to the Approved Conditions of Title and such other exceptions to title as may be set forth in the Report and not objected to by Buyer.
- 5.2 Condition of Title. At the Close of Escrow, title to the Property shall be conveyed to Buyer by the City, and the Grant Deed shall be recorded in the Official Records of the Recorder of San Diego County, California, subject only to the following Approved Conditions of Title:
- A. a lien to secure payment of real estate taxes and assessments, not delinquent;
 - B. the lien of supplemental taxes;
 - C. matters affecting title to the Property created by or with the written consent of Buyer or that are waived or deemed approved by Buyer;
 - D. all matters that would be disclosed by an inspection or survey of the Property as approved by Buyer; and
 - E. all exceptions that are disclosed by the Report, and that are also approved by Buyer in accordance with this Agreement.
- 5.3 Title Exceptions. The Parties acknowledge and agree that the listing of the Approved Conditions of Title shall be subject to Buyer's approval during the Feasibility Period, which approval shall be deemed approved if Buyer (i) does not terminate the Agreement at or prior to the end of the Feasibility Period or (ii) otherwise objects thereto as set forth in any Buyer's notice given by Buyer to City pursuant to Section 7.3 of this Agreement.

Section 6 Conditions to Close Escrow

- 6.1 Conditions to Buyer's Obligations. Buyer's obligation to consummate the transaction contemplated by this Agreement is subject to the satisfaction of the following conditions for Buyer's benefit or Buyer's waiver thereof, on or prior to the dates designated below for the satisfaction of such conditions:
- A. City's Obligations. As of the Close of Escrow, City shall have performed all of the obligations required to be performed by City under this Agreement.

6.2 Conditions to City's Obligations. For the benefit of the City, the Close of Escrow shall be conditioned upon the occurrence and/or satisfaction of each of the following conditions (or City's waiver thereof, it being agreed that City may waive any or all of such conditions, in its sole and absolute discretion):

- A. Buyer's Obligations. Buyer shall have timely performed all of the obligations required by the terms of this Agreement to be performed by Buyer including, without limitation, the timely deposit of all monies required to be deposited by Buyer under this Agreement.

Section 7 Buyer's Obligations

7.1 Review of the physical condition and records.

- A. Buyer shall have the Feasibility Period, to satisfy itself in its sole and absolute discretion, with all physical, legal, and investment aspects of the Property and its condition and suitability for Buyer (including, without limitation, zoning; the environmental and physical condition of the Property; and any other portion of the Property.
- B. If, prior to the expiration of the Feasibility Period, Buyer notifies City and Escrow Holder in writing of Buyer's disapproval of the Property, such disapproval shall act to terminate this Agreement and the Escrow created pursuant hereto, in which event Buyer and City hereby direct Escrow Holder to pay the Deposit to Buyer. If, prior to the expiration of the Feasibility Period, Buyer notifies City in writing of Buyer's approval of the Property, or if Buyer fails to notify City and Escrow Holder of Buyer's approval of the Property on or before the end of the Feasibility Period, such approval shall satisfy this condition. Upon satisfaction of this condition, Escrow Holder shall release Buyer's First Deposit to the City.
- C. Buyer agrees not to disclose any confidential or proprietary information contained in any such document or material reviewed by or provided to Buyer except to the extent that such disclosure is required by any judicial proceeding (including a court order), federal, state or local law or is to Buyer's officers, attorneys, prospective lenders, agents or employees (provided that Buyer shall require each of the same to hold such information as confidential). Buyer's obligation under the immediately preceding sentence shall survive any termination of this Agreement. Buyer shall have until the end of the Feasibility Period to satisfy itself as to the review and approval of such documents and materials and the condition and suitability of the Property.
- D. Buyer hereby agrees to indemnify, defend, protect and hold the City, its

agents, officers, and legislators, and the Property harmless from and against any and all claims, liabilities, obligations, costs, losses, damages and/or expenses, of any kind or nature (including, without limitation, reasonable attorney's fees and costs), arising out of or resulting from any submittal(s) affecting the Property by or for Buyer and/or any such entry and/or activities upon the Property by Buyer, its employees, agents, contractors and/or subcontractors and Buyer agrees, at its sole cost and expense, to restore the Property to its condition existing prior to the conduct of any such activities upon the Property by Buyer, its employees, agents, contractors and/or subcontractors. The provisions of this section shall survive the termination of this Agreement and the Close of Escrow and delivery of the Grant Deed.

7.2 Buyer's Review of Title.

- A. Buyer shall receive a standard preliminary title report issued by the Title Company with respect to the Property within five (5) days following the Opening of Escrow. Buyer shall have until the Feasibility Period to give City and Escrow Holder written notice of Buyer's disapproval or conditional approval of any matters shown in the Report. The failure of Buyer to give notice on or before the Feasibility Period shall be deemed to constitute Buyer's approval of the condition of title to the Property unless Buyer shall have terminated this Agreement.
- B. If Buyer disapproves or conditionally approves any matter of title shown in the Report, then on or before the expiration of thirty (30) days from the date of City's receipt of Buyer's notice, the City may elect to eliminate or ameliorate to Buyer's satisfaction the disapproved or conditionally approved title matters. City shall give Buyer written notice not later than thirty (30) days after City's receipt of Buyer's notice of those disapproved or conditionally approved title matters, if any, which City agrees to either eliminate from the Title Policy as exceptions to title to the Property or to ameliorate to Buyer's satisfaction by the Close of Escrow. If the City does not elect to eliminate or ameliorate to Buyer's satisfaction any disapproved or conditionally approved title matters, or if City is unable to eliminate or ameliorate to Buyer's satisfaction all such disapproved matters prior to the Close of Escrow, then Buyer shall elect by written notice to City and Escrow Holder on or before the Feasibility Period, to: (1) waive its prior disapproval, in which event said disapproved matters shall be deemed approved; or (2) terminate this Agreement and the Escrow created pursuant hereto, in which event, Escrow Holder shall disburse the amount of the First Deposit together with any interest accrued thereon to Buyer.

7.3 Buyer shall deposit or cause to be deposited with Escrow Holder, the Deposit, as

provided in Section 3.1.

- 7.4 The Closing Statement, signed by Buyer.
- 7.5 Any transfer tax form, affidavit, or declaration required by any laws with respect to the transfer of title to the Property, signed by Buyer in a form for filing with the applicable governmental authority.
- 7.6 Such other sums required hereunder or reasonably required by the Title Company for the Close of Escrow and such other documentation and/or instruments required hereunder or reasonably required by City or the Title Company for the Close of Escrow.

Section 8 City's Obligations

- 8.1 Due Diligence Materials. Within five (5) business days of the Opening of Escrow, City shall deliver to Buyer those certain documents and materials, if any, shown on Exhibit B attached hereto. Buyer acknowledges and agrees that such Due Diligence Materials have been prepared by third parties or are based on information provided by third parties, and City does not warrant the accuracy or completeness of such information contained therein. If this Agreement is terminated for any reason, Buyer shall return all Due Diligence Materials, and any copies thereof, to City.
- 8.2 Deposits by City. At least one (1) business day prior to the Close of Escrow, City shall deposit or cause to be deposited with Escrow Holder the following documents and instruments: Grant Deed. The Grant Deed, duly executed by City and acknowledged, in the form attached hereto as Exhibit C, which is incorporated herein by this reference.
- 8.3 Settlement Statement. A closing statement prepared (or approved) by the Title Company and approved by City and Buyer, signed by City.
- 8.4 Transfer Tax Documentation. Any transfer tax form, affidavit or declaration required by any laws with respect to the transfer of title to the Property, signed by City in form for filing with the applicable governmental authority.
- 8.5 Other Documentation. Such other documentation and/or instruments required hereunder or reasonably required by Buyer or the Title Company for the Close of Escrow (it being understood that City and Buyer shall not be required to execute or deliver any document or instrument that materially increases any Party's obligations or materially decreases any Party's rights under the terms and provisions of this Agreement).

Section 9 Right to Enter onto the Property

- 9.1 Right to Enter the Property. Buyer and its employees, agents, and independent contractors may, prior to the Close of Escrow, reasonably go upon the Property to,

at Buyer's sole cost, inspect, survey, and test the Property and conduct other similarly related activities. Should Buyer's right to purchase the Property terminate, Buyer will, immediately after such termination, at Buyer's sole cost, return the Property to its physical condition immediately before Buyer's first entrance onto the Property to conduct any of the aforementioned activities. Buyer agrees to give City at least five (5) business days prior written notice before entering the Property when the purpose of such entry is to conduct an environmental or hazardous materials survey or study. Buyer shall not conduct any borings or other invasive testing on or about the Property without first obtaining the prior written consent of City, which consent shall not be unreasonably withheld; provided, however, that Buyer shall provide City with copies of all tests and reports received by Buyer in connection therewith and Buyer shall return the Property to its former condition at the conclusion of such tests and borings.

9.2 Insurance. Buyer represents, warrants, and guarantees that, prior to entry on the Property and at all times until Close of Escrow, Buyer shall be self-insured at a level adequate to cover the following amounts otherwise required by the City if Buyer were not self-insured:

- A. General liability insurance with at least \$1 Million combined single-limit coverage per occurrence for bodily injury and property damage; and
- B. Automobile liability insurance of \$1 Million combined single-limit per accident for bodily injury and property damage; and
- C. Workers' compensation and employer's liability insurance as required by the California Labor Code, as amended, or certificate of sole proprietorship.

Section 10 Costs

10.1 City's Charges. City shall pay (i) any documentary transfer tax imposed by the County, (ii) the CLTA Standard owner's title policy premium or its equivalent (but not the added premium for an extended coverage ALTA policy), (iii) one-half (1/2) of Escrow Holder's fee, and (iv) usual City's document-drafting and recording charges.

10.2 Buyer's Charges. Buyer will pay (i) one-half (1/2) of Escrow Holder's fee, (ii) the extra premium for any ALTA title policy or any added endorsements (ordered by Buyer in the manner permitted by the terms of this Agreement) over and above that of the premium of the CLTA Standard owner's title policy or its equivalent, (iii) the premium for City's Title Policy insuring the validity and priority of the lien of the Deed of Trust, and (iv) usual Buyer's document-drafting and recording charges.

10.3 Broker. Buyer and City represent that no person, corporation, or partnership acting

as a real estate broker, finder, or real estate agent has brought about this Agreement. Buyer hereby agrees to indemnify, save harmless, protect, and defend City from and against any claims for brokers' or finders' fees for the consummation of this Agreement. The provisions of this section shall survive the termination of this Agreement, Close of Escrow, and delivery of the Grant Deed.

Section 11 Termination

- 11.1 Termination. This Agreement must be executed by Buyer within 30 days of the approval of this Agreement by the City Council
- 11.2 Liquidated Damages. BUYER AND CITY AGREE THAT THE DEPOSIT IS A REASONABLE ESTIMATE OF CITY'S DAMAGES IF ESCROW FAILS TO CLOSE DUE TO THE DEFAULT OF BUYER. IN THE EVENT THE CLOSE OF ESCROW DOES NOT OCCUR AS HEREIN PROVIDED BY REASON OF ANY DEFAULT BY BUYER, BUYER AND CITY AGREE THAT IT WOULD BE IMPRACTICAL AND EXTREMELY DIFFICULT TO ESTIMATE THE DAMAGES WHICH CITY MAY SUFFER. THEREFORE, BUYER AND CITY HEREBY AGREE THAT A REASONABLE ESTIMATE OF THE TOTAL NET DETRIMENT THAT CITY WOULD SUFFER IN THE EVENT THAT BUYER DEFAULTS AND FAILS TO COMPLETE THE PURCHASE OF THE PROPERTY IS AND SHALL BE AN AMOUNT EQUAL TO THE LIQUIDATED DAMAGES AMOUNT. EXCEPT AS EXPRESSLY PROVIDED ELSEWHERE IN THIS SECTION, SAID AMOUNT SHALL BE THE FULL, AGREED AND LIQUIDATED DAMAGES FOR THE BREACH OF THIS AGREEMENT BY BUYER OF ITS OBLIGATION TO PURCHASE THE PROPERTY. UPON SUCH DEFAULT BY BUYER, CITY'S OBLIGATIONS UNDER THIS AGREEMENT SHALL BE TERMINATED AND CITY SHALL HAVE THE RIGHT TO COLLECT SUCH LIQUIDATED DAMAGES FROM BUYER AND/OR ESCROW HOLDER. IN ADDITION TO SUCH LIQUIDATED DAMAGES, CITY SHALL BE ENTITLED TO (I) ENFORCE ITS REMEDIES UNDER ANY INDEMNIFICATION CONTAINED IN THIS AGREEMENT, AND (II) COLLECT ANY ATTORNEY'S FEES OR OTHER COSTS INCURRED IN ENFORCING THE PROVISIONS OF THIS PARAGRAPH.

Buyer's Initials

City's Initials

Section 12 Sole Reliance.

Except as expressly set forth herein, Buyer represents and warrants that it is relying solely upon its own inspection, investigation, and analyses of the Property in purchasing the Property and is not relying in any way upon any representations, statements, agreements, warranties, studies, reports, descriptions, guidelines, or other information, documentation, or material furnished by City or its representatives, whether oral or written, express or implied, or arising by operation of law, of any nature whatsoever regarding any of the foregoing matters.

Section 13 As is, Where is.

Except as expressly set forth herein, Buyer represents and warrants that it is acquiring the Property on an “as is,” “where is,” and “with all faults” basis without representation or warranty by City whatsoever including, without limitation, in connection with Hazardous Materials, substances, or conditions; the water, soil, and geology, and the suitability thereof and of the Property for any and all activities and uses which Buyer may elect to conduct thereon; habitability, merchantability, or fitness for a particular purpose of the Property; the manner, construction, condition, and state of repair or lack of repair of the improvements or any other portion of the Property; compliance with laws, statutes, codes, ordinances, orders, decisions, rules and/or regulations; the leases and superior instruments and/or other restrictions, obligations, rights of way or conditions affecting the ownership, use, operation, development or operation of the Property. Further, and without limiting any of the foregoing, Buyer represents and warrants that no patent or latent condition affecting the Property in any way, discoverable or hereafter discovered, shall affect Buyer’s obligation to purchase the Property or any of Buyer’s other obligations contained in this Agreement, nor shall any such condition give rise to any right of damages, rescission or otherwise against City. Further, and without limiting any of the foregoing, Buyer acknowledges that City has not warranted and does not hereby warrant that any improvements will meet or comply with the requirements of any health, fire, building, zoning, or safety code, ordinance, or regulation of the state of California, or any other authority or jurisdiction, and that City has not warranted and does not hereby warrant that the Property will meet or satisfy any particular use, purpose, development, or operation, and that City has not made any warranty and does not hereby make any warranty regarding any Hazardous Materials. Further, and without limiting any of the foregoing, Buyer hereby releases City from all risks and liability (and agrees that City shall not be liable for any special, direct, indirect, consequential, or other damages) resulting or arising from or relating to the ownership, use, condition, location, maintenance, repair, or operation of the Property and City shall under no circumstances be liable for any special, indirect, or consequential damages in the event of any breach by City. The provisions of this section shall survive closing hereunder. Nothing in this section shall in any manner be construed as any representation, assurance or warranty of any kind by City.

Section 14 Attorney's Fees, Costs and Expenses

In the event legal action is brought to enforce the terms of or to declare a termination of this Lease for reason of breach thereof, the unsuccessful Party shall pay all of the successful Party's costs of such action, together with reasonable attorney's fees, in an amount to be fixed by the court.

Section 15 Assignment

Buyer shall not assign, transfer, or convey its rights and/or obligations under this Agreement and/or with respect to the Property without the prior written consent of City, which consent City may withhold in its sole and absolute discretion. Any attempted assignment without the prior written consent of City shall be void and Buyer shall be deemed in default hereunder.

Section 16 Miscellaneous

- 16.1 Governing Law. This Agreement and all rights and obligations arising out of it shall be construed in accordance with the laws of the State of California. Venue for all actions arising from this Agreement shall be exclusively in the North County Division of the San Diego County Superior Court or federal courts located in San Diego County, California.
- 16.2 Time of Essence. Time is of the essence of each and every term, condition, obligation, and provision of this Agreement.
- 16.3 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, may be assembled into and shall be construed as one document.
- 16.4 Captions. Any captions to, or headings of, the sections, subsections, paragraphs, or subparagraphs of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or the meaning of any provision of this Agreement.
- 16.5 No Third Party Beneficiaries. Except as otherwise expressly stated herein, this Agreement is entered into solely for the benefit of the Parties hereto, and no third party shall be entitled to directly, or indirectly, base any claim, or to have any right arising from, or related to, this Agreement.
- 16.6 Amendment. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the Parties.
- 16.7 Waiver. The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.
- 16.8 Fees and Other Expenses. Except as otherwise provided herein, each of the Parties shall pay its own fees and expenses in connection with this Agreement.

- 16.9 Entire Agreement. This Agreement contains the entire agreement and understanding concerning the subject of this Agreement and supersedes and replaces all prior negotiations or proposed agreements, written or oral. Each of the Parties acknowledges that no other Party, nor the agents nor the attorneys for any Party, has made any promise, representation, or warranty whatsoever, express or implied, not contained herein, to induce the execution of this Agreement, and each of the Parties acknowledges that this Agreement has not been executed in reliance upon any promise, representation, or warranty not contained herein.
- 16.10 Advice of Counsel. The Parties acknowledge that they have executed this Agreement after having the opportunity to consult with, and receive the advice of, their own counsel.
- 16.11 Severability. If any portion of this Agreement as applied to either Party or to any circumstances shall be adjudged by a court to be void or unenforceable, such portion shall be deemed severed from this Agreement and shall in no way effect the legality, validity, applicability, or enforceability of the remaining portions of this Agreement.
- 16.12 Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the Parties.
- 16.13 Preparation of Agreement. Buyer and City acknowledge that the provisions and language of this Agreement have been negotiated, and agree that no provision of this Agreement shall be construed against either Party by reason of such Party having drafted such provision or this Agreement.
- 16.14 Execution of Agreement. This Agreement is transmitted for examination only and does not constitute an offer, and the Agreement shall not become effective until a fully executed original hereof shall be delivered to Buyer and City.
- 16.15 No Equitable Ownership. Prior to the conveyance of title to the Property to Buyer, Buyer shall not acquire, assume, or otherwise obtain any equitable ownership claim or interest in the Property in any manner whatsoever.

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.

**DEPARTMENT OF VETERANS AFFAIRS OF THE
STATE OF CALIFORNIA**

Date: _____

Signature

Name, Title

CITY OF ESCONDIDO

Date: _____

Paul McNamara, Mayor

APPROVED AS TO FORM:

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

By: _____

EXHIBIT A

Within five business days of the Opening of Escrow, Seller will, to the extent the same are within Seller's possession or control, deliver to Buyer copies of the following:

- Phase I report
- Phase II report
- Engineering Studies
- Improvement Plans
- Consultant Reports
- ALTA Surveys
- Appraisals
- Market Research
- Financial Projections
- Site & Landscape Plans

EXHIBIT B

LEGAL DESCRIPTION

Portion of Southwesterly 151 feet in Lot 6 of Block 304, (Ex per document 77-380765), Rancho Rincon Del Diablo map 724, city of Escondido, county of San Diego, state of California.

EXHIBIT C

RECORDING REQUESTED BY

And When Recorded Mail To:
City Clerk
City of Escondido
201 North Broadway
Escondido, CA 92025

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

**CITY OF ESCONDIDO
GRANT DEED**

ESC. DOCUMENT NO. M-

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

THE CITY OF ESCONDIDO, a municipal corporation, for a valuable consideration, DOES HEREBY GRANT to

all that real property described as follows:

LEGAL DESCRIPTION ATTACHED

IN WITNESS WHEREOF, the City of Escondido has caused this deed to be executed by its Real Property Manager, pursuant to City Council Resolution No. XXXX-XXX, adopted XXXXX XX, XXXX, authorizing such execution, this XXXX day of XXXX XX, XXXX.

THE CITY OF ESCONDIDO

By: _____
Vince McCaw
Real Property Manager

CITY COUNCIL STAFF REPORT

Consent Item No. 7

April 8, 2020

File No. 0600-10, A-3258

SUBJECT: Amendment to Lease with Escondido Community Child Development Center

DEPARTMENT: Engineering Services Department; Real Property

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-37 authorizing the Mayor to execute an amendment to the Lease Agreement (“Amendment”) with Escondido Community Child Development Center (“ECCDC”) for the City of Escondido (“City”) owned property located at 613 East Lincoln Avenue, and identified as Assessor Parcel Number (APN) 229-160-54 and a portion of 229-160-53.

FISCAL ANALYSIS:

Rent proceeds in the amount of \$30,000 per year will be allocated into the Successor Agency Housing Fund and Community Development Block Grant (“CDBG”) Program Income.

PREVIOUS ACTION:

On May 1, 2019, by Resolution No. 2019-67, the City Council approved a Lease Agreement with ECCDC authorizing the use of APN 229-160-54 and a portion of 229-160-53 for a term of three (3) years at fair market value.

BACKGROUND:

ECCDC occupied a portion of City owned property identified as APN 229-160-54 under an agreement dated April 23, 2001. ECCDC expanded its childcare facility operations under a lease agreement on April 8, 2008, at an annual rate of \$10 per year. On September 17, 2008, the leased area was expanded to include a portion of APN 229-160-53 for a term of ten (10) years. On May 1, 2019, the City Council approved a three (3) year lease for the City owned property at a negotiated fair market value.

A portion of the facility is operating within the future right-of-way (“ROW”) for the widening of Lincoln Avenue. ECCDC agrees to remove any, and all improvements constructed within the ROW that may be required for widening of Lincoln Avenue at no cost or expense to the City upon receipt of a ninety-day (90) written notice.

ECCDC is receiving grant funds to complete improvements to two modular classroom buildings and a storage building. Improvements to the classroom buildings will consist of reconfiguring the existing layout to allow for additional classrooms and restrooms. Improvements to the storage building will

create a laundry room, food storage space, and general storage room. Work also involves exterior improvements that will add play equipment, new poured-in-place play surface and reconfigure an existing ramp.

Grant administrators require the lease be for a term of at least fifteen (15) years. ECCDC is requesting an extension of their existing lease term to meet the grant funding requirements. The Amendment will allow for an initial five (5) year term and may be renewed for two (2) additional five (5) year periods, upon mutual written agreement by the City and ECCDC.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
4/2/20 8:51 a.m.

ATTACHMENTS:

1. Resolution No. 2020-37
2. Resolution No. 2020-37 - Exhibit A – Amendment to Lease Agreement

RESOLUTION NO. 2020-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY, AN AMENDMENT TO A LEASE AGREEMENT FOR CITY OWNED REAL PROPERTY LOCATED AT 613 E. LINCOLN AVENUE AND IDENTIFIED AS ASSESSOR PARCEL NUMBER 229-160-54 AND A PORTION OF ASSESSOR PARCEL NUMBER 229-160-53

WHEREAS, certain real property identified as Assessor Parcel Numbers 229-160-54 and 229-160-53 are owned by the City of Escondido ("City") and currently leased by the Escondido Community Child Development Center ("ECCDC"); and

WHEREAS, the City of Escondido ("City") and Escondido Community Child Development Center desire to enter into an Amendment to the Lease Agreement ("Amendment") to allow Escondido Community Child Development Center to obtain grant funds for proposed improvements; and

WHEREAS, a portion of the facility is operating within the future right-of-way ("ROW") for the widening of Lincoln Avenue. Escondido Community Child Development Center agrees to remove any and all improvements constructed within the ROW required for the widening of Lincoln Avenue at no cost or expense to the City upon receipt of a ninety-day written notice; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the Amendment to the Lease Agreement with Escondido Community Child Development Center at 613 East Lincoln to allow for an initial five (5)

year term and options for two (2) additional five (5) year periods, upon mutual written agreement by the City and ECCDC.

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 is authorized to execute an Amendment to the Lease Agreement, on behalf of the City, substantially in the form as attached to this Resolution as Exhibit "A" and incorporated by this reference, and subject to final approval as to form by the City Attorney.



FIRST AMENDMENT TO LEASE AGREEMENT

(613 Lincoln Avenue)

This FIRST AMENDMENT TO LEASE AGREEMENT ("First Amendment") is made and entered into as of this ____ day of _____, 2020 ("Effective Date"), by and between the City of Escondido, a California municipal corporation ("City"), and Escondido Community Child Development Center ("Lessee").

WHEREAS:

- A. City and Lessee entered into a Lease Agreement dated May 1, 2019 ("Original Agreement") for the lease of that certain real property owned by the City located at 613 E Lincoln Avenue, Escondido, CA 92025 (APN 229-160-54 & 229-160-53), for the purpose of operating a childcare facility; and
- B. City and Lessee desire to amend, modify, and/or supplement the Original Agreement by entering into this First Amendment.

NOW, THEREFORE, in consideration of the above premises and the promises and covenants contained herein and in the Original Agreement, it is mutually agreed by and between the City and Lessee that the Original Agreement shall be amended, modified, and supplemented, as follows:

1. **Paragraph 1.6 of Section 1 "Definition of Terms"** shall be deleted in its entirety and replaced with the following:
 - 1.6 **Premises.** Premises means the real property located at 613 E. Lincoln Avenue, Escondido, CA 92025 (APN 229-160-54 & 229-160-53) as depicted on **EXHIBIT A**. The Premises does not include the limited license to use the adjacent future Right of Way area as provided in Section 27 of this Lease.
2. **A new Paragraph 1.7 of Section 1 "Definition of Terms"** shall be added to the Original Agreement and shall read as follows:
 - 1.7 **Right of Way.** Right of Way means the right of way of the City located adjacent to the Premises as identified in **EXHIBIT A**, which is required by the City for construction of improvements to Lincoln Avenue.

3. **Paragraph 3.1 of Section 3 “Term”** shall be deleted in its entirety and replaced with the following:

3.1 Term. This Lease shall commence on May 1, 2019, and shall continue to the date that is five years from _____, 2020.

4. **Section 5 “Options to Renew”** shall be deleted in its entirety and replaced with the following:

Section 5 Options to Renew

At the end of the Term, this Lease may be renewed for two additional five-year periods, upon mutual written agreement by the City and Lessee.

5. **Paragraph 12.3 of Section 12 “Acceptance and Maintenance”** shall be deleted in its entirety and replaced with the following:

12.3 Lessee agrees to maintain the Premises in good condition and in compliance with all applicable property maintenance and related laws. Lessee agrees to maintain the landscaped area at the southwest corner of E Lincoln Avenue and N Fig Street, adjacent to the parking area. Lessee releases the City from the obligation to maintain any portion of the Premises. Said release is part of the consideration for the rental of the Premises, and Lessee therefore waives all rights it may otherwise have under Section 1941 and 1942 of the Civil Code.

6. **Section 27 “Special Provisions” and all Paragraphs thereof** shall be deleted in its entirety and replaced with the following:

Section 27 Limited Use of Adjacent Right of Way

27.1 Lessee acknowledges that its limited use of the adjacent Right of Way is revocable at any time by the City and is not considered part of the Premises. Lessee agrees to remove any and all improvements constructed within the Right of Way at no cost or expense to the City. City shall provide Lessee ninety (90) days’ prior written notice to remove any such

improvements. Lessee further agrees to comply with all applicable regulations and requirements, in place at that time, for its continued use of the remaining Premises.

27.2 **Waiver.** Lessee hereby releases, relinquishes, and forever discharges the City from any and all past, present, or future obligations, duties, liabilities, rights, entitlements, responsibilities, demands, claims, actions, suits, and causes of action arising out of Lessee’s limited license of the Right of Way, including but not limited to the City’s revocation of Lessee’s limited license at any time.

27.3 **Cal. Civ. Code § 1542 Waiver.** As to the release in Section 27.2 of this Lease, it is a full and final release applying to all losses, including but not limited to damages, costs, expenses, and attorneys’ fees incurred by Lessee, arising out of or in any way connected with the above-described matters. It is the intention of the Parties, in executing this Lease, that the same shall be effective as a bar to each and every claim, demand, and cause of action by Lessee based upon the above-described matter, and Lessee knowingly, voluntarily, and expressly waives any and all rights and benefits otherwise conferred by the provisions of Section 1542 of the California Civil Code, which states as follows:

“A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would materially affected his or her settlement with the debtor or released party.”

The Lessee expressly consents that, notwithstanding Section 1542 of the California Civil Code, this Lease shall be given full and final effect according to each and all of its express terms and conditions, including those related to unknown and unsuspected claims, demands, and causes of action. The Parties acknowledge and agree that this waiver is an essential and material term of this Lease and, without such waiver, this Lease would not have been entered into.

LESSEE HEREBY WAIVES ALL RIGHTS AND PROTECTIONS OTHERWISE AVAILABLE TO IT UNDER § 1542, HAVING HAD FULL OPPORTUNITY TO CONSULT WITH COUNSEL OF THEIR CHOOSING REGARDING THE MATTER.

Signed: _____
Name and Title: _____

7. **Section 28 “Compliance with Federal, State, and Local Laws”** shall be deleted in its entirety and replaced with the following:

Section 28 Special Provisions

- 28.1 Lessee hereby acknowledges that Lessee waives all rights to any form of relocation assistance provided for by local, state, or federal law to which Lessee may be entitled by reason of this Lease.
- 28.2 Lessee agrees to maintain the landscaped area within the City-owned parcel located at the corner of Lincoln Avenue and N. Fig Street. This will include maintenance of irrigation facilities.

8. **Section 29 “Right of First Offer” and all Paragraphs thereof** shall be deleted in its entirety and replaced with the following:

Section 29 Compliance with Federal, State, and Local Laws

It is the duty of the Lessee while operating under this Lease to comply with all local, state, and federal laws, and to indemnify City from any violation of any such law. Failure to comply with a provision of local, state, or federal law is grounds for the Lease Administrator’s immediate termination of this Lease.

9. **Section 30 “Amendment”** shall be deleted in its entirety and replaced with the following:

Section 30 Right of First Offer

- 30.1 In the event the City, in its sole discretion, should decide to sell the Premises during the Lease Term, City hereby grants to Lessee a right of first refusal to purchase the Premises as set forth in this Paragraph. The term of this right of first refusal commences on the date of this Lease and terminates on May 1, 2035. This right of first refusal is conditioned upon Lessee not being in default under this Lease.
- 30.2 Upon City’s decision to sell the Premises, the City will notify Lessee of its desire to sell the Premises. If Lessee intends to exercise its right of first refusal, it must deliver to the City written notice of its intention to purchase the Premises within

thirty (30) days after the receipt of the notice from the City of its decision to sell the Premises. If the Lessee does not notify the City within the thirty (30) days, Lessee is deemed to have waived its right of first refusal and the right of first refusal will terminate immediately. City may then proceed to sell the Premises free and clear of this right of first refusal.

- 30.3 If the Lessee delivers the written notice of its intent to purchase the Premises as described in Paragraph 30.2 of this Lease, then Lessee may purchase the Premises on the same terms and conditions of a bona fide offer to purchase the Premises from a party who is not affiliated with Lessee (“Third Party”), which the City is willing to accept and the value of which is supported by an independent appraiser (“Offer”). Upon receipt of an Offer, the City will send notice to the Lessee. If Lessee elects to exercise its right of first refusal, it shall do so by delivering to City written notice of its election to purchase the Premises on terms and conditions identical to those set forth in the Offer, within thirty (30) days after receipt of notice from the City. If the Lessee does not notify the City within the thirty (30) days, Lessee is deemed to have rejected the Offer and City may proceed to sell the Premises free and clear of this right of first refusal to the Third Party on the terms and conditions set forth in the Offer, or on terms that are better for the City, but not worse for the City.

- 10. Section 31 “Waiver”** shall be deleted in its entirety and replaced with the following:

Section 31 Amendment

This Lease may not be amended, modified, or supplemented except by a writing executed by both Parties.

- 11. A new Section 32 “Waiver”** shall be added to the Original Agreement and shall read as follows:

Section 32 Waiver

No waiver by a Party of any provision of this Lease shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision. The exercise by a Party of any right or remedy provided in this Lease or otherwise provided by law shall not prevent the exercise by that Party of any other remedy provided in this Lease or otherwise provided by law.

12. All other terms and conditions of the Original Agreement not referenced above shall remain unchanged and in full force and effect.

13. This First Amendment and the Original Agreement, together with any attachments thereto, constitute the entire understanding of the Parties, and there are no other terms or conditions, written or oral, controlling this matter.

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the Effective Date:

ESCONDIDO COMMUNITY CHILD DEVELOPMENT CENTER

Date: _____

By: _____
(Print Name/Title)

Date: _____

By: _____
(Print Name/Title)

CITY OF ESCONDIDO

Date: _____

Paul McNamara
Mayor

Approved as to Form:

Office of the City Attorney
Michael R. McGuinness, City Attorney

By: _____

CITY COUNCIL STAFF REPORT

Consent Item No. 8

April 8, 2020

File No. 0600-65

SUBJECT: Notice of Completion for KB Homes Lexington (SUB14-0002) Located at 615 Lehner Avenue (APN 235-20-304)

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-35 to approve and accept the Public Improvements and authorize staff to file a Notice of Completion (“NOC”) for SUB14-0002, Lehner Avenue, (APN 235-20-304) (“Project”).

FISCAL ANALYSIS:

The Developer, in accordance with the adopted fee schedule, pays for the cost for inspection and plan review.

PREVIOUS ACTION:

This Project was recommended for approval by the Planning Commission on March 24, 2015, as Resolution No. 6039, and approved by the City Council on April 22, 2015, as Resolution No. 2015-44, together with the Annexation, which was approved as Resolution No. 2015-45, and a Development Agreement approved as Ordinance No. 2015-10. On November 16, 2016, the City Council approved this Project as a 40-lot Residential Subdivision Final Map, located at 615 Lehner Avenue.

BACKGROUND:

Escondido Subdivision 14-0002 is a 40-lot residential subdivision located at 615 Lehner Avenue (see Attachment 1 – Vicinity Map). The Project includes the installation and construction of eight (8) fire hydrants, seven (7) pedestrian ramps, 30,680 square feet of sidewalk, 5,954 square feet of curb and gutter, 14 streetlights, 600 linear feet of storm drain, 1,136 linear feet of 12-inch water main, 1,583 linear feet of 8-inch water main, 40 water services, sewer, and three (3) bio-retention basins.

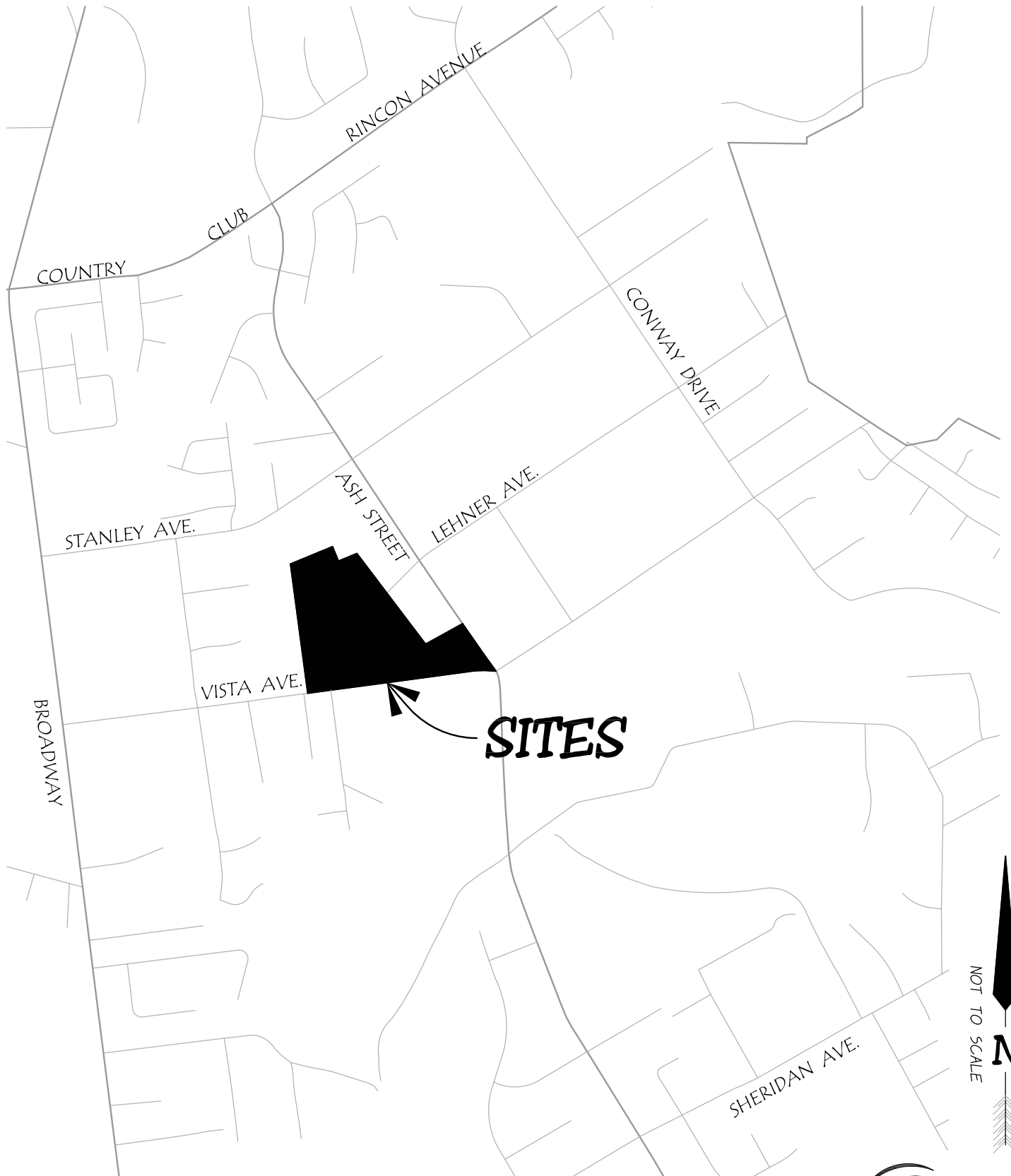
APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
4/2/20 8:51 a.m.

ATTACHMENTS:

1. Attachment 1 - Vicinity Map
2. Resolution No. 2020-35

KB HOMES LEXINGTON SUB 14 - 0002



NOTICE OF COMPLETION
CITY COUNCIL MEETING 04-01-2020



RESOLUTION NO. 2020-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE CITY ENGINEER, ON BEHALF OF THE CITY, TO FILE A NOTICE OF COMPLETION FOR KB HOMES LEXINGTON SUBDIVISION (SUB14-0002)

WHEREAS, on April 22, 2015, the City Council adopted Resolution No. 2015-44, approving the KB Homes Lexington, SUB14-0002 (“Project”), addressed as 615 Lehner Avenue (APN 235-20-304), a forty-lot residential subdivision; and

WHEREAS, on April 22, 2015, the City Council adopted Resolution No. 2009-109, approving Annexation for the Project; and

WHEREAS, on April 22, 2015, the City Council adopted Ordinance No. 2015-10, approving the Development Agreement for the Project; and

WHEREAS, on November 16, 2016, the City Council approved the Final Map for the Project; and

WHEREAS, Pacific Land Investors, LLC, is the Developer for the Project addressed as 615 Lehner Avenue (APN 235-20-304); and

WHEREAS, the City of Escondido (“City”) staff and the City Engineer deems the filing of the Notice of Completion (“NOC”) to be valid and recommends approval; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve the filing of the NOC.

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 City Engineer.
3. That the City Council hereby approves the request to file a NOC for the
Project.

CITY COUNCIL STAFF REPORT

Consent Item No. 9

April 8, 2020

File No. 1020-05

SUBJECT: Adoption of the Fiscal Year 2020/21 Road Maintenance and Rehabilitation Account Project List

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-39 approving the list of streets proposed to be completed with Fiscal Year (FY) 2020/21 Road Maintenance and Rehabilitation Account ("RMRA") funding.

FISCAL ANALYSIS:

There is no fiscal impact associated with this action. The City of Escondido ("City") is required to submit a City Council approved the FY 20/21 Street Maintenance and Rehabilitation Project List in order to receive RMRA funding for use on approved projects. Approved streets will be included in the FY 20/21 Street Rehabilitation and Maintenance Project.

BACKGROUND:

On April 28, 2017, the Governor signed Senate Bill ("SB") 1, known as the Road Repair and Accountability Act of 2017. Prior to May 1 of each year, the City is required to provide the California Transportation Commission ("CTC") the draft list of projects, project locations, and the type of work proposed for RMRA funding. RMRA funding is proposed for rehabilitating and surface treatment of streets as a part of the City's Annual Street Rehabilitation and Maintenance Project. The proposed list of streets to receive treatment is included as Exhibit "A" of Resolution No. 2020-39. The City may modify the list of streets. Any modifications to the street list will be reported to the CTC after City Council authorizes the Notice of Completion for the FY 20/21 Street Maintenance and Rehabilitation Project.

The City's Annual Street Rehabilitation and Maintenance Project focuses on residential street resurfacing within one (1) of eight (8) zones per year. The rotation between zones was established in 2014, and is based on the lowest average Pavement Condition Index ("PCI"). Since the program's inception, five (5) zones have been treated. Based on average PCI, the focus for 2020 is the North West zone, located north of State Route 78, and west of Broadway. The list of streets includes several Collector and higher classified streets within this year's zone, including portions of Centre City Parkway, Country Club Lane, El Norte Parkway, Nutmeg Street, Rock Springs Road, and Valley

FY 2020/21 Road Maintenance Rehabilitation Account (RMRA) Project List
April 8, 2020
Page 2

Parkway. In addition, many residential streets within this year's zone will be treated, along with resurfacing of collector and major streets throughout the City based on condition.

The final list of streets to be treated will be determined after staff completes a detailed analysis of each street, bids are received later this summer, and the City Council approves the FY20/21 Street Maintenance and Rehabilitation Project.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
4/2/20 8:51 a.m.

ATTACHMENTS:

1. Resolution No. 2020-39
2. Resolution No. 2020-39 Exhibit "A" FY 20/21 Road Maintenance Rehabilitation Account ("RMRA") Project List

RESOLUTION NO. 2020-39

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING THE FISCAL YEAR 2020-21 ROAD
MAINTENANCE AND REHABILITATION
ACCOUNT PROJECT LIST

WHEREAS, Senate Bill 1 (“SB 1”), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of the City of Escondido (“City”) are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (“RMRA”), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$3,630,005 in RMRA funding in Fiscal Year 2020-21 from SB 1; and

WHEREAS, this is the fourth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging street improvements, providing bike

lane facilities, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone an extensive process to review each City street, create and prioritize eight Maintenance Zones within the City, and use submitted input from the community to ensure the community's transportation priorities are being addressed; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used to treat the highest-priority streets using a cost-effective Maintenance Zone approach for residential street rehabilitation and maintenance projects that meet the City's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City complete annual street rehabilitation and maintenance of multiple streets/roads throughout the City this year and complete similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in "fair/at-risk" condition and this revenue will help it increase the overall Pavement Condition Index ("PCI") of the City road system, and over the next decade will bring City streets and roads into a "good" condition; and

WHEREAS, the Road Maintenance and Rehabilitation Account Project List, and overall investment in local streets and roads infrastructure with a focus on safety, accessibility, bike facilities, maintenance, and upgraded signal facilities, and by investing in City street infrastructure, and using available technology, materials and practices, will have significant and positive co-benefits statewide.

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

1. That the above recitations are true.
2. The Fiscal Year 2020-21 SB list of projects to be completed with Road Maintenance and Rehabilitation Account revenues are shown in Exhibit "A", which is attached to this Resolution and incorporated by this reference.

Road Maintenance and Rehabilitation Account (RMRA)

FY 20/21 Project List

FY 2020/21 Street Rehabilitation and Maintenance Project

The City has elected to use Road Maintenance and Rehabilitation Account (RMRA) funding on this project. This annual project rehabilitates street and sidewalk areas that are in the poorest condition within the City. A majority of this project will take place in the western part of the City. As part of this project RMRA funds will be used to remove and replace pavement in very poor condition along the following streets:

Collector and Above Classified Streets

CENTRE CITY PARKWAY from COUNTRY CLUB LN to I-15 SB OFF RAMP
CENTRE CITY PARKWAY from EL NORTE PKWY to SR 78 WB
CENTRE CITY PARKWAY from EL NORTE PKWY to IRIS LN
CENTRE CITY PARKWAY from IRIS LN to COUNTRY CLUB LN
CENTRE CITY PARKWAY from I-15 SB OFF RAMP to NUTMEG ST
COUNTRY CLUB LANE from EL NORTE PKWY to GOLDEN CIRCLE DR
COUNTRY CLUB LANE from GARY LANE to GOLDEN CIRCLE DRIVE
COUNTRY CLUB LANE from NUTMEG ST to GARY LN
COUNTRY CLUB LANE from CENTRE CITY PKWY to NUTMEG ST
COUNTRY CLUB LANE from BROADWAY to CENTRE CITY PKWY
EL NORTE PARKWAY from COUNTRY CLUB LN to WOODLAND PKWY
EL NORTE PARKWAY from BENNETT AVE to COUNTRY CLUB LN
EL NORTE PARKWAY from REES RD to BENNETT AVE
EL NORTE PARKWAY from SEVEN OAKES RD to NORDAHL RD
EL NORTE PARKWAY from IRIS LN to SEVEN OAKES RD
EL NORTE PARKWAY from CENTRE CITY PKWY to IRIS LN
EL NORTE PARKWAY from BROADWAY to CENTRE CITY PKWY
NUTMEG STREET from COUNTRY CLUB LANE to NUTMEG CIRCLE
NUTMEG STREET from HAWAII PL to COUNTRY CLUB LANE
NUTMEG STREET from I-15 SB to CITY LIMIT (SOUTH)
NUTMEG STREET from CENTRE CITY PARKWAY to I-15 SB
NUTMEG STREET from NUTMEG CIR to CITY LIMITS (S)
ROCK SPRINGS ROAD from HAGEN OAKES CT to SR 78 WB
VALLEY PARKWAY from FIG STREET TO DATE ST
VALLEY PARKWAY from 11TH AVE to CITRACADO PARKWAY

Residential Streets

AMBER LANE from VILLAGE ROAD to END
ATHENS PLACE from GEM LANE to END
AVENIDA DE AQUACATE STREET from GARY LANE to END
AVOCADO AVENUE from LINCOLN AVENUE to BORDEN ROAD
BARBARA DRIVE from GOLDEN CIRCLE DRIVE to END
BENNETT AVENUE from EL NORTE PARKWAY to WOODBRIDGE ROAD
BERNEY PLACE from WOODBRIDGE ROAD to END
BITTERSWEET STREET from MARIPOSA PLACE to END
BLUERIDGE PLACE from EASTRIDGE LANE to END
BOLERORIDGE PLACE from IRIS LANE to END W
BOLERORIDGE PLACE from IRIS LANE to END E
BORDEN ROAD from BOURBON RD to N AND S TO ENDS
BOURBON ROAD from BORDEN ROAD to EL NORTE PARKWAY
BURLINGTON PLACE from PINEHURST AVENUE to END
CALLE REDONDA LANE from GARY LANE to GARY LANE
CAMINO DRIVE from GARY LANE to END
CARAWAY STREET from COUNTRY CLUB LANE to END S
CARAWAY STREET from COUNTRY CLUB LANE to END N
CHEROKEE LANE from COUNTRY CLUB LANE to END
CHESHIRE WAY from WOODBRIDGE ROAD to HAROLD ROAD
COTTONWOOD PLACE from PINEHURST AVENUE to END
DANCER COURT from WOODLAND PKWY to DANCER PL
DANCER PLACE from DANCER CT to N AND S TO ENDS
DAVID DRIVE from GARY LANE to END E
DAVID DRIVE from GARY LANE to END W
DEODAR ROAD from ROCK SPRINGS ROAD to END N
EASTRIDGE LANE from IRIS LANE to COUNTRY CLUB LANE
EDEN PLACE from LINCOLN AVENUE to END
EDGEBROOK PLACE from HAROLD ROAD to END
EL AIRE PLACE from EL CIELO LANE to END
EL CALOR LANE from REES ROAD to LA MANZANA LANE
EL CIELO LANE from LAS PALMAS LANE to LA MANZANA LANE
EL ROSAL PLACE from LOS CEDROS LANE to END
EMOGENE PLACE from RUBY ROAD to END

FELICE DRIVE from GOLDEN CIRCLE DRIVE to PAMELA LANE
FIRESTONE DRIVE from COUNTRY CLUB LANE to WOODBRIDGE ROAD
FLINTRIDGE PLACE from AMBER LANE to END
FOOTHILL VIEW PLACE from FOOTHILL VIEW WAY to END S
FOOTHILL VIEW WAY from WOODLAND PARKWAY to FOOTHILL VIEW PLACE
FOUNTAIN PLACE from NUTMEG STREET to END
FOXFIRE COURT from FOXFIRE PL to END
FOXFIRE PLACE from FIRESTONE DRIVE to END
FUERTE LANE from GARY LANE to CAMINO DRIVE
GARY LANE from COUNTRY CLUB LANE to NUTMEG STREET
GEM LANE from ROCKHOFF ROAD to END
HAGEN OAKES COURT from ROCK SPRINGS RD to END
HAROLD ROAD from SUNBURY ST to END
HAWAII PLACE from NUTMEG STREET to END
HOMESTEAD PLACE from SEVEN OAKES ROAD to END
IRIS LANE from COUNTRY CLUB LANE to END N
JANA PLACE from VIA ALEXANDRA to END
JUDITH PLACE from RUBY ROAD to END
KATY PLACE from EL NORTE PARKWAY to END
KRYSTAL PLACE from BENNETT AVE to END
LA BREA STREET from CORTEZ AVENUE to COUNTRY CLUB DRIVE
LA HABRA STREET from LA PALOMA AVENUE to LA MIRADA AVENUE
LA MANZANA LANE from EL CIELO LANE to END
LA MIRADA AVENUE from LA HABRA STREET to LA MIRADA WAY
LA MIRADA WAY from LA MIRADA AVENUE to PORTOLA AVENUE
LA PALOMA AVENUE from NUTMEG STREET to LA HABRA STREET
LAS PALMAS LANE from EL NORTE PARKWAY to LOS CEDROS LANE
LAS VILLAS WAY from EL NORTE PARKWAY to CENTRE CITY PARKWAY
LEO COURT from NUTMEG STREET to END
LINCOLN AVENUE from ESCONDIDO BOULEVARD to END
LOCHRIDGE PLACE from SKYRIDGE LN to END
LOCHRIDGE PLACE from END to SKYRIDGE LN
LORRAINE PLACE from COUNTRY CLUB LANE to END
LOS CEDROS LANE from LAS PALMAS LANE to END

MARIPOSA PLACE from CARAWAY STREET to END
MEMORY LANE from NUTMEG STREET to END
METCALF PLACE from METCALF STREET to END
METCALF STREET from LINCOLN AVENUE to METCALF GLN
MONTEGO AVENUE from COUNTRY CLUB LANE to END
NUTMEG CIRCLE from NUTMEG STREET to END E
OAKRIDGE PLACE from SKYRIDGE LANE to END
PAMELA LANE from GOLDEN CIRCLE DRIVE to END N
PINEHURST AVENUE from SUNBURY STREET to FIRESTONE DRIVE
PORTOLA AVENUE from LA MIRADA WAY to LA BREA STREET
PORTOLA AVENUE from LA HABRA ST to LA MIRADA WY
QUAIL ROAD from JESMOND DENE RD to CITY LIMIT (N)
QUAIL ROAD from LA PRADERA LN to CITY LIMIT
RAINTREE PLACE from VILLAGE ROAD to END N
REES ROAD from EL NORTE PARKWAY to END N
RICHLAND ROAD from TRES RANCHO LN to TWAIN CT
ROSEMARY COURT from EL NORTE PARKWAY to RUBY ROAD
RUBY ROAD from COUNTRY CLUB LANE to EMOGENE PLACE
SALLY PLACE from RUBY ROAD to END
SKYRIDGE LANE from IRIS LANE to AMBER LANE
SONIA PLACE from VIA ALEXANDRA to END
SUGARLOAF DRIVE from SEVEN OAKES ROAD to HOMESTEAD PLACE
SUNBURY STREET from COUNTRY CLUB LANE to HAROLD ROAD
SUNRIDGE PLACE from EASTRIDGE LANE to END
TAWNY PLACE from PINRHURST AVENUE to END
TURTLE DOVE LANE from NUTMEG STREET to END
VALLEY VIEW PLACE from SKYRIDGE LANE to END
VERA LANE from DAVID DRIVE to END
VIA ALEXANDRA from NUTMEG STREET to END
VIEWRIDGE PLACE from SKYRIDGE LN to END
VIEWRIDGE PLACE from SKYRIDGE LN to END
WESTWOOD PLACE from LA BREA STREET to END
WILDFLOWER PLACE from AMBER LANE to END
WOODBIDGE ROAD from FIRESTONE DRIVE to CHESIRE WAY
WOODLAND PARKWAY from EL NORTE PARKWAY to CALLE MARIA

WOODSIDE PLACE from AMBER LANE to END

These segments of roadway were selected because of the high volumes of daily traffic, isolated elements in need of repair, or the average pavement condition for these streets is well below the City's program goals.

The City anticipates starting this project in 2020 and completing the project before the end of Fiscal Year 20/21.

Work completed as part of this project has an Estimated Useful Life between 7 and 15 years for the various treatments, with the potential to exceed that timeline with proper, on-going scheduled maintenance.

CITY COUNCIL STAFF REPORT

Consent Item No. 10

April 8, 2020

File No. 0850-20

SUBJECT: Request to Initiate an Annexation and the Preparation of a Specific Plan for Solaris Business Park.

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council review and receive the request to initiate an annexation and the preparation of a specific plan for the Solaris Business Park, and authorize the filing of the application.

PROJECT DESCRIPTION:

Planning division staff received a letter of intent from Jim Whalen, of J. Whalen Associates, Inc., to initiate the process of an annexation and a specific plan on a 29.86-acre site off of Country Club Lane, near the new Palomar Health Hospital campus. The site lies outside of and adjacent to the western portion of Escondido's ("City") incorporated limits. The request from J. Whalen Associates, Inc. reflects an intent to process a medical office and industrial/office development proposal, called Solaris Business Park, consisting of approximately seven (7) buildings ranging from 40,000 to 100,000 square feet.

Because the annexation process is attaching new property to the incorporated City, the subject annexation request will likely include other contiguous county lands to facilitate the logical and orderly expansion of the City. If the annexation request is to be processed as a formal application, the applicant will survey and assess interest by the adjoining property owners. At that time, staff would contact possible interested property owners to gauge their interest in consenting to the annexation, and would invite them to join the application as consenting properties.

The City Council is being asked to determine whether or not to authorize an application to amend the jurisdictional boundary of the City. Authorizing this request does not have a legally binding effect on any possible future discretionary action. This direction does not reflect whether the City Council would ultimately approve the annexation or the project. The City Council's formal action on the annexation and project, would be taken in the future at a public hearing with a recommendation from the Planning Commission.

FISCAL ANALYSIS:

There are no direct fiscal implications associated with this report. The cost associated with the preparation of the report is included within the Community Development Department budget. If authorized by the City Council, the proposed annexation and project would be a private development that will require the payment of fees in effect at the time permits are requested. The estimated

resources and time for processing an annexation application will vary depending on the complexity and/or issues associated with the change and level of required environmental review.

Future development of the project would require sewer and water extensions and the installation of significant new infrastructure to serve the project. While the applicant would be responsible for constructing the improvements, the City would be responsible for long-term maintenance. And the collection of development impact fees for new development would help offset some of the financial impacts for the provision of other City services. Although the project is anticipated to consist of a significant amount of employment land, it is unknown whether the increase in tax revenue from the annexation and the collection of development fees would offset the City's costs of providing and maintaining services in the area. It is expected that a fiscal impact analysis would be submitted concurrently with the annexation application should it be initiated.

ENVIRONMENTAL REVIEW:

The review and consideration of the privately-initiated annexation request does not create or alter policy. The content is provided for informational purposes only, with direction to staff to continue administrative activities, and is exempt from the requirements of the California Environmental Quality Act ("CEQA") per Guidelines Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. In accordance with CEQA, all annexation requests are required to have an environmental assessment to determine potential environmental impacts, if any. Public input received and technical information prepared during the process will be utilized in preparing an environmental document to analyze the possible effects of the annexation and the project, if formally submitted. General direction received from the City Council on matters pertaining to the annexation and the project does not have a legally binding effect on any possible future discretionary action.

BACKGROUND AND ANALYSIS:

Under current policy, a property owner may petition for annexation by filing a formal request with the Planning Division and the planning staff schedules a review of the letter at a City Council meeting. The City Council considers the request and determines whether to allow application in-take for processing. If the letter of intent is accepted for processing as a formal annexation, the interested parties will be advised to submit formal applications with the City's Planning Division, which will include initial environmental documentation, submittal of deposits for processing, etc. Following receipt of a complete application, staff from various City departments will analyze the annexation and project request and provide initial recommendations relative to any conditions that may be attached to approving the application. After staff review of the annexation and project request, a public notice is published in the newspaper and notices are mailed to interested parties and those parties within a minimum of 500 feet radius of the property boundaries. The City also maintains an electronic notification service that allows interested parties to receive public announcements through the City's constant contact notification system. The public notices would include the time of the Planning Commission review and consideration of the annexation and project request. Following the hearing

by the Planning Commission, the Planning Commission recommendation is transmitted to the City Council at a noticed public hearing. The City Council would consider the request and adopt a resolution to approve or deny the annexation and project. Unlike other land use development applications, local approval of an annexation request does not automatically render a final decision. Proposals for an annexation are subject to review and approval of a Local Agency Formation Commission (“LAFCO”), which operates under State law to oversee changes to the boundaries of cities and special districts. The LAFCO process occurs after City Council approval.

A letter of intent was submitted to be considered to initiate an annexation and preparation of a specific plan on a 29.86-acre site off of Country Club Lane. The letter provides additional information on the intent of the application (Attachment 1). The properties proposed for inclusion into the annexation are currently under a SPA#8 General Plan designation. The SPA#8 designation, referred to as the “Escondido Research Technology Center,” applies to approximately 476 gross acres on the western side of the community along Citracado Parkway between Auto Park Way and Avenida del Diablo. The guiding principles of this designation is to facilitate the development of a high quality business park, encourage clean research and development, and to facilitate medical offices and industrial park uses to expand the City’s employment base. Currently, the Escondido Research and Technology Center Specific Plan and Harmony Grove Industrial Park Specific Plan, which are included in the SPA#8, established standards and guidelines for 186 acres and 15 acres, respectively. Both specific plans include employment land uses on lots ranging from approximately 1-40 acres. The remaining properties within the SPA#8 require approval of a specific plan to establish development standards and guidelines to ensure that future development achieves the desired SPA#8 objectives. Future development of the Project, as described in the request, seems to be consistent with the use requirements contained within the adopted General Plan guidelines.

Planning staff has met with the applicant to discuss some preliminary issues related to the feasibility of the request, the history of similar proposals, the intent of City policy, possible environmental concerns, and the required submittal data and procedures to be followed through the process. It is expected that the City’s work effort across multiple departments will be quite extensive should the City Council initiate the applicant’s request for in-take processing. This would likely include the preparation of an environmental review document, review and input into multiple technical, engineering and financial feasibility studies, negotiation of Development Agreement terms, coordination with multiple outside agencies, and review of project entitlement plans and any other pertinent information. With the number and complexity of issues associated with the request, it is highly likely that a multi-year processing timeframe is expected.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
4/2/20 9:01 a.m.

Mike Strong, Assistant Director of Planning
4/1/20 6:50 p.m.

ATTACHMENTS:

1. Attachment 1 – Applicant Initiation Request Letter



Balancing the needs of the environment with those of business

March 13, 2020

Mike Strong
Assistant Planning Director
City of Escondido
City Hall, First Floor
201 North Broadway
Escondido, CA 92025

1660 Hotel Circle North
Suite 725
San Diego, California
92108-2820
619.683.5544
619.683.5585 FAX
www.jwhalen.net

RE: Annexation of the Solaris Business Park to the City of Escondido

Dear Mr. Strong:

This firm represents the Hamann Company who owns approximately 41.3 acres in the southwest of the City of Escondido.

The purpose of this letter is to request that the City initiate annexation of approximately 50 acres of property in the southwest corner of the City's existing General Plan, including parcels within the City's Sphere of Influence. A map of the targeted annexation properties is attached as Exhibit A and the properties are identified and described below.

Identification and Description of the Properties to be Annexed:

The proposed annexation area (see attached map, Exhibit A) includes seven Hamann-owned properties:

- | | |
|---------------|---------------|
| 228-400-23-00 | 228-400-14-00 |
| 228-400-22-00 | 228-400-06-00 |
| 228-400-16-00 | 232-030-15-00 |
| 232-400-15-00 | |

The property includes slopes ranging 0-35%. The property is currently undeveloped but cleared land. Preliminary site preparation occurred over the last year under the terms of an approved grading permit (PDS2013-LDGRMJ-00015) issued by the County of San Diego.

Hamann is currently preparing an amendment to the Escondido Research & Technology Center (ERTC) Specific Plan, with the intention of processing an application for the approval of a business park to complement the adjacent hospital complex and associated businesses. The

proposed Specific Plan amendment is consistent with the properties' current General Plan designation and would accommodate such business park. The intent is to develop the property for business and industrial use, within the topographical and environmental characteristics of the land.

Other Privately-Owned Properties:

228-400-02-00	228-400-10-00
228-400-03-00	228-400-18-00
228-400-04-00	228-400-19-00
228-400-05-00	228-400-21-00
228-400-07-00	228-400-20-00
228-400-08-00	232-030-01-00
228-400-09-00	

On June 21, 2019, we mailed a letter to each of the above property owners explaining the annexation and how it might affect their properties. The letter included a map of their property in relation to the proposed annexation area. Escondido planning staff received copies of the letter when it was sent.

The letter included a consent letter to be returned to my office within three weeks, on or before July 15th, indicating whether or not they were interested in being included in the annexation. The letter explained that if they did not respond by July 15th, it would be understood that the property owner was not interested annexing to Escondido.

As of the date of this letter, the following property owners have returned a signed form consenting to their property being included in the proposed annexation: Melodie Daniels (228-400-02-00) and Mrs. Kelly Parkinson (232-030-01-00)

The Annexation:

Meeting with City staff, one area that remains unanswered is whether existing city facilities, services and infrastructure are able to be extended within Country Club Drive through the proposed annexation area. The Hamann company understands the need for technical studies to further evaluate this issue and that the ultimate annexation configuration may be dependent on the outcome of these studies. We also understand that the costs associated with evaluating all properties, including the neighboring properties within the sphere of influence, will be proponents' responsibility.

The Hamann Company is seeking to complete longstanding development plans for their property. Annexation will provide the City with a number


of favorable opportunities. Annexation will: (1) increase the City's non-residential tax base with attendant lower operating costs relative to tax revenues; (2) increase in local jobs thus assisting the City in its jobs/housing balance; (3) provide an extension of sewer with attendant increased City revenues; and (4) provide another fire evacuation route for the hospital.

Attached as Exhibit B is a selection of Hamann Building Product Examples, including such notable landmarks as Stone Brewing Company.

If you have any questions or concerns, please do not hesitate to contact me.

With respect,

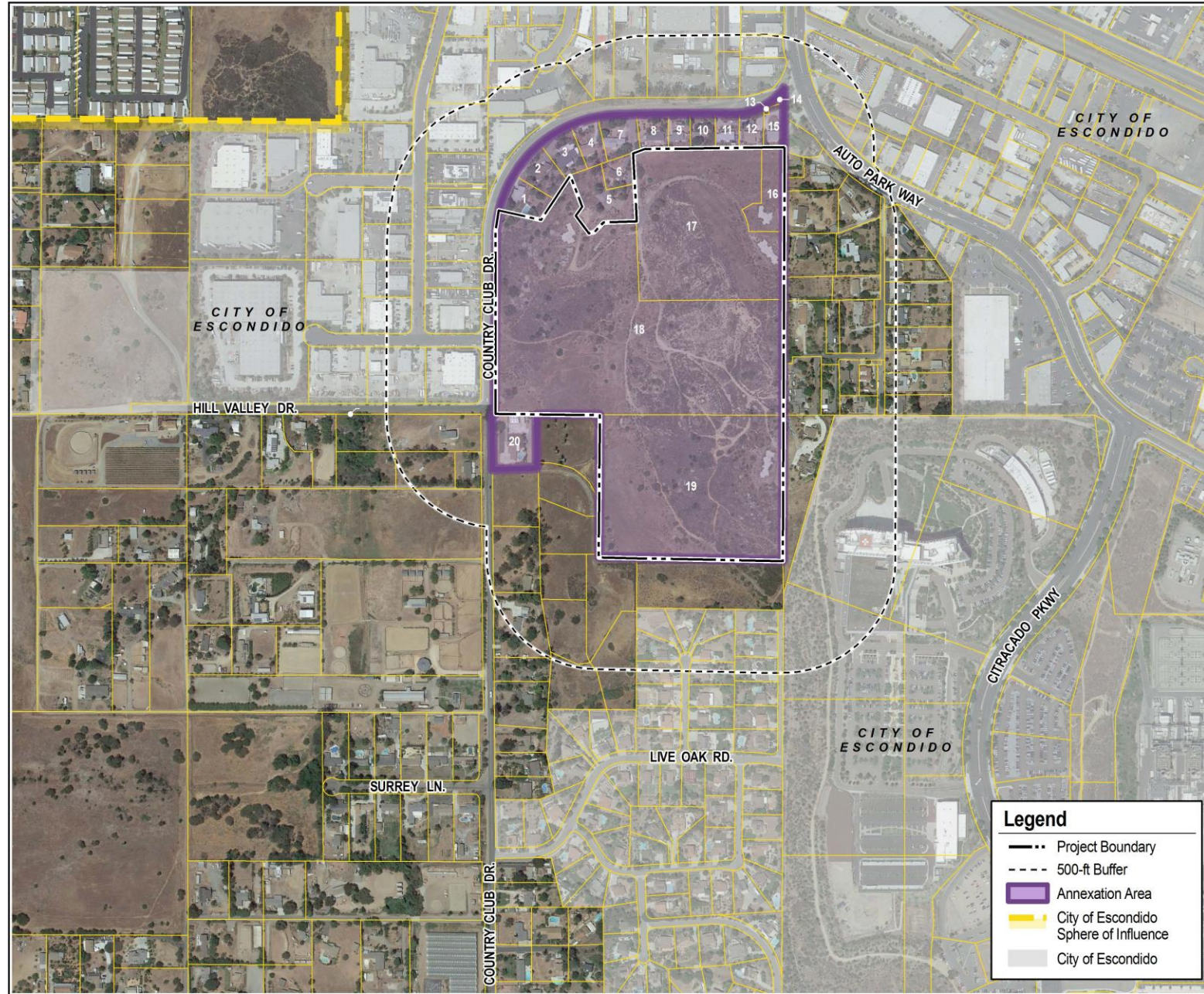
J. Whalen Associates, Inc.,
a California corporation



By: James E Whalen
President

Attachments

Exhibit A



Map ID	APN
1	228-400-02-00
2	228-400-03-00
3	228-400-04-00
4	228-400-05-00
5	228-400-15-00
6	228-400-14-00
7	228-400-06-00
8	228-400-07-00
9	228-400-08-00
10	228-400-09-00
11	228-400-10-00
12	228-400-18-00
13	228-400-19-00
14	228-400-21-00
15	228-400-20-00
16	228-400-23-00
17	228-400-22-00
18	228-400-16-00
19	232-030-15-00
20	232-030-01-00

Legend

- Project Boundary
- 500-ft Buffer
- Annexation Area
- City of Escondido Sphere of Influence
- City of Escondido

Exhibit B – Hamann Building Product Examples



Wilco



Vision Systems



Stone Brewery



Exhibit B – Hamann Building Product Examples



Exhibit B – Hamann Building Product Examples



Exhibit B – Hamann Building Product Examples



CITY COUNCIL STAFF REPORT

Consent Item No. 11

April 8, 2020

File No. 0875-70

SUBJECT: SB 2 Contract Awards and Kick-off of the Housing and Community Investment Study.

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is request that the City Council adopt Resolution No. 2020-43 authorizing the City Manager:

1. To refine the scope of work each respective consultant provided herein to achieve the project goals and provide for coordinated public engagement between the Housing Element Update, Sector Feasibility Study, and East Valley Specific Plan;
2. To enter into an agreement for professional services with Veronica Tam and Associates, Inc. to undertake the Housing Element Update;
3. To enter into an agreement for professional services with Keyser Marston Associates, Inc. to undertake the Sector Feasibility Study; and
4. To enter into an agreement for professional services with Rick Engineering to prepare the East Valley Specific Plan.

PROJECT DESCRIPTION:

The City of Escondido ("City") was awarded grant funding to develop three different housing plans/studies: 1) a Housing Element Update, 2) a Sector Feasibility Study, and 3) a specific plan for the East Valley Target Area. These three housing studies and plans will be linked together, through a common work program theme, called the "Housing and Community Investment Study." The Housing and Community Investment Study directly explores the link between safe, decent, and attainable housing and community investment opportunities. The purpose of this report is to advise on the results of the Request for Proposals ("RFPs") and seek authorization for contract awards.

FISCAL ANALYSIS:

There are no direct fiscal implications associated with this report. The cost associated with the preparation of the report is included within the Community Development Department budget. The State Department of Housing and Community Development awarded the City \$310,000 through a Senate Bill ("SB") 2 Planning Grant. City Council accepted the grant funds on March 4, 2020. Therefore, funding for the Housing and Community Investment Study, including the award of contract for planning services, is included in the adopted budget.

PREVIOUS ACTION:

On October 9, 2019, the City Council approved Resolution No. 2019-156 and authorized the filing of a SB 2 Planning Grant. On March 4, 2020, the City Council accepted the grant funds and completed a budget adjustment to appropriate funding to the Housing and Community Investment Study work program.

ENVIRONMENTAL REVIEW:

The action before the City Council is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. This item involves awarding contracts. Public input received and technical information prepared during the process will be utilized in preparing an environmental document to analyze the possible effects of the Housing and Community Investment Study. General direction received from the City Council on matters pertaining to the contract award does not have a legally binding effect on any possible future discretionary action.

BACKGROUND AND ANALYSIS:

The Housing and Community Investment Study is a coordination of related studies intended to identify a comprehensive vision for maintaining, preserving, and developing housing to address Escondido's quality of life needs. The Housing and Community Investment Study includes the following components.

- **Housing Element Update.** The Housing Element portion of the General Plan identifies housing needs and establishes clear goals and objectives to inform future housing decisions, including how best to accommodate population growth.
- **Sector Feasibility Study.** The Sector Feasibility Study explores all the direct and indirect costs associated with new construction to better understand market conditions and patterns of housing and community development policy.
- **The East Valley Specific Plan.** The East Valley Specific Plan will be a comprehensive planning and zoning document to streamline housing opportunities for a defined geographic area of the city, located just east of the former, downtown hospital site.

Based on the City Council's direction, on March 5, 2020, the City released three separate RFPs for completing these three studies and plans, consistent with the City's practices and standards. For more information about how the procurement process was initiated, please refer to the March 4, 2020, City Council staff report. The deadline to submit proposals was March 27, 2020. The City received a total of thirteen proposals, as outlined below:

Firm Name (Prime, Abbrev.)	Housing Element Update	Sector Feasibility Study	East Valley Specific Plan
De Novo	\$135,000	\$45,000	\$140,000
VT&A	\$118,000	---	---
RSG	---	\$45,000	---
KMA	---	\$45,000	---
AECOM	---	\$44,940	---
London Moeder	---	\$45,000	---
Kosmont	---	\$44,915	---
Natelson Dale	---	\$42,500	---
Moule and Polyzoides	---	---	\$142,560
RRM	---	---	\$140,000
KTGY	---	---	\$140,000
Rick Engineering	---	---	\$139,965
MW Steele	---	---	\$140,000

Proposals for each study or plan were evaluated independently in accordance with the RFP evaluation and selection process. Using the evaluation criteria specified in the RFP, six members from the Planning Division and one staff representative from the Housing Division proceeded with the technical and financial evaluation stages of each proposal. Based on a review of the written materials, City staff determined that VT&A (“Veronica Tam and Associates, Inc.”), KMA (“Keyser Marston and Associates”), and Rick Engineering provide the best overall value and best meets the needs of the City for undertaking the Housing Community Investment Study. Each of these firms have demonstrated experience in all the areas necessary to successfully complete the Housing and Community Investment Study, including project management expertise. They are supported by a range of required professional staff and have established an organizational structure to manage these studies and plans. The proposals from the three firms are provided as exhibits to the attached Resolution. In accordance with the RFP evaluation and selection process, financial comparisons and staff analysis of the evaluation results can be provided if requested by the City Council or the public.

The total contract award for the three studies and plans as recommended, results in a total fee estimate of \$302,965. If approved by the City Council as set to form by each proposal, approximately \$7,035 would not be contractually assigned. It would be uneconomical to set aside and not utilize these funds. Because of COVID-19, the coronavirus pandemic, the amount and types of outreach dedicated to the Housing and Community Investment Study will need to be monitored for its effectiveness. As of this writing, it is anticipated that more innovative and technology-based platforms may be required to reach the City’s residents and businesses and provide input opportunities that can be accessed from the comfort of one’s home or business. Because of this concern, City staff’s recommendation is to allocate an additional \$7,035 to the Rick Engineering contract budget, as contingency funds for outreach related activities. Rick Engineering is best equipped to coordinate

additional engagement activities beyond their scoped services. As set forth in the Resolution, the contract authority resulting from this procurement would authorize the City Manager to execute change order without contract amendment, up to the full grant amount.

Coordinating public engagement among the three studies and plans is an important approach to obtaining effective and broad engagement. Following contract award, and before executing an agreement and issuing the Notice to Proceed with the selected consultant(s), the scope of work would be refined and public engagement tasks between the three studies would be finalized in a coordinated manner. It is anticipated that a Final Public Participation Plan would be prepared and presented to the City Council at a future meeting after contract execution.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
4/2/20 9:01 a.m.

Mike Strong, Assistant Director of Planning
4/2/20 9:11 a.m.

ATTACHMENTS:

1. Resolution No. 2020-43
2. Resolution No. 2020-43 - Exhibits "A," "B," and "C"

RESOLUTION NO. 2020-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE, ON BEHALF OF THE CITY, A CONSULTING AGREEMENT WITH VERONICA TAM AND ASSOCIATES, INC., KEYSER MARSTON AND ASSOCIATES, AND RICK ENGINEERING TO UNDERTAKE VARIOUS STUDIES AND PLANS RELATED TO THE HOUSING AND COMMUNITY INVESTMENT STUDY

WHEREAS, on October 9, 2019, the City Council approved Resolution No. 2019-156, authorizing the submittal for a Senate Bill (“SB”) 2 Planning Grant application to support planning efforts and increase the supply and affordability of homes in Escondido, and complete grant documents on behalf of the City of Escondido (“City”); and

WHEREAS, on March 4, 2020, the City Council accepted the grant funds and completed a budget adjustment and appropriation of the SB 2 Planning Grant funding of \$310,000 in order to develop the Housing and Community Investment Study; and

WHEREAS, on March 4, 2020, the City Council authorized the release of the request for proposals (“RFPs”) and provided staff direction on the preliminary approach to inform and engage the public, as the City updates its future housing policies;

WHEREAS, the City participated in a bidding and evaluation process of competitive quotes or proposals to search for the qualified consulting firm(s) that would provide the best price, best quality, delivery time, and other factors deemed advantageous to the City. City staff released the RFPs on March 5, 2020. The deadline to submit proposals was March 27, 2020. After receiving the proposals from qualified

consultants, City staff deemed Veronica Tam and Associates, Inc., Keyser Marston and Associates, and Rick Engineering as the most qualified for these assignments; and

WHEREAS, the Director of Community Development recommends the execution of a Consulting Agreement (“Agreement”) with the three aforementioned firms to perform services to prepare a Housing and Community Investment Study, which involves the preparation of a Housing Element Update, Sector Feasibility Study, and to prepare an East Valley Specific Plan.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the City Council of the City of Escondido does, hereby:

1. That the above recitations are true.
2. Authorize the City Manager to enter into an Agreement for professional services with Veronica Tam and Associates, Inc. to undertake the Housing Element Update for a not-to-exceed fee amount of \$118,000, in accordance with the Scope of Work identified as Exhibit “A,” attached to this Resolution and incorporated by this reference.
3. Authorize the City Manager to enter into an Agreement for professional services with Keyser Marston Associates, Inc. to undertake the Sector Feasibility Study for a not-to-exceed fee amount of \$45,000, in accordance with the Scope of Work identified as Exhibit “B,” attached to this Resolution and incorporated by this reference.
4. Authorize the City Manager to enter into an Agreement for professional services with Rick Engineering to prepare East Valley Specific Plan for a not-to-exceed fee amount of \$147,000, in accordance with the Scope of Work identified as Exhibit “C,” attached to this Resolution and incorporated by this reference.

5. Authorize the City Manager to refine the scope of work each respective consultant provided herein to achieve the project goals and provide for coordinated public engagement between the Housing Element Update, Sector Feasibility Study, and East Valley Specific Plan.



CITY OF ESCONDIDO
CONSULTING AGREEMENT

This Agreement is made this 8th day of April, 2020.

Between: CITY OF ESCONDIDO
a Municipal Corporation
201 N. Broadway
Escondido, California 92025
Attn: Bill Martin, Dir. of Community Development
("CITY")

And: Veronica Tam and Associates, Inc.
107 S. Fair Oaks Avenue, Suite 212
Pasadena, CA 91105
Attn: Veronica Tam
626-304-0440
("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 prepare a Housing Element Update and support the Housing and Community Investment Study; 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 an amount not to exceed \$118,000. 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: _____

Jeffrey R. Epp
City Manager

Date: _____

VERONICA TAM AND ASSOCIATES, 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.

City of Escondido 2021-2029 Cycle 6 Housing Element

Veronica Tam and Associates, Inc.
107 S. Fair Oaks Avenue, Suite 212
Pasadena, CA 91105
(626) 304-0440



March 27, 2020

Mike Strong
Assistant Planning Director
City of Escondido
201 North Broadway
Escondido, CA 92078

Subject: Proposal for City of Escondido Housing Element Update

Dear Mr. Strong:

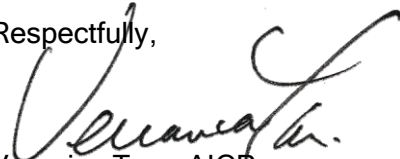
Veronica Tam and Associates, Inc. (VTA), in association with Michael Baker International (MBI), is pleased to submit this proposal to assist the City of Escondido with the sixth cycle Housing Element Update.

VTA is a recognized consulting firm with a strong focus on housing planning and community development. We have substantial experience in assisting jurisdictions in preparing the Housing Element updates. For the fifth cycle Housing Element update cycle, we successfully completed close to 60 Housing Elements for jurisdictions throughout the State, including nine jurisdictions in San Diego County (Coronado, Del Mar, El Cajon, Escondido, Imperial Beach, La Mesa, San Marcos, Santee, and Vista). We are familiar with the San Diego region, its housing markets, constraints, and opportunities.

Given the complexity of recent changes to State housing laws and the tight timeline for the 6th Cycle Housing Element update, VTA is partnering with Michael Baker International to provide support for technical analysis and CEQA clearance.

We believe we are well-qualified to assist the City of Escondido and look forward to discussing our proposal with you. Please contact me if you have questions or need additional information. I can be reached at veronica.tam@vtaplanning.com or (626) 304-0440x1.

Respectfully,



Veronica Tam, AICP
Principal



I. Summary - Scope of Work and Approach 1

II. Schedule 4

III. Firm Organization 5

IV. Project Organization 12

V. Cost Proposal 15

VI. Conflict of Interest 17



I. Summary - Scope of Work and Approach

Task 1 - Research and Analysis

Task 1.1 - Evaluation of the 2013-2021 Housing Element

As an initial task to the Housing Element update, we will review and evaluate the City's progress in implementing the 2013-2021 Housing Element. The City's 2019 Housing Element Annual Progress Report (APR) is a good starting point for this evaluation.

Task 1.2 - Needs Analysis

The Housing Needs Assessment will contain the following topics to satisfy Government Code Section 65583(a) requirements: a) demographics, income, and employment trends; b) household characteristics; c) housing stock characteristics; d) at-risk housing analysis; analysis of special housing needs; and e) affirmatively furthering fair housing analysis.

Task 1.3 - Housing Resources and Opportunities

The City's Draft RHNA is 9,607 units, a significant increase compared to the fifth cycle RHNA. The Housing Element must identify adequate sites for this RHNA. The fifth cycle Housing Element contains an inventory with a capacity for about 4,500 units. We assume some of these sites have already been redeveloped. This Housing Element update would require significant efforts to identify additional sites with sufficient capacity for the increased RHNA, taking into considerations the adequate sites requirements under new Housing Element laws (SB 166, AB 1397, etc.). Land use policy changes are anticipated.

In addition to the sites inventory, we will also discuss other resources such as funding available and partnership opportunities, as well as opportunities for energy conservation.

Task 1.4 - Housing Constraints

We will identify potential governmental and non-governmental constraints to housing production, including environmental and infrastructural constraints. This analysis must contain a review of factors that may potentially constrain the development, improvement, and preservation of housing in Escondido. Factors to be reviewed include market, governmental, environmental, and infrastructural constraints. New Housing Element laws require the assessment of non-governmental constraints, including NIMBYism, lending practices, shortage of labor, and other economic factors.

Task 1.5 - Housing Goals, Policies, and Quantified Objectives

Based upon the analyses and research conducted in the previous tasks, we will update the Housing Element. For each program included in the Housing Element, we will establish the timeframe for implementation, specific objectives, funding sources, and responsible agencies. The programs will satisfy requirements of Government Code Sections 65583(b) and (c).



Task 2 - Housing Element Preparation

Task 2.1 - Draft Housing Element

We will prepare the following drafts: Administrative Draft for staff review; Public Review Draft for City Council Review; and HCD Review Draft.

Task 2.2 - Public Participation

For the Housing Element, we recommend the following potential platforms for outreach, providing flexibility to address the challenges presented by the current COVID-19 situation:

- Online housing needs survey
- Stakeholder interviews (up to 10 telephone interviews) or focus group meetings (up to two) (either in person or via teleconferencing)
- Community workshops (up to two) (either in person or via teleconferencing)
- Study sessions with Planning Commission and/or City Council (up to two)

Task 2.3 - Housing Element and HCD Review

HCD review of the Draft Housing Element is mandatory. During the review, we would work to address all HCD comments. We would communicate with HCD and facilitate review of the revisions via revised pages. All revisions made to the Draft Housing Element would be shown as tracked changes. The goal is to secure a Finding of Substantial Compliance on the Draft Element before proceeding to adoption. This way, final certification would be contingent upon adopting the Housing Element as revised and reviewed by HCD, and the City would avoid adopting a Housing Element that does not completely meet HCD requirements and needing to repeat the review and adoption process again.

Task 2.4 - Public Hearings

VTA will conduct two public hearings before the Planning Commission and City Council for the adoption of the Housing Element.

Task 2.5 - State Certification

After adoption, the Housing Element must be submitted to HCD for its final review (120 days). We will follow through with assisting the City in achieving State certification of the Housing Element.

Task 3 - Additional Tasks

Task 3.1 - Land Use Element and Safety Element

Based on the current General Plan and adopted Specific Plans, Escondido may not have adequate capacity to accommodate its significant RHNA of 9,607 units. The Housing Element may need to identify areas of potential land use changes. We will identify changes necessary to the Land Use Element to implement the Housing Element. State law also requires the updating of the Safety Element to address specific hazard conditions. MBI can assist in conducting this assessment.



Task 3.2 - CEQA

The Housing Element is considered a “project” under the CEQA Guidelines. As such, the City of Escondido, in its role as Lead Agency, will need to assess potential environmental impacts that may result from adoption of the Housing Element. The Michael Baker team offers a one-stop-shop to both prepare the Housing Element and complete all CEQA documentation.

Operating under an assumption that the Housing Element update will not include any concurrent rezoning efforts, changes to existing land uses, or a substantial increases in density, we can assume that: a) no direct impacts will occur as a result of the Housing Element, since no construction projects will receive approval as a result of the Element’s adoption; and b) any indirect impacts to resource areas such as transportation, greenhouse gases, and noise will be deemed less than significant, based on the underlying assumptions. Under this premise, Michael Baker would prepare an Initial Study and Negative Declaration (or Mitigated Negative Declaration) as an extension of our Housing Element preparation services. The costing of the CEQA component at this stage presents challenges inasmuch as the type and extent of changes proposed to the Housing Element are not yet known. We can discuss with staff the scope and budget add-on for CEQA works during project initiation.

II. Schedule

Housing Elements in the SANDAG region must be adopted by April 15, 2021 (with a 120-day grace period). Due to the current COVID-19 situation, SANDAG postponed the appeal hearing from March 27, 2020 to April 10, 2020. Assuming the adoption of RHNA on time, we propose the following timeline. However, should Shelter-in-Place order be extended, we anticipate the need to utilize the 120-day grace period to accommodate community outreach and other coordination challenges.

Milestone	Timeline
Project Initiation	May 2020
Public Participation	May - August 2020
Needs Assessment	June - July 2020
Constraints Analysis	July - August 2020
Resources Analysis/Sites Inventory	August - October 2020
Draft Housing Element	December 2020
Planning Commission Study Session	January 2021
HCD Review	January - March 2021
CEQA	December 2020 - March 2021
Adoption Hearings	April 2021

Firm Organization

1. Veronica Tam and Associates, Inc. (VTA)

VTA is a California corporation located in Pasadena, California. VTA was established in November 2005 and has since been providing housing and community development consulting to local jurisdictions throughout California. We provide assistance in the following areas:

- Housing Element updates
- Zoning revisions for housing-related issues
- Special housing studies
- Consolidated Plan and related reports
- Grants administration and technical assistance
- Analysis of Impediments to Fair Housing Choice
- Environmental clearance for housing-related plans and projects

The person authorized to negotiate contract conditions for the company is:

Veronica Tam, AICP, Principal
Veronica Tam and Associates, Inc.
 107 S. Fair Oaks Avenue, Suite 212
 Pasadena, CA 91105
 P: (626) 304-0440
Veronica.Tam@vtaplanning.com

Housing and Community Development Planning Experience

Our clients have included rural towns/communities, suburban and urban cities, metropolitan areas, and counties.

Fifth Cycle Housing Elements

We are well known for our expertise in State Housing Element law. We have prepared Housing Elements for jurisdictions throughout the State and maintain an excellent track record of receiving State certification. For the fifth cycle, we prepared close to 60 Housing Element updates in the San Diego, SCAG, ABAG, AMBAG, and FCOG regions. Specifically, nine elements were in the San Diego region.

- | | | |
|-------------------|-------------------------|--------------------------|
| ▪ Alhambra | ▪ Glendora | ▪ Rancho Santa Margarita |
| ▪ Avalon | ▪ Gonzales | ▪ Redondo Beach |
| ▪ Buena Park | ▪ Hawthorne | ▪ Salinas |
| ▪ Burbank | ▪ Hercules | ▪ San Bernardino |
| ▪ Camarillo | ▪ Imperial Beach | ▪ San Clemente |
| ▪ Chino | ▪ Jurupa Valley | ▪ San Joaquin |
| ▪ Corona | ▪ Kingsburg | ▪ San Marcos |
| ▪ Coronado | ▪ La Canada Flintridge | ▪ San Marino |



- Costa Mesa
- Cupertino
- **Del Mar**
- Dublin
- **El Cajon**
- El Centro
- El Segundo
- **Escondido**
- Fowler
- Fresno County
- Lake Forest
- **La Mesa**
- Lawndale
- Lomita
- Long Beach
- Marina
- Monterey County
- Parlier
- Pinole
- Pomona
- Santa Clara
- **Santee**
- Seaside
- Selma
- Simi Valley
- South Gate
- Tracy
- **Vista**
- Walnut
- West Hollywood

Analysis of Impediments (AI) to Fair Housing Choice/Assessment of Fair Housing (AFH)

We have prepared some of the most complex AI and AFH reports in the State.

- Alhambra AI
- Glendale AI
- Los Angeles AI
- Long Beach AI and AFH
- Monterey County AI
- Pasadena AI
- Pomona AI and AFH
- Monterey County AI
- Salinas AI
- San Bernardino AI
- San Diego County AI
- Ventura County AI

Similar Projects

El Cajon Housing Element (2013-2021)

The City of El Cajon was allocated a RHNA of over 5,800 housing units under the assumption that its proposed Downtown Specific Plan would be adopted by the City Council. However, the economic downturn, coupled with the elimination of redevelopment, resulted in second thoughts about a plan that would call for significant intensification of the Downtown. Therefore, the Housing Element update must meet the challenge of developing a multi-facet strategy to identify adequate sites for its RHNA.

Escondido Housing Element (2013-2021)

The Escondido Housing Element was prepared as part of an overall update to the City’s General Plan. One of the greatest challenges with the update was to identify adequate sites for over 4,000 units. As a built out community, Escondido must rely on the recycling of existing lower intensity uses and the Housing Element must coordinate with the Land Use Element update to develop strategies to revitalize various corridors and focus areas.

Del Mar Housing Element (2013-2021)

The City of Del Mar is one of the most exclusive communities in California. The City has significant market constraints given the high real estate values and environmental constraints given its small size and coastal location. The City’s original approach was to rely on the adoption of the Downtown Village Specific Plan to accommodate its RHNA. However, the DVSP was not approved by the voters. VTA worked closely with City and HCD staff to develop an alternative approach for meeting the adequate sites requirements and to coordinate a schedule that was constantly shifting due to local politics.



San Clemente Housing Element (2013-2021 and 2017 Midterm Review)

The City of San Clemente adopted an Emergency Shelter Overlay (ESO) ordinance that was the subject of litigation. As a result, the City delayed in updating its fifth cycle Housing Element update until 2015. VTA was retained to update the Housing Element, working in parallel tracks with the ESO litigation and assisting the City in addressing comments on the ESO from the litigants. VTA worked closely with City and HCD staff, as well as the community in balancing the needs for affordable housing and community concerns for increased densities. After extensive community participation efforts and policy negotiations among the stakeholders, the San Clemente Housing Element received a Finding of Substantial Compliance from HCD. VTA then proceeded to prepare a four-year Midterm Review of the Housing Element as required by law.

Amber Gregg, formerly City Planner of San Clemente

ambergregginc@gmail.com

(909) 997-1529

Cupertino Housing Element (2014-2022)

The Cupertino Housing Element was updated with a concurrent update to the City's Land Use Element, seeking to redesignate a number of potential sites for higher intensity residential or mixed use development. The update process involved an extensive community outreach process that included more than 20 community meetings and public hearings. The need to rezone and upzone properties was met to vigorous community opposition. A carefully crafted process helped navigate the community through the discussions and ultimately led to an innovative strategy to accommodate the City's Regional Housing Needs Allocation (RHNA) and the certification of the Housing Element by HCD.

Piu Ghosh, Principal Planner

(760) 777-3308

PiuG@cupertino.org

Long Beach Housing Element (2013-2021)

As one of the largest and most diverse cities in California, Long Beach has extensive housing needs. The Housing Element update must address debates such as geographic distribution, intensity, affordability, new construction vs. preservation, and displacement, gentrification, and tenant protection. An extensive outreach program was conducted to obtain input from community groups, housing advocates, developers, and property owners. VTA worked closely with City staff and HCD to respond to comments from the community. The Final Housing Element contains detailed actions and specific timelines that answer to community demands.

Patrick Ure, Housing Operations Officer

(562) 570-6026

Patrick.Ure@longbeach.gov

2. Michael Baker International

Michael Baker is a full-service planning, environmental, engineering, design, and construction management firm. Michael Baker has had a strong California presence for over 70 years, with over 600 employees in 13 office locations throughout the state, including over 120 in Carlsbad and San Diego.

The firm's expertise includes all type of land use and community planning, urban design, environmental, landscape architecture, transportation engineering, traffic, civil engineering,



stormwater management, water quality design and permitting, public outreach, surveying and mapping, GIS, and construction monitoring and management services.

Michael Baker has the skills and resources to meet the City's planning and environmental service needs. Its 16 planners in San Diego coordinate weekly and regularly team and collaborate with over 90 planners throughout California. Michael Baker Planning specializes in on-call and as-needed planning services. Michael Baker has over 65 multiyear municipal on-call planning clients in California in the last 5 years. It has prepared all varieties of long-range plans, policies, and ordinances in Southern California including:

- 50+ general plan update/environmental impact reports (EIR)
- 40+ community/neighborhood/downtown plans
- 50+ circulation elements/complete streets/active transportation plans
- 40+ economic development elements/retail studies/fiscal analyses and economic plans

Michael Baker's plans and policies are pragmatic, realistic, and achievable. Three factors contribute to this:

- Michael Baker is on-call contract experts. Its 65+ multiyear municipal on-call planning contracts over the last five years afford us an intimate working knowledge and understanding of a broad range of planning examples. Michael Baker constantly compares and contrasts these to understand what does and does not work for our clients.
- Michael Baker planners are well-rounded and benefit from practical experience with and understanding of all aspects of planning. Michael Baker regularly prepares long-range plans and policies and the implementing ordinances and regulations. Michael Baker also develops and entitles development plans in accordance with long range plans and regulations.
- As a truly multidisciplinary firm, Michael planners regularly collaborate with and support the community engagement, geographic information systems (GIS), civil engineers, designers, environmental experts, transportation planners and engineers, and economists to provide comprehensive and integrated recommendations.

Michael Baker's passion for conducting all forms of long-range planning, including the research, analysis, and the development of policies, ordinances, and the implementing regulations, is matched by its commitment to client satisfaction. Over 85 percent of its work is repeat business. Michael Baker services are described below.

Planning

Michael Baker provides a wide range of planning, design and implementation services for projects for both municipal and private clients. In order to create viable responses to physical, social, economic and environmental challenges, Michael Baker's planning and design professionals focus on integrating creative planning solutions with sound implementation principles. Balanced land uses, enhancement of amenities, reinforcement of community values and integration of environmental solutions are integral components of our planning process. Our Key elements of the planning and design services offered include:

- Zoning
- Design Guidelines



- Policy Planning
- Comprehensive Planning
- Community Involvement
- GIS
- Web Services and Digital Imaging
- Urban Design
- Environmental Documentation
- Land Planning and Entitlement Services

Land Use and Urban Design

Michael Baker has extensive experience in preparing general plans, housing elements, housing related studies, mixed-use ordinances, and mixed-use project design plans. We understand that the provision of housing and mixed-use development, within the context of a solid urban design framework, is at the foundation of successful neighborhood revitalization projects; most importantly, we base our urban design and land use on local context combined with worldwide approaches to communities and cities that work.

Environmental Planning

As a leader in the environmental field, Michael Baker offers an extensive array of services associated with environmental compliance and documentation. Michael Baker provides evaluation for the full-range of environmental project types. Michael Baker offers an extensive array of services associated with environmental compliance and documentation. Michael Baker provides evaluation for the full-range of environmental project types. Our award-winning team offers documentation in compliance with environmental laws and regulations including CEQA, NEPA, the Clean Water Act, the Clean Air Act and other applicable environmental laws. Environmental documents prepared at Michael Baker address the full range of environmental and technical issues, with in-house specialists providing technical evaluation for traffic and transportation, flood control and drainage, air quality, noise, land use, socioeconomics, utilities and services, energy conservation, visual and aesthetic effects, relevant planning, Phase I hazardous materials, neighborhood and construction effects, landform modification, agricultural suitability and many other environmental issue areas. Drawing upon the profession's leading subconsultants for specialized biological, archaeological, geotechnical and fiscal/economic studies to build a multi-disciplinary team of environmental analysts. State-of-the-art computer facilities including Computer Aided Drafting and Design (CADD), ARC/INFO, and specially created computer programs are utilized in obtaining the highest level of technical completeness and efficiency.

Public Engagement and Stakeholder Collaboration

The Michael Baker approach to public engagement offers continuous opportunities for meaningful participation and involvement throughout the life of the project - all of which are strategically organized to develop a consensus-based vision, local ownership, to foster community awareness, and support for the new mixed-use standards. As part of this effort, the Michael Baker team uses a variety of tools and materials to aid in outreach efforts based on our

research and information gathered in the community through conversations, interviews, and discussions with community and industry leaders and City staff.

Facilitation Techniques

The Michael Baker Team typically utilizes the following techniques to develop meaningful dialogue, build ownership in the process, and create consensus between all stakeholders:

- **POST-IT NOTE VISIONING** - A technique used to gain specific feedback and develop consensus in a large group. Participants are asked to respond to questions on Post-It Notes. Notes are grouped together according to theme and presented back to the entire group. This technique is good for developing goals, values, and visions. It also allows every participant to share a few thoughts in a short amount of time.
- **SMALL GROUP BREAK-OUT SESSIONS** - Small group break-out sessions allow participants to work in groups of 8-15 people on a specific topic or issue. Groups present their findings/conclusions to the larger group for input.
- **INTERACTIVE POLLING EXERCISES** - Utilizing individual hand-held voting devices, participants receive immediate feedback regarding the overall consensus of the group to the issues or ideas at hand. This technique is good for creating consensus with a large number of people.
- **TOWNSCAN™** - TownScan™ is a fun and formalized process during which 75-100 PowerPoint images of various design elements are shown and rated by workshop participants. Using handheld response devices, participants will be able to view group preferences in real time, allowing for instantaneous discussion of the results. This hands-on exercise helps Michael Baker develop an understanding of the design preferences of the community.
- **GRAPHIC FACILITATION** - Graphic facilitation is a technique used to visually record group processes and group thinking. This technique uses a series of templates to lead discussion. Participants can always return to a previous item as all discussion is recorded using this visually graphic and engaging technique.
- **DELIBERATIVE DIALOGUE CIRCLES** - These facilitated circles allow participants to provide meaningful dialogue about an issue or issues. This technique works best with 10 to 20 participants. The facilitator usually stands outside of the circle, allowing participants to talk directly to one another. Dialogue circles often provide a deeper understanding among participants over controversial topics.

Meeting Techniques

- **OPEN HOUSES** - These interactive meetings will allow participants to provide feedback at interactive “stations” located throughout the room. This type of workshop is ideal for participants to view other people’s comments as well. In addition, open houses can be set up so participants can drop in at any time during the duration of the workshop.
- **DESIGN CHARRETTE** - A Design Charrette allows participants to work directly with Michael Baker’s urban designer, landscape architects, and other professional of urban design issues. Design charrettes can range in length from a half-day to up to five days depending on project specifications.



- **WORLD CAFÉS** - World Cafés are facilitated using a series of simultaneous conversations. Participants change tables after each session in order to facilitate dialogue with multiple groups. A discussion summary at the end of the meeting provides a key themes and consensus reached.
- **FOCUS GROUPS** - Focus groups are small group facilitated discussions on specific topics or issues that are key to developing consensus over a contentious topic. Focus groups are facilitated in a way that draws out constructive dialogue rather than debate.
- **SITE VISITS / WALKING AUDITS** - Community members are invited to walk/bike/or drive through a site with the Michael Baker Team. This allows community members to comment on specific opportunities and constraints, as well as take a closer look at a project site. Disposable cameras are distributed to participants to recording findings and walking audit guidebooks allow participants to record thoughts and ideas throughout the walk.
- **ONE-ON-ONE INTERVIEWS** - One-on-one interviews provide stakeholder to share their thoughts and ideas about a project in an intimate setting. One-on-one interviews are a valuable way to gain input from important community members, elected and appointed officials, and stakeholders.

Community Immersion

Community Immersion is a visually engaging, interactive, and collaborative series of discussion groups, activities, and public workshops that have productive results for community-based planning. The Community Immersion process provides for various levels of, and times for, community involvement and will yield the groundwork for design development and final designs. It offers opportunities for friendly, informal discourse and debate among community members, and the process will achieve workable visions and solutions for the project. This approach has allowed the Michael Baker Team to help communities throughout the United States reach collective directions for future development. Each meeting is designed to meet specific objectives and the techniques used will foster consensus among participants. The immersion process can take place in the form of block parties neighborhood park get-togethers, or at different citywide venues (e.g. library, community center, senior center, high school, etc.).

Virtual Techniques

Virtual Technique will also provide stakeholders with the tools to make informed decisions without the need for attending face-to-face meetings. All of the following methods allow stakeholders to provide input, ask questions, review feedback, and provide additional input if necessary to develop consensus on the key issues:

- **WEBINARS** - This interactive method will allow stakeholders to participant from their office or home. Webinars will incorporate interactive audio and visual presentations.
- **ONLINE SURVEYS** - Online surveys will provide instant feedback from all stakeholders.
- **NEWSLETTERS / E-BLASTS** - Newsletters or e-blast will provide stakeholders with up to date information about upcoming meetings, minutes, and other ways to get involved.
- **PROJECT WEBSITES** - Project websites allow for 24- hour access to project updates, works products, and other information. Michael Baker can design a custom project logo and website or use the organization's existing site.



IV. Project Organization

Veronica Tam, AICP (VTA)

Veronica Tam will oversee the preparation of Housing Element for the City of Escondido. She is a recognized expert in the area of housing policy planning. Throughout her career, she has prepared more than 100 Housing Element updates, including approximately 60 updates during the fifth cycle update (nine updates in San Diego County). She has also taken on some of the most challenging Housing Element updates, including:

- Cities that were facing litigations - San Clemente and Pomona
- Cities that have delayed process due to the need to coordinate with the General Plan update process - Escondido, Encinitas, Seaside, and South Gate
- Cities that have never received HCD certification due to stringent local development standards and procedures - Del Mar and San Marino

Katie Matchett (VTA)

Katie Matchett has over 19 years of experience in land use planning throughout Southern California, and has worked professionally with numerous jurisdictions in both staff and consultant capacities. She has extensive experience using public input to create clear and concise regulatory documents that support regional goals to create healthy, sustainable communities. As a consultant for the cities of Lemon Grove and Vista she built on creative outreach to develop plans that encourage active transportation, increase the efficiency of parking resources, and support community health.

Holli Anderson (VTA)

Ms. Anderson joined VTA in 2018 will assist in the preparation of the Housing Element. Since joining VTA, Ms. Anderson has participated in the preparation of Housing Elements for the cities of Marina, Palmdale, and Thousand Oaks. She assisted in the Gateway Cities Housing Needs Assessment, an effort coordinated by the Gateway Cities Council of Governments to assess the housing needs, programs, and policies in the 28-jurisdiction subregion of the Southern California Association of Governments (SCAG). She is currently assisting in the preparation of the San Diego Regional Analysis of Impediments to Fair Housing Choice (AI).

Alexis Bueno Correa (VTA)

Ms. Bueno Correa holds a Master degree in Urban and Regional Planning from CalPoly Pomona. Her academic focus was on community change and gentrification. She is familiar with the use of Census and other data to assess demographic changes in a community over time. She is currently assisting in the preparation of the San Diego Regional Analysis of Impediments to Fair Housing Choice (AI). She is also assisting in the preparation of Housing Element for the cities of Culver City and Palmdale.

Dan Wery (Michael Baker)

Dan has over 30 years of public and private sector planning experience preparing general plans, zoning ordinances and subdivision codes, project entitlement review and processing, policy planning, public participation, and environmental impact document review and preparation. He applies his experience to solve problems in a holistic, responsible, and pragmatic manner that

best serves the community and environment. Principled and pragmatic, Dan maintains a perspective on long-term goals with a focus on implementation and achieving near-term results.

Nicole Marotz (Michael Baker)

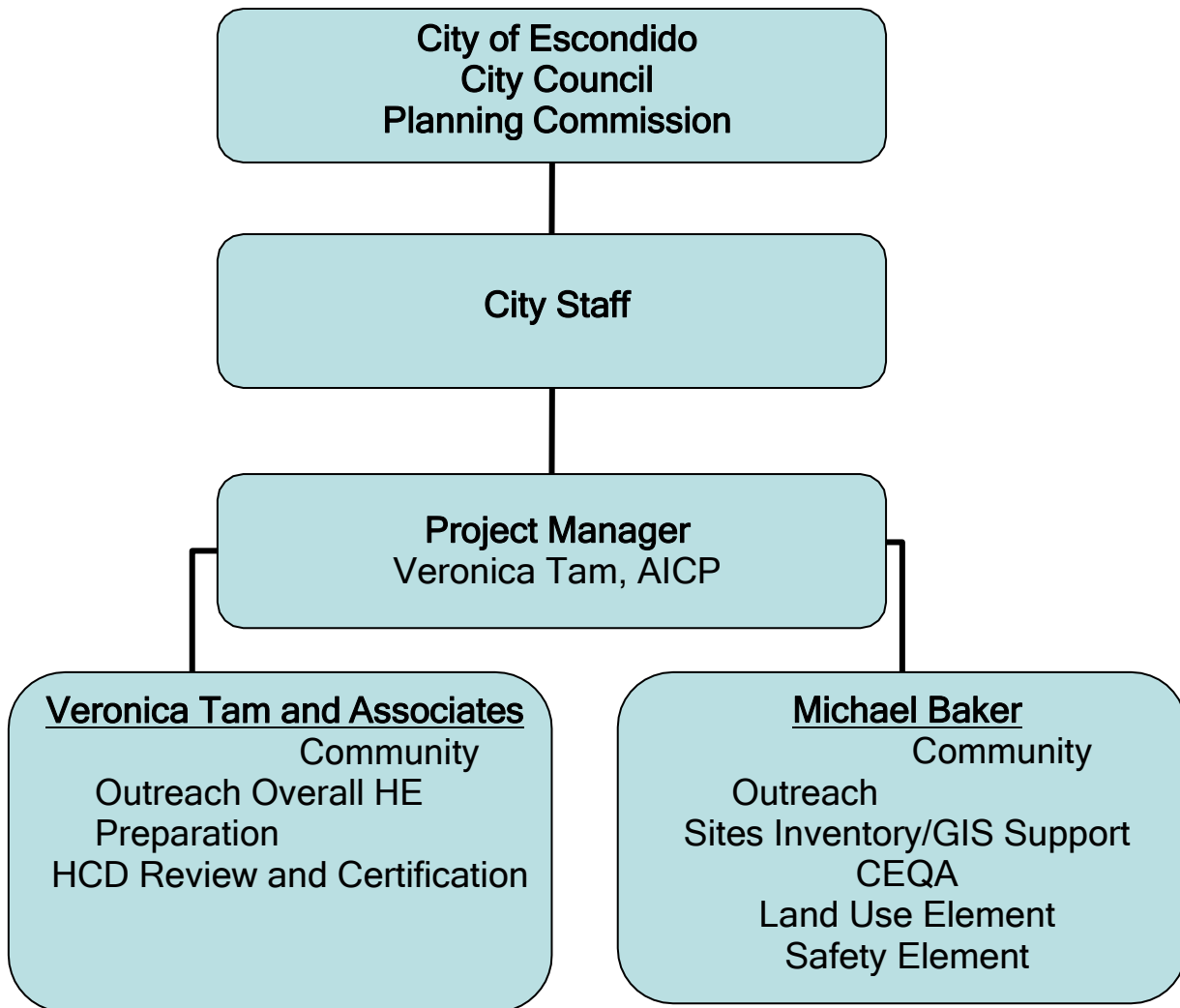
Nicole Marotz assists in the management and preparation of environmental and planning studies for public and private sector clients in accordance with the California Environmental Quality Act, the National Environmental Policy Act, and other local, state, and federal laws. Her primary work involves preparing and coordinating Environmental Impact Reports, Environmental Assessments, and Initial Study/Mitigated Negative Declarations for a variety of project types. Nicole is responsible for the preparation and review of environmental technical reports, in addition to providing land use planning and environmental permitting services for development and redevelopment projects within San Diego County, as well as central and southern California.

Garett Peterson (Michael Baker)

Mr. Peterson has a broad background in public, private, and non-profit environmental policy and planning. Mr. Peterson specializes in preparation of environmental and planning studies for public and private sector clients in accordance with CEQA and other local, state, and federal laws. To that end, his work typically consists of the preparation and coordination of environmental impact reports (EIR), initial study/mitigated negative declarations (IS/MND), and categorical exemptions (CE) for a variety of project types. Mr. Peterson also has city planning experience conducting comprehensive development code updates, general plan analysis, entitlement coordination, and public outreach. Mr. Peterson is also a member of the American Planning Association.

Aaron Barrall (Michael Baker)

Mr. Barrall has a broad background in public, private, and non-profit planning and environmental outreach. He is thoroughly knowledgeable in municipal development codes, long range plans, and entitlement processes, and is a skilled researcher and communicator. Mr. Barrall specializes in land use planning, development entitlement, green infrastructure, and stormwater management. Past projects and duties have included comprehensive development code updates, general plan analysis and amendments, entitlement coordination and review, and code enforcement.



Cost Proposal

Pursuant to the RFP, this project will be billed on a **time-and-materials** basis with a not-to-exceed amount. The following budget provides an estimate of the costs for the proposed scope. We will work with staff to refine the scope and budget during project initiation.

Our billing rates are provided below:

Name	Title	Hourly Rate
Veronica Tam and Associates		
Veronica Tam	Principal	\$160
Katie Matchett	Senior Planner	\$125
Rick Brady	Senior Planner	\$125
Holli Anderson	Planner	\$100
Alexis Bueno	Planner	\$100
Patrick Ward	GIS	\$90
Michael Baker International		
Dan Wery	Principal Community Planner	\$195
Nicole Marotz	Senior Environmental Planner	\$160
Garett Peterson	Planning Associate	\$110
Aaron Barrall	Planning Associate	\$100



Task	Anderson/ Bueno			Other	VTA Total	Wery Peterson Barrall			Other	Michael Baker Total	Project Total
	Tam \$ 160	\$ 100	Tech \$ 90			\$ 195	\$ 110	\$ 100			
Research and Analysis											
Evaluation of the 2013-2021 Housing Element	2	20			\$ 2,320					\$ -	\$ 2,320
Needs Analysis	20	120			\$ 15,200					\$ -	\$ 15,200
Housing Resources and Opportunities	20	60	40	\$ 500	\$ 13,300	12		120	\$ 500	\$ 14,840	\$ 28,140
Housing Constraints	16	40			\$ 6,560	8	60			\$ 8,160	\$ 14,720
Housing Goals, Policies, and Quantified Objectives	12	16			\$ 3,520					\$ -	\$ 3,520
Housing Element Preparation											
Draft Housing Element	16	32			\$ 5,760	2	8	8		\$ 2,070	\$ 7,830
Public Participation											
Online Housing Needs Survey	4	40			\$ 4,640					\$ -	\$ 4,640
Stakeholder Interviews (10) or Focus Group Meetings (2)	12			\$ 200	\$ 2,120	2	16	24	\$ 200	\$ 4,750	\$ 6,870
Community Workshops (2)	16	4		\$ 200	\$ 3,160	2	16	24	\$ 500	\$ 5,050	\$ 8,210
Study Sessions (2)	16	4		\$ 200	\$ 3,160					\$ -	\$ 3,160
Housing Element and HCD Review	40	40			\$ 10,400			24		\$ 2,400	\$ 12,800
Public Hearings (2)	12	2		\$ 200	\$ 2,320					\$ -	\$ 2,320
State Certification	4	4			\$ 1,040					\$ -	\$ 1,040
Additional Tasks											
Land Use Element and Safety Element	8				\$ 1,280	8	40			\$ 5,960	\$ 7,240
CEQA	Scope and Cost to be Determined										
Total	198	382	40	\$ 1,300	\$ 74,780	34	140	200	\$ 1,200	\$ 43,230	\$ 118,010



Conflict of Interest

Veronica Tam and Associates, Inc. and Michael Baker International do not foresee any potential conflict of interest.



EDUCATION

MA, Urban Planning, 1989, University of California, Los Angeles

BES, Urban and Regional Planning (Economics Minor), 1987, University of Waterloo, Canada

PROFESSIONAL AFFILIATIONS

American Institute of Certified Planners
 American Planning Association

AWARDS

2016 APACA
 Award of Excellence – Opportunity and Empowerment: 2014-2015 Salinas Housing Initiatives

2016 Northern Section, APACA
 Award of Merit – Public Outreach: 2014-2015 Salinas Housing Initiatives

2016 APACA
 Award of Merit – Best Practice: Fresno Multi-Jurisdictional Housing Element

2016 Central Valley Section, APACA
 Award of Excellence – Best Practice: Fresno Multi-Jurisdictional Housing Element

2014 APACA
 Award of Merit – Hard Won Victories: 2013-2021 El Cajon Housing Element

2014 San Diego Section, APACA
 Comprehensive Planning, Small Jurisdiction: 2013-2021 El Cajon Housing Element

2009 APACA
 Award of Merit - Comprehensive Planning, Large Jurisdiction: 2008-2014 Los Angeles County Housing Element

2009 Los Angeles Section, APACA
 Comprehensive Planning, Large Jurisdiction: 2008-2014 Los Angeles County Housing Element

2002 Northern Section, APACA
 Focused Issues: Contra Costa County Analysis of Impediments to Fair Housing

2001 Northern Section, APACA
 Advocacy Planning: East Palo Alto Housing Element

2000 APACA
 Outstanding Planning: El Cajon Integrated Housing Element and Consolidated Plan

**VERONICA TAM, AICP
 PRINCIPAL**

Ms. Tam has expertise in the areas of housing policy development and community development planning. She has over 20 years of experience preparing a range of housing and community development plans and studies for jurisdictions throughout California.

RELATED PROJECT EXPERIENCE

Housing Elements

Alhambra	Glendora	Salinas
Avalon	Gonzales	San Clemente
Bell Gardens	Hawthorne	San Bernardino
Buena Park	Hercules	San Fernando
Camarillo	Hesperia	San Marcos
Chino	Imperial Beach	San Marino
Corona	La Canada Flintridge	Santa Clara
Coronado	Lake Forest	Santee
Costa Mesa	La Mesa	South Gate
Cupertino	Lawndale	Seaside
Del Mar	Lomita	Simi Valley
Dublin	Marina	Tracy
El Cajon	Pinole	Vista
El Centro	Pomona	Walnut
El Segundo	Rancho Santa Margarita	West Hollywood
Escondido	Redondo Beach	Monterey County

Consolidated Plans

Alhambra	La Mesa	Santa Clarita
Carlsbad	Long Beach	Simi Valley
El Cajon	Salinas	Monterey County
Glendora	Santee	Orange County

Fair Housing Studies

Chino	Pasadena	Santa Clarita
Glendale	Perris	Monterey County
Long Beach	Pomona	San Diego County
Palm Springs	Salinas	Ventura County

Special Studies

- Gateway Cities Council of Governments (GCCOG) Housing Study
- Regional Housing Needs Allocation Assistance for the cities of Redondo Beach and South Gate
- Marina Affordable Housing Ordinance
- Zoning revisions to comply with SB2, AB 2634, and SB 520 for the cities of Port Hueneme, South Gate, and San Fernando

Veronica Tam and Associates

107 S. Fair Oaks Avenue, Suite 212, Pasadena, CA 91105
 P (626) 304 - 0440 F (626) 304- 0005



EDUCATION

MA, Urban Planning, University of California, Los Angeles

BA, Urban Planning, University of San Diego

PROFESSIONAL AFFILIATIONS

Circulate San Diego Policy Advisory Committee

2017-19

BeautifulPB Advisory Board: 2016-19

Pacific Beach Community Parking District: 2005-06, 2015-18.

**KATIE MATCHETT
ASSOCIATE**

Katie Matchett has over 19 years of experience in land use planning throughout Southern California, and has worked professionally with numerous jurisdictions in both staff and consultant capacities. She has extensive experience using public input to create clear and concise regulatory documents that support regional goals to create healthy, sustainable communities. As a consultant for the cities of Lemon Grove and Vista she built on creative outreach to develop plans that encourage active transportation, increase the efficiency of parking resources, and support community health. In her staff capacity for the County of Ventura, she worked to incorporate principles of smart growth into a variety of projects, such as the comprehensive update to the County of Ventura's Coastal Zoning Ordinance and the revision of the County's Landscape Design Guidelines. Ms. Matchett has also served as a volunteer for a variety of community transportation advocacy organizations, including a position on the advisory board of BeautifulPB and as the chair of the Pacific Beach Community Parking District.

RELATED PROJECT EXPERIENCE

The following is Ms. Matchett's project experience:

- Coastal Zoning Ordinance Update - Ventura County
- Envision South Centre City Specific Plan – City of Escondido
- General Plan Health and Wellness Element – City of Lemon Grove
- Zoning Code Update – City of La Canada Flintridge



EDUCATION

Bachelor in Urban Planning, 2018
California State University, Northridge

SKILLS

InDesign
ArcGIS
AutoCAD

**HOLLI ANDERSON
PLANNER**

Ms. Anderson holds a Bachelor degree in Urban Planning with an emphasis in Environmental Planning and Sustainability from California State University, Northridge.

VERONICA TAM AND ASSOCIATES

Ms. Anderson is well versed in using Census, HMDA, and CHAS datasets for housing and demographic analysis. As a planner, Ms. Anderson contributes to the preparation of a variety of housing studies and reports:

Housing Element

Palmdale Thousand Oaks

Fair Housing Studies

Perris Santa Clarita
Palm Springs Monterey County

Consolidated Plans and Annual Reports

Camarillo El Cajon Perris
Delano Glendora Santa Clarita

PRIOR EXPERIENCE

Prior to joining VTA, Ms. Anderson worked at Habitat for Humanity/Homes 4 Families, which develops affordable housing communities for veterans. Ms. Anderson worked directly with client families in assessing their needs and eligibility for services.



EDUCATION

Master in Urban Planning, 2019
California State Polytechnic University, Pomona

Bachelor in Biological Science, 2015
California State University, Fullerton

SKILLS

Spanish Fluency
Database Management
ArcGIS

**ALEXIS BUENO CORREA
PLANNER**

Ms. Bueno Correa holds a Master degree in Urban and Regional Planning with a specialization in community development.

Ms. Bueno Correa is familiar with both qualitative and quantitative methods of research. Her academic research was focused on assessing community change and gentrification due to demographic and housing trends.

VERONICA TAM AND ASSOCIATES

At VTA, Ms. Bueno Correa contributes to a variety of housing and community development studies as well as environmental clearance requirements for housing-related projects.

Housing Element

Palmdale Thousand Oaks

Fair Housing Studies

Glendale

PRIOR EXPERIENCE

Prior to joining VTA, Ms. Bueno Correa worked for the Municipal Water District of Orange County.

Dan K. Wery, AICP, LEED AP

Principal Community Planner

GENERAL QUALIFICATIONS

Dan has over 30 years of public and private sector planning experience preparing general plans, zoning ordinances and subdivision codes, project entitlement review and processing, policy planning, public participation, and environmental impact document review and preparation. He applies his experience to solve problems in a holistic, responsible, and pragmatic manner that best serves the community and environment. Principled and pragmatic, Dan maintains a perspective on long-term goals with a focus on implementation and achieving near-term results.

SELECTED PROJECT EXPERIENCE

As-Needed Advance Planning Services, San Diego County, California. Program Manager. Responsible for the management and preparation of projects from a multiyear on-call contract with the County of San Diego Planning and Development Services Department for advanced planning (policy and ordinance development). Michael Baker provided long-range planning and associate support services on an as-needed basis to the County for three years. Our services included preparation and review of draft policies and ordinances, zoning and community planning, urban design, community outreach, stakeholder engagement and facilitation, environmental review and compliance, and attendance at hearings and meetings. Dan managed the following projects over the last few years:

- County of San Diego Housing Affordability Strategy Support
- County of San Diego Residential Density Yield Analyses
- County of San Diego Active Transportation Plan
- Casa de Oro Revitalization Plan
- County of San Diego General Plan Amendment Comprehensive Property Specific Request Study
- Valley Center South Village Form-Based Code
- County of San Diego Urban Agricultural Incentive Zone

Years with Baker: 14

Years with Other Firms: 18

Degrees

B.A., 1987, Urban Studies, Columbia University

Licenses/Certifications

American Institute of Certified Planners, 1993, 010438

LEED Accredited Professional, 2009, 10037662

Awards

Best Practices Award of Merit, American Planning Association, San Diego (2014)

Innovation in Green Community Planning, American Planning Association, San Diego (2009)

Professional & Community Service:

San Diego American Planning Association

- Director (2010-2013)
- Programs Chair (2006-10)
- 2010 State Conference Committee
- 2013 State Chapter Awards Jurist & Facilitator
- SDAPA-Circulate San Diego Complete Streets Task Force

Urban Land Institute

- Building Healthy Communities Committee (2015-2018)
- Smart Growth Awards Committee (2006-2011)

City of San Diego:

- Code Monitoring Team (2010-present)
- Technical Advisory Committee (2012-present)
- Long Range Water Resources Plan Stakeholder Committee (2011-2013)

SANDAG Public Health Stakeholders Group (2012-2015)

- County of San Diego Dark Sky Communities Light Ordinance
- County of San Diego Housing, Environmental Justice, and Safety Element Strategies

All tasks orders were successfully accomplished on time, and within budget.

Housing, Environmental Justice, and Safety Element Update Strategy. *County of San Diego.* Program Manager. Prepared a comprehensive research, best practices and strategy report that identified the statutory requirements, critical path and project milestones, best practices, and recommendations on the approach and strategies for the preparation of updates to the County's Housing, Environmental Justice, and Safety Elements.

Casa de Oro Campo Road Revitalization Strategic Plan. *County of San Diego.* Program Manager. Michael Baker International was selected to provide urban design, planning, and community engagement services for two independent phases of the Campo Road Revitalization Plan. Phase 1—Scoping and Outreach—was conducted to enable the Board of Supervisors to determine whether and how it should commit to the preparation and implementation of a revitalization plan. The Michael Baker team quickly assessed and documented the area's needs, issues, and opportunities, and then evaluated and recommended the most appropriate and cost-effective path to a successful revitalization of the Campo Road corridor. This included a robust community engagement including extensive stakeholder interviews, a community workshop and presentations and discussion at three community planning group meetings, urban form and design features, constraints and opportunities, a walk audit, land use and density analysis, traffic and circulation analysis, and the evaluation of infrastructure and a variety of improvement districts and special district funding mechanisms in less than three months. The success of this study led to a \$500,000 SANDAG Smart Growth Incentive Program planning grant for the preparation of a specific plan to that began in late 2019. The specific plan will include visioning, guiding principles, land use plan, form-based code, design guidelines, CEQA documentation (EIR), market analysis, and an implementation plan. To date, completed tasks include existing conditions and opportunities and constraints analyses including policy, zoning, land use, urban form, infrastructure, traffic, parking and market feasibility, and student and community-wide visioning workshops.

County of San Diego Design Guideline Checklist Process. *San Diego County, California.* Project Manager, Principal Author of technical approach. This project won the 2014 Award of Merit for Best Planning Practices from the San Diego APA for creating a win-win situation by streamlining the site plan review and approval of projects that demonstrate compliance with the community's design guidelines. We conducted a comprehensive review and analysis of all nine of the county's communities with design guidelines and then worked with each community to fine-tune the standards and develop easy-to-use project review checklists. The community is ensured that projects are meeting their goals and objectives. Projects that comply with the checklists would receive a waiver to the Site Plan Permit process and would only require a ministerial permit.

Active Transportation Plan. *San Diego, California.* Project Manager. Michael Baker prepared the County's Active Transportation Plan for more than 1,000 miles of bicycle and pedestrian improvements to provide a long-range plan for ideal bicycle and pedestrian facilities to encourage and facilitate active modes of transportation in the 26 unincorporated county communities. The plan included a proposed bicycle network and bicycle level of stress analysis of existing facilities; a pedestrian gap analysis; Safe Routes to School recommendations; review and summary of available funding sources at local, regional, and federal levels; and recommendations for end-of-trip facilities and wayfinding.

Barrio Logan Nighttime Noise Study. *San Diego, California.* Project Manager.

Commissioned by the Port District San Diego, Michael Baker prepared the Barrio Logan Nighttime Noise Study which identified, addressed, and recommended solutions to disruptive nighttime noises that have adversely affected community health and the quality of life of the Barrio Logan community for decades. Michael Baker services included land use, policy and regulatory planning, environmental, GIS, and community engagement services. The study included in-person and online community surveys; interviews and inspections of local industrial, rail, and maritime representatives and facilities; 21 days of noise monitoring at eight locations; and 24 manual measurements, observations, and characterizations at 20 additional locations during the focus hours of 1:00–4:00 a.m. The anonymous surveys solved a decades-old problem of a reluctance to make formal complaints that would lead to an understanding or resolution of the issues. In the end, residents reported a great deal of information; and extensive monitoring confirmed resident comments and observations and led to development of a series of recommended actions and solutions expected to reduce noise and improve quality of life in Barrio Logan. The recommendations are also applicable and benefit communities throughout the District and the City of San Diego.

San Marcos Creek Specific Plan, San Marcos, California. Project

Manager. Responsibilities included comprehensive update and amendments to the 2007 specific plan. Revisions included update of the vision, guiding principles, regulatory plan, form-based code, and implementation plan to address significant changes in regulatory, environmental, and economic conditions since adoption, and reflect the realities of a much smaller commercial market due to the impact of e-retail. Michael Baker prepared retail market and land use analyses and performed environmental and infrastructure studies. Tasks included stakeholder, Task Force, Planning Commission, City Council and public workshop hearings, meetings and presentations, land use plans, economic analyses and development pro forma, community engagement, and CEQA documentation.

Menifee Comprehensive Development Code Update. *Menifee, California.* Program Manager, Principal Author. Preparation of the first comprehensive Zoning Ordinance, Grading Ordinance and Subdivision Regulations for the City of Menifee since its incorporation in 2008. The city has been using the zoning and subdivision codes from the County of Riverside that applied prior to incorporation. The purpose of the new codes is to develop Menifee-specific processes and regulations that implement the city's first General Plan adopted in 2015. The project involved an intensive code audit, staff summits, a detail GIS-based zoning-General Plan consistency analysis, preparation of a project schedule and community engagement plan, biweekly coordination meetings, stakeholder interviews, Planning Commission and City Council workshops and study, public hearings, publication of work products and deliverables on the City website, publication of the draft zoning code on a proprietary code publishing website to facilitate a user-friendly public interface, and the development, review, revision and self-publication of the code. Unanimously adopted by the Menifee City Council in December 2019. Nominated for the 2020 Inland Empire Section of APA Best Practices Award.

City of Carlsbad Zoning Ordinance Update. *City of Carlsbad.* Project Manager. Project manager and primary author responsible for the first comprehensive revision of the City of Carlsbad Zoning Ordinance since it was first adopted in the 1950s. The update implements the 2015 General Plan Update and the updated Local Coastal Program and involves a full reorganization of the code consistent with best practices and in the process, including consolidate and streamline much of the redundant provisions, new and amended definitions including graphics, substantial reformatting to make the code user-friendly and easy to

navigate, use-based regulations, modern administrative procedures, and compliance with recent changes in state law and best practices.

Light Pollution Code Amendment Strategy. *County of San Diego.* Program Manager. Preparation of the Best Practices and Lighting Ordinance Amendment Strategy and Options Report. The project was the first phase of a two-phase project for a comprehensive amendment and revision of the Light Pollution Chapter of the Administrative Code (Light Pollution Code) which will enable recognition of certain County community planning areas as Dark Sky Communities by the International Dark-Sky Association. The project involved extensive research, internal and external stakeholder engagement, preparation of best practices relative to lighting codes, standards, and industry practices, and prepared project strategy documentation. Phase 2 is scheduled for completion in 2020.

Podium 93 Community Plan Amendment, Specific Plan Amendment, and Rezone. *Alexandria Real Estate Equities.* Program Manager. The project involved amendments to the University Community Plan, Nexus Specific Plan, and Zoning Map to allow for higher intensity research and mixed-use office building within the University Town Center (UTC) area of the City of San Diego. The project includes the first proposed application of the City's newly adopted mixed-use zones.

Urban Agriculture Incentive Zone Ordinance. *County of San Diego.* Program Manager. Preparation of a new ordinance that incentivizes the interim agricultural use of underutilized urban properties. The project involved extensive research and documentation of best practices for Urban Agriculture Incentive Zones, a comprehensive analysis and recommendations report, and stakeholder engagement, preparation of the draft ordinance, the CEQA documentation, and a detailed GIS and fiscal impact analysis of the ordinance. After outreach to both internal and external stakeholders, the County Board of Supervisors unanimously adopted the ordinance on February 26, 2020.

Moss Street General Plan Amendment and Rezone. *City of Chula Vista.* Program Manager. Responsible for the management and coordination and entitlement services for a high-density residential development. The project involves a General Plan Amendment, Rezone, Site Development Plan, CEQA documentation and community engagement to convert the property from light industrial to high-density residential. The project included comprehensive consistency analysis, justification report, preparation of amended document and land use maps, a fiscal impact analysis and an industrial lands analysis.

Bartell Medical Office Building Due Diligence. *City of San Diego.* Project Manager. Conducted a number of due diligence studies and reports to determine the highest and best use and redevelopment of an existing mixed-use neighborhood retail and office development in the UTC area of the City of San Diego. The project included analysis of the City of San Diego General Plan, University Community Plan, and Zoning Ordinance designations and regulations for the project site, traffic and parking analyses, development of a parking use standards and utilization and calibration study, and conceptual grading and site design alternatives. Identified key issues and project constraints, reviewed planning documents and approvals for comparable projects, and reviewed potential for project site update and re-designation in proposed University Community Plan Update.

Nicole Marotz, LEED AP, AICP

Associate/Senior Environmental Planner

Nicole Marotz assists in the management and preparation of environmental and planning studies for public and private sector clients in accordance with the California Environmental Quality Act, the National Environmental Policy Act, and other local, state, and federal laws. Her primary work involves preparing and coordinating Environmental Impact Reports, Environmental Assessments, and Initial Study/Mitigated Negative Declarations for a variety of project types. Nicole is responsible for the preparation and review of environmental technical reports, in addition to providing land use planning and environmental permitting services for development and redevelopment projects within San Diego County, as well as central and southern California.

Relevant Experience

City of Escondido - Safari Highlands Ranch Specific Plan EIR.

Currently assisting the City in preparation of an EIR for a high-profile residential project to allow for future construction of 550 single-family residential dwelling units on approximately 1,100 acres. Project elements include approximately 630 acres of biological Resource Open Space in combination with 129 acres of HOA-maintained open space and 13 acres of private recreational open space. Other features include a "Village" core with public park, community center, site for a future fire station, pedestrian trails/bike lanes, and improvements to ensure emergency access. Key environmental issues analyzed in the EIR include aesthetics, air quality/GHG, biological and cultural/tribal cultural resources, hydrology/water quality, noise, public services, transportation/traffic and wildfire hazards. The project proposes updating the City's Sphere of Influence (SOI) to include the project site and annexing the site into the City's boundaries, along with the addition/deletion of several other properties to/from the City's SOI.

City of Murrieta - General Plan Update, EIR, and Climate Action Plan. Assisted in preparation of an update to the City's General Plan and General Plan EIR. The City Council's major priority with the update was to focus on economic development, with a focus on adding more jobs, specifically high paying skilled jobs, along with providing retail to support the community. Responsibilities also included preparation of the Climate Action Plan to assess potential global warming effects of future development.

City of Bakersfield - Hillside Development Ordinance Project EIR. Ms. Marotz served as the lead EIR preparer on behalf of the City of Bakersfield for this highly controversial project. The EIR was prepared in compliance with a writ of mandate issued by the Kern County Superior Court in an action entitled DKS Investments, LLC v. The City of Bakersfield, et al. The area affected by the Amended Hillside Development Ordinance (Amended HD Ordinance) is located in the northeastern portion of the Bakersfield and is comprised of 6,531 acres. The Project was to allow for amendments to the City of Bakersfield's original Hillside Development Combining Zone Ordinance of the Municipal Code to implement the goals and policies of the Metropolitan Bakersfield General Plan as they relate to the preservation and maintenance of hillsides as a scenic resource of the City, and to protect the general public from the threat of wildfire, hillside instability and landslides. Major issues included the potential for the Project to: 1) indirectly cause the

Years of Experience: 19

Education

Masters, Urban and Environmental Planning
University of Virginia,
Charlottesville

BA, Architectural Studies
University of Kansas

Professional Certificate –
Green Energy Management,
San Diego State University

Professional Affiliations and Certifications

American Planning
Association

American Institute of
Certified Planners (AICP)

Leadership in Energy and
Environmental Design
Accredited Professional
(LEED AP)

San Diego County Certified
Consultant: EIR Preparer;
Visual Impact Analyses

conversion of agricultural land to residential uses due to future development being displaced by the development restrictions established by the HD Ordinance; 2) cause or contribute to an increase in energy consumption due to future lower density development as the result of the development restrictions of the HD Ordinance; and, 3) to cause or contribute to an increase in air pollution due to future lower density development as a result of the development restrictions of the HD Ordinance.

County of San Diego - As-Needed Advance Planning Services. Ms. Marotz provided long-range planning and associate support services on an as-needed basis to the County under a 3-year on-call contract. Michael Baker's services included preparation and review of draft policies and ordinances, zoning and community planning, urban design, community outreach, stakeholder engagement and facilitation, environmental review and compliance, and attendance at hearings and meetings.

City of Carlsbad - Ponto Beachfront Village Vision Plan Program EIR. Responsible for preparation of a Program EIR for the City of Carlsbad's Ponto Beachfront Village Vision Plan, located adjacent to Coast Highway 101 (Carlsbad Boulevard). The Vision Plan served as a programmatic document to guide future development of the approximately 50-acre site with mixed-use development, residential, and resort commercial uses (hotels, shops, and restaurants). Key issues analyzed in the EIR included circulation and parking; land use planning; aesthetics; noise; lighting/glare effects; and, biological resources.

City of Encinitas - Weston Subdivision Project EIR. Michael Baker prepared an EIR on behalf of the City for subdivision of approximately 13.4 acres into 48 single-family residential lots, two drainage lots, and one private street lot, along with onsite open areas for passive recreation. The project included provision of affordable housing units utilizing the State of California's Density Bonus law (Govt. Code 65915). Due to the site's location along the bluff adjacent to the Batiquitos Lagoon, project design was required to evaluate direct and indirect impacts on sensitive biological species in the surrounding area. Additionally, direct project access proposed from La Costa Avenue required in-depth analysis of potential traffic and public safety issues. Other key environmental issues included aesthetics/visual resources, cultural/tribal cultural resources, hydrology/water quality, noise, and public safety.

City of Encinitas - Fox Point Farms Project EIR. Michael Baker is currently assisting the City with preparation of an EIR for the 21.5-acre Fox Point Farms project. Development will occur consistent with the Concept Plan for the property as approved as part of the City's General Plan Housing Element Update in 2019. The community will consist of 53 for-sale cottages/carriage units/townhomes, 197 apartments, edible landscaping, community gardens, trails, a bocce court, social spaces, a community library, and a community recreation center. Of the units proposed, 211 will be market-rate units and 39 will be "very low" affordable residential units. The project will include a shared public/private agricultural amenity area including a farm-to-table restaurant, farm stand, event lawns, discovery garden, greenhouse and community work area, and an outdoor education patio. The northern portion of the project site will remain in agricultural use, serving as an organic farm operation. Key issues include biological and cultural resources, greenhouse gas emissions, hydrology/water quality, and transportation (vehicle miles traveled).

City of Encinitas - North Coast Highway 101 Streetscape Development Project EIR. Michael Baker prepared an EIR on behalf of the City of Encinitas for an approximately 2.5-mile segment of the North Coast Highway 101 corridor. Environmental issues analyzed included aesthetics/visual resources, air quality/GHG emissions, hydrology and water quality, noise, public services, and transportation/traffic. Of key City and community concern were potential effects on emergency response time through the affected corridor with installation of proposed roundabouts and other traffic controls.

Garett Peterson

Planning Associate

General Qualifications

Mr. Peterson has a broad background in public, private, and non-profit environmental policy and planning. Mr. Peterson specializes in preparation of environmental and planning studies for public and private sector clients in accordance with CEQA and other local, state, and federal laws. To that end, his work typically consists of the preparation and coordination of environmental impact reports (EIR), initial study/mitigated negative declarations (IS/MND), and categorical exemptions (CE) for a variety of project types. Mr. Peterson also has city planning experience conducting comprehensive development code updates, general plan analysis, entitlement coordination, and public outreach. Mr. Peterson is also a member of the American Planning Association.

Years with Michael Baker:
1.5

Years with Other Firms: 3

Degrees

B.S., 2015, Environmental
Policy Analysis and Planning,
University of California,

Experience

Safari Highlands Ranch Specific Plan EIR, City of Escondido, CA. Currently assisting the City in preparation of an EIR for a high-profile residential project to allow for future construction of 550 single-family residential dwelling units on approximately 1,100 acres. Project elements include approximately 630 acres of biological Resource Open Space in combination with 129 acres of HOA-maintained open space and 13 acres of private recreational open space. Other features include a "Village" core with public park, community center, site for a future fire station, pedestrian trails/bike lanes, and improvements to ensure emergency access. Key environmental issues analyzed in the EIR include aesthetics, air quality/GHG, biological and cultural/tribal cultural resources, hydrology/water quality, noise, public services, transportation/traffic and wildfire hazards. The project proposes updating the City's Sphere of Influence (SOI) to include the project site and annexing the site into the City's boundaries, along with the addition/deletion of several other properties to/from the City's SOI.

City of Eastvale Adjunct Staffing Services, Riverside County, CA - Michael Baker supports the City of Eastvale's Planning Department with adjunct staffing services. Mr. Peterson is responsible for providing as needed assistance to support planning and environmental services at the City. Mr. Peterson predominately assists the City in completing CEQA/NEPA review and preparing supporting documentation for various projects in the city, including commercial warehouses, public infrastructure, and residential developments. He also prepares public notices and other meeting notices as needed.

Sunrise EIR, Environmental Review Services, City of San Marcos, CA - Michael Baker is currently providing third-party review for the Sunrise EIR Project located in the City of San Marcos. The project proposes 192-unit multi-family residential units in combination with open space, active recreational areas, bio-retention areas, circulation improvements, and a public services and facilities plan. The project is largely situated on two undeveloped parcels comprising 14.4 acres at the eastern boundary of the City of San Marcos; however, the project requires annexation of land from the County of San Diego, as well as City of San Marcos approval of a General Plan Amendment, Rezone, Multi-Family Site Development Plan, Specific Plan, Tentative Map, and Conditional Use Permit.

Fox Point Farms Project EIR, City of Encinitas, CA - Currently preparing an EIR for the development of an "agrihood" community on an approximately 21.5-acre site located in the City of Encinitas. An agrihood is defined as a single-family, multifamily, or mixed-use community that is built with a working farm on-site. The proposed project will also include recreational facilities and a pedestrian path around the perimeter of the site. The pedestrian path will also provide access to the adjacent Magdalena Ecke Open Space Preserve. Key issues analyzed in the EIR include traffic, aesthetics, air quality, hazards, and noise.

Demler Manure Pelleting Facility MUP Application, San Diego County, CA - Demler Brothers, LLC (applicant) proposed to construct a 16,200 square foot (sq. ft.) building to house a poultry manure pelleting system. Processing the manure on-site and converting the waste into pellets would lower storage and transportation costs, reduce dust and odors generated. The project is an allowed use under the current A72 (General Agriculture) zone that applies to the property with approval of a Major Use Permit (MUP) from the County of San Diego. Key issues analyzed in the MUP application included aesthetics, air quality, biological, and utilities and service systems.

Pond 20 Wetland Mitigation Bank EIR, Environmental Review Services, San Diego Unified Port District, CA - Michael Baker is currently providing third-party CEQA review and support services for the Port of San Diego for the Pond 20 Wetland Mitigation Bank Project. The project involves preparation of an EIR (by a Port-approved third-party consultant) and supporting technical studies for creation of a wetland mitigation bank at Pond 20, a component of the historic South Bay salt ponds complex in San Diego. The project will allow for establishment of a 80-acre wetland mitigation bank and potential future development of adjacent lands owned by the Port District for commercial use.

Podium 93 Project EIR, City of San Diego, CA - Currently preparing an EIR for a commercial redevelopment project proposed by Alexandria Real Estate Equities (applicant). The proposed project consists of two primary components: (1) demolition of three existing buildings that total 138,400 sq. ft. and (2) construction of three new buildings that will support approximately 604,490 sq. ft. of retail, office, and research and development. Key issues analyzed in the EIR include traffic, aesthetics, energy, and land use.

New River Improvement Project IS/MND, City of Calexico, CA - Michael Baker teamed with the City of Calexico to design and implement infrastructure improvements to address the public health threat that the condition of the New River poses to people within the Calexico area. The State of California's Clean Water Act Section 303(d) lists the New River as impaired by numerous constituents and is a State of California priority for cleanup purposes. Michael Baker prepared an Initial Study/Mitigated Negative Declaration to evaluate potential effects of the project, with key focus on biological and cultural resources, GHG emissions, hazards/hazardous materials, hydrology and water quality, and utilities and service systems.

Daggett Solar Power Facility Project EIR, San Bernardino County, CA - Michael Baker prepared an EIR for Clearway Energy, LLC to allow for the construction and operation of a utility-scale, solar photovoltaic (PV) electricity generation and energy storage facility that would produce up to 650 megawatt (MW) of power and include up to 450 MW of battery storage capacity on approximately 3,500 acres of land. Key issues analyzed in the EIR included hydrology/water quality, aesthetics, air quality, biological and cultural resources, and utilities and service systems.

Aaron Barrall

Planning Associate

GENERAL QUALIFICATIONS

Mr. Barrall has a broad background in public, private, and non-profit planning and environmental outreach. He is thoroughly knowledgeable in municipal development codes, long range plans, and entitlement processes, and is a skilled researcher and communicator. Mr. Barrall specializes in land use planning, development entitlement, green infrastructure, and stormwater management. Past projects and duties have included comprehensive development code updates, general plan analysis and amendments, entitlement coordination and review, and code enforcement.

Years with Michael Baker:
1

Years with Other Firms: 1

Degrees

B.S., 2018, Environmental Systems (Earth Science), University of California, San Diego

B.A., 2018, Urban Studies and Planning, University of California, San Diego

EXPERIENCE

Housing, Environmental Justice, and Safety Element Update Strategy. County of San Diego. Planning Associate. Secondary author of a strategy report that identified the statutory requirements, critical path and project milestones, best practices, and recommendations on the approach and strategies for the preparation of updates to the County's Housing, Environmental Justice, and Safety Elements. Worked with County staff and consultants to identify statewide examples and best practices to support the recommendations for each element and analyzed value and efficiency considerations.

Carlsbad Comprehensive Zoning Ordinance Update. City of Carlsbad. Planning Associate. Responsible for working closely with project manager and city staff to evaluate, consolidate, and update the existing zoning code. Implemented textual changes and conducted research ensuring that the revised code was compliant with recent changes in state law and best practices. Key issues addressed included redundant sections, document organization and flow, use-based regulations, and administrative procedures.

Menifee Development Code and Grading Ordinance Update. City of Menifee. Planning Associate. Responsible for the comprehensive review and streamlining of the existing use allowances, general development standards, and special development regulations. Associated tasks included revision of animal keeping regulations, development of graphics, and grading ordinance review for consistency with regional stormwater standards.

Casa de Oro Specific Plan. County of San Diego. Planning Associate. Responsible for due diligence work and technical review of opportunities and constraints, existing conditions, and zoning regulations to support development of a specific plan. Primary author of existing conditions analysis to provide a deeper understanding of the specific plan area, including existing and proposed development potential, potential changes to land use and regulation, and opportunities to remove potential obstacles and constraints and provide incentives for desired changes. Integral team member for community outreach. Supported preparation for and coordination of community input at the Fall Festival, community meetings and visioning workshops.

Light Pollution Code Amendment Strategy. County of San Diego. Planning Associate.

Responsible for stakeholder engagement and primary author of Best Practices Memo and Lighting Ordinance Amendment Options Report. Solicited and documented internal stakeholder input (County staff, Julian Dark Skies Network, and other key stakeholders), researched best practices relative to lighting codes, standards, and industry practices, and prepared project strategy documentation. Developed stakeholder engagement strategy, created engagement materials (maps, slide presentation, and other meeting materials), and led external stakeholder meetings. This work will support a comprehensive amendment and revision of the Light Pollution Chapter of the Administrative Code (Light Pollution Code) which will enable recognition of certain County community planning areas as Dark Sky Communities by the International Dark-Sky Association.

Watershed Protection Program - Copermittees Working Group Support, County of San Diego.

Facilitator for the San Diego Regional Stormwater Copermittees' Education and Outreach Working Group, which includes serving as the content-neutral chairperson to support the workgroup in achieving their objectives, scheduling quarterly meetings, preparing and sending meeting notifications per the Brown Act, preparing and distributing agendas, coordinating with the workgroup secretary to distribute materials or work products in advance of meetings, keeping an updated master contact list for the workgroup, reviewing draft meeting notes prepared by the workgroup secretary, following up with responsible persons for action items in a timely manner, and running efficient and effective meetings by timekeeping, agenda tracking, and encouragement of collaborative participation.

Podium 93 Community Plan Amendment, Specific Plan Amendment, and Rezone.

Alexandria Real Estate Equities. Planning Associate. Responsible for the textual and graphic amendments to the University Community Plan, Nexus Specific Plan, and Zoning Map to allow for higher intensity research and mixed-use office building within the City of San Diego.

Urban Agriculture Incentive Zone Ordinance. County of San Diego. Planning Associate.

Responsible for conducting research on best practices for Urban Agriculture Incentive Zones, providing a comprehensive analysis and recommendations report, and primary stakeholder engagement plan. Wrote the draft ordinance, the draft CEQA document, and conducted a detailed GIS analysis to understand the potential fiscal impact of the ordinance. Provided outreach to both internal and external stakeholders and assisted in Board of Supervisors hearing preparation.

Moss Street General Plan Amendment and Rezone. City of Chula Vista. Planning Associate.

Responsible for the review and amendment of the City's General Plan and Zoning Ordinance which included comprehensive consistency analysis, justification, and preparation of amended document and land use maps. Assisted the project manager by preparing project descriptions, graphic exhibits, and coordinating with the City and client on projected submittal timelines, requirements, and significant project issues.

Bartell Medical Office Building Due Diligence. City of San Diego. Planning Associate.

Analyzed the City of San Diego General Plan, University Community Plan, and Zoning Ordinance designations and regulations for the project site. Identified key issues and project constraints, reviewed planning documents and approvals for comparable projects, and reviewed potential for project site update and re-designation in proposed University Community Plan Update.



CITY OF ESCONDIDO
CONSULTING AGREEMENT

This Agreement is made this 8th day of April, 2020.

Between: CITY OF ESCONDIDO
a Municipal Corporation
201 N. Broadway
Escondido, California 92025
Attn: Bill Martin, Dir. of Community Development
("CITY")

And: Keyser Marston Associates, Inc.
555 West Beech Street, Ste. 460
San Diego, CA 92101
Attn: Paul Marra
619-718-9500
("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 prepare a sector feasibility study and support the Housing and Community Investment Study; 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 an amount not to exceed \$45,000. 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: _____

Jeffrey R. Epp
City Manager

Date: _____

KEYSER MARSTON ASSOCIATES, 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.



City of Escondido Request for Proposals Sector Feasibility Study

Submitted by:

**Keyser Marston Associates, Inc.
555 West Beech Street, Suite 460
San Diego, CA 92101
(619) 718-9500**



KEYSER MARSTON ASSOCIATES.

March 26, 2020

TABLE OF CONTENTS

SECTION	PAGE
Section I – Cover Letter	1
Section II – Summary	3
Section III – Project Organization	6
Section IV – Cost Proposal	11
Section V – Conflict of Interest	13
Section VI – Disclaimers	14

March 26, 2020

Mr. Mike Strong
Assistant Planning Director
City of Escondido
201 North Broadway
Escondido, CA 92025

Re: Request for Proposals for Sector Feasibility Study

Dear Mike:

Keyser Marston Associates, Inc. (KMA) is pleased to submit this response to the Request for Proposals (RFP) issued by the City of Escondido (City) for a Sector Feasibility Study.

This letter and attachments present the KMA proposal to assist the City in analyzing the feasibility of different residential product types and densities as part of the City's Housing Element update for the 2021-2029 planning cycle. In pursuance of this goal, the City seeks the following services:

- Assess if market-rate and affordable housing developments are financially/economically feasible under rising construction, land, and regulatory costs.
- Assist the City in understanding the cost of an on-site affordable housing obligation should the City decide to pursue adoption of an inclusionary housing program.

KMA is uniquely qualified to provide these consulting services to the City. Among KMA's key strengths are the following:

- *KMA has an unparalleled track record on affordable housing policy.* KMA has provided supporting technical studies for inclusionary housing policies, in-lieu fees, and density bonus programs for numerous cities throughout Southern California.
- *KMA understands local market and development trends.* KMA has wide-ranging, recent, relevant experience and insight with the regional housing market and economic factors. This familiarity enhances our ability to assess the market and financial feasibility of potential multi-family and mixed-use developments within the City.

- *KMA has specialized expertise in affordable housing transactions.* KMA has extensive experience in affordable housing transactions that have been funded with Low Income Housing Tax Credits, the Affordable Housing and Sustainable Communities (AHSC) program, and other Federal and State programs. We have worked with numerous cities on transactions with dozens of affordable housing developers, resulting in the production of thousands of units.
- *KMA has deep local roots.* Our long-term San Diego presence enhances our understanding of local affordable housing issues and trends that impact San Diego. We have worked in Escondido for over 30 years, including assistance with many of the City's affordable housing transactions.

We are excited by the opportunity to collaborate on the City's 2021-2029 Housing Element Cycle. KMA has prepared a scope of services that addresses key market factors impacting residential development; the absorption potential of the City's remaining residential land; and the preparation of financial feasibility models reflective of potential market-rate, mixed-income, and affordable housing developments within the City. KMA has long valued its relationship with the City and believes we have contributed to many of the City's successful economic revitalization and affordable housing accomplishments. Our scope of services will provide the City with a combination of cost-effective technical analysis, a deep knowledge of local real estate development economics, and extensive understanding of best practices in affordable housing policy.

Paul C. Marra will serve as the principal-in-charge and primary point of contact for this contract. His contact information is:

Paul C. Marra, Managing Principal
Keyser Marston Associates, Inc.
555 West Beech St., Suite 460
San Diego CA 92101
Phone: (619) 718-9500 / E-mail: pmarra@keysermarston.com

Thank you for the opportunity to present our qualifications for the sector feasibility study to the City. We look forward to responding to any questions regarding our proposal.

Sincerely,

KEYSER MARSTON ASSOCIATES, INC.



Paul C. Marra

attachment

SECTION II – SUMMARY

KMA APPROACH

Statement of Understanding

The California Department of Housing and Community Development (HCD) has determined that the San Diego region should plan for 171,685 housing units during the 2021-2029 Housing Element cycle. Of this amount, 9,607 units have been allocated to the City of Escondido (City) as part of SANDAG's draft Regional Housing Needs Assessment (RHNA) Plan, approved on November 22, 2019. The units allocated to the City are to be distributed as follows:

Income Category	Number of Units	Percent of Total
Very Low	1,864 units	19%
Low	1,249 units	13%
Moderate	1,527 units	16%
Above Moderate	4,967 units	52%
Total	9,607 units	100%
Source: SANDAG, DRAFT 6 th Cycle RHNA Allocation		

In recent years, the City has experienced a high level of developer interest in in-fill housing. Development of hundreds of multi-family rental and condominium units are currently under construction or planned for the City's downtown area. The City is largely built out and has a limited supply of vacant land for additional housing. Therefore, the City seeks to evaluate the various regulatory and non-regulatory factors that constrain market-rate and affordable housing development on the remaining available parcels and underutilized properties. To that end, the City wishes to evaluate the financial feasibility of various new construction residential product types and densities. In addition, the City seeks to analyze the cost for developers to comply with an on-site affordable housing obligation should the City decide to pursue the adoption of an inclusionary housing program.

Proposed Scope of Services

1. *Project Initiation* – At the outset of the assignment, KMA will participate in a teleconference with City staff to clarify the City's objectives, the KMA work program, data requirements, and the timeline for completion. KMA will also collect and review available studies and background information.

2. *Overview of Market Trends* – KMA will prepare an overview of market supply and demand factors for residential development. KMA will conduct a review of residential market trends -- i.e., land values, prices/rents, vacancy factors, and lending and investment criteria -- for residential uses within the City. KMA will draw from available published data sources including CoStar Group and Multiple Listing Service (MLS). In addition, KMA will analyze affordability levels relative to the City’s existing housing income distribution.

3. *Market Absorption Potential* – Based on the market assessments, KMA will prepare a matrix summarizing principal assets and constraints affecting residential development potential. We will identify key development opportunities in terms of residential product type and location. In consultation with City staff and the City’s Housing Element Consultant, KMA will prepare long-term growth projections and absorption forecasts. Absorption forecasts will be expressed in units as well as land area. We will compare the required land area to meet the absorption forecasts with the remaining vacant land inventory in the City.

KMA will require data from the City to complete this task – specifically, a Citywide parcel map and inventory of the City’s remaining residential development capacity by zoning category and density level.

4. *Identification of Potential Development Prototypes, Tenure, and Affordability Levels* – To test the feasibility of alternative development concepts/product types at various income levels (i.e., market-rate vs. mixed-income vs. affordable), KMA will participate in a teleconference with City staff to formulate a range of conceptual development prototypes. Prototypes may vary in terms of density, parking type, and potential sites/locations within the City. We will also work with City staff to determine the appropriate tenure (rental vs. for-sale), parking ratio, and targeted affordability levels for each prototype. Based on these discussions, KMA will recommend five (5) development prototypes for the financial pro forma analyses, as described below in Task 5.

5. *Financial Pro Forma Analyses* – For each of the five (5) development prototypes identified in Task 4 above, KMA will prepare financial pro forma models with variations in terms of tenure and affordability level, as described below:

Scenarios	Affordability Level	Tenure	Parameters
Scenario #A	100% Market-Rate	For-Sale/Rental	One (1) base case 100% market-rate pro forma model for each prototype
Scenario #B	Mixed-Income	For-Sale/Rental	For each prototype, KMA will test up to three (3) alternative affordable housing set-asides and Area Median Income (AMI) levels, e.g., ranging between 10% at Very Low Income to 20% at Low Income

Scenarios	Affordability Level	Tenure	Parameters
Scenario #C	100% Affordable	Rental	One (1) 100% affordable pro forma model assumed to be financed with Low Income Housing Tax Credits for each prototype

The pro forma analysis for each prototype will include estimates of development costs, value upon completion, targeted developer return, and/or potential funding sources. The outcome of this analysis will illustrate the feasibility, in terms of residual land value or financing gap, of each development prototype. Residual land values can then be measured against recent comparable land sales to draw conclusions about financial feasibility.

For Scenario #B, noted above, KMA will utilize the financial feasibility analyses to test the viability of potential affordable housing requirements. The impact of the various affordability requirements will be measured in terms of proportionate decrease in developer return and/or residual land value. These decreases will be compared to real estate investment industry standards and comparable land sales values. If the analysis indicates that the potential requirements are not currently viable, KMA will estimate the degree to which market-rate rents and sales prices would need to increase to render the requirements feasible.

6. *Key Findings* – KMA will participate in a teleconference with City staff to review the findings of the feasibility analyses. Based on feedback from the City, KMA will make appropriate changes to the financial models and summary tables.
7. *Report* – KMA will prepare both a summary report and detailed technical appendix. The summary report will be written for a wide audience and will include a concise synthesis of the analysis and findings. The appendix will present the methodologies, data sources, assumptions, and results of the financial pro forma analysis. To the extent possible, the report will include user-friendly exhibits and graphics, as well as clear, easy-to-understand terminology. The KMA report will be presented in a maximum of three (3) successive versions: Administrative Draft, Draft, and Final.
8. *Presentation* – As needed, KMA will prepare a PowerPoint presentation and/or other handouts summarizing the KMA methodology and findings. KMA will participate in one (1) City Council meeting to present our findings.

SECTION III – PROJECT ORGANIZATION

Keyser Marston Associates, Inc. (KMA) is a California corporation founded in 1973. The firm maintains one of the largest real estate advisory practices on the West Coast and has served over 700 clients on more than 2,000 projects. Representative public sector clients include nearly every major municipality in California; cities, ports, and military bases throughout the West; counties and special districts; and public and private colleges and universities. KMA's services fall within the following general areas:

- ✓ Affordable Housing Transaction, Policy, Implementation, and Administrative Services
- ✓ Public/Private Partnerships (P3s)
- ✓ Real Estate and Disposition Strategies
- ✓ Land Use Economics
- ✓ Fiscal and Economic Impacts

We are proud to have provided economic consulting services on not only the most high-profile public/private projects in California, but also numerous smaller developments serving our local communities. A significant portion of our firm's practice includes land valuations, market analyses, public/private real estate transactions, affordable housing policy and transactions, and development agreement negotiations for clients in the San Diego region. This provides us a unique understanding of San Diego's development industry, real estate market factors, and key players in the affordable housing sector.

A unique strength of KMA is the depth, continuity, and availability of our principals, who bring an average of more than 20 years of practical experience in working with business and government and provide convenient and personal service to our clients through our three offices: Berkeley, Los Angeles, and San Diego.

KMA services to the City will be provided from our San Diego office, located in Downtown San Diego. In addition to our long track record with the City, the KMA San Diego office has worked with numerous cities, former redevelopment agencies, transit districts, and housing authorities in San Diego, Orange, Riverside, and Imperial counties. Our comprehensive knowledge of comparable transactions, development case studies, and policy initiatives represents a valuable resource to our clients. We maintain an extensive database of land values, developer pro formas, construction costs, operating expenses, market indicators, and other key inputs compiled from this comprehensive, and continuous, industry exposure.

KMA Professional Staff and Comparable Experience

KMA San Diego Managing Principal Paul C. Marra will act as principal-in-charge. Other key KMA personnel include Linnie A. Gavino, Manager, and Michael D. Tactay, Senior Associate, both in the KMA San Diego office. Brief profiles for each KMA staff person, a description of their role on this assignment, and their experience in providing similar services for governmental agencies are presented on the following pages.

Paul C. Marra, Managing Principal



Background - Mr. Marra is Managing Principal of KMA’s San Diego office. Having worked with San Diego, Orange, Riverside, and Imperial County public agencies for nearly 30 years, he has specialized expertise in public/private partnerships (P3s) and affordable housing financing programs and strategies. Mr. Marra plays a key role in structuring affordable housing transactions, strategy development, policy analyses, and program creation for cities and counties.

Mr. Marra served as the 2012 President of Lambda Alpha International San Diego chapter and is a member of the Urban Land Institute, American Planning Association, San Diego Housing Federation, and Citizens Coordinate for Century 3. He graduated Phi Beta Kappa from The Johns Hopkins University with a Bachelor of Arts degree in Sociology.

Role on Assignment - Principal-in-Charge; lead market-rate, mixed-income, and affordable housing financial analyses; attend meeting with City staff and/or City Council.

Relevant Experience:

City of San Diego Inclusionary Affordable Housing Ordinance

Economic Feasibility Analysis – Mr. Marra assisted the San Diego Housing Commission with preparation of a Financial Feasibility Analysis to support updates to the City of San Diego’s (City’s) Inclusionary Affordable Housing Regulations. Mr. Marra evaluated the impact of inclusionary housing requirements on market-rate residential development projects throughout the City and also participated in numerous stakeholder committee meetings, at which he presented successive iterations of development prototypes, financial pro formas, and feasibility conclusions. The final Financial Feasibility Analysis, and subsequent Addendum, were used by the Council in its consideration of, and ultimate adoption of, amendments to the Inclusionary Affordable Housing Regulations in December 2019, with support from the business community and building industry.



City of Vista / Vista Village Market and Affordable Housing – Mr. Marra has advised the City of Vista



with their redevelopment and revitalization efforts for 25 years. He assisted the City with developer selection, feasibility analysis, negotiations, and transaction structuring for both market-rate and affordable housing developments in the Vista Village area. Three of these developments are currently under construction: the 126-unit, market-rate 100 Main mixed-use development; the 81-unit Grove affordable senior apartments; and the 60-unit Paseo Artist Village affordable family/mixed-use development.

Linnie A. Gavino, Manager



Background - Ms. Gavino is a Manager in KMA’s San Diego office. She has specialized in analyzing the market and financial feasibility of market-rate, affordable housing, mixed-income, and mixed-use transactions for over 25 years. Ms. Gavino has been the project manager on several recent affordable housing assignments for the cities of Del Mar, Escondido, National City, Poway, and San Diego.

Ms. Gavino is a member of the San Diego Housing Federation and has conducted technical workshops for a number of professional groups. She holds a Master of Arts degree in Urban Planning from the University of California at Los Angeles and a Bachelor of Arts degree in Public Administration and Urban Studies from San Diego State University.

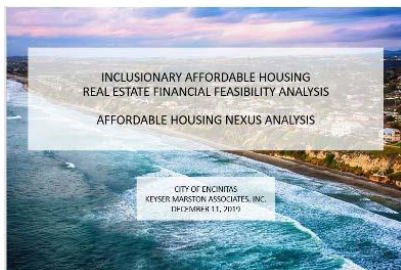
Role on Assignment: Project Manager; manage market-rate, mixed-income, and affordable housing financial analyses.

Relevant Experience:

City of Del Mar / Del Mar “22-in-5” – Ms. Gavino assisted the City of Del Mar with preparation of a strategic plan to provide 22 affordable homes in five years. Ms. Gavino undertook an assessment of the economic feasibility of alternative affordable housing development scenarios for the City. She prepared financial pro formas for three development prototypes which were used to identify additional loan or grant funds needed from local, State, or Federal funding sources in order to achieve production of affordable units in the City.



City of Encinitas / Inclusionary Affordable Housing Real Estate Financial Feasibility Analysis - Ms. Gavino prepared an inclusionary housing financial feasibility analysis related to the City’s inclusionary housing ordinance and Housing Element. Ms. Gavino evaluated the ability of market-rate residential development to sustain existing and potential updated inclusionary housing requirements. She prepared an extensive series of pro forma analyses, involving 10 development prototypes, and a broad range of affordable housing set-asides, AMI levels, and application of density bonuses. City officials are using the KMA analysis and findings to determine the most appropriate changes to the City’s existing inclusionary housing ordinance (pending as of this writing).



Michael D. Tactay, Senior Associate



Background - Mr. Tactay is a Senior Associate in KMA's San Diego office. He joined KMA in 2014 and has worked on a variety of projects, ranging from in-fill mixed-use and multi-family to large, master-planned communities. He has extensive experience in market research and analysis, financial feasibility testing, and fiscal and economic impact assessments.

Mr. Tactay holds a Bachelor of Arts degree in both economics and political science from the University of California, Irvine. He is currently attending the University of San Diego to obtain a Certificate in Real Estate Finance, Investments, and Development. Mr. Tactay's affiliations include the American Planning Association, San Diego Housing Federation, and Urban Land Institute.

Role on Assignment: Conduct market research and analysis; perform/review market-rate, mixed-income, and affordable housing financial analyses.

Relevant Experience:

City of El Cajon / Transit District Specific Plan – Mr. Tactay assisted the City of El Cajon with its recently adopted Transit District Specific Plan (TDSP). As part of this project, Mr. Tactay provided an evaluation of market demand for potential commercial, residential, industrial, and/or mixed-use development within the El Cajon Transit Center Study Area. He also assessed the financial feasibility of potential residential/mixed-use development scenarios for selected sites within the Study Area. Adopted by the City Council in 2018, the TDSP includes a range of housing options, neighborhood commercial services, and employment opportunities around the Transit Center.



City of San Diego / Complete Communities Housing Solutions

Program – Mr. Tactay is currently assisting the City of San Diego in analyzing the financial feasibility of increased housing density within the City's Transit Priority Areas (TPAs) as part of the proposed Complete Communities Housing Solutions Program (CC/HS). This work includes financial pro forma analyses evaluating six (6) test sites and six (6) development prototypes ranging in density, unit mix, construction type and costs, and market rents. For each site/prototype, he is testing a range of affordable housing and infrastructure requirements as well as development incentives. Each feasibility test yields conclusions expressed in terms of return on investment and/or residual land value, enabling KMA to recommend which scenarios are viable and likely to stimulate accelerated housing development.

SECTION IV – COST PROPOSAL

KMA proposes to provide the above services on a time-and-materials basis subject to the hourly billing rate schedule that follows in this section. Our total budget requirement is \$45,000, allocated as follows:

Task #1	Project Initiation	\$2,000
Task #2	Overview of Market Trends	\$4,500
Task #3	Market Absorption Potential	\$6,000
Task #4	Potential Development Prototypes	\$3,000
Task #5	Financial Pro Forma Analyses	\$16,500
Task #6	Key Findings	\$5,000
Task #7	Report	\$5,000
Task #8	Presentation	\$3,000
Total		\$45,000

This budget includes:

- Up to five (5) residential development prototypes
- A maximum of 15 pro forma models (5 prototypes x 3 scenarios = 15 pro forma models)
- For the mixed-income scenario (Scenario #B), up to three (3) alternative affordable housing set-asides and AMI levels
- Maximum of one (1) draft and one (1) final pro forma iteration for each prototype
- Three (3) versions of the summary memorandum report: Administrative Draft, Draft, and Final
- No meetings with City staff; three (3) teleconferences with City staff and/or the City's Housing Element consultant
- One (1) PowerPoint presentation
- One (1) public meeting with the City Council

The KMA scope and budget specifically excludes preparation of a residential nexus analysis.

**KEYSER MARSTON ASSOCIATES, INC.
PUBLIC SECTOR HOURLY RATES**

	<u>2020/2021</u>
CHAIRMAN, PRESIDENT, MANAGING PRINCIPALS*	\$280.00
SENIOR PRINCIPALS*	\$270.00
PRINCIPALS*	\$250.00
MANAGERS*	\$225.00
SENIOR ASSOCIATES	\$187.50
ASSOCIATES	\$167.50
SENIOR ANALYSTS	\$150.00
ANALYSTS	\$130.00
TECHNICAL STAFF	\$95.00
ADMINISTRATIVE STAFF	\$80.00

Directly related job expenses not included in the above rates are: auto mileage, parking, air fares, hotels and motels, meals, car rentals, taxis, telephone calls, delivery, electronic data processing, graphics and printing. Directly related job expenses will be billed at 110% of cost.

KMA billing rates listed above may be increased at a rate of no more than 2% per fiscal year, beginning July 1, 2021.

Monthly billings for staff time and expenses incurred during the period will be payable within thirty (30) days of invoice date.

* Rates for individuals in these categories will be increased by 50% for time spent in court testimony.

SECTION V – CONFLICT OF INTEREST



KMA has no existing conflicts of interest that would impair or undermine our ability or credibility regarding the proposed services identified in this RFP. KMA will immediately advise the City should a conflict of interest or concern arise while undertaking these services.

SECTION VI – DISCLAIMERS



In accepting this proposal, the City represents, acknowledges and agrees that:

- KMA is not advising or recommending any action be taken by the City with respect to any prospective, new or existing municipal financial products or issuance of municipal securities (including with respect to the structure, timing, terms and other similar matters concerning such financial products or issues);
- KMA is not acting as a Municipal Advisor to the City and does not assume any fiduciary duty hereunder, including, without limitation, a fiduciary duty to the City pursuant to Section 15B of the Exchange Act with respect to the services provided hereunder and any information and material contained in KMA's work product; and
- The City shall discuss any such information and material contained in KMA's work product with any and all internal and/or external advisors and experts, including its own Municipal Advisors, that it deems appropriate before acting on the information and material.



CITY OF ESCONDIDO
CONSULTING AGREEMENT

This Agreement is made this 8th day of April, 2020.

Between: CITY OF ESCONDIDO
 a Municipal Corporation
 201 N. Broadway
 Escondido, California 92025
 Attn: Bill Martin, Dir. of Community Development
 ("CITY")

And: Rick Engineering
 5620 Friars Road
 San Diego, California 92110
 [Attn: Brook Peterson
 619-291-0707
 ("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 prepare the East Valley Specific Plan and support the Housing and Community Investment Study; 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 an amount not to exceed \$147,000. 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: _____

Jeffrey R. Epp
City Manager

Date: _____

RICK ENGINEERING

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.



CITY COUNCIL STAFF REPORT

Consent Item No. 12

April 8, 2020

File No. 0160-35

SUBJECT: Annual Destruction of Police Records and Revision of Records Series Codes

DEPARTMENT: City Clerk's Office

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-42, authorizing the destruction of City records as set forth in Exhibit "A" and Exhibit "B," which are attached to Resolution No. 2020-42, for the Police Department and modify records series codes: 0400-60, 0410-30, 0675-10 and 0720-30 to comply with Government Code 34090.

FISCAL ANALYSIS:

None.

BACKGROUND:

The records identified for destruction are more than two years old. These records do not affect the title to real property or liens thereon, are not court records, are not evidence in any claim file or any pending litigation or potential claim or litigation, are not required to be kept further by a statute, and are no longer required by the City.

Authority to destroy these records is requested as provided by California Government Code Section 34090 et seq. Said records consist of documents identified in Exhibit "A" attached to Resolution No. 2020-42. The Department Head and the City Attorney's office have reviewed the records for historical value and for compliance with the established retention requirements, and consent to their destruction.

Records series codes 0400-60, 0410-30, 0675-10 and 0720-30 identified in Attachment 1, currently exceed the required retention of Government Code 34090. The language of Government Code 34090 can be found in Attachment 2. Therefore, it is requested that the City Council modify the aforementioned codes to comply with the retention requirements of Government Code 34090.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Zack Beck, City Clerk
4/1/20 8:45 p.m.

Annual Destruction of Police Records and Revision of Records Series Codes
April 8, 2020
Page 2

ATTACHMENTS:

1. Attachment 1 - Citywide Records and Information Management Program
2. Attachment 2 - Government Code 34090 Attachment 2
3. Resolution No. 2020-42
4. Resolution No. 2020-42 Exhibit A
5. Resolution No. 2020-42 Exhibit B

City-Wide Records & Information Management Program

Administered by:
Office of the City Clerk
201 North Broadway
Escondido, CA 92025



TABLE OF CONTENTS

	<u>PAGE</u>
I. INTRODUCTION	
Preface by City Clerk	1
The Records Management Program	7
II. FILING SYSTEM – ACTIVE	
System Description	
Using the Functional Filing System	19
Description of Filing Functions	21
Color Coding for the Functional Filing System	26
III. FILING SYSTEM - INACTIVE	
System Description	
The Inactive Records Program	29
Color Coding for the Inactive Records Program	31
Annual Compliance Audit	32
IV. COMPUTER APPLICATIONS	
Electronic Document Management System Software (Questys)	33
Electronic Information Management System Software (Versatile Professional)	34
V. PROCEDURES	
Filing a Document	35
Creating a New File	37
Checking Out Files (i.e. security)	38
Retrieving Active Records from other Departments	39
Destruction of Original Public Records	41
Destruction of Duplicate Public Records	45
Transferring Inactive Records to Storage	47
Retrieving/Returning Stored Records	48
Destruction of Stored Records	49
VI. APPENDICES	
Appendix A: Records Retention Schedule, Complete	A-1 thru A-107
Appendix B: Functional Filing System	B-1 thru B-33
Appendix C: Alphabetic Cross-Reference Index to the Filing System	C-1 thru C-58
Appendix D: Records Retention Schedule – Codes of Abbreviations	D-1 thru D-2
VII. REFERENCE	
Reference - Glossary of Terms	i-1 thru i-5



Diane Halverson
City Clerk
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4617 Fax: 760-735-5782
dhalverson@escondido.org

March 28, 2016

Dear City Employee,

Welcome to the City of Escondido's updated version of the City-Wide Records & Information Management Program.

This policies and procedures manual, prepared for you by the City Clerk's Office, was originally developed in 1988 to assist you in becoming familiar with the records program. Since the original publication, many changes have taken place due to changes in technology.

PROGRAM BACKGROUND

In 1989 the City Council established a Citywide Records Management Program, which included a Records Retention Schedule, with the adoption of Ordinance No. 89-02. The City Council amended the Records Retention Schedule in 2000 by Resolution No. 2000-288, in 2005 by Resolution No. 2005-117, and in 2016 by Resolution No. 2016-32.

For additional information regarding the background of the current changes presented in this manual, please see the attached staff report presented to the City Council on March 23, 2016.

PROGRAM IMPLEMENTATION

The primary concern of Records Management is the efficient, effective and economical management of information. The guiding principle is to insure that information is available when and where it is needed, in an organized and efficient manner, and in a well-maintained environment. Records Management encompasses all the record-keeping requirements that allow an organization to establish and maintain control over information flow and administrative operations through the entirety of a record's life cycle, from creation to final disposition. A Records Retention Schedule is the primary means to manage the City's records.

In order to further develop a cohesive records management system, the categorical structure of the Records Retention Schedule has been utilized to develop a comprehensive document design tree for electronic document and information archives. The cohesion between the Records Retention Schedule and the architectural design of the document design trees within records management software is critical to the efficient, effective and economical management of information as technology continues to change.

PROGRAM FUTURE

With the recent adoption of the records retention update by the City Council, the City Clerk's Office is moving forward with the development of a prudent Electronic Records Management Plan. Specific electronic documents are being maintained by all departments/divisions and migratory processes are essential for transferring active and inactive electronic files to electronic archives for retention and disposition.

The purpose of the electronic records management policy is to adopt policy/regulations and establish guidelines

as part of an electronic documents management system. Establishing guidelines for an electronic records management systems and electronic recordkeeping functions will include (1) electronic records; (2) records managers; and (3) the electronic document management systems designed for archival of electronic documents. The electronic records management policy will specifically concentrate on conformance of electronic documents and agents with the City of Escondido's Records Retention Schedule.

Managing electronic records of long-term value is essential to the continued processes and function of public service, applying special measures to ensure that information continues to be accessible. Policies and procedures are being drafted and training will soon begin.

Sincerely,

Diane Halverson, CMC
City Clerk

Eva Heter, CMC
Assistant City Clerk

CITY COUNCIL

For City Clerk's Use:

APPROVED **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 17

Date: March 23, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Diane Halverson, City Clerk
Eva Heter, Assistant City Clerk
Gary J. McCarthy, Senior Deputy City Attorney

SUBJECT: City Records Retention Schedule

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2016-32 approving the revised and updated Records Retention Schedule for the City of Escondido.

FISCAL ANALYSIS:

None

PRIOR ACTION:

In 1989 the City Council established a Citywide Records Retention Program, which included a Records Retention Schedule, Ordinance No. 89-02. The City Council amended the Records Retention Schedule in 2000, Resolution No. 2000-288, and in 2005, Resolution No. 2005-117.

BACKGROUND:

Public Records. In 1968 the State Legislature passed the California Public Records Act (PRA), Cal. Gov't Code § 6250 et seq., which is modeled after the federal Freedom of Information Act and details which government information is, and is not, available to the public. Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. In general, all records are open to the public, in whatever form they are maintained, unless otherwise exempt from disclosure in the PRA.

The PRA defines records broadly. "Public records" include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. Cal. Gov't Code § 6252(e). "Writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Cal. Gov't Code § 6252(g). The PRA authorizes access to most records in possession of the City by anyone.

Although the PRA does not directly address records management or retention other laws do. The State Legislature has authorized local agencies to dispose of certain public records with the approval of the legislative body and the written consent of the City Attorney. Cal. Gov't Code § 34090. This section does not authorize the destruction of records affecting the title to real property or liens, records required to be kept by statute, records less than two years old and the minutes, ordinances, or resolutions of the legislative body or a city board or commission unless otherwise provided by law. Cal. Gov't Code § 34090. Accordingly, most records are retained for at least two years.

Records Management. The primary concern of Records Management is the efficient, effective and economical management of information. The guiding principle is to insure that information is available when and where it is needed, in an organized and efficient manner, and in a well-maintained environment. Records Management encompasses all the record-keeping requirements that allow an organization to establish and maintain control over information flow and administrative operations through the entirety of a record's life cycle, from creation to final disposition. A Records Retention Schedule is the primary means to manage the City's records.

A Records Retention Schedule is a list of categories of records produced or maintained by the City and the actions taken with regards to those records. An approved Records Retention Schedule is the City's legal authority to receive, create, retain, and dispose of official records. It documents which records require office or temporary storage, have historic or research value, and which should be destroyed because they no longer have any administrative, fiscal, or legal value. In the event of litigation, courts have accepted a Records Retention Schedule as establishing an agency's "normal course of doing business". A Records Retention Schedule will include references to state law requirements.

Secretary of State Guidelines. In 1999, the State Legislature required the Secretary of State to establish the Local Government Records Program and to create guidelines for local government retention. Cal. Gov't Code § 12236. The Secretary of State published guidelines in 2006 to provide some standards and structure to the local government records management effort. CA Sec. Of State, Local Government Records Management Guidelines (2006) ("State Guidelines"). The State Guidelines apply the following principles to local governments: "Effective Records Management ensures that records are kept only as long as they have some administrative, fiscal, or legal value. When records no longer fulfill the value for which they were created, they should be destroyed unless they also have some historic or research significance." The State Guidelines include recommended retention periods by category. State Guidelines § 2-2010. The Guidelines also define "Non-Records" as material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, and library or museum material intended solely for reference or exhibition, and documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents. State Guidelines § 2-1030.

The State Guidelines also divide Records Management into three distinct phases: inventory, appraisal and disposal. Conducting an inventory documents which records exist, where the records are kept, the volume of records, and how the records are used in the normal course of an agency's

business. Sound records management also requires a realistic appraisal of records in relation to their period of usefulness and their value to the agency that possesses the records. The appraisal will:

- Establish reasonable retention periods.
- Identify records that can be destroyed immediately.
- Identify records that should be transferred to low cost storage.
- Identify vital and/or confidential records.
- Identify records with historic and/or research value.
- Determine the method of disposition.

The inventory, appraisal, and disposal review process concludes with a revised Records Retention Schedule. Once records have fulfilled their administrative, fiscal, or legal function they should be disposed of as soon as possible in accordance with their Records Retention Schedule. Disposition may include sending appropriate records to an archival facility, recycling unneeded records, and/or destroying unneeded confidential records.

City Records Management. The City's Records Management Program aligns with the State Records Management Guidelines. The City's goal is to apply efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of City records. With new laws being created, existing laws being amended and changes occurring in business functions and processes, the City Records Retention Schedule requires periodic updates.

This update is the result of an extensive review of current departmental practices and functional filing system needs. The process for completion of the Records Retention Update included departmental records inventories (audits), multiple meetings with department staff, review of Records Retention Schedules from other organizations and research of local, state and federal laws pertaining to records retention requirements.

The present effort began in February 2014, when the City Clerk assembled a committee comprised of 45 staff members from all City departments. With assistance from the City Clerk, the individual committee members inventoried and performed a physical audit of departmental files and their respective portions of the City's Retention Schedule. After multiple meetings with City staff over the past two years, the City Clerk completed the appraisal process and has revised records descriptions, eliminated obsolete categories and streamlined records management functions. The revised Records Retention Schedule, attached as Exhibit A to Ordinance No. 2016-32, is the culmination of this effort.

PROPOSED CHANGES:

Most of the proposed changes are administrative which reflect the changing operations of City business. For example, the records audit found that the City no longer uses the categories of Senior Citizens Advisory Board, Project Area Committee, and Civic Center Committees. Thus, those sections can be eliminated from the Records Retention Schedule. This update also specifically adds the City's longstanding email retention policy to the Records Retention Schedule. Electronic mail is a medium not intended for permanent storage and may be purged on a minimum 90-day basis by the City's Information Systems Department. If the City requires retention of any information contained in

an electronic mail correspondence, it must be printed out in hard copy for physical filing, or an electronic file shall be copied, archived and stored separately from ordinary inboxes or message logs. Text messages are a similar medium and have similar retention standards. If information has value, i.e. a text message related to a criminal investigation, then the record would be retained according to the specific criminal investigation category in the Records Retention Schedule.

The rapid expansion of video recordings has also resulted in an evolution of laws related to those records. In 2015 the State Legislature adopted provisions dividing police body worn camera videos into categories of evidentiary and nonevidentiary. Cal. Pen. Code § 832.18. The new law states that body camera video used as evidence should be retained for at least two years but allows destruction after 60 days when the data does not have value to aid in an investigation or prosecution, such as a recording of an incident or encounter that does not lead to an arrest or citation or the general activities of a police officer. The proposed Records Retention Schedule adopts these retention periods.

The City also uses video cameras to monitor certain front counters, parking lots, or other areas around the City. The monitoring system may “loop” or retain data for a brief period of time, but footage is automatically recorded over if it is not intentionally saved. This is consistent with the policy established by the City Council in Ordinance No. 89-02 when it excluded from the definition of public records, “certain records which are not retained by the City in the ordinary course of business.” A video recording, on the other hand, is the result of a specific and intentional decision to create and maintain a record in accordance with a specific category in the Records Retention Schedule. For example, the City intentionally records data from jail observation cameras and building security systems that record the regular and ongoing operations of City departments and retains the data for at least one year in accordance with state law. Cal. Govt. Code § 34090.6. Thus, when a video has value, the City retains the recording in accordance with the Records Retention Schedule, but we do not normally retain any recordings of routine video monitoring, such as images of people walking near a city building or through Grape Day Park.

In summary, City records should be retained only as long as they serve the immediate administrative, legal and/or fiscal purposes for which they were created. When records no longer serve these purposes, they should be disposed of or preserved for archival purposes, whichever is appropriate. The proposed changes to the City Records Retention Schedule complete a multi-year effort to update the City’s administrative procedures to align City practices with current law.

PROPOSED ACTION:

Adopt Resolution No. 2016-32 to update the City’s Retention Schedule.

Respectfully submitted,



Diane Halverson
City Clerk



Eva Heter
Assistant City Clerk



Gary J. McCarthy
Senior Deputy City Attorney

THE RECORDS MANAGEMENT PROGRAM

RECORDS MANAGEMENT is the systematic control over the creation, acquisition, processing, use, protection, storage and final disposition of all recorded information required by municipal government to effectively conduct its business. It involves assembling and managing the correct information (1) in the proper form, (2) at the right time and place, and (3) for use by appropriate persons. Thus, it is a dynamic system for managing records in an efficient and least-costly manner.

In early 1987 Bigelow Associates was contracted by the City of Escondido to design and supervise the installation of a city-wide records management program. When the program was initiated, the City had 2500 drawers of records to be reviewed and (a) incorporated into a new, uniform filing system, (b) transferred to inactive storage, or (c) scheduled for destruction. The goal was to complete as much of the program as possible within fifteen months, to coincide with the opening of the current City Hall in March of 1988.

On February 22, 1989, the City Council adopted Resolution No. 89-58 establishing a records retention schedule for the City of Escondido. The Records Retention Schedule was amended on November 15, 2000 by Resolution No. 2000-288, and on May 25, 2005 by Resolution No. 2005-117. On March 23, 2016, Resolution No. 2016-32 was approved providing for the revision and update of the Citywide Records Retention Schedule. Included in this manual is that portion of the newly revised retention schedule specific to your department as well as a complete copy of the entire records retention schedule.

On March 1, 1989, the City Council adopted Ordinance No. 89-02 providing for the establishment and administration of a records management program for the City of Escondido. A copy of this Ordinance is included in this manual. The resolution consists of sections pertaining to: Purpose, Definitions, Ownership of Public Records, Inspection of Public Records, Withholding Records from Inspection, Procedure to Inspect and/or Receive Copy of Public Records, and Responsibilities.

The program, under supervision of the City Clerk's office, required coordination between the City's Records Management Committee, staff from 13 City departments, and a temporary work force of 19 persons. Within 15 months, the records of all departments were inventoried; 40,000 active files were converted to the new system; 41 Resolutions of destruction were approved by the City Council; 35,000 pounds of records were destroyed; 800 boxes of inactive records were transferred to storage; and retention schedules were reviewed and approved by all 13 departments. Also, software programs were designed and implemented for the filing system, cross-reference index, for records in archival and inactive storage, and Legislative History Indexes for the City Council, Planning Commission, Community Services Commission and Community Development Department.

This program manual is an update from the 2005 version. It has been distributed to all City departments. It contains the complete filing system, a filing system cross-reference index and records retention schedules which are department specific (see Resolution No. 2016-32 for complete retention schedule). Also included are descriptions of the active and inactive records programs, and policies and procedures for maintaining active and inactive records.

The filing system is a version of MUFFS, an abbreviation for Municipal United Functional Filing System. Stanley Gordon, CRM, originally developed the concept for the Army and the City of Los Angeles. This version has been refined and modified to make it practicable and workable for medium-sized government agencies. The system is duplex-numeric (a category and sub-category numbering system) and is based on the individual functions and services performed by the City of Escondido. Records and documents are filed by what is being done (FUNCTION) rather than by who is doing it. The system is UNIFIED in that all Departments use the same numbering system for similar records. Also, the system is numerically tiered to narrow the search for a particular record, thus allowing its rapid retrieval. Individual file folders are color-coded by functional category to prevent misfiling and to direct the user immediately to a desired group of records. Finally, color-coded labels are used to indicate retention; departmental ownership; in some cases, project year; and destruction date in the case of stored records.

The functional filing system is flexible, contracting and expanding in accordance with departmental needs and the addition or deletion of file categories does not affect the overall numbering system. The comprehensive cross-reference index has been computerized and provides the rapid location of a numeric code by subject.

The application and success of the program will depend on each employee's attitude and concern for the City's records. It has been our objective to establish a practical, economical and efficient records program, which will contribute to the City's progress. It should result in significant savings through:

- safe, low-cost storage of all records in accordance with state and federal regulations,

- rapid access to active records,

- more efficient use of office space and storage facilities, and

- timely disposition of obsolete records.

ORDINANCE NO. 89-2

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RECORDS MANAGEMENT PROGRAM FOR THE CITY OF ESCONDIDO, CALIFORNIA

The City Council of the City of Escondido, California does ordain as follows:

Section 1. Purpose. The declared purpose of this Ordinance is to provide for the proper and efficient management of the public records of the City of Escondido.

Section 2. Definitions.

a. City Clerk means the City Clerk or the designated representative of the City Clerk of the City of Escondido.

b. Disposition means the allocation of public records to a particular location according to their categorization, or for destruction.

c. Public Record means any writing, regardless of physical form or characteristics, which is created, owned, used, maintained, or retained in the conduct of city business and preserved as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities, or because of the informational value of data contained therein. "Public record" does not include the records and files of the City Attorney customarily maintained in his office and those certain records which are not retained by the City in the ordinary course of business. Such exempt records include, but are not limited to, preliminary drafts, notes, inter-agency or intra-agency memoranda, messages and notes customarily discarded, confidential communications from the City Attorney, stenographic notes, tapes used in transcription, and rough drafts.

d. Records Center means a central repository for housing all inactive records until they have met their specific retention requirements, or other records which are stored and preserved from destruction due to legal, operating or historical reasons.

e. Records Management means the systematic control of the creation, acquisition, processing, use, protection, storage, and final disposition of all public records, including the establishment and maintenance of a system of filing and indexing public records.

f. Retention Schedule means the document describing records maintained by city departments and specifying, in accordance with statutory requirements or evaluation, the period of time established for their retention which must elapse before destruction may be made of a body of records.

g. Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

Section 3. Ownership of Public Records. All public records shall be the property of the City of Escondido_ and, in this regard, such records shall be delivered by outgoing officials and employees to their successors.

Section 4. Inspection of Public Records. Except as hereinafter provided, every person shall have the right to inspect any public record, according to procedures established by the City Council or its designated representative for such inspection. The following records shall be exempt from inspection:

a. Preliminary drafts, notes, inter-agency or intra-agency memoranda, or other records which are not retained by the City in the ordinary course of business or are not defined as a public record in Section 2c hereof;

b. Records pertaining to litigation to which the City is or has been a party, or to claims made pursuant to Division 3.6 of Title 1 of the California Government Code, to the extent such items are covered by the attorney-client or work product privileges.

c. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy;

d. Records relating to complaints to or investigation conducted by, or records of intelligence information or security procedures of the Police Department, or any such investigatory or security files compiled by the City of Escondido for correctional, law enforcement or licensing purposes;

e. Test questions, scoring keys, and other examination data used to administer a licensing or employment examination;

f. The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the City of Escondido relative to the acquisition of property, or to prospective public supply and construction contracts, until such time as all the property has been acquired or all the contract agreement obtained, provided, however, the law of eminent domain shall not be affected by this provision;

g. Information required from any taxpayer in connection with the collection of local taxes which is received in confidence and the disclosure of which to other persons would result in unfair competitive disadvantage to the person supplying such information;

h. Library or historical materials made or acquired and presented solely for the purpose of reference or exhibition;

i. Records the disclosure of which is exempted or prohibited pursuant to provisions of federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege;

j. Statement of personal worth or personal financial data required by a licensing agency and filed by an applicant with such licensing agency to establish his personal qualification for the license, certificate, or permit applied for;

k. Initiative, referendum and recall petitions and all memoranda prepared by the City Clerk or designated personnel in the examination of such petitions indicating which registered voters have signed particular petitions.

l. Communications to and from the City Attorney with City personnel, consultants, or other parties with whom the city has a confidential relationship.

Nothing in this section is to be construed as preventing the City of Escondido from opening its records concerning the administration of the City to public inspection, unless disclosure is otherwise prohibited by law.

Section 5. Withholding Records from Inspection. The City of Escondido may justify withholding any record by demonstrating that the record in question, is exempt under applicable provisions of the California Government Code, or that on the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

Section 6. Procedure to Inspect and/or Receive Copy of Public Record: Fee. Any person may inspect and/or receive a copy of any identifiable public record or copy thereof upon reasonable request therefor. All requests shall be specific and shall be in writing either by mail or over the counter. Whenever practicable, the records shall be made available for review or copying by the requester immediately. If the nature of the request including, but not limited to, the amount of items, research required or workload make it impracticable to provide the items immediately then they shall be provided within 10 working days or such other time as the nature of the request dictates, not to exceed 20 days from the date of receipt of the request to copy. Upon request, an exact copy shall be provided unless it is impracticable to do so. A request for a copy of an identifiable public record or information produced therefrom, or a certified copy of such record, shall be accompanied by a fee in an amount established by resolution of the City Council.

Section 7. Responsibilities.

a. City Council. The responsibility for the keeping and management of all public records of the City of Escondido shall rest with the City Council of the City of Escondido.

b. Officers and employees. It shall be the duty of each officer and employee of the City of Escondido to protect, preserve, store, transfer, destroy or otherwise dispose of, use and manage public records only in accordance with applicable federal, state or local law, or such rules as may be promulgated or approved by the City Council.

c. City Clerk. It shall be the duty of the City Clerk to coordinate the Records Management Program for the City of Escondido. In this regard, the City Clerk may, among all other things that may be required for the proper and efficient management of the public records of the City of Escondido:

(1) Develop and circulate such instructions and regulations as may be necessary and proper to implement and maintain the Records Management program;

(2) Advise and assist City departments in the preparation of records inventory and retention schedules;

(3) Provide and maintain a Records Center to house records no longer required in active office areas but which records require further retention due to legal, operating or historical reasons; and maintain an index to all records stored in the Center;

(4) Advise and assist City departments in reviewing and selecting material to be transferred to the Records Center for preservation;

(5) Advise and assist, as the City Clerk deems necessary, City departments in conducting surveys, studies and investigations as will assist in promoting a proper and efficient Records Management program for the City of Escondido, including information retrieval systems;

(6) Submit records retention schedules which affect the destruction of records to the City Council for approval;

(7) Develop procedures for the protection of City records against natural or other disasters.

d. City Departments. City Departments shall establish and maintain an active, continuing program for the economical and efficient management of the public records of the department. Such program shall, among other things, provide for:

(1) Effective controls over the creation, maintenance and use of public records in the conduct of business;

(2) Promotion of the maintenance and security of records deemed appropriate for preservation;

(3) Segregation and disposal of records of temporary value in accordance with established retention schedules.

Those public records which are not required in the current operation of the office where they are made or kept, and all public records which can properly be abolished or discontinued, shall be destroyed in accordance with Section e hereinafter specified, or shall be transferred to the Records Center so that the selected historical records of the City maybe centralized, made more widely available, and insured permanent preservation.

e. Destruction of Public Records. The City Council may, by approving the records retention schedules, grant to City officers and department heads the authority to destroy duplicate records less than two years old if they are no longer required in accordance with the retention periods established in the schedules. Requests for the destruction of original records, without making a copy thereof and in accordance with established retention schedules, shall be forwarded to the City Attorney for his written consent and to the City Council for its approval as provided by the provisions of the California Government Code governing municipalities. This section does not authorize the destruction of original records of:

- (1) Records affecting the title to real property or liens thereon;
- (2) Court Records;
- (3) Records required to be kept by statute;
- (4) Records less than two years old;
- (5) The minutes, ordinances, or resolutions of the City Council or of a City board or commission.

This section shall not be construed as limiting or qualifying in any manner the authority provided in Section f hereinafter provided for the destruction of records, documents, instruments, books and papers in accordance with the procedure therein prescribed.

f. Conditions of Destruction. Notwithstanding the provisions of Section e hereinabove described, the City officer having custody of public records, documents, instruments, books, and papers, may, without the approval of the City Council or the written consent of the City Attorney, cause to be destroyed any or all of such records, documents, instruments, books, and papers, if all the following conditions are met:

- (1) The record, paper, or document is photographed, microphotographed, or reproduced on film of a type approved for permanent photographic records by the National Bureau of Standards;

- (2) The device used to reproduce such record, paper or document on film is one which accurately and legibly reproduces the original thereof in all details;

- (3) The photographs, microphotographs, or other reproductions on film are made as accessible for public reference as the book records were;

- (4) A true copy of archival quality of such film reproductions shall be kept in a safe and separate place for security purposes.

Provided, however, that no page of any record, paper or document shall be destroyed if any such page cannot be reproduced on film with full legibility. Every such unreproducible page shall be permanently preserved in a manner that will afford easy reference.

Section 8. This ordinance shall be published once in a newspaper of general circulation and shall take effect thirty days after its adoption.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 1st day of March, 1989, by the following vote to wit:


AYES : Councilmembers: HARMON, MURPHY, THURSTON
NOES : Councilmembers: NONE
ABSENT : Councilmembers: COWAN, DE DOMINICIS

APPROVED:



DORIS THURSTON, Mayor of the
City of Escondido, California

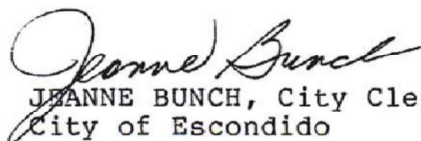
ATTEST:



JEANNE BUNCH, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, JEANNE BUNCH, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 89-2 was passed at a regular meeting of the City Council of the City of Escondido, held on the 1st day of March, 1989, after having been read at the regular meeting of said City Council held on the 22nd day of February, 1989.



JEANNE BUNCH, City Clerk of the
City of Escondido

RESOLUTION NO. 2016-32

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING A REVISED RECORDS
RETENTION SCHEDULE FOR THE CITY OF
ESCONDIDO

WHEREAS, on February 22, 1989, the City Council adopted Ordinance No. 89-02 to provide for the proper and efficient management of the public records of the City of Escondido; and

WHEREAS, the City Council established a Records Management Program for the City of Escondido to provide a means for the systematic control of the creation, acquisition, processing, use, protection, storage and final disposition of all public records, including the establishment and maintenance of filing and indexing public records; and

WHEREAS, the City Council retained the responsibility for the keeping and management of all public records of the City of Escondido; and

WHEREAS, it is the duty of each officer and employee of the City of Escondido to protect, preserve, store, transfer, destroy or otherwise dispose of, use and manage public records only in accordance with applicable federal, state or local law or such rules as may be promulgated by the City Council; and

WHEREAS, the City Clerk has the duty to coordinate the Records Management Program for the City of Escondido including all other things that may be required for the proper and efficient management of the public records of the City of Escondido such as submission of records retention schedules to the City Council for approval; and

WHEREAS, the City Council amended the Records Retention Schedule by Resolution No. 89-58, Resolution No. 2000-288, and Resolution No. 2005-117; and

WHEREAS, the City Clerk has completed an inventory, appraisal and records disposal assessment process, and has proposed adoption of a revised Records Retention Schedule; and

WHEREAS, Exhibit "A" is an appendix to the City of Escondido City-Wide Records & Information Management Program manual and the revised Records Retention Schedule for the City of Escondido.

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 approves the revised Records Retention Schedule which is attached as Exhibit "A" and incorporated by this reference.


PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a special meeting thereof this 23rd day of March, 2016 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MASSON, MORASCO, ABED

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

A handwritten signature in black ink that reads "Sam Abed". The signature is written in a cursive style with a prominent flourish at the end.

SAM ABED, Mayor of the
City of Escondido, California

ATTEST:

A handwritten signature in black ink that reads "Diane Halverson". The signature is written in a cursive style.

DIANE HALVERSON, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2016-32

USING THE FUNCTIONAL FILING SYSTEM

The functional filing system designed for the City of Escondido is a four-tiered system divided in the following manner:

Functions

Categories

Sub-categories

Files

First Tier: Functions

The services performed by all Departments, as part of a municipal corporation, have been grouped into 13 major functions (i.e., what is being done). Each function has been assigned a four-digit number. The following is a list of functions performed by the City:

- 0100 Administration
- 0200 Health, Safety & Welfare
- 0300 Fire Prevention, Equipment & Operations
- 0400 Finance & Fiscal
- 0500 Equipment Service & Maintenance
- 0600 Legal & Legislation
- 0700 Personnel Administration
- 0800 Planning & Community Development
- 0900 Public Facilities & Grounds
- 1000 Building & Engineering
- 1100 Recreation & Education
- 1200 Communications & Staff Services
- 1300 Utilities

Second Tier: Categories

Major concerns within each function are records categories. For example, under the 0400 Finance/Fiscal function are such categories as Accounting, Audits, Banking, Budget, and so forth. Each of these categories is assigned a number **within** the numerical series of the function. For instance, 10 is the number of the “Audits” category. The first two numbers on a file folder (in this case, 04) direct you to the function (0400); and the second and third numbers (10) direct you to the category. Thus, Audit records are found under 0410.

Third Tier: Sub-categories

Sub-categories identify the specific **subject** within the category. A specific subject in the Audits category is “Audit Reports, External”. Each sub-category has a two-digit number, separated from the primary numbers (0410, using the previous example) by a space or hyphen. External Audit Reports have been assigned the sub-category number of -20. Thus, when filing or retrieving External Audit Reports, the filing system guide and the cross-reference index will refer you to the number 0410-20.

Fourth Tier: Files

The fourth tier of the system consists of the actual file folders. Folders are filed, first, by their filing system number. Within the same numerical group, folders are then organized (1) alphabetically; (2) by case number; (3) by date; or (4) by sub-subcategory number (this is a further numerical breakdown, typed on the file folder label itself, which has been assigned by individual departments to specific types of records, such as the City Attorney’s litigation files, or the Risk Manager’s claims files).

A description of the types of records found within each function follows.

DESCRIPTION OF THE FILING FUNCTIONS

As mentioned previously, the overall filing system is divided into thirteen functions. Each function is described below, in summary form, with examples and special notes.

0100 ADMINISTRATION

This function contains the records necessary for the overall administration of the City as a municipal corporation. Included here are City-wide policies and procedures; references files; departmental organizational files, information relating to Boards, Commissions and Committees; files concerning professional associations; various organizations and governmental agencies; public relations and publicity files and information on records management, risk management and safety program.

Of special note are the Boards/Commissions/Committee files, as well as those for various organizations and agencies. This 0100 section contains only the administrative records for these bodies. That is, they contain agendas, minutes, oaths of office, organizational records, membership information, etc. Records, which pertain to specific file categories, are filed under those categories, not in this 0100 section. Examples of such specific categories are MTDB records on light rail systems, LAFCO records on a specific annexation request, or Planning Commission recommendations regarding a rezoning.

Note also that this **function** “Administration” is not to be confused with the **subcategory** “Administration.” The subcategory files include general administrative files for that specific category

0200 HEALTH, SAFETY & WELFARE

Files in this function comprise records on activities, controls and services safeguarding the health, safety and welfare of community citizens. Activities in this function include police protection services, human and social services, disaster preparedness, environmental conservation and preservation, consumer issues, and animal control.

Some specific subcategories found here are rent control, hazardous materials, mutual aid activity reports, litter and noise control, air quality, hospitals, burglar alarms, police reports, child care, police reserves, EOC, safety programs, citizens’ patrol, police vehicles and command van.

0300 FIRE PREVENTION, EQUIPMENT & OPERATIONS

This function contains categories and subcategories relating to the overall operation of the Fire Department and its services and programs. It was identified as a separate function primarily because of its special needs. Categories within the function include fire investigations and reports,

permit inspections files, fire prevention inspections and complaints, fire apparatus, equipment records, and weed abatement.

Some specific subcategories found here are fire/arson investigation reports, Fire Department inspections, fire hose history and maintenance, and fire equipment inventories.

0400 FINANCE AND FISCAL

This function includes all records, which relate to the fiscal affairs of the City. Examples of categories found here are accounting, audits, banking, budgeting, bond issues and debt services, payroll, pension and retirement reports, purchasing, investments, and revenue and taxation.

Subcategories include such subjects as petty cash funds, accounting reports, audit reports, bank statements, deposit slips, operating and capital improvement budgets, requests for financial support, assessment district financial records, general obligation bonds, time cards, travel expense statements and mileage reimbursements, deferred compensation reports, purchase orders and requisitions, bids, vendor brochures and consultant information, cash receipts, billings, business licenses, fee schedules, private funding programs, and investments statements.

0500 EQUIPMENT SERVICE & MAINTENANCE

This function includes files relating to capital equipment owned or leased by the City. Its categories include communications, office, computer and mechanical equipment, as well as rolling stock (i.e. vehicles). Subcategories contain records of equipment work orders, service requests, maintenance and repair records, inventories and log books.

Equipment files not found under this function include:

- (1) Equipment bids - the function of these files is purchasing, and they are found, therefore, under 0470, the purchasing category.
- (2) Fire equipment - as noted previously, fire equipment assignment, maintenance and inventory records are found under the 0300 series, Fire Prevention,

0600 LEGAL & LEGISLATIVE

These records pertain to the duties of the legal officer, legally constituted authorities, laws enacted by or connected with the municipality, and real property. Included are such categories as agreements and contracts; City Council, Community Development commission and Industrial Development Bond Authority; conflict of interest codes and filings, election records, code enforcement, legal operations, litigation, legislation, assessment district case files, real property records and rent control.

Specific subcategories include agreements (different types are assigned different numbers); promissory notes; Council/CDC/IDA/EJPF/RRB agendas and minutes; closed sessions; economic

interest filings and FPPC regulations; election referendums, initiatives and nomination documents; code enforcement complaints and case files; affidavits of posting and publication; legal opinions; civil and criminal legislation; ordinances and resolutions; City codes; legislative bulletins; assessment district case files; property acquisition and disposal records; condemnation and eminent domain proceedings; liens; property inventories; deeds and easements; and mobilehome rent control.

0700 PERSONNEL ADMINISTRATION

Personnel records relate to the staffing and administration of the City's employees, from recruitment through employee benefits, negotiations and organizational development. Sample categories include personnel administration; classifications and qualifications; salaries, wages and benefits; individual employee records; labor relations; employee recruitment and selection; and staff education and training.

Examples of subcategories found here are employee handbooks, newsletters, suggestions and awards; organization charts; job descriptions; classification surveys and reclassification requests; salary surveys and studies; insurance and retirement plans; employee records; labor negotiations; memoranda of understanding; employee associations; employee grievances and investigations; affirmative action program; employment bulletins, job applications; eligibility lists; conferences and seminars; educational reimbursement; educational counseling; volunteer records, and training programs.

0800 PLANNING AND COMMUNITY DEVELOPMENT

With one exception, the 0800 series contains records relating to the policy, regulations and guidelines for the orderly growth, development and redevelopment of property within the jurisdiction's boundaries. The exception is public property, found in the 0900 series.

Categories in the 0800 series include developments and subdivisions; land use control; environmental review; general plan. City planning; City organization and formation; and redevelopment; economic development, the Community Development Block Grant program; housing programs; historic site preservation; and sign control.

Subcategories found here include subdivision case files, parcel maps, plot plans, boundary adjustments, specific plans, development outside the City limits; zoning code amendments, administrative adjustments, EIR's and initial studies, the General Plan and its elements, demographic and statistical data, regional planning, annexation and detachments, sphere of influence, redevelopment plans, downtown area development, business retention & expansion program, CDBG case files, housing programs, mobilehome conversion programs, historic site inventories, and sign and banner permits.

0900 PUBLIC FACILITIES AND GROUNDS (CONSTRUCTION/ALTERATION/ MAINTENANCE/USE)

Series within this category of the filing system have been significantly changed from the prior system by combining many subcategories, thus eliminating the need to list each and every individual city property. This function contains records relating to structures and grounds owned by the City. Subcategories include general administration work orders, custodian services, use permits, graffiti and building maintenance for city property, including parks and lakes.

References to the former Escondido Mutual Water Company under this category have been deleted. Escondido Mutual Water Company records pertaining to shareholders payment records, FERC information, inventory of assets, records & documents pertaining to purchase by city, correspondence, records of impounded funds and proxies and tax returns are now filed under 1320-45.

1000 BUILDING AND ENGINEERING

This series pertains to the provision of essential services, such as streets, sidewalks, bridges and highways; building inspections and permits; engineering survey and projects; traffic engineering; parking control; storm drainage and flood control and transportation.

Specific subcategories include building permits and inspections, inspection logs, grading permits and inspections, engineering plans, base maps, drainage plans, handicapped ramps, specific street plans, street naming, street lighting, median and island landscaping, bike facilities, FAU and FAS projects, bridge calculations and specifications, highway master plans, traffic accident information, school safety and pedestrian safety programs, traffic signal projects, street striping/markings, parking meters, parking facilities, storm drain basins, federal flood insurance program, bus systems, light rail systems, and transportation planning.

1100 RECREATION AND EDUCATION

The 1100 function pertains to recreational and educational programs and activities either provided by the City or available to Escondido citizens. Categories include general administration (such as resources, reports & vouchers); cultural recreation (i.e. monuments & statutes, public art and cultural heritage support programs); education and educational recreation (such as colleges, private schools, high schools and elementary schools); physical education (sports planning and sports activities); and recreation & entertainment (special event programs, after school recreation, and recreation classes).

1200 COMMUNICATION AND STAFF SERVICES

This function contains records pertaining to data processing and computer services; word processing; audio/visual services; software systems; printing and duplicating services; mail control; and communications, such as cable television and telecommunications. GIS projects and technology information is also a function of this category. Specific subcategories include

computer reference files, word processing work requests, graphics, software applications, printing requisitions; photocopy machine readings, postage reports, telecommunications & equipment, and technology research and projects.

1300 UTILITIES

This function contains records relating to power and water supplies; solid waste management, wastewater management, reclaimed water management, storm water management and drinking water management.

Included are such subcategories as underground utility districts; gas and electricity usage information; refuse collection; water treatment and power plants; reservoirs and dams; pump stations; water meters, water usage, water connection rights, water rates, and water line construction. Also included are capital projects, sewage treatment plant, sewer maintenance, sewer outfall, sewer connection rights, sewer rates, and industrial waste.

COLOR CODING FOR THE FUNCTIONAL FILING SYSTEM

The color-coding used in this filing system serves several purposes:

File Numbers: Each number, zero to nine, is a different color. Because files are placed in numerical order, files with similar numerical codes create “color blocks.” For example, zero is green and number one is blue. The 0100 function is filed first with the system, and, therefore, all files within this series will start with green and blue labels. This color-coding assists in the rapid location of the desired numerical sequence and prevents misfiling within the system.

Color Circle: Each folder is coded with a colored circle to indicate the department of ownership. The colored circle appears in the upper right hand corner on the front of each file folder. This coding allows folders regarding a given topic to be used by other departments, or in meetings, and ensure that the folder is returned to the proper department.

Color Bar: Each folder may be coded with a colored bar to indicate the retention requirements of its contents. This coding assists in the annual departmental records purge and transfer, and in ensuring that permanent records are identified and appropriately handled.

File Labels: Some departments have chosen to use different colored file folder labels to segregate project files by year. An example is Engineering’s capital project files; a different colored file label indicates the year the project was initiated.

Departmental Color Circles

File folder "color circles" indicate departmental ownership of the folder. Departments or divisions of Departments have been assigned the following colors:

City Manager
Red (#01)



City Attorney
Green (#03)



City Clerk
Pink (#37)



City Treasurer
Yellow (#07)



Building
Purple (#38)



Building Maintenance
(Engineering)
Beige (#82)



C.D.C.
White (#10)

Community Services
(Administration)
Silver (#64)



Engineering
(Administration)
Tan (#33)



Housing Division
(Community Services)
Orange/Red (#76)



Information Systems
Lime (#42)



Management Services
(Administration)
Blue (#04)



Mutual Water
(Engineering)
Orange (#86)



Personnel
(Management Services)
Orange (#06)



Planning
Gold (#6)



Purchasing
(Management Services)
Gray (#39)



Risk Management
(Management Services)
Green (#78)



Utilities
(Engineering)
Light Blue (#79)



Retention Color Bars

Color bars on the file folders indicate the retention requirements of the contents. The following colors have been used:

Color

Retention

Red



Permanent, do not destroy. These records must be protected from loss. Refer to the retention schedules to see if they are appropriate for microfilming.

Blue



Retain longer than 3 years, but the records are not permanent. Refer to the retention schedules for specific retention requirements.

Green



Retain a minimum of 3 years.

Yellow



The contents may be destroyed at any time. These are not public records for the City of Escondido and have been retained only for department reference.

THE INACTIVE RECORDS PROGRAM

The Records Management program included a review and purge of all departmental files. Obsolete records, which met their retention requirements and were no longer needed for reference or research purposes were scheduled for destruction prior to the move to the current City Hall in 1988. Active files were transferred to the new Functional Filing System. Records which either considered to be permanent, or those which were required to be kept for an additional period of time for legal or research purposes, were transferred to standardized cartons for storage in the records center.

The Records Management Program requires the orderly, low-cost storage of (1) archival records, which must be preserved and protected from destruction, but which no longer require frequent access; and (2) inactive records which normally require little or no reference, but which must be retained for specified periods of time for legal, administrative, operational, fiscal or research purposes.

The Records Center is organized to provide maximum use of limited storage space. Stored records (both archival and inactive) are protected from potential loss and unauthorized review. Access to the Records Center is limited to the City Clerk's staff. The Records Manager manages the retrieval of stored records.

Each carton of stored records is assigned a carton number and a specific location. A list of the records contained in each carton (locator log) is computerized for rapid location and retrieval. Each carton contains a label, which indicates the retention requirements of its contents. Records of a temporary value are assigned a specific year for destruction. Permanent records, however, are scheduled for document imaging. The imaged documents become the permanent record, and the original paper records are ultimately destroyed.

The Program also requires the periodic destruction of inactive records to release valuable storage space for additional records. Once a year, the Records Manager will forward to each department a list of records which have met their retention requirements and may be destroyed. Department records personnel and Department Heads will be asked to review and approve this list, and will have the opportunity to specify a longer retention for those records they feel should not yet be destroyed. An explanation on why the period is being extended is requested.

In addition, each Department, assisted by the Records Manager (or Division Coordinator), will perform an annual records assessment to remove inactive files from the active filing system. The transfer of these records to storage will free prime office space and allow filing equipment to be used for active records. The assessment is scheduled during a time most convenient for each Department.

THE INACTIVE RECORDS PROGRAM (CONTINUED)

Procedures follow to explain how to:

- (1) Transfer files from the active system to storage (i.e. inactive system)
- (2) Retrieve stored records from the Records Center; and
- (3) Destroy inactive records.

One section describes the *Versatile Professional Records Management System* computer program prepared for inactive records. This program allows each department to know which records have been microfilmed or imaged and which records are in storage, as well as the storage location of the records for retrieval purposes. Previous searches were done manually.

Next, space is provided for each Department to store its records destruction lists. These lists are also attached to the Resolution approved by the City Council, which authorizes destruction. Said resolutions are imaged and accessible via the City's *Electronic Document Management System* (EDMS) program via the *Questys* software program. The originals are maintained by the City Clerk's office.

The last section may be used to store a copy of any the previous departmental filing system (some departments may continue to use the previous filing system for referring to records stored off-site prior to 2001).

COLOR CODING FOR THE INACTIVE RECORDS PROGRAM

CONTINUE TO USE THE ACTIVE FILING SYSTEM COLOR CODING
CURRENTLY EXISTING IN THE MANUAL.

ANNUAL COMPLIANCE AUDIT

An annual compliance audit is performed for each City department or division. The Records Manager will contact the department or division representative to schedule said audit.

The purpose of said audit is to make sure records are being maintained in accordance with the City's Records Management program and adopted records retention schedule. This audit also provides an opportunity for the department or division representative to ask any questions they may have concerning the citywide records management program. Records may be transferred to the Records Center following the audit or at any other time during the year.

Following is a list of departments and/or divisions who will be contacted for said annual audit.

DEPARTMENT	DEPARTMENT
Administrative Services	Engineering Administration
Building Division (Planning)	Finance Administration
Building Maintenance (Engineering)	Finance, Purchasing
City Attorney	Finance, Utility Billing
City Clerk	Fire Administration
City Manager	Housing Division (Planning)
City Treasurer	Human Resources
Code Enforcement (Planning)	Information Systems
Community Development Block Grant	Planning Division (Planning)
Community Services	Public Work, Maintenance
Economic Development	Public Works, Utilities

NOTE: The City Clerk, prior to purchase, must approve all requests for new filing cabinets. The purpose of this approval is to confirm with the department and/or division their adherence to the City's Records Management program. Transferring appropriate records to the Records Center frees up much valued office space thus eliminating the need for additional filing cabinets.

ELECTRONIC DOCUMENT MANAGEMENT SYSTEM SOFTWARE

The Citywide electronic imaging program was implemented in 1996 and was designed to replace the AUTOINDEX legislative history program and the micrographics program. Questys is an integrated text and image management system capable of inputting, processing, storing and retrieving documents on a P.C.

The objectives of the Electronic Document Management System Software are to:

- (a) Provide on-line and simultaneous access of city information to city employees and the public
- (b) Reduce the cost associated with the storage and retrieval of records and information
- (c) Prepare for the demand of electronic access to city information in the new millennium

Steps involved in the imaging process include prepping of records, scanning of information, quality control (editing), indexing and conducting sample searches for retrieval of information. These steps are conducted by the records staff of the City Clerk' Office.

The Questys program is an ongoing project maintained by the City Clerk's Office. The program can be accessed through the City's network and a public access terminal has been installed downstairs at City Hall for employee and public use. The database is organized according to the citywide functional filing system. Documents stored in the database can be located within the document design tree according to their assigned category/file number.

Information that is available on the Questys public access terminal:

- City Council minutes, resolutions, ordinances dating back to 1980
- City Council staff reports and backup material dating back to 1997
- Community Development Commission/Redevelopment Agency minutes and resolutions since inception
- Mobilehome Rent Review Board minutes and resolutions since inception
- Planning Commission minutes dating back to 1971
- Current Building Permits

Under the Questys program, City Council and CDC minutes are imaged utilizing OCR (Optical Character Recognition) thus allowing full text research and retrieval capability. File numbers are contained in the minutes. The file numbers serve as a cross-reference to the citywide filing system in order to facilitate retrieval of background materials and documents. City employees and the public can access Questys on-line simultaneously.

ELECTRONIC INFORMATION MANAGEMENT SYSTEM SOFTWARE

In order to meet technical requirements for Records & Information Management, the City purchased Versatile Professional as the new Electronic Records Information Management System Software. Versatile Professional (VP) is a robust records management tool designed to streamline the collection and maintenance of physical records. The following list includes some of the many features in VP:

- Physical Records Management
- Retention Schedules Management
- Robust Full-Text Searching
- Integrated Reporting System
- Imaging and Electronic Attachments
- Automatic Notifications
- Unlimited User-Defined Fields
- Integrated Barcode Technology
- Space Management
- Comprehensive Security
- Web Search, Request, and View

VP allows for a hierarchical file plan design and enables information to be organized according to the City's category assignment, as identified in the records retention schedule. Upon transfer of documents to storage, large amounts of data/information can be imported for effective and efficient retrieval by the department of origin. VP also allows for robust records search criteria for the search and retrieval of archived files.

In addition, Versatile Web Portal system has been implemented in order to better assist City staff with their record discovery and request needs. The purpose was to allow City staff access to the electronic database containing data for all records archived at the records center and the ability to request those records with ease and efficiency.

The new Versatile Web Portal supports the City Clerk's goals to provide exemplary customer service to all City staff. Staff will no longer have to create record request tickets, search through hardcopy record transfer forms, or rely on record center staff to verify if a record has been archived.

RECORDS PROCEDURES, ACTIVE

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988
		Revised: September 2001
Subject: FILING A DOCUMENT IN THE FUNCTIONAL FILING SYSTEM		Page 1 of 2
PURPOSE: To establish uniform procedures for filing documents.		
RESPONSIBILITY	ACTION	
Department Records Coordinator	<ol style="list-style-type: none"> 1. Receive documents for filing. 2. Check the filing system guide or cross-reference index for the appropriate file number as it relates to the document's purpose (function). 3. Locate the appropriate file folder, by number, and check the time period on the right side of the file folder label to ensure that the file is the most current on the subject. 4. Clamp the document into the folder. If the document is longer than 11", it may be reduced on the copier or folded so that it fits into the folder. If the document is bound or too thick to punch holes for clamping, it may be placed into a pocket folder with labels duplicating those found on the original folder. 5. Cross-reference the document, if necessary, to other files within the system. Occasionally, documents will address more than one subject. When this happens, a cross-reference slip (a sample follows this page) should be placed in the other files, referring back to the documents in this file. 	

RECORDS PROCEDURES, ACTIVE

CROSS-REFERENCE

For additional or related information on this subject, please see:

File #

File Title

_____	_____
_____	_____
_____	_____
_____	_____

Comments:

RECORDS PROCEDURES, ACTIVE

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988 Revised: September 2001
Subject: CREATING A NEW FILE FOR THE FILING SYSTEM		Page 1 of 1
PURPOSE: To establish standard procedures for creating new files.		
RESPONSIBILITY	ACTION	
Department Records Coordinator	<ol style="list-style-type: none"> 1. When it becomes necessary to create a new file for a record, which is not currently in the filing system, first determine the purpose (function) the record serves. 2. Decide to which of the 13 functions the document relates. After identifying the function, 3. Check the categories under the function to find the one most suitable. When the category is selected, 4. Find the subcategory most appropriate within the range of the category. Now that the numerical code has been determined, the numerical labels may be applied. In the event that there is no appropriate subcategory, check with the Records Manager for assignment of a new number. 5. Review existing files within the same numeric location to see how the new label should be formatted. Type the identifying labels, specifying: (a) the subcategory identification; (b) the subject and (c) the year the file was created. If possible, also assign a cut-off date. The year(s) is typed in the right-hand corner of the label. 6. Refer to the retention schedules to determine the length of time the record needs to be kept and select the appropriate color bar to reflect that determination. 7. Apply the appropriate color circle to the file folder to reflect the department to which the folder belongs. 8. Append the record to the fastener inside the folder. 9. Place the folder in its numerical sequence within the filing system. 	

RECORDS PROCEDURES, ACTIVE

<p>City of Escondido, California</p> <p>CITY-WIDE RECORDS MANAGEMENT PROGRAM</p>	<p>Effective Date: Issued: June 1988 Revised: September 2001</p>
<p>Subject: CHECKING FILES OUT OF THE FILING SYSTEM</p>	<p>Page 1 of 1</p>
<p>PURPOSE: To ensure that records removed from the system are appropriately replaced in a timely manner to maintain the integrity of the filing system and to ensure accountability for and accessibility to the information contained therein at all times.</p> <p>The following procedures pertain to all files removed from the system for review, regardless of the length of time of their removal.</p>	
<p>RESPONSIBILITY ACTION</p>	
<p>Department Records Coordinator or Any User</p>	<ol style="list-style-type: none"> 1. Locate the necessary file by referencing either the filing system guide or the alphabetic cross-reference index. 2. Complete the necessary information on an “Out” card (or insert a business card into the “Out” card pocket), a supply of which is maintained in a convenient location on or near the filing equipment. 3. Insert the completed “Out” card in place of the file folder being removed. 4. Replace the file and remove the “Out” card when finished reviewing the information or when the file is returned.
<p>Department Records Coordinator</p>	<ol style="list-style-type: none"> 1. Periodically check the filing equipment for “Out” cards and remind the user to return the files when they are no longer required for reference.
<p>Any User</p>	<ol style="list-style-type: none"> 1. Has ultimate responsibility for the safekeeping of the records signed out to him/her.

RECORDS PROCEDURES, ACTIVE

City of Escondido, California CITY-WIDE RECORDS MANAGEMENT PROGRAM		Effective Date: Issued: September 1997 Revised: September 2001
Subject: RETRIEVING ACTIVE RECORDS FROM OTHER DEPARTMENTS		Page 1 of 2
PURPOSE: To establish procedures for the retrieval of active records maintained by other departments.		
RESPONSIBILITY		ACTION
Department Records Coordinator	<ol style="list-style-type: none"> 1. Insures that the records maintained in their Department are secure at all times and that unauthorized access is not permitted. 2. When it is necessary to retrieve files from a department's active filing system, procedures in the Records Management Manual apply, except for special circumstances and litigation purposes, which is covered by this section. <i>NOTE: Files should not be checked out longer than 1 day, except for special circumstances and litigation purposes.</i> 3. Complete a Records Retrieval Request (a sample follows this procedure). 4. Retrieve the requested record and notify the requesting Department that the record is available. 	
Department Personnel	<ol style="list-style-type: none"> 1. Inspect the record in the originating department and return it to the Department Records Coordinator for re-filing, or 2. If the record is to be removed to the requesting Department, sign for receipt of the record on the Records Retrieval Request. 	
Department Records Coordinator	<ol style="list-style-type: none"> 1. Place a copy of the Records Retrieval Request in the "Out" card and file the "Out" card in place of the missing file. 2. Attach a copy of the Records Retrieval Request to the requested record(s). 3. Periodically review the Records Retrieval Requests, which have not been returned and remind the appropriate department that the records should be returned as soon as they are no longer needed for reference. 4. Place the returned records in their proper file location, remove the "Out" card and record the date of return on the Record Retrieval Request form. 	

RECORDS PROCEDURES, ACTIVE

**City of Escondido
RECORDS RETRIEVAL REQUEST
(Active Records)**

Date Requested: _____

Requested By: _____

Department: _____

Category #	Description of Records

Special Instructions: _____

Records Received By: _____

Date Returned: _____

RECORDS PROCEDURES, ACTIVE

City of Escondido, California		Effective Date: Issued: June 1988 Revised: March 2016
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Page 1 of 1
Subject: DESTRUCTION OF ORIGINAL PUBLIC RECORDS		
<p>PURPOSE: To establish uniform procedures, in accordance with legal requirements, for the destruction of original records.</p> <p>The California Government Code sets forth specific procedures for records destruction. The destruction of original records requires the approval of the Department Head having custody of the records, the consent of the City Attorney, and the approval of the City Council.</p> <p>The following procedures conform with state law:</p>		
RESPONSIBILITY		ACTION
Department Records Coordinator	<ol style="list-style-type: none"> 1. Prepares the Notice of Destruction to be distributed to the Department Head for approval. The notice of destruction shall include a list of original records, which have met their retention requirements and are to be destroyed. The list must contain the box number, the file number of the records series, the types of documents being destroyed, the inclusive dates of the records, and the alphabetical or numerical sequence of the records, where applicable. 2. Submit the Notice of Destruction to the Department Head for approval. 	
Department Head	<ol style="list-style-type: none"> 1. Reviews the Notice of Destruction, and indicate whether or not you approve the box to be destroyed, or excluded from the destruction. Please note, in the "Box Number" column, an empty box has been provided for your notations. Mark the box with either an "X" to Destroy, or an "E" to Exclude the box from the destruction. 2. Signs the Notice of Destruction 3. Forwards the signed Notice of Destruction to the Department Records Coordinator. 	
Department Records Coordinator	<ol style="list-style-type: none"> 1. Forwards the Notice of Destruction to the Assistant City Clerk. 	
Assistant City Clerk	<ol style="list-style-type: none"> 1. Reviews the Notice of Destruction for accuracy. 2. Forwards to the City Attorney's Office for review and approval. 	
City Attorney	<ol style="list-style-type: none"> 1. Reviews the Notice of Destruction and indicates approval of their destruction by signing. 2. Forwards the Notice of Destruction to the City Clerk. 	
City Clerk	<ol style="list-style-type: none"> 1. Reviews the list of records for historical value and for compliance with retention requirements. 2. Prepares a Resolution of destruction and attaches a list of the records approved for destruction to the Resolution. 3. Schedules the proposed Resolution on the City Council agenda for authorization to destroy the records. 	

RECORDS PROCEDURES, ACTIVE

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988
		Revised: September 2001
Subject:	Page 1 of 3	
DESTRUCTION OF ORIGINAL PUBLIC RECORDS		
RESPONSIBILITY		
ACTION		
City Council	1. Adopts the Resolution of destruction.	
City Clerk	1. Forwards a copy of the Resolution to the appropriate department, certifying that the City Council adopted the Resolution authorizing the destruction of the records.	
Department Records Coordinator	1. Forwards the cartons of records to be destroyed to the Records Center if they have not already been forwarded.	
Records Manager	1. Arranges for and supervises the destruction of the records. Destruction may be accomplished by disposal, shredding or recycling. If the records are shredded or otherwise disposed of, the City Clerk or the Records Manager signs the certificate at the bottom of Exhibit A. NOTE: Records of a sensitive or confidential nature should be shredded under the direct supervision of the Records Manager. 2. Attaches the certificate of destruction or Exhibit A as completed, to the Resolution and files these documents as permanent records.	



RECORDS PROCEDURES, ACTIVE

EXHIBIT "A"

CITY OF ESCONDIDO
DESTRUCTION OF PUBLIC RECORDS

I hereby certify that: the records listed below are more than two years old, do not affect the title to real property or liens thereon, are not court records, are not, to my knowledge, required to be kept further by a statute, are no the minutes, ordinances or resolutions of the legislative body of the City or of any City Board or Commission, and are no longer required by the City. I request authority to destroy same pursuant to Section 34090 of the Government Code of California.

(Sample Wording: 1998 Unsuccessful Bids, Community Facilities District AD-1-2000 ballots and Initiative Petitions Regarding Solid Waste)

Four horizontal lines for listing records.

Department Head Department Date

I have reviewed the above-described records for historical value and for compliance with the established retention requirements, and I consent to their destruction.

City Clerk Date

I consent to the destruction of the above-described records.

City Attorney Date

I hereby certify that the destruction of the above-described records was approved by the City Council of the City of Escondido, California, by Resolution No. _____ at a regular meeting of the City Council held at Escondido, California, on _____, _____, and that by said Resolution, the department head or his designee was authorized to destroy the records.

(Deputy) City Clerk City of Escondido State of California Date

I hereby certify that pursuant to the foregoing authority, the above-described records were destroyed on _____, _____.

Name Title Date



RECORDS PROCEDURES, ACTIVE

EXHIBIT "B"

**CITY OF ESCONDIDO
AUTHORIZATION TO DESTROY PUBLIC RECORDS**

I hereby consent to the destruction of the records listed below:

Department Head

City Attorney

Box No.	Contents & inclusive Dates

Continue on additional pages if needed

RECORDS PROCEDURES, ACTIVE

City of Escondido, California		Effective Date: Issued: June 1988 Revised: September 2001
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Page 1 of 2
Subject: DESTRUCTION OF DUPLICATE PUBLIC RECORDS		
<p>PURPOSE: To establish uniform procedures, in accordance with legal requirements, for the destruction of duplicate records.</p> <p>The adopted retention schedules have established the City Council’s policy that a Department may destroy duplicate records whenever they are no longer required for reference purposes. The following procedures require the Department Head having custody of the duplicate records to approve their destruction.</p>		
RESPONSIBILITY		ACTION
Department Records Coordinator	<ol style="list-style-type: none"> 1. Prepare a list of duplicate records to be destroyed. The list must contain the titles of the record series, the inclusive dates of the records, and the alphabetical or numerical sequence, if applicable, of the records. A sample destruction list for duplicate records follows this procedure. NOTE: Records may be considered duplicates only if the originals are filed elsewhere in the City. 2. Submit the list of duplicate records to be destroyed to the Department Head. 	
Department Head	<ol style="list-style-type: none"> 1. Reviews the list of records and signs the list as his/her consent to destroy the records. 2. Returns the approved list to the Department Records Coordinator. 	
Department Records Coordinator or Records Manager	<ol style="list-style-type: none"> 1. Supervises the destruction of the duplicate records, or notifies the Records Manager of the records to be destroyed, in which case, the Records Manager arranges to have the records shredded, recycled or otherwise disposed of. 2. Signs the certification indicating that the records were destroyed. 	
Department Records Coordinator	<ol style="list-style-type: none"> 1. Files the list of duplicate records, which were destroyed, in the appropriate section of this manual. 	

RECORDS PROCEDURES, ACTIVE

**CITY OF ESCONDIDO
AUTHORIZATION TO DESTROY DUPLICATE PUBLIC RECORDS**

I hereby consent to the destruction of the duplicate records listed below:

_____ Department Head

_____ Date

I hereby consent to the duplicate records listed below have been destroyed:

_____ Name & Title

_____ Date

Box No.	Contents & inclusive Dates

Continue on additional pages if needed

RECORDS PROCEDURES, INACTIVE

City of Escondido, California CITY-WIDE RECORDS MANAGEMENT PROGRAM		Effective Date: Issued: June 1988 Revised: March 2016
Subject: TRANSFERRING INACTIVE RECORDS TO STORAGE		Page 1 of 1
PURPOSE: To establish standard procedures for transferring archival and inactive records to storage.		
RESPONSIBILITY		ACTION
Department Records Coordinator	<ol style="list-style-type: none"> 1. Use the retention schedules and/or the retention color bar and dates on the file folders as guides to transferring records to storage. 2. Place records to be stored in standardized cartons, as follows: <ol style="list-style-type: none"> (a) Place only those records which have the same destruction date within each carton. (b) Pack the records upright in the carton, in the same order as they are maintained in the active files. (c) Pack the records loosely; no carton should contain more than 25 pounds (about two-thirds full). 3. Complete a Record Transfer Form (Records Transfer form can be located on the Intranet) for each carton of records to be sent to storage. <ol style="list-style-type: none"> (a) Fill out the form electronically including information such as Department, Record Series, Description, Submit Date, From Date, To Date, Media Type, and Submitted By. (b) Print and place a copy inside the carton. (c) Save the electronic Records Transfer form in the P: Temp Drive. P:\City Clerk\Records Transfer Forms; Save the document according to the following Naming Format: <i>06.11.15 [Dept. Name] Box1</i> 4. Please contact Records Center Staff either by phone at (760) 839-4592, or email recordrequest@escondido.org to schedule a pickup of cartons. 	
Records Center Staff	<ol style="list-style-type: none"> 1. Receive carton of records for storage. 2. Review Records Transfer form submitted to P: Temp. Check for spelling errors & inconsistencies before running Versatile Import. 3. Create box in Versatile Professional and run Versatile Import to add data from files within box. 4. Print box label & file labels in Versatile Professional and apply to both the box and files within the box. 5. Store carton in the appropriate Records Center location. Send designated Department contact electronic copy of Box Inventory Report. 	

RECORDS PROCEDURES, INACTIVE

City of Escondido, California CITY-WIDE RECORDS MANAGEMENT PROGRAM		Effective Date: Issued: June 1988 Revised: March 2016
Subject: RETRIEVING/RETURNING STORED RECORDS	Page 1 of 1	
PURPOSE: To establish procedures for retrieving records stored in the Records Center.		
RESPONSIBILITY	ACTION – RETRIEVING RECORDS	
Records Manager	1. Ensure that the records maintained in the Records Center are secure at all times and that unauthorized access is not permitted.	
Department Records Coordinator	1. Utilize Versatile Web to locate files and boxes. (a) Log into Versatile web (b) Using the retrieval tab, click on search boxes / files (c) Supply the criteria for the file / box you are requesting (d) When results are populated, click on the green plus sign just below the shopping cart to add items to your retrieval list (e) When items requested are complete, click on the request button and Records Center Staff will be alerted to your request (See also, Versatile Web Portal User Guide, included within the procedures section of this manual) 2. Additionally, you may request a box or file by notifying the Records Center Staff via email or by telephone. Please contact Records Center Staff either by phone at (760) 839-4592, or email at recordrequest@escondido.org	
Records Center Staff	1. Retrieve the requested record(s) and deliver same to the requesting individual.	
RESPONSIBILITY	ACTION – RETURNING RECORDS	
Department - Admin	1. Return the record(s) to the City Clerk’s office by placing it in box in the Records Manager’s office and entering the return date on the “Returned Records Log”, which is located beside the box. 2. You may also call or email Records Center Staff to schedule pickup of returned record(s). Please contact Records Center Staff either by phone at (760) 839-4592, or email at recordrequest@escondido.org	
Records Center Staff	1. Check out the file(s) or box(es) in Versatile Professional using the Reference Activity Tab. Click new request and select the person to whom the file will be checked out to. * 2. The Notification client will notify users bi-weekly when their checked out item(s) exceeds 60 days. 3. Check in the file(s) or box(es) in Versatile Professional using the Reference Activity Tab. This is similar to checking out records, but you will check the return button. <i>* Note there will be separate policies & procedures for using the barcode scanner to process transactions versus checking them out manually in Versatile Professional.</i>	

RECORDS PROCEDURES, INACTIVE

City of Escondido, California CITY-WIDE RECORDS MANAGEMENT PROGRAM		Effective Date: Issued: June 1988 Revised: July 2001 Revised: September 2001
Subject: DESTRUCTION OF STORED RECORDS		Page 1 of 2
<p>PURPOSE: To establish procedures for the periodic destruction of records of temporary value stored in the Records Center.</p>		
RESPONSIBILITY		ACTION
Records Manager	<ol style="list-style-type: none"> At a specified time each year, prepares lists of records, separated by departments, which have met their retention requirements and may be destroyed. These lists (known as Exhibits A and B) will be attached to a Resolution of destruction to be submitted to the City Council for approval. Exhibit A (a copy of which is included) summarizes the types of records to be destroyed, which are detailed on Exhibit B (not attached). NOTE: Please note attached a document entitled "Destruction Notification Report. This is a report printed by the Advantage Software Program and may be used in place of Exhibit B. If used, this becomes Exhibit B to the resolution. Forwards the destruction lists to the appropriate Department Records Coordinator for review. 	
Department Records Coordinator	<ol style="list-style-type: none"> Reviews the destruction lists and forwards them to the Department Head for approval indicated by his/her signature on both Exhibits A and B. Forwards Exhibits A and B to the Records Manager. 	
Records Manager	<ol style="list-style-type: none"> Forwards Exhibits A and B to the City Attorney. 	
City Attorney	<ol style="list-style-type: none"> Reviews Exhibits A and B and indicates approval of the destruction of the listed records by signing both Exhibits A and B. Forwards both Exhibits to the Records Manager. 	
Records Manager	<ol style="list-style-type: none"> Prepares a Resolution of destruction and attaches Exhibits A and B to the Resolution. Forwards proposed Resolution, along with Exhibits A and B to the City Clerk. 	

RECORDS PROCEDURES, INACTIVE

City of Escondido, California CITY-WIDE RECORDS MANAGEMENT PROGRAM		Effective Date: Issued: June 1988 Revised: July 2001 Revised: September 2001
Subject: DESTRUCTION OF STORED RECORDS		Page 2 of 2
<p>PURPOSE: To establish procedures for the periodic destruction of records of temporary value stored in the Records Center.</p>		
<p>RESPONSIBILITY ACTION</p>		
City Clerk	<ol style="list-style-type: none"> 1. Reviews Exhibits A and B for historical value. 2. Signs Exhibit A as his/her consent to destroy the records. 3. Schedules the proposed Resolution on the City Council agenda for authorization to destroy the records. 	
City Council	<ol style="list-style-type: none"> 1. Adopts the Resolution of destruction 	
City Clerk	<ol style="list-style-type: none"> 1. Signs Exhibit A, certifying that the City Council adopted the Resolution authorizing the destruction of the records 2. Forward a copy of the adopted Resolution, including Exhibits A and B, to the appropriate department and the Records Manager. 	
Department Records Coordinator	<ol style="list-style-type: none"> 1. Files the copy of the Resolution in Section IIID, Destruction Lists, of this Manual. 2. Destroys the appropriate Records Transfer Form located in the Records Manual provided for storing Transfer Forms. 	
Records Manager	<ol style="list-style-type: none"> 1. Arranges for and supervises the destruction of the records which may be accomplished by disposal, shredding or recycling. 2. If the records are shredded or otherwise disposed of, the City Clerk or the Records Manager signs the certificate at the bottom of Exhibit A. 3. Exhibit A is then attached to the original Resolution of destruction for permanent retention. 	
Records Center Staff	<ol style="list-style-type: none"> 1. Updates the Departmental and Master Locator Logs to indicate the cartons of records, which were destroyed, and to free the carton numbers and locations for future storage. 2. Forwards an updated Records Locator Log to the appropriate department. 	



EXHIBIT "A"

Exhibit _____

Resolution No. _____

Page 1 of 1

CITY OF ESCONDIDO
DESTRUCTION OF PUBLIC RECORDS

I hereby certify that: the records listed below are more than two years old, do not affect the title to real property or liens thereon, are not court records, are not, to my knowledge, required to be kept further by a statute, are not the minutes, ordinances or resolutions of the legislative body of the City or of any City Board or Commission, and are no longer required by the City. I request authority to destroy same pursuant to Section 34090 of the Government Code of California.

(Sample Wording: 1998 Unsuccessful Bids, Community Facilities District AD-1-2000 ballots and Initiative Petitions Regarding Solid Waste)

Four horizontal lines for listing records.

Department Head Department Date

I have reviewed the above-described records for historical value and for compliance with the established retention requirements, and I consent to their destruction.

City Clerk Date

I consent to the destruction of the above-described records.

City Attorney Date

I hereby certify that the destruction of the above-described records was approved by the City Council of the City of Escondido, California, by Resolution No. _____ at a regular meeting of the City Council held at Escondido, California, on _____, _____, and that by said Resolution, the department head or his designee was authorized to destroy the records.

(Deputy) City Clerk City of Escondido State of California Date

I hereby certify that pursuant to the foregoing authority, the above-described records were destroyed on _____, _____.

Name Title Date

RECORDS PROCEDURES, INACTIVE

EXHIBIT "B"

THE ATTACHED SAMPLE IS PRINTED FROM THE VERSATILE PROFESSIONAL
SYSTEM SOFTWARE

APPENDIX A

**CITY OF ESCONDIDO
 Records Retention Schedule**

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
	Copies or Duplicates of documents for which a department is not the office of primary responsibility	DEPT	D/R	0	D/R		P	It is the policy of the City of Escondido that duplicates and copies distributed to various departments for informational purposes may be destroyed by the departments whenever they are no longer required for reference purposes
	The following retention pertains to original records except where otherwise noted							
	ADMINISTRATION							
0100	General Administration							
0100-10	Administrative Directives - <i>City-wide policies, now located on the intranet</i> (Note: CC files contain supplemental/supporting documents)	CM/CC	US	P	P	I	P	GC 34090
0100-15	City Manager's Quarterly Round Table Meetings - <i>Agendas and minutes</i>	CM	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0100-25	Customer Service Program - <i>Information regarding the Customer Services Coordinator's Committee</i>	CM	2	1	3		P	GC 34090
0100-26	Comment Cards (Customer) - <i>Customer service questionnaire</i>	DEPT	2	1	3		P	GC 34090
0100-50	City Manager's Weekly Update	CM	1	1	2		P/E	GC 34090(d)
0105	Reference							
0105-10	Correspondence - <i>Departmental memos, letters, etc.</i>	DEPT	2	1	3		P	GC 34090
0105-15	Correspondence – City Manager, Council, and City Attorney Correspondence.	CM/CA	2	3	5		P/E	GC 34090
0105-20	Reference Publications - <i>Publications from various organizations and/or businesses</i>	DEPT	D/R	N/A	D/R		P	
0110	Departments							
0110-10	Departmental Directives – <i>Departmental policies and procedures</i>	DEPT	US	N/A	US		P/E	GC 34090
0110-15	Announcements/Orders – <i>General information and correspondence</i>	DEPT	2	3	5		P	GC 34090
0110-20	Departmental Reports & Studies – <i>Includes reports and studies from all departments</i>	DEPT	2	3	5		P	GC 34090
0110-30	Departmental Policies & Procedures – <i>Specific departmental instructions, policies and procedures</i>	DEPT	US	N/A	US		P/E	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0110-35	Compliments/Citations (General) - <i>Memos and/or letters complimenting customer or city services</i>	DEPT	2	1	3		P	GC 34090
0110-40	Complaints & Inquiries – <i>Citizens' complaint and/or inquiry letters</i>	DEPT	2	1	3		P/E	GC 34090
0110-50	Staff Meeting Notices – <i>Department staff meeting notices and/or agendas and backup</i>	DEPT	D/R	N/A	D/R		P	
0110-60	Departmental Staffing/Uniform Inspections - <i>General information and reports (Includes Copies of Uniform Bills)</i>	DEPT	2	1	3		P	GC 34090
0110-70	9/80 Work Plan. - <i>General information & correspondence</i>	DEPT	2	1	3		P	GC 34090
0120	City Boards, Commissions & Committees							
0120-10	Boards, Commission & Committees Appointments <i>(Includes all of the Boards, Commissions & Committees throughout the city) – Applications and staff reports of appointed board, commission and committee members</i>	CC	UE+2	P	P	I	P	GC 34090
0120-12	Appointment Applications (Unsuccessful) - <i>Applications of unsuccessful applicants</i>	CC	2	1	3		P	GC 34090
0120-15	Agendas – <i>Agendas and staff reports for city boards, commissions and committees</i>	DEPT	1	P	P	I	P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0120-20	Minutes - <i>Minutes for city boards, commissions and committees</i>	DEPT	3	P	P	I	P	GC 34090(e); 36814, 34090.5
0120-30	Resolutions – <i>Resolutions for city boards commission and committees</i>	DEPT	3	P	P	I	P	GC 34090(e); 34090.5
0120-35	Handbooks - <i>Department reference information</i>	DEPT	US	P	P	I	P	GC 34090
0120-45	Meeting Notices - <i>Flyers notifying the public of upcoming meetings</i>	DEPT	2	1	3		P	GC 34090
0130	Professional Associations							
0130-10	Professional Associations - <i>Agendas and minutes for various professional association meetings</i>	DEPT	D/R	N/A	D/R		P	
0130-20	Brochures/Publications/Newsletters / <i>Bulletins -from various professional associations</i>	DEPT	D/R	N/A	D/R		P	
0135	Local & County Organizations							
0135-10	Local & County Organizations – <i>Agendas, minutes, notices, correspondence and reference materials of various organizations</i>	DEPT	D/R	N/A	D/R		P	
0135-20	Brochures/Publications/Newsletters / <i>Bulletins - from various local and county organizations</i>	DEPT	D/R	N/A	D/R		P	
0135-35	ConVis – <i>Includes New Articles & Applications</i>	CS	2	1	3		P	GC 34090
0137	Special Organizations (Created by the City)							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0137-10	Escondido Center For the Arts Escondido - <i>Information regarding center marketing & statistics</i> (Note: CC files contain supplemental/supporting documents)	ED/CC	2	P	P		P	GC 34090
0137-30	Chief's Community Relations Action Team	DEPT	2	3	5		P	GC 34090
0137-40	Marketing Committee Information – <i>Agendas and general information</i>	ED	2	1	3		P	GC 34090
0140	Organizations at Large							
0140-20	CHAD/United Way - <i>Brochures and correspondence</i>	DEPT	2	0	2		P/E	GC 34090(d)
0140-30	AAA (Auto Club of Southern California) - <i>General correspondence & info regarding the organization & statistics</i>	PD	2	0	2		P	GC 34090(d)
0145	Governmental/Regulatory Agencies							
0145-10	Cities (Other than Escondido) – <i>Correspondence and/or general information</i>	DEPT	2	1	3		P	GC 34090
0145-20	San Diego County Offices – <i>Correspondence and/or general information</i>	DEPT	2	1	3		P	GC 34090
0145-30	State Agencies - <i>Correspondence and/or general information</i>	DEPT	2	1	3		P	GC 34090
0145-40	Federal Agencies - <i>Correspondence and/or general information</i>	DEPT	2	1	3		P	GC 34090
0145-50	L.A.F.C.O. - <i>General information</i>	DEPT	2	1	3		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0145-60	S.A.N.D.A.G. - <i>General information</i>	DEPT	2	1	3		P	GC 34090
0145-70	North County Transit District - <i>Agendas & correspondence</i> (Note: CC files contain supplemental/supporting documents)	CM/CC	2	3	5		P	GC 34090
0145-80	San Diego County Water Authority - <i>Procedures, programs & policies of SDCWA, reports from SDCWA, drought & disaster management plans, correspondence & other documents</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	GC 34090
0145-85	Rincon Del Diablo Municipal Water District - <i>Water quality reports, conservation ordinances & violations, meter exchange service agreement & records</i>	UTL	2	3	5		P	GC 34090
0145-86	Metropolitan Water District of Southern California - <i>Rate information, annexation requirements, demand charge documents, drought & disaster management plans, reservoir project documents, urban water management plan, seasonal storage service handbook, and planning studies</i>	UTL	2	3	5		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0145-90	San Diego Gas & Electric - <i>Correspondence and general information</i>	DEPT	2	1	3		P	GC 34090
0150	Public Relations & Information							
0150-05	Administration, Public Relations & Information	DEPT	2	1	3		P	GC 34090
0150-10	City & CDC Publications & Brochures – <i>City of Escondido Recreation Activities & Community Newsletters, and city brochures</i>	CM	2	P	P	I	P	GC 34090
0150-20	Awards, Donations & Gifts - <i>Received from outside agencies</i>	DEPT	2	1	3		P	GC 34090
0150-40	News-clippings (not filed in category)	DEPT	2	1	3		P	GC 34090
0150-50	Photographs (not filed with category) – <i>Various City photos</i>	DEPT	2	1	3		P/E	GC 34090 Recommend selected photos be retained by the Pioneer Room for historic value and safekeeping
0150-55	Press Releases (not filed with category) – <i>Regarding City business</i>	DEPT	2	1	3		P	GC 34090
0150-60	Public Ceremonies & Events – <i>Preparation materials, backup information and correspondence</i>	DEPT	2	3	5		P	GC 34090
0150-65	Public information Reports - <i>General information</i>	DEPT	2	1	3		P	GC 34090
0150-75	Sister City Program - <i>Programs, Information and correspondence</i> (Note: CC files contain supplemental/supporting documents)	CM/CC	2	P	P	I	P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0150-80	Lectures & Speeches -Misc. presentations of elected officials, city manager and/or departments	DEPT	2	1	3		P	GC 34090
0150-85	Biographies - Biographies of elected officials, city manager and/or department heads	DEPT	US	N/A	US		P	
0160	Records Management							
0160-07	Annual Compliance Audits - Completed compliance audit forms	CC	2	1	3		P	GC 34090
0160-25	Records Management Procedures Manual - Citywide records management procedures manual, which includes Functional Filing System and Retention Schedule adopted by Resolution	CC	US	N/A	US		P	GC 34090
0160-30	Records Transfer Lists - Departmental records transfer lists (should be maintained in records transfer binder for reference)	DEPT	US	N/A	US		P	GC 34090
0160-35	Records Destruction -Records destruction staff reports and backup information	CC	2	P	P	I	P	GC 34090
0160-50	Records Retention Schedule - Adopted citywide records retention schedules	CC	US	P	P	I	P	GC 34090
0160-60	City-wide Blank Forms - Various city forms	DEPT	D/R	N/A	D/R		P/E	
0160-70	Microfilm/Imaging Program – Correspondence and backup information	CC	2	P	P		P	GC 34090, 34090.5
0170	Risk Management							

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0170-05	Administration, Risk Management – <i>General information</i> (Note: CC files contain supplemental/supporting documents)	RM/CC	2	P	P		P	GC 34090
0170-11	Claims Against the City - <i>Claims Denied/Rejected</i>	CA	2	0	2		P	GC 34090
0170-12	Claims Against the City - <i>Claims Paid Off</i>	CA	2	P	P	I	I	GC 34090
0170-15	Property Insurance Claims (on behalf of the City) - <i>Claims collection from a third party insurance company for city property damage</i>	RM	2	3	5		P	GC 34090; 25105.5
0170-20	City Liability Insurance - <i>Insurance policies for liability claims against the City</i> (Note: CC files contain supplemental/supporting documents)	RM/CC	UE	P	P	I	P	GC 34090
0170-30	Employee Disability Claims – LTD and STD claim files	EB	2	P	P	I	P	GC 34090
0170-35	COBRA Program - <i>Notification memos</i>	EB	2	P	P	I	P	GC 34090
0170-40	Employee Benefits (Not listed in 0170 & 0720) - <i>Benefit laws, various consultant info & bulletins</i>	EB	D/R	N/A	D/R		P	
0170-45	Property Insurance - <i>Policies for city property claims</i>	RM	2	P	P	I	P	GC 34090
0170-50	Unemployment Claims – <i>Unemployment claims filed by former employees through EDD</i>	HR	UC	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0170-55	Department of Worker's Compensation (DWC) Case Files – <i>Accident reports, medical bills, medical reports, legal documents rehabilitation documents, disability payments (pay card), DWC-form 1, letters, notes</i>	WC	US	P	P	I	P	GC 34090
0170-56	Worker's Compensation Insurance – <i>Excess insurance policies</i>	RM	2	P	P	I	P	GC 34090
0170-57	Industrial Disability Case Files - <i>Application for disability & related correspondence</i> (Note: CC files contain supplemental/supporting documents)	WC/CC	2	P	P	I	P	29 CFR 1904.6
0170-58	Blood Borne Pathogen Exposures – <i>Incidents & Investigations, medical information regarding exposures and testing</i>	RM	2	P	P	I	P	GC 34090
0170-64	Accidents, City Vehicles - <i>Employee accident reports/police reports</i>	RM/ CA	US	1	1 AS		P	29 CFR 1904.2; 1904.6
0170-67	Accident Reports (other than employee) - <i>Accidents or injuries on City property or during city-sponsored events</i>	RM/CS	US	1	1 AS		P	GC 34090; 29 CFR 1904.6
0170-70	Safety Committee (City) - <i>Agenda, Minutes, and backup information from committee meetings</i>	RM	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0170-71	Safety Program Development - <i>Safety programs developed for specific training needs, that comply with regulatory requirements</i>	RM	US		US		P	GC 34090
0170-75	OSHA 300 Log - <i>Report to OSHA regarding employee injuries, lost time, & light duty days (Previously OSHA 200 Log Report)</i>	WC/RM	2	3	5		P	29 CFR 1904.4, 1904.6; GC 34090
0170-76	OSHA Incident Investigations & Inquiries	RM	2	P	P		P	GC 34090
0170-80	Joint Powers Authority - <i>Committee Agendas, Minutes, and backup information</i>	RM	2	P	P	I	P	GC 34090
0170-85	Certificates of Insurance (Misc.) – <i>Various certificates for non-city jobs</i>	CC	UE		UE		P	GC 34090
0170-86	Employee Safety Meetings - <i>Information regarding the meetings with individual employees re: safety issues</i>	RM	2	3	5		P	GC 34090
0170-87	Monthly Safety Inspection Reports – <i>Inspection of city facilities for safety problems</i>	RM	2	1	3		P	GC 34090
0170-90	Risk Management Reports, Studies, Surveys, Agendas & Logs	RM	2	3	5		P	GC 34090
	HEALTH, SAFETY & WELFARE							
0200	Animal Care & Control							
0200-10	Correspondence	DEPT	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0200-20	Humane Society - <i>Information regarding the administration of the contract</i> (Note: CC files contain supplemental/supporting documents)	CM/CC	2	3	5		P	GC 34090
0210	Consumer Issues							
0210-05	Administration, Consumer Issues – <i>General Information</i>	DEPT	2	1	3		P	GC 34090
0210-30	Rent Control (Not Involving Escondido) – <i>Rent control information from other organizations</i>	CA/ MH	D/R		D/R		P	
0220	Disaster Preparedness							
0220-05	Disaster Preparedness Planning – <i>Disaster preparedness coordination</i> (Note: CC files contain supplemental/supporting documents)	FD/CC	2	1	3		P	GC 34090
0220-15	Civil Disturbances - <i>Information regarding riots, etc.</i>	PD	2	1	3		P	GC 34090
0220-20	Community Resources - <i>Community Resource Catalog</i>	FD	D/R	N/A	D/R		P	
0220-25	Disaster Case Files - <i>City related incidents</i>	FD	UC	P	P	I	P	GC 34090
0220-30	Hazard Analysis - <i>Risk analysis of hazards in City</i>	FD	US	3	3AS		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0220-35	Hazardous Materials Contingency Plans (other agencies) - <i>Plans to deal with unusual hazardous material releases</i> (Note: CC files contain supplemental/supporting documents)	FD/CC	US	N/A	US		P	GC 34090
0220-37	Hazardous Materials Manifests - <i>Listing of hazardous materials maintained by the city</i>	PW	2	P	P	I	P	GC 34090
0220-38	Mutual Aid Activity Reports - <i>Mutual aid incidents - now tracked electronically on Firepoint</i>	FD	2	3	5		E	GC 34090; CCP 338(j)
0220-45	Emergency Operational Plan - <i>City emergency operational plan for disasters</i>	FD/PD	US	P	P	I	P	GC 34090
0220-50	Training Programs (SEMS) - <i>State required management system training</i>	FD	US	2	2AS		P	GC 34090
0220-55	Reports & Studies - <i>Office of Emergency Services material</i> (Note: CC files contain supplemental/supporting documents)	FD/CC	2	P	P	I	P	GC 34090
0220-95	Operation of Air Pressure Tanks - <i>State of California Department of Industrial Relations, Division of Occupational Safety and Health – Permit to Operate Air Pressure Tanks.</i>	PW	2	3	5		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0230	Environmental Issues & Conservation							
0230-05	Sage Scrub Habitat Loss Permit - <i>Permits required to mitigate vegetation removal</i> (Note: CC files contain supplemental/supporting documents)	PLAN /CC	2	P	P	I	P	GC 34090, 34090.5
0230-06	Employee Trip Reduction & Congestion Mgmt. - <i>Information & correspondence regarding congestion management</i>	DEPT	2	1	3		P	GC 34090
0230-07	Adopt-A-Highway Program - <i>Reports, memos and demands</i>	PW	2	1	3		P	GC 34090
0230-08	Earth Day - <i>Filers & announcements about Earth Day events</i>	UTL	2	1	3		P	GC 34090
0230-09	Ride Sharing - <i>Memos, letters, newspaper articles, van pool program rules & regulations and reports and transportation demand management</i>	HR	2	3	5		P	GC 34090
0230-10	Air Quality - <i>Transportation program to improve air quality reports & studies</i>	ENGR Traffic	2	8	10		P	GC 34090; CCP 338(k)
0230-30	Household Hazardous Materials (General) - <i>Information regarding the various programs</i>	UTL	2	3	5		P	GC 34090
0230-31	Used Oil Recycling - <i>Lists of certified oil recycling centers; grant applications, resolutions & correspondence</i>	UTL	2	3	5		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0230-35	Storage Tanks (Underground)	PW	2	P	P		P	GC 34090
0230-41	Sale of Conservation Credits – <i>Agreements and backup information</i> (Note: CC files contain supplemental/supporting documents)	PLAN /CC	2	P	P	I	P	GC 34090
0230-45	Litter Control - <i>Memos reports and program outline</i>	PW	2	1	3		P	GC 34090
0230-50	Noise Control - <i>General information and correspondence</i>	DEPT	2	1	3		P	GC 34090
0230-60	Pest Controls - <i>General information and correspondence</i>	DEPT	2	1	3		P	GC 34090
0230-65	Water Quality - <i>Emergency notification plan, records of water quality emergencies, information about fluorine & chloramines, and information about possible contaminants</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	40 CFR 142.14
0230-66	Storm Drainage/Watershed - <i>ILACSD contract administration, Pollution Prevention week records, Splash Science Mobile Lab information, and storm drain stenciling records, waivers, and information</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0230-70	Water Conservation - <i>Information regarding education and community programs</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	GC 34090
0230-80	Environmental Protection Rules & Regulations - <i>Drinking water regulations & greywater information</i>	UTL	US		US		P	
0230-90	Emissions Control	UTL	2	10	12		P	GC34090
0230-95	Vapor Recovery Testing – <i>Air Pollution Control District (APCD) Annual inspection of fuel tanks</i>	PW	2	P	P	I	P	GC 34090
0230-96	Portable Equipment Registration – <i>Air Resources Board, California Environmental Protection Agency. Statewide Portable Equipment Registration.</i>	PW	2	3	5		P	GC 34090
0240	Health Protection/Services							
0240-05	Administration, Health Protection/Services – <i>General information</i>	DEPT	2	1	3		P	GC 34090
0240-20	Hospitals - <i>General information regarding hospitals</i>	DEPT	2	1	3		P	GC 34090
0240-80	Healthy Cities Program - <i>Information regarding various projects funded by the California Healthy Cities Program</i>	CDBG	2	3	5		P	GC 34090
0250	Police Protection/Services							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0250-01	Daily Watch Logs/Resumes – 30 Day Blotter	PD	US	2	2		P/E	GC 34090(d)
0250-02	Telephone & Radio Communication Recordings – Recorded in the Normal Course of Business on a Daily Basis (Recordings are Not Evidence in any Claim File, No Pending Litigation)	PD	1	1	2		AR	GC 34090.6
0250-03	Arrest Records of Juveniles Order Sealed by the Court (NOTE: Retention Begins Once Records are Sealed)	PD	1	4	5AS		P/E	WIC 781(d)
0250-04	Juvenile Detention Logs & Correspondence	PD	1	3	4		P/E	GC 34090
0250-06	Communications Employee Work Schedule – Watch Assignments & Timekeeping Records	PD	1	1	2		P/E	GC34090(d)
0250-07	Police Licenses/Permits/Registrations - ABC/massage/bingo/secondhand dealers' licenses, etc.	PD	2	4	6		P	GC 34090
0250-08	Rosters – Mobile Field Force & Patrol – Includes Fleet and Radio Rosters	PD	US	2	2		E	GC 34090(d)
0250-09	Firearms Training Facility (Range)	PD	2	P	P		P/E	GC 34090
0250-10	Incident Reports (Police) -After action & investigation reports	PD	2	3	5		P	EVC 1045(b)(1); PC 801.5; 803(c); VC 2547
0250-11	Canine Bites -Reports regarding police dog bites of subjects	PD	2	1	3		P	

File #	Record Description	OPR	Retention/Disposition				Media	Citation
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0250-12	Polygraph Files – Includes Exams for SD Marshall’s Office, Palomar College, and Carlsbad PD	PD	2AC	13	15		P/E	GC 34090
0250-14	Community Work Service Program – <i>Court assigned workers who are working off fines</i>	PD	2	1	3		P	GC 34090
0250-20	False Alarms - <i>False alarm appeals</i>	PD/CM	2	1	3			GC 34090
0250-25	A.R.J.I.S. - <i>Statistical reports regarding criminal activity</i>	PD	2	1	3		P	GC 34090
0250-30	Detention Facilities (Regional) - <i>Reports and correspondence</i>	PD	2	1	3		P	
0250-31	Sobering Center - <i>Reports, correspondence & original evaluation information</i>	PD	2	1	3		P	GC 34090
0250-43	Activities of Gangs - <i>Reports regarding gang activities</i>	PD	2	1	3		P	GC 34090
0250-55	Towing Services - <i>Applications, appeals correspondence</i>	PD	2	1	3		P	GC 34090
0250-60	Special Services (COPPS) - <i>Reports regarding projects & Programs</i> (Note: CC files contain supplemental/supporting documents)	PD/CC	2	3	5		P	GC 34090
0250-63	Special Enforcement Projects - <i>Reports regarding the outcome of projects</i>	PD	2	3	5		P	GC 34090
0250-75	Asset Forfeiture - <i>Reports regarding the acquisition & disposition of seized property</i> (Note: CC files contain supplemental/supporting documents)	PD/CC	2	3	5		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0250-77	Drug Enforcement Administration (DEA) - Reports and task force information	PD	2	3	5		P	GC 34090
0250-81	Case Files – Felony Arrests, Crimes, and Investigative Records (No Pending Litigation, No Active Investigation, and Suspect No Longer in Custody, Imprisoned, on Probation, or Parole – Included Traffic Accident Reports Involving Death)	PD	1	6	7AC		P/E	GC 34090; PC 800
0250-82	Case Files – Death Reports; Lost & Found Property Reports; Missing Persons and Runaway Juvenile Reports; Officer Reports(not associated with a crime report); Parking Citations, Misdemeanor and/or Traffic Citations Court Lists; Field Interview Forms; Dispatch Complaints; Impounded & Stored Property Reports (including abated vehicle reports, where items have been released or otherwise disposed of according to law)	PD	1	1	2		P/E	GC 34090(d)
0250-83	Case Files – Misdemeanor Arrest, Crime & Investigative Reports (Probation & Jail Terms set forth by Court have Expired); Traffic Accident Reports & Related Material (No Pending Litigation)	PD	1	3	4		P/E	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0250-84	Case Files – <i>Citizen Complaints of Misconduct; Police After Action Reports & Investigations; DUI Checkpoints & Grant Related Activities</i>	PD	1	4	5		P/E	GC 34090
0250-86	Incidents Occurring Outside Escondido City Limits - <i>After action & investigation reports</i>	PD	2	3	5		P	EVC 1045(b)(1); PC 801.5; 803(c); VC 2547
0250-87	Case Files - Felony Offense “punishable by imprisonment in the state prison for life or for life without the possibility of parole...”	PD	2	P	P		P/E	GC 34090; PC 799
0250-91	Confidential Informant Files - <i>Legal notifications, identification, payment, and activities information</i>	PD	2AC	P	P		P	GC 34090
0250-92	Fingerprints - <i>Fingerprint Card, photo, information also forwarded to DOJ. Includes Registration Files, Arson, Sex and Narcotics Offenders</i>	PD	2AC	P	P		P	GC 34090
0250-93	Anonymous Tips (TIPS) – <i>Anonymous Tips received by the PD from Website - Not resulting in an open case (TIPS associated with an open case are filed in the case file).</i>	PD	1AC	1	2		E	GC 34090(d)

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0250-94	Computer Aided Dispatch (CAD) / MIS Logs – <i>Electronic records of dispatched calls for service, records of police activity, and associated records of contact with the public (Includes Dispatch and Daily Logs Not Used as Evidence).</i>	PD	2	1	3		E	GC34090; CCP 338
0250-95	Police Department Investigation – Body-Worn Camera Video Recordings (<i>Nonevidentiary</i>)	PD	60 Days	0	60 Days		V	GC 34090.6; PC 832.18 Automatic Deletion after 60 Days
0250-96	Police Department Investigation – Body-Worn Camera Video Recordings (<i>Evidentiary: useful for investigative purposes, including, but not limited to, a crime, an arrest or citation, a search, a use of force incident, or a confrontational encounter with a member of the public</i>)	PD	2	0	2		V	GC 34090(d); PC 832.18
0251	Police/Traffic Division							
0251-05	Collision Report – <i>Accident (Non-Injury)</i>	PD	1AC	2	3		P	GC 34090
0251-10	Collision Report - <i>Fatal</i>	PD	2AC	P	P		P	GC 34090
0251-15	Sobriety Checkpoint OP Plans	PD	3AC	4	7		P/E	GC 34090
0251-20	Crime Reports – <i>Cite & Release</i>	PD	UC	2	2		P	GC 34090(d)
0251-25	Police Vehicle Code Infraction Case Files (Duplicates) – <i>Original is forwarded to Court. Includes DUI Case & Reports</i>	PD	UC	2	2		P/E	GC 34090(d)

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0260	Human/Social Services							
0260-05	AIS Contract Case File (formerly Area Agency on Aging) – Month-end reconciliations for nutrition and transportation programs (Park Avenue Community Center, previously Joslyn Senior Center)	CS	2	3	5		P	GC 34090
0260-15	Welfare Programs - <i>Correspondence and general information</i>	DEPT	2	3	5		P	GC 34090
0260-20	Child Care Services - <i>Information regarding the city's child care subsidy program</i>	CDBG	2	3	5		P	GC 34090
0260-25	Child Abuse Services – <i>Copies of Reports made to outside agencies.</i>	CS	1	1	2		P	GC 34090(d)
0260-30	Drug/Alcohol Test Results – <i>Employee test files</i>	RM	2	3	5		P	GC 34090
0260-35	Literacy Adult Learner Case Files – <i>Assessment documentation, monthly tutoring sheets and Misc. Information</i>	LIB	UT	3	3AT		P	
0260-40	Literacy Tutor Case Files – <i>Tutor application, training certificate, contact report and Misc. Information</i>	LIB	UT	3	3AT		P	GC 34090
0260-45	Homelessness Services – <i>Information related to homeless issues</i>	CDBG /CC	2	3	5		P	GC 34090
0260-50	Employment Development Services – <i>Employment agencies brochures staff privatization services</i>	HR	2	3	5		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0260-55	Community/Group Projects – <i>Information regarding projects related to community issues</i>	CDBG	2	3	5		P	GC 34090
0260-60	Community Problem Solving Program – <i>Backup information from community group meetings regarding issues affecting Escondido</i>	CDBG	2	3	5		P	GC 34090
0260-66	Liability Releases – Hold Harmless Agreements, and Release Authorizations	PW	1	2	3		P/E	GC 34090
0260-80	Healthy Families, Escondido – <i>Information regarding health issues related to Escondido citizens</i>	CDBG	2	3	5		P	GC 34090
0270	Police Department Volunteers							
0270-10	Explorer Post #600 (Police) – <i>Information regarding cadets & events</i>	PD	2	1	3		P	GC 34090
0270-40	Escondido Police Reserves - <i>Applications and backup info</i>	PD	UT	2AT	2AT		P	GC 34090
0280	Police Department Administration							
0280-05	Quarterly Newsletter (Retired Police Employees) – <i>Police Department status reports</i>	PD	2	1	3		P	GC 34090
0280-10	Emergency Operations Center (EOC) – <i>Disaster Preparedness Manual</i>	PD	US		US		P	GC 34090
0280-15	Safety Program (Traffic Police) – <i>Reports & information regarding school safety programs</i>	PD	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0280-50	Internal Affairs Investigations – <i>Complaints of alleged police misconduct</i>	PD	5	0	5		P	PC 832.5 (Records are destroyed by PD)
0280-80	Police Statistics & Surveys - <i>Outside request for departmental information</i>	PD	2	0	2		P	GC 34090(d)
0280-81	911 Call Center Time and Call Volume Statistics	PD	2	P	P		P/E	GC 34090
0280-83	Chaplaincy Program (Police) – <i>Applications & biographical, meeting, and training</i>	PD	2	1	3		P	GC 34090
0280-84	Citizen’s Patrol - <i>Reports and organizational Information</i>	PD	2	1	3		P	GC 34090
0280-85	Awareness Academy (Community Police) - <i>Course information</i>	PD	2	1	3		P	GC 34090
0280-95	Board of Review (Shooting) - <i>Reports from board meetings</i>	PD	2	4	6		P	GC 34090
0290	Police Department Vehicles							
0290-10	Police Vehicles - <i>Vehicle assignment log</i>	PD	1	1	2		P	GC 34090(d)
0290-15	Licenses (Non-Exempt) - <i>Registration & renewal information</i>	PD	2	0	2		P	GC 34090(d)
0290-20	Command Van - <i>Equipment, driver & schedule Information</i>	PD	1	1	2		P	GC 34090(d)
0290-30	Take Home Car Plan/PPV - <i>Implementation of the program & reference information</i>	PD	1	1	2		P	GC 34090(d)
	FIRE PREVENTION EQUIPMENT & OPERATIONS							
0300	Administration							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0300-10	Fire Mutual Aid - <i>Mutual aid incident reports now tracked on Firepoint</i> (Note: CC files contain supplemental/supporting documents)	FD/CC	2	1	3		E	GC 34090
0300-30	Training Records - <i>mV Class B training records, FFI & II state FM training records, in-house training records</i>	FD	2AT	1	3AT		P	GC 34090
0310	Investigations & Reports							
0310-10	Run Reports (Fire Incident) - <i>Engine company/paramedic incident reports</i>	FD	2	3	5		E	GC 34090
0310-20	Fire/Arson Investigation Reports - <i>Fire investigators report regarding specifics of source/point of origin</i>	FD	5	5	10	I	P	GC 34090, 34090.5
0310-25	Non-Fire Investigative Logs – <i>Narcotics, False Alarm</i>	FD	5	5	10		P/E	GC 34090
0320	Fire Prevention Inspections/Code Enforcement							
0320-10	Business Inspections (Fire ‘A’ Files) – <i>FD business files, contain inspection reports, permits, correspondence, general business information, false alarm logs (sprinklers)</i>	FD	2	P	P	I	P	UFC 103.3.4; GC 34090.5
0320-20	New Construction Inspections (B Files) – <i>Files containing data/maps related to new construction</i>	FD	2	P	P	I	P	UFC 103.3.4; GC 34090.5
0320-30	Complaints (Fire Prevention) - <i>Fire hazard complaints</i>	FD	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0320-35	Sprinkler Building Files (Plans) - <i>Files maintained by address, contain business sprinkler plans</i>	FD	2	P	P	I	P	UFC 103.3.4; GC 34090.5
0350	Weed Abatement							
0350-05	Administration							
0350-10	Weed Abatement (City Property) - <i>Fire prevention services, city owned property</i> (Note: CC files contain supplemental/supporting documents)	FD/CC	2	1	3		P	GC 34090
0350-15	Weed Abatement (Private Property) – <i>Fire Prevention services, privately owned property</i> (Note: CC files contain supplemental/supporting documents)	FD/CC	2	1	3		P	GC 34090
0360	Pre-Fire Plan Program							
0360-10	Pre-Fire Plan Inspections On Engines - <i>Computerized plans of hazardous buildings</i>	FD	US	N/A	US		E	GC 34090
0370	Fire Apparatus & Equipment							
0370-10	Fire Apparatus Service Tests - <i>Annual tests of Fire Apparatus</i>	FD	2	1	3		P	CCP 340.5
0370-20	Fire Apparatus & Equipment Inventories - <i>Inventories of apparatus, equipment, radios, etc.</i>	FD	2	1	3		P/E	GC 34090
0370-30	Fire Apparatus Specifications – <i>Specification documents for new apparatus</i>	FD	2	1	3		P	GC 34090; CCP 340.5

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0370-40	Equipment Assignments (Fire) - <i>Physical locations of fire equipment (person, building)</i>	FD	US	N/A	US		E	GC 34090
0370-60	Fire Hose History & Maintenance - <i>Fire hose maintenance and annual test records</i>	FD	2	1	3		E	CCP 340.5
0370-70	Issue of Safety Clothing/Equipment – <i>Inventory of safety gear for each employee</i>	FD	US	N/A	US		E	GC 34090
0370-75	Hydrant Records - <i>Annual test records for city/rincon hydrants</i>	FD	2	1	3		E	CCP 340.5
FINANCE & FISCAL								
0400	Accounting							
0400-07	Collection - <i>Small Claims</i>	FIN	2	P	P	I	P	GC 34090
0400-08	Unpaid & Closed Collection Accounts - <i>Preliminary letters</i>	UTL Billing	2	P	P	I	P/E	GC 34090
0400-10	Charts of Accounts - <i>Reports of all city account numbers</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	P	P	I	P	GC 34090
0400-15	Travel Expenses Statements – <i>Statements listing expenses incurred by employees during business related trips</i>	FIN	2	3	4AA		P	GC 34090
0400-20	Petty Cash Bank Statements – <i>Reconciliation of petty cash checking accounts</i>	TRES	2	3	4AA		P	GC 34090
0400-30	Fixed Assets - <i>Annual reports of the city's fixed assets</i>	FIN	US	2	2AS		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0400-40	Check Registers -Accounts <i>Payables summary</i>	FIN (A/P)	2	3	4AA		P	GC 34090
0400-60	General Ledgers/Balance Sheets – <i>Reports that show revenue, expenditures, assets & liabilities</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	P	P	I	P	GC 34090
0400-65	Balance Sheet Reports – <i>Report regarding city assets & financial obligations by fund</i>	FIN	2	P	P		P	GC 34090
0400-70	Journal Vouchers - <i>Files that are filed by month of journal and back- up</i>	FIN	2	P	P	I	P	GC 34090
0400-75	Utility Billing & Cashier Reports – <i>Includes FDOP meter errors & condition, balance due, Rincon on/offers, EDI, open Rincon accts. To collections, third party notifications, courtesy notice, S40 payment processing batch log, collection closed accounts & collection payments, WTAD, WTRC, credit cards charges, etc.</i>	UTL Billing	2	3	4 AA	I	P	GC 34090
0400-76	Petty Cash Requests – <i>Request for payment, Currency/Coin order & bank deposits</i>	UTL Billing	2	3	4 AA		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0400-85	Monthly Treasurers Report – <i>Investment portfolio</i> (Note: CC files contain supplemental/supporting documents)	TRES /CC	2	3	4 AA		P	GC 34090
0400-93	Capital Projects Monthly Reports – <i>Monthly reports of departments account balances</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	3	4 AA		P	GC 34090
0400-96	Housing Loan Reconciliations	FIN	2	2	4AC			GC 34090; 24 CFR 570.502(b)(3); 24 CFR 85.42
0410	Audits							
0410-20	External Audit Reports - <i>Final audit report (Includes the Certified Annual Finance Report)</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	P	P	I	P	GC 34090
0410-30	Audit Preparation Files							
0410-30	Financial Statement Preparation Files – <i>Includes backup information for the financial statements</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	P	P	I	P	GC 34090
0420	Banking							
0420-10	Banking Services - <i>Banking information on armored car, bank monthly services fees, credit cards, REP inquiry</i>	TRES/ FIN	2	3	4AA		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0420-30	Bank Statements & Reconciliation's - <i>A listing of all cleared checks and balance. Includes AR/GI Reconciliation's & S40/UB Reconciliations</i>	TRES/ UTL Billing	2	3	4AA		P	GC 34090
0420-38	Checks (Stale-Dated) - <i>A listing of accounts payable & payroll checks that are over a year old</i>	TRES	2	3	4AA		P	GC 34090
0420-40	Check Stubs - <i>Cancelled checks for petty cash & early release requests</i>	TRES	2	3	4AA		P	GC 34090
0420-41	Returned Checks - <i>Returned check notification from bank on returned NSF checks</i>	TRES	2	3	4 AA		P	GC 34090
0420-42	Check Stop Payments - <i>Stop payments on payroll & accounts payable city checks</i>	TRES	2	3	4 AA		P	GC 34090
0420-43	Bank Deposit Slips - <i>Deposit slips for general & Library with totals of daily deposits</i>	TRES	2	3	4 AA		P	GC 34090
0420-44	Deposit Corrections - <i>A bank notice of errors and corrections made on deposit slips</i>	TRES	2	3	4AA		P	GC 34090
0420-45	Debit/Credit Memos							
0420-45	Transfer of Funds Advice - <i>Incoming and outgoing wire transfers</i>	TRES	2	3	4AA		P	GC 34090
0420-46	Electronic Transactions - <i>Electronic Transfers and Pay on-line accounts</i>	UTL Billing	2	3	4AA		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0420-47	Armored Transport Receipts – <i>Signed receipts from armored transport pickups</i>	UTL Billing	1	1	2		P	GC 34090(d)
0420-60	Banking Daily Worksheets - <i>Treasurers daily worksheets on banking & investment transactions</i>	TRES	2	3	4AA		P	GC 34090
0420-61	Weekly Check Register - <i>Register for all checks written for the previous accounting time periods</i>	FIN	2	3	4AA		P	GC 34090
0420-62	Banking Cash Reconciliation Worksheets - <i>Working papers involving outstanding payroll and accounts payable files</i>	FIN	2	3	4AA		P	GC 34090
0420-70	Duplicating Center Worksheets – <i>Information regarding duplicating charges used to do journal entries</i>	FIN	2	3	4AA		P/E	GC 34090
0430	Budget							
0430-05	Administration							
0430-10	Departmental Budget - <i>Department budget working papers</i>	DEPT	2	1	3		P/E	GC 34090
0430-20	External Financial Support Requests - <i>Correspondence notifying non-profit agencies of funds available for grants. Also include applications</i> (Note: CC files contain supplemental/supporting documents)	FIN/CS /CC	2	1	3		P	GC 34090
0430-25	Budget Objectives - <i>Report regarding department budget objectives</i>	FIN	2	3	4AA		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0430-30	Annual Operating/C.I.P. Budget – <i>Adopted citywide operating/CIP budget</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	P	P	I	P	GC 34090
0430-35	Budget Preparation Files - <i>Budget backup data</i>	FIN	2	3	4AA			GC 34090
0430-50	Revenue Estimates - <i>Correspondence from the County regarding revenue projections</i>	FIN	2	3	4AA		P	GC 34090
0430-80	Carryovers/Budget Adjustments – <i>Authorization to move funds from one account to another</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	3	4AA		P	GC 34090
0440	Bond Issues/Debt Service							
0440-05	Administration, Bond Issues - <i>Information on Bond Issues & Securities</i> (Note: CC files contain supplemental/supporting documents)	TRES/ FIN/CC	2	P	P	I	P	GC 34090
0440-10	Bond Paying Agent/Fiscal Agent - <i>Monthly bearer payment statements</i>	TRES	2	P	P	I	P	GC 53921
0440-15	Bonds, Industrial Development - <i>Bonds for various city projects</i>	TRES/CC	2	P	P	I	P	GC 53921
0440-20	Bonds, Mortgage Revenue - <i>Bonds & transaction statements for various city projects</i>	TRES/ FIN/CC	2	P	P	I	P	GC 53921

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0440-22	Bonds, EJPFA - <i>Bonds & files containing preliminary official statements & invoices with amounts due for debt services</i>	TRES/ CC	2	P	P	I	P	GC 53921
0440-25	Assessment District Financial Records (1911 Act) - <i>Payment demands & general information</i>	TRES /FIN	2	P	P	I	P	GC 53921
0440-30	Assessment District Financial Records (1915 Act) - <i>Information on Bonds - Auto Parkway, Reidy Creek, Rancho San Pasqual, & Correspondence</i>	TRES	2	P	P	I	P	GC 53921
0440-35	Bonds, General Obligation - <i>1958 Municipal Improvement Series Bonds & Correspondence</i> (Note: CC files contain supplemental/supporting documents)	TRES/ FIN/CC	2	P	P	I	P	GC 53921
0440-40	Certificates of Participation (CDC/City) - <i>Statements and information on Mobilehome Park, Municipal Golf course, City Hall Project</i> (Note: CC files contain supplemental/supporting documents)	TRES/ FIN/CC	2	P	P	I	P	GC 53921
0440-45	Bonds, Revenue (Not Specifically Listed) – <i>Bonds & transaction statements for various city projects</i>	TRES/ FIN/CC	2	P	P	I	P	GC 53921

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0440-50	Bonds, Water Revenue – <i>Correspondence, maturity schedule</i> (Note: CC files contain supplemental/supporting documents)	TRES /CC	2	P	P	I	P	GC 53921
0440-55	Bonds, Sewer Revenue - <i>Sewer bond statements & general information</i> (Note: CC files contain supplemental/supporting documents)	TRES /CC	2	P	P	I	P	GC 53921
0440-60	Mortgage Revenue Bonds Bank Statements- <i>Monthly statements of multifamily Housing Revenue Bonds</i>	TRES/ FIN	2	P	P	I	P	GC 53921
0440-63	Monthly Age/Income Compliance Reports - <i>Information regarding occupants of low income housing pertaining to multifamily revenue bonds</i>	TRES/ FIN	2	P	P	I	P	GC 34090
0440-65	Bonds, Housing (Multiple Family) – <i>Yearly Housing Bond Issuance report & correspondence</i>	TRES /HSG	2	P	P	I	P	GC 53921
0440-90	Bond Issues Reports & Studies - <i>The Depository Trust Co., claim responses</i>	TRES	2	P	P	I	P	GC 53921
0450	Payroll							
0450-10	Individual Employee Payroll Files – <i>Employee payroll history</i>	PR	UT	5	5AT		P	GC 34090
0450-11	Payroll Register	PR	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0450-12	Quarterly Tax Reports - <i>Employee federal and state tax reports</i>	PR	2	3	4AA		P	GC 34090
0450-13	MOU Negotiation Changes - <i>Pay changes as a result of a new MOU</i>	PR	2	3	4AA		P	GC 34090
0450-14	Direct Deposit Reports - <i>Report of employees information who participate in the direct deposit program</i>	PR	2	3	4AA		P	GC 34090
0450-20	Time Cards – <i>Employee work timecard</i>	PR/ DEPT	2	3	4AA		P	GC 34090
0450-21	Off-line/Off-cycle Checks - <i>Payroll checks written outside of the normal payroll run for different reasons</i>	PR	2	3	4AA		P	GC 34090
0450-35	Workers Compensation/LOA/SDI Reports - <i>Payroll information for employees on workers compensation</i>	PR	2	3	4AA		P	GC 34090
0450-40	Mileage Reimbursement – <i>Statement listing number of miles employee traveled for business related activities</i>	FIN	2	3	4AA		P	GC 34090
0450-45	Alpha Reports - <i>(Other Earnings/Benefits/Insurance/ Deductions)</i>	PR	2	3	4AA		P	GC 34090
0450-54	1098 & 1099 Tax Forms - <i>Tax Information for vendors</i>	FIN	2	3	4AA		P	GC 34090
0450-55	Leave Registers - <i>Report of employee leave balances</i>	PR	2	3	4AA		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0450-56	W-2 Register Worksheets– <i>Preliminary backup working documents</i>	PR	2	3	4AA		P	GC 34090
0450-57	W-2 Register - <i>Listing of all W-2 employee information</i>	PR	2	P	P	I	P	GC 34090
0450-58	W-2's - <i>Employee tax statements</i>	PR	2	3	4AA		P	GC 34090
0450-60	Use of City Vehicle Log – <i>Log sheet for employees who use city vehicles. Forms are used for tax purposes.</i>	PR	2	1	3		P	GC 34090
0460	Pension & Retirement Funds Reports							
0460-10	Deferred Compensation Reports - <i>401(k) & 457 plan quarterly reports & ICMA annual reports. Actual individual records of plan</i>	PR	D/R		D/R		P	
0460-20	PERS Reports – <i>Report of employees reportable PERS wages and contributions</i>	PR	3	P	P	I	P	GC 34090
0460-30	PARS REPORTS – <i>Report of employees reportable PARS wages and contributions</i>	PR	3	P	P	I	P	GC 34090
0470	Purchasing							
0470-10	Accounts Payables – <i>Copies of invoices and backup information</i>	FIN	2	3	4 AA		P	GC 34090
0470-11	Accounts Payable Detailed Information – <i>Itemized information supporting the bill</i>	DEPT	2	0	2		P/E	GC 34090
0470-18	Pending Purchases – <i>Quotes, bids & requisitions</i>	DEPT	2	1	3		P/E	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0470-20	Purchase Requisitions – <i>Departmental requests for maintenance service agreements, supplies & equipment</i> (Note: CC files contain supplemental/supporting documents)	PURCH /CC	2	3	4 AA		E	GC 34090
0470-25	Purchase Orders - <i>Annual open PO's, contracts, agreements, public service agreements, orders for equipment & supplies</i> (Note: CC files contain supplemental/supporting documents)	PURCH /CC	2	3	4 AA		P	GC 34090
0470-26	Purchase History - <i>Newsletters, co-operative purchase agreements (State/Carlsbad/County), credit card info</i>	PURCH	2	3	5		P	GC 34090
0470-27	Procurement Credit Card - <i>Credit cards used for emergency purchases for small amounts, monthly statements, memos & correspondence</i>	PURCH	2	1	3		P	GC 34090
0470-32	Pending Bids (Request for Proposals)	PURCH	1	3	4AA		P	GC 34090; CCP 337
0470-35	Award of Bid (Equipment/Supplies/Services) - <i>Successful bids</i> (Note: CC files contain supplemental/supporting documents)	PURCH /CC	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0470-45	Rejected Bids - <i>Unsuccessful bids and RFP's for equipment & supplies/services</i> (Note: CC files contain supplemental/supporting documents)	PURCH /CC	1	3	4AA		P	GC 34090; CCP 337
0470-47	Office Supply Room Log Sheet – <i>Department sign out supplies sheet. Log is calculated for department's monthly charge.</i>	PURCH	1	1	2		P	GC 34090
0470-50	Supply Inventories - <i>Office supplies inventory</i>	PURCH	US	3	3		P	GC 34090
0470-55	Auctions (City/County) – <i>Informal stores, not a published auction</i>	PURCH/PW	2	3	5		P	GC 34090
0470-65	Surplus Property Disposal Requests - <i>Departmental copies of surplus property disposal requests</i> (Note: CC files contain supplemental/supporting documents)	PURCH /CC	2	1	3		P	GC 34090
0470-70	Purchasing Programs - <i>Computer training programs</i>	PURCH	US	N/A	US		P	GC 34090
0470-80	Vendor Brochures & Catalogs - <i>For equipment and services (Includes Pricing Manuals)</i>	DEPT	D/R	N/A	D/R		P/E	
0470-85	Consultant Reference Information – <i>Brochures & Reference information</i>	DEPT	2	3	5		P	GC 34090
0470-90	Policies & Procedures (Purchasing) – <i>Purchasing guidelines</i>	PURCH	US	N/A	US		P	GC 34090
0480	Revenue & Taxation							
0480-05	Refunds - <i>Water meter & construction</i>	UTL Billing	2	3	4 AA			GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0480-10	Accounts Receivable - <i>Billings for money owed to the city, customer files, uncollectible invoices & closed customer files</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	3	4 AA		P	GC 34090
0480-15	Daily Cash Receipts - <i>Receipts for city information, services and/or programs</i>	FIN/CS/ UTL Billing	2	3	4 AA		P	GC 34090
0480-20	Billing & Service Requests - <i>After-hours ons, service request, theft notices & meter check entry</i>	UTL Billing	2	3	4 AA		P	GC 34090
0480-25	Billings & Receipts - <i>Water, Trash, Sewer, Parking, SDG&E & Church/School/Recreation</i> (Note: CC files contain supplemental/supporting documents)	UTL Billing /CS /CC	2	3	4AA		P	GC 34090
0480-30	Paramedic Billings - <i>Billing information for paramedic services rendered</i>	FIN	2	3	4AA		P	GC 34090
0480-31	Credit Card Slips - <i>Bills paid by credit card</i>	UTL Billing	2	5	7		P	GC 34090
0480-32	Paid NSF (Non-Sufficient Fund Checks) – <i>Receipts for paid NSF checks</i>	UTL Billing /FIN	2	3	4 AA		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0480-35	Business Licenses - <i>Applications & renewals, Home Occupation Permits</i> (Note: CC files contain supplemental/supporting documents)	CE/CC	UE	5	5AE		P	GC 34090
0480-36	Passports - <i>Applications and transmittal records</i>	CSC	2	1	3		P	GC 34090
0480-40	Taxes - <i>Backup information regarding city taxes, including property taxes and transient occupancy tax.</i> (Note: CC files contain supplemental/supporting documents)	FIN/CM /CC	2	3	4AA		P	GC 34090
0480-45	Fee Studies/Schedule - <i>City Clerk's office maintains the original fee Resolutions, staff reports and attached backup information permanently.</i> (Note: CC files contain supplemental/supporting documents)	FIN/CC	2	P	P	I	P	GC 34090
0480-46	Fee Studies/Schedule – Departmental Information	DEPT	2	0	2		P	GC 34090
0480-49	Sewer Rates - <i>Rate increase notifications</i>	FIN	2	3	4AA		P	GC 34090
0480-55	Fee Waiver Requests - <i>Requests for the waiving of fees for projects</i>	DEPT	2	3	4 AA		P	GC 34090
0480-59	Reclaimed Water Rates – <i>Financial survey</i>	FIN	2	3	4AA		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0480-70	Grants, Successful - <i>Grants for city programs obtained from County, State and Federal organizations, including Literacy grants.</i>	DEPT	2	3	4AA		P	GC 34090 Subject to County, State and Federal requirements
0480-80	Grants, Unsuccessful - <i>Non-approved grants for city programs</i>	DEPT	2	1	3		P	GC 34090
0480-85	Funding Programs (Private) - <i>Programs with the city that are privately funded.</i>	DEPT	2	1	3		P	GC 34090
0490	Investments							
0490-10	Investment Information (General) – <i>Statements & investments safekeeping</i>	TRES	2	3	4AA		P	GC 34090
0490-30	Investment Fund (L.A.I.F.) – <i>Correspondence & pooled money investment statements</i> (Note: CC files contain supplemental/supporting documents)	TRES /CC	2	P	P		P	GC 34090
0490-40	Investment Committee - <i>Membership & minutes</i>	TRES	2	1	3		P	GC 34090
0490-50	Investment Statements – <i>Investment confirmations & statements of investment account</i>	TRES/ FIN	2	3	4 AA		P	GC 34090
0490-55	Investment Report (Quarterly) – <i>Treasurers quarterly investment work- papers</i> (Note: CC files contain supplemental/supporting documents)	TRES /CC	2	3	4AA		P	GC 34090
0490-60	Investment Reports & Studies - <i>AIM information & statements</i>	TRES	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
	EQUIPMENT SERVICE & MAINTENANCE							
0500	Communication/Computer/Office /Mechanical Equipment & Rolling Stock							
0500-10	Work/Orders Service Requests - <i>Requests for maintenance of equipment</i>	DEPT	1	2	3		P/E	GC 34090
0500-20	Maintenance & Repair Records - <i>Case files created for the maintenance or repair work of individual items</i>	DEPT	UD	3	3AD		P/E	GC 34090
0500-30	Inventories – <i>Inventory of city equipment, and fuel</i>	DEPT	US	3	3		P/E	GC 34090
0500-40	Log Books - <i>Daily logs of work performed and vehicle logs</i>	PW	2	3	5		P	GC 34090
	LEGAL & LEGISLATION							
0600	Agreements & Contracts							
0600-10	Agreements - <i>Agreements between the city and outside vendors approved by Council, also includes Franchise and Lease agreements</i>	CC/CA	UC/E	P	P	I	P	GC 34090, 34090.5
0600-11	Departmental Contracts and Agreements – <i>PSA’s and consulting agreements that are approved by the City Manager or the Department Head</i>	DEPT	UC/E	3	3 AC/E		P	GC 34090
0600-12	Community Service Agreements (Instructors) – <i>Contracts with instructors that teach recreation classes</i>	CS	2	1	3		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0600-15	Development Agreements – <i>Agreements pertaining to development within the city (excludes subdivisions, annexations & CDC</i>	CC	UC/E	P	P	I	P	GC 34090, 34090.5
0600-20	C.D.C. Agreements - <i>Community Development Commission agreements</i>	CC	UC/E	P	P	I	P	GC 34090, 34090.5
0600-30	Industrial Development Bond Authority Agreements - <i>Agreements regarding the issuance of bonds</i>	CC	UC/E	P	P	I	P	GC 34090, 34090.5
0600-35	EJPFA (Escondido Joint Powers Financing Agency) Agreements - <i>Agreements with other governmental agencies</i>	CC	UC/E	P	P	I	P	GC 34090,34090.5
0600-40	Lien Agreements - <i>Agreements for improvements in the public rights- of-way – Includes Liens Released & Waivers (ENGR copies of recorded agreements & general correspondence)</i>	ROW/CC	UC/E	P	P	I	P	GC 34090, 34090.5
0600-65	Improvement Bonds - <i>Bonds required for specific city projects</i>	CC	UC	P	P	I	P	GC 34090, 34090.5
0600-70	Lot Tie Agreements – <i>Agreements required for specific small projects</i>	CC	UE	P	P	I	P	GC 34090, 34090.5
0600-75	Repayment Agreements (Water/Sewer/Storm Drains/Streets) - <i>Repayment for Public Utility improvements</i>	CC	2	P	P	I	P	GC 34090, 34090.5

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0600-80	Sewer/Water Service Agreements (outside city limits) - <i>Agreements to utilize city sewer system</i>	CC	UE	P	P	I	P	GC 34090, 34090.5
0600-85	Promissory Notes - <i>Originals of signed promissory notes</i> (Note: CC files contain supplemental/supporting documents)	FIN/ UTL Billing /CC	2	4	6		P	GC 34090
0600-95	Notice of Completion	CC	2	P	P	I	P	GC 34090, 34090.5 + CEQA Guidelines
0610	City Council/CDC/Rent Review Board/Industrial Development Bond Authority/Escondido Joint Powers Financing Authority/Oversight Board							
0610-15	Oral Communications – <i>Documents presented under Oral Communications</i>	CC	2	P	P	I	P	GC 34090
0610-25	Closed Sessions - <i>Reports completed regarding content of each agenda closed session</i> (Note: CC files contain supplemental/supporting documents)	CA/CC	2	5	7		P	GC 54957
0610-30	Agendas - <i>copy of agendas containing the affidavit of posting</i>	CC	2	3	5		P	GC 34090
0610-40	Minutes - <i>Original minutes of legislative meetings</i>	CC	P	P	P	I	E	GC 34090(e), 34090.5
0610-45	Verbatim Transcripts - <i>May be done occasionally for legal purposes</i>	CC	2	1	3		P	GC 34090.7

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0610-55	Subcommittees - <i>Information regarding misc. council sub-committees</i> (Note: CC files contain supplemental/supporting documents)	CM/CC	2	1	3		P	GC 34090
0610-70	Appointments/Resignations - <i>Appointments and Resignations to Mayor and City Council seats</i>	CC	2	P	P	I	P	GC 34090
0610-75	Agenda/Staff Reports – City Council	CC	2	P	P	I	P	GC 34090
0610-80	Confirmed Agenda – City Council	CC	2	P	P	I	P	GC 34090(e), 34090.5
0610-85	Request to Speak Form – <i>Public Meeting Request to Speak Form</i>	DEPT	1	1	2		P	GC 34090
0610-90	Council Policies and Procedures - <i>Various rules and procedures adopted by Council</i>	CC	2	P	P	I	P	GC 34090
0610-95	City Council Work Program - <i>Priority list of projects to be completed</i> (Note: CC files contain supplemental/supporting documents)	CM/CC	2	1	3		P	GC 34090
0640	Conflict of Interest							
0640-10	Statement of Economic Interests – <i>Completed 700 Forms filed with the City Clerk for City employees and boards and commissions</i>	CC	UT	7AT	7AT		P	GC 81009

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0640-15	Statement of Economic Interests – Completed 700 Forms for the City Council, Planning Commission, City Manager, City Attorney and Finance Director (Originals are filed with the State)	CC	UT	4AT	4AT		P	GC 81009
0640-20	Conflict of Interest Filing Instructions, Forms & Bulletins	CC	D/R	N/A	D/R		P	
0640-30	Conflict of Interest Polices & Procedures -City policies and required positions for filing	CC	US	P	P	I	P	FPPC, GC 34090
0640-40	Specific Inquiries and Matters – Materials regarding issues dealing with council and commission member conflict of interests and FPPC related inquiries	CA	2	5	7		P	GC 34090
0650	Elections							
0650-10	Election Planning Materials & Reference -General election material and information	CC	D/R	N/A	D/R		P	
0650-20	Election Initiatives – Initiatives submitted by the public to be placed on the ballot	CC	8 mos.	N/A	8 mos.		P	EC 17200 - Retain 8 months after the election is certified
0650-30	Election Referendums - Referendums submitted by the public to be placed on the ballot	CC	8 mos.	N/A	8 mos.		P	EC 17200 - Retain 8 months after the election is certified
0650-40	Election Case Files – Election working papers and information	CC	4	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0650-45	Nomination Documents – <i>Includes Nomination Papers, Candidates Statements and Petitions in Lieu of Filing Fee</i>	CC	2	6	8		P	EC 17100 - Retain 4 years after expiration of term.
0650-50	Campaign Statements (Unsuccessful candidates/committees) – <i>Completed 400 series forms.</i>	CC	2	3	5		P	GC 81009(b)
0650-70	Campaign Statements (Successful candidates/committees) – <i>Completed 400 series forms.</i>	CC	2	P	P	I	P	GC 81009(b), GC 34090.5
0660	Code Enforcement Program							
0660-10	Code Enforcement Complaints & Investigations - <i>Initial citations, follow-up correspondence, various pleadings & work-up of investigation</i> (Note: CC files contain supplemental/supporting documents)	CA/CC	2	3	5		P	GC 34090
0660-20	Code Enforcement Case Files – <i>Case filed by address containing office notes & pertinent documentation, pictures etc. (Includes Original Recorded Documents)</i> (Note: CC files contain supplemental/supporting documents)	CE/CC	UC	P	P	I	P	GC 34090
0660-25	Business License Lists - <i>Business lists by address and name</i>	CE	2	P	P	I	P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0660-35	Mobilehomes Maintenance & Rent Review Inspection Program - <i>State mandated inspection reports & corrections</i> (Note: CC files contain supplemental/supporting documents)	CE/CC	2	P	P	I	P	GC 34090
0670	Legal Operations							
0670-10	Affidavits of Posting - <i>Posting of legislative meeting notices</i>	DEPT	2	3	5		P	GC 54960.1(c)(1)
0670-20	Affidavits of Publication – <i>Publication of Public Hearings & Ordinances</i>	DEPT	3	P	P	I	P	CCP 343
0670-30	Legal Opinions – <i>City Attorney and outside counsel legal opinions regarding various issues</i>	CA	2	P	P	I	P	GC 34090
0670-60	Loyalty Oaths - <i>Oaths for the city council, boards, commissions, and committee members</i>	CC	UT	2	2AT		P	GC 34090
0670-61	Loyalty Oaths – <i>Oaths for full-time employees</i>	CC	2	P	P	I	P	GC 34090
0670-62	Loyalty Oaths – <i>Oaths for part-time employees</i>	CC	3AT	7	10		P	GC 34090
0670-65	Public Records Requests - <i>Letters, e-mails, etc. from the public requesting copies of city records</i>	DEPT/ CA/CC	2	0	2		P/E	GC 34090
0670-66	Deposition Subpoena – <i>Production of Business Records</i>	CC	1	2	3		P/E	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0670-70	Departmental Project Files - <i>Backup information regarding specific projects reviewed by department heads</i>	DEPT	2	5	7		P	GC 34090
0670-75	Department Files – <i>Department Working Files</i>	CA	2	0	2		P	
0675	Litigation							
0675-10	Civil Case Files - <i>Lawsuits on behalf of city and defense of cases against the city</i>	CA	US	P	P	I	P	GC 34090
0675-30	Criminal Case Files - <i>Lawsuits regarding violations of Escondido Ordinances – Includes Affidavits (Arrest Warrants).</i>	CA	US	P	P	I	P	GC 34090
0680	Legislation							
0680-10	Ordinances - <i>City ordinances adopted by the city council</i>	CC	P	P	P	I	P	GC 34090(e)
0680-20	Resolutions - <i>City resolutions adopted by the city council</i>	CC	P	P	P	I	P	GC 34090(e); 40801
0680-25	Resolutions, Oversight Board	CC	P	P	P	I	P	GC 34090(e); 40801
0680-30	Resolutions, CDC	CC	P	P	P	I	P	GC 34090(e); 40801
0680-35	Resolutions, MHRRB	CC	P	P	P	I	P	GC 34090(e); 40801
0680-40	Resolutions, IDA	CC	P	P	P	I	P	GC 34090(e); 40801
0680-43	Resolutions, EJPEA	CC	P	P	P	I	P	GC 34090(e); 40801
0680-45	Resolutions (Planning Commission) - <i>Resolutions for planning case files that go before the Planning Commission</i>	PLAN	P	P	P	I	P	GC 34090(e); 40801
0680-50	Code Files (City) - <i>Municipal and Ordinance code amendments</i>	CC	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0680-60	Legislative Analyst/Lobbyist – <i>Federal & state lobbyist correspondence for reference, contract salary, and financial reporting information</i> (Note: CC files contain supplemental/supporting documents)	CA/CM/ FIN/CC	2	1	3		P	GC 34090
0680-70	Legislation Pending - <i>General correspondence regarding Federal and/or State legislation</i>	DEPT	2	4	6		P	GC 34090
0680-80	League of California Cities Legislative Bulletins - <i>Bulletins received from the league. CM office distributes to depts.</i>	CM	D/R	N/A	D/R		P	
0680-87	Comprehensive Housing Affordability Strategy/Com Plan - <i>5 year housing & community needs strategy (No longer exists but is used)</i>	HSG	2	P	P	I	P	GC 34090
0680-91	GANN Initiative - <i>Prop 4. Backup Documents</i>	FIN	P	P	P	I	P	GC 34090
0685	Assessment/Community Facilities Districts							
0685-10	Assessment District Case Files – <i>Application and backup information for implementation</i> (Note: CC files contain supplemental/supporting documents)	PLAN /CC	2	P	P	I	P	GC 34090, 34090.5

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0685-20	Community Facilities District Case Files - <i>Application and backup information for implementation</i> (Note: CC files contain supplemental/supporting documents)	ENGR /CC	2	P	P	I	P	GC 34090, 34090.5
0690	Real Property							
0690-10	Acquisitions of Real Property (Active) - <i>Appraisals, agreements, relocations and correspondence regarding acquisitions of Real Property</i> (Note: CC files contain supplemental/supporting documents)	ROW/CM/CC	2	P	P	I	P	GC 34090
0690-20	Disposal of Real Property (Active) - <i>Records, agreements and correspondence regarding disposal of Real Property</i> (Note: CC files contain supplemental/supporting documents)	ROW/CM/CC	2	5	7		P	GC 34090
0690-30	Dedication of Real Property Offers (Successful/Unsuccessful) - <i>Correspondence and back-up information</i> (Note: CC files contain supplemental/supporting documents)	ROW/CC	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0690-40	Abandonment's/Vacations of Right-of-way or Relinquishment of Public Right-of-way - <i>Correspondence and background information</i>	CC	2	P	P	I	P	GC 34090
0690-50	Eminent Domain Proceedings - <i>Appraisals, correspondence, legal & court documents</i> (Note: CC files contain supplemental/supporting documents)	ROW/CC	2	5	7		P	GC 34090
0690-55	Condemnations of Real Property -	ROW	2	P	P	I	P	GC 34090
0690-60	Encroachments (Permanent) Permits - <i>Permits which set permanent conditions on property.</i> (Note: CC files contain supplemental/supporting documents)	ENGR Field/CC	UE	P	P	I	P	GC 34090(a), 34090.5
0690-65	Liens Against Real Property – <i>Recorded liens issued for various reasons</i>	CC	UP	P	P	I	P	GC 34090(a), 34090.5
0690-70	Inventories (Real Property) (Note: CC files contain supplemental/supporting documents)	ROW/CC	2	P	P	I	P	GC 34090
0690-80	Deeds & Easements – <i>Original City deeds and easements recorded by the county</i>	CC	2	P	P	I	P	GC 34090(a), 34090.5
0690-81	Deeds & Easements – <i>Other</i>	CC	2	P	P	I	P	GC 34090(a), 34090.5
0695	Real Property/City Owned Mobilehome Parks							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0695-20	Mobilehome Rental Lots – <i>Rental lease applications and correspondence</i>	HSG	UE	4	4AE		P	CCP 337.2, 343
0697	Rent Control in Escondido							
0697-07	Complaints (Mobilehomes) – <i>Request forms -inspection results, correspondence and problem analysis & legal resolution</i>	CA/CE	2	1	3		P	GC 34090
0697-10	Mobilehome Rent Space Worksheet - <i>Annual report the city requires from Mobilehome parks requiring Mobilehome administration</i>	CA/HSG	2	P	P	I	P	GC 34090
0697-20	Mobilehome Rent Control Hearing File - <i>Application and hearing for rent increase</i>	CA/HSG	2	5	P		P	GC 34090
	PERSONNEL							
0700	Personnel Administration							
0700-02	HIPAA Logs – <i>Logs tracking the movement of medical information</i>	HR	6	0	6		P	
0700-03	Sexual Harassment - <i>Harassment training roster, info regarding sexual harassment policy; guidelines, compliance forms; other cities policies, hostile work environment & sexual harassment issues in law enforcement training manual</i>	HR	2	3	5		P	GC 12946, GC 34090
0700-10	Employee Assistance Program – <i>Bills, correspondence, resolutions, reports, back-up info; countywide survey reports</i>	EB	2	5	7		P	GC 12946, GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0700-15	Wellness Programs – <i>Health Fair, Brown Bag Workshops and Vitality Magazine</i>	EB	2	0	2		P	GC 34090
0700-20	Employee Handbook – <i>Supervisor's Resource Manual (originals)</i>	HR	US	P	P	I	P	GC 34090
0700-25	Employee Benefit Communications – <i>Benefit brochures, videos, open enrollment materials, Intranet development, on-line enrollment, CityTalk Articles and special employee presentations</i>	EB	D/R		D/R		P	GC 34090
0700-30	Employee Newsletter – <i>Citytalk</i>	CM	2	P	P	I	P	GC 34090
0700-31	Employee Newsletter – <i>Cityline</i>	CM	2	0	2		P	GC 34090
0700-40	Employee Suggestions/Bright Idea – <i>Employee suggestions for work improvement</i>	CM	2	1	3		P	GC 34090
0700-45	Awards (Employee) – <i>Employee awards and recognition</i>	DEPT	2	1	3		P	GC 34090
0700-50	New Position Requests – <i>Requests from departments for new positions</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	1	2	3		P	GC 34090
0700-60	Organization Charts - <i>City-wide chart originated by the CM office</i>	CM	US	P	P	I	P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0700-80	Personnel Policies & Procedures - <i>Rules & regulations; admin leave days, policies & procedures, bilingual information, child care program, city owned vehicles, customer comment, volunteer program, flex work schedule, discipline procedures, Drug free workplace policy, including locker policy etc.</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	US	N/A	US		P	GC 34090
0700-95	P.O.S.T. (Police Officers Standards & Training) - <i>State updates and changes in rules & regulations</i>	PD/HR	2	1	3		P	GC 34090
0710	Classifications & Qualifications							
0710-20	Job Description & Specifications - <i>Past & present job specifications which describes duties & functions of each job listed</i>	HR	WC	P	P	I	P	GC 34090
0710-50	Reclassification Requests- <i>Original memos & backup information for jobs that have been reclassified</i>	HR	3	P	P	I	P	GC 34090
0720	Salaries, Wages & Benefits							
0720-10	Consumer Price Index & Cost of Living - <i>Consumer price index Pacific cities & U.S. city average notices showing change in workers</i>	HR	US	N/A	US		P	

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0720-20	Compensation Plans - <i>Current grade and step tables showing monthly rates</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	2	P	P	I	P	GC 34090
0720-21	Health Insurance Committee – <i>Meeting material, agendas, minutes & informational correspondence</i>	EB	2	1	3		P	GC 34090
0720-22	Benefits, Retired Employee Files – <i>Individual continuance of city benefits</i>	EB	UT	3	3AT		P	GC 34090
0720-23	Benefits, COBRA Participants – <i>Individuals continuance of city benefits</i>	EB	2	1	3		P	GC 34090
0720-24	Benefit, Active Employee File – <i>Individual employee enrollment forms for medical, dental, life and LTD insurance</i>	EB/CC	2	1	3		P	GC 34090
0720-25	Flex Benefit Plan Program – <i>Section 125 Plan, Flexible spending accounts, pre-tax premium, NDT testing: flexible credits for unclassified/mgmt. And non-sworn police</i>	EB	2	3	4AA		P	CFR 1602.30, 29 CFR 1627.3, 29 USC 1113
0720-26	Benefits, Consulting Literature – <i>Includes Correspondence & General Information</i>	EB	2	1	3		P	GC 34090
0720-27	Family Friendly Benefits - <i>In home child care & lactation program information for city employees</i>	EB	2	5	7		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0720-28	Benefits, Death Benefit Information – Includes Correspondence & General Information	EB	2	1	3		P	GC 34090
0720-29	Disability Benefits – LTD, STD, LTC, SDI, general administrative files, leave issues related to disability, LOA billing procedures	EB	2	1	3		P	GC 34090
0720-30	Insurance Plans – Health, Dental, Group Life, GUL, Rebates, Kaiser Ineligibility, Cancer and Vision (Note: CC files contain supplemental/supporting documents)	EB/CC	3	P	P		P	CCP 337.2, CCP 343
0720-31	Government Mandated Benefit Programs – Administrative files on COBRA, HIPPA, FMLA; Social Security, Medicare & DOC requirements	EB	2	P	P	I	P	GC 34090
0720-32	PERS PAC – Includes Invoices, Newsletters, and Pamphlets – General Information	EB	2	1	3		P	GC 34090
0720-33	International Foundation of Employee Benefit Plans – Membership & General Information	EB	2	1	3		P	GC 34090
0720-34	Benefits, Leave Issues – Includes Correspondence, Guide & General Information	EB	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0720-40	Retirement Plans – <i>Administrative files, PERS, PARS, 401(k), 457, Prepare Plan & 415 Testing</i> (Note: CC files contain supplemental/supporting documents)	EB/CC	WC	P	P	I	P	
0720-80	Salary Surveys - <i>Other agencies compensation plan CCPA survey reports, memos and reports re: city position salary surveys</i>	HR	2	3	5		P	29 CFR 516.6(2), GC 34090
0720-90	Salary Studies - <i>Full-time & Part-time salary study</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	WC	P	P	I	P	29 CFR 516.6(2)
0730	Employee Records							
0730-10	Permanent Employees Personnel File - <i>Includes start notices, evaluations, pay changes, memos, awards - any and all information re: the employee</i>	HR	3/AT	P	P		P	29 CFR 1627.3, GC 34090, GC 12946, 29 CFR 516.6 et.seq.
0730-20	Contract Employees - <i>Contracts with employees which are not approved by the City Council</i>	HR	3/AT	7	10		P	29 CFR 1627.3, GC 34090, GC 12946, 29 CFR 516.6 et.seq.
0730-30	Part-time Employee Personnel File - <i>Includes start notices, evaluations, pay changes, memos, awards, etc.</i>	HR	3/AT	7	10		P	29 CFR 1627.3, GC 34090, GC 12946, CFR 516.6 et.seq.
0730-40	Departmental Personnel Files – Department Copies	DEPT	2/AT	3	5/AT		P	GC 34090 Administrative Directive No. 28

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0730-45	DMV & Respiratory Physicals – <i>Physicals and tests for city functions in compliance with regulations</i>	RM	2	0	2		P	29 CFR 1627.3, GC 12946, 29 CFR 516.6 et.seq.
0740	Labor Relations							
0740-20	Labor Negotiations - <i>Notes, agendas, minutes, memos re: employee groups</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	US	2	2		P	GC 34090(d) Keep last two sets of negotiations in office per HR
0740-25	Impasse Procedures - <i>Procedures for handling employee group empasses</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	US	P	P	I	P	GC 34090
0740-30	MOU (Memorandum of Understanding) - <i>MOU's and correspondence for all employee bargaining units (Includes Correspondence & Information Pertaining to Uniform and Shoe Allowances)</i> <i>(HR copies should be shredded when they are no longer needed)</i>	CC/HR/DEPT	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0740-40	Employee Associations - <i>History of bargaining units, by-laws, recognition petitions and election info</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	2	P	P	I	P	GC 34090
0740-60	Grievances & Investigations – <i>Notes, memos, letters re: disciplinary actions, employee complaints, investigations grievance procedure</i> (Note: CC files contain supplemental/supporting documents)	HR/CC	US	P	P	I	P	GC 12946, 29 CFR 1602
0740-70	Fair Labor Law & Standards – <i>FLSA Act of 1985, correspondence & FLSA meet & confer info</i>	HR	D/R		D/R		P	
0750	Recruitment & Selection							
0750-10	Affirmative Action Program – <i>Action plan, report data and EEO reports</i>	HR	2	P	P	I	P	GC 34090
0750-15	ADA (Americans With Disabilities Act) - <i>General Correspondence, info & resources; transition plan</i>	HR	3	P	P	I	P	GC 34090
0750-20	Employee Transfer Requests – <i>Employee requests to transfer to another department</i>	HR	2	1	3		P	GC 34090
0750-35	Employment Bulletins - <i>Job fairs, etc.</i>	HR	D/R		D/R		P	

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0750-40	Resumes (Permanent & Part-time) - <i>Resumes from prospective employees</i>	HR/ DEPT	D/R		D/R		P	
0750-70	Eligibility Lists - <i>Applications, letters, job announcements; eligibility list – active/inactive, test answers</i>	HR	2	1	3		P	GC 34090
0750-75	General Assessment Centers (Employee Recruitment) - <i>Notes & memos and results re: assessment centers</i>	HR	2	5	7		P	GC 34090
0750-90	Test Files - <i>Sample tests for various city positions</i> Oral, practical and written tests	HR	US		US		P	
0760	Education							
0760-10	Conferences (Employee) – <i>Registration and backup information</i>	DEPT	D/R	N/A	D/R		P/E	
0760-30	Educational Programs (Employee) - <i>Education Compact</i>	HR	2	1	3		P	GC 34090
0760-40	Educational Reimbursements (Employee) - <i>Tuition Reimbursement forms and correspondence</i>	EB	2	1	3		P	GC 34090
0760-60	Regional Training Center Executive Committee	CM	2	3	5		P	GC 34090
0770	Volunteers							
0770-05	Volunteers Administration – <i>Backup and general information regarding the volunteer program</i>	VOL/HR	1	1	2		P	GC 34090(d)

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0770-20	Volunteer Records - <i>Includes applications from previous volunteers and "rejected" applicant, waivers for one-time projects, timesheets and correspondence. Also include Municipal court order volunteer records</i>	VOL/HR	1	1	2		P	GC 34090(d)
0780	Training							
0780-05	Training - <i>Completed and ongoing employee training information</i>	DEPT	UT	3	3 AT		P/E	GC 34090
0780-10	Training Rosters – <i>Attendance rosters for mandatory training</i>	HR	2	P	P	I	P	GC 34090(d)
0780-60	Loss Prevention	RM	2	1	3		P	GC 34090
	PLANNING & COMMUNITY DEVELOPMENT							
0800	Developments/Subdivisions							
0800-10	Subdivision (Tract) Files - <i>Case & Inspection files for Tract Developments (Inspections are performed by field engineering) (Includes Original Recorded Documents)</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ ENGR/ CC	UC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090
0800-11	County Subdivisions - <i>Copies of maps, general information and correspondence</i> (Note: CC files contain supplemental/supporting documents)	ENGR /CC	UC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0800-15	Special Use Lots - <i>Temporary sales lots (i.e. Christmas trees, pumpkin patches)</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	2	0	2		P	GC 34090
0800-20	Parcel Maps - <i>A subdivision of 4 or fewer lots files (Includes Original Recorded Documents)</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	UC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090(a)
0800-21	County Parcel Maps - <i>Copies of maps, general information & correspondence</i>	ENGR	UC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090(a)
0800-30	Plot Plans - <i>Administrative project review process files (Includes Original Recorded Documents)</i>	PLAN/ CC	UC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090(a)
0800-35	Sub-area Facilities Plans – <i>Utilities & services provided to certain city sectors; copies of maps, general information & correspondence</i>	ENGR/ PLAN	WC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090
0800-40	Planning Case Files - <i>Public Hearing cases (PD, CZ, CUP, GE, PUA, GPIIP, DA, CP, PZ, SP & BEZ)</i> (Includes Original Recorded Documents)	PLAN/ CC	UC	P	P	I	P	H&S 19850, GC 34090(a), GC 34090.5
0800-50	Adjustment Plats – <i>Boundary Adjustments files</i>	PLAN/ ENGR/ CC	UC	P	P	I	P	H&S 19850, GC 34090(a), GC 34090.5

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0800-55	Development Outside City Limits – <i>Information regarding the development of special projects outside the city</i>	CC	2	P	P	I	P	GC 34090(a), 34090.5
0800-70	Specific Plans – <i>Large master planned developments involving a variety of uses; case files</i>	PLAN/ CC	UC	P	P	I	P	H&S 19850, GC 34090.5, GC 34090(a)
0800-80	Certificates of Compliance (Subdivision) - <i>Determines whether a lot has been created legally (Includes Original Recorded Documents)</i>	PLAN/ CC	2	P	P	I	P	H&S 19850, GC 34090.5, GC 34090(a)
0800-90	Development Reports & Studies (General) - <i>Copies of studies, maps, general information & correspondence</i>	ENGR/ PLAN/ CC	2	P	P	I	P	GC 34090
0810	Land Use Control							
0810-15	Determination of Permitted Use – <i>Determination of zoning uses</i>	PLAN	2	P	P	I	P	H&S 19850, GC 34090.5, GC 34090(a)
0810-17	Vegetation Removal Permits – <i>Application for vegetation removal of certain types of vegetation</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	UC	P	P	I	P	GC 34090
0810-20	Zoning Code Amendments Case Files - <i>Amendments to the zoning code</i>	PLAN/ CC	2	P	P	I	P	GC 34090(a), 34090.5

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0810-30	Growth Management Program - <i>Concurrent implementation of facilities & services w/growth & development</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	2	P	P	I	P	GC 34090
0810-35	Arts & Crafts Permits – <i>Application to have arts & crafts sales at residential homes</i>	PLAN	UE	P	P	I	P	GC 34090
0810-40	Administrative Adjustments (Land Use) - <i>Adjustment of development standards files</i>	PLAN	UC	P	P	I	P	GC 34090(a), 34090.5
0810-70	Day Care (Large Group Land Use) - <i>Home/Family daycare over six children files</i>	PLAN	2	P	P	I	P	GC 34090
0820	Environmental Review							
0820-20	Environmental Impact Reports (EIR)/Initial Studies – <i>Includes EIR's, Environmental Reviews and Negative Declarations</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	UC	P	P	I	P	GC 34090(a), 34090.5
0830	General Plan							
0830-07	General Plan Implementation – <i>Implementation of the city's 20 year master plan</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	WC	P	P	I	P	GC 34090(a), 34090.5

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0830-20	General Plan Amendment Case Files - <i>GPA project files</i>	PLAN/CC	UC	P	P	I	P	GC 34090(a), 34090.5
0840	City Planning							
0840-40	Demographic & Statistical Data - <i>Population, ethnicity, household data, etc.</i> (Note: CC files contain supplemental/supporting documents)	PLAN/CC	US	P	P	I	P	GC 34090
0850	City Organization/Formation							
0850-20	Annexation Case Files – <i>Annexation applications expanding the Escondido city limits</i> (Note: CC files contain supplemental/supporting documents)	PLAN/CC	2	P	P	I	P	GC 34090(a), 34090.5
0850-40	Spheres of Influence - <i>Ultimate geographical boundary of area to be served by Escondido municipal services</i> (Note: CC files contain supplemental/supporting documents)	PLAN/CC	US	P	P	I	P	GC 34090(a), 34090.5
0860	Redevelopment							
0860-20	Redevelopment Plan - <i>Area designated where redevelopment moneys can be spent – Includes administration, agreements, and case file information</i> (Note: CC files contain supplemental/supporting documents)	ED/CC	US	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0865	Economic Development							
0865-10	BREP (Business Retention & Expansion Program) - <i>Business visits, memos & statistics</i> (Note: CC files contain supplemental/supporting documents)	ED/CC	2	1	3		P	GC 34090
0865-15	Economic Development Business Assistance Programs - <i>Small business loan program, fee deferral, etc.</i> (Note: CC files contain supplemental/supporting documents)	ED/CC	2	1	3		P	GC 34090
0865-20	Economic Development Community Organizations – <i>Agendas, correspondence & statistics</i>	ED	2	1	3		P	GC 34090
0865-40	Business Prospect & Attraction - <i>Statistics, correspondence, reports & maps</i>	ED/CC	2	1	3		P	GC 34090
0865-60	Economic Development Reports, Studies & Surveys – <i>General Information</i> (Note: CC files contain supplemental/supporting documents)	ED/CC	2	1	3		P	
0870	Community Development Block Grant Program							

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0870-11	Community Development Block Grant Program - <i>Project files for various program years.</i> .05 Administration .10 Application Process .20 Citizen Participation/Project Selection .30 Environmental .40 Financial Reporting .50 Housing .60 Equal Opportunity .70 Project Implementation .80 Regulations/Guidelines .95 Project Close Out (Note: CC files contain supplemental/supporting documents)	ENGR/CC	UC	5	5AC		P	GC 34090, 24 CFR 570.502, 24 CFR 85.42
0873	Home Funding Program							
0873-01	Funding Program HOMES – <i>Copies of regulatory agreements & correspondence regarding HOME funded projects, also include First Time Home buyers</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	2	3	5		P	24 CFR 570.502(b)(3), 24 CFR 85.42
0873-99	Home Funding Program Administration - <i>Correspondence regarding the tracking of special issues</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	2	P	P	I	P	24 CFR 570.502(b)(3), 24 CFR 85.42

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0875	Housing Program							
0875-12	Transitional Housing Program – <i>Individual case files on sites for transitional housing</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UP	4	4AP		P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-13	Small Family/New Construction Program - <i>Projects funded for small families</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UC	4	4AC		P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-14	Senior Housing Program - <i>Project files for senior living quarters</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	2	3	5		P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-16	First Time Home-buyers Program – <i>Individual loan files and related program documents – (Includes Recorded Documents: Promissory Notes & Deeds)</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	2	P	P	I	P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-20	Housing Rehabilitation – <i>Individual loan files and related program documents</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UP	4	4AP		P	24 CFR 570.502(a)(16), 24 CFR 85.42

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0875-21	Multi-Family Acquisition & Rehabilitation Loan Files - <i>Individual loan files and related program documents</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UP	P	P	I		24 CFR 570.502(a)(16), 24 CFR 85.42
0875-29	Mobilehome Conversion Assistance (General) - <i>Documents related to conversion policy & M.H.P. purchases</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	P	P	P	I	P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-30	Rancho Escondido Mobilehome Park - <i>Individual loan files</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UP	5	5AP		P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-31	The Views Mobilehome Park – <i>Individual loan files</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UP	5	5AP		P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-32	Mountain Shadows Mobilehome Parks - <i>Individual loan files</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	UP	5	5AP		P	24 CFR 570.502(a)(16), 24 CFR 85.42

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0875-55	Housing Program Policies – <i>Policies governing the use of funding sources</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	2	P	P	I	P	24 CFR 570.502(a)(16), 24 CFR 85.42
0875-70	Housing Program Reports & Studies (General) - <i>Reports & studies related to housing needs and accomplishments</i> (Note: CC files contain supplemental/supporting documents)	HSG/CC	2	P	P	I	P	24 CFR 570.502(a)(16), 24 CFR 85.42
0880	Historical Site Preservation							
0880-10	Historic Site Case Files – <i>Applications for Historic incentives programs</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	UC	P	P	I	P	GC 34090
0880-20	Historic Site Inventories – <i>Inventory of the Historical properties in Escondido</i> (Note: CC files contain supplemental/supporting documents)	PLAN/ CC	WC	P	P	I	P	GC 34090
0885	Sign Control							
0885-10	Banner Permits - <i>Temporary banner & sign permits</i>	PLAN	UE	3	3AE		P	GC 34090
	PUBLIC FACILITIES & GROUNDS (CONSTRUCTION/ALTERATI ONS/ MAINTENANCE/USE)							

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
0900	General Administration							
0900-05	Building Maintenance Work Orders - <i>Completed work orders for work performed on city facilities</i>	BLDG MAINT	2	1	3		P	GC 34090
0900-10	City Facilities Custodial Services - <i>Information regarding city custodial services</i>	PW	2	1	3		P	GC 34090
0900-12	Site Supervisors Reports – <i>Completed facilities activity/inspection reports</i>	CS	2	3	5		P	GC 34090
0900-20	Facility Use/Permits/Insurance Binders – <i>Correspondence and permits regarding the use of city facilities</i>	DEPT	2	1	3		P	GC 34090
0900-25	Space Planning Case Files – <i>Floor Plans and information pertaining to remodeling</i>	GR	D/R		D/R		P	
0900-30	Graffiti on City Buildings – <i>Memos, letters and flyers</i> (Note: CC files contain supplemental/supporting documents)	PW/CC	2	0	2		P	GC 34090
0900-40	Public Works Daily Work Logs - <i>Worksheets of daily activity in the field</i>	PW	2	3	5		P	GC 34090
0910	Municipal Facilities/City Property							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
0910-10	City Property/Facilities – <i>Construction and Maintenance of city facilities</i> (Note: CC files contain supplemental/supporting documents)	ENGR/ CM/CC	2	P	P	I	P	GC 34090(a), 34090.5
0910-20	City Property, Other – <i>Construction and maintenance of City properties</i> (Note: CC files contain supplemental/supporting documents)	ENGR/ CM/CC	UC	P	P	I	P	GC 34090
0915	Parks & Open Space							
0915-07	City Parks & Open Space - <i>Information regarding the construction and/or maintenance of Parks & Open Space</i> (Note: CC files contain supplemental/supporting documents)	PW/CC	2	P	P	I	P	GC 34090(a), 34090.5
0915-55	City Lakes (Wohlford/Dixon) – <i>Information regarding the construction and/or maintenance of these facilities</i>	PW	2	1	3		P	GC 34090
	BUILDING & ENGINEERING							
1000	Permits & Inspections							
1000-05	Permit & Inspections Administration							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1000-10	Building Permits & Inspections - <i>Application & issued permits. Including inspection record from 1st inspection to final on the project (or expiration if applicable) one form</i>	BLDG	2	P	P	I	P	Permanent for the life of the structure H&S 19850, GC 34090(a), 34090.5
1000-15	Structural Plans/Project Data – <i>Approved plans and/or information for private property in the City</i>	BLDG/ ENGR Field	UC	P	P	I	P	GC 34090(a), 34090.5, H&S 19850,
1000-20	Inspection Logs							
1000-20	Plan Check Files - <i>Documentation related to the projects except for plans and permits</i>	BLDG	2	P	P	I	P	GC 34090(a), 34090.5, H&S 19850
1000-70	Grading Permits & Inspections – <i>Permit issued to the contractor after approval of grading plan</i>	ENGR Field	2	3	5		P	Engineering Department’s decision to retain 5 years GC 34090(a), 34090.5
1000-72	Inspection Logs - <i>Inspectors daily logs for their jobs</i>	ENGR Field	UC	5	5AC		P	GC 34090
1000-75	Building Permit Reports – <i>Monthly, year-to-day and yearly breakdown of individual permits issued. Not microfilmed, but kept in yearly file</i>	BLDG	2	P	P	I	E	GC 34090
1000-90	Rules & Regulations	BLDG	US	P	P	I	P	GC 34090
1010	Engineering Projects							
1010-05	Administration							
1010-05	Engineering Projects Yearly Bid Results - <i>Bid results & general files</i>	ENGR Design	D/R	0	D/R		P	

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1010-10	Engineering Plans/Inspections - <i>Plans & inspections information of grading & public improvements for private property</i>	ENGR	UC	P	P	I	P	GC 34090(a), H&S 19850 GC 34090.5
1010-20	Survey Projects & Maps – <i>Circulation element, street alignments, preliminary design, reports and studies, general information & correspondence</i>	ENGR	UC	P	P	I	P	GC 34090(a), 34090.5
1010-30	Special Projects Engineering – <i>Copies of maps studies, general information & correspondence</i>	ENGR	UC	P	P	I	P	GC 34090(a), H&S 19850, 19853, GC 34090.5
1010-35	City Master Plans - <i>Copies of maps, studies, general information & correspondence</i>	ENGR	US	P	P	I		GC 34090(a), 34090.5
1010-40	Improvement/Grading/Drainage Plans - <i>Street lighting, reports, studies, rate sheets & inventories</i>	ENGR Field	UC	P	P	I	P	GC 34090(a), 34090.5
1010-60	Underground Service Alerts – <i>Notifications regarding projects requiring underground work</i>	PW	1	1	2		P/E	GC 34090(d)
1020	Streets, Sidewalks, Curbs, Gutters & Driveways							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1020-05	Streets, Sidewalks, Curbs, Gutters & Driveways General overlay & rehabilitation projects streets, chip seals, crack fill, etc. project files (Note: CC files contain supplemental/supporting documents)	ENGR Design/CC	UC	P	P	I	P	GC 34090, 34090.5
1020-15	Handicapped Ramps - <i>Annual project files</i>	ENGR Design	UC	P	P	I	P	GC 34090, 34090.5
1020-20	Specific Plans, Streets – <i>Circulation planned street widening studies</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic Design/CC	2	P	P	I	P	GC 34090(a), 34090.5
1020-25	Street Widening/Alignments – <i>Project files for street widening</i> (Note: CC files contain supplemental/supporting documents)	ENGR Design/CC	UC	P	P	I	P	GC 34090(a), 34090.5
1020-30	Street Inventories- <i>Inventory of City streets</i>	ENGR Traffic	2	P	P	I	P	GC 34090
1020-35	Street Naming - <i>Case files for the naming of streets</i> (Note: CC files contain supplemental/supporting documents)	PLAN/CC	2	P	P	I	P	GC 34090(a), 34090.5
1020-40	Street Lighting - <i>Project files for street lighting</i> (Note: CC files contain supplemental/supporting documents)	ENGR Design/CC	UC	P	P	I	P	GC 34090(a), 34090.5

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1020-45	Medians/Islands Landscaping – <i>Roadway medians and median openings project files</i> (Note: CC files contain supplemental/supporting documents)	ENGR Field/CC	UC	P	P	I	P	GC 34090(a), 34090.5
1020-50	Bike Facilities & Plans - <i>Bike Facilities, Lanes & Routes general & project files</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic/ CC	2	P	P	I	P	GC 34090(a), 34090.5
1020-65	Federal Aid Urban System (FAU) - <i>Streets in system, funding options</i>	ENGR Traffic Design	2	P	P	I	P	
1020-70	Federal Aid Secondary System (FAS) - <i>Streets in system, funding options</i>	ENGR Traffic Design	2	P	P	I	P	
1020-71	Transnet & Corridor Programs (SANDAG) - <i>Transnet funding program: streets and funding options: program planning</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic Design/ CC	5	P	P	I	P	
1020-72	State-Local Transportation Partnership Program (State) - <i>Guidelines & procedures of Partnership Program</i>	ENGR Traffic Design	5	5	10		P	
1020-75	Capital Projects - <i>All projects that are not maintenance or specific</i>	ENGR Design Field	UC	P	P	I	P	CCP 337.15, GC 34090(a), 34090.5

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1030	Bridges							
1030-05	Bridges Inspections - <i>General inspection reports</i>	ENGR Design	US	2	2AS		P	GC 34090
1030-10	Bridges Case Files - <i>Project files for bridges</i> (Note: CC files contain supplemental/supporting documents)	ENGR Design/CC	UC	P	P	I	P	GC 34090(a), 34090.5
1040	Highways							
1040-05	Highways Administration – <i>General files & Information</i>	ENGR Design	D/R		D/R		P	
1050	Traffic Engineering							
1050-05	Traffic Engineering Complaints/Requests - <i>Complaints & requests filed by year</i>	ENGR Traffic	5	3	8		P	GC 34090
1050-10	Accident Information - <i>Accident info citywide</i>	ENGR Traffic	3	2	5		P	GC 34090
1050-15	Traffic Engineering Circulation – <i>Street circulation studies</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	P	P	I	P	GC 34090
1050-20	Speed Zoning - <i>Speed zone study</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	US	3AS	3AS		P	GC 34090
1050-25	Vehicular Volume Counts - <i>Traffic volume counts & information</i>	ENGR Traffic	5	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1050-30	Traffic Projects (other than streets) - <i>Projects to improve operations and safety</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	P	P	I	P	GC 34090(a), 34090.5
1050-35	School Safety Programs - <i>Traffic programs for school safety</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	P	P	I	P	GC 34090
1050-40	Pedestrian Safety, General – <i>Pedestrian safety program information</i>	ENGR Traffic	2	3	5		P	GC 34090
1050-45	Traffic Studies/Surveys, General – <i>General information about traffic studies and surveys</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	5	3	8		P	GC 34090
1050-50	Traffic Schedules - <i>Traffic Schedules for traffic control devices</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	P	P	I	P	GC 34090
1050-55	Traffic Control Devices Committee – <i>Information from the California Traffic Control Devices Committee</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	3	5		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1050-65	Signal Projects – <i>Preliminary and final designs, specs, estimates, bidding info</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	3	P	P	I	P	GC 34090
1050-66	Signal Projects - General Information							
1050-70	CALTRANS (Traffic Related) – <i>Information relating to Caltrans facilities and projects within the City</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	3	P	P	I	P	GC 34090
1050-75	SDG&E (Traffic Related) – <i>Information relating to SDG&E facilities that affect City facilities</i>	ENGR Traffic	2	P	P	I	P	GC 34090
1050-80	Signing - <i>Traffic signing</i>	ENGR Traffic	2	P	P	I	P	GC 34090
1050-85	Striping/Markings - <i>Street striping & pavement marking information</i>	ENGR Traffic	2	P	P	I	P	GC 34090
1050-90	Reference & Correspondence Traffic Engineering <i>-Reference material & correspondence relating to traffic issues</i>	ENGR Traffic	5	3	8		P	GC 34090
1060	Parking							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1060-05	Parking Administration – <i>Information on Vehicle Parking District</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	P	P	I	P	GC 34090
1060-10	Curb Zones – <i>Information on street parking</i>	ENGR Traffic	2	3	5		P	GC 34090
1060-50	Parking Facilities, City – <i>Information on city owned parking areas</i> (Note: CC files contain supplemental/supporting documents)	DEPT/ Traffic ENGR /CC	2	P	P	I	P	GC 34090
1060-75	Parking Reports & Studies – <i>Studies of parking use and needs</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	5	5	10		P	GC 34090
1070	Storm Drainage & Flood Control							
1070-10	Storm Drain Basins Map – <i>Information regarding areas of land that was assessed a fee for storm drain usage</i>	ENGR	P	P	P	I	P	GC 34090
1070-20	Storm Drainage & Flood Control Master Plans - <i>Information regarding study of the city's storm drain system</i>	ENGR	US	P	P	I	P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1070-30	Storm Drainage & Flood Control Reports & Studies - <i>Various reports and studies regarding storm drain & flood control</i>	ENGR	US	P	P	I	P	GC 34090
1070-40	F.E.M.A. - <i>Disaster files by year of incidents within the city (flooding, hazardous waste, water contamination, etc.)</i> (Note: CC files contain supplemental/supporting documents)	ENGR /CC	2	P	P	I	P	GC 34090 Subject to State and Federal requirements
1070-50	Storm Drainage & Flood Control Capital Projects - <i>General project files</i>	ENGR Design	UC	P	P	I	P	CC 337.15, GC 34090(a), 34090.5
1070-60	Federal Flood Insurance Program - <i>General information regarding the city's participation in the FIP program</i>	ENGR	2	P	P	I	P	GC 34090
1080	Transportation							
1080-10	Transit Center - <i>Information on the design and development of the Transit Center</i>	ENGR Traffic	2	5	7		P	GC 34090(a), H&S 19853, GC 34090.5
1080-15	Peak Hour Traffic Management – <i>Information on peak hour traffic management</i>	ENGR Traffic	5	P	P	I	P	GC 34090
1080-20	Park & Ride - <i>Information on park and ride program</i>	ENGR Traffic	5	P	P	I	P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1080-30	Bus System - <i>Information on North County Transit operations in the City</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	2	P	P	I	P	GC 34090
1080-40	Light Rail System - <i>Information on light rail planning and operations</i>	ENGR Traffic	5	P	P	I	P	GC 34090
1080-50	Railroads - <i>Information on rail operations in the city</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	5	P	P	I	P	GC 34090
1080-65	Transportation Planning, General - <i>General information on transportation planning</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	3	2	5		P	GC 34090
1080-70	Transportation Reports & Studies – <i>Transportation reports and studies</i> (Note: CC files contain supplemental/supporting documents)	ENGR Traffic /CC	5	3	8		P	GC 34090
RECREATION & EDUCATION								
1100	General Administration							
1100-10	Vendor Info (Resources) – <i>Information on craft projects supplies (i.e. clay fabric, glass, metal)</i>	CS	D/R	N/A	D/R		P	
1100-15	Site Supervisors Incident Reports – <i>Reports for various activities at recreation facilities</i>	CS	2	1	3		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1100-25	Credit Vouchers – <i>Credit given for various classes to be used within 1 year</i>	CS	2	1	3		P	GC 34090
1110	Cultural Recreation							
1110-20	Monuments & Statues - <i>Backup information and misc. correspondence</i> (Note: CC files contain supplemental/supporting documents)	CS/CC	2	P	P	I	P	GC 34090
1110-40	Public Art Program - <i>General correspondence, slides and drawings used in the selection, installation & promotion of public art pieces installed throughout Escondido, musical concerts, city arts & craft shows</i>	CS	P	P	P		P	GC 34090
1110-60	Art & Cultural Heritage Support Programs - <i>Consultants Report, cultural resources, theater projects</i> (Note: CC files contain supplemental/supporting documents)	CS/CC	2	1	3		P	GC 34090
1120	Education & Educational Recreation							
1120-10	Colleges & Universities - <i>Informational materials</i>	DEPT	D/R		D/R		P	
1120-30	Escondido School Districts - <i>General files on Elementary, Middle and High School Districts (Public & Private)</i>	DEPT	2	3	5		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1120-50	Public & Private Schools - <i>General information on schools within Escondido</i>	CS	2	1	3		P	GC 34090
1120-70	Educational Programs - <i>General information</i>	DEPT	2	3	5		P	GC 34090
1130	Physical Education							
1130-10	Sports Planning (file alphabetically by sport) - <i>General files on city sports programs</i>	CS	2	1	3		P	GC 34090
1130-20	Adult Sports Activities - <i>Registration forms and backup information for adult sports leagues</i>	CS	2	1	3		P	GC 34090
1130-30	Youth Sports Activities - <i>Registration forms and backup information for youth sports leagues</i>	CS	2	1	3		P	GC 34090
1140	Recreation & Entertainment							
1140-10	Recreation Classes - <i>Includes registration for the Tiny Tots program and various other recreation classes</i>	CS	2	1	3		P	GC 34090
1140-20	Specific Events Programs/Large Gatherings - <i>General information regarding street faires carnivals festivals, etc.</i>	CS	2	1	3		P	GC 34090
1140-30	After School Recreation Programs - <i>Federal and State Grants</i>	CS	2	3	5		P	GC 34090
	COMMUNICATIONS & STAFF SERVICES							
1200	Data Processing & Computer Services							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1200-05	Prime Computer usage printout - <i>Computer usage reports</i>	IS	D/R		D/R		P	
1200-15	Hardware Work Requests - <i>Completed request forms for computer or network related services</i>	IS	D/R	0	D/R		P/E	
1200-40	Computer Hardware - <i>Computer reference material</i> (Note: CC files contain supplemental/supporting documents)	IS/CC	D/R		D/R		P	
1210	Word Processing Services							
1210-20	Word Processing Services Work Requests - <i>Completed work request forms</i>	IS	D/R	0	D/R		P	
1220	Audio Visual							
1220-10	Audio Recordings of Council Meetings - <i>Audio tapes of the city council legislative meetings</i>	CC	2	0	2		T	GC 34090.7
1220-15	Audio Recordings – <i>Communication Center Recordings – Daily Recordings of E911 Calls, Admin Calls & Radio Communication. (Exception: Recordings Used as Evidence not included)</i>	PD	1	1	2		AR	GC 34090.6
1220-20	Video Recordings of City Council Meetings - <i>Video recordings of the City Council legislative meetings (Videos maintained online for 5 years)</i>	CM	2	4	6		V	GC 34090.7

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1220-21	Audio Recordings – <i>Audio Recordings for city boards, commissions, and committees</i>	DEPT	2	0	2		AR	GC 34090.7
1220-30	Graphics - <i>Completed graphic request forms</i>	GR/ PLAN	D/R		D/R		P	
1220-40	Video Recordings – <i>Video intentionally obtained from a routine monitoring device in the normal course of business. (Includes - Jail observation and building security monitoring – Unless Used as Evidence.)</i>	PD/IS	1	N/A	1		V	GC 34090.6(c) Automatic Deletion after 1 Year
1230	Software Systems							
1230-05	Systems Administration - <i>Request for the addition or deletion of users on the network</i>	IS	2	0	2		P/E	GC 34090(d)
1230-20	Software Work Requests - <i>Requests for system modifications</i>	IS	2	3	5		P/E	GC 34090
1240	Printing & Duplicating Services							
1240-05	Printing & Duplicating Services Requests - <i>Completed request forms for services</i>	IS	2	3	4AA		P/E	GC 34090
1240-40	Photocopy Machine Reads - <i>Copier Reads for billing purposes</i>	IS	2	3	4AA		P/E	GC 34090
1250	Mail Control							
1250-05	Postage Report - <i>Report of departmental postage charges</i>	IS	2	3	4AA		P/E	GC 34090
1250-10	Electronic Mail	IS	90 Days		90 Days			Administrative Directive No. 27 Automatic Deletion after 90 Days
1260	Communications							

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1260-20	Telecommunications - <i>ATEL services requests</i> (Note: CC files contain supplemental/supporting documents)	IS/CC	2	0	2		P/E	GC 34090(d)
1270	Geographic Information Systems							
1270-10	GIS Work Projects – <i>Requests forms for projects</i> (Note: CC files contain supplemental/supporting documents)	GIS/CC	2	1	3		P	GC 34090
1280	Technology Information							
1280-10	Technology Information Research - <i>New system research reports</i>	FIN	2	P	P	I	P	GC 34090
1280-20	Technology Information Projects - <i>Various information and document tracking and management projects</i>	DEPT	2	P	P	I	P/E	GC 34090
	UTILITIES							
1300	Underground Utilities							
1300-20	Underground Utility Districts - <i>Backup information regarding the creation of districts</i> (Note: CC files contain supplemental/supporting documents)	ROW/ CM/CC	2	P	P	I	P	GC 34090(a), 34090.5
1305	Gas & Electricity Supply							
1305-05	Gas & Electricity Supply - <i>Information regarding SDG&E rates</i>	UTL	2	0	2		P	GC 34090(d)

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1305-10	Usage Information - <i>SDG&E water & sewer bills & account history and electric service billing summary for one meter</i>	UTL	2	0	2		P	GC 34090(d)
1310	Solid Waste Management							
1310-10	Refuse Collection - <i>EDI general information and landfill information</i>	UTL	2	1	3		P	GC 34090
1310-40	Recycling Programs - <i>Beverage container recycling information, Christmas tree recycling program records, and information, curbside recycling information, county technical assistance program information, spring clean-up week records & information, toilet recycling program information & records</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	GC 34090
1310-50	Solid Waste Management Master Plan	UTL	WC	P	P	I	P	GC 34090
1320	Water Management							
1320-02	Water Management Administration – <i>Information regarding water management</i>	UTL	2	3	5		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1320-05	Water Treatment Plant - <i>Capacity reports, chlorination facility information, water demand reports, demand recording consumption detail reports, Dixon F.P. electric billing</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	GC 34090
1320-10	Reservoirs/Dams - <i>Capacity survey of Lake Wohlford; A-11 reservoir records, documents and engineering plans; data about diversion dam and Lake Wohlford and Henshaw dams; emergency procedures and action plans; state inspection records; correspondence; statistics; event records; easement information & records; evaporation & rainfall records; peizometer readings; photos, recreation restriction records; seasonal storage information</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5	I	P	GC 34090
1320-15	Monthly Summary of Water Quality - <i>Report on the water quality of the city-wide system</i>	WTP	2	P	P	I	E	40 CFR 142.14

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1320-20	Pump Stations - <i>Records, documents, and studies pertaining to Hogback pump zone and Raw Water station</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	P	P	I	P	GC 34090
1320-21	Daily Plant Flow Accounting Form - <i>Accounting of water coming in and going out of the plant and tracks calibrations & chemical usage, etc.</i>	WTP	2	P	P	I	E/P	GC 34090, 40 CFR 141.33
1320-22	Daily Operations Log - <i>Daily plant worksheet</i>	WTP	2	0	2		E/P	GC 34090(d)
1320-23	C-T Calculations - <i>Report regarding chlorine by-products</i>	WTP	2	P	P	I	E	40 CFR 141.33
1320-24	Daily Turbidity Report - <i>Report regarding water quality</i>	WTP	2	P	P	I	P	40 CFR 141.91
1320-26	Filter Backwash Log - <i>Log tracking the use of filters</i>	WTP	2	P	P	I	P	40 CFR 141.91
1320-27	Daily Plant Checklist - <i>Physical inspections of all functions of the plant</i>	WTP	2	P	P	I	P	GC 34090
1320-28	Weekly Plant Checklist - <i>Physical inspections of all functions of the plant</i>	WTP	2	P	P	I	P	GC 34090
1320-30	Water Meter Sets, Permanent	WTP	2	P	P	I	E/P	
1320-32	Meter Reads - <i>On/off Reads & Rereads</i>	UTL Billing	2	2	4		P	GC 34090
1320-34	Shutoff Lists - <i>List of water shutoffs for none payment</i>	UTL Billing	2	1	3		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1320-36	Water Service Information - <i>On/off Cards & Change of address Cards</i>	UTL Billing	2	2	4		P	GC 34090
1320-40	Water Usage - <i>Agricultural Water information, issues and records; Safe Drinking Water Act & DHS System Survey Records; reports to SDCWA and MWD regarding agricultural water use and water conservation; city parks water accounts and irrigation audits; city water accounts; list of large agricultural water users; information about North County Fair; tier pricing information; residential agricultural water use; VID flume customer list & record of closings; list of customers owning booster pumps; and filtration plant production.</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	3	5		P	GC 34090
1320-41	Agricultural Water Use Certificates - <i>Records of special circumstances, correspondence, certification records & reference materials</i>	UTL	2	5	7		P	GC 34090
1320-42	Meter Applications - <i>Meter exchanges & SDCWACC (San Diego County Water Authority Capacity Charge)</i>	UTL Billing	2	3	4AA		P	GC 34090

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1320-43	Construction Affidavits - <i>Affidavits for refund of sewer and trash charges</i>	UTL Billing	2	3	4AA		P	GC 34090
1320-44	Meter Sets - <i>Application for a permanent meter to be set (installed)</i>	UTL Billing	2	P	P	I	P	GC 34090
1320-45	Escondido Mutual Water Company - <i>Shareholders semi-annual payment records, FERC information, inventory of assets, records & documents pertaining to purchase by city, correspondence, records of impounded funds and proxies, and tax returns</i>	UTL	2	P	P	I	P	GC 34090
1320-50	Water Connection Rights - <i>Contracts and agricultural water task force records, connection credit records, water connection rights history, denied land registration records, and historic agricultural registration records</i>	UTL/FIN	UE	4AE	4AE		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1320-55	<p>Water Supply - <i>Records & documents pertaining to Adobe Creek Wells, Brewer Aqueduct Crossing, Dixon Lake raw water supply, development adjacent to Escondido canal, desalination, Green Mutual Well Field, La Jolla Reservation water slide, local water supply, drilling project at Palomar Mountain, SDCWA/Escondido connections, and wells; Escondido Canal records, statements, and budgets; San Luis Rey diversion statements; and records concerning Vista Irrigation District</i></p> <p>(Note: CC files contain supplemental/supporting documents)</p>	UTL/CC	2	P	P	I	P	GC 34090
1320-65	<p>Water Rates - <i>Information, documents, and records pertaining to water & sewer rates; and records & documents pertaining to the water conservation offset fee</i></p> <p>(Note: CC files contain supplemental/supporting documents)</p>	UTL/CC	2	1	3		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1320-70	Water Management Capital Projects - <i>Records & information concerning chlorination facilities, Dixon Dam & filtration plant modifications, Escondido Canal repairs, Escondido Watershed survey, 54" raw water pipeline, and waterline replacements; Hogback Reservoir design correspondence, reports & specifications; and Park Hill Reservoir pressure zone records and residents' mailing list.</i> (Note: CC files contain supplemental/supporting documents)	ENGR/ CC	UC	P	P	I	P	CC 337.15
1320-75	Water Management Permits - <i>Jack Creek water diversion permit, San Luis Rey River permit, and records pertaining to Wohlford Dam parapet wall construction</i>	UTL/ ENGR	UE	P	P	I	P	40 CFR122.41
1320-85	Master Plans Water Management - <i>Backup information regarding the implementation and updates of the water master plan</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1320-90	<p>Water Management Reports & Studies - <i>Monthly Activity Reports; Best Management Practices Annual Reports; Escondido Canal Study; Evaluation of Solids Handling; Klebsiella information; La Honda Drive Water System Analysis; Lake Wohlford Dam Seismic Stability Evaluation; Lake Wohlford contour level & intake gauge height reports; monthly water production reports to SDCWA; annual drinking water report; raw water sampling & coliform monitoring plan; urban water production information; TDS & chloride content reports; Urban Water Management plan and BMP reports; utilities forecast survey; water quality annual report; and water utility statistics report.</i></p> <p>(Note: CC files contain supplemental/supporting documents)</p>	UTL/CC	2	P	P	I	P	GC 34090
1320-96	Water Management Violations – <i>Original violations and back-up information (Drinking Water)</i>	UTL	2	P	P	I	P	40 CFR 141.33
1330	Wastewater Management							

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1330-05	<p>Sewage Treatment Plant - <i>Influent flow records; Cease & Desist order; self-monitoring reports; records of discharges into Escondido Creek; information about energy recovery system; FEMA 100-year flood requirements; records concerning grit chamber repair; Hale Avenue Master Plan, Plant Evaluation, Re-rate, and current expansion records; HARRF billings to City of San Diego; laboratory, inspection, violation, and general operation information; pooled emission estimation program records; plant maintenance information; radioactive material license; SDG&E easement information; septic fee records; lift station #4 records and information; spill records; transformer & substation records & information; historical cost records; and wetlands mitigation records</i></p> <p>(Note: CC files contain supplemental/supporting documents)</p>	UTL/CC	2	P	P	I	P	GC 34090
1330-10	<p>Sewer Maintenance -<i>Manhole rehabilitation and sewage spill records.</i></p>	PW	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1330-20	Pump Stations & Wells - <i>Odor problem records & information; lift & pump station records & information; and private sewage pumps correspondence & records.</i>	HARRF	2	P	P	I	P	GC 34090
1330-34	Wastewater Violations – Original violations and back-up information	UTL	2	P	P	I	P	GC 34090
1330-35	Industrial Waste - <i>Pretreatment violation records, enforcement response guide, permit applications, reports, audits, program evaluation and records</i>	HARRF	2	P	P	I	P	40 CFR 60.153
1330-40	Sludge & Solids - <i>Bio-solid hauling information, brochures, North County Sludge Study, records & information concerning North County Solids Disposal Agency & North County Sewage Solids, and sludge composting</i>	HARRF	2	P	P	I	P	40 CFR 61.54
1330-45	Wastewater Management Out-fall - <i>Information regarding development adjacent to the land out-fall, kelp beds, and ocean monitoring; land outfall specifications & drawings; records concerning manhole spills and ocean outfall replacement; San Elijo Joint Powers Authority budgets & records; and San Elijo Ocean Outfall Maintenance & Repair records</i>	UTL	2	P	P	I	P	40 CFR 60.153

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1330-50	Sewer Connection Rights - <i>Contracts and groundwater remediation connection fee records and sewer future connection records</i> (Note: CC files contain supplemental/supporting documents)	UTL/FIN /CC	UE	4AE	4AE		P	GC 34090
1330-70	Wastewater Management Capital Projects - <i>Information regarding changes or additions to the plant</i>	UTL	UC	P	P	I	P	CCP 337.15
1330-75	Wastewater Management Permits - <i>NPDES permits</i> (Note: CC files contain supplemental/supporting documents)	HARRF /CC	2	P	P	I	P	40 CFR 122.41
1330-85	Master Plans - <i>Wastewater master plan and project alternatives information</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1330-90	Waste Water Management Reports & Studies - <i>Activity reports, wastewater flow monitoring report, aeration basin project information, re-rate study & flow meter evaluation, sewage overflow reports, discharger monitoring reports, information about sludge composting sites, evaluation of solids handling, HARRF capacity report, HARRF screen wall geotechnical study, infiltration & inflow study, waste discharge requirements, sewer overflow prevention & response plan, Southern California Coastal Water Research Project reports, storm water reports for HARRF & PW yard, and bio-solids monitoring report</i> (Note: CC files contain supplemental/supporting documents)	UTL/CC	2	P	P	I	P	GC 34090
1330-91	NPDES HARRF - <i>Discharge to the Pacific Ocean</i> .01 - Annual Reports .02 - Monthly Reports .03 - Quarterly Reports .04 - Semi-Annual Reports	HARRF	2	P	P	I	P	40 CFR 122.41
1330-92	DMR Reports .01 - Quarterly Reports .02 - Monthly Reports	HARRF	2	P	P	I	P	40 CFR 122.41
1330-93	Wastewater Lab Log Books .01 - Sample Record and Log In .02 - Operations Log In	HARRF	2	P	P	I	P	40 CFR 122.41

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1330-94	Wastewater Lab Work Books .01 - Secondary Effluent .02 - Sewage Analysis .03 - Biochemical Oxygen Demand (BOD) .04 - Chloride .05 - Sludge Analysis .06 - Settable Solids .07 - Ammonia, Grease and Oil .08 - Anions and Cations .09 - HACH	HARRF	2	8	10	I	P	40 CFR 122.41
1330-94	Wastewater Lab Work Books (con't) .10 - pH, Conductivity, Turbidity, Alkalinity .11 - Suspended Solids and Volatile Solids .12 - Total Dissolved Solids	HARRF	2	8	10	I	P	40 CFR 122.41
1330-95	Subcontract Lab Results .01 - Chemical Analysis .02 - Toxicity Testing	HARRF	2	8	10	I	P	40 CFR 122.41
1330-96	QA-QC .01 - Daily .02 - Monthly .03 - Semi-Annually (Thermometers) .04 - QA-QC Corrective Actions	HARRF	2	8	10	I	P	40 CFR 122.41
1330-97	Chain of Custody .01 - HAARF - Wastewater .02 - Miscellaneous	HARRF	2	8	10	I	P	40 CFR 122.41
1340	Reclaimed Water Management							

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1340-02	Reclaimed Water Management Administration - <i>Brine management information; Bureau of Reclamation provisions for grants & agreements; Water Reuse initiative information; records of inquiries about water softeners; press releases & advertising; information and records concerning regional water reclamation projects; records of Council workshops & briefings regarding reclamation; correspondence, brochures, newsletters, status reports and general information regarding reclamation; Water use information</i>	UTL	2	P	P	I	P	40 CFR 122.41
1340-40	Reclaimed Water Usage - <i>Information about reclaimed water usage</i>	UTL	2	1	3		P	GC 34090
1340-41	Reclaimed Water Customers - <i>Records of negotiations with City of San Diego, Escondido Municipal Golf Course, Olivenhain Municipal Water District, and Rincon Municipal Water District; marketing information; and retrofitting information</i>	UTL	2	1	3		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1340-70	Reclaimed Water Management Capital Projects - <i>Aquaculture plant information; avocado pilot project records, reports, and information; construction management information; HARRF design, reclamation, expansion & value engineering records and information; financing general information; SDCWA financial assistance program information; information concerning state revolving funds and US Bureau of Reclamation grant funds; water re-purification project negotiation records & financing plan</i>	UTL/CC	2	P	P	I	P	CCP 337.15
1340-75	Reclaimed Water Management Permits - <i>Permit information</i>	UTL	2	P	P	I	P	40 CFR 122.41
1340-85	Reclaimed Water Management Master Plans - <i>San Pasqual Valley Water Reclamation Master Plan</i>	UTL	2	P	P	I	P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1340-90	Reclaimed Water Management Reports & Studies - <i>Aeration system improvements design report; basin plan amendment; brine discharge feasibility study correspondence and reports; distribution system detailed facilities report & user on-site retrofit design report; EIR & draft for HARRF; Eagle Crest supply line report; intermittent stream discharge feasibility study; pressure surge analysis; reclamation basin study, plan, and amendment; reclamation facilities project report; report of waste discharge; USDI report; and analysis of ultraviolet disinfection</i>	UTL	2	P	P	I	P	GC 34090
1350	Storm Water Management							
1350-10	NPDES HARRF - <i>Intermittent wet weather discharge</i> .01 - Baseline Monitoring Quarterly Reports .02 - Annual Reports	HARRF /CC	2	P	P	I	P	40 CFR 122.41
1350-20	Storm Water Discharge Associated with Industrial Activity .01 - Hale Ave. Resource Recovery .02 - Public Work Discharge	HARRF	2	P	P	I	P	40 CFR 122.41
1350-30	Chain of Custody .01 - Storm Water .02 - Storm Water Run-Off	HARRF	2	8	10		P	40 CFR 122.41
1350-40	Storm Water Subcontractor Lab Results	HARRF	2	8	10		P	40 CFR 122.41

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1360	Drinking Water Management							
1360-05	Water Quality Reports - <i>Finished, Source and Distribution System Water</i> .01 - Monthly Monitoring report .02 - Quarterly .1 - THMs .2 - HAAs .3 - General Minerals & Inorganics .03 - Other .1 - Organics .2 - Radiation (Note: CC files contain supplemental/supporting documents)	HARRF /CC	2	P	P	I	P	40 CFR 122.41
1360-10	Copper & Lead Rule .01 - Reports .02 - Miscellaneous	HARRF	2	P	P	I	P	40 CFR 122.41
1360-15	Information Collection Rule .01 - Plant Monitoring .1 - Reports .2 - In house analysis results/outside contract .3 - Sampling/Shipping .02 - Bench Scale Treatment Studies	HARRF	2	P	P	I	P	40 CFR 141.91
1360-20	Chain of Custody (Drinking Water)	HARRF	2	10	12		P	40 CFR 141.91
1360-25	Drinking Water Log Books	HARRF	2	10	12		P	40 CFR 141.91
1360-30	HPC Analysis	HARRF	2	10	12		P	40 CFR 141.91
1360-35	Supplementary Bacti Tests	HARRF	2	10	12		P	40 CFR 141.91
1360-40	Water Quality Complaints	HARRF	2	10	12		P	40 CFR 141.91

			Retention/Disposition					
File #	Record Description	OPR	Office	Inactive	Total	M/I	Media	Citation
1360-45	Internal Testing .01 - Nitrification Monitoring .02 - Watershed Microbiological monitoring .03 - TOC .04 - Algae Counting/DO measure in lakes	HARRF	2	10	12		P	40 CFR 141.91
1360-50	QA/QC	HARRF	2	3	5		P	EPA Regulations
1360-55	Drinking Water Subcontractor Lab Results .01 - Montgomery Watson Laboratories .02 - Bio-Vir Laboratories .03 – Others	HARRF	2	10	12		P	40 CFR 141.91
1370	Lakes							
1370-05	Patrol Logs/Rosters/Work Schedules	UTL	2	1	3		P/E	GC 34090
1307-06	Night Patrol Logs - <i>Includes Incident Reports</i>	UTL	2	1	3		P	GC 34090
1370-10	Dixon Lake Special Programs	UTL	2	1	3		P	GC 34090
1370-20	Radio Assignments – <i>Includes sign-in sheets.</i>	UTL	1	1	2		P/E	GC 34090(d)
1370-30	Boating/Camping/Fishing Entry Logs – <i>Also includes ticket orders, permits, and licenses.</i>	UTL	1	1	2		P	GC 34090(d)
1370-40	ADA Compliance – <i>Background information for ADA cabins (including contract & repairs) and, pier specs and repairs.</i>	UTL	2	P	P		P	GC 34090
1370-50	Catfish/Trout Stocking Schedules	UTL	2	1	3		P	GC 34090

File #	Record Description	OPR	Retention/Disposition				Media	Citation
			Office	Inactive	Total	M/I		
1370-60	FEMA Records/Reports - <i>Includes Personnel Logs, and Incident Reports, etc.</i>	UTL	2	P	P		P	GC 34090
1370-70	Concession Operations – <i>Includes general information for maintenance and operations (i.e., inventory reports, copies of work orders, inspections, and repairs, cleaning, and complaints).</i>	UTL	2	1	3		P	GC 34090
1370-80	Boat Repairs – <i>Includes work orders for service, and equipment maintenance and repairs.</i>	UTL	2/US	1	3		P	GC 34090
1370-90	Reports and Studies – <i>Departmental reports and studies submitted to Sacramento (Including Quaaga Muscle Reports & Davis-Grunsky Act Reports & Aquaculture Permits and Applications)</i>	UTL	2	P	P	I	P/E	GC 34090

APPENDIX B

City of Escondido

FUNCTIONAL FILING SYSTEM

- 0100 Administration
- 0200 Health, Safety & Welfare
- 0300 Fire Prevention, Equipment & Operations
- 0400 Finance & Fiscal
- 0500 Equipment Service & Maintenance
- 0600 Legal & Legislation
- 0700 Personnel Administration
- 0800 Planning &. Community Development
- 0900 Public Facilities & Grounds
(Construction, Alterations/Maintenance/Use)
- 1000 Building & Engineering
- 1100 Recreation &. Education
- 1200 Communications &, Staff Services
- 1300 Utilities

0100 ADMINISTRATION

0100 General Administration

- 10 Administrative Directives
- 15 City Manager's Quarterly Round Table Meetings
- 25 Customer Service Program
- 26 Comment Cards (Customer)

0105 Reference

- 10 Correspondence
- 20 Reference Publications

0110 Departments

- 10 Departmental Directives
- 15 Announcements/Orders
- 20 Departmental Reports/Studies
- 30 Departmental Policies & Procedures
- 35 Compliments/Citations (General)
- 40 Complaints & Inquiries
- 50 Staff Meetings Notices
- 60 Departmental Staffing/Uniform Inspections
- 70 9/80 Work Plan

0120 Boards & Commissions

- 10 Boards, Commissions & Committee Appointments
- 12 Appointment Applications (unsuccessful)
- 15 Agendas
- 20 Minutes
- 30 Resolutions
- 35 Handbooks
- 45 Meeting Notices

0130 Professional Associations

- 10 Professional Associations
- 20 Brochures/Publications/Newsletters/Bulletins

0100 ADMINISTRATION (Continued)

0135 Local & County Organizations

- 10 Local & County Organizations
- 20 Brochures/Publications/Newsletters/Bulletins
- 35 Convention & Visitors Bureau (ConVis)

0137 Special Organizations (Created by the City)

- 10 California Center for the Arts, Escondido
- 30 Chief's Community Relations Action Team
- 40 Marketing Committee Information

0140 Organizations at Large

- 20 CHAD/United Way
- 30 AAA (Auto Club of Southern California)

0145 Governmental/Regulatory Agencies

- 10 Cities (other than Escondido)
- 20 San Diego County Offices
- 30 State Agencies
- 40 Federal Agencies
- 50 LAFCO
- 60 SANDAG
- 70 North County Transit District
- 80 San Diego County Water Authority
- 85 Rincon Del Diablo Municipal Water District
- 86 Metropolitan Water District of Southern California
- 90 San Diego Gas & Electric

0150 Public Relations & Information

- 05 Administration, Public Relations & Information
- 10 City & CDC Publications & Brochures
- 20 Awards, Donations & Gifts
- 40 News Clippings (not filed with category)
- 50 Photographs (not filed with category)
- 55 Press Releases (not filed with category)
- 60 Public Ceremonies & Events
- 65 Public Information Reports
- 75 Sister City Program
- 80 Lectures & Speeches
- 85 Biographies

0100 ADMINISTRATION (Continued)

0160 Records Management

- 07 Annual Compliance Audits
- 25 Records Management Procedures Manual
- 30 Records Transfer Lists
- 35 Records Destruction
- 50 Records Retention Schedules
- 60 City Wide Blank Forms
- 70 Micrographics/Imaging Program

0170 Risk Management

- 05 Administration, Risk Management
- 10 Claims Against City
- 15 Property Insurance Claims (on behalf of city)
- 20 City Liability Insurance
- 30 Employee Disability Claims (LTD & STD Claim Files)
- 40 Employee Benefits (not listed in 0170 & 0720)
- 45 Property Insurance
- 50 Unemployment Claims
- 55 Worker's Compensation Case Files
- 56 Worker's Compensation Insurance
- 57 Industrial Disability Case Files
- 58 Blood Borne Pathogen Exposures
- 64 Accidents, City Vehicles
- 67 Accident Reports (other than employee)
- 70 Safety Committee (City)
- 71 Safety Program Development
- 75 OSHA 300 Log
- 76 OSHA Incident Investigations & Inquiries
- 80 Joint Powers Authority
- 85 Certificates of Insurance (miscellaneous)
- 86 Employee Safety Meetings
- 87 Monthly Safety Inspection Reports

0200 HEALTH, SAFETY & WELFARE

0200 Animal Care & Control

-20 Humane Society

0210 Consumer Issues

-05 Administration, Consumer Issues

-30 Rent Control (not involving Escondido)

0220 Disaster Preparedness

-05 Disaster Preparedness Planning

-15 Civil Disturbance

-20 Community Resources

-25 Disaster Case Files

-30 Hazard Analyses

-35 Hazardous Materials Contingency Plans

-37 Hazardous Materials Manifests

-38 Mutual Aid Activity Reports

-45 Emergency Operational Plan

-50 Training Programs (SEMS)

-55 Reports & Studies

-95 Operation of Air Pressure Tanks

0230 Environmental Issues & Conservation

-05 Sage Scrub Habitat Loss Permit

-06 Employee Trip Reduction & Congestion Management

-07 Adopt-A-Highway Programs

-08 Earth Day

-09 Ride Sharing

-10 Air Quality

-30 Household Hazardous Materials (General)

-31 Used Oil Recycling

-35 Storage Tanks (underground)

-41 Sale of Conservation Credits

-45 Litter Control

-50 Noise Control

-60 Pest Control

-65 Water Quality

-66 Storm Drainage/Watershed

-70 Water Conservation

-80 Environmental Protection Rules & Regulations

-90 Emissions Control

0200 HEALTH, SAFETY & WELFARE (Continued)

0240 Health Protection/Services

- 05 Administration, Health Protection/Services
- 20 Hospitals
- 80 Healthy Cities Program

0250 Police Protection/Services

- 01 Daily Watch Logs/Resumes
- 02 Telephone & Radio Communication Recordings
- 03 Arrest Records of Juveniles (Sealed by Court)
- 04 Juvenile Detention Logs & Correspondence
- 05 Administrative, Police Protection/Services
- 06 Communications Employee Work Schedule
- 07 Police Licenses/Permits/Registrations
- 08 Rosters – Mobile Field Force & Patrol
- 09 Firearms Training Facility (Range)
- 10 Incident Reports (Police)
- 11 Canine Bites
- 12 Polygraph Files
- 14 Community Work Service Program
- 20 False Alarms
- 25 ARJIS (Automated Regional Justice Information System)
- 30 Detention Facilities (Regional)
- 31 Sobering Center
- 43 Activities of Gangs
- 55 Towing services
- 60 Special Services (COPPS)
- 63 Special Enforcement Projects
- 75 Asset Forfeiture
- 77 Drug Enforcement Administration (DEA)
- 81 Case Files, Felony Arrests, Crimes & Investigation Records
- 82 Case Files, Miscellaneous Reports
- 83 Case Files, Misdemeanor Arrest, Crime & Investigative Rpts.
- 84 Case Files, Citizen Complaints of Misconduct
- 86 Incidents Occurring Outside Escondido City Limits
- 87 Case Files, Felony Offense
- 91 Confidential Informant Files
- 92 Fingerprints
- 93 Anonymous Tips (TIPS)
- 94 Computer Aided Dispatch (CAD) / MIS Logs
- 95 Police Department Investigation – Video Recordings (Nonevidentiary)
- 96 Police Department Investigation – Video Recordings (Evidentiary)

0200 HEALTH, SAFETY & WELFARE (Continued)

0251 Police/Traffic Division

- 05 Collision Report – Accident (Non-Injury)
- 10 Collision Report - Fatal
- 15 Sobriety Checkpoint OP Plans
- 20 Crime Reports
- 25 Police Vehicle Code Infraction Case Files

0260 Human/Social Services

- 05 AIS Contract Case File (formerly Area Agency on Aging)
- 15 Welfare Programs
- 20 Child Care Services
- 30 Drug/Alcohol Test Results
- 35 Literacy Adult Learner Case Files
- 40 Literacy Tutor Case Files
- 45 Homelessness Services
- 50 Employment Development Services
- 55 Community/Group Projects
- 60 Community Problem Solving Programs
- 66 Liability Releases – Hold Harmless Agreements
- 80 Healthy Families, Escondido

0200 HEALTH, SAFETY & WELFARE (Continued)

0270 Police Department Volunteers

- 10 Explorer Post #600 (Police)
- 40 Escondido Police Reserves

0280 Police Department Administration

- 05 Quarterly Newsletter (retired Police employees)
- 10 Emergency Operations Center (EOC)
- 15 Safety Program (Traffic Police)
- 50 Internal Affairs Investigations
- 80 Police Statistics & Surveys
- 81 911 Call Center Time and Call Volume Statistics
- 83 Chaplaincy Program (Police)
- 84 Citizens' Patrol
- 85 Awareness Academy (Community Police)
- 95 Board of Review (Shooting)

0290 Police Department Vehicles

- 10 Police Vehicles
- 15 Licenses, Non-Exempt
- 20 Command Van
- 30 Take Home Car Plan/PPV

0300 FIRE PREVENTION EQUIPMENT & OPERATIONS

0300 Administration

- 10 Fire Mutual Aid
- 30 Training Records

0310 Investigations & Reports

- 10 Run Logs (Fire Incident)
- 20 Fire/Arson Investigation Reports
- 25 Non-Fire Investigative Logs (Narcotics, False Alarm)

0320 Fire Prevention Inspections/Code Enforcement

- 10 Business Inspections (Fire "A" Files)
- 20 New Construction Inspections (Fire "B" Files)
- 30 Complaints, Fire Prevention
- 35 Sprinkler Building Files (Plans)

0350 Weed Abatement

- 10 Weed Abatement (City Property)
- 15 Weed Abatement (Private Property)

0360 Pre-Fire Plan Programs

- 10 Pre-Fire Plan Inspections on Engines

0370 Fire Apparatus & Equipment

- 10 Fire Apparatus Service Tests
- 20 Fire Apparatus & Equipment Inventories
- 30 Fire Apparatus Specifications
- 40 Equipment Assignments (Fire)
- 60 Fire Hose History & Maintenance
- 70 Issue of Safety Clothing/Equipment
- 75 Hydrant Records

0400 FINANCE & FISCAL

0400 Accounting

- 07 Collections (Small Claims)
- 08 Unpaid & Closed Collections
- 10 Chart of Accounts
- 15 Travel Expense Statements
- 20 Petty Cash Bank Statements
- 30 Fixed Assets
- 40 Check Registers
- 60 General Ledgers/Balance Sheet
- 65 Balance Sheet Reports
- 70 Journal Vouchers
- 75 Utility Billing & Cashier Reports
- 76 Petty Cash Requests
- 85 Monthly Treasurer's Reports
- 93 Capital Projects Monthly Reports
- 96 Housing Loan Reconciliations

0410 Audits

- 20 External Audit Reports
- 30 Financial Statement Preparation Files

0420 Banking

- 10 Banking Services
- 30 Bank Statements & Reconciliation
- 38 Checks (Stale-Dated)
- 40 Check Stubs
- 41 Returned Checks
- 42 Check Stop Payments
- 43 Bank Deposit Slips
- 44 Deposit Corrections
- 45 Transfer of Funds Advice
- 46 Electronic Transactions
- 47 Armored Transport Receipts
- 60 Banking Daily Worksheets
- 61 Weekly Check Register
- 62 Banking Cash Reconciliation Worksheets
- 70 Duplicating Center Worksheets

0400 FINANCE & FISCAL (Continued)

0430 Budget

- 10 Departmental Budget
- 20 External Financial Support Requests
- 25 Budget Objectives
- 30 Annual Operating/CIP Budget
- 35 Budget Preparation Files
- 50 Revenue Estimates
- 80 Carryover/Budget Adjustments

0440 Bond Issues/Debt Services

- 05 Administration, Bond Issues
- 10 Bond Paying Agent/Fiscal Agent
- 15 Bonds, Industrial Development
- 20 Bonds, Mortgage Revenue
- 22 Bonds, EJPFA (Escondido Joint Powers Financing Authority Bonds)
- 25 Assessment District Financial Records (1911 Act)
- 30 Assessment District Financial Records (1915 Act)
- 35 Bonds, General Obligation
- 40 Certificates of Participation (CDC/City)
- 45 Bonds, Revenue (not specifically listed)
- 50 Bonds, Water Revenue
- 55 Bonds, Sewer Revenue
- 60 Mortgage Revenue Bonds Bank Statements
- 63 Monthly Age/Income Compliance Reports
- 65 Bonds, Housing (Multiple Family)
- 90 Bond Issues Reports & Studies

0450 Payroll

- 10 Individual Employee Payroll Files
- 11 Payroll Registers
- 12 Quarterly Tax Reports
- 13 MOU Negotiation Changes
- 14 Direct Deposit Reports
- 20 Time Cards
- 21 Off-Line/Off-Cycle Checks
- 35 Workers Compensation/LOA/SDI Reports
- 40 Mileage Reimbursements
- 45 Alpha Reports

0400 FINANCE & FISCAL (Continued)

0450 Payroll (Continued)

- 54 1098 & 1099 Tax Forms
- 55 Leave Registers
- 56 W-2 Register Worksheets
- 57 W-2 Register
- 58 Employee Tax Statements (W-2's)
- 60 Use of City Vehicle Log

0460 Pension & Retirement Funds Reports

- 10 Deferred Compensation Reports
- 20 PERS Reports
- 30 PARS Reports

0470 Purchasing

- 10 Accounts Payable
- 18 Pending Purchases
- 20 Purchase Requisitions
- 25 Purchase Orders
- 26 Purchase History
- 27 Procurement Credit Card
- 30 Supplies & Equipment Bids
- 32 Pending Bids (Request for Proposals)
- 35 Awarded Bids (Equipment/Services/Supplies)
- 45 Rejected Bids
- 47 Office Supply Room Log Sheet
- 50 Supply Inventories
- 55 Auctions (City/County)
- 65 Surplus Property Disposal Requests
- 70 Purchasing Programs
- 80 Vendor Brochures & Catalogs
- 85 Consultant Reference Information
- 90 Policies & Procedures (Purchasing)

0400 FINANCE & FISCAL (Continued)

0480 Revenue & Taxation

- 05 Refunds
- 10 Accounts Receivable
- 15 Daily Cash Receipts
- 20 Billing & Service Requests
- 25 Billings & Receipts
- 30 Paramedic Billings
- 31 Credit Card Slips
- 32 Paid NSF (Non-Sufficient Fund Checks)
- 35 Business Licenses
- 36 Passports
- 40 Taxes
- 45 Fee Studies/Schedule
- 49 Sewer Rates
- 55 Fee Waiver Requests
- 59 Reclaimed Water Rates
- 70 Grants, Successful
- 80 Grants, Unsuccessful
- 85 Funding Programs, Private

0490 Investments

- 10 Investment Information (General)
- 30 Investment Fund (L.A.I.F.)
- 40 Investment Committee
- 50 Investment Statements
- 55 Investment Report, Quarterly
- 60 Investment Reports & Studies

0500 EQUIPMENT SERVICE & MAINTENANCE

**0500 Communication/Computer/Office/Mechanical
Equipment & Rolling Stock**

- 10 Work/Orders Service Requests
- 20 Maintenance & Repair Records
- 30 Inventories
- 40 Log Books

0600 LEGAL & LEGISLATION

0600 Agreements & Contracts

- 10 Agreements
- 11 Departmental Contracts & Agreements – PSA’s
- 12 Community Service Agreements (Instructors)
- 15 Development Agreements
- 20 C.D.C. Agreements
- 30 Industrial Development Bond Authority Agreements
- 35 EJPFA Agreements (Escondido Joint Powers Financing Agency)
- 40 Lien Agreements (Public Right-of-Way)
- 65 Improvement Bonds
- 70 Lot Tie Agreements
- 75 Repayment Agreements (Water/Sewer/Storm Drains/Streets)
- 80 Sewer/Water Service Agreements (outside City limits)
- 85 Promissory Notes
- 95 Notice of Completion (recorded)

0610 City Council/CDC/Rent Review Board/Industrial Development Bond Authority/Escondido Joint Powers Financing Authority/Oversight Board

- 15 Oral Communications
- 25 Closed Sessions
- 30 Affidavit of Posting Agendas
- 40 Minutes
- 45 Verbatim Transcripts
- 55 Subcommittees
- 70 Appointments/Resignations
- 75 Agenda/Staff Reports
- 80 Confirmed Agenda
- 85 Request to Speak Form
- 90 Council Policies & Procedures
- 95 City Council Work Program

0640 Conflict of Interest

- 10 Statement of Economic Interests (originals filed with city)
- 15 Statement of Economic Interests (originals filed with State)
- 20 Conflict of Interest Filing Instructions, Forms & Bulletins
- 30 Conflict of Interest Policies & Procedures
- 40 Specific Inquiries & Matters

0600 LEGAL & LEGISLATION (Continued)

0650 Elections

- 10 Election Planning Materials/References
- 20 Election Initiatives
- 30 Election Referendums
- 40 Election Case Files
- 45 Nomination Documents
- 50 Campaign Statements (unsuccessful candidates/committees)
- 70 Campaign Statements (successful candidates/committees)

0660 Code Enforcement Program

- 10 Code Enforcement Complaints & Investigations
- 20 Code Enforcement Case Files
- 25 Business License Lists
- 35 Mobilehome Maintenance & Rent Review Inspection Program

0670 Legal Operations

- 10 Affidavits of Posting
- 20 Affidavits of Publication
- 30 Legal Opinions
- 60 Loyalty Oaths – Elected Officials/Boards/Commissions
- 61 Loyalty Oaths – Full-time Employees
- 62 Loyalty Oaths – Part-time Employees
- 65 Public Records Requests
- 66 Deposition Subpoena (For Business Records)
- 70 Departmental Project Files
- 75 Department Files – Department Working Files

0675 Litigation

- 10 Civil Case Files
- 30 Criminal Case Files

0680 Legislation

- 10 Ordinances
- 20 Resolutions, City Council
- 25 Resolutions, Oversight Board
- 45 Resolutions, Planning Commission
- 50 Code Files (City)
- 60 Legislative Analyst/Lobbyist
- 70 Legislation Pending
- 80 League of California Cities Legislative Bulletins

0600 LEGAL & LEGISLATION (Continued)

0680 Legislation (Continued)

-87 Comprehensive Housing Affordability Strategy/Com Plan

0685 Assessment/Community Facilities Districts

-10 Assessment District Case Files

-20 Community Facilities District Case Files

0690 Real Property

-10 Property Acquisitions (Active)

-20 Disposal of Real Property (Active)

-30 Dedication of Real Property Offers

-40 Abandonment, Vacations & Relinquishments of Rights-of-Way

-50 Eminent Domain Proceedings

-60 Encroachments Permits, Permanent

-65 Liens Against Real Property (recorded)

-70 Inventories of Real Property

-80 Deeds & Easements – City (recorded)

-81 Deeds & Easements – Other (recorded)

0695 Real Property/City Owned Mobilehome Parks

-20 Mobilehome Rental Lots

0697 Rent Control in Escondido

-07 Complaints (Mobilehomes)

-10 Mobilehome Rent Space Worksheets

-20 Mobilehome Rent Control Hearing File

0700 PERSONNEL

0700 Personnel Administration

- 02 HIPAA Logs
- 03 Sexual Harassment
- 10 Employee Assistance Program
- 15 Wellness Programs
- 20 Employee Handbook
- 25 Employee Benefit Communications
- 30 Employee Newsletters – Citytalk
- 31 Employee Newsletter – Cityline
- 40 Employee Suggestions/Bright Idea
- 45 Awards, Employee
- 50 New Position Requests
- 60 Organization Charts
- 80 Personnel Policies & Procedures
- 95 P.O.S.T. (Peace Officers Standards & Training)

0710 Classifications & Qualifications

- 20 Job Descriptions & Specifications
- 50 Reclassification Requests

0720 Salaries, Wages & Benefits

- 10 Consumer Price Index & Cost of Living
- 20 Compensation Plans
- 21 Health Insurance Committee
- 22 Benefits, Retired Employee Files
- 23 Benefits, COBRA Participants
- 24 Benefits, Active Employees
- 25 FLEX Benefit Program
- 26 Benefits, Consulting Literature
- 27 Family Friendly Benefits
- 28 Benefits, Death Benefit Information
- 29 Disability Benefits
- 30 Insurance Plans
- 31 Government Mandated Benefit Program
- 32 PERS PAC – General Information
- 33 International Foundation of Employee Benefits Plans
- 34 Benefits, Leave Issues
- 40 Retirement Plans
- 80 Salary Surveys
- 90 Salary Studies

0700 PERSONNEL (Continued)

0730 Employee Records

- 10 Permanent Employees Personnel File
- 20 Contract Employees
- 30 Part-Time Employee Personnel File
- 40 Departmental Employee File
- 45 DMV & Respiratory Physicals

0740 Labor Relations

- 20 Labor Negotiations
- 25 Impasse Procedures
- 30 MOU (Memoranda of Understanding)
- 40 Employee Associations
- 60 Grievances & Investigations
- 70 Fair Labor Law & Standards

0750 Recruitment & Selection

- 10 Affirmative Action Program
- 15 ADA (Americans With Disabilities Act)
- 20 Employee Transfer Requests
- 35 Employment Bulletins
- 40 Resumes (Permanent & Part-Time)
- 70 Eligibility Lists
- 75 General Assessment Centers (employee recruitment)
- 90 Test Files

0760 Education

- 10 Conferences (Employee)
- 30 Educational Programs (Employee)
- 40 Educational Reimbursements (Employee)
- 60 Regional Training Center Executive Committee

0770 Volunteers

- 05 Volunteer Administration
- 20 Volunteer Records

0780 Training

- 05 Training
- 10 Training Rosters
- 60 Loss Prevention

0800 PLANNING & COMMUNITY DEVELOPMENT

0800 Developments/Subdivisions

- 10 Subdivision (Tract) Files
- 11 County Subdivisions
- 15 Special Use Lots
- 20 Parcel Maps
- 21 County Parcel Maps
- 30 Plot Plans
- 35 Sub-area Facilities Plans
- 40 Planning Case Files
- 50 Adjustments Plats
- 55 Development Outside City Limits
- 70 Specific Plans
- 80 Certificates of Compliance (Subdivision)
- 90 Development Reports & Studies (General)

0810 Land Use Control

- 15 Determination of Permitted Use
- 17 Vegetation Removal Permits
- 20 Zoning Code Amendments Case Files
- 30 Growth Management Program
- 35 Arts & Crafts Permits
- 40 Administrative Adjustments (Land Use)
- 70 Day Care (Large Group Land Use)

0820 Environmental Review

- 20 Environmental Impact Reports (EIR)/Initial Studies

0830 General Plan

- 07 General Plan Implementation
- 20 General Plan Amendment Case Files

0840 City Planning

- 40 Demographic & Statistical Data

0850 City Organization/Formation

- 20 Annexation Case Files
- 40 Spheres of Influence

0800 PLANNING & COMMUNITY DEVELOPMENT (Continued)

0860 Redevelopment

-20 Redevelopment Plan

0865 Economic Development

-10 BREP (Business Retention & Expansion Program)

-15 Economic Development Business Assistance

-20 Economic Development Community Organizations

-40 Business Prospect & Attraction

-60 Economic Development Reports, Studies & Surveys

0870 Community Development Block Grant Program

-11 Community Development Block Grant Program

.05 Administration

.10 Application Process

.20 Citizen Participation/Project Selection

.30 Environmental

.40 Financial Reporting

.50 Housing

.60 Equal Opportunity

.70 Project Implementation

.80 Regulations/Guidelines

.95 Project Close Out

0873 Home Funding Program

-01 Funding Program HOMES

-99 Home Funding Program Administration

0875 Housing Program

-12 Transitional Housing Program

-13 Small Family/New Construction Program

-14 Senior Housing Program

-16 First Time Home Buyers Program

-20 Housing Rehabilitation

-21 Multi-Family Acquisition & Rehabilitation Loans

-29 Mobilehome Conversion Assistance (General)

-30 Rancho Escondido Mobilehome Park

-31 The Views Mobilehome Park

0800 PLANNING & COMMUNITY DEVELOPMENT (Continued)

0875 Housing Program (Continued)

- 32 Mountain Shadows Mobilehome Park
- 55 Housing Program Policies
- 70 Housing Program Reports & Studies (General)

0880 Historical Site Preservation

- 10 Historic Site Case Files
- 20 Historic Site Inventories

0885 Sign Control

- 10 Banner Permits

**0900 PUBLIC FACILITIES & GROUNDS (CONSTRUCTION/
ALTERATIONS/MAINTENANCE/USE)**

0900 General Administration

- 05 Building Maintenance Work Orders
- 10 City Facilities Custodial Services
- 12 Site Supervisors Reports
- 20 Facility Use/Permits/Insurance Binders
- 25 Space Planning Case Files
- 30 Graffiti on City Buildings
- 40 Public Works Daily Work Logs

0910 Municipal Facilities

- 10 City Property/Facilities
- 20 City Property, Other

0915 Parks & Open Space

- 07 City Parks
- 55 City Lakes (Wohlford/Dixon)

1000 BUILDING & ENGINEERING

1000 Permits & Inspections

- 10 Building Permits & Inspections
- 15 Structural Plans/Project Data
- 20 Plan Check Files
- 70 Grading Permits & Inspections
- 72 Inspection Logs
- 75 Building Permit Reports
- 90 Permits and Inspections, Rules and Regulations

1010 Engineering Projects

- 05 Engineering Projects Yearly Bid Results
- 10 Engineering Plans/Inspections
- 20 Survey Projects & Maps
- 30 Special Projects Engineering
- 35 City Master Plans
- 40 Improvement/Grading/Drainage Plans
- 60 Underground Service Alerts

1020 Streets, Sidewalks, Curbs, Gutters & Driveways

- 05 Streets, Sidewalks, Curbs & Driveways
- 15 Handicapped Ramps
- 20 Specific Plans, Street
- 25 Street Widening/Alignments
- 30 Street Inventories
- 35 Street Naming
- 40 Street Lighting
- 45 Medians/Islands Landscaping
- 50 Bike Facilities & Plans
- 65 Federal Aid Urban System (FAU)
- 70 Federal Aid Secondary System (FAS)
- 71 Transnet & Corridor Programs (SANDAG)
- 72 State Local Transportation Partnership Program
- 75 Capital Projects

1030 Bridges

- 05 Bridges Inspection
- 10 Bridges Case Files

1000 BUILDING & ENGINEERING (Continued)

1040 Highways

-05 Highways Administration

1050 Traffic Engineering

-05 Traffic Engineer Complaints/Requests

-10 Accident Information

-15 Traffic Engineering Circulation

-20 Speed Zoning

-25 Vehicular Volume Counts

-30 Traffic Projects (other than Streets)

-35 School Safety Programs

-40 Pedestrian Safety, General

-45 Traffic Studies/Surveys, General

-50 Traffic Schedules

-55 Traffic Control Devices Committee

-65 Signal Projects

-70 CALTRANS (Traffic Related)

-75 SDG&E (Traffic Related)

-80 Signing

-85 Striping/Markings

-90 Traffic Engineering Reference & Correspondence

1060 Parking

-05 Parking Administration

-10 Curb Zones

-50 Parking Facilities, City

-75 Parking Reports & Studies

1070 Storm Drainage & Flood Control

-10 Storm Drain Basins Map

-20 Storm Drainage & Flood Control Master Plans

-30 Storm Drainage & Flood Control Reports & Studies

-40 F.E.M.A.

-50 Storm Drainage & Flood Control Capital Projects

-60 Federal Flood Insurance Program

1000 BUILDING & ENGINEERING (Continued)

1080 Transportation

- 10 Transit Center
- 15 Peak Hour Traffic management
- 20 Park & Ride
- 30 Bus System
- 40 Light Rail System
- 50 Railroads
- 65 Transportation Planning, General
- 70 Transportation Reports & Studies

1100 RECREATION & EDUCATION

1100 General Administration

- 10 Vendor Information (Resources)
- 15 Site Supervisors Incident Report
- 25 Credit Vouchers

1110 Cultural Recreation

- 20 Monuments & Statues
- 40 Public Art Program
- 60 Art & Cultural Heritage Support Programs

1120 Education & Educational Recreation

- 10 Colleges & Universities
- 30 Escondido School Districts
- 50 Public & Private Schools
- 70 Educational Programs

1130 Physical Education

- 10 Sports Planning (file alphabetically by sport)
- 20 Adult Sports Activities
- 30 Youth Sports Activities

1140 Recreation & Entertainment

- 10 Recreation Classes
- 20 Specific Events Programs/Large Gatherings
- 30 After School Recreation Programs (Federal & State Grants)

1200 COMMUNICATIONS & STAFF SERVICES

1200 Data Processing & Computer Services

- 05 Prime Computer Usage Printout
- 15 Hardware Work Requests
- 40 Computer Hardware

1210 Word Processing Services

- 20 Word Processing Services Work Requests

1220 Audio Visual

- 10 Audio Tapes of Council Meetings
- 15 Audio Recordings – Communications Center Recordings
- 20 Video Tapes of Council Meetings
- 21 Audio Recordings (Boards & Commissions)
- 30 Graphics
- 40 Video Recordings – Intentionally Obtained Recordings

1230 Software Systems

- 05 Systems Administration
- 20 Software Work Requests

1240 Printing & Duplicating Services

- 05 Printing and Duplicating Services Requests
- 40 Photocopy Machine Reads

1250 Mail Control

- 05 Postage Report
- 10 Electronic Mail

1260 Communications

- 20 Telecommunications

1270 Geographic Information System

- 10 GIS Work Projects

1280 Technology Information

- 10 Technology Information Research
- 20 Technology Information Projects

1300 UTILITIES

1300 Underground Utilities

-20 Underground Utility Districts

1305 Gas & Electricity Supply

-05 Gas & Electricity Supply

-10 Usage Information

1310 Solid Waste Management

-10 Refuse Collection

-40 Recycling Programs

-50 Solid Waste Management Master Plans

1320 Water Management

-02 Wastewater Management Administration

-05 Water Treatment Plant

-10 Reservoirs/Dams

-15 Monthly Summary of Water Quality

-20 Pump Stations

-21 Daily Plant Flow Accounting Form

-22 Daily Operations Log

-23 C-T Calculations

-24 Daily Turbidity Reports

-26 Filter Backwash Log

-27 Daily Plant Checklist

-28 Weekly Plant Checklist

-30 Water Meter Sets, Permanent

-32 Meter Reads

-34 Shutoff Lists

-36 Water Service Information

-40 Water Usage

-41 Agricultural Water Use Certificates

-42 Meter Applications

-43 Construction Affidavits

-44 Meter Sets

-45 Escondido Mutual Water Company

-50 Water Connection Rights

1300 UTILITIES (Continued)

1320 Water Management (Continued)

- 55 Water Supply
- 65 Water Rates
- 70 Water Management Capital Projects
- 75 Water Management Permits
- 85 Master Plans Water Management
- 90 Water Management Reports & Studies
- 96 Water Management Violations

1330 Wastewater Management

- 05 Sewage Treatment Plant
- 10 Sewer Maintenance
- 20 Pump Stations & Wells
- 34 Wastewater Violations
- 35 Industrial Waste
- 40 Sludge & Solids
- 45 Wastewater Management Outfall
- 50 Sewer Connection Rights
- 70 Wastewater Management Capital Projects
- 75 Wastewater Management Permits
- 85 Master Plans
- 90 Wastewater Management Reports & Studies
- 91 NPDES HARRF
 - .01 Annual Reports
 - .02 Monthly Reports
 - .03 Quarterly Reports
 - .04 Semi-Annual Reports
- 92 DMR Reports
 - .01 Quarterly Reports
 - .02 Monthly Reports
- 93 Wastewater Lab Log Books
 - .01 Sample Record and Log In
 - .02 Operations Log In
- 94 Wastewater Lab Work Books
 - .01 Secondary Effluent
 - .02 Sewage Analysis
 - .03 Biochemical Oxygen Demand (BOD)
 - .04 Chloride
 - .05 Sludge Analysis

1300 UTILITIES (Continued)

1330 Wastewater Management (continued)

- 94 Wastewater Lab Work Books (continued)
 - .06 Settable Solids
 - .07 Ammonia, Grease & Oil
 - .08 Anions & Cations
 - .09 HACH
 - .10 pH, Conductivity, Turbidity, Alkalinity
 - .11 Suspended Solids & Volatile Solids
 - .12 Total Dissolved Solids
- 95 Subcontract Lab Results
 - .01 Chemical Analysis
 - .02 Toxicity Testing
- 96 QA-QC
 - .01 Daily
 - .02 Monthly
 - .03 Semi-Annually (Thermometers)
 - .04 QA-QC Corrective Actions
- 97 Chain of Custody
 - .01 HARRF – Wastewater
 - .02 Miscellaneous

1340 Reclaimed Water Management

- 02 Reclaimed Water Management Administration
- 40 Reclaimed Water Usage
- 41 Reclaimed Water Customers
- 70 Reclaimed Water Management Capital Projects
- 75 Reclaimed Water Management Permits
- 85 Reclaimed Water Management Master Plans
- 90 Reclaimed Water Management Reports & Studies

1350 Storm Water Management

- 10 NPDES HARRF
 - .01 Baseline Monitoring Quarterly Reports
 - .02 Annual Reports
- 20 Storm Water Discharge Associated with Industrial Activity
 - .01 Hale Avenue Resource Recovery
 - .02 Public Works Discharge
- 30 Chain of Custody
 - .01 Storm Water
 - .02 Storm Water Run-Off

1300 UTILITIES (Continued)

1350 Storm Water Management (Continued)

-40 Storm Water Subcontractor Lab Results

1360 Drinking Water Management

- 05 Water Quality Reports
 - .01 Monthly Monitoring Report
 - .02 Quarterly
 - .1 THMs
 - .2 HAAs
 - .3 General Minerals & Inorganics
 - .03 Other
 - .1 Organics
 - .2 Radiation
- 10 Copper & Lead Rule
 - .01 Reports
 - .02 Miscellaneous
- 15 Information Collection Rate
 - .01 Plant Monitoring
 - .1 Reports
 - .2 In House Analysis Results/Outside Contract
 - .3 Sampling/Shipping
 - .02 Bench Scale Treatment Studies
- 20 Chain of Custody (Drinking Water)
- 25 Drinking Water Log Books
- 30 HPC Analysis
- 35 Supplementary Bacti Tests
- 40 Water Quality Complaints
- 45 Internal Testing
 - .01 Nitrification Monitoring
 - .02 Watershed Microbiological Monitoring
 - .03 TOC
 - .04 Algae Counting/DO Measure in Lakes
- 50 QA-QC
- 55 Drinking Water Subcontractor Lab Results
 - .01 Montgomery Watson Laboratories
 - .02 Bio-Vir Laboratories
 - .03 Others

1370 Lakes

- 05 Patrol Logs/Rosters/Work Schedules
- 06 Night Patrol Logs/Reports
- 10 Dixon Lake Special Programs
- 20 Radio Assignments

1300 UTILITIES (Continued)

1370 Lakes (Continued)

- 30 Boating/Camping/Fishing Entry Logs
- 40 ADA Compliance Information
- 50 Catfish/Trout Stocking Schedules
- 60 FEMA Records/Reports
- 70 Concession Operations
- 80 Boat Repairs
- 90 General Reports & Studies

END

APPENDIX C

CITY OF ESCONDIDO ALPHABETICAL CROSS-REFERENCE As of 03-23-2016

Document Name	File Number	File Number
10/5 WORK PLAN	0110-70	
1098 & 1099 TAX FORMS	0450-54	
401K	0720-25	
501(C)3	0137-10	
9/80 WORK PLAN	0110-70	
911 CALL CENTER TIME AND CALL VOLUME STATISTICS	0280-81	
A. A. A.	0140-30	
A. B. C.	0145-30	
A.D.A.	0750-15	
A.R.J.I.S.	0250-25	
A.R.J.I.S. BOARD OF DIRECTORS	0250-25	
ABANDONED BUILDINGS	0660-20	
ABANDONED VEHICLES	0660-20	0250-55
ABANDONMENT OF REAL PROPERTY	0690-40	
ABATEMENT LITIGATION	0675-10	
ACCESS EASEMENTS	0690-80	
ACCIDENT INFORMATION (TRAFFIC-RELATED)	1050-10	
ACCIDENT LOGS, EMPLOYEES	0170-75	
ACCIDENT REPORTS (OTHER THAN EMPLOYEE)	0170-67	
ACCIDENTS, CITY VEHICLES	0170-64	
ACCOUNTING POLICIES & PROCEDURES	0110-30	
ACCOUNTS PAYABLE	0470-10	
ACCOUNTS RECEIVABLE	0480-10	
ACCOUNTS RECEIVABLE LITIGATION	0675-10	
ACQUISITIONS OF REAL PROPERTY	0690-10	
ACTIVE ELIGIBILITY LISTS	0750-70	
ACTIVITIES OF GANGS	0250-43	
ADA COMPLIANCE INFORMATION (LAKES)	1370-40	
ADJUSTMENT PLATS	0800-50	
ADMINISTRATION, ANIMAL CARE & CONTROL	0200-20	
ADMINISTRATION, BOND ISSUES	0440-05	
ADMINISTRATION, BRIDGES	1030-05	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
ADMINISTRATION, CONSUMER ISSUES	0210-05	
ADMINISTRATION, DATA PROCESSING & COMPUTER SERVICES	1200-05	
ADMINISTRATION, DEBT SERVICE	0440-05	
ADMINISTRATION, DEPARTMENT	0105-10	
ADMINISTRATION, DISASTER PREPAREDNESS	0220-05	
ADMINISTRATION, DRUG ENFORCEMENT	0250-77	
ADMINISTRATION, ENVIRONMENTAL ISSUES & CONSERVATION	0230-05	
ADMINISTRATION, GAS & ELECTRICITY SUPPLY	1305-05	
ADMINISTRATION, HEALTH PROTECTION/SERVICES	0240-05	
ADMINISTRATION, HIGHWAYS	1040-05	
ADMINISTRATION, HOME FUNDING PROGRAM	0873-99	
ADMINISTRATION, MAIL CONTROL	1250-05	
ADMINISTRATION, MOBILEHOME RENT CONTROL	0697-20	
ADMINISTRATION, PARKING	1060-05	
ADMINISTRATION, PRINTING & DUPLICATING SERVICES	1240-05	
ADMINISTRATION, PUBLIC RELATIONS & INFORMATION	0150-05	
ADMINISTRATION, REAL PROPERTY	0110-30	
ADMINISTRATION, RECLAIMED WATER MANAGEMENT	1340-02	
ADMINISTRATION, RENT CONTROL	0697-20	
ADMINISTRATION, REVENUE & TAXATION	0480-05	
ADMINISTRATION, RISK MANAGEMENT	0170-05	
ADMINISTRATION, SOFTWARE SYSTEMS	1230-05	
ADMINISTRATION, VOLUNTEERS	0770-05	
ADMINISTRATION, WATER MANAGEMENT	1320-02	
ADMINISTRATIVE ADJUSTMENTS (LAND USE)	0810-40	
ADOPT-A-HIGHWAY PROGRAM	0230-07	
ADOPT-A-STREET PROGRAM	0230-07	
ADULT LITERACY PROGRAM	1120-70	
ADULT SPORTS ACTIVITIES	1130-20	
ADVERTISING, GASOLINE PRICE	0210-05	
AFFIDAVIT OF POSTING AGENDAS	0610-30	
AFFIDAVITS (ARREST WARRANTS)	0675-30	
AFFIDAVITS OF POSTING (LEGISLATIVE MEETING NOTICES)	0670-10	PROJECTS

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
AFFIDAVITS OF PUBLICATION	0670-20	PROJECTS
AFFIRMATIVE ACTION PROGRAM	0750-10	
AFFORDABILITY STRATEGY, HOUSING (COMPREHENSIVE)	0680-87	
AFFORDABLE HOUSING	0875-13	
AFTER SCHOOL RECREATION PROGRAMS (FEDERAL/STATE GRANTS)	1140-30	
AGENCIES, GOVERNMENTAL	0145-00	FUNCTION
AGENCIES, REGULATORY	0145-00	FUNCTION
AGENDAS, AFFIDAVIT OF POSTING	0610-30	
AGENDAS – CITY BOARDS, COMMISSIONS, & COMMITTEES	0120-15	
AGENDA, CONFIRMED	0610-80	
AGENDAS/STAFF REPORTS, CITY COUNCIL	0610-75	
AGREEMENTS, CITY (NOT SPECIFICALLY LISTED UNDER 0600)	0600-10	
AGREEMENTS, COMMUNITY DEVELOPMENT COMMISSION	0600-20	
AGREEMENTS, DEVELOPMENT	0600-15	
AGREEMENTS, EJPFA	0600-35	
AGREEMENTS, FRANCHISE	0600-10	
AGREEMENTS, INDUSTRIAL DEVELOPMENT BOND AUTHORITY	0600-30	
AGREEMENTS, LIEN (PUBLIC RIGHT-OF-WAY)	0600-40	
AGREEMENTS, LOT TIE	0600-70	
AGREEMENTS, REPAYMENT (WATER & SEWER, STORM DRAINS, STREETS)	0600-75	
AGREEMENTS, SEWER SERVICE (OUTSIDE CITY LIMITS)	0600-80	
AGRICULTURAL WATER USE CERTIFICATES	1320-41	
AIR CONDITIONING MAINTENANCE (GENERAL)	0900-05	
AIR EASEMENTS	0690-80	
AIR PRESSURE TANKS, OPERATIONS OF	0220-95	
AIR QUALITY	0230-10	
AIS CONTRACT CASE FILE	0260-05	
ALCOHOL & DRUG ABUSE PREVENTION TASK FORCE	0135-10	
ALCOHOL BEVERAGE CONTROL	0145-30	
ALCOHOL PLANNING PROJECT, ESCONDIDO COMMUNITY	0260-30	
ALCOHOL/GASOLINE CONCURRENT SALE, BANNING OF (LAND USE)	0810-20	
ALIGNMENTS, STREETS	1020-25	
ALLEYS (TRAFFIC SCHEDULES)	1050-50	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
ALPHA REPORTS	0450-45	
AMERICANS WITH DISABILITIES ACT	0750-15	
AMICUS CASE FILES	0675-10	
AMUSEMENT MACHINES REGISTRY	0250-07	
ANALYST, LEGISLATIVE	0680-60	
ANIMAL CARE & CONTROL ADMINISTRATION	0200-20	
ANNEXATION CASE FILES	0850-20	
ANONYMOUS TIPS (TIPS)	0250-93	
ANNOUNCEMENTS (DEPARTMENTAL)	0110-15	
ANNUAL COMPLIANCE AUDITS	0160-07	
APPOINTMENTS, BOARDS/COMMISSIONS	0120-10	
APPOINTMENTS, CITY COUNCIL	0610-70	
ARMORED CAR	0420-10	
ARMORED TRANSPORT RECEIPTS	0420-47	
ARREST RECORDS OF JUVENILES ORDER SEALED BY COURT	0250-03	
ARSON INVESTIGATION REPORTS	0310-20	
ART AND CULTURAL HERITAGE SUPPORT PROGRAMS	1110-60	
ART COMMISSION, PUBLIC	0120-10	
ART IN PUBLIC PLACES PROGRAM	1110-40	
ARTS AND CRAFTS PERMITS	0810-35	
ART SUPPORT PROGRAMS	1110-60	
ARTS CENTER (BD OF TRUSTEES)	0137-10	
ASSESSMENT CENTERS, GENERAL (EMPLOYEE RECRUITMENT)	0750-75	
ASSESSMENT DISTRICT CASE FILES	0685-10	
ASSESSMENT DISTRICT FINANCIAL RECORDS, 1911 ACT	0440-25	
ASSESSMENT DISTRICT FINANCIAL RECORDS, 1915 ACT	0440-30	
ASSET FORFEITURE	0250-75	
ASSETS, FIXED	0400-30	
ASOCIACION DE CHARROS DE ESCONDIDO	0135-10	
ASSOCIATIONS, EMPLOYEE	0740-40	
ASSOCIATIONS, PROFESSIONAL	0130-00	FUNCTION
AUCTIONS, CITY	0470-55	
AUCTIONS, COUNTY	0470-55	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
AUDIO RECORDINGS – COMMUNICATIONS CENTER RECORDINGS	1220-15	
AUDIO TAPES OF COUNCIL MEETINGS	1220-10	
AUDIO VISUAL	1220-00	FUNCTION
AUDIO RECORDINGS (BOARDS & COMMISSOINS)	1220-21	
AUDIT REPORTS, EXTERNAL	0410-20	
AUDITS, COMPLIANCE (ANNUAL)	0160-07	
AUTO CLUB OF SOUTHERN CALIFORNIA	0140-30	
AUTOMATED REGIONAL JUSTICE INFORMATION SYSTEM	0250-25	
AWARD OF BID PURCHASING - EQUIP/SERV/SUPPLIES	0470-35	
AWARDS	0150-20	
AWARDS PROGRAM (POLICE)	0700-45	
AWARDS, EMPLOYEE	0700-45	
AWARENESS ACADEMY, COMMUNITY (POLICE)	0280-85	
BALANCE SHEET REPORTS	0400-65	
BANK DEBIT MEMOS	0420-45	
BANK DEPOSIT SLIPS	0420-43	
BANK STATEMENTS/RECONCILIATION'S	0420-30	
BANK WIRE TRANSFERS	0420-46	
BANKING CASH RECONCILIATION WORKSHEETS	0420-62	
BANKING DAILY WORKSHEETS	0420-60	
BANKING SERVICES	0420-10	
BANNER PERMITS	0885-10	
BASE RENT WORKSHEETS	0697-10	
BATS	0230-60	
BENEFIT PROGRAM, FLEX	0720-25	
BENEFITS, ACTIVE EMPLOYEES	0720-24	
BENEFITS, COBRA PARTICIPANTS	0720-23	
BENEFITS, CONSULTING LITERATURE	0720-26	
BENEFITS, DEATH BENEFIT INFORMATION	0720-28	
BENEFITS, DISABILITY	0720-29	
BENEFITS, FAMILY FRIENDLY	0720-27	
BENEFITS, LEAVE ISSUES	0720-34	
BENEFITS, RETIRED EMPLOYEE FILES	0720-22	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
BICYCLE LANES (BIKE PATHS/TRAILS)	1020-50	
BIDS AWARDED (EQUIPMENT/SERVICES/SUPPLIES)	0470-35	
BIDS EQUIPMENT	0470-30	
BIDS PENDING, REQUEST FOR PROPOSAL	0470-32	
BIDS PENDING, RFP	0470-32	
BIDS REJECTED	0470-45	
BIDS SUPPLY	0470-30	
BIKE LANES (BIKE PATHS/TRAILS)	1020-50	
BILINGUAL TESTING (POLICE)	0700-45	
BILLINGS & RECEIPTS, UTILITIES	0480-25	
BILLING & SERVICE REQUESTS	0480-20	
BILLINGS, PARAMEDIC	0480-30	
BINDING REQUISITIONS	0470-20	
BINGO WORKERS ID CARDS	0250-07	
BIOGRAPHIES	0150-85	
BITES, CANINE	0250-11	
BLANK FORMS	0160-60	
BOAT REPAIRS (LAKES)	1370-80	
BOATING/CAMPING/FISHING ENTRY LOGS (LAKES)	1370-30	
BOARD OF REVIEW, SHOOTING	0280-95	
BOARD OF TRUSTEES, CCAE	0137-10	
BOARD/COMMISSION APPOINTMENTS	0120-10	
BOARD/COMMISSION MINUTES	0120-20	
BOARD/COMMISSION RESIGNATIONS	0120-10	
BOARD/COMMISSION RESOLUTIONS	0120-30	
BOARD/COMMISSION, GENERAL	0120-10	
BOND ISSUES	0440-00	
BOND ISSUES ADMINISTRATION	0440-05	
BOND ISSUES REPORTS & STUDIES	0440-90	
BOND PAYING AGENT/FISCAL AGENT	0440-10	
BONDS, 1911 ACT ASSESSMENT DISTRICT (FINANCIAL RECORDS)	0440-25	
BONDS, 1915 ACT ASSESSMENT DISTRICT (FINANCIAL RECORDS)	0440-30	
BONDS, EJPFA	0440-22	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
BONDS, GENERAL OBLIGATION	0440-35	
BONDS, HOUSING (MULTIPLE FAMILY)	0440-65	
BONDS, IMPROVEMENT	0600-65	
BONDS, INDUSTRIAL DEVELOPMENT	0440-15	
BONDS, MORTGAGE REVENUE	0440-20	
BONDS, REVENUE (OTHER)	0440-45	
BONDS, SEWER REVENUE	0440-55	
BONDS, WATER REVENUE	0440-50	
BOUNDARY ADJUSTMENTS	0800-50	
BOY SCOUTS	0135-10	
BOYS & GIRLS CLUB	0135-10	
BREP (BUSINESS RETENTION AND EXPANSION PROGRAM)	0865-10	
BRIDGE CASE FILES	1030-10	
BRIDGE SPECIFICATIONS	1030-10	
BRIDGES ADMINISTRATION	1030-05	
BROCHURES, CATALOGS, VENDOR	0470-80	
BROCHURES/PUBLICATIONS, CITY/CDC	0150-10	
BUDGET ADJUSTMENTS	0430-80	
BUDGET, ANNUAL OPERATING	0430-30	
BUDGET, CAPITAL IMPROVEMENTS	0430-30	
BUDGET, DEPARTMENTAL	0430-10	
BUDGET OBJECTIVES	0430-25	
BUDGET PREPARATION FILES	0430-35	
BUILDING INSPECTIONS	1000-10	
BUILDING MAINTENANCE (GENERAL)	0900-05	
BUILDING MAINTENANCE WORK ORDERS	0900-05	
BUILDING PERMIT REPORTS	1000-75	
BUILDING PERMIT REPORTS & STUDIES	1000-75	
BUILDING PERMITS	1000-10	
BUILDING PLANS (APPROVED)	1000-15	
BUILDING POLICIES & PROCEDURES	0110-30	
BUILDING RULES & REGULATIONS	0110-30	
BUILDINGS, ABANDONED	0660-20	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
BULLETINS, EMPLOYMENT	0750-35	
BULLETINS, FPPC	0640-20	
BURGLAR ALARMS (FALSE ALARMS)	0250-20	
BUSINESS IMPROVEMENT DISTRICT	0135-10	
BUSINESS INSPECTIONS (FIRE DEPARTMENT "A" FILES)	0320-10	
BUSINESS LICENSE ENFORCEMENT	0660-25	
BUSINESS LICENSES	0480-35	
CABARET PERMIT LIST	0250-07	
CALCULATIONS, C-T	1320-23	
CALIFORNIA CENTER FOR THE ARTS	0910-10	
CALIFORNIA STATE DEPT. OF TRANSPORTATION (TRAFFIC-RELATED)	1050-70	
CALTRANS (TRAFFIC-RELATED)	1050-70	
CAMPAIGN STATEMENTS (SUCCESSFUL CANDIDATES)	0650-70	
CAMPAIGN STATEMENTS (UNSUCCESSFUL CANDIDATES)	0650-50	
CANAL, ESCONDIDO	1320-55	
CANCELLED CHECKS	0420-30	
CANINE BITES	0250-11	
CAPACITY REPORT, SEWAGE & WATER	1330-05	
CAPACITY REPORT, SEWAGE PLANT	1330-05	
CAPACITY REPORTS, WATER & SEWAGE	1320-05	
CAPACITY REPORTS, WATER PLANT	1320-05	
CAPITAL IMPROVEMENTS BUDGET	0430-30	
CAPITAL PROJECTS MONTHLY REPORTS (FINANCE)	0400-93	
CAPITAL PROJECTS, FLOOD CONTROL	1070-50	
CAPITAL PROJECTS, SEWER-RELATED	1330-70	
CAPITAL PROJECTS, SIDEWALKS	1020-75	
CAPITAL PROJECTS, STORM DRAINS	1070-50	
CAPITAL PROJECTS, STREETS	1020-75	
CAPITAL PROJECTS, UTILITIES	1340-70	
CAPITAL PROJECTS, WATER SYSTEM	1320-70	
CAR PLAN, TAKE HOME (POLICE)	0290-30	
CARRYOVER, BUDGET ADJUSTMENT	0430-80	
CASE FILES, CITIZEN COMPLAINTS OF MISCONDUCT	0250-84	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
CASE FILES, MISCELLANEOUS REPORTS	0250-82	
CASE FILES, FELONY ARRESTS, CRIMES & INVESTIGATION RECORDS	0250-81	
CASE FILES, FELONY OFFENSE	0250-87	
CASE FILES, MISDEMEANOR ARREST, CRIME & INVESTIVE RPTS.	0250-83	
CASE FILES, WORKER'S COMPENSATION	0170-55	
CASH RECEIPTS FOR STING OPERATIONS	0250-77	
CASH RECEIPTS, DAILY	0480-15	
CASH RECONCILIATION WORKSHEETS (BANKING,)	0420-62	
CATALOGS/BROCHURES, VENDOR	0470-80	
CATFISH/TROUT STOCKING SCHEDULES	1370-50	
CDBG PROGRAM	0870-00	FUNCTION
CDC AGREEMENTS	0600-20	
CENSUS	0840-40	
CENTENNIAL CELEBRATION	0150-60	
CENTER FOR THE ARTS	0910-10	
CENTER FOR THE ARTS (BD OF TRUSTEES)	0137-10	
CEREMONIES, PUBLIC	0150-60	
CERTIFICATES OF COMPLIANCE, SUBDIVISION	0800-80	
CERTIFICATES OF INSURANCE, MISCELLANEOUS	0170-85	
CERTIFICATES OF PARTICIPATION	0440-40	
CERTIFICATES, AGRICULTURAL WATER USE	1320-41	
CERTIFICATES, MORTGAGE CREDIT	0875-16	
CERTIFIED FARMERS MARKET	0150-60	
CHAD/UNITED WAY	0140-20	
CHAIN OF CUSTODY (DRINKING WATER)	1360-20	
CHAIN OF CUSTODY (STORM WATER MANAGEMENT)	1350-30	
CHAIN OF CUSTODY (WASTEWATER MANAGEMENT)	1330-97	
CHAMBER OF COMMERCE	0135-10	
CHAPLAINCY PROGRAM, POLICE	0280-83	
CHARROS	0135-10	
CHARTS OF ACCOUNTS	0400-10	
CHAS	0680-87	
CHECK REGISTERS	0400-40	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
CHECK STOP PAYMENTS	0420-42	
CHECK STUBS	0420-40	
CHECKS, CANCELLED	0420-30	
CHECKS, RETURNED	0420-41	
CHECKS, STALE-DATED	0420-38	
CHILD ABUSE COALITION, ESCONDIDO	0135-10	
CHILD CARE SERVICES	0260-20	
CHRISTMAS TREE LOTS	0810-15	
CHRONOLOGICAL CORRESPONDENCE	0105-10	
CIRCULATION (TRAFFIC)	1050-15	
CITATIONS, COMMANDING OFFICER'S	0700-45	
CITATIONS, EXCEPTIONAL PERFORMANCE	0700-45	
CITATIONS, LIFESAVING	0700-45	
CITIES (OTHER THAN ESCONDIDO)	0145-10	
CITIZEN'S PATROL	0280-84	
CITY COUNCIL AGENDAS/STAFF REPORTS-	0610-75	
CITY COUNCIL AGREEMENTS (NOT SPECIFICALLY LISTED UNDER 0600)	0600-10	
CITY COUNCIL APPOINTMENTS (TO THE COUNCIL)	0610-70	
CITY COUNCIL CLOSED SESSIONS	0610-25	
CITY COUNCIL MEETING NOTICES	0670-10	
CITY COUNCIL MINUTES	0610-40	
CITY COUNCIL ORDINANCES	0680-10	
CITY COUNCIL POLICIES & PROCEDURES	0610-90	
CITY COUNCIL RESIGNATIONS	0610-70	
CITY COUNCIL RESOLUTIONS	0680-20	
CITY COUNCIL SUBCOMMITTEES	0610-55	
CITY COUNCIL WORK PROGRAM	0610-95	
CITY EMPLOYEES FEDERAL CREDIT UNION	0135-10	
CITY FORMATION	0850-00	FUNCTION
CITY HALL	0910-10	
CITY MANAGER HOME LOAN	0480-10	
CITY MANAGER'S WEEKLY UPDATE	0100-50	
CITY MASTER PLANS	1010-35	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
CITY OWNED MOBILEHOME PARKS	0695-00	FUNCTION
CITY PLANNING	0840-00	FUNCTION
CITY PROPERTY, OTHER	0925-00	FUNCTION
CITY PROPERTY/MUNICIPAL FACILITIES	0910-00	FUNCTION
CITY PROPERTY/PARKS & OPEN SPACE	0915-00	FUNCTION
CITY SERVICES INVENTORY	0105-10	
CITY VEHICLE ACCIDENTS	0170-64	
CIVIC CENTER	0910-10	
CIVIC CENTER (BD OF TRUSTEES)	0137-10	
CIVIL DEFENSE COMMUNITY RESOURCES	0220-20	
CIVIL DEFENSE OPERATIONAL PLANS	0220-45	
CIVIL DEFENSE PLANNING	0220-05	
CIVIL DEFENSE REPORTS & STUDIES	0220-55	
CIVIL DEFENSE TRAINING PROGRAMS	0220-50	
CIVIL DISTURBANCES	0220-15	
CIVIL LITIGATION	0675-10	
CLAIMS AGAINST THE CITY (CLAIMS DENIED/REJECTED)	0170-11	
CLAIMS AGAINST THE CITY (CLAIMS PAID OFF)	0170-12	
CLAIMS LITIGATION	0675-10	
CLAIMS ON BEHALF OF THE CITY	0170-15	
CLAIMS, DELINQUENT (WATER/SEWER)	0170-15	
CLAIMS, INSURANCE	0170-15	
CLAIMS, THIRD-PARTY	0170-15	
CLAIMS, VEHICLE ABATEMENT	0170-15	
CLASSIFICATION REPORTS & STUDIES	0710-50	
CLOSED SESSIONS	0610-25	
CLOTHING, FIRE, ISSUE OF	0370-70	
COBRA PROGRAM	0720-31	
CODE AMENDMENTS, ZONING	0810-20	
CODE ENFORCEMENT CASE FILES	0660-20	
CODE ENFORCEMENT COMPLAINTS/INVESTIGATIONS	0660-10	
CODE ENFORCEMENT LITIGATION	0675-30	
CODE ENFORCEMENT VIOLATIONS		

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
CODE FILES, CITY	0680-50	
COLLECTIONS (FINANCIAL)	0400-07	
COLLEGES	1120-10	
COLLISION REPORT (FATAL), TRAFFIC	0251-10	
COLLISION REPORT (NON-INJURY), TRAFFIC	0251-05	
COMMAND VAN, POLICE	0290-20	
COMMANDING OFFICER'S CITATIONS	0700-45	
COMMENT CARDS, CUSTOMER	0100-26	
COMMENT SURVEYS, CUSTOMER	0100-26	
COMMISSION/BOARD APPOINTMENTS	0120-10	
COMMISSION/BOARD MINUTES	0120-10	
COMMISSION/BOARD RESIGNATIONS	0120-10	
COMMISSION/BOARD, GENERAL	0120-10	
COMMUNICATIONS	1260-00	FUNCTION
COMMUNICATIONS EMPLOYEE WORK SCHEDULE	0250-06	
COMMUNICATIONS EQUIPMENT INVENTORIES	0500-30	
COMMUNICATIONS EQUIPMENT MAINTENANCE/REPAIR	0500-20	
COMMUNICATIONS EQUIPMENT SERVICE REQUESTS	0500-10	
COMMUNICATIONS EQUIPMENT WORK ORDERS	0500-10	
COMMUNITY AWARENESS ACADEMY (POLICE)	0280-85	
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM	0870-11	
COMMUNITY DEVELOPMENT COMMISSION AGREEMENTS/CONTRACTS	0600-20	
COMMUNITY DIALOGUE, ESCONDIDO	0135-10	
COMMUNITY/GROUP PROJECTS	0260-55	
COMMUNITY PROBLEM SOLVING	0260-60	
COMMUNITY RELATIONS ROUNDTABLE	0137-30	
COMMUNITY RESOURCES, CIVIL DEFENSE	0220-20	
COMMUNITY SAFETY COMMISSION, TRANSPORTATION AND	0120-10	
COMMUNITY SERVICE AGREEMENTS	0600-12	
COMMUNITY SERVICES COMMISSION	0120-10	
COMMUNITY SERVICES CORRESPONDENCE, GENERAL	0105-10	
COMMUNITY SERVICES POLICIES & PROCEDURES	0110-30	
COMMUNITY SERVICES RESOURCES	1100-10	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
COMMUNITY SOBERING CENTER	0260-30	
COMMUNITY TELEVISION FOUNDATION, NORTH COUNTY	0135-10	
COMMUNITY WORK SERVICE PROGRAM	0250-14	
COMMUTER PARKING (PARK & RIDE)	1080-20	
COMPENSATION PLANS	0720-20	
COMPENSATION, DEFERRED	0720-25	
COMPLAINTS & INQUIRIES, GENERAL	0110-40	
COMPLAINTS, CODE ENFORCEMENT	0660-10	
COMPLAINTS, EMPLOYEE RECRUITMENT	0740-60	
COMPLAINTS, FIRE PREVENTION	0320-30	
COMPLAINTS, MOBILEHOMES	0697-07	
COMPLAINTS, TRAFFIC - RELATED	1050-05	
COMPLIANCE AUDITS, ANNUAL	0160-07	
COMPLIMENTS, GENERAL	0110-35	
COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY	0680-87	
COMPUTER AIDED DISPATCH (CAD) / MIS LOGS	0250-94	
COMPUTER HARDWARE	1200-40	
COMPUTER PURCHASE PLAN, EMPLOYEE	0470-80	
COMPUTER RELATED REPORTS & STUDIES	0110-20	
COMPUTER SERVICES ADMINISTRATION	1200-05	
CONCEALED WEAPONS PERMITS	0250-07	
CONCERNED CITIZENS OF ESCONDIDO	0135-10	
CONCESSION OPERATIONS (LAKES)	1370-70	
CONCERT HALL (CA. CENTER FOR THE ARTS)	0910-10	
CONCURRENT SALE OF GASOLINE & ALCOHOL, BANNING OF (LAND USE)	0810-20	
CONDITIONAL USE PERMITS	0800-40	
CONFERENCE CENTER (CA CENTER FOR THE ARTS)	0910-10	
CONFERENCES, EMPLOYEE	0760-10	
CONFIDENTIAL INFORMANT FILES	0250-91	
CONFIRMED AGENDA	0610-80	
CONFLICT OF INTEREST FILING INSTRUCTIONS & FORMS	0640-20	
CONFLICT OF INTEREST FILINGS (ORIGINALS FILED WITH CITY)	0640-10	
CONFLICT OF INTEREST FILINGS (ORIGINALS FILED WITH STATE)	0640-15	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
CONGESTION MANAGEMENT & TRIP REDUCTION (EMPLOYEE)	0230-06	
CONNECTION RIGHTS, SEWER	1330-50	
CONNECTION RIGHTS, WATER	1320-50	
CONSERVATION CREDITS	0230-41	
CONSERVATION, WATER	0230-70	
CONSOLIDATED PLAN, CDBG	0870-11	
CONSTRUCTION AFFIDAVITS	1320-43	
CONSTRUCTION INSPECTIONS (FIRE DEPARTMENT "B" FILES)	0320-20	
CONSTRUCTION, RECLAIMED WATER LINES	1340-70	
CONSULTANT REFERENCE INFORMATION	0470-85	
CONSULTING LITERATURE, BENEFITS	0720-26	
CONSUMER ISSUES	0210-00	
CONSUMER ISSUES ADMINISTRATION	0210-05	
CONSUMER PRICE INDEX	0720-10	
CONTINGENCY PLANS, HAZARDOUS MATERIALS	0220-35	
CONTRACT EMPLOYEES	0730-20	
CONTRACT FOR IMPROVEMENTS	0600-40	
CONTRACTORS' WORKER'S COMPENSATION CERTIFICATES	1000-30	
CONTRACTS, CITY (NOT SPECIFICALLY LISTED UNDER 0600)	0600-10	
CONTRACTS, COMMUNITY DEVELOPMENT COMMISSION	0600-20	
CONTRACTS, INDUSTRIAL DEVELOPMENT BOND AUTHORITY	0600-30	
CONTRIB. CLUB	0135-10	
CONTROLLERS INTER-AGENCY OFFSET PROGRAM	0400-07	
CONVENTION & VISITORS BUREAU (ConVis)	0135-35	
COPPER AND LEAD RULE (DRINKING WATER MANAGEMENT)	1360-10	
COPPS (SPECIAL SERVICES)	0250-60	
COPY MACHINE REPORTS & STUDIES	1240-40	
CORPORATION YARD	0910-20	
CORRECTIONS OF DEPOSIT	0420-44	
CORRESPONDENCE, CHRONOLOGICAL	0105-10	
CORRESPONDENCE, CITY MANAGER, COUNCIL, & CITY ATTORNEY	0105-15	
CORRESPONDENCE, COMMUNITY SERVICES, GENERAL	0105-10	
CORRESPONDENCE, RECREATION, GENERAL	0105-10	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
CORRESPONDENCE, TRAFFIC-RELATED, GENERAL	1050-90	
COST OF LIVING INDEX	0720-10	
COST RECOVERY, DEMOLITION	0660-20	
COUNCIL WORK PROGRAM	0610-95	
COUNTY & LOCAL ORGANIZATIONS	0135-00	FUNCTION
COUNTY	0145-20	
COUNTY PARCEL MAPS	0800-21	
COUNTY SUBDIVISIONS	0800-11	
COUNTY WATER AUTHORITY, SAN DIEGO	0145-80	
COURT ASSIGNED WORKERS	0250-14	
COURT LIAISON OFFICER	0730-20	
CREDIT CARD SLIPS	0480-31	
CREDIT CERTIFICATES, MORTGAGE	0875-16	
CREDIT MEMOS, BANK	0420-44	
CREDIT UNION, ESCONDIDO CITY EMPLOYEES	0135-10	
CREDIT VOUCHERS	1100-25	
CRIME REPORT, TRAFFIC	0251-20	
CROSSING GUARDS	1050-35	
CROSSROADS	1120-70	
CULTURAL ARTS CENTER (BD OF TRUSTEES)	0135-10	
CULTURAL HERITAGE SUPPORT PROGRAMS	1110-60	
CUP	0800-40	
CURB IMPROVEMENT/INSTALLATION RULES REGULATIONS	0110-30	
CURB ZONES (PARKING)	1060-10	
CURBS	1020-00	FUNCTION
CUSTODIAL SERVICES, CITY FACILITIES	0900-10	
CUSTOMER COMMENT CARDS	0100-26	
CUSTOMER COMMENT SURVEYS	0100-26	
CUSTOMER SERVICE CARDS	0100-26	
CUSTOMER SERVICE PROGRAM	0100-25	
CUSTOMERS, RECLAIMED WATER	1340-41	
D.A.R.E.	1120-70	
DAILY CASH RECEIPTS	0480-15	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
DAILY OPERATIONS LOG, WATER MANAGEMENT	1320-22	
DAILY PLANT CHECKLIST	1320-27	
DAILY PLANT FLOW ACCOUNTING FORM, WATER MANAGEMENT	1320-21	
DAILY TURBIDITY REPORTS	1320-24	
DAILY WATCH LOGS (30 DAY BLOTTER)	0250-01	
DAILY WORKSHEETS, BANKING	0420-60	
DAMS	1320-10	
DATA PROCESSING REPORTS & STUDIES	0110-20	
DAY CARE, LARGE GROUP (LAND USE)	0810-70	
DEATH BENEFIT INFORMATION, BENEFITS	0720-28	
DEBT SERVICE	0440-00	FUNCTION
DEBT SERVICE ADMINISTRATION	0440-05	
DEDICATION OF REAL PROPERTY, OFFERS OF	0690-30	
DEEDS & EASEMENTS - CITY	0690-80	
DEEDS & EASEMENTS – OTHER	0690-81	
DEFERRED COMPENSATION	0720-25	
DEFERRED COMPENSATION FUND REPORTS	0460-10	
DELINQUENT WATER/SEWER CLAIMS	0170-15	
DEMANDS	0470-10	
DEMOGRAPHIC DATA, CITY	0840-40	
DEMOLITION COST RECOVERY	0660-20	
DEMOLITION OF UNSAFE STRUCTURES	1000-10	
DEMOLITION PERMITS	1000-10	
DENTAL DEPOSIT SLIPS	0420-43	
DENTAL PLAN BANK REGISTERS	0420-30	
DENTAL PLAN CANCELLED CHECKS	0420-30	
DEPARTMENT ADMINISTRATION	0105-10	
DEPARTMENTAL ANNOUNCEMENTS/ORDERS	0105-10	
DEPARTMENTAL BUDGET	0430-10	
DEPARTMENTAL CONTRACTS AND AGREEMENTS (PSA'S)	0600-11	
DEPARTMENTAL DIRECTIVES	0110-10	
DEPARTMENTAL POLICIES & PROCEDURES	0110-30	
DEPARTMENTAL PROJECT FILES	0670-70	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
DEPARTMENTAL REPORTS/STUDIES	0110-20	
DEPARTMENTAL STAFFING	0110-60	
DEPARTMENT FILES (WORKING FILES)	0670-75	
DEPOSIT CORRECTIONS	0420-44	
DEPOSIT SLIPS	0420-43	
DESTRUCTION LISTS, RECORDS	0160-35	
DETENTION FACILITIES, REGIONAL	0250-30	
DETERMINATION OF PERMITTED USE (LAND USE)	0810-15	
DEVELOPMENT AGREEMENTS	0600-15	
DEVELOPMENT FEES	0480-45	
DEVELOPMENT FILES	0800-00	FUNCTION
DEVELOPMENT OUTSIDE CITY LIMITS	0800-55	
DEVELOPMENT REPORTS & STUDIES, GENERAL	0800-90	
DEVELOPMENT, DOWNTOWN AREA	0865-20	
DEVELOPMENT, PROSPECTIVE, DOWNTOWN AREA	0865-40	
DEVELOPMENTS RULES & REGULATIONS	0110-30	
DIALOGUE, COMMUNITY OF ESCONDIDO	0135-10	
DIRECT DEPOSIT REPORTS	0450-14	
DIRECTIVES, DEPARTMENTAL	0110-10	
DIRECTIVES, MANAGEMENT	0100-10	
DISABILITIES ACT (AMERICANS WITH)	0750-15	
DISABILITY INSURANCE, STATE	0170-30	
DISABILITY, INDUSTRIAL	0170-57	
DISABILITY, LONG-TERM	0170-30	
DISASTER CASE FILES	0220-25	
DISASTER PREPAREDNESS	0220-00	FUNCTION
DISASTER PREPAREDNESS ADMINISTRATION	0220-05	
DISASTER PREPAREDNESS REPORTS & STUDIES	0220-55	
DISASTER PREPAREDNESS TRAINING PROGRAMS	0220-50	
DISASTER/CIVIL DEFENSE OPERATIONAL PLANS	0220-45	
DISCIPLINE POLICY	0700-80	
DISPOSAL OF REAL PROPERTY	0690-20	
DISPOSITION OF SURPLUS PROPERTY	0470-65	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
DIVERSITY TRAINING PROGRAM	0100-25	
DIXON DAM RESERVOIR	1320-10	
DIXON LAKE	0915-55	
DIXON LAKE SPECIAL PROGRAMS	1370-10	
DMR REPORTS	1330-92	
DMV AND RESPIRATORY PHYSICALS	0730-45	
DONATIONS	0150-20	
DOWNTOWN AREA DEVELOPMENT	0865-20	
DOWNTOWN BUSINESS ASSOCIATION	0135-10	
DOWNTOWN REVITALIZATION COMMITTEE	0865-20	
DOWNTOWN REVITALIZATION REPORTS & STUDIES	0865-60	
DRAINAGE PLANS (ENGINEERING)	1010-40	
DRINKING WATER LOG BOOKS	1360-25	
DRINKING WATER SUBCONTRACTOR LAB RESULTS	1360-55	
DRIVEWAY IMPROVEMENT/INSTALLATION RULES REGULATIONS	0110-30	
DRIVEWAYS	1020-05	
DRUG ABUSE RESISTANCE EDUCATION	1120-70	
DRUG ABUSE SERVICES	0260-30	
DRUG ENFORCEMENT ADMINISTRATION	0250-77	
DRUG TESTING POLICY	0700-80	
DRUNKS, RECEPTION CENTER FOR	0250-31	
DUPLICATING MACHINE REPORTS & STUDIES	1240-40	
EARTH DAY	0230-08	
ECAPP	0260-30	
ECONOMIC DEVELOPMENT	0865-20	
ECONOMIC DEVELOPMENT BUSINESS ASSISTANCE	0865-15	
ECONOMIC DEVELOPMENT COMMUNITY ORGANIZATIONS	0865-20	
ECONOMIC DEVELOPMENT TASK FORCE	0865-20	
ECONOMIC INTEREST FILING INSTRUCTIONS & FORMS	0640-20	
ECONOMIC INTEREST FILINGS (ORIGINALS FILED WITH CITY)	0640-10	
ECONOMIC INTEREST FILINGS (ORIGINALS FILED WITH STATE)	0640-15	
EDUCATION	1120-00	FUNCTION
EDUCATION REIMBURSEMENTS, EMPLOYEE	0760-40	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
EDUCATIONAL PROGRAMS	1120-70	
EDUCATIONAL PROGRAMS, EMPLOYEE	0760-30	
EDUCATIONAL RESOURCES	1100-10	
EFFLUENTS, SLUDGE & SOLIDS	1330-40	
EJPFA AGREEMENTS	0600-35	
ELECTION CAMPAIGN STATEMENTS	0650-50	
ELECTION CASE FILES	0650-40	
ELECTION INITIATIVES	0650-20	
ELECTION PLANNING MATERIALS/REFERENCE	0650-10	
ELECTION REFERENDUMS	0650-30	
ELECTRICITY & GAS SUPPLY USAGE	1305-10	
ELECTRONIC MAIL	1250-10	
ELIGIBILITY LISTS	0750-70	
EMERGENCY OPERATIONS CENTER	0280-10	
EMINENT DOMAIN PROCEEDINGS	0690-50	
EMISSIONS CONTROL	0230-90	
EMPLOYEE ACCIDENT LOGS	0170-75	
EMPLOYEE ASSISTANCE PROGRAM	0700-10	
EMPLOYEE ASSOCIATIONS	0740-40	
EMPLOYEE AWARDS	0700-45	
EMPLOYEE BENEFIT COMMUNICATIONS	0700-25	
EMPLOYEE BENEFITS (OTHER THAN LISTED IN 0170 - 0720)	0170-40	
EMPLOYEE BENEFITS (See also 0170 & 0720)	0170-40	
EMPLOYEE COMPUTER PURCHASE PLAN	0470-70	
EMPLOYEE EDUCATION REIMBURSEMENTS	0760-40	
EMPLOYEE EDUCATIONAL PROGRAMS	0760-30	
EMPLOYEE GRIEVANCES/INVESTIGATIONS	0740-60	
EMPLOYEE HANDBOOKS	0700-20	
EMPLOYEE INJURY	0170-66	
EMPLOYEE NEWSLETTERS – CITYLINE	0700-31	
EMPLOYEE NEWSLETTER – CITYTALK	0700-30	
EMPLOYEE RECRUITMENT APPEALS	0740-60	
EMPLOYEE RECRUITMENT COMPLAINTS	0740-60	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
EMPLOYEE SUGGESTIONS	0700-40	
EMPLOYEE TAX STATEMENTS (W-2'S)	0450-58	
EMPLOYEE TRANSFER REQUESTS	0750-20	
EMPLOYEE TRIP REDUCTION & CONGESTION MANAGEMENT	0230-06	
EMPLOYEE, TEMPORARY	0730-30	
EMPLOYEE/EMPLOYER RELATIONS	0700-80	
EMPLOYEES (INTERNS)	0730-30	
EMPLOYEES FEDERAL CREDIT UNION, ESCONDIDO	0135-10	
EMPLOYEES, CONTRACT	0730-20	
EMPLOYEES, PART-TIME	0730-30	
EMPLOYEES, PERMANENT	0730-10	
EMPLOYEES, RECRUITMENT	0750-00	FUNCTION
EMPLOYEES, DEPARTMENTAL FILE	0730-40	
EMPLOYER/EMPLOYEE RELATIONS	0700-80	
EMPLOYMENT BULLETINS	0750-35	
EMPLOYMENT DEVELOPMENT SERVICES	0260-50	
EMPLOYMENT ELIGIBILITY LISTS	0750-70	
ENCROACHMENTS, PERMANENT	0690-60	
ENERGY REGULATORY COMMISSION (FEDERAL)	0145-40	
ENFORCEMENT PROJECTS, SPECIAL (POLICE)	0250-63	
ENGINEERING PERMIT REPORTS & STUDIES	1000-75	
ENGINEERING PLANS/INSPECTIONS	1010-10	
ENGINEERING PROJECT POLICIES & PROCEDURES	0110-30	
ENGINEERING PROJECTS, SPECIAL	1010-30	
ENGINEERING PROJECTS YEARLY BID RESULTS	1010-05	
ENGINEERING, POLICIES & PROCEDURES	0110-30	
ENGINEERING, RULES & REGULATIONS	0110-30	
ENTERPRISE ZONE, ESCONDIDO	0800-40	
ENVIRONMENTAL IMPACT REPORTS (EIR)	0820-20	
ENVIRONMENTAL ISSUES & CONSERVATION	0230-00	FUNCTION
ENVIRONMENTAL PROTECTION RULES & REGULATIONS	0230-80	
EQUIPMENT ASSIGNMENTS, FIRE	0370-40	
EQUIPMENT BIDS	0470-45	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
EQUIPMENT INVENTORIES (COMMUNICATIONS EQUIPMENT)	0500-30	
EQUIPMENT MAINTENANCE/REPAIR (COMMUNICATIONS EQUIPMENT)	0500-20	
EQUIPMENT SERVICE REQUESTS (COMMUNICATIONS EQUIPMENT)	0500-10	
EQUIPMENT WORK ORDERS (COMMUNICATIONS EQUIPMENT)	0500-10	
EQUIPMENT, FIRE, ISSUE OF	0370-70	
ESCONDIDO CANAL	1320-55	
ESCONDIDO CENTER FOR THE ARTS, INC.	0137-10	
ESCONDIDO CHILD ABUSE COALITION	0135-10	
ESCONDIDO CITY EMPLOYEES FEDERAL CREDIT UNION	0135-10	
ESCONDIDO COMMUNITY ALCOHOL PLANNING PROJECT	0260-30	
ESCONDIDO COMMUNITY DIALOGUE	0135-10	
ESCONDIDO ENTERPRISE ZONE	0800-40	
ESCONDIDO HISTORICAL SOCIETY	0135-10	
ESCONDIDO JOINT POWERS FINANCING AUTHORITY	0635-00	FUNCTION
ESCONDIDO JOINT POWERS FINANCING AUTHORITY BONDS	0440-22	
ESCONDIDO MUTUAL WATER COMPANY, GENERAL	1320-45	
ESCONDIDO TRANSIT CENTER	1080-10	
ESCONDIDO UNION HIGH SCHOOL DISTRICT	1120-30	
ESCONDIDO UNION SCHOOL DISTRICT	1120-30	
ESCONDIDO UNIVERSITY	0760-30	
ESCONDIDO YOUTH ENCOUNTER	0135-10	
EVENTS, PUBLIC	0150-60	
EXAMINATION DEVELOPMENT (EMPLOYEE RECRUITMENT)	0750-90	
EXCEPTIONAL PERFORMANCE CITATIONS	0700-45	
EXPLORER POST #600 (POLICE)	0270-10	
EXTERNAL FINANCIAL SUPPORT REQUESTS	0430-20	
F. E. R. C.	0145-40	
FACILITY PLANS, SUBAREA	0800-35	
FACILITY USE PERMITS	0900-20	
FAIR LABOR LAWS & STANDARDS	0740-70	
FARMERS MARKET, CERTIFIED	0150-60	
FAS (FEDERAL AID SECONDARY SYSTEM)	1020-70	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
FAU (FEDERAL AID URBAN SYSTEM)	1020-65	
FEDERAL AGENCIES	0145-40	
FEDERAL AID SECONDARY SYSTEM	1020-70	
FEDERAL AID URBAN SYSTEM	1020-65	
FEDERAL EMERGENCY MANAGEMENT AUTHORITY (FEMA)	1070-40	
FEDERAL ENERGY REGULATORY COMMISSION	0145-40	
FEDERAL FLOOD INSURANCE PROGRAM	1070-60	
FEDERAL FUNDING PROGRAMS	0480-70	
FEDERAL GRANTS (SUCCESSFUL)	0480-70	
FEE SCHEDULES	0480-45	
FEE STUDIES	0480-45	
FEE WAIVER REQUESTS	0480-55	
FEMA (FEDERAL EMERGENCY MANAGEMENT AUTHORITY)	1070-40	
FEMA RECORDS/REPORTS (LAKES)	1370-60	
FILING SYSTEM PROCEDURES	0160-25	
FILTER BACKWASH LOG	1320-26	
FILTERED WATER	1320-70	
FINANCE MONTHLY CAPITAL PROJECTS REPORTS	0400-93	
FINANCE SPECIAL REPORTS	0400-93	
FINANCIAL COLLECTIONS	0400-07	
FINANCIAL STATEMENT PREPARATION FILES	0410-30	
FINANCIAL SUPPORT, EXTERNAL REQUESTS	0430-20	
FINANCING ALTERNATIVES (SEWER)	1330-05	
FINANCING, ESCONDIDO JOINT POWERS AUTHORITY	0635-00	FUNCTION
FINGERPRINTS	0250-92	
FIRE APPARATUS INVENTORIES	0370-20	
FIRE APPARATUS SERVICE TESTS	0370-10	
FIRE APPARATUS SPECIFICATIONS	0370-30	
FIRE CLOTHING, ISSUE OF	0370-70	
FIRE CODE LITIGATION	0675-30	
FIRE DISTRICT REFUNDS (RINCON)	0470-10	
FIRE EQUIPMENT ASSIGNMENTS	0370-40	
FIRE EQUIPMENT INVENTORIES	0370-20	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
FIRE EQUIPMENT SPECIFICATIONS	0370-30	
FIRE EQUIPMENT, ISSUE OF	0370-70	
FIRE HOSE HISTORY	0370-60	
FIRE HOSE MAINTENANCE	0370-60	
FIRE INCIDENT REPORTS	0310-10	
FIRE LANE EASEMENTS	0690-80	
FIRE MUTUAL AID	0300-10	
FIRE PREVENTION COMPLAINTS	0320-30	
FIRE/ARSON INVESTIGATION REPORTS	0310-20	
FIREARMS REGISTRATION (SALE OF)	0250-07	
FIREARMS TRAINING FACILITY (RANGE)	0250-09	
FIRST TIME HOME BUYERS PROGRAM	0875-16	
FIRST YEAR HOME FUNDING PROGRAM	0873-01	
FISCAL AGENT/PAYING AGENT, BONDS	0440-10	
FIXED ASSETS	0400-30	
FLEX BENEFIT PROGRAM	0720-25	
FLOOD CONTROL CAPITAL PROJECTS	1070-50	
FLOOD CONTROL MASTER PLANS	1070-20	
FLOOD CONTROL REPORTS & STUDIES	1070-30	
FLOOD INSURANCE PROGRAM, FEDERAL	1070-60	
FORFEITURE, ASSET	0250-75	
FORMATION OF CITY	0850-00	FUNCTION
FORMS, BLANK	0160-60	
FPPC DESIGNEES LIST	0640-30	
FPPC REGULATIONS (CONFLICT OF INTEREST)	0640-30	
FRANCHISE AGREEMENTS	0600-10	
FUND BALANCE, TREASURER MONTHLY	0400-85	
FUND, LOCAL AGENCY (LAIF)	0490-30	
FUND REQUESTS, EXTERNAL	0430-20	
FUND TRANSFERS	0430-80	
FUND WIRE TRANSFERS	0420-46	
FUNDING PROGRAM FOR HOMES	0873-00	FUNCTION
FUNDING PROGRAM FOR HOMES ADMINISTRATION	0873-99	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
FUNDING PROGRAMS, FEDERAL	0480-70	
FUNDING PROGRAMS, PRIVATE	0480-85	
FUNDING PROGRAMS, STATE	0480-70	
FAMILY FRIENDLY BENEFITS	0720-27	
GANG ACTIVITIES	0250-43	
GANG ENFORCEMENT TEAM	0250-60	
GANGS	0250-43	
GARBAGE COLLECTION	1310-10	
GAS & ELECTRICITY SUPPLY USAGE	1305-10	
GAS EASEMENTS	0690-80	
GASOLINE/ALCOHOL CONCURRENT SALE, BANNING OF (LAND USE)	0810-20	
GENERAL LEDGERS	0400-60	
GENERAL OBLIGATION BONDS	0440-35	
GENERAL PLAN AMENDMENT CASE FILES	0830-20	
GENERAL PLAN IMPLEMENTATION	0830-07	
GENERAL REPORTS AND STUDIES (LAKES)	1370-90	
GEOGRAPHIC INFORMATION SYSTEM	1270-00	FUNCTION
GEOGRAPHIC INFORMATION SYSTEM PROJECTS	1270-10	
GIFTS	0150-20	
GIRL SCOUTS	0135-10	
GIS	1270-00	FUNCTION
GOALS & OBJECTIVES (BUDGET)	0430-10	
GOVERNMENTAL AGENCIES	0145-00	FUNCTION
GOVERNMENT MANDATED BENEFIT PROGRAM	0720-31	
GRADING PERMITS	1000-70	
GRADING PLANS (ENGINEERING)	1010-40	
GRAFFITI ON CITY BUILDINGS	0900-30	
GRAND JURY	0145-20	
GRANT APPLICATIONS (POLICE/PROTECTION SERVICES)	0480-70	
GRANTS, FEDERAL (SUCCESSFUL)	0480-70	
GRANTS, STATE (SUCCESSFUL)	0480-70	
GRAPHICS	1220-30	
GRIEVANCES, EMPLOYEE	0740-60	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
GROWTH MANAGEMENT PROGRAM	0810-30	
GUTTERS	1020-00	
HANDBOOKS, DEPARTMENT REFERENCE INFORMATION	0120-35	
HANDBOOKS, EMPLOYEE	0700-20	
HANDICAPPED RAMPS	1020-15	
HARASSMENT, SEXUAL	0700-03	
HARDSHIP EXEMPTIONS	0810-30	
HARDWARE, COMPUTER	1200-40	
HAZARD ANALYSES	0220-30	
HAZARDOUS MATERIALS CONTINGENCY PLANS	0220-35	
HAZARDOUS MATERIALS, GENERAL	0230-30	
HAZARDOUS WASTE RECYCLING	1310-40	
HEALTH INSURANCE COMMITTEE	0720-30	
HEALTH PROTECTION/SERVICES	0240-00	FUNCTION
HEALTH PROTECTION/SERVICES ADMINISTRATION	0240-05	
HEALTH TRAINING PROGRAMS	0780-10	
HEALTHY CITIES PROGRAM	0240-80	
HEALTHY FAMILIES ESCONDIDO	0260-80	
HERITAGE SUPPORT PROGRAMS, CULTURAL	1110-60	
HIGH SCHOOL DISTRICT, ESCONDIDO UNION	1120-30	
HIPAA LOGS	0700-02	
HIGHWAYS ADMINISTRATION	1040-05	
HISTORIC PRESERVATION COMMISSION	0120-10	
HISTORIC SITE CASE FILES	0880-10	
HISTORIC SITE INVENTORIES	0880-20	
HISTORIC SITE PRESERVATION ORDINANCE	0680-10	
HISTORIC SITE PRESERVATION RULES REGULATIONS	0110-30	
HISTORICAL SITE PRESERVATION	0800-00	FUNCTION
HISTORICAL SOCIETY, ESCONDIDO	0135-10	
HISTORY, PURCHASE	0470-26	
HOME BUYERS PROGRAM, FIRST TIME	0875-16	
HOME FUNDING PROGRAM	0873-00	FUNCTION
HOME FUNDING PROGRAM ADMINISTRATION	0873-99	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
HOME OCCUPATION PERMITS	0480-35	
HOMELESSNESS SERVICES	0260-45	
HOSE HISTORY/MAINTENANCE, FIRE	0370-60	
HOSPITALS	0240-20	
HOTEL/MOTEL LODGING (LAND USE)	0810-20	
HOUSING AFFORDABILITY STRATEGY, COMPREHENSIVE	0680-87	
HOUSING BONDS, MULTIPLE FAMILY	0440-65	
HOUSING LOAN RECONCILIATION	0400-96	
HOUSING PROGRAM (SMALL FAMILY/NEW CONSTRUCTION)	0875-13	
HOUSING PROGRAM REPORTS & STUDIES (GENERAL)	0875-70	
HOUSING PROGRAM RESEARCH & DEVELOPMENT	0875-70	
HOUSING PROGRAM SPECIAL ISSUES	0875-55	
HOUSING PROGRAM, SENIOR	0875-14	
HOUSING PROGRAM, TRANSITIONAL	0875-12	
HOUSING PROGRAMS	0875-00	FUNCTION
HOUSING REHABILITATION	0875-20	
HPC ANALYSIS (DRINKING WATER MANAGEMENT)	1360-30	
HUMAN SERVICES	0260-00	FUNCTION
HUMAN SERVICES COALITION OF ESCONDIDO	0135-10	
HUMANE LITIGATION	0675-30	
HUMANE SOCIETY	0200-20	
HYDRANT RECORDS	0370-75	
ICMA	0130-10	
IMPASSE PROCEDURES	0740-25	
IMPLEMENTATION OF THE GENERAL PLAN	0830-07	
IMPROVEMENT BONDS	0600-85	
IMPROVEMENT PLANS (ENGINEERING)	1010-40	
INCIDENT REPORTS, FIRE	0310-10	
INCIDENT INVESTIGATIONS & INQUIRIES, OSHA	0170-76	
INCIDENT REPORTS/INVESTIGATIONS, POLICE	0250-10	
INCIDENTS OCCURRING OUTSIDE ESCONDIDO CITY LIMITS	0250-86	
INDUSTRIAL DEVELOPMENT BOND) AUTHORITY AGREEMENTS/CONTRACTS	0600-30	
INDUSTRIAL DEVELOPMENT BONDS	0440-15	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
INDUSTRIAL DISABILITY	0170-57	
INDUSTRIAL WASTE	1330-35	
INEBRIATE RECEPTION CENTER	0250-31	
INFORMATION COLLECTION RATE (DRINKING WATER MANAGEMENT)	1360-15	
INITIAL STUDIES (ENVIRONMENTAL REVIEW)	0820-20	
INITIATIVES	0650-20	
INJURY LOGS (OTHER THAN EMPLOYEE)	0170-67	
INJURY LOGS, EMPLOYEE	0170-67	
INQUIRIES & COMPLAINTS, GENERAL	0110-40	
INSPECTION LOGS	1000-72	
INSPECTION MAINTENANCE PROGRAM, MOBILEHOME	0660-35	
INSPECTIONS, BUILDING RULES & REGULATIONS	0110-30	
INSPECTIONS, BUILDING	1000-10	
INSPECTIONS, BUSINESS (FIRE DEPARTMENT "A" FILES)	0320-10	
INSPECTIONS, ENGINEERING	0110-30	
INSPECTIONS, NEW CONSTRUCTION (FIRE DEPARTMENT "B" FILES)	0320-20	
INSPECTIONS, PRE-FIRE PLAN	0360-10	
INSPECTIONS, UNIFORM	0110-60	
INSURANCE BINDERS, FACILITY USE	0900-20	
INSURANCE CLAIMS	0170-15	
INSURANCE COMMITTEE (HEALTH)	0720-30	
INSURANCE PLANS (BENEFITS)	0720-30	
INSURANCE, DEFERRED COMPENSATION, FUND REPORTS	0460-10	
INSURANCE, FLOOD, FEDERAL PROGRAM	1070-60	
INSURANCE, LIABILITY (CITY)	0170-20	
INSURANCE, LIABILITY (MISCELLANEOUS)	0170-20	
INSURANCE, LONG-TERM DISABILITY	0170-30	
INSURANCE, PROPERTY	0170-45	
INSURANCE, STATE DISABILITY	0170-30	
INSURANCE, UNEMPLOYMENT	0170-50	
INSURANCE, WORKER'S COMPENSATION	0170-55	
INTEGRATED WASTE MANAGEMENT PROGRAM	1310-40	
INTERNAL AFFAIRS	0280-50	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
INTERNAL TESTING (DRINKING WATER MANAGEMENT)	1360-45	
INTERNATIONAL FOUNDATION OF EMPLOYEE BENEFITS PLANS	0720-33	
INTERNATIONAL CITY MANAGERS ASSOCIATION	0130-10	
INTERNS (EMPLOYEES)	0730-30	
INVENTORIES, COMMUNICATIONS EQUIPMENT	0500-30	
INVENTORIES, FIRE APPARATUS/EQUIPMENT	0370-20	
INVENTORIES, HISTORIC SITE	0880-20	
INVENTORIES, REAL PROPERTY	0690-70	
INVENTORIES, STREET MILEAGE	1020-30	
INVENTORIES, SUPPLY	0470-50	
INVENTORIES, WAREHOUSE	0470-50	
INVENTORY OF CITY SERVICES	0105-10	
INVESTIGATION REPORTS, FIRE/ARSON	0310-20	
INVESTIGATIONS, CODE ENFORCEMENT	0660-10	
INVESTIGATIONS, EMPLOYEE GRIEVANCES	0740-60	
INVESTIGATIONS, SPECIAL	0250-10	
INVESTMENT COMMITTEE	0490-40	
INVESTMENT FUND, LOCAL AGENCY (LAIF)	0490-30	
INVESTMENT INFORMATION, GENERAL	0490-10	
INVESTMENT LEGISLATION PENDING	0680-70	
INVESTMENT POLICIES & PROCEDURES	0110-30	
INVESTMENT REPORT, (MONTH END)	0490-55	
INVESTMENT REPORTS & STUDIES	0490-60	
INVESTMENT STATEMENTS	0490-50	
INVESTMENT WIRING INSTRUCTIONS	0490-10	
INVESTMENTS, TREASURERS MONTH END	0490-55	
ISLAND LANDSCAPING	1020-45	
JAILS	0250-30	
JANITORIAL SERVICES, CITY FACILITIES	0900-10	
JOB APPLICATIONS	0750-40	
JOB DESCRIPTIONS/SPECIFICATIONS	0710-20	
JOINT POWERS AUTHORITY, RISK MANAGEMENT	0170-80	
JOINT POWERS FINANCING AUTHORITY (ESCONDIDO)	0635-00	FUNCTION

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
JOURNAL VOUCHERS	0400-70	
JUVENILE DETENTION LOGS & CORRESPONDENCE	0250-04	
LABOR LAWS & STANDARDS	0740-70	
LABOR NEGOTIATIONS	0740-20	
LABOR RELATIONS	0740-00	FUNCTION
LABOR/MANAGEMENT MEETING MINUTES	0740-20	
LAFCO	0145-50	
LAIF INVESTMENT FUND	0490-30	
LAKE DIXON	0915-55	
LAKE WOHLFORD	0915-55	
LAND USE - DETERMINATION OF PERMITTED USE	0810-15	
LAND USE CONTROL	0810-00	FUNCTION
LAND USE CONTROL RULES & REGULATIONS	0110-30	
LANDSCAPING, MEDIANS/ISLANDS	1020-45	
LARGE GROUP DAY CARE (LAND USE)	0810-70	
LAWSUITS, CIVIL	0675-10	
LEAGUE OF CALIFORNIA CITIES	0130-10	
LEAGUE OF CALIFORNIA CITIES LEGISLATIVE BULLETINS	0680-80	
LEASE AGREEMENTS	0600-10	
LEAVE CONVERSION	0720-21	
LEAVE ISSUES, BENEFITS	0720-34	
LEAVE REGISTERS	0450-55	
LECTURES/SPEECHES	0150-80	
LEDGERS, GENERAL	0400-60	
LEGAL OPINIONS	0670-30	
LEGISLATION FILES	0680-00	FUNCTION
LEGISLATION PENDING	0680-70	
LEGISLATIVE ANALYST	0680-60	
LEGISLATIVE BULLETINS	0680-80	
LEGISLATIVE HISTORY INDEX BACKUP	0160-25	
LEGISLATIVE LOBBYIST	0680-60	
LIABILITY INSURANCE, CITY	0170-20	
LIABILITY INSURANCE, MISCELLANEOUS	0170-20	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
LIABILITY RELEASES – HOLD HARMLESS AGREEMENTS	0260-66	
LIBRARY BOARD OF TRUSTEES	0120-10	
LIBRARY DISTRICT, NORTH COUNTY UNIFIED	0145-10	
LICENSE REQUIREMENTS	0780-50	
LICENSE TO SELL FIREARMS	0250-07	
LICENSES, BUSINESS	0480-35	
LICENSES, NON-EXEMPT	0290-15	
LICENSES/PERMITS/REGISTRATIONS (POLICE)	0250-07	
LICENSING LITIGATION	0660-10	
LIEN AGREEMENTS (PUBLIC RIGHT-OF-WAY)	0600-40	
LIENS AGAINST REAL PROPERTY	0690-65	
LIENS RELEASED	0600-40	
LIEN WAIVERS	0600-40	
LIFESAVING CITATIONS	0700-45	
LIGHT RAIL SYSTEMS	1080-40	
LIGHTING, STREET	1020-40	
LIST OF DESIGNEES	0640-30	
LITERACY ADULT LEARNER CASE FILES	0260-35	
LITERACY TUTOR CASE FILES	0260-40	
LITIGATION, ABATEMENT	0675-10	
LITIGATION, ACCOUNTS RECEIVABLE	0675-10	
LITIGATION, CIVIL	0675-10	
LITIGATION, CLAIMS	0675-10	
LITIGATION, CODE ENFORCEMENT	0675-30	
LITIGATION, CRIMINAL	0675-30	
LITIGATION, FIRE CODE	0675-30	
LITIGATION, HUMANE	0675-30	
LITIGATION, LICENSING	0675-30	
LITIGATION, PITCHES	0675-30	
LITIGATION, POLICE MISDEMEANOR	0675-30	
LITTER CONTROL	0230-45	
LOBBYIST, LEGISLATIVE	0680-60	
LOCAL & COUNTY ORGANIZATIONS (AGENDAS/MINUTES/NOTICES)	0135-10	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
LOCAL & COUNTY ORGANIZATIONS (BROCHURES/PUBLICATIONS)	0135-20	
LOCAL AGENCY FORMATION COMMISSION, SAN DIEGO COUNTY	0145-50	
LOCAL AGENCY INVESTMENT FUND (LAIF)	0490-30	
LOCATOR LOGS, RECORDS	0160-25	
LOGS, EMPLOYEE INJURY	0170-75	
LONG-TERM DISABILITY	0170-30	
LOSS PREVENTION	0780-60	
LOT TIE AGREEMENTS	0600-70	
LOTS, SPECIAL USE	0810-15	
LOYALTY OATHS – ELECTED OFFICIALS/BOARDS/COMMISSIONS	0670-60	
LOYALTY OATHS – FULL-TIME EMPLOYEES	0670-61	
LOYALTY OATHS – PART-TIME EMPLOYEES	0670-62	
M.O.U.	0740-30	
MADD	0135-10	
MAIL CONTROL ADMINISTRATION	1250-05	
MAIL CONTROL POLICIES REGULATIONS	0110-30	
MAIL CONTROL REPORTS STUDIES	0110-20	
MAIL, ELECTRONIC	1250-10	
MAINTENANCE GUARANTEES (ROOFING)	0900-05	
MAINTENANCE INSPECTION PROGRAM, MOBILEHOME	0660-35	
MAINTENANCE SERVICES, CITY FACILITIES	0900-10	
MAINTENANCE, COMMUNICATIONS EQUIPMENT	0500-20	
MAINTENANCE, PUBLIC FACILITIES (GENERAL)	0900-05	
MANAGEMENT DIRECTIVES	0100-10	
MANAGEMENT/LABOR MEETING MINUTES	0740-20	
MANAGER’S QUARTERLY ROUND TABLE	0100-15	
MAP CHECKING RECEIPTS	0480-20	
MARKETING COMMITTEE INFORMATION	0137-40	
MASSAGE ESTABLISHMENTS/TECHNICIAN PERMITS	0250-07	
MASTER PLANS, FLOOD CONTROL	1070-20	
MASTER PLANS, SEWER SYSTEM	1330-85	
MASTER PLANS, SOLID WASTE	1310-50	
MASTER PLANS, STORM DRAINAGE	1070-20	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
MASTER PLANS, UTILITIES	1340-85	
MASTER PLANS, WASTEWATER	1330-85	
MASTER PLANS, WATER SYSTEM	1320-85	
MEDIA, NEWS	0150-05	
MEDIAN LANDSCAPING	1020-45	
MEDICAL WASTE	0230-30	
MEETING NOTICES	0120-45	
MEMORANDA OF UNDERSTANDING	0740-30	
MENTAL HEALTH SERVICES	0260-40	
METER APPLICATIONS	1320-42	
METER READS	1320-32	
METER SETS	1320-44	
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA	0145-86	
MICROFILM PROGRAM	0160-70	
MILEAGE INVENTORIES, STREET	1020-30	
MILEAGE REIMBURSEMENTS	0450-40	
MINI/POCKET PARKS	0915-07	
MINUTES, BOARDS/COMMISSIONS	0120-20	
MINUTES, CITY COUNCIL	0610-40	
MINUTES, LABOR/MANAGEMENT MEETINGS	0740-20	
MISCELLANEOUS CERTIFICATES OF INSURANCE	0170-85	
MISCELLANEOUS LIABILITY INSURANCE	0170-20	
MOBILEHOME BASE RENT WORKSHEETS	0697-10	
MOBILEHOME COMPLAINTS	0697-07	
MOBILEHOME CONVERSION ASSISTANCE, GENERAL	0875-29	
MOBILEHOME DMV REGISTRATIONS, MOUNTAIN SHADOWS	0690-30	
MOBILEHOME DMV REGISTRATIONS, THE VIEWS	0695-30	
MOBILEHOME MAINTENANCE INSPECTION PROGRAM	0660-35	
MOBILEHOME PARK - THE VIEWS	0875-31	
MOBILEHOME PARK, MOUNTAIN SHADOWS	0875-32	
MOBILEHOME RENTAL LOTS	0695-20	
MOBILEHOME RENT CONTROL	0697-00	FUNCTION
MOBILEHOME RENT CONTROL CASE FILES	0697-20	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
MOBILEHOME RENT CONTROL, ADMINISTRATION	0697-20	
MONTH END TREASURERS INVESTMENT REPORT	0490-55	
MONTHLY AGE/INCOME COMPLIANCE REPORTS	0440-63	
MONTHLY STATEMENT OF FUND BALANCES (TREASURER'S)	0400-85	
MONTHLY SUMMARY OF WATER QUALITY	1320-15	
MONUMENTS AND STATUES	1110-20	
MORATORIUMS	0810-20	
MORTGAGE CREDIT CERTIFICATES	0875-16	
MORTGAGE REVENUE BONDS	0440-20	
MOTEL/HOTEL LODGING (LAND USE)	0810-20	
MOTHERS AGAINST DRUNK DRIVERS	0135-10	
MOUNTAIN SHADOWS MOBILEHOME PARK	0875-32	
MULTI-FAMILY ACQUISITION AND REHABILITATION LOANS	0875-21	
MULTIPLE FAMILY HOUSING BONDS	0440-65	
MUNICIPAL CODE	0680-50	
MUNICIPAL FACILITIES/CITY PROPERTY	0910-00	FUNCTION
MUTUAL AID, FIRE	0300-10	
MUTUAL WATER COMPANY, ESCONDIDO, GENERAL	1320-45	
NAMING OF STREETS	1020-35	
NATIONAL LEAGUE OF CITIES	0130-10	
NEGATIVE DECLARATIONS (ANNEXATIONS)	0850-20	
NEGOTIATION CHANGES, MOU	0450-13	
NEGOTIATIONS, EMPLOYEE	0740-20	
NEIGHBORHOOD CLEAN-UP PROGRAMS	0230-07	
NEIGHBORHOOD IMPROVEMENT TEAM	0260-60	
NEW CONSTRUCTION INSPECTIONS (FIRE DEPARTMENT "B" FILES)	0320-20	
NEW CONSTRUCTION/SMALL FAMILY HOUSING PROGRAM	0875-13	
NEW POSITION REQUESTS	0700-50	
NEWS & VIEWS	0700-30	
NEWS MEDIA	0150-05	
NEWSCLIPPINGS (IF NOT FILED IN CATEGORY)	0150-40	
NEWSLETTER, RETIRED POLICE OFFICERS	0280-05	
NEWSLETTERS, CITY/CDC (CITY-WIDE)	0150-05	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
NEWSLETTERS, EMPLOYEE	0700-30	
NIGHT PATROL LOGS/REPORTS (LAKES)	1370-06	
NINE-EIGHTY WORK PLAN	0110-70	
NOMINATION DOCUMENTS	0650-45	
NO PARKING (TRAFFIC SCHEDULES)	1050-50	
NOISE CONTROL	0230-50	
NON-EXEMPT LICENSES	0290-15	
NON-FIRE INVESTIGATIVE LOGS (NARCOTICS, FALSE ALARMS)	0310-25	
NON-PROFIT ORGANIZATIONS (OTHER THAN LISTED IN 0135)	0135-10	
NORTH COUNTY COMMUNITY TELEVISION FOUNDATION	0135-10	
NORTH COUNTY TRANSIT DISTRICT	0145-70	
NORTH COUNTY TRANSIT DISTRICT (TRANSPORTATION)	1080-30	
NOTES, PROMISSORY	0600-85	
NOTICE OF COMPLETION (RECORDED)	0600-95	
NPDES HARRF (STORM WATER MANAGEMENT)	1350-10	
NPDES HARRF (WASTEWATER MANAGEMENT)	1330-91	
OATHS OF OFFICE – ELECTED OFFICIALS/BOARDS/COMMISSIONS	0670-60	
OATHS OF OFFICE – FULL-TIME EMPLOYEES	0670-61	
OATHS OF OFFICE – PART-TIME EMPLOYEES	0670-62	
ODOR EASEMENTS	0690-80	
OFFERS OF DEDICATION (REAL PROPERTY)	0690-30	
OFFICE SUPPLY ROOM LOG SHEET	0470-47	
OFF-LINE/OFF-CYCLE CHECKS	0450-21	
OPEN SPACE EASEMENTS	0690-80	
OPERATING BUDGET	0430-30	
OPERATIONAL PLANS, DISASTER/CIVIL DEFENSE	0220-45	
OPERATION OF AIR PRESSURE TANKS	0220-95	
OPERATIONS CENTER (EMERGENCY)	0280-10	
ORAL COMMUNICATIONS	0610-15	
ORDERS (DEPARTMENTAL)	0110-15	
ORDINANCES, CITY COUNCIL	0680-10	
ORGANIZATION CHARTS	0700-60	
ORGANIZATIONS AT LARGE	0140-00	FUNCTION

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
ORGANIZATIONS CREATED BY CITY, SPECIAL	0137-00	
ORGANIZATIONS, LOCAL & COUNTY	0135-00	FUNCTION
ORGANIZATIONS, NON-PROFIT (OTHER THAN LISTED IN 0135)	0135-10	
OSHA INCIDENT INVESTIGATIONS & INQUIRIES	0170-76	
OSHA 300 LOG	0170-75	
OTHER TRAFFIC SCHEDULES	1050-50	
OUTFALL, SEWER	1330-45	
OUTSIDE EMPLOYMENT REQUESTS (POLICE)	0730-10	
OVERPASSES	1030-10	
OVERTIME FORMS	0450-20	
OVERTIME REPORTS	0450-20	
OWNER REHABILITATION	0875-20	
PASSPORTS	0480-36	
P. U. C.	0145-30	
P.O.S.T. (PEACE OFFICER STANDARDS & TRAINING)	0700-95	
PAID NSF (NON-SUFFICIENT FUND CHECKS)	0480-32	
PARAMEDIC BILLING	0480-30	
PARAMEDIC INCIDENT REPORTS	0310-10	
PARCEL MAPS	0800-20	
PARCEL MAPS, COUNTY	0800-21	
PARK & RIDE FACILITIES	1080-20	
PARKING ADMINISTRATION	1060-05	
PARKING CITATION BANK STATEMENTS/CHECKS	0420-30	
PARKING CITATION CHECK STUBS	0420-40	
PARKING CITATION RETURNED CHECKS	0420-41	
PARKING FACILITIES, CITY	1060-50	
PARKING LOTS, CITY	1060-50	
PARKING POLICIES & REGULATIONS	0110-30	
PARKING RECEIPTS	0480-20	
PARKING REPORTS & STUDIES	1060-75	
PARKING, COMMUTER (PARK & RIDE)	1080-20	
PARKS & OPEN SPACE	0915-00	FUNCTION
PARKS, MINI/POCKET	0915-07	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
PARS FUND REPORTS	0460-30	
PART-TIME EMPLOYEES	0730-30	
PATROL LOGS/ROSTERS/WORK SCHEDULES (LAKES)	1370-05	
PAWN SHOPS	0250-60	
PAYING AGENT/FISCAL AGENT, BONDS	0440-10	
PAYROLL FILES, INDIVIDUAL	0450-10	
PAYROLL REGISTER	0450-11	
PEACE OFFICER STANDARDS & TRAINING (P.O.S.T.)	0700-95	
PEAK HOUR TRAFFIC MANAGEMENT	1080-15	
PEDESTRIAN SAFETY, GENERAL	1050-40	
PEER SUPPORT GROUP	0250-60	
PENDING BIDS (REQUEST FOR PROPOSALS)	0470-32	
PENDING BIDS/RFPIS (RFP'S)	0470-27	
PENDING LEGISLATION	0680-70	
PENDING PURCHASES	0470-18	
PENSION FUND REPORTS	0460-00	
PERMANENT EMPLOYEES	0730-10	
PERMANENT ENCROACHMENTS	0690-60	
PERMITS AND INSPECTIONS, RULES AND REGULATIONS	1000-90	
PERMITS TO POSSESS MACHINE GUNS	0250-07	
PERMITS TO TRANSPORT MACHINE GUNS	0250-07	
PERMITS, BANNER	0885-10	
PERMITS, BUILDING	1000-10	
PERMITS, DEMOLITION	1000-10	
PERMITS, ENGINEERING	1000-70	
PERMITS, FIRE DEPARTMENT	0330-00	FUNCTION
PERMITS, GRADING	1000-70	
PERMITS, HOME OCCUPATION	0480-35	
PERMITS, RELOCATION	1000-10	
PERMITS, SEWER SYSTEM	1330-75	
PERMITS, SIGN	0885-10	
PERMITS, TRANSPORT MACHINE GUNS	0250-07	
PERMITS, UTILITIES	1340-75	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
PERMITS, VEGETATION REMOVAL	0810-17	
PERMITS, WATER SYSTEM	1320-75	
PERMITS, TO POSSES MACHINE GUNS	0250-07	
PERMITS/LICENSES/REGISTRATIONS (POLICE)	0250-07	
PERMITTED USE DETERMINATION (LAND USE)	0810-15	
PERS FUND REPORTS	0460-20	
PERS PAC – GENERAL INFORMATION	0720-32	
PERS PLAN	0720-40	
PERSONALIZED PATROL VEHICLE PROGRAM	0290-30	
PERSONNEL BOARD OF REVIEW	0120-10	
PERSONNEL FILES, CONTRACT EMPLOYEES	0730-20	
PERSONNEL FILES, PART-TIME EMPLOYEES	0730-30	
PERSONNEL FILES, PERMANENT EMPLOYEES	0730-10	
PERSONNEL FILES, TEMPORARY EMPLOYEES	0730-30	
PERSONNEL FILES, DEPARTMENTAL EMPLOYEE FILE	0730-40	
PERSONNEL POLICIES PROCEDURES	0700-80	
PERSONNEL REPORTS STUDIES	0110-20	
PEST CONTROL	0230-60	
PETTY CASH FUNDS	0400-20	
PHOTOGRAPHS (IF NOT FILED IN CATEGORY)	0150-50	
PHYSICAL EDUCATION	1130-00	FUNCTION
PINBALL MACHINES REGISTRY	0250-07	
PITCHESS LITIGATION	0675-30	
PLAN CHECK FILES	1000-20	
PLANNING CASE FILES	0800-40	
PLANNING COMMISSION	0120-10	
PLANNING COMMISSION RESOLUTIONS	0680-45	
PLANNING RULES & REGULATIONS	0110-30	
PLANNING, CITY	0840-00	FUNCTION
PLANNING, CIVIL DEFENSE	0220-05	
PLANNING, SPORTS	1130-10	
PLANNING, TRANSPORTATION, GENERAL	1080-65	
PLANS, BUILDING (APPROVED)	1000-15	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
PLAYS (VENDOR INFORMATION)	1100-10	
PLOT PLANS	0800-30	
POCKET/MINI PARKS	0915-07	
POLICE AWARDS PROGRAM	0700-45	
POLICE BILINGUAL TESTING	0730-10	
POLICE CHAPLAINCY PROGRAM	0280-83	
POLICE COMMUNITY AWARENESS ACADEMY	0280-85	
POLICE DEPARTMENT ADMINISTRATION	0280-00	FUNCTION
POLICE DEPARTMENT INVESTIGATION – VIDEO (Nonevidentiary)	0250-95	
POLICE DEPARTMENT INVESTIGATION – VIDEO (Evidentiary)	0250-96	
POLICE DEPARTMENT VEHICLES	0290-00	FUNCTION
POLICE DEPARTMENT VOLUNTEERS	0270-00	FUNCTION
LICENSES/PERMITS/REGISTRATIONS	0250-07	
POLICE MISDEMEANOR LITIGATION	0675-30	
POLICE OFFICER REPRIMANDS/SUSPENSIONS	0730-10	
POLICE OUTSIDE EMPLOYMENT REQUESTS	0730-10	
POLICE PROTECTION/SERVICES	0250-00	FUNCTION
POLICE REPORTS	0250-10	
POLICE RESERVES	0270-40	
POLICE SERVICES, SPECIAL	0250-60	
POLICE STATISTICS/SURVEYS	0250-10	
POLICE VEHICLE CODE INFRACTION CASE FILES, TRAFFIC	0251-25	
POLICE VEHICLES	0290-10	
POLICE/PROTECTION SERVICES, GRANT APPLICATIONS	0480-70	
POLICIES & PROCEDURES, BUILDING & ENGINEERING	0110-30	
POLICIES & PROCEDURES, CITY COUNCIL	0610-90	
POLICIES & PROCEDURES, COMMUNITY SERVICES	0110-30	
POLICIES & PROCEDURES, DEPARTMENTAL	0110-30	
POLICIES & PROCEDURES, ENGINEERING PROJECTS	0110-30	
POLICIES & PROCEDURES, INVESTMENT	0110-30	
POLICIES & PROCEDURES, MAIL CONTROL	0110-30	
POLICIES & PROCEDURES, PARKING	0110-30	
POLICIES & PROCEDURES, PERSONNEL-RELATED	0700-80	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
POLICIES & PROCEDURES, PURCHASING	0470-90	
POLICIES & PROCEDURES, TRAFFIC-RELATED	0110-30	
POLICY, DISCIPLINE	0700-80	
POLLUTION, AIR	0230-10	
POLLUTION, WATER	0230-65	
POLYGRAPH	0250-12	
PORTABLE EQUIPMENT REGISTRATION	0230-96	
POSTAGE REPORT	1250-05	
POSITION REQUESTS (NEW)	0700-50	
POTENTIAL PROGRAMS	0700-80	
POWER PLANTS	1320-15	
PPV PROGRAM	0290-30	
PRE-FIRE PLAN INSPECTIONS	0360-10	
PRESERVATION COMMISSION, HISTORIC	0120-10	
PRESS RELEASES (IF NOT FILED IN CATEGORY)	0150-55	
PREZONING	0800-40	
PREZONING (ANNEXATIONS)	0850-20	
PRICING MANUALS	0470-80	
PRIME COMPUTER USAGE PRINTOUT	1200-05	
PRINTING & DUPLICATING SERVICES ADMINISTRATION	0420-70	
PRINTING & DUPLICATING SERVICES REQUESTS	1240-05	
PRINTING REPORTS & STUDIES	0110-20	
PRINTING REQUISITIONS	0470-20	
PRIVATE FUNDING PROGRAMS	0480-85	
PRIVATE SCHOOLS	1120-50	
PROBLEM SOLVING, COMMUNITY	0260-60	
PROCUREMENT CREDIT CARD	0470-27	
PROFESSIONAL ASSOCIATIONS (AGENDAS & MINUTES)	0130-10	
PROFESSIONAL ASSOCIATIONS (BROCHURES & PUBLICATIONS)	0130-20	
PROGRAM, COMMUNITY WORK SERVICE	0250-14	
PROGRAM, FEDERAL FLOOD INSURANCE	1070-60	
PROGRAM, FIRST TIME HOME BUYERS	0875-16	
PROGRAM, FLEX BENEFIT	0720-25	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
PROGRAM, TRANSITIONAL HOUSING	0875-12	
PROGRAMS, ART SUPPORT	1110-60	
PROGRAMS, CULTURAL HERITAGE SUPPORT	1110-60	
PROGRAMS, POTENTIAL	0700-80	
PROJECT TRACKING, SOFTWARE WORK REQUESTS	1230-20	
PROJECTS, GEOGRAPHIC INFORMATION SYSTEM	1270-10	
PROJECTS, TECHNOLOGY	1280-20	
PROMISSORY NOTES	0600-85	
PROPERTY (REAL), LIENS AGAINST	0690-65	
PROPERTY ACQUISITIONS (REAL PROPERTY)	0690-10	
PROPERTY INSURANCE	0170-45	
PROPERTY TAX	0480-40	
PROPERTY, SURPLUS (OTHER THAN LISTED UNDER 0470)	0470-65	
PROTECTIVE CLOTHING, FIRE, ISSUE OF	0370-70	
PUBLIC AND PRIVATE SCHOOLS	1120-50	
PUBLIC ART COMMISSION	0120-10	
PUBLIC ART PROGRAM	1110-40	
PUBLIC CEREMONIES	0150-60	
PUBLIC EMPLOYEES' RETIREMENT SYSTEM FUND REPORTS	0460-20	
PUBLIC EMPLOYEES' RETIREMENT SYSTEM PLAN	0720-40	
PUBLIC EVENTS	0150-60	
PUBLIC FACILITIES MAINTENANCE (GENERAL)	0900-05	
PUBLIC INFORMATION REPORTS	0150-65	
PUBLIC QUESTIONNAIRES	0100-26	
PUBLIC RECORDS ACT	0670-65	
PUBLIC RECORDS REQUEST	0670-65	
PUBLIC RELATIONS & INFORMATION ADMINISTRATION	0150-05	
PUBLIC RELATIONS/INFORMATION	0150-00	
PUBLIC RIGHT OF WAY LIENS	0600-40	
PUBLIC RIGHT OF WAY LIENS (RELEASED)	0600-40	
PUBLIC SERVICE AGREEMENT	0600-10	
PUBLIC UTILITIES COMMISSION	0145-30	
PUBLIC WORKS YARD	0910-20	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
PUBLICATIONS, REFERENCE	0105-20	
PUBLICATIONS/BROCHURES, CITY/CDC	0150-10	
PUMP STATIONS	1330-20	
PUMPKIN PATCHES (DETERMINATION OF PERMITTED USE)	0810-15	
PURCHASE HISTORY	0470-26	
PURCHASE ORDERS	0470-25	
PURCHASE REQUISITIONS	0470-20	
PURCHASES PENDING	0470-18	
PURCHASING (EQUIP/SERVICES/SUPPLIES)	0470-35	
PURCHASING POLICIES & PROCEDURES	0470-90	
PURCHASING PROGRAMS	0470-80	
QA-QC (DRINKING WATER MANAGEMENT)	1360-50	
QA-QC (WASTEWATER MANAGEMENT)	1330-96	
QUARTERLY NEWSLETTER (RETIRED POLICE EMPLOYEES)	0280-05	
QUARTERLY ROUND-TABLE (MANAGERS)	0100-15	
QUARTERLY TAX REPORTS	0450-12	
QUESTIONNAIRES, PUBLIC	0100-26	
QUITCLAIM	0690-80	
RADIO ASSIGNMENTS (LAKES)	1370-20	
RAILROADS	1080-50	
RAMPS, HANDICAPPED	1020-15	
RANCHO ESCONDIDO MOBILEHOME PARK	0875-30	
RATES, RECLAIMED WATER	0480-59	
REAL PROPERTY ABANDONMENT'S	0690-40	
REAL PROPERTY ACQUISITIONS	0690-10	
REAL PROPERTY DEEDS	0690-80	
REAL PROPERTY DISPOSAL	0690-20	
REAL PROPERTY EASEMENTS	0690-80	
REAL PROPERTY INVENTORIES	0690-70	
REAL PROPERTY OFFERS OF DEDICATION	0690-30	
REAL PROPERTY RELINQUISHMENTS	0690-40	
REAL PROPERTY VACATIONS	0690-40	
REAL PROPERTY, LIENS AGAINST	0690-65	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
REAL PROPERTY/CITY OWNED MOBILEHOME PARKS	0695-00	FUNCTION
RECEIPTS, ARMORED TRANSPORT	0420-47	
RECEIPTS, DAILY CASH	0480-15	
RECEIPTS, UTILITIES	0480-25	
RECEPTION CENTER FOR DRUNKS	0250-31	
RECLAIMED WATER CUSTOMERS	1340-41	
RECLAIMED WATER LINE CONSTRUCTION	1340-70	
RECLAIMED WATER MANAGEMENT ADMINISTRATION	1340-02	
RECLAIMED WATER MANAGEMENT MASTER PLANS	1340-85	
RECLAIMED WATER MANAGEMENT PERMITS	1340-75	
RECLAIMED WATER MANAGEMENT REPORTS & STUDIES	1340-90	
RECLAIMED WATER RATES	0480-59	
RECLAIMED WATER USAGE	1340-40	
RECORDED DEEDS	0690-80	
RECORDED VACATION OF STREETS	0690-40	
RECORDS ACT (PUBLIC)	0670-65	
RECORDS DESTRUCTION LISTS	0160-35	
RECORDS MANAGEMENT	0160-00	FUNCTION
RECORDS RETENTION SCHEDULES	0160-50	
RECORDS TRANSFER LISTS	0160-30	
RECREATION	1140-00	FUNCTION
RECREATION CLASSES	1140-10	
RECREATION FACILITIES	0920-00	FUNCTION
RECREATION RESOURCES	1100-10	
RECREATION, EDUCATIONAL	1120-00	FUNCTION
RECRUITMENT APPEALS, EMPLOYEE	0740-60	
RECRUITMENT COMPLAINTS, EMPLOYEE	0740-60	
RECRUITMENT OF EMPLOYEES	0750-00	FUNCTION
RECRUITMENT TESTS/EXAMINATIONS DEVELOPMENT	0750-90	
RECYCLING CENTERS	1310-40	
RECYCLING OF MATERIALS	1310-10	
RECYCLING PROGRAMS	1310-40	
REDEVELOPMENT, GENERAL	0860-00	FUNCTION

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
REDEVELOPMENT PLAN	0860-20	
REDUCTION IN HOURS, VOLUNTARY	0110-70	
REFERENCE PUBLICATIONS	0105-20	
REFERENDUMS	0650-30	
REFUNDS, RINCON FIRE DISTRICT	0470-10	
REFUSE COLLECTION	1310-10	
REFUSE RECYCLING	1310-40	
REGIONAL TRAINING CENTER EXECUTIVE COMMITTEE	0760-60	
REGISTER, W-2	0450-57	
REGISTER WORKSHEETS, W-2	0450-56	
REGISTRAR OF VOTERS	0145-20	
REGISTRATIONS/PERMITS/LICENSES (POLICE)	0250-07	
REGULATIONS, FPPC (CONFLICT OF INTEREST)	0640-30	
REGULATORY AGENCIES	0145-00	FUNCTION
REHABILITATION (HOUSING/OWNER/RENTER)	0875-20	
REIDY CREEK FLOODWAY	1070-50	
RELINQUISHMENTS OF REAL PROPERTY	0690-40	
RELOCATION PERMITS	1000-10	
RENT (BASE) WORKSHEETS, MOBILEHOME	0697-10	
RENT CONTROL ADMINISTRATION	0697-20	
RENT CONTROL CASEFILES, MOBILEHOME	0697-20	
RENT CONTROL IN ESCONDIDO	0697-00	FUNCTION
RENT REVIEW BOARD	0625-00	FUNCTION
RENTER REHABILITATION	0875-20	
REPAIR, COMMUNICATIONS EQUIPMENT	0500-20	
REPAYMENT AGREEMENTS	0600-75	
REPORTS & STUDIES, BOND ISSUES	0440-90	
REPORTS & STUDIES, BUILDING & ENGINEERING PERMITS	1000-75	
REPORTS & STUDIES, CIVIL DEFENSE	0220-55	
REPORTS & STUDIES, COMPUTER RELATED	0110-20	
REPORTS & STUDIES, DATA PROCESSING	0110-20	
REPORTS & STUDIES, DEVELOPMENTS & SUBDIVISIONS, GENERAL	0800-90	
REPORTS & STUDIES, DISASTER PREPAREDNESS	0220-55	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
REPORTS & STUDIES, DOWNTOWN REVITALIZATION	0865-60	
REPORTS & STUDIES, DUPLICATING MACHINES	1240-40	
REPORTS & STUDIES, FLOOD CONTROL	1070-30	
REPORTS & STUDIES, HOUSING PROGRAM (GENERAL)	0875-70	
REPORTS & STUDIES, INVESTMENTS	0490-60	
REPORTS & STUDIES, MAIL CONTROL	0110-20	
REPORTS & STUDIES, PARKING	1060-75	
REPORTS & STUDIES, PERSONNEL	0110-20	
REPORTS & STUDIES, PRINTING	0110-20	
REPORTS & STUDIES, SEWER SYSTEM	1330-90	
REPORTS & STUDIES, SOFTWARE	0110-20	
REPORTS & STUDIES, STORM DRAINAGE	1070-30	
REPORTS & STUDIES, STREETS (GENERAL)	0110-20	
REPORTS & STUDIES, TRANSPORTATION	1080-70	
REPORTS & STUDIES, UTILITIES	1340-90	
REPORTS & STUDIES, WASTEWATER MANAGEMENT	1330-90	
REPORTS & STUDIES, WATER SYSTEM	1320-90	
REPORTS, AUDIT, EXTERNAL	0410-20	
REPORTS, BUILDING PERMIT	1000-75	
REPORTS, DEFERRED COMPENSATION FUND	0460-10	
REPORTS, DEPARTMENTAL	0110-20	
REPORTS, FIRE INCIDENT	0310-10	
REPORTS, FIRE/ARSON INVESTIGATION	0310-20	
REPORTS, PENSION FUND	0460-00	FUNCTION
REPORTS, PUBLIC INFORMATION	0150-65	
REPORTS, TREASURERS MONTH END INVESTMENT	0490-55	
REPORTS/INVESTIGATIONS, POLICE INCIDENT	0250-10	
REPRIMANDS OF POLICE OFFICERS	0730-10	
REQUEST FOR PROPOSAL, BIDS PENDING	0470-32	
REQUEST TO SPEAK FORM	0610-85	
REQUESTS FOR FINANCIAL SUPPORT, EXTERNAL	0430-20	
REQUESTS FOR NEW POSITIONS	0700-50	
REQUESTS, TRAFFIC-RELATED	1050-05	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
REQUISITIONS, BINDING	0470-20	
REQUISITIONS, PRINTING	0470-20	
REQUISITIONS, PURCHASE	0470-20	
RESEARCH, TECHNOLOGY INFORMATION	1280-10	
RESERVATION OF ROOMS, CITY FACILITIES	0900-20	
RESERVES, ESCONDIDO POLICE	0270-40	
RESERVOIRS	1320-10	
RESIGNATIONS, BOARD/COMMISSION MEMBERS	0120-10	
RESIGNATIONS, CITY COUNCIL	0610-70	
RESOLUTIONS, CITY COUNCIL/CDC/RRB	0680-20	
RESOLUTIONS, OVERSIGHT BOARD	0680-25	
RESOLUTIONS, PLANNING COMMISSION	0680-45	
RESOURCE MANAGEMENT EDUCATION	1120-70	
RESUMES, JOB APPLICANTS	0750-40	
RETENTION SCHEDULES, RECORDS	0160-50	
RETIRED POLICE OFFICERS NEWSLETTER	0280-05	
RETIREMENT FUND REPORTS (PERS)	0460-20	
RETIREMENT PLANS	0720-40	
RETREAT	0760-10	
RETURNED CHECKS	0420-41	
REVENUE & TAXATION ADMINISTRATION	0480-05	
REVENUE BONDS, OTHER	0440-45	
REVENUE BONDS, SEWER	0440-55	
REVENUE BONDS, WATER	0440-50	
REVENUE ESTIMATES	0430-50	
REVENUE FILES	0480-00	FUNCTION
REZONING	0800-40	
RFP, BIDS PENDING	0470-45	
RIDE SHARING	0230-09	
RINCON DEL DIABLO MUNICIPAL WATER DISTRICT	0145-85	
RINCON FIRE DISTRICT REFUNDS	0470-10	
RIOTS	0220-15	
RISK MANAGEMENT	0170-00	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
RISK MANAGEMENT ADMINISTRATION	0170-05	
RISK MANAGEMENT JOINT POWERS AUTHORITY	0170-80	
ROSTERS – MOBILE FIELD FORCE & PATROL	0250-08	
ROOFING MAINTENANCE (GENERAL)	0900-05	
ROOM RESERVATIONS, CITY FACILITIES	0900-20	
ROUND-TABLE, QUARTERLY (MANAGERS)	0100-15	
ROUNDTABLE, COMMUNITY RELATIONS	0137-30	
ROUTINE MONITORING – INTENTIONALLY CAPTURED VIDEO	1220-40	
RULES & REGULATIONS, ANIMAL CARE/CONTROL	0200-20	
RULES & REGULATIONS, BUILDING/ENG. PERMITS & INSPECTIONS	0110-30	
RULES & REGULATIONS, CURB IMPROVEMENT/INSTALLATION	0110-30	
RULES & REGULATIONS, DEVELOPMENTS	0110-30	
RULES & REGULATIONS, DRIVEWAY IMPROVEMENT/INSTALLATION	0110-30	
RULES & REGULATIONS, ENVIRONMENTAL PROTECTION	0230-80	
RULES & REGULATIONS, GAS & ELECTRICITY SUPPLY	1305-05	
RULES & REGULATIONS, HISTORIC SITE PRESERVATION	0110-30	
RULES & REGULATIONS, LAND USE CONTROL	0110-30	
RULES & REGULATIONS, MAIL CONTROL	0110-30	
RULES & REGULATIONS, PARKING	0110-30	
RULES & REGULATIONS, PLANNING	0110-30	
RULES & REGULATIONS, PUBLIC FACILITIES & GROUNDS	0900-40	
RULES & REGULATIONS, SIDEWALK IMPROVEMENT	0110-30	
RULES & REGULATIONS, SIGN CONTROL	0110-30	
RULES & REGULATIONS, STREET IMPROVEMENT	0110-30	
RULES & REGULATIONS, SUBDIVISIONS	0110-35	
RYAN PARK	0915-07	
SAFETY COMMISSION, TRANSPORTATION AND COMMUNITY	0120-10	
SAFETY COMMITTEE, CITY	0170-70	
SAFETY INSPECTIONS & ELEVATOR PERMITS	0900-25	
SAFETY PROGRAM, TRAFFIC (POLICE)	0280-15	
SAFETY PROGRAMS, SCHOOL	1050-35	
SAFETY TRAINING PROGRAMS	0170-71	
SAFETY, GENERAL	0170-75	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
SAFETY, PEDESTRIAN, GENERAL	1050-40	
SALARY SCHEDULES	0720-20	
SALARY STUDIES	0720-90	
SALARY SURVEYS	0720-80	
SALES TAX	0480-40	
SAN DIEGO ASSOCIATION OF GOVERNMENTS	0145-60	
SAN DIEGO COUNTY OFFICES	0145-20	
SAN DIEGO COUNTY WATER AUTHORITY	0145-80	
SAN DIEGO GAS & ELECTRIC (TRAFFIC-RELATED)	1050-75	
SAN DIEGO GAS & ELECTRICITY	0145-90	
SAN DIEGO TROLLEY	1080-40	
SANDAG	0145-60	
SCHOOL SAFETY PROGRAMS	1050-35	
SCHOOLS (COLLEGES & UNIVERSITIES)	1120-10	
SCHOOLS (ESCONDIDO UNION HIGH SCHOOL DISTRICT)	1120-30	
SCHOOLS (ESCONDIDO UNION SCHOOL DISTRICT)	1120-30	
SCHOOLS (PRIVATE)	1120-50	
SDG&E	0145-90	
SDG&E (TRAFFIC-RELATED)	1050-75	
SEMINARS, EMPLOYEE	0760-10	
SENIOR HOUSING PROGRAM	0875-14	
SERVICE (CUSTOMER) PROGRAM	0100-25	
SERVICE CARDS, CUSTOMER	0100-26	
SERVICE REQUESTS, COMMUNICATIONS EQUIPMENT	0500-10	
SEWAGE TREATMENT PLANT	1330-05	
SEWAGE TREATMENT PLANT EXPANSION	1330-05	
SEWAGE/WATER PLANT CAPACITY REPORT	1330-05	
SEWER CAPITAL PROJECTS	1330-70	
SEWER CLAIMS, DELINQUENT	0170-15	
SEWER CONNECTION RIGHTS	1330-50	
SEWER EASEMENTS STORM DRAINS	0690-80	
SEWER EASEMENTS STORM DRAIN/WATER	0690-80	
SEWER EFFLUENTS, SLUDGE & SOLIDS	1330-40	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
SEWER MAINTENANCE	1330-10	
SEWER OUTFALL	1330-45	
SEWER PUMP STATIONS	1330-20	
SEWER RATES	0480-49	
SEWER REPAYMENT AGREEMENTS	0600-75	
SEWER REVENUE BONDS	0440-55	
SEWER SERVICE AGREEMENTS (OUTSIDE CITY LIMITS)	0600-80	
SEWER SYSTEM MASTER PLANS	1330-85	
SEWER SYSTEM PERMITS	1330-75	
SEWER SYSTEM REPORTS & STUDIES	1330-90	
SEXUAL HARASSMENT	0700-03	
SFP (SUBAREA FACILITY PLANS)	0800-35	
SHOE ALLOWANCE	0740-30	
SHOOTING BOARD OF REVIEW	0280-95	
SHUTOFF LISTS	1320-34	
SIDEWALK CAPITAL PROJECTS	1020-75	
SIDEWALK EASEMENTS	0690-80	
SIDEWALKS	1020-05	
SIGN CONTROL	0885-00	FUNCTION
SIGN CONTROL RULES & REGULATIONS	0110-30	
SIGN PERMITS	0885-10	
SIGNAL PROJECTS, TRAFFIC	1050-65	
SIGNING, TRAFFIC	1050-80	
SISTER CITY PROGRAM	0150-75	
SITE SUPERVISORS INCIDENT REPORT	1100-15	
SITE SUPERVISORS REPORT	0900-12	
SKATEBOARD TASK FORCE	0680-50	
SLOPE RIGHTS EASEMENTS	0690-80	
SLUDGE, SOLIDS & EFFLUENTS	1330-40	
SMALL FAMILY/NEW CONSTRUCTION HOUSING PROGRAM	0875-13	
SOBERING CENTER, COMMUNITY	0260-30	
SOBRIETY CHECKPOINT OP PLANS, TRAFFIC	0251-15	
SOCIAL SERVICES	0260-00	FUNCTION

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
SOFTWARE	1230-00	FUNCTION
SOFTWARE APPLICATIONS, WORK REQUESTS	1230-20	
SOFTWARE REPORTS & STUDIES	0110-20	
SOFTWARE SYSTEMS ADMINISTRATION	1230-05	
SOLID WASTE MASTER PLANS	1310-50	
SOLIDS, SLUDGE & EFFLUENTS	1330-40	
SOUTHERN CALIFORNIA, METROPOLITAN WATER DISTRICT	0145-86	
SPECIAL ENFORCEMENT PROJECTS (POLICE)	0250-63	
SPECIAL EVENTS/PROGRAMS	1140-20	
SPECIAL INVESTIGATIONS	0250-10	
SPECIAL ISSUES (HOUSING PROGRAM)	0875-55	
SPECIAL ORGANIZATIONS (CREATED BY CITY)	0137-00	
SPECIAL REPORTS, FINANCE	0400-93	
SPECIAL USE LOTS	0810-15	
SPECIFIC INQUIRIES & MATTERS (FPPC)	0640-40	
SPECIFIC PLANS	0800-70	
SPECIFIC PLANS, STREET	1020-20	
SPECIFICATIONS, FIRE APPARATUS/EQUIPMENT	0370-30	
SPEECHES/LECTURES	0150-80	
SPEED ZONES (TRAFFIC SCHEDULES)	1050-50	
SPEED ZONING	1050-20	
SPHERES OF INFLUENCE	0850-40	
SPORTS ACTIVITIES, ADULT	1130-20	
SPORTS ACTIVITIES, YOUTH	1130-30	
SPORTS PLANNING	1130-10	
SPRINKLER BUILDING FILES (PLANS)	0320-35	
STAFF MEETINGS	0110-50	
STAFF REPORT, AGENDA (CITY COUNCIL)	0610-75	
STAFFING, DEPARTMENTAL	0110-60	
STALE-DATED CHECKS	0420-38	
STATE AGENCIES	0145-30	
STATE DISABILITY INSURANCE	0170-30	
STATE FUNDING PROGRAMS	0480-80	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
STATE GRANTS (UNSUCCESSFUL)	0480-80	
STATEMENT OF FUND BALANCES, MONTHLY (TREASURER'S)	0400-85	
STATEMENTS OF ECONOMIC INTEREST (ORIGINALS FILED WITH CITY)	0640-10	
STATEMENTS OF ECONOMIC INTEREST (ORIGINALS FILED WITH STATE)	0640-15	
STATISTICAL DATA, CITY	0840-40	
STATISTICS/SURVEYS (POLICE)	0280-80	
FUND, LOCAL AGENCY (LAIF)	0490-30	
STATUES	1110-20	
STOP PAYMENTS	0420-42	
STOP SIGNS (TRAFFIC SCHEDULES)	1050-50	
STORAGE TANKS, UNDERGROUND	0230-35	
STORM DRAIN BASINS	1070-10	
STORM DRAIN CAPITAL PROJECTS	1070-50	
STORM DRAIN REPAYMENT AGREEMENTS	0600-75	
STORM DRAINAGE MASTER PLANS	1070-20	
STORM DRAINAGE REPORTS & STUDIES	1070-30	
STORM WATER DISCHARGE (INDUSTRIAL ACTIVITY)	1350-20	
STORM WATER SUBCONTRACTOR LAB RESULTS	1350-40	
STREET ALIGNMENTS/WIDENINGS	1020-25	
STREET CAPITAL PROJECTS	1020-75	
STREET EASEMENTS	0690-80	
STREET IMPROVEMENT RULES & REGULATIONS	0110-30	
STREET LIGHTING	1020-40	
STREET MILEAGE INVENTORIES	1020-30	
STREET NAMING	1020-35	
STREET REPAYMENT AGREEMENTS	0600-75	
STREET REPORTS & STUDIES (GENERAL)	0110-20	
STREET SPECIFIC PLANS	1020-20	
STREET STRIPING	1050-85	
STREET WIDENINGS/ALIGNMENTS	1020-25	
STRIPING OF STREETS	1050-85	
STUDIES, DEPARTMENTAL	0110-20	
STUDIES, SALARY	0720-90	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
STUDIES, TRAFFIC, GENERAL	1050-45	
SUBAREA FACILITY PLANS (SFP)	0800-35	
SUBCOMMITTEES, CITY COUNCIL	0610-55	
SUBCONTRACT LAB RESULTS	1330-95	
SUBDIVISION REPORTS & STUDIES, GENERAL	0800-90	
SUBDIVISION RULES & REGULATIONS	0110-30	
SUBDIVISIONS	0800-10	
SUBDIVISIONS, COUNTY	0800-11	
SUBPOENAS	0675-30	
SUBPOENAS, DEPOSITION (FOR BUSINESS RECORDS)	0670-66	
SUGGESTIONS, EMPLOYEE	0700-40	
SUPPLEMENTARY BACTI TEST (DRINKING WATER MANAGEMENT)	1360-35	
SUPPLIES & EQUIPMENT BIDS	0470-30	
SUPPLY BIDS	0470-45	
SUPPLY INVENTORIES	0470-50	
SURPLUS PROPERTY DISPOSAL (REAL PROPERTY)	0690-20	
SURPLUS PROPERTY DISPOSITION (OTHER THAN LISTED UNDER 0470)	0470-65	
SURVEY MAPS (ENGINEERING)	1010-20	
SURVEY PROJECTS (ENGINEERING)	1010-20	
SURVEYS, TRAFFIC, GENERAL	1050-45	
SURVEYS/STATISTICS (POLICE)	0280-80	
SUSPENSIONS OF POLICE OFFICERS	0730-10	
TACTICAL OPERATIONS UNIT	0250-60	
TAKE HOME CAR PLAN (POLICE)	0290-30	
TASK FORCE, ECONOMIC DEVELOPMENT	0865-20	
TASK FORCE, SKATEBOARD	0680-50	
TASK FORCE, TRAFFIC & TRANSPORTATION	1080-65	
TAX ALLOCATION BONDS	0440-60	
TAX ASSESSOR	0145-20	
TAX ASSESSOR POSSESSORY INTEREST	0145-20	
TAXES	0480-40	
TECHNOLOGY INFORMATION	1280-00	FUNCTION
TECHNOLOGY INFORMATION RESEARCH	1280-10	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
TECHNOLOGY PROJECTS	1280-20	
TELECOMMUNICATIONS	1260-20	
TELEPHONE AND RADIO COMMUNICATION RECORDINGS	0250-02	
TELEPHONE EASEMENTS	0690-80	
TELEPHONE, GENERAL	1260-20	
TELEVISION FOUNDATION, NORTH COUNTY COMMUNITY	0135-10	
TEMPORARY EMPLOYEES	0730-30	
TEN-FIVE WORK PLAN	0110-70	
TERMITES	0230-60	
TESTING, DRUG	0700-80	
FUND, LOCAL AGENCY (LAIF)	0490-30	
THE GRAPEVINE	0700-30	
THE THEATER (CA CENTER FOR THE ARTS)	0910-10	
THIRD-PARTY CLAIMS	0170-15	
THROUGH ONE-WAY ALLEYS (TRAFFIC SCHEDULES)	1050-50	
TIME CARDS	0450-20	
TIMED PARKING (TRAFFIC SCHEDULES)	1050-50	
TOWING SERVICES	0250-55	
TRACKING OF PROJECTS, SOFTWARE WORK REQUESTS	1230-20	
TRAFFIC & TRANSPORTATION TASK FORCE	1080-65	
TRAFFIC ACCIDENTS	1050-10	
TRAFFIC CIRCULATION	1050-15	
TRAFFIC COMPLAINTS/REQUESTS	1050-05	
TRAFFIC CONTROL DEVICES COMMITTEE	1050-55	
TRAFFIC CORRESPONDENCE, GENERAL	1050-90	
TRAFFIC ENGINEERING POLICIES & PROCEDURES	0110-30	
TRAFFIC PROJECTS (OTHER THAN STREETS)	1050-30	
TRAFFIC SCHEDULES	1050-50	
TRAFFIC SCHEDULES, OTHER	1050-50	
TRAFFIC SIGNAL PROJECTS	1050-65	
TRAFFIC SIGNS	1050-80	
TRAFFIC – SOBRIETY CHECKPOINT OP PLANS	0251-15	
TRAFFIC STRIPING/MARKINGS	1050-85	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
TRAFFIC STUDIES, GENERAL	1050-45	
TRAFFIC SURVEYS, GENERAL	1050-45	
TRAFFIC VOLUME COUNTS	1050-25	
TRAINING	0780-00	
TRAINING (COMPLETED AND ONGOING EMPLOYEE TRAINING)	0780-05	
TRAINING PROGRAM, DIVERSITY	0100-25	
TRAINING PROGRAMS, DISASTER PREPAREDNESS	0220-50	
TRAINING PROGRAMS (ROSTERS)	0780-10	
TRAINING PROGRAMS, SAFETY	0170-71	
TRAINING RECORDS (FIRE)	0300-30	
TRAINING STANDARDS, PEACE OFFICER (P.O.S.T.)	0700-95	
TRANSCRIPTS, CITY COUNCIL MEETING (VERBATIM)	0610-45	
TRANSFER LISTS, RECORDS CENTER	0160-30	
TRANSFER OF FUNDS ADVICE	0420-45	
TRANSFER REQUESTS, EMPLOYEE	0750-20	
TRANSFERS, FUND	0430-80	
TRANSIENT LODGING (LAND USE)	0800-40	
TRANSIT CENTER	1080-10	
TRANSIT DISTRICT, NORTH COUNTY	0145-70	
TRANSITIONAL HOUSING PROGRAM	0875-12	
TRANSPORTATION & COMMUNITY SAFETY COMMISSION	0120-10	
TRANSPORTATION & TRAFFIC TASK FORCE	1080-65	
TRANSPORTATION PLANNING, GENERAL	1080-65	
TRANSPORTATION REPORTS & STUDIES	1080-70	
TRANSPORTATION, BUS	1080-30	
TRANSPORTATION, LIGHT RAIL	1080-40	
TRANSPORTATION, RAILROAD	1080-50	
TRASH COLLECTION	1310-10	
TRASH RECYCLING	1310-40	
TRAUMA CARE CENTERS	0240-20	
TRAVEL EXPENSE STATEMENTS	0400-15	
TREASURER'S MONTHLY STATEMENT OF FUND BALANCES	0400-85	
TREASURER'S REPORTS	0400-85	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
TREASURERS MONTH END INVESTMENT REPORT	0490-55	
TRIP REDUCTION & CONGESTION MANAGEMENT (EMPLOYEE)	0230-06	
TROLLEY, SAN DIEGO	1080-40	
UNDERCOVER PLATES	0290-15	
UNDERGROUND SERVICE ALERTS	1010-60	
UNDERGROUND STORAGE TANKS	0230-35	
UNDERGROUND UTILITY DISTRICTS	1300-20	
UNEMPLOYMENT INSURANCE	0170-50	
UNIFIED NORTH COUNTY LIBRARY DISTRICT	0145-20	
UNIFORM ALLOWANCE	0740-30	
UNIFORM BUILDING CODE	0680-50	
UNIFORM HOUSING CODE	0680-50	
UNIFORM INSPECTIONS	0110-60	
UNIFORM MECHANICAL CODE	0680-50	
UNITED WAY/CHAD	0140-20	
UNIVERSITIES	1120-10	
UNPAID AND CLOSED COLLECTION ACCOUNTS	0400-08	
UNSAFE STRUCTURES	0660-20	
UNSAFE STRUCTURES, DEMOLITION	1000-10	
UNUSUAL OCCURRENCES (POLICE)	0250-10	
USAGE INFORMATION (GAS & ELECTRICITY)	1305-10	
USAGE, RECLAIMED WATER	1340-40	
USE OF CITY VEHICLE LOG	0450-60	
USE PERMITS, FACILITY	0900-20	
UTILITIES	1340-00	FUNCTION
UTILITIES BILLINGS & RECEIPTS	0480-25	
UTILITIES EASEMENTS	0690-80	
UTILITIES MASTER PLANS	1340-85	
UTILITIES PERMITS	1340-75	
UTILITIES REPORTS & STUDIES	1340-90	
UTILITIES RULES & REGULATIONS	0110-30	
UTILITIES, CAPITAL PROJECTS	1340-70	
UTILITY BILLING AND CASHIER REPORTS	0400-75	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
UTILITY DISTRICTS, UNDERGROUND	1300-20	
VACATION OF STREETS	0690-40	
VACATION SCHEDULES	0110-70	
VACATIONS OF REAL PROPERTY	0690-40	
VANDALISM OF CITY BUILDINGS	0900-30	
VAPOR RECOVERY TESTING	0230-95	
VARIANCES	0800-40	
VEGETATION REMOVAL PERMITS	0810-17	
VEHICLE ABATEMENT CLAIMS	0170-15	
VEHICLES, ABANDONED	0660-20	0250-55
VEHICLES, POLICE	0290-10	
VEHICULAR VOLUME COUNTS	1050-25	
VENDING MACHINES REGISTRY	0250-07	
VENDOR INFORMATION (RESOURCES)	1100-10	
VENDOR LISTS/BROCHURES	0470-80	
VERBATIM TRANSCRIPTS, CITY COUNCIL MEETINGS	0610-45	
VETERANS MEMORIAL BUILDING COMMITTEE	0135-10	
VIDEO, COUNCIL MEETING	1220-20	
VIDEO, POLICE DEPARTMENT INVESTIGATION (NONEVIDENTIARY)	0250-95	
VIDEO, POLICE DEPARTMENT INVESTIGATION (EVIDENTIARY)	0250-96	
VIDEO, INTENTIONALLY OBTAINED RECORDINGS	1220-40	
VIEWS MOBILEHOME PARK (THE)	0875-31	
VISITORS & CONVENTION BUREAU	0135-10	
VISUAL ARTS CENTER (CA CENTER FOR THE ARTS)	0910-10	
VOLUNTARY REDUCTION IN HOURS	0110-70	
VOLUNTEER RECORDS	0770-20	
VOLUNTEERS	0770-00	FUNCTION
VOUCHERS, JOURNAL	0400-70	
WAIVER OF SECONDARY-TREATMENT (SEWER)	1330-05	
WAIVER REQUESTS, FEE	0480-55	
WAREHOUSE INVENTORIES	0470-50	
WARRANT REGISTERS	0400-40	
WASTE, INDUSTRIAL	1330-35	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
WASTEWATER LAB LOG BOOKS	1330-93	
WASTEWATER LAB WORK BOOKS	1330-94	
WASTEWATER MANAGEMENT	1330-00	FUNCTION
WASTEWATER MANAGEMENT PERMITS	1330-75	
WASTEWATER MANAGEMENT REPORTS & STUDIES	1330-90	
WASTEWATER MASTER PLANS	1330-85	
WASTEWATER TREATMENT PLANT	1330-05	
WASTEWATER VIOLATIONS	1330-34	
WATER & SEWAGE PLANT CAPACITY REPORTS	1320-05	
WATER AUTHORITY, SAN DIEGO COUNTY	0145-80	
WATER CAPITAL PROJECTS	1320-70	
WATER CLAIMS, DELINQUENT	0170-15	
WATER COMPANY PROPERTY, ESCONDIDO MUTUAL (FORMER)	1320-45	
WATER CONNECTION RIGHTS	1320-50	
WATER CONSERVATION	0230-70	
WATER DISTRICT, RINCON DEL DIABLO MUNICIPAL	0145-85	
WATER EASEMENTS	0690-80	
WATER LINE CONSTRUCTION (RECLAIMED WATER)	1340-70	
WATER MANAGEMENT ADMINISTRATION	1320-02	
WATER MANAGEMENT VIOLATIONS	1320-96	
WATER METER SETS, PERMANENT	1320-30	
WATER PUMP STATIONS	1320-20	
WATER QUALITY	0230-65	
WATER QUALITY COMPLAINTS	1360-40	
WATER QUALITY REPORTS (DINKING WATER MANAGEMENT)	1360-05	
WATER RATES	1320-65	
WATER REPAYMENT AGREEMENTS	0600-75	
WATER REVENUE BONDS	0440-50	
WATER SERVICE INFORMATION	1320-36	
WATER SUPPLY	1320-55	
WATER SYSTEM MASTER PLANS	1320-85	
WATER SYSTEM PERMITS	1320-75	
WATER SYSTEM REPORTS & STUDIES	1320-90	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
WATER SYSTEM RULES & REGULATIONS	0110-30	
WATER TREATMENT PLANT	1320-05	
WATER USAGE	1320-40	
WATER USE CERTIFICATES, AGRICULTURAL	1320-41	
WATER WELLS	1320-55	
WEED ABATEMENT (CITY PROPERTY)	0350-10	
WEED ABATEMENT (PRIVATE PROPERTY)	0350-20	
WEEKLY CHECK REGISTER	0420-61	
WEEKLY PLANT CHECKLIST	1320-28	
WELFARE PROGRAMS	0260-15	
WELLNESS PROGRAMS	0700-15	
WELLS	1320-55	
WIRE TRANSFERS	0420-46	
WIRING INSTRUCTIONS (INVESTMENT)	0490-10	
WITHDRAWALS, STOCKROOM	0470-47	
WOHLFORD LAKE	0915-55	
WORD PROCESSING WORK REQUESTS	1210-20	
WORK ORDERS, BUILDING MAINTENANCE	0900-05	
WORK ORDERS, COMMUNICATIONS EQUIPMENT	0500-10	
WORK PROGRAMS, CITY COUNCIL	0610-95	
WORK PROJECTS, GEOGRAPHIC INFORMATION SYSTEM	1270-10	
WORK REQUESTS, WORD PROCESSING	1210-20	
WORK SCHEDULES	0110-70	
WORK SERVICE PROGRAM (COMMUNITY)	0250-14	
WORKER'S COMPENSATION CASE FILES	0170-55	
WORKER'S COMPENSATION INSURANCE	0170-55	
WORKERS COMPENSATION BANK REGISTERS	0420-30	
WORKERS COMPENSATION CHECK STUBS	0420-40	
WORKERS COMPENSATION DEPOSIT SLIPS	0420-43	
WORKERS COMPENSATION, GENERAL	0170-56	
WORKERS COMPENSATION/LOA/SDI REPORTS	0450-35	
WORKSHEETS, BANKING DISBURSEMENT	0420-61	
WORKSHEETS, CASH RECONCILIATION (BANKING)	0420-62	

CITY OF ESCONDIDO
ALPHABETICAL CROSS-REFERENCE
As of 03-23-2016

Document Name	File Number	File Number
WORKSHEETS, DAILY BANKING	0420-60	
YIELD (TRAFFIC SCHEDULES)	1050-50	
YOUTH SPORTS ACTIVITIES	1130-30	
ZONE PHONE INFORMATION SYSTEM	1260-20	
ZONING CODE	0680-50	
ZONING CODE AMENDMENTS	0810-20	
ZONING CODE AMENDMENTS, PROPOSED	0810-20	

APPENDIX D
CITY OF ESCONDIDO
RECORDS RETENTION SCHEDULES

Codes and Abbreviations

The following codes are used in the (OPR) column of the retention schedules:

OPR	Office of Primary Responsibility. The department(s) shown is responsible for preserving original records within the record series until retention requirements have been met.
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Department Abbreviations

BLDG MAINT	=	Building Maintenance
BLDG	=	Building
CA	=	City Attorney
CDBG	=	Community Development Block Grant (Engineering)
CE	=	Code Enforcement
CC	=	City Clerk
CM	=	City Manager
CS	=	Community Services
CSC	=	Citizen Services Center
DEPT	=	Departmental – (categories that can be used by all departments)
EB	=	Employee Benefits
ED	=	Economic Development
ENGR	=	Engineering (Administration and Field)
ENGR Design	=	Engineering Design
ENGR Traffic	=	Engineering Traffic
FD	=	Fire Department
FIN	=	Finance
GIS	=	Geographical Information Systems (Engineering)
GR	=	Graphics (Planning)
HARRF	=	Hale Avenue Resource Recovery Facility
HR	=	Human Resources
HSG	=	Housing
IS	=	Information Systems
LIB	=	Library
MH	=	Mobilehome (City Attorney)
PD	=	Police Department
PLAN	=	Planning
PR	=	Payroll
PURCH	=	Purchasing
PW	=	Public Works
RM	=	Risk Management
ROW	=	Right of Way
TRES	=	City Treasurer
UTL Billing	=	Utility Billing
VOL	=	Volunteer (Human Resources)
UTL	=	Utilities
WC	=	Workers Compensation
WTP	=	Water Treatment Plant

CITY OF ESCONDIDO
RECORDS RETENTION SCHEDULES

Codes and Abbreviations

Retention Codes

AA	=	After Audit
AC	=	After Completed or Closed
AD	=	After Denied or Disposition
AE	=	After Expired
AP	=	After Paid
AS	=	After Superseded, Settled, or Sealed
AT	=	After Terminated
D/R	=	Department Reference
I	=	Image
M	=	Micromedia
N/A	=	Not Applicable
P	=	Permanent
US	=	Until Superseded, Settled, or Surplused
UC	=	Until Completed or Closed
UD	=	Until Denied or Disposition
UE	=	Until Expired
UP	=	Until Paid
UT	=	Until Terminated
WC	=	While Current

Media Codes

E	=	Electronic
P	=	Paper
T	=	Audio Tape
V	=	Video Tape
AR	=	Audio Recording

Notes:

Retention times are indicated in the number of years.

Retention requirements are temporal and may change as laws are created or amended; the retention schedules should be reviewed on an established basis.

Retention Schedule Adopted: March 23, 2016, by Resolution No. 2016-32

REFERENCE

City of Escondido, California CITY-WIDE RECORDS MANAGEMENT PROGRAM		Effective Date: Issued: June 1988 Revised: March 2016
Subject: GLOSSARY OF TERMS		Page 1 of 5
TERM	DESCRIPTION	
Appraisal	On the basis of information gathered from a records inventory, each identifiable record series can be appraised for its legal, financial, administrative and historical value for the purpose of establishing retention periods.	
Archives	A repository for housing permanent or historic records, whether in paper, microfilm, imaged or electronic form, which must be protected and preserved from destruction.	
Autoindex	The computer program used to reference information in the Legislative History Indexes and records in the filing system or in inactive/archival storage from 1987 through 1997.	
Copy	A copy is a duplicate or duplicate original, an original of which is on file elsewhere in the filing system. Copies, which do not meet the above criteria, are considered to be originals. For example, "original" correspondence from the City is provided to the addressee, and, therefore, the "copy" becomes the City's original.	
Department Records Personnel	The person(s) within a department assigned the lead responsibility for maintaining the records program, coordinating the department's annual records review, interfacing with the Records Manager or Division Coordinator, and filing or retrieving departmental records.	
Division Coordinator (Records)	The person who, under the direction of the Records Manager, oversees day to day activities of the Citywide records and information management program; assists departments as necessary in maintaining the records program; maintains the Records Center for storage of inactive records; receives and indexes records for storage; manages the retrieval of records from the Records Center; maintains master and departmental records locator logs; prepares annual departmental records destruction lists for submittal to the City Clerk and Deputy City Clerk; updates the records management manual indexes and polices; maintains an Archives to protect vital records; and supervises temporary clerical staff.	

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988 Revised: March 2016
Subject:		Page 2 of 5
GLOSSARY OF TERMS		
TERM	DESCRIPTION	
Disposition	The allocation of public records to a particular location according to their categorization, or for destruction.	
EIMS	Electronic Information Management System provides access to City information via the City’s network and Internet Website to both the public and city employees; integrates existing information to provide complete information access through one system.	
Fiscal Value	Refers to the retention of records, which pertain to the financial transactions of the City, such as budgets, ledgers, allotments, payrolls and vouchers. After such records have served their basic function and have met their legal retention requirements, they may still have sufficient value to justify their retention in storage for a time to protect the City against court action or to account for the expenditure of funds.	
Functional Filing System	A system of filing, which is based on the primary services (functions) performed by the City. Records and documents are filed by what is being done (function) rather than by who is doing it. The system is organized by functions, categories and subcategories, and each subject has been given its own numeric code. This contrasts with random numeric or alphabetic systems.	
Historical Value	Refers to the retention of records, which have enduring value because they reflect significant historical events or document the history and development of the city.	
Inactive Record	Any public record, which is transferred to storage until it has met its specific retention requirement and may be destroyed. “Inactive record” does not include any public record which is permanent or historic in nature and which must be protected and preserved from destruction.	
Inventory	The process of examining records to determine their function, content and dates in order to assign retention/disposition information.	

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988 Revised: March 2016
Subject:		Page 3 of 5
GLOSSARY OF TERMS		
TERM	DESCRIPTION	
Legal Value	Refers to the retention of records containing evidence of legally enforceable rights or obligations. Examples are decisions and opinions; fiscal documents representing agreements, such as leases, titles and contracts; and records of action in particular cases, such as claim papers and legal dockets	
Legislative History Index	A computerized index (Autoindex) to the actions taken by the City Council, Community Development Commission, Planning Commission and Community Services Commission. The index includes the file number, date of action and the action taken on all topics considered by the legislative bodies over a specified period of time.	
Locator Log	Logs, both in paper and computer form, which list stored records by record series or file titles, destruction date and storage location.	
Office of Primary Responsibility (OPR)	The department having responsibility for preserving original records until retention requirements have been met. The OPR for specific records series is identified on the retention schedules.	
Optical Character Recognition (OCR)	OCR is a term used in imaging records for electronic access. OCR'd documents provide full-text and subject search and retrieval capabilities.	
Original	An original is the City's record copy of a document, on file with the office of primary responsibility (OPR). An original may actually be a "copy", as is the case of correspondence from the City. The "original" is provided to the addressee, and therefore, the "copy" becomes the City's original.	
Public Record	Any writing, regardless of physical form or characteristics, which is created, owned, used, maintained or retained in the conduct of city business and preserved as evidence of the organization, functions, policies, decisions, procedures, operations or other activities, or because of the informational value of data contained therein. "Public record" does not include: (a) records pertaining to pending litigation to which the agency is a party; (b) personnel or medical	

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988 Revised: March 2016
Subject:		Page 4 of 5
GLOSSARY OF TERMS		
TERM	DESCRIPTION	
Public Record (continued)	files, the disclosure of which would be an invasion of privacy; (c) certain investigatory or security files of a local policy agency; (d) examination data for licensing or employment; (e) contents of public acquisition appraisals or bids for public supply or construction contracts, until the contracts have been executed; (f) local taxpayer information received in confidence, if disclosure would result in unfair competitive disadvantage; (g) library circulation records, except for records of fines; (h) records the disclosure of which is prohibited by Federal or State law, including provisions of the Evidence Code; (i) records in the custody of the City Attorney; (j) personal financial data required by a licensing agency; (k) employer/employee collective bargaining records, and (l) those certain records which are not retained by the City in the ordinary course of business, provided the public interest in withholding the record clearly outweighs the public interest in disclosure. Such exempt records include, but are not limited to, preliminary drafts, notes, interagency and intra-agency memoranda and bulletins, messages and working papers customarily discarded, confidential communications from the City Attorney, stenographic notes and tapes used in transcription.	
Questys	Questys is an integrated text and image management system capable of inputting, processing, storing and retrieving documents on a P.C. Questys software also provides an Optical Character Recognition (OCR) process and Computer Output to Laser Disk (COLD) capabilities.	
Records Center	A central repository for housing inactive records until they have met their retention requirements and may be destroyed.	
Records Management	The systematic control of the creation, acquisition, processing, use, protection, storage and final disposition of all public records, including the establishment and maintenance of a system of filing and indexing public records.	

City of Escondido, California		Effective Date:
CITY-WIDE RECORDS MANAGEMENT PROGRAM		Issued: June 1988 Revised: March 2016
Subject:		Page 5 of 5
GLOSSARY OF TERMS		
TERM	DESCRIPTION	
Records Management Committee	A committee established in 1987 consisting of representatives from all City departments. The Committee provided input into the design of the records management program and reviewed changes, additions or deletions to the filing system and the records management program. The Committee has not been active for many years. If activated, Division Coordinators would be committee members with the Deputy City Clerk/Records Manager as the chair.	
Research Value	Refers to the retention of records that may have some enduring value because they document the history and development of the City. Records selected for retention for research purposes must be examined critically and re-evaluated periodically to ensure that the material being accumulated is actually filling a valid research need.	
Retention Schedule	The document describing the records maintained by the City and specifying, in accordance with statutory requirements, or evaluation, the period of time which must elapse before they may be destroyed.	
Unified Filing System	A system of filing in which all Departments use the same numbering system for similar types of records.	
VARs	VARs is an acronym for Vital Alternate Records Storage. Copies, or microfilmed originals, of vital and critical records (those records necessary for continued City operations, such as Ordinances, Resolutions, minutes, deeds, agreements, etc.) should be stored in an alternate, off-site location where they are protected, preserved and accessible in case of a disaster during which records at City Hall are lost, destroyed or inaccessible.	
Versatile Professional	Records Management System Software, providing staff access to records management information via the Versatile Web Portal for records retrieval of archived files.	
Writing	Handwriting, typewriting, printing, Photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic film and prints, magnetic or punched cards, discs drums and other documents.	

GOVERNMENT CODE - GOV

TITLE 4. GOVERNMENT OF CITIES [34000 - 45345]

(Title 4 added by Stats. 1949, Ch. 79.)

DIVISION 1. CITIES GENERALLY [34000 - 34102]

(Division 1 added by Stats. 1949, Ch. 79.)

CHAPTER 1. General [34000 - 34095]

(Chapter 1 added by Stats. 1949, Ch. 79.)

ARTICLE 4. Miscellaneous [34090 - 34095]

(Article 4 added by Stats. 1949, Ch. 79.)

34090.

Unless otherwise provided by law, with the approval of the legislative body by resolution and the written consent of the city attorney, the head of a city department may destroy any city record, document, instrument, book, or paper, under the department head's charge, without making a copy thereof, after the same is no longer required.

This section does not authorize the destruction of:

- (a) Records affecting the title to real property or liens thereon.
- (b) Court records.
- (c) Records required to be kept by statute.
- (d) Records less than two years old.
- (e) The minutes, ordinances, or resolutions of the legislative body or of a city board or commission.

This section shall not be construed as limiting or qualifying in any manner the authority provided in Section 34090.5 for the destruction of records, documents, instruments, books, and papers in accordance with the procedure therein prescribed.

(Amended by Stats. 2018, Ch. 467, Sec. 15. (SB 1498) Effective January 1, 2019.)

RESOLUTION NO. 2020-42

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE DESTRUCTION OF
CERTAIN POLICE DEPARTMENT RECORDS

WHEREAS, the City Clerk of the City of Escondido ("City") has described and identified City records, which are more than two (2) years old. These records, as listed in Exhibit "A," do not affect the title to real property or liens thereon, are not court records, are not required to be kept further by a statute, are no longer required by the City Clerk, and are of a classification qualifying for destruction in accordance with the provisions of Government Code Section 34090 et seq.; and

WHEREAS, the City Attorney consents to the destruction of the described records in the certification and application of the City Clerk as set forth in Exhibits "A" and Exhibits "B," both of which are attached to this Resolution and are incorporated by this reference; and

WHEREAS, once the destruction of records is complete, as set forth in Exhibit "A" and "Exhibit B," the City Clerk is authorized to certify the destruction of records.

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 finds that there is good cause to approve the destruction of the identified City records as set forth in Exhibit "A" and Exhibit "B."



**CITY OF ESCONDIDO
DESTRUCTION OF PUBLIC RECORDS**

I hereby certify that: the records listed below are more than two years old, do not affect the title to real property or liens thereon, are not court records, are not, to my knowledge, required to be kept further by a statute, are not the minutes, ordinances or resolutions of the legislative body of the City or of any City Board or Commission, and are no longer required by the City. I request authority to destroy same pursuant to Section 34090 of the Government Code of California.

The following records may be destroyed, after approval by City Council, as specified by Government Codes 34090 and 34090.6. Records in Category A qualify for destruction by being not less than two years old. These records are dated before December 31, 2017. Records in Category B qualify for destruction by being not less than three years old. These records are dated before December 31, 2016. Records in Category C qualify for destruction by being not less than four years old. These reports are dated before December 31, 2015. Records in Category D qualify for destruction by being not less than five years old. These reports are dated before December 31, 2014. Records in Category E qualify for destruction by being not less than five years old, which contains Internal Affairs Investigations of citizen and internal complains. These reports are dated before December 31, 2014. Records in Category F qualify for destruction by being not less than seven years old. These reports are dated before December 31, 2012. Records in Category G qualify for destruction by being not less than fifteen years old. These records are dated before December 31, 2004.

Police Department Head

Date: _____

I have reviewed the above-described records for historical value and for compliance with the established retention requirements, and I consent to their destruction.

City Attorney

Date: _____

I hereby certify that pursuant to the foregoing authority, the above-described records were destroyed on _____, _____.

City of Escondido

Authorization to Destroy Public Records
Contents and Inclusive Dates

- A. Records in Category A qualify for destruction by being not less than two years old.
1. Records of telephone and radio communications recorded in the normal course of business on a daily basis (where such recordings are not evidence in any claim file or any pending litigation or potential claim or litigation);
 2. Auction Records;
 3. Death Reports, where there are natural causes involved and the investigation has been closed;
 4. Lost and Found property reports where the items referred to have either not been located or have been otherwise disposed of according to law;
 5. Impounded and stored property reports, including abated vehicle reports, where items referred to have been released or otherwise disposed of according to law;
 6. Missing persons and runaway juvenile reports where the persons referred to have been returned or been found;
 7. Officer reports not associated with a crime report and where other considerations do not warrant retention of documents;
 8. Demands for payment;
 9. Records of purchases;
 10. Parking citations, traffic citation court lists, voided citation logs, and traffic citations not associated with an arrest;
 11. Field Interview forms;
 12. Dispatch complaints;
 13. Outside requests for statistical information and surveys;
 14. Police vehicle assignment log, licenses, & registration renewal;
 15. Command Van equipment and repairs, driver and schedule;
 16. Police Quarterly Newsletter;
 17. Police statistics and surveys, request for departmental information; and
 18. Police Reserve applications and background information for non-hires.

City of Escondido

Authorization to Destroy Public Records
Contents and Inclusive Dates

- A. Records in Category B qualify for destruction by being not less than three years old.
1. Massage, Bingo Secondhand dealer, Pawnbroker, Alternative Healthcare, and Holistic Healthcare licenses that have been inactive for three years;
 2. Canine bite reports;
 3. False alarm appeals;
 4. Bicycle school reports and lists;
 5. Chaplaincy Program applications, meeting minutes, and training;
 6. Citizen patrol reports and organizational information;
 7. Awareness Academy;
 8. Community Work Service Program;
 9. Watch Commander Arrest Logs;
 10. Explorer events, Cadet Records.
- B. Records in Category C qualify for destruction by being not less than four years old.
1. Misdemeanor arrest, crime and investigative reports, in which the time periods set forth by the court for probation or jail terms have expired and the individual involved is not the subject of any pending investigations;
 2. Property logs;
 3. Traffic accident reports and related material which do not involve pending litigation of which the Department has been notified;
 4. Officer Daily Reports;
 5. Civil Disturbances, Riot Reports;
 6. Juvenile Detention logs and correspondence;
 7. Sobering Center reports and correspondence.
- C. Records in Category D qualify for destruction by being not less than five years old.
1. Citizen complaints of misconduct relating to members of the Department and the investigation reports associated with those complaints;
 2. Arrest records of juveniles' order sealed by the court;
 3. Towing Services application, appeals correspondence, and contracts;
 4. Police After Action Reports and Investigations, DUI checkpoints, and grant related activities;
 5. Bicycle Licenses and Registrations; and
 6. COPPS referrals and reports regarding projects and programs.

City of Escondido

Authorization to Destroy Public Records
Contents and Inclusive Dates

D. Records in Category E qualify for destruction by being not less than seven years old.

1. Daily Watch Logs/Resumes;
2. Felony arrests, crime and investigative records where the suspect is no longer in custody, imprisoned, on probation or parole, nor the subject of any active investigation;
3. Inactive personnel files for employees separated from the Department in excess of seven years and where the Department has not received any requests for information from those files in that time period;
4. Traffic accident reports involving a death where the Department has not been notified of any pending litigation;
5. Asset Forfeiture reports of acquisition and disposition of seized property;
6. Drug Enforcement Administration reports and task force information;
7. Emergency Operations Center, Disaster Preparedness Manual;
8. Shooting Board of Review board meeting reports.

Name: _____

Title: _____

Date: _____

January 03, 2019

TO: Sarena Garcia, Assistant City Clerk

FROM: Sergeant Michael Garcia, Internal Affairs

SUBJECT: Purging and Destruction of Original Internal Affairs Investigations

The following chart lists complaint investigations that are more than five years old. These files have been approved for destruction by the City Attorney's office and the Chief of Police.

I request these files be added to the next City Council agenda for approval to be purged. Please notify me when these items are placed on the agenda. Thank you.

FILE NUMBER	LOCATION	STATUS
2013-01	IA	For Destruction
2013-02	IA	For Destruction
2013-03	HR	For Destruction
2013-04	IA	For Destruction
2013-05	IA	For Destruction
2013-06	IA	For Destruction
2013-07	IA	For Destruction
2013-09	IA	For Destruction
2013-10	IA	For Destruction
2013-11	IA	For Destruction
2013-12	IA	For Destruction
2013-13	IA	For Destruction
2013-14	IA	For Destruction
2013-15	IA	For Destruction
2013-16	IA	For Destruction
2013-17	IA	For Destruction
2013-18	IA	For Destruction
2013-19	IA	For Destruction
2013-20	IA	For Destruction
2013-21	IA	For Destruction

February 18, 2020

TO: Sarena Garcia, Assistant City Clerk

FROM: Sergeant Jared Sinclair, Internal Affairs

SUBJECT: Purging and Destruction of Original Internal Affairs Investigations

The following chart lists complaint investigations that are more than five years old. These files have been approved for destruction by the City Attorney's office and the Chief of Police.

I request these files be added to the next City Council agenda for approval to be purged. Please notify me when these items are placed on the agenda. Thank you.

FILE NUMBER	LOCATION	STATUS
2014-01	IA	For Destruction
2014-02	IA	For Destruction
2014-03	IA	For Destruction
2014-04	IA	For Destruction
2014-05	IA	For Destruction
2014-06	IA	For Destruction
2014-07	IA	For Destruction
2014-09	IA	For Destruction
2014-10	IA	For Destruction
2014-11	IA	For Destruction
2014-12	IA	For Destruction
2014-13	IA	For Destruction
2014-14	IA	For Destruction
2014-15	IA	For Destruction
2014-16	IA	For Destruction
2014-17	IA	For Destruction
2014-18	IA	For Destruction

March 24, 2020

TO: Sarena Garcia, Assistant City Clerk

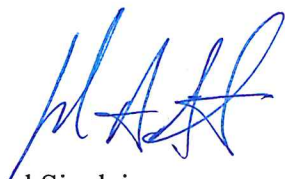
FROM: Sergeant Jared Sinclair, Internal Affairs

SUBJECT: Purging and Destruction of Original Internal Affairs Investigations

The following chart lists complaint investigations that are more than five years old. These files have been approved for destruction by the City Attorney's office and the Chief of Police.

I request these files be added to the next City Council agenda for approval to be purged. Please notify me when these items are placed on the agenda. Thank you.

FILE NUMBER	LOCATION	STATUS
2014-01	IA	For Destruction
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2014-03	IA	For Destruction
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2014-05	IA	For Destruction
2014-06	IA	For Destruction
2014-07	IA	For Destruction
2014-09	IA	For Destruction
2014-10	IA	For Destruction
2014-11	IA	For Destruction
2014-12	IA	For Destruction
2014-13	IA	For Destruction
2014-14	IA	For Destruction
2014-15	IA	For Destruction
2014-16	IA	For Destruction
2014-17	IA	For Destruction
2014-18	IA	For Destruction



Jared Sinclair
Sergeant – Internal Affairs
Escondido Police Department

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 13

April 8, 2020

File No. 0480-45

SUBJECT: Adoption of Proposed Adjustments to City User Fees

DEPARTMENT: Finance

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-29 approving proposed adjustments to Escondido's User Fees that will become effective commencing the next fiscal year.

FISCAL ANALYSIS:

The City of Escondido ("City") provides many services in response to customer requests. Fees ("User Fees") are charged to recover the costs of staff time, administrative costs, and related expenses. Current User Fees no longer cover the costs of providing services and are currently absorbed by the City's general fund.

The User Fee adjustments will update existing City User Fees to ensure full cost recovery. Accurate User Fees are one of many responsible financial steps to address the City's overall structural financial situation, which has previously been discussed with the City Council.

PREVIOUS ACTION:

The City last adjusted certain User Fees in March of 2018.

BACKGROUND:

The services that Escondido provides for the community are funded by a variety of sources including taxes, user fees, special charges, fines, grants, and assessments. Many City services are accessible, benefit our citizens as a whole, and are primarily funded by local taxes. Examples of these services include police and fire protection and access to the City's parks and library. However, other City services benefit a particular segment of the community and provide a direct monetary or personal benefit to the recipient. Because of the specific and particularized benefit to an individual applicant, these user fees should not be absorbed by the general public.

California Government Code section 66014(a) and other supplementary legislation, specify that User Fees should be the "estimated reasonable cost of providing a service." Local governments have broad authority to implement user fees that reasonably recover the costs of their operations. Cost recovery levels should be in direct proportion to the specific benefit received by the individual. If user fee levels fail to recover a jurisdiction's full costs of operations, then other activities may need to be scaled back to support the unrecovered costs of fee related activities. As result, there may be fewer resources for the jurisdiction to accomplish other goals. Some cities will "subsidize" user fees for

activities that serve the greater public good (for example programs for youth or seniors) or to further economic goals, community values, and market conditions. Nonetheless, cities generally do not generally subsidize user fees that benefit only the applicant.

Following City Council policy direction to update these fees, the City contracted with Willdan Financial Services to prepare a well-documented and defensible plan for establishing rates for recovering billable costs for services in compliance with applicable statutory requirements. The Cost Allocation Plan was completed in November 2018 and the User Fee Study report was completed in March 2020.

The purpose of the Cost Allocation Plan is to ensure that the City identifies all costs associated with activities, including overhead, to determine the true cost of providing various City services. The principle goals of the User Fee Study were to (i) identify the purpose of the proposed fees, (ii) identify the use to which the User Fees will be put, (iii) demonstrate a reasonable relationship between the fees' use and the types of projects on which the fees are imposed, and (iv) demonstrate a reasonable relationship between the amount of the fees and the cost of the City's services attributable to the applications on which the User Fees are imposed. The outcomes of the studies have been used to determine appropriate fees.

Project Approach and Methodology

The first phase of the project involved preparing the Full Cost Allocation Plan, which determined the appropriate allocation of costs from central service departments and operating departments Willdan analyzed the City's Fiscal Year 2018/19 Operating Budget to determine which costs were allowable versus unallowable in accordance with standard and accepted cost allocation principles. The resulting Full Cost Allocation Plan (Attachment 1) provides information necessary to allocate the appropriate portion of the central service costs to the operating departments, thus 1) accounting for "all" costs, direct and indirect, for each operating department, and 2) facilitating the calculation of a fully burdened cost estimate of providing services to the public.

Willdan then worked with staff to perform the Comprehensive User Fee Study. In order to calculate the total cost of each service included in the study, a Fully Burdened Hourly Rates (FBHRs) analysis was calculated for City personnel directly involved in providing services. The FBHRs include not only personnel salary and benefits, but also any costs that are reasonably ascribable to personnel including operating costs applicable to fee operations, departmental support, supervision, administration overhead, Internal Service Costs charged to each department, and the Indirect City-wide overhead costs applied through the Full Cost Allocation Plan. The FBHRs are then used in conjunction with time estimates, when appropriate, to calculate a fees' cost based on the personnel and the collective amount of their time involved in providing each service.

The study focused on the Planning, Building, Engineering, Fire Prevention, and Utilities Administration departments providing staff the opportunity to propose modifications to their fee schedules, as well as rename, reorganize, and clarify fees imposed. The revisions better conform fees to current practices, as well as improve the calculation of fees owed by an individual, the application of said fees, and the collection of revenues. In most cases, the current structure of fees

Adoption of Proposed Adjustments to City User Fees

April 8, 2020

Page 3

did not change; the focus was to analyze the fee amount to match the costs of service. In several cases, however, fee categories and fee names were simplified or re-structured to increase the likelihood of full cost recovery, or to enhance the fairness of how the fee applies to various types of fee payers.

The Fee Study Report prepared by Willdan Financial Services included as Attachment 2 provides the methodology and analysis for the proposed fee changes included in Exhibit "1" to Resolution No. 2020-29.

Timing Issues

City staff has considered the fact that these changes to user fees may be perceived as untimely in light of the COVID-19 pandemic currently facing the nation, state, and cities. However, three things are worth noting.

First, these fees will not be effective until the next fiscal year, i.e. July 1, 2020. No current applications or processes will be impacted by this action.

Second, the necessary professional work to analyze the fees was commenced last July 2018 at a cost of \$40,965. Delays in implementing the conclusions of the study could jeopardize the applicability of the data and assumptions utilized in the study. Therefore, it is recommended that the recommendations be implemented, albeit with the delayed effective date.

Finally, and perhaps most importantly, the implementation of a new user fee framework coincides with the City's implementation of the Cityworks software platform that will significantly improve and alter the City's processing of development fee applications. The City is currently engaged in the implementation of Cityworks, which is a compilation of software including Cityworks PLL, Timmons Portal, and Hyland On Base data management and electronic plan review (Cityworks), that is designed to create efficiencies, improve processes, and meet the needs of City staff and the community we serve (citizens, developers, contractors, etc.). This solution will offer a modern, "customer facing" web portal for online services and payments. The web portal will allow for faster turnaround times, more self-service options, document exchange, payments, status updates, cost savings, etc. for interaction with Fire, Planning, Building, Engineering, and Field Engineering departments. In essence, this solution modernizes the way we do business to better benefit everyone involved.

The go-live date of this solution is planned to coincide with the implementation of the updated user fees set to go into effect on July 1, 2020. At this time, it will offer many online transaction types like encroachment and grading permits, some level of electronic plan submittals and review, many building permit types, a significant amount of the high-volume transactions for the Planning department, some Fire department inspections and other processes with the public, and more that will come online over time. If the user fees changes are not implemented at the July 1, 2020 date, an addendum to the Cityworks project contract estimated at \$30k would be needed for the cost to implement the current user fee structure, data migration changes, extensive quality assurance

testing, and then update the fees at a later date. Fee amounts adopted now, but becoming effective later (consistent with the rollout of this software) can be handled by current contract amounts with no increased costs.

The following is a summary by department of the proposed fee amendments listed in Exhibit "1" to Resolution No. 2020-29. If approved by City Council, the effective date of these proposed fee adjustments is July 1, 2020.

Planning

The Planning Division processes many types of applications, including minor development permits, conditional use permits, variances, maps, zone changes, and other planning services. Because there is a significant variation in permit types, City staff spent a considerable amount of time identifying all of the steps necessary to process each type of application or delivered service, and then estimated the typical review time by City staff and the costs associated with each step. Some projects, such as sign permits and temporary use permits, only requires City staff review for conformance with City Codes. Other permit types are discretionary and requires a more detailed administrative review process or Planning Commission Public Hearing. Because the staff review time also varied by project type within each of these types of application categories, City staff used this opportunity to identify the types of projects that should have distinct fixed (flat) fees based upon the level of effort by staff to process the project. City staff also identified the project types and special services that should be considered for "actual" or full cost recovery fees. These are the services that varied significantly in complexity and processing costs due to magnitude, location, or potential environmental impacts (such as a large subdivision, specific plan amendment, general plan amendment, or annexation, etc.).

The resulting construct of the User Fee Study for the Planning Division provides a simplified, process-based fee structure that assumes two rounds of City review (i.e. low fixed amount of time and level of effort). The proposed User Fees requests additional cost recovery if additional changes are made to the application or if additional permit review is required (i.e. paying as you go for additional rounds of review). This keeps initial costs low for some of the smaller projects - and keeps those costs low for applicants that are able to be responsive to City review comments. Because the Planning User Fees have not been updated in some time, the increases are significant. Therefore, City staff proposes a three-year schedule to phase in fees and establish upper limits on the "actual cost" fees. Identifying the cost components of providing services is integral to the establishment of the fees and cost recovery rates. The cost recovery goal for the Planning Division is 100%. Exceptions to this standard include appeals and accessory dwelling units, where the fee is set very low to provide adequate opportunity for due process or to encourage accessory dwelling unit construction. In these instances, there is no proposed fee increase.

City staff is proposing a new surcharge to provide a revenue stream to maintain the City's General Plan. The General Plan process is currently underway, involving the updated roadway classifications in the Mobility Element, and an update to the Housing Element. To provide for this and future costs to the City, the recommend surcharge on fees charged by the Building Division based on valuation.

Most cities have adopted a flat fixed fee which inequitably assigns the same fee regardless of scope and extent of the improvements.

City staff is proposing a Planning Technology Fee to provide revenue for the acquisition, update, and regular maintenance of a modern permit processing and management technology system. The City's significant upgrade of the existing database and interface is a high priority project that is currently under development. The recommended fee is based on permits/fees charged by the department.

Building

The Building Division provides plan check and inspection services for a wide variety of construction projects throughout the City. Building permit fees are calculated from an established fee table based on the valuation of the proposed construction project. Additional plumbing, mechanical and electrical fees are established in a separate schedule of fees. Traditionally, the City has subsidized the construction industry by charging fees that are less than full cost recovery. The proposed fee schedule would achieve full-cost recovery for most building services.

The proposed fee schedule streamlines Building Division fees by eliminating the majority of plumbing, mechanical and electrical fees. Those costs are then recovered by changing the valuation and permit fee tables to more recent versions, including the San Diego ICC 2018 Building Valuation Multipliers. The Building Division has used the same ICBO valuation table since 1996 and the same ICBO permit fee table since 1987 resulting in a stagnant fee structure while costs continued to escalate. The proposed fee schedule and update to the valuation multipliers brings fees collected from users of this service more into alignment with the cost for providing these services.

Engineering

The Engineering Services Department designs and manages construction of infrastructure improvement projects; provides plan review and construction inspection of private development projects; and oversees the City's landscape maintenance districts and real property assets.

User Fee Study updates include encroachment permit and inspection fees, and real property related fees, such as review of easements and street vacations. The cost of inspection of utility trenching within the City of right of way is substantially higher than the current fee amount and is recommended to be increased to equal the full cost to provide these services.

Fire

The Fire Department, in addition to providing fire, rescue and emergency medical services for the City, also provides fire protection services for the citizens of Escondido and the Rincon del Diablo Fire Protection District. The Fire Prevention division reviews project plans including environmental impact reports and fire protection reports for both public and private developments. In addition, the Fire Prevention division is responsible for conducting inspections during the construction process and

ensuring that commercial facilities or operations are inspected annually or as required by the State Fire Marshal's Office and/or City ordinance to confirm that life safety standards are met.

The Fire Department is proposing name changes to some of the fee descriptions to reflect changes in the recently adopted 2019 California Fire Code and local amendments. In addition, newly required permit inspections have been added along with their corresponding fees. Every fee now reflects an analysis of the staff time required to complete the required tasks.

Utilities

The Utilities Department is requesting fee increases for cut tab fees, door hanger notifications, the meter calibration test fee, utility meter set fees, new service turn-on fees, temporary meter set fees, utility shut-off and turn-on fees, and water installation fees. These fees were last adjusted in August 2010.

Future Fee Updates

User fees should be updated annually to keep pace with rising costs over time. A common method of adjusting fees is to evaluate regional cost indicators, such as the Consumer Price Index to ensure that the City receives appropriate fees for work being conducted. Staff recommends annually adjusting user fees by July 1 utilizing an inflation factor equal to changes in the San Diego area's Consumer Price Index for all Urban Consumers published by the US Department of Labor, Bureau of Statistics. This approach is consistent with other jurisdictions in the region for evaluating their annual user fee adjustments. The proposed CPI adjusted fee updates will be reflected in an annual fee Resolution to City Council and in accordance with the requirements pursuant to Government Code Section 66000, et seq.

ENVIRONMENTAL REVIEW:

The establishment and increase of User Fees is statutorily and categorically exempt from the requirements of the California Environmental Quality Act ("CEQA," Public Resources Code Section 21000 *et. seq.*) because setting User Fees fits within the statutory exemptions for local agency decisions involving rates, tolls or other charges pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the CEQA Guidelines. This action approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of City departments. This action does not "an essential step culminating in action which may affect the environment."

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Joan Ryan, Director of Finance
4/1/20 7:00 p.m.

ATTACHMENTS:

1. Attachment 1 – Willdan Cost Allocation Plan Report
2. Attachment 2 – Willdan User Fee Study Report
3. Resolution No. 2020-29
4. Resolution No. 2020-29 - Exhibit "1" – Adjustments to City User Fees

CITY OF ESCONDIDO



Cost Allocation Plan

November 2018



Table of Contents

Table of Contents	i
List of Tables	ii
Executive Summary.....	1
Introduction	8
Approach.....	9
<i>Methodology</i>	9
<i>Applications</i>	10
<i>OMB Super Circular and 2 CFR Part 200</i>	10
<i>Central Service Departments</i>	11
<i>Distribution Bases</i>	12
Allocable Costs and Distribution Bases.....	13
<i>Allocable Costs</i>	13
<i>Allocation Percentages</i>	14
Section 1: City Attorney	14
Section 2: City Clerk	14
Section 3: City Council.....	15
Section 4: City Manager	16
Section 5: City Treasurer	16
Section 6: Communications	17
Section 7: Enterprise Software & Web Administration	17
Section 8: Finance.....	18
Section 9: Geographic Information Systems.....	18
Section 10: Human Resources	19
Section 11: Information Systems Administration	19
Section 12: Non-Departmental	20
Section 13: Radio Communications	20
Section 14: Risk Management	20
Section 15: Video Services	21
<i>Iterative Allocation</i>	22
Appendix A.....	23
Appendix B.....	30

List of Tables

Table 1: Allocated Costs to Recipient Departments (OMB Compliant CAP).....	2
Table 1: Allocated Costs to Recipient Departments (OMB Compliant CAP) – <i>Continued</i>	3
Table 1: Allocated Costs to Recipient Departments (OMB Compliant CAP) – <i>Continued</i>	4
Table 2: Allocated Costs to Recipient Departments (Full CAP).....	5
Table 2: Allocated Costs to Recipient Departments (Full CAP) – <i>Continued</i>	6
Table 2: Allocated Costs to Recipient Departments (Full CAP) - <i>Continued</i>	7
Table 3: Allocable Cost Summary.....	13
Table A-1: Initial Allocation Percentages (OMB Compliant CAP).....	24
Table A-1: Initial Allocation Percentages (OMB Compliant CAP) – <i>Continued</i>	25
Table A-2: Final Allocation Percentages (OMB Compliant CAP)	26
Table A-2: Final Allocation Percentages (OMB Compliant CAP) – <i>Continued</i>	27
Table A-3: Final Allocation Amounts (OMB Compliant CAP)	28
Table A-3: Final Allocation Amounts (OMB Compliant CAP) - <i>Continued</i>	29
Table B-1: Final Allocation Amounts (Full CAP)	31
Table B-1: Final Allocation Amounts (Full CAP) – <i>Continued</i>	32

Executive Summary

This cost allocation plan (“CAP”) summarizes a comprehensive analysis that has been completed for the City of Escondido, California (the “City”) to determine the appropriate allocation of costs from central service departments to the operating departments. The primary objective is to allocate costs from departments that provide services internally to operating departments that conduct the day-to-day operations necessary to serve the community. The internal service costs typically represent (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. The term "indirect costs," as used herein, applies to costs of this type originating in the central service departments.

To ensure central service department costs are appropriately allocated to the operating departments, Willdan analyzed the City’s cost code structure to determine which types costs are allowable versus unallowable in accordance with standard and accepted cost allocation principles. The term “allocable costs” as used herein, applies to costs that are allowable for allocation.

The study is comprised of two separate allocation plans. Table 1 is the summary results of the allocation in compliance with the Office of Management and Budget Super Circular (the OMB Super Circular) and CFR Part 200 (Cost Principles). Table 2 that follows is the summary results of the full plan. The report below includes descriptions of the differences between the two plans, their separate purposes, and specific details of when the plans deviate from each other.

**Table 1: Allocated Costs to Recipient Departments
(OMB Compliant CAP)**

Allocated Cost Summary		Fiscal Year 2018-2019	
Operating Department / Division / Fund	Total Allocation	Direct Cost Base	
		Modified Total Direct Cost	Indirect Cost Rate
	\$15,970,540	\$158,710,545	10%
General Fund			
001: Building	\$272,073	\$1,331,480	20%
001: Center for the Arts	\$134,437	\$2,174,905	6%
001: Code Enforcement	\$191,259	\$1,434,895	13%
001: Community Relations	\$4,508	\$92,170	5%
001: Emergency Management	\$34,855	\$194,000	18%
001: Engineering	\$698,363	\$4,118,510	17%
001: Fire	\$2,247,844	\$24,859,255	9%
001: Main Library	\$255,014	\$3,315,360	8%
001: Older Adult Services	\$71,044	\$685,285	10%
001: Park Maintenance	\$424,097	\$3,261,590	13%
001: Planning	\$554,929	\$2,584,650	21%
001: Police	\$4,209,554	\$44,147,120	10%
001: Recreation	\$408,498	\$2,637,015	15%
001: Recycling	\$52,589	\$575,035	9%
001: Senior Nutrition	\$40,872	\$422,675	10%
001: Street Maintenance	\$924,671	\$8,641,780	11%
Library Trust Fund			
004: Library Trust Fund	\$4,989	\$18,392	27%
Vehicle Parking District Fund			
107: Vehicle Parking District Fund	\$1,517	\$12,715	12%
Gas Tax Fund			
108: Gas Tax Fund	\$8,250	\$89,884	9%
Park Development Fund			
109: Park Development Fund	\$4,647	\$23,778	20%
Community Services			
112: Community Services	\$260,001	\$1,106,605	23%
CDBG Project Fund			
115: CDBG Project Fund	\$23,383	\$702,592	3%
Traffic Impact Fund			
120: Traffic Impact Fund	\$4,015	\$0	
Comm Dev Block Grant Fund			
116: Comm Dev Block Grant Fund	\$39,152	\$355,225	11%
Daley Ranch Restoration Fund			
122: Daley Ranch Restoration Fund	\$453	\$8,050	6%
Landscape Maint Dist-Zone 12			
123: Landscape Maint Dist-Zone 12	\$3,654	\$57,230	6%
Landscape Maint Dist - Zone 11			
126: Landscape Maint Dist - Zone 11	\$7,837	\$108,975	7%
Public Art Fund			
130: Public Art Fund	\$2,618	\$21,867	12%
Landscape Maint Dist - Zone 2			
131: Landscape Maint Dist - Zone 2	\$2,084	\$13,305	16%
Landscape Maint Dist - Zone 10			
132: Landscape Maint Dist - Zone 10	\$5,631	\$26,975	21%
Landscape Maint Dist - Zone 3			
134: Landscape Maint Dist - Zone 3	\$2,100	\$13,660	15%
Landscape Maint Dist - Zone 4			
135: Landscape Maint Dist - Zone 4	\$2,980	\$19,175	16%
Landscape Maint Dist - Zone 5			
136: Landscape Maint Dist - Zone 5	\$2,789	\$25,455	11%

Table 1: Allocated Costs to Recipient Departments (OMB Compliant CAP) – Continued

Allocated Cost Summary		Fiscal Year 2018-2019	
Operating Department / Division / Fund	Total Allocation	Direct Cost Base	
		Modified Total Direct Cost	Indirect Cost Rate
	\$15,970,540	\$158,710,545	10%
Landscape Maint Dist - Zone 8			
137: Landscape Maint Dist - Zone 8	\$1,723	\$6,085	28%
Landscape Maint Dist - Zone 9			
138: Landscape Maint Dist - Zone 9	\$6,344	\$92,770	7%
Landscape Maint Dist - Zone 13			
139: Landscape Maint Dist - Zone 13	\$1,579	\$15,170	10%
Landscape Maint Dist - Zone 6			
140: Landscape Maint Dist - Zone 6	\$1,860	\$7,650	24%
Landscape Maint Dist - Zone 1			
141: Landscape Maint Dist - Zone 1	\$3,493	\$29,165	12%
Landscape Maint Dist - Zone 14			
143: Landscape Maint Dist - Zone 14	\$1,752	\$6,605	27%
Landscape Maint Dist - Zone 15			
144: Landscape Maint Dist - Zone 15	\$1,879	\$11,300	17%
Landscape Maint Dist - Zone 16			
145: Landscape Maint Dist - Zone 16	\$1,660	\$5,890	28%
Landscape Maint Dist - Zone 17			
146: Landscape Maint Dist - Zone 17	\$2,415	\$8,915	27%
Landscape Maint Dist - Zone 7			
147: Landscape Maint Dist - Zone 7	\$2,345	\$18,405	13%
Landscape Maint Dist - Zone 18			
148: Landscape Maint Dist - Zone 18	\$1,669	\$6,010	28%
Landscape Maint Dist - Zone 19			
149: Landscape Maint Dist - Zone 19	\$12,954	\$216,475	6%
Landscape Maint Dist - Zone 20			
160: Landscape Maint Dist - Zone 20	\$2,830	\$15,120	19%
Landscape Maint Dist - Zone 21			
161: Landscape Maint Dist - Zone 21	\$2,185	\$16,560	13%
Landscape Maint Dist - Zone 22			
162: Landscape Maint Dist - Zone 22	\$2,694	\$11,120	24%
Landscape Maint Dist - Zone 23			
163: Landscape Maint Dist - Zone 23	\$2,515	\$7,605	33%
Landscape Maint Dist - Zone 24			
164: Landscape Maint Dist - Zone 24	\$3,345	\$36,420	9%
Landscape Maint Dist - Zone 25			
165: Landscape Maint Dist - Zone 25	\$1,958	\$12,530	16%
Landscape Maint Dist-Zone 26			
166: Landscape Maint Dist-Zone 26	\$1,832	\$9,300	20%
Landscape Maint Dist-Zone 27			
167: Landscape Maint Dist-Zone 27	\$3,067	\$33,865	9%
Landscape Maint Dist-Zone 28			
168: Landscape Maint Dist-Zone 28	\$9,693	\$152,500	6%
Landscape Maint Dist-Zone 29			
169: Landscape Maint Dist-Zone 29	\$2,572	\$8,695	30%
Landscape Maint Dist-Zone 32			
172: Landscape Maint Dist-Zone 32	\$1,074	\$7,215	15%
Landscape Maint Dist-Zone 33			
173: Landscape Maint Dist-Zone 33	\$2,215	\$13,675	16%
Landscape Maint Dist-Zone 34			
174: Landscape Maint Dist-Zone 34	\$1,848	\$9,655	19%
Landscape Maint Dist-Zone 35			
175: Landscape Maint Dist-Zone 35	\$2,514	\$8,770	29%

**Table 1: Allocated Costs to Recipient Departments
(OMB Compliant CAP) – Continued**

Allocated Cost Summary		Fiscal Year 2018-2019	
Operating Department / Division / Fund	Total Allocation	Direct Cost Base	
		Modified Total Direct Cost	Indirect Cost Rate
	\$15,970,540	\$158,710,545	10%
Landscape Maint Dist Zone 36			
176: Landscape Maint Dist Zone 36	\$127	\$1,500	8%
Landscape Maint Dist-Zone 37			
177: Landscape Maint Dist-Zone 37	\$456	\$8,395	5%
Landscape Maint Dist-Zone 38			
178: Landscape Maint Dist-Zone 38	\$2,368	\$6,725	35%
Street Projects Fund			
206: Street Projects Fund	\$8,409	\$77,598	11%
Storm Drain Fund			
227: Storm Drain Fund	\$3,142	\$34,633	9%
General Capital Projects Fund			
229: General Capital Projects Fund	\$15,546	\$788,701	2%
County Trans Street Projects			
230: County Trans Street Projects	\$21,598	\$452,478	5%
Trans Development Act Fund			
231: Trans Development Act Fund	\$55	\$3,976	1%
Road Maintenance & Rehab			
235: Road Maintenance & Rehab	\$110	\$0	
Public Facilities - Admin			
243: Public Facilities - Admin	\$26,421	\$521,962	5%
Successor Agency-Housing			
281: Successor Agency-Housing	\$99,644	\$489,845	20%
Mobilehome Park Operations			
283: Mobilehome Park Operations	\$10,258	\$142,580	7%
Housing - HOME			
284: Housing - HOME	\$3,634	\$29,840	12%
General Obligation Debt Serv			
320: General Obligation Debt Serv	\$12,867	\$0	
Reidy Creek Golf Crse Debt Svc			
376: Reidy Creek Golf Crse Debt Svc	\$1,195	\$0	
Reimbursable Grants - General			
401: Reimbursable Grants - General	\$3,234	\$214,623	2%
Public Safety Grants - Advances			
450: Public Safety Grants - Advances	\$1,316	\$363,103	0%
Public Safety Grants - Reimb			
451: Public Safety Grants - Reimb	\$6,962	\$1,154,122	1%
Reidy Creek Golf Course Fund			
553: Reidy Creek Golf Course Fund	\$30,202	\$582,240	5%
Water Operating Fund			
555: Water Operating Fund	\$2,495,502	\$23,205,510	11%
Water Utility Capital Projects			
556: Water Utility Capital Projects	\$15,458	\$1,045,122	1%
Wastewater Capital Projects			
557: Wastewater Capital Projects	\$15,787	\$2,153,005	1%
Wastewater Operating Fund			
558: Wastewater Operating Fund	\$2,191,359	\$23,494,905	9%
Building Maint Capital Project			
651: Building Maint Capital Project	\$4,061	\$81,649	5%
Successor Agency-Redevelopment			
791: Successor Agency-Redevelopment	\$20,106	\$10,955	184%

Table 2: Allocated Costs to Recipient Departments (Full CAP)

Allocated Cost Summary		Fiscal Year 2018-2019	
Operating Department / Division / Fund	Total Allocation	Direct Cost Base	Indirect Cost Rate
		Modified Total Direct Cost	
	\$16,644,120	\$158,710,545	10%
General Fund			
001: Building	\$292,918	\$1,331,480	22%
001: Center for the Arts	\$138,658	\$2,174,905	6%
001: Code Enforcement	\$199,062	\$1,434,895	14%
001: Community Relations	\$4,673	\$92,170	5%
001: Emergency Management	\$36,622	\$194,000	19%
001: Engineering	\$746,486	\$4,118,510	18%
001: Fire	\$2,336,469	\$24,859,255	9%
001: Main Library	\$261,975	\$3,315,360	8%
001: Older Adult Services	\$74,044	\$685,285	11%
001: Park Maintenance	\$442,284	\$3,261,590	14%
001: Planning	\$594,416	\$2,584,650	23%
001: Police	\$4,373,632	\$44,147,120	10%
001: Recreation	\$429,876	\$2,637,015	16%
001: Recycling	\$54,789	\$575,035	10%
001: Senior Nutrition	\$42,263	\$422,675	10%
001: Street Maintenance	\$962,080	\$8,641,780	11%
Library Trust Fund			
004: Library Trust Fund	\$5,058	\$18,392	28%
Vehicle Parking District Fund			
107: Vehicle Parking District Fund	\$1,548	\$12,715	12%
Gas Tax Fund			
108: Gas Tax Fund	\$8,332	\$89,884	9%
Park Development Fund			
109: Park Development Fund	\$4,688	\$23,778	20%
Community Services			
112: Community Services	\$273,762	\$1,106,605	25%
CDBG Project Fund			
115: CDBG Project Fund	\$24,058	\$702,592	3%
Traffic Impact Fund			
120: Traffic Impact Fund	\$4,050	\$0	
Comm Dev Block Grant Fund			
116: Comm Dev Block Grant Fund	\$40,824	\$355,225	11%
Daley Ranch Restoration Fund			
122: Daley Ranch Restoration Fund	\$468	\$8,050	6%
Landscape Maint Dist-Zone 12			
123: Landscape Maint Dist-Zone 12	\$3,765	\$57,230	7%
Landscape Maint Dist - Zone 11			
126: Landscape Maint Dist - Zone 11	\$8,055	\$108,975	7%
Public Art Fund			
130: Public Art Fund	\$2,671	\$21,867	12%
Landscape Maint Dist - Zone 2			
131: Landscape Maint Dist - Zone 2	\$2,120	\$13,305	16%
Landscape Maint Dist - Zone 10			
132: Landscape Maint Dist - Zone 10	\$5,718	\$26,975	21%
Landscape Maint Dist - Zone 3			
134: Landscape Maint Dist - Zone 3	\$2,137	\$13,660	16%
Landscape Maint Dist - Zone 4			
135: Landscape Maint Dist - Zone 4	\$3,033	\$19,175	16%
Landscape Maint Dist - Zone 5			
136: Landscape Maint Dist - Zone 5	\$2,848	\$25,455	11%

Table 2: Allocated Costs to Recipient Departments (Full CAP) –Continued

Allocated Cost Summary		Fiscal Year 2018-2019	
Operating Department / Division / Fund	Total Allocation	Direct Cost Base	
		Modified Total Direct Cost	Indirect Cost Rate
	\$16,644,120	\$158,710,545	10%
Landscape Maint Dist - Zone 8			
137: Landscape Maint Dist - Zone 8	\$1,746	\$6,085	29%
Landscape Maint Dist - Zone 9			
138: Landscape Maint Dist - Zone 9	\$6,526	\$92,770	7%
Landscape Maint Dist - Zone 13			
139: Landscape Maint Dist - Zone 13	\$1,614	\$15,170	11%
Landscape Maint Dist - Zone 6			
140: Landscape Maint Dist - Zone 6	\$1,887	\$7,650	25%
Landscape Maint Dist - Zone 1			
141: Landscape Maint Dist - Zone 1	\$3,564	\$29,165	12%
Landscape Maint Dist - Zone 14			
143: Landscape Maint Dist - Zone 14	\$1,777	\$6,605	27%
Landscape Maint Dist - Zone 15			
144: Landscape Maint Dist - Zone 15	\$1,911	\$11,300	17%
Landscape Maint Dist - Zone 16			
145: Landscape Maint Dist - Zone 16	\$1,683	\$5,890	29%
Landscape Maint Dist - Zone 17			
146: Landscape Maint Dist - Zone 17	\$2,449	\$8,915	27%
Landscape Maint Dist - Zone 7			
147: Landscape Maint Dist - Zone 7	\$2,391	\$18,405	13%
Landscape Maint Dist - Zone 18			
148: Landscape Maint Dist - Zone 18	\$1,692	\$6,010	28%
Landscape Maint Dist - Zone 19			
149: Landscape Maint Dist - Zone 19	\$13,363	\$216,475	6%
Landscape Maint Dist - Zone 20			
160: Landscape Maint Dist - Zone 20	\$2,875	\$15,120	19%
Landscape Maint Dist - Zone 21			
161: Landscape Maint Dist - Zone 21	\$2,227	\$16,560	13%
Landscape Maint Dist - Zone 22			
162: Landscape Maint Dist - Zone 22	\$2,733	\$11,120	25%
Landscape Maint Dist - Zone 23			
163: Landscape Maint Dist - Zone 23	\$2,547	\$7,605	33%
Landscape Maint Dist - Zone 24			
164: Landscape Maint Dist - Zone 24	\$3,424	\$36,420	9%
Landscape Maint Dist - Zone 25			
165: Landscape Maint Dist - Zone 25	\$1,993	\$12,530	16%
Landscape Maint Dist-Zone 26			
166: Landscape Maint Dist-Zone 26	\$1,861	\$9,300	20%
Landscape Maint Dist-Zone 27			
167: Landscape Maint Dist-Zone 27	\$3,140	\$33,865	9%
Landscape Maint Dist-Zone 28			
168: Landscape Maint Dist-Zone 28	\$9,986	\$152,500	7%
Landscape Maint Dist-Zone 29			
169: Landscape Maint Dist-Zone 29	\$2,606	\$8,695	30%
Landscape Maint Dist-Zone 32			
172: Landscape Maint Dist-Zone 32	\$1,094	\$7,215	15%
Landscape Maint Dist-Zone 33			
173: Landscape Maint Dist-Zone 33	\$2,253	\$13,675	16%
Landscape Maint Dist-Zone 34			
174: Landscape Maint Dist-Zone 34	\$1,878	\$9,655	19%
Landscape Maint Dist-Zone 35			
175: Landscape Maint Dist-Zone 35	\$2,548	\$8,770	29%

Table 2: Allocated Costs to Recipient Departments (Full CAP) - Continued

Allocated Cost Summary		Fiscal Year 2018-2019	
Operating Department / Division / Fund	Total Allocation	Direct Cost Base	
		Modified Total Direct Cost	Indirect Cost Rate
	\$16,644,120	\$158,710,545	10%
Landscape Maint Dist Zone 36			
176: Landscape Maint Dist Zone 36	\$130	\$1,500	9%
Landscape Maint Dist-Zone 37			
177: Landscape Maint Dist-Zone 37	\$471	\$8,395	6%
Landscape Maint Dist-Zone 38			
178: Landscape Maint Dist-Zone 38	\$2,399	\$6,725	36%
Street Projects Fund			
206: Street Projects Fund	\$8,532	\$77,598	11%
Storm Drain Fund			
227: Storm Drain Fund	\$3,206	\$34,633	9%
General Capital Projects Fund			
229: General Capital Projects Fund	\$15,684	\$788,701	2%
County Trans Street Projects			
230: County Trans Street Projects	\$21,790	\$452,478	5%
Trans Development Act Fund			
231: Trans Development Act Fund	\$55	\$3,976	1%
Road Maintenance & Rehab			
235: Road Maintenance & Rehab	\$111	\$0	
Public Facilities - Admin			
243: Public Facilities - Admin	\$26,655	\$521,962	5%
Successor Agency-Housing			
281: Successor Agency-Housing	\$106,920	\$489,845	22%
Mobilehome Park Operations			
283: Mobilehome Park Operations	\$10,543	\$142,580	7%
Housing - HOME			
284: Housing - HOME	\$3,709	\$29,840	12%
General Obligation Debt Serv			
320: General Obligation Debt Serv	\$12,981	\$0	
Reidy Creek Golf Crse Debt Svc			
376: Reidy Creek Golf Crse Debt Svc	\$1,206	\$0	
Reimbursable Grants - General			
401: Reimbursable Grants - General	\$3,263	\$214,623	2%
Public Safety Grants - Advances			
450: Public Safety Grants - Advances	\$1,327	\$363,103	0%
Public Safety Grants - Reimb			
451: Public Safety Grants - Reimb	\$7,023	\$1,154,122	1%
Reidy Creek Golf Course Fund			
553: Reidy Creek Golf Course Fund	\$31,261	\$582,240	5%
Water Operating Fund			
555: Water Operating Fund	\$2,591,125	\$23,205,510	11%
Water Utility Capital Projects			
556: Water Utility Capital Projects	\$15,595	\$1,045,122	1%
Wastewater Capital Projects			
557: Wastewater Capital Projects	\$15,927	\$2,153,005	1%
Wastewater Operating Fund			
558: Wastewater Operating Fund	\$2,274,552	\$23,494,905	10%
Building Maint Capital Project			
651: Building Maint Capital Project	\$4,208	\$81,649	5%
Successor Agency-Redevelopment			
791: Successor Agency-Redevelopment	\$20,299	\$10,955	185%

Introduction

In the early 1970s, the cost allocation plan concept was introduced to many government agencies. The purpose of a typical cost allocation plan is to identify costs related to rendering internal central support services and allocate those costs to operating departments or programs that utilize and benefit from them, in a fair and equitable manner.

Before indirect costs and central support service charges may be claimed for reimbursement by an operating department, there must be some formal means of identifying, accumulating and distributing these types of costs to all benefiting departments. Regardless of whether an agency has a formal comprehensive cost accounting system, the best method of accumulating, identifying, and determining a distribution of indirect costs is a cost allocation plan.

A City is made up of many departments, each with their own specific purposes or functions. Departments whose primary function is to provide support internally to other City departments are called central services. Examples of central services are the Administration, City Attorney, Finance, and City Council. Within these groups there are numerous functions performed that provides support to the direct cost centers. The direct cost centers, or departments and funds, that require support from Central Services and provide services directly to the community through their day-to-day operations, are called operating departments. Examples of operating departments are Fire, Police, Public Works, Planning, and the Water. The Cost Allocation Plan allocates the costs of the central services to the operating departments based on the nature of the functions of each central service, upon which the operating departments depend. This is done to determine the total cost associated with providing direct services. The overall goal of the cost allocation plan process is to allow cities to allocate a portion of the central service costs to the operating departments, thus 1) accounting for “all” costs, direct and indirect, for each operating department, and 2) facilitating the calculation of a fully burdened cost estimate of providing services to the public.

The purpose of this study is to:

- Identify the central support and operating departments in the City;
- Identify the functions and services provided by the central departments;
- Identify allocable and non-allocable costs associated with the City’s central service departments;
and
- Distribute those costs to operating entities in a fair and equitable manner.

Approach

Methodology

The way in which each Indirect Service provides support to the operating departments is determined in order to perform allocations in a manner consistent with the nature of that Indirect Service. This ensures that the costs can be allocated to each operating department in a fair and equitable way. The Cost Allocation Plan identifies the functions of each central service department, and then determines a methodology to allocate or spread the central service costs in a manner that best represents the nature of those functions. The mathematical representations of central service functions used to allocate indirect costs are commonly called distribution bases. A distribution basis is a set of data displayed as the level of measure of each department's participation in a specific activity or City function. This basis is then used to distribute costs that reasonably relate to the activity or City function that the basis represents. Some examples of distribution bases are salary and benefits costs, number of full-time equivalent employees, frequencies of city council agenda items, and number of processed transactions. The data sets associated with these distribution bases for each department is collected to facilitate the allocation of indirect costs.

The methodology used for this Cost Allocation Plan is the iterative method, which is one of the most equitable methods for allocating costs from central services to operating departments. While not used as prevalently as simpler allocation methods, it is widely considered to be the most accurate. The iterative method utilizes a recursive application of central service cost distribution to allocate indirect costs. In the first step, the allocable costs of central service departments are identified and distributed to *all* departments including the central service departments themselves, based on the appropriate allocation bases that were selected to represent the manner in which central services are utilized. This is repeated ad infinitum until all costs have been distributed to the operating departments, and none remain with the central service departments.

As an example, consider the allocation of central service costs associated with Information Systems Administration. The function of the Information Systems Admin is identified, and the appropriate distribution basis is determined to be the total number of IT Unit Equivalents maintained per department and fund. The allowable costs are then distributed to all City departments and funds based on their proportional share of the allowable budget, including other central services. The costs allocated from central service to central service in the initial allocation are then allocated out using the same distribution methodology. This function is performed as many times as necessary until all costs for Information Systems Administration have been allocated.

All central service departments are treated equally. That is to say, this method is performed concurrently for the allowable costs in each of the central service departments for each iteration until all costs associated with the central service departments have been allocated to each direct service department. The method is complete when the total amount of allocable costs remaining in the central service departments is equal to zero.

Applications

Public agencies use cost allocation plans for many purposes such as internal accounting, the justification of user fees, application for reimbursement from federal programs or the determination of administrative effort associated with special districts and/or municipal service activities. In many of these cases, the agency will be required to certify that the costs identified are “reasonable”. Per the *Code of Federal Regulations*, a cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when determining the amount that a public agency should be reimbursed for central service overhead activities associated with a federally funded program. Additionally, public agencies should consider special care to only identify the portion of central service costs that have not been reimbursed through other means (such as grants, user fee revenues, transfers from other departments or internal service funds) to avoid double-counting. These cost reductions are done before the allocation methodologies are used and are detailed within the model itself.

OMB Super Circular and 2 CFR Part 200

This report details the allocations for two separate cost allocation plans. The primary model, presented in text and tables in the below sections and in Appendix A, provides a plan that complies with the Office of Management and Budget Super Circular (the OMB Super Circular) and CFR Part 200 (Cost Principles) that are used to determine central overhead costs incurred while carrying out activities associated with Federal awards, cost reimbursement contracts and some other intergovernmental agreements (as required). The secondary model presented in Appendix B of this report is the full cost allocation plan, which the City should use for standard City operations and budgeting. Unless otherwise indicated, the details of this report and Appendix A contain the OMB compliant allocation plan. The Appendix B tables contain the full cost plan, and utilize the same distribution methodology as the OMB Compliant plan. While the overall methodology used for both plans is the same, there are specific guidelines that require additional cost exemptions for OMB Super Circular compliance outside of what was done for the full cost plan. Where such exemptions are done in the methodology has been explained below. Some commonly encountered examples that are usually exempt under OMB Super Circular guidelines are:

- General Advertising
- Bad Debt
- Contingencies
- Litigation
- Debt Service
- Entertainment
- Capital
- Lobbying
- Legislative Body (City Council)
- Promotional Items

Central Service Departments

Fifteen (15) central service functions were identified for the purposes of this cost allocation plan:

- City Attorney
- City Clerk
- City Council
- City Manager
- City Treasurer
- Communications
- Enterprise Software & Web Administration
- Finance
- Geographic Information Systems
- Human Resources
- Information Systems Administration
- Non-Departmental
- Radio Communications
- Risk Management
- Video Services

Distribution Bases

Distribution bases are the allocation factors that may be used to distribute the allocable costs to all departments and funds. As discussed previously, distribution bases are measurable and readily available data that are utilized to represent activities or functions, and which are then used to distribute costs matching that activity or function. Below are the bases that were analyzed in this study and used to allocate Central Services costs to operating departments.

- City Council Agenda Frequency – City Council agendas spanning a 12-month period were used to determine the number of times each department and fund had matters brought before the City Council.
- Number of FTE Employees – The number of full-time equivalent personnel for each department and fund.
- Modified Total Direct Cost – The total allowable expenditure budgeted for each department and funds for FY18-19 which excludes capital, debt, non-operational transfers, and any other costs non-representative of the level of support received.
- Total Accounts Payable – The number of accounts payable processed for each department and fund in a year.
- Total Salary & Benefits – The total salary & benefit expenditures for each department and fund for FY18/19.
- Total Revenue – The total revenues for each department and fund for FY18/19.
- GIS Department Time Survey – The amount of GIS department time per department and fund.
- IT Distribution – The total number of computers, printers, and phones for each department and fund that is maintained by Information Technology Administration department.
- Total Radios – The total number of radios for each department and fund that is maintained by Radio Communications division.

Allocable Costs and Distribution Bases

Allocable Costs

Table 3 identifies the allocable cost of each central service department for the OMB compliant allocation plan, with the total allocable costs for this study being \$15,970,540. The total expenditures from the central service departments were \$16,644,120. However, \$673,580 of the expenditures identified as unallowable by the 200 CFR Part 200 and have been excluded from allocation. The primary exclusions were related to City Council, Elections, and Advertising. The remaining amount was distributed to the operating departments and the central services departments by distribution factor(s) that best represents the functions of each central service department and the demand placed on that central service by all City departments, as previously described in the Methodology section of this report. The allocation methodology for each central service is detailed in the following section of this report.

Table 3: Allocable Cost Summary

Allocable Cost Summary - Central Services		Fiscal Year 2018-2019	
		Unallocable	
	Total Cost	Cost	Allocable Cost
Summary	\$ 16,644,120	\$ 673,580	\$ 15,970,540
Central Service			
001: City Attorney	2,075,040	-	2,075,040
001: City Clerk	875,060	-	875,060
001: City Council	521,080	521,080	-
001: City Manager	1,607,235	2,500	1,604,735
001: City Treasurer	397,930	-	397,930
001: Communications	524,225	-	524,225
001: Enterprise Software & Web Adm	1,292,650	-	1,292,650
001: Finance	3,648,270	-	3,648,270
001: Geographic Information Systems	590,810	-	590,810
001: Human Resources	1,195,480	-	1,195,480
001: Information Systems Admin	553,500	-	553,500
001: Non-Departmental	1,655,910	150,000	1,505,910
001: Radio Communications	948,835	-	948,835
001: Risk Management	644,310	-	644,310
001: Video Services	113,785	-	113,785

Allocation Percentages

The first step of the iterative allocation method is to distribute the allocable costs of the central service departments to other central service departments and operating departments based on the distribution methodology and bases that best represent the activity of the central service, and the functions it serves. The sections below describe each central service and the methodology used to allocate their costs. Corresponding tables detailing each distribution are attached in the Appendices as tables A-1 through A-3 for the OMB compliant plan and B-1 for the full cost plan.

Section 1: City Attorney

The Escondido City Attorney’s Office serves as legal counsel to the entire City government, including the City Council, all Boards and Commissions, and all City Departments. The Office also represents City employees sued in their official capacities. The City Attorney reports directly to the City Council, operates as part of the City’s management team to assist in transactional matters, and assures efficient operations consistent with the law. The City Attorney’s client is the City itself, not any one resident. As a result, the City Attorney’s Office does not represent or provide direct legal advice to City residents.

Allocation Method

Based on the assessment of duties of the City Attorney, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the many functions, duties, and responsibilities of the City Attorney, multiple distribution bases were used to allocate the costs to represent the pull on their resources.
- The distribution factors used for the City Clerk include the modified total direct cost, total number of Council agendas, and the total number of FTE’s per department and fund.

001: City Attorney

Total Agendas	33%
Total FTE's	33%
Modified Total Direct Cost	33%

Section 2: City Clerk

The City Clerk's Office is a service department and one to which other departments and the general public comes for legislative information regarding the operations of the City. Original City contracts and agreements, claims against the City, deeds, ordinances, resolutions and other documents are processed and filed with the City Clerk. The City Council agendas and minutes are prepared by this office and staff support is provided to record and prepare minutes for City Boards and Commissions. In addition, the City Clerk oversees the citywide Records Management and Electronic Imaging Program and is responsible for the codification of the Escondido Municipal and Zoning Codes. All municipal elections are conducted by this office. The City Clerk is designated as the City's Filing Officer by the State Fair Political Practices Commission (FPPC) and processes Statements of Economic Interests, administers the City's Conflict of Interest Code for

designated employees, and receives all campaign filing documents for local candidates, officers and committees.

Allocation Method

Based on the assessment of duties of the City Clerk, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the many functions, duties, and responsibilities of the City Clerk, multiple distribution bases were used to allocate the costs to represent the pull on their resources.
- The distribution factors used for the City Clerk include the modified total direct cost, total number of Council agendas, and the total number of FTE’s per department and fund.

001: City Clerk

Total Agendas	33%
Total FTE's	33%
Modified Total Direct Cost	33%

Section 3: City Council

The City Council is the elected governing body of the City and is responsible for establishing City policies and representing the people. The City Council consists of a Mayor (elected at large) and four City Council members (elected by district). All members serve for 4-year terms.

Allocation Method

Based on the assessment of duties of the City Council, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the many functions, duties, and responsibilities of the City Council, multiple distribution bases were used to allocate the costs to represent the pull on their resources and were given equal weight.
- The distribution factors used for the City Council include the modified total direct cost, total number of Council agendas, and the total number of FTE’s per department and fund.
- For the OMB plan the costs of the City Council are not allocated to ensure OMB compliance.

001: City Council

Total Agendas	33%
Total FTE's	33%
Modified Total Direct Cost	33%

Section 4: City Manager

The City Manager’s Office implements City Council policies, administers the organization and the delivery of services to the community and oversees the City’s day to day operations. The City Manager is appointed by the City Council and serves as the City’s Chief Executive Officer and manages the daily operations of all City departments, while supporting the City Council’s policy direction. The Assistant City Manager and Economic Development services are located in the City Manager’s office. Economic Development oversees facilitation of retail, commercial and industrial properties, and retention of businesses. A strong emphasis is placed on retention, business attraction and working with small businesses for optimum success.

Allocation Method

Based on the assessment of duties of the City Manager, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the many functions, duties, and responsibilities of the City Manager, multiple distribution bases were used to allocate the costs to represent the pull on their resources.
- The distribution factors used for the City Clerk include the modified total direct cost, total number of Council agendas, and the total number of FTE’s per department and fund.

001: City Manager

Total Agendas	33%
Total FTE's	33%
Modified Total Direct Cost	33%

Section 5: City Treasurer

The City Treasurer’s Office is responsible for maintaining adequate bank balances to cover expenditures and invest surplus cash considering both short-term and long-term cash flow needs; overseeing the City’s investment program; managing the City’s investment portfolio and investment policy in accordance with legal guidelines; performing bond administration duties including trustee account reconciliation, oversight of debt service requirements and payments, and preparation of annual tax levies; coordinating assigned activities with other divisions, departments, and outside agencies; and preparing and maintaining a variety of investment, bank, and bond records and reports. The City Treasurer is an elected position which serves a term of four years.

Allocation Method

Based on the assessment of duties of the Treasurer, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for the Treasurer include the modified total direct cost per department and fund.

001: City Treasurer

Modified Total Direct Cost	100%
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Section 6: Communications

Communications staff contribute to the efficient and effective operations of the City by coordinating the creation and distribution of content to key internal and external constituents; producing and distributing public information; and facilitating coordination with departments, divisions, and outside agencies. Communications is the contact point for media relations, public relations, crisis communication, employee communication, social media, tourism and marketing outreach, and a variety of other communication services.

Allocation Method

Based on the assessment of duties of Communications, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for Communications include the modified total direct cost per department and fund.

001: Communications

Modified Total Direct Cost	100%
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Section 7: Enterprise Software & Web Administration

The Enterprise Software & Web Administration (ESWA) division of Information Systems is primarily responsible for the administration and security of the City's database systems, and the enterprise-wide software packages that use them. ESWA also operates and maintains the City's Internet and intranet websites. Some of the services ESWA provides are: software analysis, development, and maintenance; database installation; database reporting and data analysis; application and database support, patching, and upgrades; website content management and website design; and providing technical recommendations for procurement of software and technical services.

Allocation Method

Based on the assessment of duties of the Enterprise Software & Web Administration division, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for the Enterprise Software & Web Administration division include the modified total direct cost per department and fund.

001: Enterprise Software & Web Adm

Modified Total Direct Cost	100%
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Section 8: Finance

The Finance Department is responsible for managing the financial resources of the City by providing reliable and timely financial support services to the organization. The department’s responsibilities include: financial reporting, operating and capital improvement program budgets, accounting, purchasing, utility billing, collections, payroll, accounts payable and accounts receivable.

Allocation Method

Based on the assessment of the duties of the Finance Department, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Based on the operation of the Finance Department and the primary functions they perform distribution bases were chosen to simulate the manner support is provided to the City’s departments and funds.
- The distribution factors used for the Finance Department includes the total number of accounts payable, total revenues, total number of FTE’s, and the modified total direct cost per department and fund.

001: Finance

Modified Total Direct Cost	35%
Total Accounts Payable	35%
Total FTE's	20%
Total Revenues	10%

Section 9: Geographic Information Systems

The GIS division of Information Systems manages the City’s spatial data and presents it in the most accessible, logical, and informative manner possible. It does this through creation of map products and map applications, but also through integration with other enterprise applications. GIS’s responsibilities include: capturing, editing and managing spatial data that represents the City’s assets, facilities and activities; accessing and acquiring aerial imagery; analyzing spatial data; incorporating spatial data, imagery, and analysis into map products and applications; coordinating with external agencies to ensure the consistency of regional data; provisioning spatial data for the public.

Allocation Method

Based on the assessment of duties of the Geographic Information Systems division, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for the Geographic Information Systems division include the GIS Department time survey per department and fund.

001: Geographic Information Systems

GIS Department Time Survey	100%
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Section 10: Human Resources

The Human Resources Department functions as a supportive partner by providing a full range of services to City of Escondido employees and the public. Some of the services provided by the department include employee and labor relations, classification and compensation, recruitment and selection, employee benefit programs, safety and risk management, policy development, and training. The employees within Human Resources serve as advisors to departments, thereby providing information that empowers managers, administrators, and staff to meet the goals of the City.

Allocation Method

Based on the assessment of the duties of the Human Resources Department, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the personnel related functions, duties, and responsibilities of the Human Resources Department, multiple personnel related distribution bases were used to allocate the costs to represent the pull on their resources and were given equal weight.
- The distribution factors used for Human Resources include the total number of FTE's and the modified total direct cost per department and fund.

001: Human Resources

Total FTE's	50%
Modified Total Direct Cost	50%

Section 11: Information Systems Administration

Information Systems provides business technology solutions, services, and support to City staff, which in turn, enables and facilitates their service to the public. Responsibilities include: software and applications; hardware such as servers, PCs, tablets, cell phones, and other smart devices; wired and wireless networking and communications; telephony equipment and services; duplicating and printing services; mail distribution and postage; and Internet and intranet websites.

Allocation Method

Based on the assessment of duties of Information Systems Administration, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for Information Systems Administration include the total number of IT unit equivalents maintained for each department and fund.

001: Information Systems Admin

Total IT Unit Equivalents	100%
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Section 12: Non-Departmental

The Non-Departmental account includes contingencies for contractual salary and benefit obligations and expenditures not directly chargeable to other City Hall accounts, such as for pool cars, training room workstations and Escondido University duplicating charges.

Allocation Method

Based on the assessment of costs of Non-Departmental, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the many functions of Non-Departmental, multiple distribution bases were used to allocate the costs to represent the pull on their resources and were given equal weight.
- The distribution factors used for Non-Departmental include the total number of FTE's and the total modified direct cost per department and fund.
- For the OMB plan the costs related to elections, advertising, promotion, and any other Cost Principles prohibited cost types are not allocated to ensure OMB compliance.

001: Non-Departmental

Total FTE's	50%
Modified Total Direct Cost	50%

Section 13: Radio Communications

The Radio Communications budget provides for the Regional Communication System maintenance contract and radio repairs throughout the fiscal year. Each department that uses the radio communications system is charged for their portion of the budget based on the radio inventory they currently have.

Allocation Method

Based on the assessment of costs of Radio Communications, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for Radio Communications include the total number of radios maintained for each department and fund.

001: Radio Communications

Total Number of Radios	100%
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Section 14: Risk Management

The Risk Management Division administers the City's self-insured Liability and Workers' Compensation programs, and purchases property, pollution, crime and cyber liability insurance coverage. Risk Management staff handles the City's first party property and subrogation claims and assists the City Attorney's Office with tracking and trending liability claims against the City. Risk Management assists City departments with the review and preparation of contracts and permits for insurance compliance with City

requirements. Risk Management provides guidance and support to City departments regarding health and safety issues including Occupational Safety and Health Administration (OSHA) required training and reporting, facility and equipment inspections and ergonomic evaluations. Risk Management administers the fitness for duty, return-to-work, drug and alcohol and vehicle safety programs. The Risk Manager serves as the City’s Americans with Disabilities Act (ADA) coordinator, and representative to the California State Association of Counties – Excess Insurance Authority (CSAC-EIA) risk sharing pool.

Allocation Method

Based on the assessment of costs of Risk Management, it is reasonable to distribute the allocable cost by using the method(s) described below.

- The distribution factor used for Risk Management include the modified total direct cost for each department and fund.

001: Risk Management

Modified Total Direct Cost	100%
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Section 15: Video Services

Video Services staff ensure that residents have access to high quality broadcasts of weekly City Council meetings. As part of Communications & Community Services, they communicate important information to the public regarding policies, events, services, and activities of City government.

Allocation Method

Based on the assessment of duties of Video Services, it is reasonable to distribute the allocable cost by using the method(s) described below.

- Due to the many functions of Video Services, multiple distribution bases were used to allocate the costs to represent the pull on their resources and were given equal weight.
- The distribution factors used for Video Services include the total number of FTE’s, total number of Council agendas, and the modified total direct cost per department and fund.

001: Video Services

Total Agendas	33%
Total FTE's	33%
Modified Total Direct Cost	33%

Iterative Allocation

The total allocable expenditures of each central service department were allocated to other departments (including both operating departments and other central service departments) based on the individual methodologies outlined above in Sections 1 through 15 of the Allocation Percentages chapter. Any cost allocated from central service to central service is then reallocated out using the same methodology. This operation is done iteratively until all allocable cost is received by the operating departments and funds, and none remain with the central services. After completion of the iterative allocation method, a total combined allocable cost of \$15,970,540 was distributed to all departments and funds until the allocable cost remained only in the operating departments and funds, and the amount of allocable costs remaining in central service departments was equal to zero.

The full cost plan follows the same methodology with the exception that all costs that were excluded solely for OMB compliance, but were reasonable for the full plan, were made allowable and included in the allocation. See Table B-1 for additional details for the full cost plan.

After implementing the iterative allocation methodology, all allocable central service costs have been distributed to the operating departments and funds. Table 1 in the Executive Summary of this report summarized the distribution of the total allocable cost of \$15,970,540 to each recipient department for the OMB compliant CAP. Table 2 summarized the distribution of the total allocable cost of \$16,644,120 to each recipient department for the full cost CAP.

Appendix A

Appendix A lists the tables detailing the allocation methodology performed in allocating central service costs for the OMB Compliant cost allocation plan.

Table A-1: Initial Allocation Percentages (OMB Compliant CAP) – Continued

Central Service/Operating Departments	Central Service Departments										Central Service Departments					
	001: City Attorney	001: City Clerk	001: City Council	001: City Manager	001: City Treasurer	001: Communications	001: Enterprise Software & Web Adm	001: Finance	001: Geographic Information Systems	001: Human Resources	001: Information Systems Admin	001: Non-Departmental	001: Radio Communications	001: Risk Management	001: Video Services	
172: Landscape Maint Dist-Zone 32	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
173: Landscape Maint Dist-Zone 33	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
174: Landscape Maint Dist-Zone 34	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
175: Landscape Maint Dist-Zone 35	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
176: Landscape Maint Dist-Zone 36	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
177: Landscape Maint Dist-Zone 37	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
178: Landscape Maint Dist-Zone 38	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
281: Successor Agency-Housing	1.1%	1.1%	1.1%	1.1%	0.3%	0.3%	0.3%	0.4%	0.0%	0.3%	0.1%	0.3%	0.3%	1.1%	1.1%	
283: Mobilehome Park Operations	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	
284: Housing - HOME	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	
320: General Obligation Debt Serv	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
376: Reidy Creek Golf Crse Debt Svc	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
553: Reidy Creek Golf Course Fund	0.1%	0.1%	0.1%	0.1%	0.3%	0.3%	0.3%	0.2%	0.0%	0.2%	0.0%	0.2%	0.3%	0.1%	0.1%	
555: Water Operating Fund	10.9%	10.9%	10.9%	10.9%	13.3%	13.3%	13.3%	18.3%	19.9%	13.3%	4.5%	13.3%	10.5%	13.3%	10.9%	
558: Wastewater Operating Fund	9.4%	9.4%	9.4%	9.4%	13.4%	13.4%	13.4%	15.0%	15.0%	11.7%	8.3%	11.7%	6.8%	13.4%	9.4%	
791: Successor Agency-Redevelopment	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
004: Library Trust Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
108: Gas Tax Fund	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.2%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	
109: Park Development Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
115: CDBG Project Fund	0.1%	0.1%	0.1%	0.1%	0.4%	0.4%	0.4%	0.3%	0.0%	0.2%	0.2%	0.0%	0.4%	0.1%	0.1%	
120: Traffic Impact Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
122: Daley Ranch Restoration Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
130: Public Art Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
206: Street Projects Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
227: Storm Drain Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
229: General Capital Projects Fund	0.2%	0.2%	0.2%	0.2%	0.5%	0.5%	0.5%	0.5%	0.0%	0.2%	0.0%	0.2%	0.5%	0.2%	0.2%	
230: County Trans Street Projects	0.1%	0.1%	0.1%	0.1%	0.3%	0.3%	0.3%	0.6%	0.0%	0.1%	0.0%	0.1%	0.3%	0.1%	0.1%	
231: Trans Development Act Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
235: Road Maintenance & Rehab	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
243: Public Facilities - Admin	0.1%	0.1%	0.1%	0.1%	0.3%	0.3%	0.3%	0.7%	0.0%	0.1%	0.0%	0.1%	0.3%	0.1%	0.1%	
401: Reimbursable Grants - General	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	0.0%	0.1%	0.0%	0.1%	0.1%	0.0%	0.0%	
450: Public Safety Grants - Advances	0.1%	0.1%	0.1%	0.1%	0.2%	0.2%	0.2%	0.1%	0.0%	0.1%	0.0%	0.1%	0.2%	0.1%	0.1%	
451: Public Safety Grants - Reimb	0.2%	0.2%	0.2%	0.2%	0.7%	0.7%	0.7%	0.4%	0.0%	0.3%	0.0%	0.3%	0.7%	0.2%	0.2%	
556: Water Utility Capital Projects	0.2%	0.2%	0.2%	0.2%	0.6%	0.6%	0.6%	0.6%	0.0%	0.3%	0.0%	0.3%	0.6%	0.2%	0.2%	
557: Wastewater Capital Projects	0.4%	0.4%	0.4%	0.4%	1.2%	1.2%	1.2%	0.8%	0.0%	0.6%	0.0%	0.6%	1.2%	0.4%	0.4%	
651: Building Maint Capital Project	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

Table A-2: Final Allocation Percentages (OMB Compliant CAP) – Continued

Central Service/Operating Departments	Central Service Departments						Central Service Departments								
	001: City Attorney	001: City Clerk	001: City Council	001: City Manager	001: City Treasurer	001: Communications	001: Enterprise Software & Web Adm	001: Finance	001: Geographic Information Systems	001: Human Resources	001: Information Systems Admin	001: Non-Departmental	001: Radio Communications	001: Risk Management	001: Video Services
172: Landscape Maint Dist-Zone 32	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
173: Landscape Maint Dist-Zone 33	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
174: Landscape Maint Dist-Zone 34	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
175: Landscape Maint Dist-Zone 35	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
176: Landscape Maint Dist-Zone 36	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
177: Landscape Maint Dist-Zone 37	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
178: Landscape Maint Dist-Zone 38	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
281: Successor Agency-Housing	1.3%	1.3%	1.3%	1.3%	0.4%	0.4%	0.4%	0.5%	0.2%	0.4%	0.2%	0.4%	0.4%	0.4%	1.3%
283: Mobilehome Park Operations	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%
284: Housing - HOME	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%
320: General Obligation Debt Serv	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
376: Reidy Creek Golf Crse Debt Svc	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
553: Reidy Creek Golf Course Fund	0.1%	0.1%	0.1%	0.1%	0.4%	0.4%	0.4%	0.2%	0.1%	0.2%	0.0%	0.2%	0.0%	0.4%	0.1%
555: Water Operating Fund	13.9%	13.9%	13.9%	13.9%	15.4%	15.4%	15.4%	19.7%	24.4%	15.1%	6.4%	15.1%	10.5%	15.4%	13.9%
558: Wastewater Operating Fund	12.0%	12.0%	12.0%	12.0%	15.4%	15.4%	15.4%	16.3%	19.3%	13.4%	10.0%	13.4%	6.8%	15.4%	12.0%
791: Successor Agency-Redevelopment	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
004: Library Trust Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
108: Gas Tax Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
109: Park Development Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
115: CDBG Project Fund	0.1%	0.1%	0.1%	0.1%	0.2%	0.2%	0.2%	0.2%	0.0%	0.1%	0.0%	0.1%	0.0%	0.2%	0.1%
120: Traffic Impact Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
122: Daley Ranch Restoration Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
130: Public Art Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
206: Street Projects Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
227: Storm Drain Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
229: General Capital Projects Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
230: County Trans Street Projects	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
231: Trans Development Act Fund	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
235: Road Maintenance & Rehab	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
243: Public Facilities - Admin	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
401: Reimbursable Grants - General	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
450: Public Safety Grants - Advances	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
451: Public Safety Grants - Reimb	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
556: Water Utility Capital Projects	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
557: Wastewater Capital Projects	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
651: Building Maint Capital Project	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%

Table A-3: Final Allocation Amounts (OMB Compliant CAP) - Continued

Department Classification	Department	Central Service Departments										Central Service Departments			Total Allocation	
		001: City Attorney	001: City Clerk	001: City Council	001: City Manager	001: City Treasurer	001: Communications	001: Enterprise Software & Web Adm	001: Finance	001: Geographic Information Systems	001: Human Resources	001: Information Systems Admin	001: Non-Departmental	001: Radio Communications		001: Risk Management
		2,075,040	875,060	0	1,604,735	397,930	524,225	1,292,650	3,648,270	590,810	1,195,480	553,500	1,505,910	948,835	644,310	15,970,540
Operating Department	166: Landscape Maint Dist-Zone 26	90	38	-	70	27	35	86	1,311	10	48	9	61	-	43	1,832
Operating Department	167: Landscape Maint Dist-Zone 27	218	92	-	169	88	116	286	1,574	29	145	14	182	-	142	3,067
Operating Department	168: Landscape Maint Dist-Zone 28	855	361	-	661	386	508	1,254	3,436	125	617	41	777	-	625	9,693
Operating Department	169: Landscape Maint Dist-Zone 29	111	47	-	86	27	35	87	1,987	11	52	13	66	-	43	2,572
Operating Department	172: Landscape Maint Dist-Zone 32	59	25	-	46	20	26	64	709	7	34	5	43	-	32	1,074
Operating Department	173: Landscape Maint Dist-Zone 33	118	50	-	91	38	50	123	1,502	14	67	10	84	-	61	2,215
Operating Department	174: Landscape Maint Dist-Zone 34	92	39	-	71	27	36	89	1,313	10	50	9	62	-	44	1,848
Operating Department	175: Landscape Maint Dist-Zone 35	110	46	-	85	27	35	87	1,933	11	52	12	66	-	44	2,514
Operating Department	176: Landscape Maint Dist Zone 36	9	4	-	7	4	5	13	62	1	6	1	8	-	6	127
Operating Department	177: Landscape Maint Dist-Zone 37	45	19	-	35	21	28	68	120	7	33	2	42	-	34	456
Operating Department	178: Landscape Maint Dist-Zone 38	98	41	-	75	22	29	70	1,874	9	44	12	55	-	35	2,368
Operating Department	281: Successor Agency-Housing	26,551	11,197	-	20,533	1,418	1,867	4,605	16,972	1,202	4,598	1,158	5,792	-	2,295	99,644
Operating Department	283: Mobilehome Park Operations	836	353	-	647	364	479	1,182	4,273	119	587	44	739	-	589	10,258
Operating Department	284: Housing - HOME	225	95	-	174	80	105	259	1,487	46	144	696	182	-	129	3,634
Operating Department	320: General Obligation Debt Serv	397	167	-	307	31	41	100	11,417	22	110	65	139	-	50	12,867
Operating Department	376: Reidy Creek Golf Crse Debt Svc	37	16	-	29	3	4	9	1,061	2	10	6	13	-	5	1,195
Operating Department	553: Reidy Creek Golf Course Fund	3,055	1,288	-	2,363	1,457	1,920	4,734	7,079	467	2,296	123	2,892	-	2,360	30,202
Operating Department	555: Water Operating Fund	289,136	121,931	-	223,603	61,123	80,522	198,553	718,564	143,900	180,663	35,645	227,576	99,464	98,967	2,495,502
Operating Department	558: Wastewater Operating Fund	249,980	105,419	-	193,323	61,113	80,509	198,522	593,964	114,112	160,333	55,330	201,967	64,128	98,951	2,191,359
Operating Department	791: Successor Agency-Redevelopment	660	278	-	511	74	98	241	17,470	42	210	101	265	-	120	20,106
Operating Department	004: Library Trust Fund	221	93	-	171	56	73	181	3,804	22	107	24	135	-	90	4,989
Operating Department	108: Gas Tax Fund	277	117	-	214	34	45	112	7,112	19	92	41	116	-	56	8,250
Operating Department	109: Park Development Fund	143	60	-	111	11	15	36	4,123	8	40	23	50	-	18	4,647
Operating Department	115: CDBG Project Fund	1,976	833	-	1,528	874	1,152	2,839	9,100	285	1,404	100	1,768	-	1,415	23,383
Operating Department	120: Traffic Impact Fund	124	52	-	96	10	13	31	3,562	7	34	20	43	-	16	4,015
Operating Department	122: Daley Ranch Restoration Fund	43	18	-	34	20	27	66	129	7	32	2	40	-	33	453
Operating Department	130: Public Art Fund	161	68	-	124	58	77	189	1,582	20	99	12	125	-	94	2,618
Operating Department	206: Street Projects Fund	391	165	-	302	106	140	345	6,238	40	198	41	250	-	172	8,409
Operating Department	227: Storm Drain Fund	193	82	-	150	70	93	229	1,892	24	120	14	151	-	114	3,142
Operating Department	229: General Capital Projects Fund	480	202	-	371	37	49	121	13,794	27	133	78	167	-	60	15,546
Operating Department	230: County Trans Street Projects	666	281	-	515	52	68	168	19,164	37	185	109	233	-	84	21,598
Operating Department	231: Trans Development Act Fund	2	1	-	1	0	0	0	49	0	0	0	1	-	0	55
Operating Department	235: Road Maintenance & Rehab	3	1	-	3	0	0	1	97	0	1	1	1	-	0	110
Operating Department	243: Public Facilities - Admin	815	344	-	630	63	83	206	23,444	45	226	133	284	-	103	26,421
Operating Department	401: Reimbursable Grants - General	100	42	-	77	8	10	25	2,870	6	28	16	35	-	13	3,234
Operating Department	450: Public Safety Grants - Advances	41	17	-	31	3	4	10	1,167	2	11	7	14	-	5	1,316
Operating Department	451: Public Safety Grants - Reimb	215	91	-	166	17	22	54	6,177	12	60	35	75	-	27	6,962
Operating Department	556: Water Utility Capital Projects	477	201	-	369	37	49	120	13,716	26	132	78	166	-	60	15,458
Operating Department	557: Wastewater Capital Projects	487	205	-	377	38	50	123	14,008	27	135	80	170	-	61	15,787
Operating Department	651: Building Maint Capital Project	423	178	-	327	204	269	662	838	65	320	16	404	-	330	4,061

Appendix B

Appendix B provides the table detailing the allocation performed in allocating central service costs for the full cost allocation plan. The methodology for the full plan is the same as for the OMB compliant plan, as it is the most reasonable and represents how indirect support is provided in the City. The difference between the two plans, as has been described in this report, is in the costs that can be allocated.

Table B-1: Final Allocation Amounts (Full CAP) – Continued

Department Classification	Department	Central Service Departments										Central Service Departments			Total Allocation	
		001: City Attorney	001: City Clerk	001: City Council	001: City Manager	001: City Treasurer	001: Communications	001: Enterprise Software & Web Adm	001: Finance	001: Geographic Information Systems	001: Human Resources	001: Information Systems Admin	001: Non-Departmental	001: Radio Communications		001: Risk Management
		2,075,040	875,060	521,080	1,607,235	397,930	524,225	1,292,650	3,648,270	590,810	1,195,480	553,500	1,655,910	948,835	644,310	16,644,120
Operating Department	166: Landscape Maint Dist-Zone 26	90	38	23	70	27	35	86	1,311	10	48	9	67	-	43	1,861
Operating Department	167: Landscape Maint Dist-Zone 27	218	92	55	169	88	116	286	1,574	29	145	14	200	-	142	3,140
Operating Department	168: Landscape Maint Dist-Zone 28	855	361	215	662	386	508	1,254	3,436	125	617	41	854	-	625	9,986
Operating Department	169: Landscape Maint Dist-Zone 29	111	47	28	86	27	35	87	1,987	11	52	13	73	-	43	2,606
Operating Department	172: Landscape Maint Dist-Zone 32	59	25	15	46	20	26	64	709	7	34	5	48	-	32	1,094
Operating Department	173: Landscape Maint Dist-Zone 33	118	50	30	92	38	50	123	1,502	14	67	10	93	-	61	2,253
Operating Department	174: Landscape Maint Dist-Zone 34	92	39	23	71	27	36	89	1,313	10	50	9	69	-	44	1,878
Operating Department	175: Landscape Maint Dist-Zone 35	110	46	28	85	27	35	87	1,933	11	52	12	72	-	44	2,548
Operating Department	176: Landscape Maint Dist Zone 36	9	4	2	7	4	5	13	62	1	6	1	9	-	6	130
Operating Department	177: Landscape Maint Dist-Zone 37	45	19	11	35	21	28	68	120	7	33	2	46	-	34	471
Operating Department	178: Landscape Maint Dist-Zone 38	98	41	25	76	22	29	70	1,874	9	44	12	61	-	35	2,399
Operating Department	281: Successor Agency-Housing	26,551	11,197	6,667	20,565	1,418	1,867	4,605	16,972	1,202	4,598	1,158	6,369	-	2,295	106,920
Operating Department	283: Mobilehome Park Operations	836	353	210	648	364	479	1,182	4,273	119	587	44	813	-	589	10,543
Operating Department	284: Housing - HOME	225	95	56	174	80	105	259	1,487	46	144	696	200	-	129	3,709
Operating Department	320: General Obligation Debt Serv	397	167	100	307	31	41	100	11,417	22	110	65	152	-	50	12,981
Operating Department	376: Reidy Creek Golf Crse Debt Svc	37	16	9	29	3	4	9	1,061	2	10	6	14	-	5	1,206
Operating Department	553: Reidy Creek Golf Course Fund	3,055	1,288	767	2,366	1,457	1,920	4,734	7,079	467	2,296	123	3,180	-	2,360	31,261
Operating Department	555: Water Operating Fund	289,136	121,931	72,607	223,952	61,123	80,522	198,553	718,564	143,900	180,663	35,645	250,244	99,464	98,967	2,591,125
Operating Department	558: Wastewater Operating Fund	249,980	105,419	62,775	193,624	61,113	80,509	198,522	593,964	114,112	160,333	55,330	222,084	64,128	98,951	2,274,552
Operating Department	791: Successor Agency-Redevelopment	660	278	166	511	74	98	241	17,470	42	210	101	291	-	120	20,299
Operating Department	004: Library Trust Fund	221	93	55	171	56	73	181	3,804	22	107	24	148	-	90	5,058
Operating Department	108: Gas Tax Fund	277	117	70	215	34	45	112	7,112	19	92	41	128	-	56	8,332
Operating Department	109: Park Development Fund	143	60	36	111	11	15	36	4,123	8	40	23	55	-	18	4,688
Operating Department	115: CDBG Project Fund	1,976	833	496	1,530	874	1,152	2,839	9,100	285	1,404	100	1,944	-	1,415	24,058
Operating Department	120: Traffic Impact Fund	124	52	31	96	10	13	31	3,562	7	34	20	48	-	16	4,050
Operating Department	122: Daley Ranch Restoration Fund	43	18	11	34	20	27	66	129	7	32	2	44	-	33	468
Operating Department	130: Public Art Fund	161	68	40	124	58	77	189	1,582	20	99	12	137	-	94	2,671
Operating Department	206: Street Projects Fund	391	165	98	303	106	140	345	6,238	40	198	41	275	-	172	8,532
Operating Department	227: Storm Drain Fund	193	82	49	150	70	93	229	1,892	24	120	14	166	-	114	3,206
Operating Department	229: General Capital Projects Fund	480	202	120	371	37	49	121	13,794	27	133	78	184	-	60	15,684
Operating Department	230: County Trans Street Projects	666	281	167	516	52	68	168	19,164	37	185	109	256	-	84	21,790
Operating Department	231: Trans Development Act Fund	2	1	0	1	0	0	0	49	0	0	0	1	-	0	55
Operating Department	235: Road Maintenance & Rehab	3	1	1	3	0	0	1	97	0	1	1	1	-	0	111
Operating Department	243: Public Facilities - Admin	815	344	205	631	63	83	206	23,444	45	226	133	313	-	103	26,655
Operating Department	401: Reimbursable Grants - General	100	42	25	77	8	10	25	2,870	6	28	16	38	-	13	3,263
Operating Department	450: Public Safety Grants - Advances	41	17	10	31	3	4	10	1,167	2	11	7	16	-	5	1,327
Operating Department	451: Public Safety Grants - Reimb	215	91	54	166	17	22	54	6,177	12	60	35	82	-	27	7,023
Operating Department	556: Water Utility Capital Projects	477	201	120	369	37	49	120	13,716	26	132	78	183	-	60	15,595
Operating Department	557: Wastewater Capital Projects	487	205	122	377	38	50	123	14,008	27	135	80	187	-	61	15,927
Operating Department	651: Building Maint Capital Project	423	178	106	328	204	269	662	838	65	320	16	444	-	330	4,208



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CITY OF ESCONDIDO



User Fee Study

March 2020



TABLE OF CONTENTS

TABLE OF CONTENTS	1
Executive Summary	3
User Fee Background	4
Background	4
California User Fee History	4
Additional Policy Considerations	5
Study Objective	6
Scope of the Study	6
Aim of the Report.....	7
Project Approach and Methodology	8
Conceptual Approach.....	8
Fully Burdened Hourly Rates.....	8
Summary Steps of the Study.....	9
Allowable Costs.....	9
Methodology.....	10
Quality Control/Quality Assurance	10
Reasons for cost increases/decreases over current fees.....	11
City Staff Contributions.....	11
Escondido User Fees	12
Cost Recovery.....	12
Subsidization	12
Impact on Demand (Elasticity)	13
Summary	13
Building	14
Analysis	14
Planning	15
Analysis	15
Engineering	16
Analysis	16
Fire	17

Analysis	17
Utilities	18
Analysis	18
Appendix A – Total Allowable Cost to be Recovered	19
Appendix B – Fully Burdened Hourly Rates.....	21
Appendix C – Cost Recovery Analysis	28

Executive Summary

The City of Escondido engaged Willdan Financial Services (Willdan) to determine the full costs incurred by the City to support the various activities for which the City charges user fees. Due to the complexity and the breadth of performing a comprehensive review of fees, Willdan employed a variety of fee methodologies to identify the full costs of individual fee and program activities. This report and the appendices herein identifies 100% full cost recovery for City services and the recommended level of recovery as determined through discussion with departmental staff.

The reality of the local government fee environment is that significant increases to achieve 100% cost recovery can often not be feasible, desirable, or appropriate depending on policy direction —particularly in a single year. The recommended fees identified herein are either at or less than full cost recovery.

User Fee Background

Background

As part of a general cost recovery strategy, local governments adopt user fees to fund programs and services that primarily benefit an individual or group. Unlike most revenue sources, cities have more control over the level of user fees they charge to recover costs or the subsidies they can institute as part of a larger policy direction or community benefit.

Fees in California are required to conform to the statutory requirements of the California Constitution, Proposition 218, and the California Code of Regulations. The Code also requires that the City Council adopt fees by either ordinance or resolution, and that any fees in excess of the estimated total cost of rendering the related services must be approved by a popular vote of two-thirds of those electors voting because the charge would be considered a tax and not a fee.

California User Fee History

Before Proposition 13, California cities were less concerned with potential subsidies and recovering the cost of their services from individual fee payers. In times of fiscal shortages, cities simply raised property taxes, which funded everything from police and recreation to development-related services. However, this situation changed with the passage of Proposition 13 in 1978.

Proposition 13 established the era of revenue limitation in California local government. In subsequent years, the state saw a series of additional limitations to local government revenues. Proposition 4 (1979) defined the difference between a tax and a fee: a fee can be no greater than the cost of providing the service; and Proposition 218 (1996) further limited the imposition of taxes for certain classes of fees. As a result, cities were required to secure a supermajority vote in order to enact or increase taxes. Compounding this limitation, the State of California took a series of actions in the 1990's and 2000's to improve the State's fiscal situation—at the expense of local governments. As an example, in 2004-05, the Educational Revenue Augmentation Funds (“ERAF”) take-away of property taxes and the reduction of Vehicle License Fees have severely reduced local tax revenues.

In addition, on November 2, 2010, California voters approved Proposition 26, the “Stop Hidden Taxes Initiative”, which is aimed at defining “regulatory fees” as a special tax rather than a fee, thus requiring approval by two-thirds vote of local voters. These regulatory fees are typically intended to mitigate the societal and environmental impacts of a business or person's activities. Proposition 26 contains seven categories of exceptions. The vast majority of fees that cities would seek to adopt will most likely fall into one or more of these exemptions.

Additional Policy Considerations

The recent trend for municipalities is to update their fee schedules to reflect the actual costs of certain public services primarily benefitting users. User Fees recover costs associated with the provision of specific services benefitting the user, thereby reducing the use of General Fund monies for such purposes.

In addition to collecting the direct cost of labor and materials associated with processing and administering user services, it is common for local governments to recover support costs. Support costs are those costs relating to a local government's central service departments that are properly allocable to the local government's operating departments. Central services support cost allocations were incorporated using the resulting indirect overhead percentages determined through the Cost Allocation Plan. This plan was developed prior to the User Fee study to determine the burden placed upon central services by the operating departments in order to allocate a proportionate share of central service cost.

As labor effort and costs associated with the provision of services fluctuate over time, a significant element in the development of any fee schedule is that it has the flexibility to remain current. Therefore, it is recommended that the City include an inflationary factor in the resolution adopting the fee schedule to allow the City Council, by resolution, to annually increase or decrease the fees.

The City may employ many different inflationary factors. The most commonly used inflator is some form of the Consumer Price Index (CPI) as it is widely well known and accepted. A similar inflator is the implicit price deflator for GDP, which is much like the CPI except that while the CPI is based on the same "basket" of goods and services every year, the price deflators' "basket" can change year to year. Since the primary factor for the cost of a City's services is usually the costs of the personnel involved, tying an inflationary factor that connects more directly to the personnel costs can be suitable if there is a clear method, or current practice of obtaining said factor.

Each City should use an inflator that they believe works the best for their specific situation and needs. It is also recommended that the City perform this internal review annually with a comprehensive review of services and fees performed every three to five years, which would include adding or removing fees for any new or eliminated programs/services.

Study Objective

As the City of Escondido seeks to efficiently manage limited resources and adequately respond to increased service demands, it needs a variety of tools. These tools provide assurance that the City has the best information and the best resources available to make sound decisions, fairly and legitimately set fees, maintain compliance with state law and local policies, and meet the needs of the City administration and its constituency. Given the limitations on raising revenue in local government, the City recognizes that a User Fee Study is a very cost-effective way to understand the total cost of services and identify potential fee deficiencies. Essentially, a User Fee is a payment for a requested service provided by a local government that primarily benefits an individual or group.

The total cost of each service included in this analysis is based on the full cost of providing City services, including direct salaries and benefits of City staff, direct departmental costs, and indirect costs from central service support. This study determines the full cost recovery fee for the City to provide each service; however, each fee is set at the City's discretion, up to 100% of the total cost, as specified in this report.

The principle goal of the study was to help the City determine the full cost of the services that the City provides. In addition, Willdan established a series of additional objectives including:

- Developing a rational basis for setting fees
- Identifying subsidy amount, if applicable, of each fee in the model
- Enhancing fairness and equity
- Ensuring compliance with State law
- Developing an updatable and comprehensive list of fees
- Maintaining accordance with City policies and goals

The study results will help the City better understand its true costs of providing services and may serve as a basis for making informed policy decisions regarding the most appropriate fees, if any, to collect from individuals and organizations that require individualized services from the City.

Scope of the Study

The scope of this study encompasses a review and calculation of the user fees charged by the following Escondido departments and fee groups:

- Building
- Planning
- Engineering
- Fire
- Police
- Utilities

The study involved the identification of existing and potential new fees, fee schedule restructuring, data collection and analysis, orientation and consultation, quality control, communication and presentations, and calculation of individual service costs (fees) or program cost recovery levels.

Aim of the Report

The User Fee Study focused on the cost of City services, as City staff currently provides them at existing, known, or reasonably anticipated service and staff levels. This report provides a summary of the study results, and a general description of the approach and methods Willdan and City staff used to determine the recommended fee schedule. The report is not intended to document all of the numerous discussions throughout the process, nor is it intended to provide influential dissertation on the qualities of the utilized tools, techniques, or other approaches.

Project Approach and Methodology

Conceptual Approach

The basic concept of a User Fee Study is to determine the “reasonable cost” of each service provided by the City for which it charges a user fee. The full cost of providing a service may not necessarily become the City’s fee, but it serves as the objective basis as to the maximum amount that may be collected.

The standard fee limitation established in California law for property-related (non-discretionary) fees is the “estimated, reasonable cost” principle. In order to maintain compliance with the letter and spirit of this standard, every component of the fee study process included a related review. The use of budget figures, time estimates, and improvement valuation clearly indicates reliance upon estimates for some data.

Fully Burdened Hourly Rates

The total cost of each service included in this analysis is primarily based on the Fully Burdened Hourly Rates (FBHRs) that were determined for City personnel directly involved in providing services. The FBHRs include not only personnel salary and benefits, but also any costs that are reasonably ascribable to personnel. The cost elements that are included in the calculation of fully burdened rates are:

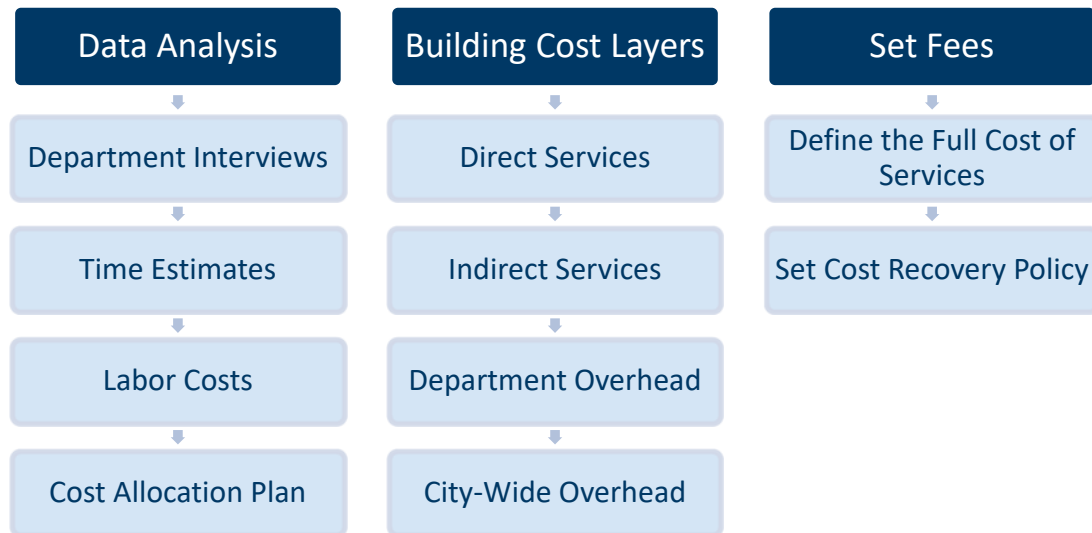
- Salaries & benefits of personnel involved
- Operating costs applicable to fee operations
- Departmental support, supervision, and administration overhead
- Internal Service Costs charged to each department
- Indirect City-wide overhead costs calculated through the Cost Allocation Plan

An important factor in determining the fully burdened rate is in the calculation of productive hours for personnel. This calculation takes the available workable hours in a year of 2,080 and adjusts this figure to account for calculated or anticipated hours’ employees are involved in non-billable activities such as paid vacation, sick leave, emergency leave, holidays, and other considerations as necessary. Dividing the full cost by the number of productive hours provides the FBHR.

The FBHRs are then used in conjunction with time estimates, when appropriate, to calculate a fees' cost based on the personnel and the amount of their time that is involved in providing each service.

Summary Steps of the Study

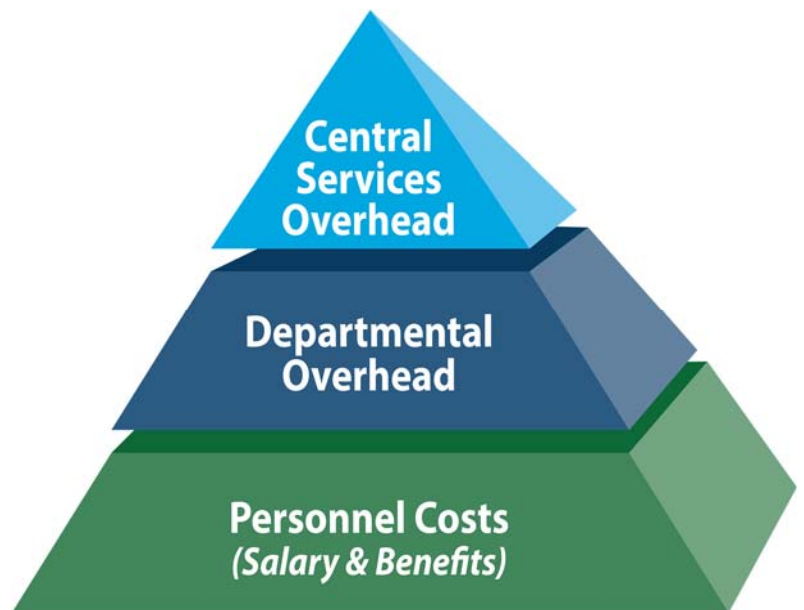
The methodology to evaluate most User Fee levels is straightforward and simple in concept. The following list provides a summary of the study process steps:



Allowable Costs

This report identifies three types of costs that, when combined, constitute the fully burdened cost of a service (**Appendix A**). Costs are defined as direct labor, including salary and benefits, departmental overhead costs, and the City’s central services overhead, where departmental and central service overhead costs constitute support costs. These cost types are defined as follows:

- **Direct Labor (Personnel Costs):** The costs related to staff salaries for time spent directly on fee-related services.
- **Departmental Overhead:** A proportional allocation of departmental overhead costs, including operation costs such as supplies and materials that are necessary for the department to function.
- **Central Services Overhead:** These costs, detailed in the City’s Cost Allocation Plan, represent services provided by those Central Services Departments whose primary function is to support other City departments.



Methodology

The three methods of analysis for calculating fees used in this report are the:

Case Study Method (Standard Unit Cost Build-Up Approach): This approach estimates the actual labor and material costs associated with providing a unit of service to a single user. This analysis is suitable when City staff time requirements do not vary dramatically for a service, or for special projects where the time and cost requirements are easy to identify at the project's outset. Further, the method is effective in instances when a staff member from one department assists on an application, service or permit for another department on an as-needed basis. Costs are estimated based upon interviews with City staff regarding the time typically spent on tasks, a review of available records, and a time and materials analysis.

Programmatic Approach: In some instances, the underlying data is not available or varies widely, leaving a standard unit cost build-up approach impractical. In addition, market factors and policy concerns (as opposed to actual costs) tend to influence fee levels more than other types of services. Willdan employed a different methodology where appropriate to fit the programs' needs and goals. Typical programmatic approach cases are facility use fees, penalties, and instances where a program cost is divided over the user base to obtain a per applicant cost for shared cost services.

Valuation Based Fees: This manner of collection is used when the valuation of the improvement can be used as a proxy for the amount of effort it would take for City staff to complete the service provided. More specifically, this approach is commonly used for certain User Fees in the Building Division. It is generally accepted that as a project's size scales up, the cost of the project increases, and the amount of effort needed to review and inspect also increases. Using a valuation-based fees provides for a system that can adjust as project sizes scale. Land is not included in the valuation.

Quality Control/Quality Assurance

All study components are interrelated, thus flawed data at any step in the process will cause the ultimate results to be inconsistent and unsound. The elements of our Quality Control process for User Fee calculations include:

- Involvement of knowledgeable City staff
- Clear instructions and guidance to City staff
- Reasonableness tests and validation
- Normalcy/expectation ranges
- FTE balancing
- Internal and external reviews
- Cross-checking

Reasons for cost increases/decreases over current fees

Within the fee tables in **Appendix C**, the differences identified between the full costs calculated through the study and the fee levels currently in effect. The reasons for differences between the two can arise from a number of possible factors including:

- Previous fee levels may have been set at levels less than full cost intentionally, based on policy decisions
- Staffing levels and the positions that complete fee and service activity may vary from when the previous costs were calculated
- Personnel and materials costs could have increased at levels that differed from any inflationary factors used to increase fees since the last study
- Costs that this study has identified as part of the full cost of services may not have been accounted for in a previous study
 - Departmental overhead and administration costs
 - Indirect overhead from the Cost Allocation Plan
- Changes in processes and procedures within a department, or the City as a whole

City Staff Contributions

As part of the study process, Willdan received tremendous support and cooperation from City staff, which contributed and reviewed a variety of components to the study, including:

- Budget and other cost data
- Staffing structures
- Fee and service structures, organization, and descriptions
- Direct and indirect work hours (billable/non-billable)
- Time estimates to complete work tasks
- Frequency and current fee levels
- Review of draft results and other documentation

A User Fee Study requires significant involvement of the managers and line staff from the departments—on top of their existing workloads and competing priorities. The contributions from City staff were critical to this study. We would like to express our appreciation to the City and its staff for their assistance, professionalism, positive attitudes, helpful suggestions, responsiveness, and overall cooperation.

Escondido User Fees

Cost Recovery

The cost recovery models, by department/division fee type, are presented in detail in **Appendix C**. Full cost recovery is determined by summing the estimated amount of time each position (in increments of minutes or hours) spends to render a service. Time estimates for each service rendered were predominately determined by Willdan and City Staff through a time and materials survey conducted for each department/division fee included in the study. The resulting cost recovery amount represents the total cost of providing each service. The City's current fee being charged for each service, if applicable, is provided in this section, as well, for reference.

It is important to note that the time and materials survey used to determine the amount of time each employee spends assisting in the provision of the services listed on the fee schedule is essential in identifying the total cost of providing each service. Specifically, in providing services, a number of employees are often involved in various aspects of the process, spending anywhere from a few minutes to several hours on the service.

The principle goal of this study was to identify the cost of City services, to provide information to help the City make informed decisions regarding the actual fee levels and charges. The responsibility to determine the final fee levels is a complicated task. City staff must consider many issues in formulating recommendations, and the City Council must consider those same issues and more in making the final decisions.

City staff assumes the responsibility to develop specific fee level recommendations to present to the City Council. Unfortunately, there are no hard and fast rules to guide the City, since many of the considerations are based on the unique characteristics of the City of Escondido, and administrative and political discretion. However, in setting the level of full cost recovery for each fee, one should consider whether the service solely benefits one end user or the general community.

Subsidization

Recalling the definition of a user fee helps guide decisions regarding subsidization. The general standard is that individuals (or groups) whom receive a wholly private benefit should pay 100% of the full cost of the services. In contrast, services that are simply public benefit should be funded entirely by the general fund's tax dollars. Unfortunately, for the decision makers, many services fall into the range between these two extremes. The graphic on the following page illustrates the potential decision basis.

Further complicating the decision, opponents of fees often assert that the activities subject to the fees provide economic, cultural, "quality of life," or other community benefits that exceed the costs to the City.

It is recommended the City consider such factors during its deliberations regarding appropriate fee levels.

Of course, subsidization can be an effective public policy tool, since it can be used to reduce fees to encourage certain activities (such as compliance inspections to ensure public safety) or allow some people to be able to afford to receive services they otherwise could not at the full cost. In addition, subsidies can

be an appropriate and justifiable action, such as to allow citizens to rightfully access services, without burdensome costs.

Despite the intent, it is important for the City and public to understand that subsidies must be covered by another revenue source, such as the General Fund. Therefore, the general taxpayer will potentially help to fund private benefits, and/or other City services will not receive funds that are otherwise directed to cover subsidies.

Impact on Demand (Elasticity)

Economic principles of elasticity suggest that increased costs for services (higher fees) will eventually curtail the demand for the services; whereas lower fees may spark an incentive to utilize the services and encourage certain actions. Either of these conditions may be a desirable effect to the City. However, the level of the fees that would cause demand changes is largely unknown. The Cost of Service Study did not attempt to evaluate the economic or behavioral impacts of higher or lower fees; nevertheless, the City should consider the potential impacts of these issues when deciding on fee levels.

Summary

If the City's principal goal of this study were to maximize revenues from user fees, Willdan would recommend setting user fees at 100% of the full cost identified in this study. However, we understand that revenue enhancement is not the only goal of a cost of service study, and sometimes full-cost recovery is not needed, desired, or appropriate. Other City and departmental goals, City Council priorities, policy initiatives, past experience, implementation issues, and other internal and external factors may influence staff recommendations and City Council decisions. In this case, the proper identification of additional services (new or existing services) and creation of a consistent and comprehensive fee schedule was the primary objective of this study. City staff has reviewed the full costs and identified the "recommended fee levels" for consideration by City Council. The attached appendices exhibit these unit fees individually.

The preceding sections provide background for each department or division and the results of this study's analysis of their fees. For the full list of each fee's analysis, refer to **Appendix C** of this report.

Building

The Building Division protects life and property through the application and administration of building codes and standards that regulate the construction, use and maintenance of all buildings and structures within the City. The Building Division provides the following services to achieve its goals and provide the necessary services: Review plans, calculations and specifications to verify compliance with State and locally adopted codes and ordinances; Issue building permits to the public; Inspect new and remodeled buildings to ensure compliance with minimum health and safety standards; Develop and update various guidelines and policies for use by the general public to aid in the application; plan review, permit issuance and inspection process; Update, maintain and administer a fee guide for all development projects, and; Update and administer the departments permit tracking software and retain necessary plans and permit records.

Analysis

Willdan individually reviewed the services and programs associated with the Building Division. The review also consisted of an evaluation of existing services in an effort to update the fee schedule.

The analysis of Building relied primarily upon a standard unit cost build-up approach, whereby we determined the reasonable cost of each fee occurrence using staff time to recover the direct cost of staff and pro-rata share of departmental costs, including indirect costs for City Central Services. The analysis found that current services are being provided well below the cost of providing them. It is recommended that the City set Building fees at or near 100% cost recovery for most fees as detailed in [Appendix C](#):

- an increase to 20 fees;
- 9 new fees will be added;
- 21 fees would remain as currently set, and;
- the average estimated fee increase for Building would be at around 3% for flat fee services.

In addition to the above referenced fees listed under Building, the Building Permit fees are also provided by this division. For the Building Permit fees, valuation is used as a proxy for measuring the amount of effort needed to provide services on a case by case basis. This method is an industry standard widely used by other jurisdictions to evaluate the cost of providing service. It is generally understood that the larger and more complex a project is, more time and effort that is required to provide the service. Project valuation also follows that trend, and so by using a combination of either project valuation or historical revenue figures along with a multiplier or cost recovery analysis for historical and anticipated future trends, current cost recovery along with variability in charges due to project type and scale is determined. The result of the cost analysis completed for the Building Permit program found that the program is currently operating at 52% cost recovery using construction valuation amounts that are outdated. The City has suggested to update the ICC valuations used to determine fees to be more current with today's construction costs. The result of increasing valuation amounts on constructions acts to increase fees naturally as costs increase. The revenue increase that would result from the change would bring current fees to above full cost recovery. To offset this increase staff is recommending a 2% decrease to fees to achieve full cost recovery.

Planning

The Planning Division of the Community Development Department is responsible for developing long-range plans to improve the quality of life in the Escondido Planning Area as well as reviewing current development proposals for consistency with the General Plan, city ordinances and Council policies. In addition, the Planning Division coordinates special committees and task forces as established by the City Council, acts as facilitators for several community interest groups, and functions as staff to various boards and commissions, including: Historic Preservation Commission and Planning Commission

Analysis

Willdan individually reviewed the services and programs associated with the Planning Division. The review also consisted of an evaluation of existing services in an effort to update the fee schedule.

The analysis of Planning Services relied primarily upon a standard unit cost build-up approach, whereby we determined the reasonable cost of each fee occurrence using staff time to recover the direct cost of staff and the pro-rata share of departmental costs, including indirect costs for City Central Services. Willdan then compared the calculated full cost against the current fee amount to determine, if charged, whether the current fee is recovering the costs associated with the requested service. Many fees also contain a deposit aspect to allow for more precise accounting of costs on a project by project basis. This fee format allows for the establishment of flat fee amounts for aspects of services that do not vary greatly and utilizes deposits for service aspects that do vary. The analysis found that there are services whose current fees are currently set above and below the full cost of providing service. There will be a gradual increase in most of the fees over 3 years as detailed in [Appendix C](#). It is recommended that the City set most Planning Services fees at or near 100% cost recovery for most fees. As a result, there would be:

- an increase to 40 fees;
- 15 fees would decrease;
- 14 fees will go from flat to flat plus deposit-based fees;
- 27 new fees will be added, and;
- 10 fees would remain as currently set.

Engineering

Engineering Services designs and manages construction of infrastructure improvement projects; provides plan review and construction inspection of private development projects; and oversees the City's landscape maintenance districts and real property assets.

Analysis

Willdan individually reviewed the services and programs associated with Engineering. The review also consisted of an evaluation of existing services in an effort to update the fee schedule.

The analysis of services in Engineering relied primarily upon a standard unit cost build-up approach, whereby we determined the reasonable cost of each fee occurrence using staff time to recover the direct cost of staff and pro-rata share of departmental costs, including indirect costs for City Central Services. Willdan then compared the calculated full cost against the current fee amount to determine whether the current fee is recovering the costs associated with the requested service. The analysis showed that current services are being provided well below the cost of providing them. Suggested fee levels were determined to increase cost recovery while mitigating fee increase impact on demand. Due to the suggested fee levels in **Appendix C** the average fee level increase would be 21%, and the proposed subsidy levels are also detailed per service. There would be:

- an increase to 22 fees;
- 2 fees would decrease, and;
- 13 fees would remain as currently set.

Fire

The Fire Department is responsible for meeting the day-to-day emergency response needs of the residents and visitors to the City of Escondido and Rincon Del Diablo Fire Protection District. The Fire Department also has Support Volunteer and Fire Explorer programs. The Operations budget provides for facilities maintenance and supplies, professional development and fire equipment (hose, radios, ladders, breathing apparatus, protective gear, etc.) repair and replacement.

Analysis

Willdan individually reviewed the services and programs associated with the Fire Department. The review also consisted of an evaluation of existing services in an effort to update the fee schedule.

The analysis of services in Fire relied primarily upon a standard unit cost build-up approach, whereby we determined the reasonable cost of each fee occurrence using staff time to recover the direct cost of staff and pro-rata share of departmental costs, including indirect costs for City Central Services. Willdan then compared the calculated full cost against the current fee amount to determine whether the current fee is recovering the costs associated with the requested service. It is recommended that the City set Fire fees at or near 100% cost recovery for most fees as detailed in **Appendix C** as the analysis found that most current fees were at or below the full cost of providing service. As a result:

- an increase to 23 fees;
- 21 fees would decrease;
- 31 new fees will be added;
- 17 fees would remain as currently set, and;
- the average fee increase for Fire would be 14%.

Utilities

The Utilities Department oversees the Water, Wastewater, Lakes and Environmental Programs Divisions which includes; Operation of water and wastewater treatment facilities; water and recycled water distribution systems; sewer collection systems; and related infrastructure, Industrial and commercial pretreatment program, Storm Water and Water Conservation programs, Management and maintenance of two lake facilities and one open space preserve.

Analysis

Willdan individually reviewed the services and programs associated with the Utilities Department. The review also consisted of an evaluation of existing services in an effort to update the fee schedule.

The analysis of services in Utilities relied primarily upon a standard unit cost build-up approach, whereby we determined the reasonable cost of each fee occurrence using staff time to recover the direct cost of staff and pro-rata share of departmental costs, including indirect costs for City Central Services. Willdan then compared the calculated full cost against the current fee amount to determine whether the current fee is recovering the costs associated with the requested service. It is recommended that the City set Utilities fees at or near 100% cost recovery for most fees as detailed in **Appendix C**. As a result:

- an increase to 20 fees;
- 5 new fees will be added, and;
- 2 fees would remain as currently set.

Appendix A – Total Allowable Cost to be Recovered

Below are the total allowable costs that may be recovered through User Fees; however, only a percentage of the total cost is realized as staff doesn't just work on services related to User Fees, but also works on an array of other City functions during the operational hours of the City. The amounts listed below will not reconcile to City budgets as costs that should not be included in overhead for personnel in the application of determining fully burdened hourly rates were excluded. Examples of these costs are capital, debt, monetary transfers, passthrough contract costs, and any other costs that is charged directly to the service requestor.

City of Escondido - User Fee

Overhead Rate Calculations

Department	Department			
	Salary and Benefits	Operations & Administration	Direct Overhead %	Indirect Allocation %
001: Building	997,620	166,160	16.7%	22.0%
001: City Attorney	1,826,300	208,740	11.4%	0.0%
001: City Clerk	637,645	189,315	29.7%	0.0%
001: City Council	251,520	205,060	81.5%	0.0%
001: City Manager	1,345,620	211,115	15.7%	0.0%
001: City Treasurer	357,620	40,110	11.2%	0.0%
001: Code Enforcement	1,111,500	311,780	28.1%	13.9%
001: Communications	470,610	40,315	8.6%	0.0%
001: Emergency Management	122,335	54,165	44.3%	18.9%
001: Engineering	3,277,630	870,406	26.6%	18.1%
001: Enterprise Software & Web Adm	843,240	449,410	53.3%	0.0%
001: Finance	2,481,020	740,245	29.8%	0.0%
001: Fire	21,213,385	3,400,825	16.0%	9.4%
001: Geographic Information Systems	549,550	41,260	7.5%	0.0%
001: Human Resources	855,400	225,290	26.3%	0.0%
001: Information Systems Admin	412,540	131,960	32.0%	0.0%
001: Main Library	340,535	285,850	83.9%	7.9%
001: Older Adult Services	247,585	116,785	47.2%	10.8%
001: Park Maintenance	1,950,310	1,142,330	58.6%	13.6%
001: Planning	1,796,015	218,870	12.2%	23.0%
001: Police	36,108,250	6,035,560	16.7%	9.9%
001: Recreation	1,608,435	868,245	54.0%	16.3%
001: Recycling	207,030	261,005	126.1%	9.5%
001: Risk Management	479,565	80,810	16.9%	0.0%
001: Senior Nutrition	112,520	23,405	20.8%	10.0%
001: Street Maintenance	4,439,820	2,267,700	51.1%	11.1%
001: Video Services	103,890	9,295	8.9%	0.0%
112: Community Services	816,130	109,965	13.5%	24.7%
116: Comm Dev Block Grant Fund	107,035	54,175	50.6%	11.5%
281: Successor Agency-Housing	355,260	43,285	12.2%	21.8%
555: Water Operating Fund	11,311,395	4,735,000	41.9%	11.2%
558: Wastewater Operating Fund	11,796,280	5,897,195	50.0%	9.7%

Appendix B – Fully Burdened Hourly Rates

Below are fully burdened hourly rates of staff positions that provide for the services detailed in [Appendix C](#). The FBHRs were used to determine the full cost of each service. They include the salary and benefit costs for each position as well as all applicable overhead amounts for each position. For positions in central service departments, such as the City Clerk and Finance, what is shown is the salary and benefit rate only, as the overhead of central service departments is recovered through the cost allocation plan. When a central service department position works on a fee or project in the purview of an operating department, the overhead rates of the operating department (shown in [Appendix A](#)) will be applied to that central service positions’ salary and benefit rate for full cost recovery. For any user fee service request that is outside the scope of the fees detailed in [Appendix C](#), or for services for which there is no fee currently set, the City can charge up to the full cost of the FBHR for personnel involved.

City of Escondido - User Fee Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
001: Older Adult Services	Adult - Customer Service Rep II	61.73
001: Older Adult Services	Adult - Supervisor III (Comm Svs)	88.73
001: City Attorney	Attorney - Asst City Attorney	139.69
001: City Attorney	Attorney - City Attorney	194.78
001: City Attorney	Attorney - Dep City Attorney I	72.31
001: City Attorney	Attorney - Dep City Attorney II	82.41
001: City Attorney	Attorney - Department Assistant	24.24
001: City Attorney	Attorney - Exec Assistant-City Atty (Underfilled byAdministrative Coordinator)	46.13
001: City Attorney	Attorney - Legal Assistant	61.72
001: City Attorney	Attorney - Sr Deputy City Attorney	95.60
001: City Attorney	Attorney - Sr Legal Assistant	71.76
001: Building	Building - Bldg Inspector I	76.73
001: Building	Building - Bldg Inspector II	82.47
001: Building	Building - Bldg Official	116.11
001: Building	Building - Dep Building Official	109.50
001: Building	Building - Development Technician II	70.97
001: Building	Building - Sr Building Inspector	97.25
001: City Clerk	City Clerk - Asst City Clerk	74.15
001: City Clerk	City Clerk - City Clerk	111.75
001: City Clerk	City Clerk - Department Assistant	24.95
001: City Clerk	City Clerk - Deputy City Clerk	67.50
001: City Clerk	City Clerk - Division Coordinator	46.94
001: City Clerk	City Clerk - Executive Office Specialist	40.12
001: City Manager	City Manager - Asst City Manager	145.09
001: City Manager	City Manager - City Manager	261.32
001: City Manager	City Manager - Dep City Manager	148.70
001: City Manager	City Manager - Department Assistant	35.47
001: City Manager	City Manager - Economic Development Manager	70.19
001: City Manager	City Manager - Executive Assistant-City Mgr	72.87
001: City Manager	City Manager - Executive Office Coordinator	55.26
001: Code Enforcement	Code Enforcement - Code Enforcement Asst I	50.24
001: Code Enforcement	Code Enforcement - Code Enforcement Manager	98.51
001: Code Enforcement	Code Enforcement - Code Enforcement Officer II	76.66

City of Escondido - User Fee Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
001: Code Enforcement	Code Enforcement - Customer Service Rep II	51.45
001: Code Enforcement	Code Enforcement - Sr Code Enforcement Officer	92.96
001: Communications	Communications - Communications Officer	54.56
001: Communications	Communications - Director of Communications and Community Services	101.47
001: Communications	Communications - Management Analyst I	46.44
001: Communications	Communications - Tourism & Marketing Administra	55.87
001: Emergency Management	Emergency Mgmt - Emer/Disaster Preparedness Mgr	104.97
001: Engineering	Engineering - Administrative Assistant	45.64
001: Engineering	Engineering - Administrative Coordinator	71.55
001: Engineering	Engineering - Associate Engineer	117.69
001: Engineering	Engineering - Asst City Engineer	133.32
001: Engineering	Engineering - Department Assistant	45.44
001: Engineering	Engineering - Design & Construction Proj Mgr	113.11
001: Engineering	Engineering - Development Technician II	71.13
001: Engineering	Engineering - Dir of Eng Svs/City Eng	166.78
001: Engineering	Engineering - Engineer II	100.91
001: Engineering	Engineering - Engineering Technician II	87.09
001: Engineering	Engineering - Field Engineering Inspector I	78.41
001: Engineering	Engineering - Field Engineering Inspector II	82.16
001: Engineering	Engineering - Field Engineering Supervisor	100.82
001: Engineering	Engineering - Management Analyst I	82.77
001: Engineering	Engineering - Principal Engineer	143.92
001: Engineering	Engineering - Principal Engineer (Underfilled by Field Engineering Inspector II)	82.74
001: Engineering	Engineering - Real Property Manager	143.61
001: Enterprise Software & Web Adm	Enterprise - Applications Development Mgr	131.61
001: Enterprise Software & Web Adm	Enterprise - Business Analyst I	82.44
001: Enterprise Software & Web Adm	Enterprise - Programmer Analyst II	90.86
001: Enterprise Software & Web Adm	Enterprise - Public Safety Systems Analyst	89.95
001: Enterprise Software & Web Adm	Enterprise - Systems Analyst I	96.31
001: Enterprise Software & Web Adm	Enterprise - Systems Analyst II	105.12
001: Enterprise Software & Web Adm	Enterprise - Web Design Technician II	72.35
001: Finance	Finance - Account Clerk II	40.73
001: Finance	Finance - Accountant II	77.31
001: Finance	Finance - Asst Dir of Finance	135.70
001: Finance	Finance - Budget Manager	93.43
001: Finance	Finance - Collections Officer	60.05
001: Finance	Finance - Customer Service Rep II	46.79
001: Finance	Finance - Division Coordinator	44.47
001: Finance	Finance - Finance Manager	97.61
001: Finance	Finance - Payroll Analyst	70.95
001: Finance	Finance - Payroll Technician I	56.39
001: Finance	Finance - Payroll Technician II	64.36
001: Finance	Finance - Purchasing Supervisor	60.56
001: Finance	Finance - Revenue Manager	88.84
001: Finance	Finance - Sr Account Clerk	51.66
001: Finance	Finance - Sr Accounting Assistant	43.99
001: Finance	Finance - Sr Customer Service Rep	51.85
001: Fire	Fire - Administrative Assistant	35.47
001: Fire	Fire - Administrative Coordinator	51.80
001: Fire	Fire - Department Aide	34.75

City of Escondido - User Fee Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
001: Fire	Fire - Emer Medical Svs Program Coord	66.05
001: Fire	Fire - Fire Admin Services Manager	75.12
001: Fire	Fire - Fire Battalion Chief	153.85
001: Fire	Fire - Fire Captain	122.60
001: Fire	Fire - Fire Chief	203.68
001: Fire	Fire - Fire Division Chief	159.29
001: Fire	Fire - Fire Division Chief (Underfilled by Fire Battalion Chief)	170.91
001: Fire	Fire - Fire Engineer	106.17
001: Fire	Fire - Fire Marshal	107.19
001: Fire	Fire - Fire Prevention Specialist I	63.14
001: Fire	Fire - Fire Prevention Specialist II	76.30
001: Fire	Fire - Firefighter/Paramedic	88.93
001: Fire	Fire - Paramedic (Non-Safety)	36.83
001: Geographic Information Systems	GIS - Geographic Information Sys Mgr	79.04
001: Geographic Information Systems	GIS - GIS Analyst	70.45
001: Geographic Information Systems	GIS - GIS Analyst II	70.51
001: Geographic Information Systems	GIS - GIS Technician I	41.15
001: Geographic Information Systems	GIS - GIS Technician II	51.16
001: Human Resources	HR - Dep City Manager/Administrative Svcs	177.98
001: Human Resources	HR - Department Assistant	39.03
001: Human Resources	HR - Human Resources Coordinator	60.64
001: Human Resources	HR - Human Resources Manager	104.44
001: Human Resources	HR - Human Resources Technician I	48.89
001: Human Resources	HR - Sr. HR Analyst (Underfilled by Human Resources Analyst I)	69.17
001: Information Systems Admin	IS - Department Assistant	38.62
001: Information Systems Admin	IS - Dir of Info Systems	133.46
001: Information Systems Admin	IS - Public Safety Systems Manager	103.39
001: Main Library	Library - Division Coordinator	84.75
001: Main Library	Library - Librarian I	101.32
001: Main Library	Library - Librarian II	95.59
001: Main Library	Library - Library Associate	80.41
001: Main Library	Library - Library Customer Service Sup	90.29
001: Main Library	Library - Library Graphics Technician	62.27
001: Main Library	Library - Library Technician	80.35
001: Main Library	Library - Library Volunteer Coordinator	56.79
001: Main Library	Library - Sr Librarian	108.19
001: Main Library	Library - Sr Library Associate	86.77
001: Park Maintenance	Park Maint. - Lead Maintenance Technician	91.71
001: Park Maintenance	Park Maint. - Maintenance Supervisor	115.52
001: Park Maintenance	Park Maint. - Maintenance Technician I	68.22
001: Park Maintenance	Park Maint. - Maintenance Technician II	84.41
001: Park Maintenance	Park Maint. - Public Works Superintendent	144.93
001: Park Maintenance	Park Maint. - Sr Maintenance Technician	101.65
001: Planning	Planning - Administrative Coordinator	63.97
001: Planning	Planning - Associate Planner	86.77
001: Planning	Planning - Asst Dir of Planning	131.51
001: Planning	Planning - Asst Planner I	73.78
001: Planning	Planning - Asst Planner II	81.71
001: Planning	Planning - Department Assistant	50.92
001: Planning	Planning - Development Technician I	58.99

City of Escondido - User Fee Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
001: Planning	Planning - Dir of Community Development	158.27
001: Planning	Planning - Graphics/GIS Technician I	30.92
001: Planning	Planning - Principal Planner	108.94
001: Planning	Planning - Sr Graphics/GIS Technician	71.01
001: Planning	Planning - Sr Planner	91.56
001: Police	Police - Chief Of Police	213.83
001: Police	Police - Community Service Officer	63.02
001: Police	Police - Crime Analyst	76.19
001: Police	Police - Customer Service Rep II	42.87
001: Police	Police - Division Coordinator	51.06
001: Police	Police - Executive Asst-Chief of Police	76.13
001: Police	Police - Forensic Services Supervisor	86.27
001: Police	Police - Latent Print & Evid Specialist	80.86
001: Police	Police - Police Busines Mgr	91.82
001: Police	Police - Police Captain	177.04
001: Police	Police - Police Lieutenant	158.11
001: Police	Police - Police Officer	105.24
001: Police	Police - Police Officer Trainee	75.02
001: Police	Police - Police Projects Specialist	58.62
001: Police	Police - Police Records Supervisor	68.19
001: Police	Police - Police Records Technician	40.34
001: Police	Police - Police Sergeant	139.77
001: Police	Police - Police Services Analyst	75.95
001: Police	Police - Police Services Analyst (Underfilled by Department Assistant)	50.75
001: Police	Police - Police Training Coordinator	56.44
001: Police	Police - Property & Evidence Supervisor	69.87
001: Police	Police - Property & Evidence Tech II	54.22
001: Police	Police - Pub Safety Communications Mgr	105.91
001: Police	Police - Public Safety Dispatcher I	57.13
001: Police	Police - Public Safety Dispatcher II	69.58
001: Police	Police - Public Safety Shift Supervisor	73.92
001: Police	Police - Sr Crime Analyst	76.35
001: Recreation	Rec - Administrative Coordinator	81.59
001: Recreation	Rec - Asst Dir of Community Svs	135.44
001: Recreation	Rec - Community Services Manager	107.52
001: Recreation	Rec - Customer Service Rep II	68.07
001: Recreation	Rec - Recreation Coordinator	48.95
001: Recreation	Rec - Sr Maintenance Technician	105.05
001: Recreation	Rec - Supervisor I (Comm Svs)	89.05
001: Recreation	Rec - Supervisor III (Comm Svs)	98.74
001: Recycling	Recycling - Program Assistant	90.42
001: Recycling	Recycling - Program Coordinator	126.82
001: Risk Management	Risk Mgmt - Department Assistant	47.25
001: Risk Management	Risk Mgmt - Risk & Safety Coordinator	61.09
001: Risk Management	Risk Mgmt - Risk & Safety Manager	95.92
001: Risk Management	Risk Mgmt - Sr Safety Analyst	82.53
001: Senior Nutrition	Senior Nutr. - Program Coordinator	67.33
001: Street Maintenance	Street Maint. - Department Assistant	65.80
001: Street Maintenance	Street Maint. - Dir of Public Works (Underfilled by Assistant Director of Public Works)	156.59
001: Street Maintenance	Street Maint. - Electrician/Streets	96.29

City of Escondido - User Fee Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
001: Street Maintenance	Street Maint. - Lead Maintenance Technician	86.92
001: Street Maintenance	Street Maint. - Maintenance & Oper Coordinator	74.88
001: Street Maintenance	Street Maint. - Maintenance Supervisor	115.63
001: Street Maintenance	Street Maint. - Maintenance Technician I	63.96
001: Street Maintenance	Street Maint. - Maintenance Technician II	78.71
001: Street Maintenance	Street Maint. - Public Works Superintendent	131.55
001: Street Maintenance	Street Maint. - Sr Maintenance Technician	93.47
001: City Treasurer	Treasurer - Accountant II	69.39
001: City Treasurer	Treasurer - City Treasurer	88.99
001: City Treasurer	Treasurer - Sr Accounting Assistant	43.57
001: Video Services	Video - Technical Production Coord	47.22
112: Community Services	Fund 112 - Recreation Coordinator	48.60
112: Community Services	Fund 112 - Supervisor I (Comm Svs)	75.84
112: Community Services	Fund 112 - Supervisor III (Comm Svs)	74.13
116: Comm Dev Block Grant Fund	Fund 116 - Department Assistant	69.88
116: Comm Dev Block Grant Fund	Fund 116 - Management Analyst II	89.11
116: Comm Dev Block Grant Fund	Fund 116 - Program Administrator	73.83
281: Successor Agency-Housing	Fund 281 - Associate Planner	88.20
281: Successor Agency-Housing	Fund 281 - Housing & Neigh Svs Manager	90.15
281: Successor Agency-Housing	Fund 281 - Program Coordinator	68.81
555: Water Operating Fund	Fund 555 - Administrative Assistant	51.70
555: Water Operating Fund	Fund 555 - Administrative Coordinator	66.24
555: Water Operating Fund	Fund 555 - Asset Program Coordinator	69.47
555: Water Operating Fund	Fund 555 - Asst Canal Superintendent	85.77
555: Water Operating Fund	Fund 555 - Canal Assistant II	73.04
555: Water Operating Fund	Fund 555 - Canal Superintendent	108.47
555: Water Operating Fund	Fund 555 - Control Systems Analyst	132.99
555: Water Operating Fund	Fund 555 - Control Systems Technician III	131.14
555: Water Operating Fund	Fund 555 - Cross Connection Technician I	82.38
555: Water Operating Fund	Fund 555 - Cross Connection Technician II	99.11
555: Water Operating Fund	Fund 555 - Customer Service Rep II	50.97
555: Water Operating Fund	Fund 555 - Dep Dir of Util/Water	178.16
555: Water Operating Fund	Fund 555 - Department Assistant	59.61
555: Water Operating Fund	Fund 555 - Dir of Utilities	210.03
555: Water Operating Fund	Fund 555 - Field Engineering Inspector II	86.91
555: Water Operating Fund	Fund 555 - Laboratory Technician II	88.20
555: Water Operating Fund	Fund 555 - Lakes & Open Space Supervisor	102.89
555: Water Operating Fund	Fund 555 - Lakes & Open Space Supt.	120.93
555: Water Operating Fund	Fund 555 - Maintenance Technician II	74.02
555: Water Operating Fund	Fund 555 - Management Analyst II	80.33
555: Water Operating Fund	Fund 555 - Meter Reader Supervisor	111.07
555: Water Operating Fund	Fund 555 - Park Ranger II	69.08
555: Water Operating Fund	Fund 555 - Plant Systems Technician II	107.15
555: Water Operating Fund	Fund 555 - Sr Plant Systems Technician	125.93
555: Water Operating Fund	Fund 555 - Sr Water Distribution Sup	131.37
555: Water Operating Fund	Fund 555 - Sr Water Distribution Tech	107.04
555: Water Operating Fund	Fund 555 - Sr Water Trtmnt Plant Oper	131.11
555: Water Operating Fund	Fund 555 - Utilities Analyst (Underfulled by Management Analyst II)	86.29
555: Water Operating Fund	Fund 555 - Water Distribution Supt	148.56
555: Water Operating Fund	Fund 555 - Water Distribution Tech I	74.01
555: Water Operating Fund	Fund 555 - Water Distribution Tech II	88.06

City of Escondido - User Fee Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
555: Water Operating Fund	Fund 555 - Water Meter Reader	67.12
555: Water Operating Fund	Fund 555 - Water Service Representative	87.49
555: Water Operating Fund	Fund 555 - Water Treatment Plant Op Sup	140.09
555: Water Operating Fund	Fund 555 - Water Treatment Plant Oper I	92.75
555: Water Operating Fund	Fund 555 - Water Treatment Plant Oper III	112.56
555: Water Operating Fund	Fund 555 - Water Treatment Plant Supt	173.05
558: Wastewater Operating Fund	Fund 558 - Associate Chemist	104.06
558: Wastewater Operating Fund	Fund 558 - Associate Engineer	136.95
558: Wastewater Operating Fund	Fund 558 - Asst Env Programs Specialist	74.62
558: Wastewater Operating Fund	Fund 558 - Control Systems Analyst	139.00
558: Wastewater Operating Fund	Fund 558 - Control Systems Tech Supv	165.86
558: Wastewater Operating Fund	Fund 558 - Control Systems Technician I	110.70
558: Wastewater Operating Fund	Fund 558 - Control Systems Technician II	116.73
558: Wastewater Operating Fund	Fund 558 - Control Systems Technician III	138.69
558: Wastewater Operating Fund	Fund 558 - Cross Connection Technician I	91.39
558: Wastewater Operating Fund	Fund 558 - Dep Dir of Util/Const & Eng	180.95
558: Wastewater Operating Fund	Fund 558 - Dep Dir of Util/Wastewater	176.18
558: Wastewater Operating Fund	Fund 558 - Department Assistant	47.47
558: Wastewater Operating Fund	Fund 558 - Engineer II	118.17
558: Wastewater Operating Fund	Fund 558 - Environmental Comp Insp I	84.54
558: Wastewater Operating Fund	Fund 558 - Environmental Comp Supervisor	126.36
558: Wastewater Operating Fund	Fund 558 - Environmental Prog Mgr/Util	131.64
558: Wastewater Operating Fund	Fund 558 - Environmental Prog Specialist	92.00
558: Wastewater Operating Fund	Fund 558 - Field Engineering Inspector II	83.90
558: Wastewater Operating Fund	Fund 558 - Laboratory Superintendent	143.76
558: Wastewater Operating Fund	Fund 558 - Laboratory Technician II	85.57
558: Wastewater Operating Fund	Fund 558 - Maintenance & Oper Coordinator	75.63
558: Wastewater Operating Fund	Fund 558 - Maintenance Scheduler	127.44
558: Wastewater Operating Fund	Fund 558 - Plant Systems Tech Supervisor	142.05
558: Wastewater Operating Fund	Fund 558 - Plant Systems Technician I	100.82
558: Wastewater Operating Fund	Fund 558 - Plant Systems Technician II	94.56
558: Wastewater Operating Fund	Fund 558 - Sr Cross Connection Technician	112.53
558: Wastewater Operating Fund	Fund 558 - Sr Engineer	130.19
558: Wastewater Operating Fund	Fund 558 - Sr Environmental Com Inspector	96.37
558: Wastewater Operating Fund	Fund 558 - Sr Environmental Comp Insp	97.93
558: Wastewater Operating Fund	Fund 558 - Sr Environmental Prog Spec	118.53
558: Wastewater Operating Fund	Fund 558 - Sr Plant Systems Tech (Underfilled by Plant Systems Technician I)	101.13
558: Wastewater Operating Fund	Fund 558 - Sr Plant Systems Technician	116.33
558: Wastewater Operating Fund	Fund 558 - Sr Wastewater Coll Supervisor	131.00
558: Wastewater Operating Fund	Fund 558 - Sr Wastewater Coll Technician	112.66
558: Wastewater Operating Fund	Fund 558 - Sr Wastewater Trtmt Plant Oper	131.67
558: Wastewater Operating Fund	Fund 558 - Supervising Chemist	140.73
558: Wastewater Operating Fund	Fund 558 - Utilities Constr Proj Mgr	126.25
558: Wastewater Operating Fund	Fund 558 - Utilities Construction Coord	98.58
558: Wastewater Operating Fund	Fund 558 - Utilities Maintenance Supt	172.20
558: Wastewater Operating Fund	Fund 558 - Wastewater Collections Tech I	87.30
558: Wastewater Operating Fund	Fund 558 - Wastewater Collections Tech II	91.76
558: Wastewater Operating Fund	Fund 558 - Wastewater Trmt Plant Supt	182.56
558: Wastewater Operating Fund	Fund 558 - Wastewater Trmt Plnt Op Superv	154.32
558: Wastewater Operating Fund	Fund 558 - Wastewater Trtmt Plt Oper I	92.19
558: Wastewater Operating Fund	Fund 558 - Wastewater Trtmt Plt Oper II	107.71

City of Escondido - User Fee
Fully Burdened Hourly Rate Calculation

Department	Position	Fully Burdened Hourly Rate
Position Rates		
558: Wastewater Operating Fund	Fund 558 - Wastewater Trtmt Plt Oper III	121.53
650: Building Maintenance Fund	Fund 650 - Bldg Maintenance Supervisor	66.73
650: Building Maintenance Fund	Fund 650 - Bldg Maintenance Supt	93.81
650: Building Maintenance Fund	Fund 650 - Custodial Supervisor	62.35
650: Building Maintenance Fund	Fund 650 - Custodian I	37.06
650: Building Maintenance Fund	Fund 650 - Custodian II	46.44
650: Building Maintenance Fund	Fund 650 - Dep Dir of Pub Wks/Maintenance	118.84
650: Building Maintenance Fund	Fund 650 - Facilities Project Coordinator	76.76
650: Building Maintenance Fund	Fund 650 - HVAC Technician	71.16
650: Building Maintenance Fund	Fund 650 - Lead Maintenance Technician	60.75
650: Building Maintenance Fund	Fund 650 - Management Analyst II	68.91

Appendix C – Cost Recovery Analysis

The following tables provide the results of the analysis, resulting full cost recovery amount, and recommended fees. For fees in which the full cost, existing fee and suggested fee is listed as “NA”, the amount or percentage was not calculable based on cost data or variable fee structure. This is most common when either the current or the suggested fee includes a variable component that is not comparable on a one to one basis, a full cost was not calculated (for penalties and fines), or when there is not a current fee amount to compare against.

Planning

#	Description	Current Fee/Charge	Unit	Notes
GENERAL SERVICES AND APPLICATIONS				
1	Pre-Application Consultation	312.00	per meeting	no charge for initial meeting
2	Research Fee	52.00	hour	
3	Zoning Consistency Letter	104.00	letter	
4	Non-Conforming Use Determination	395.00		
5	Third Review Fee (Or Continuing Review Cycles)	New		
LAND USE REVIEW				
Agreements				
6	Agriculture Operations Permit	New		
7	Development Agreement	Cost Recovery + notice and microfilm fees		
8	Lot Tie	312.00	agreement	
9	Model Home Permit	New		
10	Off-Site Construction Staging Area	New		
Building or Site Design Review				
11	Adm. Adjustment	750.00	adjustment	plus notice and microfilm fees
12	Design Review (Minor)	450.00	review	
13	Design Review (Major)	985.00	review	
14	Grad. Exempt. (Single family)	1,470.00		plus notice and microfilm fee
15	Grad. Exempt. (All Other Cases)	2,385.00		plus notice and microfilm fee
16	Mobile Home Park Conversion	4,610.00		plus notice and microfilm fee
17	Other Minor Projects - Minor Development Application	78.00	plan	
18	Parking Reduction Modification (TDM / Parking Study)	New		
19	Planned Dev. / Master Plan	5,540.00	plan	plus notice and microfilm fee
20	Planned Dev. / Precise Plan	3,000.00	plan	plus notice and microfilm fee
21	Plot Plan Review (Minor)	975.00	plan	
22	Plot Plan Review (Major)	2,490.00	plan	
23	Variance - Single Family	1,520.00	variance	plus notice and microfilm fee
24	Variance - All Other Cases	1,725.00	variance	plus notice and microfilm fee

Full Cost	Subsidy %	Suggested Fee (Year 1)	Suggested Fee (Year 2)	Suggested Fee (Year 3)	Fee Δ
\$1,297.74	50%	\$648.87	\$778.64	\$778.64	\$337
\$183.36	50%	\$91.68	\$110.02	\$183.00	\$40
\$225.31	31%	\$156.00	\$156.00	\$225.00	\$52
\$322.34	0%	\$322.00	\$322.00	\$322.00	-\$73
NA	NA	33% of Original Permit Fee	33% of Original Permit Fee	33% of Original Permit Fee	NA
\$459.34	0%	\$459.00	\$459.00	\$459.00	NA
\$3,008.00	0%	\$3,008 Plus Deposit	\$3,008 Plus Deposit	\$3,008 Plus Deposit	\$0
\$337.08	0%	\$337.00	\$337.00	\$337.00	\$25
\$434.99	0%	\$434.00	\$434.00	\$434.00	NA
\$476.89	0%	\$476.00	\$476.00	\$476.00	NA
\$1,009.27	0%	\$1,009.00	\$1,009.00	\$1,009.00	\$259
\$489.66	0%	\$489.00	\$489.00	\$489.00	\$39
\$811.62	0%	\$811.00	\$811.00	\$811.00	-\$174
\$1,031.03	0%	\$1,031.00	\$1,031.00	\$1,031.00	-\$439
\$1,255.08	0%	\$1,255.00	\$1,255.00	\$1,255.00	-\$1,130
\$9,381.53	26%	\$6,915.00	\$6,915.00	\$9,381.00	\$2,305
\$737.04	50%	\$368.52	\$442.22	\$737.00	\$291
\$1,527.83	0%	\$1,527.00	\$1,527.00	\$1,527.00	NA
\$7,888.80	0%	\$4,501.08 Plus Deposit	\$4,501.08 Plus Deposit	\$4,501.08 Plus Deposit	NA
\$4,790.32	0%	\$3,505.36 Plus Deposit	\$3,505.36 Plus Deposit	\$3,505.36 Plus Deposit	NA
\$3,325.86	50%	\$1,662.93	\$1,995.52	\$3,325.00	\$688
\$9,981.43	50%	\$4,990.72	\$5,988.86	\$9,981.00	\$2,501
\$2,407.34	5%	\$2,280.00	\$2,280.00	\$2,280.00	\$760
\$2,498.91	0%	\$2,498.00	\$2,498.00	\$2,498.00	\$773

Planning

#	Description	Current Fee/Charge	Unit	Notes
Historical Resources				
25	Mills Act	New		
26	Local Register	New		
27	Certificate of Appropriateness	New		
28	Certificate of Appropriateness w/ Design Review	New		
Minor Permit				
29	Second Dwelling Units (Accessory Dwelling Units)	1,200.00		plus notice and microfilm fees
Signs				
30	Comprehensive Sign Program	650.00	program	
31	Comprehensive Sign Permit Modification/Amendment	New		
32	Regional Market Sign	3,075.00	application	plus notice and microfilm fee
33	Sign Permit	78.00	application	
34	Temporary Banners	25.00		
Special Use Review				
35	Above Ground Tanks	80.00	request	includes DRB fee
36	Administrative Permit (Outdoor Display, RV Parking)	312.00		
37	Arts and Crafts shows / Administrative	315.00		plus notice fees
38	Conditional Use Permit (Minor, Animals, or Residential Care)	1,870.00	permit	plus notice and microfilm fee
39	Conditional Use Permit (Major)	4,610.00	permit	plus notice and microfilm fee
40	Security Gates	480.00	plan	
41	Temporary use Permit	156.00		
SUBDIVISION REVIEW				
42	Condominium Permit	4,020.00	permit	plus notice and microfilm fee
43	Subdivision - Adjustment Plat	1,020.00	plat	plus microfilm fee
44	Subdivision - Certificate of Compliance	765.00	certificate	plus microfilm fee
45	Subdivision - Tentative Parcel Map	2,430.00	map	plus notice and microfilm fee
46	Tentative Subdivision Map / 5-25 units	3,802.00	map	plus notice and microfilm fee
47	Tentative Subdivision Map / 26-50 units	4,485.00	map	plus notice and microfilm fee
48	Tentative Subdivision Map / 51+ units	6,600.00	map	plus notice and microfilm fee
POLICY AND ORDINANCE DEVELOPMENT				
Initiation Fee				
49	Annexation Request for Initiation	1,950.00	initiation	
50	Amendment Authorization (General Plan, or Specific Plan)	New		

Full Cost	Subsidy %	Suggested Fee (Year 1)	Suggested Fee (Year 2)	Suggested Fee (Year 3)	Fee Δ
\$1,479.92	0%	\$1,479.00	\$1,479.00	\$1,479.00	NA
\$1,216.90	0%	\$1,216.00	\$1,216.00	\$1,216.00	NA
\$183.36	70%	\$55.01	\$73.34	\$91.68	NA
\$489.66	70%	\$146.90	\$195.86	\$244.83	NA
\$2,145.24	44%	\$1,200.00	\$1,200.00	\$1,200.00	\$0
\$838.83	0%	\$838.00	\$838.00	\$838.00	\$188
\$714.92	0%	\$714.00	\$714.00	\$714.00	NA
\$1,378.74	0%	\$1,378.00	\$1,378.00	\$1,378.00	-\$1,697
\$218.74	47%	\$117.00	\$131.25	\$218.00	\$39
\$44.24	16%	\$37.00	\$37.00	\$44.00	\$12
\$271.07	50%	\$135.53	\$162.64	\$271.00	\$56
\$245.15	0%	\$245.00	\$245.00	\$245.00	-\$67
\$175.25	0%	\$175.00	\$175.00	\$175.00	-\$140
\$2,668.38	0%	\$2,668.00	\$2,668.00	\$2,668.00	\$798
\$6,475.95	0%	\$6,475.00	\$6,475.00	\$6,475.00	\$1,865
\$1,188.96	39%	\$720.00	\$720.00	\$720.00	\$240
\$382.11	39%	\$234.00	\$234.00	\$234.00	\$78
\$6,864.29	12%	\$6,030.00	\$6,030.00	\$6,864.00	\$2,010
\$1,546.76	1%	\$1,530.00	\$1,530.00	\$1,530.00	\$510
\$711.04	0%	\$711.00	\$711.00	\$711.00	-\$54
\$7,019.26	48%	\$3,645.00	\$4,211.56	\$7,019.00	\$1,215
\$11,487.34	50%	\$5,703.00	\$6,892.40	\$11,487.00	\$1,901
\$15,104.04	50%	\$7,552.02	\$9,062.42	\$15,104.00	\$3,067
\$27,040.66	0%	\$12,226.60 Plus Deposit	\$12,226.60 Plus Deposit	\$12,226.60 Plus Deposit	NA
\$3,695.96	21%	\$2,925.00	\$2,925.00	\$3,695.00	\$975
\$1,430.80	0%	\$1,430.00	\$1,430.00	\$1,430.00	NA

Planning

#	Description	Current Fee/Charge	Unit	Notes
Annexation Fee				
51	Annexation (<10 Acres)	3,340.00	annex	plus \$790/du + notice fee
52	Annexation (>10 Acres)	7,760.00	annex	plus \$790/du + notice fee
53	Annex-Properties under order of County Dept. of Health for Sewer Hookup	2,775.00	request	plus notice fees
54	Sphere of Influence Amendments	Cost Recovery + notice and microfilm fees		
Map or Text Changes				
55	Gen. Plan Amendment Request	6,720.00	request	plus notice and microfilm fees
56	Gen. Text Amendment Request	New		
57	Specific Plan / Specific Plan Amendments	Cost Recovery + notice and microfilm fees		
58	Rezone / Prezone (Zoning Code Map Amendment)	3,500.00	request	plus notice and microfilm fee
59	Zoning Code Text Amendment	New		
REVIEW FOR CONFORMANCE, MODIFICATION, EXTENSION FEES				
60	Modifications to any permit is the same as third review fee	New		
61	Certification of Map	New		
62	Extension of Time (Subdivision)	New		
63	Extension of Time / Other Public Hearings	1,725.00	extension	plus notice fees
64	Extension of Time - Minor Projects	475.00	extension	plus notice fees
65	Substantial Conformance for Subdivision - Tentative Parcel Map	New		
66	Substantial Conformance for Tentative Subdivision Map / 5-25 units	New		
67	Substantial Conformance for Tentative Subdivision Map / 26-50 units	New		
68	Substantial Conformance for Tentative Subdivision Map / 51+ units	New		
69	Substantial conformance for other project plans	New		

Full Cost	Subsidy %	Suggested Fee (Year 1)	Suggested Fee (Year 2)	Suggested Fee (Year 3)	Fee Δ
\$10,266.67	0%	\$5,909.07 Plus Deposit	\$5,909.07 Plus Deposit	\$5,909.07 Plus Deposit	NA
\$11,769.41	0%	\$7,073.20 Plus Deposit	\$7,073.20 Plus Deposit	\$7,073.20 Plus Deposit	NA
\$4,013.62	0%	\$4,013.00	\$4,013.00	\$4,013.00	\$1,238
\$16,647.14	0%	\$10,110.74 Plus Deposit	\$10,110.74 Plus Deposit	\$10,110.74 Plus Deposit	NA
\$10,569.91	0%	\$6,348.48 Plus Deposit	\$6,348.48 Plus Deposit	\$6,348.48 Plus Deposit	NA
\$8,630.41	0%	\$5,362.21 Plus Deposit	\$5,362.21 Plus Deposit	\$5,362.21 Plus Deposit	NA
\$11,264.16	0%	\$5,362.21 Plus Deposit	\$5,362.21 Plus Deposit	\$5,362.21 Plus Deposit	NA
\$6,181.06	0%	\$4,578.76 Plus Deposit	\$4,578.76 Plus Deposit	\$4,578.76 Plus Deposit	NA
\$4,543.64	0%	\$3,628.04 Plus Deposit	\$3,628.04 Plus Deposit	\$3,628.04 Plus Deposit	NA
NA	NA	33% of Original Permit Fee	33% of Original Permit Fee	33% of Original Permit Fee	NA
\$422.15	0%	\$422.00	\$422.00	\$422.00	NA
NA	NA	33% of Fee	33% of Fee	33% of Fee	NA
\$2,493.13	NA	33% of Fee	33% of Fee	33% of Fee	NA
\$1,282.94	NA	33% of Fee	33% of Fee	33% of Fee	NA
\$1,578.64	0%	\$1,578.00	\$1,578.00	\$1,578.00	NA
\$2,266.90	0%	\$2,266.00	\$2,266.00	\$2,266.00	NA
\$2,709.37	0%	\$2,709.00	\$2,709.00	\$2,709.00	NA
\$4,586.28	0%	\$4,586.00	\$4,586.00	\$4,586.00	NA
\$493.19	0%	\$493.00	\$493.00	\$493.00	NA

Planning

#	Description	Current Fee/Charge	Unit	Notes
ENVIRONMENTAL REVIEW FEES				
Review and Preparation Fees				
70	Environmental Review Initial Study	2,100.00	study	plus notice and microfilm fee
71	Technical Studies (Storm Water Quality Management Plan)	New		
72	Technical Studies (Traffic)	1,000.00	study	
73	Technical Studies (Traffic with Mitigation Measures)	New		
74	Technical Studies (Other)	234.00	study	
75	Negative Declaration (staff prepared)	2,490.00		plus technical study, notice and filing fees
76	Negative Declaration (consultant prepared)	1,250.00		plus consultant cost recovery + \$234/technical study + notice and filing fees
77	Environmental Impact Report (> 10 acres)	3,740.00		plus consultant cost recovery + \$234/technical study + notice and filing fees
78	CEQA Addendum	New		
Post Certification/Adoption				
79	Notice of Exemption	104.00		Plus additional \$50 County Clerk processing fee per posting
80	Notice of Determination	New		Plus additional \$50 County Clerk processing fee per posting
81	Daley Ranch Credit Agreement Administration	312.00		
82	Vegetation Removal Permit < 5 Acres Clearing	705.00	permit	
83	Vegetation Removal Permit > 5 Acres Clearing	1,230.00	permit	
FEES FOR DOCUMENTS AND DUPLICATION				
84	Copies from Microfilm (OCE)	1.00	each	
85	Legal Notice Fees	160.00	notice	
86	Microfilm Fee - Major Cases	150.00	project	public hearing
87	Microfilm Fee - Minor Cases	50.00	project	nonpublic hearing
88	Public Hearing Notice Sign (2' x 3')	20.00	each	
89	Sale of Maps, Publications	Varies - Cost Recovery		
FEES COLLECTED BY OTHER DEPARTMENTS				
90	Subarea Facilities Plan Repayment Fee	58.00	du	
91	General Plan Update Fee	New	Each Building Permit over \$2,001	
92	Other Minor Projects - Bldg. Plan Review / Single Family Dwelling	195.00	plan	

Full Cost	Subsidy %	Suggested Fee (Year 1)	Suggested Fee (Year 2)	Suggested Fee (Year 3)	Fee Δ
\$2,565.58	0%	\$2,565.00	\$2,565.00	\$2,565.00	\$465
\$1,887.54	0%	\$1,887.00	\$1,887.00	\$1,887.00	NA
\$2,099.79	29%	\$1,500.00	\$1,500.00	\$2,099.00	\$500
\$3,533.96	0%	\$3,533.00	\$3,533.00	\$3,533.00	NA
\$925.79	50%	\$462.90	\$555.48	\$925.00	\$229
\$6,435.40	0%	\$2,315.20 Plus Deposit	\$2,315.20 Plus Deposit	\$2,315.20 Plus Deposit	NA
\$3,791.10	0%	\$2,097.24 Plus Deposit	\$2,097.24 Plus Deposit	\$2,097.24 Plus Deposit	NA
\$12,873.97	0%	\$6,882.27 Plus Deposit	\$6,882.27 Plus Deposit	\$6,882.27 Plus Deposit	NA
\$1,770.58	0%	\$1,770.00	\$1,770.00	\$1,770.00	NA
\$117.68	1%	\$117.00	\$117.00	\$117.00	\$13
\$220.68	0%	\$220.00	\$220.00	\$220.00	NA
\$607.36	23%	\$468.00	\$468.00	\$607.00	\$156
\$503.60	0%	\$503.00	\$503.00	\$503.00	-\$202
\$709.61	0%	\$709.00	\$709.00	\$709.00	-\$521
NA	NA	\$1.00	\$1.00	\$1.00	\$0
NA	NA	\$160.00	\$160.00	\$160.00	\$0
NA	NA	\$150.00	\$150.00	\$150.00	\$0
NA	NA	\$50.00	\$50.00	\$50.00	\$0
NA	NA	\$20.00	\$20.00	\$20.00	\$0
NA	NA	Varies - Cost Recovery	Varies - Cost Recovery	Varies - Cost Recovery	\$0
NA	NA	\$58.00	\$58.00	\$58.00	\$0
\$33.54	2%	\$33.00	\$33.00	\$33.00	NA
\$1,111.32	50%	\$555.66	\$555.66	\$555.66	\$361

Planning

#	Description	Current Fee/Charge	Unit	Notes
93	Other Minor Projects - Bldg. Plan Review / Minor	380.00	plan	
94	Other Minor Projects - Bldg. Plan Review / Major	1,100.00	plan	
95	Other Minor Projects - CC&R's	545.00	project	
96	Other Minor Projects - Fire Department Plan Review	104.00		
97	Other Minor Projects - Final Map - Parcel Maps	410.00	map	
98	Other Minor Projects - Final Map - Major Subd.	995.00	map	
99	Other Minor Projects - Grading Plan / Minor less than 1000 C.Y. of Grading	265.00	plan	
100	Other Minor Projects - Grading Plan / Major over 1000 C.Y. of Grading	1,100.00	plan	
101	Other Minor Projects - Landscape Plan / Minor	225.00	plan	excluding single family
102	Other Minor Projects - Landscape Plan / Major	1,040.00	plan	excluding single family
MISC. FEES				
103	Appeal Administrative Decision	1,210.00	appeal	plus notice fees
104	Public Hearing Continuance (Applicant Request)	312.00		
105	Specific Alignment Plan	1,500.00		
106	Street Names Application	New		
107	Planning Technology Fee	New		

Note:

For any user fee service request that is outside the scope, or for services for which there is no fee currently set, the City can charge up to the full cost of the FBHR for personnel involved.

Full Cost	Subsidy %	Suggested Fee (Year 1)	Suggested Fee (Year 2)	Suggested Fee (Year 3)	Fee Δ
\$412.07	0%	\$412.00	\$412.00	\$412.00	\$32
\$1,366.70	0%	\$1,366.00	\$1,366.00	\$1,366.00	\$266
\$874.63	7%	\$817.00	\$817.00	\$874.00	\$272
\$280.56	44%	\$156.00	\$156.00	\$156.00	\$52
\$325.54	0%	\$325.00	\$325.00	\$325.00	-\$85
\$470.86	0%	\$470.00	\$470.00	\$470.00	-\$525
\$245.12	0%	\$245.00	\$245.00	\$245.00	-\$20
\$245.12	0%	\$245.00	\$245.00	\$245.00	-\$855
\$224.69	0%	\$224 or cost recovery	\$224 or cost recovery	\$224 or cost recovery	-\$1
\$1,216.82	0%	\$1,216 or cost recovery	\$1,216 or cost recovery	\$1,216 or cost recovery	\$176
\$1,309.92	8%	\$1,210.00	\$1,210.00	\$1,210.00	\$0
\$1,080.08	50%	\$540.04	\$648.05	\$1,080.00	\$228
\$7,888.73	0%	\$2,721.94 Plus Deposit	\$2,721.94 Plus Deposit	\$2,721.94 Plus Deposit	\$6,389
\$528.64	0%	\$528.00	\$528.00	\$528.00	NA
\$35.97	0%	\$35.97	\$35.97	\$35.97	NA

Building

#	Description	Current Fee/Charge	Unit	Notes
Building Permit Processing Fees				
#	Description	Current Fee/Charge	Unit	Notes
1	Plan Check	65% of building permit fee		
2	Plan Check Surcharge (State Disabled Access Reg.)	10% of plan check fee		
3	Plan Check Surcharge (State Energy Reg.)	20% of plan check fee		
4	Plan Check- single family dwelling tract production units	70.00	unit	

Building Permit Inspection Fees

#	Description	Current Fee/Charge	Unit	Notes
5	Building Permit	Varies		See schedule on pages 12 & 14 on "Fee Guide for Development Projects" on City website
6	Building Permit Surcharge (State Disabled Access Reg.)	10% of building permit fee		
7	Building Permit Surcharge (State Energy Reg.)	20% of building permit fee		
8	Mobilehome Permit	based on state title 25 fee schedule		
9	Inspections outside of normal business hours	47.00	per hour	minimum charge - 2 hours
10	Reinspection fees assessed under provisions of Section 305.8	47.00	per hour	
11	Inspections for which no fee is specifically indicated	47.00	per hour	minimum charge - 1/2 hour
12	Additional plan review required by changes, additions or revision to plans	48.00	per hour	minimum charge - 1/2 hour
13	For use of outside consultant for plan checking and inspections, or both	Actual Cost		

State Fees

#	Description	Current Fee/Charge	Unit	Notes
14	Strong Motion Instrumentation Program (Seismic Mapping Fee)	varies-% of valuation		

Other City Fees

#	Description	Current Fee/Charge	Unit	Notes
15	Other Minor Projects - Research Fee	86.00	hour	
16	Citywide Facilities Plan Reimbursement Fee	58.00	residential unit	
17	Microfilming Fee	0.50	letter size sheet	\$2.00/larger sheet
18	Cable TV Systems	1.00	min	multi-family du or mobilehome pad. \$10 min
19	Copies from Microfilm(OCE')	1.00	each	

Full Cost	Subsidy %	Suggested Fee	Fee Δ
NA	NA	65% of building permit fee	\$0
NA	NA	10% of plan check fee	\$0
NA	NA	20% of plan check fee	\$0
NA	NA	\$70.00	\$0

Full Cost	Subsidy %	Suggested Fee	Fee Δ
NA	NA	Varies. Revise page 14 in fee schedule (Table 3-A) to change current 1987 fee table to 2001 CBC Table 1-A Building Permit Fees table	\$0
NA	NA	10% of building permit fee	\$0
NA	NA	20% of building permit fee	\$0
NA	NA	based on state title 25 fee schedule	\$0
\$97.25	12%	\$86.00	\$39
\$97.25	12%	\$86.00	\$39
\$97.25	12%	\$86.00	\$39
\$97.25	12%	\$86.00	\$38
NA	NA	Actual Cost	\$0

Full Cost	Subsidy %	Suggested Fee	Fee Δ
NA	NA	varies-% of valuation	\$0

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$121.56	29%	\$86.00	\$0
NA	NA	\$58.00	\$0
\$0.50	0%	\$0.50	\$0
\$1.00	0%	\$1.00	\$0
\$1.00	0%	\$1.00	\$0

Building

Other Fees				
#	Description	Current Fee/Charge	Unit	Notes
20	CATV fee	1.00	per dwelling unit or mobilehome pad	\$10 min
21	Demolition Permit	30.00	per permit	
22	Change of Occupancy Inspection	86.00		
23	Research fee	86.00	per hour	
24	Inspections outside of normal business hours	86.00	per hour	minimum charge - two hours
25	Reinspection's	86.00	inspection	
26	Inspections for which no fee is specifically indicated	86.00	per hour	min. 1/2 hour
27	Building Technology Fee	New	per \$1 valuation	

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$1.00	0%	\$1.00	\$0
\$194.50	0%	\$194.00	\$164
\$97.25	12%	\$86.00	\$0
\$121.56	29%	\$86.00	\$0
\$194.50	50%	\$97.00	\$11
\$97.25	0%	\$97.00	\$11
\$97.25	0%	\$97.00	\$11
\$0.00031	0%	\$0.00031	NA

Plumbing				
#	Description	Current Fee/Charge	Unit	Notes
28	Issuance Fee	30.00	for each permit	
29	Gas Lines	10.00	each	
30	Grease Trap	3.00	each	
31	Water Heater (First Heater)	6.00	each	
32	Other Plumbing & Gas Fees	10.00	each	
33	Plumbing fixtures (4 or fewer)	New	for each permit	
34	Plumbing fixtures (5 or more)	New	for each permit	

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$48.62	38%	\$30.00	\$0
\$170.19	75%	\$42.50	\$33
\$170.19	50%	\$85.00	\$82
\$170.19	94%	\$10.00	\$4
\$170.19	85%	\$25.00	\$15
\$170.19	75%	\$42.50	NA
\$170.19	50%	\$85.00	NA

Electrical				
#	Description	Current Fee/Charge	Unit	Notes
35	Issuance Fee	30.00	for each permit	
36	Temporary Service	35.00	each	
37	Temporary Pole	35.00	each	
38	Other Electrical Fees	10.00	each	
39	Electrical - 200 amp panel or less	New	each	
40	Electrical - More than 200 amp panel	New	each	
41	Electrical - Re-wire 4 or fewer outlets	New		
42	Electrical - Re-wire 5 or more outlets	New		
43	Air Conditioning Unit	New	each	
44	Type 1 Kitchen Hoods and Ducts	New	each	

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$48.62	38%	\$30.00	\$0
\$170.19	0%	\$170.00	\$135
\$170.19	0%	\$170/all poles	\$135
\$170.19	85%	\$25.00	\$15
\$170.19	50%	\$85.00	NA
\$170.19	0%	\$170.00	NA
\$170.19	75%	\$42.50	NA
\$170.19	50%	\$85.00	NA
\$170.19	0%	\$170.00	NA
\$194.50	0%	\$194.00	NA

Building

Mechanical				
#	Description	Current Fee/Charge	Unit	Notes
45	Issuance Fee	30.00	for each permit	
46	Furnaces	15.00	each	
47	Heater (Wall or Floor)	12.00	each	
48	Heat Pump (Package Unit)	9.00	each	
49	Duct Work Only	15.00	each	
50	Other Mechanical Fees	10.00	each	

Note:

For any user fee service request that is outside the scope, or for services for which there is no fee currently set, the City can charge up to the full cost of the FBHR for personnel involved.

Building

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$48.62	38%	\$30.00	\$0
\$170.19	0%	\$170.00	\$155
\$170.19	0%	\$170.00	\$158
\$170.19	0%	\$170.00	\$161
\$170.19	50%	\$85.00	\$70
\$170.19	85%	\$25.00	\$15

Building Fee Table
Current (All New Construction)

Minimum Value	Maximum Value	Base Rate	Plus \$\$	For every
0.00	0.00	0.00	0.00	0.00
1.00	500.00	15.00	0.00	0.00
501.00	2,000.00	15.00	2.00	100.00
2,001.00	25,000.00	45.00	9.00	1,000.00
25,001.00	50,000.00	252.00	6.50	1,000.00
50,001.00	100,000.00	414.50	4.50	1,000.00
100,001.00	500,000.00	639.50	3.50	1,000.00
500,001.00	1,000,000.00	2,039.50	3.00	1,000.00
1,000,001.00	9,999,999,999.00	3,539.50	2.00	1,000.00

Building Fee Table
Suggested (All New Construction)

Minimum Value	Maximum Value	Base Rate	Plus \$\$	For every
0.00	0.00	0.00	0.00	0.00
1.00	500.00	20.68	0.00	0.00
501.00	2,000.00	20.68	2.68	100.00
2,001.00	25,000.00	60.93	12.32	1,000.00
25,001.00	50,000.00	344.26	8.89	1,000.00
50,001.00	100,000.00	566.43	6.16	1,000.00
100,001.00	500,000.00	874.40	4.93	1,000.00
500,001.00	1,000,000.00	2,845.37	4.18	1,000.00
1,000,001.00	9,999,999,999.00	4,935.13	2.77	1,000.00

Engineering and Maintenance

#	Description	Current Fee/Charge	Unit	Notes
1	Encroachment Permit - Processing Fee	100.00	per permit	
2	Encroachment Permit - TCP Review and Inspection	75.00	first sheet	\$25 thereafter
3	Encroachment Permit - Driveway Approach or Ped Ramp & Curb Return / Residential	375.00		
4	Encroachment Permit - Driveway Approach with Ped. Ramp and Curb Return / Non-Residential St	600.00		
5	Encroachment Permit - Additional Residential Driveway at same address if poured same day	50%		
6	Encroachment Permit - Fire Hydrant Installation on Residential Street, Local Collector and Frontage	500.00		
7	Encroachment Permit - Fire Hydrant Installation on Collector and above, Commercial & Industrial Road	1,000.00		
8	Encroachment Permit - Fire Hydrant Installation if Water Shut Down is Required	850.00	deposit	
9	Encroachment Permit - Sewer Lateral Installation on Residential Street, Local Collector and Frontage Roads	200.00		
10	Encroachment Permit - Sewer Lateral Installation on Collector and above, Comm. & Industrial Rd	600.00		
11	Encroachment Permit - Utility Trenching up to 300 LF in length	80.00	LF	plus \$.25/LF
12	Encroachment Permit - Utility Trenching over 300 LF in length	330.00	LF	plus \$.15/LF
13	Encroachment Permit - Curb, Curb & Gutter, Berm up to 100LF	70.00	LF	plus \$.50/LF
14	Encroachment Permit - Sidewalks up to 500SF	70.00	LF	plus \$.30/LF
15	Encroachment Permit - Curb Cores	50.00	each	plus \$25 each addl core
16	Continuing Encroachment Permit	50.00	1 year	or \$100 / 2 yrs + \$100 processing fee
17	Encroachment Permit - Utility (SDG&E) Annual Permit	33,000.00		
18	Encroachment Permit - Large Projects	Cost Recovery		
19	Plancheck & Inspection For Telecommunications	Cost Recovery		
20	Encroachment Permit - Penalty for no permit	3X Regular fees		
21	Encroachment Permit - Overtime Inspection	127.50	hr	
22	Engineering Inspection Fee(outside normal working hours)	127.50	hr	
23	Street Light Connection	30.00	connection	
24	Street Light Power Charge / 135 watt(18 months)	300.00	each	
25	Street Light Power Charge / 180 watt(18 months)	325.00	each	
26	Repayment Processing Fee / Streets	5% of repayment		
27	Repayment Processing Fee / Sewer	5% of repayment		
28	Repayment Processing Fee / Storm Drain	5% of repayment		
29	Repayment Processing Fee / Water	5% of repayment		
30	Street Vacation	1,200.00	request	
31	Quitclaim Surplus Easement / Dedication of Easements	850.00	request	
32	Non-refundable Processing Fee for Unsolicited Offers for City Surplus Properties (includes appraisal)	2,500.00	each	
33	Occupancy License (Real Property)	350.00	each	

Engineering and Maintenance

Full Cost	Subsidy %	Tech Fee 6.6%	Suggested Fee	Fee Δ
\$102.19	2%	NA	\$100.00	\$0
\$298.05	NA	\$317.73	\$165 for first sheet, \$60 thereafter	\$90
\$416.54	1%	\$444.03	\$440.00	\$65
\$651.80	1%	\$694.81	\$690.00	\$90
NA	NA	\$347.41	\$340.00	\$340
\$1,190.27	1%	\$1,268.82	\$1,260.00	\$760
\$1,610.38	0%	\$1,716.66	\$1,710.00	\$710
NA	NA	NA	\$850.00	\$0
\$1,190.27	1%	\$1,268.82	\$1,260.00	\$1,060
\$1,610.38	0%	\$1,716.66	\$1,710.00	\$1,110
\$603.46	1%	\$643.29	\$640.00	\$560
\$1,129.83	NA	NA	\$600 plus \$1 per LF over 300 LF	\$270
\$353.83	2%	\$377.18	\$370.00	\$300
\$394.90	0%	\$420.97	\$420.00	\$350
\$82.16	9%	\$87.58	\$80.00	\$30
\$102.19	8%	\$108.94	\$100.00	\$50
NA	NA	NA	\$33,000.00	\$0
NA	NA	NA	Cost Recovery	\$0
NA	NA	NA	Cost Recovery	\$0
NA	NA	NA	3X Regular fees	\$0
\$157.46	5%	\$167.85	\$160.00	\$33
\$157.46	5%	\$167.85	\$160.00	\$33
\$30.00	0%	NA	\$30.00	\$0
\$30.00	0%	NA	\$30.00	-\$270
\$75.00	0%	NA	\$75.00	-\$250
NA	NA	NA	5% of repayment	\$0
NA	NA	NA	5% of repayment	\$0
NA	NA	NA	5% of repayment	\$0
NA	NA	NA	5% of repayment	\$0
\$1,569.91	0%	\$1,673.52	\$1,670.00	\$470
\$1,057.30	1%	\$1,127.08	\$1,120.00	\$270
\$4,861.64	0%	\$5,182.51	\$5,180.00	\$2,680
\$861.64	1%	\$918.51	\$910.00	\$560

Engineering and Maintenance



#	Description	Current Fee/Charge	Unit	Notes
34	Research	200.00	deposit	plus Cost Recovery
35	Undergrounding of Overhead Utilities Waiver	\$528 / (\$365 / SDG&E, \$95 / Telephone, \$68 / Cable) Capped at 5% of the project building valuation		
36	Project Imaging	32.00	first sheet	plus \$12 / sheet
37	Sewer lateral Surface Restoration Deposit	2,000.00	deposit	

Note:
For any user fee service request that is outside the scope, or for services for which there is no fee currently set, the City can charge up to the full cost of the FBHR for personnel involved.

Engineering and Maintenance



Full Cost	Subsidy %	Tech Fee 6.6%	Suggested Fee	Fee Δ
\$243.17	7%	\$259.22	\$240.00	\$40
NA	NA	NA	\$528 / (\$365 / SDG&E, \$95 / Telephone, \$68 / Cable) Capped at 5% of the project building valuation	\$0
\$213.38	NA	NA	\$53 for first sheet, \$17 for each sheet	\$21
\$2,000.00	0%	NA	\$2,000.00	\$0

Fire

77	Additional Permit Inspection - Production Facilities, Pyrotechnics and Special Effects & Live Audiences	100.00	permit	
78	Tents and Other Membrane Structure Inspection	100.00	permit	
79	Tents and Other Membrane Structure Inspection - Weekend Rate	300.00	permit	

\$102.90	3%	\$100.00	\$0
\$151.25	1%	\$150.00	\$50
\$284.77	0%	\$285.00	-\$15

Fire Code Construction Permits

#	Description	Current Fee/Charge	Unit	Notes
80	Out Source Plan Check Fee	100.00		
81	Solar Plan Review Fee	New		
82	Battery System (Including Solar) Plan Review	200.00		
83	Single Family Dwelling Building Plan Review	50.00		0 - 500 square feet
84	Single Family Dwelling Building Plan Review	100.00		500 - 2,000 square feet
85	Single Family Dwelling Building Plan Review	150.00		2,000 - 5,000 square feet
86	Single Family Dwelling Building Plan Review	200.00		> 5,000 square feet
87	Single Family Dwelling Building Plan Review (tracts/phase/production)	200.00		1 - 10 units on same application
88	Single Family Dwelling Building Plan Review (tracts/phase/production)	100.00		each 5 additional units per same app
89	Building Plan Review (Multi-Family, Industrial, Commercial)	275.00		
90	Commercial Sprinkler System Plan Review (new buildings)	405.00		1 - 25,000 square feet
91	Commercial Sprinkler System Plan Review (new buildings)	100.00		> 25,000 square feet
92	Commercial Sprinkler System Plan Review (existing bldg & tenant impr)	150.00		1 - 20 heads w / o hydraulic calcs
93	Commercial Sprinkler System Plan Review (existing bldg & tenant impr)	200.00		21 - 100 heads w / o hydraulic calcs
94	Commercial Sprinkler System Plan Review (existing bldg & tenant impr)	100.00		> 100 heads w / o hydraulic calcs
95	Fire Alarm System Plan Review	175.00		1 - 10 devices
96	Fire Alarm System Plan Review	100.00		> 10 devices
97	Commercial Kitchen Hood System Plan Review	150.00		1 - 10 nozzles
98	Spray Booth Plan Review / Hood System Plan Review	100.00		
99	Specialized Fire Protection Pre-action System (existing sprinklered bldgs) Plan Review and 1 Inspection	400.00		
100	Specialized Fire Protection Smoke Mgmt System	200.00		
101	Specialized Fire Protection In-rack System plan review	400.00		
102	Residential Sprinkler system Plan Review (SFD)	225.00		< 5,000 square feet
103	Residential Sprinkler system Plan Review (SFD)	325.00		> 5,000 square feet
104	Apartment, Hotel, Motel (R-2 Occupancy) Inspections	91.00		3 -10 units
105	Apartment, Hotel, Motel (R-2 Occupancy) Inspections	151.00		11 -25 units
106	Apartment, Hotel, Motel (R-2 Occupancy) Inspections	211.00		26 -50 units
107	Apartment, Hotel, Motel (R-2 Occupancy) Inspections	241.00		51 -100 units
108	Apartment, Hotel, Motel (R-2 Occupancy) Inspections	282.00		> 101 units
109	State Licensing & Private School Life Safety Insp - Licensed Care Pre-inspections	50.00		25 or less individuals
110	State Licensing & Private School Life Safety Insp - Licensed Care Pre-inspections	100.00		26 or more individuals

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$151.25	1%	\$150.00	\$50
\$94.03	0%	\$94.00	NA
\$170.33	0%	\$170.00	-\$30
\$113.10	0%	\$113.00	\$63
\$132.18	0%	\$132.00	\$32
\$151.25	1%	\$150.00	\$0
\$170.33	0%	\$170.00	-\$30
\$284.77	0%	\$284.00	\$84
\$132.18	0%	\$132.00	\$32
\$246.62	0%	\$246.00	-\$29
\$284.77	0%	\$284.00	-\$121
\$361.06	0%	\$361.00	\$261
\$151.25	1%	\$150.00	\$0
\$189.40	0%	\$189.00	-\$11
\$265.70	0%	\$265.00	\$165
\$170.33	0%	\$170.00	-\$5
\$246.62	0%	\$246.00	\$146
\$151.25	1%	\$150.00	\$0
\$170.33	0%	\$170.00	\$70
\$284.77	0%	\$284.00	-\$116
\$170.33	0%	\$170.00	-\$30
\$227.55	0%	\$227.00	-\$173
\$170.33	0%	\$170.00	-\$55
\$246.62	0%	\$246.00	-\$79
\$130.84	1%	\$130.00	\$39
\$149.91	1%	\$149.00	-\$2
\$188.06	0%	\$188.00	-\$23
\$226.21	1%	\$225.00	-\$16
\$340.65	0%	\$340.00	\$58
NA	NA	\$50.00	\$0
NA	NA	\$100.00	\$0

Fire

111	State Licensing & Private School Life Safety Insp - Fire Clearance Inspections	0.00		1 - 6 individuals per establishment
112	State Licensing & Private School Life Safety Insp - Fire Clearance Inspections	200.00		7 - 50 individuals per establishment
113	State Licensing & Private School Life Safety Insp - Fire Clearance Inspections	250.00		51 - 150 individuals per establishment
114	State Licensing & Private School Life Safety Insp - Fire Clearance Inspections	300.00		over 151 individuals per establishment
115	State Licensing & Private/Public School Annual Life Safety Inspection	150.00		7 - 75 individuals
116	State Licensing & Private/Public School Annual Life Safety Inspection	200.00		76 - 250 individuals
117	State Licensing & Private/Public School Annual Life Safety Inspection	250.00		251-500 individuals
118	State Licensing & Private/Public School Annual Life Safety Inspection	100.00		over 501 individuals per establishment
119	CO2 Systems & Piping for Beverage Dispensing Inspection	New		

\$0.00	0%	\$0.00	\$0
\$150.00	0%	\$150.00	-\$50
\$226.21	0%	\$226.00	-\$24
\$302.50	1%	\$300.00	\$0
\$141.04	0%	\$141.00	-\$9
\$217.34	0%	\$217.00	\$17
\$293.64	0%	\$293.00	\$43
\$340.65	0%	\$340.00	\$240
\$132.18	0%	\$132.00	NA

Construction Permits (Plan Review)

#	Description	Current Fee/Charge	Unit	Notes
120	Full Cell Power System Plan Review	New		
121	Gas Detection System (Including CO2) Plan Review	New		
122	High Piled Combustible Storage Plan Review	New		
123	Motor Vehicle Repair Rooms & Booth Plan Review	New		
124	Plant Extraction System Plan Review	New		
125	Special Event Structure Plan Review	New		

Full Cost	Subsidy %	Suggested Fee	Fee Δ
\$132.18	0%	\$132.00	NA
\$170.33	0%	\$170.00	NA
\$170.33	0%	\$170.00	NA
\$132.18	0%	\$132.00	NA
\$132.18	0%	\$132.00	NA
\$94.03	0%	\$94.00	NA

All Departments

Utilities

#	Description	Current Fee/Charge	Unit	Note
1	Cut Lock / Lock only	175.00	lock	
2	Cut Tabs - Angle Water Meter Stops - 1"	285.00	meter	
3	Cut Tabs - Angle Water Meter Stops - 1 1 / 2"	565.00	meter	
4	Cut Tabs - Angle Water Meter Stops - 2"	565.00	meter	
5	Cut Tabs - Angle Water Meter Stops - 5 / 8" & 3 / 4"	270.00	meter	
6	Past Due Letter Notification for Nonpayment	1.50	letter	
7	Door Hanger Notification of Shut-off for Nonpayment	30.00	hanger	
8	Meter Calibration Test	80.00	calibration	
9	New Perm. Meter - 1" / Full Set	2,660.00	meter	
10	New Perm. Meter - 1" / Meter and Box	415.00	meter	
11	New Perm. Meter - 1 1 / 2" / Full Set	4,130.00	meter	
12	New Perm. Meter - 1 1 / 2" / Meter and Box	790.00	meter	
13	New Perm. Meter - 2" / Full Set	4,280.00	meter	
14	New Perm. Meter - 2" / Meter and Box	935.00	meter	
15	New Perm. Meter - 3 / 4" / Full Set	2,560.00	meter	
16	New Perm. Meter - 3 / 4" / Meter and Box	335.00	meter	
17	New Service Turn On	42.00	each	
18	New Service Turn On / After Hours	125.00	each	
19	Shut-off / Turn-on Fee if paid prior to 2:00 pm	35.00	each	
20	Shut-off / Turn-on Fee if paid after 2:00 pm	65.00	each	
21	Two Inch Temporary Meter Set and Remove	96.00	each	
22	New Line Bacti Retest Fee	130.00		plus \$26 per additional sample
23	New Perm. Meter - 3" Meter Drop-In	New		
24	New Perm. Meter - 4" Meter Drop-In	New		
25	New Perm. Meter - 6" Meter Drop-In	New		
26	Door Hanger Notification of Shut-off for backlow noncompliance	New		
27	Shut-off / Turn-on Fee for backflow noncompliance	New		

Full Cost	Subsidy %	Suggested Fee	Fee Δ
NA	NA	\$175.00	\$0
\$903.42	47%	\$475.00	\$190
\$1,416.18	42%	\$825.00	\$260
\$1,416.18	38%	\$875.00	\$310
\$871.42	48%	\$450.00	\$180
NA	NA	\$1.50	\$0
\$54.89	36%	\$35.00	\$5
\$215.87	42%	\$125.00	\$45
\$5,684.49	20%	\$4,550.00	\$1,890
\$617.76	19%	\$500.00	\$85
\$6,734.32	22%	\$5,250.00	\$1,120
\$1,377.53	19%	\$1,115.00	\$325
\$6,865.29	13%	\$6,000.00	\$1,720
\$1,508.50	1%	\$1,500.00	\$565
\$5,556.31	28%	\$4,000.00	\$1,440
\$526.85	21%	\$415.00	\$80
\$74.84	27%	\$55.00	\$13
\$307.14	41%	\$180.00	\$55
\$99.79	55%	\$45.00	\$10
\$99.79	25%	\$75.00	\$10
\$291.90	57%	\$125.00	\$29
\$486.15	59%	\$200.00	\$70
\$4,534.04	23%	\$3,500.00	NA
\$5,574.18	14%	\$4,800.00	NA
\$8,222.24	4%	\$7,900.00	NA
\$109.01	68%	\$35.00	NA
\$112.91	34%	\$75.00	NA



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RESOLUTION NO. 2020-29

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
ADOPTING FEES FOR CERTAIN SERVICES
AND PERMITS AND THE REMOVAL OF
FEES FOR SERVICES NO LONGER USED

WHEREAS, the City of Escondido (“City”) charges user fees (“User Fees”) for services and permits (“Services”); and

WHEREAS, current service User Fees charged for the City's Services do not adequately recoup the City's costs of providing certain Services and thus, a significant amount of these costs are currently paid out of the City's general fund and, therefore, borne by the general public; and

WHEREAS, City staff has conducted an extensive analysis of its Services, the costs reasonably borne by the City in provided those Services, the beneficiaries of those Services, and the revenues produced by those paying User Fees and charges for special Services. Based on the Wildan User Fee Study and the updated information, City staff recommends increases in certain existing fees, addition of new fees and removal of fees no longer required; and

WHEREAS, pursuant to Government Code Section 66000, *et seq.*, the City is empowered to impose fees covering up to 100 percent of the actual costs of providing Services to applicants; and

WHEREAS, Government Code Section 66014 *et seq.* allows local agencies to charge fees for various activities as long as those fees do not exceed the estimated reasonable costs of provided the service for which the fee is intended; and

WHEREAS, California Government Code Section 66016 requires notice to be given and data made available at specified times prior to the adoption of increases in existing rates, fees, and charges, or the adoption of new rates, fees, and charges for use permits and building inspections sometime hereinafter at a public meeting of this City Council; and

WHEREAS, California Government Code Section 66018 requires notice to be published in accordance with California Government Code Section 6062a and data made available concerning rates, fees, and charges prior to conducting a public hearing with respect to the adoption of increases in rates, fees, and charges, or the adoption of new rates, fees, and charges for which no other procedure is provided by law; and

WHEREAS, pursuant to State law, the City Council has conducted and concluded a duly noticed public hearing with respect to the rates, fees, and charges prior to the adoption of this Resolution; and

WHEREAS, the City Council desires at this time and deems it to be in the best public interest to adopt the adjustments in certain existing User Fees and add new User Fees, as presented in Exhibit "1," which is attached to this Resolution and incorporated by this reference as though fully set forth herein.

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

1. That the above recitations are true.
2. The City Council finds that providing City Services is of special benefit to applicants both separate and apart from the general benefit to the public; and therefore, in the interests of fairness to the general public, the City desires to better recover the

costs of providing these Services from applicants who have sought the City's Services by revising its schedule of fees. The City User Fees are initially based upon the information contained in the Wildan User Fee Study to reflect the actual costs incurred by the City in providing these Services.

3. That the City Council approves the City User Fees contained in Exhibit "1."

4. That the City User Fees shall be effective by the dates listed in Exhibit "1".

5. It is the desire of the City Council that all fees and charges for services, programs or products be set forth in one document for ease of reference. Accordingly, any and all provisions of prior Resolutions of the City Council establishing or modifying fees for the Services, programs or products set forth in Exhibit "1," are hereby repealed and replaced as of the effective date of this Resolution in the manner set forth in Exhibit "1;" provided, however, that such repeal shall not excuse or affect the failure of any person or entity to pay any fee heretofore imposed upon such person or entity. The City Council desires to clarify that in adopting this Resolution, it is taking action only on those User Fees for the Services, programs or products set forth in Exhibit "1," which have been modified from prior resolutions of the City Council or are established as new fees. The remaining fees that have not been modified from prior resolutions shall remain in full force and effect.

6. Environmental Exemption. The adoption of this Resolution is exempt from the California Environmental Quality Act ("CEQA," Public Resources Code Sections 21000 *et seq.*), because it approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of City departments, as set forth in Public Resources Code Section 21080(b)(8)(A).

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
PLANNING									
General Services and Applications									
Planning	Pre-Application Consultation (no charge for initial meeting)	\$312.00	meeting	7/1/2020	2020-29	\$648.87	\$336.87	\$778.64	\$778.64
Planning	Research Fee	\$52.00	hour	7/1/2020	2020-29	\$91.68	\$39.68	\$110.02	\$183.00
Planning	Zoning Consistency Letter	\$104.00	letter	7/1/2020	2020-29	\$156.00	\$52.00	\$156.00	\$225.00
Planning	Non-Conforming Use Determination Letter	\$395.00	letter	7/1/2020	2020-29	\$322.00	(\$73.00)	\$322.00	\$322.00
Planning	Third Review Fee (Continuing Review Cycles)	NEW	each	7/1/2020	2020-29	33% of Original Permit Fee	N/A	33% of Original Permit Fee	33% of Original Permit Fee
Land Use Review - Agreements									
Planning	Agriculture Operations Permit	NEW	each	7/1/2020	2020-29	\$459.00	\$459.00	\$459.00	\$459.00
Planning	Development Agreement (Fee plus Deposit)	cost recovery	each	7/1/2020	2020-29	\$3,008.00 Plus Deposit	N/A	\$3,008.00 Plus Deposit	\$3,008.00 Plus Deposit
Planning	Lot Tie	\$312.00	agreement	7/1/2020	2020-29	\$337.00	\$25.00	\$337.00	\$337.00
Planning	Model Home Permit	NEW	each	7/1/2020	2020-29	\$434.00	\$434.00	\$434.00	\$434.00
Planning	Off-Site Construction Staging Area	NEW	each	7/1/2020	2020-29	\$476.00	\$476.00	\$476.00	\$476.00
Land Use Review - Building or Site Design									
Planning	Administrative Adjustment	\$750.00	adjustment	7/1/2020	2020-29	\$1,009.00	\$259.00	\$1,009.00	\$1,009.00
Planning	Design Review - Minor	\$450.00	review	7/1/2020	2020-29	\$489.00	\$39.00	\$489.00	\$489.00
Planning	Design Review - Major	\$985.00	review	7/1/2020	2020-29	\$811.00	(\$174.00)	\$811.00	\$811.00
Planning	Grading Exemption - Single family	\$1,470.00	each	7/1/2020	2020-29	\$1,031.00	(\$439.00)	\$1,031.00	\$1,031.00
Planning	Grading Exemption - All Other Cases	\$2,385.00	each	7/1/2020	2020-29	\$1,255.00	(\$1,130.00)	\$1,255.00	\$1,255.00
Planning	Mobile Home Park Conversion	\$4,610.00	each	7/1/2020	2020-29	\$6,915.00	\$2,305.00	\$6,915.00	\$9,381.00
Planning	Other Minor Projects - Minor Development Application	\$78.00	plan	7/1/2020	2020-29	\$368.52	\$290.52	\$442.22	\$737.00
Planning	Parking Reduction Modification (TDM / Parking Study)	NEW	each	7/1/2020	2020-29	\$1,527.00	\$1,527.00	\$1,527.00	\$1,527.00
Planning	Planned Development - Master Plan (plus deposit)	\$5,540.00	plan	7/1/2020	2020-29	\$4,501.08 Plus Deposit	\$4,501.08 Plus Deposit	\$4,501.08 Plus Deposit	\$4,501.08 Plus Deposit
Planning	Planned Development - Precise Plan (plus deposit)	\$3,000.00	plan	7/1/2020	2020-29	\$3,505.36 Plus Deposit	\$3,505.36 Plus Deposit	\$3,505.36 Plus Deposit	\$3,505.36 Plus Deposit
Planning	Plot Plan Review - Minor	\$975.00	plan	7/1/2020	2020-29	\$1,662.93	\$687.93	\$1,995.52	\$3,325.00
Planning	Plot Plan Review - Major	\$2,490.00	plan	7/1/2020	2020-29	\$4,990.72	\$2,500.72	\$5,988.86	\$9,981.00
Planning	Variance - Single Family	\$1,520.00	variance	7/1/2020	2020-29	\$2,280.00	\$760.00	\$2,280.00	\$2,280.00
Planning	Variance - All Other Cases	\$1,725.00	variance	7/1/2020	2020-29	\$2,498.00	\$773.00	\$2,498.00	\$2,498.00
Land Use Review - Historical Resources									
Planning	Mills Act	NEW	each	7/1/2020	2020-29	\$1,479.00	\$1,479.00	\$1,479.00	\$1,479.00
Planning	Local Register	NEW	each	7/1/2020	2020-29	\$1,216.00	\$1,216.00	\$1,216.00	\$1,216.00
Planning	Certificate of Appropriateness	NEW	each	7/1/2020	2020-29	\$55.01	\$55.01	\$73.34	\$91.68
Planning	Certificate of Appropriateness - with Design Review	NEW	each	7/1/2020	2020-29	\$146.90	\$146.90	\$195.86	\$244.83
Land Use Review - Minor Permit									
Planning	Second Dwelling Units: Accessor Dwelling Units	\$1,200.00	notice	7/1/2020	2020-29	\$1,200.00	\$0.00	\$1,200.00	\$1,200.00
Land Use Review - Signs									
Planning	Comprehensive Sign Program	\$650.00	program	7/1/2020	2020-29	\$838.00	\$188.00	\$838.00	\$838.00
Planning	Comprehensive Sign Permit Modification / Amendment	NEW	permit	7/1/2020	2020-29	\$714.00	\$714.00	\$714.00	\$714.00
Planning	Regional Market Sign	\$3,075.00	application	7/1/2020	2020-29	\$1,378.00	(\$1,697.00)	\$1,378.00	\$1,378.00
Planning	Sign Permit	\$78.00	application	7/1/2020	2020-29	\$117.00	\$39.00	\$131.25	\$218.00
Planning	Temporary Banners	\$25.00	application	7/1/2020	2020-29	\$37.00	\$12.00	\$37.00	\$44.00

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Land Use Review - Special Use Review									
Planning	Above Ground Tanks (includes DRB Fee)	\$80.00	request	7/1/2020	2020-29	\$135.53	\$55.53	\$162.64	\$271.00
Planning	Administrative Permit (Outdoor Display, RV Parking)	\$312.00	permit	7/1/2020	2020-29	\$245.00	(\$67.00)	\$245.00	\$245.00
Planning	Arts and Crafts shows / Administrative	\$315.00	each	7/1/2020	2020-29	\$175.00	(\$140.00)	\$175.00	\$175.00
Planning	Conditional Use Permit: Minor, Animals, or Residential Care	\$1,870.00	permit	7/1/2020	2020-29	\$2,668.00	\$798.00	\$2,668.00	\$2,668.00
Planning	Conditional Use Permit: Major	\$4,610.00	permit	7/1/2020	2020-29	\$6,475.00	\$1,865.00	\$6,475.00	\$6,475.00
Planning	Security Gates	\$480.00	plan	7/1/2020	2020-29	\$720.00	\$240.00	\$720.00	\$720.00
Planning	Temporary use Permit	\$156.00	permit	7/1/2020	2020-29	\$234.00	\$78.00	\$234.00	\$234.00
Subdivision Review									
Planning	Condominium Permit	\$4,020.00	permit	7/1/2020	2020-29	\$6,030.00	\$2,010.00	\$6,030.00	\$6,864.00
Planning	Subdivision - Adjustment Plat	\$1,020.00	plat	7/1/2020	2020-29	\$1,530.00	\$510.00	\$1,530.00	\$1,530.00
Planning	Subdivision - Certificate of Compliance	\$765.00	certificate	7/1/2020	2020-29	\$711.00	(\$54.00)	\$711.00	\$711.00
Planning	Subdivision - Tentative Parcel Map	\$2,430.00	map	7/1/2020	2020-29	\$3,645.00	\$1,215.00	\$4,211.56	\$7,019.00
Planning	Tentative Subdivision Map: 5-25 units	\$3,802.00	map	7/1/2020	2020-29	\$5,703.00	\$1,901.00	\$6,892.40	\$11,487.00
Planning	Tentative Subdivision Map: 26-50 units	\$4,485.00	map	7/1/2020	2020-29	\$7,552.02	\$3,067.02	\$9,062.42	\$15,104.00
Planning	Tentative Subdivision Map: 51+ units (plus deposit)	\$6,600.00	map	7/1/2020	2020-29	\$12,226.60 Plus Deposit	\$5,626.60	\$12,226.60 Plus Deposit	\$12,226.60 Plus Deposit
Policy and Ordinance Development - Initiation Fee									
Planning	Annexation Request for Initiation	\$1,950.00	initiation	7/1/2020	2020-29	\$2,925.00	\$975.00	\$2,925.00	\$3,695.00
Planning	Amendment Authorization: General Plan or Specific Plan	NEW	each	7/1/2020	2020-29	\$1,430.00	\$1,430.00	\$1,430.00	\$1,430.00
Policy and Ordinance Development - Annexation Fee									
Planning	Annexation: <10 Acres (plus deposit)	\$3,340.00	annex	7/1/2020	2020-29	\$5,909.07 Plus Deposit	\$2,569.07	\$5,909.07 Plus Deposit	\$5,909.07 Plus Deposit
Planning	Annexation: >10 Acres (plus deposit)	\$7,760.00	annex	7/1/2020	2020-29	\$7,073.20 Plus Deposit	(\$686.80)	\$7,073.20 Plus Deposit	\$7,073.20 Plus Deposit
Planning	Annexation: Under order of County Dep of Health for Sewer Hookup	\$2,775.00	request	7/1/2020	2020-29	\$4,013.00	\$1,238.00	\$4,013.00	\$4,013.00
Planning	Sphere of Influence Amendments (plus deposit)	cost recovery	each	7/1/2020	2020-29	\$10,110.74 Plus Deposit	N/A	\$10,110.74 Plus Deposit	\$10,110.74 Plus Deposit
Policy and Ordinance Development - Map or Text Changes									
Planning	General Plan Amendment Request (plus deposit)	\$6,720.00	request	7/1/2020	2020-29	\$6,348.48 Plus Deposit	(\$371.52)	\$6,348.48 Plus Deposit	\$6,348.48 Plus Deposit
Planning	General Text Amendment Request (plus deposit)	NEW	each	7/1/2020	2020-29	\$5,362.21 Plus Deposit	\$5,362.21	\$5,362.21 Plus Deposit	\$5,362.21 Plus Deposit
Planning	Specific Plan / Specific Plan Amendments (plus deposit)	Cost recovery	each	7/1/2020	2020-29	\$5,362.21 Plus Deposit	N/A	\$5,362.21 Plus Deposit	\$5,362.21 Plus Deposit
Planning	Rezone / Prezone: Zoning Code Map Amendment (plus deposit)	\$3,500.00	request	7/1/2020	2020-29	\$4,578.76 Plus Deposit	\$1,078.76	\$4,578.76 Plus Deposit	\$4,578.76 Plus Deposit
Planning	Zoning Code Text Amendment Request (plus deposit)	NEW	each	7/1/2020	2020-29	\$3,628.04 Plus Deposit	\$3,628.04	\$3,628.04 Plus Deposit	\$3,628.04 Plus Deposit

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Review for Conformance, Modification, Extension of Fees									
Planning	Modifications/Amendments (Excluding Comprehensive Sign Permit Modification/Amendment)	NEW	each	7/1/2020	2020-29	33% of Original Permit Fee	N/A	33% of Original Permit Fee	33% of Original Permit Fee
Planning	Certification of Map	NEW	each	7/1/2020	2020-29	\$422.00	N/A	\$422.00	\$422.00
Planning	Extension of Time (Subdivision)	NEW	each	7/1/2020	2020-29	33% of Original Permit Fee	N/A	33% of Original Permit Fee	33% of Original Permit Fee
Planning	Extension of Time / Other Public Hearings	\$1,725.00	extension	7/1/2020	2020-29	33% of Original Permit Fee	N/A	33% of Original Permit Fee	33% of Original Permit Fee
Planning	Extension of Time - Minor Projects	\$475.00	extension	7/1/2020	2020-29	33% of Original Permit Fee	N/A	33% of Original Permit Fee	33% of Original Permit Fee
Planning	Substantial Conformance for Subdivision: Tentative Parcel Map	NEW	each	7/1/2020	2020-29	\$1,578.00	N/A	\$1,578.00	\$1,578.00
Planning	Substantial Conformance for Tentative Subdivision Map: 5-25 units	NEW	each	7/1/2020	2020-29	\$2,266.00	N/A	\$2,266.00	\$2,266.00
Planning	Substantial Conformance for Tentative Subdivision Map: 26-50 units	NEW	each	7/1/2020	2020-29	\$2,709.00	N/A	\$2,709.00	\$2,709.00
Planning	Substantial Conformance for Tentative Subdivision Map: 51+ units	NEW	each	7/1/2020	2020-29	\$4,586.00	N/A	\$4,586.00	\$4,586.00
Planning	Substantial Conformance for other Project Plans	NEW	each	7/1/2020	2020-29	\$493.00	N/A	\$493.00	\$493.00
Environmental Review - Review and Preparation Fees									
Planning	Environmental Review Initial Study	\$2,100.00	study	7/1/2020	2020-29	\$2,565.00	\$465.00	\$2,565.00	\$2,565.00
Planning	Technical Studies: Storm Water Quality Management Plan	NEW	study	7/1/2020	2020-29	\$1,887.00	\$1,887.00	\$1,887.00	\$1,887.00
Planning	Technical Studies: Traffic	\$1,000.00	study	7/1/2020	2020-29	\$1,500.00	\$500.00	\$1,500.00	\$2,099.00
Planning	Technical Studies: Traffic with Mitigation Measures	NEW	study	7/1/2020	2020-29	\$3,533.00	\$3,533.00	\$3,533.00	\$3,533.00
Planning	Technical Studies: Other	\$234.00	study	7/1/2020	2020-29	\$462.90	\$228.90	\$555.48	\$925.00
Planning	Negative Declaration: Staff Prepared (plus deposit)	\$2,490.00	study	7/1/2020	2020-29	\$2,315.20 Plus Deposit	(\$174.80)	\$2,315.20 Plus Deposit	\$2,315.20 Plus Deposit
Planning	Negative Declaration: Consultant Prepared (plus deposit)	\$1,250.00	each	7/1/2020	2020-29	\$2,097.24 Plus Deposit	\$847.24	\$2,097.24 Plus Deposit	\$2,097.24 Plus Deposit
Planning	Environmental Impact Report: > 10 acres (plus deposit)	\$3,740.00	each	7/1/2020	2020-29	\$6,882.27 Plus Deposit	\$3,142.27	\$6,882.27 Plus Deposit	\$6,882.27 Plus Deposit
Planning	CEQA Addendum	NEW	each	7/1/2020	2020-29	\$1,770.00	\$1,770.00	\$1,770.00	\$1,770.00
Environmental Review - Post Certification / Adoption Fees									
Planning	Notice of Exemption (plus County Clerk Processing Fee)	\$104.00	each	7/1/2020	2020-29	\$117.00	\$13.00	\$117.00	\$117.00
Planning	Notice of Determination (plus County Clerk Processing Fee)	NEW	each	7/1/2020	2020-29	\$220.00	\$220.00	\$220.00	\$220.00
Planning	Daley Ranch Credit Agreement Administration	\$312.00	each	7/1/2020	2020-29	\$468.00	\$156.00	\$468.00	\$607.00
Planning	Vegetation Removal Permit: < 5 Acres Clearing	\$705.00	permit	7/1/2020	2020-29	\$503.00	(\$202.00)	\$503.00	\$503.00
Planning	Vegetation Removal Permit: > 5 Acres Clearing	\$1,230.00	permit	7/1/2020	2020-29	\$709.00	(\$521.00)	\$709.00	\$709.00
Fees for Documents and Duplication									
Planning	Copies from Microfilm (OCE)	\$1.00	each	8/25/1999	1999-200	\$1.00	\$0.00	\$1.00	\$1.00
Planning	Legal Notice Fees	\$160.00	notice	8/1/2010	2010-92R	\$160.00	\$0.00	\$160.00	\$160.00
Planning	Microfilm Fee: Major Cases (public hearing)	\$150.00	project	8/25/1999	1999-200	\$150.00	\$0.00	\$150.00	\$150.00
Planning	Microfilm Fee: Minor Cases (nonpublic hearing)	\$50.00	project	8/25/1999	1999-200	\$50.00	\$0.00	\$50.00	\$50.00
Planning	Public Hearing Notice Sign (2' x 3')	\$20.00	each	7/12/2004	2004-132	\$20.00	\$0.00	\$20.00	\$20.00
Planning	Sale of Maps, Publications	cost recovery	each	8/25/1999	1999-200	cost recovery	N/A	cost recovery	cost recovery

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Fees Collected by Other Departments									
Planning	General Plan Update Fee	NEW	each	7/1/2020	2020-29	\$33.00	\$33.00	\$33.00	\$33.00
Planning	Building Plan Review: Single Family Dwelling	\$195.00	plan	7/1/2020	2020-29	\$555.66	\$360.66	\$555.66	\$555.66
Planning	Building Plan Review: Minor	\$380.00	plan	7/1/2020	2020-29	\$412.00	\$32.00	\$412.00	\$412.00
Planning	Building Plan Review: Major	\$1,100.00	plan	7/1/2020	2020-29	\$1,366.00	\$266.00	\$1,366.00	\$1,366.00
Planning	CC&R's	\$545.00	project	7/1/2020	2020-29	\$817.00	\$272.00	\$817.00	\$817.00
Planning	Fire Department Plan Review	\$104.00	each	7/1/2020	2020-29	\$156.00	\$52.00	\$156.00	\$156.00
Planning	Final Map: Parcel Maps	\$410.00	map	7/1/2020	2020-29	\$325.00	(\$85.00)	\$325.00	\$325.00
Planning	Final Map: Major Subdivision	\$995.00	map	7/1/2020	2020-29	\$470.00	(\$525.00)	\$470.00	\$470.00
Planning	Grading Plan: Minor less than 1000 C.Y. of Grading	\$265.00	plan	7/1/2020	2020-29	\$245.00	(\$20.00)	\$245.00	\$245.00
Planning	Grading Plan: Major over 1000 C.Y. of Grading	\$1,100.00	plan	7/1/2020	2020-29	\$245.00	(\$855.00)	\$245.00	\$245.00
Planning	Landscape Plan: Minor (excluding single family)	\$225.00	plan	7/1/2020	2020-29	\$224.00	(\$1.00)	\$224.00	\$224.00
Planning	Landscape Plan: Major (excluding single family)	\$1,040.00	plan	7/1/2020	2020-29	\$1,216.00	\$176.00	\$1,216.00	\$1,216.00

Miscellaneous Planning Fees									
Planning	Public Hearing Continuance (Applicant Request)	\$312.00	each	7/1/2020	2020-29	\$540.04	\$228.04	\$540.04	\$540.04
Planning	Specific Alignment Plan (plus deposit)	\$1,500.00	each	7/1/2020	2020-29	\$2,721.94 Plus Deposit	\$1,221.94	\$2,721.94 Plus Deposit	\$2,721.94 Plus Deposit
Planning	Street Names Application	NEW	each	7/1/2020	2020-29	\$528.00	\$528.00	\$528.00	\$528.00
Planning	Planning Technology Fee	NEW	each	7/1/2020	2020-29	\$35.97	\$35.97	\$35.97	\$35.97

Note: For any user fee service request that is outside the scope, or for services for which there is no fee currently set, the City can charge up to the full cost of the FBHR for the personnel involved.

Planning	Planned Dev. / Preliminary Plan	\$3,680 / plan + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Subdivision - Extension of Time / Adjustment Plat	\$475 / extension + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Subdivision - Extension of Time / Major Subdivision	\$1,755 / extension + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Subdivision - Extension of Time / Tentative Parcel Map	\$745 / extension + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Certified Map / Substantial Conformance Review	\$312 / map	-	9/30/2013	2013-99R				
Planning	Zoning Code Amendment	\$3,285 / amendment + notice & microfilm fees	-	9/30/2013	2013-99R				
Planning	Conditional Use Permit / Animals	\$1,245 / permit + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Conditional Use Permit / Residential Care Facility for disabled persons	\$1,065 / permit + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Development Agreement Annual Review & Monitoring	\$312 / agreement	-	9/30/2013	2013-99R				
Planning	Development Agreement Request for Assignment	\$234 / assignment	-	9/30/2013	2013-99R				

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Planning	Rezone / Prezone > 5 Acres	\$4,700 / request + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Specific Plan Amendment	Cost recovery + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Specific Plan / Project Plans	Cost recovery + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Environmental Impact Report (< 10 acres)	\$3,120 + consultant cost recovery + technical study + notice and filing fees	-	9/30/2013	2013-99R				
Planning	Post Approval / Mitigation Monitoring	\$312 per report	-	9/30/2013	2013-99R				
Planning	Habitat Loss / 4D Permit (< 1 Acre of Impact)	\$970 / permit + notice fees	-	7/12/2004	2004-132				
Planning	Habitat Loss / 4D Permit	\$1,880 / permit + notice fees	-	7/12/2004	2004-132				
Planning	Easements	\$312 per Easement	-	4/1/2015	2015-26				
Planning	Appeal Administrative Decision – Other	\$1,535 / appeal + notice fees	-	7/12/2004	2004-132				
Planning	Appeal Administrative Decision-Arts & Crafts Permit	\$935 / appeal + notice fees + microfilm fees (1 / 2 appellant & 1 / 2 applicant paid)	-	7/12/2004	2004-132				
Planning	Modifications – CUP / Minor	\$1,162 / modification – notice fees	-	9/30/2013	2013-99R				
Planning	Modifications – CUP / Major	\$2,745 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Modification – Parcel Maps	\$600 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Modifications – Planned Dev. / Preliminary Plan	\$2,260 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Modifications – Planned Dev. / Master Plan	\$4,120 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Modifications – Planned Dev. / Precise Plan	\$2,475 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Modifications – Tent. Sub. Map / 5-25 units	\$2,890 / modification + notice fees	-	9/30/2013	2013-99R				

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Planning	Modifications – Tent. Sub. Map / 26+ units	\$3,660 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Modifications – Other No Hearing	\$920 / modification	-	9/30/2013	2013-99R				
Planning	Modifications – Other Hearing Required	\$1,260 / modification + notice fees	-	9/30/2013	2013-99R				
Planning	Gen. Plan Amendment Request (< 5 Acres)	\$4,795 / request + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Gen. Plan Amendment Request (> 25 Acres)	\$9,480 / request + notice and microfilm fees	-	9/30/2013	2013-99R				
Planning	Planning Comm. Agenda Subscription	\$20 / year	-	7/1/1992	1992-130				
Planning	Planning Comm. Packet Subscription	\$255 / year	-	7/12/2004	2004-132				
Planning	Public Hearing Notice Sign (4' X 4')	\$31 / each	-	7/12/2004	2004-132				
Planning	Combined Applications	75% of total, exc-ERs, GPAs, SPs & ANXs	-	8/25/1999	1999-200				

BUILDING

Building Permit Processing Fees

Building	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	Proposed Fee	Increase (Decrease)
Building	Plan Check	65%	building permit fee	8/30/1987	1987-24	65% of building permit fee	N/A
Building	Plan Check Surcharge (State Disabled Access Reg.)	10%	plan check fee	8/30/1987	1987-24	10% of plan check fee	N/A
Building	Plan Check Surcharge (State Energy Reg.)	20%	plan check fee	8/30/1987	1987-24	20% of plan check fee	N/A
Building	Plan Check- single family dwelling tract production units	\$70.00	unit	5/1/2002	2002-100	\$70.00	N/A

Building Permit Inspection Fees

Building	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	Proposed Fee	Increase (Decrease)
Building	Building Permits	See Building Fee Table		7/1/2020	2020-29	See Building Fee Table	
Building	Building Permit Surcharge (State Disabled Access Reg.)	10%	building permit fee	8/30/1987	1987-24	10% of building permit fee	N/A
Building	Building Permit Surcharge (State Energy Reg.)	20%	building permit fee	8/30/1987	1987-24	20% of building permit fee	N/A
Building	Inspections outside of normal business hours	\$47.00	per hour	7/1/2020	2020-29	\$86.00	\$39.00
Building	Reinspection fees assessed under provisions of Section 305.8	\$47.00	per hour	7/1/2020	2020-29	\$86.00	\$39.00
Building	Inspections for which no fee is specifically indicated	\$47.00	per hour	7/1/2020	2020-29	\$86.00	\$39.00
Building	Additional plan review required by changes, additions or revision to plans	\$48.00	per hour	7/1/2020	2020-29	\$86.00	\$38.00
Building	Use of outside consultant for plan checking and/or inspections	Actual Cost	each	7/1/2020	2020-29	Actual Cost	N/A

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Other City Fees									
Building	Other Minor Projects - Research Fee	\$86.00	hour	7/1/2020	2020-29	\$86.00	\$0.00		
Building	Citywide Facilities Plan Reimbursement Fee	\$58.00	residential unit	6/18/1994	1994-173	\$58.00	\$0.00		
Building	Microfilming Fee	\$0.50	letter-size sheet	8/30/1987	1987-24	\$0.50	\$0.00		
Building	Microfilming Fee	\$2.00	larger sheet	8/30/1987	1987-24	\$2.00	\$0.00		
Building	Cable TV Systems: multi-family dwelling unit / \$10 minimum	\$1.00	unit	7/2/1976	1976-16	\$1.00	\$0.00		
Building	Cable TV Systems: mobilehome pad / \$10 minimum	\$1.00	unit	7/2/1976	1976-16	\$1.00	\$0.00		
Building	Copies from Microfilm (OCE)	\$1.00	each	8/25/1999	1999-200	\$1.00	\$0.00		
Building	Demolition Permit	\$30.00	permit	7/1/2020	2020-29	\$194.00	\$164.00		
Building	Change of Occupancy Inspection	\$86.00	hour	7/1/2020	2020-29	\$86.00	\$0.00		
Building	Research fee	\$86.00	hour	7/1/2020	2020-29	\$86.00	\$0.00		
Building	Inspections outside of normal business hours (2hr min)	\$86.00	hour	7/1/2020	2020-29	\$97.00	\$11.00		
Building	Reinspection	\$86.00	each	7/1/2020	2020-29	\$97.00	\$11.00		
Building	All Other Inspections (min 1/2 hour)	\$86.00	hour	7/1/2020	2020-29	\$97.00	\$11.00		
Building	Building Technology Fee	NEW	per \$1 valuation	7/1/2020	2020-29	\$0.00031	\$0.00031		
Plumbing Fees									
Building	Issuance Fee	\$30.00	permit	7/1/2020	2020-29	\$30.00	\$0.00		
Building	Gas Lines	\$10.00	each	7/1/2020	2020-29	\$42.50	\$32.50		
Building	Grease Trap	\$3.00	each	7/1/2020	2020-29	\$85.00	\$82.00		
Building	Water Heater (First Heater)	\$6.00	each	7/1/2020	2020-29	\$10.00	\$4.00		
Building	Other Plumbing & Gas Fees	\$10.00	each	7/1/2020	2020-29	\$25.00	\$15.00		
Building	Plumbing fixtures (4 or fewer)	NEW	permit	7/1/2020	2020-29	\$42.50	N/A		
Building	Plumbing fixtures (5 or more)	NEW	permit	7/1/2020	2020-29	\$85.00	N/A		
Electrical Fees									
Building	Issuance Fee	\$30.00	permit	7/1/2020	2020-29	\$30.00	\$0.00		
Building	Temporary Service	\$35.00	each	7/1/2020	2020-29	\$170.00	\$135.00		
Building	Temporary All Poles	\$35.00	each	7/1/2020	2020-29	\$170.00	\$135.00		
Building	Other Electrical Fees	\$10.00	each	7/1/2020	2020-29	\$25.00	\$15.00		
Building	Electrical - 200 amp panel or less	NEW	each	7/1/2020	2020-29	\$85.00	N/A		
Building	Electrical - More than 200 amp panel	NEW	each	7/1/2020	2020-29	\$170.00	N/A		
Building	Electrical - Re-wire 4 or fewer outlets	NEW	each	7/1/2020	2020-29	\$42.50	N/A		
Building	Electrical - Re-wire 5 or more outlets	NEW	each	7/1/2020	2020-29	\$85.00	N/A		
Building	Air Conditioning Unit	NEW	each	7/1/2020	2020-29	\$170.00	N/A		
Building	Type 1 Kitchen Hoods and Ducts	NEW	each	7/1/2020	2020-29	\$194.00	N/A		
Mechanical Fees									
Building	Issuance Fee	\$30.00	permit	7/1/2020	2020-29	\$30.00	\$0.00		
Building	Furnaces	\$15.00	each	7/1/2020	2020-29	\$170.00	\$155.00		
Building	Heater (Wall or Floor)	\$12.00	each	7/1/2020	2020-29	\$170.00	\$158.00		
Building	Heat Pump (Package Unit)	\$9.00	each	7/1/2020	2020-29	\$170.00	\$161.00		
Building	Duct Work Only	\$15.00	each	7/1/2020	2020-29	\$85.00	\$70.00		
Building	Other Mechanical Fees	\$10.00	each	7/1/2020	2020-29	\$25.00	\$15.00		

Note: For any user fee service request that is outside the scope, or for services for which there is no fee currently set, the City can charge up to the full cost of the FBHR for the personnel involved.

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
ENGINEERING									
Encroachment Permits and Fees									
Engineering	Encroachment Permit - Processing Fee	\$100	permit	7/1/2020	2020-29	\$100.00	\$0.00		
Engineering	Encroachment Permit - Subsequent TCP Review (\$60 for each subsequent sheet)	\$75	sheet	7/1/2020	2020-29	\$165 first sheet \$60 thereafter	\$90.00		
Engineering	Encroachment Permit - Driveway Approach or Ped Ramp & Curb Return / Residential	\$375	permit	7/1/2020	2020-29	\$440.00	\$65.00		
Engineering	Encroachment Permit - Driveway Approach with Ped. Ramp and Curb Return / Non-Residential St	\$600	permit	7/1/2020	2020-29	\$690.00	\$90.00		
Engineering	Encroachment Permit - Additional Residential Driveway at same address if poured same day	50%	permit	7/1/2020	2020-29	\$340.00	\$340.00		
Engineering	Encroachment Permit - Fire Hydrant Installation on Residential Street, Local Collector & Frontage	\$500	permit	7/1/2020	2020-29	\$1,260.00	\$760.00		
Engineering	Encroachment Permit - Fire Hydrant Installation on Collector and above, Commercial & Industrial Road	\$1,000	permit	7/1/2020	2020-29	\$1,710.00	\$710.00		
Engineering	Encroachment Permit - Utility Trenching up to 4,000 300 LF in length	\$80	linear feet	7/1/2020	2020-29	\$640.00	\$560.00		
Engineering	Encroachment Permit - Utility Trenching over 4,000 over 300 LF in length	\$330	linear feet	7/1/2020	2020-29	\$600 + \$1 per LF > 300	\$270.00		
Engineering	Encroachment Permit - Curb, Curb & Gutter, Berm up to 100LF	\$70	linear feet	7/1/2020	2020-29	\$370.00	\$300.00		
Engineering	Encroachment Permit - Sidewalks up to 500SF	\$70	linear feet	7/1/2020	2020-29	\$420.00	\$350.00		
Engineering	Encroachment Permit - Curb Cores	\$50	each	7/1/2020	2020-29	\$80.00	\$30.00		
Engineering	Encroachment Permit - Continuing	\$50	year	7/1/2020	2020-29	\$100.00	\$50.00		
Engineering	Annual Permit Fee for SDG&E	\$33,000.00	annual	7/1/2020	2018-29	\$33,000.00	\$0.00		
Engineering	Encroachment Permit - Large Projects	cost recovery	each	7/1/2020	2013-99R	cost recovery	\$0.00		
Engineering	Plancheck & Inspection for Telecommunications	cost recovery	each	7/1/2020	2013-99R	cost recovery	\$0.00		
Engineering	Encroachment Permit - Penalty for no permit	3X Regular fees	each	7/1/2020	2007-115(RR)	3X Regular fees	\$0.00		
Engineering	Encroachment Permit - Overtime Inspection	\$127.50	hour	7/1/2020	2020-29	\$160.00	\$32.50		
Engineering	Encroachment Permit - outside normal working hours	\$127.50	hour	7/1/2020	2020-29	\$160.00	\$32.50		
Engineering	Street Light Connection	\$30.00	connection	7/1/2020	96-216	\$30.00	\$0.00		
Engineering	Street Light Power Charge / 135 watt(18 months)	\$300.00	each	7/1/2020	2020-29	\$30.00	(\$270.00)		
Engineering	Street Light Power Charge / 180 watt(18 months)	\$325.00	each	7/1/2020	2020-29	\$75.00	(\$250.00)		
Engineering	Repayment Processing Fee / Streets	5%	of repayment	7/1/2020		5% of repayment	\$0.00		
Engineering	Repayment Processing Fee / Sewer	5%	of repayment	7/1/2020		5% of repayment	\$0.00		
Engineering	Repayment Processing Fee / Storm Drain	5%	of repayment	7/1/2020		5% of repayment	\$0.00		
Engineering	Repayment Processing Fee / Water	5%	of repayment	7/1/2020		5% of repayment	\$0.00		
Engineering	Street Vacation	\$1,200.00	request	7/1/2020	2020-29	\$1,670.00	\$470.00		
Engineering	Quitclaim Surplus Easement / Dedication of Easements	\$850.00	request	7/1/2020	2020-29	\$1,120.00	\$270.00		
Engineering	Unsolicited Offers for City Surplus Properties (procesing fee)	\$3,000.00	each	7/1/2020	2020-29	\$5,180.00	\$2,180.00		
Engineering	Occupancy License (Real Property)	\$350.00	each	7/1/2020	2020-29	\$910.00	\$560.00		
Engineering	Research	\$200.00	each	7/1/2020	2020-29	\$240.00	\$40.00		
Engineering	Undergrounding of Overhead Utilities Waiver - indexed fee based on construction costs: Capped at 5% of the project building valuation (\$528 / \$365 SDG&E / \$95 Telephone / \$68 Cable)	\$467	indexed	7/1/2020	2016-147R	Capped at 5% of the project building valuation (\$528 / \$365 SDG&E / \$95 Telephone / \$68 Cable)			

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29	Increase	July 1, 2021	July 1, 2022
						Proposed Fee	(Decrease)	Proposed Fee	Proposed Fee
Engineering	Project Imaging	\$30.00	first sheet	7/1/2020	2020-29	\$53.00	\$23.00		
Engineering	Project Imaging	\$12.00	after first	7/1/2020	2020-29	\$17.00	\$5.00		
Engineering	Sewer Lateral Surface Restoration Deposit	\$2,000.00	each	7/1/2020	2020-29	\$2,000.00	\$2,000.00		
Engineering	Encroachment Permit – Additional Residential Driveway at same address if poured different day	\$100-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Additional Non-Residential Driveway with Ped. Ramp or Curb Return at same address if poured same day	\$100-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Additional Non-Residential Driveway with Ped. Ramp or Curb Return at same address if poured different day	\$225-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Fire Hydrant Installation on Local Collector & Frontage Road	\$750-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Fire Hydrant Installation on Prime Arterial and Major Road	\$1,250-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Sewer Lateral Installation on Local Collector & Frontage Road	\$400-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Sewer Lateral Installation on Prime Arterial and Major Road	\$800-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Traffic Control Review and Inspection per Permit	\$75-	permit	8/20/2007	2007-115(RR)				
Engineering	Encroachment Permit – Asphalt or concrete Paving	\$100 + \$.07 / LF	-	8/20/2007	2007-115(RR)				
Engineering	Project Map Printing & Distribution	\$65-	sheet	7/1/1996	96-216				

Note: For any user fee service request that is outside the scope, or for services for which there is no fee

FIRE

Miscellaneous Fire Department Fees

Fire	Fire Department Incident Reports	\$15.00	report	7/1/2020	2020-29	\$20.00	\$5.00		
Fire	Access Roadway Grading and Gates Plan Check	\$100.00	hour	7/1/2020	2020-29	\$113.00	\$13.00		
Fire	Specific Plan Review (includes fire protection plans)	\$200.00	hour	7/1/2020	2020-29	\$514.00	\$314.00		
Fire	Fire Safety Inspection (annual & new business) - No Violation	\$100.00	each	7/1/2020	2020-29	\$150.00	\$50.00		
Fire	Project Availability Forms	\$100.00	each	7/1/2020	2020-29	\$94.00	(\$6.00)		
Fire	Additional Field Inspection / Failed Inspection	\$100.00	reinspection	7/1/2020	2020-29	\$150.00	\$50.00		
Fire	Requested Inspection	NEW	inspection	7/1/2020	2020-29	\$100.00	\$100.00		
Fire	Single Structure and/or Single Family Resident Construction Inspection: <10,000 sq ft	NEW	inspection	7/1/2020	2020-29	\$160.00	\$160.00		
Fire	Single Structure & Multistory Construction Inspection: 10,000 - 50,000 sq ft	NEW	level / inspection	7/1/2020	2020-29	\$217.00	\$217.00		
Fire	Single Structure & Multistory Construction Inspection: >50,000 sq ft per level	NEW	level / inspection	7/1/2020	2020-29	\$255.00	\$255.00		
Fire	High Risk / Hazardous Material Construction Inspection	NEW	inspection	7/1/2020	2020-29	\$369.00	\$369.00		
Fire	Development Pre-Application Consultation Fee	\$100.00	each	7/1/2020	2020-29	\$100.00	\$0.00		
Fire	Special Event Staffing Cost - Fire Prevention	\$139.00	hour	7/1/2020	2020-29	\$132.00	(\$7.00)		
Fire	Special Events After Hours Fee	NEW	hour	7/1/2020	2020-29	\$170.00	\$170.00		
Fire	Fire Response Map Update Fee	NEW	each	7/1/2020	2020-29	\$247.00	\$247.00		

Fire Code Permits to Operate

Fire	All items Below - Level 1, Small, 1-2 permits, 0-5k sq ft	NEW	permit	7/1/2020	2020-29	\$170.00	\$170.00		
Fire	All items Below - Level 1, Medium, 3-5 permits, 5-10k sq ft	NEW	permit	7/1/2020	2020-29	\$208.00	\$208.00		
Fire	All items Below - Level 1, Large, 6+ permits, 10+ sq ft	NEW	permit	7/1/2020	2020-29	\$246.00	\$246.00		
Fire	All items Below - Level 2, Small, 1-2 permits, 0-5k sq ft	NEW	permit	7/1/2020	2020-29	\$265.00	\$265.00		

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29	Increase	July 1, 2021	July 1, 2022
						Proposed Fee	(Decrease)	Proposed Fee	Proposed Fee
Fire	All items Below - Level 2, Medium, 3-5 permits, 5-10k sq ft	NEW	permit	7/1/2020	2020-29	\$285.00	\$285.00		
Fire	All items Below - Level 2, Large, 6+ permits, 10+ sq ft	NEW	permit	7/1/2020	2020-29	\$303.00	\$303.00		
Fire	All items Below - Level 3, Small, 1-2 permits, 0-5k sq ft	NEW	permit	7/1/2020	2020-29	\$322.00	\$322.00		
Fire	All items Below - Level 3, Medium, 3-5 permits, 5-10k sq ft	NEW	permit	7/1/2020	2020-29	\$345.00	\$345.00		
Fire	All items Below - Level 3, Large, 6+ permits, 10+ sq ft	NEW	permit	7/1/2020	2020-29	\$361.00	\$361.00		
Fire	Carnivals & Fairs	\$400.00	permit	7/1/2020	2020-29	\$284.00	(\$116.00)		
Fire	Carnivals After Hours Fee	NEW	permit	7/1/2020	2020-29	\$322.00	\$322.00		
Fire	Explosive Permit & 2 Blasts	\$150.00	permit	7/1/2020	2020-29	\$255.00	\$105.00		
Fire	Blasting	\$50.00	permit	7/1/2020	2020-29	\$141.00	\$91.00		
Fire	Explosives / Firework Pyrotechnic Special Effects: Theatrical / Movies	\$125.00	permit	7/1/2020	2020-29	\$141.00	\$16.00		
Fire	Explosives / Firework Aerial Display: includes ground display	\$350.00	permit	7/1/2020	2020-29	\$179.00	(\$171.00)		
Fire	Open Burning: includes bonfires & burn permits	\$100.00	permit	7/1/2020	2020-29	\$179.00	\$79.00		
Fire	Additional Permits: Production Facilities, Pyrotechnics and Special Effects, & Live Audiences	\$100.00	permit	7/1/2020	2020-29	\$100.00	\$0.00		
Fire	Tents and Other Membrane Structures: 100 to 299 Occupants	\$100.00	permit	7/1/2020	2020-29	\$150.00	\$50.00		
Fire	Tents and Other Membrane Structures: > 300 Occupants	\$300.00	permit	7/1/2020	2020-29	\$285.00	(\$15.00)		
Fire	Aerosol Products	\$100.00	permit	4/1/2015	2015-26				
Fire	Aviation Facilities	\$100.00	permit	4/1/2015	2015-26				
Fire	Waste Handling Wrecking Yards, Junk Yards and Waste Material Handling Facilities	\$150.00	permit	4/1/2015	2015-26				
Fire	Open Flames and Candles in Assembly Areas	\$50.00	permit	4/1/2015	2015-26				
Fire	Cellulose Nitrate Film	\$200.00	permit	4/1/2015	2015-26				
Fire	Combustible Fiber Storage	\$250.00	permit	10/1/2008	2008-171				
Fire	Miscellaneous Combustible Material Storage > 2,500 cu ft	\$250.00	permit	4/1/2015	2015-26				
Fire	Compressed Gas (store / handle / use)	\$100.00	permit	4/1/2015	2015-26				
Fire	Cryogen Use (plan ck, installation, insp, use)	\$125.00	permit	4/1/2015	2015-26				
Fire	Dry Cleaning	\$150.00	permit	4/1/2015	2015-26				
Fire	Combustible Dust Producing Operation	\$150.00	permit	4/1/2015	2015-26				
Fire	Flammable and Combustible Liquids – Retail Storage	\$100.00	permit	4/1/2015	2015-26				
Fire	Flammable and Combustible Liquids – Pipelines within Facilities	\$100.00	permit	4/1/2015	2015-26				
Fire	Flammable and Combustible Liquids – Storage & Use	\$150.00	permit	4/1/2015	2015-26				
Fire	Flammable and Combustible Liquids Removable or Change – Underground Tanks	\$100.00	permit	4/1/2015	2015-26				
Fire	Flammable and Combustible Liquids – Tank Vehicles	\$100.00	permit	4/1/2015	2015-26				
Fire	Fruit and Crop Ripening	\$100.00	permit	4/1/2015	2015-26				
Fire	Fumigation and Insecticides Fogging	\$100.00	permit	4/1/2015	2015-26				
Fire	Hazardous Materials – Store / Handle / Use	\$150.00	permit	4/1/2015	2015-26				
Fire	Hazardous Production Materials	\$300.00	permit	4/1/2015	2015-26				
Fire	High Piled Storage	\$200.00	permit	4/1/2015	2015-26				
Fire	LPG – Retail or Commercial Storage and Use	\$200.00	permit	4/1/2015	2015-26				
Fire	LPG – Single Family Dwelling > 500 gallons	\$100.00	permit	4/1/2015	2015-26				
Fire	Liquid or Gas Fueled Vehicles or Equip in Assembly Bldgs	\$100.00	permit	10/1/2008	2008-171				
Fire	Lumber Yards and Woodworking Plants	\$200.00	permit	4/1/2015	2015-26				
Fire	Magnesium Use over 10 Pounds	\$200.00	permit	4/1/2015	2015-26				
Fire	Covered and Open Mall Buildings	\$200.00	permit	4/1/2015	2015-26				
Fire	Repair Garages and Motor Fuel Dispensing Facilities	\$100.00	permit	4/1/2015	2015-26				
Fire	Flammable and Combustible Liquids – Mobile Fueling	\$200.00	permit	4/1/2015	2015-26				
Fire	Organic Coatings Manufacturing producing more than one gallon / per day	\$300.00	permit	4/1/2015	2015-26				
Fire	Industrial Ovens	\$100.00	permit	4/1/2015	2015-26				
Fire	Places of Assembly: (50-100 people)	\$100.00	permit	10/1/2008	2008-171				

Proposed Adjustments to City User Fees

Department		Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Fire	Places of Assembly: (101-300 people)		\$200.00	permit	10/1/2008	2008-174				
Fire	Places of Assembly: (over 300 people)		\$300.00	permit	10/1/2008	2008-174				
Fire	Building Services and Systems – Refrigeration		\$150.00	permit	4/1/2015	2015-26				
Fire	Flammable Finishes Spraying or Dipping		\$150.00	permit	4/1/2015	2015-26				
Fire	Tire Rebuilding and Tire Storage		\$150.00	permit	4/1/2015	2015-26				
Fire	Lumber Yards and Wood Working Facilities – Wood Products		\$200.00	permit	4/1/2015	2015-26				
Fire	Welding and Other Hot Work (within Stationary occupancy or mobile)		\$150.00	permit	4/1/2015	2015-26				
Fire Code Construction Permits										
Fire	Out Source Plan Check Fee		\$100.00	hour	7/1/2020	2020-29	\$150.00	\$50.00		
Fire	Solar Plan Review Fee		NEW	each	7/1/2020	2020-29	\$94.00	\$94.00		
Fire	Battery System		\$200.00	permit	7/1/2020	2020-29	\$170.00	(\$30.00)		
Fire	Single Family Dwelling Building Plan Review: 0 - 500 square fee		\$50.00	review	7/1/2020	2020-29	\$113.00	\$63.00		
Fire	Single Family Dwelling Building Plan Review: 500 - 2,000 square feet		\$100.00	review	7/1/2020	2020-29	\$132.00	\$32.00		
Fire	Single Family Dwelling Building Plan Review: 2,000 - 5,000 square feet		\$150.00	review	7/1/2020	2020-29	\$150.00	\$0.00		
Fire	Single Family Dwelling Building Plan Review: > 5,000 square feet		\$200.00	review	7/1/2020	2020-29	\$170.00	(\$30.00)		
Fire	Single Family Dwelling Building Plan Review (tracts/phase/production): 1 - 10 units on same application		\$200.00	review	7/1/2020	2020-29	\$284.00	\$84.00		
Fire	Single Family Dwelling Building Plan Review (tracts/phase/production): Each 5 additional units per same application		\$100.00	review	7/1/2020	2020-29	\$132.00	\$32.00		
Fire	Building Plan Review: Multi-Family, Commercial, Industrial Including 1 inspection		\$275.00	building	7/1/2020	2020-29	\$246.00	(\$29.00)		
Fire	Building Plan Review (Industrial)		NEW	each	7/1/2020	2020-29	\$246.00	\$246.00		
Fire	Commercial Sprinkler System Plan Review & Inspection: New buildings 1 - 25,000 square feet		\$405.00	review	7/1/2020	2020-29	\$284.00	(\$121.00)		
Fire	Commercial Sprinkler System Plan Review & Inspection: New buildings > 25,000 square feet		\$100.00	hour	7/1/2020	2020-29	\$361.00	\$261.00		
Fire	Commercial Sprinkler System Two Inspections Existing bldg & tenant impr: 1 - 20 heads w / o hydraulic calcs		\$150.00	each	7/1/2020	2020-29	\$150.00	\$0.00		
Fire	Commercial Sprinkler System Plan Review & Inspection Existing bldg & tenant impr: 1 - 100 heads with hydraulic calcs		\$200.00	each	7/1/2020	2020-29	\$189.00	(\$11.00)		
Fire	Commercial Sprinkler System Plan Review & Inspection Existing bldg & tenant impr: > 100 heads with hydraulic calcs		\$100.00	hour	7/1/2020	2020-29	\$265.00	\$165.00		
Fire	Fire Alarm System Plan Review & Inspection: 1 - 10 devices		\$175.00	each	7/1/2020	2020-29	\$170.00	(\$5.00)		
Fire	Fire Alarm System Plan Review & Inspection: > 10 devices		\$100.00	hour	7/1/2020	2020-29	\$246.00	\$146.00		
Fire	Hood System Plan Review: 1 - 10 nozzles		\$150.00	each	7/1/2020	2020-29	\$150.00	\$0.00		
Fire	Spray Booth Inspection/ Hood System Inspection		\$100.00	hour	7/1/2020	2020-29	\$170.00	\$70.00		
Fire	Specialized Fire Protection Pre-action System (existing sprinklered bldgs): Plan Review and 1 Inspection		\$400.00	each	7/1/2020	2020-29	\$284.00	(\$116.00)		
Fire	Specialized Fire Protection Smoke Mgmt System Inspection		\$200.00	each	7/1/2020	2020-29	\$170.00	(\$30.00)		
Fire	Specialized Fire Protection In-rack System: Plan Review and 1 Inspection		\$400.00	each	7/1/2020	2020-29	\$227.00	(\$173.00)		
Fire	Residential Sprinkler system Plan Review & 1 Inspection (SFD): < 5,000 square feet		\$225.00	each	7/1/2020	2020-29	\$170.00	(\$55.00)		

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29	Increase	July 1, 2021	July 1, 2022
						Proposed Fee	(Decrease)	Proposed Fee	Proposed Fee
Fire	Residential Sprinkler system Plan Review & 1 Inspection (SFD): > 5,000 square feet	\$325.00	each	7/1/2020	2020-29	\$246.00	(\$79.00)		
Fire	Apartment, Hotel, Motel (R-2 Occupancy) Inspections: 3 - 10 units	\$91.00	inspection	7/1/2020	2020-29	\$130.00	\$39.00		
Fire	Apartment, Hotel, Motel (R-2 Occupancy) Inspections: 11 - 25 units	\$151.00	inspection	7/1/2020	2020-29	\$149.00	(\$2.00)		
Fire	Apartment, Hotel, Motel (R-2 Occupancy) Inspections: 26 - 50 units	\$211.00	inspection	7/1/2020	2020-29	\$188.00	(\$23.00)		
Fire	Apartment, Hotel, Motel (R-2 Occupancy) Inspections: 51 - 100 units	\$241.00	inspection	7/1/2020	2020-29	\$225.00	(\$16.00)		
Fire	Apartment, Hotel, Motel (R-2 Occupancy) Inspections: > 101 units	\$282.00	inspection	7/1/2020	2020-29	\$340.00	\$58.00		
Fire	CO2 Systems & Piping for Beverage Dispensing Inspection	NEW	inspection	7/1/2020	2020-29	\$132.00	\$132.00		
Fire	Commercial Sprinkler System Plan Review & Insp. (new-buildings)	\$100.00	hour	10/1/2008	2008-171				
Fire	Commercial Sprinkler System Plan Review & Insp. (existing bldg- & tenant impr)	\$100.00	hour	10/1/2008	2008-171				
Fire	Fire Alarm System Plan Review & Insp.	\$100.00	hour	10/1/2008	2008-171				
Fire	Hood System Plan Review	\$100.00	hour	11/1/2016	2016-147R				
Fire	Spray Booth Inspection	\$100 / hr	hour	11/1/2016	2016-147R				
Fire	Fire Hydrant Systems (based per project / tract): 1-10 hydrants	\$100.00	each	10/1/2008	2008-171				
Fire	Fire Hydrant Systems (based per project / tract)	\$25.00	each-additional	10/1/2008	2008-171				
Fire Department Licensing Fees									
Fire	State Licensing / Private School Life Safety Inspection - Licensed Care Pre-inspections: 25 or less residents	\$50.00	inspection	5/1/2006	2006-74	\$50.00	\$0.00		
Fire	State Licensing / Private School Life Safety Inspection - Licensed Care Pre-inspections: 26 or more residents	\$100.00	inspection	5/1/2006	2006-74	\$100.00	\$0.00		
Fire	State Licensing & Private School Life Safety Inspection - Fire Clearance Inspections: 1 - 6 individuals per establishment	\$0.00	inspection	5/1/2006	2006-74	\$0.00	\$0.00		
Fire	State Licensing & Private School Life Safety Inspection - Fire Clearance Inspections: 7- 50 individuals per establishment	\$200.00	inspection	7/1/2020	2020-29	\$150.00	(\$50.00)		
Fire	State Licensing & Private School Life Safety Inspection - Fire Clearance Inspections: 51-150 individuals per establishment	\$250.00	inspection	7/1/2020	2020-29	\$226.00	(\$24.00)		
Fire	State Licensing & Private School Life Safety Inspection - Fire Clearance Inspections: Over 151 individuals per establishment	\$300.00	inspection	7/1/2020	2020-29	\$300.00	\$0.00		
Fire	State Licensing & Private School Life Safety Inspection - Annual Licensed Care Inspections: 7 - 75 individuals	\$150.00	inspection	7/1/2020	2020-29	\$141.00	(\$9.00)		
Fire	State Licensing & Private School Life Safety Inspection - Annual Licensed Care Inspections: 76-250 individuals	\$200.00	inspection	7/1/2020	2020-29	\$217.00	\$17.00		
Fire	State Licensing & Private School Life Safety Insp - Annual Licensed Care Inspections: 251-500 Individuals	\$250.00	inspection	7/1/2020	2020-29	\$293.00	\$43.00		
Fire	State Licensing & Private School Life Safety Inspection - Annual Licensed Care Inspections: Over 501 Individuals	\$100.00	inspection	7/1/2020	2020-29	\$340.00	\$240.00		

Proposed Adjustments to City User Fees

Department	Fee Description	Current Fee / Charge	Unit Basis	Effective Date	Reso / Ord Number	R2020-29 Proposed Fee	Increase (Decrease)	July 1, 2021 Proposed Fee	July 1, 2022 Proposed Fee
Fire Code Construction Permits (Plan Review)									
Fire	Full Cell Power System Plan Review	NEW	each	7/1/2020	2020-29	\$132.00	\$132.00		
Fire	Gas Detection System (Including CO2) Plan Review	NEW	each	7/1/2020	2020-29	\$170.00	\$170.00		
Fire	High Piled Combustible Storage Plan Review	NEW	each	7/1/2020	2020-29	\$170.00	\$170.00		
Fire	Motor Vehicle Repair Rooms & Booth Plan Review	NEW	each	7/1/2020	2020-29	\$132.00	\$132.00		
Fire	Plant Extraction System Plan Review	NEW	each	7/1/2020	2020-29	\$132.00	\$132.00		
Fire	Special Event Structure Plan Review	NEW	each	7/1/2020	2020-29	\$94.00	\$94.00		
UTILITIES									
Miscellaneous Utilities Penalties & Fees									
Utilities	Cut Tabs - Angle Water Meter Stops - 5 / 8" & 3 / 4"	\$270.00	meter	7/1/2020	2020-29	\$450.00	\$180.00		
Utilities	Cut Tabs - Angle Water Meter Stops - 1"	\$285.00	meter	7/1/2020	2020-29	\$475.00	\$190.00		
Utilities	Cut Tabs - Angle Water Meter Stops - 1 1 / 2"	\$565.00	meter	7/1/2020	2020-29	\$825.00	\$260.00		
Utilities	Cut Tabs - Angle Water Meter Stops - 2"	\$565.00	meter	7/1/2020	2020-29	\$875.00	\$310.00		
Utilities	Door Hanger Notification of Shut-off for Nonpayment	\$30.00	notification	7/1/2020	2020-29	\$35.00	\$5.00		
Utilities	Meter Calibration Test	\$80.00	calibration	7/1/2020	2020-29	\$125.00	\$45.00		
Utilities	Shut-off / Turn-on Fee if paid prior to 2:00 pm	\$35.00	each	7/1/2020	2020-29	\$45.00	\$10.00		
Utilities	Shut-off / Turn-on Fee if paid after 2:00 pm	\$65.00	each	7/1/2020	2020-29	\$75.00	\$10.00		
Utilities	Temporary Meter Set and Remove	\$96.00	each	7/1/2020	2020-29	\$125.00	\$29.00		
Utilities	New Line Bacti Retest Fee	\$130.00	each	7/1/2020	2020-29	\$200.00	\$70.00		
Utilities	Door Hanger Notification of Shut-off for backflow noncompliance	NEW	notification	7/1/2020	2020-29	\$35.00	\$35.00		
Utilities	Shut-off / Turn-on Fee for backflow noncompliance	NEW	each	7/1/2020	2020-29	\$75.00	\$75.00		
Water Meter Installation Fees									
Utilities	New Perm. Meter - 1" / Full Set	\$2,660.00	meter	7/1/2020	2020-29	\$4,550.00	\$1,890.00		
Utilities	New Perm. Meter - 1" / Meter and Box	\$415.00	meter	7/1/2020	2020-29	\$500.00	\$85.00		
Utilities	New Perm. Meter - 1 1 / 2" / Full Set	\$4,130.00	meter	7/1/2020	2020-29	\$5,250.00	\$1,120.00		
Utilities	New Perm. Meter - 1 1 / 2" / Meter and Box	\$790.00	meter	7/1/2020	2020-29	\$1,115.00	\$325.00		
Utilities	New Perm. Meter - 2" / Full Set	\$4,280.00	meter	7/1/2020	2020-29	\$6,000.00	\$1,720.00		
Utilities	New Perm. Meter - 2" / Meter and Box	\$935.00	meter	7/1/2020	2020-29	\$1,500.00	\$565.00		
Utilities	New Perm. Meter - 3 / 4" / Full Set	\$2,560.00	meter	7/1/2020	2020-29	\$4,000.00	\$1,440.00		
Utilities	New Perm. Meter - 3 / 4" / Meter and Box	\$335.00	meter	7/1/2020	2020-29	\$415.00	\$80.00		
Utilities	New Perm. Meter - 3" Meter Drop-In	NEW	each	7/1/2020	2020-29	\$3,500.00	\$3,500.00		
Utilities	New Perm. Meter - 4" Meter Drop-In	NEW	each	7/1/2020	2020-29	\$4,800.00	\$4,800.00		
Utilities	New Perm. Meter - 6" Meter Drop-In	NEW	each	7/1/2020	2020-29	\$7,900.00	\$7,900.00		
Utilities	New Service Turn On	\$42.00	each	7/1/2020	2020-29	\$55.00	\$13.00		
Utilities	New Service Turn On / After Hours	\$125.00	each	7/1/2020	2020-29	\$180.00	\$55.00		

Building Fee Table Current (All New Construction)

Minimum Value	Maximum Value	Base Rate	Plus \$\$	For every
0.00	0.00	0.00	0.00	0.00
1.00	500.00	15.00	0.00	0.00
501.00	2,000.00	15.00	2.00	100.00
2,001.00	25,000.00	45.00	9.00	1,000.00
25,001.00	50,000.00	252.00	6.50	1,000.00
50,001.00	100,000.00	414.50	4.50	1,000.00
100,001.00	500,000.00	639.50	3.50	1,000.00
500,001.00	1,000,000.00	2,039.50	3.00	1,000.00
1,000,001.00	9,999,999,999.00	3,539.50	2.00	1,000.00

R2020-29 Building Fee Table Effective: July 1, 2020

Minimum Value	Maximum Value	Base Rate	Plus \$\$	For every
0.00	0.00	0.00	0.00	0.00
1.00	500.00	20.68	0.00	0.00
501.00	2,000.00	20.68	2.68	100.00
2,001.00	25,000.00	60.93	12.32	1,000.00
25,001.00	50,000.00	344.26	8.89	1,000.00
50,001.00	100,000.00	566.43	6.16	1,000.00
100,001.00	500,000.00	874.40	4.93	1,000.00
500,001.00	1,000,000.00	2,845.37	4.18	1,000.00
1,000,001.00	9,999,999,999.00	4,935.13	2.77	1,000.00

CITY COUNCIL STAFF REPORT

Public Hearing Item No. 14

April 8, 2020

File No. 0680-50, 0810-20

SUBJECT: Annual Code Clean-Up and Amendments to the Municipal and Zoning Codes (AZ 20-0001)

DEPARTMENT: Community Development Department, Planning Division

RECOMMENDATION:

It is requested that the City Council introduce Ordinance No. 2020-07, which amends Article 49 (Air Space Condominium), Article 67 (Density Bonus), Article 70 (Accessory Dwelling Units), and Article 73 (Temporary Uses) of the Escondido Zoning Code; and Article 7 of Chapter 16 (Mobile Food Facilities) of the Municipal Code to address changes in state laws, correct errors, and improve existing regulations.

PROJECT DESCRIPTION:

The project involves an annual review and update of various City of Escondido ("City") codes and regulations to ensure that they stay current and up-to-date. The City proposes to amend the Zoning Code to correct minor errors in the text, incorporate code interpretations, and improve existing regulations to eliminate uncertainty for staff, customers, and the public.

PLANNING COMMISSION ACTION:

The Planning Commission makes recommendations to the City Council as authorized by the Escondido Municipal Code (Chapter 20) for potential amendments to the Zoning Code (Chapter 33). On February 25, 2020, the Planning Commission adopted Planning Commission Resolution No. 2020-04, recommending that the City Council approve the proposed code amendments, by a 5-0 vote (one vacancy and Commissioner Cohen was absent).

Recent changes in State law removed the ability to enforce certain square footage limitations in new accessory dwelling unit applications. Pursuant to the new law, a property owner may be permitted to build up to 800 square feet regardless of zoning restrictions (Government Code Section 65852.2(c)(2)(C)). Elsewhere in Accessory Dwelling Unit law, (i.e. Government Code Section 65852.2(c)(2)(B)), a city or county must not specify a maximum square foot limitation of less than 850 square feet. The Planning Commission recognized that Accessory Dwelling Unit law creates some uncertainty regarding size allowances and therefore recommends eliminating the apparent inconstancy. As such, the state's maximum guaranteed size limit of 850 square feet is included in the proposed ordinance. More relevant information about the maximum and minimum unit size requirements of accessory dwelling units are provided later in this staff report.

Typically, the Planning Commission will not review proposed amendments to Municipal Code because the amendments are not within their purview. However, the Planning Commission was presented amendments to Chapter 16 of the Municipal Code (Mobile Food Facilities) concurrent with

the Zone Code Amendments because of the relationship that mobile food facilities may have to other temporary use activities. The February 25 2020, Planning Commission staff report and draft-meeting minutes are included for reference as Attachment 1 and Attachment 2 to this report, respectively.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (“CEQA”) since there would be no possibility of a significant effect on the environment. To the extent that the proposed ordinance allows the conversion of existing structures or new temporary uses and mobile food facilities, the ordinance qualifies for Class 1, Class 4, Class 11 and Class 23 Categorical Exemption. The ordinance qualifies for the Class 1 Categorical Exemption (CEQA Guidelines Section 15301) because it would involve new policies and procedures that would involve negligible or no expansion of an existing use, including small additions to existing structures. Class 4 Categorical Exemption (CEQA Guidelines 15304) includes minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc. Class 11 Categorical Exemption (CEQA Section 15311(c)) allows for the exemption of accessory structures, including seasonal or temporary use items, including temporary structures associated with public events. Public gatherings may be exempted under Class 23 (CEQA Section 15323), if part of the normal operation of a facility.

The portion of the proposed code amendments that relate to accessory dwelling units are statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), which exempts adoption of ordinances regarding accessory dwelling units. Pursuant to Section 21080.17 of the California Public Resources Code, the adoption of the ordinance is statutorily exempt from CEQA. Under Public Resources Code Section 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.2 of the Government Code (Accessory Dwelling Unit law). The ordinance implements Government Code Section 65852.2 within the City in a manner that is consistent with the requirements of state law.

Other portions of the ordinance are exempt from CEQA Guidelines Section 15061(b)(3) because upon examination of the factual record it can be seen with certainty that there is no possibility the project will actually have a significant effect on the environment. The scope of some of the proposed changes being considered through this action includes corrective clerical errors or clarification of ambiguities and relates to organizational and administrative actions of government that will not result in direct or indirect physical changes in the environment. The portion of the zoning code amendment that address density bonus simply restates existing law, breaking no new legal ground. The State Density Bonus law expressly authorizes local agencies to adopt implementing ordinances that do not conflict with or invalidate the regulations established in the State law. As proposed, the City’s ordinance would adopt the State’s Density Bonus law mandates, consistent with the provisions in the State law and follows that law as laid out in prior precedent (i.e. Government Code Section 65915).

BACKGROUND:

The Planning Division of the Community Development Department initiated a process and schedule for maintaining City codes and regulations through an annual omnibus code clean-up. The proposed amendments affect many different sections of the Municipal Code and Zoning Code. The annual omnibus code clean-up is not intended to be a comprehensive update to the codes or to be utilized to change land use designations or zoning districts. Instead, the annual code clean-up process is meant to focus on relatively minor changes to the codes and regulations to make it easier for the public to understand and for staff to administer.

Although most typical omnibus review cycles include relatively minor changes to clarify existing regulations, this batch consists of implementing ordinances. Because there is still a need to process other amendments to the Zoning Code, it is anticipated that a second batch of code amendments will be processed later this year. The second batch of amendments would focus more on the need to correct minor errors in the text, incorporate code interpretations, and improve existing regulations to eliminate uncertainty for staff, customers, and the public.

ANALYSIS:

For this year's cycle of the code clean-up, the suggested amendment list includes amendments to various articles of the Municipal Code and Zoning Code. The explanation for the proposed changes that require further explanation can be found below.

1. Mobile Food Facilities

Chapter 16 of the Municipal Code allows for a limited range of food truck vending services. The current land use regulation of food trucks is restrictive for small, incidental food truck usage. However, mobile food facilities are often featured at short-term activities and events as a temporary use, and on a more permanent basis at a bona-fide swap meet. These vendors operate without the benefit of receiving a City permit. The proposed code changes establish additional flexibility to permit mobile food facilities at a limited set of temporary events. Furthermore, the Planning Division currently does not have a mobile food permit application form. The basis of the proposed code changes codifies a framework for the permitting mobile food facilities.

2. Condominium Permits

Housing tenure refers to a financial arrangement that gives a person legal status to live in a residential dwelling. Owner-occupied homes represent the most common form of housing tenure in Escondido, followed by houses and apartments rented from the owner. The existing provisions of Article 49 of the Escondido Zoning Code (Air Space Condominium Ordinance) require City Council approval of all condominium permits. This adds additional costs and time for projects that seek to create ownership opportunities. The proposed changes in the draft ordinance eliminate the requirement in certain specific plan areas where housing production and streamlined

permitting is a goal. Many projects may still trigger City Council review if processed with a Development Agreement, Density Transfer, or Planned Development request. However, the proposed code change continues the City's long-standing commitment to streamlining housing and the removes the constraint for home ownership housing applications to the extent practicable.

3. Density Bonus Law Changes

Planning and Zoning Law (Government Code Section 65915 et. seq.) requires an agency to provide developers with a density bonus and other incentives or concessions for the production of lower income housing units or for the donation of land within the development if the developer agrees to construct a specified percentage of units for very low-, low-, and/or moderate-income households or qualifying residents. The State Density Bonus Law includes multiple facets that are each very technical. One of these is a requirement that eligible applicants receive a certain number of concession/incentives, depending on the percentage of affordable units being provided. Though they may take other forms, these incentives are most often a request for a reduced or modified development standard. Communities are limited in their ability to reject a requested incentive, or a density bonus application. In October 2019, Assembly Bill (AB) 1763 was adopted and chaptered by the State, expanding existing Density Bonus Law for 100 percent affordable housing projects to include unlimited density around transit hubs with an additional three stories or 33 feet of height. The bill also exempts certain special needs housing developments and supportive housing developments from any parking requirement.

A city or county may not enact local laws that conflict with State law or prohibit what the legislature intends to authorize. The City's Density Bonus regulations (Article 67 of the Escondido Zoning Code) establishes procedures that implement the State's Density Bonus requirements, which are intended to increase the production of affordable housing, as well as housing for designated populations, such as seniors, disabled veterans, and foster youth. The proposed ordinance complies with the new requirements of State Density Bonus Law (i.e. AB 1763), which was effective January 2020. Under the proposed implementing ordinance, land owners may be able to build more residential units on their property than what is allowed by code. Density bonus projects are also eligible to receive other benefits, such as reduced parking requirements and other development standard modifications. The portion of the ordinance being considered that amends Article 67 (Density Bonus), specifies how the City will comply with and implement State Density Bonus Law, which is required pursuant to Government Code Section 65915(a); and does not permit any bonuses, incentives, or waivers other than those permitted by State law.

4. Accessory Dwelling Unit Law Changes

Planning and Zoning Law (Government Code Section 65852.2 et. seq.) creates a set of state development standards that override local zoning ordinances, and requires a ministerial approval process for accessory dwelling units in all single-family and multifamily zones. State law further states that any existing local ordinance that fails to meet the requirements of the new law "shall be null and void upon the effective date of the act . . . and that agency shall thereafter apply the [State default standards] unless and until the agency adopts an ordinance that complies with this

section.” (Amended Government Code Section 65862.2(a)(4)). The California Legislature recently adopted, in October 2019, a package of laws that allow most single-family homes to be converted into three (3) separate housing units. The groundbreaking package of statutes create new incentives and streamlined processes to build accessory dwelling units and junior accessory dwelling units. Local ordinances must adhere to the new requirements after January 1, 2020.

- AB 68: Allows two (2) accessory dwelling units on a single lot, as well as multiple units on multi-family lots. Also limits certain design requirements that cities can impose on ADUs, and requires ADU approvals be completed in 60 days.
- Senate Bill (SB) 13: Establishes a minimum permitted unit size (800 to 850 square feet) and restricts the amount of impact fees that can be charged, among other things.
- AB 881: Eliminates owner-occupancy requirements for five years.

Article 70 of the Escondido Zoning Code (Accessory Dwelling Units Ordinance) is an implementing ordinance of Accessory Dwelling Unit Law. Accessory Dwelling Unit Law allows cities and counties to regulate the maximum size of newly constructed accessory dwelling units. The basis of the current maximum size standards on detached and attached accessory dwelling units were established through an extensive work study session with the Planning Commission in early 2017. Size and scale of accessory units was found to be an important issue for neighbors, with potential impacts to privacy and backyard neighborhood character. In addition to size regulations in the ordinance, there are other ways zoning and building code requirements continue to regulate the size and scale of accessory dwelling units. Accessory dwelling units must comply with all provisions of the underlying zoning district, except where they conflict with the ordinance. As such, standard regulations such as total residential floor area ratio (which limits total square footage in relation to lot size), height, building separation, historic standards, etc. must all be met. Although the Planning Commission has recently received public testimony requesting more flexible zoning standards, and increasing the size allowed for new accessory dwelling units, both City staff and the Planning Commission contend that the ordinance aims to strike a balance between providing additional housing opportunities, and providing local regulations that respond to concerns about impacts to particularly vulnerable areas. The draft ordinance incorporates the required provisions of state law, incorporates relevant existing provisions of the Zoning Code and addresses concerns regarding the preservation of typical single-family neighborhood form.

5. Temporary Use Permits

The purpose and intent of the code changes proposed in the draft ordinance are ancillary to expanding mobile food facility permitting, but is important as a standalone issue that needs to be addressed by the City. Currently, short term activities are authorized by Article 73 of the Zoning Code, but limited to special events on publicly owned land or outdoor sales and outdoor display permits in commercial areas. The Zoning Code does not address other temporary activities that might occur. The proposed code changes set forth reasonable regulations by establishing a process for permitting other short-term activities and events (“temporary uses”), to protect the rights and interest granted to permit holders, and to ensure the health and safety of surrounding properties.

The proposed list of temporary uses that would be permitted and regulated by this article include amusement, entertainment or recreation activities or events; animal displays; historical re-enactments; special temporary seasonal sales; temporary health care structures; temporary modular school classrooms; temporary structures and tents for social or religious groups for services; community gardens; donation bins; off-site staging areas; real estate model homes and/or sales offices; roadside sales of agricultural products; and some short-term activities and events that can be authorized without additional or special zoning clearances.

The proposed Zoning Code Amendments would be consistent with the existing General Plan goals and policies. Goal 2 et seq. policies of the Land Use and Community Form portion of the General Plan addresses the need for regulations that clearly and effectively implement land use development goals and objectives. The basis of establishing and updating, as necessary, local standards and guidelines for land use activities ensures land use compatibility is achieved. The proposed amendments are consistent with the economically driven policies and goals, since food truck vending and temporary uses encourages activities that “promote commercial development that enhances the City’s economic base, particularly for small businesses, and provides jobs for local residents. The proposed ordinance will also meet the intent and purposes of the Housing Element to encourage the creation of housing opportunities for households of all types and income levels, while at the same time preserving the existing residential neighborhood stability of single-family zoned neighborhoods and promoting livable neighborhoods. Accessory dwelling units, as a housing typology, furthers those goals as they increase capacity and availability of housing without significantly changing neighborhood character. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City because they are proposed concurrent with application procedures and safeguards to be implemented by the Community Development Department to protect the public interest, health, safety convenience or welfare. The batch of amendments relate to organizational effectiveness and efficiency and are considered a housekeeping measure. The proposed Zoning Code changes would make the code more internally consistent and easier to understand and apply. The amendments make corrections, clarifications, and updates to improve the application process or how the codes are administered.

PUBLIC OUTREACH:

In general, during the meetings at which the Planning Commission and City Council consider the changes and draft ordinance documents, the public have the opportunity to address the Commission and Council directly. In addition, members of the public may submit written comments to the Commission and Council in advance of their respective meetings. At the Planning Commission meeting on February 25, 2020, two (2) speakers addressed the Planning Commission regarding accessory dwelling unit allowances. Both speakers were interested in creating more permissive standards and allowing larger accessory dwelling units. The speakers expressed concern that requiring smaller accessory dwelling units on certain lots would prevent housing for families. No other areas documented by the proposed ordinance received any testimony.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Bill Martin, Director of Community Development
4/2/20 9:01 a.m.

Mike Strong, Assistant Director of Planning
4/1/20 6:50 p.m.

ATTACHMENTS:

1. Attachment 1 – February 25, 2020 Planning Commission Staff Report
2. Attachment 2 – February 25, 2020 Draft Planning Commission Meeting Minutes
3. Attachment 3 – Proposed Code Changes in Strikeout and Underline Format
4. Ordinance No. 2020-07
5. Ordinance No. 2020-07 – Exhibits “A” and “B”

ATTACHMENT 1

PLANNING COMMISSION STAFF REPORT

AZ 20-0001

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/2020/PA2.25.20PCAgendaPacket.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.

ATTACHMENT 2

PLANNING COMMISSION MEETING MINUTES

AZ 20-0001

Due to the number of pages of Attachment 2, the following link has been provided to review the document electronically on the City's web site:

<https://www.escondido.org/minutes.aspx>

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.

PROPOSED CODE CHANGES

AZ 20-0001

SECTION I.

The proposed changes to the Municipal Code are listed in order by section number, with ~~strikeout~~ typeface illustrating deletions and underline typeface illustrating new text.

CHAPTER 16. LICENSES AND BUSINESS REGULATIONS GENERALLY

ARTICLE 7. MOBILE FOOD FACILITIES

Sec. 16-406. Separate business license and permit required.

An operator shall have a business license and a responsible person shall obtain a mobile food facility permit, as required by this article.

(a) It is unlawful for an operator to operate a mobile food facility without a separate business license for each vehicle.

(b) It is unlawful for an operator or a responsible person to allow, authorize, operate, or use a mobile food facility without a mobile food facility permit unless otherwise permitted by city, state or federal law.

(c) A mobile food facility permit is nontransferable and is valid only for the person and location of permit issued, unless it is suspended or revoked for cause, for the period indicated. If a permittee changes the location of his or her business, that permittee must obtain a new permit prior to acting as a retailer at the new location. If a business licensed is sold or transferred, the new owner must obtain business license for that location pursuant to section 16-406(a) before acting as a retailer.

CHAPTER 16. LICENSES AND BUSINESS REGULATIONS GENERALLY

ARTICLE 7. MOBILE FOOD FACILITIES

Sec.16.407. Permit requirements.

(a) It shall be unlawful for any person to act as a mobile food facility retailer without first obtaining and maintaining a valid mobile food facility permit pursuant to this chapter for each location at which that activity is to occur, unless otherwise exempted by Section 16-407(d) and Section 16-407 (e). The director of community development, or the director's designees, shall administer mobile food facility permits issued pursuant to this article.

(b) An application for a mobile food facility permit shall be submitted on an application form obtained from the Planning Division and shall be accompanied by a nonrefundable fee. The application shall provide information necessary for review of the application by appropriate city departments.

(1) No such license or permit shall be issued for mobile food facilities, uses, or purposes where the same would be in conflict with the provisions of this article. The operating requirements of Section 16-409 shall be regarded and applied as the minimum requirements.

(2) When the review of a mobility facility permit application provides for discretion on the part of the director or designee, that discretion may be exercised to impose more stringent requirements than identified in Section 16-409, as may be necessary to promote the purposes of this article.

(c) Location requirements. ~~The director shall~~ may issue a mobile food facility permit to a responsible person, only for properties in the following zoning districts and locations:

(1) Residential-residential-agricultural or industrial zones, as an accessory use to a beer or wine manufacturing business;

(2) Commercial or industrial zones, as an accessory and incidental use to a swap meet; or

(3) Designated districts of specific planning areas (SP zones), pursuant to specific plan use authorization.

~~(c) — An application for a mobile food facility permit shall be submitted on an application form secured from the director and shall be accompanied by a nonrefundable fee. The application shall provide information necessary for review of the application by appropriate city departments.~~

(d) ~~The following events~~An approved special event permit or facility use permit from the city, specifically authorizing a mobile food facility at the event or facility, shall exempt an operator or a responsible person from the mobile food facility permit required in section 16-406(b) and may exempt the operator or responsible person from the operating requirements in section 16-409.

(1) An approved special event permit or facility use permit from the city, specifically authorizing a mobile food facility at the event or facility.

(2) An approved temporary use permit from the city, pursuant to Section 33-1534(c)(7) of the Escondido Zoning Code.

(e) A mobile food facility that stops for not more than twenty (20) minutes on a scheduled route to provide service directly at a construction site or other business and does not vend to the general public during the scheduled stop will exempt any operator or responsible person from the requirements identified in sections 16-406(b) and 16-409.

CHAPTER 16. LICENSES AND BUSINESS REGULATIONS GENERALLY

ARTICLE 7. MOBILE FOOD FACILITIES

Sec. 16-408. Permit enforcement.

(a) Nothing in this chapter shall be construed to grant any person obtaining and maintaining a mobile food facility permit any status or right other than the right to act as a retailer at the location in the city identified on the face of the permit.

(b) The director of community development may issue administrative citations or take any other enforcement action authorized by this code, including permit revocation or suspension, upon finding a violation of this article.

SECTION II.

The proposed changes to the Escondido Zoning Code are listed in order by section number, with ~~strikeout~~ typeface illustrating deletions and underline typeface illustrating new text.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-951. Condominium or condominium conversion application.

(a) Permit required for new condominium projects and conversions to condominium ownership. A condominium permit and design review shall be required for all condominiums to be constructed or for existing buildings to be converted to condominiums in the City of Escondido.

(1) Application for a condominium permit in the Downtown Specific Plan, East Valley Specific Plan, and South Centre City Specific Plan shall be made to the director of community development, unless the action includes discretionary permits for which the Planning Commission or City Council is the decision-maker.

(2) Application for a condominium permit in any other area of the city not covered by subsection (a)(1) shall be made to the city council, through the planning division and planning commission in accordance with procedures set forth in this chapter.

(3) The director of community development shall prescribe the form and content of all condominium permit applications.

(b) Exceptions to required permits. The following projects are not required to process a condominium permit through this article:

(1) Condominiums requested concurrently with a planned development application pursuant to Article 19.

(2) Condominiums requested concurrently with resident purchase of mobilehome parks pursuant to section 32-401 of Article 4 of Chapter 32, subdivisions.

(3) Condominiums requested for a non-residential development entitlement application in conformance with the California Subdivision Map Act, and subject to the following provisions:

(A) The project is not a mixed-use development that includes residential units.

(B) A maintenance and replacement program, as well as a contingency fund is provided to adequately address required improvements to the satisfaction of the director of community development (for conversion projects only).

(C) The developer files with the city, a declaration of covenants, conditions and restrictions pursuant to section 33-1108.

(D) Public notice of the condominium project complies with section 33-1300(b) and (c).

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-952. Commission action.

If required under section 33-951(a)(2), theThe planning commission shall review the application for a condominium permit and recommendation of the planning division. A public hearing on the application shall be held in accordance with Division 6 of Article 61 of this chapter, and a recommendation shall be forwarded to the city council.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-953. Findings of commission and council.

In order to grant a condominium permit, the ~~city council~~decision-making authority shall find that:

(a) Except as specifically addressed in section 33-955 of this article, the project meets current zoning, design review, drainage, engineering, fire protection, seismic and building code requirements as if the project were newly constructed. However, the conversion of existing legal nonconforming multifamily residential developments to condominium units is exempt from current density requirements providing no increased density is proposed. Conversion requests may also utilize the same administrative adjustment procedures available to new construction as specified in the underlying zone;

(b) Required upgrades or modifications correcting a nonconforming condition may be permitted notwithstanding the provisions of section 33-1243 of this code, if the project otherwise conforms to applicable criteria;

(c) Residential projects will contain architectural and site-planning features commonly found in projects that maintain a majority of owner-occupied units;

(d) The project provides sufficient parking commensurate with its location and design;

(e) The project's open space is well-designed, properly distributed, and does not unreasonably restrict disabled access;

(f) The project conforms to the general plan and applicable zoning provisions. However, a conversion to residential condominiums may occur notwithstanding the fact that existing densities exceed currently permitted general plan densities provided no additional units are proposed;

(g) The project's maintenance and replacement program adequately addresses required improvements and appears to be sustainable;

(h) That all tenant notification and information, as required by the California Subdivision Map Act, this chapter, and the City of Escondido subdivision ordinance has been, or will be provided; and

(i) That provisions have been made for the timely release of security deposits and provision of rental payment history reports if requested by existing residential tenants.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-954. City council action.

~~If required under section 33-951(a)(2), after~~ After the submission of a formal recommendation by the planning commission, the city council shall review the application and recommendation during a public hearing held in accordance with Division 6 of Article 61 of this chapter, and shall approve, modify or disapprove the action of the planning commission.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-955. Development standards.

Condominiums approved and authorized ~~by the city council~~ shall be developed or upgraded to comply with the city's current design review, building, seismic, drainage, engineering, zoning and fire protection standards for new construction. Limited departures, in accordance with applicable building code provisions, may be granted for condominium conversions providing that proposed conditions will substantially conform to current requirements, feasible upgrades have been provided, and no health and safety issues will exist.

Condominium permit approvals shall comply with the findings outlined in section 33-953 of this article. Additionally, minimum standards for residential condominium units include the following:

(a) Minimum square footages as follows:

Studio	600 square feet
One-bedroom units	700 square feet
Two-bedroom units	800 square feet
Three-bedroom units	1,000 square feet
Additional bedrooms	150 square feet for each additional bedroom

(b) Washer and dryer hook-ups in each unit.

(c) Minimum of eighty (80) cubic feet of private storage area for each unit with minimum dimensions of at least two (2) feet. Said storage shall be in addition to normally expected cabinets and closets.

ARTICLE 67. DENSITY BONUS AND RESIDENTIAL INCENTIVES

Sec. 33-1412. Implementation.

(b) For projects proposing a density bonus:

(1) The city shall grant, according to Government Code Section 65915, a density bonus and/or concession(s) or incentive(s), waiver(s) or reductions of development standards and parking ratios, or financially equivalent incentive(s) as required by State Density Bonus Law. Each housing development is entitled to only one (1) density bonus. If a housing development qualifies for more than one (1) density bonus based on the number of target units provided, or as otherwise granted under State Density Bonus Law, the developer shall select the category under which the density bonus is granted and may not combine bonus density calculations.

(2) In order to qualify for this bonus, a housing development must consist of five (5) or more dwelling units, including mixed use developments, except those housing developments located within the South Centre City Specific Plan, may consist of three (3) dwelling units to qualify for this bonus. In determining the total number of units to be granted, a developer for a housing development must seek and agree to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this article, that will contain at least any one (1) of the following target households:

(A) At least ten (10) percent of the total units allowed by the maximum permitted density at affordable housing costs for and occupied by low-income households; and/or

(B) At least five (5) percent of the total units allowed by the maximum permitted density at affordable housing costs for and occupied by very low-income households; or

(C) At least ten (10) percent of the total dwelling units in a common interest development, as defined in Section 4100 of the Civil Code, for persons and families of moderate-income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase; or

(D) At least ten (10) percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Section 11301 et seq.); or

(E) Twenty (20) percent of the total units for lower income students in a student housing development that meets the following requirements:

(i) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the director that the developer has entered into an operating agreement or master lease with one or more institutions of higher education for the institution or institutions to occupy all units of the student housing

development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this section is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.

(ii) The applicable twenty (20) percent units will be used for lower income students. For purposes of this clause, "lower income students" means students who have a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in Section 69432.7(k) of the Education Code. The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.

(F) One hundred (100) percent of the total units, exclusive of a manager's unit or units, are for lower income households, except that up to twenty (20) percent of the total units in the development may be for moderate-income households. The rent for at least twenty (20) percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code. The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for a housing development that receives an allocation of state or federal low-income housing tax credits from the California Tax Credit Allocation Committee.

~~(E)~~(G) The project proposes to convert apartments to a condominium project agrees to provide at least fifteen (15) percent of the total units of the proposed condominium project to very low-income households, or at least thirty-three (33) percent of the total units of the proposed condominium project to low-income households, at least thirty-three (33) percent of the total units for moderate-income as defined in Section 50093 of the Health and Safety Code; or

~~(F)~~(H) The project is a senior citizen housing development; or

~~(G)~~(I) The project donates at least one (1) acre of land to the city in compliance with Government Code Section 65915(g) and the land has the appropriate general plan designation, zoning, permits and approvals, and access to public facilities needed for such housing; or

~~(H)~~(J) The project is the result of a bona fide joint commercial and housing partnership, where the housing developer provides at least fifteen (15) percent of the total units for very low-income households or at least thirty (30) percent of the total units for low-income households.

ARTICLE 67. DENSITY BONUS AND RESIDENTIAL INCENTIVES

Sec. 33-1414. Project application procedure.

(a) Density Bonus Projects. After notification to the applicant regarding the city's determination on the preliminary application review and/or granting additional concessions or incentives, or waiver of development standard(s), the applicant may submit the development application, which shall be subject to a separate permit. The proposal shall be submitted in conjunction with a subdivision map, conditional use permit application, plot plan, or planned development application. All appropriate requirements shall be delivered to the planning division in order for the application to be deemed complete. Not later than thirty (30) calendar days after the city has received the planning application, the planning division shall notify the developer in writing whether the application is complete as required by Government Code Section 65943.

At time of application, a notice shall be posted on the project site detailing a general description of the proposal in conformance with section 33-1300 of this chapter.

ARTICLE 67. DENSITY BONUS AND RESIDENTIAL INCENTIVES

Sec. 33-1415. Concessions, incentives, equivalent financial incentives.

(a) In addition to the density bonus, the city shall also provide one (1) or more “incentives” or “concessions” to each housing development project, which qualifies for a density bonus.

(1) A concession or incentive is defined as a reduction in site development standards or a modification of zoning code or architectural design requirements, such as a reduction in setback or minimum square footage requirements; or approval of mixed use zoning; or other regulatory incentives or concessions which actually result in identifiable and financially sufficient cost reductions.

(2) The number of required incentives or concessions is based on the percentage of affordable units in the housing development project:

(A) One (1) incentive or concession for projects that include at least five (5) percent of the total units for very low-income households, or at least ten (10) percent for low-income households, or at least ten (10) percent for moderate-income households in a common interest development.

(B) Two (2) incentives or concessions for projects that include at least ten (10) percent of the total units for very low-income households, at least twenty (20) percent for low-income households, or at least twenty (20) percent for moderate-income households in a common interest development.

(C) Three (3) incentives or concessions for projects that include at least fifteen (15) percent of the total units for very low-income households, at least thirty (30) percent for lower income households, or at least thirty (30) percent for moderate-income in a common interest development.

(D) Four (4) incentives or concessions for projects meeting the criteria of Section 33-1412(b)(2)(F). If the project is located within one-half mile of a major transit stop, as defined in Section 21155(b) of the Public Resources Code, the applicant shall also receive a height increase of up to three (3) additional stories, or thirty (33) feet.

~~(D)~~(E) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

(3) A concession or incentive shall also mean approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(4) Nothing in this section shall be construed as to limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(5) The granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.

(b) The city shall grant the concession or incentive proposed by the developer unless it finds that the proposed concession or incentive is not required in order to achieve the required affordable housing costs or rents, or would cause a public health or safety problem, cause an environmental problem, harm historical property, or would be contrary to law.

(c) A developer shall be ineligible for concessions or incentives when the housing development ~~provides any of the following:~~

- ~~—— (1) Market-rate senior citizen housing development (with no affordable units); or~~
- ~~—— (2) Land donated/transferred to the city as specified elsewhere in this article; or~~
- ~~—— (3) A density bonus project that is proposed on any property that includes rental dwelling units that are, ~~or~~ if the units have been vacated or demolished in the five (5) year period preceding the application, subject to a recorded covenant, ordinance, or law that restricts rents to affordable levels or subject to any other form of rent or price control; or occupied by very low- or low-income households, unless the proposed housing development replaces those units and meeting the requirements of Government Code Section 65915(c)(3).~~

(d) A development qualifying for a density bonus also receives two (2) additional forms of assistance, which the State Legislature has determined to have important benefits for a housing development project. The following additional forms of assistance do not count as an incentive or concession as described herein this section.

(1) Waiver or Reduction of Development Standard(s). If any other development standard would physically prevent the project from being built by the developer at the permitted density and with the granted concessions or incentives permitted by State Density Bonus Law, the developer may propose to have those standards waived or reduced. The city is not required to waive or reduce development standards that that would cause a public health or safety problem, cause an environmental problem, harm a historical building, or would be contrary to law.

(2) Parking Requirements. Upon the developer's request, the city or county may not require more than one (1) on-site parking space for studio and one-bedroom units, two (2) on-site parking spaces for two- and three-bedroom units, two and one-half (2-1/2) on-site parking spaces for units with four (4) or more bedrooms, and other on-site parking requirement reductions identified by Government Code Section 65915(k). On-site spaces may be provided through tandem or uncovered parking, but not on-street parking.

(A) If a development includes the maximum percentage of low-income or very low income units provided for in paragraphs (1) and (2) of Government Code Section 65915(f) and is located within one-half mile of a major transit stop, as defined in Public Resources Code Section 21155(b), and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, the city shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds 0.5 spaces per bedroom. For purposes of this subdivision, a development shall have unobstructed access to a major transit stop if a resident is able to access the major transit stop without encountering natural or constructed impediments.

(B) If a development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code, then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following ratios:

(i) If the development is located within one-half mile of a major transit stop, as defined Public Resources Code Section 21155(b), and there is unobstructed access to the major transit stop from the development, the ratio shall not exceed 0.5 spaces per unit.

(ii) If the development is a for-rent housing development for individuals who are 62 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code, the ratio shall not exceed 0.5 spaces per unit. The development shall have either paratransit service or unobstructed access, within one-half (1/2) mile, to fixed bus route service that operates at least eight (8) times per day.

(C) If a development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code, and the development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code, then, upon the request of the developer, the city shall not impose any minimum vehicular parking requirement. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half (1/2) mile, to fixed bus route service that operates at least eight (8) times per day.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1470. Purpose and intent.

The purpose of this article is to provide regulations for the establishment of accessory dwelling units and junior accessory dwelling units in residential zones. The intent of the article is to provide additional affordable housing opportunities in areas where adequate public facilities and services are available, and where impacts upon the residential neighborhoods directly affected would be minimized. Notwithstanding the intent of California Government Code Section 65852.2 or Section 65852.22, should any provision of this article be found not to be in compliance with state law, that provision should be severed and stricken from Article 70 as if it had never been adopted.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1472. Permitted zones.

Accessory dwelling units and junior accessory dwelling units shall be permitted in the RA, RE, R1, R2, R3, R4, and R5 zones on properties with only one (1) single-family residence on the lot areas zoned to allow single-family or multi-family dwelling residential use, subject to the

~~approval of an accessory dwelling unit permit. Accessory dwelling units within the Old Escondido Neighborhood shall observe the same standards and review procedures required of similar building expansions in that neighborhood. Accessory dwelling units shall not be permitted on property developed in a planned development zone or as a part of a planned unit approval, unless approved as a part of the original PD or PUA and the subject lot is not less than six thousand (6,000) square feet in size.~~

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1473. Occupancy limitations.

(a) Allowed use.

(1) One attached or detached accessory dwelling unit may be permitted in conjunction with an existing or proposed single-family residence on a lot zoned for single-family or multi-family residential use.

(A) The accessory dwelling unit is either attached to, or located within, the proposed or existing main building or attached garages, storage areas, or similar use; or a detached accessory structure and located on the same lot as the proposed or existing single-family home.

(B) An accessory dwelling unit may be permitted on a lot where a junior accessory dwelling unit exists or is proposed.

(2) One junior accessory dwelling unit may be permitted in conjunction with an existing or proposed single-family residential use.

(A) The junior accessory dwelling unit is located within the proposed or existing main building or attached garages, storage areas, or similar use.

(B) A junior accessory dwelling unit may be permitted on a lot where an accessory dwelling unit exists or is proposed.

(3) Number of accessory dwelling units on legal lots with existing or proposed multifamily dwelling units:

(A) Shall be permitted to construct at least one accessory dwelling unit within the portions of existing multifamily dwelling structures that are not used as livable space and shall allow up to twenty-five (25) percent of the existing multifamily dwelling units.

(B) Not more than two (2) accessory dwelling units are permitted that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling.

(b) Owner-occupied.

(1) The owner-occupancy requirement shall not be applied to any accessory dwelling unit.

(2) The owner of the property shall reside on the parcel on which the accessory dwelling unit is located. A junior accessory dwelling unit may be used as habitable space, only so long as either the remaining portion of the main dwelling unit, or the newly created junior accessory dwelling unit is occupied by the owner of record of the property, unless otherwise exempted by this section.

(A) Owner-occupancy for a junior accessory dwelling unit shall not be required if the owner is an agency, land trust, or housing organization.

(3) Deed restriction. The City shall require the recordation of a deed restriction if owner-occupancy is required pursuant to this section.

(A) Prior to issuance of a building permit, the property owner shall execute a deed restriction setting forth the owner-occupancy requirements, in a form and substance satisfactory to the director of community development and City Attorney's Office, which shall be recorded in the office of the County Recorder. The covenant shall also include the following terms and limitations:

(i) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, and shall not be subdivided in any manner that would authorize such sale or ownership.

(ii) A statement that the deed restriction may be enforced against future purchasers and the restrictions shall be bindings upon any successor in ownership of the property.

(iii) The junior accessory dwelling unit shall be a legal unit, and may be used as habitable space, only so long as the owner of record of the property occupies the premises.

(iii) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section, and if applicable the occupancy limitations of the California Health and Safety Code Section 17958.1.

(c) All local building and fire code requirements apply, as appropriate, to accessory dwelling units and junior accessory dwelling units.

(1) A certificate of occupancy shall not be issued for the accessory dwelling unit and/or junior accessory dwelling unit until the Building Official issues a certificate of occupancy for the main building.

(2) Prior to approval on properties with a private sewage system, approval by the County of San Diego Department of Environmental Health, or any successor agency, may be required.

(d) The accessory dwelling unit and/or junior accessory dwelling unit is not intended for sale, except in conjunction with the sale of the primary residence and property.

~~(b) Deed restriction. Building permits will not be issued for the establishment of an accessory dwelling unit or its occupancy prior to the applicant's submittal of evidence that a deed restriction, which sets forth the occupancy limitations prescribed by the ordinance, has been filed with the county recorder. This deed restriction shall run with the land; inure to the benefit of the city as well as to the benefit of the other residential property owners within the subdivision; and, be coterminous in tenure with the life of the accessory dwelling unit.~~

(e) The accessory dwelling unit and junior accessory dwelling unit may be rented separate from the primary residence, but only with a rental agreement and with terms greater than thirty (30) days.

(f) The accessory dwelling unit and/or junior accessory dwelling unit shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the

premises. However, accessory dwelling units and/or junior accessory dwelling units shall be incidental, appropriate, and clearly subordinate to the primary use of the property.

(1) The accessory dwelling unit and/or junior unit shall be deemed to be a legal unit and permit such accessory use of property, which use is specifically identified by the accessory use regulations for the underlying zone; and shall allow such other accessory uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to, such principal residential use of the premises, except as otherwise provided by this subsection.

(A) An accessory dwelling unit and/or junior accessory dwelling unit shall be deemed an independent dwelling unit for the sole purpose of establishing a home occupation permit within the accessory dwelling unit and junior accessory dwelling unit, subject to the terms and limitations of Article 44. The limitations for home occupations shall be shared with the principal use and/or main building.

(B) No more than the quantities of animals specifically listed in Table 33-95(a) of Article 6 or Section 33-1116 of Article 57 is permitted on the premises. The limitations for animal keeping and household pets shall be shared with the principal use and/or main building.

(C) For all other accessory use of property, the accessory dwelling units and/or junior accessory dwelling unit shall be controlled in the same manner as the principal use within each zone, and shall not expand or be conveyed separately from the primary use. When provided by these regulations, it shall be the responsibility of the director of community development to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, accessory dwelling unit, and/or junior accessory dwelling unit, based on the director's evaluation of the resemblance of the proposed accessory use and the relationship between the proposed accessory use and the principal use.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1474. Development standards.

(a) Accessory dwelling units shall be subject to all development standards of the zone in which the property is located, except as modified below. Notwithstanding, this section shall be interpreted liberally in favor of accessory dwelling unit construction. Furthermore, any property development standard provided herein that regulates the minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings shall permit at least an 850 square foot accessory dwelling unit to be constructed in compliance with all other local development standards and building code requirements.

~~— (a) Lot area. Construction of one (1) accessory dwelling unit shall be permitted, subject to the following minimum parcel standards.~~

~~(1) The minimum lot size for the development of an accessory dwelling unit is eight thousand (8,000) square feet if the permit application involves the construction of a new structure or an exterior addition to an existing structure.~~

~~———— (2) ——— There is no minimum lot size requirement for the development of an accessory dwelling unit within the Old Escondido Neighborhood on properties that have public street and alley access.~~

~~———— (3) ——— Notwithstanding subdivisions (1) and (2), accessory dwelling units may be constructed on any legal lot in a residential zone provided all requirements of this article and the zoning and building codes are met and the unit is located entirely within the building envelop of a single family dwelling or detached accessory structure and involves no expansion of the existing structure.~~

(b)(1) Number of bedrooms. For units eight hundred (800) square feet or less, a maximum of one (1) bedroom shall be permitted. Two (2) bedrooms may be permitted if the living area of the accessory dwelling unit exceeds eight hundred (800) square feet. No more than two (2) bedrooms shall be permitted.

~~———— (c) ——— Location on lot. An accessory dwelling unit may be established within the existing interior of a single-family residence, or attached as an addition to a single-family residence, or established as a new detached structure. With the exception of properties located within the Old Escondido Neighborhood historic district, the minimum lot area for the construction of a detached accessory dwelling unit is ten thousand (10,000) square feet. Attached accessory dwelling units shall have an independent, exterior access.~~

(2) The accessory dwelling unit shall be provided with a separate exterior entry. The accessory dwelling unit shall not have direct, interior access into the main building.

(3) The accessory dwelling unit shall include separate bath/sanitation facilities and include a separate kitchen.

(d)(4) Setbacks. Attached accessory dwelling units shall conform to the setback requirements of the underlying residential zone for the primary structure. Detached accessory dwelling units, other than those structures otherwise regulated within this section, may have a building height and setbacks as outlined for accessory residential structures of the underlying zone, except that a setback of no more than four (4) feet from the side and rear lot lines shall be required for a detached accessory dwelling unit. Roof eaves and other architectural projections for accessory dwelling units shall comply with Section 33-104.

(4)(A) An accessory dwelling unit proposed to be constructed above an existing detached garage shall have a minimum five (5) foot setback to side and rear property lines.

(B) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit. The accessory dwelling unit may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress, subject to the terms and limitations of this article.

(e)(5) Maximum unit size. The maximum accessory dwelling unit size is determined by the size of the lot as provided in Table 33-1474. The living area of the accessory dwelling unit shall not exceed more than fifty (50) percent of the existing or proposed living area of the primary residence.

(A) If authorized by the underlying zoning, an accessory dwelling unit may be attached to a guest house provided that the overall combined floor area of the combined building or structure does not exceed seventy-five (75) percent of the main unit.

(B) When an accessory dwelling unit is attached to other accessory building(s) or structure(s), such as a garage, carport, or patio cover, the overall combined building area of the structure(s) shall not exceed the existing floor area of the main residence.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Table 33-1474

Lot size	Maximum Permitted Accessory Dwelling Unit Size
Less than 10,000 <u>20,000</u> square feet	500-850 square feet
10,001 to 15,000 square feet	640 square feet
15,001 to 20,000 square feet	800 square feet
> 20,000 square feet	1,000 square feet

~~(f)~~(6) Minimum unit size. The minimum permitted size of an accessory dwelling unit shall be the size of an efficiency unit as defined by the California Health and Safety Code Section 17958.1. The minimum unit size of the residential zone shall not apply to the accessory dwelling unit that is built on the same legal lot as the primary residence in compliance with all local development standards.

~~(g)~~(7) Height. Accessory dwelling units shall conform to the height limits of the zone.

~~(h)~~(8) Lot coverage. The combined area of all structures on a lot shall conform to the lot coverage limitation of the zone in which the property is located.

(b) Junior accessory dwelling units, as constructed within the existing or proposed single-family residence, shall be subject to all development standards of the zone in which the property is located, except as modified below.

(1) Number of bedrooms. A maximum of one (1) bedroom shall be permitted.

(2) The junior accessory dwelling unit shall be provided with a separate exterior entry and may have direct, interior access into the main building.

(3) A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(4) The junior accessory dwelling unit shall include an efficiency kitchen.

(5) Maximum unit size. The maximum junior accessory dwelling unit size shall not exceed 500 square feet in total floor area and shall be contained entirely within an existing or proposed single-family residence and may include an expansion of not more than 150 square feet beyond the same physical dimensions of the existing residence to accommodate ingress and egress.

(6) Minimum unit size. The minimum permitted size of a junior accessory dwelling unit shall be the size of an efficiency unit as defined by the California Health and Safety Code Section

17958.1. The minimum unit size of the residential zone shall not apply to the junior accessory dwelling unit that is built on the same legal lot as the primary residence in compliance with all local development standards.

(7) Except as provided herein, a junior accessory dwelling unit shall comply with all other zoning code standards, including but not limited to setbacks, building height, floor area ratio, and lot coverage.

~~(i)(c) Parking requirements. Off street parking for the primary dwelling shall conform to the current parking standards, as required in Article 39 of the Escondido Zoning Code and:~~

~~—— (1) — One additional off street parking space, covered or uncovered, shall be provided for an accessory dwelling unit. Parking provisions may be provided as tandem parking on an existing driveway or permitted within a setback area in accordance with sections 28-300 and 33-110 of the Escondido Zoning Code, in locations determined to be satisfactory by the director of community development, unless the director determines that parking in setback areas or tandem parking is not feasible based on specific site or regional topographical or fire and life safety conditions, or not permitted anywhere else in the jurisdiction.~~

~~—— (2) — Required parking for the accessory dwelling unit shall be permitted in a side yard or rear yard only when said yard is abutting an alley and a minimum backup of twenty-four (24) feet is provided.~~

~~—— (3) — Parking for the accessory dwelling unit shall be located to minimize impacts on adjacent properties through landscaping, a wall/fence, or other screening treatment.~~

~~(4)(1) Notwithstanding any other law, the city will not impose parking standards for an accessory dwelling unit or junior accessory dwelling unit. when the unit is located within one-half mile of public transit, located within the Old Escondido Neighborhood or when there is a car share vehicle located within one block of the unit. The city will also waive parking requirements for new accessory dwelling units when the accessory dwelling unit is contained within the existing space of a single family residence or accessory structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety.~~

~~(5)(2) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, replacement parking is not required. may be located in any configuration on the same lot as the accessory dwelling unit.~~

~~(j)(d) Garage conversions and personal storage. If an existing garage is converted to an accessory dwelling unit or junior accessory dwelling unit and no replacement garage space is provided, a minimum of one hundred sixty (160) additional cubic feet of lockable, enclosable storage must be provided on the same lot to mitigate the loss of personal storage space.~~

~~(k)(e) Design of the unit. Accessory dwelling units shall be designed to minimize the effect of the new accessory dwelling unit on adjacent properties.~~

~~(1) Any potential impacts shall be oriented to the primary residence. Access doors and entry for the accessory dwelling unit shall not be oriented to the nearest adjacent property line or create a second “front door” that is comparable to the main entrance. The design, construction, and presence of the accessory dwelling unit shall conform with the single-family character of the neighborhood.~~

(2) Proposed accessory dwelling units shall respect the residential scale and design character of existing homes. The accessory dwelling unit's color and materials must match those of the primary residence, maintaining compatibility with the neighborhood. The director shall review accessory dwelling unit applications to ensure the addition is integrated with the primary structure with respect to roof design, height, compatible materials, color, texture, and design details. If the accessory dwelling unit is an addition to a site with known historic resources or has been determined to have historic value by the director, all improvements shall retain the historical and/or architectural value and significance of the landmark, historical building, or historical district as specified by Section 33-1475. The improvements shall be compatible with and retain the texture and material of the primary building(s) and/or structure(s) or its appurtenant fixtures, including signs, fences, parking, site plan, landscaping and the relationship of such features to similar features of other buildings within an historical district.

~~(f)~~(f) Addresses. The addresses of ~~both~~ units shall be displayed in such a manner that they are clearly seen from the street.

~~(m)~~(g) Fire sprinklers. Accessory dwelling units and junior accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1475. Other regulations.

~~(a) — Garage conversions. Converted garages must meet all building code requirements for a dwelling unit and provisions of the ordinance. No setback shall be required for an existing garage that is converted to an accessory dwelling unit.~~

(a) Historic Buildings.

(1) An accessory dwelling unit and/or junior accessory dwelling unit proposed for any lot that includes a building listed in the National Register of Historic Places, California Register of Historic Places, or the local historic inventory shall conform to the requirements for the historic structure.

(2) An accessory dwelling unit and/or junior accessory dwelling unit proposed for a property under a Mills Act Contract must comply with all Mills Act guidelines, including design conformance with the United States Secretary of the Interior Standards.

(3) An accessory dwelling unit and/or junior accessory dwelling unit proposed for any lot that includes a building listed in the National Register of Historic Places, California Register of Historic Places, or the local historic inventory are encouraged to comply with any historic preservation plans as may be approved by the City Council. Notwithstanding the foregoing, if the City Council acts to establish mandatory design standards for historically classified structures, the accessory dwelling unit and/or junior accessory dwelling unit shall conform to the mandatory standards.

(b) Guest house. An attached guest house may be converted to an accessory dwelling unit provided all provisions of this article and the building code and zoning code are met. A guest house and an accessory dwelling unit and/or a junior accessory dwelling unit may occur on the same lot provided the lot is over twenty thousand (20,000) square feet in area and provided the guest house does not contain kitchen facilities and is not rented. No more than one (1) accessory dwelling unit or no more than one (1) guest house are permitted on a lot. Nothing in this section shall be construed to prohibit the construction of an accessory dwelling unit and/or junior accessory dwelling unit in compliance with this article.

(c) The city may require a new or separate utility connection for any attached or detached accessory dwelling units that are not contained within the existing space of a single-family residence or accessory structure.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1476. Existing nonpermitted accessory units.

This article shall apply to all accessory dwelling units or junior accessory dwelling units which exist on the date of passage of the ordinance. All units which do not have a permit, or cannot receive a permit, upon passage of the ordinance codified herein shall be considered in violation and shall be subject to code enforcement action.

(a) Existing nonconforming units. Accessory dwelling units or junior accessory dwelling units that exist as of the effective date of this section that have previously been legally established may continue to operate as legal nonconforming units. Any unit that exists as of the effective date of this section, and has not previously been legally established, is considered an unlawful use, unless the director of community development determines that the unit meets the provisions of this section and a permit is approved and issued.

(1) Conversion of legally established structures. The conversion of legally established structures that exist as of the effective date of this section shall require that the unit meet the provisions of this Code. Any legally established waivers or nonconformity that exist on the effective date of this section may continue, provided that in no manner shall such waiver or nonconformity be expanded.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1477. Application and procedure.

The director of community development shall approve or disapprove an application for an accessory dwelling unit or junior accessory dwelling unit, ministerially, within ~~one hundred twenty~~ (120) sixty (60) days after receiving ~~the~~ a complete application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or

a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the director may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the director acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the sixty (60) day time period shall be tolled for the period of the delay. The director may refer any application to the planning commission or historic preservation commission prior to the director's decision for conformance with the specific criteria outlined in section 33-1474, subject to an approval process that includes only ministerial provisions and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1530. Purpose.

Short-term activities and events can enhance the city's lifestyle and provide benefits to area residents, businesses, and other community members through the creation of unique venues for expression, recreation, and entertainment that are not normally provided. However, the city council recognizes that short-term activities and events, if unregulated, can have an adverse effect on the public health, safety and welfare due to noise, traffic, safety, and health hazard impacts. The purpose of this article is to authorize limited and/or short-term activities or events to which public may be invited (with or without charge) and set forth reasonable regulations by establishing a process for permitting short-term activities and events. Temporary activities or events may occur indoors or outdoors, on improved or unimproved property, and may include outdoor displays, temporary outdoor sales, temporary uses, and special events. Such uses are appropriate when regulated as set out herein.

This article also encourages the economic vitality of established commercial areas, public property, facilities, or parks; sidewalks, streets, or other areas of the public right-of-way; and developed or undeveloped private property. This article also affords by affording increased merchandise visibility through the establishment of standards for the outdoor display of special interest retail items in an ongoing manner, and the allowance of temporary parking lot sales for other retail items as a limited special use. The safe and orderly outdoor display of merchandise can be beneficial by attracting interest, adding character, and increasing pedestrian traffic to a commercial area which can extend economic benefits to all commercial enterprises within that area.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1531. Definitions.

(a) ~~Outdoor display~~ Outdoor display refers to the outdoor display of retail goods on a daily basis during business operating hours in a manner which is incidental to and a part of the operation of the adjacent indoor use. The merchandise would be removed at the close of business and securely stored inside the building.

(b) ~~Temporary outdoor sales~~ Temporary outdoor sales refers to outdoor sales events or promotions of a limited duration and frequency. Events include, but are not limited to, weekend parking lot sales, tent sales, and seasonal or promotional events.

(c) Temporary uses are activities, which by their nature are non-recurring, and are beneficial to the public for a limited and/or specific period of time.

(d) Special events mean the temporary use of public property, facilities, parks, sidewalks, streets, or public right-of-way as and that as defined in Section 16-201 of Article 4 in Chapter 16 of the Municipal Code.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1532. Permitted zones.

(a) ~~The outdoor display of retail merchandise shall be permitted as an accessory use subject to the approval of an outdoor display permit as discussed in section 33-1535~~ 1534 in the commercially zoned districts of the city (CG, GBD, CP, CT, CN, and existing PD-C zones, and to the extent permitted in the South Centre City Specific Plan and East Valley Parkway Area Plan).

(b) ~~Temporary outdoor sales are permitted in the aforementioned zones and specific and area plans subject to the approval of a temporary use permit as discussed in section 33-1535~~ 1534.

(c) Other temporary uses in various residential, commercial, and industrial zoning districts, subject to the approval of the permit required under Section 33-1534.

(d) Special events permitted in the locations as designated by Article 4 of Chapter 16.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1533. Permitted uses and permit type.

(a) Outdoor display.

(1) The following items are acceptable for outdoor display if permitted by the applicable zone in which the associated business is located.

(A) Antiques

(B) Artwork

- (C) Automotive supplies (gas stations only)
- (D) Bicycles
- (E) Books
- (F) China and glassware
- (G) Clothing
- (H) Crafts
- (I) Firewood
- (J) Flowers and plants
- (K) Food sales
- (L) Hardware
- (M) Gardening and landscape equipment and supplies
- (N) Jewelry
- (O) Motorcycles and scooters
- (P) Newspapers and magazines
- (Q) Sporting goods
- (R) Tires
- (S) Propane tank exchange units
- (T) Retail vending machines.

(2) The director of community development is authorized to permit additional retail items to be displayed outdoors if it can be determined that the use is consistent with the purpose of this article.

(3) All outdoor displays shall be subject to the issuance of an outdoor display permit. Prior to the issuance of an outdoor display permit, an application shall be submitted and approved by the planning department. Outdoor display permits shall be valid for a maximum of one (1) year from the date of issuance; provided, that the permit shall be extended automatically for an additional year unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.

(b) Temporary outdoor sales. All retail items proposed for temporary outdoor sales will be reviewed for consistency with the purpose of this article on a case-by-case basis through the temporary use permit process as discussed in section 33-1536.

(1) Merchandise displayed or sold must be customarily sold on the premises. All such sales shall be conducted by a business located on and conducting business within a building on the property upon which the temporary use is proposed.

(2) All temporary outdoor sales shall be subject to the issuance of a temporary use permit. A temporary use permit can be issued for multiple events on the same site for the length of time specified under section 33-1534(c)(1) and shall be valid for no longer than one (1) year from the date of issuance; provided, that the permit shall be extended automatically for an additional year unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.

(c) Temporary uses as permitted and regulated by this article.

(1) The following some short-term activities and events can be approved with a temporary use permit.

(A) Amusement, entertainment or recreation activities or events, often upon payment of a fee, or nonprofit or government entity-sponsored, including concerts, carnivals, attractions, circuses, fairs, festivals, and amusement rides.

(B) Animal displays.

(C) Historical re-enactments.

(D) Special temporary seasonal sales such as Christmas trees, wreaths, pumpkin retail sales or similar sales are limited to the period of time around the holiday.

(E) Temporary health care structures.

(F) Temporary modular school classrooms.

(G) Temporary structures and tents for social or religious groups for services.

(2) Some short-term activities and events can be approved through the issuance of a special temporary use permit or agreement, as provided herein.

(A) Community gardens with an agricultural operations permit.

(B) Donation bins through an administrative permit, subject to Section 33-694.

(C) Off-site staging areas or off-site storage yards with a city agreement.

(D) Real estate model homes and/or sales offices with a model home permit/agreement.

(E) Roadside sales of agricultural products with an agricultural operations permit, subject to Section 33-1534(e).

(F) Special events on public property as defined by Article 4 of Chapter 16 with a special event permit.

(3) Some short-term activities and events can be authorized without additional or special zoning clearances (i.e. otherwise exempt from needing a temporary use permit or special temporary use permit or agreement).

(A) Activities of an organization which is receiving governmental grant funds to be used for public or community purposes when holding an event less than three (3) days in duration for the purpose of raising funds to supplement the governmental grant funds and to support the public or community purpose for which the grant funds were received.

(B) City, state, federal, school district, community college district or other public agencies' event when conducted wholly on that agency's public property or with the consent of another public property owner and which will not require public road closures or significantly impact on traffic on adjacent public streets.

(C) Garage or yard sales conducted at the same residential location more than four (4) times per year, subject to Section 16-116 of Article 2 in Chapter 16 of the Municipal Code.

(D) Groundbreaking, ribbon-cutting, or similar initiation event for an active or completed construction project for not more than one (1) day conducted wholly on the same site as the project.

(E) Homeowners association events for not more than one (1) day conducted wholly in common areas within the boundaries of the association and which do not impact public streets or other public facilities.

(F) On-site staging of construction equipment or trailers necessary for a specific aspect of a construction project. On-site storage yards shall screen storage of construction

equipment, vehicles, and/or excavated materials to the extent practicable for the duration of the construction project, not to exceed fifteen (15) calendar days before project commencement and fifteen (15) days after task completion. A copy of the active construction permit, or permit number, is required.

(G) Outdoor fire sales (duration not to exceed three (3) calendar days) for a business with an active business license, for the site where the fire occurred.

(H) Portable on-site storage and cargo containers, subject to Article 36.

(I) Temporary dumpsters for the sole purpose of collecting and removing refuse or excavated material generated from the same property of the dumpster location, associated with an active grading or building permit. A copy of the active construction permit, or current permit number, is required.

(4) Other temporary uses that are not specifically listed in the zoning code. The director of community development at his/her discretion may determine whether such use should be authorized and regulated by this section. This determination shall be based on the similarities and differences with those listed uses and an assessment of the proposed temporary use's compatibility with the zoning district and the surrounding land uses. Those uses and activities which do not fit within the criteria for a temporary use permit shall be addressed through a Plot Plan, Minor Conditional Use Permit, or other type of permit identified by the Zoning Code; or be expressly prohibited as an authorized land use activity.

(5) Approval of any type of permit addressed within this article that authorizes a temporary use for a specific time period does not waive the permit holder from obtaining other city, state, or federal permits or licenses, which may also be required as determined by the appropriate regulatory agency.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1534. Development standards.

All short-term activities, events, and outdoor displays of retail merchandise and temporary outdoor sales shall be subject to the following development standards:

(a) Outdoor displays on private property.

(1) The outdoor display area shall not extend beyond the actual frontage of the associated commercial use. Displays shall be identical and accessory to items sold indoors. Displays shall be temporary and removed at the end of each business day. A display/use may, on a case-by-case basis, be displayed permanently outdoors, as determined by the director. The director may refer a request for a permanent display to the planning commission for review and comment.

(2) Parking lot circulation and all required parking spaces shall remain unobstructed at all times. Private sidewalks, courtyards, or entry areas may be utilized for display provided a minimum four (4) foot wide pedestrian area remains clear and unobstructed and all fire, building and handicapped access requirements are met. See subsection (b) of this section for clearance requirements for displays within the right-of-way.

(3) All displays shall be located in such a manner so that vehicular sight distance is not impeded to the satisfaction of the engineering department.

(4) Display and sale of merchandise is permitted only by the tenant of an existing commercial development on the same site. Outdoor displays are not permitted on vacant property. ~~Christmas tree and seasonal agricultural product sales on vacant property shall be subject to sections 33-331(a), 33-361(a), 33-461(a), and 33-501(a) of the zoning code.~~

(5) No sales or display of merchandise from cars, trucks, or any other vehicle is permitted. Vending from pushcarts may be permitted subject to compliance with all development standards in this section. Specialized food sales from pushcarts either on private property or within the public right-of-way shall be subject to applicable code requirements.

(6) All signage associated with an outdoor display shall be as approved pursuant to an outdoor display permit and shall be limited to a maximum of four (4) square feet per commercial tenant.

(7) All displays shall be located within hardscape areas. No merchandise may be displayed in any landscaped area, or be situated in such a manner as to be detrimental to any existing landscaping on the site.

(8) All food sales shall be correlated with food that is customarily sold on the same premises and be conducted in compliance with health department regulations.

(9) All exterior lighting utilized in conjunction with outdoor displays shall conform to the requirements of Article 35, Outdoor Lighting.

(10) No electricity shall be utilized, nor any noise generated by an outdoor display.

(b) Outdoor displays within the public right-of-way.

(1) Display of merchandise within the public right-of-way is permissible only within the downtown retail core district subject to approval of an encroachment permit (an approved copy must be submitted concurrently with the application for an outdoor display permit), proof of insurance, and compliance with all development standards in this section.

(A) Proof of insurance can be satisfied by documentation of an insurance policy issued by an insurance company licensed to do business in the State of California, protecting the licensee and the city from all claims for damages to property and bodily injury, including death, which may arise from operations in connection with the display activity. Such insurance shall name as additionally insured the city for an amount of three hundred thousand dollars (\$300,000.00) or more and shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) days' advance written notice to the city.

(B) The merchandise display shall be permitted only within the four (4) feet of public right-of-way nearest the property line, and parallel to the curb in front of the business to which it pertains. The merchandise display shall be limited to fifty (50) percent of the lineal length of the associated commercial frontage or sixty (60) square feet whichever is less.

(C) In front of the displayed merchandise there shall be at all times a minimum four (4) foot wide sidewalk area clear of any obstructions and in conformance with all fire, building and handicapped access requirements.

(D) The merchandise is not permitted within any landscaped area of the right-of-way.

(E) All merchandise shall be located in such a way that it does not block the sight distance of the streets to the satisfaction of the engineering department. Any merchandise found

obstructing the sight distance will be subject to removal by the city and the encroachment permit canceled.

(F) All merchandise items and displays should have no sharp edges or corners.

(G) The city also reserves the right to remove merchandise which causes any interference with vehicular traffic or pedestrian traffic, or in the event of any emergency situation or if the merchandise interferes with any work that is to be performed upon the street by or on the behalf of the city or a public utility.

(H) All merchandise and display racks shall be removed from the public right-of-way at the end of business hours.

(2) No sales or display of merchandise from cars, trucks, or any other vehicle is permitted. Vending from pushcarts may be permitted subject to compliance with all development standards in this section. Specialized food sales from pushcarts either on private property or within the public right-of-way shall be subject to applicable code requirements.

(3) All signage associated with an outdoor display within the public right-of-way shall be as approved pursuant to an outdoor display permit and shall be limited to a maximum of two (2) square feet per commercial tenant.

(4) All displays shall be located within hardscape areas. No merchandise may be displayed in any landscaped area, or be situated in such a manner as to be detrimental to any existing landscaping on the site.

(5) All food sales shall be conducted in compliance with health department regulations.

(6) All exterior lighting utilized in conjunction with outdoor displays shall conform to the requirements of Article 35, Outdoor Lighting.

(7) No electricity shall be utilized, nor any noise generated by an outdoor display.

(c) General development standards for other temporary uses and Temporary outdoor sales.

(1) Short short-term activities and sales Sales—events at anyone (1) location or commercial center shall not exceed three (3) calendar days during any three (3) month period and are subject to the issuance of a temporary use permit as discussed in section 33-1535.

(2) Some short-term activities of the type as described herein will be allowed to recur on a property for longer than that provided in subsection (c)(1):

(A) Amusement, entertainment, or recreation activities and events for up to ten (10) calendar days within a six (6) month period.

(B) Community gardens, for the duration as stated on the agricultural operations permit.

(B) Donation bins in commercial zoning districts, excluding specific plan areas, for the duration as stated on the administrative permit.

(C) Off-site staging areas, for the duration as stated on the off-site staging area agreement/permit.

(D) Real estate model homes and/or sales offices, for the duration as stated on the model home permit.

(E) Roadside sales of agricultural products in residential zoning districts for up to forty-five (45) days within a three (3) month period in the residential zoning districts, pursuant to Section 33-1534(e).

(i) Exception in R-A and R-E Zones. Pursuant to Article 6 of the Zoning Code, roadside sales are a permitted as an accessory use in the R-A and R-E Zones. As such, sales may be continued beyond the forty-five (45) day limitation on the parcel of land on which such produce is grown in the R-A and R-E Zones. Such authorization shall be made by approval of an agricultural operations permit and design review permit provided that the principal use of said parcel is agricultural or plotted for community gardening and the use is consistent with the terms and limitations of Section 33-1534(e).

(F) Special temporary seasonal sales for up to forty-five (45) days within a three (3) month period.

(G) Temporary health care structures for up to sixty (60) days within a twelve (12) month period only by the tenant of an existing commercial development on the same site.

(H) Temporary modular school classrooms for sixty (60) days within a twelve (12) month period as a temporary use. A time extension may be provided through the approval of a Plot Plan or Conditional Use Permit (based on the use allowance of the underlying zoning district).

(I) Temporary structures and tents for social or religious groups for services for up to ten (10) days within a six (6) month period.

(3) Location of each event shall be restricted to private property only and shall not adversely impact parking lot circulation. Events shall not be permitted within parking areas containing less than twenty (20) spaces. A maximum of twenty (20) percent of the required parking spaces for the sponsoring business, or five (5) percent of the spaces within a commercial center containing multiple tenants may be utilized for the display and sale of merchandise. No encroachment into the public right-of-way shall be permitted.

~~(3) Special temporary seasonal sales Christmas tree sales and recycling and seasonal agricultural product sales shall be exempt from the time restrictions set forth in section 33-1534(e)(1).~~

(4) Any structure used in conjunction with a sales event shall be subject to all building, engineering, and fire department requirements.

(5) All merchandise and/or temporary structures shall be set back a minimum of five (5) feet from any public right-of-way or driveway.

(6) All exterior lighting utilized in conjunction with a temporary sales event shall conform to the requirements of Article 35, Outdoor Lighting.

(7) All food sales shall be conducted in compliance with health department regulations.

(A) Through the approval and issuance of a temporary use permit, some amusement, entertainment, or recreation attractions or events; and/or special temporary seasonal sales events may accommodate a food truck or mobile food facility as defined by Article 7 of Chapter 16 of the Municipal Code. If the mobile food facility is authorized by this section, the mobile food facility must be parked in a legal parking space, or other area subject to approval of the director, and must not occupy the premises past 10:00 p.m. Not more than one (1) mobile food facility and one (1) operator is permitted to park on the premises, for the duration of time authorized by this section and for the period of time provided by the permit. Any mobile food facility or mobile food facility operation or activity not exercised within the days and duration specified on an approved temporary use permit shall automatically forfeit the time, day, and duration not utilized and/or become void.

(8) All businesses participating in a temporary outdoor sales event must have a valid City of Escondido business license to conduct business at the site of the event. Each participating business or entity shall be listed on the permit application prior to approval of the permit.

(9) All noise/sound generated by a temporary outdoor sales event shall conform to the noise level limits established in the noise ordinance (Ord. No. 90-08) for commercial zones. If an event is located adjacent to a residential zone, all noise generated shall conform to the noise level limits of the affected residential zone.

(10) Signs for temporary outdoor sales are permitted provided adequate detail is shown on the temporary use permit application to determine that the following standards are met:

(A) Signs shall be limited to balloons, flags, pennants and streamers, banners, or other similar devices. ~~Balloons may not exceed twenty-four (24) inches in any dimension.~~

(B) Large inflatable displays must be ground-mounted and may not exceed thirty (30) feet in height.

(C) One (1) banner is allowed for each street frontage and each banner shall not exceed sixty (60) square feet in area.

(D) No event signage (of any type) may be displayed on or attached to any public property including telephone or utility poles, traffic control signs or devices, street lights or other structures located on public property without the express written consent of the City of Escondido.

(E) No signage of any type shall interfere with or restrict vehicular or pedestrian access or visibility.

(d) Outdoor retail vending machines. Outdoor retail vending machines are allowed in all commercial zones subject to the following standards:

(1) Retail vending machines shall not sell, store, or dispense anything other than the commercial products, merchandise, food or beverages permitted by the underlying zone or authorized by the Escondido Municipal Code.

(2) Retail vending activities may be established only in conjunction with an otherwise allowed and authorized principal land use activity and may not exceed a maximum of two (2) machines per site or occupy not more than twenty (20) feet of the wall facing the street or access drive.

(3) Retail vending machines shall be located along the face of a building or flush against a structure designed to accommodate them and be located on the site in a manner which will ensure compatibility with surrounding uses. The machine(s) shall not be within ten (10) feet of an entranceway to any business open to the public nor block any store window.

(4) All machines shall be visible in well-lit areas from access drives or public streets and be maintained in a litter free condition.

(5) Retail vending machines shall not obstruct private pedestrian walkways. A minimum four-(4) foot-wide pedestrian area remains clear and unobstructed and all fire, building and handicapped access requirements shall be kept clear of obstructions, or more if pedestrian traffic volume warrants.

(6) Retail vending machines are not allowed on public sidewalks, alleys, drive-aisles, or within the public right-of-way.

(7) The business owner or operator of said principal land use activity is responsible for the accessibility, maintenance, appearance, and safety in regards to retail vending.

(8) Business owner or operator shall not utilize or permit the utilization of any device which produces loud noise, or use and operate any loudspeaker, public address system, radio, sound amplifier, or similar noise creating device to attract the attention of the public, subject to the noise restrictions of the underlying zone.

(e) Roadside Sales of Agricultural Products. Operation of a stand, by the owner/occupant of the premises, for the display and sale of agricultural products primarily produced on the premises. This category includes flower sales (non-mobile), vendor stands (non-mobile), and seasonal sales of agricultural products for limited periods of time, which at no time may be conducted in the public right-of-way. All roadside sales of agricultural products covered by this article shall be submitted on an agricultural operations permit application form obtained from the Planning Division and shall be accompanied by a nonrefundable fee.

(1) Location and size requirements.

(A) In the R-A and R-E Zones, the ground coverage of the stand shall not exceed 300 square feet, and it shall be set back from the street or highway right-of-way line a distance of at least 20 feet.

(B) The stand shall not exceed an area of 200 square feet in the R-1, R-2, R-3, R-4, and R-5 Zones. The stand shall not be closer than 24 feet to any street or highway.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1535. ~~Permit required.~~ Reserved

~~(a) Outdoor displays. All outdoor displays shall be subject to the issuance of an outdoor display permit. Prior to the issuance of an outdoor display permit, an application shall be submitted and approved by the planning department. Outdoor display permits shall be valid for a maximum of one (1) year from the date of issuance; provided, that the permit shall be extended automatically for an additional year unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.~~

~~(b) Temporary outdoor sales. All temporary outdoor sales shall be subject to the issuance of a temporary use permit. Prior to the issuance of a temporary use permit, an application shall be submitted and approved by the planning department. A temporary use permit can be issued for multiple events on the same site for the length of time specified under section 33-1534(c)(1) and shall be valid for no longer than one (1) year from the date of issuance; provided, that the permit shall be extended automatically for an additional year unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.~~

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1536. Application and determination.

(a) All outdoor display permit and temporary use permit applications covered by this article shall be submitted to the planning department in a form provided by the planning department. The application form and content required may be modified as determined by the director for a recurring type of application request so that the permit can be renewed by providing the same documentation as done with the original permit issuance.

(1) Fee. A nonrefundable fee, as set forth in the schedule of service costs approved by city council resolution, reasonably calculated to reimburse the city for its reasonable and necessary costs in receiving, processing, and reviewing applications for permits to hold a short-term activity or event must be paid to the City of Escondido when an application is filed.

(A) If the application includes the use of any city facility and/or property, or if any city services are required for the special event, the applicant must file a special event permit in accordance with agree to pay for the services in accordance with a schedule of service costs approved by city council resolution.

(B) Third Party Fee. If the permittee provides for or allows third party vendors to participate in the special event, the permittee shall pay an additional nonrefundable fee, as set forth in the schedule of service costs approved by city council resolution, reasonably calculated to reimburse the city for its actual and necessary costs in receiving, processing and reviewing the application that includes third party vendors. The amount of the additional fee shall be established by resolution of the city council and shall be based on whether the application is for a major or minor event.

(b) City staff shall review outdoor display permit and temporary use permit applications, or and any other permit prescribed by this article, for planning and zoning compliance.

(c) Applications for outdoor display permits and temporary use permits, or any other permit prescribed by this article, shall be made at least thirty (30) days in advance of the event. Within twenty (20) days from the submittal of a complete application, staff may approve, conditionally approve or deny the proposed application. Any aggrieved party may appeal a decision of the staff to the planning commission using the provisions outlined in Division 6 of Article 61 of this chapter.

(1) The City shall require evidence that all related permits and approvals, such as fire prevention, health and sanitation, police, animal regulations, and business licenses, have been obtained for each outdoor display and temporary use permit or any other permit prescribed by this article. Under the authority of the California Health and Safety Code, the County of San Diego Environmental Health Department has the responsibility to regulate the selling of food.

(2) The application shall be accompanied by:

(A) A map showing the area on which the event will be conducted.

(B) A description of the event for which the permit is requested.

(C) The name(s) of the organization or business and principals within the organization or business applying for the permit.

(D) An estimate of the number of persons who will attend, all vendors who are anticipated to operate at the event, and a description of hours, noise, security, trash collection and disposal, occupant loads, lighting, sanitary facilities, traffic control, dust control, and/or other related concerns that are correlated with the proposed use.

(E) Such additional information as may be required by the director to determine whether the event will be compatible with the surrounding uses, satisfy applicable laws, and to be consistent with the public health, safety, and welfare.

(F) Written assurance that all conditions of the permit shall be complied with, and that in the event the permittee fails to perform any obligation covered by the conditions or terms and limitations of this ordinance, the owner of the property shall perform such obligations upon notice of violation. Property owner and permittee are subject to enforcement and citation, subject to Section 33-1537.

(3) The City may require building and/or engineering design of the temporary buildings, certification of the structure, mechanical, electrical, and other equipment and devices.

(4) The police chief may determine whether and to what extent additional police protection, civilian traffic control personnel, private security and volunteer staff are reasonably necessary to ensure traffic control and public safety for the short-term activity, event, outdoor display and temporary use. The police chief will base this decision on the size, location, duration, time and date of the permitted use, the expected sale or service of alcoholic beverages, the number of streets and intersections blocked off from use by the public, and the need to detour or preempt pedestrian and vehicular travel from the use of public streets and sidewalks. The police chief shall provide an estimate of the cost of extraordinary city services and equipment required in writing, if police protection and/or other emergency and safety services or equipment is deemed necessary for the permitted use. The applicant will be billed for services after the event.

(d) Appeal. Appeals from the decision of the director shall be made pursuant to Article 61. The decision of city staff, or on appeal the planning commission, to grant an outdoor display permit or a temporary use permit or other permit prescribed by this article shall be made based on the following finding:

(1) The proposed short-term activity, event, or outdoor display or temporary outdoor sales event conforms with all development standards for said events and will not negatively impact adjacent commercial or residential areas.

(2) The nature of the proposed use is not detrimental to the public health, safety, or welfare of the community.

(e) Conditions. Failure to comply with the following requirements and conditions shall be cause for revocation of the permit and enforcement under this chapter.

(1) Any permit prescribed by this article not exercised within the duration specified or withdrawn by the applicant shall automatically become void.

(2) Expiration. Each valid permit, unless earlier revoked, shall expire and become null and void at the time specified in the permit. An extension of outdoor display permits and temporary use permits or any other permit prescribed by this article cannot be granted; a new use for a different timeframe requires a new application. If the use is discontinued or abandoned, the site must be cleaned up within seven (7) calendar days of the discontinuance or abandonment.

(3) Transfer. No permit shall be transferrable to another location or to another permittee.

(4) Posting. The permit (along with any other required permits) shall be posted on the premises where the event is conducted and/or a copy of the permit must be in the possession of the person responsible for the event at all times while it is occurring.

(5) Permittee agrees to waive and release the City of Escondido and its officers, agents, employees and volunteers from and against any and all claims, costs, liabilities, expenses or judgments including attorney's fees and court costs arising out of the activities of this temporary use or event or any illness or injury resulting therefrom, and hereby agree to indemnify and hold harmless the City of Escondido from and against any and all such claims, whether caused by negligence or otherwise, except for illness and injury resulting directly from gross negligence or willful misconduct on the part of the city or its employees.

(6) The director may attach whatever additional conditions and limitations necessary to protect public health, safety, and welfare that the director determines are reasonably required and roughly proportionate to the proposed use, activity, or event in order to make the finding that the characteristics of such are compatible with the uses in the surrounding area. Such conditions may include, but not be limited to, items that address the following topic areas: hours, noise, security, trash collection and disposal, occupant loads, lighting, sanitary facilities, traffic control, dust control, and/or other related concerns.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1537. Violations.

(a) Any person, firm or corporation violating any of the provisions of this article, or disregarding any condition or term imposed by the planning department, or on appeal, the planning commission, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding one thousand dollars (\$1,000.00) or imprisonment in the county jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each separate offense, or each day on which an ongoing offense is committed shall be a separate violation. Any violation as described in this section shall be subject to immediate revocation of the permit to display outdoors or conduct a temporary outdoor sales event.

(b) The police chief may revoke a special event permit without prior notice upon violation of the permit or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the special event would have an immediate and adverse effect upon the health, safety, and welfare of persons or property. Written notice of the revocation setting forth the reasons therefor, shall be hand delivered or mailed to the applicant at the address provided on the application

(c) Reinstatement. When a permit has been revoked, it may not be reinstated. A new Temporary Use Permit application for the same activity shall not be approved until the causes of revocation have been corrected and all costs incurred by the City have been paid as estimated by the building official.

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AMENDING CHAPTERS 16 OF THE ESCONDIDO MUNICIPAL CODE AND ARTICLES 49, 67, 70, AND 73 OF THE ESCONDIDO ZONING CODE TO ADDRESS CHANGES IN STATE LAW, CORRECT ERRORS, AND IMPROVE EXISTING REGULATIONS

APPLICANT: City of Escondido
PLANNING CASE NO.: AZ 20-0007

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 public hearings on March 25, 2020, 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 April 8, 2020, 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 Code and Zoning Code Amendments are consistent with the General Plan.

SECTION 5. This action is exempt from environmental review pursuant to California Environmental Quality Act Guidelines (“CEQA” and “CEQA Guidelines”) by statutory and categorical exemptions. Because the project includes provisions that restate existing law, includes organizational and administrative actions, allows temporary uses that are controlled by the regulatory department issuing permits for such uses, and breaks no new legal ground, the project is covered pursuant to several classes of exemption (CEQA Guidelines Sections 15301, 15304, 15311, and 15323). The portion of the proposed code amendments that relate to accessory dwelling units are statutorily exempt from CEQA pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), which exempts adoption of ordinances regarding accessory dwelling units. The project is also covered by CEQA Guidelines Section 15061(b)(3), “common sense rule,” in that by its general nature, the project is an activity undertaken that has no potential for a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

SECTION 6. That the specified sections of the 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. The adoption of this ordinance is not intended to affect or disrupt the continuity of the City of Escondido's ("City") business or administration of its law, including but not limited to the following:

- Actions and proceedings that began before the effective date of this ordinance;
- Prosecution for ordinance violations committed before the effective date of this ordinance; and/or
- The amount, or collection, of license, fee, penalty debt, forfeiture, or obligations due and unpaid as of the effective date of this ordinance.

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.

AZ 20-0001

FATORS TO BE CONSIDERED / FINDINGS OF FACT

Municipal and Zoning Code Amendment Determinations:

1. Over the years, staff and customers have found certain sections of the Municipal Code and Zoning Code are vague, unclear, or conflicting, which results in confusion and disagreement in code interpretation. It is important that the City of Escondido review policies and procedures on an on-going basis to ensure a customer-focused government through transparent services and positive organizational culture.
2. The Planning Division maintains a regular process and schedule for maintaining the City's codes and regulations. Those issues that have been identified are being addressed as part of this clean-up effort, whereby all code amendments have been combined in a single batch, called an omnibus. Additional items to correct or improve the Zoning Code may be considered in the next annual omnibus code clean-up cycle.
3. In October 2019, the State adopted Assembly Bill (AB) 1763 and changed the State's density bonus law, which imposes new State housing mandates on California cities regarding required density bonuses and incentives for housing developers. The proposed Zoning Code Amendment would ensure compliance with Government Code Section 65915 et. seq., which requires cities to adopt an implementing ordinance that provides affordable housing density bonuses and offers concessions and incentives for specified housing developments.
4. In October 2019, AB 68, AB 881, and Senate Bill (SB) 13 reformed many aspects of the State accessory dwelling unit law. As amended, California's accessory dwelling unit law establishes statewide standards for local regulations governing accessory dwelling unit and junior accessory dwelling unit development. The proposed Zoning Code Amendment would ensure compliance with Government Code Section 65852.2 et. seq.
5. This ordinance continues the City's long-standing commitment to affordable housing and the provision of incentives for the creation of this desired housing type and is integrated with the City's other existing regulations promoting affordable housing production.

6. The City Council's decision is based, to the extent required by law, on applicable factors pursuant to Section 33-1263 of the Escondido Zoning Code. The public health, safety, and welfare would not be adversely affected by the proposed batch of Zoning Code Amendments because they correct internal inconsistencies, improve readability, update references to other code sections or regulatory documents, codify prior interpretations, and make the code consistent with changing state or federal regulations. The proposed batch of Zoning Code amendments would be consistent with the goals and policies of the General Plan because they address changes in state laws, correct errors, and improve existing regulations to eliminate uncertainty for staff, customers, and the public. This effort is not intended to be a comprehensive update to the local code or change land use densities or intensities. The proposed Zoning Code amendments do not conflict with any specific plan.

7. There are no assurances to residents or project proponents that the affected chapters and sections of this project will not be subject to future revisions.

AZ 20-0001

FACTORS TO BE CONSIDERED / FINDINGS OF FACT

SECTION I.

Repeal the following, various sections of Chapter 16 of the Escondido Municipal Code and replace with new text, as follows:

CHAPTER 16. LICENSES AND BUSINESS REGULATIONS GENERALLY

ARTICLE 7. MOBILE FOOD FACILITIES

Sec. 16-406. Separate business license and permit required.

An operator shall have a business license and a responsible person shall obtain a mobile food facility permit, as required by this article.

- (a) It is unlawful for an operator to operate a mobile food facility without a separate business license for each vehicle.
- (b) It is unlawful for an operator or a responsible person to allow, authorize, operate, or use a mobile food facility without a mobile food facility permit unless otherwise permitted by city, state or federal law.
- (c) A mobile food facility permit is nontransferable and is valid only for the person and location of permit issued, unless it is suspended or revoked for cause, for the period indicated. If a permittee changes the location of his or her business, that permittee must obtain a new permit prior to acting as a retailer at the new location. If a business licensed is sold or transferred, the new owner must obtain business license for that location pursuant to section 16-406(a) before acting as a retailer.

CHAPTER 16. LICENSES AND BUSINESS REGULATIONS GENERALLY

ARTICLE 7. MOBILE FOOD FACILITIES

Sec.16.407. Permit requirements.

- (a) It shall be unlawful for any person to act as a mobile food facility retailer without first obtaining and maintaining a valid mobile food facility permit pursuant to this chapter for each location at which that activity is to occur, unless otherwise exempted by Section 16-407(d) and Section 16-407 (e). The director of community development, or the director's designees, shall administer mobile food facility permits issued pursuant to this article.

(b) An application for a mobile food facility permit shall be submitted on an application form obtained from the Planning Division and shall be accompanied by a nonrefundable fee. The application shall provide information necessary for review of the application by appropriate city departments.

(1) No such license or permit shall be issued for mobile food facilities, uses, or purposes where the same would be in conflict with the provisions of this article. The operating requirements of Section 16-409 shall be regarded and applied as the minimum requirements.

(2) When the review of a mobility facility permit application provides for discretion on the part of the director or designee, that discretion may be exercised to impose more stringent requirements than identified in Section 16-409, as may be necessary to promote the purposes of this article.

(c) Location requirements. The director may issue a mobile food facility permit to a responsible person, only for properties in the following zoning districts and locations:

(1) Residential agricultural or industrial zones, as an accessory use to a beer or wine manufacturing business;

(2) Commercial or industrial zones, as an accessory and incidental use to a swap meet; or

(3) Designated districts of specific planning areas (SP zones), pursuant to specific plan use authorization.

(d) The following events shall exempt an operator or a responsible person from the mobile food facility permit required in section 16-406(b) and may exempt the operator or responsible person from the operating requirements in section 16-409.

(1) An approved special event permit or facility use permit from the city, specifically authorizing a mobile food facility at the event or facility.

(2) An approved temporary use permit from the city, pursuant to Section 33-1534(c)(7) of the Escondido Zoning Code.

(e) A mobile food facility that stops for not more than twenty (20) minutes on a scheduled route to provide service directly at a construction site or other business and does not vend to the general public during the scheduled stop will exempt any operator or responsible person from the requirements identified in sections 16-406(b) and 16-409.

CHAPTER 16. LICENSES AND BUSINESS REGULATIONS GENERALLY

ARTICLE 7. MOBILE FOOD FACILITIES

Sec. 16-408. Permit enforcement.

(a) Nothing in this chapter shall be construed to grant any person obtaining and maintaining a mobile food facility permit any status or right other than the right to act as a retailer at the location in the city identified on the face of the permit.

(b) The director of community development may issue administrative citations or take any other enforcement action authorized by this code, including permit revocation or suspension, upon finding a violation of this article.

SECTION II.

Repeal the following, various sections of the Escondido Zoning Code and replace with new text, as follows:

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-951. Condominium or condominium conversion application.

(a) Permit required for new condominium projects and conversions to condominium ownership. A condominium permit and design review shall be required for all condominiums to be constructed or for existing buildings to be converted to condominiums in the City of Escondido.

(1) Application for a condominium permit in the Downtown Specific Plan, East Valley Specific Plan, and South Centre City Specific Plan shall be made to the director of community development, unless the action includes discretionary permits for which the Planning Commission or City Council is the decision-maker.

(2) Application for a condominium permit in any other area of the city not covered by subsection (a)(1) shall be made to the city council, through the planning division and planning commission in accordance with procedures set forth in this chapter.

(3) The director shall prescribe the form and content of all condominium permit applications.

(b) Exceptions to required permits. The following projects are not required to process a condominium permit through this article:

(1) Condominiums requested concurrently with a planned development application pursuant to Article 19.

(2) Condominiums requested concurrently with resident purchase of mobilehome parks pursuant to section 32-401 of Article 4 of Chapter 32, subdivisions.

(3) Condominiums requested for a non-residential development entitlement application in conformance with the California Subdivision Map Act, and subject to the following provisions:

(A) The project is not a mixed-use development that includes residential units.

(B) A maintenance and replacement program, as well as a contingency fund is provided to adequately address required improvements to the satisfaction of the director of community development (for conversion projects only).

(C) The developer files with the city, a declaration of covenants, conditions and restrictions pursuant to section 33-1108.

(D) Public notice of the condominium project complies with section 33-1300(b) and (c).

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-952. Commission action.

If required under section 33-951(a)(2), the planning commission shall review the application for a condominium permit and recommendation of the planning division. A public hearing on the application shall be held in accordance with Division 6 of Article 61 of this chapter, and a recommendation shall be forwarded to the city council.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-953. Findings of commission and council.

In order to grant a condominium permit, the decision-making authority shall find that:

- (a) Except as specifically addressed in section 33-955 of this article, the project meets current zoning, design review, drainage, engineering, fire protection, seismic and building code requirements as if the project were newly constructed. However, the conversion of existing legal nonconforming multifamily residential developments to condominium units is exempt from current density requirements providing no increased density is proposed. Conversion requests may also utilize the same administrative adjustment procedures available to new construction as specified in the underlying zone;
- (b) Required upgrades or modifications correcting a nonconforming condition may be permitted notwithstanding the provisions of section 33-1243 of this code, if the project otherwise conforms to applicable criteria;
- (c) Residential projects will contain architectural and site-planning features commonly found in projects that maintain a majority of owner-occupied units;
- (d) The project provides sufficient parking commensurate with its location and design;
- (e) The project's open space is well-designed, properly distributed, and does not unreasonably restrict disabled access;
- (f) The project conforms to the general plan and applicable zoning provisions. However, a conversion to residential condominiums may occur notwithstanding the fact that existing densities exceed currently permitted general plan densities provided no additional units are proposed;
- (g) The project's maintenance and replacement program adequately addresses required improvements and appears to be sustainable;
- (h) That all tenant notification and information, as required by the California Subdivision Map Act, this chapter, and the City of Escondido subdivision ordinance has been, or will be provided; and

(i) That provisions have been made for the timely release of security deposits and provision of rental payment history reports if requested by existing residential tenants.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-954. City council action.

If required under section 33-951(a)(2), after the submission of a formal recommendation by the planning commission, the city council shall review the application and recommendation during a public hearing held in accordance with Division 6 of Article 61 of this chapter, and shall approve, modify or disapprove the action of the planning commission.

ARTICLE 49. AIR SPACE CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS

Sec. 33-955. Development standards.

Condominiums approved and authorized shall be developed or upgraded to comply with the city's current design review, building, seismic, drainage, engineering, zoning and fire protection standards for new construction. Limited departures, in accordance with applicable building code provisions, may be granted for condominium conversions providing that proposed conditions will substantially conform to current requirements, feasible upgrades have been provided, and no health and safety issues will exist.

Condominium permit approvals shall comply with the findings outlined in section 33-953 of this article. Additionally, minimum standards for residential condominium units include the following:

(a) Minimum square footages as follows:

Studio	600 square feet
One-bedroom units	700 square feet
Two-bedroom units	800 square feet
Three-bedroom units	1,000 square feet
Additional bedrooms	150 square feet for each additional bedroom

(b) Washer and dryer hook-ups in each unit.

(c) Minimum of eighty (80) cubic feet of private storage area for each unit with minimum dimensions of at least two (2) feet. Said storage shall be in addition to normally expected cabinets and closets.

ARTICLE 67. DENSITY BONUS AND RESIDENTIAL INCENTIVES

Sec. 33-1412. Implementation.

(b) For projects proposing a density bonus:

(1) The city shall grant, according to Government Code Section 65915, a density bonus and/or concession(s) or incentive(s), waiver(s) or reductions of development standards and parking ratios, or financially equivalent incentive(s) as required by State Density Bonus Law. Each housing development is entitled to only one (1) density bonus. If a housing development qualifies for more than one (1) density bonus based on the number of target units provided, or as otherwise granted under State Density Bonus Law, the developer shall select the category under which the density bonus is granted and may not combine bonus density calculations.

(2) In order to qualify for this bonus, a housing development must consist of five (5) or more dwelling units, including mixed use developments, except those housing developments located within the South Centre City Specific Plan, may consist of three (3) dwelling units to qualify for this bonus. In determining the total number of units to be granted, a developer for a housing development must seek and agree to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this article, that will contain at least any one (1) of the following target households:

(A) At least ten (10) percent of the total units allowed by the maximum permitted density at affordable housing costs for and occupied by low-income households; and/or

(B) At least five (5) percent of the total units allowed by the maximum permitted density at affordable housing costs for and occupied by very low-income households; or

(C) At least ten (10) percent of the total dwelling units in a common interest development, as defined in Section 4100 of the Civil Code, for persons and families of moderate-income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase; or

(D) At least ten (10) percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Section 11301 et seq.); or

(E) Twenty (20) percent of the total units for lower income students in a student housing development that meets the following requirements:

(i) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the director that the developer has entered into an operating agreement or master lease with one or more institutions of higher education for the institution or institutions to occupy all units of the student housing development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this section is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.

(ii) The applicable twenty (20) percent units will be used for lower income students. For purposes of this clause, "lower income students" means students who have a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award

recipients as set forth in Section 69432.7(k) of the Education Code. The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.

(F) One hundred (100) percent of the total units, exclusive of a manager's unit or units, are for lower income households, except that up to twenty (20) percent of the total units in the development may be for moderate-income households. The rent for at least twenty (20) percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code. The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for a housing development that receives an allocation of state or federal low-income housing tax credits from the California Tax Credit Allocation Committee.

(G) The project proposes to convert apartments to a condominium project agrees to provide at least fifteen (15) percent of the total units of the proposed condominium project to very low-income households, or at least thirty-three (33) percent of the total units of the proposed condominium project to low-income households, at least thirty-three (33) percent of the total units for moderate-income as defined in Section 50093 of the Health and Safety Code; or

(H) The project is a senior citizen housing development; or

(I) The project donates at least one (1) acre of land to the city in compliance with Government Code Section 65915(g) and the land has the appropriate general plan designation, zoning, permits and approvals, and access to public facilities needed for such housing; or

(J) The project is the result of a bona fide joint commercial and housing partnership, where the housing developer provides at least fifteen (15) percent of the total units for very low-income households or at least thirty (30) percent of the total units for low-income households.

ARTICLE 67. DENSITY BONUS AND RESIDENTIAL INCENTIVES

Sec. 33-1414. Project application procedure.

(a) Density Bonus Projects. After notification to the applicant regarding the city's determination on the preliminary application review and/or granting additional concessions or incentives, or waiver of development standard(s), the applicant may submit the development application, which shall be subject to a separate permit. The proposal shall be submitted in conjunction with a subdivision map, conditional use permit application, plot plan, or planned development application. All appropriate requirements shall be delivered to the planning division in order for the application to be deemed complete. Not later than thirty (30) calendar days after the city has received the planning application, the planning division shall notify the developer in writing whether the application is complete as required by Government Code Section 65943.

At time of application, a notice shall be posted on the project site detailing a general description of the proposal in conformance with section 33-1300 of this chapter.

ARTICLE 67. DENSITY BONUS AND RESIDENTIAL INCENTIVES

Sec. 33-1415. Concessions, incentives, equivalent financial incentives.

(a) In addition to the density bonus, the city shall also provide one (1) or more "incentives" or "concessions" to each housing development project, which qualifies for a density bonus.

(1) A concession or incentive is defined as a reduction in site development standards or a modification of zoning code or architectural design requirements, such as a reduction in setback or minimum square footage requirements; or approval of mixed use zoning; or other regulatory incentives or concessions which actually result in identifiable and financially sufficient cost reductions.

(2) The number of required incentives or concessions is based on the percentage of affordable units in the housing development project:

(A) One (1) incentive or concession for projects that include at least five (5) percent of the total units for very low-income households, or at least ten (10) percent for low-income households, or at least ten (10) percent for moderate-income households in a common interest development.

(B) Two (2) incentives or concessions for projects that include at least ten (10) percent of the total units for very low-income households, at least twenty (20) percent for low-income households, or at least twenty (20) percent for moderate-income households in a common interest development.

(C) Three (3) incentives or concessions for projects that include at least fifteen (15) percent of the total units for very low-income households, at least thirty (30) percent for lower income households, or at least thirty (30) percent for moderate-income in a common interest development.

(D) Four (4) incentives or concessions for projects meeting the criteria of Section 33-1412(b)(2)(F). If the project is located within one-half mile of a major transit stop, as defined in Section 21155(b) of the Public Resources Code, the applicant shall also receive a height increase of up to three (3) additional stories, or thirty (33) feet.

(E) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

(3) A concession or incentive shall also mean approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(4) Nothing in this section shall be construed as to limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county, or the waiver of fees or dedication requirements.

(5) The granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.

(b) The city shall grant the concession or incentive proposed by the developer unless it finds that the proposed concession or incentive is not required in order to achieve the required affordable housing costs or rents, or would cause a public health or safety problem, cause an environmental problem, harm historical property, or would be contrary to law.

(c) A developer shall be ineligible for concessions or incentives when the housing development is proposed on any property that includes rental dwelling units that are, or if the units have been vacated or demolished in the five (5) year period preceding the application, subject to a recorded covenant, ordinance, or law that restricts rents to affordable levels or subject to any other form of rent or price control; or occupied by very low- or low-income households, unless the proposed housing development replaces those units and meeting the requirements of Government Code Section 65915(c)(3).

(d) A development qualifying for a density bonus also receives two (2) additional forms of assistance, which the State Legislature has determined to have important benefits for a housing development project. The following additional forms of assistance do not count as an incentive or concession as described herein this section.

(1) Waiver or Reduction of Development Standard(s). If any other development standard would physically prevent the project from being built by the developer at the permitted density and with the granted concessions or incentives permitted by State Density Bonus Law, the developer may propose to have those standards waived or reduced. The city is not required to waive or reduce development standards that that would cause a public health or safety problem, cause an environmental problem, harm a historical building, or would be contrary to law.

(2) Parking Requirements. Upon the developer's request, the city or county may not require more than one (1) on-site parking space for studio and one-bedroom units, two (2) on-site parking spaces for two- and three-bedroom units, two and one-half (2-1/2) on-site parking spaces for units with four (4) or more bedrooms, and other on-site parking requirement reductions identified by Government Code Section 65915(k). On-site spaces may be provided through tandem or uncovered parking, but not on-street parking.

(A) If a development includes the maximum percentage of low-income or very low income units provided for in paragraphs (1) and (2) of Government Code Section 65915(f) and is located within one-half mile of a major transit stop, as defined in Public Resources Code Section 21155(b), and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, the city shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds 0.5 spaces per bedroom. For purposes of this subdivision, a development shall have unobstructed access to a major transit stop if a resident is able to access the major transit stop without encountering natural or constructed impediments.

(B) If a development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code, then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following ratios:

(i) If the development is located within one-half mile of a major transit stop, as defined Public Resources Code Section 21155(b), and there is unobstructed access to the major transit stop from the development, the ratio shall not exceed 0.5 spaces per unit.

(ii) If the development is a for-rent housing development for individuals who are 62 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code, the ratio shall not exceed 0.5 spaces per unit. The development shall have either paratransit service or

unobstructed access, within one-half (1/2) mile, to fixed bus route service that operates at least eight (8) times per day.

(C) If a development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code, and the development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code, then, upon the request of the developer, the city shall not impose any minimum vehicular parking requirement. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half (1/2) mile, to fixed bus route service that operates at least eight (8) times per day.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1470. Purpose and intent.

The purpose of this article is to provide regulations for the establishment of accessory dwelling units and junior accessory dwelling units. The intent of the article is to provide additional housing opportunities in areas where adequate public facilities and services are available, and where impacts upon the residential neighborhoods directly affected would be minimized. Notwithstanding the intent of California Government Code Section 65852.2 or Section 65852.22, should any provision of this article be found not to be in compliance with state law, that provision should be severed and stricken from Article 70 as if it had never been adopted.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1472. Permitted zones.

Accessory dwelling units and junior accessory dwelling units shall be permitted in areas zoned to allow single-family or multi-family dwelling residential use, subject to the approval of an accessory dwelling unit permit.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1473. Occupancy limitations.

(a) Allowed use.

(1) One attached or detached accessory dwelling unit may be permitted in conjunction with an existing or proposed single-family residence on a lot zoned for single-family or multi-family residential use.

(A) The accessory dwelling unit is either attached to, or located within, the proposed or existing main building or attached garages, storage areas, or similar use; or a detached accessory structure and located on the same lot as the proposed or existing single-family home.

(B) An accessory dwelling unit may be permitted on a lot where a junior accessory dwelling unit exists or is proposed.

(2) One junior accessory dwelling unit may be permitted in conjunction with an existing or proposed single-family residential use.

(A) The junior accessory dwelling unit is located within the proposed or existing main building or attached garages, storage areas, or similar use.

(B) A junior accessory dwelling unit may be permitted on a lot where an accessory dwelling unit exists or is proposed.

(3) Number of accessory dwelling units on legal lots with existing or proposed multifamily dwelling units:

(A) Shall be permitted to construct at least one accessory dwelling unit within the portions of existing multifamily dwelling structures that are not used as livable space and shall allow up to twenty-five (25) percent of the existing multifamily dwelling units.

(B) Not more than two (2) accessory dwelling units are permitted that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling.

(b) Owner-occupied.

(1) The owner-occupancy requirement shall not be applied to any accessory dwelling unit.

(2) A junior accessory dwelling unit may be used as habitable space, only so long as either the remaining portion of the main dwelling unit, or the newly created junior accessory dwelling unit is occupied by the owner of record of the property, unless otherwise exempted by this section.

(A) Owner-occupancy for a junior accessory dwelling unit shall not be required if the owner is an agency, land trust, or housing organization.

(3) Deed restriction. The City shall require the recordation of a deed restriction if owner-occupancy is required pursuant to this section.

(A) Prior to issuance of a building permit, the property owner shall execute a deed restriction setting forth the owner-occupancy requirements, in a form and substance satisfactory to the director of community development and City Attorney's Office, which shall be recorded in the office of the County Recorder. The covenant shall also include the following terms and limitations:

(i) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, and shall not be subdivided in any manner that would authorize such sale or ownership.

(ii) A statement that the deed restriction may be enforced against future purchasers and the restrictions shall be bindings upon any successor in ownership of the property.

(iii) The junior accessory dwelling unit shall be a legal unit, and may be used as habitable space, only so long as the owner of record of the property occupies the premises.

(iv) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section, and if applicable the occupancy limitations of the California Health and Safety Code Section 17958.1.

(c) All local building and fire code requirements apply, as appropriate, to accessory dwelling units and junior accessory dwelling units.

(1) A certificate of occupancy shall not be issued for the accessory dwelling unit and/or junior accessory dwelling unit until the Building Official issues a certificate of occupancy for the main building.

(2) Prior to approval on properties with a private sewage system, approval by the County of San Diego Department of Environmental Health, or any successor agency, may be required.

(d) The accessory dwelling unit and/or junior accessory dwelling unit is not intended for sale, except in conjunction with the sale of the primary residence and property.

(e) The accessory dwelling unit and junior accessory dwelling unit may be rented separate from the primary residence, but only with a rental agreement and with terms greater than thirty (30) days.

(f) The accessory dwelling unit and/or junior accessory dwelling unit shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the premises. However, accessory dwelling units and/or junior accessory dwelling units shall be incidental, appropriate, and clearly subordinate to the primary use of the property.

(1) The accessory dwelling unit and/or junior unit shall be deemed to be a legal unit and permit such accessory use of property, which use is specifically identified by the accessory use regulations for the underlying zone; and shall allow such other accessory uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to, such principal residential use of the premises, except as otherwise provided by this subsection.

(A) An accessory dwelling unit and/or junior accessory dwelling unit shall be deemed an independent dwelling unit for the sole purpose of establishing a home occupation permit within the accessory dwelling unit and junior accessory dwelling unit, subject to the terms and limitations of Article 44. The limitations for home occupations shall be shared with the principal use and/or main building.

(B) No more than the quantities of animals specifically listed in Table 33-95(a) of Article 6 or Section 33-1116 of Article 57 is permitted on the premises. The limitations for animal keeping and household pets shall be shared with the principal use and/or main building.

(C) For all other accessory use of property, the accessory dwelling units and/or junior accessory dwelling unit shall be controlled in the same manner as the principal use within each zone, and shall not expand or be conveyed separately from the primary use. When provided by these regulations, it shall be the responsibility of the director of community development to determine if a proposed accessory use is necessarily and customarily associated with, and is appropriate, incidental, and subordinate to the principal use, accessory dwelling unit, and/or junior

accessory dwelling unit, based on the director's evaluation of the resemblance of the proposed accessory use and the relationship between the proposed accessory use and the principal use.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1474. Development standards.

(a) Accessory dwelling units shall be subject to all development standards of the zone in which the property is located, except as modified below. Notwithstanding, this section shall be interpreted liberally in favor of accessory dwelling unit construction. Furthermore, any property development standard provided herein that regulates the minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings shall permit at least an 850 square foot accessory dwelling unit to be constructed in compliance with all other local development standards and building code requirements.

(1) Number of bedrooms. For units eight hundred (800) square feet or less, a maximum of one (1) bedroom shall be permitted. Two (2) bedrooms may be permitted if the living area of the accessory dwelling unit exceeds eight hundred (800) square feet. No more than two (2) bedrooms shall be permitted.

(2) The accessory dwelling unit shall be provided with a separate exterior entry. The accessory dwelling unit shall not have direct, interior access into the main building.

(3) The accessory dwelling unit shall include separate bath/sanitation facilities and include a separate kitchen.

(4) Setbacks. Attached accessory dwelling units shall conform to the setback requirements of the underlying residential zone for the primary structure. Detached accessory dwelling units, other than those structures otherwise regulated within this section, may have a building height and setbacks as outlined for accessory residential structures of the underlying zone, except that a setback of no more than four (4) feet from the side and rear lot lines shall be required for a detached accessory dwelling unit. Roof eaves and other architectural projections for accessory dwelling units shall comply with Section 33-104.

(A) An accessory dwelling unit proposed to be constructed above an existing detached garage shall have a minimum five (5) foot setback to side and rear property lines.

(B) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit. The accessory dwelling unit may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress, subject to the terms and limitations of this article.

(5) Maximum unit size. The maximum accessory dwelling unit size is determined by the size of the lot as provided in Table 33-1474. The living area of the accessory dwelling unit

shall not exceed more than fifty (50) percent of the existing or proposed living area of the primary residence.

(A) If authorized by the underlying zoning, an accessory dwelling unit may be attached to a guest house provided that the overall combined floor area of the combined building or structure does not exceed seventy-five (75) percent of the main unit.

(B) When an accessory dwelling unit is attached to other accessory building(s) or structure(s), such as a garage, carport, or patio cover, the overall combined building area of the structure(s) shall not exceed the existing floor area of the main residence.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Table 33-1474

Lot size	Maximum Permitted Accessory Dwelling Unit Size
Less than 20,000 square feet	850 square feet
> 20,000 square feet	1,000 square feet

(6) Minimum unit size. The minimum permitted size of an accessory dwelling unit shall be the size of an efficiency unit as defined by the California Health and Safety Code Section 17958.1. The minimum unit size of the residential zone shall not apply to the accessory dwelling unit that is built on the same legal lot as the primary residence in compliance with all local development standards.

(7) Height. Accessory dwelling units shall conform to the height limits of the zone.

(8) Lot coverage. The combined area of all structures on a lot shall conform to the lot coverage limitation of the zone in which the property is located.

(b) Junior accessory dwelling units, as constructed within the existing or proposed single-family residence, shall be subject to all development standards of the zone in which the property is located, except as modified below.

(1) Number of bedrooms. A maximum of one (1) bedroom shall be permitted.

(2) The junior accessory dwelling unit shall be provided with a separate exterior entry and may have direct, interior access into the main building.

(3) A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(4) The junior accessory dwelling unit shall include an efficiency kitchen.

(5) Maximum unit size. The maximum junior accessory dwelling unit size shall not exceed 500 square feet in total floor area and shall be contained entirely within an existing or proposed single-family residence and may include an expansion of not more than 150 square feet beyond the same physical dimensions of the existing residence to accommodate ingress and egress.

(6) Minimum unit size. The minimum permitted size of a junior accessory dwelling unit shall be the size of an efficiency unit as defined by the California Health and Safety Code Section

17958.1. The minimum unit size of the residential zone shall not apply to the junior accessory dwelling unit that is built on the same legal lot as the primary residence in compliance with all local development standards.

(7) Except as provided herein, a junior accessory dwelling unit shall comply with all other zoning code standards, including but not limited to setbacks, building height, floor area ratio, and lot coverage.

(c) Parking requirements.

(1) Notwithstanding any other law, the city will not impose parking standards for an accessory dwelling unit or junior accessory dwelling unit.

(2) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, replacement parking is not required.

(d) Garage conversions and personal storage. If an existing garage is converted to an accessory dwelling unit or junior accessory dwelling unit and no replacement garage space is provided, a minimum of one hundred sixty (160) additional cubic feet of lockable, enclosable storage must be provided on the same lot to mitigate the loss of personal storage space.

(e) Design of the unit. Accessory dwelling units shall be designed to minimize the effect of the new accessory dwelling unit on adjacent properties.

(1) Any potential impacts shall be oriented to the primary residence. Access doors and entry for the accessory dwelling unit shall not be oriented to the nearest adjacent property line or create a second "front door" that is comparable to the main entrance. The design, construction, and presence of the accessory dwelling unit shall conform with the single-family character of the neighborhood.

(2) Proposed accessory dwelling units shall respect the residential scale and design character of existing homes. The accessory dwelling unit's color and materials must match those of the primary residence, maintaining compatibility with the neighborhood. The director shall review accessory dwelling unit applications to ensure the addition is integrated with the primary structure with respect to roof design, height, compatible materials, color, texture, and design details. If the accessory dwelling unit is an addition to a site with known historic resources or has been determined to have historic value by the director, all improvements shall retain the historical and/or architectural value and significance of the landmark, historical building, or historical district as specified by Section 33-1475. The improvements shall be compatible with and retain the texture and material of the primary building(s) and/or structure(s) or its appurtenant fixtures, including signs, fences, parking, site plan, landscaping and the relationship of such features to similar features of other buildings within an historical district.

(f) Addresses. The addresses of both units shall be displayed in such a manner that they are clearly seen from the street.

(g) Fire sprinklers. Accessory dwelling units and junior accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1475. Other regulations.

(a) Historic Buildings.

(1) An accessory dwelling unit and/or junior accessory dwelling unit proposed for any lot that includes a building listed in the National Register of Historic Places, California Register of Historic Places, or the local historic inventory shall conform to the requirements for the historic structure.

(2) An accessory dwelling unit and/or junior accessory dwelling unit proposed for a property under a Mills Act Contract must comply with all Mills Act guidelines, including design conformance with the United States Secretary of the Interior Standards.

(3) An accessory dwelling unit and/or junior accessory dwelling unit proposed for any lot that includes a building listed in the National Register of Historic Places, California Register of Historic Places, or the local historic inventory are encouraged to comply with any historic preservation plans as may be approved by the City Council. Notwithstanding the foregoing, if the City Council acts to establish mandatory design standards for historically classified structures, the accessory dwelling unit and/or junior accessory dwelling unit shall conform to the mandatory standards.

(b) Guest house. An attached guest house may be converted to an accessory dwelling unit provided all provisions of this article and the building code and zoning code are met. A guest house and an accessory dwelling unit and/or a junior accessory dwelling unit may occur on the same lot provided the lot is over twenty thousand (20,000) square feet in area and provided the guest house does not contain kitchen facilities and is not rented. No more than one (1) accessory dwelling unit or no more than one (1) guest house are permitted on a lot. Nothing in this section shall be construed to prohibit the construction of an accessory dwelling unit and/or junior accessory dwelling unit in compliance with this article.

(c) The city may require a new or separate utility connection for any attached or detached accessory dwelling units that are not contained within the existing space of a single-family residence or accessory structure.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1476. Existing nonpermitted accessory units.

This article shall apply to all accessory dwelling units or junior accessory dwelling units which exist on the date of passage of the ordinance. All units which do not have a permit, or cannot receive a permit, upon passage of the ordinance codified herein shall be considered in violation and shall be subject to code enforcement action.

(a) Existing nonconforming units. Accessory dwelling units or junior accessory dwelling units that exist as of the effective date of this section that have previously been legally established may continue to operate as legal nonconforming units. Any unit that exists as of the effective date of this section, and has not previously been legally established, is considered an unlawful use, unless the director of community development determines that the unit meets the provisions of this section and a permit is approved and issued.

(1) Conversion of legally established structures. The conversion of legally established structures that exist as of the effective date of this section shall require that the unit meet the provisions of this Code. Any legally established waivers or nonconformity that exist on the effective date of this section may continue, provided that in no manner shall such waiver or nonconformity be expanded.

ARTICLE 70. ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sec. 33-1477. Application and procedure.

The director of community development shall approve or disapprove an application for an accessory dwelling unit or junior accessory dwelling unit, ministerially, within sixty (60) days after receiving a complete application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the director may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the director acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the sixty (60) day time period shall be tolled for the period of the delay. The director may refer any application to the planning commission or historic preservation commission prior to the director's decision for conformance with the specific criteria outlined in section 33-1474, subject to an approval process that includes only ministerial provisions and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1530. Purpose.

Short-term activities and events can enhance the city's lifestyle and provide benefits to area residents, businesses, and other community members through the creation of unique venues for expression, recreation, and entertainment that are not normally provided. However, the city council recognizes that short-term activities and events, if unregulated, can have an adverse effect on the public health, safety and welfare due to noise, traffic, safety, and health hazard impacts. The purpose of this article is to authorize limited and/or short-term activities or events

to which public may be invited (with or without charge) and set forth reasonable regulations by establishing a process for permitting short-term activities and events. Temporary activities or events may occur indoors or outdoors, on improved or unimproved property, and may include outdoor displays, temporary outdoor sales, temporary uses, and special events. Such uses are appropriate when regulated as set out herein.

This article also encourages the economic vitality of public property, facilities, or parks; sidewalks, streets, or other areas of the public right-of-way; and developed or undeveloped private property. This article also affords increased merchandise visibility through the establishment of standards for the outdoor display of special interest retail items in an ongoing manner, and the allowance of temporary parking lot sales for other retail items as a limited special use. The safe and orderly outdoor display of merchandise can be beneficial by attracting interest, adding character, and increasing pedestrian traffic to a commercial area which can extend economic benefits to all commercial enterprises within that area.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1531. Definitions.

(a) *Outdoor display* refers to the outdoor display of retail goods on a daily basis during business operating hours in a manner which is incidental to and a part of the operation of the adjacent indoor use. The merchandise would be removed at the close of business and securely stored inside the building.

(b) *Temporary outdoor sales* refers to outdoor sales events or promotions of a limited duration and frequency. Events include, but are not limited to, weekend parking lot sales, tent sales, and seasonal or promotional events.

(c) *Temporary uses* are activities, which by their nature are non-recurring, and are beneficial to the public for a limited and/or specific period of time.

(d) *Special events* mean the temporary use of public property, facilities, parks, sidewalks, streets, or public right-of-way as and that as defined in Section 16-201 of Article 4 in Chapter 16 of the Municipal Code.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1532. Permitted zones.

(a) The outdoor display of retail merchandise shall be permitted as an accessory use subject to the approval of an outdoor display permit as discussed in Section 33-1534 in the commercially

zoned districts of the city (CG, CP, CN, and existing PD-C zones, and to the extent permitted in the South Centre City Specific Plan and East Valley Parkway Area Plan).

(b) Temporary outdoor sales are permitted in the aforementioned zones and specific and area plans subject to the approval of a temporary use permit as discussed in section 33-1534.

(c) Other temporary uses in various residential, commercial, and industrial zoning districts, subject to the approval of the permit required under Section 33-1534.

(d) Special events permitted in the locations as designated by Article 4 of Chapter 16.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1533. Permitted uses and permit type.

(a) Outdoor display.

(1) The following items are acceptable for outdoor display if permitted by the applicable zone in which the associated business is located.

- (A) Antiques
- (B) Artwork
- (C) Automotive supplies (gas stations only)
- (D) Bicycles
- (E) Books
- (F) China and glassware
- (G) Clothing
- (H) Crafts
- (I) Firewood
- (J) Flowers and plants
- (K) Food sales
- (L) Hardware
- (M) Gardening and landscape equipment and supplies
- (N) Jewelry
- (O) Motorcycles and scooters
- (P) Newspapers and magazines
- (Q) Sporting goods
- (R) Tires
- (S) Propane tank exchange units
- (T) Retail vending machines.

(2) The director of community development is authorized to permit additional retail items to be displayed outdoors if it can be determined that the use is consistent with the purpose of this article.

(3) All outdoor displays shall be subject to the issuance of an outdoor display permit. Prior to the issuance of an outdoor display permit, an application shall be submitted and approved

by the planning department. Outdoor display permits shall be valid for a maximum of one (1) year from the date of issuance; provided, that the permit shall be extended automatically for an additional year unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.

(b) Temporary outdoor sales. All retail items proposed for temporary outdoor sales will be reviewed for consistency with the purpose of this article on a case-by-case basis through the temporary use permit process as discussed in section 33-1536.

(1) Merchandise displayed or sold must be customarily sold on the premises. All such sales shall be conducted by a business located on and conducting business within a building on the property upon which the temporary use is proposed.

(2) All temporary outdoor sales shall be subject to the issuance of a temporary use permit. A temporary use permit can be issued for multiple events on the same site for the length of time specified under section 33-1534(c)(1) and shall be valid for no longer than one (1) year from the date of issuance; provided, that the permit shall be extended automatically for an additional year unless written notice of termination is given to the permittee no less than thirty (30) days prior to the expiration of the permit.

(c) Temporary uses as permitted and regulated by this article.

(1) The following some short-term activities and events can be approved with a temporary use permit.

(A) Amusement, entertainment or recreation activities or events, often upon payment of a fee, or nonprofit or government entity-sponsored, including concerts, carnivals, attractions, circuses, fairs, festivals, and amusement rides.

(B) Animal displays.

(C) Historical re-enactments.

(D) Special temporary seasonal sales such as Christmas trees, wreaths, pumpkin retail sales or similar sales are limited to the period of time around the holiday.

(E) Temporary health care structures.

(F) Temporary modular school classrooms.

(G) Temporary structures and tents for social or religious groups for services.

(2) Some short-term activities and events can be approved through the issuance of a special temporary use permit or agreement, as provided herein.

(A) Community gardens with an agricultural operations permit.

(B) Donation bins through an administrative permit, subject to Section 33-694.

(C) Off-site staging areas or off-site storage yards with a city agreement.

(D) Real estate model homes and/or sales offices with a model home permit/agreement.

(E) Roadside sales of agricultural products with an agricultural operations permit, subject to Section 33-1534(e).

(F) Special events on public property as defined by Article 4 of Chapter 16 with a special event permit.

(3) Some short-term activities and events can be authorized without additional or special zoning clearances (i.e. otherwise exempt from needing a temporary use permit or special temporary use permit or agreement).

(A) Activities of an organization which is receiving governmental grant funds to be used for public or community purposes when holding an event less than three (3) days in duration for the purpose of raising funds to supplement the governmental grant funds and to support the public or community purpose for which the grant funds were received.

(B) City, state, federal, school district, community college district or other public agencies' event when conducted wholly on that agency's public property or with the consent of another public property owner and which will not require public road closures or significantly impact on traffic on adjacent public streets.

(C) Garage or yard sales conducted at the same residential location more than four (4) times per year, subject to Section 16-116 of Article 2 in Chapter 16 of the Municipal Code.

(D) Groundbreaking, ribbon-cutting, or similar initiation event for an active or completed construction project for not more than one (1) day conducted wholly on the same site as the project.

(E) Homeowners association events for not more than one (1) day conducted wholly in common areas within the boundaries of the association and which do not impact public streets or other public facilities.

(F) On-site staging of construction equipment or trailers necessary for a specific aspect of a construction project. On-site storage yards shall screen storage of construction equipment, vehicles, and/or excavated materials to the extent practicable for the duration of the construction project, not to exceed fifteen (15) calendar days before project commencement and fifteen (15) days after task completion. A copy of the active construction permit, or permit number, is required.

(G) Outdoor fire sales (duration not to exceed three (3) calendar days) for a business with an active business license, for the site where the fire occurred.

(H) Portable on-site storage and cargo containers, subject to Article 36.

(I) Temporary dumpsters for the sole purpose of collecting and removing refuse or excavated material generated from the same property of the dumpster location, associated with an active grading or building permit. A copy of the active construction permit, or current permit number, is required.

(4) Other temporary uses that are not specifically listed in the zoning code. The director of community development at his/her discretion may determine whether such use should be authorized and regulated by this section. This determination shall be based on the similarities and differences with those listed uses and an assessment of the proposed temporary use's compatibility with the zoning district and the surrounding land uses. Those uses and activities which do not fit within the criteria for a temporary use permit shall be addressed through a Plot Plan, Minor Conditional Use Permit, or other type of permit identified by the Zoning Code; or be expressly prohibited as an authorized land use activity.

(5) Approval of any type of permit addressed within this article that authorizes a temporary use for a specific time period does not waive the permit holder from obtaining other city, state, or federal permits or licenses, which may also be required as determined by the appropriate regulatory agency.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1534. Development standards.

All short-term activities, events, and outdoor displays of retail merchandise and temporary outdoor sales shall be subject to the following development standards:

(a) Outdoor displays on private property.

(1) The outdoor display area shall not extend beyond the actual frontage of the associated commercial use. Displays shall be identical and accessory to items sold indoors. Displays shall be temporary and removed at the end of each business day. A display/use may, on a case-by-case basis, be displayed permanently outdoors, as determined by the director. The director may refer a request for a permanent display to the planning commission for review and comment.

(2) Parking lot circulation and all required parking spaces shall remain unobstructed at all times. Private sidewalks, courtyards, or entry areas may be utilized for display provided a minimum four (4) foot wide pedestrian area remains clear and unobstructed and all fire, building and handicapped access requirements are met. See subsection (b) of this section for clearance requirements for displays within the right-of-way.

(3) All displays shall be located in such a manner so that vehicular sight distance is not impeded to the satisfaction of the engineering department.

(4) Display and sale of merchandise is permitted only by the tenant of an existing commercial development on the same site. Outdoor displays are not permitted on vacant property.

(5) No sales or display of merchandise from cars, trucks, or any other vehicle is permitted. Vending from pushcarts may be permitted subject to compliance with all development standards in this section. Specialized food sales from pushcarts either on private property or within the public right-of-way shall be subject to applicable code requirements.

(6) All signage associated with an outdoor display shall be as approved pursuant to an outdoor display permit and shall be limited to a maximum of four (4) square feet per commercial tenant.

(7) All displays shall be located within hardscape areas. No merchandise may be displayed in any landscaped area, or be situated in such a manner as to be detrimental to any existing landscaping on the site.

(8) All food sales shall be correlated with food that is customarily sold on the same premises and be conducted in compliance with health department regulations.

(9) All exterior lighting utilized in conjunction with outdoor displays shall conform to the requirements of Article 35, Outdoor Lighting.

(10) No electricity shall be utilized, nor any noise generated by an outdoor display.

(b) Outdoor displays within the public right-of-way.

(1) Display of merchandise within the public right-of-way is permissible only within the downtown retail core district subject to approval of an encroachment permit (an approved copy must be submitted concurrently with the application for an outdoor display permit), proof of insurance, and compliance with all development standards in this section.

(A) Proof of insurance can be satisfied by documentation of an insurance policy issued by an insurance company licensed to do business in the State of California, protecting the licensee and the city from all claims for damages to property and bodily injury, including death, which may arise from operations in connection with the display activity. Such insurance shall name as additionally insured the city for an amount of three hundred thousand dollars (\$300,000.00) or more and shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) days' advance written notice to the city.

(B) The merchandise display shall be permitted only within the four (4) feet of public right-of-way nearest the property line, and parallel to the curb in front of the business to which it pertains. The merchandise display shall be limited to fifty (50) percent of the lineal length of the associated commercial frontage or sixty (60) square feet whichever is less.

(C) In front of the displayed merchandise there shall be at all times a minimum four (4) foot wide sidewalk area clear of any obstructions and in conformance with all fire, building and handicapped access requirements.

(D) The merchandise is not permitted within any landscaped area of the right-of-way.

(E) All merchandise shall be located in such a way that it does not block the sight distance of the streets to the satisfaction of the engineering department. Any merchandise found obstructing the sight distance will be subject to removal by the city and the encroachment permit canceled.

(F) All merchandise items and displays should have no sharp edges or corners.

(G) The city also reserves the right to remove merchandise which causes any interference with vehicular traffic or pedestrian traffic, or in the event of any emergency situation or if the merchandise interferes with any work that is to be performed upon the street by or on the behalf of the city or a public utility.

(H) All merchandise and display racks shall be removed from the public right-of-way at the end of business hours.

(2) No sales or display of merchandise from cars, trucks, or any other vehicle is permitted. Vending from pushcarts may be permitted subject to compliance with all development standards in this section. Specialized food sales from pushcarts either on private property or within the public right-of-way shall be subject to applicable code requirements.

(3) All signage associated with an outdoor display within the public right-of-way shall be as approved pursuant to an outdoor display permit and shall be limited to a maximum of two (2) square feet per commercial tenant.

(4) All displays shall be located within hardscape areas. No merchandise may be displayed in any landscaped area, or be situated in such a manner as to be detrimental to any existing landscaping on the site.

(5) All food sales shall be conducted in compliance with health department regulations.

(6) All exterior lighting utilized in conjunction with outdoor displays shall conform to the requirements of Article 35, Outdoor Lighting.

- (7) No electricity shall be utilized, nor any noise generated by an outdoor display.
- (c) General development standards for other temporary uses and outdoor sales.
- (1) Short short-term activities and sales events at anyone (1) location or commercial center shall not exceed three (3) calendar days during any three (3) month period and are subject to the issuance of a temporary use permit.
- (2) Some short-term activities of the type as described herein will be allowed to recur on a property for longer than that provided in subsection (c)(1):
- (A) Amusement, entertainment, or recreation activities and events for up to ten (10) calendar days within a six (6) month period.
- (B) Community gardens, for the duration as stated on the agricultural operations permit.
- (B) Donation bins in commercial zoning districts, excluding specific plan areas, for the duration as stated on the administrative permit.
- (C) Off-site staging areas, for the duration as stated on the off-site staging area agreement/permit.
- (D) Real estate model homes and/or sales offices, for the duration as stated on the model home permit.
- (E) Roadside sales of agricultural products in residential zoning districts for up to forty-five (45) days within a three (3) month period in the residential zoning districts, pursuant to Section 33-1534(e).
- (i) Exception in R-A and R-E Zones. Pursuant to Article 6 of the Zoning Code, roadside sales are a permitted as an accessory use in the R-A and R-E Zones. As such, sales may be continued beyond the forty-five (45) day limitation on the parcel of land on which such produce is grown in the R-A and R-E Zones. Such authorization shall be made by approval of an agricultural operations permit and design review permit provided that the principal use of said parcel is agricultural or plotted for community gardening and the use is consistent with the terms and limitations of Section 33-1534(e).
- (F) Special temporary seasonal sales for up to forty-five (45) days within a three (3) month period.
- (G) Temporary health care structures for up to sixty (60) days within a twelve (12) month period only by the tenant of an existing commercial development on the same site.
- (H) Temporary modular school classrooms for sixty (60) days within a twelve (12) month period as a temporary use. A time extension may be provided through the approval of a Plot Plan or Conditional Use Permit (based on the use allowance of the underlying zoning district).
- (I) Temporary structures and tents for social or religious groups for services for up to ten (10) days within a six (6) month period.
- (3) Location of each event shall be restricted to private property only and shall not adversely impact parking lot circulation. Events shall not be permitted within parking areas containing less than twenty (20) spaces. A maximum of twenty (20) percent of the required parking spaces for the sponsoring business, or five (5) percent of the spaces within a commercial center containing multiple tenants may be utilized for the display and sale of merchandise. No encroachment into the public right-of-way shall be permitted.

(4) Any structure used in conjunction with a sales event shall be subject to all building, engineering, and fire department requirements.

(5) All merchandise and/or temporary structures shall be set back a minimum of five (5) feet from any public right-of-way or driveway.

(6) All exterior lighting utilized in conjunction with a temporary sales event shall conform to the requirements of Article 35, Outdoor Lighting.

(7) All food sales shall be conducted in compliance with health department regulations.

(A) Through the approval and issuance of a temporary use permit, some amusement, entertainment, or recreation attractions or events; and/or special temporary seasonal sales events may accommodate a food truck or mobile food facility as defined by Article 7 of Chapter 16 of the Municipal Code. If the mobile food facility is authorized by this section, the mobile food facility must be parked in a legal parking space, or other area subject to approval of the director, and must not occupy the premises past 10:00 p.m. Not more than one (1) mobile food facility and one (1) operator is permitted to park on the premises, for the duration of time authorized by this section and for the period of time provided by the permit. Any mobile food facility or mobile food facility operation or activity not exercised within the days and duration specified on an approved temporary use permit shall automatically forfeit the time, day, and duration not utilized and/or become void.

(8) All businesses participating in a temporary outdoor sales event must have a valid City of Escondido business license to conduct business at the site of the event. Each participating business or entity shall be listed on the permit application prior to approval of the permit.

(9) All noise/sound generated by a temporary outdoor sales event shall conform to the noise level limits established in the noise ordinance (Ord. No. 90-08) for commercial zones. If an event is located adjacent to a residential zone, all noise generated shall conform to the noise level limits of the affected residential zone.

(10) Signs for temporary outdoor sales are permitted provided adequate detail is shown on the temporary use permit application to determine that the following standards are met:

(A) Signs shall be limited to flags, pennants and streamers, banners, or other similar devices.

(B) Large inflatable displays must be ground-mounted and may not exceed thirty (30) feet in height.

(C) One (1) banner is allowed for each street frontage and each banner shall not exceed sixty (60) square feet in area.

(D) No event signage (of any type) may be displayed on or attached to any public property including telephone or utility poles, traffic control signs or devices, street lights or other structures located on public property without the express written consent of the City of Escondido.

(E) No signage of any type shall interfere with or restrict vehicular or pedestrian access or visibility.

(d) Outdoor retail vending machines. Outdoor retail vending machines are allowed in all commercial zones subject to the following standards:

(1) Retail vending machines shall not sell, store, or dispense anything other than the commercial products, merchandise, food or beverages permitted by the underlying zone or authorized by the Escondido Municipal Code.

(2) Retail vending activities may be established only in conjunction with an otherwise allowed and authorized principal land use activity and may not exceed a maximum of two (2) machines per site or occupy not more than twenty (20) feet of the wall facing the street or access drive.

(3) Retail vending machines shall be located along the face of a building or flush against a structure designed to accommodate them and be located on the site in a manner which will ensure compatibility with surrounding uses. The machine(s) shall not be within ten (10) feet of an entranceway to any business open to the public nor block any store window.

(4) All machines shall be visible in well-lit areas from access drives or public streets and be maintained in a litter free condition.

(5) Retail vending machines shall not obstruct private pedestrian walkways. A minimum four-(4) foot-wide pedestrian area remains clear and unobstructed and all fire, building and handicapped access requirements shall be kept clear of obstructions, or more if pedestrian traffic volume warrants.

(6) Retail vending machines are not allowed on public sidewalks, alleys, drive-aisles, or within the public right-of-way.

(7) The business owner or operator of said principal land use activity is responsible for the accessibility, maintenance, appearance, and safety in regards to retail vending.

(8) Business owner or operator shall not utilize or permit the utilization of any device which produces loud noise, or use and operate any loudspeaker, public address system, radio, sound amplifier, or similar noise creating device to attract the attention of the public, subject to the noise restrictions of the underlying zone.

(e) Roadside Sales of Agricultural Products. Operation of a stand, by the owner/occupant of the premises, for the display and sale of agricultural products primarily produced on the premises. This category includes flower sales (non-mobile), vendor stands (non-mobile), and seasonal sales of agricultural products for limited periods of time, which at no time may be conducted in the public right-of-way. All roadside sales of agricultural products covered by this article shall be submitted on an agricultural operations permit application form obtained from the Planning Division and shall be accompanied by a nonrefundable fee.

(1) Location and size requirements.

(A) In the R-A and R-E Zones, the ground coverage of the stand shall not exceed 300 square feet, and it shall be set back from the street or highway right-of-way line a distance of at least 20 feet.

(B) The stand shall not exceed an area of 200 square feet in the R-1, R-2, R-3, R-4, and R-5 Zones. The stand shall not be closer than 24 feet to any street or highway.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1535. Reserved

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1536. Application and determination.

(a) All permit applications covered by this article shall be submitted to the planning department in a form provided by the planning department. The application form and content required may be modified as determined by the director for a recurring type of application request so that the permit can be renewed by providing the same documentation as done with the original permit issuance.

(1) Fee. A nonrefundable fee, as set forth in the schedule of service costs approved by city council resolution, reasonably calculated to reimburse the city for its reasonable and necessary costs in receiving, processing, and reviewing applications for permits to hold a short-term activity or event must be paid to the City of Escondido when an application is filed.

(A) If the application includes the use of any city facility and/or property, or if any city services are required for the special event, the applicant must file a special event permit in accordance with agree to pay for the services in accordance with a schedule of service costs approved by city council resolution.

(B) Third Party Fee. If the permittee provides for or allows third party vendors to participate in the special event, the permittee shall pay an additional nonrefundable fee, as set forth in the schedule of service costs approved by city council resolution, reasonably calculated to reimburse the city for its actual and necessary costs in receiving, processing and reviewing the application that includes third party vendors. The amount of the additional fee shall be established by resolution of the city council and shall be based on whether the application is for a major or minor event.

(b) City staff shall review outdoor display permit and temporary use permit applications, or and any other permit prescribed by this article, for planning and zoning compliance.

(c) Applications for outdoor display permits and temporary use permits, or any other permit prescribed by this article, shall be made at least thirty (30) days in advance of the event. Within twenty (20) days from the submittal of a complete application, staff may approve, conditionally approve or deny the proposed application. Any aggrieved party may appeal a decision of the staff to the planning commission using the provisions outlined in Division 6 of Article 61 of this chapter.

(1) The City shall require evidence that all related permits and approvals, such as fire prevention, health and sanitation, police, animal regulations, and business licenses, have been obtained for each outdoor display and temporary use permit or any other permit prescribed by this article. Under the authority of the California Health and Safety Code, the County of San Diego Environmental Health Department has the responsibility to regulate the selling of food.

(2) The application shall be accompanied by:

(A) A map showing the area on which the event will be conducted.

(B) A description of the event for which the permit is requested.

(C) The name(s) of the organization or business and principals within the organization or business applying for the permit.

(D) An estimate of the number of persons who will attend, all vendors who are anticipated to operate at the event, and a description of hours, noise, security, trash collection and disposal, occupant loads, lighting, sanitary facilities, traffic control, dust control, and/or other related concerns that are correlated with the proposed use.

(E) Such additional information as may be required by the director to determine whether the event will be compatible with the surrounding uses, satisfy applicable laws, and to be consistent with the public health, safety, and welfare.

(F) Written assurance that all conditions of the permit shall be complied with, and that in the event the permittee fails to perform any obligation covered by the conditions or terms and limitations of this ordinance, the owner of the property shall perform such obligations upon notice of violation. Property owner and permittee are subject to enforcement and citation, subject to Section 33-1537.

(3) The City may require building and/or engineering design of the temporary buildings, certification of the structure, mechanical, electrical, and other equipment and devices.

(4) The police chief may determine whether and to what extent additional police protection, civilian traffic control personnel, private security and volunteer staff are reasonably necessary to ensure traffic control and public safety for the short-term activity, event, outdoor display and temporary use. The police chief will base this decision on the size, location, duration, time and date of the permitted use, the expected sale or service of alcoholic beverages, the number of streets and intersections blocked off from use by the public, and the need to detour or preempt pedestrian and vehicular travel from the use of public streets and sidewalks. The police chief shall provide an estimate of the cost of extraordinary city services and equipment required in writing, if police protection and/or other emergency and safety services or equipment is deemed necessary for the permitted use. The applicant will be billed for services after the event.

(d) Appeal. Appeals from the decision of the director shall be made pursuant to Article 61. The decision of city staff, or on appeal the planning commission, to grant an outdoor display permit or a temporary use permit or other permit prescribed by this article shall be made based on the following finding:

(1) The proposed short-term activity, event, or outdoor display or temporary outdoor sales event conforms with all development standards for said events and will not negatively impact adjacent commercial or residential areas.

(2) The nature of the proposed use is not detrimental to the public health, safety, or welfare of the community.

(e) Conditions. Failure to comply with the following requirements and conditions shall be cause for revocation of the permit and enforcement under this chapter.

(1) Any permit prescribed by this article not exercised within the duration specified or withdrawn by the applicant shall automatically become void.

(2) Expiration. Each valid permit, unless earlier revoked, shall expire and become null and void at the time specified in the permit. An extension of outdoor display permits and temporary use permits or any other permit prescribed by this article cannot be granted; a new use

for a different timeframe requires a new application. If the use is discontinued or abandoned, the site must be cleaned up within seven (7) calendar days of the discontinuance or abandonment.

(3) Transfer. No permit shall be transferrable to another location or to another permittee.

(4) Posting. The permit (along with any other required permits) shall be posted on the premises where the event is conducted and/or a copy of the permit must be in the possession of the person responsible for the event at all times while it is occurring.

(5) Permittee agrees to waive and release the City of Escondido and its officers, agents, employees and volunteers from and against any and all claims, costs, liabilities, expenses or judgments including attorney's fees and court costs arising out of the activities of this temporary use or event or any illness or injury resulting therefrom, and hereby agree to indemnify and hold harmless the City of Escondido from and against any and all such claims, whether caused by negligence or otherwise, except for illness and injury resulting directly from gross negligence or willful misconduct on the part of the city or its employees.

(6) The director may attach whatever additional conditions and limitations necessary to protect public health, safety, and welfare that the director determines are reasonably required and roughly proportionate to the proposed use, activity, or event in order to make the finding that the characteristics of such are compatible with the uses in the surrounding area. Such conditions may include, but not be limited to, items that address the following topic areas: hours, noise, security, trash collection and disposal, occupant loads, lighting, sanitary facilities, traffic control, dust control, and/or other related concerns.

ARTICLE 73. TEMPORARY USES, OUTDOOR DISPLAY AND SALE OF RETAIL MERCHANDISE

Sec. 33-1537. Violations.

(a) Any person, firm or corporation violating any of the provisions of this article, or disregarding any condition or term imposed by the planning department, or on appeal, the planning commission, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding one thousand dollars (\$1,000.00) or imprisonment in the county jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each separate offense, or each day on which an ongoing offense is committed shall be a separate violation. Any violation as described in this section shall be subject to immediate revocation of the permit to display outdoors or conduct a temporary outdoor sales event.

(b) The police chief may revoke a special event permit without prior notice upon violation of the permit or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the special event would have an immediate and adverse effect upon the health, safety, and welfare of persons or property. Written notice of the revocation setting forth the reasons therefor, shall be hand delivered or mailed to the applicant at the address provided on the application

(c) Reinstatement. When a permit has been revoked, it may not be reinstated. A new Temporary Use Permit application for the same activity shall not be approved until the causes of revocation have been corrected and all costs incurred by the City have been paid as estimated by the building official.

CITY COUNCIL STAFF REPORT

Current Business Item No. 15

April 8, 2020

File No. 0685-20

SUBJECT: Resolution of Intention to Establish Community Facilities District No. 2020-1 of the City of Escondido (Services) and Community Facilities District No. 2020-2 (The Villages)

DEPARTMENT: Engineering Services Department

RECOMMENDATION:

It is requested that the City Council approve Resolution Nos. 2020-24 and 2020-25 declaring its intent to establish Community Facilities District (“CFD”) No. 2020-1, a Citywide CFD to fund municipal services required for new development, and CFD 2020-2; The Villages Project (“Project”) CFD to fund public facilities; and setting a public hearing date of May 13, 2020. It is further recommended that the City Council approve Resolution No. 2020-40, declaring its intent to incur bond indebtedness, and approve Agreements with Lennar regarding the acquisition and funding of public facilities from CFD 2020-2.

FISCAL ANALYSIS:

The projected general fund budget deficit totals \$176 Million over the next 18 years. On June 12, 2019, the City Council directed staff to investigate all options to address this structural deficit.

On January 15, 2020, the City Council was provided the results of the Keyser Marston Fiscal Impact Analysis (“KMA”) concluding that the cost to provide municipal services to new residential developments exceeds revenues by \$536 to \$783 for each new residential unit per year.

BACKGROUND:

On June 12, 2019, the City Council adopted Resolution No. 2019-83, authorizing a Reimbursement Agreement to evaluate a request to form a CFD for The Villages Project (“Project”) to fund public facilities.

On January 15, 2020, the City Council adopted Resolution No. 2020-2, directing staff to prepare documents necessary to consider the formation of a CFD to offset ongoing municipal costs of services resulting from new development (Services CFD).

On March 25, 2020, the City Council adopted Resolution No. 2020-20 to amend and restate the City of Escondido’s Statement of Goals and Policies (“Policy”) Regarding the Establishment of CFDs enacted pursuant to Resolution No. 99-181.

FISCAL IMPACT ANALYSIS FROM NEW RESIDENTIAL DEVELOPMENT:

As a part of the City of Escondido’s (“City”) ongoing efforts to address projected budget shortfalls, the City contracted with KMA to complete a Fiscal Impact Analysis (“FIA”) for new residential development. The FIA determined that the per capita cost of providing municipal services for new residential development involving Police, Fire, Public Works, Community Services and General Services (support departments) exceeds the anticipated revenue received, including property taxes, property tax in lieu of Vehicle License Fees (“VLF”), intergovernmental, property transfer tax, fines, forfeitures, permits, licenses, and sales tax generated by new residents. Based on these findings, the current structural budget deficit is anticipated to increase with each new residential development project approved.

Below is a summary of the FIA findings by development type:

	Single Family	Small Lot Single Family	Townhomes	Apartments/ Condos
Project Size (5-acre site)	25 units	75 units	125 units	200 units
Avg. Density	5 units/acre	15 units/acre	25 units/acre	40 units/acre
Revenue Generated	\$52,900	\$128,800	\$157,900	\$204,700
Cost to Provide Municipal Services	\$66,300	\$184,500	\$248,500	\$361,200
Annual Unfunded Cost	\$13,400	\$55,700	\$90,600	\$156,500
Unfunded Cost/Unit	\$536	\$743	\$725	\$783

CFD NO. 2020-01 (CITYWIDE SERVICES CFD):

Staff recommends that the City Council adopt a Resolution of Intention to establish a Citywide Services CFD with the goal of making new development revenue neutral. The Rate and Method of Apportionment for CFD 2020-1, Attachment C of Resolution 2020-24, provides details regarding the proposed Services CFD.

- **Application:** The Services CFD has established special tax rates that apply to new residential development in the single family and multi-family land use categories as outlined in the table below. The City Council may consider the addition of land uses categories for future project annexations into the Services CFD after preparation of a fiscal impact analysis.
- **Services to be Funded:** The services to be funded through the Services CFD include public safety, maintenance and administrative expenses for services provided by the City.

FY 20/21 Proposed Special Tax Rates – Services CFD

	Single Family	Small Lot Single Family	Townhomes	Apartments/Condos
Density Range	< 5.5 units/acre	5.5-18 units/acre	18-30 units/acre	>30 units/acre
General Plan Designations	Urban I Suburban Residential Estate	Urban II Urban III	Urban IV Urban V	Downtown Specific Plan
Annual Special Tax Rate	\$536	\$743	\$725	\$783

- **Exemptions:** Accessory dwelling units, granny flats, and additions/re-construction of existing structures without a change in land use are exempt.
- **Zones:** Annexation of a development to the Citywide Services CFD would occur in Zones by resolution of the City Council. For development projects, annexation would occur at the time of entitlement. For projects that do not require City Council entitlement approval, an affirmative vote of the property owner will be secured at the time of building permit application.
- **Annual Levy:** Prior to July 30 of each year, the special tax levy will be set by the City Council for all properties within the Services CFD that have received a building permit as of March 1 of that year. The special tax for the Services CFD will escalate at the maximum rate of inflation as determined by the Consumer Price Index and at the minimum rate of two-percent (2%) per year.
- **Revisions to Fiscal Impact:** If it is determined that the current FIA does not apply to a project (for example as a result of reduced revenue or increased costs to service a specific project due to its location or other special needs), an updated or separate FIA may be prepared to evaluate the special tax rates for new zones annexed to the Services CFD.
- **Timing for Implementation:** Staff recommends that all projects that have not received entitlement approval be included in the Services CFD upon their entitlement. For projects that do not require an entitlement process, new building permit applications made after the date of formation are recommended to be included in the Services CFD.

CFD NO. 2020-2 (THE VILLAGES FACILITIES CFD):

Lennar has submitted a petition (Attachment 5) requesting that the City Council begin proceedings for establishment of a Facilities CFD and the issuance of bonds in the amount not to exceed \$16-million to fund public facilities associated with the Project. Lennar has deposited funds to cover the cost of the Consultants retained by the City, including a special tax consultant, bond counsel, market

consultant, and financial advisor, to evaluate the feasibility and prepare documents required to form proposed CFD No. 2020-2.

The special tax rates proposed by the developer meet all provisions of the City’s Amended and Restated Goals and Policies for Community Facilities Districts (“Policy”), adopted March 25, 2020. A price point study prepared by Empire Economics, dated December 6, 2019, has confirmed the base pricing proposed by Lennar is consistent with current market rates.

Shown below is a sample of the proposed special tax rates per dwelling unit for both CFDs and the resulting total tax burden for FY 2020-21:

Home Size	Base Sales Price	Facilities CFD/Yr.	Facilities CFD %	Services CFD/Yr.	Services CFD %	Total Tax Burden
3,200 square feet or larger	\$735,500	\$2,739	0.37%	\$743	0.10%	1.75%
2,200 to 2,499 square feet	\$655,900	\$2,359	0.36%	\$743	0.11%	1.75%
1,449 square feet or less	\$532,600	\$1,769	0.33%	\$743	0.14%	1.75%

In accordance with the Policy, the formation documents include protections for homeowners and for the City including:

- **Annual Special Tax Installment:** The proposed annual installment for the Facilities CFD of 0.33-0.37% of the base home price is less than the City’s Policy maximum of 0.75%.
- **Maximum Total of All Special Assessments:** The price point study will be updated in advance of bond sale to confirm that the total of all special assessments, fees and charges that appear on the tax bill will not exceed the maximum effective tax rate specified by the Policy of 1.80% (note the Policy includes a lower maximum rate of 1.8% when Facilities special taxes are proposed to escalate compared to the 2.0% maximum when taxes do not escalate).
- **Disclosures:** The developer is required to disclose the special taxes in all sales brochures, onsite advertising and purchase documents to the satisfaction of the City Manager and as required by statute.
- **Pre-payment of Facilities CFD:** The special tax for the Facilities CFD may be pre-paid in full at any time or in part at the time of initial purchase.

- Minimum Value-to-Debt Ratio is 4:1: At the time of bond issuance, the value of the properties subject to the levy of special taxes, including the value of the improvements to be financed, will be compared to the aggregate amount of the special tax lien proposed to be created plus any prior fixed assessment liens and/or special tax liens to confirm that this requirement is met.

SUMMARY AND NEXT STEPS:

Staff recommends that the City Council approve Resolution Nos. 2020-24 and 2020-25 declaring its intent to establish CFD 2020-1, the Citywide Services CFD to fund municipal services required for new development, and CFD 2020-2, for the Project, to fund public facilities, and setting a public hearing date of May 13, 2020.

Although already entitled, the Project has agreed to be the initial zone in the Citywide Services CFD No. 2020-1. Should the City Council decide not to form the requested Facilities CFD No. 2020-2, an Agreement (Attachment 2) that would waive the requirement for the Project to participate in the Services CFD is recommended for approval.

It is further recommended that the City Council approve Resolution No. 2020-40 declaring its intent to incur bond indebtedness and approve Agreements with Lennar regarding the acquisition and funding of public facilities from CFD 2020-2 (Attachments 1 and 2).

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Julie Procopio, Director of Engineering Services
4/2/20 8:51 a.m.

ATTACHMENTS:

1. Attachment 1 – Acquisition and Funding Agreement
2. Attachment 2 – Agreement with Lennar Homes of California
3. Attachment 3 – Joint Community Facilities Agreement with Rincon Water District and Lennar Homes
4. Attachment 4 – Petition of Property Owner CFD 2020-1
5. Attachment 5 – Petition of Property Owner CFD 2020-2
6. Resolution No. 2020-24: ROI to Establish CFD 2020-1
7. Resolution No. 2020-25: ROI to Establish CFD 2020-2
8. Resolution No. 2020-40: ROI to Incur Bonded Indebtedness for CFD 2020-2

Attachment 1

*Stradling Yocca Carlson & Rauth
Draft dated March 23, 2020*

**CITY OF ESCONDIDO
COMMUNITY FACILITIES DISTRICT NO. 2020-2
(THE VILLAGES)**

ACQUISITION AND FUNDING AGREEMENT

THIS AGREEMENT dated _____, 2020, is made and entered into by and between CITY OF ESCONDIDO (the "City"), acting for and on behalf of itself and COMMUNITY FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF ESCONDIDO (THE VILLAGES) (the "Community Facilities District" or "CFD"), and LENNAR HOMES OF CALIFORNIA, INC., a California corporation (the "Developer"), each individually a "Party" and collectively the "Parties."

WHEREAS, Developer has requested that the City consider the formation of a community facilities district pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), and the authorization of special taxes and issuance of bonded indebtedness by the community facilities district to finance certain public improvements to be owned, operated or maintained by the City and the Rincon Del Diablo Municipal Water District (the "Water District"), and Incidental Expenses as defined by and in accordance with the Act; and

WHEREAS, in order to proceed in a timely way with development of the property within the proposed Community Facilities District which is described in the attached **Exhibit "A"** (the "Developer Property"), Developer desires to fund through the levy of special taxes and issuance of bonded indebtedness by the Community Facilities District (i) improvements included in the City's fee programs (the "City Improvements"), as more particularly set forth and described in the Description of Cost Estimates attached hereto as **Exhibit "B"** and (ii) any improvements unrelated to City Improvements which will be described and governed by the terms contained in **Exhibit "E"** hereto (the "Miscellaneous Improvements" and, together with the City Improvements, the "Improvements"); and

WHEREAS, the City is authorized by the Act to form the CFD and to issue bonds to fund the Improvements; and

WHEREAS, the City Council has adopted its "Statement of Goal and Policies for the Use of the Mello-Roos Community Facilities Act of 1982," which sets forth the City's policies and procedures concerning the use of special district financing programs to finance City facilities (the "Policy"); and

WHEREAS, the purpose of this Agreement is to constitute a formal understanding between Developer and the City (pursuant to the requirements of Government Code Section 53313.51 and other provisions of the Act and the Policy) concerning financial and other obligations and responsibilities related to the formation of the Community Facilities District and the Improvements to be financed by the Community Facilities District, when and if formed, to the extent funds are available, and to set forth the conditions upon which (1) the Community Facilities District will reimburse the Developer or its designee for the amounts advanced by the Developer to form the Community Facilities District and (2) the Community Facilities District will fund the cost of the City Improvements and the City will grant credit against applicable City

development fees; and (3) the Community Facilities District will also fund the Miscellaneous Improvements, if any, which will be described in **Exhibit “E,”** if applicable.

NOW, THEREFORE, it is mutually agreed between the respective parties as follows:

SECTION 1. DEVELOPER DEPOSIT

Pursuant to a Deposit and Reimbursement Agreement dated as of June 17, 2019 (the “Deposit Agreement”), entered into between the City and NUWI Country Club, LLC (the “Prior Developer”), which the Prior Developer has assigned to the Developer, the City has undertaken to analyze the appropriateness of forming the Community Facilities District to finance the Improvements. Pursuant to the Deposit Agreement, the City has retained, at the Developer’s expense, the necessary consultants to analyze the proposed formation thereof, including a special tax consultant, bond counsel, appraiser and other consultants deemed necessary by the City. Pursuant to the Deposit Agreement, the Developer has deposited with the City, an initial deposit in the amount of \$238,975.00, all or part of which may be eligible for reimbursement from the CFD. The City will provide to Developer on request a summary of how the advances have been spent and the unexpended balance remaining. The amounts advanced by the Developer and, to the extent determined reasonable and appropriate by the City, expenses incurred by the Developer for financial consultant and legal costs in connection with the formation of the Community Facilities District and the issuance of bonds thereby, will be reimbursable to the Developer, without interest, from the proceeds of bonds (the “Bonds”) issued by the Community Facilities District when and if formed. Pursuant to the Deposit Agreement, in the event that Bonds are not issued to provide a source of reimbursement to Developer, the City shall not have any liability to Developer to reimburse it for any of the amounts previously advanced by Developer and expended by the City.

Prior to the issuance of the Bonds, the City will request a final advance for any unpaid expenses incurred during preparatory technical, financial and legal work; and following payment of such expenses, the City shall promptly release the balance, if any, of the advance to Developer. Should the City’s expenses exceed the remaining balance, the City will bill Developer for the difference, which Developer agrees to pay within two weeks following receipt of such billing, subject to the conditions of paragraph one of this section and the Deposit Agreement.

SECTION 2. SALE OF BONDS

2.1 City Policy and Requirements for the Issuance of Bonds. The Policy sets forth the City’s policies and procedures concerning the use of special district financing programs to finance the Improvements. Pursuant to the Policy, the total annual amount of the special taxes to be collected with respect to a parcel within the CFD and all other taxes and assessments which will be collected with respect to such parcel must not exceed 1.80% of the expected assessed or appraised value of such parcel within the Community Facilities District upon the completion of all expected structural improvements to such parcel. Bonds may be issued in one or more series in the sole discretion of the City, subject to the Policy, this Agreement and sound municipal bond underwriting practices.

The Parties hereby agree that, unless waived by the City, at the time of issuance of each series of Bonds, the following requirements shall be met: (1) the ratio of the fair market value of all parcels of property for which the Bonds are being issued to the amount of outstanding community facilities district or assessment district bonds attributable to such parcels (the “Value-

to-Lien Ratio”) may not be less than four-to-one (4:1) and (2) at least 50% of the proposed residential units within the Community Facilities District, for the portion of the Community Facilities District being used in the sizing of the particular series of Bonds based solely on the determination of the City, shall have been completed and conveyed to individual homeowners. The fair market value of the property within the Community Facilities District for purposes of determining the foregoing ratio will be determined based on the assessed value of the property or the appraised value of the property based on the appraisal made by an appraiser selected by the City with a valuation date within ninety (90) days of the issuance of the Bonds. Subject to satisfaction of the Policy and the requirements of this Agreement, the City shall use its best efforts to issue and sell the Bonds in one or more series in an amount sufficient to fund the Improvements in accordance with the actual development of the Developer Property.

2.2 Security for Payment of Special Taxes.

(a) Concurrently with the issuance and sale of each series of the Bonds, the owner of any land within the Community Facilities District, together with land owned by any affiliate (collectively, an “Account Party”), for which the expected levy of the Special Tax (as defined in the Rate and Method of Apportionment of Special Tax for the Community Facilities District (the “Rate and Method”) on the property owned by such Account Party in the fiscal year following the fiscal year in which the Bonds are issued is equal to or exceeds 20% of the total expected Special Tax levy on all land within the Community Facilities District for such fiscal year, shall deliver to the City either (i) a renewable, irrevocable instrument of credit from a financial institution (rated “A” or better) or (ii) cash in-lieu thereof (a “Security”). The Security shall be in an amount equal to 100% of the expected Special Tax levy on land owned by the Account Party in the fiscal year following the fiscal year in which the Bonds are issued, based on ownership status as of a date that is within 60 days prior to the date of issuance of the Bonds (the “Stated Amount”). The Security shall be maintained by the Account Party in each fiscal year until terminated in accordance with Section 2.2(c) below. While the Security is still required, the Stated Amount of such Security shall be reduced as set forth in a “Certificate of Reduction or Termination” (as defined in Section 2.2(c) below).

The Security shall name the City, or its designee, as a beneficiary and shall provide that the City, or its designee, may draw an amount equal to any delinquencies in payment of semiannual installments of the Special Taxes levied on property owned by the Account Party in the Community Facilities District. The total amount to be drawn under the Security shall not exceed an amount equal to the Special Taxes owed by the Account Party with respect to property within the Community Facilities District that is delinquent at the time the draw is made. The amount drawn on the Security shall be applied in the same manner and for the same purposes as the delinquent Special Taxes would have been applied; provided, however the payment of a draw under the Security will not be deemed to cure the delinquency in payment of the Special Taxes.

If, subsequent to a draw on the Security and prior to the satisfaction of any reimbursements due to the institution providing the Security (the “Security Provider”) pursuant to this Agreement, the City receives payment of all or a portion of the delinquent Special Taxes or the proceeds of a sale of delinquent real property pursuant to foreclosure proceedings (“Delinquency Proceeds”) for a parcel for which the Security has been drawn, the Security Provider shall be reimbursed for such draws to the extent of Delinquency Proceeds net of the City’s costs of collection, provided that the Security is or has been concurrently reinstated to, or a Substitute Security (as defined below) provided for, the then applicable Stated Amount. The Security Provider is intended by the Parties to be a third party beneficiary of this Section 2.2.

(b) The Security shall be renewed, or a substitute Security reasonably satisfactory to the City (a "Substitute Security") provided, not less than thirty (30) calendar days prior to the expiration of the Security or Substitute Security then in effect. If the Account Party provides a Substitute Security to the City, then the City or its designee, shall return any existing Security on the effective date of the Substitute Security to the Security Provider.

If the Security is not renewed within thirty (30) days prior to its expiration date and the requirements for release or termination of the Security as set forth in Section 2.2(c) below have not then been met, the full amount of the Security may be drawn by the City and deposited in an account established under the Indenture (as hereinafter defined) or in such account established with a financial institution selected by the City. Thereafter, amounts in such account shall be held as security, and if Special Taxes owed by the Account Party with respect to property within the Community Facilities District are not paid prior to delinquency, then such amounts in such account may be applied by the City to pay the delinquent Special Taxes owed by the Account Party with respect to such property on the same terms and conditions applicable hereunder to draws on the Security.

At such time as the Security is renewed, or a Substitute Security is accepted by the City, or the requirement for the Security has been terminated pursuant to this section, the City or its designee, shall release all amounts in the Security account to the Security Provider within ten (10) calendar days from the date of renewal or acceptance.

(c) Following the sale or transfer by the Account Party of any land in the Community Facilities District to a person other than the Account Party, or upon the prepayment of the Special Tax obligation for a parcel owned by the Account Party, the Account Party may notify the City of such event, in writing, and, if requested by the Account Party, the Stated Amount of the Security shall be reduced and be recalculated in accordance with this Section 2.2; provided, however, that the City shall be required to recalculate such amount and reduce the Security a maximum of two times each calendar year and any costs associated with the recalculation and reduction shall be borne by the Account Party. The Security shall be terminated when (i) the expected levy on the land owned by the Account Party in the Community Facilities District is responsible for less than 20% of the Special Tax levy in the current fiscal year and the Account Party is not delinquent in the payment of any Special Taxes, (ii) the Account Party has paid all Special Taxes in the current fiscal year and the land owned by the Account Party in the Community Facilities District is expected to be responsible for less than 20% of the Special Tax in the next fiscal year or (iii) the Account Party has paid all Special Taxes in the current fiscal year and in the following fiscal year, the Community Facilities District will not levy the Special Tax on land within the Community Facilities District owned by the Account Party.

Reduction or termination of a Security shall occur automatically upon submission to the Security Provider by the City of a "Certificate of Reduction or Termination." The City shall deliver to the Security Provider, such Certificate of Reduction or Termination promptly upon receiving from the Account Party a certification which shall be made under penalty of perjury and which shall indicate (i) the legal description of all land owned by the Account Party, and either (ii) a recalculation of the new Stated Amount that the Account Party proposes be applicable to the Security or (iii) if termination of the Security is requested, a statement that one of the requirements set forth in (i) through (iii) of the preceding paragraph have been satisfied.

The Account Party shall notify the City of any events that will result in a reduction of the Stated Amount of the Security and shall provide the City with verification of said events. The Account Party may provide the City with a Substitute Security in the reduced amount, and the

City shall release and return to the Security Provider the Security then in effect. The Parties expressly acknowledge that the Account Party's failure to so notify the City or to reduce the Security at the times prescribed herein shall in no way effect or invalidate sale or transfer of property, or recordation of maps on property.

(d) If property is sold or transferred by an Account Party with the result that the land owned by the transferee or any of its affiliates ("Transferee") is responsible for twenty percent (20%) or more of the Special Tax in the current fiscal year, a Security on the same terms specified herein will be furnished by Transferee with respect to all land owned by such Transferee in the Community Facilities District. Any applicable purchase and sale agreement and/or escrow instructions shall notify the Transferee of this Security requirement and obligate the Transferee to provide such Security, if applicable. The Security of the Account Party will not be reduced to reflect the sale or transfer of land to a Transferee until a Security is furnished by the Transferee and accepted by the City. The issuing Security Provider and the form and terms of said Security will be subject to reasonable prior approval by the City. All terms provided in this Section 2.2 are applicable to the Transferee by replacing the term "Account Party" at each place where it occurs in each section with the term "Transferee." Each Security Provider of a Security for a Transferee shall be an express third party beneficiary of the provisions of this Section 2.2.

Any costs related to the holding or maintaining the Security, including any fees of a fiscal agent, trustee or other depository shall be borne by the Account Party.

2.3 Major Landowner Initial and Continuing Disclosure. An owner of land which is responsible for twenty percent (20%) or more of the Special Tax in the fiscal year in which the Bonds are issued or in the fiscal year following the fiscal year in which the Bonds are issued (a "Major Landowner") will be required to provide all information regarding the development of its property, including the financing plan for such development, which is necessary to ensure that the official statement for such Bonds complies with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and all other applicable federal and state securities laws. Additionally, Developer acknowledges that, if it is a Major Landowner at the time of issuance of the Bonds, it will be necessary that the Developer enter into a continuing disclosure agreement to provide such continuing disclosure pertaining to the development of the land owned by Developer within the Community Facilities District as necessary to assist the underwriter in complying with the continuing disclosure requirements of the Rule and/or to assist in the marketing of the Bonds.

2.4 Bond Issuance Parameters. The terms and conditions upon which each series of the Bonds shall be issued and sold, the method of sale of the Bonds and the pricing of the Bonds shall be determined solely by the City in its reasonable discretion in conformance with the requirements of Government Code Section 53313.5, the Act, the Policy, and this Agreement. The proceeds of the Bonds shall be used in the following priority to (1) fund a reserve fund for the payment of principal and interest with respect to the Bonds in an amount equal to the least of (i) ten percent (10%) of the total bond issue, (ii) maximum annual debt service on Bonds, or (iii) 125% of average annual debt service; (2) fund up to eighteen (18) months of capitalized interest; (3) pay for costs of issuance of the Bonds including, without limitation, underwriter's discount, bond counsel and disclosure counsel fees, appraisal and special tax consultant fees, printing, and fiscal agent fees; (4) pay for the costs of forming the Community Facilities District and any change proceedings for the Community Facilities District; (5) pay for the actual costs of the City Improvements as described below in this Section 2.4, and (6) pay for the actual costs of the Miscellaneous Improvements. The Community Facilities

District shall maintain records relating to the disbursements of proceeds of the sale of the Bonds. The Indenture or Fiscal Agent Agreement (hereinafter "Indenture") for the Bonds shall establish an acquisition and construction fund or improvement fund (herein, the "Improvement Fund") into which shall be deposited initially the proceeds of the Bonds net of the amount of proceeds required to fund items (1) through (4) in the second preceding sentence. The Indenture shall also establish separate accounts of the Improvement Fund designated the "City Improvements Account", and any "Miscellaneous Improvements Account(s)" with respect to funds for the Miscellaneous Improvements described in **Exhibit "E"** if applicable, into which shall be deposited such portions of the Improvement Fund as directed by the City pursuant to consultation with the Developer and in writing at or subsequent to the closing of the sale of the Bonds consistent with the following priorities:

(a) An amount sufficient to fund the reasonable, current estimated cost of the City Improvements anticipated to be funded out of the Bonds being issued shall be deposited in the City Improvements Account;

(b) If applicable, an amount sufficient to fund the reasonable, current estimated cost of any Miscellaneous Improvements anticipated to be funded out of the Bonds being issued shall be deposited in the applicable Miscellaneous Improvements Account(s), if any, described in **Exhibit "E"** hereto.

Interest earned on moneys deposited in each of the City Improvements Account and, subject to the following sentence, the Miscellaneous Improvements Account(s) shall remain in such accounts until such time as all of the Improvements to be funded by such Account(s) have been funded. Additionally, the Developer may direct the CFD to transfer excess moneys in any of the City Improvements Account or the Miscellaneous Improvements Account(s) to another account. The Indenture shall provide that amounts remaining in the Improvement Fund after funding all proposed Improvements or sooner, as specified by the City, shall be deposited in the special tax fund or bond service fund and be applied to pay debt service on the Bonds and/or to call Bonds in advance of maturity.

SECTION 3. ALLOCATION OF SPECIAL TAXES

Prior to the issuance of Bonds, the City Council of the City, acting as the legislative body of the Community Facilities District, shall levy Special Taxes at the assigned special tax rate on all parcels classified as Developed Property pursuant to the Rate and Method. Such Special Taxes collected by the City shall first be applied to fund annual administrative expenses of the Community Facilities District and then to fund Improvements in the same manner as the proceeds of Bonds as set forth in Section 5 and Section 6 below. Prior to the issuance of Bonds, such Special Taxes collected by the City each fiscal year in excess of that required to fund annual administrative expenses of the Community Facilities District shall be deposited in a special fund of the City, which shall also be referred to as the City Improvements Account. Upon the issuance of the Bonds, such City Improvements Account shall be closed and all funds then remaining in it shall be transferred to the City Improvements Account of the Improvement Fund that is established with the issuance of the Bonds. Upon sale and delivery of the Bonds, the City shall annually levy the Special Tax as provided for in documents pursuant to which the Bonds were issued. Following the issuance of the Bonds, the City shall have no obligation to levy Special Taxes to reimburse the Developer for the costs of any Improvements not paid for from Bond proceeds. The entire amount of any Special Tax levied by the Community Facilities District to repay the Bonds and recover costs and expenses allowable pursuant to Government Code Section 53313.5, shall be allocated to the Community Facilities District.

SECTION 4. NOTICE OF SPECIAL TAX

Developer, or Developer's successors or assigns, shall provide written notice to all potential purchasers of lots advising of the special tax obligation applicable to the Developer Property in the form required by Section 53341.5 of the Government Code, and shall also advise such potential purchasers of lots of their ability to prepay such special tax obligation in accordance with Section I of the Rate and Method. A sample copy as prepared by Developer is attached as **Exhibit "C."**

SECTION 5. CITY IMPROVEMENTS

Amounts in the City Improvements Account shall be disbursed at the written direction of the City upon the Developer's submittal of a completed disbursement request in substantially the form attached hereto as **Exhibit "D"** (a "Disbursement Request") at the time(s) that the City Fees are payable to the City. Upon receipt of the Developer's Disbursement Request, the City shall submit the Disbursement Request for payment of the requested amount to the trustee for the Bonds, who shall directly pay the amount to the City and the Developer shall receive credit against the applicable City Fees. Pending disbursement of said monies, the amounts in the City Improvements Account shall be invested as directed in writing by the City and investment earnings shall either remain in such account or be transferred to the Improvement Fund to be used as provided in Section 2.4 above. The City shall expend any amounts disbursed to it from the City Improvements Account on capital facilities. The Developer may be required pursuant to the conditions of development or the City's development impact fee ordinance to pay certain City fees (the "City Fees") relating to the Improvements prior to the availability of proceeds of the Special Taxes or Bonds to pay for such Improvements. In the event such City Fees are paid prior to the availability of Special Taxes or Bond proceeds, the amounts paid to the City shall be deemed to be deposits (each a "Deposit") that are subject to refund by the City to the Developer in accordance with this Agreement. The City shall place each Deposit in a capital facilities account(s). If the Developer has made any Deposits to the City, then following deposit of Special Taxes or Bond proceeds in the City Improvements Account, the City shall return to the Developer, from the capital account in which the Deposits were deposited an equal amount of the Deposits not previously returned, without interest or other earnings thereon. The City shall be so obligated to return such Deposits only to the extent that an equivalent amount of the Deposits to be returned is deposited in the City Improvements Account from Bond proceeds.

Bond proceeds used to finance Improvements which relate to the City Fees shall be allocated first for return of all Deposits prior to being allocated to the payment of City Fees not previously deposited by the Developer. Any Deposits that have not been returned to the Developer at the time it is determined that there will be no further Bond proceeds available (i.e. when the final series of Bonds to finance the Improvements have been issued) shall be retained by the City and may be used for the purposes for which the City Fee was required, and the unrefunded Deposits shall constitute full and final payment for such City Fees, without any increase of any kind.

Any City Fees paid (as Deposits) by the Developer shall be made with the understanding that such Deposits will be returned to the Developer if, and when, Special Taxes and Bond proceeds have been deposited to the City Improvements Account. The City shall expend any amounts disbursed to it from the City Improvements Account on capital facilities. The payment of Deposits prior to the availability of the Special Taxes and Bond proceeds in the City Improvements Account shall not be construed as a dedication or gift of the City Fees, or a

waiver of the return of the Deposits, it being the intention that the City Fees be paid by Special Taxes and Bond proceeds to the extent of such Bond proceeds.

SECTION 6. MISCELLANEOUS IMPROVEMENTS.

Improvements unrelated to the City Improvements, if applicable, will be supplemented by the terms contained in an addendum which will appear as **Exhibit "E"** hereto. The amounts deposited in the applicable Miscellaneous Improvements Account(s), if any, will be disbursed for the acquisition or construction of Miscellaneous Improvements in accordance with the provisions in the applicable Joint Community Facilities Agreement. Any amounts in the applicable Miscellaneous Improvements Account(s) shall be disbursed at the written direction of the City upon Developer's submittal of an addendum which will appear as the applicable entity's certificate and the disbursement request form provided for in the applicable Joint Community Facilities Agreement. Upon receipt of the disbursement request form, the City shall submit a written requisition for payment of the requested amount to the trustee for the Bonds, who shall directly pay the amount requested to the applicable entity or, if Developer has previously advanced funds to the applicable entity, to the Developer or its designee, as directed in the disbursement request form.

SECTION 7. INDEPENDENT CONTRACTOR

In performing this Agreement, Developer is an independent contractor and not the agent of the City. The City shall not have any responsibility for payment to any contractor or supplier of Developer. It is not intended by the Parties that this Agreement create a partnership or joint venture among them and this Agreement shall not otherwise be construed.

SECTION 8. INDEMNIFICATION

The Developer shall assume the defense of, indemnify and hold harmless, the City, its officers, employees and agents, and the Community Facilities District, its officers, employees and agents (each, an "Indemnified Party" and, collectively, the "Indemnified Parties"), from and against all actions, damages, claims, losses or expenses of every type and description to which such Indemnified Party may be subject or put under any statute or at law or in equity, insofar as and solely to the extent such actions, damages, claims, losses or expenses arise out of or are based upon or resulting from the Developer's performance of its obligations under this Agreement, the issuance of the Bonds, the failure of the Developer to provide notice of the special tax to be levied by the Community Facilities District pursuant to Section 53341.5 of the Act (but only if the Developer is required by law to provide such notice), or any alleged misstatement of a material fact or omission of a material fact made by the Developer regarding the Developer Property, the Developer, its proposed development of the Developer Property, ownership of the Developer Property, and any contractual arrangement of the Developer in the final official statement for the Bonds, necessary to make the statements made by the Developer contained therein, in light of the circumstances under which they were made not misleading. No provision of this Agreement shall in any way limit the extent of the Developer's responsibility for payment of damages resulting from the operations of the Developer and its contractors; provided, however that the Developer shall not be required to assume the defense or indemnify and hold harmless an Indemnified Party as to actions, damages, claims, losses or expenses arising out of or are based upon or resulting from the negligence or willful misconduct of an Indemnified Party.

SECTION 9. CONFLICT WITH OTHER AGREEMENTS

Except as specifically provided herein, nothing contained herein shall be construed as releasing the Developer from any condition of development or requirement imposed by any other agreement with the City. In the event of a conflicting provision, such other agreement shall prevail unless such conflicting provision is specifically waived or modified in writing by City.

SECTION 10. TERMINATION

The provisions of this Agreement related to the financing of the Improvements shall terminate and be of no further force or effect on the tenth anniversary of this Agreement if the Bonds have not been issued prior to such date, unless (i) it is extended by the written consent of all the Parties, or (ii) building permits have been issued for all homes expected to be built within the Community Facilities District, construction of such homes is ongoing or has been completed, and the Developer has not been fully reimbursed for Deposits or the Miscellaneous Improvements from Special Taxes. If the Community Facilities District is unable to sell the first series of Bonds after diligent, commercially reasonable efforts to do so, this Agreement shall terminate and be of no further force and effect; provided, however, in such event, any collected special taxes remaining after the payment of administrative expenses of the CFD and reimbursement to the Developer of all advances for CFD formation costs and Deposits shall be used to pay for Improvements in accordance with this Agreement and the Developer shall receive a credit against any City Fees otherwise payable to the City in the amount so used to pay for Improvements.

SECTION 11. NOTICES

Any correspondence, notice, payment or instrument required or permitted by this Agreement to be given or delivered to either Party shall be deemed to have been received when personally delivered to the offices named below or seventy-two (72) hours following deposit of the same in any United States Post Office in California, registered or certified, postage prepaid. Any notice to the Community Facilities District or the City shall be addressed to City of Escondido, 201 North Broadway Escondido, CA 92025, Attention: City Manager. Any notice to Developer shall be addressed to Lennar Homes of California, Inc., 16465 Via Esprillo, Suite 150, San Diego, CA 92127, Attention: Dave Shepherd.

Each Party may change its address for delivery of notice by delivering written notice of such change of address to the other Party hereto in the manner provided herein.

SECTION 12. GENERAL PROVISIONS

(a) Amendment. This Agreement may be amended at any time but only in writing signed by each Party hereto.

(b) Exhibits. All exhibits attached hereto are incorporated into this Agreement by reference.

(c) Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

(d) Waiver. Failure by a Party to insist upon the strict performance of any of the provisions of this Agreement by the other Parties hereto, or the failure by a party to exercise its rights upon the default of another party, shall not constitute a waiver of such Party's right to insist and demand strict compliance by such other Parties with the terms of this Agreement thereafter.

(e) No Third Party Beneficiaries. Except as provided explicitly in this Agreement, no person or entity shall be deemed to be a third party beneficiary hereof, and nothing in this Agreement (either express or implied) is intended to confer upon any person or entity, other than the City, the Community Facilities District, and Developer (and their respective successors and assigns), any rights, remedies, obligations or liabilities under or by reason of this Agreement.

(f) Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute but one instrument.

(g) Assignment. Developer may assign all or any of its rights pursuant to this Agreement to a purchaser of all or any portion of the Developer Property. Such a purchaser and assignee shall, as a condition to taking an assignment of such rights, enter into an assignment and assumption agreement with the City and Developer, in a form reasonably acceptable to Developer and the City, whereby such rights assigned are specified and such purchaser agrees, except as may be otherwise specifically provided therein, to assume the obligations of Developer pursuant to this Agreement and to be bound thereby.

(h) Governing Law. This Agreement and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws of the State of California.

(i) Construction of Agreement. This Agreement has been reviewed by legal counsel for both the City and Developer and shall be deemed for all purposes to have been jointly drafted by the City and Developer. No presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.

(j) Attorneys' Fees. In the event of any action or proceeding, including an arbitration or a reference pursuant to Section 638, et seq., of the Code of Civil Procedure brought by any Party against any other under this Agreement, the prevailing Party shall be entitled to recover its actual attorneys' fees and all fees, costs and expenses incurred for prosecution, defense, consultation, or advice in such action or proceeding. In addition to the foregoing, the prevailing Party shall be entitled to its actual attorneys' fees and all fees, costs and expenses incurred in any post-judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement.

(k) Venue and Forum. Any action at law or in equity arising under this Agreement brought by any Party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Diego, State of California, and the Parties waive all provisions of law providing for the filing, removal or change of venue to any other Court.

(l) Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the Parties. There are no oral or written representations, understandings, undertakings or agreements, which are not contained or expressly referred to

herein, and any such representations, understandings or agreements are superseded by this Agreement. No evidence of any such representations, understandings or agreements shall be admissible in any proceeding of any kind or nature relating to the terms or conditions of this Agreement, its interpretation or breach.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

CITY OF ESCONDIDO, a political subdivision of the State of California

By: _____
City Manager

ATTEST:

By: _____
City Clerk

[SIGNATURES CONTINUED ON NEXT PAGE.]

[SIGNATURE PAGE CONTINUED]

LENNAR HOMES OF CALIFORNIA, INC.,
a California corporation

By: _____
Ryan Green,
Vice President Land Acquisition

LIST OF EXHIBITS

- EXHIBIT A - DESCRIPTION OF DEVELOPER PROPERTY
- EXHIBIT B - DESCRIPTION OF COST ESTIMATES FOR CITY IMPROVEMENTS
- EXHIBIT C - NOTICE OF SPECIAL TAX (as prepared by Developer)
- EXHIBIT D - DISBURSEMENT REQUEST FORM
- EXHIBIT E - DESCRIPTION OF THE MISCELLANEOUS IMPROVEMENTS

EXHIBIT A

DESCRIPTION OF DEVELOPER PROPERTY

LEGAL DESCRIPTION

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

Assessor's Parcel Nos. (as set forth in the County of Escondido Assessor's Fiscal Year 2019-20 Roll):

224-431-01-00
224-431-02-00
224-431-03-00
224-430-04-00
224-491-01-00
224-490-05-00
224-490-06-00
224-211-05-00
224-211-11-00
224-211-12-00
224-211-15-00
224-230-43-00
224-230-36-00
224-210-53-00
224-881-28-00

EXHIBIT B

DESCRIPTION OF COST ESTIMATES FOR CITY IMPROVEMENTS

The Improvements consist of the City Improvements, as described below. Any other types of Improvements are described in **Exhibit "E."**

I. CITY IMPROVEMENTS.

City facilities included in the City's development fee programs used to finance expansion projects, exclusive of in-tract facilities constructed by a property owner, but including and not limited to the following.

ESTIMATED COST OF CITY IMPROVEMENTS Effective February 19, 2020 (or as otherwise noted)

Description	Fee per Unit	Units	Estimated Cost
City of Escondido Water Connection			
Detached - based on 1" meter size	\$7,930.00	106 Meters	\$840,580.00
Master Meter (clustered homes of 45 DU) 1.5"	\$15,640.00	6 Meters	\$93,840.00
Detached - based on 1" meter size	\$7,930.00	6 Meters	\$7,580.00
Master Meter (clustered homes of 8 DU) 1.5"	\$15,640.00	1 Meters	\$15,640.00
Wastewater Connection	\$7,500.00	380 DU	\$2,850,000.00
Traffic Local Fee			
Single Family	\$4,109.58	380 DU	\$1,561,640.40
SANDAG Traffic Fee Regional ("RTCIP") (effective 07/01/20)	\$2,583.82	380 DU	\$981,851.60
Public Facilities Fee	\$4,872.54	380 DU	\$1,851,565.20
Park Fee			
Fee Credit			(\$1,600,560.00)
SFD	\$6,849.30	380 DU	\$2,602,734.00
Drainage Facilities Fee			
SFD	\$1,113.84	380 DU	\$423,259.20
Total Fees			\$9,668,130.40

EXHIBIT C

**NOTICE OF SPECIAL TAXES
(CANOPY GROVE)**

**COMMUNITY FACILITIES DISTRICT NO. 2020-2
OF THE CITY OF ESCONDIDO
(THE VILLAGES)**

**COMMUNITY FACILITIES DISTRICT NO. 2020-1
OF THE CITY OF ESCONDIDO
(SERVICES)**

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

TRACT NO. _____, LOT NO. _____

THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR ENTERING INTO A CONTRACT TO PURCHASE THIS PROPERTY. THE SELLER IS REQUIRED TO GIVE YOU THIS NOTICE AND TO OBTAIN A COPY SIGNED BY YOU TO INDICATE THAT YOU HAVE RECEIVED AND READ A COPY OF THIS NOTICE.

The property you are purchasing (the "Property") is subject to several special taxes, which are in addition to the regular property taxes and other charges, fees, special taxes, and benefit assessments on the Property. The special taxes are imposed on this Property because it is a new development, and some of them may not be imposed generally upon property outside of this new development. If you fail to pay these taxes when due each year, the Property may be foreclosed upon and sold. These taxes are used to provide public facilities and services that are likely to particularly benefit the Property. YOU SHOULD TAKE THESE TAXES AND THE BENEFITS FROM THE FACILITIES AND SERVICES FOR WHICH THEY PAY INTO ACCOUNT IN DECIDING WHETHER TO BUY THIS PROPERTY.

(1) Community Facilities District No. 2020-2 of the City of Escondido (The Villages) Special Tax. The Property you are purchasing is within Community Facilities District No. 2020-2 of the City of Escondido (The Villages) ("CFD No. 2020-2") and is subject to an annual special tax levied in accordance with the Rate and Method of Apportionment of Special Taxes for CFD No. 2020-2 (the "CFD No. 2020-2 RMA"). Capitalized terms that are used in this section and not otherwise defined shall have the meaning ascribed to them in the CFD No. 2020-2 RMA. Pursuant to the CFD No. 2020-2 RMA, the annual Maximum Special Tax which may be levied against the Property to pay for public facilities in any given Fiscal Year depends on whether the Property is classified as "Developed Property", "Final Mapped Property" or "Undeveloped Property" during the Fiscal Year for which the Special Tax is being levied. The annual Maximum Special Tax which may be levied against Final Mapped Property and Undeveloped Property in Fiscal Year 2020-21 to pay for public facilities is \$24,346.00 per Acre. On each July 1, commencing July 1, 2021, the Maximum Special Tax rate for Final Mapped Property and Undeveloped Property shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year.

Upon the issuance of a Building Permit for new construction of a home on a parcel prior to March 1st of the previous Fiscal Year in which the Special Tax is being levied, such parcel will be classified as “Developed Property.” Accordingly, the annual Maximum Special Tax which may be levied against such Developed Property in Fiscal Year 2020-21 to pay for public facilities is the greater of (i) the applicable Assigned Special Tax for Developed Property as set forth in Table 1 of the CFD No. 2020-2 RMA, which is reproduced in pertinent parts on the following page, or (ii) the Backup Special Tax applicable to the Property which the seller of the Property (the “Seller”) has calculated to be approximately \$2,660.32 per Lot. [NOTE: This is the amount taken from the example in the CFD No. 2020-2 RMA, which applies to the 151 Lots within Proposed Final Map SUB16-009A (Village 1). The amount for Village 2 (- 009B) and Village 3 (- 009C) may be different.]

**TABLE 1
ASSIGNED SPECIAL TAXES
FOR DEVELOPED PROPERTY
(FISCAL YEAR 2020-2021)**

Land Use Category	Property Description	Unit Type	Developed Floor Area	Assigned Special Tax Per Taxable Unit
1	Residential	DU	Greater than 3,199 sq. ft.	\$2,739.00
2	Residential	DU	2,950 sq. ft. to 3,199 sq. ft.	\$2,658.00
3	Residential	DU	2,700 sq. ft. to 2,949 sq. ft.	\$2,567.00
4	Residential	DU	2,450 sq. ft. to 2,699 sq. ft.	\$2,467.00
5	Residential	DU	2,200 sq. ft. to 2,449 sq. ft.	\$2,359.00
6	Residential	DU	1,950 sq. ft. to 2,199 sq. ft.	\$2,091.00
7	Residential	DU	1,700 sq. ft. to 1,949 sq. ft.	\$2,068.00
8	Residential	DU	1,450 sq. ft. to 1,699 sq. ft.	\$1,884.00
9	Residential	DU	Less than 1,450 sq. ft.	\$1,769.00

On each July 1, commencing July 1, 2021, the Assigned Special Tax rate for Developed Property shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year. [In the event it is necessary to levy the Backup Special Tax against the Property, the CFD Administrator will independently calculate the Backup Special Tax pursuant to the methodology set forth in Section C.1.c of the CFD No. 2020-2 RMA. It is possible that the CFD Administrator’s calculation of the Backup Special Tax may be more or less than the Seller’s calculation.] The Backup Annual Special Tax shall only be levied if the total of the amount collected by virtue of the levy of the Assigned Annual Special Tax on all Developed Property within CFD No. 2020-2, plus the amount collected by virtue of the levy of the annual Maximum

Special Tax applicable to all Undeveloped Property and Final Mapped Property within CFD No. 2020-2, is less than the “Special Tax Requirement”, as defined in the CFD No. 2020-2 RMA, for the applicable Fiscal Year.

The Special Tax will be levied each Fiscal Year pursuant to the CFD No. 2020-2 RMA until all of the authorized facilities are built and all Special Tax bonds are repaid but in any case not more than fifty (50) years as Developed Property from the first levy of Special Taxes on an applicable Assessor’s Parcel as Developed Property. The Maximum Special Tax may be prepaid in whole or in part. The amount of the prepayment will be determined pursuant to a formula contained in Section I of the CFD No. 2020-2 RMA.

Authorized Facilities. The types of facilities which are authorized to be paid for by the Special Taxes levied pursuant to the CFD No. 2020-2 Rate and Method, and by the money received from the sale of the Bonds issued by CFD No. 2020-2 which are being repaid by such Special Taxes are the construction, purchase, modification, expansion, rehabilitation and/or improvement of (i) water and wastewater, drainage, flood and storm protection facilities, library, parks, parkways, park lighting, sidewalks, signage, fire protection and fire suppression facilities, streets and roadways, traffic signals, street lighting, administration and community center facilities, animal shelter facilities, and other public facilities of the City, including the foregoing public facilities which are included in the City’s fee programs with respect to such facilities and authorized to be financed under the Mello-Roos Community Facilities Act of 1982, as amended (the “City Facilities”) and (ii) water facilities including the acquisition of capacity in the water system of the Rincon Del Diablo Municipal Water District which are included in Rincon Del Diablo Municipal Water District’s water capacity and connection fee programs (the “Water District Facilities,” and, together with the City Facilities, the “Facilities”) and all appurtenances and appurtenant work in connection with the foregoing Facilities, including the cost of engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for such Facilities. These Facilities may not yet have all been constructed or acquired and it is possible that some may never be constructed or acquired.

YOU MAY OBTAIN A COPY OF THE RESOLUTION OF FORMATION WHICH AUTHORIZED CREATION OF CFD NO. 2020-2, AND WHICH SPECIFIES MORE PRECISELY HOW THE SPECIAL TAX IS APPORTIONED AND HOW THE PROCEEDS OF THE TAX WILL BE USED, FROM THE CITY OF ESCONDIDO BY CALLING MICHELLE COLLETT, SENIOR ACCOUNTANT, AT (760) 839-4334. THERE MAY BE A CHARGE FOR THIS DOCUMENT NOT TO EXCEED THE REASONABLE COST OF PROVIDING THE DOCUMENT.

(2) Community Facilities District No. 2020-1 of the City of Escondido (Services) Special Tax. The Property you are purchasing is within Zone 2020-1 and Land Use Category 2 of Community Facilities District No. 2020-1 of the City of Escondido (Services) (“CFD No. 2020-1”) and is subject to an annual special tax levied in accordance with the Rate and Method of Apportionment of Special Taxes for CFD No. 2020-1 (the “CFD No. 2020-1 RMA”). Capitalized terms that are used in this section and not otherwise defined shall have the meaning ascribed to them in the CFD No. 2020-1 RMA. Pursuant to the CFD No. 2020-1 RMA, the annual Maximum Special Tax which may be levied against the Property to pay for authorized services is [\$743.00] in Fiscal Year 2020-21. On each July 1, commencing July 1, 2021, the Maximum Special Tax rate shall be increased by the greater of the annual percentage change in the Index or two percent (2.00%) of the amount in effect in the prior Fiscal Year.

The Special Tax may be levied in perpetuity as long as the authorized services are being provided and cannot be prepaid.

Authorized Services. The services which are authorized to be paid for by the Special Taxes levied pursuant to the CFD No. 2020-1 Rate and Method are all services permitted by the Mello-Roos Community Facilities Act of 1982, as amended, including: (i) maintenance of parks, parkways, park lighting, sidewalks, signage, landscaping in public areas, easements or right of way and open space; (ii) flood and storm protection services; (iii) the operation of storm drainage systems; (iv) maintenance of streets and roadways, traffic signals and street lighting; (v) graffiti and debris removal from public improvements; (vi) public safety services including police, fire protection and fire suppression; and (vii) maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

YOU MAY OBTAIN A COPY OF THE RESOLUTION OF FORMATION WHICH AUTHORIZED CREATION OF CFD NO. 2020-1, AND WHICH SPECIFIES MORE PRECISELY HOW THE SPECIAL TAX IS APPORTIONED AND HOW THE PROCEEDS OF THE TAX WILL BE USED, FROM THE CITY OF ESCONDIDO BY MICHELLE COLLETT, SENIOR ACCOUNTANT, AT (760) 839-4334. THERE MAY BE A CHARGE FOR THIS DOCUMENT NOT TO EXCEED THE REASONABLE COST OF PROVIDING THE DOCUMENT.

I (WE) ACKNOWLEDGE THAT I (WE) HAVE READ THIS NOTICE AND RECEIVED A COPY OF THIS NOTICE PRIOR TO ENTERING INTO A CONTRACT TO PURCHASE OR DEPOSIT RECEIPT WITH RESPECT TO THE ABOVE REFERENCED PROPERTY. I (WE) UNDERSTAND THAT I (WE) MAY TERMINATE THE CONTRACT TO PURCHASE OR DEPOSIT RECEIPT WITHIN THREE DAYS AFTER RECEIVING THIS NOTICE IN PERSON OR WITHIN FIVE DAYS AFTER IT WAS DEPOSITED IN THE MAIL BY GIVING WRITTEN NOTICE OF THAT TERMINATION TO THE OWNER, SUBDIVIDER, OR AGENT SELLING THE PROPERTY.

Dated: _____

By:

Name:

Dated: _____

By:

Name:

EXHIBIT D

**CFD NO. 2020-2 (THE VILLAGES)
OF THE CITY OF ESCONDIDO**

DISBURSEMENT REQUEST FORM

1. City of Escondido Community Facilities District No. 2020-2 (The Villages) (the "CFD") is hereby requested to pay from the City Improvements Account, or any applicable account or sub-account thereof, of the Improvement Fund established by the CFD in connection with its [20__] Special Tax Bonds (the "Bonds") to City of Escondido (the "City") as payee, the sum set forth below:

\$ _____ (the Requested Amount")

2. The Requested Amount represents the payment of City Fees for ____ lot(s) within the boundaries of the CFD (the "Property").

(Tract No. _____, Lot Nos. _____).

3. The Requested Amount is due and payable, has not formed the basis of any prior request or disbursement.

4. The Requested Amount shall be payable to the City pursuant to the wiring instructions attached hereto.

5. The Requested Amount is authorized and payable pursuant to the terms of the certain Acquisition and Funding Agreement, dated as of _____, 2020 (the "Agreement") between the City, acting for and on behalf of itself and the CFD, and Developer.

6. Capitalized undefined terms used herein shall have the meaning ascribed to them in the Agreement.

Dated: _____

DEVELOPER:

LENNAR HOME OF CALIFORNIA, INC., a
California Corporation

By: _____

Name: _____

Title: _____

Dated: _____

CITY OF ESCONDIDO

By: _____

Its: _____

[ATTACH WIRING INSTRUCTIONS]

EXHIBIT E

DESCRIPTION OF THE MISCELLANEOUS IMPROVEMENTS

1. RINCON DEL DIABLO MUNICIPAL WATER DISTRICT IMPROVEMENTS.

The Miscellaneous Improvements eligible to be financed by the CFD include the construction, purchase, modification, expansion, rehabilitation and/or improvement of water facilities including the acquisition of capacity in the water system of the Rincon Del Diablo Municipal Water District (the "Water District") which are included in the Water District's water capacity and connection fee program (the "Water Facilities"), and all appurtenances and appurtenant work in connection with the foregoing Water Facilities, including the cost of engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for such Water Facilities, and to finance the incidental expenses to be incurred, including::

- a. The cost of engineering, planning and designing the Facilities;
- b. Any other expenses incidental to the construction, acquisition, modification, rehabilitation, completion and inspection of the Water Facilities.

ESTIMATED COST OF MISCELLANEOUS IMPROVEMENTS

Effective January 1, 2020

Description	Fee per Unit	Units	Estimated Cost
<u>Rincon del Diablo Water Connection</u>			
Detached - based on 3/4" meter size	\$7,930.00	79 Meters	\$ 498,648.00
Detached - based on 3/4" meter size (8-pack/not clustered)	\$6,312.00	16 Meters	100,992.00
Master Meter (clustered homes 8 DU) 1.5"	\$30,642.00	7 Meters	214,494.00
Master Meter (clustered homes 12 DU) 2.0"	\$48,910.00	15 Meters	<u>733,650.00</u>
Total Fees:			<u>\$1,547,784.00</u>



Michael R. McGuinness
City Attorney
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4608
E-mail: mmcguinness@escondido.org

March 27, 2020

Dave Shepherd
Lennar Homes of California, Inc.
16465 Via Esprillo, Suite 150
San Diego, CA 92127

Re: Community Facilities District Nos. 2020-1 and 2020-2

Dear Mr. Shepherd:

The City of Escondido (the "City") is in the process of forming the following two community facilities districts: (1) an annexable community facilities district to fund services known as Community Facilities District No. 2020-1 of the City of Escondido (the "Services CFD"); and (2) a community facilities district to fund facilities known as Community Facilities District No. 2020-2 of the City of Escondido (The Villages) (the "Facilities CFD," and, together with the Services CFD, the "CFDs"). The proposed CFDs are expected to be formed simultaneously. As of the date hereof and as of the date of formation of the CFDs, all of the taxable property within the initial boundaries of both proposed CFDs is or is expected to be owned by Lennar Homes of California, Inc. ("Lennar"). As there will be no registered voters living within the boundaries of the CFDs at formation, pursuant to the Mello-Roos Act, the CFDs will be formed following a resolution of formation adopted by the City Council for each of the CFDs calling landowner elections within the boundaries of each CFD. Based on current ownership, the sole landowner voter within each CFD will be Lennar.

The City hereby acknowledges and agrees that if the Services CFD is formed following a landowner election, but the Facilities CFD is not formed for any reason whatsoever, the City shall terminate the Services CFD and record a notice canceling the Services CFD and the special tax authorized to be levied thereby. Conversely, if the Facilities CFD is formed following a landowner election, but the Services CFD is not formed for any reason whatsoever, the City shall terminate the Facilities CFD and record a notice canceling the Facilities CFD and the special tax authorized to be levied thereby.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael R. McGuinness", written over a blue horizontal line.

Michael R. McGuinness
City Attorney

Attachment 3

JOINT COMMUNITY FACILITIES AGREEMENT

among

CITY OF ESCONDIDO

and

RINCON DEL DIABLO MUNICIPAL WATER DISTRICT

and

LENNAR HOMES OF CALIFORNIA, INC.

a California corporation

relating to

**COMMUNITY FACILITIES DISTRICT NO. 2020-2
OF THE CITY OF ESCONDIDO
(THE VILLAGES)**

JOINT COMMUNITY FACILITIES AGREEMENT

THIS JOINT COMMUNITY FACILITIES AGREEMENT (the "Agreement") is dated as of the ___ day of _____, 2020, by and among the CITY OF ESCONDIDO, a political subdivision of the State of California (the "City"), the RINCON DEL DIABLO MUNICIPAL WATER DISTRICT, a municipal water district organized and existing under the laws of the State of California (the "Water District"), and LENNAR HOMES OF CALIFORNIA, INC., a California corporation ("Lennar"), and relates to Community Facilities District No. 2020-2 of the City of Escondido (The Villages) (the "District") for the purpose of financing certain facilities to be owned and operated by the Water District, consisting of various water improvements described in Exhibit B hereto (the "Water District Facilities").

RECITALS:

A. The land described in Exhibit A hereto (the "Property") which is located in the City of Escondido, County of San Diego, consists of all of the land located within the District.

B. Lennar as the developer of the Property intends to obtain, or has obtained, the necessary development approvals to construct approximately 380 residential units on the Property, as such development may be modified from time to time (the "Project"), and to provide the required infrastructure for such residential units and improvements. The required infrastructure includes the Water District Facilities, which would be, absent available Bond proceeds (defined below), funded with water capacity and connection fees of the Water District (the "Water District Fees").

C. The City Council of the City (the "City Council") has formed or intends to form the District pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the California Government Code (the "Act") and has primary responsibility for administration of the District.

D. The provision of the Water District Facilities is necessitated by the development of the Property and the parties hereto find and determine that the residents residing within the boundaries of the Water District, the City and the District will be benefited by the construction and/or acquisition of the Water District Facilities and that this Agreement is beneficial to the interests of such residents.

E. The Water District is authorized by Section 53313.5 of the Act to assist in the financing of the acquisition and/or construction of the Water District Facilities. This Agreement constitutes a joint community facilities agreement, within the meaning of Section 53316.2 of the Act, by and among the Water District, Lennar and the City, pursuant to which the District, when formed, will be authorized to finance the construction and/or acquisition of the Water District Facilities. As authorized by Section 53316.6 of the Act, responsibility for constructing, providing for and operating the Water District Facilities is delegated to the Water District to the extent set forth herein.

E. The parties hereto intend to have the District assist in financing the Water District Facilities by transferring to the Water District a portion of proceeds of bonds issued by the District (the "Bonds") in accordance with the terms of this Agreement and pursuant to the Act.

F. In conjunction with the recording of the final subdivision map(s) for the Project and/or the issuance of building permits for the construction of residential units within the Project, Lennar, or its successors or assigns, may elect to advance Water District Fees before any Bond proceeds are available to pay for Water District Facilities. In such case, Lennar shall be entitled to reimbursement of such Water District Fees, as provided for herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties hereto agree as follows:

1. Recitals. Each of the above recitals is incorporated herein and is true and correct.

2. Sale of Bonds and Use of Proceeds. The purpose of this Agreement is to provide a mechanism by which Lennar may request the District to issue Bonds to provide funds to finance the Water District Facilities. In the event that Bond proceeds are not available to finance the Water District Facilities, then Lennar shall make alternate arrangements with the Water District to finance the Water District Facilities through the payment of Water District Fees.

In the event that the District is formed, the City Council of the City acting as the legislative body of the District may, in its sole discretion, finance the design, construction and acquisition of the Water District Facilities by issuing Bonds. To the extent that the District determines, in its sole discretion, that Bond proceeds are available to finance the Water District Facilities, it shall reserve an amount (the "Water District Facilities Amount") for such purpose.

Lennar and the Water District acknowledge that the timing of the disbursement of the Water District Facilities Amount to the Water District shall be in all respects subject to the sole discretion and approval of the City. In no event will an act, or an omission or failure to act, by the City or the District with respect to the disbursement or nondisbursement of the Water District Facilities Amount subject the District or the City to pecuniary liability hereunder.

The Bonds shall be issued only if, in its sole discretion, the City Council determines that all requirements of state and federal law and all City policies with respect to the issuance of the Bonds have been satisfied or have been waived by the City. In no event shall Lennar or the Water District have a right to compel the issuance of the Bonds or the disbursement of Bond proceeds to fund Water District Facilities.

3. Disbursements.

(a) Bond proceeds of the District designated for the Water District Facilities shall be held by the District in a special account within the acquisition and construction fund or improvement fund under the indenture or fiscal agent agreement for the Bonds (the "Water District Facilities Account of the Improvement Fund") which shall be invested by the City and earn and accumulate its own interest. In the event that the District has deposited Bond proceeds to the Water District Facilities Account of the Improvement Fund to fund all or a portion of the Water District Facilities Amount, the City shall notify the Water District and Lennar, in writing as to the amount of Bond proceeds so deposited and the yield on the Bonds within ten (10) business days of such proceeds becoming so available. All interest earnings on amounts in the District's Water District Facilities Account of the Improvement Fund shall remain in the

Water District Facilities Account and will be available for disbursement for the Water District Facilities as described below.

(b) The City shall make disbursements from the Water District Facilities Account of the Improvement Fund in accordance with the terms of this Agreement and neither the City nor the District shall be responsible to the Water District for costs incurred by the Water District as a result of withheld or delayed payments.

(c) The Water District agrees that it will request a disbursement of Bond proceeds only for costs related to the Water District Facilities that are eligible for financing under the Act. The Water District agrees that prior to requesting payment from the District it shall review and approve all costs included in its request and will have already paid such costs of Water District Facilities from its own funds or will disburse such amounts to pay the costs of the Water District Facilities within five banking days of receipt of funds from the District. In the event that the Water District does not disburse any Bond proceeds received for disbursement to third parties within five banking days of receipt, it will trace and remit to the District from which such Bond proceeds were received all earnings, if any, earned by the Water District in excess of the yield on the Bonds, from the date of receipt of such Bond proceeds by the Water District to the date of expenditure by the Water District of such Bond proceeds for capital costs of the Water District Facilities. Such remittance, if any, shall occur on the earlier of the date of expenditure of such Bond proceeds or each anniversary date of the transfer of such Bond proceeds from the District to the Water District. The Water District agrees that in processing the above disbursements it will comply with all legal requirements for the expenditure of Bond proceeds under the Act and the Internal Revenue Code of 1986 and any amendments thereto. As a condition to receiving any proceeds of the Bonds, the Water District agrees that it shall provide to the District, a certificate confirming the representations contained in Section 3 hereof and such other matters as the District may reasonably request upon which the District and its bond counsel may rely in connection with the issuance of such Bonds and their conclusion that interest on such Bonds is not included in gross income for federal income tax purposes.

(d) The Water District agrees to maintain adequate internal controls over its payment function and to maintain accounting records in accordance with generally accepted accounting procedures. The Water District will, upon request, provide to the District and the City its annual financial report certified by an independent certified public accountant and any other documents deemed necessary by the District and the City for purposes of calculating the District's arbitrage rebate obligations. The District and the City shall have the right to conduct their own audit of the Water District's records related to the expenditure of the Water District Facilities Amount at reasonable times during normal business hours.

(e) From time to time upon written request from Lennar in the form attached hereto as Exhibit D ("Payment Request") and the Water District's approval/acknowledgement of such Payment Request, the Water District shall submit a request for disbursement along with adequate supporting documentation to the District which shall be in the form attached hereto as Exhibit C ("Disbursement Request"), which shall be signed by the [Director of Public Works], his or her or written designee, and which shall be for the exact amount to be reimbursed to the Water District, which costs shall in no event exceed the amount remaining on deposit in the Water District Facilities Account of the Improvement Fund. Upon receipt of an approved Disbursement Request completed in accordance with the terms of this Agreement, the City shall wire transfer such portion of requested funds as are then available for release pursuant to the documents pursuant to which the Bonds are issued to the Water District's bank account, as directed by the Water District. In each case, the Water District shall remit such funds in

accordance with the approved Payment Request, as follows (i) to pay Lennar for Water District Facilities previously funded through the payment of Water District Fees for residential units or lots within the District and not yet reimbursed with special taxes or Bond proceeds of the District, and/or (ii) to pay the Water District for Water District Facilities in an amount up to the Water District Fees for the residential units or lots within the District which have not yet been paid (in which case Lennar or its written designee shall receive credit for the Water District Fees with respect to such residential units or lots identified in the approved Payment Request).

(f) If five (5) years following the issuance of a series of Bonds, 85% or more of the amount deposited into the Water District Facilities Account of the Improvement Fund from proceeds of such Bonds have not been expended for federal tax law purposes, the District may in its sole discretion transfer such funds to the City Improvements Account of the Improvement Fund to be used to pay for the costs of eligible public facilities or to the redemption fund to redeem Bonds; provided, however that such funds may be retained in the Water District Facilities Account of the Improvement Fund beyond such five year period upon the written request of the Water District, and delivery by the Water District of an opinion of bond counsel that such extension will not affect the exclusion from gross income of interest on such Bonds issued on a tax-exempt basis.

4. Construction and Ownership of Facilities. The Water District will complete the design of the Water District Facilities and the plans and specifications for construction of the Water District Facilities and will be responsible for constructing and inspecting the Water District Facilities. The Water District covenants and agrees that with respect to the Water District Facilities it will comply with all statutory provisions applicable to the design and construction of public works projects. The Water District Facilities shall be and remain the property of the Water District.

5. Indemnification. The City shall assume the defense of, indemnify and save harmless, the Water District, its officers, employees and agents, and each and every one of them, from and against all actions, damages, claims, losses or expenses of every type and description to which they may be subjected or put, by reason of, or resulting from, any act or omission of the City with respect to this Agreement and the issuance of the Bonds. No provision of this Agreement shall in any way limit the extent of the City's responsibility for payment of damages resulting from the operations of the City and its contractors; provided, however, that the City shall not be required to indemnify any person or entity as to damages resulting from negligence or willful misconduct of such person or entity or their agents or employees. The Water District shall assume the defense of, indemnify and save harmless, the City, its officers, employees and agents, and each and every one of them, from and against all actions, damages, claims, losses or expenses of every type and description to which they may be subjected or put, by reason of, or resulting from, any act or omission of the Water District with respect to this Agreement, and the design, engineering and construction of the Water District Facilities. No provision of this Agreement shall in any way limit the extent of the Water District's responsibility for payment of damages resulting from the operations of the Water District and its contractors; provided, however, that the Water District shall not be required to indemnify any person or entity as to damages resulting from negligence or willful misconduct of such person or entity or their agents or employees.

6. Allocation of Special Taxes. The City Council, as the legislative body of the District, shall annually levy a special tax as provided for in the formation proceedings and any change proceedings of the District. The entire amount of any special tax levied by the District to repay Bonds, or to fund other obligations, shall be allocated at the discretion of the District.

7. Amendment. This Agreement may be amended at any time but only in writing signed by each party hereto.

8. Entire Agreement. This Agreement contains the entire agreement between the parties with respect to the matters provided for herein and supersedes all prior agreements and negotiations between the parties with respect to the subject matter of this Agreement.

9. Notices. Any notice, payment or instrument required or permitted by this Agreement to be given or delivered to either party shall be deemed to have been received when personally delivered or seventy-two hours following deposit of the same in any United States Post Office in California, registered or certified, postage prepaid, addressed as follows:

City/District: City of Escondido
201 North Broadway
Escondido, CA 92025
Attn: City Manager

Rincon Del Diablo Municipal Water District:

Rincon Del Diablo Municipal Water District
1920 North Iris Lane
Escondido, CA 92026
Attn: General Manager

Lennar: Lennar Homes of California, Inc.
16465 Via Esprillo, Suite 150
San Diego, CA 92127
Attn: Dave Shepherd

Each party may change its address for delivery of notice by delivering written notice of such change of address to the other parties hereto.

10. Exhibits. All exhibits attached hereto are incorporated into this Agreement by reference.

11. Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

12. Governing Law and Venue. This Agreement and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws of the State of California. In the event of any legal action to enforce or interpret this Agreement, the sole and exclusive venue shall be a court of competent jurisdiction located in the County of San Diego, California, and the parties hereto agree to and do hereby submit to the jurisdiction of such court, notwithstanding Code of Civil Procedure Section 394. Furthermore, the parties specifically agree to waive any and all rights to request that an action be transferred for trial to another county.

13. Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other parties hereto, or the failure by a party to exercise its rights upon the default of another party, shall not constitute a waiver of such party's right to

insist and demand strict compliance by such other parties with the terms of this Agreement thereafter.

14. No Third Party Beneficiaries. No person or entity other than the District when and if formed shall be deemed to be a third party beneficiary hereof, and nothing in this Agreement (either express or implied) is intended to confer upon any person or entity, other than the Water District, the City, the District and Lennar (and their respective successors and assigns), any rights, remedies, obligations or liabilities under or by reason of this Agreement.

15. Assignment. Lennar may assign all or any of its rights pursuant to this Agreement to a purchaser of all or any portion of the Property. Such a purchaser and assignee shall, as a condition to taking an assignment of such rights, enter into an assignment and assumption agreement with the City and Lennar, in a form reasonably acceptable to Lennar and the City, whereby such rights assigned are specified and such purchaser agrees, except as may be otherwise specifically provided therein, to assume the obligations of Lennar pursuant to this Agreement and to be bound thereby.

16. Termination. This Agreement shall terminate on the tenth anniversary hereof if Bonds have not been issued prior to such date, unless (i) it is extended by the written consent of all the parties hereto or (ii) building permits have been issued for all homes expected to be built within the District, construction of such homes is ongoing or has been completed, and Lennar has not been fully reimbursed for Water District Facilities pursuant to Section 3(e) above.

17. Singular and Plural; Gender. As used herein, the singular of any word includes the plural, and terms in the masculine gender shall include the feminine.

18. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute but one instrument.

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

CITY OF ESCONDIDO, a political subdivision of the State of California

By: _____
City Manager

ATTEST:

By: _____
City Clerk

RINCON DEL DIABLO MUNICIPAL WATER DISTRICT

By: _____
General Manager

ATTEST:

By: _____
Its: _____, Board Secretary

LENNAR HOMES OF CALIFORNIA, INC., a California corporation

By: _____
Ryan Green,
Vice President Land Acquisition

EXHIBIT A
DESCRIPTION OF PROPERTY

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

Assessor's Parcel Nos. (as set forth in the County of Escondido Assessor's Fiscal Year 2019-20 Roll):

224-431-01-00
224-431-02-00
224-431-03-00
224-430-04-00
224-491-01-00
224-490-05-00
224-490-06-00
224-211-05-00
224-211-11-00
224-211-12-00
224-211-15-00
224-230-43-00
224-230-36-00
224-210-53-00
224-881-28-00

EXHIBIT B

DESCRIPTION OF WATER DISTRICT FACILITIES

The proposed types of public facilities and expenses to be financed by the District include:

The construction, purchase, modification, expansion, rehabilitation and/or improvement of water facilities including the acquisition of capacity in the water system of the Rincon Del Diablo Municipal Water District which are included in Rincon Del Diablo Municipal Water District's water capacity and connection fee program (the "Water District Facilities"), and all appurtenances and appurtenant work in connection with the foregoing Facilities, including the cost of engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for such Water District Facilities, and to finance the incidental expenses to be incurred, including:

- a. The cost of engineering, planning and designing the Water District Facilities;
- b. All costs, including costs of the property owner petitioning to form the District, associated with the creation of the District, the issuance of the bonds, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District; and
- c. Any other expenses incidental to the construction, acquisition, modification, rehabilitation, completion and inspection of the Water District Facilities.

EXHIBIT C

DISBURSEMENT REQUEST FORM

1. Community Facilities District No. 2020-2 of the City of Escondido (The Villages) ("CFD No. 2020-2") is hereby requested to pay from the Water District Facilities Account of the Improvement Fund established by the City Council of the City of Escondido (the "City") in connection with its CFD No. 2020-2 Series _____ Special Tax Bonds (the "Bonds"), to the Rincon Del Diablo Municipal Water District (the "Water District"), as Payee, the sum set forth below in payment of project costs described below.

2. The undersigned certifies that the amount requested has been expended or encumbered for the purposes of planning, designing, engineering, constructing and/or completing Water District Facilities. The amount requested is due and payable under, or is encumbered for the purpose of funding, a purchase order, contract or other authorization with respect to the project costs described below and has not formed the basis of a prior request or payment. In the event that the Water District does not disburse any Bond proceeds received for disbursement to third parties within five banking days of receipt, the Water District agrees to trace and remit to CFD No. 2020-1 all earnings, if any, in excess of the yield on the Bonds accruing from the investment of such Bond proceeds, from the date of receipt by the Water District of such amounts to the date of expenditure of such amounts by payment thereof to a third party for the costs set forth below. Such remittance, if any, shall be made each year on the earlier of the expenditure of such amounts or the anniversary date of the transfer of the requested amounts by CFD No. 2020-1 to the Water District.

3. Description of Water District Facilities Costs:

4. Amount requested: \$_____.

5. The amount set forth is authorized and payable pursuant to the terms of the Joint Community Facilities Agreement among the City of Escondido, Lennar Homes of California, Inc. and the Water District dated as of _____, 2020 (the "Agreement"). Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

6. Total payments to the Water District for the Water District Facilities from CFD No. 2020-2, including the amounts to be paid under paragraph 4 above, will not exceed the maximum amount to be disbursed for Water District Facilities under the Agreement.

Executed by an authorized representative of the Rincon Del Diablo Municipal Water District.

By: _____

Name: _____

Title: _____

Date: _____

Request No. _____

EXHIBIT D

PAYMENT REQUEST FORM

1. The Rincon Del Diablo Municipal Water District (the "Water District") is hereby requested to submit a disbursement request to Community Facilities District No. 2020-2 of the City of Escondido (The Villages) (the "District") to pay from the Water District Facilities Account of the Improvement Fund established by the City Council of the City of Escondido (the "City") in connection with its CFD No. 2020-2 Series _____ Special Tax Bonds (the "Bonds"), to the Water District, as Payee, the sum set forth below in payment of Water District Facilities costs as described below.

2. The total amount requested herein is \$_____, comprised of the following:

a. [insert dollar amount or N/A] to reimburse the undersigned (or its assigns) for water capacity and connection fees previously paid for Lots ___ of Tract ___ within the District and not yet reimbursed with special taxes or Bond proceeds of the District. [ATTACH SUPPORTING DOCUMENTATION.]

b. [insert dollar amount or N/A] to pay the Water District for water and/or sewer capacity and connection fees relating to Lots ___ of Tract ___ within the District, which have not yet been paid. This amount will serve as a credit to such lots against the applicable fees.

3. CHECK APPLICABLE BOXES:

1. On behalf of [Property Owner name], I hereby certify and represent that the above-referenced amount of \$_____ in section 2a was previously paid to Water District by [Property Owner name], for water capacity and connection fees imposed by Water District, and such amounts have not been previously reimbursed by Water District to [Property Owner name] (or to any of its successors and assigns).

2. On behalf of [Property Owner name], I hereby certify and represent that the above-referenced amount of \$_____ in section 2b is currently due to Water District from [Property Owner name] for water capacity and connection fees imposed by Water District on [Property Owner name] for the lots identified.

Dated: _____, 20__

By: _____
Authorized Representative of
[Property Owner name]

Name: _____

Title: _____

Attachment 4

PETITION TO THE CITY COUNCIL OF THE CITY OF ESCONDIDO REQUESTING INSTITUTION OF PROCEEDINGS FOR ESTABLISHMENT OF A COMMUNITY FACILITIES DISTRICT (COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO) (SERVICES)

1. The undersigned (the “Owner”) is the owner of the land described in Exhibit B hereto (the “Property”), which land is expected to be included within the boundaries of a community facilities district hereby proposed to be established. The Property is located within the boundaries of the City of Escondido (the “City”), County of San Diego.

2. The Owner requests that the City Council of the City of Escondido (the “City Council”) institute proceedings to establish a community facilities district to be known as “Community Facilities District No. 2020-1 of the City of Escondido (Services)” (referred to herein as the “District”) pursuant to Chapter 2.5 (commencing with Section 53311), Part 1, Division 2, Title 5, of the Government Code of the State of California, commonly known as the “Mello-Roos Community Facilities Act of 1982” (the “Act”), to include all of the Property. The proposed rate and method of apportionment for the District is set forth in Exhibit C hereto.

3. The boundaries of the territory which is proposed for inclusion in the District are those depicted in Exhibit A hereto. The Owner acknowledges that the City proposes to designate the remainder of the territory within the boundaries of the City and its sphere of influence as property that may be annexed to the District in the future in accordance with the Act (the “Future Annexation Area”).

4. The Owner requests that the proposed District fund certain services permitted under the Act, including maintenance of parks, parkways and open space; flood and storm protection services; the operation of storm drainage systems; and fire suppression and public safety services (collectively, the “Services”). In addition, the District may fund actual or reasonably estimated costs directly related to the formation, annexation, and administration of the District including, but not limited to: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs to the City, the District, or any designee thereof associated with fulfilling the District reporting requirements; the costs associated with responding to public inquiries regarding the Special Taxes; the costs of the City, the District or any designee thereof related to an appeal of the Special Tax; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or the District for any other administrative purposes of the District, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

5. The Owners further request that, the City Council, as legislative body of the District, annually levy special taxes on the property within the District to provide for the Services, and for the payment of administrative expenses of the District and for such services as the City Council deems appropriate.

Dated: 3/24/2020
_____, 2020

LENNAR HOMES OF CALIFORNIA, INC.,
a California corporation

By:  _____
864E94C1EDF3438...
Ryan Green
Vice President Land Acquisition

EXHIBIT A

BOUNDARY MAP

PROPOSED BOUNDARY MAP OF
 COMMUNITY FACILITIES DISTRICT NO. 2020-1
 (SERVICES)
 ZONE 2020-1 (THE VILLAGES)
 OF THE CITY OF ESCONDIDO
 COUNTY OF SAN DIEGO
 STATE OF CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF ESCONDIDO, THIS _____ DAY OF _____, 2020.

By: _____
 CITY CLERK
 CITY OF ESCONDIDO
 STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2020-1 ZONE 2020-1 (THE VILLAGES) OF THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ESCONDIDO AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2020, BY ITS RESOLUTION NO. _____.

By: _____
 CITY CLERK
 CITY OF ESCONDIDO
 STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____, 2020, AT THE HOUR OF _____ O'CLOCK _____ M. AS DOCUMENT NO. _____ IN BOOK _____ PAGE _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, CALIFORNIA.

By: _____
 DEPUTY RECORDER
 COUNTY RECORDER, ERNEST J. DRONENBURG, JR.
 COUNTY OF SAN DIEGO
 STATE OF CALIFORNIA

SDFA
 SPECIAL DISTRICT FINANCING
 & ADMINISTRATION

437 WEST GRAND AVENUE
 ESCONDIDO, CALIFORNIA 92025
 TELEPHONE: (760)233-2630
 FAX: (760)233-2631

VICINITY MAP
 NOT TO SCALE

SHEET	1 OF 2
DATE	MARCH 2020
JOB NO.	2020-1-220-1

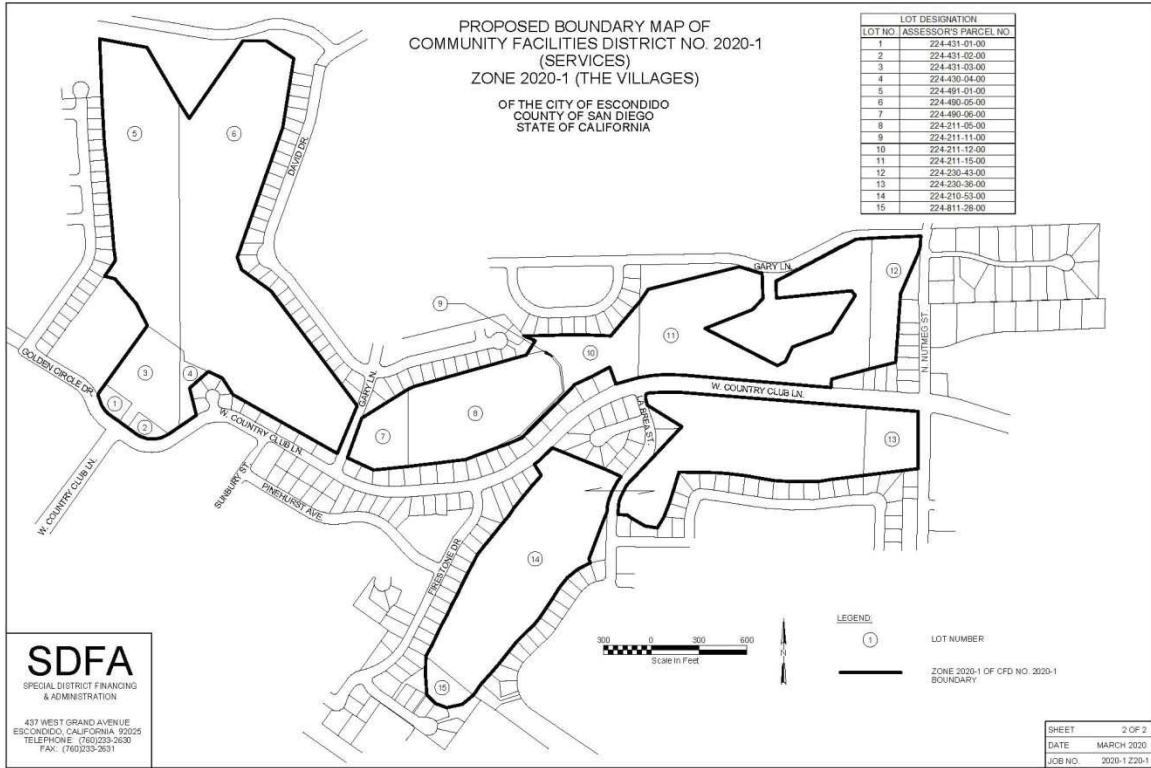


EXHIBIT B

LEGAL DESCRIPTION

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

Assessor's Parcel Nos. (as set forth in the County of Escondido Assessor's Fiscal Year 2019-20 Roll):

224-431-01-00
224-431-02-00
224-431-03-00
224-430-04-00
224-491-01-00
224-490-05-00
224-490-06-00
224-211-05-00
224-211-11-00
224-211-12-00
224-211-15-00
224-230-43-00
224-230-36-00
224-210-53-00
224-881-28-00

EXHIBIT C

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES COMMUNITY FACILITIES DISTRICT NO. 2020-1 (Services) CITY OF ESCONDIDO

A Special Tax (as hereinafter defined) shall be levied on all Assessor's Parcels within Community Facilities District No. 2020-1 ("CFD No. 2020-1") of the City of Escondido ("City") and collected each Fiscal Year commencing in Fiscal Year 2020-2021, in an amount determined by the City Council, through the application of this Rate and Method of Apportionment of Special Taxes as described below. All of the real property within the boundaries of CFD No. 2020-1, unless exempted by law or by the provisions hereof, shall be subject to the Special Tax for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the acreage of an Assessor's Parcel as shown on an Assessor's Parcel Map. If the acreage is not shown on an Assessor's Parcel Map, the acreage shown on the applicable Final Map, parcel map, condominium plan, or other recorded County map shall be used. If the acreage information supplied by these alternative sources is not available, or in conflict, the acreage used shall be determined by the CFD Administrator or a designee.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the formation, annexation and administration of CFD No. 2020-1, including but not limited to the following: (i) the costs of computing the Special Taxes and preparing and presenting to City Council the Special Tax collection schedules (whether by the City or designee thereof or both); (2) the costs of collecting the Special Taxes (whether by the County or otherwise); (3) the costs to the City, CFD No. 2020-1 or any designee thereof in responding to property owner and public inquiries regarding CFD No. 2020-1, including its Special Taxes; (4) the costs of the City, CFD No. 2020-1 or any designee related to an appeal of the Special Tax; (5) the costs of the City, CFD No. 2020-1 or any designee related to preparing required reporting obligations; (6) the City's annual administration fees and third party expenses; (7) the costs of City staff time and reasonable overhead relating to CFD No. 2020-1; and (8) amounts estimated or advanced by the City or CFD No. 2020-1 for any other administrative purposes of CFD No. 2020-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor" means the County Assessor.

"Assessor's Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's parcel number located within the boundaries of CFD No. 2020-1.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s parcel number.

“Building Permit” means the first legal document issued by the City giving official permission for the construction of a building on an Assessor’s Parcel. For purposes of this definition and application of the Special Tax, “Building Permit” may or may not include any subsequent building permits issued or changed after the first issuance, as determined by the CFD Administrator.

“CFD Administrator” means the Finance Director or other official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes and performing the other duties provided herein.

“CFD No. 2020-1” means Community Facilities District No. 2020-1 of the City of Escondido.

“City” means the City of Escondido, California.

“City Council” means the City Council of the City, acting as the Legislative Body of CFD No. 2020-1, or its designee.

“County” means the County of San Diego, California.

“Density” means the maximum number of dwelling units permitted per acre, including streets within the development, excluding all ultimate circulation element street rights-of-way, adjustments for floodways as defined by the Federal Emergency Management Agency (FEMA) or the City, slope categories, and other environmental factors as designated in each land use category and/or open space/ conservation element. All as further defined within the City’s General Plan adopted May 2012 per Resolution 2012-52, as amended from time-to-time. Density shall be determined by the CFD Administrator prior to annexation.

“Developed Property” means, for each Fiscal Year, all Taxable Property for which a Building Permit for new construction was issued prior to March 1st of the prior Fiscal Year.

“Dwelling Unit” or “DU” means, as defined in the City of Escondido Municipal Code 32.102 and amended from time to time, each residential unit, without regard to the square footage of the Dwelling Unit, including but not limited to an individual single-family detached Dwelling Unit, small lot single-family Dwelling Unit, townhome, condominium, apartment, or other such residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure that comprises an independent facility capable of conveyance or rental separate from the primary Dwelling Unit(s). Dwelling Unit does not include an attached or detached accessory dwelling unit, as defined in the Section 33-8 of the Escondido Zoning Code, as amended from time-to-time.

“Exempt Property” means all Assessor’s Parcels designated as being exempt from Special Taxes pursuant to Section D.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Index” means the Consumer Price Index as published by the United State Department of Labor, titled “CPI for All Urban Consumers.” Further defined with the Series Title, “All items

in San Diego – Carlsbad, CA, all urban consumers, not seasonally adjusted”. If this Index is no longer available, an alternative comparable Index will be chosen by the CFD Administrator.

“Land Use Category” means any of the categories listed in Section C, Table 1 which resulted from the initial analysis of the impacts from new Dwelling Units for providing Services and Appendix A, as to the initial property within CFD No. 2020-1, which may be updated from time to time as annexations occur.

“Maximum Special Tax” means for each Assessor’s Parcel and each Fiscal Year, the Maximum Special Tax, determined in accordance with Section C, below, that may be levied on such Assessor’s Parcel in such Fiscal Year.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit was issued for any type of non-residential use.

“Proportionately” means for Taxable Property, that the ratio of actual Special Tax levy to the Maximum Special Tax rate is equal for all applicable Assessor’s Parcels within the Zone.

“Rate and Method of Apportionment” means the “Rate and Method of Appointment of Special Taxes for Community Facilities District No. 2020-1 of the City of Escondido.”

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one or more Dwelling Units.

“Services” means services authorized to be funded by CFD No. 2020-1.

“Special Tax(es)” means the Special Tax authorized to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property within the boundaries of CFD No. 2020-1 in accordance with this Rate and Method of Apportionment.

“Special Tax Requirement” means, subject to the Maximum Special Tax, that amount to be collected in any Fiscal Year to pay for the Services as otherwise required to meet the needs of CFD No. 2020-1. The Special Tax Requirement include the costs for (1) the Services, and (2) Administrative Expenses, less (3) a credit for funds available to reduce the Special Tax levy, if any, as determined by the CFD Administrator.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of CFD No. 2020-1 which are not exempt from the Special Tax pursuant to law or Section D below.

“Undeveloped Property” means, for each Fiscal Year, all Assessor’s Parcels, or portions thereof, of Taxable Property not classified as Developed Property.

“Zone” means a mutually exclusive geographic area or areas, within which particular Special Tax rates may be levied pursuant to this Rate and Method of Apportionment. The initial Zone of CFD No. 2020-1 is identified as Zone 2020-1. Additional Zones may be created when property is annexed into CFD No. 2020-1.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2020-21, all property within CFD No. 2020-1 shall be classified as Taxable Property or Exempt Property. Each Assessor Parcel of Taxable Property shall be further classified as Developed Property or Undeveloped Property and shall be subject to Special Taxes in accordance with this Rate and Method of Apportionment determined pursuant to Section C below. Assessor's Parcels of Taxable Developed Property shall further be classified into Land Use Categories.

C. MAXIMUM SPECIAL TAX

An Assessor's Parcel may contain more than one Land Use Category. The Maximum Special Tax which may be levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax that can be imposed based on each Land Use Category applicable to such Assessor's Parcel.

1. Developed Property

a. Maximum Special Tax

Each Fiscal Year, each Assessor's Parcel of Developed Property shall be subject to the Maximum Special Tax. The Maximum Special Tax applicable for Developed Taxable Property within Zone 2020-1 was determined through the application of Table 1, and is as shown in Appendix A. Appendix A will be updated at the time of each annexation to reflect the Land Use Categories and applicable Maximum Special Taxes for each annexed Zone or by areas within each annexed Zone.

The Maximum Special Tax for Fiscal Year 2020-2021 applicable to an Assessor's Parcel of Developed Property shall be determined using Table 1 below.

TABLE 1
Maximum Special Tax Rates
for Developed Residential Property per Dwelling Unit*
Fiscal Year 2020-2021

Land Use Category	Density	Unit	Special Tax Per Unit
1	Less than 5.5 DU/Acre	DU	\$536.00
2	5.5 to less than 18 DU/Acre	DU	\$743.00
3	18.0 to less than 30 DU/Acre	DU	\$725.00
4	30 DU/Acre or Greater	DU	\$783.00

* The analysis performed to establish the Special Tax per DU shown above only considered the impacts from property within the current City boundary.

b. Escalation

Each July 1st, commencing July 1, 2021, the Maximum Special Taxes shall increase annually by the greater of the annual percentage change in the Index or two percent (2%) from the amount established in the prior Fiscal Year.

2. Undeveloped Property

No Special Tax shall be levied on Undeveloped Property.

D. EXEMPT PROPERTY

The CFD Administrator shall classify as Exempt Property within the boundaries of CFD No. 2020-1: (1) Any Assessor's Parcel that is owned or irrevocably dedicated to the State of California, Federal or other local governments, including school districts, (2) Assessor's Parcels which are owned by or irrevocably dedicated to a homeowners association, or (3) Assessor's Parcels with other types of public uses determined by the CFD Administrator.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2020-2021 and for each following Fiscal Year, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year and shall levy the Special Tax Proportionately on each Assessor's Parcels of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

No prepayments of the Special Tax are permitted.

G. APPEALS AND INTERPRETATIONS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator. The written notice of appeal must be filed within the same Fiscal Year as having paid the first installment of the Special Tax that is disputed and the property owner must be current and remain current in the payment of all Special Tax levied on or before the payment date.

The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, an adjustment shall be made to the Annual Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) and a refund, as described, shall be made representing the amount of the adjustment for only the most recent Fiscal Year. The CFD Administrator shall determine if funds are available to provide such refund or, if funds are not available in the sole discretion of the CFD Administrator to provide a cash refund, a credit to the levy of Special Tax in one or more subsequent Fiscal Years shall be made in the same amount. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal actions by such property owner.

The CFD Administrator may interpret this Rate and Method of Apportionment for purposes of clarifying ambiguity and make determinations relative to the amount of Administrative Expenses.

H. MANNER OF COLLECTION

The Special Tax will be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2020-1 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

I. TERM OF THE SPECIAL TAX

For each Fiscal Year, the Special Tax shall be levied in perpetuity as long as the Services are being provided.

J. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed into CFD No. 2020-1 from time to time. For Land Use Categories not included in the initial boundaries of CFD No. 2020-1, a study and report describing the Services to be provided to such properties and the estimated cost of such Services shall be provided to the City Council as the legislative body of the CFD No. 2020-1 in accordance with Section 53321.5 of the Mello-Roos Act. Based on this analysis, the property to be annexed, pursuant to California Government Code section 53339 et. seq. will be assigned an appropriate Maximum Special Tax rate for the Zone or areas within the Zone by Land Use Category as provided herein or as defined and detailed when annexed and included in Appendix A.

APPENDIX A

**COMMUNITY FACILITIES DISTRICT NO. 2020-1
(Services)
CITY OF ESCONDIDO**

MAXIMUM SPECIAL TAXES ASSIGNED TO EACH ZONE

**ZONE 2020-1 (The Villages)
Maximum Special Tax Rates
for Developed Residential Property per Dwelling Unit
Fiscal Year 2020-2021**

Zone	Land Use Category	Density	Unit	Special Tax Per Unit
2020-1	2	5.5 to less than 18 DU/Acre	DU	\$743.00

Increases in the Maximum Special Tax:

On each July 1, commencing July 1, 2021, the Maximum Special Tax shall be increased by the greater of the annual percentage change in the Index or 2%.

Attachment 5

1. The undersigned (the “Owner”) is the owner of more than 10% of the land depicted in Exhibit A hereto and described in Exhibit B hereto (the “Property”), which land is expected to be all of the land included within the boundaries of a community facilities district hereby proposed to be established. The Property is located within the City of Escondido (the “City”) in the County of San Diego.

2. The Owner requests that the City Council of the City (the “City Council”) institute proceedings to establish a community facilities district to be known as “Community Facilities District No. 2020-2 of the City of Escondido (The Villages)” (referred to herein as the “District”) pursuant to Chapter 2.5 (commencing with Section 53311), Part 1, Division 2, Title 5, of the Government Code of the State of California, commonly known as the “Mello-Roos Community Facilities Act of 1982” (the “Act”) to include all of the Property.

3. The boundaries of the territory which is proposed for inclusion in the District are those depicted in Exhibit A hereto and described in Exhibit B hereto.

4. The Owner requests that the proposed District be used to finance the construction, purchase, modification, expansion and/or improvement of (i) water and wastewater, drainage, library, park, fire, roadway, traffic, administration and community center facilities, marina and animal shelter facilities, and other public facilities of the City, including the foregoing public facilities which are included in the City’s fee programs with respect to such facilities and authorized to be financed under the Mello-Roos Community Facilities Act of 1982, as amended (the “City Facilities”) and (ii) water facilities including the acquisition of capacity in the water system of the Rincon Del Diablo Municipal Water District which are included in Rincon Del Diablo Municipal Water District’s water capacity and connection fee programs (the “Water District Facilities,” and, together with the City Facilities, the “Facilities”), and all appurtenances and appurtenant work in connection with the foregoing Facilities, including the cost of engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for such Facilities, and to finance the incidental expenses to be incurred, including:

a. All costs, including costs of the property owner petitioning to form the District, associated with the creation of the District, the issuance of the bonds, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District; and

b. Any other expenses incidental to the construction, acquisition, modification, rehabilitation, completion and inspection of the Facilities.

5. The Owner further requests that the City Council authorize the levy of special taxes in the District to pay the costs of the Facilities and the incidental costs described in paragraph 4 above (the “Special Tax”) and to pay principal of, interest and premium, if any, on the bonds in order to contribute to the financing of the Facilities and costs described in paragraph 4 above.

6. The Owner further requests that, upon the sale of bonds, the City Council, as legislative body of the District, annually levy Special Taxes on the property within the District for the construction, acquisition and rehabilitation of the Facilities, for the payment of the aggregate amount of principal of and interest owing on the bonds in each fiscal year, including the maintenance of reserves therefor, and for the payment of administrative expenses of the District.

7. The Owner has advanced to the City the amounts necessary to pay for the costs related to the formation of the District, which amounts will be reimbursed, without interest, from the proceeds of the first sale of the bonds, if any. If bonds are not sold, the City will have no obligation to reimburse amounts expended for costs incurred, but will reimburse any unexpended amounts advanced by the Owner.

3/24/2020
Dated: _____, 2020

LENNAR HOMES OF CALIFORNIA, INC.,
a California corporation

DocuSigned by:

By: _____
864E94C1EDF3438...
Ryan Green
Vice President Land Acquisition

EXHIBIT A

BOUNDARY MAP

PROPOSED BOUNDARY MAP OF
 COMMUNITY FACILITIES DISTRICT NO. 2020-2
 (THE VILLAGES)
 OF THE CITY OF ESCONDIDO
 COUNTY OF SAN DIEGO
 STATE OF CALIFORNIA

SDFFA
 SPECIAL DISTRICT FINANCING
 & ADMINISTRATION
 437 WEST GRAND AVENUE
 ESCONDIDO, CALIFORNIA 92025
 TELEPHONE: (760)233-3630
 FAX: (760)233-3631

VICINITY MAP
 NOT TO SCALE

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF ESCONDIDO, THIS _____ DAY OF _____, 2020.

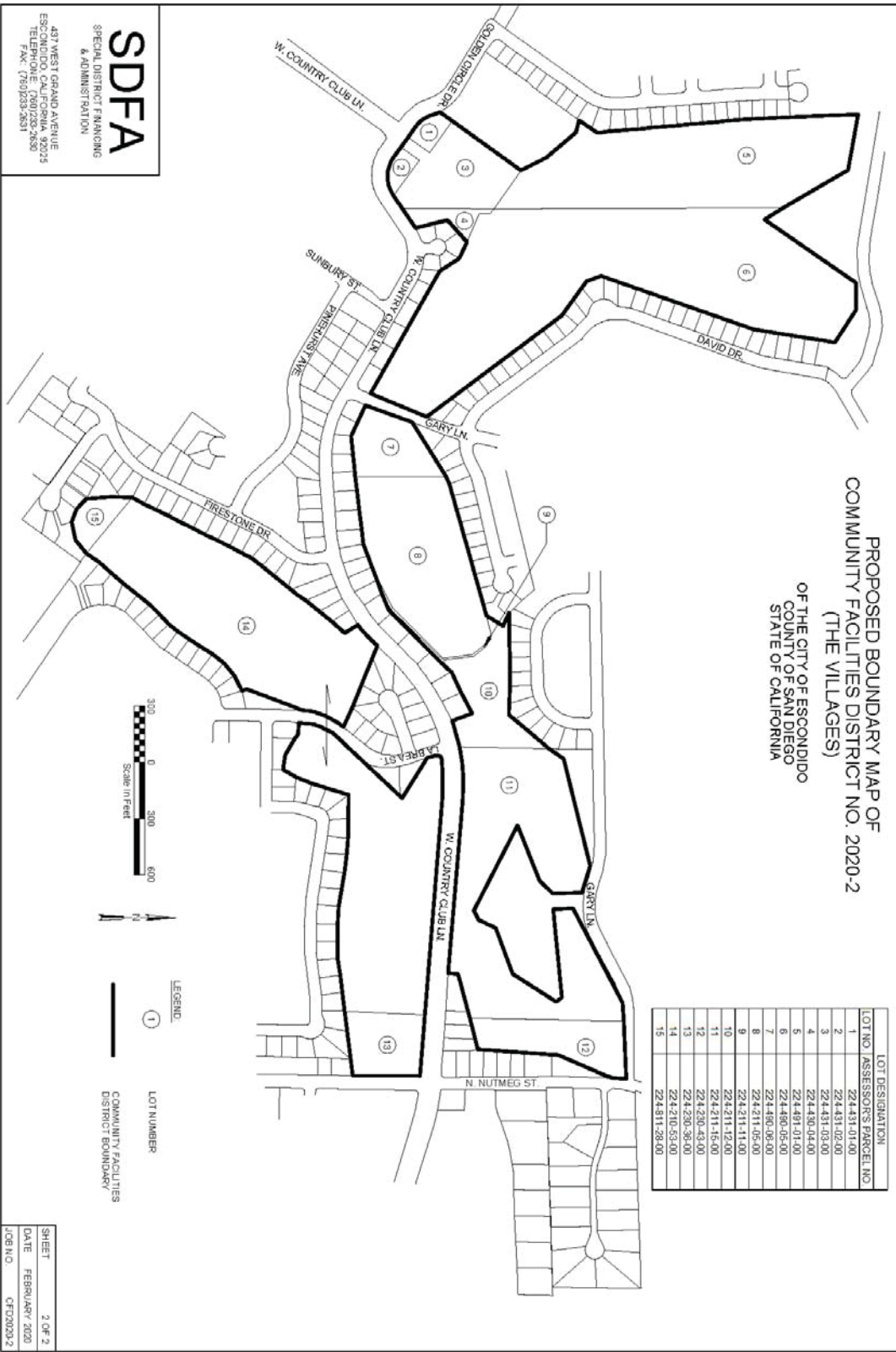
By: _____
 CITY CLERK
 CITY OF ESCONDIDO
 STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WAS FILED IN THE OFFICE OF THE CITY CLERK OF ESCONDIDO AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____, 2020, BY ITS RESOLUTION NO. _____.

FILED THIS _____ DAY OF _____, 2020, AT THE _____ O'CLOCK _____ P.M. AS DOCL. 2020. AT THE _____ PAGE _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO, CALIFORNIA.

By: _____
 DEPUTY RECORDER
 COUNTY RECORDER, ERNST J. DRONENBURG, JR.
 COUNTY OF SAN DIEGO
 STATE OF CALIFORNIA

SHEET 1 OF 2
 DATE FEBRUARY 2020
 JOB NO. CPO2020-2



SDFEA
SPECIAL DISTRICT FINANCING
& ADMINISTRATION
427 WEST GRAND AVENUE
ESCONDIDO, CALIFORNIA 92025
TELEPHONE (760)233-2650
FAX: (760)233-2631

EXHIBIT B

LEGAL DESCRIPTION

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

Assessor's Parcel Nos. (as set forth in the County of Escondido Assessor's Fiscal Year 2019-20 Roll):

224-431-01-00
224-431-02-00
224-431-03-00
224-430-04-00
224-491-01-00
224-490-05-00
224-490-06-00
224-211-05-00
224-211-11-00
224-211-12-00
224-211-15-00
224-230-43-00
224-230-36-00
224-210-53-00
224-881-28-00

RESOLUTION NO. 2020-24

A RESOLUTION OF CITY COUNCIL OF THE CITY OF ESCONDIDO DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO (SERVICES), TO AUTHORIZE THE LEVY OF A SPECIAL TAX ON PROPERTY WITHIN THE DISTRICT TO PAY THE COSTS OF PROVIDING PUBLIC SERVICES

WHEREAS, the City of Escondido (the “City”) has received a petition (the “Petition”) signed by the owner of more than ten percent of the land within the boundaries of the territory which is proposed for inclusion in a proposed community facilities district which meets the requirements of Sections 53318 and 53319 of the Government Code of the State of California; and

WHEREAS, the City Council of the City (the “City Council”) desires to adopt this resolution of intention as provided in Section 53321 of the Government Code of the State of California to establish a community facilities district consisting of the territory described in Attachment “A” hereto and incorporated herein by this reference, which the City Council hereby determines shall be known as “Community Facilities District No. 2020-1 of the City of Escondido (Services)” (“Community Facilities District No. 2020-1” or the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code (the “Act”) to (1) finance the services described in Attachment “B” hereto and incorporated herein by this reference (the “Services”), and (2) finance the incidental expenses to be incurred in connection with forming and administering the District and financing the Services (the “Services Incidental Expenses”); and

WHEREAS, pursuant to Section 53339.3 of the Act, the City Council proposes to designate the remainder of the property outside of the District but within the City and its sphere of as territory proposed for future annexation into the District (the “Future Annexation Area”), with the condition that a parcel or parcels within such Future Annexation Area may be annexed and subjected to the special tax of the District only with the unanimous approval of the owner or owners of the parcel or parcels at the time of annexation or in compliance with other procedures established by the Act; and

WHEREAS, the City Council further intends to approve an estimate of the costs of the Services and the Services Incidental Expenses for the District; and

WHEREAS, it is the intention of the City Council to consider financing the Services and the Services Incidental Expenses through the formation of the District and the levy of a special tax to pay for such Services and Services Incidental expenses;

BE IT RESOLVED by the City Council of the City of Escondido that:

SECTION 1. The above recitals are true and correct.

SECTION 2. A community facilities district is proposed to be established under the terms of the Act. It is further proposed that the boundaries of the community facilities district shall be the legal boundaries as described in Attachment “A” hereto, which boundaries shall, upon recordation of

the boundary map for the District, include the entirety of any parcel initially subject to taxation by the District, and as depicted on the map of the proposed District which is on file with the Clerk of the Board. The City Clerk is hereby directed to sign the original map of the District and record it with all proper endorsements thereon with the County Recorder of the County of San Diego within 15 days after the adoption of this resolution, all as required by Section 3113 of the Streets and Highways Code of the State of California.

SECTION 3. The City Council further proposes to designate the Future Annexation Area as property proposed for annexation into the District in the future, with the condition that a parcel or parcels within such Future Annexation Area may be annexed to the District and subject to taxation by the District only with the unanimous approval of the owner or owners of such parcel or parcels at the time that such parcel or parcels are annexed to the District. Property within the Future Annexation Area may be annexed into the District in one or more Zones (as defined in the rate and method of apportionment attached as attachment “C” hereto (the “Rate and Method”)) with Maximum Special Tax rates (as defined in the Rate and Method) designated by the District and unanimously approved by the property owners of such Zone.

SECTION 4. The name of the proposed community facilities district shall be “Community Facilities District No. 2020-1 of the City of Escondido (Services).”

SECTION 5. The Services proposed to be provided for the benefit of the District are public services as defined in the Act, and this City Council finds and determines that the Services to be financed are in addition to those provided in the territory of the District, including the Future Annexation Area, at the present time and do not supplant services already available within the territory of the District at the present time. The City Council hereby finds and determines that the description of the Services herein is sufficiently informative to allow taxpayers within the proposed District, including the Future Annexation Area, to understand what the funds of the District may be used to finance. The Services Incidental Expenses expected to be incurred include the costs of planning the Services, the costs of forming the District, the cost of levying and collecting a special tax within the proposed District and the cost of administration.

SECTION 6. Except where funds are otherwise available, it is the intention of the City Council to levy annually in accordance with the procedures contained in the Act a separate special tax, secured by recordation of a continuing lien against all nonexempt real property in the District, sufficient to pay for the Services and the Services Incidental Expenses. Notwithstanding the foregoing, the District shall not record a special tax lien on property within the Future Annexation Area until the owner or owners of the parcel or parcels thereof have given their unanimous approval of the parcel’s or parcels’ annexation to the District. The Rate and Method and manner of collection of the special taxes are described in detail in Attachment “C” attached hereto, which Attachment “C” is incorporated herein by this reference. Attachment “C” allows each landowner within the District to estimate the maximum amount that may be levied against each parcel.

The special taxes for Services may be increased based on the consumer price index by an amount not to exceed two percent (2%) per year to the extent permitted in the Rate and Method. The special tax for Services may be levied for such period as the Services are needed, as further described in Attachment “C” hereto, provided that under no circumstances will such special tax be increased with respect to residential property as a consequence of delinquency or default by the owner of any other parcel or parcels within the District by more than ten percent.

The special taxes are based on the expected demand that each parcel of real property within proposed District will place on the Services. The City Council hereby determines that the proposed Services are necessary to meet the increased demand placed upon the City to provide such services. The City Council hereby determines Rate and Method set forth in Attachment “C” to be reasonable. The special tax is apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act and such special taxes are not on or based upon the value or ownership of real property.

SECTION 7. A public hearing (the “Hearing”) on the establishment of the proposed Community Facilities District No. 2020-1, the proposed Rate and Method of the special taxes to finance the Services and the Services Incidental Expenses shall be held at 5:00 p.m., or as soon thereafter as practicable, on May 13, 2020, at the City Council Chambers at 201 North Broadway, Escondido, California. Should the City Council determine to form the District, a special election will be held to authorize the levy of the special taxes in accordance with the procedures contained in Government Code Section 53326. If held, the proposed voting procedure at the election will be a landowner vote with each landowner who is the owner of record of land within the District (excluding the Future Annexation Area) at the close of the Hearing, or the authorized representative thereof, having one vote for each acre or portion thereof owned within the proposed District. Ballots for the special election may be distributed by mail or by personal service.

SECTION 8. The City Council does not intend to make any adjustment in property taxation pursuant to Sections 53313.6 and 53313.7 of the Act.

SECTION 9. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within proposed Community Facilities District No. 2020-1, may appear and be heard.

SECTION 10. Each City officer who is or will be responsible for administering the proposed Community Facilities District No. 2020-1, if it is established, is hereby directed to study the proposed District and, at or before the time of the above-mentioned Hearing, file a report with the City Council containing a brief description of services by type which will in his or her opinion be required to meet adequately the needs of Community Facilities District No. 2020-1 and an estimate of the cost of providing those services, and an estimate of the fair and reasonable cost of Services Incidental Expenses to be incurred.

SECTION 11. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred in creating Community Facilities District No. 2020-1. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by the City Council, with or without interest.

SECTION 12. The City Clerk is hereby directed to publish a notice (the “Notice”) of the Hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of proposed Community Facilities District No. 2020-1. The City Clerk is further directed to mail a copy of the Notice to each landowner within the boundaries of the District at least 15 days prior to the Hearing. The Notice shall contain the text or a summary of this Resolution, the time and place of the Hearing, a statement that the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners

in the proposed district and a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

SECTION 13. This Resolution shall be effective upon its adoption.

PASSED AND ADOPTED this 8th day of April, 2020.

Mayor of the City of Escondido

ATTEST:

City Clerk of the City of Escondido

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of said City, do hereby certify that the foregoing Resolution was duly adopted by the City Council of said City and was signed by the Mayor of said City at an adjourned regular meeting of said City Council held on the 8th day of April, 2020 and was approved by the following vote:

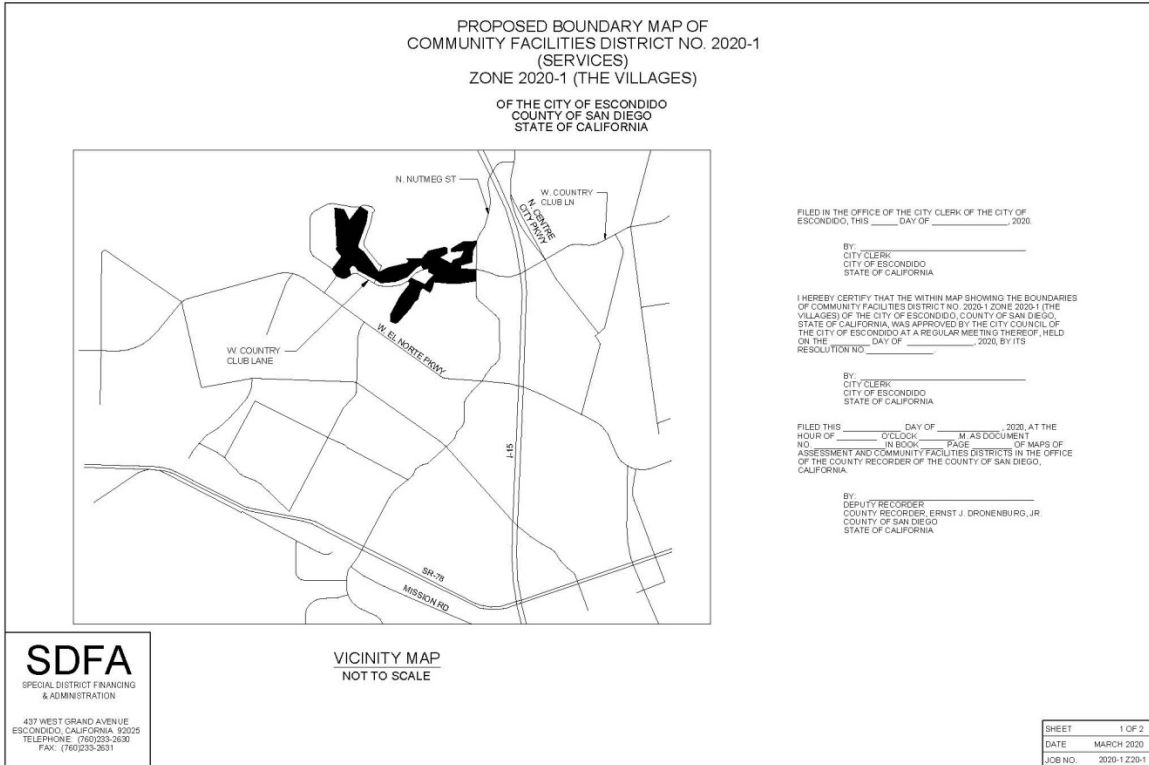
AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

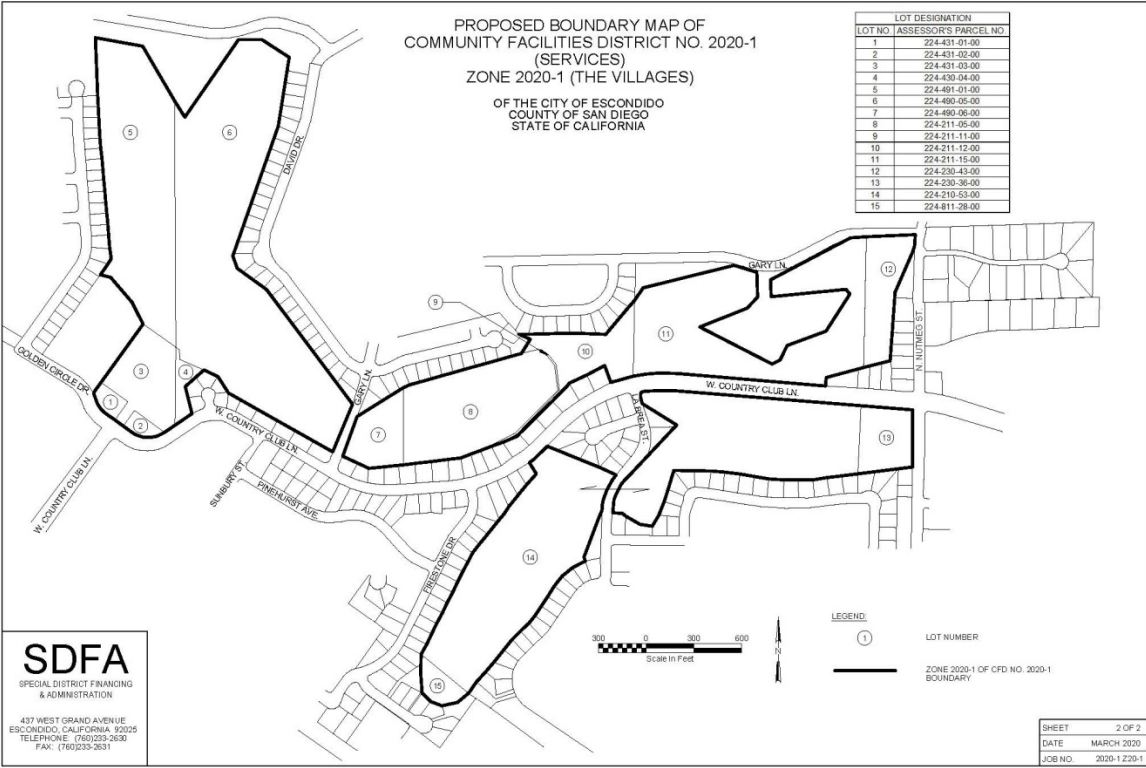
CITY CLERK

BY: _____
City Clerk of the City of Escondido

ATTACHMENT A

**PROPOSED BOUNDARIES
COMMUNITY FACILITIES DISTRICT NO. 2020-1
OF THE CITY OF ESCONDIDO
(SERVICES)**





ATTACHMENT B

TYPES OF SERVICES TO BE FINANCED BY COMMUNITY FACILITIES DISTRICT NO. 2020-1 OF THE CITY OF ESCONDIDO (SERVICES)

The services which may be funded with proceeds of the special tax of CFD No. 2020-1, as provided by Section 53313 of the Act, include the following (collectively, the “Services”):

- (i) maintenance of parks, parkways, park lighting, sidewalks, signage, landscaping in public areas, easements or right of way and open space;
- (ii) flood and storm protection services;
- (iii) the operation of storm drainage systems;
- (iv) maintenance of streets and roadways, traffic signals and street lighting;
- (v) graffiti and debris removal from public improvements;
- (vi) public safety services including police, fire protection and fire suppression; and
- (vii) maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City of Escondido.

In addition to payment of the cost and expense of the forgoing services, proceeds of the special tax may be expended to pay “Administrative Expenses” as said term is defined in the Rate and Method of Apportionment and to establish an operating reserve for the costs of services as determined by the CFD Administrator. Capitalized terms used and not defined herein shall have the meanings set forth in the Rate and Method of Apportionment of Special Tax for CFD No. 2020-1.

ATTACHMENT C

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES COMMUNITY FACILITIES DISTRICT NO. 2020-1 (Services) CITY OF ESCONDIDO

A Special Tax (as hereinafter defined) shall be levied on all Assessor's Parcels within Community Facilities District No. 2020-1 ("CFD No. 2020-1") of the City of Escondido ("City") and collected each Fiscal Year commencing in Fiscal Year 2020-2021, in an amount determined by the City Council, through the application of this Rate and Method of Apportionment of Special Taxes as described below. All of the real property within the boundaries of CFD No. 2020-1, unless exempted by law or by the provisions hereof, shall be subject to the Special Tax for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the acreage of an Assessor's Parcel as shown on an Assessor's Parcel Map. If the acreage is not shown on an Assessor's Parcel Map, the acreage shown on the applicable Final Map, parcel map, condominium plan, or other recorded County map shall be used. If the acreage information supplied by these alternative sources is not available, or in conflict, the acreage used shall be determined by the CFD Administrator or a designee.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the formation, annexation and administration of CFD No. 2020-1, including but not limited to the following: (i) the costs of computing the Special Taxes and preparing and presenting to City Council the Special Tax collection schedules (whether by the City or designee thereof or both); (2) the costs of collecting the Special Taxes (whether by the County or otherwise); (3) the costs to the City, CFD No. 2020-1 or any designee thereof in responding to property owner and public inquiries regarding CFD No. 2020-1, including its Special Taxes; (4) the costs of the City, CFD No. 2020-1 or any designee related to an appeal of the Special Tax; (5) the costs of the City, CFD No. 2020-1 or any designee related to preparing required reporting obligations; (6) the City's annual administration fees and third party expenses; (7) the costs of City staff time and reasonable overhead relating to CFD No. 2020-1; and (8) amounts estimated or advanced by the City or CFD No. 2020-1 for any other administrative purposes of CFD No. 2020-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor" means the County Assessor.

"Assessor's Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's parcel number located within the boundaries of CFD No. 2020-1.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s parcel number.

“Building Permit” means the first legal document issued by the City giving official permission for the construction of a building on an Assessor’s Parcel. For purposes of this definition and application of the Special Tax, “Building Permit” may or may not include any subsequent building permits issued or changed after the first issuance, as determined by the CFD Administrator.

“CFD Administrator” means the Finance Director or other official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes and performing the other duties provided herein.

“CFD No. 2020-1” means Community Facilities District No. 2020-1 of the City of Escondido.

“City” means the City of Escondido, California.

“City Council” means the City Council of the City, acting as the Legislative Body of CFD No. 2020-1, or its designee.

“County” means the County of San Diego, California.

“Density” means the maximum number of dwelling units permitted per acre, including streets within the development, excluding all ultimate circulation element street rights-of-way, adjustments for floodways as defined by the Federal Emergency Management Agency (FEMA) or the City, slope categories, and other environmental factors as designated in each land use category and/or open space/ conservation element. All as further defined within the City’s General Plan adopted May 2012 per Resolution 2012-52, as amended from time-to-time. Density shall be determined by the CFD Administrator prior to annexation.

“Developed Property” means, for each Fiscal Year, all Taxable Property for which a Building Permit for new construction was issued prior to March 1st of the prior Fiscal Year.

“Dwelling Unit” or “DU” means, as defined in the City of Escondido Municipal Code 32.102 and amended from time to time, each residential unit, without regard to the square footage of the Dwelling Unit, including but not limited to an individual single-family detached Dwelling Unit, small lot single-family Dwelling Unit, townhome, condominium, apartment, or other such residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure that comprises an independent facility capable of conveyance or rental separate from the primary Dwelling Unit(s). Dwelling Unit does not include an attached or detached accessory dwelling unit, as defined in the Section 33-8 of the Escondido Zoning Code, as amended from time-to-time.

“Exempt Property” means all Assessor’s Parcels designated as being exempt from Special Taxes pursuant to Section D.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Index” means the Consumer Price Index as published by the United State Department of Labor, titled “CPI for All Urban Consumers.” Further defined with the Series Title, “All items

in San Diego – Carlsbad, CA, all urban consumers, not seasonally adjusted”. If this Index is no longer available, an alternative comparable Index will be chosen by the CFD Administrator.

“Land Use Category” means any of the categories listed in Section C, Table 1 which resulted from the initial analysis of the impacts from new Dwelling Units for providing Services and Appendix A, as to the initial property within CFD No. 2020-1, which may be updated from time to time as annexations occur.

“Maximum Special Tax” means for each Assessor’s Parcel and each Fiscal Year, the Maximum Special Tax, determined in accordance with Section C, below, that may be levied on such Assessor’s Parcel in such Fiscal Year.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit was issued for any type of non-residential use.

“Proportionately” means for Taxable Property, that the ratio of actual Special Tax levy to the Maximum Special Tax rate is equal for all applicable Assessor’s Parcels within the Zone.

“Rate and Method of Apportionment” means the “Rate and Method of Appointment of Special Taxes for Community Facilities District No. 2020-1 of the City of Escondido.”

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one or more Dwelling Units.

“Services” means services authorized to be funded by CFD No. 2020-1.

“Special Tax(es)” means the Special Tax authorized to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property within the boundaries of CFD No. 2020-1 in accordance with this Rate and Method of Apportionment.

“Special Tax Requirement” means, subject to the Maximum Special Tax, that amount to be collected in any Fiscal Year to pay for the Services as otherwise required to meet the needs of CFD No. 2020-1. The Special Tax Requirement include the costs for (1) the Services, and (2) Administrative Expenses, less (3) a credit for funds available to reduce the Special Tax levy, if any, as determined by the CFD Administrator.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of CFD No. 2020-1 which are not exempt from the Special Tax pursuant to law or Section D below.

“Undeveloped Property” means, for each Fiscal Year, all Assessor’s Parcels, or portions thereof, of Taxable Property not classified as Developed Property.

“Zone” means a mutually exclusive geographic area or areas, within which particular Special Tax rates may be levied pursuant to this Rate and Method of Apportionment. The initial Zone of CFD No. 2020-1 is identified as Zone 2020-1. Additional Zones may be created when property is annexed into CFD No. 2020-1.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2020-21, all property within CFD No. 2020-1 shall be classified as Taxable Property or Exempt Property. Each Assessor Parcel of Taxable Property shall be further classified as Developed Property or Undeveloped Property and shall be subject to Special Taxes in accordance with this Rate and Method of Apportionment determined pursuant to Section C below. Assessor's Parcels of Taxable Developed Property shall further be classified into Land Use Categories.

C. MAXIMUM SPECIAL TAX

An Assessor's Parcel may contain more than one Land Use Category. The Maximum Special Tax which may be levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax that can be imposed based on each Land Use Category applicable to such Assessor's Parcel.

1. **Developed Property**

a. Maximum Special Tax

Each Fiscal Year, each Assessor's Parcel of Developed Property shall be subject to the Maximum Special Tax. The Maximum Special Tax applicable for Developed Taxable Property within Zone 2020-1 was determined through the application of Table 1, and is as shown in Appendix A. Appendix A will be updated at the time of each annexation to reflect the Land Use Categories and applicable Maximum Special Taxes for each annexed Zone or by areas within each annexed Zone.

The Maximum Special Tax for Fiscal Year 2020-2021 applicable to an Assessor's Parcel of Developed Property shall be determined using Table 1 below.

TABLE 1
Maximum Special Tax Rates
for Developed Residential Property per Dwelling Unit*
Fiscal Year 2020-2021

Land Use Category	Density	Unit	Special Tax Per Unit
1	Less than 5.5 DU/Acre	DU	\$536.00
2	5.5 to less than 18 DU/Acre	DU	\$743.00
3	18.0 to less than 30 DU/Acre	DU	\$725.00
4	30 DU/Acre or Greater	DU	\$783.00

* The analysis performed to establish the Special Tax per DU shown above only considered the impacts from property within the current City boundary.

b. Escalation

Each July 1st, commencing July 1, 2021, the Maximum Special Taxes shall increase annually by the greater of the annual percentage change in the Index or two percent (2%) from the amount established in the prior Fiscal Year.

2. Undeveloped Property

No Special Tax shall be levied on Undeveloped Property.

D. EXEMPT PROPERTY

The CFD Administrator shall classify as Exempt Property within the boundaries of CFD No. 2020-1: (1) Any Assessor's Parcel that is owned or irrevocably dedicated to the State of California, Federal or other local governments, including school districts, (2) Assessor's Parcels which are owned by or irrevocably dedicated to a homeowners association, or (3) Assessor's Parcels with other types of public uses determined by the CFD Administrator.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2020-2021 and for each following Fiscal Year, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year and shall levy the Special Tax Proportionately on each Assessor's Parcels of Developed Property up to 100% of the applicable Maximum Special Tax to satisfy the Special Tax Requirement.

F. PREPAYMENT OF SPECIAL TAX

No prepayments of the Special Tax are permitted.

G. APPEALS AND INTERPRETATIONS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator. The written notice of appeal must be filed within the same Fiscal Year as having paid the first installment of the Special Tax that is disputed and the property owner must be current and remain current in the payment of all Special Tax levied on or before the payment date.

The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, an adjustment shall be made to the Annual Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) and a refund, as described, shall be made representing the amount of the adjustment for only the most recent Fiscal Year. The CFD Administrator shall determine if funds are available to provide such refund or, if funds are not available in the sole discretion of the CFD Administrator to provide a cash refund, a credit to the levy of Special Tax in one or more subsequent Fiscal Years shall be made in the same amount. This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal actions by such property owner.

The CFD Administrator may interpret this Rate and Method of Apportionment for purposes of clarifying ambiguity and make determinations relative to the amount of Administrative Expenses.

H. MANNER OF COLLECTION

The Special Tax will be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2020-1 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

I. TERM OF THE SPECIAL TAX

For each Fiscal Year, the Special Tax shall be levied in perpetuity as long as the Services are being provided.

J. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed into CFD No. 2020-1 from time to time. For Land Use Categories not included in the initial boundaries of CFD No. 2020-1, a study and report describing the Services to be provided to such properties and the estimated cost of such Services shall be provided to the City Council as the legislative body of the CFD No. 2020-1 in accordance with Section 53321.5 of the Mello-Roos Act. Based on this analysis, the property to be annexed, pursuant to California Government Code section 53339 et. seq. will be assigned an appropriate Maximum Special Tax rate for the Zone or areas within the Zone by Land Use Category as provided herein or as defined and detailed when annexed and included in Appendix A.

APPENDIX A

**COMMUNITY FACILITIES DISTRICT NO. 2020-1
(Services)
CITY OF ESCONDIDO**

MAXIMUM SPECIAL TAXES ASSIGNED TO EACH ZONE

**ZONE 2020-1 (The Villages)
Maximum Special Tax Rates
for Developed Residential Property per Dwelling Unit
Fiscal Year 2020-2021**

Zone	Land Use Category	Density	Unit	Special Tax Per Unit
2020-1	2	5.5 to less than 18 DU/Acre	DU	\$743.00

Increases in the Maximum Special Tax:

On each July 1, commencing July 1, 2021, the Maximum Special Tax shall be increased by the greater of the annual percentage change in the Index or 2%.

RESOLUTION NO. 2020-25

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF ESCONDIDO (THE VILLAGES), TO AUTHORIZE THE LEVY OF A SPECIAL TAX TO PAY THE COSTS OF ACQUIRING OR CONSTRUCTING CERTAIN FACILITIES AND TO PAY DEBT SERVICE ON BONDED INDEBTEDNESS

WHEREAS, the City of Escondido (the “City”) received a petition signed by the owner of more than ten percent of the land within the boundaries of the territory which is proposed for inclusion in a proposed community facilities district, which petition meets the requirements of Sections 53318 and 53319 of the Government Code of the State of California; and

WHEREAS, the City Council of the City (the “City Council”) desires to adopt this resolution of intention as provided in Section 53321 of the Government Code of the State of California to establish a community facilities district consisting of the territory described in Attachment “A” hereto and incorporated herein by this reference, which the City Council hereby determines shall be known as “Community Facilities District No. 2020-2 of the City of Escondido (The Villages)” (“Community Facilities District No. 2020-2” or the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code (the “Act”) to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property described in Attachment “B” hereto and incorporated herein by this reference, including all furnishings, equipment and supplies related thereto, which include certain facilities to be owned and operated by the City (the “City Facilities”), and certain facilities to be owned and operated by Rincon Del Diablo Municipal Water District (the “Water District Facilities,” and, together with the City Facilities, the “Facilities”), which Facilities have a useful life of five years or longer, and (2) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”); and

WHEREAS, the City Council further intends to approve an estimate of the costs of the Facilities and the Incidental Expenses for Community Facilities District No. 2020-2; and

WHEREAS, it is the intention of the City Council to consider financing the Facilities and the Incidental Expenses through the formation of Community Facilities District No. 2020-2 and the issuance of bonded indebtedness in an amount not to exceed \$16,000,000 with respect to the Facilities and the Incidental Expenses and the levy of a special tax to pay for the Facilities and the Incidental Expenses (the “Special Tax”) and to pay debt service on the bonded indebtedness, provided that the bond sale and such Special Tax levy are approved at an election to be held within the boundaries of Community Facilities District No. 2020-2;

WHEREAS, the City desires to enter into an Acquisition and Funding Agreement with Lennar Homes of California, Inc., a California corporation (the “Developer”), the form of which is on file with the City Clerk (the “Acquisition Agreement”), to provide for the financing of the City Facilities through the District;

WHEREAS, the City, the Developer and the Rincon Del Diablo Municipal Water District (the “Water District”) desire to enter into a Joint Community Facilities Agreement (the “Water District JCFA”) to provide for the financing of the Water District Facilities through the District;

BE IT RESOLVED by the City Council of the City of Escondido that:

SECTION 1. The above recitals are true and correct.

SECTION 2. A community facilities district is proposed to be established under the terms of the Act. It is further proposed that the boundaries of the community facilities district shall be the legal boundaries as described in Attachment “A” hereto, which boundaries shall, upon recordation of the boundary map for the District, include the entirety of any parcel subject to taxation by the District, and as depicted on the map of the proposed Community Facilities District No. 2020-2 which is on file with the City Clerk. The City Clerk is hereby directed to sign the original map of the District and record it with all proper endorsements thereon with the Assessor-County Clerk-Recorder of the County of San Diego within 15 days after the adoption of this resolution, all as required by Section 3111 of the Streets and Highways Code of the State of California.

SECTION 3. The name of the proposed community facilities district shall be “Community Facilities District No. 2020-2 of the City of Escondido (The Villages).”

SECTION 4. The Facilities proposed to be financed by Community Facilities District No. 2020-2 are public facilities as defined in the Act, which the City and the Water District, with respect to the City Facilities and the Water District Facilities, respectively, are authorized by law to construct, acquire, own and operate. The rate and method of apportionment and manner of collection of the Special Tax are described in detail in Attachment “C” attached hereto, which Attachment “C” is incorporated herein by this reference (the “Rate and Method”). The City Council hereby finds and determines that the description of the Facilities herein is sufficiently informative to allow taxpayers within the proposed District to understand what the funds of the District may be used to finance. Additionally, the City Council hereby finds that the Rate and Method allows each landowner within the District to estimate the maximum amount of the Special Tax that may be levied against each parcel.

The Incidental Expenses expected to be incurred include the cost of engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for the Facilities, the costs of forming the District, issuing bonds and levying and collecting the Special Tax within the proposed District, and any other expenses incidental to the construction, acquisition, modification, rehabilitation, completion and inspection of the Facilities. The Facilities may be acquired from one or more of the property owners within the District as completed public improvements or may be constructed from bond or Special Tax proceeds.

All or a portion of the Facilities may be purchased with District funds as completed public facilities pursuant to Section 53314.9 or as discrete portions or phases pursuant to Section 53313.51 of the Act and/or constructed with District funds pursuant to Section 53316.2 of the Act. Any portion of the Facilities may be financed through a lease or lease-purchase arrangement if the District hereafter determines that such arrangement is of benefit to the District.

SECTION 5. Except where funds are otherwise available, it is the intention of the City Council to levy annually in accordance with the procedures contained in the Act the Special Tax,

secured by recordation of a continuing lien against all nonexempt real property in the District, sufficient to pay for: (i) the Facilities and Incidental Expenses; and (ii) the principal and interest and other periodic costs on bonds or other indebtedness issued to finance the Facilities and Incidental Expenses, including the establishment and replenishment of any reserve funds deemed necessary by the District, and any remarketing, credit enhancement and liquidity facility fees (including such fees for instruments which serve as the basis of a reserve fund in lieu of cash).

If the Special Tax is levied against any parcel used for private residential purposes, (i) the maximum Special Tax rate shall be specified as a dollar amount which shall be calculated and established not later than the date on which the parcel is first subject to the Special Tax because of its use for private residential purposes and shall not be increased over time, except as set forth in Attachment "C" hereto, (ii) such Special Tax not shall be levied on any parcel of Taxable Property (as defined in the Rate and Method) after the 50th year such parcel is first classified as Developed Property (as defined in the Rate and Method) and subject to the Special tax levy, as described in Attachment "C" hereto, and (iii) under no circumstances will the Special Tax levied in any fiscal year against any such parcel used for private residential uses be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the District by more than ten percent (10%) above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults.

The Special Tax is based on the expected demand that each parcel of real property within proposed Community Facilities District No. 2020-2 will place on the Facilities and on the benefit that each parcel derives from the right to access the Facilities. The City Council hereby determines that the proposed Facilities are necessary to meet the increased demand placed upon the City and the existing infrastructure in the City as a result of the development of the land proposed for inclusion in the District. The City Council hereby determines the rate and method of apportionment of the special tax with respect to the Special Tax set forth in Attachment "C" to be reasonable. The Special Tax is apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act and such special tax is not on or based upon the value or ownership of real property. In the event that a portion of the property within Community Facilities District No. 2020-2 shall become for any reason exempt, wholly or partially, from the levy of the Special Tax specified on Attachment "C," the City Council shall, on behalf of Community Facilities District No. 2020-2, cause the levy to be increased, subject to the limitation of the maximum Special Tax for a parcel as set forth in Attachment "C," to the extent necessary upon the remaining property within proposed Community Facilities District No. 2020-2 which is not exempt in order to yield the Special Tax revenues required for the purposes described in this Section 5. The obligation to pay the Special Tax may be prepaid only as set forth in Section I of Attachment "C" hereto.

SECTION 6. A public hearing (the "Hearing") on the establishment of the proposed Community Facilities District No. 2020-2, the proposed rate and method of apportionment of the Special Tax and the proposed issuance of bonds to finance the Facilities and the Incidental Expenses shall be held at 5:00p.m., or as soon thereafter as practicable, on May 13, 2020, at the City Council Chambers at 201 North Broadway, Escondido, California. Should the City Council determine to form the District, a special election will be held to authorize the issuance of the bonds and the levy of the special tax in accordance with the procedures contained in Government Code Section 53326. If held, the proposed voting procedure at the election will be a landowner vote with each landowner who is the owner of record of land within the District at the close of the Hearing, or the authorized representative thereof, having one vote for each acre or portion thereof owned within the proposed District. Ballots for the special election may be distributed by mail or by personal service.

SECTION 7. At the time and place set forth above for the Hearing, the City Council will receive testimony as to whether the proposed Community Facilities District No. 2020-2 shall be established and as to the method of apportionment of the special tax and shall consider:

(a) if an ad valorem property tax is currently being levied on property within proposed Community Facilities District No. 2020-2 for the exclusive purpose of paying principal of or interest on bonds, lease payments or other indebtedness incurred to finance construction of capital facilities; and

(b) if the capital facilities to be financed and constructed by Community Facilities District No. 2020-2 will provide the same services as were provided by the capital facilities mentioned in subsection (a); and

(c) if the City Council makes the findings specified in subsections (a) and (b) above, it will consider appropriate action to determine whether the total annual amount of ad valorem property tax revenue due from parcels within Community Facilities District No. 2020-2, for purposes of paying principal and interest on the debt identified in subsection (a) above, shall not be increased after the date on which Community Facilities District No. 2020-2 is established, or after a later date determined by the City Council with the concurrence of the legislative body which levied the property tax in question.

SECTION 8. At the time and place set forth above for the Hearing, any interested person, including all persons owning lands or registered to vote within proposed Community Facilities District No. 2020-2, may appear and be heard.

SECTION 9. Each City officer who is or will be responsible for providing the Facilities within proposed Community Facilities District No. 2020-2, if it is established, is hereby directed to study the proposed District and, at or before the time of the above-mentioned Hearing, file a report with the City Council containing a brief description of the public facilities by type which will in his or her opinion be required to meet adequately the needs of Community Facilities District No. 2020-2 and an estimate of the cost of providing those public facilities, including the cost of environmental evaluations of such facilities and an estimate of the fair and reasonable cost of any Incidental Expenses to be incurred.

SECTION 10. The District may accept advances of funds or work-in-kind from any source, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying any cost incurred in creating Community Facilities District No. 2020-2. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by the City Council, with or without interest.

SECTION 11. The City Clerk is hereby directed to publish a notice (the "Notice") of the Hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of proposed Community Facilities District No. 2020-2. The City Clerk is further directed to mail a copy of the Notice to each of the landowners within the boundaries of the District at least 15 days prior to the Hearing. The Notice shall contain the text or a summary of this Resolution, the time and place of the Hearing, a statement that the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners

in the proposed district and a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

SECTION 12. The reasonably expected maximum principal amount of the bonded indebtedness to be incurred by the District for the Facilities and Incidental Expenses is Sixteen Million Dollars (\$16,000,000).

SECTION 13. The forms of the Acquisition Agreement and the Water District JCFA (collectively, the “Agreements”) are hereby approved. The Mayor, the City Manager, or their written designees are hereby authorized and directed to execute and deliver the Agreements in the respective forms on file with the City Clerk with such changes, insertions and omissions as may be approved by the officer or officers executing such agreement, said execution being conclusive evidence of such approval.

SECTION 14. Except to the extent limited in any bond resolution or trust indenture related to the issuance of bonds, the City Council hereby reserves to itself all rights and powers set forth in Section 53344.1 of the Act (relating to tenders in full or partial payment).

SECTION 15. This Resolution shall be effective upon its adoption.

PASSED AND ADOPTED this 8th day of April, 2020.

Mayor of the City of Escondido

ATTEST:

City Clerk of the City of Escondido

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of said City, do hereby certify that the foregoing Resolution was duly adopted by the City Council of said City and was signed by the Mayor of said City at an adjourned regular meeting of said City Council held on the 8th day of April, 2020 and was approved by the following vote:

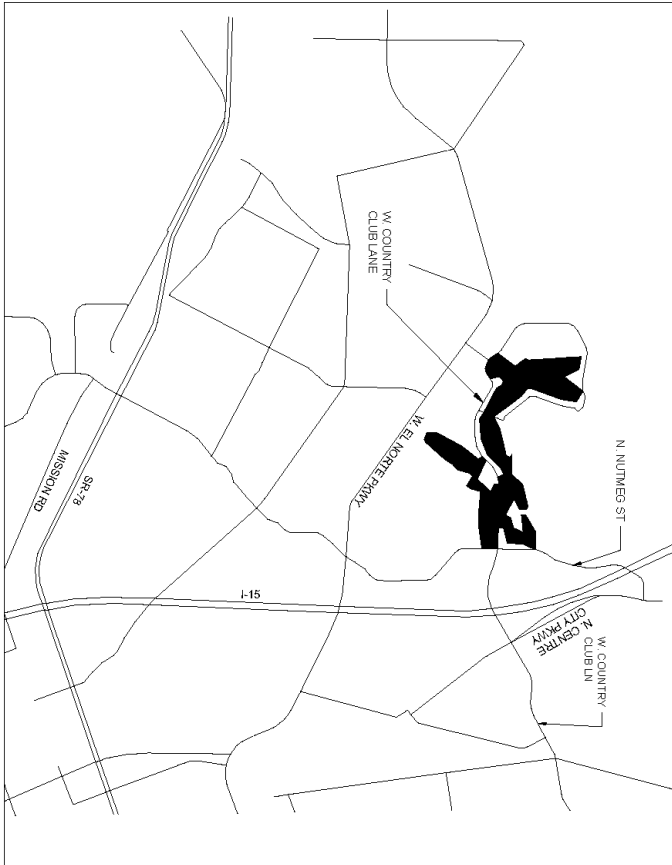
AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

CITY CLERK

BY: _____
City Clerk of the City of Escondido

ATTACHMENT A BOUNDARY MAP

PROPOSED BOUNDARY MAP OF
COMMUNITY FACILITIES DISTRICT NO. 2020-2
(THE VILLAGES)
OF THE CITY OF ESCONDIDO
COUNTY OF SAN DIEGO
STATE OF CALIFORNIA



VICINITY MAP
NOT TO SCALE

SDFFA
SPECIAL DISTRICT FINANCING
& ADMINISTRATION
437 WEST GRAND AVENUE
ESCONDIDO, CALIFORNIA, 92025
TELEPHONE: (760)233-2630
FAX: (760)233-2631

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF
ESCONDIDO, THIS _____ DAY OF _____, 2020.

BY: _____
CITY CLERK
CITY OF ESCONDIDO
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES
OF COMMUNITY FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF
ESCONDIDO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WAS
PRESENTED TO THE CITY COUNCIL OF THE CITY OF ESCONDIDO AT A
REGULAR MEETING _____, 2020 BY ITS RESOLUTION NO. _____.

BY: _____
CITY CLERK
CITY OF ESCONDIDO
STATE OF CALIFORNIA

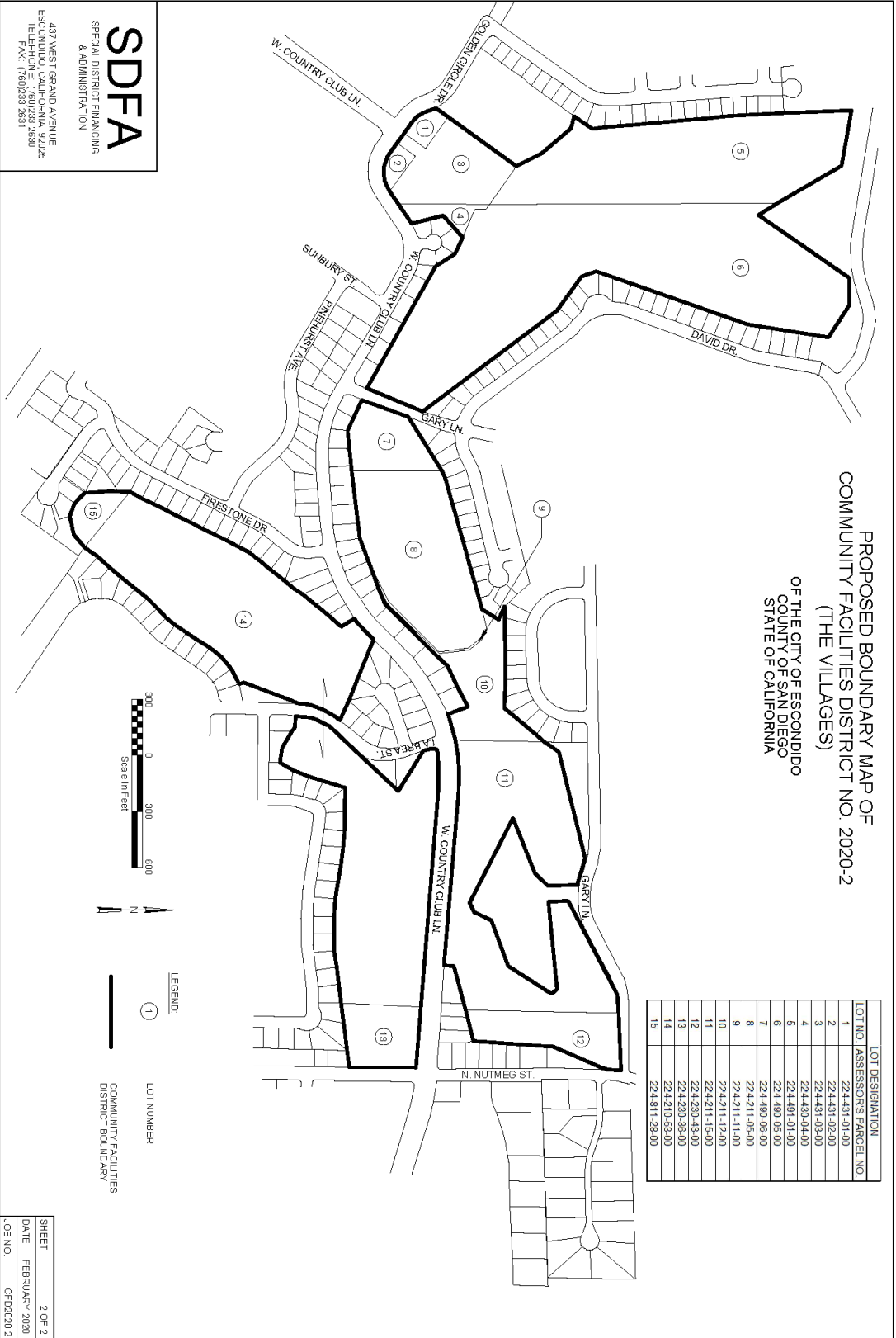
FILED THIS _____ DAY OF _____, 2020, AT THE
HOURS OF _____ IN BOOK _____ PAGE _____ OF MAPS OF
ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE
OF THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO,
CALIFORNIA.

BY: _____
DEPUTY RECORDER
COUNTY RECORDER, ERNST J. DRONENBURG, JR.
COUNTY OF SAN DIEGO
STATE OF CALIFORNIA

SHEET 1 OF 2
DATE FEBRUARY 2020
JOB NO. CF02020-2

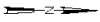
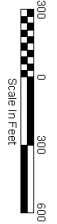
PROPOSED BOUNDARY MAP OF
 COMMUNITY FACILITIES DISTRICT NO. 2020-2
 (THE VILLAGES)
 OF THE CITY OF ESCONIDO
 COUNTY OF SAN DIEGO
 STATE OF CALIFORNIA

LOT NO.	ASSESSOR'S PARCEL NO.	LOT DESIGNATION
1	224-431-01-00	
2	224-431-02-00	
3	224-431-03-00	
4	224-430-04-00	
5	224-491-01-00	
6	224-490-05-00	
7	224-490-06-00	
8	224-211-10-00	
9	224-211-11-00	
10	224-211-12-00	
11	224-211-13-00	
12	224-230-03-00	
13	224-230-05-00	
14	224-210-53-00	
15	224-811-28-00	



SDFA
 SPECIAL DISTRICT FINANCING
 & ADMINISTRATION

437 WEST GRAND AVENUE
 ESCONIDO, CALIFORNIA 92025
 TELEPHONE: (760)238-2680
 FAX: (760)238-2851



LEGEND
 (1) LOT NUMBER
 ——— COMMUNITY/FACILITIES DISTRICT BOUNDARY

SHEET 2 OF 2
 DATE FEBRUARY 2020
 JOB NO. CFC020202

ATTACHMENT B

**TYPES OF FACILITIES
TO BE FINANCED BY COMMUNITY
FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF ESCONDIDO**

The proposed types of public facilities and expenses to be financed by the District include:

The construction, purchase, modification, expansion, rehabilitation and/or improvement of (i) water and wastewater, drainage, flood and storm protection facilities, library, parks, parkways, park lighting, sidewalks, signage, fire protection and fire suppression facilities, streets and roadways, traffic signals, street lighting, administration and community center facilities, animal shelter facilities, and other public facilities of the City, including the foregoing public facilities which are included in the City's fee programs with respect to such facilities and authorized to be financed under the Mello-Roos Community Facilities Act of 1982, as amended (the "City Facilities") and (ii) water facilities including the acquisition of capacity in the water system of the Rincon Del Diablo Municipal Water District which are included in Rincon Del Diablo Municipal Water District's water capacity and connection fee programs (the "Water District Facilities," and, together with the City Facilities, the "Facilities") and all appurtenances and appurtenant work in connection with the foregoing Facilities, and to finance the incidental expenses to be incurred, including:

a. Engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for such Facilities The cost of engineering, planning and designing the Facilities;

b. All costs, including costs of the property owner petitioning to form the District, associated with the creation of the District, the issuance of the bonds, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District; and

c. Any other expenses incidental to the construction, acquisition, modification, rehabilitation, completion and inspection of the Facilities.

Capitalized terms used and not defined herein shall have the meaning set forth in the Rate and Method of Apportionment of Special Taxes for the District.

ATTACHMENT C

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES COMMUNITY FACILITIES DISTRICT NO. 2020-2 (The Villages) CITY OF ESCONDIDO

A Special Tax (as hereinafter defined) shall be levied on all Assessor's Parcels within Community Facilities District No. 2020-2 (The Villages) ("CFD No. 2020-2") of the City of Escondido ("City") and collected each Fiscal Year commencing in Fiscal Year 2020-2021, in an amount determined by the City Council, through the application of this Rate and Method of Apportionment of Special Taxes as described below. All of the real property within the boundaries of CFD No. 2020-2, unless exempted by law or by the provisions hereof, shall be subject to the Special Tax for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the acreage of an Assessor's Parcel as shown on an Assessor's Parcel Map. If the acreage is not shown on an Assessor's Parcel Map, the acreage shown on the applicable Final Map, parcel map, condominium plan, or other recorded County map shall be used. If the acreage information supplied by these alternative sources is not available, or in conflict, the acreage used shall be determined by the CFD Administrator or a designee.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2020-2 for: the costs of computing the Special Taxes including the Backup Special Tax and preparing and presenting to City Council the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 2020-2 or any designee thereof of complying with arbitrage rebate requirements; the costs to the City, CFD No. 2020-2 or any designee thereof of complying with City and/or CFD No. 2020-2 disclosure requirements associated with applicable federal and State securities laws and of the Act; the costs associated with preparing Special Tax disclosure statements and responding to property owner and public inquiries regarding CFD No. 2020-2, including its Special Taxes; the costs of the City, CFD No. 2020-2 or any designee related to the analysis and reduction, if any, of the Special Tax in accordance with Section D; the costs of the City, CFD No. 2020-2 or any designee thereof related to an appeal of the Special Tax; the costs associated with the release of funds from an escrow account; and the City's annual administration fees and third party expenses; the costs of City staff time and reasonable overhead relating to CFD No. 2020-2; and amounts estimated or advanced by the City or CFD No. 2020-2 for any other administrative purposes of CFD No. 2020-2, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

“Assessor’s Parcel” or “Assessor Parcels” means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor of the County designating parcels by Assessor’s parcel number.

“Assigned Special Tax” means the Special Tax for each Assessor’s Parcel of Developed Property, as determined in accordance with Section C.1.b below.

“Backup Special Tax” means the Special Tax applicable to each Assessor’s Parcel of Developed Property, as determined in accordance with Section C.1.c below.

“Bonds” means any bonds or other debt (as defined in Section 53317(d) of the Act), whether in one or more series, issued by CFD No. 2020-2, pursuant to the Act which are secured by a pledge of the Special Taxes.

“Building Permit” means the first legal document issued by the City giving official permission for new construction of a building on an Assessor’s Parcel. For purposes of this definition, “Building Permit” shall include any subsequent building permits issued or changed prior to the first occupancy of the structure, as determined by the CFD Administrator.

“CFD Administrator” means the Finance Director or other official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes and performing the other duties provided herein.

“CFD No. 2020-2” means Community Facilities District No. 2020-2 (The Villages) of the City of Escondido.

“City” means the City of Escondido, California.

“City Council” means the City Council of the City, acting as the Legislative Body of CFD No. 2020-2, or its designee.

“Contractual Obligations” means (a) a voluntary contractual assessment established and levied on an Assessor’s Parcel pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.10 et seq.), as amended from time to time, (b) a special tax established and levied on an Assessor’s Parcel pursuant to Section 53328.1 of the California Government Code and related provisions of the Act, as amended from time to time, and (c) any other fee, charge, tax, or assessment established and levied on an individual Assessor’s Parcel pursuant to a contractual agreement or other voluntary consent by the owner thereof (e.g., property owner association assessments)

“County” means the County of San Diego, California.

“Developed Floor Area” means for any Dwelling Unit, the square footage of assessable space of each Dwelling Unit as defined in Government Code section 65995, subdivision (b)(1). For purposes of this determination, such square footage of assessable space shall be, and the City, acting for CFD No. 2020-2, may rely on, the square footage as identified on the Building

Permit(s) issued by the City if found consistent with such code section. Modifications to the originally issued Building Permit made prior to first occupancy may occur and shall be used to adjust the determination of Developed Floor Area. Modifications made after first occupancy, such as additions, shall be subject to then current development fees and not used to determine the Developed Floor Area used in the application of this Rate and Method of Apportionment.

“Developed Property” means, for each Fiscal Year, all Taxable Property for which a Building Permit for new construction was issued prior to March 1st of the prior Fiscal Year.

“ Dwelling Unit(s) ” or “DU” means an individual single-family, detached or attached home, townhome, condominium, apartment, or other such residential Dwelling Unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure that comprises an independent facility capable of conveyance or as a rental separate from the primary Dwelling Unit(s).

“Exempt Property” means all Assessor’s Parcels designated as being exempt from Special Taxes pursuant to Section F.

“Facilities” means the public facilities authorized to be financed, in whole or in part, by CFD No. 2020-2.

“Final Map” means a subdivision of property by recordation of a final tract map, parcel map, or lot line adjustment by the City, pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*), an applicable local ordinance or recordation of a condominium plan pursuant to California Civil Code Section 6624 that creates individual lots for which Building Permits may be issued without further subdivision.

“Final Mapped Property” means, for each Fiscal Year, all Taxable Property, exclusive of Developed Property, Taxable Property Owner Association Property, and Taxable Public Property, which as of January 1 of the previous Fiscal Year was located within a Final Map.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Indenture” means the indenture, fiscal agent agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time.

“Land Use Category” means any of the categories listed in Section C and for Developed Property as listed in Table 1.

“Maximum Special Tax” means for each Assessor’s Parcel and each Fiscal Year, the Maximum Special Tax, determined in accordance with Section C, below, that may be levied on such Assessor’s Parcel in such Fiscal Year.

“Minimum Sale Price” means the minimum price at which Dwelling Units of a given Land Use Category, or plan type if multiple are contained within a Land Use Category, have sold or are expected to be sold in a normal marketing environment, as estimated by the Price Point Consultant, and shall not include prices for such Dwelling Units that are sold at a discount to

expected sales prices for the purposes of stimulating the initial sales activity with respect to such Land Use Category.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit was issued for any type of non-residential use.

“Outstanding Bonds” means all Bonds which are deemed to be outstanding under an Indenture(s).

“Price Point Consultant” means any consultant or firm of such consultants selected by CFD No. 2020-2 that (a) has substantial experience in performing price point studies for residential Dwelling Units within community facilities districts established under the Act or otherwise estimating or confirming pricing for residential Dwelling Units in such community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing of residential Dwelling Units in such community facilities districts, (c) is in fact independent and not under the control of CFD No. 2020-2, the City or the developer of CFD No. 2020-2, (d) does not have any substantial interest, direct or indirect, with or in (i) CFD No. 2020-2, (ii) the City, (iii) any owner of real property in CFD No. 2020-2, or (iv) any real property in CFD No. 2020-2, and (e) is not connected with CFD No. 2020-2 or the City as an officer or employee thereof, but who may be regularly retained to make reports to CFD No. 2020-2 or the City.

“Price Point Study” means a price point study or a letter updating a previous price point study prepared by the Price Point Consultant pursuant to Section D herein.

“Property Owner Association Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 2020-2 that is owned by a property owner association, including any master or sub-association as shown on the equalized roll of the County which is available on or about July 1st of the Fiscal Year provided however, that no such classification shall reduce the Acreage of all Taxable Property within CFD No. 2020-2 to less than 33.68 Acres as described in Section E.

“Proportionately” means (a) for Developed Property in the first step of Section E below, that the ratio of actual Assigned Special Tax levy to the Maximum Assigned Special Tax rate is equal for all Assessor’s Parcels of Developed Property; (b) for Final Mapped Property in the second step of Section E, Proportionately means the ratio of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is equal for all Assessor’s Parcels of Final Mapped Property; (c) for Undeveloped Property in the third step of Section E below, Proportionately means that the ratio of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is equal for all Assessor’s Parcels of Undeveloped Property; (d) for Property Owner Association Property that is not Exempt Property and Public Property that is not Exempt Property in the fourth step of Section E, Proportionately means that the ratio of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is equal for all Assessor’s Parcels of Property Owner Association Property and Public Property; and (e) for Developed Property in the fifth step of Section E, Proportionately means that the amount of the increase above the Assigned Special Tax levy, if necessary, is equal for all Assessor’s Parcels of Developed Property, except that if the Backup Special Tax limits the increase on any Assessor’s Parcel(s), then the amount of the increase shall be equal for the remaining Assessor’s Parcels.

“Public Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 2020-2 that is (i) used for rights-of-way or any other purpose and is owned by or irrevocably dedicated to the federal government, the State, the County, the City or any other public agency as shown on the equalized roll of the County which is available on or about July 1st of the Fiscal Year or (ii) encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement as shown on the equalized roll of the County which is available on or about July 1st of the Fiscal Year, provided however, that no such classification shall reduce the Acreage of all Taxable Property within CFD No. 2020-2 to less than 33.68 Acres as described in Section F and provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in a Land Use Category in accordance with its zoning or use, whichever is greater.

“Rate and Method of Apportionment” means the “Rate and Method of Appointment of Special Taxes for Community Facilities District No. 2020-2 (The Villages) of the City of Escondido.”

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one or more residential Dwelling Units.

“Special Tax” or “Special Taxes” means the special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property within the boundaries of CFD No. 2020-2 in accordance with this Rate and Method of Apportionment.

“Special Tax Requirement” means that amount required in any Fiscal Year for CFD No. 2020-2 to: (i) pay Administration Expenses of CFD No. 2020-2 as provided in this Rate and Method of Apportionment; (ii) pay debt service on all Outstanding Bonds due in the calendar year that commences in such Fiscal Year; (iii) pay periodic costs on the Bonds, including but not limited to, credit enhancement and rebate payments on the Bonds; (iv) pay any amounts required to replenish any reserve funds for all Outstanding Bonds; (v) pay directly for acquisition or construction of facilities that are eligible to be financed through CFD No. 2020-2 under the Act, as reasonably determined by the City, so long as the inclusion of such amount does not cause an increase in the Special Tax attributable to Final Mapped Property, Undeveloped Property, Public Property that is not Exempt Property, Property Owner Association Property that is not Exempt Property or the levy of the Backup Special Tax; (vi) fund in anticipation of reasonably anticipated delinquent Special Taxes based on the delinquency rate of Special Taxes within CFD No. 2020-2, levied in the previous Fiscal Year if available or if not available, the lowest delinquency rate of all community facilities districts of the City, less (vii) a credit for funds available to reduce the annual Special Tax levy, as determined by the CFD Administrator pursuant to the Indenture.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of CFD No. 2020-2 which have not been prepaid pursuant to Section I or, which are not exempt from the Special Tax pursuant to law or Section F below.

“Total Tax Burden” means for any Dwelling Unit, the annual Special Tax, together with ad valorem property taxes, special assessments, special taxes for any overlapping community facilities district, and any other taxes, fees, and charges which are levied and imposed on such Dwelling Unit and the real property on which it is located and collected by the County on property tax bills and which are secured by such Dwelling Unit and the real property on which it is located, assuming such Dwelling Unit had been completed, sold and subject to such levies and impositions, excluding both service charges, such as those related to sewer and trash, and Contractual Obligations, as defined herein.

“Trustee” means the trustee or fiscal agent under an Indenture(s).

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Mapped Property, Property Owner Association Property or Public Property.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, all Taxable Property within CFD No. 2020-2 shall be classified as Developed Property, Final Mapped Property, Undeveloped Property, Property Owner Association Property that is not Exempt Property or Public Property that is not Exempt Property and shall be subject to Special Taxes in accordance with this Rate and Method of Apportionment determined pursuant to Sections C and E below. Assessor’s Parcels of Developed Property shall further be classified as Residential Property or Non-Residential Property, and finally into Land Use Categories.

C. MAXIMUM SPECIAL TAX

An Assessor’s Parcel may contain more than one Land Use Category. The Maximum Special Tax which may be levied on an Assessor’s Parcel shall be the sum of the Maximum Special Tax that can be imposed based on each Land Use Category applicable to such Assessor’s Parcel.

1. Developed Property

a. Maximum Special Tax

The Maximum Special Tax for each Assessor’s Parcel of Residential Property that is classified as Developed Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax or (ii) the amount derived by application of the Backup Special Tax.

The Maximum Special Tax for each Assessor’s Parcel of Non-Residential Property shall be the Assigned Special Tax described in Table 1.

b. Assigned Special Tax

The Assigned Special Tax for each Assessor’s Parcel of Developed Property is shown in Table 1 below.

TABLE 1
Assigned Special Taxes for Developed Property
Fiscal Year 2020-2021

Land Use Category	Property Description	Unit Type	Developed Floor Area	Assigned Special Tax Per Taxable Unit
1	Residential	DU	Greater than 3,199 sq. ft.	\$2,739.00
2	Residential	DU	2,950 sq. ft. to 3,199 sq. ft.	\$2,658.00
3	Residential	DU	2,700 sq. ft. to 2,949 sq. ft.	\$2,567.00
4	Residential	DU	2,450 sq. ft. to 2,699 sq. ft.	\$2,467.00
5	Residential	DU	2,200 sq. ft. to 2,449 sq. ft.	\$2,359.00
6	Residential	DU	1,950 sq. ft. to 2,199 sq. ft.	\$2,091.00
7	Residential	DU	1,700 sq. ft. to 1,949 sq. ft.	\$2,068.00
8	Residential	DU	1,450 sq. ft. to 1,699 sq. ft.	\$1,884.00
9	Residential	DU	Less than 1,450 sq. ft.	\$1,769.00
10	Non-Residential	Acre	NA	\$24,346.00

c. Backup Special Tax

The Backup Special Tax for the Assessor’s Parcels of Residential Property within CFD No. 2020-2 has been estimated below for example purposes. The Backup Special Tax will be determined at the time a Final Map is recorded on property within the boundaries of CFD No. 2020-2. The owner of the property within such Final Map must provide the CFD Administrator a copy of the recorded Final Map and a listing of the square footage of all lots within such Final Map and CFD No. 2020-2 at the time of recordation.

The Backup Special Tax per Assessor’s Parcel of Residential Property within the CFD No. 2020-2 shall be determined by multiplying the then current Maximum Special Tax per Acre for Undeveloped Property by the total Acreage of Taxable Property, excluding the Acreage associated with Non-Residential Property, Public Property and Property Owner’s Association Property in the portion of such Final Map included within CFD No. 2020-2 and dividing such amount by the number of Dwelling Units that are or are approved to be Residential Property (i.e., the number of residential lots for single family detached housing or approved Dwelling Units for single family attached or multi-family housing) within such Final Map included within CFD No. 2020-2. The following steps below provides an example of the calculation of the Backup Special Tax for Fiscal Year 2020-2021 for the pending Final Map for Village 1 within CFD No. 2020-2.

Example Backup Special Tax Calculation:

1. Projected Final Map SUB16-009A (Village 1) acres of 16.50 are multiplied by the applicable Maximum Special Tax for Undeveloped Property (Section 2.a) of \$24,346.00 for Fiscal Year 2020-2021.
2. The result of the first step, \$24,346.00 times 16.50 or \$401,709.00, is then divided by the number of Dwelling Units that are or are approved to be Residential Property. The projected number of Residential DU within such Final Map is 151.
3. The result of the second step, \$401,709.00 divided by 151 or \$2,660.32, would be the Backup Special Tax for all DU within such Final Map for Fiscal Year 2020-2021.

Table 2 will be complete at the time each Final Map is approved.

TABLE 2
Backup Special Tax
Fiscal Year 2020-2021

Map / Status	Estimated Final Map Acreage of Taxable Property	Projected Number of Residential Units	Status of Backup Tax*	Backup Special Tax per Lot or Unit*
Unapproved Tentative Tract SUB16-009A (Village 1)	16.50	151	Not Final	
Unapproved Tentative Tract SUB16-009B (Village 2)	8.41	80	Not Final	
Unapproved Tentative Tract SUB16-009C (Village 3)	12.51	149	Not Final	

* Note: The Backup Special Tax per lot or Dwelling Unit shown may be modified as described below.

Notwithstanding the foregoing, if all or any portion of the Final Map contained with the boundaries of CFD No. 2020-2 described in the preceding paragraph is subsequently changed or modified, then the Backup Special Tax for each Assessor’s Parcel of Residential Property in such Final Map area contained with the boundaries of CFD No. 2020-2 that is changed or modified shall be a rate per square foot of Acreage calculated as follows:

1. Determine the total Backup Special Tax anticipated to apply to the changed or modified Final Map area prior to the change or modification.
2. The result of paragraph 1 above shall be divided by the total number of Dwelling Units constructed or projected to be constructed within such changed or modified Final Map area contained within the boundaries of CFD No. 2020-2, as reasonably determined by the CFD Administrator.

3. The result of paragraph 2 is the Backup Special Tax per Dwelling Unit which shall be applicable to Assessor's Parcels of Developed Property classified as Residential Property in such changed or modified Final Map area contained within the boundaries of CFD No. 2020-2, subject to increases pursuant to Section C.1.d.

d. Escalation

Each July 1st, commencing July 1, 2021, the Assigned Special Taxes and the Backup Special Tax shall increase annually by two percent (2%) from the amount established in the prior Fiscal Year.

2. Final Mapped Property, Undeveloped Property, Property Owner Association Property and Public Property

a. Maximum Special Tax

The Maximum Special Tax for Final Mapped Property, Undeveloped Property, Property Owner Association Property that is not Exempt Property and Public Property that is not Exempt Property within CFD No. 2020-2 shall be \$24,346.00 per Acre for Fiscal Year 2020-2021.

b. Escalation

Each July 1st, commencing July 1st 2021, the Maximum Special Tax for Final Mapped Property, Undeveloped Property, Property Owner Association Property that is not Exempt Property and Public Property that is not Exempt Property shall increase annually by two percent (2%) from the amount established in the prior Fiscal Year.

D. ADJUSTMENT OF THE MAXIMUM SPECIAL TAX ON DEVELOPED PROPERTY

At least 30 days prior to the first issuance of Bonds, the Assigned Special Tax on Developed Property (set forth on Table 1) shall be analyzed in accordance with and subject to the conditions set forth in this Section D. At such time, CFD No. 2020-2 shall select and engage a Price Point Consultant and the CFD Administrator shall request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sales Price of Dwelling Units within each Land Use Category or plan type if multiple plan types are contained within one Land Use Category. If, based upon the results of the Price Point Study, the CFD Administrator calculates that the Total Tax Burden applicable to Dwelling Units within one or more Land Use Categories exceeds 1.80% of the Minimum Sales Price of such Dwelling Units, the Assigned Special Tax shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to all Dwelling Units within such Land Use Category(ies) to not exceed 1.80% of the Minimum Sales Price of such Dwelling Units. Each Assigned Special Tax reduction for a Land Use Category shall be calculated by the CFD Administrator separately. It shall not be

required that such reduction be proportionate among all Land Use Categories. However, the CFD Administrator shall reduce the Assigned Special Tax for other Land Use Categories, as applicable, to ensure that, after any reductions occurring pursuant to this Section, the Assigned Special Tax for any Land Use Category is not less than the Assigned Special Tax for the any Land Use Category containing a Dwelling Unit of a lesser Developed Floor Area. For example, the Assigned Special Tax for Land Use Category “1” is at least the Assigned Special Tax for Land Use Category “2”; if such is not true, the Assigned Special Tax for Land Use Category “2” is reduced to equal that of Land Use Category “1”. In connection with any reduction in the Assigned Special Tax, the Backup Special Tax for all Dwelling Units shall also be reduced by the CFD Administrator based on the percentage reduction in Assigned Special Tax revenues for each Land Use Category subject to reduction. The Special Tax reductions required pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which CFD No. 2020-2 shall cause to be recorded by executing a certificate in substantially the same form as Exhibit A attached hereto. The Special Tax reductions required in this section shall become effective in the Fiscal Year following such actions and applied to levy of Special Taxes in such following Fiscal Year. There will be no adjustments made to the current Fiscal Year levy.

E. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2020-2021 and for each following Fiscal Year, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year. The Special Tax shall then be levied as follows:

First: If needed to satisfy the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Assessor’s Parcel of Developed Property up to 100% of the applicable Assigned Special Tax; and

Second: If additional moneys are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Assessor’s Parcel of Final Mapped Property in an amount up to 100% of the Maximum Special Tax for Final Mapped Property to satisfy the Special Tax Requirement; and

Third: If additional moneys are needed to satisfy the Special Tax Requirement after the first two steps has been completed, the Special Tax shall be levied Proportionately on each Assessor’s Parcel of Undeveloped Property in an amount up to 100% of the Maximum Special Tax for Undeveloped Property to satisfy the Special Tax Requirement; and

Fourth: If additional moneys are needed to satisfy the Special Tax Requirement after the first three steps have been completed, the levy of the Special Tax on each Assessor’s Parcel of Developed Property for which the Maximum Special Tax is determined through the application of the Backup Special Tax shall be increased Proportionately from the Assigned Special Tax up to the Maximum Special Tax; and

Fifth: If additional moneys are needed to satisfy the Special Tax Requirement after the first four steps have been completed, the Special Tax shall be levied Proportionately on each Assessor’s Parcel of Public Property which is not Exempt Property and Property Owner

Association Property which is not Exempt Property at up to 100% of the Maximum Special Tax for Property Owner Association Property and Public Property to satisfy the Special Tax Requirement.

F. EXEMPTIONS

Any Assessor's Parcel within the boundaries of CFD No. 2020-2 that is owned or irrevocably dedicated to a public agency as of the date of formation of CFD No. 2020-2 shall be classified as Exempt Property and shall be exempt from the Special Tax in accordance with Section 53340 of the Act. The total Acreage of Taxable Property within CFD No. 2020-2 has been determined to be equal to 91.06 Acres as of the date of formation of CFD No. 2020-2.

Tax exempt status will be irrevocably assigned by the CFD Administrator in the chronological order in which property becomes Public Property or Property Owner Association Property provided however, that no such classification shall reduce the Acreage of all Taxable Property within CFD No. 2020-2 to less than 33.68 Acres. Public Property or Property Owner Association Property that would, if designated as Exempt Property, cause the Acreage of all Taxable Property to be less than 33.68 Acres shall be required to either (i) prepay the Special Tax for such property in full at the then applicable rate per Acre for Property Owner Association Property or Public Property applied to the Acres of such property, which resulting amount is to be used as the Assigned Special Tax in the calculation of the prepayment pursuant to Section I.1 or (ii) be subject to taxation pursuant to the fourth step of Section E.

G. APPEAL

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the CFD Administrator. The written notice of appeal must be filed within the same Fiscal Year as having paid the first installment of the Special Tax that is disputed and the property owner must be current and remain current in the payment of all Special Tax levied on or before the payment date.

The CFD Administrator shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the CFD Administrator's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, an adjustment shall be made to the Annual Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s) and a refund, as described, shall be made representing the amount of the adjustment for the most recent Fiscal Year. The CFD Administrator shall determine if funds are available to provide such refund or, if funds are not available in the sole discretion of the CFD Administrator to provide a cash refund, a credit to the levy of Special Tax in one or more subsequent Fiscal Years shall be made in the same amount.

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal actions by such property owner.

H. MANNER OF COLLECTION

The Special Tax will be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2020-2 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

I. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section I:

“CFD Public Facilities” means \$11,215,914 in Fiscal Year 2020-2021 dollars, or such lower number as determined by the CFD Administrator to be sufficient to fund the Facilities to be provided by CFD No. 2020-2.

“Expenditures Fund” means funds or accounts, regardless of their names, that are established to hold moneys that are available to acquire or construct Facilities.

“Future Facilities Costs” means the CFD Public Facilities minus (i) Facilities costs previously paid from the Expenditures Fund, (ii) moneys currently on deposit in the Expenditures Fund, and (iii) moneys currently on deposit in an escrow fund that are expected to be available to finance Facilities costs. The required and unfunded portion of this amount may increase by 2% annually to the extent such resulting Future Facilities Costs are able to be funded by CFD No. 2020-2 as determined by the CFD Administrator. In no event shall the amount of Future Facilities Costs be less than zero.

1. Prepayment in Full

The Maximum Special Tax obligation may only be prepaid and permanently satisfied for an Assessor's Parcel of Developed Property, Final Mapped Property or Undeveloped Property for which a Building Permit has been issued, and Public Property and/or Property Owner's Association Property that is not Exempt Property pursuant to Section F. The Prepayment Amount for an Assessor's Parcel of Undeveloped Property for which a Building Permit has been issued shall be based on the Assigned Special Tax for the applicable Land Use Category shown in Table 1 based on the Building Permit issued for such Assessor's Parcel and the then current Special Tax rates. The Maximum Special Tax obligation applicable to such Assessor's Parcel may be fully prepaid and the obligation to pay the Special Tax for such Assessor's Parcel permanently satisfied as described herein; provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Maximum Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay, and within five (5) days of receipt of such notice, the CFD Administrator shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 2020-2 in calculating the proper amount of a prepayment. Within fifteen (15) business days of receipt of such non-refundable deposit, the CFD Administrator shall notify such owner of the Prepayment Amount of such Assessor's Parcel.

The Special Tax Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Amount
plus	Administrative Fees and Expenses
less	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

Paragraph No.

1. Confirm that no Special Tax delinquencies apply to such Assessor's Parcel.
2. Compute the Assigned Special Tax and Backup Special Tax for the Assessor's Parcel to be prepaid based on the Developed Property Special Tax which is, or could be, charged in the current Fiscal Year. For Assessor's Parcels of Final Mapped Property (for which a Building Permit has been issued but which is not yet classified as Developed Property) to be prepaid, compute the Assigned Special Tax and Backup Special Tax for that Assessor's Parcel as though it was already designated as Developed Property, based upon the Building Permit which has already been issued for that Assessor's Parcel.
3. (a) Divide the Assigned Special Tax computed pursuant to Paragraph 2 by the total estimated Assigned Special Tax for CFD No. 2020-2 based on the Developed Property Special Tax which could be charged in the current Fiscal Year on all expected development through buildout of CFD No. 2020-2, excluding any Assessor's Parcels which have been prepaid, and

(b) Divide the Backup Special Tax computed pursuant to Paragraph 2 by the estimated total Backup Special Tax at buildout of CFD No. 2020-2, excluding any Assessor's Parcels which have been prepaid.
4. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").
5. Multiply the Bond Redemption Amount computed pursuant to Paragraph 4 by the applicable redemption premium (e.g., the redemption price minus 100%), if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
6. Compute the current Future Facilities Costs.
7. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the amount determined pursuant to Paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.

9. Determine the Special Tax levied on the Assessor's Parcel in the current Fiscal Year which has not yet been paid.
10. Add the amounts computed pursuant to Paragraphs 8 and 9 to determine the "Defeasance Amount".
11. Verify the administrative fees and expenses of CFD No. 2020-2, including the costs to compute the prepayment, the costs to invest the prepayment proceeds, the costs to redeem Bonds, and the costs to record any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "Reserve Fund Credit"). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the reserve requirement on the prepayment date or the redemption date.
13. The amount due to fully prepay the Special Tax is equal to the sum of the amounts computed pursuant to Paragraphs 4, 5, 7, 10, and 11, less the amount computed pursuant to Paragraph 12 (the "Prepayment Amount").
14. From the Prepayment Amount, the amounts computed pursuant to Paragraphs 4, 5, 10, and 12 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Paragraph 7 shall be deposited into the Expenditures Fund. The amount computed pursuant to Paragraph 11 shall be retained by CFD No. 2020-2.

The Special Tax Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Bonds. In such cases, the increment above \$5,000, or integral multiple thereof, will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Bonds or to make debt service payments.

Upon cash payment of the Prepayment Amount due pursuant to the above and upon owner providing confirmation from the County to the CFD Administrator that all prior and current Fiscal Year's Special Taxes, including any delinquency penalties and interest, for such Assessor's Parcel has been paid, the City shall cause a suitable notice to be recorded in compliance with the Act, to indicate the prepayment of Special Taxes and the release of the Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay the Special Tax shall cease.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the amount of Maximum Special Taxes that may be levied on Taxable Property both prior to and after the proposed prepayment is at least 1.1 times the maximum annual debt service on all Outstanding Bonds.

2. Prepayment in Part

The Maximum Special Tax on an Assessor's Parcel of Developed Property or an Assessor's Parcel of Undeveloped Property for which a Building Permit has been issued may be partially prepaid, provided an Assessor's Parcel of Developed Property may only be partially prepaid

prior to or concurrent with the close of escrow of a sale to the initial homebuyer. The amount of the prepayment shall be calculated as in Section H.1; except that a partial prepayment shall be calculated according to the following formula:

$$PP = (P_E \times F) + G$$

These terms have the following meaning:

- PP = the partial Prepayment Amount
- P_E = the Prepayment Amount calculated according to Section H.1.a.
- F = the percent by which the owner of the Assessor's Parcel(s) is partially prepaying the Maximum Special Tax.
- G = the administrative fee determined in Section H.1.b.

The Special Tax partial Prepayment Amount must be sufficient to redeem at least a \$5,000 increment of Bonds, unless waved by the CFD Administrator.

The owner of an Assessor's Parcel who desires to partially prepay the Maximum Special Tax shall notify the CFD Administrator of (i) such owner's intent to partially prepay the Maximum Special Tax, and (ii) the percentage by which the Maximum Special Tax shall be prepaid, and within five (5) days of receipt of such notice, the CFD Administrator shall notify such owner of the amount of the non-refundable deposit determined to cover the cost to be incurred by CFD No. 2020-2 in calculating the proper amount of a partial prepayment. Within fifteen (15) days of receipt of such non-refundable deposit, the CFD Administrator shall notify such owner of the partial Prepayment Amount of such Assessor's Parcel.

With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the funds remitted pursuant to Section H.1.d, and (ii) indicate in the records of CFD No. 2020-2 that there has been a partial prepayment of the Maximum Special Tax and that a portion of the Assigned Special Tax and Backup Special Tax equal to the outstanding percentage (1.00 - F) of the Assigned Special Tax and Backup Special Tax shall continue to be authorized to be levied on such Assessor's Parcel pursuant to Section E.

J. TERM OF THE SPECIAL TAX

The Special Tax shall be levied annually on each Assessor's Parcels of Taxable Property for a maximum of fifty (50) years as Developed Property from the first levy of special taxes on an applicable Assessor's Parcel as Developed Property.

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAXES
(Page 1 of 2)**

CITY OF ESCONDIDO AND CFD No. 2020-2 CERTIFICATE

1. Pursuant to Section C.1 of the Rate and Method of Apportionment for the City of Escondido Community Facilities District No. 2020-2 (The Villages) (“CFD No. 2020-2”), the Assigned Special Tax for Developed Property within CFD 2020-2 has been modified. This calculation was based upon a Price Point Study that received by the CFD Administrator on _____.

a. The information in Table 1 relating to the Assigned Special Tax for Developed Property with CFD No. 2020-2, as stated in Section C.1.b and annually increased as stated in Section C.1.d. of the Rate and Method of Apportionment, has been modified as follows:

TABLE 1
Assigned Special Taxes for Developed Property
Fiscal Year 20____-20____

Land Use Category	Property Description	Unit Type	Developed Floor Area	Assigned Special Tax Per Taxable Unit
1	Residential	DU	Greater than 3,199 sq. ft.	[\$ []
2	Residential	DU	2,950 sq. ft. to 3,199 sq. ft.	[\$ []
3	Residential	DU	2,700 sq. ft. to 2,949 sq. ft.	[\$ []
4	Residential	DU	2,450 sq. ft. to 2,699 sq. ft.	[\$ []
5	Residential	DU	2,200 sq. ft. to 2,449 sq. ft.	[\$ []
6	Residential	DU	1,950 sq. ft. to 2,199 sq. ft.	[\$ []
7	Residential	DU	1,700 sq. ft. to 1,949 sq. ft.	[\$ []
8	Residential	DU	1,450 sq. ft. to 1,699 sq. ft.	[\$ []
9	Residential	DU	Less than 1,450 sq. ft.	[\$ []
10	Non-Residential	Acre	NA	[\$ []

b. In connection with any reduction in the Assigned Special Tax, the Special Tax for Final Mapped Property, Undeveloped Property, Property Owner Association Property and Public Property per Acre as set forth in Section C.2 and the Backup Special Tax as set forth in Section C.1.c shall also be reduced by the CFD Administrator based on the recalculation of the Undeveloped Special Tax per Acre. The Backup Special Tax for Developed Property, as stated in Section C.1.c, shall be modified, to the extent the Final Map has been recorded, as follows:

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAXES
(Page 2 of 2)**

TABLE 2
Backup Special Taxes for Developed Property
Fiscal Year 20__-20__

Map / Status	Final Map Acreage of Taxable Property	Number of Residential Units	Status of Backup Tax*	Backup Special Tax per Lot or Unit*
Tentative Tract SUB16-009A (Village 1)	[]	[]		[\$ []
Tentative Tract SUB16-009B (Village 2)	[]	[]		[\$ []
Tentative Tract SUB16-009C (Village 3)	[]	[]		[\$ []

* Note: The Backup Special Tax per lot or Dwelling Unit shown may be modified as described in the Rate and Method of Apportionment for CFD No. 2020-2.

2. The Special Tax for Developed Property may only be modified prior to the first issuance of CFD No. 2020-2 Bonds as defined in the Rate and Method of Apportionment.
3. Upon execution of this certificate by CFD No. 2020-2, CFD No. 2020-2 shall cause an amended Notice of Special Tax lien for CFD No. 2020-2 to be recorded reflecting the modifications set forth herein.

By execution hereof, the undersigned acknowledges, on behalf of the City and CFD No. 2020-2, receipt of this certificate and modification of the Rate and Method of Apportionment as set forth in this certificate.

CITY OF ESCONDIDO COMMUNITY FACILITIES DISTRICT NO. 2020-2 (THE VILLAGES)

By: _____

Date: _____

RESOLUTION NO. 2020-40

**RESOLUTION OF INTENTION OF THE CITY COUNCIL OF
THE CITY OF THE CITY OF ESCONDIDO TO INCUR
BONDED INDEBTEDNESS IN AN AMOUNT NOT TO
EXCEED \$16,000,000 WITHIN PROPOSED COMMUNITY
FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF
ESCONDIDO (THE VILLAGES)**

WHEREAS, the City Council of the City of Escondido (the “City Council”) upon receipt of a petition as provided in Section 53318 of the Government Code of the State of California instituted proceedings to form Community Facilities District No. 2020-2 of the City of Escondido (The Villages) (“Community Facilities District No. 2020-2” or the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982 (the “Act”), as amended, pursuant to Resolution No. ____ (the “Resolution of Intention to Establish”) adopted by the City Council on the date hereof to finance (1) the purchase, construction, modification, expansion, improvement and/or rehabilitation of public facilities identified in Attachment “A” hereto and incorporated herein by this reference, including all furnishings, equipment and supplies related thereto (collectively, the “Facilities”) and (2) the incidental expenses to be incurred in financing the Facilities and forming and administering the District (the “Incidental Expenses”); and,

WHEREAS, the City Council estimates that the amount required to finance the Facilities and Incidental Expenses is approximately \$16,000,000; and,

WHEREAS, in order to finance the Facilities and Incidental Expenses, the City Council intends to authorize the issuance of bonds in the maximum aggregate principal amount of \$16,000,000, the repayment of which is to be secured by special taxes levied in accordance with Section 53328 of the Act on all property in the proposed Community Facilities District No. 2020-2, other than those properties exempted from taxation in the rate and method of apportionment set forth in Attachment “C” to the Resolution of Intention to Establish.

BE IT RESOLVED by the City Council of the City of Escondido that:

SECTION 1. The above recitals are true and correct.

SECTION 2. It is necessary to incur bonded indebtedness within the boundaries of proposed Community Facilities District No. 2020-2 in an amount not to exceed \$16,000,000 to finance the costs of the Facilities and Incidental Expenses, as permitted by the Act.

SECTION 3. The indebtedness will be incurred for the purpose of financing the costs of the Facilities and the Incidental Expenses, including, but not limited to, the funding of reserve funds for the bonds, the financing of costs associated with the issuance of the bonds and all other costs and expenses necessary to finance the Facilities which are permitted to be financed pursuant to the Act.

SECTION 4. It is the intent of the City Council to authorize the sale of bonds in one or more series, in the maximum aggregate principal amount of \$16,000,000 and at a maximum interest rate not in excess of 12 percent per annum, or a higher rate not in excess of the maximum rate permitted by law at the time that the bonds are issued. The term of the bonds of each series shall be

determined pursuant to a resolution of this City Council acting in its capacity as the legislative body of the District authorizing the issuance of the bonds of such series, but such term shall in no event exceed 35 years from the date of issuance of the bonds of such series, or such longer term as is then permitted by law.

SECTION 5. A public hearing (the "Hearing") on the proposed issuance of bonded indebtedness shall be held at 5:00p.m. or as soon thereafter as practicable, on May 13, 2020, at the City Council Chambers at 201 North Broadway, Escondido, California.

SECTION 6. At the time and place set forth in this Resolution for the Hearing, any interested persons, including all persons owning land or registered to vote within proposed Community Facilities District No. 2020-2, may appear and be heard.

SECTION 7. The City Clerk is hereby directed to publish a notice (the "Notice") of the Hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of the proposed Community Facilities District No. 2020-2. Such publication shall be completed at least seven days prior to the date of the Hearing. The City Clerk is further directed to mail a copy of the Notice to each of the landowners within the boundaries of proposed Community Facilities District No. 2020-2 at least 15 days prior to the Hearing.

PASSED AND ADOPTED this 8th day of April, 2020.

Mayor of the City of Escondido

ATTEST:

City Clerk of the City of Escondido

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of said City, do hereby certify that the foregoing Resolution was duly adopted by the City Council of said City and was signed by the Mayor of said City at an adjourned regular meeting of said City Council held on the 8th day of April, 2020 and was approved by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

CITY CLERK

BY: _____
City Clerk of the City of Escondido

ATTACHMENT A

**TYPES OF FACILITIES
TO BE FINANCED BY COMMUNITY
FACILITIES DISTRICT NO. 2020-2 OF THE CITY OF ESCONDIDO**

The proposed types of public facilities and expenses to be financed by the District include:

The construction, purchase, modification, expansion, rehabilitation and/or improvement of (i) water and wastewater, drainage, flood and storm protection facilities, library, parks, parkways, park lighting, sidewalks, signage, fire protection and fire suppression facilities, streets and roadways, traffic signals, street lighting, administration and community center facilities, animal shelter facilities, and other public facilities of the City, including the foregoing public facilities which are included in the City's fee programs with respect to such facilities and authorized to be financed under the Mello-Roos Community Facilities Act of 1982, as amended (the "City Facilities") and (ii) water facilities including the acquisition of capacity in the water system of the Rincon Del Diablo Municipal Water District which are included in Rincon Del Diablo Municipal Water District's water capacity and connection fee programs (the "Water District Facilities," and, together with the City Facilities, the "Facilities") and all appurtenances and appurtenant work in connection with the foregoing Facilities, and to finance the incidental expenses to be incurred, including:

a. Engineering, planning, designing, materials testing, coordination, construction staking, construction management and supervision for such Facilities The cost of engineering, planning and designing the Facilities;

b. All costs, including costs of the property owner petitioning to form the District, associated with the creation of the District, the issuance of the bonds, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District; and

c. Any other expenses incidental to the construction, acquisition, modification, rehabilitation, completion and inspection of the Facilities.

Capitalized terms used and not defined herein shall have the meaning set forth in the Rate and Method of Apportionment of Special Taxes for the District.

CITY COUNCIL STAFF REPORT

Current Business Item No. 16

April 8, 2020

File No. 0650-40

SUBJECT: Designation of Enforcement Authority for the Escondido Campaign Control Ordinance

DEPARTMENT: City Attorney's Office

RECOMMENDATION:

It is requested that the City Council adopt Resolution No. 2020-41 designating Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as the enforcement authority for the Escondido Campaign Control Ordinance for the 2020 Municipal Election, as required by Escondido Municipal Code Section 2-110.5(c).

BACKGROUND:

Pursuant to Escondido Municipal Code Section 2-110.5(c), special counsel shall be selected as the enforcement authority for the Campaign Control Ordinance by the City Attorney and appointed by the City Council at least one hundred and eighty (180) days prior to a city election. The next regularly scheduled election will be held on November 3, 2020.

Under the California Government Code and the Escondido Municipal Code, the appointed City Attorney acts under the direction of the mayor and four elected councilmembers. When candidates and incumbents compete against each other for local offices, campaign issues, including possible Campaign Control Ordinance violations should be handled by outside counsel. Therefore, Escondido Municipal Code Section 2-110.5 provides for outside counsel.

The City Attorney's Office recommends that the City Council appoint Gary W. Schons, Esq. as the City's special counsel for enforcement of the Campaign Control Ordinance based on his extensive experience and knowledge of municipal law, election matters and public integrity compliance.

Mr. Schons served for thirty-five years in the Criminal Division of the California Attorney General's Office, including twenty years as the Senior Assistant Attorney General heading the office's Criminal Division in San Diego. During that time, he was involved in numerous public integrity investigations and prosecutions, including cases related to campaign activities, contributions and reporting. Mr. Schons has extensive experience leading both civil and criminal indicting grand juries and has also trained grand juries in Southern California.

Mr. Schons has served as an informal advisor to the City of San Diego Ethic's Commission, which enforces the city's campaign ordinances. After retiring from the Attorney General's Office, he served for

nearly three years as Senior Advisor for Law and Policy to the San Diego County District Attorney and has worked on numerous public integrity cases. Mr. Schons joined Best Best & Krieger in 2014, where he now serves as the head of the firm's Public Policy and Ethics Compliance Group. His practice focuses almost exclusively on public integrity laws such as the Political Reform Act, Government Code Section 1090, the Brown Act and the Public Records Act. His work includes training, advisory, investigations, litigation and appellate work, all related to Best Best & Krieger's over 200 public agency clients.

Mr. Schons is also certified as an AB 1234 trainer and has presented and trained on public integrity issues statewide, including for the California District Attorneys Association, and for the International Association of Municipal Lawyers. He has written numerous articles on topics related to public integrity which were published in national and state legal publications. He has also served as a neutral hearing officer for a public agency and is a designated expert witness for district attorney offices in two counties. He has also served as trial counsel for the Commission on Judicial Performance and as Special Counsel for the State Bar.

On April 18, 2018, the City Council unanimously appointed Mr. Schons as the Special Enforcement Authority for the 2018 municipal election pursuant to Resolution No. 2018-59. There were no campaign-related complaints or investigations initiated during that election cycle.

Based on the above, it is recommended that the City Council adopt Resolution No. 2020-41 designating Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as the enforcement authority for the Escondido Campaign Control Ordinance for the 2020 Municipal Election, as required by Escondido Municipal Code Section 2-110.5(c).

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Michael R. McGuinness, City Attorney
4/2/20 7:12 a.m.

ATTACHMENTS:

1. Resolution No. 2020-41

RESOLUTION NO. 2020-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE RETENTION OF GARY W. SCHONS ESQ. AND THE LAW FIRM OF BEST BEST & KRIEGER LLP AS SPECIAL COUNSEL FOR THE ENFORCEMENT OF THE ESCONDIDO CAMPAIGN CONTROL ORDINANCE FOR THE 2020 MUNICIPAL ELECTION

WHEREAS, Escondido Municipal Code Section 2-110.5 (c) requires the City of Escondido to retain special counsel at least one hundred and eighty (180) days prior to a City election to enforce the Escondido Municipal Code pertaining to campaign related matters; and

WHEREAS, Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP have the highest credentials and experience, and would be well suited to serving as the City of Escondido's enforcement authority; and

WHEREAS, the City Attorney recommends the retention of Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as special counsel to enforce the provisions of the Escondido Campaign Control Ordinance for the 2020 municipal election.

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 accepts the recommendation of the City Attorney and authorizes the City Attorney and City Clerk to execute such documents as may be required to retain Gary W. Schons, Esq. and the law firm of Best Best & Krieger LLP as special counsel to enforce the provisions of the Escondido Campaign Control Ordinance.
3. That the City Council approves Resolution No. 2020-41.

CITY COUNCIL STAFF REPORT

Current Business Item No. 17

April 8, 2020

File No. 0220-65

SUBJECT: Consideration of Adoption of Temporary Eviction Moratorium and/or Other Measures to Address Economic Impact of COVID-19 Emergency; Review of Local Emergency Proclamation

DEPARTMENT: City Attorney's Office

RECOMMENDATION:

It is requested that the City Council take public input, discuss and consider the adoption of Urgency Ordinance No. 2020-09 enacting a temporary moratorium on residential and commercial evictions, and/or take other measures to address housing issues, arising out of the Local Emergency related to the COVID-19 pandemic outbreak. The City Council should further consider the existing Local Emergency Proclamation as required by state law.

FISCAL ANALYSIS:

It is unknown at this time what, if any, fiscal impact the adoption of a local eviction moratorium will have on the City of Escondido. The City would not exempt itself from the operation of the Ordinance and because it has existing leases which would be affected by this law, the City's receipt of such lease revenue receipts may be delayed.

The overall financial impacts on sales tax revenues and other unreimbursed costs associated with this emergency will likely be substantial and a mass failure of businesses caused by evictions will have a clear and long-term impact on the City's ability to recover from the current market conditions.

PREVIOUS ACTION:

On March 16, 2020, pursuant to Chapter 7 of the Escondido Municipal Code, the City Manager, acting in his capacity as the Director of Emergency Services ("Director"), issued a Local Emergency Proclamation related to the COVID-19 pandemic. On March 18, 2020, pursuant to Resolution No. 2020-01, the City Council ratified the Director's Proclamation and issued its own Local Emergency Proclamation (See Attachment 3).

BACKGROUND:

Local Emergency Related to COVID-19.

A novel coronavirus referred to as COVID-19, which causes infectious disease, was first detected in December 2019, and has now spread throughout the world. The COVID-19 disease is believed to be spread through person-to-person contact between people who are in close proximity with others up to

Consideration of Adoption of Eviction Moratorium

April 8, 2020

Page 2

6 feet and through respiratory droplets when a person coughs or sneezes, even when that person is asymptomatic.

There have been numerous deaths attributed to COVID-19 in the United States and around the world. Health agencies have recommended various protective measures to reduce the likelihood of transmission of the virus. The World Health Organization, as of March 11, 2020, identified the present circumstances as a pandemic.

The President of the United States, the State of California, the County of San Diego, all local cities in the County issued proclamations and declarations of emergency and adopted various measures to address the myriad of economic consequences of this event. On March 16, 2020, pursuant to Chapter 7 of the Escondido Municipal Code, the City Manager, in his role as the Director of Emergency Services ("Director"), was authorized to and did in fact issue a proclamation, Proclamation No. 2020-01, of the existence or threatened existence of an emergency given that the City Council was not then in session. On March 18, 2020, the City Council ratified the Director's Proclamation and issued its own Proclamation of Local Emergency arising out of the COVID-19 pandemic.

On March 19, 2020, Governor Newsom issued Executive Order N-33-20 (see Attachment 2) which effectively operated as a stay-at-home order prohibiting non-essential travel and the gathering of groups of persons. The Order closed bars, restaurants, and numerous places which provided employment to City residents. Additionally, the closure of businesses caused by the stay at home Order will materially affect the ability of businesses to timely pay their commercial lease obligations. These events were clearly out of the control of the businesses and the length of the state orders are equally something that local businesses cannot control or effectively work around.

In addition to the severe impact this emergency has caused on the City's ability to perform and deliver necessary services to its residents, and the long-term substantial financial impact on City revenues from sales tax and related revenue streams, unemployment claims nationwide have skyrocketed and the City has received several notices pursuant to California Labor Code Sections 1401, *et. seq.* (WARN Act) regarding mass layoffs at numerous Escondido businesses and food establishments. These events evidence that there has in fact been a substantial impact on the ability City residents to remain employed and earn sufficient income to pay rent, buy food, and cover normal monthly bills.

There is no reasonable dispute that the potential spread of the COVID-19 virus poses an extreme peril to the safety of persons and property within the City of Escondido and such conditions will continue to directly affect the safety of all persons within the City for the near future and are beyond the control of the services, personnel, equipment and facilities of the City.

Many cities and San Diego County itself (as to the unincorporated areas of the County) have enacted eviction moratoriums for residential and commercial tenancies. The legal support for these ordinances are premised on the general police powers of local public entities under the California Constitution and Governor Newsom's Executive Order N-28-20 (see Attachment 1).

General City Police Powers.

The California Constitution at Art XI, § 7 provides that “a county or city may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” Generally referred to as the “police powers,” it is a well-recognized tenant of state and constitutional law that local and state governments may enact laws to provide for the protection of public safety, health, comfort and general welfare of its residents. The laws must be reasonably related to the legitimate protection and promotion of a public good such as the health and welfare of its residents.

There is a legitimate basis for the City Council to conclude that there are clear and present economic consequences of the unprecedented stay-at-home orders, including the closing of bars and restaurants for dine-in service, and allowance for essential travel only; the social distancing orders prohibiting the gathering of people, including workers at local businesses; the closing of all schools and the courts; the general and pervasive public fear of contracting a deadly virus for which no known cure has been identified; the consequences of mass residential evictions increasing the homelessness population; and the anticipated economic disaster that will occur to both the City and the business owners if a significant number of businesses are being shuttered, and their employees terminated. A temporary moratorium of residential and commercial tenants, based on these COVID-related circumstances, is a reasonable exercise of a local agency’s police powers.

In addition to the state constitutional authority for local health and safety laws, state law allows for local agencies to enact orders and regulations necessary to provide for the protection of life and property. Government Code Section 8634 provides in relevant part that during a local emergency, the governing body may promulgate orders and regulations “necessary to provide for the protection of life and property” provided such orders and regulations are in writing and given widespread publicity and notice.

Executive Orders Related to Residential Eviction Moratoria.

On March 16, 2020, Governor Newsome issued Executive Order N-28-20. The Order provides in relevant part that:

1. Penal Code Section 396, which prohibits the eviction and re-rental of a housing unit during the 30 day period after the declaration of a national, state or local emergency, would be extended to the date certain of May 31, 2020.
2. To the extent state law restricts or prohibits local agencies from exercising their police powers to impose limitations on residential or commercial evictions, such laws are “hereby suspended to the extent that it would preempt or otherwise restrict such exercise.”

Thereafter, on March 27, 2020, Governor Newsom issued Executive Order N-37-20 which placed a statewide moratorium on residential evictions caused by the COVID-19 pandemic. Pursuant to Order N-37-20, residential tenants may not be evicted through May 31, 2020, provided they can document that their inability to pay all or a portion of their rent is caused by (1) their unavailability to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member with COVID-19; (2) the tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency or related government response; or (3) the tenant needed to miss work to care for a child whose school was closed in response to COVID-19.

Proposed Ordinance.

The City Council has before it an ordinance which is intended to compliment, not supplant or contradict, the existing state Executive Orders. Executive Orders N-28-20 by its terms was intended to remove barriers preventing local agencies from enacting temporary moratorium for both commercial and residential evictions based on impacts related to COVID-19. Executive Order N-37-20 specifically provided on a statewide basis protection for residential tenants only relief from the potential for an eviction due to the economic impacts of COVID-19.

The instant ordinance includes temporary eviction protection for both commercial and residential tenants. The essential components of the ordinance include:

1. It will be unlawful for a landlord to evict a tenant for nonpayment of rent due on or after March 16, 2020, if the tenant has provided notice to the landlord that the tenant is unable to pay rent due to financial impacts related to COVID-19 within 7 days after the rent is due, or within 7 days after the effective date of the ordinance, whichever is later.
2. "Financial impacts related to COVID-19" is defined as follows:
 - a. A substantial decrease in household or business income (including decreases caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and
 - b. The decrease in household or business income or the out-of-pocket medical expenses was caused by the COVID-19 pandemic; or by any local, county, state, or federal government response to COVID-19; and
 - c. The decrease in household or business income or the out-of-pocket medical expenses and causation by COVID-19 is documented in writing; and
 - d. As otherwise provided for in state law, including Executive Order N-37-20.
3. The notice required under the ordinance must be given in writing and delivered pursuant to the notice required under the terms of a lease or other rental agreement. If no written lease or rental agreement exists, the notice must be delivered personally, or by U.S. mail,

email or text messaging to the landlord, the landlord's representative or agent, and/or at the address where rent is customarily paid.

4. Once the landlord receives the required notice, eviction proceedings or other efforts to recover possession of the rented or leased premises must immediately cease.
5. Within 14 days of providing notice described in this Ordinance, or within such time as possible due to events outside of the tenant's reasonable control but in no event more than 21 days, the tenant shall provide the landlord documentation or other objectively verifiable information that due to financial impacts related to COVID-19, the tenant is unable to pay rent.
6. The tenant's documentation may include such items as paystubs, letters from employers, financial or bank statements, business records, physician's letters, and/or other monthly bills or evidence of financial responsibilities.
7. Any medical or financial information provided to the landlord related to the ordinance must be held in confidence and only used for evaluating the residential or commercial tenant's claim.
8. If the tenant does not provide evidence of financial impacts related to COVID-19 within the time frame in the ordinance, the landlord may pursue any enforcement action permissible under state law and as provided for in the underlying rental or lease agreement.
9. The Ordinance does not relieve a tenant of the obligation to pay rent, or restrict a landlord's ability to recover past rent due, imposed by an underlying rental or lease agreement.
10. The City can enforce this law against individuals or entities who knowingly or intentionally violate it or by falsifying information to qualify for the relief granted under it pursuant to the Escondido Municipal Code as a criminal matter or pursuant to any other remedies legally available to it, such as administrative violations.
11. The ordinance expires on May 31, 2020, unless extended by the City Council.

Urgency Ordinance.

Pursuant to the Government Code, the City Council may enact an urgency ordinance which takes effect immediately. Typically, ordinances may not be passed within five days of their introduction. However, pursuant to Government Code Section 36934, an urgency ordinance may be passed immediately.

Furthermore, while a typical ordinance takes effect 30 days after final passage, an urgency ordinance for the immediate preservation of the public peace, health or safety containing a declaration of the

facts constituting the urgency, and passed by a four-fifths vote of the city council, takes effect immediately. See Government Code Section 36937(b).

Review of Local Emergency Proclamation.

Pursuant to the Government Code, the Council must review the Local Emergency Proclamation periodically until the emergency is resolved. Given that the health conditions, including the rapid increase in confirmed COVID-19 cases and deaths related to the disease are on the rise, and substantial health preservation orders as well as economic stabilization measures are still being enacted at the federal, state and county levels, there are reasonable grounds to continue the Local Emergency.

CONCLUSION:

The City Council, pursuant to its inherent police powers under the state constitution and state law, has the authority to enact laws for the safety and protection of its residents. The declaration of the Local Emergency as well as the existence of numerous similar declarations at all levels of national and state governments reflect that the current health and financial circumstances of the COVID-19 emergency require creative and effective measures to protect the residents and businesses in this jurisdiction.

The existing conditions which prompted the Director's and City Council's Proclamation of Local Emergency continue to exist and the Proclamation and its directives should remain in place at this time.

APPROVED AND ACKNOWLEDGED ELECTRONICALLY BY:

Michael R. McGuinness, City Attorney
4/2/20 7:12 a.m.

ATTACHMENTS:

1. Attachment 1 – Executive Order N-28-20
2. Attachment 2 – Executive Order N-37-20
3. Attachment 3 – Proclamation No. 2020-01 (Proclamation of Local Emergency)
4. Ordinance No. 2020-09 (Urgency Ordinance)

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-28-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and otherwise mitigate the effects of COVID-19 are needed; and

WHEREAS the economic impacts of COVID-19 have been significant, and could threaten to undermine Californians' housing security and the stability of California businesses; and

WHEREAS many Californians are experiencing substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rents, mortgages, and utility bills; and

WHEREAS Californians who are most vulnerable to COVID-19, those 65 years and older, and those with underlying health issues, are advised to self-quarantine, self-isolate, or otherwise remain in their homes to reduce the transmission of COVID-19; and

WHEREAS because homelessness can exacerbate vulnerability to COVID-19, California must take measures to preserve and increase housing security for Californians to protect public health; and

WHEREAS local jurisdictions, based on their particular needs, may therefore determine that additional measures to promote housing security and stability are necessary to protect public health or to mitigate the economic impacts of COVID-19; and

WHEREAS local jurisdictions may also determine, based on their particular needs, that promoting stability amongst commercial tenancies is also conducive to public health, such as by allowing commercial establishments to decide whether and how to remain open based on public health concerns rather than economic pressures, or to mitigate the economic impacts of COVID-19; and

WHEREAS in addition to these public health benefits, state and local policies to promote social distancing, self-quarantine, and self-isolation require that people be able to access basic utilities—including water, gas, electricity, and telecommunications—at their homes, so that Californians can work from home, receive public health information, and otherwise adhere to policies of social distancing, self-quarantine, and self-isolation, if needed; and

WHEREAS many utility providers, public and private, covering electricity, gas, water, and sewer, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19; and

WHEREAS many telecommunication companies, including internet and cell phone providers, have voluntarily announced moratoriums on service disconnections and late fees for non-payment in response to COVID-19;

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

- 1) The time limitation set forth in Penal Code section 396, subdivision (f), concerning protections against residential eviction, is hereby waived. Those protections shall be in effect through May 31, 2020.
- 2) Any provision of state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions as described in subparagraphs (i) and (ii) below—including, but not limited to, any such provision of Civil Code sections 1940 et seq. or 1954.25 et seq.—is hereby suspended to the extent that it would preempt or otherwise restrict such exercise. This paragraph 2 shall only apply to the imposition of limitations on evictions when:
 - (i) The basis for the eviction is nonpayment of rent, or a foreclosure, arising out of a substantial decrease in household or business income (including, but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and
 - (ii) The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (i) was caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19, and is documented.

The statutory cause of action for judicial foreclosure, Code of Civil Procedure section 725a et seq.; the statutory cause of action for unlawful detainer, Code of Civil Procedure section 1161 et seq., and any other statutory cause of action that could be used to evict or otherwise eject a residential or commercial tenant or occupant of residential real property after foreclosure is suspended only as applied to any tenancy, or residential real property and any

occupation thereof, to which a local government has imposed a limitation on eviction pursuant to this paragraph 2, and only to the extent of the limitation imposed by the local government.

Nothing in this Order shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover rent due.

The protections in this paragraph 2 shall be in effect through May 31, 2020, unless extended.

- 3) All public housing authorities are requested to extend deadlines for housing assistance recipients or applicants to deliver records or documents related to their eligibility for programs, to the extent that those deadlines are within the discretion of the housing authority.
- 4) The Department of Business Oversight, in consultation with the Business, Consumer Services, and Housing Agency, shall engage with financial institutions to identify tools to be used to afford Californians relief from the threat of residential foreclosure and displacement, and to otherwise promote housing security and stability during this state of emergency, in furtherance of the objectives of this Order.
- 5) Financial institutions holding home or commercial mortgages, including banks, credit unions, government-sponsored enterprises, and institutional investors, are requested to implement an immediate moratorium on foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in household or business income, or substantial out-of-pocket medical expenses, which were caused by the COVID-19 pandemic, or by any local, state, or federal government response to COVID-19.
- 6) The California Public Utilities Commission is requested to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including but not limited to electric, gas, water, internet, landline telephone, and cell phone service, in response to COVID-19, and on a weekly basis publicly report these measures.

Nothing in this Order shall be construed to invalidate any limitation on eviction enacted by a local jurisdiction between March 4, 2020 and this date.

Nothing in this Order shall in any way restrict state or local authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential real property.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

ATTACHMENT 2

EXECUTIVE ORDER N-37-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS in a short period of time, COVID-19 has rapidly spread throughout California, necessitating stringent public health emergency orders as well as guidance from federal, state, and local public health officials; and

WHEREAS on March 16, 2020, I issued Executive Order N-28-20, suspending state law limitations on local jurisdictions that impose restrictions on evictions; and

WHEREAS on March 19, 2020, I issued Executive Order N-33-20, ordering all residents to immediately heed the Order of the State Public Health Officer for all residents, unless exempted, to stay home or at their place of residence; and

WHEREAS many Californians are experiencing or will experience substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rent, and leaving them vulnerable to eviction; and

WHEREAS minimizing evictions during this period is critical to reducing the spread of COVID-19 in vulnerable populations by allowing all residents to stay home or at their place of residence in compliance with Executive Order N-33-20; and

WHEREAS Chief Justice Tani Cantil-Sakauye issued advisory guidance on March 20, 2020 for superior courts to suspend most civil trials and hearings for at least 60 days, and on March 23, 2020, suspended all jury trials for a period of 60 days, and extended by 60 days the time period for the holding of a civil trial; and

WHEREAS on March 25, 2020 the Department of Business Oversight secured support from national banks, state banks and credit unions for temporary delays in mortgage payments and foreclosure sales and evictions for homeowners who have economic impacts from COVID-19 with the objective of maximizing consistency and minimizing hurdles potentially faced by borrowers.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

- 1) The deadline specified in Code of Civil Procedure section 1167 shall be extended for a period of 60 days for any tenant who is served, while

this Order is in effect, with a complaint that seeks to evict the tenant from a residence or dwelling unit for nonpayment of rent and who satisfies all of the following requirements:

- a. Prior to the date of this Order, the tenant paid rent due to the landlord pursuant to an agreement.
- b. The tenant notifies the landlord in writing before the rent is due, or within a reasonable period of time afterwards not to exceed 7 days, that the tenant needs to delay all or some payment of rent because of an inability to pay the full amount due to reasons related to COVID-19, including but not limited to the following:
 - (i) The tenant was unavailable to work because the tenant was sick with a suspected or confirmed case of COVID-19 or caring for a household or family member who was sick with a suspected or confirmed case of COVID-19;
 - (ii) The tenant experienced a lay-off, loss of hours, or other income reduction resulting from COVID-19, the state of emergency, or related government response; or
 - (iii) The tenant needed to miss work to care for a child whose school was closed in response to COVID-19.
- c. The tenant retains verifiable documentation, such as termination notices, payroll checks, pay stubs, bank statements, medical bills, or signed letters or statements from an employer or supervisor explaining the tenant's changed financial circumstances, to support the tenant's assertion of an inability to pay. This documentation may be provided to the landlord no later than the time upon payment of back-due rent.

2) No writ may be enforced while this Order is in effect to evict a tenant from a residence or dwelling unit for nonpayment of rent who satisfies the requirements of subparagraphs (a)-(c) of paragraph 1.

3) The protections in paragraphs 1 and 2 shall be in effect through May 31, 2020.

Nothing in this Order shall prevent a tenant who is able to pay all or some of the rent due from paying that rent in a timely manner or relieve a tenant of liability for unpaid rent.

Nothing in this Order shall in any way restrict state or local governmental authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential property.

IT IS FURTHER ORDERED that this Order supersedes Executive Order N-28-20 to the extent that there is any conflict with that Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

COUNCIL PROCLAMATION NO. 2020-01

A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF ESCONDIDO DECLARING A
LOCAL EMERGENCY EXISTS
THROUGHOUT THE CITY

WHEREAS, on March 16, 2020, pursuant to Chapter 7 of the Escondido Municipal Code, and specifically Section 7-6(a)(1), the City Manager, in his role as the Director of Emergency Services ("Director"), was authorized to and did in fact issue a proclamation, Proclamation No. 2020-01, of the existence or threatened existence of an emergency when the City Council was not in session; and

WHEREAS, at the time of the Director's Proclamation No. 2020-01, the City Council had adjourned to their next scheduled session noticed for Wednesday, March 18, 2020; and

WHEREAS, a novel coronavirus referred to as COVID-19, which causes infectious disease, was first detected in December 2019, and has now spread throughout the world; and

WHEREAS, the COVID-19 disease is believed to be spread through person-to-person contact between people who are in close proximity with others up to 6 feet and through respiratory droplets when a person coughs or sneezes, even when that person is asymptomatic; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC) there have been numerous deaths attributed to COVID-19 in the United States; and

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency related to the COVID-19 outbreak pursuant to Section 319 of the Public Health Service Act; and

WHEREAS, on February 19, 2020, the San Diego County Board of Supervisors ratified the Declaration of Local Health Emergency and Proclamation of Local Emergency arising out of the COVID-19 outbreak; and

WHEREAS, various health organizations throughout the world, including the CDC and the World Health Organization (WHO), consider the COVID-19 virus to be a very serious health threat, a “public health emergency of international concern,” and as of March 11, 2020, the WHO identified it as a pandemic; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive order N-25-20 which, in part, took various actions pursuant to the Emergency Services Act (Government Code Sections 8550, *et. seq.*) including an order to all residents “to heed any orders and guidance of state and local public health officials, including the imposition of social distancing measures, to control the spread of COVID-19;” and

WHEREAS, according to various current public health directives, guidelines, and recommendations, gatherings of more than 50 people should be cancelled or postponed and all smaller events should proceed only if a six foot separation of participants can be observed; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 13, 2020, the County of San Diego Office of Education announced multiple school closures effective March 16, 2020, and school districts and colleges throughout the County of San Diego initiated school closing orders for their schools for durations of approximately one month; and

WHEREAS, the COVID-19 virus has the potential to severely impact the necessary services performed by the City of Escondido, including the response times for police and fire department personnel, the holding of public meetings, as well as the regular functioning of City business should city staff and employees be infected or additional orders of quarantine be implemented; and

WHEREAS, the potential spread of the COVID-19 virus poses an extreme peril to the safety of persons and property within the City of Escondido and such conditions will continue to directly affect the safety of all persons within the City for the near future and are beyond the control of the services, personnel, equipment and facilities of the City.

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

1. That the above recitations are true and correct.
2. That the Director of Emergency Services had authority to, and did in fact properly, issue Proclamation No. 2020-01 on March 16, 2020, declaring a local

emergency in the City of Escondido pursuant to Chapter 7 of the Escondido Municipal Code, which such action is hereby ratified.

3. That the City Council hereby finds, declares and proclaims that a local emergency currently exists, has existed since on or about March 13, 2020, and will continue to exist for an unknown period in the City of Escondido due to the continued spread of the COVID-19 virus and the collateral consequences of the virus on residents, businesses, health care providers, social service agencies, and City personnel.
4. That during the existence of this local emergency, the powers, functions and duties of the Disaster Council and Director of Emergency Services established by Chapter 7 of the Escondido Municipal Code, those of the full City Council, and those of all City employees, including police and fire department personnel, shall be those as prescribed by state law and the ordinances and resolutions of the City of Escondido.
5. That this emergency Council Proclamation shall expire upon a Resolution by the City Council of the City of Escondido, or as otherwise required by law.

Dated: _____

3/18/2020

By: _____

Paul M. McNamara

Paul McNamara, Mayor
City of Escondido

ORDINANCE NO. 2020-09

AN URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF ESCONDIDO,
CALIFORNIA, ENACTING A TEMPORARY
MORATORIUM ON EVICTIONS DUE TO
NONPAYMENT OF RENT FOR RESIDENTIAL
AND COMMERCIAL TENANTS IMPACTED
BY THE NOVEL CORONAVIRUS (COVID-19)

WHEREAS, a novel coronavirus referred to as COVID-19, which causes infectious disease, was first detected in December 2019, and has now spread throughout the world; and

WHEREAS, the COVID-19 disease is believed to be spread through person-to-person contact between people who are in close proximity with others up to 6 feet and through respiratory droplets when a person coughs or sneezes, even when that person is asymptomatic; and

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency related to the COVID-19 outbreak pursuant to Section 319 of the Public Health Service Act; and

WHEREAS, on February 14, 2020, the San Diego County Public Health Officer declared a local health emergency due to the threat of COVID-19; and

WHEREAS, on February 19, 2020, the San Diego County Board of Supervisors ratified the Declaration of Local Health Emergency and Proclamation of Local Emergency arising out of the COVID-19 outbreak; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom proclaimed a State of Emergency to exist in the State of California as a result of the threat of COVID-19; and

WHEREAS, various health organizations throughout the world, including the CDC and the World Health Organization (WHO), consider the COVID-19 virus to be a very serious health threat, a “public health emergency of international concern,” and as of March 11, 2020, the WHO identified it as a pandemic; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 which, in part, took various actions pursuant to the Emergency Services Act (Government Code Sections 8550, *et. seq.*) including an order to ensure adequate facilities to address the impacts of COVID-19; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States, issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 13, 2020, the County of San Diego Office of Education announced multiple school closures effective March 16, 2020, and school districts and colleges throughout the County of San Diego initiated school closing orders for their schools for durations of approximately one month; and

WHEREAS, on March 16, 2020, the City Manager, acting in his capacity of Director of Emergency Services of the City, proclaimed, through Proclamation No. 2020-01, the existence of a Local Emergency related to COVID-19 within the City, and activated the Escondido Emergency Operations Center on that date; and

WHEREAS, on March 16, 2020, Governor Newsom issued Executive Order N-28-20, which delegated to local jurisdictions the authority to enact temporary moratoria on commercial and residential evictions based on impacts related to COVID-19 and

extended the time limitation set forth in Penal Code section 396, subdivision (f) concerning protections against residential eviction until May 31, 2020; and

WHEREAS, on March 17, 2020, the Health Officer of the County of San Diego issued an Amended Order and Emergency Regulations, which provided that all public or private schools, colleges and universities shall not hold classes or other activities where students gather on campus; and

WHEREAS, as of March 18, 2020 the Escondido City Council adopted Proclamation No. 2020-01, ratifying the declaration of the Director of Emergency Services and declaring the existence of an ongoing local emergency pursuant to COVID-19; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC) and public health officials in the County of San Diego there have been numerous deaths attributed to COVID-19 in the United States and throughout San Diego County and the infection cases and death toll are likely to increase over time; and

WHEREAS, as of March 29, 2020, the County of San Diego reports five hundred and nineteen (519) San Diego County resident cases which have tested positive or are presumptive positive for COVID-19, and seven (7) deaths, and the number is expected to increase; and

WHEREAS, pursuant to Health and Safety Code § 12175.5(b) and the Order of the Health Officer and Emergency Regulations (“County Order”) issued by the Health Officer of the County of San Diego, all government entities in San Diego County are required to take necessary measures within the government entity’s control to ensure compliance with the County Order; and

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, on March 27, 2020, Governor Newsom made substantive factual findings regarding the need for individuals to stay at home and businesses and courts to stay closed and thereupon issued Executive Order N-37-20 which effectively placed a statewide moratorium on residential evictions resulting from certain COVID-related conditions; and

WHEREAS, as a result of the public health emergency and the precautions recommended and required by health authorities to address the COVID-19 virus, many residential and commercial tenants in the City of Escondido have experienced and are expected to experience sudden and unexpected income loss which is out of their control; and

WHEREAS, the City has received written notifications required under the California Labor Code of layoffs of a substantial number of employees at local businesses caused by business loss directly related to COVID-19; and

WHEREAS, during this Local Emergency, and in the interest of protecting the public health and preventing the transmission of COVID-19, it is essential to avoid unnecessary housing and business displacement, to avoid the violation of local and

state health stay-at-home orders with moving residents and businesses caused by evictions, to protect the City's available housing stock, and to prevent housed individuals from falling into homelessness; and

WHEREAS, further substantial and long-term economic impacts caused by COVID-19 are anticipated, leaving both residential and commercial tenants vulnerable to eviction; and

WHEREAS, pursuant to Chapter 7 of the Escondido Municipal Code, the Director recommends that the City Council adopt the below Ordinance as a local measure in order to protect life and property of the residents and businesses of Escondido affected by the declared emergency; and

WHEREAS, as a result of the public health emergency, the closures or reduced operations of many local businesses, and the precautions recommended by health authorities, many tenants in Escondido have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS, promoting stability amongst commercial tenancies is also conducive to public health and safety, thereby allowing commercial establishments to decide whether and how to remain open providing both income to employees and needed services to residents and not simply closing due to economic pressures; and

WHEREAS, current state law, including Penal Code Section 396, subsections (e) and (f), does not provide sufficient protections to residential and commercial tenants experiencing the unprecedented economic consequences of shuttered businesses, mass layoffs and the inability to find replacement work and housing caused by the COVID-19 pandemic; and

WHEREAS, the City Council has the power under Government Code Sections 36934 and 36937 to adopt an ordinance that takes effect immediately if it is an ordinance for the immediate preservation of the public peace, health or safety, contains a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the City Council; and

WHEREAS, the City finds it is necessary for the City Council to adopt this Ordinance as an Urgency Ordinance, as set forth in the above recitals, which are incorporated herein by reference, and pursuant to the powers under Government Code Sections 36934 and 36937, for the immediate preservation of the public health and safety, as affected by the emergency caused by the spread of COVID-19.

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

SECTION 1. City Council Proclamation No. 2020-01 ratifying the local emergency declaration of the Emergency Services Director and declaring the existence of an ongoing Local Emergency related to COVID-19, and California Governor Gavin Newsom's Executive Orders N-28-20 and N-37-20, are hereby incorporated into this Ordinance as if fully set forth herein.

SECTION 2. The recitations in City Council Proclamation No. 2020-01 and Governor Newsom's Executive Orders N-28-20 and N-37-20 are true and correct.

SECTION 3. Pursuant to the authority granted to the City of Escondido under Art. XI, §7 of the California Constitution, and as prescribed by state law including, but not limited to, Executive Orders N-28-20 and N-37-20, the Escondido Municipal Code and the ongoing federal, state and Local Emergency, the City Council hereby enacts a

temporary moratorium on evictions of residential and commercial tenants (collectively “tenant”) impacted by the COVID-19 pandemic for non-payment of rent as follows:

- a. It shall be unlawful and prohibited for a landlord to evict a tenant or otherwise recover possession of a tenancy for nonpayment of rent due on or after March 16, 2020, if the tenant has provided notice to the landlord within seven (7) days after the rent is due, or within seven (7) days after the effective date of this Ordinance, whichever is later, that the tenant is unable to pay rent due to financial impacts related to COVID-19.
- b. For purposes of this Ordinance, “financial impacts related to COVID-19” is defined as follows:
 1. A substantial decrease in household or business income (including but not limited to, a substantial decrease in household income caused by layoffs or a reduction in the number of compensable hours of work, or a substantial decrease in business income caused by a reduction in opening hours or consumer demand), or substantial out-of-pocket medical expenses; and
 2. The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (1) was caused by the COVID-19 pandemic; or by any local, county, state, or federal government response to COVID-19; and
 3. The decrease in household or business income or the out-of-pocket medical expenses described in subparagraph (1) and causation by

COVID-19 described in subparagraph (2) must be documented in writing.

4. As otherwise provided for in state law, including but not limited to Executive Order N-37-20.
- c. For purposes of this Ordinance, “notice” must be given in writing and delivered pursuant to the notice required under the terms of a lease or other rental agreement. If no written lease or rental agreement exists, the notice must be delivered personally, or by U.S. mail, email or text messaging to the landlord, the landlord’s representative or agent, and/or at the address where rent is customarily paid.
 - d. Upon receipt of the required notice from the tenant pursuant to this Ordinance, a landlord who has already commenced eviction proceedings or other efforts to recover possession of the rented or leased premises must immediately cease all such efforts.
 - e. Within fourteen (14) days of providing notice described in this Ordinance, or within such time as possible due to events outside of the tenant’s reasonable control but in no event more than twenty (21) days, the tenant shall provide the landlord documentation or other objectively verifiable information that due to financial impacts related to COVID-19, the tenant is unable to pay rent. Documentation may include, but is not limited to, paystubs, letters from employers, financial or bank statements, business records, physician’s letters, and/or other monthly bills or evidence of financial responsibilities. Any medical or financial information provided to

the landlord for purposes related to this Ordinance, shall be held in confidence and only used for evaluating the tenant's claim.

- f. If the tenant does not provide evidence of financial impacts related to COVID-19 within the time frame described in subparagraph (e), the landlord may pursue any enforcement action permissible under state law and as provided for in the underlying rental or lease agreement.

SECTION 4. This Ordinance applies to nonpayment eviction notices and unlawful detainer actions for commercial and residential tenants based on such notices, served or filed on or after March 16, 2020, the date on which a Local Emergency was proclaimed.

SECTION 5. Nothing in this Ordinance shall relieve a tenant of the obligation to pay rent, nor restrict a landlord's ability to recover past rent due, imposed by an underlying rental or lease agreement.

SECTION 6. The City of Escondido reserves the right to enforce this Ordinance pursuant to Escondido Municipal Code section 1-13 and to pursue any other remedies legally available against individuals or entities who knowingly or intentionally violate the provisions of this Ordinance or falsifying information to qualify for the relief granted in this Ordinance.

SECTION 7. This Ordinance is intended to supplement, not to duplicate or contradict, applicable state and federal law and shall be interpreted in light of that intent.

SECTION 8. Unless extended by City Council, this Ordinance shall remain in effect until close of business on May 31, 2020.

SECTION 9. The City Manager may, but is not required to, adopt rules and regulations reasonably necessary to implement this Ordinance. If the State of California issues law or guidance on implementing an eviction moratorium or defining terms contained herein, that law or guidance shall control over the City Manager's adopted rules and regulations.

SECTION 10. 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 11. Pursuant to Government Code Section 36936, this Ordinance shall be effective immediately upon its adoption.

SECTION 12. 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 for the City of Escondido.



FUTURE CITY COUNCIL AGENDA ITEMS

Updated April 2, 2020

*AGENDA ITEMS AND CITY COUNCIL MEETING DATES ARE SUBJECT TO CHANGE.
CHECK WITH THE CITY CLERK'S OFFICE AT (760) 839-4617*

**April 15, 2020
NO MEETING**

**April 22, 2020 (City Council District 2 Vacancy Interviews)
6:00 p.m.**

**April 29, 2020
NO MEETING (5th Wednesday)**

Weekly Activity Report



April 2, 2020

COVID-19 UPDATES



Message from the City Manager, Jeffrey Epp:

The City of Escondido is emphasizing the importance of social distancing throughout our City and our operations. While we are attempting to keep open spaces and trails open, all residents must respect the County Health Department Social Distancing guidelines. Thus far, our community has been supportive and helpful in complying with these rules. Our staff is making every effort to support local business and keeping our own operations on track as much as possible. And of course, our first responders are always on duty, 24/7. Thank you all for doing your part!

COVID-19 Information:

The City of Escondido continues to follow the State and County orders as well as direction from County health officials to help slow the spread of COVID-19. There is a dedicated page on our website where you can find our latest news releases, closures, information about City appointments, and links to resources and other agencies:

<https://www.escondido.org/covid-19.aspx>

This week, Escondido Mayor Paul McNamara shared a message with the community. Watch it [here](#).

With City facilities closed to the public there are many ways to do business online with the City by using our [Online Services Portal](#).

The San Diego District Attorney's Office has shared various legal information in regards to COVID-19 [here](#).

You can get preparedness tips, the latest details and a host of resources (videos, fact sheets, etc.) on the County's website at [coronavirus-sd.com](https://www.coronavirus-sd.com). The County also has information relating to the virus on [Facebook](#), [Twitter](#) and [Instagram](#).



Operational Updates



Fire Department:

The Fire Department remains at full staffing at each of our seven fire stations and EMS Personal Protective Equipment (PPE) supply levels are being closely monitored.

Emergency Operations Center:

The City's Emergency Operations Center (EOC) has been activated to address COVID-19 specific issues. The EOC works closely with the County Office of Emergency Services, Public Health, other Law enforcement agencies (including the FBI) and all of the Fire agencies around the county to share need supplies and discuss best practices during this emergency.

The EOC is following the County's guidelines closely. This includes keeping our parks open and the best procedures and equipment to keep our first responders safe and healthy. The EOC logistics section has been working hard to locate and obtain supplies that have been difficult to procure such N95 masks, hand sanitizer, disinfectant and other supplies that have become scarce due to the pandemic. Our EOC Operations Section continues to address public safety issues and how to continue providing services if our work force becomes depleted. Lastly, our Planning Section is looking at the future and how the city will return to normal when this emergency is over. The EOC will remain active for as long as necessary.

Police Department:

The Police Department continues to operate fully as it did last week. All uniformed police officers are working 12 hour shifts to place more officers on the streets while creating more separation of the different patrol squads to minimize contact between the squads. Dispatchers are also on 12 hour shifts to achieve the same goals. All other personnel are either staggered on work days/hours or working from home in order to minimize contact with one another.

Economic Development:

Supporting Local Businesses

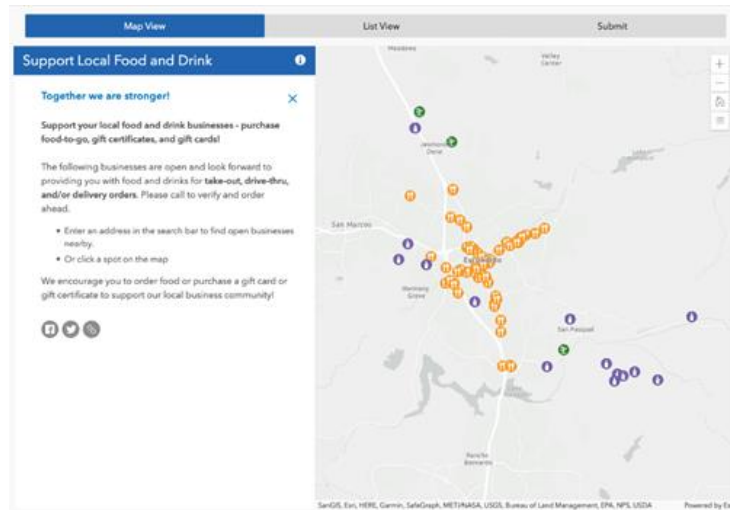
There are many ways you can continue to support Escondido's local businesses and workers. The Economic Development department has put together a list of restaurants, wineries, and breweries that are currently offering to-go food and beverage service:

<https://www.escondido.org/support-local-food-drink.aspx>.

This list is updated continuously as we are informed of establishments that are open for business and offering food and drinks (including alcohol to-go with food purchase, per ABC) for takeout, curbside pickup, and/or delivery during the coronavirus (COVID-19) situation. If you know of other places that are confirmed open for business, please email the business website and phone number to Business@escondido.org.

Economic Development worked with the GIS team to put together a Support Local Escondido Food and Drink Interactive Map on the Support Local Food and drink web page:

****NEW**** Click below to access the Support Local Escondido Food and Drink Interactive Map



Local Business and Workforce Resources

Updates and resources for local businesses and workers impacted by COVID-19 can be found here: <https://www.escondido.org/business-news.aspx>.

This information is updated continuously so check back regularly for the latest business and workforce news.

Business Sales Revenue Impact Survey

Economic Development worked with the Finance Department to send out a business sales impact survey in an effort to ascertain the local business sales and city sales tax revenue impact of COVID-19 related closures and restrictions.

Federal Stimulus Business Support Programs

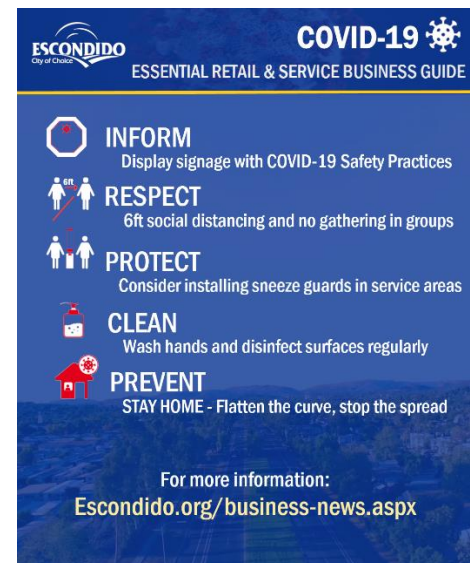
Economic Development put together a synopsis with links to federal stimulus programs available to support local businesses at <https://www.escondido.org/business-news.aspx>.

Temporary Residential and Commercial Eviction Moratorium

The Escondido City Council will be considering protection from eviction for commercial and residential tenants financially impacted by COVID-19 at the April 8 City Council meeting.

City Clerk's Office:

The City of Escondido is accepting applications for a potential appointment to the City Council to fill the vacancy created by the passing of Council Member John Masson. The application package is available online at <https://www.escondido.org/appointment-application.aspx>.



Submittals are due by April 15, 2020 at 5:00 p.m. to the City Clerk's Office by completing the online form, emailing the completed application packet to zbeck@escondido.org, or by mailing the completed application packet to 201 N. Broadway, Escondido 92025.

Community Development:

Planning Division:

The Planning Division is also accepting project entitlement and permit submittals by appointment. Please call the Planning Division at 760-839-4671 to be directed to the appropriate planner for your project. All plan review services are continuing as before and public hearings have been shifted to an electronic format to maintain critical project timeframes.

The Planning Division received the following application this week:

- Carvana – A conditional use permit application for a 75-foot high tower displaying vehicles sold on the Carvana website. Auto buyers would take delivery of their vehicles from the site on an appointment basis. The project site is the former Talone's property adjacent to I-15.

Building Division:

Although City Hall is temporarily closed to the public, the Building and Planning Divisions remain open for business. Building permit applications are accepted on an appointment basis with an assigned Building Technician. Customers are directed to call the Building Division at 760-839-4647 to discuss their needs with a staff member and determine whether drop-off or some other method of receiving plans and documents is most appropriate for their building project.

Building inspectors completed 111 inspections requests last week and 146 customers were served by phone and email. All model homes for the Escondido Villages (Lennar) project were received into plan check last week.

Governor Newsome has determined that construction is an essential service that is not subject to the current shutdown. The Community Development Department remains committed to serving our customer's needs during these difficult times to keep entitlement projects and construction moving forward.

Engineering:

Engineering staff continue to support the City's essential services. Construction inspection services are being provided to SDG&E's gas main replacement project on Midway, several Cox and AT&T communications projects, and multiple housing construction projects in accordance with the Governor's Order. In addition, work continues on major street maintenance and drainage improvement projects. The City is accepting permit applications by appointment with staff working remotely to continue processing of plans for proposed development projects. This week, the City's traffic signal programming is being migrated to an updated software program designed to improve analytics, communication and responsiveness.

Finance Department:

The Finance Department is working closely with our sales tax consultant and the City's Economic Development Department to assess the economic impact COVID-19 is having on our local economy. This information will be used to estimate the impact this pandemic is having on the City's revenue, particularly sales tax. Sales tax was estimated to increase by 2 percent to reach \$38.9 million in the current fiscal year and accounts for 37 percent of General Fund revenue.

With many businesses fully or partially affected by the shelter-in-place order, the estimated loss to sales tax may be substantial depending on how long businesses are required to stay closed.

Communications and Community Services:

Census 2020:

Wednesday, April 1 is National Census Day and a wonderful reminder of how important it is to complete your Census because everyone counts! It's fast and easy to do so from the comfort of your home via the internet or telephone. Encourage your friends, family, and social networks to do the same. For more information, please visit <https://www.escondido.org/census.aspx>.

Virtual Recreation:

Thank you for doing your part to abide by the stay-at-home order and practice social distancing when you have to go out. We've put together a collection of virtual resources for health, wellness, and enrichment for all ages to keep you active and engaged from home at <https://recreation.escondido.org/> Be on the lookout for virtual fitness videos from our Fitness Court Ambassadors and Partners on our Instagram page (@CityofEscondido)

Public Works:

Although Public Works operations have slowed, Public Works is operating business as usual. Streets staff are continuing to provide essential Public Works functions and complete ongoing projects.

